

**Sec. 101-2. Zoning Districts Established**

**101-2.1. UDO Zoning Districts**

In order to carry out the purposes of this UDO, the City is divided into the following zoning districts as established on the Official Zoning Map in Sec. 101-3.

<b>Residential Districts</b>		Formerly
RS-30	Single-Family Residential	RS-180
RS-15	Single-Family Residential	RS-150
RS-5	Single-Family Residential	<i>New</i>
R-DU	Duplex Residential	RG-75
R-TH	Townhouse Residential	R-TH
RM	Multifamily Residential	RM
RX	Mixed Residential	<i>New</i>
RO	Residential for Older Persons	R-HOP 55, R-HOP 62
PRC	Planned Residential Conservation [1]	PRC
<b>Residential Districts (Build-to-Rent)</b>		
RS-30-BTR	Single-Family Residential Build-to-Rent	<i>New</i>
RS-15-BTR	Single-Family Residential Build-to-Rent	<i>New</i>
RS-5-BTR	Single-Family Residential Build-to-Rent	<i>New</i>
R-DU-BTR	Duplex Residential Build-to-Rent	<i>New</i>
R-TH-BTR	Townhouse Residential Build-to-Rent	<i>New</i>
RO-BTR	Residential for Older Persons Build-to-Rent	<i>New</i>
<b>Mixed-Use and Business Districts</b>		
OP	Office Professional	OP
BG	Business General	BN, BG
HSB	Highway Service Business	HSB
MU	Mixed-Use	<i>New</i>
NR	North Road	<i>New</i>
LM	Light Manufacturing:	LM
<b>Towne Center Districts (TC-Districts)</b>		
TC-MU	Towne Center Mixed-Use	TC-MU
TC-R	Towne Center Residential	TC-R
<b>Special and Overlay Districts</b>		
TCO	Towne Center Overlay	TC
CI	Civic-Institutional District	CI
FH	Flood Hazard	FH

Table Note:

[1] INACTIVE 5-23-2005 - No additional land may be zoned to the PRC district.

**101-2.2. Transition from Former Districts**

Upon adoption of this UDO, land which is presently zoned within an existing zoning classification which has changed names as set forth above will be reclassified to the applicable new zoning classifications. The boundaries for renamed zoning districts and the conditions of each zoning district will remain the same unless amended in the future in accordance Sec. 103-9 (Amendments).

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**C**

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**Cabana.** A shaded structure used for temporary shelter, comfort and privacy of occupants located in close proximity to a swimming pool.

**Caliper.** An American Association of Nurseryman standard for trunk measurement of nursery stock. Caliper is the diameter (in inches) of new tree trunk. For non-fruit trees, the caliper of the trunk shall be taken 6 inches above the ground for up to and including 4-inch caliper size, and 12 inches above the ground for larger sizes.

**Canopy.** A roof-like cover with rigid frame and column supports, that projects from the wall of a building over a door, entrance, or window; or a free-standing or projecting cover above and outdoor service area, such as a gasoline service station. A marquee is not a canopy.

**Canopy tree.** A tree that, under normal forest conditions, will compose the top layer or canopy of vegetation and generally will reach a mature height of greater than 40 feet.

**Carport.** A structure, open on at least two sides, consisting of a roof and either walls or columns for the purpose of housing vehicles. The structure shall be considered a roofed accessory structure when detached from the principal building and as a part of the principal building when attached to the principal building along one or more sides of the carport or principal building.

**Cellar.** See "basement."

**Certificate of development conformance.** Final approval issued by the Department for completion of land development activities for a subdivision or project for which a development permit was issued.

**Certificate of occupancy.** Final approval by the City of Snellville for the use or occupancy of a structure for which a building permit was issued.

**Certified arborist.** An individual who has been certified as an arborist by the International Society of Arboriculture and maintains said certification in good standing.

**Certified personnel.** For the purposes of Sec. 402.2 (Soil Erosion and Sedimentation Control), a person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.

**Channel.** A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

**City Arborist.** The Director or a certified arborist as assigned by the Director and charged with the duties of City Arborist.

**City Council.** The Mayor and City Council of the City of Snellville, Georgia.

**City.** The City of Snellville and its departments, employees, and agents with duties and responsibilities for administering and enforcing this UDO.

**Clean Water Act.** The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

**Clearing (major) permit.** An official authorization issued by the department of planning and development permitting clearing (major) activities (only) of a site.

projections, and without consideration of projected future construction of stormwater management (flood detention) structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

**Future Land Use Map.** A policy document adopted by the City Council, the purpose of, which is to provide a guide for the location, type and intensity of future land uses within the corporate limits of the City of Snellville.

## G

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**Garage, detached.** A roofed structure with three walls for vehicle parking and storage that is completely separate from the principal structure.

**Garbage.** Solid wastes from the preparation, cooking, and disposing of food and from the handling, storage, and sale of produce.

**Gatehouse.** A roofed accessory structure located at the entrance to a development or lot.

**Governing authority.** The Mayor and Council of the City of Snellville, Georgia.

**Governmental facilities and structures.** Facilities or structures owned or substantially controlled by the Government and the services of any civilian and military personnel of the Government.

**Grade, Average.** A reference plane representing the average of finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line, or where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

**Grading.** Altering the shape of ground surfaces to a predetermined condition. This includes stripping, cutting, filling, stockpiling and shaping, or any combination thereof, and includes the land in its cut or filled condition.

**Grading permit.** An official authorization issued by the Department permitting grading of a site, which may include clearing and grubbing, and may include installation of attendant stormwater drainage facilities.

**Grading plan.** A plan showing existing and proposed contour lines at an interval of no more than 2 feet and shall outline the areas, including dimensions, that are required to remain undisturbed (i.e. tree protection areas, buffer, etc.) and shall indicate protective fencing or staking to be placed surrounding such areas. Grading for roads and improved ditches shall be shown as well as all stormwater detention facilities.

**Greenway.** A linear open space primarily consisting of undisturbed natural areas, creeks and streams, and walking, bicycling, or multi-use trails.

**Greenspace.** Open space.

**Greenway trail.** A type of open space that meets the applicable standards of such use provided in Title 3, Chapters 360 and 900 of the Gwinnett County Unified Development Ordinance and is designed in general conformity with Gwinnett County Open Space and Greenway Master Plan.

**Ground elevation.** The original elevation of the ground surface before cutting or filling.

companionship or pleasure rather than for utility or commercial purposes. This term specifically excludes livestock and wild animals.

**Phase or phased.** Subparts or segments of construction projects where the subpart or segment is constructed and stabilized before completing construction activities on the entire construction site.

**Planned commercial/office/industrial development.** A contiguous area or subdivision of land planned and maintained as a single entity and containing one or more structures to accommodate retail, service, commercial, office or industrial uses, or a combination of such uses, and appurtenant common areas and accessory uses incidental to the predominant uses (i.e., office park, shopping center, industrial park).

**Planning and Development.** See “Planning and Development Department.”

**Planning and Development Department.** The Planning and Development Department of the City of Snellville.

**Planning Commission.** The City of Snellville Planning Commission.

**Planter.** A zone adjacent to the curb intended for planting street trees and the placement of street furniture including light poles, litter receptacles, utilities, traffic signs, newspaper vending, bike racks, bus shelters, and similar items in a manner that does not obstruct pedestrian access or motorist visibility and as approved by the City.

**Plat.** A map indicating the subdivision, resubdivision, or recombination of land.

**Pollutant.** Anything that causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; process wastewater and wash water; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

**Pollution.** The contamination or other alteration of any water’s chemical, physical, or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

**Pool house.** Is a detached roofed accessory structure, that is not an accessory dwelling unit, located near a swimming pool designed to complement outdoor living by providing functional amenities such as changing rooms, bathrooms, lounging areas, and storage.

**Post-development.** To the time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.

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**Sanitary sewer.** A sewer which carries sewage and to which stormwaters, surface waters, and groundwaters are not intentionally admitted.

**Screening.** A method of shielding or obscuring one abutting or nearby structure or use from another by opaque fencing, walls, berms, densely planted vegetation, or the like.

**Sediment.** Solid material, both organic and inorganic, that is in suspension, is being transported or has been moved from its site of origin by wind, water, ice or gravity, as a product of erosion.

**Sedimentation.** The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

### **Setback**

A. See "yard."

B. With respect to a stream, the area established by Sec. 403-1 (Stream Buffer Protection) extending beyond any buffer applicable to the stream.

**Setback, site.** Minimum required distance between nearest point of principal and/or accessory building and an external property line. Structures such as driveways, streets, sidewalks, stormwater management facilities, and other non-buildings may be located within the site setback.

**Sewage.** A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

**Sewer.** A pipe or conduit for carrying sewage.

**Sewer system.** All public sanitary sewer facilities for wastewater collection and treatment and other support facilities required for system operation.

**Shopping center:** A group of commercial uses (which may include craft manufacturing) with a site and building composition that is an architectural unit and is not a miscellaneous assemblage of stores; planned, developed, owned and managed as a unit related in location, size, and type of shops to the trade area that the unit serves, and providing on-site parking in definite relationship to the types and sizes of stores services (laundry, dry cleaning, barbering, shoe repair, etc.) for the day-to-day living needs of the immediate neighborhood, and is usually built around a supermarket which is the principal tenant.

**Shrub.** A woody plant that is never tree-like in growth habit and produces branches or shoots from or near the base.

**Sign.** Any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event, or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, movement, or illumination.

**Single-family detached residential district.** A zoning district beginning with "RS."

sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps, etc. Such measures can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.

**Structural stormwater control.** A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.

**Structure.** Anything constructed or erected, the use of which requires a location on, above, or below the surface of land or water, or attached to something with a location on, above, or below the surface of land or water.

**Structure, prefabricated.** A building or component manufactured off-site in a factory-controlled setting, then transported and assembled on-site. Unlike traditional construction, these structures are built in sections (modules, panels or kits) and assembled on-site.

**Stub-out Street.** A street, usually relatively short in length, which terminates at the boundary of a site and is ultimately intended to connect to a street on the abutting site when said abutting site is developed.

**Stucco, true hard coat.** A material usually made of Portland cement, sand, and a small percentage of lime, and applied in a plastic state to form a hard covering for exterior walls. The term specifically excludes EIFS.

**Subdivider.** Any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit dividing or proposing to divide land so as to constitute a subdivision as herein defined, including an agent of the subdivider.

**Subdivision.** Any division or re-division of a lot, regardless of its existing or future use, into two or more lots.

A. The term, "subdivision" means the act or process of dividing property. Lots that do not abut or are not directly across a public street from other subdivided lots will be considered a separate distinct subdivision with a separate name.

B. Where appropriate to the context, the term "subdivision" also may be used in reference to the aggregate of all lots held in common ownership at the time of division.

**Substantial building permit.** A non-residential building permit issued by the City of Snellville with a total value in excess of the Gwinnett County Tax Assessor's 100% assessed value of the existing improvements only. The aggregate value of all building permits issued to the property over the previous 12 months shall be included in this calculation.

**Subdivision entrance.** A public street, or publicly approved private street, that provides access to subdivided lots.

**Substantial damage.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. This definition also includes Repetitive Loss.

**Substantially improved existing manufactured home parks or subdivisions.** Such use where the repair, reconstruction, rehabilitation, or improvement of the streets, utilities and pads equals or exceeds

## Sec. 103-3. Land Disturbance Permits

### 103-3.1. General

#### A. Permit Required, Exemptions

No disturbance of the land, including clearing, grubbing, or grading activities, may begin or continue except in accordance with this UDO, unless the activity is for the construction of an individual single-family detached or duplex residence on a buildable lot of record and after receiving an approved building permit.

#### B. Plan Review and Approval

Any developer must first submit to the Department any plans, plats, or construction drawings required by this UDO and must have been granted a permit consistent with this UDO and approved by the Department before starting development activities. Approval of plans by City officials or employees will not imply nor transfer acceptance of responsibility for the application of the principles of engineering, architecture, landscape architecture, or any other profession, from the professional corporation or individual under whose hand or supervision the plans were prepared and sealed. Sec. 103-6 (Plans and Plats) details the elements of the required plans.

#### C. Interdepartmental Review and Approval

The Department may not issue a permit for any development activities until the plans, plats, or construction drawings, as applicable, have been approved by such other departments or agencies as may have authority or jurisdiction over said activities in whole or in part.

#### D. Activities Limited to permit Authorization

Development activities are limited to those as authorized by the applicable permit and as may be further restricted by conditions of approval pertaining thereto attached by the Department or other department or agency as may have authority or jurisdiction over said activities in whole or in part.

#### E. Developer's Responsibility for Compliance.

No permit may be interpreted to relieve any developer or subdivider of the responsibility of maintaining full compliance with all codes, ordinances, and other regulations of the City, except as amended by an approved waiver, variance, or other relief granted through applicable formal appeal procedures for a specific property or application. Any permit issued in error or in contradiction to the provisions of an adopted code, ordinance, or regulation of the City will be considered to have been null and void upon its issuance.

#### F. Development Maintenance Compliance.

Once substantial development activities have stopped for a period of at least 90 days, the developer/owner must bring the entire property to a state of permanent soil stabilization. Once permanent soil stabilization has been achieved, the developer/owner must perform routine property maintenance and keeping the site free of grass, weeds, or uncultivated vegetation over 12 inches high. The Director has the authority to determine when substantial development activities have stopped.

