



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, AUGUST 22, 2022

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross and Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Planning and Development Director Jason Thompson, Chief Greg Perry, IT Administrator Erika Fleeman, Public Information Officer Brian Arrington, and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 7:36 p.m.

INVOCATION

Catherine Hardrick gave the invocation.

PLEDGE TO THE FLAG

Girl Scout Troop 16222 led the Pledge of Allegiance.

CEREMONIAL MATTERS

Freddie Broome--Director of Equity and Inclusion for the Georgia Municipal Association, (GMA) presented Council Member Warner with his Certificate of Recognition for his Council training hours with GMA.

MINUTES

Approve the Minutes of the August 2, 2022 Special Called Meeting and the August 8, 2022 Meetings

Mayor Pro Tem Emanuel made a motion to approve the minutes of the August 2, 2022 Special Called Meeting and the August 8, 2022 Meetings, 2nd by Council Member Schulz; voted 5 in favor and 1 abstention with Council Member Lenski abstaining. (Per Article II, Division 1, Section 2-47 of the Code of Ordinances, an abstention shall be counted as an affirmative vote.) Motion approved.

INVITED GUESTS

None

COMMITTEE / DEPARTMENT REPORTS

None

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APPROVAL OF THE AGENDA

Council Member Destang made a motion to approve the August 22, 2022 agenda, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

PUBLIC HEARING

2nd Reading - LUP 22-01 – Consideration and Recommendation on a Proposed Amendment to the Snellville 2040 Comprehensive Plan Future Land Use Map for the 23.61± Acre Parcel 5100 065 and 18.04± Acre Parcel 5100 023 from Commercial Retail to Highway 78 East Activity Node

Planning Director Thompson gave an overview of the application and advised that the recommendation is for approval. He explained that it is to amend the 2040 Comprehensive Plan to make this area more consistent with the Town Center. Council asked Mr. Thompson questions about the application.

Mayor Bender explained that this is a City generated application and opened the floor to public comment. No one came forward so Mayor Bender closed public comment.

Council Member Lenski made a motion to approve LUP 22-01, 2nd by Council Member Schulz; voted 6 in favor and 0 opposed, motion approved. (Reference ORD 2022-05 – a copy is attached to and made a part of this record.)

2nd Reading - RZ 22-04 LUP 22-04 – Consideration and Action on Applications by CKK Development Services LLC (applicant) and Larry Garner (property owner) Requesting: a) to Amend the Official Zoning Map for the City of Snellville, Georgia from BG (General Business) District to R-TH (Townhome Residential) District; b) to Amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Commercial Retail to Medium-Density Residential; c) and Request for Variances from the Small Residential Building Standards; Minimum Building Setbacks, and Sidewalk and Planter Strip Requirements for a 27-Unit/Lot Townhome Development on a 3.43± Acre Site Located Adjacent to the Olde Hickory Village Subdivision, 2045-2055-2065-2075 E. Main Street, Snellville, Georgia (Tax Parcels 5059 248, 5059 485, 5059 486, and 5059 487)

Planning Director Thompson gave an overview of the application. He read the variances that are being requested and the conditions into the record as follows:

VARIANCES:

1. Variance from UDO Sec. 201-3.3.E.1. (Small Residential Building Standards) to allow the combined area of the front building façade area to exceed more than 40% for windows and doors.
2. Variance from UDO Sec. 201-3.3.E.2. (Small Residential Building Standards) to not require a front porch or stoop.
3. Variance from UDO Table 401-4.2. (Streetscapes Required) to allow the existing 5-foot wide sidewalk and 2-foot wide planter strip to remain 'as-is' within the E. Main Street public right-of-way.

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4. Variance from UDO Sec. 202-6.6. (Dimensional Standards) to reduce the 50 feet minimum site setback (along streets) to 40 feet where abutting U.S. Highway 78.

CONDITIONS:

1. The property shall be developed in accordance with the rezoning site plan entitled "C.K.K. Development", dated 6-5-2022 (stamped received 7-6-2022) in Exhibit "B", a copy of which is attached hereto and incorporated herein by reference, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the Director of Planning and Development and the City Manager will require Mayor and Council approval.
2. A Home Owner's Association shall be established for the continual maintenance of open space; landscaping; walls, columns and fencing; signage; mailbox kiosk; and parking areas.
3. The development and townhome units are to be deed restricted to at least 90% owner-occupied fee-simple single-family ownership while the remaining 10% of the townhome units may be used as non-owner occupied (rental) units. This condition must be incorporated into the Home Owner's Association documents and covenants prior to the release of any certificates of occupancy.
4. Signs higher than 15 feet or larger than 225 square feet are prohibited.
5. An access and maintenance easement shall be established and granted to the Olde Hickory Village Homeowner's Association for the 600± feet of existing solid brick wall and columns located along the northern property line. The wall and columns to remain in its place 'as-is' and protected during construction.
6. An access and maintenance easement shall be established and granted to the Olde Hickory Village Homeowner's Association for the existing solid brick Olde Hickory Village subdivision sign located at the southwestern corner of the property. The sign to remain in its place 'as-is' and protected during construction.
7. The existing 5-feet wide sidewalk and 2-feet wide planter strip where adjacent to U.S. Highway 78 (E. Main Street) shall continue easterly to the property line where abutting
Parcel 5059 233.
8. All project access improvements or modifications made within the Hickory Station Drive right-of-way shall be reviewed and approved by the City Engineer and completed at the sole cost and expense of the developer.

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9. All townhome driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parking of two vehicles.
10. Unless approved as a concurrent variance at time of zoning approval, variances are to be considered by the Snellville Board of Zoning Appeals, unless authority is granted by the UDO to the Director of Planning and Development for Administrative Variance consideration and approval.

Mr. Thompson said that the recommendation is for approval and answered questions of the Mayor and Council.

Applicant Duncan Corley with CKK Development, 270 N. Clayton St., Lawrenceville, was present and spoke about the application. He advised they have been working with the H.O.A. for around a year on this project and they have come to an agreement with the site plan.

Mayor Bender opened the floor to public comments and the following people come forward:

Marvin Pastel, Attorney for Olde Hickory Village H.O.A., 3490 Piedmont Rd., Suite 800, Atlanta, spoke in favor of the application and reviewed the general rules listed on the site plan that the H.O.A. were in favor.

Larry Garner, 2885 Atkinson Road, Loganville, spoke in favor as the property owner.

Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville, expressed concern about the ability of buses and emergency vehicles getting in and out of the street.

Daisy Russell, 2052 Wickerwood Way, Snellville, expressed concerns about the number of units being proposed and adequate parking.

No one else came forward so Mayor Bender closed public comment.

Council Member Warner made a motion to table until the September 12, 2022 meeting to have time to review the site plan with the 31 General Rules, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

Mayor Bender advised that the public hearing has been held on this application so it will only be on the September 12th agenda for a vote.

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2nd Reading – RZ 22-07 LUP 22-06 – Consideration and Recommendation on applications by Century Communities of Georgia, LLC (applicant) and Hazel L. Lee and Brenda G. Lee (property owners) requesting: a) to amend the 2040 Comprehensive Plan Future Land Use Map from Medium-Density Residential to Low-Density Residential; b) to amend the Official Zoning Map from RS-15 (Single-family Residential) District to RS-5 (Single-family Residential) District for a 98-lot single-family (detached) residential subdivision on a 25.052± acre site having a gross density of 3.91 units per acre, located at 1689 and 1725 Rockdale Circle, Snellville, Georgia (Tax Parcels 5060 008 and 5060 023)

Planning Director Thompson gave an overview of the application. He advised that it's a less intensive zoning and the 2040 Comprehensive Plan is supportive of low density residential uses within that area. Mr. Thompson said there are no requested variances and he read an additional condition from Century Communities into the record; All detention ponds shall be screened from the view of Rockdale Circle with a six (6) foot wooden fence, a staggered row of evergreen trees ten (10) feet apart placed twenty (20) foot on center and a row of deciduous trees placed forty (40) feet apart with additional staggered rows of evergreen shrubs four (4) feet apart between the deciduous trees. He read the remaining conditions into the record as follows:

1. The property shall be developed in accordance with the rezoning site plan entitled "Zoning Plan Rockdale Circle Tract", dated 8-3-2022 (stamped received 8-5-2022) in Exhibit "B", a copy of which is attached hereto and incorporated herein by reference, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the Director of Planning and Development and the City Manager will require Mayor and Council approval.
2. A Home Owner's Association shall be established for the continual maintenance of open space; common areas; stormwater detention areas; and any structures which may be located within any open space/common areas, including but not limited to: landscaping, retaining walls, columns, fencing, entrance signage, etc.
3. The development and single-family lots are to be deed restricted to at least 90% owner-occupied fee-simple single-family ownership while the remaining 10% of the lots may be used as non-owner occupied (rental) units. This condition must be incorporated into the Home Owner's Association documents and recorded prior to the release of any certificates of occupancy.
4. Signs higher than 15 feet or larger than 225 square feet are prohibited.
5. A sidewalk and planter strip shall be constructed in accordance with UDO Table 401-4.2 (Streetscapes required) where the development is adjacent to Rockdale Circle, and at the sole cost and expense of the developer.

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6. All dwelling driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parking of two vehicles.
7. In addition to the twenty-percent (20%) open space requirement of UDO Sec. 401-2-1, at least six-percent (6%) of the site's gross land area must be provided for recreational use in accordance with UDO Sec. 401-2.2.
8. Non-substantial variances, as determined by the Director of Planning and Development and City Manager for the design, development, or zoning requirements of the Snellville Unified Development Ordinance, must be submitted in writing for Administrative Variance approval consideration by the Director of Planning and Development.

And the new condition:

9. All detention ponds shall be screened from the view of Rockdale Circle with a six (6) foot wooden fence, a staggered row of evergreen trees ten (10) feet apart placed twenty (20) foot on center and a row of deciduous trees placed forty (40) feet apart with additional staggered rows of evergreen shrubs four (4) feet apart between the deciduous trees.

Mr. Thompson answered questions of the Mayor and Council.

Attorney Shaun Adams with Parker Poe Adams & Bernstein, 1075 Peachtree Street, Atlanta, was present on behalf of the applicant, Century Communities of Georgia. He spoke about the proposed development. Engineer John Murder with Travis Pruitt & Associates, Norcross spoke about the change in the access point off Rockdale Circle.

Mayor and Council asked questions of Mr. Adams.

Ms. Dakota Carruthers with Century Communities came forward and spoke about the proposed elevations and storm water issue at another development. During the discussion the developer agreed to changes suggested by the Council in the architecture of the proposed elevations and to look at the feasibility of underground detention ponds.

Mayor Bender opened the floor to public comment and the following people came forward:

Gail Bobbit, 2151 Alamo Court, Snellville, spoke in opposition.

Catherine Hardrick -- 2280 Buckley Trail, Snellville, spoke in opposition.

Glen Bush, 1740 Rockdale Circle, Snellville, expressed concern and asked about building less units.

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Pete Dechadenedes, 1930 Meadowchase Circle, Snellville, spoke about the need for sidewalks in the area.

No one else came forward so Mayor Bender closed public comment.

Attorney Adams came forward and clarified concerns.

Council Member Warner made a motion to approve LUP 22-06, 2nd by Council Member Schulz. Council Member Schulz clarified this is a density change and does not affect the rezoning request. The motion was voted 6 in favor and 0 opposed, motion approved. (Reference ORD 2022-16- a copy is attached to and made a part of this record.)

Council Member Warner made a motion to approve RZ 22-07 with 12 conditions, motion died for lack of a second.

Council Member Schulz made a motion to deny RZ 22-07, 2nd by Mayor Pro Tem Emanuel.

Mayor Bender asked Shaun Adams, legal representative for the applicant, if they would like to withdraw and he responded that they would withdraw.

Council Member Schulz made a motion to accept the withdrawal request, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

None

COUNCIL REPORTS

Council Members Destang, Warner, Lenski, Schulz and Mayor Pro Tem Emanuel each gave a report.

MAYOR'S REPORT

Mayor Bender gave a report.

PUBLIC COMMENTS

Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville.
Shahara Ruth, 2683 Newtons Crest Circle, Snellville.
Catherine Hardrick, 2280 Buckley Trail, Snellville.

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EXECUTIVE SESSION

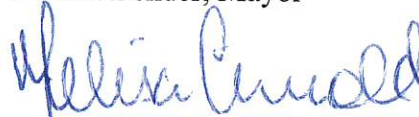
None

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Warner; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 9:36 p.m.

A handwritten signature in blue ink, appearing to read "Barb Bender".

Barbara Bender, Mayor

A handwritten signature in blue ink, appearing to read "Melisa Arnold".

Melisa Arnold, City Clerk

STATE OF GEORGIA
CITY OF SNELLVILLE

ORDINANCE NO. 2022-05

AN ORDINANCE TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR THE 18.04± ACRE TRACT AND 23.61± ACRE TRACT OF LAND LOCATED IN LAND LOT 100 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #LUP 22-01

PROPERTY OWNER
18.04± ACRE TRACT
(R5100 023):

Sinocoin Investment, LLC
3500 Lenox Road NE Ste 1500
Atlanta, Georgia 30326

PROPERTY OWNER
23.61± ACRE TRACT
(R5100 065):

The Kroger Co.
1014 Vine Street
Cincinnati, Ohio 45202

LOCATION:

Intersection of Rosebud Road and
Athens Highway, Loganville, Georgia

APPLICANT/CONTACT:

Jason Thompson, Director
Department of Planning and Development
City of Snellville, Georgia
770-985-3518 or JThompson@snellville.org

DEVELOPMENT/PROJECT:

Undeveloped Land

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend the 2040 Comprehensive Plan Future Land Use Map as it applies to the 18.04± acre tract of undeveloped land located in the 3100 Block Rosebud Road (Tax Parcel R5100 023) and the 23.61± acre tract of undeveloped land located at 1000 Athens Highway (Tax Parcel R5100 065); and

WHEREAS, the subject undeveloped property is located in the Highway 78 East Character Area on the Snellville 2040 Comprehensive Plan Future Development Map; and

WHEREAS, the Highway 78 East Character Area is one of the least developed within the City and the two subject parcels represent almost 42 acres of prime property that will help provide an opportunity to encourage clustered, connected mixed-use development at the eastern node of the Highway 78 East Activity Center/Node while allowing a mixture of land uses, similar to the Towne Center, but at a smaller scale, including retail, civic, office, residential, and recreation in a walkable environment; and

WHEREAS, the MU (Mixed-Use) District was created as a new zoning district with the 2020 adoption of the City's Unified Development Ordinance ("UDO") to help guide development within the activity centers/nodes; and

WHEREAS, the current zoning of each subject parcel is to remain unchanged until such time that a new rezoning application is received and approved by the Mayor and Council; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

**IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE
CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:**

Section 1. The future land use designation of the 18.04± acre tract of land shown on the Gwinnett County GIS Parcel Map printed 1-19-2022 entitled “18.04± Acres in 3100 Block Rosebud Road, Sinocoin Investment LLC, Tax Parcel R5100 023”, described and shown in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, and the future land use designation for the 23.61± acre tract of land shown on the Gwinnett county GIS Parcel Map printed 1-19-2022 entitled “23.61± Acres at 1000 Athens Hwy., The Kroger Co., Tax Parcel R5100 065” described and shown on Exhibit “B”, a copy of which is attached hereto and incorporated herein by reference, is hereby changed from Commercial Retail to Highway 78 East Activity Center/Node.

This change in the future land use, as shown on the future land use plan Exhibit “C”, a copy of which is attached hereto and incorporated herein by reference is to be noted on the City of Snellville 2040 Comprehensive Plan Future Land Use Map, as previously amended and as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The future land use map shall also be amended with an editorial note specifying the date this Snellville Land Use Plan Amendment was approved by the Mayor and Council and specifying the parcel(s) affected by this Ordinance. Until the change is indicated on the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council, this Ordinance shall govern over the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council to the extent of any discrepancy between this

Ordinance and the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council.

Section 2. All prior conditions of zoning that are attached to Parcel R5101 023 and/or Parcel R5101 065 remain in full-force and effect.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases,

clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. Penalties in effect for violations of the Zoning Ordinance of the City of Snellville at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

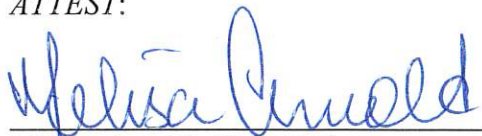
Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. This Ordinance was adopted on March _____, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.


[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

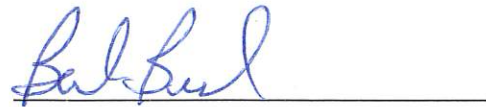
ORDAINED this 22 day of ~~March~~, 2022.
August

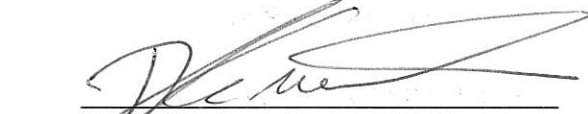
ATTEST:


Melisa Arnold, City Clerk

APPROVED AS TO FORM:

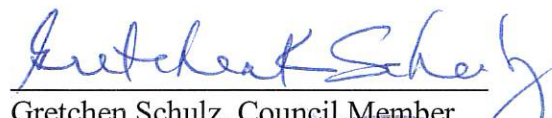

W. Charles Ross, City Attorney
Powell & Edwards, P.C.


Barbara Bender, Mayor


Dave Emanuel, Mayor Pro Tem


Solange Destang, Council Member


Cristy Lenski, Council Member


Gretchen Schulz, Council Member



Tod Warner, Council Member

EXHIBIT "A"

18.04 +/- ACRES IN 3100 BLK
ROSEBUD ROAD - SINOCOIN
INVESTMENT LLC
TAX PARCEL R5100 023

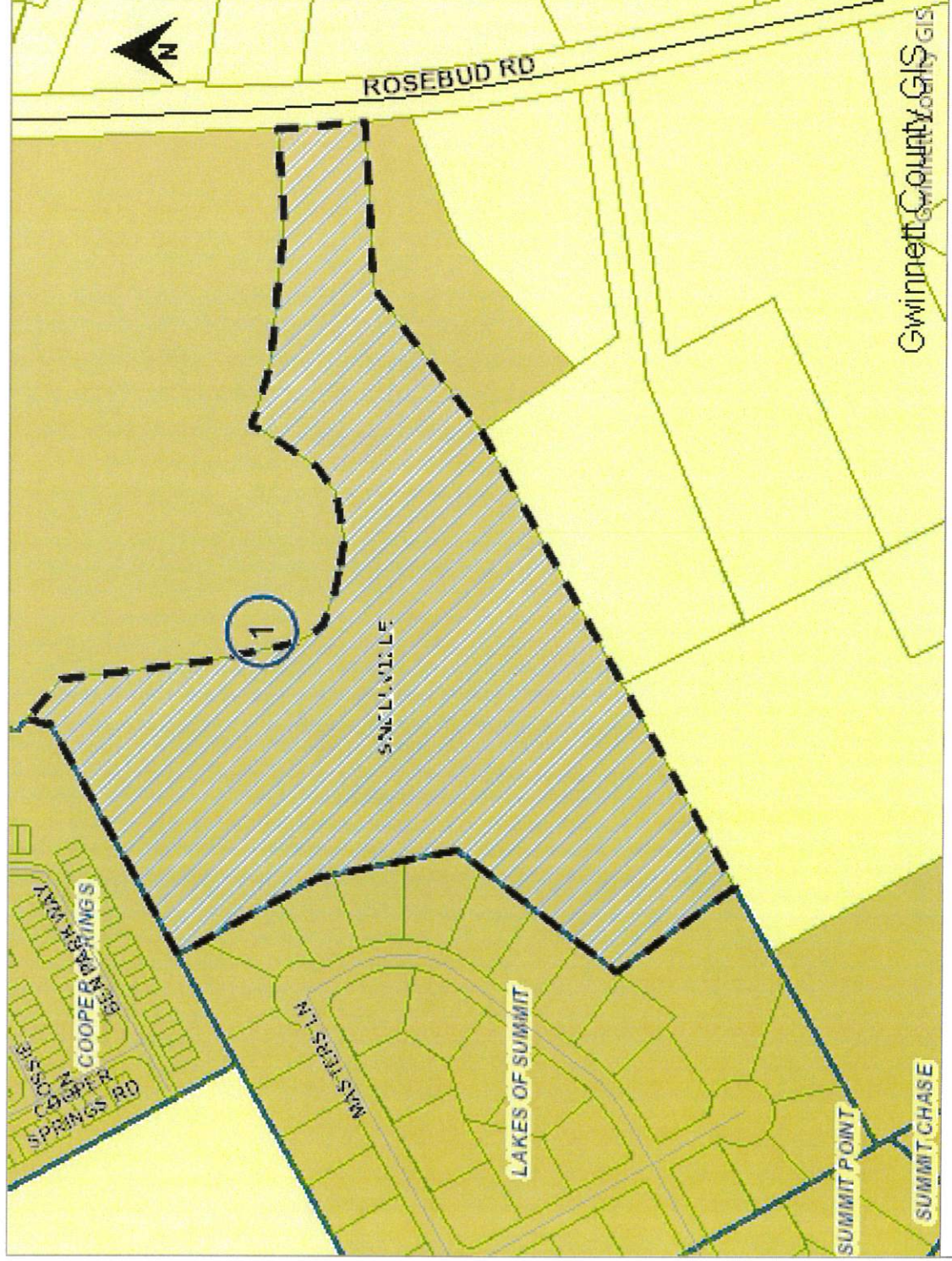
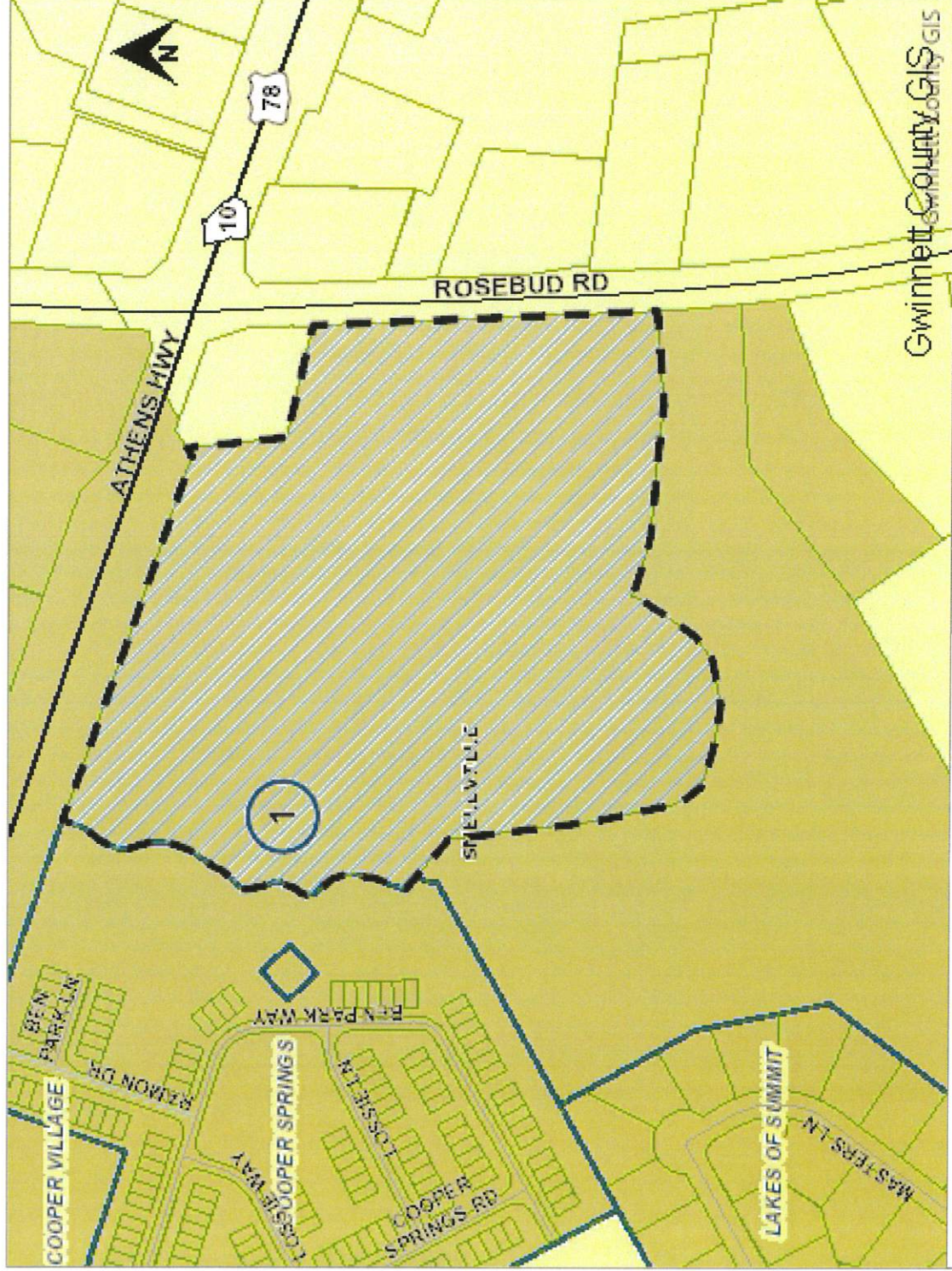


EXHIBIT "B"

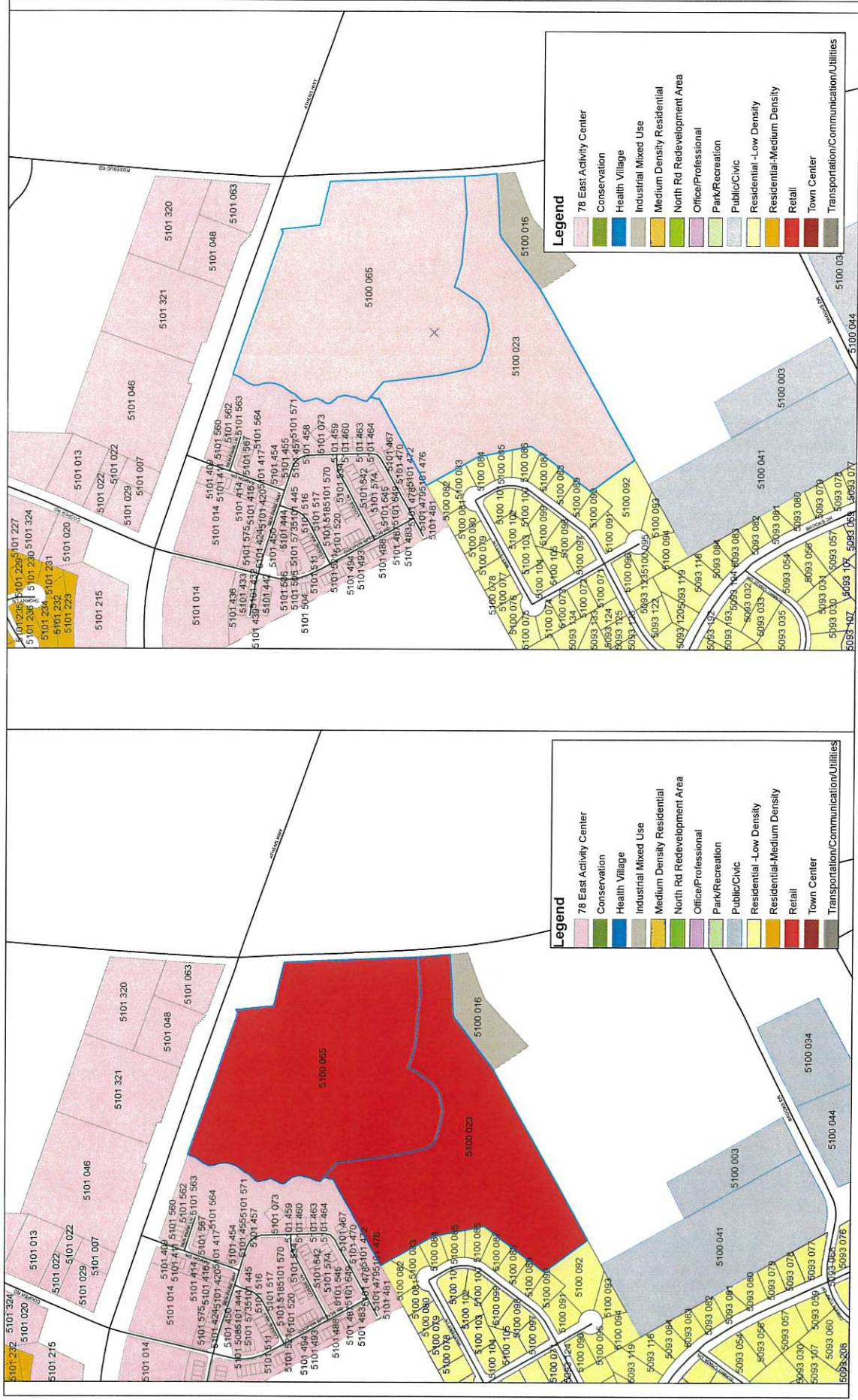
23.61 +/- ACRES AT 1000 ATHENS
HWY - THE KROGER CO
TAX PARCEL R5100 065



Map Printed On 2022-01-19 09:14

EXHIBIT “C”

LUP 22-01
Commercial Retail to Highway 78 East Activity Center



STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2022-16

AN ORDINANCE TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 25.052± ACRE TRACT OF LAND LOCATED IN LAND LOT 60 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA; 1689 AND 1725 ROCKDALE CIRCLE, SNELLVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#LUP 22-06
PROPERTY OWNERS:	Ms. Brenda Glasgow Lee and Mrs. Hazel L. Lee Snellville, Georgia 30078
LOCATION:	1689 and 1725 Rockdale Circle, Snellville, Georgia 30078
TAX PARCELS:	R5060 023 and R5060 008
APPLICANT/CONTACT:	Century Communities of Georgia, LLC Norcross, Georgia 30071 Attn: Dakota Carruthers 470-880-5874 Dakota.Carruthers@centurycommunities.com
DEVELOPMENT/PROJECT:	90-Lot Single-Family (Detached) Residential Subdivision

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend the 2040 Comprehensive Plan Future Land Use Map as it applies to the 25.052± acre tract of land located at 1689 Rockdale Circle (Tax Parcel 5060 023) and 1725

Rockdale Circle (Tax Parcel 5060 008), Snellville, Georgia for a 90-lot single-family (detached) residential subdivision; and,

WHEREAS, the subject property is located in the north central portion of the Skyland Character Area of the Snellville 2040 Comprehensive Plan Future Development Map; and,

WHEREAS, the Low-Density Residential future land use category is an *Appropriate* future land use category for the RS-5 (Single-family Residential) zoning district; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. The future land use designation of the 25.052± acre tract of land described and shown on the boundary survey “Century Communities of Georgia, LLC”, sealed and dated 4-1-2022 (stamped received 5-17-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from Medium-Density Residential to Low-Density Residential.

This change in the future land use is to be noted on the City of Snellville 2040 Comprehensive Plan Future Land Use Map, as previously amended and as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The future land use map shall also be amended with an editorial note specifying the date this Snellville Land Use Plan Amendment was approved by the Mayor and Council and specifying the parcel(s) affected by this Ordinance. Until the change is indicated on

the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council, this Ordinance shall govern over the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not

render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. Penalties in effect for violations of the Unified Development Ordinance of the City of Snellville at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

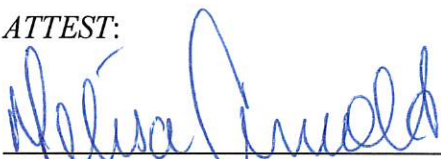
Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. This Ordinance was adopted on August 22, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.


[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

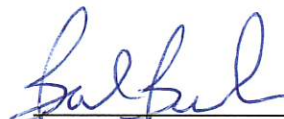
ORDAINED this 22 day of August, 2022.


ATTEST:


Melisa Arnold, City Clerk

APPROVED AS TO FORM:



W. Charles Ross, City Attorney
Powell & Edwards, P.C.


Barbara Bender, Mayor


Dave Emanuel, Mayor Pro Tem


Solange Destang, Council Member


Cristy Lenski, Council Member


Gretchen Schulz, Council Member


Tod Warner, Council Member

EXHIBIT "A"