Chapter 200. Zoning and Land Use

Article 5. Special and Overlay Districts

Sec. 205-1. Towne Center Overlay

205-1.1. Purpose

The intent and purpose of this overlay and the TC Districts is to enable and support the implementation of the following policies:

A. That the Towne Center is the focal point for the City of Snellville as established in the City's Livable Centers Initiative Town Center Plan, The Towne Center @ Snellville master plan, and the Comprehensive Plan.

B. That growth in the Towne Center will occur through the redevelopment of existing commercial properties and that this requires different regulations from development on vacant land.

C. That the Towne Center should support economic growth and vitality in the City of Snellville.

D. That the Towne Center should have a distinct physical design and sense of place.

E. That the design of buildings, landscaping, streets, and public spaces should be coordinated in order to contribute to the Towne Center's sense of place.

F. That the Towne Center should serve people of all ages and allow residents to remain in the community as they age.

G. That interconnected networks of streets should be designed to disperse traffic, reduce the length and number of car trips, and create a pedestrian-friendly area where alternatives to driving are viable transportation options.

H. That high-quality and aesthetically compatible housing should be provided to accommodate different needs in the community.

I. That the quality-of-life in existing nearby neighborhoods should be preserved and protected.

J. That a range of useable civic spaces including parks, squares, playgrounds, and preserved environmentally sensitive areas, should be distributed throughout the Towne Center.

K. That the harmonious and orderly redevelopment of the Towne Center should be secured through these regulations.

205-1.2. Applicability

A. Towne Center Districts

This section applies to all TC Districts (TC-MU and TC-R).

B. Other Districts

This section applies to all other zoning districts within the Towne Center Overlay.

C. Relationship to Underlying Zoning

When this overlay's requirements differ from those of the underlying zoning district or elsewhere in this UDO, the requirements of this overlay will apply.

205-1.3. Administrative Variances

A. The Director is authorized to grant administrative variances to the requirements of the Towne Center Overlay and any TC Districts within it.

B. Administrative variances may only be granted to permit a practice that is not consistent with a specific provision of these regulations but is justified by their purpose.

C. Administrative variances may not be used to:

1. Increase the permitted site density;
2. Increase the maximum permitted number of stories in a building; or
3. Permit a use that is not allowed.

D. Administrative variances relating to a physical element or numeric measurements must be based upon credible submitted evidence demonstrating that:

1. Approval, if granted, would not offend the purposes as indicated in Sec. 201-1.1 (Purpose) and in the TC District, when applicable.
2. There are such extraordinary and exceptional situations or conditions pertaining to the particular piece of property that the literal or strict application of the regulations would create an unnecessary hardship due to size, shape, topography, or other extraordinary and exceptional situations or conditions not caused by the applicant;
3. Relief, if granted would not cause a substantial detriment to the public good and surrounding properties; and
4. That the public safety, health, and welfare are secured, and that substantial justice is done.

205-1.4. Use Provisions

A. Allowed Use

See Sec. 206-2 (Allowed Use Table) for allowed uses, except as otherwise required by paragraph B below.

B. Exception

On all sites, except those zoned TC-R or TC-MU, all commercial sales and service must be conducted within enclosed permanent structures and there may be no unenclosed displays of merchandise except for outdoor dining or temporary Towne Center Outdoor Sales.

205-1.5. Building Standards

A. Architectural Standards

See. Sec. 201-4(Enhanced Architectural Standards).

B. Building Types

Building type requirements apply in this overlay and the following types are allowed, except in a TC Districts, where the building type standards of the TC District apply:

1. Detached house
2. Cottage court
3. Semi-detached house
4. Townhouse
5. Cottage court
6. Walk-up flat
7. Stacked flat
8. Commercial house
9. Shopfront
10. Mixed-use building
11. General building
12. Civic building

C. Building Size

No building with a single use, tenant, or occupant may exceed ~~45,000~~ 10,000 square feet without first obtaining a special use permit from the City Council and in accordance with Sec. 103-10.

205-1.6. Space limits

A. Applicability

This subsection applies to all sites, except sites zoned a TC District.

Comment [JD1]: The space limit standards DO NOT apply to sites zoned TC-MU or TC-R

B. Space Limit Standards

The following standards apply:

1. Lot area: 1,600 sf. min.
2. Lot width: 32 ft. min.
3. Minimum building height: ~~Two floors~~ For properties with any portion within one-half (½) mile radius from the intersection of Oak Road and Clower Street, 2 stories or 24 feet, whichever is greater.
4. Maximum building height: Five floors or 80 feet, whichever is less.
5. Minimum front yard, street (side) yard: Zero ft.
6. Maximum front yard: 10 ft.
7. Maximum side (street) yard: No maximum.
8. Minimum rear yard: 15 ft., but 30 ft. if abutting a residential district not within the overlay.
9. Minimum side (interior) yard: Zero ft., but 40 ft. if abutting a residential district not within the overlay.
10. Lot coverage: 100% max.

Comment [JD2]: Change to match language in Sec. 204-1.8. Bulk and Mass of the TC-MU District, as follows:

Min. Height: 2 stories or 24 feet, whichever is greater.

Building Height definition: The vertical distance measured from the mean finished ground level at the front of the building to the highest point of the roof or the parapet.

Front yards may exceed maximum distances listed above upon request of GDOT or the Gwinnett County DOT and with approval of the Director.

C. Front and Side (Street) Yards Elevations

Front and side (street) yards may not be higher than 24 inches above the adjacent public sidewalk for a minimum distance of 15 feet from the nearest edge said sidewalk, unless existing topographical considerations render this requirement unreasonable

205-1.7. Blocks

See Sec. 401-3.2 for block standards.

205-1.8. Driveways

A. Applicability

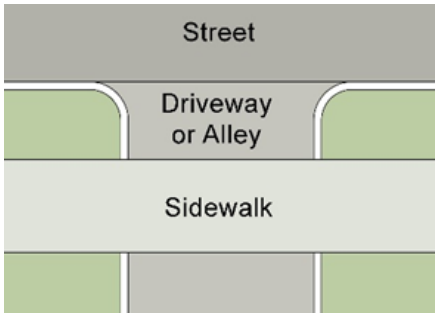
This subsection applies to driveways, including those serving as alleys, but not to required new streets.

B. Number

The maximum number of driveways allowed on a site may not exceed an amount equal to one driveway for every 300 feet of total street frontage or fraction thereof.

C. Sidewalks and Driveways

All sidewalk materials must continue across driveways.



205-1.9. Design of Parking Structures

A. Applicability

This subsection applies to all parking structures as either principal or accessory uses.

B. General Requirements

1. Internal lighting fixtures may not be visible from a public or private street (not including an alley).
2. Parking structure facades must be designed so cars and ramps are not visible from ground level view from an adjacent lot or adjacent public or private street (not including an alley).

3. Parking structure facades must have the appearance of a horizontal storied building when adjacent to or visible from a public or private street (not including an alley).

C. Storefront Street Requirements

When a parking structure abuts a storefront street, it must conform to one or more of the following along such street (except at pedestrian or vehicle access points):

1. **Active Uses.** The ground floor must provide conditioned interior space for active uses (such as, but not limited to, residential, commercial, office, or civic uses) along said street. The space must have a minimum depth of 20 feet and must provide a minimum of 65% fenestration.
2. **Display Cases and Landscaping**. The ground floor must provide display cases with a minimum depth of 5 feet and a minimum 65% fenestration. A minimum 10 feet wide landscape strip must also be provided between the sidewalk and the parking structure. The landscape strip must be planted in accordance with Sec. 207-3.2.G and Sec. 207-3.2.H of the Landscape Ordinance.
3. **Outdoor Vending and Landscaping**. An outdoor vending or market area with a minimum depth of 10 feet must be provided between the sidewalk and the parking structure.
4. **Landscaping**. When the existing average grade, before construction of a parking structure, is more than 5 feet above or below the average grade of the adjacent required sidewalk (measured at a line 5 feet from the back of the required sidewalk), a minimum 15 feet wide landscape strip must be provided between the sidewalk and the parking structure. The landscape strip must be planted in accordance with Sec. 207-3.2.G and Sec. 207-3.2.H of the Landscape Ordinance.

D. Non-Storefront Street Requirements

When a parking structure abuts a street that is not a storefront street, it must conform to one of the following along such street (except at pedestrian or vehicle access points):

1. **Storefront Street Requirements**. Conformance with paragraph C above, or
2. **Landscaping**. A minimum 10 feet wide landscape strip must be provided between the sidewalk and the parking structure. The landscape strip must be planted in accordance with Sec. 207-3.2.G and Sec. 207-3.2.H of the Landscape Ordinance.

205-1.10. Inter-parcel Access

See Sec. 401-3.4.H (Inter-parcel Access).

205-1.11. Vehicle Access and Parking Locations

A. Off-street parking for the following building types must be accessed from alleys:

1. Townhouses on lots of any width; and
2. Other building types on lots less than 50 feet in width.

B. Permitted parking locations are determined by the building type standards of Sec. 201-2 (Building Types). When multiple buildings exist on a site, the standards apply to each building independently. When a building is located on the interior of a block and does not abut a public or private street and is screened from view by an intervening conforming building, the Director may grant an administrative variance to the parking location restrictions.

C. No off-street parking lot fronting a required storefront street sidewalk may exceed 120 feet in width (measured at the back of the required sidewalk) without an intervening building. The required intervening building must have a minimum width of and depth of 30 feet.

205-1.12. Fences and Walls

A. Applicability of Citywide Wall and Fence Standards

1. Fences/walls must conform to Sec. 207-2.3 Fences and Walls), except as specifically provided by this subsection.
2. As used in Sec. 207.2.3 (fences and Walls), "residential district" means "residential use" when applied to this overlay and "nonresidential district" means "nonresidential use" when applied to this overlay.

B. Retaining Walls

Retaining walls must be made of finished poured concrete and must be faced with stone, brick or smooth true hard coat stucco.

C. Commercial Uses

Commercial uses must conform to the following additional requirements:

1. No fixed fences/walls or retaining walls are allowed in front or side (street) yards unless an administrative variance is granted for topographic hardship, except for those surrounding authorized outdoor storage, or screening required by Sec. 207-2.2 (Screening).
2. Movable fences/walls up to a maximum height 30 inches are allowed in front or side (street) yards surrounding outdoor dining, but may not occupy the required sidewalk.

205-1.13. Landscaping and Screening

A. Applicability

1. **New Construction.** New building or site improvements must comply with the following landscaping and screening requirements.
2. **Maintenance and Repair.** Existing buildings or sites may be renovated or repaired without providing additional landscaping or screening when all of the following conditions are met:
    a. There is no increase in floor area;
    b. There is no increase in the improved site area; and
    c. The activity is not considered a substantial building permit.
3. **Additions**
    a. An existing building, use, or site may be increased in floor area or improved site area cumulatively by less than 25% without providing additional landscaping or screening, provided said activity is not considered a substantial building permit.
    b. When an existing building, use, or site is increased in floor area or improved site area by 25% or more than cumulatively, both the existing building, use, or site and the additional floor or site area must conform to the landscaping and screening requirements of this Section.

4. **Change of Use.** A change in use does not trigger the application of these requirements, except when there is a specific use standard requiring landscaping or screening for the new use.

5. **Conformance with the Landscape Ordinance.** Except when specifically stated to the contrary in this Section, all landscaping must conform to the Landscape Ordinance.

B. Yard Landscaping

1. Yards between a parking lot and a street must comply with paragraph C below and the applicable provisions of the Landscape Ordinance.

1. Yards between a building and a street must comply with Sec. 207-3.2 (Landscape Strips) except areas used for:

   a. Front porches and stoops;

   b. Outdoor dining or display;

   c. Pedestrian walkways used to access a street-facing pedestrian entrance; and

   d. Amenity space or civic space.

C. Parking Lot Landscape Strips

1. **Applicability.** Surface parking areas (of any size) abutting a public or private street (not including an alley) must be screened using one of the following options. All options must include wheel stops to prevent vehicles from overhanging the landscaped area.

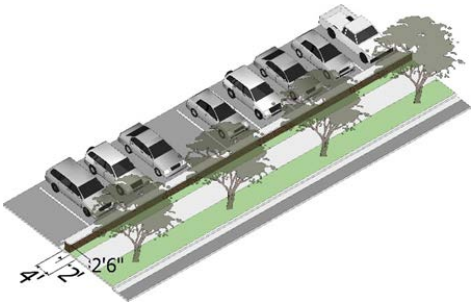
2. **Landscape Strip with Shrubs.** A minimum 8 feet wide landscape strip planted with a minimum of 10 shrubs per 35 linear feet of street frontage, excluding driveway openings. Shrubs must be provided to screen paved areas and parking lots from the street. Shrubs must be 2 feet tall at the time of planting. They must be planted two rows deep and must provide a screen within 3 years of planting.

3. **Landscape Strip with Wall.**

   a. A 2.5 feet high wall in a minimum 4-foot landscape strip.

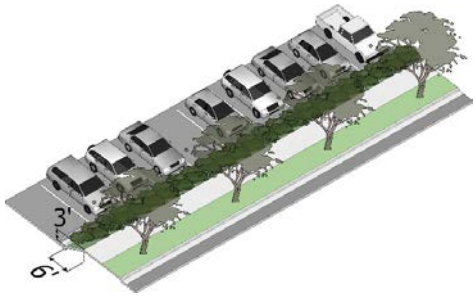
   b. Walls must be close to the parking lot in order to provide a minimum 2-foot landscaped strip facing the street.

   c. Walls must be opaque and constructed of one or a combination of the following: decorative blocks; brick; stone; cast-stone; split-faced block; or true hard coat stucco over standard concrete masonry blocks.



4. **Landscape Strip with Grade Change**. A 6-foot landscaped strip with a minimum 3-foot grade drop from the street to the parking lot.

5. **Location.** A required landscape strip must be located at the outer perimeter of the parking lot and must be provided along the entire parking lot abutting the street, excluding breaks for pedestrians, bicycles, and driveways.



6. **Plant Material.** Plantings must conform to Sec. 207-3.2.G of the Landscape Ordinance.

205-1.14. Storefront Street Requirements

A. The following additional requirements apply to the portions of lots abutting storefront streets (see Sec. 102-2. Defined Terms of Article 2. Definitions for a list of 'storefront streets'..

B. Except as provided in paragraph C below, curb cuts and driveways are not be permitted along any storefront street when vehicular access may be provided from an alternative street located immediately adjacent to a contiguous property.

C. Two curb cuts are permitted along a storefront street for motel/hotel/extended stay hotel patron access.

D. Buildings abutting a storefront street are limited to:

1. Mixed-use Buildings where a minimum of eighty-percent (80%) of the ground level/first floor building area is devoted to retail, restaurant, and/or entertainment uses open to the general public, or ground floor dwelling units except when such units are not along a street-facing façade.

2. Shopfronts.

~~D.~~3. _____ Additional building types may be provided to the rear of a conforming mixed-use building or shopfront.

205-1.15. Miscellaneous Provisions

A. 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 subsections 6-5(a) through (e) of the City of Snellville Alcoholic Beverage Ordinance (Ordinance No. 2004-04, adopted Jan. 10, 2005) do not apply in this overlay.

Comment [JD3]: Storefront Street. A public or private street intended for a higher standard of design and walkability. Storefront streets include Oak Road, Wisteria Drive, Clower Street, and other streets specifically designated through a condition of rezoning.

Comment [JD4]: Also, we need to amend the Storefront street definition to only include the portion of Oak Road that is within the TCO District only.

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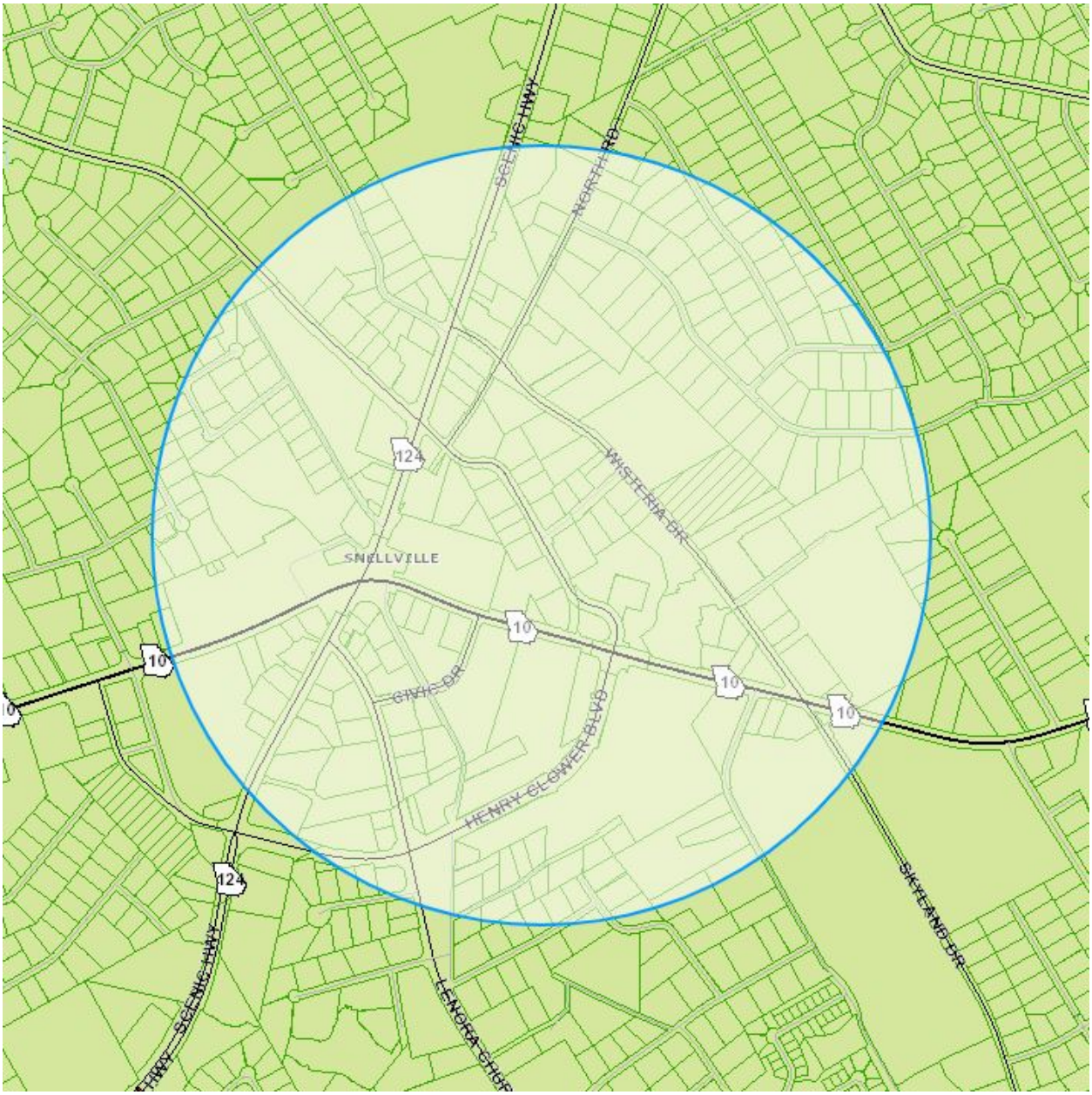
Parcels Within ½ Mile Radius of Intersection of Oak Road and Clower Street, Snellville