

## ARTICLE IX

## SCHEDULE OF DISTRICT REGULATIONS ADOPTED

SECTION 9.1 DISTRICT REGULATIONS ADOPTED. District regulations shall be set forth in the Schedule of District Regulations, hereby adopted by reference and declared to be a part of this Ordinance.

SECTION 9.2 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 subject to further restrictions or liberalizations which are imposed by a specific district.

(1) PRINCIPAL PERMITTED USES:

1. Single-family dwellings;
2. Noncommercial crop and tree farming, but not to include the raising of animals or fowl except as otherwise provided for in this ordinance, or the sale of any retail products on the premises;
3. Non-profit private clubhouses not greater than four-thousand (4,000) square feet in floor area, swimming pools, tennis facilities and their accessory parking areas exclusively for the use of neighborhood residents and their nonpaying guests subject to any other regulations and Ordinances of the City of Snellville; and,
4. Government agencies, offices, and land uses.

(2) PERMITTED ACCESSORY USES: The following accessory uses are permitted in all residential districts subject to further restrictions or liberalizations which are imposed by a specific district.

1. Home occupations and home businesses in accordance with Article XVIII of the Zoning Ordinance;
2. The parking of recreational equipment in accordance with the requirements set forth in Section 8.13;
3. Cemeteries no greater than two acres in area are a permitted accessory use of any church. Such cemeteries shall have forty-feet (40') of frontage on a public street and shall have a fence of a type specified in the City of Snellville Architectural Design Standards; and
4. Accessory structures in accordance with the requirements set forth in Article VII of the Zoning Ordinance.

- (3) **CONDITIONAL USES:** The following uses may be conditionally permitted by the Mayor and City Council in all residential districts after a public hearing.
- a. Cemeteries (new), provided:
    - 1. All new cemeteries shall front on a street having minimum classification of major collector, for a distance of at least one-hundred feet (100');
    - 2. New cemeteries shall have a minimum size of two (2) acres; and
    - 3. A landscape buffer having a width of ten feet shall be installed along all side and rear lot lines. Shall have a fence of a type specified in the City of Snellville Architectural Design Standards.
  - b. Churches and related religious uses, provided:
    - 1. All such facilities shall front on a street having minimum classification of major collector, for a distance of at least one-hundred-feet (100');
    - 2. The minimum lot size shall be one (1) acre;
    - 3. The maximum lot size shall be three (3) acres;
    - 4. All buildings shall be set back at least fifty-feet (50') from the front property line, forty-feet (40') from the rear property line, and twenty-feet (20') from side property lines (thirty-five feet (35') on the street side if a corner lot); and,
    - 5. A densely planted buffer, no less than six feet in height, having a minimum width of ten feet shall be installed along all side and rear property lines which abut Residential Land Use.
  - c. Commercial Recreational Facility meeting requirements as set forth in Section 8.17.
  - d. Public, private and parochial schools, provided:
    - 1. A minimum site of five (5) acres is provided;
    - 2. The site shall front on a street having minimum classification of major collector, for a distance of at least one-hundred feet (100');
    - 3. A buffer is provided along all side and rear property lines having a minimum width of ten-feet (10').
  - e. Railroad through and spur tracks, provided:
    - 1. No sidings or terminal facilities shall be provided; and,
    - 2. No service, repair or administrative facilities shall be provided.

- f. Utility substations, provided:
  - 1. Documentation is presented by the utility company depicting the need for such substation in a residential locale;
  - 2. Any substation shall conform with all setback and space limits of the zoning district in which they are located;
  - 3. Substations shall be enclosed by an opaque fence other than a cyclone type, and shall be appropriately landscaped; and,
  - 4. A buffer shall be planted along all side and rear property lines, having minimum width of ten-feet (10').
  
- g. Historical event Venue, provided:
  - 1. The principal building must have been built at least fifty (50) years prior to the Conditional Use Permit application, and the principal building must maintain historical significance based upon the criteria used for The National Register of Historic Places; provided, however, that the failure to be listed by The National Historic Register of Historic Places shall not disqualify such a building for consideration by the City of Snellville for designation as an Historical Event Venue;
  - 2. In addition to all principal permitted uses and permitted accessory uses, any such venue facility shall only be used for the following commercial uses – weddings, private parties, business lunches, receptions, showers, and events of similar characteristics;
  - 3. The minimum lot size shall be one (1) acre;
  - 4. The minimum size of the principal building shall be one-thousand-eight-hundred (1,800) square feet; and
  - 5. A buffer shall be planted along all side and rear property lines, having a minimum width of ten-feet (10'), when abutting residentially zoned properties.

(4) DESIGN CRITERIA FOR ALL RESIDENTIAL DISTRICTS:

- I. Prior to issuance of a Site Development Permit for each phase of the project, if any, the developer shall submit architectural elevations in the form of a “Plan Book” for typical structures for review and approval by the Director of Planning & Development. At a minimum, the “Plan Book” shall include: allowable building elevations; design criteria for entries, porches, doors, windows, dormers, columns, cornices, rakes, garages, roofs, landscaping, fencing, and retaining walls; exterior colors and materials, and other pertinent information. All structures shall be constructed in accordance with the approved “Plan Book.” Said “Plan Book” shall become a binding restriction on

all structures within the development and may be amended or supplemented only by approval of the Director of Planning & Development;

2. All corner lots and lots abutting external public streets or building/units abutting external public streets shall be designated as “High Visibility Lots/Buildings.” High Visibility Lots/Buildings shall include the following treatments on elevations visible from the public view: Foundation walls shall be brick or stone to the level of the first floor; Window treatment, such as trim and shutters similar to the front elevation, are required; Landscaping shall be treated similarly to the grass and planting beds in the front of the home; Elevations shall require a similar architectural treatment as the front elevation. The intent of these additional requirements for High Visibility Lots/Buildings is to continue the architectural theme that is presented on the front elevation of the house/building to other elevations exposed to frequent public view;
3. Rear alleys are permitted and shall be a minimum of sixteen-feet (16’) wide. Alleys may be constructed of concrete, and/or other material approved by the Director of Planning and Development. Curb/gutter and sidewalks shall not be required on alleys. All alleys shall be owned and maintained by a mandatory Homeowners’ Association. The ingress and egress points to the alleys from the public streets shall be enhanced with landscaping and decorative pavers, to be approved by the Director of Planning and Development;
4. All grassed areas on dwelling lots shall be sodded with a drought-resistant grass, such as Bermuda, Centipede, or other species approved by the Director of Planning and Development; and,
5. Garages, having the ability to store a minimum of two-vehicles, shall be required on all dwelling lots, unless otherwise specified.

(5) RESIDENTIAL TEMPORARY USE PERMITS:

- a. Any church or property used for a related religious use as provided for by subsection (3)(b) of this Section or any public, private or parochial school as provided for by subsection (3)(d) of this Section may be permitted to carry out the following uses for a period not to exceed twenty (20) days or otherwise indicated;
  1. The sale of fruits or vegetables between April 1 and September 30;
  2. Charitable and non-profit events;
  3. Pumpkin sales between September 15 and October 31;
  4. Christmas tree sales between November 1 and December 31;
  5. Carnival event (defined as an amusement show or civic fair usually including rides, games, sideshows or similar activities operated and

- sponsored by a bona fide civic or charitable organization) not to exceed 20 days provided no structure or equipment is located within 500 feet of any residential property line;
6. Fireworks show between December 26 and January 1 (for New Years) and June 30 and July 6 (for 4<sup>th</sup> of July); and,
  7. Consumer fireworks retail sales stand, licensed in accordance with O.C.G.A. Title 25 for the New Years' Holiday and/or July 4<sup>th</sup> Holiday (one stand per property or institution).
- b. Applicant shall submit a completed Temporary Use Permit application, along with fees as provided for on the City's Fee Schedule, unless exempt under Sec. 9.2(5)(c), for review and approval by the Director of Planning and Development, or his/her designee. Applicant shall comply with all other applicable Federal, State, County and City ordinances and regulations. A permit for any temporary use may be applied for up to six (6) times per year per property. Violation of any of the following requirements may result in revocation of the permit or denial of future permits.
1. Written permission of the property owner is provided;
  2. Excess parking, ingress and egress are provided on site or written permission is obtained if provided on an adjoining property;
  3. Trash receptacles must be provided and/or permittee must secure property owner's approval to dispose of refuse properly (if applicable);
  4. Permitted uses shall be no closer than 250 feet from the property line of any residence;
  5. Sales, displays, and other structures shall not be located within 50 feet of the edge of any public roadway;
  6. A sign (not a mobile advertising sign) may be erected on the property provided it does not exceed a total of 16 square feet and ten feet in height and is not placed within 20 feet of any public roadway;
  7. The noise control ordinance of the Snellville Code of Ordinances shall be complied with;
  8. The hours of operation shall be from 7:00 a.m. to 11:00 p.m.; and
  9. Permittee must indicate where employees or volunteers have permission to use restroom facilities.
- c. Upon presentment of evidence of such, any organization that maintains a valid registration under Section 501(c)(3) or Section 501(c)(6) of the Internal Revenue Code of the United States shall not be subject to the temporary use permit fee assessed by the City, however such permittee must still comply

with all other applicable Federal, State, Gwinnett County and City of Snellville regulations.

**SECTION 9.3 RS-180, SINGLE-FAMILY RESIDENCE DISTRICT.**

**PURPOSE:** This district is intended to provide stable residential districts of high-quality homes along the major streets and state highways entering the city carrying higher volumes of traffic; to protect the residential characteristics of the district and to encourage a suitable residential environment on lots which are of moderate width but greater depth than other single-family residence districts.

(1) **PRINCIPAL PERMITTED USES:**

1. The principal permitted uses common to all residential districts; and
2. Single-family residences served by public sewage treatment systems or an on-site sewage management (septic) system approved by the Gwinnett County Department of Environmental Health.

(2) **PERMITTED ACCESSORY USES:** The permitted accessory uses common to all residential districts.

(3) **CONDITIONAL USES:** The conditional uses common to all residential districts.

(4) **SPACE LIMITS:**

1. Minimum Lot Area: 30,000 square feet;
2. Minimum Lot Width: 100 feet at building line;
3. Maximum Height of Building: 35 feet;
4. Minimum Front Yard: 50 feet from right-of-way line;
5. Minimum Rear Yard: 40 feet;
6. Minimum Side Yard: 10 feet;
7. Minimum Side Yard on Street Side of Corner: 35 feet; and,
8. Maximum Ground Coverage Including Accessory Buildings: 35 percent.

(5) **PERMITTED TEMPORARY USES:** The permitted temporary uses common to all residential districts.

(6) **SPECIAL USES:** Collective Residences, as defined under Section 6.2 and subject to the requirements of Section 7.6 of the Zoning Code of the City of Snellville, Georgia.

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**SECTION 9.4 RS-150, SINGLE-FAMILY RESIDENCE DISTRICT.**

**PURPOSE:** This district is intended primarily for moderate size one-family residences and related uses.

- (1) **PRINCIPAL PERMITTED USES:**
  1. The principal permitted uses common to all residential districts; and
  2. Single-family residences served by public sewage treatment systems or an on-site sewage management (septic) system approved by the Gwinnett County Department of Environmental Health.
  
- (2) **PERMITTED ACCESSORY USES:** The permitted accessory uses common to all residential districts.
  
- (3) **CONDITIONAL USES:** The conditional uses common to all residential districts.
  
- (4) **SPACE LIMITS:**
  1. Minimum Lot Area: 15,000 square feet;
  2. Minimum Lot Width: 80 feet at building line;
  3. Maximum Height of Building: 35 feet;
  4. Minimum Front Yard: 40 feet from right-of-way line;
  5. Minimum Rear Yard: 40 feet;
  6. Minimum Side Yard: 10 feet;
  7. Minimum Side Yard on Street Side of Corner: 35 feet; and,
  8. Maximum Ground Coverage Including Accessory Buildings: 25 percent.
  
- (5) **PERMITTED TEMPORARY USES:** The permitted temporary uses common to all residential districts.
  
- (6) **SPECIAL USES:** Collective Residences, as defined under Section 6.2 and subject to the requirements of Section 7.6 of the Zoning Code of the City of Snellville, Georgia.

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**SECTION 9.5 RG-75, GENERAL RESIDENCE DISTRICT.**

**PURPOSE:** This district is composed of certain areas having all utilities and a residential character, and additional undeveloped land where it is desirable and likely that similar development will occur. Because these areas are served by public utilities and facilities, a moderate density of development can be supported.

**(1) PRINCIPAL PERMITTED USES:**

1. The principal permitted uses common to all residential districts; and
2. Residential dwellings containing not more than two dwelling units.

**(2) PERMITTED ACCESSORY USES:** The permitted accessory uses common to all residential districts.**(3) CONDITIONAL USES:** The conditional uses common to all residential districts.**(4) SPACE LIMITS:**

1. Minimum Lot Area: 15,000 square feet. For two-family units the minimum lot area shall be 15,000 square feet, with 7,500 square feet per dwelling unit;
2. Minimum Lot Width: 100 feet at building line;
3. Maximum Height of Building: 40 feet;
4. Minimum Front Yard: 50 feet from right-of-way line;
5. Minimum Rear Yard: 40 feet;
6. Minimum Side Yard: 10 feet;
9. Minimum Side Yard on Street Side of Corner: 35 feet; and,
10. Maximum Ground Coverage Including Accessory Buildings: 40 percent.

**(5) MISCELLANEOUS PROVISIONS:** A two-family development shall be treated as one zoning lot.**(6) PERMITTED TEMPORARY USES:** The permitted temporary uses common to all residential districts.

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SECTION 9.5A PRC, PLANNED RESIDENTIAL-CONSERVATION. (Inactive - 5/23/05)

*PURPOSE: This district is intended to provide a quality medium density residential district by utilization of building and site design criteria and by requiring the conservation of open space areas owned in common and accessible, at a minimum, to all residents of the subdivision. These districts are generally located wherever opportunities are found for open space conservation or where existing natural or historic features require conservation. The PRC district may be located as a transitional use, generally from commercial uses into low density residential.*

(1) *PRINCIPAL PERMITTED USES:*

- 1. Single-family residences served by sanitary sewer; and*
- 2. The principal permitted uses common to all residential districts..*

(2) *PERMITTED ACCESSORY USES: The permitted accessory uses common to all residential districts.*

(3) *CONDITIONAL USES: The conditional uses common to all residential districts.*

(4) *SPACE LIMITS:*

- 1. Minimum Lot Area: None;*
- 2. Maximum Lot area: None;*
- 3. Minimum Lot Width: 55 feet at building line;*
- 4. Maximum Height of Building: 35 feet;*
- 5. Minimum Front Yard: 10 feet from right-of-way line;*
- 6. Maximum Ground Coverage Including Accessory Buildings: 75 percent;*
- 7. Minimum Rear Yard: 40 feet abutting low-density residential zones, right-of-way and exterior lots, 20 feet for interior lots and/or where abutting similar zoning;;*
- 8. Minimum Side Yard: 5 feet;*
- 9. Minimum Side Yard on Street Side of Corner: 10 feet; and,*
- 10. Minimum Street Frontage: 40 feet..*

(5) *PRC DESIGN CRITERIA:*

- a. Single family residences shall meet the following requirements:*

1. *Minimum floor area: seventeen-hundred (1,700) square feet – single-story, eighteen-hundred (1,800) square feet – two-story;*
  2. *Garages or carports required: structures for the storage of two-vehicles shall be provided for each dwelling;*
  3. *The minimum roof pitch shall be 6:12 and maximum roof pitch shall be 10:12.*
  4. *Exterior: Walls shall be clad in brick, stone, stucco, and/or Hardiplank masonry lap siding. Installation must conform to International Residential Code;*
  5. *Chimneys located on an exterior elevation of the dwelling must extend to the ground and be clad in masonry; and*
  6. *Porches: Porches shall be six-feet (6') in depth, and have a minimum of seventy-two (72) square feet in area. No two adjoining dwellings shall have the same porch design.*
- b. *PRC subdivisions shall meet the following requirements:*
1. *Maximum density: Five (5.0) units per acre;*
  2. *No less than fifty-percent (50%) of the single-family residences shall have the front façade contain brick, stone, or stucco or combination with a minimum of a twelve-inch (12") return on side elevations. No less than sixty-percent (60%) of the front façade surface area shall consist of these masonry materials;*
  3. *All yards shall be sodded with centipede or Bermuda grass. Other acceptable drought resistant grass species may be approved by the City Arborist;*
  4. *One (1) decorative yard light fixture shall be placed one foot outside of the right-of-way. Fixture type shall be approved by the Planning and Development Director;*
  5. *No less than twenty-five-percent (25%) of the subdivision gross land area shall be reserved as open space; and*
  6. *Open space shall meet the requirements of the Snellville Development Regulations (Article 5).*
- (6) **PERMITTED TEMPORARY USES:** *The permitted temporary uses common to all residential districts.*

**SECTION 9.5B R-TH, SINGLE FAMILY RESIDENTIAL TOWNHOME DISTRICT.**

**PURPOSE:** This zoning district is intended exclusively for town house dwelling units, villas and customary accessory uses and structures. The R-TH Zoning Districts are located where public water supply and sewerage facilities are available and where there is a direct access to collector streets, major streets or State Highways.

(1) **PRINCIPAL PERMITTED USES:**

1. The principal permitted uses common to all residential districts; and townhomes and villas.

(2) **PERMITTED ACCESSORY USES:** The permitted accessory uses common to all residential districts.

(3) **CONDITIONAL USES:** The conditional uses common to all residential districts.

(4) **SPACE LIMITS:**

1. Minimum Lot Area: None;
2. Minimum Lot Width: None;
3. Minimum Dwelling Unit Width: 22 feet for double-car garage townhomes; 18 feet for single-car garage townhomes; and 40 feet for villas;
4. Maximum Height of Building: 35 feet;
5. Minimum Exterior Yard (building setback), where abutting external roads or adjoining properties:
  - a. Front Yard: 50 feet
  - b. Side Yard: 40 feet, and
  - c. Rear Yard: 40 feet.
6. Minimum Interior Yard (building setback), where abutting Internal Roads or Other Buildings/Units within the Development:
  - a. Front yard: 10 feet, excluding porches. Attached, front-loading garage shall be located a minimum of 10 feet behind the plane of the front façade of the principal building;
  - b. Side yard: Zero-feet. However, there shall be a minimum 20 feet separation between buildings. Side yards may only be reduced to zero when a dwelling unit has either no side windows, or when the side window sills are located at least sixty-four-inches (64") above the finished floor elevation; and
  - c. Rear yard: 30 feet.

7. Internal Road Frontage: No Minimum;
8. External Road Frontage for Overall Development: 50 feet;
9. Maximum Density: 8 units per acre.

(5) DESIGN CRITERIA:

1. Off-street parking spaces shall be provided for the entire development so that the total number of spaces equals no less than two (2) times the number of dwelling units. At least eighty-percent (80%) of required parking areas for the overall development must be located directly in the front or rear of the dwelling units or in a garage. The balance of the parking spaces may be located in a parking facility separated from the units, which may include delineated parking spaces adjacent to the internal roadways (i.e. parallel parking spaces). All units shall require single-car garages, at a minimum.
2. Townhomes shall have a minimum of three (3) and a maximum of eight (8) dwelling units per building/row. Villas shall have a minimum of three (3) and a maximum of four (4) dwelling units per building/row.
3. A minimum two-hour rated firewall shall be required between each attached dwelling unit. A four-hour rated firewall shall be required between every fourth attached dwelling units. The four-hour (4-hr) rated firewall may be reduced to a two-hour rated firewall if approved residential sprinkler systems or similar fire prevention measures, as approved by the Gwinnett County Fire Marshal, are installed in each unit. Firewalls shall be constructed in accordance with applicable building codes of the City of Snellville and Gwinnett County.
4. A pathway system connecting greenway/open space areas accessible to neighborhood residents, and connecting these areas to neighborhood streets and sidewalks shall be constructed.
5. A fifty-foot (50') wide landscape strip shall be provided along all exterior street frontages and shall be planted in accordance with Article XX of the Zoning Ordinance. The landscape strip may incorporate natural vegetation and shall include a decorative fence/wall and entrance monument. The fence may be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or stacked stone columns (max. thirty-feet (30') on-center).
6. Buildings shall be constructed of traditional design with brick, stone, masonry hardi-plank horizontal siding, and masonry hardi-plank shakes/shingles. The primary material on the front elevation shall also be used on the side and rear elevations. There shall be a combination of no less than two (2) of the above-listed materials on each façade of the building.

7. All units with front-loaded garages shall have garage faces with decorative design treatments to minimize their appearances. Garages for units/buildings located on rear alleys shall be located to the rear of the unit and accessed via alley only.
  8. A four-foot (4') wide walkway, constructed of concrete or decorative pavers, shall extend from the sidewalk to the steps, stoop, or porch of all units.
  9. All front doors must have either a glass element in the door or sidelights and a transom surrounding it.
  10. Columns on the front elevation or otherwise visible from the public view shall have a minimum two-foot (2') base constructed of brick or stone to match the front elevation.
  11. Chimneys located on an exterior elevation of the dwelling must extend to the ground and be clad in masonry or same as adjacent materials.
- (6) **CONCEPT PLAN REVIEW:** All rezoning applications to R-TH shall be accompanied by a concept plan in compliance with this Article. The purpose of the concept plan review is to encourage logic, imagination, innovation, and variety in the design process and ensure the soundness of the proposed development and its compatibility with the surrounding area. The Director of Planning and Development or his/her designee shall review plans for compliance with concept plan review criteria and the Zoning Ordinance. The recommendations of both the Director of Planning and Development and the Planning Commission shall be transmitted to the Mayor and Council. Through the rezoning process, the Mayor and Council may condition approval of an R-TH request to a specific concept plan or require an additional future site plan review by the Planning Commission and Mayor and Council.

The following exhibits shall be prepared by registered design professionals, such as engineers, architects or landscape architects, and submitted to the Department of Planning and Development. No application for an R-TH district shall be accepted for processing without these required exhibits:

1. A location map indicating existing zoning on the site and the adjacent areas;
2. A concept plan drawn no smaller than one-inch (1") equals one-hundred-foot (100') (1" = 100'), including the following information;
  - a. Lot lines and setbacks;
  - b. Topography with contour intervals no greater than four-feet (4');
  - c. Lakes, ponds and floodplains and the sources of floodplain data;
  - d. Stormwater detention areas;
  - e. Recreation facilities (if applicable);
  - f. Location of typical off-street parking;

- g. Color elevations of front, sides, and rear of all typical units, including proposed building material, and any other structures such as recreation buildings;
  - h. Acreage and proposed density;
  - i. Lot sizes (typical dimensions and square footage);
  - j. Amount of common open space in square feet (if applicable);
  - k. Such other architectural and engineering data as may be required to evaluate the project.
- (7) PERMITTED TEMPORARY USES: The permitted temporary uses common to all residential districts.

### SECTION 9.6 RM, GENERAL RESIDENCE DISTRICT.

**PURPOSE:** This district is intended primarily for multifamily dwellings. The RM Zoning Districts are located where public water supply and sewerage facilities are available and where there is a direct access to collector streets, major streets or State Highways.

(1) **PRINCIPAL PERMITTED USES:**

1. The principal permitted uses common to all residential districts;
2. Multiple-family dwellings including duplexes, apartments, condominiums and row houses;
3. Boarding and rooming houses; and
4. Fraternal organizations and clubs operated as not-for-profit.

(2) **PERMITTED ACCESSORY USES:** The permitted accessory uses common to all residential districts.

(3) **CONDITIONAL USES:** The conditional uses common to all residential districts.

(4) **SPACE LIMITS:**

1. **Minimum Lot Area:** For multiple-family units the minimum lot area shall be 20,000 square feet, except that a single-family dwelling shall require a minimum lot area of 15,000 square feet. For multiple-family units a minimum of 12,000 square feet of lot area shall be reserved for the first family and 4,000 square feet for each additional family, but in no event shall the over-all density exceed eight (8) dwelling units per acre;
2. **Minimum Lot Width:** 100 feet at building line;
3. **Maximum Height of Building:** 40 feet;
4. **Minimum Front Yard:** 50 feet from right-of-way line;
5. **Minimum Rear Yard:** 40 feet;
6. **Minimum Side Yard:** 20 feet for first two stories, four feet for each additional story;
7. **Minimum Side Yard on Street Side of Corner:** 35 feet; and,
8. **Maximum Ground Coverage Including Accessory Buildings:** 50 percent.

- (5) MISCELLANEOUS PROVISIONS: A multiple-family development shall be treated as one zoning lot.
- (6) DESIGN CRITERIA:
1. A minimum two-hour rated firewall shall be required between each attached dwelling unit. A four-hour rated firewall shall be required between every fourth attached dwelling unit. The four-hour rated firewall may be reduced to a two-hour rated firewall if approved residential sprinkler systems or similar fire prevention measures, as approved by the Gwinnett County Fire Marshal, are installed in each unit. Firewalls shall be constructed in accordance with applicable building codes of the City of Snellville and Gwinnett County.
  2. A pathway system connecting greenway/open space areas accessible to neighborhood residents, and connecting these areas to neighborhood streets and sidewalks shall be constructed.
  3. A fifty-foot (50') wide landscape strip shall be provided along all exterior street frontages and shall be planted in accordance with Article XX of the Zoning Ordinance. The landscape strip may incorporate natural vegetation and shall include a decorative fence/wall and entrance monument. The fence may be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or stacked stone columns (max. thirty-feet (30') on-center).
  4. Buildings shall be constructed of traditional design with brick, stone, masonry hardiplank horizontal siding, and masonry hardiplank shakes/shingles. The primary material on the front elevation shall also be used on the side and rear elevations. There shall be a combination of no less than two (2) of the above-listed materials on each façade of the building.
  5. Off-street parking spaces shall be provided for the entire development so that the total number of spaces equals no less than two and one-half (2.5) times the number of dwelling units. At least eighty-percent (80%) of required parking areas for the overall development must be located directly in the front or rear of the dwelling units or in a garage. The balance of the parking spaces may be located in a parking facility separated from the units, which may include delineated parking spaces adjacent to the internal roadways (i.e. parallel parking spaces). All units shall require single-car garages, at a minimum.
- (7) CONCEPT PLAN REVIEW: All rezoning applications to RM shall be accompanied by a concept plan in compliance with this Article. The purpose of the concept plan review is to encourage logic, imagination, innovation, and variety in the design process and ensure the soundness of the proposed development and its compatibility with the surrounding area. The Director of Planning and Development shall review plans for compliance with concept plan review criteria. The recommendations of both the Director of Planning and Development and the Planning Commission shall be transmitted to the Mayor and Council. Through the

rezoning process, the Mayor and Council may condition approval of an RM request to a specific concept plan or require an additional future site plan review by the Planning Commission and Mayor and Council.

The following exhibits shall be prepared by registered design professionals, such as engineers, architects or landscape architects, and submitted to the Department of Planning and Development. No application for the RM district shall be accepted for processing without these required exhibits:

1. A location map indicating existing zoning on the site and the adjacent areas;
  2. A concept plan drawn no smaller than one-inch (1") equals one-hundred-feet (100') (1" = 100'), including the following information:
    - a. Lot lines and setbacks;
    - b. Topography with contour intervals no greater than ten-feet (10');
    - c. Lakes, ponds and floodplains and the sources of floodplain data;
    - d. Stormwater detention areas;
    - e. Recreation facilities (if applicable);
    - f. Location of typical off-street parking;
    - g. Color elevations of front, sides, and rear of all typical units, including proposed building material, and any other structures such as recreation buildings;
    - h. Acreage and proposed density;
    - i. Lot sizes (typical dimensions and square footage);
    - j. Amount of common open space in square feet (if applicable); and
    - k. Such other architectural and engineering data as may be required to evaluate the project.
- (8) PERMITTED TEMPORARY USES: The permitted temporary uses common to all residential districts.

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SECTION 9.7 CI, CIVIC / INSTITUTIONAL DISTRICT.

**PURPOSE:** The Civic / Institutional District is intended to provide a location for important buildings and services that are essentially non-commercial or not primarily profit motivated in nature and that often serve as community landmarks. Examples of the land uses and buildings included in this district are community meeting halls, libraries, post offices, schools, child care centers, religious buildings, significant medical facilities serving the city, municipal buildings and services, museums and cultural facilities.

(1) **STANDARDS:**

A. Civic/Institutional Districts may be applied in three (3) general situations:

1. Larger civic or institutional uses requiring sites greater than one (1) acre and intended to serve the city and its surrounding areas should have convenient access to state highways or other major thoroughfares (with the exception of elementary and middle schools);
2. Smaller civic uses (less than one (1) acre) or those having less impact or intended to serve neighborhoods may be designated at prominent places and intersections intentionally planned for such uses within neighborhoods and otherwise at the entrance or edges of neighborhoods; or
3. At locations generally indicated on maps in the Comprehensive Plan or recommended in narrative in the Comprehensive Plan.

B. Each application of a Civic/Institutional District to a site shall require adoption of a site plan as a condition of zoning. Substantial variation from the approved plan, as determined by the Planning & Development Director, will require Mayor & Council approval. The Mayor and Council may allow a phased plan of compliance in regards to existing nonconforming sites.

(2) **PRINCIPAL PERMITTED USES:**

1. Community meeting halls;
2. Day care centers, provided that State day care requirements and health regulations are met;
3. Hospitals, infirmaries, medical clinics;
4. Libraries;
5. Museums, cultural societies, facilities for the visual and performing arts;
6. Nursing Homes;
7. Personal Care Home;

8. Public and private colleges;
9. Public and private schools;
10. Public buildings and offices;
11. Seminaries, monasteries, or convents;
12. Semi-public institutions, such as houses of worship and clubs or lodges;
13. Parks and recreation areas operated by the City of Snellville or by other political subdivisions; and
14. All other municipal government services operated for the benefit of the community.

(3) PERMITTED ACCESSORY USES:

1. All parking shall be prohibited in front of the building extending the full width of the front building line;
2. Dormitories for nurses and interns when part of a medical hospital; and
3. Cafeterias when associated with a school, college, day care center, medical hospital or nursing home. Cafeteria must be attached to association and accessed through interior and exterior corridors.

(4) CONDITIONAL USES: None.

(5) SPACE LIMITS:

1. Minimum Lot Area: 5,000 square feet;
2. Minimum Lot Width: 48 feet;
3. Maximum Height of Building: 5 floors, 3 floors when adjacent to residential zones;
4. Minimum Front Yard: None;
5. Minimum Rear Yard: 10 feet, but 40 feet when abutting a residential district;
6. Minimum Side Yard on Street Side of Corner: None;
7. Minimum Side Yard: 5 feet; and,
8. Maximum Ground Coverage Including Accessory Buildings: 90 percent.

- (6) TEMPORARY USE PERMITS: The following uses are permitted for a period not to exceed twenty (20) days or otherwise indicated, provided;
1. Written permission of the property owner is provided;
  2. Excess parking, ingress and egress are provided on site or written permission is obtained if provided on an adjoining property;
  3. Provide trash receptacles and/or secure property owner's written approval to dispose of refuse properly (if applicable);
  4. These uses shall be no closer than 250 feet from the property line of any residence;
  5. Sales, displays, and other structures shall not be located within fifty (50) feet of the edge of any public roadway;
  6. A sign (not a mobile advertising sign) may be erected on the property provided it does not exceed a total of 16 square feet and 10 feet in height and is not placed within 20 feet of any public roadway;
  7. The noise control ordinance of the Snellville Code of Ordinances shall be complied with;
  8. The hours of operation shall be from 7:00 a.m. to 11:00 p.m.;
  9. Permittee must indicate where employees or volunteers have permission to use restroom facilities;
  10. Applicant shall submit a completed Temporary Use Permit application, along with fees as provided for on the City's Fee Schedule, unless exempt under Sec. 9.2(5)(c), for review and approval by the Director of Planning and Development, or his/her designee. Applicant shall comply with all other applicable Federal, State, County and City ordinances and regulations. A permit for any temporary use may be applied for up to six (6) times per year per property. Violation of any of the following requirements may result in revocation of the permit or denial of future permits.
    - a. The sale of fruits or vegetables between April 1 and September 30;
    - b. Charitable and non-profit events;
    - c. Pumpkin sales between September 15 and October 31;
    - d. Christmas tree sales between November 1 and December 31;
    - e. Carnival event (defined as an amusement show or civic fair usually including rides, games, sideshows or similar activities operated and sponsored by a bona fide civic or charitable organization) not to exceed

- twenty (20) days provided no structure or equipment is located within five hundred (500) feet of any residential property line;
- f. Fireworks show between December 26 and January 1 (for New Years) and June 30 and July 6 (for 4<sup>th</sup> of July); and
  - g. Consumer fireworks retail sales stand, licensed under O.C.G.A. Title 25 for the New Years' Holiday and/or July 4<sup>th</sup> Holiday (one stand per property or institution).
11. Upon presentment of evidence of such, any organization that maintains a valid registration under Section 501(c)(3) or Section 501(c)(6) of the Internal Revenue Code of the United States shall not be subject to the temporary use permit fee assessed by the City, however such permittee must still comply with all other applicable Federal, State, Gwinnett County and City of Snellville regulations.

SECTION 9.8 OP, OFFICE PROFESSIONAL DISTRICT.

PURPOSE: The Office Professional District is intended to accommodate the location of a mixture of office, clerical, research, professional enterprises, medical and dental facilities and closely related service businesses. The Office Professional District shall have direct access to State Highways or major arterial thoroughfares.

(1) PRINCIPAL PERMITTED USES:

1. Accounting offices;
2. Architecture or engineering offices;
3. Chiropractor offices;
4. Dentist offices, doctor's offices, and medical clinics;
5. Government agencies, offices, and associated uses;
6. Insurance offices;
7. Internet car sales offices, provided:
  - (a) There is no temporary or permanent storage, parking, delivery, or display of inventory; and
  - (b) Applicant shall submit an application to the Planning & Development Department for administrative review. The Planning and Development Director or his/her designee shall review and prepare a recommendation of the request. The City Manager, after having reviewed the Planning and Development Director's recommendation(s) shall have final authority to grant administrative variances. Application for an administrative variance shall contain the following:
    - (1). Administrative Variance Application
    - (2). Sworn/Notarized Affidavit by the applicant/owner certifying that there will be no temporary or permanent storage, parking, delivery or display of vehicles/inventory.
8. Law offices;
9. Massage therapy establishments, provided massage therapists provide evidence of licensure by the Professional Licensing Board of the State of Georgia and obtain a Massage Establishment License in accordance with Article III of Chapter 26 of the City of Snellville Code of Ordinances;
10. Photography studios;
11. Professional and business offices, provided no retail sales occur on premises;
12. Real estate sales offices; and
13. Travel agencies.

- (2) PERMITTED ACCESSORY USES:
1. Restaurants and cafeterias accessed through and associated with a larger office development or medical complex.
- (3) CONDITIONAL USES: Within the OP, Office Professional district, the following uses may be permitted provided the applicant for such a business is granted a conditional use permit by the Mayor and Council after receiving recommendations from the Planning and Development Department and Planning Commission and after a public hearing.
1. Banks and Savings and Loan Institutions, provided:
    - a. Adequate ingress and egress are provided;
    - b. Stacking lanes, adequate to accommodate at least six vehicles per drive-in station are provided entirely within the property boundary.
  2. Utility substations subject to provisions of section 9.2;
  3. Railroad through and spur tracks subject to provisions of section 9.2;
  4. Beauty and barber shops, including manicurists;
  5. Parking lots and parking structures;
  6. Day care centers, provided that State day care requirements and health regulations are met; and
  7. Drug stores and pharmacies accessed through and associated with medical clinics, doctors' offices, or dental offices.
- (4) SPACE LIMITS:
1. Minimum Lot Area: 1,600 square feet;
  2. Minimum Lot Width: 40 feet;
  3. Maximum Height of Building: 80 feet;
  4. Minimum Front Yard: 10 feet from right-of-way;
  5. Minimum Rear Yard: 15 feet, but 40 feet when abutting a residential district;
  6. Minimum Side Yard: 10 feet;
  7. Minimum Side Yard on Street Side of Corner: 35 feet; and,

8. Maximum Ground Coverage Including Accessory Buildings: 70 percent.
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- (5) TEMPORARY USES: No temporary uses shall be permitted in the OP, Office Professional district.

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**SECTION 9.9 BN, NEIGHBORHOOD BUSINESS DISTRICT.**

**PURPOSE:** The BN, Neighborhood Business District provides a location for limited commercial uses providing convenience goods and services to satisfy the common and frequent needs of the residents of nearby residential neighborhoods.

(1) **PRINCIPAL PERMITTED USES:**

A. Retail and service establishments of the following types::

1. Animal hospital or veterinary clinic;
2. Antique shops;
3. Art and school supply stores;
4. Art galleries and studios;
5. Bakeries;
6. Banks, savings and loan institutions;
7. Barber and beauty shops, including manicurists;
8. Book or stationery stores;
9. Camera and photographic supply stores;
10. Convenience food stores;
11. Custom dressmaking and sewing shops;
12. Dance studios;
13. Day care centers, provided that all state day care requirements and health regulations are met;
14. Dry cleaning establishments including dry cleaning pick-up and delivery stations, not to exceed twenty-five-hundred (2,500) square feet of total floor area;
15. Eye glass shops;
16. Fabric stores;
17. Florist shops;
18. Food stores or grocery stores;
19. Funeral homes and mortuaries;

20. Garden supply centers and greenhouses, provided plants, shrubs and landscaping supplies are not displayed within the minimum front yard;
  21. Gift and card shops;
  22. Hardware stores with lawnmower repair as an accessory use;
  23. Hobby shops and craft shops;
  24. Ice cream shops;
  25. Interior decorating shops;
  26. Jewelry stores;
  27. Meat markets, retail, but no killing, eviscerating, skinning, plucking or smoking of food products on the premises;
  28. News and tobacco stores;
  29. Photography shops and studios;
  30. Radio and television repair shops;
  31. Shoe stores and shoe repair stores;
  32. Shopping centers, neighborhood;
  33. Small appliance repair shops;
  34. Tailor shops;
  35. Tutoring services/establishments. Limited to a maximum of 10 students at any one time;
  36. Toy stores;
  37. Watch and clock repair shops; and
- B. Public and semi-public uses:
1. Public and semi-public buildings and land uses, parks, playgrounds or community centers.
- C. Other Provisions:
1. Automobile parking within the front yard shall be limited to one row of parking stalls and an access aisle;

2. No outdoor storage is permitted except as specified herein; and
3. Other light retail and service establishments which may be determined by the Director of Planning and Development or his/her designee to be similar to the above listed principal permitted uses and which are in harmony with the purpose of this district may be permitted, provided, however, the uses are not specifically listed as a permitted use in another district with a more intense classification.

D. Temporary Uses:

1. Temporary Use Permits:

- a. As used in this article, the phrases used herein shall be defined as follows:

1. Goods and merchandise shall mean tangible or movable personal property, other than money.
1. Holiday activities shall mean seasonal activities associated with federally-recognized holidays and Halloween.
2. Temporary shall mean for a period not to exceed twenty (20) consecutive days. A second permit for a temporary use on the same property may not be applied for or renewed within ninety (90) days from the date of any prior approval of a temporary use.
3. Temporary use shall mean for-profit, non-profit, and charitable event activities involving the temporary outside sale of goods and merchandise in association with an existing business located on the premises as the principal use of the premises with such activities continuing for a period not exceeding 20 consecutive days. The term shall include the sale of farm produce, carnivals, or the sale of Christmas trees from property which is vacant or which contains a separate and distinct primary use. Temporary uses shall occur in non-enclosed areas.
4. Temporary use permit shall mean written authorization by the Director of the Department of Planning and Development, or his/her designee, for the applicant to engage in a temporary use at a specified, fixed location meeting all requirements of this article.

- b. Temporary uses shall comply with the following regulations:

1. Peddling goods and merchandise not customarily sold on a day-to-day basis in the business which constitutes the principal use of the premises is prohibited.
  - a. Exception: Consumer fireworks retail sales stand, licensed in accordance with O.C.G.A. Title 25 for the New Years' Holiday and/or July 4<sup>th</sup> Holiday.

2. Mobile food services and the preparation of food onsite shall be permitted as a secondary temporary outdoor activity for no more than three (3) days.
3. Written permission of the property owner is provided.
4. Excess parking, ingress and egress are provided on site or written permission is obtained if provided on an adjoining property. Temporary uses shall be permitted only on property where such activities shall not disrupt controlled vehicular ingress and egress or occupy required off-street parking spaces.
5. Provide trash receptacles and/or secure property owner's approval to dispose of refuse properly (if applicable).
6. These uses shall be no closer than two-hundred-fifty-feet (250') from the property line of a residence.
7. No display shall be erected or installed, nor shall any temporary uses take place, within fifty-feet (50') of any right-of-way.
8. Temporary uses shall be permitted only within the BN, BG, or HSB zoning districts.
9. Temporary uses shall not be permitted on parcels of property which are less than two acres in size.
10. No operator, employee, or representative of the operator of a temporary outdoor activity shall solicit directly from the motoring public.
11. All temporary uses shall require an Occupation Tax Certificate issued by the City of Snellville Planning and Development Department.
12. No more than one temporary use shall be permitted simultaneously on a parcel of less than five acres.
13. Temporary uses, other than holiday activities, shall be conducted on a paved surface and not on grassed or landscaped areas.
14. A sign (not a mobile advertising sign) may be erected on the property provided it does not exceed a total of sixteen (16) square feet or ten-feet (10') in height and is not placed within twenty-feet (20') of any public roadway.
15. The noise control ordinance of the Snellville Code of Ordinances shall be complied with.
16. The hours of operation shall be between 7 a.m. to 11 p.m.
17. Indicate where employees have permission to use restroom facilities.
18. Christmas tree sales shall be permitted between November 1 and December 31. Only one temporary use permit shall be required for the duration of this use, which shall count as one of the six allowable permits per applicant per year.
19. Pumpkin sales shall be permitted from September 15 through October 31. Only one temporary use permit shall be required for the duration of this use, which shall count as one of the six allowable permits per applicant per year.

20. The sale of fruits or vegetables shall be permitted between April 1 and September 30. Only one temporary use permit shall be required for the duration of this use, which shall count as one of the six allowable permits per applicant per year.
  21. Carnival event (defined as an amusement show or civic fair usually including rides, games, slideshows or similar activities operated and sponsored by a bona fide civic or charitable organization) not to exceed twenty (20) days, provided no structure or equipment is located within five hundred feet (500') of any residential property line.
  22. Carnival events, and the sale of goods and merchandise associated with the primary use shall not be restricted to certain times of year.
  23. Consumer fireworks retail sales stand, licensed in accordance with O.C.G.A. Title 25 for the New Years' Holiday and/or July 4<sup>th</sup> Holiday (one stand per property or institution).
  24. A temporary use permit shall be applied for and approved by the Planning and Development Department. All other permits and regulations of Gwinnett County and the City of Snellville shall be met. A permit for any temporary use may be applied for up to six (6) times per year per applicant. Violation of any of these requirements may result in revocation of the permit or denial of future permits.
2. Outdoor Display of Merchandise:
- a. A ten-foot (10') area abutting the front of the primary building may be used for the purpose of outdoor display of merchandise. Merchandise may not be displayed in the rear or side of a building.
  - b. Merchandise may only be displayed during the hours that the business is open to the public.
  - c. In no case shall such display impede the safe movement of pedestrian traffic.
3. The Director of Planning and Development or his/her designee shall have the power to grant Administrative Variances from the ninety (90) day waiting period for second or renewal permits to any permittee that maintains seventy-five-thousand (75,000) square feet or more of indoor retail sales space.
4. Upon presentment of evidence of such, any organization that maintains a valid registration under Section 501(c)(3) or Section 501(c)(6) of the Internal Revenue Code of the United States shall not be subject to the temporary use permit fee assessed by the City, however, such permittee must still comply with all other applicable Federal, State, Gwinnett County and the City of Snellville regulations.

- (2) **PERMITTED ACCESSORY USES:** Accessory uses for commercial development shall include those normally appurtenant to such development, as provided for in other sections of this Ordinance.
  
- (3) **CONDITIONAL USES:**
  1. Utility substations subject to provisions of Section 9.2; and
  2. Railroad through and spur tracks subject to provisions of Section 9.2.
  
- (4) **SPACE LIMITS:**
  1. Minimum Lot Area: 1,600 square feet (32' x 50');
  2. Minimum Lot Width: None;
  3. Maximum Height of Building: 2 floors; not to exceed 60 feet;
  4. Minimum Front Yard: 15 feet from right-of-way;
  5. Minimum Rear Yard: 15 feet, but 40 feet when abutting a residential district;
  6. Minimum Side Yard: 10 feet; but 20 feet when abutting a residential district;
  7. Minimum Side Yard on Street Side of Corner: 15 feet.

SECTION 9.10 BG, GENERAL BUSINESS DISTRICT.

**PURPOSE:** This district provides for a wide range of retail and service establishments requiring a location accessible to large sectors of the community population.

(I) **PRINCIPAL PERMITTED USES:**

A. Retail and service establishments of the following types:

1. Any use permitted in the BN, Neighborhood Business district; and
2. Automotive car wash (full service or self service);
3. Bicycle shops;
4. Bottle shops;
5. Bus terminals;
6. Business college or business schools;
7. Clothing sales or rental stores;
8. Consumer fireworks retail sales facility (located in a single-tenant/user standalone building), provided:
  - (a) Property is located within the Corridor Overlay District boundary.
  - (b) Not to exceed more than one (1) location per State licensed distributor within the City; and
  - (c) No consumer fireworks retail sales facility (in a single-tenant/user standalone building) shall be permitted or operated within 1,500 feet of any standalone consumer fireworks retail sales facility. For purposes of this requirement, distance shall be measured by the most direct route of travel on ground and shall be measured in the following manner:
    - i. From the main entrance of the proposed consumer fireworks retail sales facility (located in a single-tenant/user standalone building);
    - ii. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
    - iii. Along such public sidewalk, walkway, street, road or highway by the nearest route;
    - iv. To the main entrance of the existing establishment identified in 8(c) above.
9. Consumer fireworks retail sales facility (located in a multi-tenant building/shopping center containing at least three (3) or more tenant spaces), provided:
  - (a) Property is located within the Corridor Overlay District boundary.

- (b) Leased tenant space does not exceed 5,000 sq. ft.;
  - (c) No consumer fireworks retail sales facility (located in a multi-tenant building/shopping center) shall be permitted or operated within 1,500 feet of any standalone consumer fireworks retail sales facility or consumer fireworks retail sales facility located in a multi-tenant building/shopping center. For purposes of this requirement, distance shall be measured by the most direct route of travel on ground and shall be measured in the following manner:
    - i. From the main entrance of the proposed consumer fireworks retail sales facility (located in a multi-tenant building/shopping center);
    - ii. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
    - iii. Along such public sidewalk, walkway, street, road or highway by the nearest route;
    - iv. To the main entrance of the existing establishment identified in 9(c) above.
  - (d) Property shall meet the City's off-street parking requirements for all existing and new uses; and
  - (e) Applicant must permit conforming non-temporary wall signage for the building storefront for the duration of the lease period.
10. Contractor's offices (provided no equipment or materials are stored outdoors);
  11. Department stores;
  12. Electronic sales and service establishments;
  13. Equipment rental (excluding heavy equipment, bulldozers, backhoes, forklifts, cranes, etc.), and provided there is no outdoor storage associated with the use;
  14. Feed and seed stores;
  15. Finance company;
  16. Food catering establishments;
  17. Frame shops;
  18. Furniture rental and sales establishments;
  19. Garden supply centers and greenhouses, including accessory outdoor storage;
  20. Health clubs or spas and tanning salons;
  21. Internet based businesses, including call center, internet café, trading

center, virtual office, and other internet related businesses as determined by the Director;

22. Kennels;
23. Laundries and dry cleaning establishments, including self-service;
24. Loan offices (GILA regulated), provided:
  - (a) Not to exceed more than one (1) location per company within City limits;
  - (b) No loan office establishment shall be licensed or operated within one thousand (1,000) feet of any residential zoning district, public or private school or college, church or other place of worship, library, daycare facility, public park or playground, massage establishment, tattoo studio, pawnshop, title pawnshop, GILA regulated loan office, check cashing or adult entertainment establishment. For purposes of this requirement, distance shall be measured by the most direct route of travel on ground and shall be measured in the following manner:
    - i. From the main entrance of the proposed loan office establishment;
    - ii. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
    - iii. Along such public sidewalk, walkway, street, road or highway by the nearest route;
    - iv. To the main entrance of the existing establishment identified above, or zoning line for properties in a residential zoning district.
  - (c) No onsite display or storage of pledged goods or vehicles.
25. Locksmith shops;
26. Log splitting and storage lots, provided the lot is vacant and splitting and storage area are screened by a six-foot (6') high opaque fence;
27. Motels/Hotels:
  - (a) Each motel/hotel shall be accessed through main or central lobby. The lobby size shall be a minimum of seven-hundred (700) square feet;
  - (b) Each motel/hotel shall have a minimum of sixty (60) rooms;
  - (c) Each guest room shall be accessed through an interior hallway and shall not have access to the exterior of the building (except through the central lobby or as otherwise determined by fire codes);
  - (d) Each motel/hotel site shall be a minimum of two (2) acres;
  - (e) Each motel/hotel must provide staff or management on duty twenty-four (24) hours a day;
  - (f) Each guest room shall have a minimum of three-hundred (300) square feet;

- (g) Each motel/hotel building shall have a minimum roof pitch of four (4) in twelve (12);
  - (h) Each motel/hotel shall provide an enclosed heated and air conditioned laundry space with a minimum of three (3) washers and three (3) dryers;
  - (i) Any outdoor recreational areas provided shall be located to the rear of the site; and
  - (j) Provide a seventy-five-foot (75') natural buffer, enhanced with an additional twenty-five-foot (25') landscaped buffer (total one-hundred-feet (100') adjacent to residentially zoned property.
28. Office/Showroom facilities;
  29. Office supply sales establishments;
  30. Parking lots and structures;
  31. Pest control businesses;
  32. Pet shops and grooming establishments;
  33. Photocopying, printing and reproduction service;
  34. Plant nursery sales facilities;
  35. Plumbing, electrical, pool and home building supply showrooms and sales centers provided there is no outdoor storage associated with the use);
  36. Radio, recording and television studios and broadcasting stations;
  37. Record/video sales and rental stores;
  38. Restaurant delivery services;
  39. Restaurants and eating places, including fast-food establishments;
  40. Shopping centers, neighborhood, community and regional;
  41. Sporting goods store;
  42. Taxidermists;
  43. Theaters;
  44. Travel agencies;
  45. Trophy shops; and

46. Upholstery shops.

B. Office Uses:

1. Accounting office;
2. Architecture or engineering offices;
3. Doctor, dentist or chiropractor offices;
4. Insurance offices;
5. Law offices;
6. Medical offices;
7. Other public or professional offices; and
8. Real estate offices.

C. Public and Semi-Public Uses:

1. Any use permitted in the BN, Neighborhood Business district; and
2. Post Offices.

D. Other provisions:

1. Automobile parking is permitted within the minimum front yard provided a minimum ten-foot (10') landscaped strip and curb is provided adjacent to the right-of-way so that no automobile can back into the bordering street;
2. No outdoor storage is permitted except as specified herein; and
3. Other uses which may be determined by the Director of Planning and Development to be similar to the above listed principal permitted uses and which are in harmony with the purpose of this district may be permitted, provided, however, the uses are not specifically listed as a permitted use in another district with a more intense classification.

E. Temporary Uses:

1. Any temporary use permitted in the BN, Neighborhood Business district, as specified in section 9.9(D).

(2) PERMITTED ACCESSORY USES:

1. Those normally appurtenant to commercial uses permitted in this district.

2. Fireworks Store, as defined in Section 6.2 Definitions.
- (3) **CONDITIONAL USES:** Within the BG (General Business) district, the following uses may be permitted provided the applicant for such a business is granted a Conditional Use Permit by the Mayor and Council after receiving recommendations from the Planning and Development Department and Planning Commission and after a public hearing.
1. Automotive parts store (with or without lubrication or tune-up centers);
  2. Automotive and motorcycle sales and rental establishments and associated service facilities (new or used) provided:
    - a. The property for said use shall not be less than two (2) acres in area;
    - b. The property shall have a minimum road frontage of two hundred (200) feet;
    - c. One thousand (1,000) linear feet of separation exists between said business and any other automotive and motorcycle sales business. For purposes of this requirement, distance shall be measured by the most direct route of travel on ground and shall be measured in the following manner:
      - iv. From the main entrance of the proposed establishment from which automotive and motorcycle sales shall occur;
      - v. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
      - vi. Along such public sidewalk, walkway, street, road or highway by the nearest route;
      - vii. To the main entrance of the existing establishment from which automotive and motorcycle sales shall occur.
    - d. All vehicles on the sales lots are in operating condition at all times.
    - e. All vehicle inventory stored/parked/displayed outside must be on paved parking surfaces only and shall not be stored/parked/displayed in landscaped areas or elevated by use of a ramp, post or other device higher than five feet (5') above grade.
    - f. Showrooms and/or service bays that keep new/used/service vehicles within building structures, must meet all applicable Federal, State, County, and local building and life-safety codes (at the time of application for an Occupation Tax Certificate) regarding the storage of hazardous materials.
    - g. A Conditional Use Permit shall be required for all automotive and motorcycle sales lots/businesses.
    - h. Internet car sales where there is no temporary or permanent storage, parking, delivery, or display of inventory may submit an application to the Planning & Development Department for administrative review. The Planning and Development Director or his/her designee shall review and prepare a recommendation of the request. The City Manager, after having reviewed the Planning and Development Director's recommendation(s) shall have final

- authority to grant administrative variances. Application for an administrative variance shall contain the following:
- iv. Administrative Variance Application
  - v. Sworn/Notarized Affidavit by the applicant/owner certifying that there will be no temporary or permanent storage, parking, delivery or display of vehicles/inventory.
- i. Prior to the issuance of an Occupational Tax Certificate from The City of Snellville, all applicants must provide a current copy of the Used Motor Vehicle Dealers License obtained from The State of Georgia.
  - j. Anyone found to be in violation of this ordinance shall be subject to citation(s) of up to \$1,000.00 per day and/or up to 60 days in jail so as long as the violation(s) are present on the property.
3. Automotive service stations or tire stores, including minor services such as lubrication or tune-up centers, battery replacement and brake repair;
    - a. All vehicle inventory stored/parked/displayed outside must be on paved parking surfaces only.
    - b. Service bays within building structures, must meet all applicable Federal, State, County, and local building and life-safety codes (at the time of application for an Occupation Tax Certificate) regarding the storage of hazardous materials.
  4. Building supply centers with outdoor lumber yards or storage areas, provided these areas are screened with a six foot high, opaque fence;
  5. Churches and religious institutions subject to provisions of Section 9.2;
  6. Commercial recreation enterprises including, but not limited to, miniature golf courses, driving ranges, water slides, drive-in theaters, electric or gas powered vehicles, bowling centers, batting cages, skate board and paint-ball establishments, etc.;
  7. Emissions inspection stations;
  8. Gas Stations, provided that:
    - a. Fuel pumps shall not be closer than thirty-feet (30') from right of way;
    - b. Fuel pumps and gas storage tanks shall be set back at least one hundred feet (100') from any residential district; and
    - c. Canopy design shall conform to the specifications indicated in Architectural Design Standards.
  9. Lawnmower sales and repair shops;
  10. Machine and/or welding shops;
  11. Pawn shops and brokers, title pawn shops and check cashing businesses provided the following:

- a. No pawnshop/broker, title pawn shop or check cashing business shall be licensed or operated within one thousand (1,000) feet of any residential zoning district, public or private school or college, church or other place of worship, library, daycare facility, public park or playground, massage establishment, tattoo studio, existing pawnshop, title pawnshop, check cashing or adult entertainment establishment. For purposes of this requirement, distance shall be measured by the most direct route of travel on ground and shall be measured in the following manner:
    - iv. From the main entrance of the proposed pawn shops/broker, title pawn, or check cashing establishment;
    - v. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
    - vi. Along such public sidewalk, walkway, street, road or highway by the nearest route;
    - vii. To the main entrance of the existing establishment identified above.
12. Psychics and fortunetellers, provided the following:
- a. No psychic or fortuneteller shall be licensed or operated within two thousand (2,000) feet of any residential zoning district, public or private school or college, church or other place of worship, library, daycare facility, public park or playground, massage establishment, adult entertainment establishment, tattoo and/or body piercing establishment, and any other existing psychic and fortunetelling business. For purposes of this requirement, distance shall be measured by the most direct route of travel on ground and shall be measured in the following manner:
    - i. From the main entrance of the proposed psychic or fortuneteller establishment;
    - ii. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
    - iii. Along such public sidewalk, walkway, street, road or highway by the nearest route; and
    - iv. To the existing main entrance of the establishment identified above.
13. Railroad through and spur tracks subject to provisions of Section 9.2;
14. Tattoo and/or body piercing establishment, provided the following:
- a. No tattoo and/or body piercing establishment shall be licensed or operated within two thousand (2,000) feet of any residential zoning district, public or private school or college, church or other place of worship, library, daycare facility, public park or playground, massage establishment, adult entertainment establishment, and any other tattoo and/or body piercing business. For purposes of this requirement, distance shall be measured by the most direct route of travel on ground and shall be measured in the following manner:
    - i. From the main entrance of the proposed tattoo parlor establishment;

- ii. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
  - iii. Along such public sidewalk, walkway, street, road or highway by the nearest route;
  - iv. To the existing main entrance of the establishment identified above.
15. Taxicab or limousine services with on-site storage or parking of vehicles (either permanently or temporarily); and
  16. Utility substations subject to provisions of Section 9.2

(4) SPACE LIMITS:

1. Minimum Lot Area: None;
2. Minimum Lot Width: None;
3. Maximum Height of Building: 80 feet;
4. Minimum Front Yard: 25 feet from right-of-way;
5. Minimum Rear Yard: 15 feet, but 40 feet when abutting a residential district;
6. Minimum Side Yard: 10 feet; but 40 feet when abutting a residential district;
7. Minimum Side Yard on Street Side of Corner: 35 feet;
8. Maximum Ground Coverage: 90 percent.

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**SECTION 9.11 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 traveling public. Front yard requirements are designed to provide for the safety of the traveling public by provision for adequate off-highway maneuvering and parking space.

**(1) PRINCIPAL PERMITTED USES:****A. Retail and service uses:**

1. Any use permitted in the BG, General Business district;
2. Drive-in restaurants, restaurants and lounges designed in accordance with the architectural design standards; and
3. Wholesale establishments provided outdoor storage areas are screened with a six-foot (6') high opaque fence.

**B. Office Uses:**

1. Any use permitted in the BG, General Business district.

**C. Public and Semi-Public Uses:**

1. Any use permitted in the BG, General Business district.

**D. Other provisions:**

1. Automobile parking is permitted within the minimum front yard provided a minimum ten-foot (10') landscaped strip and curb is provided adjacent to the right-of-way so that no automobile can back into the bordering street;
2. No outdoor storage is permitted except as specified herein; and
3. Other uses which may be determined by the Zoning Officer to be similar to the above listed principal permitted uses and which are in harmony with the purpose of this district may be permitted.

**E. Temporary Uses:**

1. Any temporary use permitted in the BG, General Business district.

**(2) PERMITTED ACCESSORY USES:**

1. Accessory uses for commercial development shall include those normally

appurtenant to such development, except as further specified herein, and shall be located in accordance with the space limits of this district.

- (3) **CONDITIONAL USES:** Within the HSB (Highway Service Business) district, the following uses may be permitted provided the applicant for such a business is granted a Conditional Use Permit by the Mayor and Council after receiving recommendations from the Planning and Development Department and Planning Commission and after a public hearing.
1. Automotive body repair shops, provided inoperative, wrecked and dismantled vehicles are screened with a six-foot (6') high, opaque fence;
  2. Automotive parts store (with or without lubrication or tune-up centers);
  3. Automotive repair shops including major engine repair (transmission, radiator repair and engine overhauls), provided inoperative vehicles are screened within a six-foot (6') high, opaque fence;
  4. Automotive and motorcycle sales and rental establishments and associated service facilities (new or used) provided:
    - a. The property for said use shall not be less than two (2) acres in area;
    - b. The property shall have a minimum road frontage of two hundred (200) feet;
    - c. One thousand (1,000) linear feet of separation exists between said business and any other automotive and motorcycle sales business. For purposes of this requirement, distance shall be measured by the most direct route of travel on ground and shall be measured in the following manner:
      - i. From the main entrance of the proposed establishment from which automotive and motorcycle sales shall occur;
      - ii. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
      - iii. Along such public sidewalk, walkway, street, road or highway by the nearest route;
      - iv. To the main entrance of the existing establishment from which automotive and motorcycle sales shall occur.
    - d. All vehicles on the sales lots are in operating condition at all times.
    - e. All vehicle inventory stored/parked/displayed outside must be on paved parking surfaces only and shall not be stored/parked/displayed in landscaped areas or elevated by use of a ramp, post or other device higher than five feet (5') above grade.
    - f. Showrooms and/or service bays that keep new/used/service vehicles within building structures, must meet all applicable Federal, State, County, and local building and life-safety codes (at the time of application for an Occupation Tax Certificate) regarding the storage of hazardous materials.
    - g. A Conditional Use Permit shall be required for all automotive and

- motorcycle sales lots/businesses.
- h. Internet car sales where there is no temporary or permanent storage, parking, delivery, or display of inventory may submit an application to the Planning & Development Department for administrative review. The Planning and Development Director or his/her designee shall review and prepare a recommendation of the request. The City Manager, after having reviewed the Planning and Development Director's recommendation(s) shall have final authority to grant administrative variances. Application for an administrative variance shall contain the following:
    - i. Administrative Variance Application
    - ii. Sworn/Notarized Affidavit by the applicant/owner certifying that there will be no temporary or permanent storage, parking, delivery or display of vehicles/inventory.
  - i. Prior to the issuance of an Occupational Tax Certificate from The City of Snellville, all applicants must provide a current copy of the Used Motor Vehicle Dealers License obtained from The State of Georgia.
  - j. Anyone found to be in violation of this ordinance shall be subject to citation(s) of up to \$1,000.00 per day and/or up to 60 days in jail so as long as the violation(s) are present on the property.
5. Automotive service stations or tire stores, including minor services such as lubrication or tune-up centers, battery replacement and brake repair;
    - a. All vehicle inventory stored/parked/displayed outside must be on paved parking surfaces only.
    - b. Service bays within building structures, must meet all applicable Federal, State, County, and local building and life-safety codes (at the time of application for an Occupation Tax Certificate) regarding the storage of hazardous materials.
  6. Boat sales establishments and associated service facilities, (new or used);
  7. Building supply centers with outdoor lumber yards or storage areas, provided these areas are screened with a six foot high, opaque fence;
  8. Camper and recreational vehicle sales and rental establishments and associated service facilities;
  9. Churches and religious institutions subject to provisions of Section 9.2;
  10. Commercial recreation enterprises including, but not limited to, miniature golf courses, driving ranges, water slides, drive-in theaters, electric or gas powered vehicles, bowling centers, batting cages, skate board and paint-ball establishments, etc.;
  11. Contractor's office with outdoor storage of equipment or materials provided the storage or equipment areas are screened with a six-foot (6') high, opaque fence;

12. Equipment rental, sales or service establishments (including heavy machinery farm equipment, bulldozers, forklifts, cranes, moving vans, trailers, etc.);
13. Gas Stations, provided that:
  - a. Fuel pumps shall not be closer than thirty-feet (30') from right of way;
  - b. Fuel pumps and gas storage tanks shall be set back at least one hundred feet (100') from any residential district; and
  - c. Canopy design shall conform to the specifications indicated in Architectural Design Standards.
14. Lawnmower sales and repair shops;
15. Mini-warehouse storage facilities;
16. Plumbing, electrical, pool and homebuilding supply showrooms and sales centers with outdoor storage, provided storage areas are screened with a six-foot (6') high, opaque fence;
17. Railroad through and spur tracks subject to provisions of Section 9.2;
18. Taxicab or limousine services with on-site storage or parking of vehicles (either permanently or temporarily); and
19. Utility substations subject to provisions of Section 9.2

(4) SPACE LIMITS:

1. Minimum Lot Area: None;
2. Minimum Lot Width: None;
3. Maximum Height of Building: 80 feet;
4. Minimum Front Yard: 50 feet from right-of-way;
5. Minimum Rear Yard: 15 feet, but 50 feet when abutting a residential district;
6. Minimum Side Yard: 10 feet; but 50 feet when abutting a residential district;
7. Minimum Side Yard on Street Side of Corner: 35 feet;
8. Maximum Ground Coverage: 90 percent.

**SECTION 9.12 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. The LM, Light Manufacturing district is comprised of lands that are located on or have ready access to a major street or State Highway and are well adapted to industrial development, but whose proximity to residential or commercial districts makes it desirable to limit industrial operations and processes to those that are not objectionable by reason of the emission of noise, vibration, smoke, dust, gas, by fumes, odors, or radiation, and that do not create fire or explosion hazards or other objectionable conditions.

**(1) PRINCIPAL PERMITTED USES:**

1. Automotive body repair shops;
2. Automotive repair shops, including major engine repair;
3. Baking plants;
4. Building material and construction supply sales, with outdoor storage;
5. Cold storage plants;
6. Contractors' offices with outdoor storage;
7. Electronic equipment manufacturing and assembly plants;
8. Lot splitting and storage lots;
9. Manufacturing businesses;
10. Mini warehouse storage facilities;
11. Offices or office parks;
12. Research, testing and laboratory facilities; and
13. Wholesaling, warehousing and distribution.

Other uses which may be determined by the Zoning officer to be similar to the above listed principal permitted uses and which are in harmony with the purpose of this district may be permitted.

**(2) EXCLUDED USES:**

1. Dwellings, except caretaker and watchman's quarters as set forth herein;
2. Public, parochial and private schools and colleges, except trade schools;

3. Hospitals, clinics, rest homes and other institutions for the housing and care of human beings;
  4. Motels and motor hotels;
  5. Public, and quasi-public and governmental uses;
  6. Asphalt and concrete batching plants or central mixing plants for cement, mortar, plaster housing materials or related products;
  7. Removal and/or processing of natural resources or minerals, with the exception of trees and vegetation;
  8. Sanitary landfills and landfills; and
  9. Any use not enumerated as permitted in this district but which is specifically provided for in another district or districts.
- (3) **PERMITTED ACCESSORY USES:** Any accessory use normally appurtenant to a permitted use shall be allowed, provided such use shall conform with all performance standards set forth for this district.
- (4) **CONDITIONAL USES:** Recreational uses of a temporary nature, provided:
1. No permanent construction or land disturbing activities are undertaken.
- (5) **TEMPORARY USES:** Any use permitted in the HSB, Highway Service Business district.
- (6) **PERFORMANCE STANDARDS:**
1. **PHYSICAL APPEARANCE:** All operations shall be carried on within an enclosed building except that new materials or equipment in operable condition may be stored in the open. Normal daily wastes of an inorganic nature may be stored in containers not in a building when such containers are not visible from the street. The provisions herein shall not be construed to prohibit the display of merchandise or vehicles for sale or the storage of vehicles or machinery when in operable condition.
  2. **FIRE HAZARDS:** 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.
  3. **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.

4. HAZARDOUS WASTES: Materials categorized by the U. S. Environmental Protection Agency or by the Georgia Environmental Protection Division as hazardous wastes are prohibited from being stored on site and must be disposed of immediately at licensed hazardous waste dumps.
5. 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 Snellville.
6. 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 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.
7. 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 of bread or the roasting of coffee and nuts shall not normally be considered to be obnoxious within the meaning of this Ordinance.
8. GASES: The gases sulphur dioxide, hydrogen sulfide and carbon monoxide shall not exceed four parts per million when measured at the property line.
9. 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 broad-hammers shall not be permitted in this district.
10. 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 two degrees Fahrenheit.

(7) SPACE LIMITS:

1. Minimum Lot Area: 1 acre;
2. Minimum Lot Width: 100 feet;
3. Maximum Height of Building: 40 feet;
4. Minimum Front Yard: 50 feet from right-of-way;
5. Minimum Rear Yard: 15 feet, but 50 feet when abutting a residential district;
6. Minimum Side Yard: 20 feet; but 50 feet when abutting a residential district;
7. Minimum Side Yard on Street Side of Corner: 35 feet;
8. Maximum Ground Coverage: 75 percent.

SECTION 9.13 FH, FLOOD HAZARD DISTRICT.

PURPOSE: An appended district to apply to properties which are subject to occasional flooding or inundation by flood waters, and which require special regulations for the protection of such properties and their improvements from hazards and damage which may result from flood waters, and for the protection of public health and safety. Provisions of the Flood Damage Prevention Ordinance of the City of Snellville shall apply and are hereby adopted by reference.

- (1) **PRINCIPAL PERMITTED USES:** Any use permitted in the primary district to which this district is appended, subject to provisions of the Flood Damage Prevention Ordinance of the City of Snellville. The intent of the regulations within this section is to limit the use of land contained within a floodplain. Notwithstanding the uses permitted for any applicable zoning district which apply to the property, no building or structure or land shall hereafter be used or occupied other than as herein provided, and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or altered except in conformity with the requirements of this regulation when such lands fall within or are affected by a floodplain.
- I. Uses permitted in the floodplain. Within a floodplain, the following uses may be permitted subject to the requirements of the Floodplain Management Ordinance and the requirements of the Development Regulations:
- a. Agriculture, including forestry and livestock raising, requiring no structure within the flood way except structures for temporary shelter and including agriculture and forestry access roads;
  - b. Dams, provided they are designed and constructed in accordance with specifications of the State Safe Dam Act latest revision and the Development Regulations;
  - c. Public parks and recreation areas and facilities requiring no structures within the floodplain, except structures for temporary shelter, including but not limited to boat ramps, docks, parking areas, and recreation facilities; private and commercial recreation developments and campgrounds;
  - d. Bridges, culverts, and the roadway fill related to these structures;
  - e. Parking areas. All required parking areas shall be located at an elevation higher than the calculated five-year storm, and shall not be located within any floodway;
  - f. Outdoor storage and/or accessory buildings not exceeding five-hundred (500) square feet;
  - g. Fences having sufficient open area to permit the free flow of water and debris;
  - h. Public utility poles, towers, pipelines, sewer, and other similar public and semi-public utilities and facilities;
  - i. Signs and sign structures, provided they permit the free flow of water and debris; and
  - j. Swimming pools and tennis courts, provided that fences around such structures have sufficient open area to permit the free flow of water and debris.

- (2) **PERMITTED ACCESSORY USES:** Any accessory use permitted in the primary district to which this district is appended subject to provisions of the Flood Damage Prevention Ordinance of the City of Snellville.
- (3) **CONDITIONAL USES:** None
- (4) **SPACE LIMITS:** **SPACE LIMITS:** All of the space limit provisions of the primary district to which this district is appended shall be complied with, subject to any modifications or changes provided for in the Flood Damage Prevention Ordinance of the City of Snellville.
  - I. Lot Area Restrictions. All concept plans, site plans, preliminary plats, and final subdivision plats with all or portions of the land area contained within the floodplain, or contiguous to the floodplain, shall comply with the following requirements, as applicable:
    - a. In all residential zoning districts, up to fifty-percent (50%) of the area located at or below the base flood elevation may be used in computations for meeting the density requirements in accordance with the provisions of this ordinance;
    - b. In residential zoning districts, no lot shall contain less than eight-thousand (8,000) square feet of land area above the flood elevation;
    - c. No subdivision lot shall be approved which has less than fifty-percent (50%) of the minimum lot area required by the applicable zoning district located above the base flood elevation; and
    - d. Each plat or site plan submitted for rezoning or conditional use permit shall contain a readily identifiable line indicating the limits of the base flood elevation if any portion of the property lies within the floodplain. This line shall be clearly labeled and the base flood elevation above the mean sea level stated. The plat or site plan shall indicate where the base flood elevation has been established by the Federal Emergency Management Agency or where the base flood elevation has been calculated by a registered professional engineer using the best available information.
- (5) **FEDERAL FLOOD INSURANCE PROGRAM:** Flood studies and maps depicting flood-prone areas have been prepared as part of the Flood Insurance Study prepared for the City of Snellville as conducted by the Federal Emergency Management Agency and Federal Insurance Administration arm of the Department of Housing and Urban Development. The Flood Damage Prevention Ordinance of the City of Snellville was adopted as a result of these studies.

The Floodway Boundary and Floodway Maps published as a result of these studies are adopted by reference as part of this Ordinance and shall be used to determine the boundaries of flood hazard areas described in the FH-Flood Hazard District.

### SECTION 9.14 TC, TOWN CENTER OVERLAY DISTRICT.

**PURPOSE:** The purposes of this district are 1) to restore a viable commercial, residential, and entertainment district at the city core; and 2) to encourage the redesign and redevelopment of existing shopping centers along U.S. 78 / Main Street. This district allows a denser mix of land uses built for pedestrian access as well as being an origin point for public transit and a destination for persons arriving by automobile.

This district provides locations for a wide range of commerce of a character traditionally found in the core business districts of small cities and towns at a scale convenient for walking and biking. These uses include office, department stores, small retail, restaurants and taverns with residential uses located above and mixed within these uses. The Town Center district also includes the prominent public governmental buildings and important civic buildings such as museums, theatres for the performing arts, art galleries, and large religious buildings. Formal public open spaces are also a critical element of this Overlay District. This district allows a wide range of land uses but carefully regulates building design.

- (1) **RELATION TO UNDERLYING ZONING:** The requirements of the TC, Town Center Overlay district shall apply to all buildings, lots, and uses located within the geographic area defined on the Official Zoning Map as the Town Center District. Whenever the requirements of the TC, Town Center Overlay district impose a more or less restrictive standard than the provisions of the underlying zoning district stated elsewhere in this Ordinance, the requirements of the Overlay District shall govern.
- (2) **PRINCIPAL PERMITTED USES:** Retail and service establishments of the following types provided all activities and display of goods are carried on within an enclosed building except as specified herein.
  - A. Any use permitted in the BG, General Business district, except consumer fireworks retail sales facilities are prohibited;
  - B. Banks, savings and loan institutions;
  - C. Museums and libraries;
  - D. Shopping centers; and
  - E. Town center residential dwellings.
- (3) **DESIGN:**
  - A. All buildings, structures, and streetscape improvements shall conform to the requirements illustrated and stated in the Architectural Design Standards, hereby adopted by reference. (exception: Restaurant design does not apply in TC, Town Center Overlay District.)
  - B. All such uses shall front on a public street although vehicular and service access may be obtained through an alley on the rear lot line.

- C. No building with a single use, tenant, or occupant shall exceed forty-five-thousand (45,000) square feet without obtaining a special approval from the Mayor and City Council after public hearing.
- D. All commercial sales and service shall be conducted within enclosed permanent structures and there shall be no unenclosed displays of merchandise with the exception of off-street parking and outdoor dining. Unenclosed outdoor sales or displays are permissible only by special administrative permit as set forth in the Supplemental Zone.
- E. Town Center Residential Dwellings shall consist of the following:
  - 1. Dwelling units shall not be located on the first floor. All units shall be located on the second or higher floors of a building;
  - 2. Individual dwelling units shall be accessed through an interior hallway and shall not have direct access to the exterior of the building (except through the central lobby or as otherwise determined by fire code);
  - 3. Individual dwelling units shall have a minimum of seven-hundred-fifty (750) square feet of finished, heated floor space; and
  - 4. Individual dwelling units shall provide a full bathroom and kitchen in accordance with residential building codes.
- F. Accessory uses and structures permitted within this district shall include those customarily accessory and clearly incidental to permitted principal uses and structures and specifically include clubhouses, pools and other recreation amenities, and parking to serve authorized residential and non-residential uses within the district.
- G. Other light retail and service establishments, which may be determined by the Zoning Enforcement Officer to be similar to the above listed principal permitted uses and which are in harmony with the purpose of this district, may be permitted.
- H. Sidewalks shall meet the following criteria:
  - 1. Public sidewalks shall be located along all public streets and shall have minimum widths as specified herein. No sidewalk shall be less than fifteen feet (15') in width. Sidewalks shall consist of two (2) zones: a street furniture and tree planting zone and a clear zone. The following regulations shall apply to all public sidewalks:
    - a. Street furniture and tree planting zone requirements: The street furniture and tree planting zone shall have a minimum width of five-feet (5'). Said zone shall be located immediately adjacent to the curb and shall be continuous. Said zone shall meet the tree planting requirements of Section 9.16(H)(1)(c) of this article. In addition to the required planting of trees, this zone may also be used for the placement of street furniture, including utility poles,

waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements (containing no advertisements or signage) in a manner that does not obstruct pedestrian access or motorist visibility and as approved by the Director of Planning and Development;

- b. Clear zone requirements: The clear zone shall be a minimum width of ten-feet (10'). Said zone shall be located immediately adjacent to the street furniture and tree planting zone and shall be continuous. Said zone shall be hardscape, and shall be unobstructed for a minimum width of ten-feet (10'). Sidewalk arcades shall meet the additional requirements of Section 9.16(H)(3)(e) Sidewalk arcades of this article;
- c. Street tree planting requirements: Street trees shall be planted in the ground thirty-feet (30') to fifty-feet (50' on center within the street furniture and tree planting zone and spaced equal distance between street lights. These trees shall count toward the landscape strip requirements of the landscape ordinance. Root barriers and expandable tree trunk protectors shall be installed in accordance with Article 20 of this ordinance. At time of planting, all new trees shall be a minimum of three-inches (3") in caliper and shall be limbed up to a minimum height of seven-feet (7'). Trees shall be planted a minimum distance of two-feet (2') from the curb. Trees shall have a minimum planting area of thirty-two (32) square feet. The soil surface of the planting area shall be level to sidewalk grade and planted with an evergreen ground cover. All street trees shall be irrigated in accordance with the Landscape Ordinance. Tree species shall be selected in accordance with Appendix XX-A. The area between required plantings shall either be planted with evergreen ground cover, or shall be paved in accordance with the Architectural Design Standards. The City Arborist shall approve all plantings, planting replacement and planting removal;
- d. Tree grates: Tree grates are not required where all sidewalk width requirements are met, unless determined by the City Arborist. Where tree grates are required or otherwise installed, they shall be a minimum of four-feet (4') by eight-feet (8'), shall be a type specified by the Director of Planning and Development or his/her designee and shall be placed within the street furniture and tree planting zone. Where tree grates are not required or otherwise installed, tree planting areas shall be planted with an evergreen ground cover;
- e. Paving: All paving within the street furniture and tree planting zone shall utilize pavers and shall be a type specified by the Director of Planning and Development or his/her designee in accordance with uniform design standards utilized by the Engineer for placement of such objects in the public right-of-way;

- f. Nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections between the heights of two and one-half-feet (2.5') and eight-feet (8') above grade;
  - g. No awning or canopy shall encroach beyond the clear zone;
  - h. Where property within this district abuts a residential district without an intervening street, the sidewalk area within twenty-feet (20') of such district shall taper as necessary to provide a smooth transition to the existing residential district sidewalk. In the event that the abutting residential district has no existing sidewalk, the sidewalk shall taper to a width of six-feet (6');
  - i. Decorative pedestrian lights shall be placed a maximum of forty-feet (40') on center and spaced equal distance between required trees along all streets. Said lights shall be located within either the street furniture and tree planting zone or the supplemental zone. All said lights shall be Type "C" as approved by the Planning Department;
  - j. All developments shall place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks; and
  - k. Trash receptacles or similar elements, where installed, shall be a type specified by the Director of Planning in accordance with design standards utilized by the Director for placement of such objects in the public right-of-way and shall be placed within the street furniture and tree planting zone.
2. Supplemental Zone: For purposes of these regulations, the area between any building, parking deck, or surface parking lot and the required sidewalk, when no intervening building exists, shall be defined as the supplemental zone. Supplemental zones shall meet the following requirements.
- a. Minimum supplemental zone widths:
    - 1. Scenic Hwy (SR 124) Main Street East/West (Hwy. 78): Ten-feet (10');
    - 2. All other streets: Five-feet (5'); and
    - 3. Supplemental zones may be administratively extended in excess of the maximum front yard by the Planning and Development Director to accommodate courtyard entrances, circular drives between the building and public street in CI & OP districts or uses, outdoor display and sales areas, and outdoor dining. The extension may be granted only when neighboring buildings exist or are being constructed in conjunction with minimum and maximum setbacks of the Town Center District.

- b. Supplemental zone general requirements:
  1. Terraces, porches and stoops shall have a maximum finished floor height of twenty-four-inches (24") above finished-grade, unless existing topographical considerations render this requirement unreasonable. The supplemental zone shall be no more than twenty-four-inches (24") above the adjacent public sidewalk for a minimum distance of fifteen-feet (15') from the nearest edge of the adjacent public sidewalk, unless existing topographical considerations render this requirement unreasonable;
  2. Any authorized walls surrounding landscaped and grassed areas shall not exceed a maximum height of twenty-four-inches (24"), except retaining walls, which shall not exceed a maximum height of thirty-six-inches (36") unless existing topography requires a retaining wall of greater height;
  3. The following uses are prohibited from outdoor displays or merchandise and sales areas: Automotive Sale, Service and Repair; Tire Sale; Service and Repair; Equipment Rental, Sales, or Service Establishments; Pawn Shops; Wholesaling establishments; Plumbing, Electrical, Pool and Homebuilding Supply Showrooms and Sales Centers;
  4. Fencing shall be permitted only when said fencing is used to separate authorized outdoor dining from the required sidewalk;
  5. Temporary use permits:
    - a. Outdoor displays of merchandise or sales areas associated with existing business within the supplemental zone during business hours.
    - b. Consumer fireworks retail sales stand, licensed in accordance with O.C.G.A. Title 25 for the New Years' Holiday and/or July 4<sup>th</sup> Holiday.
  6. Supplemental zones containing a depth of ten-feet (10') or less shall meet the following additional requirements:
    - a. No balcony shall encroach more than five-feet (5') into the supplemental zone area.
3. Relationship of Building to Street:
  - a. For purposes of this chapter, sidewalk-level shall be defined as any floor of a building with a finished-floor elevation less than or equal to five-feet (5' above the adjacent sidewalk or less than or equal to five-feet (5') below the adjacent sidewalk;
  - b. Building floors shall be delineated at third story above sidewalk level and lower and shall be executed through windows, belt courses, cornice lines or similar architectural detailing;
  - c. The primary pedestrian entrance for pedestrians to access all sidewalk level uses and business establishments with street frontage:
    1. Shall face and be visible from the street;
    2. Shall be directly accessible and visible from the sidewalk; and

3. Shall remain unlocked during business hours for non-residential uses.
  - d. A street address number shall be located directly above the primary building entrance, shall be clearly visible from the sidewalk and shall be a minimum of six-inches (6") in height;
  - e. Sidewalk arcades: Buildings may have sidewalk arcades, which shall meet the following regulations:
    1. Shall provide an at grade sidewalk surface;
    2. Arcade supports shall be a maximum width of five-feet (5');
    3. Shall provide a minimum of twenty-five-feet (25') of clear unobstructed space between arcade supports;
    4. A building with a sidewalk arcade shall meet the requirements of 9.14(L) Specific Regulations for Storefront Streets of this article; and
    5. Shall provide a minimum clear zone width of five-feet (5').
  - f. Fences and walls shall meet the following regulations:
    1. Retaining walls located adjacent to a sidewalk along a public street shall not exceed a height of two-feet (2') and the combined height of a fence where otherwise authorized and retaining wall shall not exceed a height of five-feet (5'), unless existing topography prohibits retaining walls of a lesser height. Retaining walls shall be finished poured concrete and shall be faced with stone, brick or smooth stucco;
    2. No walls, except retaining walls, shall be located between the street and any building, with the exception of screening for authorized off-street loading areas;
    3. Fences and walls located between the primary building and the lot line and not exceeding six-feet (6') in height may be erected, but shall not be permitted between the primary building and the street; and
    4. No barbed wire, razor wire, chain link fence or similar elements shall be visible from any public plaza, ground level or sidewalk level outdoor dining area or public right-of-way.
  - g. Gasoline fuel dispenser structures and associated vehicular services such as air pumps and car washes shall not be located between a building and the street.
4. Loading Areas, Loading Dock Entrances and Building Mechanical and Accessory Features.
  - a. Loading dock entrances for non-residential uses shall be screened so that loading docks and related activity are not visible from the public right-of-way; and
  - b. Building mechanical and accessory features:
    1. Shall be located to the side or rear of the principal structure and shall be in the location of least visibility from the public right-of-way. Screening with plant or fence materials shall be required if the equipment is otherwise visible from the public right-of-way;

2. When located on rooftops shall be incorporated in the design of the building and screened with building materials similar to the building; and.
  3. Shall not be permitted between the building and any public street.
5. Curb Cuts and Parking Structures:
- a. All sidewalk paving materials shall be continued across any intervening driveway;
  - b. Driveways shall have a band of textured concrete adjacent to the street, which is in-line with and equal in width to the street furniture zone and shall have a textured band of concrete adjacent to the sidewalk, which is in-line with the supplemental zone, and a minimum width of five-feet (5') from the sidewalk;
  - c. Except as authorized in Section 9.15(H)(5)(d), 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 street frontage;
  - d. Curb cuts and driveways shall not be permitted on any storefront street when access may be provided from a side or rear street located immediately adjacent to a contiguous property, with the exception of CI uses and hotel patron drop-off drives;
  - e. Unless authorized by Section 9.15(H)(5)(d), driveways, except for a driveway to reach the side yard or rear yard or an on-site parking facility, are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street;
  - f. Parking deck facades shall conceal automobiles from visibility from any public right-of-way or private drive or street that are open to the general public, and shall have the appearance of a horizontal storied building;
  - g. Additional parking deck treatment along all streets:
    1. Shall meet the requirements of Section 9.16(H)(5)(L) Storefronts Streets (1) except at ingress and egress points into the structure and when topographical conditions prevent such treatment; or
    2. When topographical conditions prevent the above parking deck treatment requirements of Section 9.16(H)(5)(L) Storefront Streets, a continuous minimum five-feet (5') wide landscaped strip between the structure and the public sidewalk shall be provided. The landscaped strip shall be planted in accordance with Section 9.16(H)(1)(c). All plantings, planting replacement and planting removal shall be approved by the City Arborist.
  - h. A common or joint driveway may be authorized by the Director of Planning and Development when adjacent lots have direct vehicular access to a street, and a driveway from a private street which functions as a public street may be authorized, based on traffic considerations, when a perpetual easement agreement is agreed upon by all affected property owners and a copy of such

- agreement is provided to the Planning and Development Department;
- i. All developments, including parking decks, shall have sidewalks a minimum width of five-feet (5') connecting ground level parking to the public sidewalks and to all building entrances; and
  - j. No drop-off lanes shall be permitted along public streets.
- I. Lighting, Security, and Maintenance Requirements for Parking Structures and Surface Parking Lots. All surface parking lots and structures, whether a nonconforming use or accessory in use, and whether serving commercial or noncommercial uses, shall have the following minimum requirements:
1. Where applicable, public street lighting may be utilized to either partially or totally fulfill the lighting requirements; however, where such street lighting is removed, it shall be the responsibility of the parking facility to independently provide these required levels of illumination;
  2. Internal parking deck lighting fixtures shall not be visible from any public right-of-way or private street;
  3. Parking facilities shall be maintained in a clean, safe and sanitary condition. Parking spaces and driving lanes shall be clearly defined and maintained as such. Parking lots shall not be operated when any damage impairs the drivability of the parking lot; and
  4. Decorative low-level (less than 100 watts) lighting may be approved by the Planning Director.
- J. Off-Street Parking Requirements. In addition to the provisions of Article 11, which shall apply and are incorporated herein, the following parking requirements shall apply to all uses approved by special permits as well as permitted uses.
1. Off-street surface parking:
    - a. Shall not be located between a building and the street without an intervening building; and
    - b. Shall be accessory to a permitted principal use only, provided that parking spaces serving another principal permitted use may use such facility for shared parking.
  2. Notwithstanding any provision of the City of Snellville code of ordinances to the contrary, park-for-hire surface parking lots are prohibited. Accessory parking decks built to satisfy the parking requirements of this Section shall be permitted to be used as park-for-hire parking decks. Park-for-hire parking decks built to provide parking spaces in excess of the parking requirements shall be permitted as a primary use.
- K. Minimum Bicycle Parking Requirements: All non-residential developments, which provide automobile parking facilities, shall provide bicycle/moped parking facilities at a ratio of at least one (1) bicycle/moped parking space for every twenty (20) automobile parking spaces. Multi-family developments shall provide said facilities at a ratio of at least one (1) bicycle/moped parking space for every five (5) multi-family units. No development, except a one or two-family development, shall have fewer than three (3) bicycle/moped parking spaces nor be required to exceed a maximum of fifty (50) spaces.

Bicycle/moped spaces shall be located within the street furniture zone a maximum distance of one-hundred-feet (100') of the building 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/moped frame when used in conjunction with a user-supplied lock.

- L. Specific Regulations for Storefront Streets. Street-fronting buildings including parking decks shall meet the following sidewalk level requirements:
1. The length of façade without intervening fenestration or entryway shall not exceed twenty-feet (20');
  2. Fenestration shall be provided for a minimum of sixty-five-percent (65%) of the length of the frontage:
    - a. Beginning at a point not more than three-feet (3') above the sidewalk, to a height no less than ten-feet (10') above the sidewalk, or;
    - b. Beginning at the finished floor elevation to a height no less than ten-feet (10') above the finished floor elevation when the finished floor elevation is three-feet (3') or more above the sidewalk, or;
    - c. Beginning at a point not more than sidewalk level, to a height no less than ten-feet (10') above the finished floor elevation when the finished floor elevation is below the sidewalk.
  3. Fenestration shall not utilize painted glass, reflective glass or other similarly treated or opaque windows. Entrances may be counted towards fenestration requirements.
- M. Temporary Uses: Any use permitted in the BN, Neighborhood Business district.
- N. The Planning Director may allow expansion of nonconforming properties (change in use from residential to commercial) and structures (change in height and setback requirements) and/or variation from the overlay district when in his/her opinion the intent of the regulations has been met. All other design requirements of the Town Center overlay shall be required.
- (4) **ALCOHOLIC BEVERAGE LICENSING:** The distance and measurement requirements for alcoholic beverages, which are either sold or offered for sale by licensed establishments as set forth in Section 6-5 [(a) through (e)] of the City of Snellville Alcoholic Beverage Ordinance [Ordinance No. 2004-04, 1-10-2005] shall not apply within the Town Center Overlay District.
- (5) **PERMITTED ACCESSORY USES:** Those normally appurtenant and subordinate to the principal uses permitted in this district.
- (6) **SPACE LIMITS:**
- I. Minimum Lot Area: 1,600 square feet;

2. Minimum Lot Width: 32 feet;
3. Minimum Height of Building: 2 floors;
4. Maximum Height of Building: 5 floors or 80 feet;
5. Minimum Front Yard: Zero-feet (0') feet from right-of-way line;
6. Maximum Front Yard: 10 feet from right-of-way line;
7. Minimum Rear Yard: 15 feet, but 30 feet if abutting a residential district;
8. Minimum Side Yard: Zero-feet (0'), but 40 feet if abutting a residential district;
9. Minimum Side Yard on Street Side of Corner: Zero-feet (0'); and
10. Maximum Ground Coverage: 100 percent.

Setbacks from right-of-way may exceed maximum upon request of State or County DOT with approval of the Planning and Development Director.

## SECTION 9.15 CO. CORRIDOR OVERLAY DISTRICT REQUIREMENTS.

**PURPOSE:** The Corridor Overlay District is intended to enhance the viability and livability of the area surrounding major activity centers in Snellville as designated by the Mayor and Council. The purpose of the Overlay District is to achieve and maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture and signage; and to promote alternative modes of transportation within the district through the provision of pedestrian and local public transit.

**APPLICABILITY:** The requirements of the Overlay District shall apply to all non-residential and attached residential properties within the geographic areas shown on:

### Corridor Overlay District Map

Whenever the requirements of the Overlay District impose a more or less restrictive standard than the provisions of any other statute or covenant, the requirements of the Overlay District shall govern.

Within the Corridor Overlay District, these standards shall apply to all new construction and shall apply to the applicable and affected portions of a redeveloped site or refurbished building as determined by the Director of Planning and Development. Any lot or building not in the district that is assembled or developed with a lot that is in the district, shall be subject to the overlay provisions as determined by the Director of Planning and Development.

### DESIGN REQUIREMENTS:

#### A. Transportation/Infrastructure:

1. Provide interparcel vehicle access points between all contiguous non-residential (including, but not limited to, commercial, office, or industrial) and/or attached residential tracts. This requirement may be waived by the Director of Planning and Development only if it is demonstrated that an interparcel connection is not feasible due to traffic safety or topographic concerns;
2. All new utility lines shall be located underground;
3. A minimum four-foot (4') wide sidewalk connection be provided from public rights-of-way to the entrance(s) of buildings;
4. Sidewalks shall be constructed with an additional two-foot (2') by eight-foot (8') pad approximately every three-hundred-linear-feet (300') to accommodate future pedestrian amenities such as benches, planters, and trash containers. All such required amenities shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the Gwinnett or Georgia Department of Transportation;
5. Provide street lights along all public rights-of-way utilizing decorative light poles/fixtures. Light source shall be high-pressure sodium. Streets lights shall be staggered, one-hundred-fifty-feet (150') on-center, along both sides of the roadway. Where applicable, street lights shall be placed adjacent to required pedestrian amenity sidewalk pads;

Light Fixtures shall be utilized as follows:

Overlay District/ Corridor	Fixture Head	Pole Type (Street light)	Max. Pole Height
U.S. Highway 78	Cobra Head	Fluted (Black)	Forty-Feet (40')

6. Provide lighting throughout all parking areas utilizing decorative light poles/fixtures. The lighting standards of the Snellville Development Regulations shall be utilized. Decorative pedestrian and building light fixtures shall be permitted at the discretion of the Director of Planning and Development; and
7. Sidewalk lights shall also be provided along all sidewalks utilizing decorative light poles/fixtures approved by the city. These lights shall be staggered, one-hundred-fifty-feet (150') on-center, placed equidistant between streetlights and located behind the sidewalk.

**B. Landscaping Requirements:**

1. At least fifty-percent (50%) of plantings shall consist of trees three-inches (3") in caliper (dbh) or greater;
2. Provide non-ornamental shade trees spaced fifty-feet (50') on-center or grouped at one-hundred-twenty-feet (120') on-center along the right of way the following roads:
  - a. All roads included in the Corridor Overlay District Map

All street trees shall be a minimum four-inch (4") caliper (dbh) at the time of planting. Street trees shall be planted a minimum of six-feet (6') from back-of-curb subject to review and approval of the Georgia or Gwinnett Department of Transportation; and

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

**C. Parking/Yard, Height & Setback:**

1. For developments exceeding one-hundred-thousand (100,000) square feet of gross floor area, at least ten-percent (10%) of all required parking spaces shall be provided in parking areas of porous paving or grass paving systems, such as "Grasscrete" or "Grasspave," not to exceed one-thousand (1,000) parking spaces or as approved by the Director of Planning and Development or his/her designee;
2. Up to twenty-five-percent (25%) of the required parking spaces for any development may be reduced in total area, width or depth for designated small vehicle parking. Each small vehicle parking space shall not be less than eight- feet (8') in width and seventeen-feet (17') in depth;
3. Freestanding buildings or shopping center developments containing seventy-five-hundred (7,500) gross square feet of space or less shall provide no more

than twenty-percent (20%) of parking areas in the front of building(s) and be limited to no more than one (1) double row of parking. No more than twenty-percent (20%) of off-street parking areas may be located to the sides of building(s), with the balance of parking located to the rear the building(s). Front setbacks may be administratively reduced by the Director of Planning and Development;

4. For developments exceeding seventy-five-hundred (7,500) square feet, building placement is encouraged to be close to, and oriented toward, the public right-of-way with the majority of parking to the sides and rear where possible; and
5. Decorative, commercial-quality, bicycle racks, benches and trash receptacles shall be required for all non-residential (including, but not limited to, commercial, office, and industrial) and/or attached residential tracts.

D. Architectural Design:

1. Architectural design of all non-residential buildings shall comply with the following performance guidelines:
  - a. Contrasting accent colors of any wall, awning or other feature (other than dark green or brick red) shall be limited to no more than fifteen-percent (15%) of the total area for any single façade;
  - b. Metal sided or portable buildings shall be prohibited;
  - c. Buildings shall incorporate live plant material growing immediately in front of or on the building;
  - d. Buildings of less than five-thousand (5,000) square feet of gross floor area shall be designed with pitched roofs, minimum pitch of 4 in 12;
  - e. Roofing materials for pitched or mansard roofs shall be limited to the following:
    1. Metal standing seam of red, green or silver in color;
    2. Tile, slate or stone;
    3. Wood shake; or
    4. Shingles with a slate, tile or metal appearance.
  - f. All mechanical, HVAC and like systems shall be screened from street level view (within three-hundred-feet (300') on all sides by an opaque wall or fence of brick, stucco, split-faced block or wood; and
  - g. Any accessories provided, such as railings, benches, trash receptacles and/or bicycle racks, shall complement the building design and style.
2. Architectural design of all commercial/retail buildings shall comply with the following additional performance guidelines:
  - a. To lend the appearance of multi-tenant occupancy, facades of multi-tenant buildings shall be varied in depth or parapet height;
  - b. Within planned shopping centers, distinct architectural entry identity for individual tenants' entrances shall be provided for suites exceeding ten-thousand (10,000) square feet of leasable area;
  - c. Walls visible from roadways or parking areas shall incorporate changes in building material/color or varying edifice detail such as trellises, false

- windows or recessed panels reminiscent of window, door or colonnade openings, landscaping or storefront every one-hundred-fifty-linear-feet (150');
- d. Roof parapets shall be articulated to provide visual diversity. Parapets shall include articulations or architectural features at least every one-hundred-linear-feet (100'). The minimum height of articulations or features shall be one-foot (1'), and may be provided in height offset or facade projections such as porticoes or towers;
  - e. Building design shall include minimum one-foot (1') deep cornices, extending along the entire front of buildings and the sides of buildings at least ten-feet (10'); and,
  - f. Building design shall include a minimum one-foot (1') high contrasting base, extending along the entire front of buildings and the sides of buildings at least ten-feet (10').
3. Architectural design of all attached residential buildings shall comply with the following performance guidelines:
- a. Buildings shall be constructed of a traditional design. Architectural treatments of each building elevation shall be a minimum of fifty-percent (50%) brick, stone or stucco (EIFS is not permitted). The balance of each building elevation may be fiber cement-type siding or shake;
  - b. Building plans shall be subject to review and approval of the Director of Planning and Development, or his/her designee, prior to the issuance of a Building Permit. Designs, which are inconsistent with these performance guidelines, may be denied;
  - c. Prior to issuance of a Site Development Permit for each phase of a project, if any, the developer shall submit architectural elevations in the form of a "Plan Book" for typical structures for review and approval by the Director of Planning & Development. At a minimum, the "Plan Book" shall include: allowable building elevations; design criteria for entries, porches, doors, windows, dormers, columns, cornices, rakes, garages, roofs, landscaping, fencing, and retaining walls; exterior colors and materials, and other pertinent information. All structures shall be constructed in accordance with the approved "Plan Book." Said "Plan Book" shall become a binding restriction on all structures within the development and may be amended or supplemented only by approval of the Director of Planning & Development; and,
  - d. All lots/structures abutting a public street external to the development shall be designated as "High Visibility Lots." High Visibility Lots shall include the following treatments on elevations visible from the public view: Foundation walls shall be brick or stone to the level of the first floor; Window treatments, such as trim and shutters similar to the front elevation, are required; Landscaping shall be treated similarly to the grass and planting beds in the front of the home; Elevations shall require a similar architectural treatment as the front elevation.

SECTION 9.16 CSO, CONSERVATION SUBDIVISION OVERLAY DISTRICT.

## A. GENERAL PROVISIONS:

1. TITLE: These regulations shall officially be known, cited, and referred to as the Conservation Subdivision Ordinance of the City of Snellville, Georgia (hereinafter "ordinance").
2. PURPOSE: This ordinance is adopted for the following purposes:
  - a. Encourage the development of residential communities, that are density neutral based upon the Comprehensive Plan, designed to preserve and protect environmental resources, scenic vistas, and natural and cultivated landscapes;
  - b. Provide a residential zoning district that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land;
  - c. Enhance land, water, air and tree resources by minimizing the area of land disturbance, reducing impervious surface, optimizing stream buffers, preserving tree cover and encouraging retention and protection of Conservation Space;
  - d. Preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat;
  - e. Guide the detailed analysis of the development parcel so as to locate and coordinate appropriate areas for development and conservation;
  - f. Preserve the natural character through the permanent preservation of meaningful open space and sensitive natural resources;
  - g. Conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space;
  - h. Provide commonly owned open space areas for passive and/or active recreational use by residents of the development and, where specified, the larger community; pedestrian linkages, and; wildlife corridors;
  - i. Provide for a diversity of lot sizes, housing choices and building densities to accommodate a variety of age and income groups;
  - j. Provide buffering between residential development and non-residential uses;
  - k. Protect and restore environmentally sensitive areas and biological diversity, minimize disturbance to existing vegetation, and maintain environmental corridors;
  - l. Preserve archaeological sites, historic buildings and their settings;
  - m. Permit clustering of houses and structures on less environmentally sensitive soils, which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development;
  - n. Preserve and protect contiguous undeveloped areas within the development and with adjacent properties and jurisdictions;
  - o. Reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development; and
  - p. Encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places

and encouraging use of parks and community facilities as focal points in the neighborhood.

3. **APPLICABILITY AND COMPLIANCE:** The conservation subdivision standards apply to all parent parcels of fifteen (15) acres or more. The provisions of this ordinance shall apply to residential development within the following districts established in the City of Snellville Zoning Ordinance, as of the effective date of this ordinance: RS-180 and RS-150 (Single Family Residential Districts). The use of the Conservation Subdivision Overlay district regulations is not by right and shall be considered a rezoning; said action shall comply with Article 15 of the Zoning Ordinance.

Any conditions of zoning or special use approval of the underlying district and/or parcel shall also be observed (exception: lot area, width or quantity). The applicant shall comply with all other provisions of the zoning code and all other applicable laws. Whenever the requirements of the CSO district impose a more or less restrictive standard than the provisions of the underlying zoning district stated elsewhere in the Zoning Ordinance, the requirements of the overlay district shall govern. The Director of Planning and Development shall have the authority to approve alternate methods of compliance with the provisions of this ordinance when he/she determines the overall intent of the article and/or specific guidelines can be met.

For properties which are submitted for rezoning, the applicant shall declare the intent to utilize this overlay district at the time of application. An Existing Features Site Analysis Plan and a Concept Plan meeting the requirements of this ordinance shall accompany the rezoning application. In the absence of a declaration of intent to use the overlay district with a rezoning application, the overlay district shall not be used on rezoned property for at least two (2) years from the date of the resolution adopting a zoning change or until a new application is filed in compliance with Article 15 of the Zoning Ordinance and the property rezoned for use with the regulations of this ordinance. The overlay district shall not be used on property that has been timber harvested within twenty-four (24) months prior to adoption of a zoning change or approval of a concept plan.

The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.

- B. **DEFINITIONS:** The following definitions shall be observed and applied, except when the context clearly indicates otherwise. Words used in the present tense shall include the future tense. Words used in the singular form shall include the plural form. Words used in the plural form shall include the singular. The word “shall” is mandatory and the word “may” is permissive.

**BASE DENSITY:** The maximum number of permitted dwelling units determined

by multiplying the Gross Tract Area by the density factor of the underlying zoning district.

**COMMON OPEN SPACE:** Undeveloped land that has been designated, dedicated, reserved, or restricted in perpetuity from further development and is set aside for the use and enjoyment by residents of the development. Common open space shall not be part of individual residential lots. It shall be substantially free of structures, but may contain historic structures and archaeological sites and/or such recreational facilities for residents as indicated on the approved development plan.

**CONDOMINIUM:** A community association combining individual unit ownership with shared use or ownership of common property or facilities. A condominium is a legal form of ownership of real estate and not a specific building type or style.

**CONSERVATION EASEMENT:** A covenant or scenic easement which runs in perpetuity under O.C.G.A. §44-5-60 in favor of any corporation, trust, or other organization holding land for the use of the public or certain governmental entities; or (ii) a conservation easement running in perpetuity to a third party “qualified organization” recognized by Federal Treasury Regulation Section 1.170A-14(c)(1). Qualified organizations recognized by this Treasury Regulation include, but may not be limited to: governmental entities, certain publicly supported charities, local and national land trusts, or other conservation groups that are organized or operated primarily or substantially for one of the conservation purposes specified in the Internal Revenue Code. Governmental entities qualifying to be named in covenants under O.C.G.A. §44-5-60 or to receive conservation easements under the Treasury Regulation referred to above for purposes of this ordinance shall include the Federal government, the State of Georgia, Gwinnett County, or political subdivisions or authorities of the State of Georgia or Gwinnett County. If a covenant or conservation easement is recorded in favor of a governmental entity, the written acceptance of the covenant or conservation easement by the governmental entity shall be obtained prior to the recording of the covenant or easement. The developer shall record the necessary legal instrument to accomplish protection of the open space prior to, or concurrent with, the recording of the final subdivision plat.

**CONSERVATION SUBDIVISION:** A housing development that is characterized by compact lots and common open space, and where the natural features of the land are maintained to the greatest extent possible.

**DEVELOPMENT ENVELOPES:** Areas within which grading, lawns, pavement and buildings will be located.

**DEVELOPMENT REGULATIONS:** The Development Regulations of the City of Snellville.

**GARAGE, FRONT LOADED:** A garage having its vehicular entry door facing the street.

**GARAGE, SIDE LOADED:** A garage having its vehicular entry door facing the side

yard.

GROSS TRACT AREA: The total area of a parcel including the area of perimeter street rights-of-way to the centerline of the street.

HOMOWNERS ASSOCIATION: A community association incorporated or not incorporated, combining individual home ownership with shared use or ownership of common property or facilities.

OPEN SPACE: Land preserved in perpetuity in compliance with Section 5.8 of the Development Regulations.

NONPROFIT CONSERVATION ORGANIZATION: Any non-profit charitable corporation, charitable association or charitable trust (such as a land trust), the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property. The organization shall be a third party “qualified organization” recognized by Federal Treasury Regulation Section 1.170A-14(c)(1). Qualified organizations recognized by this Treasury Regulation include, but may not be limited to: governmental entities, certain publicly supported charities, local and national land trusts, or other conservation groups that are organized or operated primarily or substantially for one of the conservation purposes specified in the Internal Revenue Code. Governmental entities qualifying to be named in covenants under O.C.G.A. §44-5-60 or to receive conservation easements under the Treasury Regulation referred to above for purposes of this ordinance shall include the Federal government, the State of Georgia, Gwinnett County, or political subdivisions or authorities of the State of Georgia or Gwinnett County.

PARENT PARCEL: The existing parcel of record, as identified by individual tax parcel numbers, as of the effective date of this ordinance.

PLANNING AND DEVELOPMENT DEPARTMENT: The Planning and Development Department of the City of Snellville.

SUB-DIVIDER: Any person, corporation, partnership, association, individual, firm, trust or agent dividing or proposing to divide land resulting in a conservation subdivision.

#### C. APPLICATION PROCEDURES:

- I. Existing Features Site Analysis Plan: Upon submittal of a rezoning plan or concept plan, an Existing Features Site Analysis Plan shall be included. Mapping for the initial application can be done in any combination of features as long as individual map components can be distinguished and the relationship between map components can be determined. The Existing Features Site Analysis Plan shall be prepared and sealed by a registered

engineer or landscape architect.

- a. The purposes of the Existing Features Site Analysis Plan are:
  1. Delineation of areas that have been identified as worthy of permanent protection because of their environmental values. This delineation shall include, but is not limited to, the information and steps listed in this ordinance;
  2. Set forth the particulars of the site, including boundary, topographic data, existing structures and utility easements; and
  3. Provide the starting point for design of the conservation subdivision with built areas being designed as separate from the areas delineated as worthy of permanent protection.
  
- b. The Existing Features Site Analysis Plan shall include an inventory and mapping of existing resources, mapped at a scale of no less than one inch = 50 feet. The following components shall be included in the Existing Features Site Analysis Plan, at a minimum:
  1. U.S.G.S. perennial and intermittent streams, FEMA designated One-Hundred-Year (100 yr) Flood Hazard Zones and Wetlands. The source of this information shall also be indicated;
  2. Identification of tree lines, native woodlands, open fields or meadows, peaks or rock outcroppings, and prime agricultural land;
  3. Delineation of tree resource areas by type such as hardwoods, pines or mixed; and old or new growth. The inventory shall include individual trees with a caliper of twelve-inches (12") or greater, as measured at the diameter breast height (DBH) and comments on the health and condition of the vegetation;
  4. Delineation of steep slope areas (thirty-five-percent (35%) or greater). The designer shall endeavor to preserve slopes greater than forty-percent (40%);
  5. Identification and brief description of historical, archeological, or other significant features, structures, and/or landscapes and burial sites;
  6. Identification of scenic vistas. This shall include views of the site, including views onto the site from surrounding roads, public areas and elevated areas, including photographs with a map indicating the location where the photographs were taken;
  7. Identification of Conservation Space, Open Space or common areas adjacent to the project;
  8. Identification of protected plant species as listed by the Georgia Department of Natural Resources, to be certified by a registered/certified landscape architect, forester, arborist, biologist, botanist or horticulturist;
  9. Certification that timber-harvesting activity has not occurred on the property in the previous twenty-four (24) months prior to the submittal of a rezoning application or the submittal of a Concept Plan;

10. Topographic contours at two-foot (2') intervals;
11. United States Department of Agriculture, Natural Resource Conservation Service soil type locations and identification of soil type characteristics such as agricultural capability, depth to bedrock and water table, and suitability for wastewater disposal systems. Type and stability of bedrock should also be noted, particularly in karst areas and areas with high potential for groundwater contamination due to fractured bedrock or the presence of arsenic and mercury;
12. Hydrologic characteristics, including surface water bodies, floodplains, groundwater recharge and discharge areas, wetlands, natural swales, drainage ways, and steep slopes;
13. Land cover on the site, according to general cover type (pasture, woodland, etc.);
14. Current and past land use, all buildings and structures on the land, cultivated areas, brownfields, waste sites, and history of waste disposal practices, paved areas, and all encumbrances, such as easements or covenants;
15. Known critical habitat areas for rare, threatened or endangered species; and
16. Unique geological resources, such as rock outcrops and glacial features.

D. CONCEPT PLAN:

- I. Using the inventory provided in the Existing Features Site Analysis Plan and applying the performance standards specified in this ordinance, the applicant shall submit a concept plan including at least the following information at a scale of no less than one- inch (1") equals fifty-feet (50') (1"= 50'):
  - a. Open space areas indicating which areas are to remain undeveloped, improved and trail location;
  - b. Boundaries of areas to be developed and proposed general street and lot layout;
  - c. Number and type (i.e., single-family, multi-family) of housing units proposed;
  - d. Proposed methods for and location of water supply, stormwater management (e.g., best management practices), and sewage treatment;
  - e. Inventory of preserved and disturbed natural features and prominent views;
  - f. Preliminary development envelopes showing areas for lawns, pavement, buildings, and grading;
  - g. Proposed methods for ownership and management of open space; and
  - h. General location map: The applicant shall submit a map showing the general outlines of existing buildings, land use, and natural features such as water bodies or wooded areas, roads and property boundaries within five-hundred-feet (500') of the tract. This information may be presented on an aerial photograph at a scale of no less than one-inch (1") equals four-hundred-feet (400') (1"=400').

E. REVIEW OF CONCEPT PLAN / REZONING SITE PLAN:

1. At time of development, a Concept Plan shall be submitted by the developer for review and approval in accordance with the requirements and procedures of the Development Regulations. The concept plan shall include the following information:
  - a. Delineation and specifications of Conservation Space, including calculations and exclusions and any “Pocket Parks,” “Neighborhood Greens,” play areas, or trail system to be constructed. Conservation/Open Space must comply with Section 5.8 of the Development Regulations;
  - b. A typical detail on the plan indicating dwelling size, lot width, building setback lines, off-street parking, street trees, sidewalks, and street pavement and right-of-way width;
  - c. Area and percent of floodplain specifications in tabular form; and
  - d. Density calculations, including any bonuses.
2. Upon filing of a complete initial application, the Planning and Development Department staff shall review the application and concept plan. Staff from appropriate state and/or county agencies may also be requested by the City of Snellville to review the application. The Planning and Development Department shall make the determination of whether the initial application is complete. The Planning and Development Department staff may also schedule a visit to the site with the sub-divider to review the existing features of the site and the concept plan. Upon review and completion of site visit, if any, the Planning and Development Department staff shall issue comments to the sub-divider to be addressed in the Preliminary Plat.

F. PRELIMINARY PLAT REVIEW AND APPROVAL PROCEDURES:

1. Following review and comment of the concept plan by the Planning and Development Department on the initial application, the sub-divider or sub-divider’s agent may file an application for review and approval of a preliminary plat, in compliance with the City of Snellville Development Regulations, with the Planning and Development Department.

G. DENSITY AND OPEN SPACE DETERMINATION:

1. Density Determination. Determination of the maximum number of permitted dwelling units shall be based on the Gross Tract Area of the site.
  - a. Base Density. Base density shall equal the Gross Tract Area times the density factor. The density factor is the density of the underlying zoning district expressed as dwelling units per acre and is as follows:

RS-180 Zoning District: 1.45 units per acre

RS-150 Zoning District: 2.90 units per acre

*FORMULA: Base Density = Gross Tract Area x Density Factor*

Gross Tract Area = \_\_\_\_\_ acres  
 Density Factor x \_\_\_\_\_  
 Base Density = \_\_\_\_\_ dwelling units

2. The base density may be increased if the development complies with one or more of the following standards. Each standard provides a development yield bonus of five-percent (5%) in addition to the base development yield, unless otherwise specified. Should more than one standard be implemented, the maximum bonus permitted is twenty-percent (20%) of the base density.
  - a. Public Use of Greenway Land: A density increase may be granted at the discretion of the Mayor and Council where the proposal provides for the dedication of open space for public use, such as active and passive recreation areas, in accordance with the following standards:
    1. The increase in density shall be computed on the basis of one (1) dwelling unit per five (5) acres of natural resource land including, but not limited to: woodlands, pastures, conservation meadows, farm fields or per half-mile of trail that becomes publicly accessible. The density shall not exceed ten-percent (10%) increase over the base density; and
    2. The decision whether to accept an applicant's offer to dedicate land to public usage within a proposed conservation subdivision development shall be at the discretion of the Mayor and Council, which shall be guided by the recommendations contained in the Comprehensive Plan.
  - b. Endowment for Greenway Land Maintenance:
    1. A density increase may be granted at the discretion of the Mayor and Council when the applicant provides a donation to the Open Space Maintenance Endowment Fund for maintenance of the lands to be conserved within the subdivision. This fund shall be transferred by the developer to the designated entity with ownership and maintenance responsibilities, i.e. a land trust, a non-profit conservation organization, or other public entity, as approved in accordance with this ordinance. The purpose of this donation is to generate additional income for the recipient for the sole purpose of endowing a permanent fund to offset continuing costs of maintaining the open space, including costs associated with active or passive recreation facilities. Spending from this fund shall be restricted to expenditure of interest so that the principal may be preserved. The estimate of maintenance costs shall be prepared by an agency, firm, or organization acceptable to the City of Snellville, and with experience in managing open space and recreational facilities. The amount of the donation shall be no less than thirty

(30) times the estimated annual maintenance costs. The density bonus shall not exceed a maximum ten-percent (10%) increase over the base density.

- c. Reusing historical buildings and structures: The U.S. Secretary of the Interior's Standards for Rehabilitation of Historic Properties shall apply.
- d. Preservation of additional open space (sixty-percent 60% of the gross tract area of more): A density bonus shall be granted for those developments that preserve at least sixty-percent (60%) of the gross tract area. The density bonus shall not exceed a maximum fifteen-percent (15%) increase over the base density.
- e. Implementation: For each of the public purposes described above, dwellings resulting from density bonuses may be accommodated by reducing the amount of required open space acreage by up to ten-percent (10%) (bonus strategy "d" excluded), reducing the minimum lot size/setback requirements by up to twenty-percent (20%), or by a combination of these approaches, provided that the Mayor and Council are satisfied that the public purpose objectives are being achieved.

#### H. PERFORMANCE STANDARDS

- 1. Conservation subdivisions shall identify a conservation theme or themes. This theme shall be identified at the time of the initial application. Conservation themes may include, but are not limited to, forest stewardship, water quality preservation, natural habitat restoration, viewshed preservation, or archaeological and historic properties preservation. The Department of Planning and Development shall have the ability to specify which areas shall be preserved;
- 2. Lots shall be configured to minimize the amount of road length required for the subdivision;
- 3. Development envelopes shall be configured to minimize loss of woodlands;
- 4. At least fifty-percent (50%) of lots within a neighborhood shall abut open space on at least one side. A local street may separate lots from the open space;
- 5. Lots should be oriented around one or more of the following:
  - a. A central green or square; and
  - b. A physical amenity such as a meadow, a stand of trees, or some other natural or restored feature.
- 6. Development envelopes should not be located on ridges, hilltops, along peripheral public roads or in other visually prominent areas;

7. Residential structures are encouraged to be oriented to maximize solar gain in the winter months;
8. Open Space Design: A minimum of fifty-percent (50%) of the Gross Tract Area shall be permanently protected as open space, in compliance with Section 5.8 of the Development Regulations;
  - a. Open Space/Conservation Ranking (in order of significance). The areas to be preserved shall be identified on a case-by-case basis in an effort to conserve and provide the best opportunities to restore and enlarge the best quality natural features of each particular site.
    1. First priority will be given to intact natural communities, rare and endangered species, environmental corridors, natural and restored prairies, significant historic and archaeological properties, and steep slopes;
    2. Second priority will be given to areas providing some plant and wildlife habitat and open space values; and
    3. Third priority will be given to areas providing little habitat but providing viewshed, recreation, or a sense of open space.
  - b. That portion of open space designed to provide plant and animal habitat shall be kept as intact as possible. Trails shall be designed to avoid fragmenting these areas;
  - c. Accessible open space in upland areas shall be available for recreational uses such as trails, play fields, or community gardens but should be designed in a manner that avoids adversely impacting archeological sites; and
  - d. A pathway system connecting open space areas accessible to neighborhood residents, and connecting these areas to neighborhood streets and sidewalks shall be constructed.
9. Neighborhood streets may take the form of a two-way street, a pair of one-way streets on either side of a landscaped median, or a one-way loop street around a small neighborhood green. Streets shall be developed in accordance with the Development Regulations;
10. Sidewalks, trails, and other walkways shall have a minimum width of five-feet (5');
11. Average Lot Width: Lots for homes with front-loaded garages shall be a minimum of forty-feet (40') in width. Lots with side-loading garages shall be a minimum of sixty- feet (60') in width. Exception: Exterior lots abutting residential property shall meet the lot width (for the entire depth of the lot) and the rear setback of the underlying, adjacent zoning district;
12. The minimum road frontage per lot is forty-feet (40'). Exception: Road frontage may be reduced to twenty-feet (20') for lots with frontage upon cul-de-sac or "eyebrow cul-de-sac" turnarounds;

13. Minimum Setbacks/Lot Size:
  - a. Front: Twenty-feet (20') from right-of-way (*Exception: The front yard setback may be reduced to five-feet (5') if dwellings are provided side or rear entry garages. To qualify for the reduced setback on a corner lot, side entry garages must be located to the side adjacent to an abutting lot, rather than the street.*)
  - b. Rear: Twenty-feet (20');
  - c. Side: Zero-feet (0'). However, there shall be a minimum fifteen-feet (15') separation between principal dwellings on adjacent lots. Side yards may only be reduced to zero ("zero lot line") when a dwelling has either no side windows, or when the side window sills are located at least sixty-four-inches (64") above the finished floor elevation; and
  - d. Lot Size: No minimum.
14. All grassed areas on dwelling lots shall be sodded with a drought-resistant grass, such as Bermuda or Centipede;
15. Garages, having the ability to store a minimum of two vehicles, shall be required on all dwelling lots;
16. Single story homes shall be a minimum of seventeen-hundred (1,700) square feet. Two story homes shall be a minimum of eighteen-hundred (1,800) square feet;
17. A decorative yard light fixture shall be placed within each front yard. Fixture type shall be approved by the Director of Planning and Development. The fixture type shall be uniform and shall complement the architectural style of the development;
18. Prior to issuance of a Site Development Permit for each phase of the project, if any, the developer shall submit architectural elevations in the form of a "Plan Book" for typical structures for review and approval by the Director of Planning & Development. At a minimum, the "Plan Book" shall include: allowable building elevations; design criteria for entries, porches, doors, windows, dormers, columns, cornices, rakes, garages, roofs, landscaping, fencing, and retaining walls; exterior colors and materials, and other pertinent information. All structures shall be constructed in accordance with the approved "Plan Book." Said "Plan Book" shall become a binding restriction on all structures within the development and may be amended or supplemented only by approval of the Director of Planning & Development;
19. Homes/Buildings shall be constructed of traditional design with brick, stone, masonry hardi-plank horizontal siding, and masonry hardi-plank shakes/shingles. The primary material on the front elevation shall also be used on the side and rear elevations;
20. All corner lots and lots abutting external public streets shall be designated as "High Visibility Lots." High Visibility Lots shall include the following treatments on elevations visible from the public view: Foundation walls shall

be brick or stone to the level of the first floor; Window treatment, such as trim and shutters similar to the front elevation, are required; Landscaping shall be treated similarly to the grass and planting beds in the front of the home; Elevations shall require a similar architectural treatment as the front elevation. The intent of these additional requirements for High Visibility Lots is to continue the architectural theme that is presented on the front elevation of the house to other elevations exposed to frequent public view;

21. Alleys shall be a minimum sixteen-feet (16') wide. Alleys may be constructed of concrete, and/or other material approved by the Director of Planning and Development. Curb/gutter and sidewalks shall not be required on alleys. All alleys shall be owned and maintained by the mandatory Homeowners' Association. The ingress and egress points to the alleys from the public streets shall be enhanced with landscaping and decorative pavers, to be approved by the Director of Planning and Development;
22. All homes with front-loaded garages shall have garage faces with decorative design treatments to minimize their appearances. Garages for homes located on rear alleys shall be located to the rear of the unit and accessed via alley only;
23. A four-foot (4') wide walkway, constructed of concrete or decorative pavers, shall extend from the sidewalk to the steps, stoop, or porch of all homes;
24. Porches are required on at least sixty percent (60%) of the homes. Porches shall be a minimum six-feet (6') deep and seventy-two (72) square feet. The material, scale, proportion, and details of the porch shall complement the overall architectural character and style of the home. All porches shall have a minimum roof pitch of 3:12 and a maximum roof pitch of 10:12;
25. All front doors must have either a glass element in the door or sidelights and a transom surrounding it; and
26. Columns on the front elevation or otherwise visible from the public view shall have a minimum two-foot (2') base constructed of brick or stone to match the front elevation.

**SECTION 9.17 RVO, RESIDENTIAL VILLAGE OVERLAY DISTRICT.****A. PURPOSES, APPLICABILITY AND DEFINITIONS:**

1. **TITLE:** These regulations shall officially be known, cited, and referred to as the Residential Village Overlay District of the City of Snellville, Georgia (hereinafter “ordinance”).
2. **PURPOSES AND BENEFITS:** This ordinance is adopted for the following purposes:
  - a. To create a distinct physical settlement surrounded by protected conservation space used for agricultural, silvicultural, recreational, and environmental protection purposes;
  - b. To develop a settlement of modest size and scale that accommodates and promotes pedestrian travel rather than motor vehicle trips;
  - c. To promote design that results in residential homes fronting on, and aligned with, streets;
  - d. To encourage the inclusion of a diversity of household types, age groups, and income levels in the City of Snellville;
  - e. To promote traditional village building and site development patterns with an interconnected and generally rectilinear pattern of streets, alleys, and blocks, providing for a balanced mix of pedestrians and automobiles;
  - f. To encourage creation of a functionally diverse, but visually unified, community focused on a central square;
  - g. To promote use of neighborhood greens, landscaped streets, boulevards, parkways, and “single-loaded” streets woven into street and block patterns in order to provide neighborhood identity and space for social activity, parks, and visual enjoyment; and
  - h. To preserve conservation land, scenic vistas, agricultural lands, and natural areas.
3. **APPLICABILITY AND COMPLIANCE:** The residential village standards may apply to any parcel of fifteen (15) acres or more. The overall development density for the parent parcel is the same as would be allowed for a conventional subdivision in the existing zoning district, except for those residential villages which qualify for a density bonus. The provisions of this ordinance shall apply to residential development within the following districts established in the City of Snellville Zoning Ordinance, as of the effective date of this ordinance: RS-180 and RS-150 (Single Family Residential Districts); The use of the Residential Village Overlay district regulations shall be considered a rezoning and said action shall comply with Article 15 of the Zoning Ordinance.

Any conditions of zoning or special use approval of the underlying district and/or parcel shall also be observed (exception: lot area, width or quantity). The applicant shall comply with all other provisions of the zoning code and all other applicable laws. Whenever the requirements of the Village Residential Overlay district impose a more or less restrictive standard than the provisions of the underlying zoning district stated elsewhere in the Zoning Ordinance, the requirements of the overlay district shall govern. The Director of Planning and Development shall have the authority to approve alternate methods of compliance with the provisions of this ordinance when he/she determines the overall intent of the article and/or specific

guidelines can be met.

For properties which are submitted for rezoning, the applicant shall declare the intent to utilize this overlay district at the time of application. An Existing Features Site Analysis Plan and a Concept Plan meeting the requirements of this ordinance shall accompany the rezoning application. In the absence of a declaration of intent to use the overlay district with a rezoning application, the overlay district shall not be used on rezoned property for at least two (2) years from the date of the resolution adopting a zoning change or until a new application is filed in compliance with Article 15 of the Zoning Ordinance and the property rezoned for use with the regulations of this ordinance. The overlay district shall not be used on property that has been timber harvested within twenty-four (24) months prior to adoption of a zoning change or approval of a concept plan.

The tract of land to be subdivided may be held in single and separate ownership or in a multiple ownership. If held in a multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.

4. **DEFINITIONS:**

**BASE DENSITY:** The maximum number of permitted dwelling units determined by multiplying the Gross Tract Area by the density factor of the underlying zoning district.

**BUILD-UP LINE:** The height of a building's cornice, which establishes the vertical visual dimension of a building and defines its proportion in relation to the street.

**BUILDING-TO-BUILDING DISTANCE:** The horizontal distance between the facades of buildings on opposite sides of a street, excluding porches, stoops and projecting eaves.

**DEVELOPMENT ENVELOPES:** Areas within which grading, lawns, pavement and buildings will be located.

**DEVELOPMENT REGULATIONS:** The Development Regulations of the City of Snellville

**DWELLING, FRONT FAÇADE:** The plane of the façade of the building closest to the street right-of-way, excluding stoops, porticos, open colonnades, and open porches.

**FLAG LOT:** A lot that does not meet the minimum frontage requirements and where access to the public street is by a narrow right-of-way or driveway.

**GARAGE, FRONT LOADED:** A garage having its vehicular entry door facing the street.

**GARAGE, SIDE LOADED:** A garage having its vehicular entry door facing the side yard.

**GARAGE, REAR LOADED:** A garage having its vehicular entry door facing an alley or rear lane.

**GREENWAY LAND:** A given percentage of Gross Tract Area. Greenway land consists of open space, as defined by Section 5.8 of the Development Regulations.

**GROSS TRACT AREA:** The total area of a parcel including the area of perimeter street rights-of-way to the centerline of the street.

**HOMEOWNER'S ASSOCIATION (HOA):** A community association incorporated or not incorporated, combining individual home ownership with shared use or ownership of common property or facilities.

**NON-COMON OWNERSHIP:** That part of the Greenway Land now owned jointly by the residents of a community association.

**NON-PROFIT CONSERVATION ORGANIZATION:** Any non-profit charitable corporation, charitable association or charitable trust (such as a land trust), the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property. The organization shall be a third party "qualified organization" recognized by Federal Treasury Regulation Section 1.170A-14(c)(1). Qualified organizations recognized by this Treasury Regulation include, but may not be limited to: governmental entities, certain publicly supported charities, local and national land trusts, or other conservation groups that are organized or operated primarily or substantially for one of the conservation purposes specified in the Internal Revenue Code. Governmental entities qualifying to be named in covenants under O.C.G.A. §44-5-60 or to receive conservation easements under the Treasury Regulation referred to above for purposes of this ordinance shall include the Federal government, the State of Georgia, Gwinnett County, or political subdivisions or authorities of the State of Georgia or Gwinnett County.

**OPEN SPACE:** Land preserved in perpetuity in compliance with Section 5.8 of the Development Regulations.

**PARENT PARCEL:** The existing parcel of record, as identified by individual tax parcel numbers, as of the effective date of this ordinance.

**PLANNING AND DEVELOPMENT DEPARTMENT:** The Planning and Development Department of the City of Snellville.

**SUB-DIVIDER:** Any person, corporation, partnership, association, individual, firm, trust or agent dividing or proposing to divide land resulting in a conservation subdivision.

**TERMINAL VISTA:** The building or landscape element that is visible at the end of a street, or along the outside edge of a curve, where the view is focused or ends.

**B. VILLAGE AREAS AND USES:**

1. Standards Applicable to Village as a Whole:
  - a. All villages shall contain both a Village Residential Area and a Village Greenway; and
  - b. A minimum of forty-percent (40%) of the Gross Tract Area shall be permanently protected as open space for a Village Greenway, in compliance with Section 5.8 of the Development Regulations.
2. Village Residential Area:
  - a. Uses Permitted in the Village Residential Area. The following uses are permitted:
    1. Single-family detached dwellings;
    2. Accessory units that are architecturally integrated with the primary structure;
    3. Home occupations; and
    4. Uses accessory to residential uses.
3. Village Greenway Area:
  - a. Purpose. The Village Greenway Area consists of all the open space required in the Village. Greenway Land shall consist of Primary Conservation Areas and Secondary Conservation Areas. At least fifteen-percent (15%) of the minimum required Greenway Land shall consist of multiple greens, commons, squares, or parks.
  - b. Uses Permitted in the Village Greenway Area. Village Greenway uses shall comply with the permitted and prohibited uses of open space, as defined by Section 5.8 of the Development Regulations.

**C. APPLICATION PROCEDURES:**

1. Existing Features Site Analysis Plan: Upon submittal of a rezoning application or concept plan, an Existing Features Site Analysis Plan shall be included. Mapping for the initial application can be done in any combination of features as long as individual map components can be distinguished and the relationship between map components can be determined. The Existing Features Site Analysis Plan shall be prepared and sealed by a registered engineer or landscape architect.
  - A. The purposes of the Existing Features Site Analysis Plan are:
    1. Delineation of areas that have been identified as worthy of permanent protection because of their environmental values. This delineation shall include, but is not limited to, the information and steps listed in this ordinance;
    2. Set forth the particulars of the site, including boundary, topographic data, existing structures and utility easements; and
    3. Provide the starting point for design of the residential village with built areas being designed as separate from the areas delineated as worthy of permanent protection.
  - B. The Existing Features Site Analysis Plan shall include an inventory and mapping of existing resources, mapped at a scale of no less than one-inch (1") equals fifty-feet (50') (1":50'). The following components shall be included in the Existing Features Site Analysis Plan, at a minimum:

1. U.S.G.S. perennial and intermittent streams, FEMA designated One-Hundred-Year (100-yr) Flood Hazard Zones and Wetlands. The source of this information shall also be indicated;
2. Identification of tree lines, native woodlands, open fields or meadows, peaks or rock outcroppings, and prime agricultural land;
3. Delineation of tree resource areas by type such as hardwoods, pines or mixed; and old or new growth. The inventory shall include individual trees with a caliper of twelve-inches (12") or greater, as measured at the diameter breast height (DBH) and comments on the health and condition of the vegetation;
4. Delineation of steep slope areas (thirty-five-percent (35%) or greater). The designer shall endeavor to preserve slopes greater than forty-percent (40%);
5. Identification and brief description of historical, archeological, or other significant features, structures, and/or landscapes and burial sites;
6. Identification of scenic vistas. This shall include views of the site, including views onto the site from surrounding roads, public areas and elevated areas, including photographs with a map indicating the location where the photographs were taken;
7. Identification of Conservation Space, Open Space or common areas adjacent to the project;
8. Identification of protected plant species as listed by the Georgia Department of Natural Resources, to be certified by a registered/certified landscape architect, forester, arborist, biologist, botanist or horticulturist;
9. Certification that timber-harvesting activity has not occurred on the property in the previous twenty-four (24) months prior to the submittal of a rezoning application or the submittal of a Concept Plan. This certification shall be prepared and sealed by a Certified Arborist or Registered Landscape Architect;
10. Topographic contours at two-foot (2') intervals;
11. United States Department of Agriculture, Natural Resource Conservation Service soil type locations and identification of soil type characteristics such as agricultural capability, depth to bedrock and water table, and suitability for wastewater disposal systems. Type and stability of bedrock should also be noted, particularly in karst areas and areas with high potential for groundwater contamination due to fractured bedrock or the presence of arsenic and mercury;
12. Hydrologic characteristics, including surface water bodies, floodplains, groundwater recharge and discharge areas, wetlands, natural swales, drainage ways, and steep slopes;
13. Land cover on the site, according to general cover type (pasture, woodland, etc.);
14. Current and past land use, all buildings and structures on the land, cultivated areas, brownfields, waste sites, and history of waste disposal practices, paved areas, and all encumbrances, such as easements or covenants;
15. Known critical habitat areas for rare, threatened or endangered species; and
16. Unique geological resources, such as rock outcrops and glacial features.

D. CONCEPT PLAN:

1. Using the inventory provided in the Existing Features Site Analysis Plan and applying

the performance standards specified in this ordinance, the applicant shall submit a concept plan including at least the following information at a scale of no less than one-inch (1") equals fifty-feet (50') (1":50'):

- a. Open space/greenway areas indicating which areas are to remain undeveloped, improved, and trail location;
- b. Boundaries of areas to be developed and proposed general street and lot layout;
- c. Number and type (i.e., single-family, multi-family) of housing units proposed;
- d. Proposed methods for and location of water supply, stormwater management (e.g., best management practices), and sewage treatment;
- e. Inventory of preserved and disturbed natural features and prominent views;
- f. Preliminary development envelopes showing areas for lawns, pavement, buildings, and grading;
- g. Proposed methods for ownership and management of greenway land; and
- h. General location map: The applicant shall submit a map showing the general outlines of existing buildings, land use, and natural features such as water bodies or wooded areas, roads and property boundaries within five-hundred-feet (500') of the tract. This information may be presented on an aerial photograph at a scale of no less than one-inch (1") equals four-hundred-feet (400') (1":400').

#### E. REVIEW OF CONCEPT PLAN/REZONING SITE PLAN:

1. At time of development, a Concept Plan shall be submitted by the developer for review and approval in accordance with the requirements and procedures of the Development Regulations. The concept plan shall include the following information:
  - a. Delineation and specifications of greenway land, including calculations and exclusions and any "Pocket Parks," "Neighborhood Greens," play areas, or trail system to be constructed. Greenway land must comply with Section 5.8 of the Development Regulations;
  - b. A typical detail on the plan indicating dwelling size, lot width, building setback lines, off-street parking, street trees, sidewalks, and street pavement and right-of-way width;
  - c. Area and percent of floodplain specifications in tabular form; and
  - d. Density calculations, including any bonuses.
2. Upon filing of a complete initial application, the Planning and Development Department staff shall review the application and concept plan. Staff from appropriate state and/or county agencies may also be requested by the City of Snellville to review the application. The Planning and Development Department shall make the determination of whether the initial application is complete. The Planning and Development Department staff may also schedule a visit to the site with the sub-divider to review the existing features of the site and the concept plan. Upon review and completion of site visit, if any, the Planning and Development Department staff shall issue comments to the sub-divider to be addressed in the Preliminary Plat.

F. PRELIMINARY PLAT REVIEW AND APPROVAL PROCEDURES:

- I. Following review and comment of the concept plan by the Planning and Development Department on the initial application, the subdivider or subdivider’s agent may file an application for review and approval of a preliminary plat, in compliance with the City of Snellville Development Regulations, with the Planning and Development Department.

G. DENSITY AND OPEN SPACE DETERMINATION:

- a. Density Determination. Determination of the maximum number of permitted dwelling units shall be based on the Gross Tract Area of the site.

- I. Base Density. Base density shall equal the Gross Tract Area times the density factor. The density factor is the density of the underlying zoning district expressed as dwelling units per acre and is as follows:

RS-180 Zoning District: 1.45 units per acre  
 RS-150 Zoning District: 2.90 units per acre

*FORMULA: Base Density = Gross Tract Area x Density Factor*

Gross Tract Area	=	_____	acres
Density Factor	x	_____	
Base Density	=	_____	dwelling units

- 2. Standard Residential Density Bonus for Village Development: This bonus is provided to encourage applicants to select the village design option. Compliance with all open space, Greenway Land and development standards in this article and in the Development Regulations is required. To determine the residential density bonus for village design, base density shall be multiplied by 1.5.

*FORMULA: Village Density Bonus = Base Density x 1.5*

- 3. Additional Residential Density Bonuses to Further Certain Public Objectives. Village residential density may be further increased beyond base density and the standard residential density bonus when certain public objectives pertaining to public land dedication, and conservation land endowments are achieved. Each standard provides a density bonus of five-percent (5%) in addition to the base density, unless otherwise specified. The maximum bonus permitted is twenty-percent (20%) of the base development yield.

- b. Public Use of Greenway Land. A density increase may be granted at the discretion of the Mayor and Council where the proposal provides for the dedication of Greenway Land for public use, such as active and passive recreation areas, in accordance with the following standards:

- I. The increase in density shall be computed on the basis of one (1) dwelling unit per five (5) acres of natural resource land including, but not limited to:

- woodlands, pastures, conservation meadows, farm fields, or per half-mile of trail that becomes publicly accessible. The density shall not exceed ten-percent (10%) increase over the base density; and
2. The decision whether to accept an applicant's offer to dedicate land to public usage within a proposed village development shall be at the discretion of the Mayor and Council, which shall be guided by the recommendations contained in the Comprehensive Plan.
- c. Endowment for Greenway Land Maintenance: A density increase may be granted at the discretion of the Mayor and Council when the applicant provides a donation to the Greenway Land Maintenance Endowment Fund for maintenance of the lands to be conserved within the subdivision. This fund shall be transferred by the developer to the designated entity with ownership and maintenance responsibilities, i.e. a land trust, a non-profit conservation organization, or other public entity, as approved in accordance with this ordinance. The purpose of this donation is to generate additional income for the recipient for the sole purpose of endowing a permanent fund to offset continuing costs of maintaining the Greenway Land, including costs associated with active or passive recreation facilities. Spending from this fund shall be restricted to expenditure of interest so that the principal may be preserved. The estimate of maintenance costs shall be prepared by an agency, firm, or organization acceptable to the City of Snellville, and with experience in managing Greenway Land and recreational facilities. The amount of the donation shall be no less than thirty (30) times the estimated annual maintenance costs. The density bonus shall not exceed a maximum ten-percent (10%) increase over the base density.
  - d. Preservation of additional open space (50% of the gross tract area of more): A density bonus shall be granted for those developments that preserve at least fifty-percent (50%) of the gross tract area. The density bonus shall not exceed a maximum fifteen-percent (15%) increase over the base density.
  - e. Implementation: For each of the public purposes described above, dwellings resulting from density bonuses may be accommodated by reducing the amount of required Greenway Land acreage by up to ten-percent (10%) (bonus strategy "c" excluded), reducing the minimum lot size/setback requirements by up to twenty-percent (20%), or by a combination of these approaches, provided that the Mayor and Council are satisfied that the public purpose objectives are being achieved.

#### H. AREA AND DIMENSIONAL STANDARDS:

- I. Each lot shall meet the following dimensional standards:
  - a. Area: No minimum;
  - b. Width, right-of-way line: Twenty-feet (20') at the right-of-way line. Lots shall have frontage on a street or rear lane/alley. Dwellings served by a rear lane/alley may front directly onto parks or greens, with no minimum front street width requirement;
  - c. Width, building line: Thirty-Five-feet (35'). Exception: Exterior lots abutting residential property shall meet the lot width (for the entire depth of the lot) and the rear setback of the underlying, adjacent zoning district;

- d. Front Yard Setback from right-of-way, Minimum: Twelve-feet (12') for the principal dwelling, excluding the porch;
  - e. Front Yard Setback from right-of-way, Maximum: Twenty-feet (20');
  - f. Side Yard Setback: Zero-feet (0'). However, there shall be a minimum fifteen-feet (15') separation between principal dwellings on adjacent lots. Side yards may only be reduced to zero ("zero lot line") when a dwelling has either no side windows, or when the side window sills are located at least sixty-four-inches (64") above the finished floor elevation;
  - g. Rear Yard Setback: twenty-feet (20'). Exception: Exterior lots abutting residential property shall meet the lot width (for the entire depth of the lot) and the rear setback of the underlying, adjacent zoning district;
  - h. Porches shall meet the following minimum front yard setbacks:
    1. Open front porch and steps: Six-feet (6');
    2. Screened front porch: Ten-feet (10'); and
    3. Front porch enclosed by windows: Twelve-feet (12').
  - i. Garages shall meet the following minimum front yard or rear lane/alley setbacks, where appropriate:
    1. Attached, side-loading garage: Twelve-feet (12'). On a corner lot, side entry garages must be located to the side adjacent to an abutting lot, rather than the street;
    2. Attached, front-loading garage: Ten-feet (10') behind the plane of the front façade of the principal building; and
    3. Detached garage: Forty-feet (40').
2. Greens, Commons, Squares and Parks shall meet the following standards:
- a. At least fifteen-percent (15%) of the minimum required Greenway Land shall consist of multiple greens, commons, squares or parks; and
  - b. Active recreation facilities located in greens, commons, squares or parks shall be set back a minimum of one-hundred-feet (100') from adjoining residential lot lines.
- I. STANDARDS APPLICABLE TO ALL VILLAGE AREAS:
1. Area contained within a lot shall be exclusive of 100-year floodplains, wetlands and slopes exceeding thirty-five (35%);
  2. Flag lots shall have at least twenty-feet (20') of frontage on a street. No more than two contiguous flag lots shall be created, and flag lots shall not comprise more than ten-percent (10%) of all lots within a village. The "pole" end of such lots shall not exceed one-hundred-fifty-feet (150') in length measured to the street right-of-way; and
  3. Building height shall be between 1.5 and 2.5 stories above grade at the front elevation, with a maximum height of thirty-five-feet (35'), except as provided below:
    - a. The height limitations of this ordinance shall not apply to chimneys, spires, gables, cupolas, etc.

J. DESIGN STANDARDS FOR VILLAGE DEVELOPMENT AND GREENWAY AREAS:

1. Overall Form: New village development shall be generally compact with a well-defined edge between new developed areas of the village and adjacent rural, undeveloped lands, and when extending the geographical boundaries of an existing village. This shall not apply in the case of infill parcels within an existing village. Areas of new construction shall be located to best preserve natural resources, cultural features, and scenic vistas. Modification of existing topography shall be minimized to the greatest extent possible.
2. Block Design:
  - a. Villages shall be designed in a generally rectilinear pattern of blocks and interconnecting streets and rear lanes, defined by buildings, landscaping, pedestrian ways, sidewalks and street furniture. Cul-de-sacs shall be avoided, wherever possible. To avoid the monotony of a rigid grid layout and to better conform to the natural terrain, streets may include frequent gentle curves;
  - b. Neighborhood streets may take the form of a two-way street, a pair of one-way streets on either side of a landscaped median, or a one-way loop street around a small neighborhood green. Streets shall be developed in accordance with the Development Regulations;
  - c. The maximum length of a block shall be five-hundred-feet (500'). This length may be extended up to eight-hundred-feet (800') when mid-block footpaths are provided to connect to other streets;
  - d. Where cul-de-sacs and/or loop roads must be used, a minimum five-foot (5') wide concrete path shall be provided to connect with other nearby streets;
  - e. Where cul-de-sacs must be used, a planter island shall be incorporated at the center of the terminus. The planter island shall have a minimum inside radius of forty-feet (40') and shall be reinforced with a mountable rolled curb, at a minimum;
  - f. Rectilinear blocks of the dimensions required above may be reshaped at the discretion of the Director of Planning and Development when topography, existing vegetation, or hydrology considerations influence block shape and size;
  - g. Traffic calming techniques shall include "T" intersections, traffic islands, circles, loops or crescents, and/or roundabouts. Speed bumps shall be prohibited; and
  - h. At least twenty-five-percent (25%) of local access streets shall terminate in "T" intersections. The distance between "T" intersections shall not exceed three blocks or fifteen-hundred-linear feet (1,500'), which ever is less. "T" intersections shall meet the offset requirements from other intersections set forth in the Development Regulations.

K. DESIGN STANDARDS FOR GREENWAY LAND:

1. Greenway Land shall be delineated in accordance with the standards in Section 5.8 of the Development Regulations and additional design considerations.
2. Greenway Land shall consist of two types:
  - a. Natural Greenway Land consists of, but is not limited to: meadows, woodlands, large specimen trees, hedgerows, wetlands, floodplain and steep slopes; and
  - b. Formal Greenway Land consists of: greens, commons, squares and parks that

are defined by building walls, streets and street trees.

3. Greens, Commons, Squares and Parks
  - a. Greens, commons, squares, and parks shall serve a variety of outdoor leisure and assembly needs of village residents and enhance the form and appearance of the village;
  - b. Greens, commons, squares, and parks shall be distributed throughout the village, dispersed throughout the village in such a way that no lot is more than twelve-hundred-fifty-feet (1,250') from a green, common or square. No green, commons and/or square shall be less than eight-thousand (8,000) square feet in size;
  - c. All greens shall be planted with shade trees along their edges, at intervals not greater than fifty-feet (50');
  - d. The views of greens, commons and squares shall be maximized by locating Greenway Land in "terminal vista" locations as often as possible, such as the ends of streets at three-way intersections, and/or along the outer edges of curving streets;
  - e. Public benches of a design and color approved by the Director of Planning and Development shall be provided on each block; and in greens, commons, squares, and parks, at a rate of one bench per five-thousand (5,000) square feet;
  - f. At least one bicycle rack shall be provided in each green, common, square or park; and
  - g. A pathway system connecting greenway/open space areas accessible to neighborhood residents, and connecting these areas to neighborhood streets and sidewalks shall be constructed.

#### L. ARCHITECTURAL DESIGN STANDARDS:

1. Prior to issuance of a Site Development Permit for each phase of the project, if any, the developer shall submit architectural elevations in the form of a "Plan Book" for typical structures for review and approval by the Director of Planning & Development. At a minimum, the "Plan Book" shall include: allowable building elevations; design criteria for entries, porches, doors, windows, dormers, columns, cornices, rakes, garages, roofs, landscaping, fencing, and retaining walls; exterior colors and materials, and other pertinent information. All structures shall be constructed in accordance with the approved "Plan Book." Said "Plan Book" shall become a binding restriction on all structures within the development and may be amended or supplemented only by approval of the Director of Planning & Development.
2. Homes/Buildings shall be constructed of traditional design with brick, stone, masonry hardi-plank horizontal siding, and masonry hardi-plank shakes/shingles. The primary material on the front elevation shall also be used on the side and rear elevations.
3. All corner lots and lots abutting external public streets shall be designated as "High Visibility Lots." High Visibility Lots shall include the following treatments on elevations visible from the public view: Foundation walls shall be brick or stone to the level of the first floor; Window treatment, such as trim and shutters similar to

the front elevation, are required; Landscaping shall be treated similarly to the grass and planting beds in the front of the home; Elevations shall require a similar architectural treatment as the front elevation. The intent of these additional requirements for High Visibility Lots is to continue the architectural theme that is presented on the front elevation of the house to other elevations exposed to frequent public view.

4. Alleys shall be a minimum sixteen-feet (16') wide. Alleys may be constructed of concrete, and/or other material approved by the Director of Planning and Development. Curb/gutter and sidewalks shall not be required on alleys. All alleys shall be owned and maintained by the mandatory Homeowners' Association. The ingress and egress points to the alleys from the public streets shall be enhanced with landscaping and decorative pavers, to be approved by the Director of Planning and Development.
5. All homes with front-loaded garages shall have garage faces with decorative design treatments to minimize their appearances. Garages for homes located on rear alleys shall be located to the rear of the unit and accessed via alley only.
6. A four-foot (4') wide walkway, constructed of concrete or decorative pavers, shall extend from the sidewalk to the steps, stoop, or porch of all homes.
7. Porches are required on all homes. Porches shall be a minimum six-feet (6') deep and seventy-two (72) square feet. The material, scale, proportion, and details of the porch shall complement the overall architectural character and style of the home. All porches shall have a minimum roof pitch of 3:12 and a maximum roof pitch of 10:12.
8. All front doors must have either a glass element in the door or sidelights and a transom surrounding it.
9. Columns on the front elevation or otherwise visible from the public view shall have a minimum two-foot (2') base constructed of brick or stone to match the front elevation.
10. Chimneys located on an exterior elevation of the dwelling must extend to the ground and be clad in masonry or same as adjacent materials.
11. All grassed areas on dwelling lots shall be sodded with a drought-resistant grass, such as Bermuda or Centipede.
12. Single story homes shall be a minimum of seventeen-hundred (1,700) square feet. Two story homes shall be a minimum of eighteen-hundred (1,800) square feet.
13. Garages, having the ability to store a minimum of two vehicles, shall be required on all dwelling lots.
14. A decorative yard light fixture shall be placed within each front yard. Fixture type shall be approved by the Director of Planning and Development. The fixture type shall be uniform and shall complement the architectural style of the development.

### SECTION 9.18 R-HOP, HOUSING FOR OLDER PERSONS.

**PURPOSE:** These districts are designed to serve the housing needs of adults who are 55 years of age or older. It is recommended that these districts be located in areas that facilitate pedestrian access to nearby commercial goods and services, and/or amenities/cultural facilities. These areas are intended to function as communities with parks and open spaces. At least 80% of the occupied units shall be occupied by at least one person who is 55 years of age or older. The other 20% is not intended as a set aside for younger residents and efforts should be made to minimize the number of units that do not meet this requirement. A rezoning to the R-HOP classification will not serve as a precedent for medium-density zoning in an otherwise low-density residential area.

The following design standards shall apply to all R-HOP districts:

#### SITE AND ARCHITECTURAL DESIGN STANDARDS:

- A. A landscape strip(s) shall be provided on the property. The landscape strip may incorporate natural vegetation and shall be supplemented with a minimum of one of the following: 1) a landscaped berm (minimum of four-feet (4') as measured from the elevation of the public right-of-way, 2) wrought-iron style fence with brick or stone columns (30 feet on-center), or 3) a decorative brick wall. Alternate decorative fence materials may be utilized, subject to review and approval of the Director. Plantings shall comply with Article XX of the Zoning Ordinance;
- B. Street trees shall be planted in the right-of-way, in accordance with the details provided in Appendix XX-A. Street trees shall be planted no further than fifty-feet (50') apart and no closer than twenty-five feet (25') from street intersections. The City Arborist may approve alternate spacing when the fifty-foot (50') spacing requirement cannot be met due to driveways and other improvements. All street trees must comply with requirements listed in section 20.6 of the City of Snellville's zoning ordinance;
- C. All grassed areas shall be sodded;
- D. Homes/Buildings shall be constructed of traditional design with brick, stone, masonry horizontal siding, and masonry shakes/shingles. Brick and/or stone shall constitute no less than seventy percent (70%) of the materials used, with accents of masonry siding or shakes/shingles for each building elevation;
- E. All dwellings shall contain single-car garages, at a minimum, which may be attached or detached. All units with front-loaded garages shall have garage faces with decorative design treatments to enhance their appearances, i.e. carriage-style doors, window inserts, etc.;
- F. Provide five-foot (5') wide sidewalks and street trees adjacent to both sides of interior streets or private driveways;
- G. A paved five-foot (5') wide pathway/sidewalk system shall be constructed which connects outdoor amenities/recreation areas, homes, clubhouse, and other amenities;
- H. A four-foot (4') wide walkway, constructed of concrete or decorative pavers, shall extend from the sidewalk to the steps, stoop, or porch of all homes;
- I. There shall be no open space requirement for developments in the R-HOP districts; and
- J. Street lights within the subdivision shall be located seventy-five feet (75') apart on average.

**BUILDING DESIGN STANDARDS:**

- A. All dwellings shall incorporate accessibility standards which shall include the following:
  - 1) A step-free feature to at least one entrance of the unit;
  - 2) 36-inch wide, clear passage doorways throughout the unit;
  - 3) Wheelchair, step-free access to the following areas, at a minimum: kitchen; dining area; entertainment area (e.g., living room/den, great room, etc.); at least one bedroom; at least one full bathroom; and laundry room with washer/dryer connection; and
  - 4) The installation of full sheets of  $\frac{3}{4}$ " plywood, blocking and/or its equivalent in all bathrooms to allow for future installation, if necessary, of grab bars.

**MANDATORY HOMEOWNER'S ASSOCIATION REQUIRED:**

A mandatory homeowners association shall be incorporated for all R-HOP districts which provides for building and grounds maintenance and repair, insurance and working capital. Said association shall publish and adhere to policies and procedures that demonstrate that the community is intended to provide housing for persons 55 years of age and older including maintaining surveys or affidavits verifying compliance with 55 years of age and older occupancy requirements as permitted by 42 U.S.C. Section 3607, (b)(2)(c) of the Federal Fair Housing Act and implementing regulations. Said association shall provide an affirmative declaration to be governed by the "Georgia Property Owners' Association Act" (POA) and the applicable provisions of O.C.G.A. §44-3-220 Et. Seq. Said association shall also include declarations and bylaws including rules and regulations, which shall at a minimum, regulate and control the following:

- A. Restriction on homes being occupied, with at least 80% of the occupied units occupied by at least one resident who is age 55 years of age or older;
- B. Restrictions on persons under 18 years of age permanently residing in the community. Permanently residing in the community shall mean longer than 90 consecutive days in any 180 day period or establishing residency as defined by state or local law. However, the HOA shall provide for a hardship provision allowing for an owner/occupant to house and care for a child less than 18 years of age in situations where the owner/occupant assumes responsibility for caring for the child due to urgent circumstances stemming from actions not under the owner/occupant's control. The association may, but is not required to, allow for hardship exceptions to this requirement;
- C. Restrictions on single-family residential use only and leasing of units. Except in CCRC units, no more than 10% of the total units may be leased by individual owners at any one time;
- D. Except for a central amenity package, prohibit playground equipment, trampolines or like fixtures;
- E. The HOA shall also provide that the covenants automatically renew at the end of the 20 year term, unless 100% of the owners at that time vote that the covenants should not renew; and
- F. The HOA and/or community management association for the HOA shall give written notice to any grantee of the restrictions covered in this zoning at or before any sale or transfer of any property.

### COVENANTS AND RESTRICTIONS:

Legally binding covenants and/or deed restrictions that run with the land shall apply to all R-HOP housing units that will bind the applicant, any assignee, mortgagee, or buyer, and all other parties that receive title to the property. The grantor must state in any deed or instrument conveying title to an R-HOP housing unit, that the property conveyed is intended to be housing for older persons and is subject to the restrictions contained in this Section. No covenant referencing any of the regulations or restrictions herein for a housing for older persons housing unit shall be recorded until and unless said covenant contains restrictions approved by the Director of Planning and Development that are consistent with the requirements of this Section. Such review and response shall be completed within thirty (30) calendar days following date of submission of such documents to the Director of Planning and Development.

### CONCEPT PLAN REVIEW REQUIRED:

All rezoning applications for the R-HOP districts shall be accompanied by a concept plan in compliance with this Article. The purpose of the concept plan review is to encourage logic, imagination, innovation, and variety in the design process and ensure the soundness of the proposed development and its compatibility with the surrounding area. The Director of Planning and Development or his/her designee shall review plans for compliance with concept plan review criteria and the Zoning Ordinance. The recommendations of both the Director of Planning and Development and the Planning Commission shall be transmitted to the Mayor and Council. Through the rezoning process, the Mayor and Council may condition approval of an R-HOP request to a specific concept plan or require an additional future site plan review by the Planning Commission and Mayor and Council.

The following exhibits shall be prepared by registered design professionals, such as planners, engineers, architects or landscape architects, and submitted to the Department of Planning and Development. No application for an R-HOP development shall be accepted for processing without these required exhibits:

1. A location map indicating existing zoning on the site and the adjacent areas;
2. A concept plan drawn no smaller than one-inch (1") equals one-hundred-feet (100') (1" = 100'), including the following information;
  - a. Lot lines and setbacks;
  - b. Topography with contour intervals no greater than four-feet (4');
  - c. Lakes, ponds and floodplains and the sources of floodplain data;
  - d. Stormwater detention areas;
  - e. Recreation facilities and active adult or senior amenities;
  - f. Location of typical off-street parking;
  - g. Color elevations of front, sides, and rear of all typical units, including proposed building material, and any other structures such as recreation buildings;
  - h. Acreage and proposed density;
  - i. Lot sizes (typical dimensions and square footage);
  - j. Amount of common open space in square feet (if applicable); and
  - k. Such other architectural and engineering data as may be required to evaluate the project.

**AUTHORITY TO ADOPT ADDITIONAL STANDARDS AND REQUIREMENTS:**

Where the provisions of this Article do not provide sufficient specificity in terms of administration, the Director of Planning and Development is hereby authorized to prepare and apply additional standards and qualifications for administering the requirements of this Section. If prepared, said standards and requirements shall be titled "Housing for Older Persons Zoning Implementation Standards and Procedures" and shall be public record. The Director of Planning and Development is required to seek approval by resolution of said administrative procedures and standards by the Mayor and Council.

The Director of Planning and Development shall be responsible for adopting and implementing policies for the monitoring and enforcement of mandatory homeowner's association requirements.

The Director of Planning and Development shall publish and the City shall adhere to policies and procedures that demonstrate that communities in this zoning classification are intended to provide housing for persons 55 years of age and older including maintaining surveys or affidavits verifying compliance with 55 years of age and older occupancy requirements as permitted by 42 U.S.C. Section 3607, (b)(2)(c) of the Federal Fair Housing Act and implementing regulations.

**SECTION 9.19 R-HOP(55)-SF: SINGLE-FAMILY DISTRICT.**

**PURPOSE:** This district is intended for single-family detached or attached residences and accessory uses for older persons 55 and over.

**PERMITTED USES:**

1. Detached single-family homes; and
2. Attached one-story single-family homes.

**AREA, DIMENSIONAL, AND DESIGN STANDARDS:**

- A. A landscape strip shall be provided on the property as follows:
  - (1) Fifteen-feet (15') adjacent to principal, major arterial, minor arterial and major collectors; and
  - (2) Eight feet (8') adjacent to minor non-residential/residential collector streets.
- B. All dwellings shall have a minimum 1,600 square feet for two bedroom homes, and 1,800 square feet for three or more bedroom homes;
- C. All attached dwellings shall be limited to single story, however, bonus rooms over garages and/or basements shall be allowed; and
- D. Attached homes shall have a maximum of four units per building.

Within the R-HOP(55)-SF District, the following requirements shall be met for **detached** homes:

- A. Maximum density: Five (5) units per acre;
- B. Minimum lot area: 5,000 (Five-thousand) square feet;
- C. Minimum lot width: Fifty feet (50');
- D. Maximum height of building: Thirty-Five feet (35');
- E. Minimum front yard: Twelve feet (12') from right-of-way line, excluding any porches;
- F. Minimum side yard: Five feet (5'), with a minimum of at least fifteen feet (15') between buildings;
- G. Minimum rear yard: Five feet (5'), with a minimum of at least fifteen feet (15') between buildings; and
- H. Any home that abuts a low density residential land use designation shall be set back a minimum of twenty-five feet (25') from said property line.

Within the R-HOP(55)-SF District, the following requirements shall be met for **attached** homes or for developments which contain a combination of attached and detached homes:

- A. Maximum density: Six (6) units per acre;
- B. Minimum Lot Area: No Minimum;
- C. Minimum Lot Width: No Minimum;
- D. External Road Frontage For Overall Development: Fifty feet (50');
- E. Average unit width: Forty feet (40');
- F. Minimum front yard: Twelve feet (12') from right-of-way line, excluding any porches;
- G. Minimum distance between buildings: Fifteen feet (15');
- H. Minimum rear yard: Five feet (5') with a minimum of fifteen feet (15') between buildings; and
- I. A buffer of twenty-five feet (25') shall be maintained and planted per Article X of the Zoning Ordinance where the development abuts a low density residential land use designation.

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SECTION 9.20 R-HOP(55)-V: VILLA DISTRICT.

PURPOSE: This district is intended for low- to mid-rise attached villa homes and accessory uses for older persons 55 and over. This district shall be located only in the Town Center Overlay District.

PERMITTED USES:

- I. Low- to mid-rise attached villa homes in the Town Center Overlay District.

AREA, DIMENSIONAL, AND DESIGN STANDARDS:

- A. These units must be located within the currently zoned Town Center Overlay District;
- B. Maximum density: Eight (8) units per acre;
- C. Maximum Height: Thirty-five feet (35');
- D. Minimum Lot Area: No Minimum;
- E. Minimum Lot Width: No Minimum;
- G. External Road Frontage for Overall Development: Fifty feet (50');
- H. Minimum unit width: No Minimum;
- I. Minimum front yard: Twelve feet (12') from right-of-way line, excluding any porches;
- J. Minimum distance between buildings: Fifteen feet (15');
- K. Minimum rear yard: Five feet (5') with a minimum of fifteen feet (15') between buildings; and
- L. A buffer of twenty-five feet (25') shall be maintained and planted per Article X of the Zoning Ordinance where the developments abut a low density residential land use designation.

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**SECTION 9.21 R-HOP(55)-VC: VILLA CLUSTER DISTRICT.**

**PURPOSE:** This district is intended for a mixture of single-story attached or detached homes and low to mid-rise attached villa homes and accessory uses in larger acreage areas for older persons 55 and over. This district shall be located only in the Town Center Overlay District.

**PERMITTED USES:**

1. Low- to mid-rise attached villa homes;
2. Single-Story attached homes; and
3. Single-Family detached homes.

**AREA, DIMENSIONAL, AND DESIGN STANDARDS:**

Within the R-HOP(55)-VC District, the following requirements shall be met for **detached** homes:

- A. Maximum density: Five (5) units per acre;
- B. Minimum lot area: Five thousand (5,000) square feet;
- C. Minimum lot width: Fifty feet (50');
- D. Maximum Height of Building: Thirty-Five feet (35');
- E. Minimum front yard: Twelve feet (12') from right-of-way line, excluding any porches;
- F. Minimum side yard: Five feet (5'), with a minimum of fifteen feet (15') between buildings;
- G. Minimum rear yard: Five feet (5'), with a minimum of fifteen feet (15') between buildings; and
- H. Any home that abuts a low density residential land use designation shall be set back a minimum of twenty-five feet (25') from said property line.

Within the R-HOP(55)-VC District, the following requirements shall be met for **attached single-story** homes:

- A. Maximum density: Six (6) units per acre;
- B. Minimum Lot Area: No Minimum;
- C. Minimum Lot Width: No Minimum;
- D. External Road Frontage for Overall Development: Fifty feet (50');
- E. Average unit width: Forty feet (40');
- F. Minimum front yard: Twelve feet (12') from right-of-way line, excluding any porches;
- G. Minimum distance between buildings: Fifteen feet (15');
- H. Minimum rear yard: Five feet (5') with a minimum of fifteen feet (15') between buildings;
- I. A buffer of twenty-five feet (25') shall be maintained and planted per Article X of the Zoning Ordinance where the development abuts a low density residential-land use designation; and
- J. Single story dwellings may have a bonus room over the garage and/or a basement.

Within the R-HOP(55)-VC District, the following requirements shall be met for **attached low-to-mid rise** dwellings:

- A. Maximum density: Eight (8) units per acre;
- B. Maximum Height: Thirty-five feet (35');
- C. Minimum Lot Area: No Minimum;
- D. Minimum Lot Width: No Minimum;
- E. External Road Frontage for Overall Development: Fifty feet (50');
- F. Minimum unit width: No Minimum;

- G. Minimum front yard: Twelve Feet (12') from right-of-way line, excluding any porches;
- H. Minimum distance between buildings: Fifteen feet (15');
- I. Minimum rear yard: Five feet (5') with a minimum of fifteen feet (15') between buildings;  
and
- J. A buffer of twenty-five feet (25') shall be maintained and planted per Article X of the Zoning Ordinance where the developments abut a low density residential-land use designation.

**SECTION 9.22 R-HOP(62)-CC: CONTINUOUS CARE CAMPUS DISTRICT.**

**PURPOSE:** This district is intended for a mixture of single-story attached homes, detached homes, low-to-mid rise attached villa homes, continuing care retirement communities and accessory uses in larger acreage areas. The R-HOP Continuous Care Campus district is designed to serve the varying housing needs of older persons 62 and over. This district shall be located in areas that facilitate pedestrian access to nearby commercial goods and services, medical services and/or amenities/cultural facilities. These housing units are intended for and shall be solely occupied by persons 62 years of age or older unless one of the exceptions set forth in the implementing regulations applies.

**PERMITTED USES:**

1. Low- to mid-rise attached villa homes;
2. Single-Story attached homes;
3. Detached homes;
4. Continuing Care Retirement Communities (CCRC)  
Within the CCRC the buildings and lots may be used or occupied for the following uses:
  - a. Continuing Care Retirement Community (CCRC);
  - b. CCRC Independent Living Units;
  - c. CCRC Assisted Living Facilities, which may be phased into the development and provided as needed;
  - d. CCRC Skilled Care Nursing Facilities, which may be phased into the development and provided as needed;
  - e. Accessory uses: Accessory Uses within a CCRC shall mean any accessory use necessary for the operation of the facility or for the benefit or convenience of the residents and their guests including, but not limited to: kitchen and dining facilities; restaurants; places of worship; indoor and outdoor recreational buildings and uses; retail and banking facilities; beauty salons and barber shops; gift shops; class rooms; security facilities; conference rooms; social rooms; common areas; guest rooms; medical offices; medical clinic; dialysis center; laboratory services; dental offices; physical therapy and rehabilitation center; wellness center; ambulatory surgery; diagnostic imaging services; postal center; pharmacy; maintenance facilities; craft and music rooms; various craft, health, exercise and vocational activities; classrooms; swimming pools; library and television room; facilities related to the operation of the facility, such as but not limited to, administrative offices, food and record storage areas, property maintenance facilities, radio and satellite dish antennae, adult day care center, non-age restricted day care center for relatives of employees, security operations, off-street parking and heating and cooling equipment structures. Any CCRC Accessory Uses shall be for the primary benefit of the CCRC; and
  - f. Conditional Uses: The following uses may be approved by the Mayor & Council through issuance of a Conditional Use Permit:
    1. Heliport and/or helistop

**AREA, DIMENSIONAL, AND DESIGN STANDARDS:**

Within the R-HOP(62)-CC District, the following requirements shall be met for **detached** homes:

- A. Maximum density: Five (5) units per acre;
- B. Minimum lot area: Five thousand (5,000) square feet;

- C. Minimum lot width: Fifty feet (50');
- D. Maximum Height of Building: Thirty-Five feet (35');
- E. Minimum front yard: Twelve feet (12') from right-of-way line, excluding any porches;
- F. Minimum side yard: Five feet (5'), with a minimum of fifteen feet (15') between buildings;
- G. Minimum rear yard: Five feet (5'), with a minimum of fifteen feet (15') between buildings; and
- H. Any home that abuts a low density residential land use designation shall be set back a minimum of twenty-five feet (25') from said property line.

Within the R-HOP(62)-CC District, the following requirements shall be met for **attached single-story** homes:

- A. Maximum density: Six (6) units per acre;
- B. Minimum Lot Area: No Minimum;
- C. Minimum Lot Width: No Minimum;
- D. External Road Frontage for Overall Development: Fifty feet (50');
- E. Average unit width: Forty feet (40');
- F. Minimum front yard: Twelve feet (12') from right-of-way line, excluding any porches;
- G. Minimum distance between buildings: Fifteen feet (15');
- H. Minimum rear yard: Five feet (5') with a minimum of fifteen feet (15') between buildings; and
- I. A buffer of twenty-five feet (25') shall be maintained and planted per Article X of the Zoning Ordinance where the developments abut low density residential land use designation.

Within the R-HOP(62)-CC District, the following requirements shall be met for **low- to mid-rise attached** dwellings:

- A. Maximum density: Eight (8) units per acre;
- B. Maximum Height: Thirty-five feet (35');
- C. Minimum Lot Area: No Minimum;
- D. Minimum Lot Width: No Minimum;
- E. External Road Frontage for Overall Development: Fifty feet (50');
- F. Minimum unit width: No Minimum;
- G. Minimum front yard: Twelve feet (12') from right-of-way line, excluding any porches;
- H. Minimum distance between buildings: Fifteen feet (15');
- I. Minimum rear yard: Five feet (5') with a minimum of fifteen feet (15') between buildings; and
- J. A buffer of twenty-five feet (25') shall be maintained and planted per Article X of the Zoning Ordinance where the developments abut low density residential land use designation.

Within the R-HOP(62)-CC District, the following requirements shall be met for **CCRC** dwellings:

- A. **Density**: The number of CCRC Independent Living Units shall not exceed thirty five (35) CCRC Independent Living Units per acre of the developable area. In addition to and in conjunction with the CCRC Independent Living Units, at build-out, the CCRC must also contain a minimum of 0.05 CCRC Assisted Living Units and 0.05 CCRC Skilled Nursing Units for each CCRC Independent Living Unit constructed and may contain up to a maximum of 0.30 CCRC Assisted Living Units an/or 0.30 CCRC Skilled Nursing Units for each CCRC Independent Living Unit constructed. Phasing of the units shall be at the

discretion of the owner or operator of the development and subject to certificate of need regulations within the State of Georgia;

- B. Minimum Distance Between Buildings: Twenty-five feet (25') between principal buildings; and
- C. Height requirements: The maximum height of any building of a CCRC shall be five (5) stories. No building shall be taller than three (3) stories when abutting a residential property unless a buffer of seventy feet (70') is provided per Article X of the Zoning Ordinance.

#### SITE AND ARCHITECTURAL DESIGN STANDARDS:

- A. A fifty-foot (50') wide landscape strip shall be provided along all exterior street frontages and shall be planted in accordance with Article XX of the Zoning Ordinance. The landscape strip may incorporate natural vegetation and shall include a decorative fence/wall and entrance monument. The fence shall be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or stacked stone columns (maximum of thirty-foot (30') on-center);
- B. Homes/Buildings shall be constructed of traditional design with brick, stone, masonry horizontal siding, and masonry shakes/shingles. Brick and/or stone shall constitute no less than seventy percent (70%) of the materials used, with accents of masonry siding or shakes/shingles for each building elevation. Brick and or/stone must be used on all facades of all buildings for at least the first two stories, with accents of masonry siding, shakes/shingles, or stucco. On buildings consisting of more than two stories the remaining stories may be composed of brick and/or stone and/or masonry siding with accents of shakes/shingles and/or stucco;
- C. All multi-story dwellings shall have a minimum 850 square feet for one bedroom homes, 1,000 square feet for two bedroom homes, and 1,200 square feet for three or more bedroom homes. All single story dwellings and detached homes shall have a minimum of 1,200 square feet for two bedroom homes, and 1,400 square feet for three or more bedroom homes;
- D. Off-street parking shall be provided in accordance of Article XI of the Zoning Ordinance;
- E. At build out there may be no more than seventy-five percent (75%) of the acreage of a subject property developed for a single use permitted hereunder;
- F. Single story dwellings may have a bonus room over the garage and/or a basement; and
- G. This zoning will only be permitted on tracts of land which are twenty acres or larger and must have access onto a principal arterial, major arterial, minor arterial or major collector road and in close proximity to major medical facilities.



SECTION / ARTICLE	DESCRIPTION	AMENDMENT DATE
Section 9.7	OI, Office/Institutional (amended)	03/25/1995
Section 9.2	Uses Common to All Residential Districts (amended)	04/17/1995
Section 9.2	Uses Common to All Residential Districts (amended)	09/15/1997
Section 9.10	BG, General Business District (amended)	09/15/1997
Section 9.7	OI, Office/institutional District (amended)	09/20/1999
Section 9.10	BG, General Business District (amended)	02/21/2000
Section 9.5A	PRC, Planned Residential Conservation District (adopted)	04/24/2000
Section 9.9	BN, Neighborhood Business District (amended)	08/28/2000
Section 9.10	BG, General Business District (amended)	08/28/2000
Section 9.2	Uses Common to All Residential Districts (amended)	03/26/2001
Section 9.13	FH, Flood Hazard District (amended)	03/26/2001
Section 9.3	RS-180, Single-family Residence District (amended)	06/11/2001
Section 9.4	RS-150, Single-Family Residence District (amended)	06/11/2001
ARTICLE IX	DELETED AND REPLACED TO ADOPT AMENDMENTS	11/26/2001
Section 9.10	BG, General Business District (amended)	02/25/2002
Section 9.11	HSB, Highway Service Business District (amended)	02/25/2002
Section 9.14	TC, Town Center Overlay District (amended)	02/25/2002
Section 9.9	BN, Neighborhood Business District (amended)	06/24/2002
Section 9.10	BG, General Business District (amended)	06/24/2002
ARTICLE IX	DELETED AND REPLACED TO ADOPT AMENDMENTS	02/24/2003
Section 9.15	CO, Corridor Overlay District (adopted)	03/22/2004
Section 9.10	BG, General Business District (deleted and replaced)	07/26/2004
Section 9.15	CO, Corridor Overlay District (deleted and replaced)	04/25/2005
Section 9.16	CSO, Conservation Subdivision Overlay District (adopted)	05/23/2005
Section 9.17	RVO, Residential Village Overlay District (adopted)	05/23/2005
Section 9.5A	PRC, Planned Residential Conservation District (made inactive)	05/23/2005
Section 9.2	Uses Common to All Residential Districts (amended)	10/24/2005
Section 9.5	RG-75, General Residence District (amended)	10/24/2005
Section 9.6	RM, General Residence District (amended)	10/24/2005
Section 9.5B	R-TH, Single-Family Residential Townhome District (adopted)	10/24/2005
Section 9.9	BN, Neighborhood Business District (amended)	10/24/2005
Section 9.18	R-HOP, Housing for Older Persons (adopted)	01/22/2007
Section 9.19	R-HOP(55)-SF, Single-Family Housing for Older Persons District (adopted)	01/22/2007
Section 9.20	R-HOP(55)-V, Villa Housing for Older Persons District (adopted)	01/22/2007
Section 9.21	R-HOP(55)-VC, Villa Cluster Housing for Older Persons District (adopted)	01/22/2007
Section 9.22	R-HOP(62)-CC, Continuous Care Campus Housing for Older Persons District (adopted)	01/22/2007
Section 9.18	R-HOP, Housing for Older Persons (amended)	07/23/2007
Section 9.9	BN, Neighborhood Business District (amended)	10/08/2007
Section 9.10	BG, General Business District (amended)	10/08/2007
Section 9.11	HSB, Highway Service Business District (amended)	10/08/2007
Section 9.2	Uses Common to All Residential Districts (amended)	05/12/2008
Section 9.7	CI, Civic Institutional District (amended)	05/12/2008
Section 9.9	BN, Neighborhood Business District (amended)	05/12/2008
Section 9.8	OP, Office Professional District (amended)	11/10/2008
Section 9.9	BN, Neighborhood Business District (amended)	05/23/2011
Section 9.10	BG, General Business District (amended)	05/23/2011
Section 9.8	OP, Office Professional District (deleted and replaced)	11/14/2011
Section 9.14	TCO, Town Center Overlay District (deleted and replaced)	01/23/2012
Section 9.2	Uses Common to All Residential Districts	02/27/2012
Section 9.3	RS-180, Single-Family Residence District	02/27/2012
Section 9.4	RS-150, Single-Family Residence District	02/27/2012
Section 9.3	RS-180, Single-Family Residence District	09/09/2013
Section 9.4	RS-150, Single-Family Residence District	09/09/2013
Section 9.10	BG, General Business District (deleted and replaced)	04/27/2015
Section 9.2	Uses Common to All Residential Districts (amended)	05/23/2016
Section 9.7	CI, Civic-Institutional District (amended)	05/23/2016
Section 9.9	BN, Neighborhood Business District (amended)	05/23/2016
Section 9.10	BG, General Business District (amended)	05/23/2016
Section 9.14	TCO, Town Center Overlay District (amended)	05/23/2016