

## ARTICLE VII

### SCHEDULE OF DISTRICT REGULATIONS

District regulation shall be as set forth in the Schedule of District Regulations, hereby adopted by reference and declared to be part of this Ordinance, and in Article VIII of this Ordinance, entitled "Supplementary District Regulations."

#### <sup>23 31 38 39 41 47</sup>Section 7.1 USES COMMON TO ALL RESIDENTIAL DISTRICTS

There are certain uses which are considered acceptable when located in any residential district when developed in accordance with the space limits prescribed for that particular district.

The following uses are permitted in all residential districts, and in the Modified Residential District (M) subject to further restrictions or liberalizations which are imposed by a specific district.

#### PRINCIPAL PERMITTED USES:

Single-family detached dwellings.

Public schools and colleges when located on a site of at least five acres, and including covenants, monasteries, dormitories and other related living structures when located on the same site as the school or college.

Gardening, but not to include the raising of animals or fowl for commercial purposes. With the exception of the Agricultural-Residential District (AR), the erection of temporary structures for the retail or wholesale sale of vegetables or other agricultural products raised on the premises shall be prohibited.

Parks and recreation areas operated by the City of Lawrenceville or other political subdivisions.

Public and quasi-public buildings for cultural use.

Fire stations.

Administrative buildings for the conduct of Municipal, State or Federal governmental activities.

Off-street parking shall be provided for all uses established in residential districts.

Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.

PERMITTED ACCESSORY USES:

1. A maximum of two (2) Business Vehicles, provided that any ladders must be removed from the Business Vehicles while parked at the residence.
2. Commercial Vehicles are prohibited in all residential zoning districts.
3. A maximum of two (2) Recreational Vehicle(s), provided that it has a maximum length of forty-five (45) feet and 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. The Recreational Vehicle may be connected to an outlet but may not be occupied. The setback for a Recreational Vehicle shall be five (5) feet on the side yard, and ten (10) feet in the rear yard. 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.
4. 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.
5. Watercraft, provided that each Watercraft be thirty (30) feet or less in length, must be stored or parked completely within a garage or carport, or in the side yard or the rear yard on a hardened surface of gravel or on pavement as wide and long as the vehicle. The setback for Watercraft shall be five (5) feet on the side lot line and ten (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.
6. A detached residential Garage or Carport.
7. Outdoor Storage is not allowed as a Permitted Accessory Use except for grills, freezers, basketball goals, toys, lawn equipment, and other like equipment in good operating order that are actually used as a part of and strictly for the residential purposes of the owner.
8. A maximum of two (2) Accessory Use Building per zoning lot, provided that each of the following conditions is met:
  - (a) A Principal Permitted Use has already been permitted and constructed on the zoning lot;
  - (b) It has a maximum height of eighteen (18) feet;

- (c) No Accessory Use Building can cover more than two hundred fifty (250) square feet, and if there are two (2) Accessory Use Buildings on the same zoning lot, their combined area cannot cover more than four hundred (400) square feet;
- (d) It is located in the Rear Yard;
- (e) The Accessory Use Building must be constructed from a wood frame with wood siding, including hardy plank style siding, masonry, stucco, or some combination thereof;
- (f) Under no circumstances shall the Accessory Use Building be constructed or repaired in whole or in part with tarp, or any tarp-like material, vinyl, plastic or PVC;
- (g) A permit for the Accessory Use Building is obtained from the City of Lawrenceville Planning Department to verify compliance with this Ordinance. There shall be no cost for this permit unless the structure is connected to one or more utilities, in which case the structure would need a regular building permit and would follow that permitting procedure.

9. Signs not exceeding six (6) square feet in area identifying the premises and occupant, but not including advertising matter. Educational, religious and public or quasi-public facilities are permitted identification signs not to exceed twelve (12) square feet in area.

10. Real estate lease or sale signs not over six (6) square feet in area and relating to the property on which the sign is located.

11. Non-illuminated subdivision signs not in excess of sixty-four (64) square feet in area in subdivisions recorded after passage of this Ordinance and which contain information pertaining to that subdivision, for a period of four years subsequent to the filing date or until seventy-five percent (75%) of the lots have been sold, whichever occurs first, at which time the sign shall be removed. Subdivision signs shall be subject to the space limits of the district in which located and shall not be closer than seventy-five (75) feet from property owned by persons other than the developer.

12. The building of fences and walls and growing of hedges may be permitted in any required yard, or along the edge of any yard except for the Front Yard. In the Front Yard only a decorative fence not exceeding four (4) feet in height may be constructed. A decorative fence shall not be made of chain link, wire or similar unattractive materials. A fence or hedge in the Front Yard shall not be built along the sides or front edge of any front yard in a way that obstructs the view of persons entering or exiting from any driveway or street.

13. Any Front Yard fence that is not maintained or for any other reason becomes unsightly such as to cause a decrease in value of the nearby property shall be a nuisance. Upon order of the Municipal Court after due notice to the property owner, the Municipal Court may deem a Front Yard fence a nuisance and order that it be removed pursuant to the standards and procedures of Chapter 33 of City of Lawrenceville General Code of Ordinances 2005.

14. Accessory Uses in the form of satellite dish shaped antenna shall only be permitted on zoning lots when in compliance with the following applicable requirements:

- (1) One (1) per zoning lot.
- (2) Located in the rear yard and with a setback of not less than ten (10) feet from any lot line.
- (3) When located on a corner lot, the satellite dish must not be closer than fifty (50) feet to any street side lot line.

15. The raising and keeping of cows and horses and the use of private stables, providing the lot has a minimum area of ten (10) acres and no structure, pen or corral housing animals is located closer than three hundred (300) feet to any property line. In addition, the maximum number of animals allowed is one (1) per acre, of the area used for containment of the cows or horses.

16. **HOME OCCUPATION:** Any use 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.

No person other than members of the family residing on the premises shall be engaged in such home occupation.

The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes, with no more than twenty-five percent (25%) of the floor area of the dwelling unit used in conduct of the home occupation. No home occupation shall be conducted in any accessory building.

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 other than one (1) sign, not exceeding three (3) square feet in area, non-illuminated, and mounted flat against the wall of the principal building.

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.

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.

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 in 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.

#### CONDITIONAL USES:

The following uses are conditionally permitted in all residential districts:

Utility substations when located according to the yard space rules set forth for dwellings and having a landscaped or masonry barrier on all sides, and after a showing before the Zoning Board of Appeals that technical considerations necessary to the functioning of said utility requires the location of the facility in a residential district. Structures shall conform with all space limits of the district in which located and shall have an exterior design in harmony with nearby properties.

Railroad through and spur tracks, but no sidings or other terminal type facilities, and no service, repair, or administrative facilities, and after a showing before the Zoning Board of Appeals that such facilities are necessary in the location proposed.

Private recreation facilities (recreation facility, private), including country clubs, golf courses, swimming pools, tennis courts, neighborhood clubhouses and other places 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 bona fide members and guests of such non-profit organization. Clubs operated as restaurants, cocktail lounges, card rooms, beer taverns, bowling alleys, pool or billiard parlors and similar activities operated for profit shall be excluded from definition of a private recreation facility.

#### SPECIAL USES:

Churches, Synagogues, Temples, Convents, Monasteries, Parochial and Private Schools and Colleges, Chapels and similar Places of Worship and Instruction of a quiet nature, when at a minimum, the use meets the following further imposed standards:

- (1) The proposed facility is located on a Major Arterial or Collector Street or a State Highway with a minimum of 200' of frontage on the subject street or highway.

- (2) The proposed site contains at least five (5) acres of land with at least 4 acres lying outside of any 100-year FEMA Flood Hazard area.
- (3) Proposed buildings are setback not less than fifty (50) feet from any street and not less than twenty (20) feet from any side or rear property line. Note: If an abutting property is zoned non-residential, the minimum side and rear yard setbacks for the “place of worship” shall match the minimum setbacks required of the adjacent zoning category where it abuts the non-residential category.
- (4) Parking is not to be located within the fifty (50) foot front yard setback.
- (5) When adjacent to a property zoned for a single family detached residential use, a buffer of at least forty (40) feet shall be provided along the common property line(s).
- (6) The tract shall be one contiguous zoning classification.

**SPACE LIMITS:**

When two (2) or more lots in any one (1) block are occupied by buildings which existed on the effective date of this Ordinance, the average front yard depth of such lots shall be the established building line, provided it be equal to or greater than the minimum front yard required for the respective residential district, but no lot shall be required to have a front yard depth greater than that shown in the respective districts below.

District	Maximum Front Yard Required
RS-180	50 feet
RS-150	35 feet
RM	50 feet

<sup>18 36 41</sup>Section 7.2      AGRICULTURAL-RESIDENTIAL DISTRICT (AR)

**PURPOSE:** This district is designed to provide an environment where limited agricultural endeavor can operate compatibly with a greater density of population than normally found in farming areas. This is the only district permitting animal husbandry.

**PRINCIPAL PERMITTED USES:**

Those uses common to all residential districts.

Agriculture, including the raising of field crops, horticulture, animal husbandry subject to the rules and regulations of the Gwinnett County Board of Health, but excluding feed lots poultry farms and kennels.

Tree farms and natural forested areas.

Riding academies, other farm and ranch type recreational enterprises, golf courses, country clubs, recreational camps operated by public, charitable or religious organizations, but not including automotive race tracks or driving tracks, golf driving ranges, outdoor theaters and other commercial recreation enterprises.

Greenhouses and hydroponic farms, but not for the retail sale of products raised therein.

Hospitals and veterinary clinics and doctor's offices.

Facilities necessary for the provision of transportation; communication, water/sewage, electrical energy and natural gas pipelines and their appurtenances.

#### PERMITTED ACCESSORY USES:

The permitted accessory uses common to all residential districts.

Facilities common to farm and ranch activities.

Living quarters for persons regularly employed on the premises but not including labor camps or dwellings for transient labor.

Guest houses, not rented or otherwise conducted as a business or intended as permanent residence.

Offices incidental to and necessary for conducting a permitted use.

Home occupations.

Private stables and barns.

Roadside stands not exceeding four hundred (400) square feet in floor area, for the sale of agricultural products grown on the premises.

#### CONDITIONAL USES:

The conditional uses common to all residential districts.

Cemeteries, crematories and mausoleums.

Par-3 golf courses.

Commercial mines, quarries and gravel pits.

**SPECIAL USE:**

Assisted Living Facility / Personal Care Home

**SPACE LIMITS:**

The following space limitations shall apply to structures and buildings associated with each principal permitted use, and each accessory and conditional use, except fences and signs:

Minimum site area for a farmstead and dwelling: Three (3) acres for each dwelling unit.

Minimum front yard: forty (40) feet.

Minimum yard space, other yards: One (1) foot removed from the property line for each foot of height of the tallest structure, but in no event less than fifteen (15) feet.

Minimum house size: Single-family residence 1400 square feet heated space.

18 20 28 36 41 47 51 Section 7.3 (RS-180) SINGLE-FAMILY RESIDENCE  
18,000 SQUARE FOOT DISTRICT

**PURPOSE:** This district is designed to stabilize and protect the residential characteristics of the district and to encourage a suitable family life on large size lots.

**PRINCIPAL PERMITTED USES:**

The principal permitted uses common to all residential districts.

Personal Care Homes consisting of three (3) or fewer individuals, exclusive of staff.

Congregate Living Facilities consisting of three (3) or fewer individuals, exclusive of staff.

Family Day Care Home, provided the following criteria are met:

- (1) The family day care home 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 Zoning if the property is leased;

- (3) A drop-off and pick-up plan must be provided to the Department of Planning and Zoning which illustrates that the operation will not have adverse effects on the flow of traffic; and
- (4) No more than six children under eighteen years of age, including children residing in the home, may be cared for at one time.

#### PERMITTED ACCESSORY USES:

#### CONDITIONAL USES:

The conditional uses common to all residential districts.

#### SPECIAL USE:

Personal Care Homes of four (4) to six (6) individuals, exclusive of staff.

Congregate Living Facilities of four (4) to six (6) individuals, exclusive of staff.

#### SPACE LIMITS:

Minimum lot area: 18,000 square feet for residential uses.

Minimum lot width: one hundred (100) 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: twenty (20) feet.

Maximum ground coverage including accessory buildings: twenty-five percent (25%).

Minimum house size: One story single-family residence, 1,800 square feet of heated space; two story single-family residence, 2,000 square feet of heated space. Square footage shall be determined by measuring the exterior perimeter of the house excluding any non-heated space such as a garage. Any house destroyed by fire, flood or other natural disaster may be rebuilt to less than 1,800 square feet, provided that such house is rebuilt to at least the same square footage of the pre-

existing house as it existed on the date it was destroyed and provided that such house is rebuilt within two (2) years from the date it was destroyed. Builders shall submit to the Planning Department a floor plan showing the proposed square footage prior to the issuance of a building permit.

#### MINIMUM RESTRICTIVE COVENANT REQUIREMENTS:

As part of the planning process for the development of an RS-180 Single Family Residential district, containing more than five lots, the developer shall propose at the time of request for development restrictive covenants to be attached to the development of the property and to 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, establishing a Home Owners Association. Membership in the HOA shall be mandatory.

1. At a minimum the HOA shall have the authority to enforce HOA rules, levy fees, and fines for violations.
2. This applies only to Major Subdivisions

#### MINIMUM ARCHITECTURAL REQUIREMENTS<sup>1</sup>:

1. Driveways constructed within the subdivision shall have a minimum width of sixteen (16) feet.
2. Each lot on which a single family residence is constructed shall have a two (2) car garage as a minimum requirement.
3. The front façade of a single family residence constructed in this district shall be a minimum of 85%, of a single material; brick, stone, or cementitious stucco. Up to 10% may be of a fiber cement product.
4. The side façades of a single family residence constructed in this district shall be a minimum 33% brick, stone, or cementitious stucco. The balance shall be of a fiber cement product.
5. The rear facade of a single family residence constructed in this district shall be a minimum of 33% brick, stone, or cementitious stucco. The balance shall be of a fiber cement product. If the side façade % is increased to at least 50%, then the rear façade % may be reduced to 25%.
6. No vinyl or metal shall be used as siding.
7. Chimney and fireplaces constructed on the outside wall of a single family residence within this district must be constructed of the primary material

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<sup>1</sup> The minimum architectural requirements of this section shall not apply to the renovations or additions made to existing structures. See the Minutes of the City Council dated February 4, 2008.

used on the front façade, but may be constructed with prefabricated interiors. No portions of the chimney shall extend into any setback.

8. No plumbing or heating vents shall be placed on the front side roof of any single family residence within this district.
9. Roofing material must be architectural style shingles.
10. The purpose of this change is not to decrease creativity or diversity of design, therefore any of these requirements may be altered by special use permit if the builder shows the council that the project fits with the character of the neighborhood and that quality materials and craftsmanship will be used. The builder should bring front, side and rear elevation drawings to the special use hearing along with floor plan. Plans should show quality materials on exterior and interior of home. Hardwood floors, hard surface countertops are encouraged and upgraded appliance packages are encouraged.
11. 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. This regulation applies to all subdivisions created after the date of this amendment.

18 21 29 37 41 47 51 Section 7.3.1 (RS-150) SINGLE-FAMILY RESIDENCE 15,000 SQUARE FOOT DISTRICT

**PURPOSE:** This district is designed to stabilize and protect the residential characteristics of the district and to encourage a suitable family life on large size lots.

**PRINCIPAL PERMITTED USES:**

The principal permitted uses common to all residential districts.

Personal Care Homes consisting of three (3) or fewer individuals, exclusive of staff.

Congregate Living Facilities consisting of three (3) or fewer individuals, exclusive of staff.

Family Day Care Home, provided the following criteria are met:

- (1) The family day care home 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 Zoning if the property is leased;

- (3) A drop-off and pick-up plan must be provided to the Department of Planning and Zoning which illustrates that the operation will not have adverse effects on the flow of traffic; and
- (4) No more than six children under eighteen years of age, including children residing in the home, may be cared for at one time.

**PERMITTED ACCESSORY USES:**

**CONDITIONAL USES:**

The conditional uses common to all residential districts.

**SPECIAL USE:**

Personal Care Homes of four (4) to six (6) individuals, exclusive of staff.

Congregate Living Facilities of four (4) to six (6) individuals, exclusive of staff.

## SPACE LIMITS:

Minimum lot area: 15,000 square feet for residential uses.

Minimum lot width: eighty-five (85) feet.

Maximum height of building: thirty-five (35) feet.

Minimum front yard: thirty-five (35) feet.

Minimum rear yard: forty (40) feet.

Minimum side yard: ten (10) feet.

Minimum side yard on street side of corner: twenty (20) feet.

Maximum ground coverage including accessory buildings: twenty-five percent (25%).

Minimum house size: One story single-family residence, 1,600 square feet of heated space; two story single-family residence, 1,800 square feet of heated space. Square footage shall be determined by measuring the exterior perimeter of the house excluding any non-heated space such as a garage. Any house destroyed by fire, flood or other natural disaster may be rebuilt to less than 1,600 square feet, provided that such house is rebuilt to at least the same square footage of the pre-existing house as it existed on the date it was destroyed and provided that such house is rebuilt within two (2) years from the date it was destroyed. Builders shall submit to the Planning Department a floor plan showing the proposed square footage prior to the issuance of a building permit.

## MINIMUM RESTRICTIVE COVENANT REQUIREMENTS:

As part of the planning process for the development of an RS-150 Single Family Residential district, containing more than five lots, the developer shall propose at the time of request for development restrictive covenants to be attached to the development of the property and to 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, establishing a Home Owners Association. Membership in the HOA shall be mandatory.

1. At a minimum the HOA shall have the authority to enforce HOA rules, levy fees, and fines for violations.
2. This applies only to Major Subdivisions

## MINIMUM ARCHITECTURAL REQUIREMENTS<sup>1</sup>:

1. Driveways constructed within the subdivision shall have a minimum width of sixteen (16) feet.
2. Each lot on which a single family residence is constructed shall have a two (2) car garage as a minimum requirement.
3. The front façade of a single family residence constructed in this district shall be a minimum of 85%, of a single material; brick, stone, or cementitious stucco. Up to 10% may be of a fiber cement product.
4. The side façades of a single family residence constructed in this district shall be a minimum 33% brick, stone, or cementitious stucco. The balance shall be of a fiber cement product.
5. The rear facade of a single family residence constructed in this district shall be a minimum of 33% brick, stone, or cementitious stucco. The balance shall be of a fiber cement product. If the side façade % is increased to at least 50%, than the rear façade % may be reduced to 25%.
6. No vinyl or metal shall be used as siding.
7. Chimney and fireplaces constructed on the outside wall of a single family residence within this district must be constructed of the primary material used on the front façade, but may be constructed with prefabricated interiors. No portions of the chimney shall extend into any setback.
8. No plumbing or heating vents shall be placed on the front side roof of any single family residence within this district.
9. Roofing material must be architectural style shingles.
10. The purpose of this change is not to decrease creativity or diversity of design, therefore any of these requirements may be altered by special use permit if the builder shows the council that the project fits with the character of the neighborhood and that quality materials and craftsmanship will be used. The builder should bring front, side and rear elevation drawings to the special use hearing along with floor plan. Plans should show quality materials on exterior and interior of home. Hardwood floors, hard surface countertops are encouraged and upgraded appliance packages are encouraged.

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<sup>1</sup> The minimum architectural requirements of this section shall not apply to the renovations or additions made to existing structures. See the Minutes of the City Council dated February 4, 2008.

11. 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. This regulation applies to all subdivisions created after the date of this amendment.

<sup>1 1541</sup>Section 7.4(RS-60) SINGLE FAMILY RESIDENCE 7,500 SQUARE FOOT DISTRICT

This zoning district is intended to allow the construction of large homes on very small lots. The purpose for which this classification is created is to provide an area for the development of large homes which require very little outdoor maintenance. It is the intention of the Council in approving this Ordinance that such homes would be desirable for elderly, retired, handicapped and other citizens who desire a substantial home and prefer that the home not have a large exterior lot for care and maintenance. 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 other 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. It is also the intention of this classification to create a land use which demonstrates the maintenance of property values of both property under consideration and adjoining properties.

Within the RS-60 Single Family Residence 7,500 Square Foot District, the following requirements shall be met:

**PRINCIPAL PERMITTED USES:**

Single-Family detached dwellings.

Personal Care Homes consisting of three (3) or fewer individuals, exclusive of staff.

Congregate Living Facilities consisting of three (3) or fewer individuals, exclusive of staff.

**PERMITTED ACCESSORY USES:**

The permitted accessory uses common to all residential districts except:

The parking of recreational vehicles with the maximum length of forty-five (45) feet in the side or rear yard on a treated surface, hardened surface of gravel, or on pavement as wide and long as the vehicle. The vehicles may be hooked-up, but may not be occupied. The setbacks for the vehicles shall be five (5) feet on the side yard, and ten (10) feet in the rear. Such vehicles shall 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. The storage of one pleasure boat not to exceed a length of twenty (20) feet within a building, or in the open in a rear yard. Signs not exceeding six (6) square feet in area identifying the premises

and occupant, but not including advertising matter. Educational, religious and public or quasi-public facilities are permitted identification signs not to exceed twelve (12) square feet in area. Real estate lease or sale signs not over six (6) square feet in area and relating to the property on which the sign is located. Non-illuminated subdivision signs not in excess of sixty-four (64) square feet in area in subdivisions recorded after passage of this Ordinance and which contain information pertaining to that subdivision, for a period of four years subsequent to the filing date or until seventy-five percent (75%) of the lots have been sold, whichever occurs first, at which time the sign shall be removed. Subdivision signs shall be subject to the space limits of the district in which located and shall not be closer than seventy-five (75) feet from property owned by persons other than the developer. The raising and keeping of cows and horses and the use of private stables, providing the lot has a minimum area of ten (10) acres and no structure, pen or corral housing animals is located closer than three hundred (300) feet to any property line. In addition, the maximum number of animals allowed is one (1) per acre, of the area used for containment of the cows or horses.

**FAMILY DAY CARE HOMES:** That provide supervision and care of six (6) or fewer children for periods of less than twenty-four (24) hours per day. The facility shall be operated as a home occupation.

#### **CONDITIONAL USES:**

The conditional uses common to all residential districts shall be allowed in the RS-60 Single Family Residence classification provided it does not conflict with the specific requirements set forth in this zoning classification below. Except: railroad through and spur tracks, but no sidings or other terminal type facilities, and no service, repair, or administrative facilities, and after a showing before the Board that such facilities are necessary in the location proposed.

#### **SPACE LIMITS:**

Minimum lot area: 7,500 square feet for residential uses.

Minimum lot width: sixty (60) feet

Minimum front yard: thirty-five (35) feet

Minimum rear yard: twenty (20) feet

Minimum side yard: five (5) feet. This minimum side yard requirement is mandatory. No structure of any type shall be allowed to be built on the side of a residence in this zoning classification which intrudes into in any way the five 5 foot minimum side yard requirement. Builders shall submit house location plans prior to the issuance of a building permit. Side yard setback shall be measured from the edge of footing.

Minimum side yard if on street: twenty (20) feet

Maximum ground coverage: seventy-five percent (75%)

Minimum house size: Single family residence- one (1) story, 1,800 square feet; two (2) story, 2,000 square feet with a minimum of one thousand (1,000) square feet on the main level. The square footage requirements listed herein are for heated space.

Minimum development size: Any applicant seeking to zone property to the RS-60 Single Family Residence classification shall be developing a minimum of ten (10) acres of property as RS-60 Single Family Residences.

#### MINIMUM RESTRICTIVE COVENANT REQUIREMENTS:

As part of the planning process for the development of an RS-60 Single Family Residential district, the developer shall propose at the time of the request for rezoning restrictive covenants to be attached to the development of the property and to 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 to the restrictive covenants requested by the developer, the following minimum covenants shall be applied to the property:

- (1) All vehicles shall be parked on a subdivision lot on a paved surface. Parking a vehicle outside of a residential lot is precluded. No parking shall be allowed on the street within the subdivision.
- (2) Driveways constructed within the subdivision shall have a minimum width of sixteen (16) feet.
- (3) No interparcel driveways.
- (4) Each lot on which a single family residence is constructed shall have a two (2) car garage as a minimum requirement. 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.
- (5) All four (4) sides of the single family residence constructed in this district shall be brick. Stone accents and trim will allowed provided it does not exceed 25% of each façade, and shall not be used in the gable.
- (6) Chimney and fireplaces constructed on single family residences within this district shall have brick exteriors but may be constructed with prefabricated interiors. No portions of the chimney shall extend into any setback.

- (7) No plumbing or heating vents shall be placed on the front side roof of any single family residence within this district.
- (8) Maximum height of any structure constructed within this RS-60 single family residence district shall be thirty-five (35) feet.
- (9) Accessory buildings and storage buildings shall be prohibited.
- (10) Provide for construction and maintenance of a brick wall, no less than six (6) feet high, to be maintained by homeowner's association. This wall shall be located on the exterior road frontage of the property and shall be constructed to traverse the entire length of the road frontage. Along the other property lines, a black chain link fence shall be constructed no less than six (6) feet high. A single row of Leland Cypress or an approved alternative (to be determined at the time of rezoning) located on the interior side of the fence spaced a distance of ten (10) feet on center. These walls and fences shall be located on the exterior property lines of the development and shall be completed prior to any building permit being issued by the City of Lawrenceville.
- (11) A grading setback of thirty (30) feet along all exterior property lines shall require the steepness of any grading not to exceed a 5:1 (H:V) slope.
- (12) The minimum restrictive covenant requirements provides in paragraph 10 of Section 7.4 of the RS-60 Code Section requires the construction and maintenance of a brick wall, no less than six (6) feet high, located on the exterior property lines of the development. On properties where the exterior property line crosses a FEMA floodplain, the owner is relieved of the responsibility of constructing a wall only in the area reserved as within the FEMA floodplain. In the area of the FEMA floodplain, the owner/applicant shall submit to the Director of Planning and Zoning of the City of Lawrenceville an architectural and landscape architectural design to blend the wall into the FEMA floodplain area and create an appropriate barrier for the protection of the neighborhood, and for the protection of the floodplain area. Approval of this plan shall be subject to appeal for review to the Mayor and Council.

#### STREET CONSTRUCTION STANDARDS:

The zoning Ordinance and subdivision regulations of the City of Lawrenceville are hereby amended for purposes of construction within this zoning classification to provide the following special street construction standards:

- (1) The right-of-way width of streets that serve fifty (50) lots or less shall be forty-four (44) feet.
- (2) The right-of-way width of streets that serve more than fifty (50) lots shall be a minimum of fifty (50) feet.
- (3) The pavement width of streets that serve more than fifty (50) lots shall be a minimum of twenty-two (22) feet.
- (4) The pavement width of streets that serve more than fifty (50) lots shall be a minimum of twenty-four (24) feet.
- (5) The pavement width of one (1) directional traffic shall be a minimum of twelve (12) feet.
- (6) The right-of-way width of cul-de-sacs shall be fifty (50) feet.
- (7) The right-of-way width of cul-de-sacs, if there is center landscaping, shall be sixty (60) feet.
- (8) The pavement width of cul-de-sacs shall be a minimum of forty (40) feet.
- (9) The pavement width of cul-de-sacs, if there is center landscaping, shall be a minimum of twenty-five (25) feet, with a maximum radius of center landscaped island being twenty-five (25) feet.
- (10) All streets within the RS-60 zoning classification shall be dedicated to the City of Lawrenceville and may not be blocked or restricted by gates at the entrance to the premises. For purposes of this single family residential classification, and this classification only, a guard house may be a common area between the entrance and exit to the subdivision provided it is constructed in a common area between the entrance and exit to the subdivision. It must be constructed with four (4) sides brick. Furthermore, any guard house constructed in this manner shall be designed so as not to impede in any way the flow of traffic or in any way block the sight of drivers when entering on to the premises, exiting the premises or driving through the premises. Furthermore, at the time of application for this zoning classification, the developer shall execute an indemnity agreement, agreeing to indemnify and hold harmless the City of Lawrenceville from any liability resulting from the construction of the guard house as described above. Furthermore, a restrictive covenant will be placed in the covenants filed pursuant to the provisions of this Code Section providing that the homeowner's association of the subdivision and the individual property owners will assume the obligation of

indemnity executed by the developer at the time of rezoning the property.

- (11) 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.
- (12) The term “pavement width of streets” as used in this Ordinance shall be defined as from back of curb to back of curb.

#### EXTERIOR STREET RESTRICTIONS:

All single family residences constructed within this zoning district shall face interior streets and no driveway shall have access to exterior streets.

#### UTILITY RESTRICTIONS:

All utilities shall be located underground.

#### GREEN SPACE:

Every RS-60 single family residential development shall be required to construct an area of public green space within the confines of the development. The minimum green space required shall be one and one-half (1 ½) acre for every ten (10) acres developed. The green space shall be designed and constructed pursuant to the following regulations:

- (1) All green space must be contiguous. Green space that is across a right of way shall not be counted towards the required amount.
- (2) All green space must have at least thirty (30) feet of width to be considered in the calculations. An area of less than thirty (30) feet in width shall be considered a break in the contiguous space requirement.
- (3) Flood plain and detention ponds are not to be used in the calculations for green space.
- (4) The green space must be commonly owned by all of the residents of the subdivision. The developer shall establish a homeowner’s association for purposes of transferring title to the green space at the time development begins on the subdivision.
- (5) The green space shall be constructed as part of the first phase of development.

- (6) The green space shall be passive except for walking trails which may be constructed therein. Active recreation areas, including swimming pools, tennis courts, basketball courts, clubhouses, and other recreational amenities may not be constructed in the green space. The green space shall be undisturbed, until after the final plat has been approved not be constructed in the green space.
- (7) All green space shall be undisturbed, until after the final plat has been approved and recorded.

<sup>1 2 17 18</sup> Section 7.5 (RM-12) GENERAL RESIDENCE, 3,600 SQUARE FOOT DISTRICT\*

**PURPOSE:** This district is designed to provide for low rise, medium density apartment and townhome developments 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-Condominium District. Apartments containing not more than twelve (12) dwelling units per acre: Fee-simple townhomes, containing not more than eight (8) dwelling units per acre. Individual buildings shall not contain more than twelve (12) units for apartments and a minimum of three (3) units and a maximum of eight (8) units for townhomes.

Multiple dwellings, containing not more than twelve (12) dwelling units per acre.

Personal Care Home

Congregate Living Facility

**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:

None

#### 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, for apartments. Minimum lot area of 2,000 square feet for townhomes.

Minimum width of lot: fifty (50) feet for apartments, twenty (20) feet for townhomes

Maximum height of building: thirty-five (35) feet

Minimum front yard: fifty (50) feet for apartments, twenty-five (25) feet for townhomes

Minimum rear yard: forty (40) feet for apartments, twenty (20) feet for townhomes

Minimum side yard: twenty-five (25) feet for apartments, twenty-five (25) feet for exterior townhome subdivision property lines, zero (0) feet for interior lot lines.

Minimum distance between buildings: twenty-five (25) feet

Minimum side yard on street side of corner: fifteen (15) feet within the subdivision and twenty-five (25) feet on exterior streets

Maximum ground coverage, including accessory buildings: sixty percent (60%)

Minimum size: Apartment – 1000 square feet heated space, Townhome – two (2) story: 1500 square feet heated space, three (3) story 1800 square feet heated space.

#### ARCHITECTURAL STANDARDS:

All four (4) sides of the single family residence constructed in this district shall be brick. Stone accents and trim will be allowed provided it does not exceed 25% of each façade, and shall not be used in the gable.

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 64 square foot deck and shall be covered

Minimum 20 foot grass and landscaping strip between parking and building

First floor elevation shall have a minimum height of 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 10 by 10 patio or deck

#### DEVELOPMENT STANDARDS:

Six foot high fence required along right of way

Brick columns with a minimum spacing of 30 feet on center required

Material between columns may be brick, wrought iron, or black aluminum

Six foot high fencing required along the remaining boundary

Leyland Cypress required on the internal side of all fencing minimum spacing of 10 foot on center

Centralized mail kiosk (if provided) shall have a minimum three car stacking lane for every 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

The following are further requirements for development as a townhome subdivision. The process for development will follow the procedures as set forth in the subdivision regulations for conventional subdivisions.

## PERMITTED ACCESSORY USES:

Private Swimming pools

Signs not exceeding six (6) square feet

Fences as outlined in Article VII, Section 7.1

Home occupations as outlined in Article VII, Section 7.1

Family Day Care Homes: That provide supervision and care of six (6) or fewer children for periods of less than twenty-four (24) hours per day. The facility shall be operated as a home occupation.

## MINIMUM RESTRICTIVE COVENANT REQUIREMENTS:

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 restrictive covenants to be attached to the development of the property and to 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 to the restrictive covenants requested by the developer, the following minimum covenants shall be applied to the property:

- (1) All vehicles shall be parked on a subdivision lot on a paved surface. Parking a vehicle outside of a residential lot is precluded. No parking shall be allowed on the street within the subdivision.
- (2) Driveways constructed within the subdivision shall have a minimum width of sixteen (16) feet.
- (3) No interparcel driveways.
- (4) Each townhome residence shall have a two (2) car garage as a minimum requirement. 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.
- (5) 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.
- (6) Chimney and fireplaces constructed on any structure within this district shall have brick exteriors but may be constructed with prefabricated interiors. No portions of the chimney shall extend into any setback.
- (7) No plumbing or heating vents shall be placed on the front side roof of any structure in this district.
- (8) Maximum height of any structure constructed within a townhome subdivision shall be thirty-five (35) feet.
- (9) Provide for construction and maintenance of a brick wall, no less than six (6) feet high, to be maintained by homeowners association. This will be located on the exterior road frontage of the property and shall be constructed to traverse the entire length of the road frontage. Along the other exterior property lines of the subdivision, a black chain link fence shall be constructed no less than six (6) feet high. A double row, staggered, of Leyland Cypress,

Cryptomerium, Magnolia or other approved plants from Section 8.5, located on the interior of the fence spaced a distance of ten (10) feet on center. These walls and fences shall be located on the exterior property lines of the development and shall be completed prior to any building permit being issued by the City of Lawrenceville.

- (10) Building fronts shall be staggered to provide architectural relief.
- (11) Front doors shall be sheltered – either by a decorative metal awning or porch supported by columns.
- (12) Rear of building must have a minimum of ten (10) foot by ten (10) foot patio or deck. A fence no less than six (6) feet high by ten (10) feet long shall separate each unit of the townhome.

#### STREET CONSTRUCTION STANDARDS:

The zoning Ordinance and subdivision regulations of the City of Lawrenceville are hereby amended for purposes of construction within this zoning classification to provide the following special street construction standards:

- (1) The right-of-way width of streets that serve fifty (50) lots or less shall be forty-four (44) feet.
- (2) The right-of-way width of streets that serve more than fifty (50) lots or less shall be forty-four (44) feet.
- (3) The pavement width of streets that serve fifty (50) lots or less shall be a minimum of twenty-two (22) feet.
- (4) The pavement width of streets that serve more than fifty (50) lots shall be a minimum of twenty-four (24) feet.
- (5) The pavement width of one (1) directional traffic shall be a minimum of twelve (12) feet.
- (6) The right-of-way width of cul-de-sacs shall be fifty (50) feet.
- (7) The right-of-way width of cul-de-sacs, if there is center landscaping shall be sixty (60) feet.
- (8) The pavement width of cul-de-sacs shall be a minimum of forty (40) feet.
- (9) The pavement width of cul-de-sacs, if there is center landscaping, shall be a minimum of twenty-five (25) feet, with a maximum radius of center landscaped island being twenty-five (25) feet.
- (10) All streets within a townhome subdivision shall be dedicated to the City of Lawrenceville and may not be blocked or restricted by gates at the entrance to the premises. For purposes of a townhome subdivision, and this classification only, a guard house may be constructed at the entrance to the subdivision provided it is constructed in a common area between the entrance and exit to the subdivision. It must be constructed with four (4) sides brick. Furthermore, any guard house constructed in this manner shall be designed so as not to impede in any way the flow of traffic or in any way block the sight of drivers when entering on to the premises, exiting the premises or driving through the premises. Furthermore, at the time of application for development of a townhome subdivision, the developer shall execute an indemnity agreement agreeing to indemnify and hold harmless the City of Lawrenceville from any liability resulting from the construction of the guard house as described above. Furthermore, a restrictive covenant will be placed in the covenants

filed pursuant to the provisions of this Code Section providing that the homeowner's association of the subdivision and the individual property owners will assume the obligation of indemnity executed by the developer at the time of rezoning of the property.

- (11) 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.
- (12) The term "pavement width of streets" as used in this Ordinance shall be defined as from back of curb to back of curb.

#### EXTERIOR STREET RESTRICTIONS:

All residences constructed within this zoning district shall face interior streets and no driveway shall have access to exterior streets.

#### UTILITY RESTRICTIONS:

All utilities shall be located underground.

#### GREEN SPACE:

Every townhome subdivision development shall be required to construct an area of public green space within the confines of the development. The green space shall be designed and constructed pursuant to the following regulations:

- (1) All green space must be contiguous.
- (2) All green space must have at least thirty (30) feet of width to be considered in the calculations.
- (3) Flood plain and detention ponds are not to be used in the calculations for green space.
- (4) The green space must be commonly owned by all of the residents of the subdivision. The developer shall establish a homeowners association for purposes of transferring title to the green space at the time development begins on the subdivision.
- (5) The green space shall be constructed as part of the first phase of development.
- (6) The green space shall be passive except for walking trails which may be constructed therein. Active recreation areas, including swimming pools, tennis courts, basketball courts, clubhouses, and other recreational amenities may not be constructed in the green space.

\*The RM-12 classification is no longer a classification available for zoning amendments. Only property which currently have this classification may be developed pursuant to these standards.

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.

Personal Care Home

Congregate Living Facility

**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:**

None

**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.

## <sup>4</sup>Section 7.5.2 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.

### CONDITIONAL USES:

Non-profit Community Buildings and Social Welfare establishments other than those providing living accommodations.

### 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.

Section 7.5.3 RM 12-MODIFIED GENERAL RESIDENCE, 3600 SQUARE FOOT DISTRICT MODIFIED ALLOWING MULTIPLE BUILDING OWNERS

PURPOSE: This district is designed to provide for low rise, medium density apartment developments that will be compatible when located near and among lower and moderate density type of developments. The purpose of this Ordinance is not to allow any construction of new apartments. The purpose of this Ordinance is to allow existing RM-12 zoned property to be converted to RM-12 modified so that property owners may purchase buildings within an apartment complex that already exist, and to hold ownership in separate entities.

PRINCIPAL PERMITTED USES:

The principal permitted uses common to RM-12 zoning district that must have been satisfied when the project to be converted was originally built. The principal permitted uses shall only apply to existing buildings. No additional buildings are allowed to be constructed after conversion.

Personal Care Home

Congregate Living Facility

PERMITTED ACCESSORY USES:

The permitted accessory uses common to all residential districts.

CONDITIONAL AND SPECIAL USE:

Section 7.5.3 is in its entirety a special use. In order to apply for and become eligible for an RM-12 modified zoning designation, the Applicant must make a special use permit pursuant to Section 4.19 of this Zoning Ordinance. For a property that has been granted a special use permit pursuant to this conditional use requirement, no property may be utilized as RM-12 modified.

## SPACE LIMITS:

Before a special use permit may be considered for a zoning lot, the Applicant is required to demonstrate that the space limitations for the entire original RM-12 development are currently satisfied by the zoning parcel. Even after a special use permit has been granted pursuant to this paragraph, the project shall remain a single zoning parcel, and all of the conditions required by Section 7.5 shall be applied to that parcel as though it were owned by a single owner. There shall be no modifications to the zoning parcel to allow exceptions to the space limits contained in Section 7.5.

## RESTRICTIVE COVENANTS AND REQUIRED HOMEOWNERS ASSOCIATION CORPORATION:

At the time an Applicant applies for a special use permit to become an RM-12 modified development, the Applicant must submit draft restrictive covenants and proof of the incorporation of the homeowners association to supervise and control the zoning parcel to insure compliance with all of the regulations and Ordinances of the City of Lawrenceville. The by-laws and covenants shall grant to the homeowners association the ability to charge dues and assessments to ensure that all of the Ordinances of the City of Lawrenceville are strictly followed. The by-laws of the new corporation and the supporting covenants shall be recorded on the Deed Records of the Superior Court of Gwinnett County to give notice to all future purchasers of the restrictions required by the City of Lawrenceville.

The form of the association and the form of the restrictive covenants to evidence the right to collect dues and assess property for expenses shall be on a form approved by the Director of Planning & Zoning of the City of Lawrenceville.

A plat shall also be recorded showing the division of the property. The plat shall designate the separate building lots and the common areas owned and controlled by the homeowners association. The homeowners association shall have the responsibility to maintain all of the property's access points and the parking areas within the property, ensuring that the facilities are in good order and in proper working condition.

The association shall have the right to assess dues and shall have the ability to force the collection of dues through liens against the property.

The by-laws of the association and the restrictive covenants evidencing those by-laws shall give the officers of the homeowners association the power to act as agents for the building owners so that the association is able to insure compliance with all City regulations.

The restrictive covenants shall specifically maintain the following standards:

- (1) All landscaped areas shall be kept in good repair, all grass shall be mowed, and all debris shall be removed from the common areas.
- (2) All parking lots and driveways shall be maintained in good working condition, and any areas that the pavement becomes broken or the curbs damaged shall be replaced immediately by the homeowners association.
- (3) The homeowners association agrees to strictly comply with all of the terms of the City of Lawrenceville Property Maintenance Ordinance, and shall

immediately take action to correct any deficiency identified by the City of Lawrenceville Department of Planning & Zoning. The covenants of the homeowners association shall also reflect a requirement of strict compliance with the Property Maintenance Ordinance of the City of Lawrenceville.

- (4) Every area that is used by more than one (1) dwelling owner or its occupants shall be part of the common area of the zoning parcel as shown on the plat required above.
- (5) No additional structures, buildings or improvements shall be placed on the zoning parcel. The existing structures may be replaced with substantially identical structures.
- (6) A special use permit granting an RM-12 modified designation shall not be required to meet the road frontage requirements of the Zoning Ordinance.
- (7) Provided the common areas contain adequate parking to meet the requirements of Section 7.5 of the City of Lawrenceville Zoning Ordinance, the new building lots within the Section 7.5.3 RM-12 modified use shall not be required to have additional parking.
- (8) A subdivision plat shall be prepared, submitted and approved by the City of Lawrenceville. The plat shall first be submitted to the Director of Planning & Zoning, then to the Planning Commission for recommendations. The recommendation of the Planning Commission shall be submitted to the Mayor and Council of the City of Lawrenceville for final action of approval or denial. The zoning plat shall contain the following information:
  - (a) A metes and bounds description of all building pads;
  - (b) A metes and bounds description of the common area;
  - (c) A metes description of the entire zoning parcel that was originally approved for RM-12 construction;
  - (d) All improvements must be located on the plat, and a general description of the materials and the elevations of the structure must be submitted including, but not limited to:
    - (i) building footprints;
    - (ii) parking and impervious surfaces;
    - (iii) utility locations;
    - (iv) detention facilities;
    - (v) all of the other standards for a subdivision approval shall be submitted with this application.

#### <sup>19</sup>Section 7.6 (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.

#### SECTION 7.6.1 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

Section 7.7 (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.

<sup>18 26 32 39</sup>Section 7.7.1 (OI) OFFICE INSTITUTIONAL DISTRICT

**PURPOSE:** To provide for a wide range of office and institutional establishments, not involving the sale, storage or processing of merchandise.

**PRINCIPAL PERMITTED USES:**

Professional and business offices.

Public and governmental offices.

Cultural facilities and assembly halls.

Non-commercial clubs or lodges.

Colleges, universities, vocational-technical schools, high schools, middle schools and elementary schools.

Day nurseries and kindergartens.

Private or parochial elementary and high schools.

Specialized non-degree schools.

Religious facilities.

Funeral homes.

Hospitals.

Health service clinics.

Medical and dental laboratories.

Nursing Home

Offices of health service practitioners, but excluding veterinary clinics.

Sanatoria and convalescent and rest and retirement homes.

Communication Towers.

Financial Institution.

PERMITTED ACCESSORY USES:

Ambulance services accessory to a hospital or funeral home.

Clinic and pharmacy as part of planned office center.

Accessory parking garages and parking lots.

Postal facility.

Health club.

Tailor/seamstress/clothing.

Beauty salon/barber.

Delicatessen.

Travel agency/airline ticketing.

Real estate offices.

Computer center.

Communications/telex.

Office supply.

Drug store.

Cleaners.

News/tobacco/books.

Card and gift shop.

Child care/day care.

Florist.

Banks/financial institutions permitted as accessory structures, attached or detached from the principal buildings on the same lot and customarily incidental and subordinate to the principal building or use.

**SPECIAL USE:**

Personal Care Home

Congregate Living Facility

Helicopter Landing Pads

Small Financial Institution

**SPACE LIMITS:**

Minimum lot area: 20,000 square feet.

Minimum lot width: one hundred (100) feet.

Maximum height of building: thirty-five (35) feet.

Minimum front yard: fifty (50) feet.

Minimum rear yard: fifteen (15) feet, but 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. Twenty (20) feet of a required corner side yard adjacent to the building may be used for the parking of automobiles.

Maximum ground coverage: seventy percent (70%).

**MISCELLANEOUS PROVISIONS:**

OI districts shall be located only on major arterial streets, State highways, or access (frontage) roads paralleling expressways.

Off-street parking and loading shall be provided for all uses established in this district.

**PURPOSE:** This zone is designed to provide for limited commercial uses serving the common and frequent needs of the residents of the immediate vicinity. It is not the purpose of this district to encourage strip development to serve convenience needs of neighborhood populations.

**PRINCIPAL PERMITTED USES:**

Retail and service stores of the following types provided all activities and display goods are carried on within an enclosed building except that green plants and shrubs may be displayed in the open and further provided that all waste material be kept within a sight-obscuring enclosure:

Apparel store, tailor shops, dressmaker.

Bakery, customer selling all production at retail on the premises or as retail customer order for delivery.

Self-service automatic dry-cleaning establishments of not more than ten (10) cleaning units.

Bank, savings and loan association.

Barber, beauty shops.

Candy, ice cream store including manufacture, if all production is sold at retail on the premises or as retail custom orders for delivery.

Child care center.

Computer sales & service (max 1200 sq. ft).

Dry-cleaning pick-up station with custom pressing and repair, including cleaning on the premises, not to exceed 1200 square feet except for self-service laundry or dry-cleaning as permitted herein.

Eating places without the service of beer or intoxicating beverages and without dancing.

Drive-in type restaurants, ice cream stands, sandwich shops and similar Establishments. Where it is intended that food or drink be consumed in cars or otherwise in the area surrounding the establishment shall be prohibited except in sidewalk or patio cafes where service is provided to tables only.

Florist shop.

Gift and card shop.

Health service clinics (maximum 2,400 sq. ft.).

Gymnastics Academy (maximum 2,400 sq. ft.).

Jewelry store.

Martial Arts Studio (maximum 2,400 sq. ft.).

News and tobacco store.

Pet shops & dog grooming shops (maximum 1,200 sq. ft.).

Photographer, artist, photo finishing, and camera store.

Real estate sales office (maximum 2,400 sq. ft.).

Religious worship space (maximum 2,400 sq. ft.).

Shoe repair shop.

Veterinary clinics (no outdoor runs, nor boarding) (maximum 2,400 sq. ft.).

Other light retail and service establishments which may be determined by the City Council, upon recommendation of the Planning Commission, to be similar to the above-listed principal permitted uses and which are in harmony with the purpose of this zone, but not including those uses which are not mentioned in this zone but are specifically enumerated in another zone.

Railroad through and spur tracks, but no sidings or other terminal type facilities and no service, repair or administrative facilities.

Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall conform with all space limits of this district and shall be of such exterior design as to harmonize with nearby properties.

Public and quasi-public buildings including utilities and facilities.

#### EXCLUDED USES:

The following uses are hereby declared incompatible with the purpose of the BN district and are hereby expressly excluded:

Any use not enumerated as permitted in this zone, but which is specifically provided for in another zone.

**PERMITTED ACCESSORY USES:**

Accessory uses for commercial development shall include those normally appurtenant to such development, except as further specified herein.

**CONDITIONAL USES:**

**SPECIAL USE:**

Eating establishments that serve beer, wine and distilled spirits.

**SPACE LIMITS:**

Minimum lot area: 5,000 square feet.

Minimum width of lot: fifty (50) feet. Parking and landscaped areas may be included in this calculation.

Maximum height of building: twenty-five (25) feet, including roof signs and pylons.

Minimum front yard: fifty (50) feet.

Minimum rear yard: twenty (20) feet.

Minimum side yard: ten (10) feet.

Minimum side yard on street side of corner: twenty-five (25) feet. Twenty (20) feet of a required corner side yard adjacent to the building may be used for the parking of automobiles.

Maximum ground coverage: 70 percent (70%).

**MISCELLANEOUS PROVISIONS:**

Off-street parking and loading shall be provided for all uses established in this zone.

No business building shall be constructed on a zoning lot occupied by a residence.

**PURPOSE:** To provide for a wide range of retail and service establishments.

PRINCIPAL PERMITTED USES:

Retail and service stores of the following types, provided that all waste materials be kept within a sight-obscuring enclosure:

Animal hospitals or veterinary clinics\*

Apparel stores

Automobile Brokers, office only, limit only two cars for sale on the property and they may not be on the property overnight. No advertising on the vehicle.

Automobile parking lot

Barber & beauty shop

Boarding or breeding kennel\*

Book & stationery stores

Camera & photographic supply stores

Coin-operated laundries

Commercial greenhouses or plant nursery

Commercial outdoor recreational enterprises

Convalescent home

Convenience grocery stores

Hobby and craft shops.

Day-care nurseries & kindergartens

Drug stores

Dry-cleaning pickup

Dry-cleaning plants

Electrical supply stores

Existing wholesale & retail sales of lumber & building, plumbing & electrical materials

Farm & garden supply stores

Florists

Furniture, homes, furnishings equipment stores

General merchandise stores

Grocery stores

Gymnastics Academy

Indoor theaters & other indoor places of amusements

Jewelry stores

Lumber, hardware & other material establishments

Martial Arts Studio

Medical & dental laboratories

Newspaper & printing plants

Nursing Home

Offices of health service practitioners - physicians, dentists, chiropractors, etc.

Off-street parking lots & garages

Outdoor Carnivals, provided that the parcel has a minimum of five (5) acres, all structures, including overhang, must be set back a minimum of fifty (50) feet from the right of way and forty (40) feet from the common property lines, and the operator must have the following items approved by the Department of Planning, Zoning & Inspections: site plan showing the boundary survey, streets, overhead utilities and the location of amusements, as well as the duration of the carnival.

Paint, glass & wallpaper stores

Pet shops & dog grooming shops

Plant nursery & sales facilities

Plumbing & heating equipment dealers

Publishing & printing establishments

Radio & television studios

Real estate sales office.

Restaurants

Retail automobile parts & tire stores

Specialized non-degree schools

Sporting goods stores

Television, radio and small appliance repair.

Tool & Machine shops (less than 10,000 square feet), provided the establishment meets the following further imposed standards:

- (1) No outside storage is permitted;
- (2) All work shall be conducted inside of the establishment; and
- (3) No operation shall be carried on which involves noise in excess of the current standards promulgated by the Department of Housing and Urban Development. Noise levels shall be measured at the property line and noise in excess of prescribed levels shall be muffled so as not to be objectionable due to intermittence, frequency or shrillness.

Wholesale warehouses with no outdoor storage

- \* No outside kennel

Any principal permitted use permitted in the BN District.

Any principal permitted use permitted in the OI District.

Other retail and service establishments which may be determined by the City Council, upon recommendation of the Planning Commission, to be similar to the above-listed principal permitted uses and which are in harmony with the purpose of this district, but not including those uses which are not mentioned in this district but are specifically enumerated in another district.

Public and quasi-public buildings.

Railroad through and spur tracks, but no sidings or other terminal type facilities and no service, repair or administrative facilities.

Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Such buildings shall conform with all space limits of this district and shall be of such exterior design as to harmonize with nearby properties.

#### EXCLUDED USES:

The following uses are hereby declared incompatible with the purpose of the BG District and are hereby expressly excluded:

Mobile home subdivisions and mobile home parks.

Billboards and general advertising signs.

Drive-in theaters and drive-in food establishments.

Motel and motor hotels.

Taverns, bars and cocktail lounges.

Automobile wrecking operations, junk or salvage yards.

Dry-cleaning, laundry and dyeing plants employing over twenty (20) persons exclusive of drivers.

Any use not enumerated as permitted in this district, but which is specifically provided for in another district.

#### PERMITTED ACCESSORY USES:

Accessory uses for commercial development shall include those normally appurtenant to such development except as further specified herein.

Outdoor storage of vending machines, boxes or other similar containers used to distribute food or beverage, 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 (7) feet in height or more than four (4) feet in width or depth and the number of vending machines, boxes or other similar containers shall not exceed one machine for each

three thousand (3,000) square feet of building area and a maximum of three (3) machines, boxes or other similar containers per lot; and

- (2) The machines shall be located against and parallel to the building façade.

CONDITIONAL USES:

None.

SPECIAL USE:

<sup>1</sup>New and Used Automobile and Pickup Sales Dealers, provided the following further imposed standards apply to new development:

- (1) Fifteen (15) foot landscaped buffer fronting street, except for existing uses.

Automobile Repair Shops, provided the establishment meets the following further imposed standards:

- (1) Automobile service bays are not permitted to face the street;
- (2) Fifteen (15) foot landscaped buffer fronting street;
- (3) Overnight parking is permitted in side and rear yard but the parking must be screened from view with minimum six (6) foot opaque fencing;

No work shall be conducted on the outside grounds of the establishment;

No metal building facades; and

Automobile Wash Service (Automatic Car Washes with Interior Detail Service), provided the establishment meets the following further imposed standards:

No metal building facades; and,

Pre-fabricated awning type structures are permitted.

Automobile Wash Service (Self-Service), provided the establishment meets the following further imposed standards:

No metal building facades; and,

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<sup>1</sup> An applicant for a special use permit under this section shall be a “Dealer” as defined in O. C. G.A. § 10-1-622 and the location shall be a “Dealership Facilities” as defined in the same section of the Georgia Code.

Pre-fabricated awning type structures are not permitted.

Billiard Rooms

Communication Towers

Congregate Living Facility

Crematories

Assisted Living Facility / Personal Care Home

Funeral homes

Helicopter Landing Pads

Indoor Climate Controlled Storage Facility, provided the establishment meets the following further imposed standards:

- (1) Storage units shall not be used for manufacturing, retail or wholesale, office or other businesses or service use.
- (2) Storage units shall not be used for human habitation.
- (3) 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.
- (4) Outdoor speakers or sound amplification systems shall be prohibited.
- (5) No outdoor storage of any types shall be allowed at the facility.
- (6) The facility shall provide adequate loading and unloading areas which shall be outside of all designated and required parking spaces, all travel lanes and all fire lanes.

Mobile Home Sales Lots, provided the establishment meets the following further imposed standards:

No mobile home sales lots are permitted within one hundred (100) feet of any residential property;

No lots smaller than twenty-five thousand (25,000) square feet;

All lots must have a permanent building made of brick, stone or wood frame of no less than one thousand (1000) square feet;

No metal building facades;

Fifteen (15) foot landscaped buffer fronting street; and,

Outdoor display of merchandise, goods or products offered for sale. In considering whether to grant or deny an application for a Special Use Permit for outdoor display, the City Council shall consider the following:

- (1) Whether the merchandise, goods or products offered for sale are of a type normally sold by the permitted business;
- (2) Whether the merchandise, goods or products offered for sale are of a type normally displayed and sold outside;
- (3) The location and manner of outdoor display on the property;
- (4) The impact the display may have on the visibility of any roadway or driveway as well as the impact on the flow of pedestrian traffic on sidewalks or walkways; and
- (5) Whether the outdoor display will create visual clutter and be aesthetically unpleasing.

Outdoor storage of items, equipment, materials and supplies which are not offered for sale but which are normally appurtenant to a permitted use. In considering whether to grant or deny an application for a Special Use Permit for outdoor storage, the City Council shall consider the following:

- (1) The type of items and materials to be stored; provided, however, that under no circumstances shall an owner or occupant of any property store or be permitted to store any junk, scrap metal, rags, paper, or abandoned, wrecked, junked or scrap material, or any parts thereof, outdoors;
- (2) The location and area of proposed outdoor storage on the property;
- (3) The characteristics of surrounding properties; and
- (4) Fencing or other screening to be used to reduce or eliminate visibility of the outdoor storage.

Outdoor theaters

Parking of Commercial Vehicles (Tractor and/or Trailer)

Small Financial Institutions, provided the establishment meets the following further imposed standards:

The use shall be permitted only on a parcel of land which has direct access to a major thoroughfare;

The establishment shall not be permitted within one thousand (1,000) feet of an existing small financial institution;

The establishment may not be within one hundred (100) feet of any residential property; and,

Transportation Rental – Passenger Vehicle

Transportation Rental – Commercial Vehicle

Used Car Sales Lots, provided the establishment meets the following further imposed standards:

No used car lots are permitted within one hundred (100) feet of any residential property;

No lots smaller than twenty-five thousand (25,000) square feet;

All lots must have a permanent building made of brick, stone or wood frame of no less than one thousand (1000) square feet;

No metal building facades;

Fifteen (15) foot landscaped buffer fronting street.

#### SPACE LIMITS:

Minimum lot area: For business none. Residential structures shall conform with the provisions of the RM District, except as may be modified by the Board of Appeals in accordance with the conditional use provisions of that district.

Minimum lot width: None for business.

Maximum height of building: thirty-five (35) feet.

Minimum front yard: fifty (50) feet.

Minimum rear yard: ten (10) feet, but 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.

Maximum ground coverage including accessory buildings, loading docks, incinerators and devices: ninety-five percent (95%).

**MISCELLANEOUS PROVISIONS:**

Off-street parking and loading shall be provided for all uses established in this district.

Only one (1) building used for a dwelling shall be permitted on one (1) lot except as otherwise provided herein.

Contractor's offices' conditions are:

- (1) Maximum building size 10,000 sq. ft.
- (2) Storage space in each unit not to exceed seventy percent (70%).
- (3) Brick facades required for the following:
  - (a) front façade;
  - (b) façade that faces a street; and,
  - (c) façade that faces a residentially zoned property.

<sup>18 45 50</sup>Section 7.10 (BGC) CENTRAL GENERAL BUSINESS DISTRICT

**PURPOSE:** This district is designed to provide a general business district which will take into account the special characteristics of the Central Business District of the City.

**PRINCIPAL PERMITTED USES:**

Any principal permitted use permitted in the BG district.

Any principal permitted use permitted in the OI District.

Apartment houses, apartment hotels and mixed business and apartment buildings constructed to standards of the RM District.

**PERMITTED ACCESSORY USES:**

Any permitted accessory use allowed in the BG District.

**CONDITIONAL USES:**

Gasoline service stations.

**SPECIAL USE:**

Outdoor display of merchandise, goods or products offered for sale. In considering whether to grant or deny an application for a Special Use Permit for outdoor display, the City Council shall consider the following:

- (1) Whether the merchandise, goods or products offered for sale are of a type normally sold by the permitted business;
- (2) Whether the merchandise, goods or products offered for sale are of a type normally displayed and sold outside;
- (3) The location and manner of outdoor display on the property;
- (4) The impact the display may have on the visibility of any roadway or driveway as well as the impact on the flow of pedestrian traffic on sidewalks or walkways; and
- (5) Whether the outdoor display will create visual clutter and be aesthetically unpleasing.

Outdoor storage of items, equipment, materials and supplies which are not offered for sale but which are normally appurtenant to a permitted use. In considering whether to grant or deny an application for a Special Use Permit for outdoor storage, the City Council shall consider the following:

- (1) The type of items and materials to be stored; provided, however, that under no circumstances shall an owner or occupant of any property store or be permitted to store any junk, scrap metal, rags, paper, or abandoned, wrecked, junked or scrap material, or any parts thereof, outdoors;
- (2) The location and area of proposed outdoor storage on the property;
- (3) The characteristics of surrounding properties; and
- (4) Fencing or other screening to be used to reduce or eliminate visibility of the outdoor storage.

**EXCLUDED USES:**

Drive-in businesses with the exception of banks and savings and loan associations.

Bowling alleys and skating rinks.

Frozen food lockers.

Greenhouses.

Mortuaries.

Transportation Rental – Passenger Vehicle

Transportation Rental – Commercial Vehicle

Upholstery shops.

#### SPACE LIMITS:

Minimum lot area for business: None.

Minimum width of lot: None.

Maximum height of building: forty (40) feet.

Minimum front yard: None.

Minimum rear yard: None.

Minimum side yard on street side of corner: None.

Maximum ground coverage: one hundred percent (100%).

#### MISCELLANEOUS PROVISIONS:

Off-street loading shall be provided for all new buildings. Off-street parking may be provided by governmental or group action. It is not desired that each building supply parking space to meet its full demand on or adjacent to its site in that such an arrangement would tend to spread to BGC District over too large an area to make pedestrian communication and interchange convenient.

Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.

7 14 18 43 45 50 Section 7.11 (HSB) HIGHWAY SERVICE BUSINESS DISTRICT

**PURPOSE:** This district is designed to provide for the effective use of land situated in relationship to major highways and highway interchanges so efficient grouping of activities can develop to serve the public. Front yard requirements are designed to provide for the

safety of the traveling public by provisions for adequate off-highway maneuvering and parking space.

#### PRINCIPAL PERMITTED USES:

Any principal permitted use permitted in the BG District.

Motels and motor hotels and extended stay hotels:

- (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 (5) 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 (100) 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 (45) days in any ninety (90) day period, nor shall any guests move from one room to another without a three (3) day vacancy in between.

Campgrounds for trailer campers and motor homes.

Restaurants and eating places including drive-in establishments serving food.

Gasoline service stations which do not conduct major automotive repairs, body and fender work, or automobile painting and at which all used and waste materials are kept within a solid enclosure so that the contents are not visible from the street or highway.

Drive-in configurations of any business otherwise permitted in this district, provided adequate off-street space for the maneuvering and parking of patron's vehicles, and further provided that there be a sturdy, close woven (opaque) or solid fence suitable for the retaining of any discard paper or materials on all sides of the parking area except the front, and provided no music or loudspeaker system shall be installed or operated that can be heard at neighboring residential, motel or motor hotel properties, and providing all lighting shall be directed and shielded so as to light only the property of such establishment.

Nursing Homes

Other retail, wholesale and service establishments which may be determined to be similar to the above-listed principal permitted uses and which are in harmony with the purpose of this district.

#### EXCLUDED USES:

Mobile home subdivisions and mobile home parks.

#### PERMITTED ACCESSORY USES:

Outdoor storage of vending machines, boxes or other similar containers used to distribute food or beverage, 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 (7) feet in height or more than four (4) feet in width or depth and the number of vending machines, boxes or other similar containers shall not exceed one machine for each three thousand (3,000) square feet of building area and a maximum of three (3) machines, boxes or other similar containers per lot; and
- (2) The machines shall be located against and parallel to the building façade.

## CONDITIONAL USES:

The conditional uses common to all residential zones.

## SPACE LIMITS:

Minimum lot area: 10,000 square feet for business. Residential structures shall conform to the provisions of the RS-120 District.

Maximum height of buildings: forty-five (45) feet for business, thirty-five (35) feet for residential structures.

Minimum lot width: seventy (70) feet for business.

Minimum front yard: fifty (50) feet.

Minimum rear yard: None for business, but forty (40) feet when abutting a residential district.

Minimum side yard: None, except that no building shall be located closer than twenty-five (25) feet from any street or highway right-of-way line, except as provided herein.

Maximum ground coverage: forty percent (40%) for business.

## SPECIAL USES:

- (1) The findings and preamble described above are incorporated herein by reference.
- (2) Within the HSB Highway Service Business District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Planning Director and the Planning Commission and after a Public Hearing:
  - (a) Adult bookstores, adult entertainment establishments, and adult theaters. Adult Bookstores, adult entertainment establishments, and adult theaters may be permitted after finding that the following location requirements have been complied with:
    - (i) No adult bookstore, adult entertainment establishment, or adult theater, as defined by this resolution and herein referred to as “Regulated Uses,” shall be located, as follows:

- aa) within one thousand (1,000) feet of the property line of a private residential dwelling;
- bb) within one thousand (1,000) feet of the property line of any public library or branch of any public library;
- cc) Within one thousand (1,000) feet from the property line of any church, shrine, chapel of a mortuary, or other place used exclusively for religious services;
- dd) Within one thousand (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.

- ee) Within five hundred (500) feet of a regular stop where a school bus for the transportation of school children in the public schools of Gwinnett County shall board or discharge passengers;
  - ff) Within one thousand (1,000) feet of any other regulated use.
- (ii) 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 plat showing distances furnished by the applicant, prepared by a licensed Georgia surveyor or civil engineer. This plat shall accompany and be made a part of the application for special use.
  - (iii) Any regulated use existing upon passage of this Resolution is deemed to be a non-conforming use. Such non-conforming regulated uses shall be subject to the requirements of Article V of this Ordinance.

- (iv) 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.
- (v) The Planning Commission and Mayor and Council shall consider whether the proposed use meets the following objective criteria:
  - (aa) the proposed use shall be consistent with the City's comprehensive land use plan;
  - (bb) the proposed shall not generate noises, odors, visual blight or cause any decrease in the value of surrounding properties;
  - (cc) the proposed use shall not have any detrimental impact on the schools, or on children traveling to and from school or school activities;
  - (dd) the proposed use shall not have any detrimental impact on the residents of any City, County or other public housing projects and the residents of such projects;
  - (ee) the interior lighting in the premises shall provide adequate visibility for patrons and public safety personnel with a minimum of ten (10) candles at all times, as measured from the floor;
  - (ff) the proposed use shall not include material which would be obscene as defined by Georgia law;
  - (gg) the proposed use shall contain a minimum of one (1) parking space for each twenty-five (25) square feet of gross building area;
  - (hh) the proposed use shall be on a lot having a minimum of one hundred fifty (150) feet of road frontage on a public road, street or highway;
  - (ii) the proposed use shall have a minimum of two (2) driveways, which shall provide access to a public road, street or highway;
  - (jj) the proposed use shall have a minimum of one (1) security camera for each light standard or pole in the

parking lot. The use shall maintain surveillance tapes from the camera for ninety (90) days to guarantee the safety and security of patrons, employees, and other visitors to the site.

- (3) Fortune Telling, provided the establishment meets the following further imposed standards:
  - (a) The use shall be permitted only on a parcel of land which has direct access to a major thoroughfare;
  - (b) The establishment shall not be permitted within one thousand (1,000) feet of an existing fortune telling establishment; and,
  - (c) Establishment may not be within one hundred (100) feet of any residential property.
- (4) Assisted Living Facility / Personal Care Home
- (5) Handwriting Analysis, provided the establishment meets the following further imposed standards:
  - (a) The use shall be permitted only on a parcel of land which has direct access to a major thoroughfare;
  - (b) The establishment shall not be permitted within one thousand (1,000) feet of an existing handwriting analysis establishment; and,
  - (c) The establishment may not be within one hundred (100) feet of any residential property.
- (6) Helicopter Landing Pads
- (7) Tattoo Parlors, provided the establishment meets the following further imposed standards:
  - (a) The use shall be permitted only on a parcel of land which has direct access to a major thoroughfare;
  - (b) The establishment shall not be permitted within one thousand (1,000) feet of an existing tattoo parlor; and
  - (d) The establishment may not be within one hundred (100) feet of any residential property.
- (8) Congregate Living Facility

- (9) Bail Bonding Services pursuant to the following conditions:
  - (a) Only allowed on properties which front Buford Drive from the Railroad bridge to the city limits.
  - (b) Color of building and signage to be approved through the SUP process.
  - (c) Commercial vehicles prohibited.
  - (d) Vehicle signage prohibited.
- (10) Transportation Rental – Passenger Vehicle
- (11) Transportation Rental – Commercial Vehicle
- (12) Outdoor display of merchandise, goods or products offered for sale. In considering whether to grant or deny an application for a Special Use Permit for outdoor display, the City Council shall consider the following:
  - (a) Whether the merchandise, goods or products offered for sale are of a type normally sold by the permitted business;
  - (b) Whether the merchandise, goods or products offered for sale are of a type normally displayed and sold outside;
  - (c) The location and manner of outdoor display on the property;
  - (d) The impact the display may have on the visibility of any roadway or driveway as well as the impact on the flow of pedestrian traffic on sidewalks or walkways; and
  - (e) Whether the outdoor display will create visual clutter and be aesthetically unpleasing.
- (13) Outdoor storage of items, equipment, materials and supplies which are not offered for sale but which are normally appurtenant to a permitted use. In considering whether to grant or deny an application for a Special Use Permit for outdoor storage, the City Council shall consider the following:
  - (a) The type of items and materials to be stored; provided, however, that under no circumstances shall an owner or occupant of any property store or be permitted to store any junk, scrap metal, rags, paper, or abandoned, wrecked, junked or scrap material, or any parts thereof, outdoors;

- (b) The location and area of proposed outdoor storage on the property;
- (c) The characteristics of surrounding properties; and
- (d) Fencing or other screening to be used to reduce or eliminate visibility of the outdoor storage.

**MISCELLANEOUS PROVISIONS:**

Off-street parking and loading shall be provided for all uses established in this district.

Only one (1) building used for a dwelling shall be permitted on one (1) lot except as otherwise provided herein.

13 14 40 44 45 48 49 50 Section 7.12 (LM) LIGHT MANUFACTURING DISTRICT

**PURPOSE:** This district provides for a wide range of heavy commercial and light industrial uses, all of which shall be able to meet comparatively rigid specifications as to nuisance free performance. This district specifically excludes residences on the theory that the mixture of residential use, and public services and facilities for residences with those of industry is contrary to the purpose of these regulations irrespective of whether the industry is encroaching on a residential area or a residential area is encroaching on an industrial area.

**PRINCIPAL PERMITTED USES:**

- (1) Ambulance Service
- (2) Animal Hospital/Veterinary Clinic
- (3) Appliance Repair Shop – Indoor Only.
- (4) Auction.
- (5) Automatic Teller Machines – Freestanding.
- (6) Automobile Broker – Indoor Only.
- (7) Automobile Parts Sales – Indoor Only.
- (8) Automobile Repair Shop.
- (9) Bakery - Commercial.

- (10) Bakery - Wholesale
- (11) Bottling and Distribution Plant.
- (12) Building and Construction Supply Store.
- (13) Business Offices.
- (14) Cabinet Shop.
- (15) Ceramic Tile Sales and Service.
- (16) Communications.
- (17) Computer Sales and Service.
- (18) Concrete Refinishing.
- (19) Consumer Appliance Repair – Indoor Only.
- (20) Contractors' Offices/Warehouses.
- (21) Distribution Center.
- (22) Dog kennels, indoor.
- (23) Electrical Contractor Office and Storage.
- (24) Wholesale Electrical Contractor Supply Warehouse.
- (25) Electronic Repair – Indoor Only.
- (26) Embroidery/Sewing – Commercial.
- (27) Equipment Rental with No Outdoor Storage.
- (28) Farm and Garden Supply Store.
- (29) Fire Safety Sales/Service – Indoor Only.
- (30) Florist Shop – Wholesale.
- (31) Food Distributor.
- (32) Furniture Manufacturing.

- (33) Furniture Sales – Retail and Wholesale.
- (34) Greenhouse/Plant Nursery.
- (35) Gymnastics Academy.
- (36) Hardwood Flooring - Warehouse.
- (37) HVAC Contractor.
- (38) Internet Sales and Shipping.
- (39) Landscape Materials Supply.
- (40) Landscape Office and Warehouse.
- (41) Machine Shop.
- (42) Manufacturing Facility.
- (43) Masonry Product Sales.
- (44) Medical Equipment and Dental Laboratory.
- (45) Motorcycle Repair.
- (46) Moving and Storage Company.
- (47) Lawnmower and Small Equipment Repair – Indoor Only.
- (48) Natural and Manmade Stone Fabrication.
- (49) Newspaper and Printing Plant.
- (50) Paint, Glass or Wallpaper Store.
- (51) Painting Contractor.
- (52) Pest Control/Extermination Business.
- (53) Railroad Sidings, Through and Spur.
- (54) Recording Studio.

- (55) Small Appliance Repair – Indoor Only.
- (56) Technology Labs.
- (57) Technology Services.
- (58) Upholstery Shop.
- (59) Vending Machine Sales and Service.
- (60) Welding and Metal Fabrication.
- (61) Wholesale Auto Parts.
- (62) Wholesale Bakery.
- (63) Wholesale and Retail Sales of Lumber and Building, Plumbing and Electrical Materials – Indoor Only.
- (64) Woodworking Shop.
- (65) Wrecker Service.

**PRINCIPAL ACCESSORY USES:**

- (1) Outdoor storage of items, equipment, materials and supplies which are not offered for sale but which are normally appurtenant to a permitted use, provided that such storage meets the following requirements:
  - (a) Such property is not directly adjacent to a residential property;
  - (b) Such property is not located within the boundary of the geographical area of the Lawrenceville Downtown Development Authority;
  - (c) Storage shall be in the rear or side yard, except where any part of the property is adjacent to, or the storage is visible within a distance of two hundred and fifty (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;
  - (d) Stored items shall be screened by a solid, opaque fence at least six (6) feet in height, by landscaping creating a complete visual buffer,

or by a combination of fencing and landscaping, and no item shall be placed at a height exceeding that of the screening fence or landscaping materials; and

- (e) Under no circumstances shall an owner or occupant of any property store any junk, scrap metal, rags, paper, or abandoned, wrecked, junked or scrap material, or any parts thereof, outdoors.

**SPECIAL USES:**

- (1) Airlines.
- (2) Airports (now in existence or hereinafter created or developed).
- (3) Aircraft maintenance, service or storage.
- (4) Airport retail business.
- (5) Airport food service business.
- (6) Air traffic control.
- (7) Automobile Pick Up and Sales Dealers.
- (8) Automobile and Truck Rentals.
- (9) Automobile Wash Service.
- (10) Automobile Parking Lot.
- (11) Automobile Transport.
- (12) Bulk Storage of Gas, Chemicals or Other Similar Substances.
- (13) Church.
- (14) Colleges, Universities, Vocational-Technical, High, Middle and Elementary Schools.
- (15) Commercial Outdoor Recreational Enterprises.
- (16) Communications Towers.
- (17) Crematories.

- (18) Cultural Facilities/Assembly Halls.
- (19) Drone Operations.
- (20) Fitness and Health Center, including Martial Arts Studio, provided that such there are no more than one (1) person per two hundred (200) square feet present at any time.
- (21) General Aviation Business Operation.
- (22) Grading Contractors.
- (23) Ground Transportation of Passengers, Baggage or Cargo.
- (24) Hangars or Hangar Operations.
- (25) Equipment and Farm Equipment Rental, Sales and Service with Outdoor Storage.
- (26) Helicopter Landing Pads.
- (27) Indoor Shooting Range.
- (28) Kennels.
- (29) Labor-Ready Offices/Staging Areas.
- (30) Laboratory Research and Testing Facilities.
- (31) Mini-Warehouses/Personal Storage Warehouses.
- (32) Mortuary.
- (33) Outdoor Carnivals.
- (34) Outdoor display of merchandise, goods or products offered for sale. In considering whether to grant or deny an application for a Special Use Permit for outdoor display, the City Council shall consider the following:
  - (a) Whether the merchandise, goods or products offered for sale are of a type normally sold by the permitted business;
  - (b) Whether the merchandise, goods or products offered for sale are of a type normally displayed and sold outside;

- (c) The location and manner of outdoor display on the property;
  - (d) The impact the display may have on the visibility of any roadway or driveway as well as the impact on the flow of pedestrian traffic on sidewalks or walkways; and
  - (e) Whether the outdoor display will create visual clutter and be aesthetically unpleasing.
- (35) Outdoor storage of items, equipment, materials and supplies which are not offered for sale but which are normally appurtenant to a permitted use but which do not meet the criteria of a Principal Accessory Use. In considering whether to grant or deny an application for a Special Use Permit for outdoor storage, the City Council shall consider the following:
- (b) The type of items and materials to be stored; provided, however, that under no circumstances shall an owner or occupant of any property store or be permitted to store any junk, scrap metal, rags, paper or abandoned, wrecked, junked or scrap material, or any parts thereof, outdoors;
  - (b) The location and area of proposed outdoor storage on the property;
  - (c) The characteristics of surrounding properties; and
  - (d) Fencing or other screening to be used to reduce or eliminate visibility of the outdoor storage.
- (36) Outdoor Theater.
- (37) Parking of Commercial Vehicles, including Tractor Trailers.
- (38) Recovered Materials Processing Facility.
- (39) Recycling/Salvage Operation with Indoor Sorting Only.
- (40) Restaurant.
- (41) Runway Operator or Runway Operations.
- (42) Salvage Operation.
- (43) Schools.

- (44) Solid Waste Transfer Stations.
- (45) Taxi/Limousine Service.
- (46) Terminals or Terminal Operations.
- (47) Transportation Rental – Passenger/Commercial.
- (48) Truck and Bus Sales, Leasing and Repair (Heavy Truck/Tractor Trailer).
- (49) Trucking/Hauling Operations.

**EXCLUDED USES:**

The following uses are hereby declared incompatible with the purpose of the LM District and are hereby expressly excluded:

- (1) Dwellings, except caretaker and watchman's quarters as set forth herein.
- (2) Manufactured home parks and manufactured home subdivisions.
- (3) Hospitals, clinics, rest homes and other institutions for the housing and care of human beings.
- (4) Motels and motor hotels.
- (5) Parking or storage of single family dwellings, manufactured homes and any other dwellings that are detached from real estate or which are mounted on wheels.

**PERFORMANCE STANDARDS:**

Physical Appearance: All operations shall be carried out within an enclosed building. Outdoor storage is allowed as a Special Use as set forth in the Special Uses Section above.

Fire Hazard: No operation shall involve the use of highly flammable gases, acid, liquids, grinding processes or other inherent fire hazards. This provision shall not be construed to prohibit the use of normal heating fuels, motor fuels or welding gases when handled in accordance with other Ordinances and regulations.

Noise: No operation shall be carried on which involves noise in excess of the current standards promulgated by the Department of Housing and Urban Development.

Noise levels shall be measured at the property line and noise in excess of prescribed levels shall be muffled so as not to be objectionable due to intermittence, frequency or shrillness.

- (1) Notwithstanding any performance standard herein the noise standard for Airports, Aircraft and Engine Testing shall be as follows:

- (a) Airport and Aircraft

- (i) Prohibition. It shall be unlawful for any person to operate or cause to be operated any type of aircraft over/in the city which produces noise levels exceeding eighty-seven (87) dbA within the city.
- (ii) Exception. Any aircraft operated in conformity with, or pursuant to, federal law, federal air regulations, and air traffic control instruction used pursuant to and with the duly adopted federal air regulations shall be exempt from the provisions of subsection (1) of this section, as well as other regulations of this article. Any aircraft operating under technical difficulties, in any kind of distress, under emergency orders of air traffic control or being operated pursuant to and subsequent to the declaration of any emergency under federal air regulations shall also be exempt from the provisions of subsection (1) of this section as well as the other regulations of this article.

- (b) Engine Testing

- (i) Prohibition. It shall be unlawful for any person to operate, run up or test or cause to be operated, run up or tested an aircraft jet engine which creates a noise level of fifty (50) dbA or more between the hours of 10:00 p.m. and 7:00 a.m. Aircraft engines shall be started and run up only in the places designated for such purposes. At no time shall engines be run up when hangars, shops, airplanes or any buildings or persons are in the path of the propeller stream and/or jet exhaust.
- (ii) Exception. Any jet engine within an aircraft during landing, take off or while moving upon the ground surface of an airport shall be exempt from the provisions of subsection (1) of this section. The intent of this subsection is to regulate the noise levels produced in the testing, maintenance and repairing of jet engines and jet aircraft in the nighttime hours to the extent such levels exceed fifty (50) dbA within any inhabited area of the city.

Sewage and Liquid Wastes: No operation shall be carried on which involves the discharge into a sewer, watercourse or groundwater system effluents which are detrimental to normal sewage plant operation or which contain substance concentrations in excess of current regulations promulgated by the Georgia Environmental Protection Division of the Department of Natural Resources or which fails to comply with Ordinances which may from time to time be enacted by the City of Lawrenceville.

Air Contaminants: Due to the fact that the possibilities of air contamination cannot comprehensively be covered in this Ordinance, there shall be applied the general rule that there shall not be discharged from any sources whatsoever such quantities of air contaminants or other material in such quantity as to cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public in general or to cause or have a natural tendency to cause injury or damage to business, vegetation or property. Current clean air standards promulgated by the Georgia Environmental Protection Division of the Department of Natural Resources will be met by all uses throughout this district.

Odor: The emissions of odors that are generally agreed to be obnoxious to any considerable number of persons shall be prohibited. Observations of odor shall be made at the property line of the establishment causing the odor. As a guide to classification of odor, it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious and that such odors as associated with baking or the roasting of coffee and nuts shall not normally be considered to be obnoxious within the meaning of this Ordinance.

Gases: The gases sulfur dioxide, hydrogen sulfide and carbon monoxide shall not exceed four parts per million when measured at the property line.

Vibration: All machines including punch presses and stamping machines shall be so mounted as to minimize vibration and in no case shall such vibration exceed a displacement of three- thousandths of an inch when measured at the property line. The use of steam or of broadhammers shall not be permitted in this district.

Glare and Heat: All glare, such as welding arcs and open furnaces shall be shielded so that they shall not be visible from the property line. No heat from furnaces or processing equipment shall be sensed at the property line to the extent of raising the temperature of air materials more than two degrees Fahrenheit.

#### SPACE LIMITS:

Minimum lot area: 25,000 square feet.

Minimum lot width: fifty (50) feet.

Maximum building height: fifty (50) feet.

Minimum front yard: fifty (50) feet.

Minimum rear yard: None, but forty (40) feet when abutting a residential district.

Minimum side yard: None, but ten (10) feet when abutting a residential district.

Minimum side yard on street side of corner: ten (10) feet.

Maximum impervious surface: eighty-five percent (85%).

#### MISCELLANEOUS PROVISIONS:

Off-street parking and loading shall be provided for all uses established in this district.

11 40 44 45 48 49 50 Section 7.13 (HM) HEAVY MANUFACTURING DISTRICT

**PURPOSE:** This district provides for the widest range of industrial operations permitted in the City. It is the district for location of those industries which have not reached a technical state in processing which renders them completely free of nuisance factors or where economics precludes construction and operation in a nuisance free manner. Industries permitted in this district must, however, meet all Federal and State pollution control regulations and Ordinances from time to time enacted by the City of Lawrenceville.

#### PRINCIPAL PERMITTED USES:

- (1) Any use permitted in the LM District.
- (2) Asphalt Plant.
- (3) Assembly Plant.
- (4) Automobile Rental.
- (5) Cold Storage Plant or Commercial Cold Storage.
- (6) Commercial Appliance Repair.
- (7) Concrete and Block Plant.
- (8) Dye Casting Works.
- (9) Frozen Food Lockers.
- (10) Grading Contractor.
- (11) Heavy Equipment and Farm Equipment Rental, Sales and Service.

- (12) Highway Service Contractor.
- (13) Ice Manufacturing/Packing Plant, Excluding Stand-Alone Retail Facilities.
- (14) Leather Repair and Fabrication.
- (15) Masonry Product Manufacturing and Storage.
- (16) Parking of Commercial Vehicles.
- (17) Paving Company.
- (18) Wrecker Manufacturing.

**PRINCIPAL ACCESSORY USES:**

- (1) Outdoor storage of items, equipment, materials and supplies which are not offered for sale but which are normally appurtenant to a permitted use, provided that such storage meets the following requirements:
  - (a) Such property is not directly adjacent to a residential property;
  - (b) Such property is not located within the boundary of the geographical area of the Lawrenceville Downtown Development Authority;
  - (c) Storage shall be in the rear or side yard, except where any part of the property is adjacent to, or the storage is visible within a distance of two hundred and fifty (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;
  - (d) Stored items shall be screened by a solid, opaque fence at least six (6) feet in height, by landscaping creating a complete visual buffer, or by a combination of fencing and landscaping, and no item shall be placed at a height exceeding that of the screening fence or landscaping materials; and
  - (e) Under no circumstances shall an owner or occupant of any property store any junk, scrap metal, rags, paper, or abandoned, wrecked, junked or scrap material, or any parts thereof, outdoors.

**SPECIAL USES:**

- (1) Airlines.
- (2) Airports.
- (3) Aircraft Maintenance, Service or Storage.
- (4) Airport Retail Business.
- (5) Airport Food Service Business.
- (6) Air Traffic Control.
- (7) Automobile Parking Lot.
- (8) Automobile Pick Up and Sales Dealers.
- (9) Automobile Transport.
- (10) Automobile Wash Service.
- (11) Bulk Storage of Gas, Chemicals or Other Similar Substances and Wholesale Facilities Associated with Such Use.
- (12) Chemical/Biochemical Plant.
- (13) Colleges, Universities, Vocational-Technical, High, Middle and Elementary Schools.
- (14) Commercial Outdoor Recreational Enterprises.
- (15) Communication Towers.
- (16) Crematories.
- (17) Dry Cleaning Plant.
- (18) Dumps, Junkyards, Salvage Yards, and Automobile Junk/Salvage Yards, provided the following further imposed conditions are met:
  - a. The junkyard is located no closer than three hundred (300) feet to a residential or commercial zoning district boundary line.
  - b. The junkyard is completely enclosed with a solid fence not projecting into the right-of-way of any roadway adjoining said junkyard, not less

than eight (8) feet high and in no case less than such height as will effectively screen all storage and other operations from view.

- c. The junkyard is located no closer than one thousand (1,000) feet from the nearest edge of the right-of-way of any major arterial roadway. For purposes of this subpart, a “major arterial roadway” is defined as any roadway, street or thoroughfare within the City limits of Lawrenceville, Georgia, having a right-of-way of one hundred (100) feet or greater.

- (19) Fertilizer Plant.
- (20) General aviation business operation not otherwise specified herein.
- (21) General aviation fixed base operators or fixed base operations.
- (22) General aviation hangar or hangar operations.
- (23) Helicopter Landing Pads.
- (24) Kennels.
- (25) Laboratory Research and Testing Facilities.
- (26) Landfills, provided the following further imposed criteria are met:
  - a. A minimum two-hundred (200) 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.
  - b. A minimum seventy-five (75) foot natural, undisturbed buffer shall be provided between non-waste disposal operations and exterior property lines except for approved perpendicular access and utility crossings,
  - c. The limits of any 100-year floodplain or a stream buffer of 200 feet, whichever is greater, shall be preserved as a natural, undisturbed area except for approved perpendicular access and utility crossings.
  - d. The entire site shall be fenced with a minimum six (6) foot high chain link security fence.
  - e. The landfill shall be located on or have direct private access to a major collector, minor arterial, major arterial or principal arterial road.
  - f. The applicant shall include with the Special Use Permit application a report detailing the phasing of the landfill and plans for closure and reclamation.
  - g. The following waste disposal/recycling facilities shall be permitted as accessory uses to landfills meeting the above standards:
    - i. Composting, municipal solid waste
    - ii. Composting, yard trimmings

- iii. Gas recovery/gas cogeneration plant
- iv. Recovered materials processing facility
- v. Solid waste transfer station.

(27) Manufactured Home and Manufactured Building Sales, Leasing and Storage Lots, provided the establishment meets the following further imposed standards:

- a. No lots are permitted within one hundred (100) feet of any residential property;
- b. No lots smaller than twenty-five thousand (25,000) square feet;
- c. All lots must have a permanent building made of brick, stone or wood frame of no less than one thousand (1,000) square feet;
- d. No metal building facades; and
- e. Fifteen (15) foot landscaped buffer fronting street.

(28) Meat Packing, Slaughtering, Eviscerating and Skinning.

(29) Metal Smelting/Forging Works.

(30) Mini-Warehouse/Personal Storage Facilities.

(31) Motorcycle Repair.

(32) Outdoor Carnivals.

(33) Outdoor Theater.

(34) Outdoor display of merchandise, goods or products offered for sale. In considering whether to grant or deny an application for a Special Use Permit for outdoor display, the City Council shall consider the following:

- (a) Whether the merchandise, goods or products offered for sale are of a type normally sold by the permitted business;
- (b) Whether the merchandise, goods or products offered for sale are of a type normally displayed and sold outside;
- (c) The location and manner of outdoor display on the property;
- (d) The impact the display may have on the visibility of any roadway or driveway as well as the impact on the flow of pedestrian traffic on sidewalks or walkways; and

- (e) Whether the outdoor display will create visual clutter and be aesthetically unpleasing.
- (35) Outdoor storage of items, equipment, materials and supplies which are not offered for sale but which are normally appurtenant to a permitted use but which do not meet the criteria of a Principal Accessory Use. In considering whether to grant or deny an application for a Special Use Permit for outdoor storage, the City Council shall consider the following:
- (a) The type of items and materials to be stored; provided, however, that under no circumstances shall an owner or occupant of any property store or be permitted to store any junk, scrap metal, rags, paper or abandoned, wrecked, junked or scrap material, or any parts thereof, outdoors;
  - (e) The location and area of proposed outdoor storage on the property;
  - (f) The characteristics of surrounding properties; and
  - (g) Fencing or other screening to be used to reduce or eliminate visibility of the outdoor storage.
- (36) Quarry for the removal of minerals and other natural materials, together with necessary buildings, machinery and appurtenances thereto, provided that the following further imposed standards are met:
- a. Quarry areas being evacuated shall be entirely enclosed within a fence located at least ten (10) feet back from the edge of any excavation and of such constructions and height as to be demonstrably able to exclude children and animals from the quarry area.
  - 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 quarries or approved for quarrying at the effective date of this Ordinance shall be permitted and shall not be considered a new operation provided that said extension does not extend to within one thousand (1,000) feet of a residential or commercial zoning district boundary line.
- (37) Scrap tire processing plant.
- (38) Storage aboveground of liquid petroleum products or chemicals of a flammable or noxious nature when more than 150,000 gallons are stored on

one lot of less than one acre (1) in size or when more than 25,000 gallons are stored in any one (1) tank.

- (39) Terminal or terminal operations.
- (40) Tire Retreading Plant.
- (41) Truck terminal.
- (42) Waste Incineration Facility.
- (43) Wood Chipping/Shredding and Yard Trimmings Composting Facility, provided the following further imposed standards are met:
  - a. 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.
  - b. Along the entire road frontage (except for approved access crossings), and along the side and rear property lines, provide a three (3) foot high landscape earthen berm with a maximum slope of three to one and/or a minimum six (6) foot high, 100 percent (100%) opaque, solid wooden fence or masonry wall. 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.
- (44) Wrecker Storage Yard.

#### PERFORMANCE STANDARDS:

Physical Appearance: All operations shall be carried out within an enclosed building. Outdoor storage is allowed as a Special Use as set forth in the Special Uses Section above.

Fire Hazard: All flammable substances involved in any activity established in this district shall be handled in conformance with the standards of the National Board of Fire Underwriters and any additional regulations of the City of Lawrenceville.

Noise: All noises and noise-causing activities shall be muffled so that they will not create a disturbance greater than normal peak hour traffic noise on a major street when measured from any residential district. Major street noise for comparison purposes shall be measured on the primary state highway nearest to the industry. Current standards promulgated by the Department of Housing and Urban Development shall apply in all instances.

(1) Notwithstanding any performance standard herein the noise standard for Airports, Aircraft and Engine Testing shall be as follows:

(a) Airport and Aircraft

- (i) Prohibition. It shall be unlawful for any person to operate or cause to be operated any type of aircraft over/in the city which produces noise levels exceeding eighty-seven (87) dbA within the city.
- (iii) Exception. Any aircraft operated in conformity with, or pursuant to, federal law, federal air regulations, and air traffic control instruction used pursuant to and with the duly adopted federal air regulations shall be exempt from the provisions of subsection (1) of this section, as well as other regulations of this article. Any aircraft operating under technical difficulties, in any kind of distress, under emergency orders of air traffic control or being operated pursuant to and subsequent to the declaration of any emergency under federal air regulations shall also be exempt from the provisions of subsection (1) of this section as well as the other regulations of this article.

(b) Engine Testing

- (i) Prohibition. It shall be unlawful for any person to operate, run up or test or cause to be operated, run up or tested an aircraft jet engine which creates a noise level of fifty (50) dbA or more between the hours of 10:00 p.m. and 7:00 a.m. Aircraft engines shall be started and run up only in the places designated for such purposes. At no time shall engines be run up when hangars, shops, airplanes or any buildings or persons are in the path of the propeller stream and/or jet exhaust.
- (iv) Exception. Any jet engine within an aircraft during landing, take off or while moving upon the ground surface of an airport shall be exempt from the provisions of subsection (1) of this section. The intent of this subsection is to regulate the noise levels produced in the testing, maintenance and repairing of jet engines and jet aircraft in the nighttime hours to the extent such levels exceed fifty (50) dbA within any inhabited area of the city.

Sewage and Liquid Wastes: No operation shall be carried on which involves the discharge into a sewer, watercourse or groundwater system effluents which are detrimental to normal sewage plant operation or which contain substance concentrations in excess of the current regulations promulgated by the Georgia Environmental Protection Division of the

Department of Natural Resources and Ordinances from time to time enacted by the City of Lawrenceville.

Air Contaminants: Due to the fact that the possibilities of air contamination cannot be comprehensively covered in this Ordinance, there shall be applied the general rule that there shall not be discharged from any sources whatsoever such quantities of air contaminants or other material as to cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public in general or to cause or have a natural tendency to cause injury or damage to business, vegetation, or property. Current clean air standards promulgated by the Georgia Environmental Protection Division of the Department of Natural Resources and Ordinances enacted by the City of Lawrenceville shall be met by all uses throughout this district.

Odor: Odor-causing operations shall be controlled so as to reduce escape of odors to the minimum practical within the limits of technology and economics. In no event shall odors emanating from uses in this district exceed thresholds established by state or county health authorities.

Gases: All noxious gases shall be controlled to the extent that they will not be injurious to life and property. The gases sulfur dioxide and hydrogen sulfide shall not exceed four (4) parts per million, carbon monoxide shall not exceed twenty-five (25) parts per million, and nitrous fumes shall not exceed four (4) parts per million. All measurements shall be made at the lot line.

Vibration: All machines including punch presses and stamping machines shall be mounted so as to minimize vibration. Vibration shall not be so excessive that it interferes with industrial operations on nearby lots.

Glare and Heat: All glare, such as welding arcs and open furnaces shall be shielded so that they shall not be visible from the property line. No heat from furnaces or processing equipment shall be sensed at the property line to the extent of raising the temperature of air or materials more than four (4) degrees Fahrenheit.

#### SPACE LIMITS:

Minimum lot area: 20,000 square feet.

Minimum lot width: one hundred (100) feet.

Maximum building height: seventy (70) 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: twenty (20) feet.

Maximum impervious area: eighty-five percent (85%).

#### MISCELLANEOUS PROVISIONS:

Off-street parking and loading shall be provided for all uses established in this district.

#### <sup>8 24</sup>Section 7.14 OVERLAY DISTRICT ZONING REQUIREMENTS

- (1) Definition. "Excluded uses," as used in this Section, shall mean those uses that would otherwise be principally permitted uses that are incompatible with the revitalization of the Downtown Development Area. Excluded uses shall not be allowed within the Overlay District.
- (2) The following Section of Article VII of the City of Lawrenceville Zoning Ordinances are hereby incorporated by reference and shall govern the City's Overlay District:
  - (a) Section 7.1;
  - (b) Section 7.2;
  - (c) Section 7.3;
  - (d) Section 7.3.1;
  - (e) Section 7.4;
  - (f) Section 7.5;
  - (g) Section 7.5.1;
  - (h) Section 7.5.2;
  - (i) Section 7.6;
  - (j) Section 7.7;
  - (k) Section 7.8.
- (3) Section 7.7.1 ("Office Institutional District") of the City of Lawrenceville Planning and Zoning Ordinance is hereby incorporated by reference and shall govern the City's Overlay District subject to the following additions:

Excluded Uses:

The following uses are hereby declared incompatible with the purpose of the Overlay District's Office Institutional District and are hereby expressly excluded:

Communication Towers; and,

Any use not enumerated as permitted in Article VII, Section 7.7.1, but which is specifically provided for in another district.

- (4) Section 7.9 ("General Business District") of the City of Lawrenceville Planning and Zoning Ordinance is hereby incorporated by reference and shall govern the City's Overlay District subject to the following amendments:

Excluded Uses:

The following uses are hereby declared incompatible with the purpose of the Overlay District's General Business District and are hereby expressly excluded:

Communication towers;

Fortune telling;

Handwriting analysis;

Labor-ready offices or staging areas;

Tattoo parlors; and,

Any use not enumerated as permitted in Article VII, Section 7.9, but which is specifically provided for in another district.

Special Uses:

The following uses shall be allowed provided that they are existing uses at the time this Section takes effect or if they are approved as a special use under the applicable sections of the 2000 Lawrenceville Zoning Ordinance governing special use permits:

Automobile and pick-up truck sales;

Automobile repair shops;

Automobile wash service;

Boarding or breeding kennel;

Boarding houses;

Coin-operated laundries;

Commercial greenhouses or plant nurseries;

Commercial outdoor recreational enterprises;

Crematories;

Dry-cleaning plants;

Wholesale and retail sales of lumber, building, plumbing and electric materials;

Farm and garden supply stores;

Firing ranges;

Lumber, hardware, and other material establishments;

Mini-warehouses;

Newspaper and printing plants;

    Outdoor carnivals;

    Outdoor drive-in theaters;

    Pawn shops;

    Plant nursery and sales facilities;

    Plumbing and heating equipment dealers;

    Tool and machine shops;

    Used cars and mobile homes sales lots;

    Used Auto Brokers and,

    Wholesale warehouses with no outdoor storage.

- (5) Section 7.10 (“Central General Business District”) of the City of Lawrenceville Planning and Zoning Ordinance is hereby incorporated by reference and shall govern the City’s overlay District subject to the following amendments:

Excluded Uses:

The following uses are hereby declared incompatible with the purpose of the Overlay District's Central General Business District and are hereby expressly excluded:

Gasoline service stations; and,

Any use not enumerated as permitted in Article VII, Section 7.10, but which is specifically provided for in another district.

- (6) Section 7.11 ("Highway Service Business District") of the City of Lawrenceville Planning and Zoning Ordinance is hereby incorporated by reference and shall govern the City's Overlay District subject to the following amendments:

Excluded Uses:

The following uses are hereby declared incompatible with the purpose of the Overlay District's Highway Service Business District and are hereby expressly excluded:

Campgrounds for trailer campers and motor homes;

Fortune telling;

Drive-in establishments serving food;

Gasoline service;

Drive-in configurations of any business otherwise permitted in this district;

Adult bookstores;

Adult entertainment; and,

Adult theaters.

- (7) Section 7.13 ("Heavy Manufacturing District") of the City of Lawrenceville Planning and Zoning Ordinance is hereby incorporated by reference and shall govern the City's Overlay District subject to the following amendments:

Excluded Uses:

The following uses are hereby declared incompatible with the purpose of the Overlay District's Heavy Manufacturing District and are hereby expressly excluded:

Adult bookstores;

Adult entertainment;

Adult theaters;

Truck terminals;

Above-ground storage tanks;

Meat packing, slaughtering, eviscerating and skinning;

Poultry killing, plucking, and dressing;

Rendering of by-products of slaughtering and killing of animals or poultry;

Yards for the sale, transfer and temporary holding of livestock;

Dumps, junkyards, salvage yards, and automobile junk/salvage yards;

Storage of homes for transportation; and,

Any use not enumerated as permitted in Article VII, Section 7.12, but which is specifically provided for in another district.

- (8) Excluded Architectural Features. The following structures shall be excluded from use in the City's Overlay District:

Corrugated Metal Exterior Facade Buildings.

<sup>9</sup>Section 7.15 (DT) DOWNTOWN DISTRICT SUBAREAS (LAND USE)

## SCOPE OF PROVISIONS

The regulations set forth in this Section, or set forth elsewhere in this part when referred to in this Section, are the regulations in the Downtown District Subareas. These subareas are shown on the Zoning District Subareas Map dated December 7, 2004 and attached as Attachment 4 to this Code. For all properties located within "Subarea 8: Courthouse Square" these regulations supersede existing zoning districts. For properties in all the other subareas the existing zoning districts shall remain in effect, provided that the property owners may voluntarily elect to utilize the regulations contained herein through

administrative procedure by the director of the Planning and Zoning Department. In doing so, the regulations contained herein shall be applied in their entirety and utilizing the subarea boundaries shown on the attached map. Furthermore, upon electing to utilize said regulations, rights to utilize the existing zoning districts shall be forfeited and only regained through the City's rezoning process.

#### PURPOSE:

This district is designed to:

- (1) Preserve, protect and enhance Downtown's historic and future role as the civic and economic center of Lawrenceville and symbol of Gwinnett County.
- (2) Create an environment where people can live, work, meet and play.
- (3) Encourage a balanced mix of retail, professional, residential, civic, entertainment, and cultural uses.
- (4) Enhance the efficient utilization of parking facilities by encouraging shared parking and alternative modes of transportation.
- (5) Provide safe and accessible parks and plazas.

#### PRINCIPAL PERMITTED USES:

Principal permitted uses shall be as indicated with "P" in the Downtown Use Table.

#### LIMITED USES:

Limited uses shall be as indicated with "L" in the Downtown Use Table and only permitted on:

- (1) Only the portions of lots within one hundred fifty (150) feet of Clayton Street, Crogan Street, Perry Street, or Pike Street.
- (2) On corner lots at certain street intersections as indicated on the Regulating Plan denoted by "retail permitted @ intersection," subject to the following:
  - (a) The building housing such use shall be located at the corner of said lot that is closest to such indicated street intersection and the limited use shall enfront a minimum of thirty (30) linear feet along both street facades.
  - (b) Said uses shall be restricted to the portion of such corner lots within one hundred fifty (150) feet of the intersection of the adjacent street right-of-way lines which define such lot as a corner lot.

- (c) Lots shown on the Regulating Plan that are not yet corner lots shall not include such uses until rights-of-way have been acquired and platted for new streets.

**PERMITTED ACCESSORY USES:**

Accessory uses for commercial, residential, or developments including both residential and commercial shall include those normally appurtenant to such development, except as further specified herein.

Accessory dwelling units shall be permitted only in the Residential Small-Lot Single Family District where single-family dwellings are permitted.

**CONDITIONAL USES:**

Conditional uses shall be as indicated with “C” in the Downtown Use Table.

**SPECIAL USES:**

Special uses shall be as indicated with “S” in the Downtown Use Table.

**EXCLUDED USES:**

Excluded uses shall be as indicated with “E” in the Downtown Use Table.

**HEIGHT LIMITS:**

- (1) The minimum building height as measured along the BUILD-TO-LINE shall be eighteen (18) feet in all subareas except Subarea 1: Parks, where there shall be no minimum building height.
- (2) See Downtown Height Limit Table for maximum building height requirements.

Downtown Use Table								
P = Principal Permitted Use L = Limited Use A = Permitted Accessory Use C = Conditional Use S = Special Use E = Excluded Uses	Subareas							
	Parks	Small Lot Single-Family	Townhouse	Townhouse/ Loft	Live-Work A	Live-Work B	Civic	Courthouse Square

	1	2	3	4	5	6	7	8	9
Single-family detached dwellings.	E	P	P	P	P	P	P	P	P
Townhouses, provided no dwelling unit is located above or below another dwelling unit	E	S	S	S	S	S	S	S	S
Condominiums	E	E	E	S	S	S	E	S*	S
Apartments	E	E	E	E	S	S	E	E	E
Religious Facilities	P	P	P	P	P	P	E	P	P
Gardening, but not to include the raising of animals or fowl for commercial purposes	P	P	P	P	P	P	E	P	P
Office Institutional Uses (any permitted principal use in the OI District)	E	E	E	E	P	P	E	P	P
Business Uses (any permitted principal use in the BGC District except residential, which shall be permitted as established in this table. Or a use that is specifically mentioned in this table)	E	L	L	L	L	L	E	P	P
Business Uses (any permitted principal use in the BG District except residential, which shall be permitted as established in this table. Or a use that is specifically mentioned in this table)	E	E	E	E	L	L	E	E	P
Gasoline service stations	E	E	E	E	E	E	E	C	P
Billboards and general advertising signs	E	E	E	E	E	E	E	E	E
Bowling alleys and skating rinks	E	E	E	E	E	E	E	E	E
Frozen food lockers	E	E	E	E	E	E	E	E	E
Greenhouses, hydroponic farms	E	E	E	E	E	E	E	E	E
Mortuaries/crematoriums	E	E	E	E	E	E	E	E	E
Drive-in businesses with exception of banks and savings and loan institutions	E	E	E	E	E	E	E	E	E
Upholstery shops	E	E	E	E	E	E	E	E	E
Non profit community buildings and social welfare establishments other than those providing living accommodations	C	C	C	C	P	P	P	P	P
Private Schools	P	P	P	P	P	P	E	P	P
Civic (government)	P	P	P	P	P	P	P	P	P
Parking Garages (private)	P	P	P	P	P	P	E	P	P
Any use not described above	E	E	E	E	E	E	E	E	E

\*First/ground floor only allowed use is retail with condominiums above.

Downtown Height Limit Table	
	Subareas

Note: Blank cells indicate no requirement.									
	1	2	3	4	5	6	7	8	9
Maximum building height (stories/feet)		3/35	3/45	5/65	3/45	3/45	5/65	3/45	3/35
Residential height bonus (stories/feet) <sup>1</sup>		0/0	0/0	0/0	1/10	2/20	0/0	0/0	0/0
<sup>1</sup> Buildings may exceed the maximum building height by the indicated maximum number of additional stories or feet when such are used entirely for multifamily dwelling units.									

Downtown Public Space Requirements Table									
	Subareas								
	Parks	Small Lot Single-Family	Townhouse	Townhouse/Loft	Live-Work A	Live-Work B	Civic	Courthouse Square	Highway Commercial
	1	2	3	4	5	6	7	8	9
Developments less than five acres in size	0	0	5	5	5	5	5	0	5
Developments of five to ten acres in size	0	0	10	10	10	10	10	0	10
Developments greater than ten acres in size	0	0	20	20	20	20	10	0	10

## PUBLIC SPACE REQUIREMENTS

All developments within this district shall be required to construct public space within the confines of the development. The minimum on-site requirement shall be as established in the Downtown Public Space Requirements Table. Where a single development is located in two (2) or more subareas, public space satisfying the requirements of one (1) subarea may be located in another subarea, provided that the development’s total amount of public space is equal to the sum of subarea requirements.

In addition, the requirements contained within its definitions, public space shall be designed and constructed pursuant to the following regulations:

- (1) Flood plain and detention ponds are not to be used in the calculations for public space.
- (2) The owner shall submit a notarized document establishing a mechanism for maintaining the required public space, which shall be approved by the Director of Planning and Zoning.
- (3) A development’s total required public space shall be constructed as part of the first phase of the development.

## PARKING, GARAGE, AND DRIVEWAY REQUIREMENTS

- (1) No more than one (1) curb cut shall be permitted for each development, provided that properties with more than one (1) street frontage may have one (1) curb cut per frontage. For the purposes of this Section, two (2) curb cuts serving two (2) one-way driveways shall only be counted as one (1) curb cut.
- (2) No curb cuts, driveways or circular drives shall be permitted on streets fronting the Courthouse Square when access may be provided from a side or rear street.
- (3) Driveways and curb cuts shall be limited to a one-way a maximum width of twelve (12) feet or a two-way maximum width of twenty-four (24) feet.
- (4) Parking and loading requirements shall be as established in Section 9.5 Parking and Loading Requirements, except that all apartments/duplexes and condominiums shall be required to provide the following parking spaces:
  - (a) Two (2) parking spaces per unit with less than two (2) bedrooms;
  - (b) Three (3) parking spaces per unit with two (2) bedrooms;
  - (c) Four (4) parking spaces per unit with three (3) bedrooms or more.
- (5) Parking may be provided off-site only as established by subarea requirements.
- (6) Reduction of parking requirements may be permitted by the Director of the Planning and Zoning, subject to a shared parking arrangement under the following criteria:
  - (a) The minimum number of parking spaces for a development where shared parking is proposed shall be determined by a study prepared by the applicant following the procedures of the Urban Land Institute (ULI) Shared Parking Report or Institute of Transportation Engineers (ITE) Shared Parking Guidelines. The actual number of parking spaces required shall be based on well-recognized sources of parking data such as the ULI or ITE reports. If standard rates are not available or limited, the applicant may collect data at similar sites to establish local parking demand rates. If the shared parking plan assumes use of an existing parking facility, then field surveys shall be conducted to determine actual parking accumulation. If possible, these surveys should consider the seasonal peak period for the combination of land uses involved.
  - (b) All shared parking spaces shall be clearly marked; and,
  - (c) An applicant shall submit the following information as part of the application to reduce parking requirements and avoid conflicting parking demands:
    - (i) A to-scale map indicating location of proposed parking spaces;

- (ii) Hours of business operation of nonresidential parking users;
  - (iii) Written consent of property owners agreeing to the shared parking arrangement (when provided off-site); and,
  - (iv) Copies of parking lease agreements are required. Renewed leases shall be filed with the Department of Planning and Zoning. Lapse of a required lease agreement shall terminate approval for shared parking.
- (7) All required off-street parking for townhouses and single-family detached dwellings, excluding requirements for accessory dwelling units, shall be met in a private on-site garage having a minimum of two parking spaces.
- (8) All new non-residential developments shall provide bicycle parking facilities at a ratio of at least one (1) bicycle parking space for every twenty (20) automobile spaces. New multiple family uses shall provide said facilities at a ratio of at least one (1) bicycle parking space for every five (5) units. No such developments shall have fewer than three (3) bicycle parking spaces or be required to exceed thirty (30) spaces. Bicycle spaces shall be located within the sidewalk landscaping zone a maximum distance of one hundred (100) feet from the primary pedestrian entrance, or shall be located at least as close as the closest automobile space, except for handicapped parking spaces. Each space shall include a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock.

<sup>11 16</sup>Section 7.16 (DT) DOWNTOWN OVERLAY ARCHITECTURAL  
STANDARDS

SCOPE OF PROVISIONS

The regulations set forth in this Section, or set forth elsewhere in this part when referred to in this Section, are the regulations in the Downtown Overlay District. These regulations shall expand upon underlying districts or portions thereof, as shown on the attached map.

To be subject to the architectural standards of this section, the property must be in the Downtown Overlay District of the City of Lawrenceville and the owner of the property must have elected to subject the property to the benefits of SECTION 7.15 (DT) DOWNTOWN DISTRICT SUBAREAS (LAND USE)

PURPOSE: This district is designed to:

- (1) Preserve, protect and enhance Downtown's historic and future role as the civic and economic center of Lawrenceville and symbol of Gwinnett County.
- (2) Improve the aesthetics of street and built environments.
- (3) Promote pedestrian safety by ensuring sidewalk-oriented buildings along attractive street-facing facades that foster pedestrian activity and liveliness.
- (4) Provide accessible and sufficient parking in an unobtrusive manner.
- (5) Enhance Lawrenceville's historic quality by ensuring that new and rehabbed buildings are compatible with the character of buildings built between 1860 and 1920.

ILLUSTRATIONS

The drawings within this Section are graphic depictions of some of the requirements herein. Unless otherwise indicated, each is intended to specifically illustrate only the indicated requirement; all other suggestions of design, such as architectural style, tree shape and aesthetics, do not constitute a requirement of this Section. Other depictions that do not illustrate specific requirements are consistent with other requirements of the Section.

SITE LIMITS:

- (1) The build-to-line requirements established in the Downtown Site Limits Table shall not apply to properties located within the historic overlay zone.

- (2) Any balconies, awning and bay windows may encroach into any yard a maximum depth of five (5) feet.
- (3) The principal building shall enfront the required BUILD-TO-LINE as shown in the Downtown Site Limits Table. In certain subareas, the build-to-line may be increased as established in the Downtown Site Limits Table. The minimum length of the BUILD-TO-LINE that shall be fronted by buildings is shown in the Downtown Site Limits Table as the build-to- line Frontage. In cases where the BUILD-TO-LINE Frontage requirements are satisfied additional principal buildings shall be exempt from these requirements.
- (4) Section 8.1(2) notwithstanding, outbuildings may be erected in required rear yards.

Downtown Site Limits Table									
Note: Blank cells indicate no requirement.	Subareas								
	Parks	Small Lot Single-Family	Townhouse	Townhouse/Loft	Live-Work A	Live-Work B	Civic	Courthouse Square	Highway Commercial
	1	2	3	4	5	6	7	8	9
Minimum lot area (square feet)		6,000	3,600	3,600	3,600	3,600	0	0	10,000
Minimum lot width (feet)		40	22	22	22	22	0	0	0
BUILD-TO-LINE, Minimum (feet from sidewalk) <sup>1</sup>		15	10	10	10	10	0	0	0
BUILD-TO-LINE, Maximum (feet from sidewalk)		30	20	20	20	20	60	20	50
BUILD-TO-LINE Frontage (percent of Build-to-Line)			60	60	60	60	50	80	20
Rear setback (minimum feet)	40	20	20	20	20	20	15	0	20
Side setback (minimum feet)	10	5	0 or 10*	0 or 10*	0 or 5*	0 or 5*	0 or 5*	0	0
<sup>1</sup> Outbuildings shall be set back from the Built-to Line a minimum of five additional feet, except where a lot has two frontages. On lots with two frontages this requirement shall not pertain to the longer frontage. *Side setbacks of zero shall only be permitted between adjacent townhouse units, otherwise the larger setback shall apply.									

## STREET AND SIDEWALK REQUIREMENTS

Whenever a lot to be developed or redeveloped includes any portion of a planned street, as shown on the Regulating Plan, the right-of-way for such portion of said street shall be platted in the location and to the width specified therein. The owner is responsible for the dedication of the right-of-way in accordance with the provisions of the “Subdivision Regulations of Lawrenceville, Georgia.” The entire dedicated right-of-way shall be shown as such on a final plat to be submitted and approved by the City. Such dedicated street right-of-way shall count toward the Public Space Regulations in accordance with this section. Measurements involving minimum lot standards shall be made at the edge of the full right-of-way. Prior to the issuance of an occupancy permit for any new development on such lot, the street shall be constructed, excluding public utilities, to the standards established herein and on the Regulating Plan.

Sidewalks shall be located along all streets and shall have the widths identified in the Downtown Street and Sidewalk Table, and shall consist of a sidewalk landscaped zone and a sidewalk clear zone. The following regulations shall apply to all sidewalks:

- (1) The SIDEWALK CLEAR ZONE shall have the width requirements specified in the Downtown Street and Sidewalk Table.
- (2) The SIDEWALK LANDSCAPED ZONE shall have the width requirements specified in the Downtown Street and Sidewalk Table.
- (3) Street trees are required in the sidewalk landscaped zone as indicated in Downtown Street and Sidewalk Table. Street trees shall be planted a maximum of fifty (50) feet on center and spaced equal distance between streetlights. All newly planted trees shall have a minimum caliper of three (3) inches measured thirty-six (36) inches above ground and shall have a minimum mature height of forty (40) feet. Trees shall have a minimum planting area of forty (40) square feet.
- (4) Decorative pedestrian lights, where installed, shall be located within the sidewalk landscaped zone, shall be placed a maximum of fifty (50) feet on center and shall be spaced equal distance between required trees. The Director of the Street Department shall approve said lights.

Downtown Street and Sidewalk Table					
Streets shown on the Regulating Plan shall be subject to the regulations herein.					
As Shown on Regulating Plan	Total Width <sup>2</sup>	Clear Zone Width	Landscaped Zone Width	Street Trees in Landscaped Zone	On Street Parking on New Streets
A <sup>1</sup>	15 to 20 feet	10 to 12 feet	5 to 10 feet	Required	N/a
B <sup>1</sup>	15 to 20 feet	10 to 12 feet	5 to 10 feet	Required	Optional
C <sup>1</sup>	12 to 15 feet	8 to 10 feet	5 to 10 feet	Required	Both sides
D <sup>1</sup>	8 to 15 feet	6 to 8 feet	5 to 8 feet	Required	Both sides
<sup>1</sup> Sidewalks within Subarea 8: Courthouse Square of the Historic Zone shall reflect existing widths.					
<sup>2</sup> Total width includes both Clear Zone and Landscaped Zone.					

#### SUPPLEMENTAL ZONE REQUIREMENTS

Within the supplemental zone:

- (1) Terraces, porches and stoops, but not stairs, shall encroach a maximum depth of sixty percent (60%) of the total zone depth, and shall have a maximum finished floor height of twenty-four (24) inches above finished-grade, unless existing topographical considerations render this requirement unreasonable, as determined by the Director of Planning and Zoning.

- (2) Balconies, awning and bay windows shall encroach a maximum depth of five (5) feet.
- (3) Landscaping shall be provided for a minimum of fifty percent (50%) of said zone's horizontal area adjacent to first story residential treatments.
- (4) Landscaping shall be provided for a minimum of fifty percent (50%) of said zone's horizontal area adjacent to first story storefront treatments.
- (5) Circular drives are prohibited, with the exception of hotels and hospitals.

#### PARKING, GARAGE, DRIVEWAY AND ACCESS REQUIREMENTS

- (1) No more than one (1) driveway curb cut shall be permitted for each development, provided that properties with more than one (1) street frontage shall have a maximum of one (1) curb cut on each frontage. For the purposes of this Section, two (2) curb cuts serving two (2) one-way driveways shall only be counted as one (1) curb cut.
- (2) No curb cuts, driveways or circular drives shall be permitted on streets fronting the Courthouse Square when access may be provided from another street.
- (3) Driveways and curb cuts shall be limited to a one-way a maximum width of twelve (12) feet or a two-way maximum width of twenty-four (24) feet.
- (4) Drive-in facilities, including all vehicular queuing, shall not be visible from any adjacent street. Notwithstanding the requirements of this paragraph and this Ordinance, in subareas outside of the Courthouse Square District Subarea, conventional convenience store facilities for pumping gasoline may be located in the front of the building provided the other architectural requirements of this Ordinance are substantially met by the owner.
- (5) Parking garages serving single-family dwellings shall be set back a minimum of ten (10) feet behind the built street façade.
- (6) Garage doors serving townhouses shall not face adjacent streets.
- (7) Rear alleys shall be provided to access townhouse garages, single-family dwelling garages, and commercial loading and service areas, where such access is feasible. Feasibility shall be determined by the Director of Planning and Zoning.

#### Other Regulations

- (1) Fences and walls not within the supplemental zone shall not exceed six (6) feet in height.
- (2) Loading docks and dumpsters shall be screened so as not to be visible from any park, plaza, or sidewalk. In addition, all external dumpsters shall be vertically enclosed with opaque walls.
- (3) Building mechanical and accessory features:
  - (a) Shall be located to the side or rear of the principal structure and shall not be visible from any park, plaza, or sidewalk.
  - (b) When located on rooftops, shall be incorporated in the design of the building and screened with materials similar to the building.

## GENERAL BUILDING REQUIREMENTS

The following shall apply to all buildings in all subareas:

- (1) All buildings and structures, including parking structures, not built to the build-to-line shall have direct walkways with a minimum width of four (4) feet connecting the pedestrian entrance of said building or structure to the public sidewalks.
- (2) Awnings shall be of fabrics, canvas, fixed metal, or similar material. Internally lit awnings and canopies are prohibited.
- (3) Windows, including display windows but not transoms, shall be greater in height than in width.
- (4) All buildings shall comply with STOREFRONT TREATMENT as defined under definitions.

## STREET FAÇADE REQUIREMENTS

Along the street façade of all buildings and structures the following shall apply:

- (1) The primary pedestrian entrance to all enfronting first story uses, including but not limited to dwelling units, multifamily lobbies, and individual business establishments, shall face, be visible from, and directly accessible from the adjacent sidewalk. Where an individual use enfronts more than one (1) street, said entrance shall be oriented towards the higher order street shown on the Regulating Plan, with “A” being the highest order and “D” being the lowest. Where both streets are the same, entrance orientation may be to either street, except where directly across the street from the Courthouse Square, in which case the entrance shall face such, provided the entrance may face the corner of the intersection.

- (2) The primary pedestrian entrance to all first story individual businesses establishments shall remain unlocked during business hours.
- (3) A paved walkway having a minimum width of four (4) feet shall be provided from the primary pedestrian entrance to the closest sidewalk.
- (4) Building facade material shall be combined only horizontally, with the heavier below the lighter.
- (5) Façades shall be brick, cast stone, hardiplank or stone, with the exception of pedestrian entrances.
- (6) Non-residential and mixed-use buildings shall incorporate visual interest by using bays, storefronts, entrances, columns and other vertical elements to “break up” the street facade.
- (7) Blank, windowless walls shall be prohibited.
- (8) Windows and storefronts shall utilize clear, unpainted, and untinted glass panels.
- (9) Entry window trim shall not be flush with the exterior wall and shall have a minimum relief of one-quarter ( $\frac{1}{4}$ ) inch from the exterior wall.
- (10) Doors and windows that operate as horizontal sliders are prohibited.
- (11) Openings above the first story shall not exceed fifty (50) percent of the total façade area, with each façade being calculated independently.
- (12) Window frames shall be recessed a minimum of two (2) inches from the exterior façade.
- (13) Porches and stoops shall not be enclosed with screen wire or glass.
- (14) All balconies that face the Courthouse Square shall not extend beyond the property line and shall have a four (4) foot maximum usable depth.
- (15) Parking structures shall conceal automobiles from visibility; shall have the appearance of a horizontal storied building on all levels; and shall have street facades faced in brick, stone, cast stone, poured-in-place rubbed concrete, or pre-cast concrete faced in or having the appearance of brick or stone.



Front Porch is required on the principal building when such provides a first story residential treatment, subject to the minimum size requirements contained herein. Said porch shall be a minimum of 12 feet wide or one-third the width of the front facade, whichever is greater. Said porch shall have a roof, balustrades, columns, and steps.		■	■	■	■				
Front Porch Columns, excluding railings or pickets, shall have a minimum width of eight inches.		■	■	■	■				
Front Porch Size, where required, shall have the minimum depth (feet)/minimum area (square feet).		8/100	6/50	6/50	5/30				
Simple Façade: The street façade shall be composed as a simple plane (limited jogs less than 18 - 24 inches are considered a simple plane within this requirement) interrupted only by porches, stoops, bay windows, storefronts, and balconies.			■	■	■	■		■	■
Street Façade, Residential: The first story street façade of all buildings and structures, including parking decks, but not garages serving single-family dwellings, shall include a residential treatment.		■	■	■					
Street Façade, Storefront: The first story street façade of all buildings and structures, including parking decks, shall include a storefront treatment.								■	■
Street Façade, Either: The first story street façade of all buildings and structures, including parking decks, but not garages serving single family dwellings, shall include a residential treatment or storefront treatment.					■	■			
Streetwall shall be built co-planer with the street façade in the absence of an enfronting building along the remainder of the build-to-line.								■	■

ADD: There shall only be residential uses above the second floor in all subareas.  
**HISTORIC ZONE REQUIREMENTS**

Parcels within the Historic Zone shall be subject to the following regulations:

- (1) The build-to-line of the Downtown Site Limits Table notwithstanding, the required Build-to-line shall match the average existing build-to-line, as measured from the curb, of the nearest two (2) adjacent buildings on the same street built before 1945.
- (2) Street Facades Requirement (5) notwithstanding, all exterior facades shall be brick, horizontal hardiplank or stone, with the exception of pedestrian entrances.
- (3) Flat roofs shall be prohibited.
- (4) Roofs shall extend a minimum of eighteen (18) inches beyond exterior building walls.
- (5) Exterior doors shall be wood panel or fixed glass panel in wood frame.
- (6) Buildings have a residential treatment, regardless of use, or reflect historic use.
- (7) All windows shall be double-hung.
- (8) With the exception of stories partially contained within roofs, all aboveground stories shall be equal in floor area and shape.
- (9) All front façade porches that are not used as part of “accessible route into and through the dwelling unit”, as established by Sec. 804. [42 U.S.C. 3604] (3)(C)(iii)(I) of the Fair Housing Act, shall be raised a minimum of twenty-four (24) inches above grade.
- (10) Buildings shall be one (1) of the following five (5) architectural styles and shall meet all the requirements contained herein:
  - (a) Craftsman, which shall provide:
    - (i) A rectangular building footprint, with the short end facing a street.
    - (ii) Gabled roofs having gables with a minimum pitch of twenty (20) and a maximum pitch of forty (40) degrees from horizontal, with roof lines running parallel or perpendicular to the street.
    - (iii) Decorative beams or braces under gables.
    - (iv) Exposed roof rafters where roofs overhang.

- (v) Optional dormers.
  - (vi) Equal height windows entire street façade.
  - (vii) A symmetrical or asymmetrical street façade.
  - (viii) A front porch extending the entire width of the building or with a width of one-half (½) of the building. Said porch shall include square columns that taper from bottom to top, but are not less than eight (8) inches thick. Said columns shall be set atop stone or masonry bases extended to the ground. They may include optional square or rectangular balusters and handrails.
- (b) Folk, which shall provide:
- (i) A building footprint that is rectangular or “L-shaped,” with the end of the short leg of the “L” facing a street.
  - (ii) Gabled roofs having gables with a minimum pitch of thirty (30) and a maximum pitch of forty-five (45) degrees from horizontal, with roof lines running parallel or perpendicular to the street.
  - (iii) Ridge vents having a minimum size of one (1) foot by one (1) foot shall be provided along all gables facing a public street.
  - (iv) Equal sized windows along the entire street façade.
  - (v) A symmetrical street façade for buildings with rectangular footprints.
  - (vi) A front porch extending the entire width of the building, except where an “L-shaped” footprint is provided, in which case said requirement shall not apply to the short-leg of the “L.” Said porch shall include turned columns, turned balusters, handrails, and optional lace-like spandrels.
- (c) Victorian, as defined by: McAlester, Virginia and Lee (1984). *A Field Guide To American Houses*. New York: Alfred A. Knopf, Inc.

- (d) Greek Revival, as defined by: McAlester, Virginia and Lee (1984). A Field Guide To American Houses. New York: Alfred A. Knopf, Inc
- (e) Colonial Revival, as defined by: McAlester, Virginia and Lee (1984). A Field Guide To American Houses. New York: Alfred A. Knopf, Inc

<sup>11</sup>Section 7.17 OVERLAY DISTRICT ARCHITECTURAL REQUIREMENTS

A. PURPOSE

This district is designed to:

- (1) Preserve, protect and enhance Downtown’s historic and future role as the civic and economic center of Lawrenceville and symbol of Gwinnett County.
- (2) Improve the aesthetics of street and built environments.
- (3) Promote pedestrian safety by ensuring sidewalks that are protected and accommodating.
- (4) Enhance Lawrenceville’s historic quality by ensuring that new and rehabbed buildings are compatible with the character of buildings built between 1860 and 1920.

B. DEFINITIONS AND ILLUSTRATIONS

The Definitions of the ARTICLE VI, SECTION 6.2 are incorporated into this Ordinance by reference.

The drawings within this Section are graphic depictions of some of the requirements herein. Unless otherwise indicated, each is intended to specifically illustrate only the indicated requirement; all other suggestions of design, such as architectural style, tree shape and aesthetics, do not constitute a requirement of this Section. Other depictions that do not illustrate specific requirements are consistent with other requirements of the Section.

C. STREET AND SIDEWALK REQUIREMENTS

Whenever a lot to be developed or redeveloped includes any portion of a planned street, as shown on the Regulating Plan, the right-of-way for such portion of said street shall be platted in the location and to the width specified therein. The owner is responsible for the dedication of the right-of-way in accordance with the provisions of the “Subdivision Regulations of Lawrenceville, Georgia.” The entire dedicated right-of-way shall be shown as such on a final plat to be submitted and

approved by the City. Such dedicated street right-of-way shall count toward the Public Space Regulations in accordance with this section. Measurements involving minimum lot standards shall be made at the edge of the full right-of-way. Prior to the issuance of an occupancy permit for any new development on such lot, the street shall be constructed, excluding public utilities, to the standards established herein and on the Regulating Plan.

Sidewalks shall be located along all streets and shall have the widths identified in the Downtown Street and Sidewalk Table, and shall consist of a sidewalk landscaped zone and a sidewalk clear zone. The following regulations shall apply to all sidewalks:

- (1) The SIDEWALK CLEAR ZONE shall have the width requirements specified in the Downtown Street and Sidewalk Table.
- (2) The SIDEWALK LANDSCAPED ZONE shall have the width requirements specified in the Downtown Street and Sidewalk Table.
- (3) Street trees are required in the sidewalk landscaped zone as indicated in Downtown Street and Sidewalk Table. Street trees shall be planted a maximum of fifty (50) feet on center and spaced equal distance between streetlights. All newly planted trees shall have a minimum caliper of three (3) inches measured thirty-six (36) inches above ground and shall have a minimum mature height of forty (40) feet. Trees shall have a minimum planting area of forty (40) square feet.
- (4) Decorative pedestrian lights, where installed, shall be located within the sidewalk landscaped zone, shall be placed a maximum of fifty (50) feet on center and shall be spaced equal distance between required trees. The Director of the Street Department shall approve said lights.

Downtown Street and Sidewalk Table					
Streets shown on the Regulating Plan shall be subject to the regulations herein.					
As Shown on Regulating Plan	Total Width <sup>2</sup>	Clear Zone Width	Landscaped Zone Width	Street Trees in Landscaped Zone	On Street Parking on New Streets
A <sup>1</sup>	15 to 20 feet	10 to 12 feet	5 to 10 feet	Required	N/a
B <sup>1</sup>	15 to 20 feet	10 to 12 feet	5 to 10 feet	Required	Optional
C <sup>1</sup>	12 to 15 feet	8 to 10 feet	5 to 10 feet	Required	Both sides
D <sup>1</sup>	8 to 15 feet	6 to 8 feet	5 to 8 feet	Required	Both sides

<sup>1</sup>Sidewalks within Subarea 8: Courthouse Square of the Historic Zone shall reflect existing widths.  
<sup>2</sup>Total width includes both Clear Zone and Landscaped Zone.

#### D. PARKING, GARAGE, DRIVEWAY AND ACCESS REQUIREMENTS

- (1) Driveways and curb cuts shall be limited to a one-way a maximum width of twelve (12) feet or a two-way maximum width of twenty-four (24) feet.
- (2) Notwithstanding the requirements of this paragraph and this Ordinance, in subareas outside of the Courthouse Square District Subarea, conventional convenience store facilities for pumping gasoline may be located in the front of the building provided the other architectural requirements of this Ordinance are substantially met by the owner.
- (3) Parking garages serving single-family dwellings shall be set back a minimum of ten (10) feet behind the built street façade.

#### E. Other Regulations

- (1) Fences and walls not within the supplemental zone shall not exceed six (6) feet in height.
- (2) Loading docks and dumpsters shall be screened so as not to be visible from any park, plaza, or sidewalk. In addition, all external dumpsters shall be vertically enclosed with opaque walls.
- (3) Building mechanical and accessory features:
  - (a) Shall be located to the side or rear of the principal structure and shall not be visible from any park, plaza, or sidewalk.
  - (b) When located on rooftops, shall be incorporated in the design of the building and screened with materials similar to the building.

#### F. GENERAL BUILDING REQUIREMENTS

The following shall apply to all buildings in all zoning districts in the downtown overlay district:

- (1) Awnings shall be of fabrics, canvas, fixed metal, or similar material. Internally lit awnings and canopies are prohibited.

- (2) Windows, including display windows but not transoms, shall be greater in height than in width.
- (3) All buildings shall comply with STOREFRONT TREATMENT as defined under definitions.

#### G. STREET FAÇADE REQUIREMENTS

Along the street façade of all buildings and structures the following shall apply:

- (1) Building façade material shall be combined only horizontally, with the heavier below the lighter.
- (2) Façades shall be brick, cast stone, hardiplank or stone, with the exception of pedestrian entrances.
- (3) Non-residential and mixed-use buildings shall incorporate visual interest by using bays, storefronts, entrances, columns and other vertical elements to “break up” the street facade.
- (4) Blank, windowless walls shall be prohibited.
- (5) Windows and storefronts shall utilize clear, unpainted, and un-tinted glass panels.
- (6) Doors and windows that operate as horizontal sliders are prohibited.
- (7) Openings above the first story shall not exceed fifty percent (50%) of the total façade area, with each façade being calculated independently.
- (8) Window frames shall be recessed a minimum of two (2) inches from the exterior façade.
- (9) Porches and stoops shall not be enclosed with screen wire or glass. All balconies that face the Courthouse Square shall not be extended beyond the property line and shall have a five (5) foot maximum usable depth.
- (10) Parking decks shall conceal automobiles from visibility; shall have the appearance of a horizontal storied building on all levels; and shall have street facades faced in brick, stone, cast stone, poured-in-place rubbed concrete, or pre-cast concrete faced in or having the appearance of brick or stone.

## H. HISTORIC ZONE REQUIREMENTS

Parcels within the Historic Zone shall be subject to the following regulations:

- (1) The build-to-line of the Downtown Site Limits Table notwithstanding, the required build-to-line shall match the average existing build-to-line, as measured from the curb, of the nearest two (2) adjacent buildings on the same street built before 1945.
- (2) Street Façades Requirement (5) notwithstanding, all exterior facades shall be brick, horizontal hardiplank or stone, with the exception of pedestrian entrances.
- (3) Flat roofs shall be prohibited.
- (4) Roofs shall extend a minimum of eighteen (18) inches beyond exterior building walls.
- (5) Exterior doors shall be wood panel or fixed glass panel in wood frame.
- (6) Buildings have a residential treatment, regardless of use, or reflect historic use.
- (7) All windows shall be double-hung.
- (8) With the exception of stories partially contained within roofs, all above-ground stories shall be equal in floor area and shape.
- (9) All front façade porches that are not used as part of “accessible route into and through the dwelling unit,” as established by Sec. 804. [42 U.S.C. 3604] (3)(C)(iii)(I) of the Fair Housing Act, shall be raised a minimum of twenty-four (24) inches above grade.
- (10) Buildings shall be one (1) of the following five (5) architectural styles and shall meet all the requirements contained herein:
  - (a) Craftsman, which shall provide:

- (i) A rectangular building footprint, with the short end facing a street.
  - (ii) Gabled roofs having gables with a minimum pitch of 20 and a maximum pitch of 40 degrees from horizontal, with roof lines running parallel or perpendicular to the street.
  - (iii) Decorative beams or braces under gables.
  - (iv) Exposed roof rafters where roofs overhang.
  - (v) Optional dormers.
  - (vi) Equal height windows entire street façade.
  - (vii) A symmetrical or asymmetrical street façade.
  - (viii) A front porch extending the entire width of the building or with a width of one-half ( $\frac{1}{2}$ ) of the building. Said porch shall include square columns that taper from bottom to top, but are not less than eight (8) inches thick. Said columns shall be set atop stone or masonry bases extended to the ground. They may include optional square or rectangular balusters and handrails.
- (b) Folk, which shall provide:
- (i) A building footprint that is rectangular or “L-shaped,” with the end of the short leg of the “L” facing a street.
  - (ii) Gabled roofs having gables with a minimum pitch of thirty (30) and a maximum pitch of forty-five (45) degrees from horizontal, with roof lines running parallel or perpendicular to the street.
  - (iii) Ridge vents having a minimum size of one (1) foot by one (1) foot shall be provided along all gables facing a public street.
  - (iv) Equal sized windows along the entire street façade.

- (v) A symmetrical street façade for buildings with rectangular footprints.
- (vi) A front porch extending the entire width of the building, except where an “L-shaped” footprint is provided, in which case said requirement shall not apply to the short-leg of the “L.” Said porch shall include turned columns, turned balusters, handrails, and optional lace-like spandrels.
- (c) Victorian, as defined by: McAlester, Virginia and Lee (1984). A Field Guide To American Houses. New York: Alfred A. Knopf, Inc
- (d) Greek Revival, as defined by: McAlester, Virginia and Lee (1984). A Field Guide To American Houses. New York: Alfred A. Knopf, Inc
- (e) Colonial Revival, as defined by: McAlester, Virginia and Lee (1984). A Field Guide To American Houses. New York: Alfred A. Knopf, Inc

## I. EXCLUDED ARCHITECTURAL FEATURES

The following structures shall be excluded from use in the City’s Overlay District:

Corrugated Metal Exterior Facade Buildings.

### <sup>18</sup>Section 7.18 GUIDELINES FOR APPLICATION OF THE OVERLAY DISTRICT’S ARCHITECTURAL REQUIREMENTS

The Guidelines set forth in this Section shall be utilized in determining when the Overlay District’s Architectural Requirements detailed in Sections 7.16 and 7.17 of the 2005 Lawrenceville Zoning Ordinance are applicable.

#### (A) New Buildings

For all new buildings that are proposed to be constructed within the Overlay District, the Owner shall comply with the Architectural Requirements as stated in Sections 7.16 or 7.17 of this 2005 Lawrenceville Zoning Ordinance.

(B) Existing Buildings

- (1) For all existing buildings within the Overlay District, the Architectural Requirements stated in Sections 7.16 or 7.17 of the Zoning Ordinance shall not apply if the exterior façade of the building is not being changed and the Owner or occupant is requesting a permit to do one or a combination of the following:
  - (a) Continuing the existing use of the building without making any changes to the exterior;
  - (b) Performing only interior remodeling of the building even if the use on the interior is changing; or,
  - (c) Making only repairs to the existing façade of the building.
- (2) For all existing buildings within the Overlay District, the following actions by the Owner or Occupant shall require the Owner or Occupant come into compliance with the Architectural Requirements outlined in Sections 7.16 or 7.17 of the 2005 Lawrenceville Zoning Ordinance:
  - (a) A change in the façade of the existing building; or
  - (c) A change in the zoning of the zoning lot on which the existing building stands.

<sup>27</sup>Section 7.19 HIGH RISE OVERLAY DISTRICT

**PURPOSE:**

The purpose of the High Rise Overlay District is to promote the development of properties in a manner that integrates commercial and/or office with residential land uses, promotes pedestrian accessibility among uses, reduces automobile trips, provides a livable environment for project residents, and enhances the value and aesthetics of the surrounding community. This Special Use district utilizes connective streetscapes to promote an environment conducive to human activity through the provision of landscaping, street/shade trees, street furniture and sidewalks to unify and interconnect varying uses.

**APPLICABILITY:**

A High Rise Development may only be permitted within the Georgia Highway 316 Overlay District as designated on the City of Lawrenceville's High Rise Overlay District Map, on tracts of land or assemblages of land located adjacent to or having direct or immediate access to Georgia Highway 316 where infrastructure is available to support the intensity of such a use. Application for permitting such a development is contingent upon

being granted a Special Use approval by the City Council after receiving a recommendation from the Director of Planning and Zoning and pursuant to public hearings before the Planning Commission and the City Council. Applications for the Special Use not located within the Georgia Highway 316 Overlay District shall not be accepted for processing by the Department of Planning and Zoning, unless an application has first been made to revise the High Rise Overlay District Map requesting that the property be added to the district.

## GEORGIA HIGHWAY 316 OVERLAY DISTRICT

See attachment “5”

### SPECIAL USE SITE PLAN REQUIREMENTS & DESIGN CRITERIA:

A Concept Plan for Special Use shall govern all High Rise projects. The Concept Plan is an engineered set of civil plans for the site and architectural detail plans for all structures to be placed on the site. The Concept Plan shall be submitted, reviewed and approved in accordance with applicable Zoning Resolution and Development Regulation requirements. Upon approval of the Concept Plan by the City Council, the development project may commence through the Development Permit and Subdivision Platting process contained in the Development Regulations. High Rise projects may be constructed as a single phase, or may be constructed in multiple phases, in accordance with the approved Concept Plan. Such requirements shall be established at the time of the Special Use approval.

Structures that necessitate the Special Use approval shall be developed as Phase 1. There shall also be a commencement time limit attached to the project at which time the project’s development permit must be approved and obtained. In order to facilitate the development within the High Rise overlay district The City Council may amend any requirement of section 7.19 at the time the Special Use Permit is granted, exclusive of the requirement that the structure that necessitates the Special Use approval shall be developed as part of phase One.

### REQUIRED EXHIBITS:

As part of the application for Special Use, the following exhibits shall be prepared by design professionals, such as planners, engineers, architects or landscape architects and submitted to the Department of Planning and Zoning. No application for a High Rise Development shall be accepted for processing without these required exhibits.

- (a) A location map indicating the existing zoning on the site and the adjacent areas and the boundary of Georgia Highway 316 within which it is located.
- (b) A Concept plan drawn no smaller than one (1) inch equals one hundred (100) feet showing the proposed mix of uses, and phases of development, and including the following information:

- (1) Lot lines and setbacks;
  - (2) Location, shape, size and height of proposed buildings, common areas, plazas, and other amenities;
  - (3) Proposed (exact) use of each building, accounting for total square footage;
  - (4) Lakes, ponds and floodplains and the source of floodplain data, size and percentage of development;
  - (5) Stormwater detention areas;
  - (6) Proposed landscaping, size and percentage of development
  - (7) Recreation facilities (if applicable), size and percentage of development; and,
  - (8) Location of off-street parking, number of required spaces, number of proposed spaces with accurate layout.
- (c) A design plan showing coloring and materials governing pedestrian amenities and building architecture.
- (d) Architectural elevations of proposed buildings indicating exterior treatments.
- (e) Information indicating the following:
- (1) Gross and net acreage, and density (see definition of density), and percentage of development;
  - (2) Lot sizes, if applicable (dimensions and square footage);
  - (3) Building heights and stories;
  - (4) Amount of common open space in square feet;
  - (5) Tree areas to be retained and street trees and landscape features to be added, including tree names and sizes; and,
  - (6) Such other architectural and engineering data as may be required to evaluate the project.

## BUILDING HEIGHT, AND MINIMUM PROJECT SIZE:

Maximum building height shall be limited to a maximum of thirty-five (35) stories and not to exceed 400 feet within Zone 35; and thirty (30) stories not to exceed 350 feet within Zone 30. The City Council may reduce maximum building height on a case-by-case basis at the time of Special Use. The City Council shall establish maximum height on a case-by-case basis at the time of Special Use. High Rise projects shall contain a minimum of five (5) contiguous acres of land area; except that expansion of an existing or approved High Rise project may contain less land area.

## PERMITTED USES AND STRUCTURES:

High Rise projects shall incorporate office and/or commercial uses and shared common area(s) with some residential uses. The proportions shall be established at the time of the Special Use approval.

### Excluded Uses:

- Adult Entertainment Facilities
- Big Box retail (50,000 sq ft or larger)
- Breeding Kennels
- Campgrounds
- Coin operated laundries
- Fortune telling
- Fuel service stations
- Newspaper printing plants
- Outdoor carnivals
- Tool & machine shops (except for facilities maintenance of the on site buildings)
- Wholesale warehouses

## DESIGN CRITERIA:

- (1) Minimum lot area: None.
- (2) Minimum lot width: 200 feet.
- (3) Minimum Road Frontage: Two Hundred (200) feet.
- (4) Minimum front yard setback: One Hundred (50) feet.
- (5) Minimum side yard setback: Fifty (10) feet.

- (6) Minimum rear yard setback: Fifty (40) feet.
- (7) Sodded yards: All grassed areas shall be sodded.
- (8) All new or relocated utilities shall be placed underground.
- (9) Dumpsters must be screened on all sides by a minimum six (6) foot high brick wall or other materials that match the buildings with access via an opaque metal gate.

COMMON AREA:

- (a) The following areas shall not be included towards the calculations of Common space:
  - (1) Floodplain, unless developed as an acceptable recreational area with walking trails;
  - (2) Wetlands, unless developed as an acceptable recreational area with walking trails;
  - (3) Detention ponds;
  - (4) Street right-of-ways, including green space along street if greenspace width is less than thirty (30) feet in width;
  - (5) Required buffers; and
  - (6) Allowed areas containing less than thirty (30) feet in width.
- (b) The following areas shall be considered towards the calculations of Common Space:
  - (1) Passive green space;
  - (2) Active green space;
  - (3) Recreational areas; and,
  - (4) Public commercial patios, plazas, Supplemental zone.
- (c) Common area shall be provided according to the following standards:

- (1) Between ten and twenty-five percent (10-25%) of the gross project acreage shall be designated on a recorded plat as permanent common area for the use of the residents and visitors to the development.
- (2) Between fifty and seventy-five percent (50-75%) of the Common Space must be landscaped.
- (3) Sidewalks shall be provided. They shall be constructed at a width of eight (8) feet or greater and the streetscape is enhanced with decorative, commercial quality street furniture, fountains, planters, public seating, amenities within the project that encourage pedestrian connectivity between uses such as plazas, arcades, greenways and/or similar improvements that are clearly intended as gathering spaces or that act as connectors to adjacent buildings or uses.
- (4) Offsite sidewalks, greenways, bike trails, and similar improvements providing inter-parcel access along with associated landscape strips constructed as part of the mixed-use development may be counted toward the forty percent common area requirement subject to the filing of appropriate reciprocal access agreements between property owners.
- (5) Stormwater facilities may not be located within floodplain, wetland, nor required buffers. If designed and improved as an amenity, subject to review and approval at the time of Special Use, the pond may be calculated towards Common Space.
- (6) Common areas shall be distributed throughout the project to provide linkages, amenities and visual appeal for the development. Final common area design shall include provision of at least one (1) centrally located public gathering area (with related amenities and improvements) in the form of a town green, amphitheater, landscaped plaza, or similar approved element.
- (7) Ownership of common areas, stormwater facilities, floodplain and wetland areas shall be owned in fee-simple by a mandatory property owner's association or approved entity, which administers a reciprocal access and maintenance agreement for the project, or other entity approved in advance by the City Council during their normal course of business. The developer shall record the deed to the common area prior to, or concurrent with, the recording of the first final subdivision plat or certificate of occupancy. An access easement following the alignment of future public streets is acceptable. However, "pocket parks" or "greens" may be deeded concurrent with the unit or phase of the final subdivision plat of which it is a part.

- (8) Property Owner's Association. The property owner's association bylaws or covenants, at a minimum, shall contain the following provisions:
- (a) Governance of the association by the Georgia Property Owner's Association Act (O.C.G.A. 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 common areas;
  - (c) Responsibility for insurance and taxes;
  - (d) Automatic compulsory membership of all property owners and subsequent lot purchasers and their successors; and compulsory assessments;
  - (e) Conditions and timing of transferring control of the association from the developer to the property owners;
  - (f) Guarantee that the association will not be dissolved without the advance approval of the City Council; and,
  - (g) Restrict the time of deliveries to commercial businesses and dumpster pick-up to between 7:00 am and 9:00 pm.
- (9) Maintenance. The property owner's association, or other entity approved in advance by the City Council, shall be responsible for the continuous maintenance of buffers, common areas and recreation areas.

#### BUFFER REQUIREMENTS:

- (a) A naturally vegetated and or, enhanced buffer, replanted where sparsely vegetated and supplemented by a six (6) foot high solid opaque wall or fence within 5 feet of the property line, shall be provided adjacent to external residential properties. Allowed fencing types include split-rail, stacked stone or brick, brick columns with iron pickets or similar, or vegetative hedge. Where adjacent properties are zoned or developed for single-family residential uses a buffer of seventy-five (75) feet in width shall be provided, and where adjacent properties are zoned or developed for fee-simple townhouse/condominium uses a buffer of fifty (50) feet in width shall be provided. These minimum buffer widths may be altered by the City Council at the time of granting the Special Use. A minimum buffer of 30 feet in

width shall be required adjacent to adjoining property zoned for or developed as office, institutional, or commercial uses.

- (b) Buffers shall not be required between dissimilar uses internal to the development but may be added at time of Special Use.

**LANDSCAPING REQUIREMENTS:**

- (a) A fifteen (15) foot landscape strip shall be required on external roadways.
- (b) Each development shall have a minimum of 1 internal driveway.
- (c) All service entrances and building support service structures shall be visually screened by landscaping and/or solid screening.
- (d) All required parking lot trees shall be straight-trunked hardwood shade trees.
- (e) Tree density requirements per acre.

Residential townhomes/condos: 15

Residential apartments: 18

Commercial: 15

Mixed vertical uses: 15

- (f) Formula for tree densities (see following table)

TABLE A - CREDIT FOR TREES	
CONVERSION FROM TREE DIAMETER IN INCHES TO TREE DENSITY UNITS	
DIA.	UNITS
3	.6
4	.7
5	.9
6	1.0
7	1.2
8	1.3
9	1.5
10	1.7

11	1.9
12	2.1
13	2.3
14	2.5
15	2.7

Note: Trees larger than 15” shall be credited at time of special use

Note: Tree diameter is measured at 2 feet above the ground.

Note: Tree diameter fractions may be "rounded up" if 0.5 inches or greater or "rounded down" if less than 0.5 inches.

- (g) Street trees shall be required along both sides of all internal streets and on the project side of external streets.

- (1) Spacing shall be a minimum of fifty (50) feet on center

- (2) Minimum four (4) inch caliper at time of planting

A straight-trunked hardwood shade tree

- (h) Parking lot trees and Street trees may be used to fulfill tree planting or tree density requirements.

- (i) Trees within stream and zoning buffers may not be used to fulfill tree planting or tree density requirements.

- (j) Trees within the 100-year floodplain may not be used to fulfill tree planting or tree density requirements.

- (k) Area within the 100-year flood plain, stream and zoning buffers are not incorporated into the acreage calculations.

- (l) Above ground planters may not be used to fulfill tree planting or tree density requirements.

- (m) Multi-trunked trees shall only be given credit by measuring the single largest trunk and not the cumulative total of the various trunks.

#### PARKING STRUCTURES:

- (a) Parking structures must be designed so that the only openings at street level are those to accommodate vehicle entrances and pedestrian access to the structure, as follows:

- (1) Any openings for ventilation, service or emergency access located on the first floor level in the building façade must be decorative, must be an integral part of the overall building design, and must be located in the rear of the structure or on the side screened from the street.
  - (2) Parking areas located above the first floor level of a parking structure must be screened from view from surrounding property utilizing decorative elements such as grillwork, brick or louvers.
  - (3) Parking structures must be constructed of the same materials as the overall building design.
- (b) Off-street parking areas shall be screened from adjacent roadways and sidewalks by a street wall, landscaped berm or vegetative screen at least three (3) feet in height. Street wall shall be of similar design and materials to the surrounding buildings. Screening shall be installed between the parking area and the sidewalks. Perpendicular driveway crossings and pedestrian paths are allowed through the screening.

#### SIGNAGE:

A Unified Signage Plan, submitted for the City Council's approval, shall govern all signage within the development. Signs and the amount of signage shall be subject to the requirements of the Sign Ordinance with the following exceptions:

- (a) Ground signs shall be limited to monument-type signs. Base and sign structure shall be constructed of materials such as brick, stone, stucco, or wood consistent with the architecture and exterior treatment of the building.
- (b) Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.
- (c) Internally illuminated wall signs may not be located within one hundred fifty (150) feet of adjacent property developed for single-family residential uses.
- (d) All signage shall be only in English.
- (e) No billboards shall be permitted.

#### STREET/PEDESTRIAN LIGHTING AND STREET FURNITURE:

- (a) Streetlights utilizing decorative fixtures and poles shall be provided along all internal streets and along all public rights-of-way. Streetlights shall be staggered, one hundred fifty (150) feet on center, along both sides of the street. Pedestrian scale lighting shall be provided every fifty (50) feet along

both sides of the street. The lamps of streetlights shall be directed down and capped. Pedestrian lighting shall utilize fixtures designed to accommodate a shielding plate. All lighting is to be approved at time of approval of permit.

- (b) Decorative, commercial-quality bike racks, benches, and trash receptacles shall be provided throughout the development in accordance with the approved pedestrian access plan.

#### ARCHITECTURAL DESIGN:

Architectural design of all buildings shall comply with the following:

- (a) Attached Townhouses: All facades shall have architectural treatments of brick, stone or cementitious stucco.
- (b) Multifamily Residential Buildings: Architectural treatments of each building elevation shall be brick, glass, stone or cementitious stucco.
- (c) Non-Residential buildings (4 stories or less): Architectural treatments shall be of glass and/or brick, stone, cementitious stucco, or wood or wood shake.
- (d) Non-Residential (5 stories or taller) and Mixed-Use Buildings: Architectural treatments shall be of glass and/or brick, stone or cementitious stucco. Textured tilt-up or pre-cast concrete, or architectural metal may be used subject to review and approval of the City Council.
- (e) Additionally the following are requirements of all buildings:
  - (1) In order to encourage and complement street level pedestrian activity, the street level façade of non-residential buildings facing public or private streets shall incorporate varying edifice details such as trellises, windows or recessed panels suggestive of windows, door or colonnade openings, or storefronts every twenty (20) to thirty (30) linear feet.
  - (2) Contrasting accent colors of any wall, awning or other feature (other than a neutral color) shall be limited to no more than fifteen percent (15%) of the total area for any single facade.
  - (3) Metal or portable buildings shall be prohibited.
  - (4) All buildings shall be designed with pitched roofs except for buildings more than 4 stories or buildings larger than 5,000 square feet. Pitched roofs shall have a minimum pitch of 4:12. Roofing materials for pitched or mansard roofs shall be limited to the following:

- (a) Metal standing seam;
  - (b) Tile, slate or stone;
  - (c) Wood shake; and,
  - (d) Architectural shingles with a slate, tile or metal appearance.
- (5) Portions of the roof structure may be flat to accommodate vents, mechanical systems or similar appurtenances, if screened use the same material as the facade. Any other non-residential or mixed use structure such as gas pump island roofs, etc. shall be subject to the pitch roof requirements of this section.
- (6) Parapets are required on flat roof buildings and shall be articulated to provide visual diversity. Parapets shall include articulations or architectural features at least every one hundred (100) linear feet. The minimum height of articulations or features shall be two (2) feet, and may be provided in height offset or facade projections such as porticoes or towers. The rear of parapet articulations visible from street level view, within three hundred (300) feet, shall be finished to match the exterior architectural treatment.
- (7) Design of flat-roofed buildings shall include minimum two (2) feet deep cornices, extending along the entire perimeter of the building.
- (8) All mechanical, HVAC and like systems, not located in the building or on the roof of the building, shall be located to the rear of the structure and screened from street level view.
- (9) Accessories such as railings, benches, trash receptacles and/or bicycle racks shall be of commercial quality and shall complement the building design and style.
- (f) Building plans shall be subject to review and approval of the Director of Planning and Zoning, or his/her designee, prior to the issuance of a Building Permit. Designs, which are inconsistent with these performance guidelines, may be denied. Alternate designs that have been denied by the Director may be submitted for review and approval of the City Council.
- (g) Ownership disclosure: As part of the application it is required to disclose all individual names, corporate names or LLCs that have a minimum share of 9% or greater interest in the corporation, or partnership.

- (h) Bond required: A bond will be required at the time of permitting in an amount to be determined at the time of Special Use approval for the purpose of ensuring completion of the project.

<sup>40</sup>Section 7.20 (T) TRANSPORTATION OVERLAY DISTRICT

SCOPE OF PROVISIONS:

The regulations set forth in this article, or set forth elsewhere in this ordinance when referring to this article, are the regulations of the (T) TRANSPORTATION OVERLAY DISTRICT.

PURPOSE:

- (1) The purpose of the (T) TRANSPORTATION OVERLAY DISTRICT is to provide for the regulation of vehicle parking facilities which either serve as the primary use of a parcel of property or are unrelated to the primary use of such property. These facilities include, but are not limited to, airport parking and shuttle services, car rental agencies and off-site airport related employee parking. Lawrenceville's proximity to the airport, as well as access provided by the transportation system, makes it a prime location for development of such enterprises.
- (2) Proliferation of such facilities in an uncontrolled and unplanned manner is not in the best interest of the City of Lawrenceville. Such facilities involve vast areas of pavement characterized by three unique features, i.e., a visual "sea of cars," significant stormwater runoff and introduction of significant vehicle traffic. Improper location of such facilities results in negative impact on traffic patterns as well as a strong negative visual impact on surrounding development. Establishment of a (T) TRANSPORTATION OVERLAY DISTRICT which will accommodate such facilities in a concentrated, accessible location is preferred in order to ameliorate the negative effects of such uses. Accordingly, this "single purpose" district is established to concentrate such facilities in specific locations, to buffer such facilities by perimeter landscaping, thereby minimizing the visual impact on the traveling public and surrounding development. Concentration of such facilities further allows economies in the provision of common stormwater detention facilities which might otherwise be constructed on individual sites.
- (3) This district is intended as an overlay district allowing establishment of vehicle parking facilities within the configuration of the allowable (T) TRANSPORTATION OVERLAY DISTRICT boundaries within the LM zoning classification. Uses otherwise authorized as PRINCIPAL PERMITTED USES in the underlying district continue as permitted uses.

DEFINITIONS:

For the purposes of this article, the following terms shall have the meanings respectively ascribed to them:

- (1) AIRPORT PARKING AND SHUTTLE SERVICES: Those parking facilities designed primarily to serve a commercial airport. Such facilities allow parking for a fee on an hourly, daily, weekly or other periodic basis and may provide shuttle service between the parking facility and the airport terminal or other airport use. Commercial parking lots which primarily serve the airport and its related activities but which do not provide shuttle services are nonetheless included in this definition.
- (2) CAR RENTAL AGENCIES: Those businesses which have as their primary purpose, or as a significant purpose, the furnishing of motor vehicles for hire on a periodic basis and which store vehicles pending their rental so that such vehicles may be available for rental or lease.
- (3) AIRPORT RELATED EMPLOYEE PARKING: Parking, whether privately owned or governmentally owned, reserved for employees of an airport or employees working for any person, firm or corporation which provides airport related services associated with the airport.
- (4) VEHICLE PARKING FACILITIES: Surface lots or parking decks dedicated for the parking of vehicles either as a primary use of a parcel of property or as a secondary use of property unrelated to the property's primary use.

#### USE REGULATIONS:

The following uses are permitted in the (T) TRANSPORTATION OVERLAY DISTRICT:

Airport Parking and Shuttle Services

Car Rental Agencies

Airport Related Employee Parking

Transit System or other Public Parking Lots and Parking Garages

Vehicle Cleaning and Minor Maintenance Facilities associated with a car rental agency, via contractual agreement or actual ownership

Accessory Buildings

#### PARKING AND LOADING REQUIREMENTS:

In addition to the parking spaces made available to the public or other persons designated to use such parking facilities, the following parking and loading requirements shall be established for the underlying business:

- (1) Employee Parking: A minimum of one (1.5) spaces per employee on the shift of greatest employment.

- (2) Loading Space: A minimum of one (1) loading space in conformity with ARTICLE IX of the Zoning Ordinance.

#### SPACE LIMITS:

Minimum lot area for business: None.

Minimum width of lot: None.

Maximum height of building: sixty (60) feet.

Minimum front yard: forty (40) feet.

Minimum rear yard: twenty (20) feet, but thirty (30) feet where the use adjoins the outer perimeter of the (T) TRANSPORTATION OVERLAY DISTRICT.

Minimum side yard: twenty (20) feet, but thirty (30) feet where the use adjoins the outer perimeter of the (T) TRANSPORTATIONS OVERLAY DISTRICT.

Within the (T) TRANSPORTATION OVERLAY DISTRICT no parking, whether on surface lots or in parking decks, shall be permitted in any of the required yard setbacks.

#### BUFFERS:

The potential for negative visual impact on adjoining uses by (T) TRANSPORTATION OVERLAY DISTRICT uses is substantial. Therefore, buffers are required for the protection of adjoining land uses.

- (1) A natural or manmade planted buffer shall be maintained along the property boundary of any (T) TRANSPORTATION OVERLAY DISTRICT use which abuts a non-(T) TRANSPORTATION OVERLAY DISTRICT use according to the following schedule:
  - (a) Residential districts: A buffer having a minimum horizontal dimension of one hundred (100) feet shall be established, provided that should the applicant wish to construct a bermed buffer, such buffer may be reduced to fifty (50) feet for a berm six (6) feet high and fifty (50) feet in depth.
  - (b) Business park, office park and commercial uses: A buffer having a minimum horizontal dimension of sixty (60) feet shall be established, provided that should the applicant wish to construct a bermed buffer, such buffer may be reduced to thirty (30) feet for a berm six (6) feet high and thirty (30) feet in depth
- (2) Buffers shall be permanently maintained as indicated on the approved site plan, subject to inspection by the Planning Director or his designated representative,

and consistent with any other property improvement. The dimension of the buffer shall not be in addition to any other landscaping requirements of this article.

- (3) As the purpose of the buffer is to visually screen and distance the uses of the (T) TRANSPORTATION OVERLAY DISTRICT from adjoining uses, one-half (1/2) of all plant materials shall consist of one (1) or more species that retain foliage throughout the year. Provision of opaque fencing, though desirable, shall not decrease the horizontal dimension of the required buffer. Plant materials used as buffer screening shall be mature at time of original planting and be minimum ten (10) feet in height and a minimum of ten (10) feet on center.

#### LANDSCAPE REQUIREMENTS:

All provisions of the Zoning Ordinance pertaining to Landscape Requirements shall apply to the (T) TRANSPORTATION OVERLAY DISTRICT.

#### BUSES AND LARGE COMMERCIAL VEHICLES:

Where ten (10) percent or more of the available parking space is to be utilized by buses, vans, or other vehicles of a gross weight of excess of three thousand five hundred (3,500) pounds, additional screening shall be provided sufficient to screen the parking of such oversized vehicles from all adjacent uses.

#### PARKING DECKS:

Where an owner within the (T) TRANSPORTATION OVERLAY DISTRICT seeks to construct a parking deck, such deck shall be constructed in accordance with all building codes and fire safety codes in effect within the City of Lawrenceville.

#### SITE PLAN REVIEW:

A site plan shall be submitted to the Planning Director or his designated representative for all development under this Section 7.20. Such site plan shall show the parking layout meeting the requirements of "parking space" of Article VI and Article IX of the Zoning Ordinance and the design requirements of the Development Regulations for access driveways and turnaround. Additionally, the site plan shall show the proposed landscaping and the hydrology elements necessary to meet the city's Soil, Erosion and Sedimentation Control Ordinance. The site plan shall be accompanied by a traffic study.

#### NON-CONFORMING LOTS:

Vehicle parking facilities as defined by this Section 7.20, in existence in the city at the time of enactment of this ordinance which are permitted uses under the (T) TRANSPORTATION OVERLAY DISTRICT but which are not located within such district shall be nonconforming uses and subject to Article V of this ordinance. No expansion of a nonconforming parking facility may be made which extends its perimeter boundaries on the ground; i.e., where existing boundaries of a parking facility touch the proposed expansion on two (2) or more sides of a lot, the additional lot

may be included within the parking facility. Upward expansion by installation of parking decks is permitted for nonconforming uses under this Section 7.20.

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<sup>1</sup> *Ordinance to Amend the City of Lawrenceville's Zoning Ordinance to Add a New Section 7.4 Entitled "RS-60" Single Family Residence 6,000 Square Foot District was adopted on August 5, 2002.*

<sup>2</sup> *Ordinance to Amend the City of Lawrenceville Zoning Ordinance Section 7.5 (RM-12) was adopted on April 4, 2005.*

<sup>3</sup> *Ordinance to Amend the City of Lawrenceville's Zoning Ordinance Section 7.5.1 RM-6 General Residence District, to Remove Condominiums as a Principal Permitted Use was adopted on May 7, 2001.*

<sup>4</sup> *Ordinance to Amend the City of Lawrenceville's Zoning Ordinance Article VII, to create a New Section 7.5.2, RM-4-C, Fee Simple Condominium Residence District was adopted on May 7, 2001.*

<sup>5</sup> *Ordinance to Amend the Principal Permitted Uses Subsection of Section 7.8 of the City of Lawrenceville's 2005 Lawrenceville Zoning Ordinance was Adopted on November 14, 2005.*

<sup>6</sup> *Ordinance to Amend the City of Lawrenceville's Zoning Ordinance Article VII Section 7.9 (BG)General Business District was adopted on January 5, 2004.*

<sup>7</sup> *Ordinance to Amend the City of Lawrenceville's Zoning Ordinance Article VII, Section 7.11 Highway Service Business District and Article VII, Section 7.13 Heavy Manufacturing District was adopted on November 12, 2001.*

<sup>8</sup> *Ordinance to Amend Article VII of the City of Lawrenceville Zoning Ordinance to Add Section 7.14, "Overlay District Zoning Requirements" was adopted on March 1, 2004.*

<sup>9</sup> *Ordinance to Amend the City of Lawrenceville's Zoning Ordinance Section 7.15 (DT) Downtown District Subareas (Land Use) was adopted on April 4, 2005.*

<sup>10</sup> *Ordinance to Amend Section 7.17 of the City of Lawrenceville's 2005 Zoning Ordinance was adopted on November 14, 2005.*

<sup>11</sup> *Ordinance to Amend Sections 7.16 and 7.17 of the City of Lawrenceville's 2005 Zoning Ordinance was adopted on March 6, 2006.*

<sup>12</sup> *Ordinance to Amend 7.9-BG District Side Yard Setback was adopted on March 6, 2006.*

<sup>13</sup> *Ordinance to Amend Sections 6.2, 7.12 and 7.13 of the City of Lawrenceville's 2005 Zoning Ordinance was adopted on April 3, 2006.*

<sup>14</sup> *Ordinance to Amend Sections 7.9, 7.11 and 7.12 of the City of Lawrenceville's Zoning Ordinance was adopted on April 3, 2006.*

<sup>15</sup> *Ordinance to Amend Section 7.4 of the City of Lawrenceville's Zoning Ordinance was adopted on July 10, 2006.*

<sup>16</sup> *Ordinance to Amend Section 7.5 (RM-12) of the City of Lawrenceville's Zoning Ordinance was adopted on August 7, 2006.*

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- <sup>17</sup> Ordinance to Add Section 7.18 to the City of Lawrenceville's Zoning Ordinance: "Guidelines for Application of the Overlay District's Architectural Requirements" was adopted on November 13, 2006.
- <sup>18</sup> Ordinance to Amend Sections 7.2, 7.3, 7.3.1, 7.5, 7.5.1, 7.5.3, 7.7.1, 7.8, 7.9, 7.10, 7.11 and 7.13 of the City of Lawrenceville's 2005 Zoning Ordinance was adopted on November 13, 2005.
- <sup>19</sup> An Ordinance to Amend Sections 6.2 and 7.6 of the City of Lawrenceville's 2005 Zoning Ordinance was adopted on December 4, 2006.
- <sup>20</sup> Ordinance to Amend Section 7.3 of the City of Lawrenceville's 2005 Lawrenceville Zoning Ordinance was adopted on May 7, 2007.
- <sup>21</sup> Ordinance to Amend Section 7.3.1 of the City of Lawrenceville's 2005 Lawrenceville Zoning Ordinance was adopted on May 7, 2007.
- <sup>22</sup> Ordinance to Amend Section 7.9 of the City of Lawrenceville's 2005 Lawrenceville Zoning Ordinance was adopted on May 7, 2007.
- <sup>23</sup> Ordinance to Amend Section 7.1 of the City of Lawrenceville's 2005 Lawrenceville Zoning Ordinance was adopted on August 6, 2007.
- <sup>24</sup> Ordinance to Amend Section 7.14(D) of the City of Lawrenceville's 2005 Lawrenceville Zoning Ordinance was adopted on August 6, 2007.
- <sup>25</sup> Ordinance to Amend Section 7.9 of the City of Lawrenceville's 2005 Lawrenceville Zoning Ordinance was adopted on September 10, 2007.
- <sup>26</sup> Ordinance to Amend Sections 7.7, 7.9 and 7.11 was adopted on November 12, 2007.
- <sup>27</sup> Ordinance to Amend the 2005 Zoning Ordinance to Add Section 7.19 High Rise Overlay District's Use and Design Requirements was adopted on January 7, 2008.
- <sup>28</sup> Ordinance to Amend Section 7.3 of the 2005 Zoning Ordinance was adopted on February 4, 2008.
- <sup>29</sup> Ordinance to Amend Section 7.3.1 of the 2005 Zoning Ordinance was adopted on February 4, 2008.
- <sup>30</sup> Ordinance to Amend Section 7.9 of the City of Lawrenceville's Zoning Ordinance regarding Billiard Rooms was adopted on February 4, 2008.
- <sup>31</sup> Ordinance to Amend 7.1- Modify Permitted Accessory Uses was adopted on August 4, 2008.
- <sup>32</sup> Ordinance to Amend 7.71- Small Financial Institutions was adopted on August 4, 2008.
- <sup>33</sup> Ordinance to Amend 7.8-Neighborhood Business District was adopted on August 4, 2008.
- <sup>34</sup> Ordinance to Amend 7.9-General Business District was adopted on August 4, 2008.
- <sup>35</sup> Ordinance to Amend 7.9- Small Financial Institutions was adopted on August 4, 2008.
- <sup>36</sup> Ordinance to Amend Articles V, VI, VII, XI, and XVI of the City of Lawrenceville's 2005 Lawrenceville Zoning Ordinance was adopted on October 6, 2008.
- <sup>37</sup> An Ordinance to Amend the City of Lawrenceville's 2005 Zoning Code of Ordinances was adopted on December 1, 2008.
- <sup>38</sup> An Ordinance to Amend Sections 6.2 and 7.1 of the City of Lawrenceville's 2005 Lawrenceville Zoning Ordinance was adopted on December 1, 2008.
- <sup>39</sup> Ordinance to Amend Sections 7.1, 7.2, 7.3, and 7.4 of the Zoning Ordinance was adopted on February 2, 2009.

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<sup>40</sup> Ordinance to Amend Sections 6.2, 7.12, 7.13, and create 7.20 of the Zoning Ordinance was adopted September 13, 2010.

<sup>41</sup> Ordinance to Amend Sections 7.1, 7.2, 7.3, 7.3.1, and 7.4 of the Zoning Ordinance was adopted on October 4, 2010.

<sup>42</sup> Ordinance to Amend Section 7.8 of the Zoning Ordinance to allow distilled spirits as a special use was adopted on September 10, 2012.

<sup>43</sup> Ordinance to Amend Section 7.11 of the Zoning Ordinance to regulate Bail Bonding Services as a special use was adopted on December 3, 2012.

<sup>44</sup> Ordinance to Amend Sections 7.9, 7.12 and 7.13 of the Zoning Ordinance to regulate Commercial Vehicle parking was adopted on December 3, 2012.

<sup>45</sup> Ordinance to Amend Sections 7.9, 7.10, 7.11, 7.12 and 7.13 of the Zoning Ordinance to regulate Transportation Rental uses was adopted on May 6, 2013.

<sup>46</sup> Ordinance to Amend Section 7.12 of the Zoning Ordinance to regulate identify the use of Mobile Office Trailer Sales, Leasing and Storage was adopted on June 3, 2013.

<sup>47</sup> Ordinance to Amend Sections 7.1, 7.3 and 7.3.1 of the Zoning Ordinance to revise regulations of Family Day Care Homes was adopted on February 3, 2014.

<sup>48</sup> Ordinance to Amend Sections 7.12, and 7.13 of the Zoning Ordinance to list uses allowed in LM and HM districts was adopted on February 3, 2014.

<sup>49</sup> Ordinance to Amend Sections 7.12, and 7.13 of the Zoning Ordinance to list uses allowed in LM and HM districts was adopted on May 5, 2014.

<sup>50</sup> Ordinance to Amend Sections 7.9, 7.10, 7.11, 7.12 and 7.13 of the Zoning Ordinance to determine districts where Outdoor Storage is allowed was adopted on October 6, 2014.

<sup>51</sup> Ordinance to Amend Sections 7.3 and 7.3.1 of the Zoning Ordinance to increase minimum house size requirements was adopted on December 1, 2014.

<sup>52</sup> Ordinance to Amend Section 7.9 of the Zoning Ordinance to include Indoor Climate Controlled Storage Facility was adopted on January 5, 2015.