

**SNELLVILLE UNIFIED DEVELOPMENT ORDINANCE**

**DRAFT AMENDMENT #9 (V1) 3-31-2026**

**CHAPTER 200  
ZONING AND LAND USE**

**NO MARKUP**

## Article 1. Rules for All Zoning Districts

### Sec. 201-1. Measurements and Exceptions

#### 201-1.1. Sites

##### A. Defined

A site is any lot or group of contiguous lots owned or controlled by the same person or entity, assembled for the purpose of a single development.

##### B. Site Area

Site area is the cumulative area of all contiguous lots that the site is composed of. It excludes existing public rights-of-way but does include planned public or private rights-of-way that will be created in the development.

##### C. Site Frontage

All sites must have at least 25 feet of frontage upon a public street or private street built to public standards.

##### D. Interpretation of Zoning District Boundaries

Where uncertainty exists with respect to the location of the boundaries of any Zoning District in the City of Snellville, Georgia, the following rules shall apply.

1. Where a Zoning District boundary line is shown as approximately following a corporate limits line, a land lot line, a lot line or the centerline of a street, a county road, or a state highway or such lines extended, then such lines shall be construed to be the Zoning District boundary lines.
2. Where a Zoning District boundary line is shown as being set back from a street, a county road, a state highway, and approximately parallel thereto, then such Zoning District boundary line shall be construed as being at the scaled distance from the centerline of the street, county road, or state highway, and as being parallel thereto.
3. Where a Zoning District boundary line divides a lot, the location of the line shall be the scaled distance from the lot lines. In this situation, the requirements of the Zoning District in which the greater portion of the lot lies shall apply to the balance of the lot, unless otherwise determined by conditions of zoning.
4. Whenever any street, alley or other public way is vacated or abandoned by official action of the City, the zoning district adjoining each side of the street, alley or public way will be automatically extended to the center of the street, alley or public way.
5. Where a boundary line is shown and its location is not fixed by any of the rules of this subsection, its precise location is determined by scaling from fixtures, objects, or other structures shown on the map.

infrastructure use, it may not be used as a building site for one single-family detached dwelling.

2. **Adjoining Lots.** When two or more adjoining lots of record with continuous frontage are in one ownership at any time after the adoption or amendment of the UDO and such lots, individually, have an area or width that is less than is required by the UDO, then such contiguous lots are considered as a single lot or several lots of the minimum width and area required by the zoning district in which they are located and must be combined.

**K. One Principal Building on a Lot.**

Only one (1) single-family (detached) or two-family (detached) residential structure and permitted accessory building(s) may be erected on any one (1) zoning lot. The number of townhomes, villas, multi-family, commercial or industrial structures per zoning lot is limited to the space limits, density, and/or parking provisions of the UDO.

**201-1.4. Building Setbacks**

**A. Type of Setbacks**

1. There are four types of setbacks – front, side (street), side (interior), and rear.
2. Building setbacks apply to both principal and accessory buildings or structures, except where it explicitly states otherwise in this UDO.

**B. Measurement of Building Setbacks**

Building setbacks are measured as follows, except when paragraph C below applies:

1. A front setback is measured at a right angle (perpendicular) to the front lot line, except as otherwise required by clause 7.
2. A side (street) setback is measured at a right angle (perpendicular) to the side street lot line, except as otherwise required by clause 7.
3. A rear setback is measured at a right angle (perpendicular) to the rear lot line.
4. Lot lines which are not front, side (street), or rear lot lines are considered side (interior) lot lines for the purpose of measuring setbacks. Side (interior) setbacks are measured at a right angle (perpendicular) to the side interior lot line.
5. Setbacks must be drawn using an extension of a line perpendicular to the lot line until they intersect with another setback line.
6. Where street right-of-way dedication occurs, setbacks are measured from the final lot line.
7. Where a streetscape easement is provided in accordance with Sec. 401-4.2.A.3, setbacks must be measured from the easement.

**C. Irregularly Shaped Lots**

The Director will determine how setbacks apply to irregularly shaped lots.

**D. Front Setback Exceptions**

The following applies in all districts except the TCO, TC, MU, and NR districts.

**D. Buffer Setbacks**

See Sec. 201-1.9 (Buffer Setbacks) for an additional buffer setback that applies even when a lesser setback is otherwise allowed by this subsection.

**201-1.6. Accessory Uses and Structures - Residential District**

The following applies in residential and TC-R zoning districts.

**A. General Accessory Use and Structure Locations**

1. No accessory structure except driveways and individual mailboxes may be in a public right-of-way.
2. Landscaping may not be in a public right-of-way of a City street unless approved by the Director.
3. No accessory structure in a public right-of-way may create a sight hazard to the traveling public. See Sec. 201-1.8 (Intersection Visibility).
4. Accessory uses and structures are only allowed in rear yards, except as shown in Table 201-1.6 or otherwise allowed in this UDO.
5. Accessory uses and structures are subject to the additional buffer setback requirements of Sec. 201-1.9 (Buffer Setbacks), which apply even when a lesser setback is otherwise allowed by this subsection.
6. When an accessory use or structure is allowed in a specific yard, it has no setback requirements, except as shown in Table 201-1.6, clause 5 above, or otherwise in this UDO.

**Table 201-1.6. Allowed Locations of Residential District Accessory Uses and Structures**

Accessory Use or Structure A = Allowed in yard " - " = Not allowed in yard	Front Yard	Side Yard (street)	Side Yard (interior)	Rear Yard	Additional Setbacks Standards	Additional Standards
Amateur radio (receive-only) tower & antenna (less than 75-feet in height)	--	--	A	A		
Basketball goal	A	A	A	A		May not be located in the right-of-way
Bee keeping	--	--	A	A	See Sec. 206-8.6.B	See Sec. 206-8.6.B
Cabana	See Roofed Accessory Structure					
Canopy and covered entrance	A	A	A	A	See Sec. 201-1.6.C	
Canopy (shade, tent, and other temporary shelters)	A	A	A	A	See Sec. 201-1.6.B	See Sec. 206-8.30
Clothes line	--	--	--	A		
Covered mail kiosk	A	A	--	--	See Sec. 201-1.6.B	See Sec. 206-8.26
Carport	--	--	X	X	See Sec. 201-1.6.B	See Sec. 206-8.27
Carport, pre-fab metal	--	--	--	--		

**Table 201-1.6. Allowed Locations of Residential District Accessory Uses and Structures**

Accessory Use or Structure A = Allowed in yard " - " = Not allowed in yard	Front Yard	Side Yard (street)	Side Yard (interior)	Rear Yard	Additional Setbacks Standards	Additional Standards
Deck (uncovered)	--	--	A	A	See Sec. 201-1.5.B	
Deck (covered or enclosed)	Considered a building addition – See applicable district regulation space limits					
Decorative landscaping, such as steppingstones, fountains, birdbaths, birdhouses, light posts, statuary, and bridges	A	A	A	A		
Driveway	A	A	A	A	See Sec. 201-1.6.D	
Dumpster	--	--	A	A	See Sec. 201-1.6. B	See Sec. 206-8.10
Electric vehicle (EV) charging station	--	--	--	--		See Sec. 206-8.31
Fence and wall (includes gate)	A	A	A	A		See Sec. 207-2.3
Fire pit	--	--	A	A		
Flagpole	A	A	A	A		
Front porch, stoop, balcony	A	A	--	--	See Sec. 201-1.5.B	
Garage, detached	See Roofed Accessory Structure					
Gatehouse	A	A	--	--		
Gazebo	--	--	A	A	See Sec. 201-1.6	See Sec. 206-8.26
Greenhouse	--	--	A	A	See Sec. 201-1.6	See Sec. 206-8.26
Handicap ramp	A	A	A	A	See Sec. 201-1.5.B	
Koi pond	A	A	A	A	See Sec. 201-1.6.B	See Sec. 206-8.28
Lamppost	A	A	--	--		
Mailbox	A	A	--	--		
Mechanical equipment	A	A	A	A	See Sec. 201-1.6.F	See Sec. 207-2.2
Modular office/classroom	--	--	A	A	See Sec. 201-1.6.B	See Sec. 206-8.17
On-site parking	A	A	A	A	See Sec. 201-1.6.G	See Sec. 206-8.18
Parking of business vehicles	See Sec. 206-8.21					
Parking of recreational vehicles	See Sec. 206-8.22					
Parking of watercraft	See Sec. 206-8.23					
Patio (unenclosed and/or uncovered)	--	--	A	A	See Sec. 201-1.5.B	

**Table 201-1.6. Allowed Locations of Residential District Accessory Uses and Structures**

Accessory Use or Structure A = Allowed in yard " - " = Not allowed in yard	Front Yard	Side Yard (street)	Side Yard (interior)	Rear Yard	Additional Setbacks Standards	Additional Standards
Patio (enclosed and/or covered)	Considered a building addition – See applicable district regulation space limits					
Pavilion, covered	See Roofed Accessory Structure					
Pergola	--	--	A	A	See Sec. 201-1.6.B	See Sec. 206-8.29
Playground equipment	--	--	--	A	See Sec. 201-1.6.B	See Sec. 206-8.29
Pool house	See Roofed Accessory Structure					
Portable accessory structure (PODS)	A	A	A	A	See Sec. 201-1.6.B	See Sec. 206-8.24
Roofed accessory structure, except as shown in this table	--	--	A	A	See Sec. 201-1.6.B	See Sec. 206-8.26
Satellite dish antenna	--	--	A	A		See Sec. 206-8.27
Screened porch or sunroom	Considered a building addition – See applicable district regulation space limits					
Sidewalk	A	A	--	--		
Shed, storage	See Roofed Accessory Structure					
Sign	A	A	--	--		See Sec. 207-6
Solar energy system (hybrid)	--	--	--	--		See Sec. 206-8.32
Stormwater infrastructure	A	A	A	A	See Sec. 201-1.6.H	
Swimming pool, hot tub, spa, and associated decking	--	--	A	A	See Sec. 201-1.6.B	See Sec. 206-8.28
Tennis, pickleball, badminton, or shuffleboard court	--	--	--	A	See Sec. 201-1.6.I	See Sec. 206-8.29
Trampoline	--	--	--	A	See Sec. 201-1.6.B	See Sec. 206-8.29
Trellis/Arbor		A	A	A		
Unroofed accessory structure (not listed herein)	--	--	--	--		See Sec. 206-8.29
Vegetable garden under 100 sf. in combined area	A	A	A	A	See Sec. 201-1.6.B	
Vegetable garden 100 sf. or more in combined area	--	--	A	A	See Sec. 201-1.6.B	
Walkway	A	A	A	A		

**B. Accessory Use and Structure Setback Requirements**

When shown in Table 201-1.6, accessory uses and structures must observe the following setback requirements adjacent to all lot lines, except when the required building setback is less than the following distances:

1. Up to 120 square feet in area: min. 5-foot setback
2. 121 to 300 square feet: min. 10-foot setback.
3. 301 to 500 square feet: min. 15-foot setback.
4. Over 500 square feet: min. 20-foot setback

**C. Canopies and Covered Entrances**

Canopies and covered entrances for places of worship may encroach:

1. Into the required side (interior) or rear yard up to 3 feet; and
2. Into the required front yard or side (street) yard, provided such extensions are not closer than 15 feet from the street right-of-way line or future right-of-way line as designated on the Gwinnett County Long Range Road Classification Map, whichever is greater.

**D. Driveways**

1. For single-family residential (detached), no more than 35% of the front yard area or side (street) yard may be used for driveways or authorized on-site parking. 50% maximum allowance for RS-5 and RS-5-BTR districts. See paragraph G below.
  - a. The Director is authorized to grant administrative variances to the requirement of this section, in order to meet the requirements of Sec. 201-1.6.D.2. or Sec. 201-1.6.D.3.
2. All garage doors facing a public or private street must observe a minimum 22-foot front and side (street) setback from sidewalk in all residential districts.
3. Build to Rent residential districts require a minimum 24-foot wide driveway and minimum 30-foot driveway length, measured from right-of-way to garage door,

**E. Fences and Walls**

1. Fences, walls, and retaining walls are allowed in all yards, except as provided for in Sec. 201-1.9 (Buffer Setbacks) and clause 2 below.
2. Fences, walls, and retaining walls in a front yard or side (street) yard must be placed within 2 feet of the vertical plane of any lot line unless a greater distance is required by Sec. 201-1.8 (Intersection Visibility).

**F. Mechanical Equipment**

1. Mechanical equipment associated with residential uses, such as HVAC units, swimming pool pumps or filters, and security lighting, may encroach into a side (interior) or rear yard, provided that such extension is at least 3 feet from the vertical plane of any lot line.
2. Mechanical equipment associated with residential uses may only encroach into a front or side (street) yard when less than 30 square feet in footprint.
3. Mechanical equipment not associated with residential uses must conform to Sec. 201-1.7.
4. See Sec. 207-2.2 for screening requirements.

### G. On-Site Parking

1. No parked vehicle or any portion of a parked vehicle, including those in driveways, may be within the public right-of-way including sidewalk, except for authorized on-street parking.
2. For single-family (detached) residential, when parking is allowed in the front yard and/or side (street) yard, no more than 35% of the front yard/side (street) yard area may be used for parking or authorized driveways. 50% maximum allowance for RS-5 and RS-5-BTR Districts.
3. When parking is allowed in the rear yard, no more than 20% of the rear yard area may be used for parking, and the parking must be screened from view of adjacent residential uses.

### H. Stormwater Infrastructure

Stormwater infrastructure may only encroach into a front or side (street) yard when:

1. The infrastructure is completely covered by ground; or
2. The infrastructure consists exclusively of management practices, such as normally dry storage and retention facilities or ponds always maintaining water. These must be designed by a qualified professional as formal or natural amenities with additional uses other than stormwater management, such as an amphitheater, sports field, or a pond or pool as part of the landscape design.

### 201-1.7. Accessory Uses and Structures - Nonresidential Districts

The following applies in all nonresidential districts except TC-R.

#### A. General Accessory Use and Structure Locations

1. No accessory structure, except driveways and individual mailboxes, may be in a public right-of-way.
2. Landscaping may not be in a public right-of-way of a City street unless approved by the Director.
3. No accessory structure in a public right-of-way may create a sight hazard to the traveling public. See Sec. 201-1.8 (Intersection Visibility).
4. Accessory uses and structures are only allowed in rear yards, except as shown in Table 201-1.7 or otherwise in this UDO.
5. Accessory uses and structures are subject to the additional buffer setback requirements of Sec. 201-1.9 (Buffer Setbacks), which apply even when a lesser setback is otherwise allowed by this subsection.
6. Accessory uses and structures are subject to the additional landscape strip restrictions of Sec. 207-3.2.D (Structures in Landscape Strip), which apply even when a lesser setback is otherwise allowed by this subsection.
7. When an accessory use or structure is allowed in a specific yard, it has no setback requirements, except as shown in Table 201-1.7, clause 5 above, or otherwise in this UDO.

**Table 201-1.7. Allowed Locations of Nonresidential District Accessory Uses and Structures**

Accessory Use or Structure A = Allowed in yard " - " = Not allowed in yard	Front Yard	Side Yard (street)	Side Yard (interior)	Rear Yard	Additional Setbacks Standards	Additional Standards
Sidewalk	A	A	--	--		
Sign	A	A	--	--		See Sec. 207-6
Solar energy system (hybrid)	--	--	--	--		See Sec. 206-8.32
Stormwater infrastructure	A	A	A	A	See Sec. 201-1.7.H	
Swimming pool, hot tub, spa,	--	--	A	A	See Sec. 201-1.7.B	See Sec. 206-8.28
Vacuum and tire pressure stand	A	A	A	A		
Vegetable garden under 100 sf. in area	A	A	A	A		
Vegetable garden 100 sf. or more in area	--	--	A	A		
Walkway	A	A	A	A		

**B. Setback Requirements**

When shown in Table 201-1.7, accessory uses and structures must observe the following setback requirements adjacent to all lot lines, except when the required principal building setback is less than the following distance:

1. Up to 120 square feet in area: min. 5-foot setback
2. 121 to 300 square feet: min. 10-foot setback.
3. 301 to 500 square feet: min. 15-foot setback.
4. Over 500 square feet: min. 20-foot setback

**C. Canopies**

1. When a canopy not over a pump island is utilized in connection with a commercial or industrial use it may encroach into a required front or side (street) yard, subject to the following:
  - a. No portion of a canopy may be closer than 10 feet from the vertical plane of any street right-of-way, nor closer than 20 feet from the vertical plane of the face of the curb of the street.
  - b. No canopy may occupy more than 50% of a required yard over which it extends.
  - c. Canopies must be completely unenclosed.
2. Canopies over pump islands may extend up to the street right-of-way line or future right-of-way line as designated on the Gwinnett County Long Range Road Classification Map, whichever is more restrictive.

## Sec. 201-3. General Architectural Standards

### 201-3.1. General

#### A. Applicability

This section applies to buildings and sites in all zoning districts, except the TCO, TC, MU, and NR districts.

#### B. Alternative Standards

The City Council may approve alternative standards to this section as a condition of rezoning.

#### C. Intent

These regulations are intended to:

1. Maintain high quality, long-lasting, and sustainable development in Snellville.
2. Enhance the visual appeal and livability of the city.
3. Foster architectural diversity and interest, yet achieve and maintain a consistent, durable and pleasing aesthetic/visual quality.
4. Ensure that large commercial buildings incorporate designs that reduce their visual mass and create the impression of smaller buildings.

#### D. Application Requirements

1. Building plans submitted as an application for a building permit must clearly indicate the proposed building materials and colors for each facade as described in this section. The plans must also clearly show the location and calculate the percentages of all building materials per facade.
2. Groups of buildings on the same site may be reviewed and permitted as a single application. This is encouraged to minimize the number of reviews required and to allow for originality and design flexibility.

#### E. Building Color (Existing Commercial and Residential Buildings, except Single-family Detached)

1. All exterior wall finish, foundations, windows, and door material colors must use hues from or equivalent to any historic palettes from any major paint manufacturer, except that primary and fluorescent colors are not allowed.
2. Colors other than those not allowed by clause 1 above may be used for accents but may not exceed 10% of the total facade wall area.

#### F. Relief

1. The Director is authorized to grant administrative variances to the requirements of this section.
2. Administrative variances may only be granted to permit a practice that is not consistent with a specific provision of this section but is justified by their intent.
3. Administrative variances relating to a physical element or numeric measurements must be based upon credible submitted evidence demonstrating that:
  - a. Approval, if granted, would not offend the intents of paragraph C above.

- b. 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 or topography or other extraordinary and exceptional situations or conditions not caused by the applicant;
- c. Relief, if granted would not cause a substantial detriment to the public good and surrounding properties; and
- d. That the public safety, health, and welfare are secured, and that substantial justice is done.

## 201-3.2. Basic Standards

### A. Applicability

The following applies to any new building that is not used for a single-family detached, two-family, or attached dwelling.

### B. General

1. Permanent mounted exterior neon lights are not allowed.
2. Back-lit awnings, roof-mounted lights, and roof-mounted flag poles are not allowed.
3. Satellite dishes must be located and painted to blend with the background as much as practical.

### C. Exterior Wall Finish Materials

Exterior wall finish materials (excluding foundations, architectural accents, windows, and doors) are limited to the following and Table 201-3.2.C and Table 201-3.2.D:

1. Unpainted full-depth brick where each brick is placed on the exterior wall during construction, but not including half-depth brick, thin brick, or simulated brick veneers;
2. Stone, including unpainted natural stone, unpainted cast stone with the appearance of natural stone, and unpainted terra cotta;
3. True hard coat stucco;
4. Concrete block, which must be painted;
5. Split-face block and painted concrete masonry units (CMU);
6. Wood, including natural wood or cement-based artificial wood siding;
7. Shingles, including wood or cement-based shakes and shingles;
8. Tilt/architectural pre-cast concrete; and
9. Glass.

### D. Exterior Wall Finish Material Combinations

Exterior wall finish materials may only be combined horizontally, with the visually heavier below the lighter as shown in Table 201-3.2.C. This does not apply to architectural accents or glass.

Table 201-3.2.C. General Architectural Standards Visual Weight Table

This table shows the visual weight of permitted materials. Those at the top are lighter than those at the bottom and must be combined accordingly.

Visually Lighter  Visually Heavier	True Hard Coat Stucco Shingles Wood/Cement-Based Siding Brick, CMU, Pre-Cast Concrete Natural /Manufactured Stone
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Table 201-3.2.D. Allowed Building Materials: All Uses

Yes = Material is allowed with no limitations  
 Percent (%) = Material is allowed but may not exceed the indicated percent of the total façade area (calculated per façade) and may not be combined with another material with a percentage restriction.  
 No = Material is not allowed

Zoning District	Brick	Stone	Glass	Tilt/Pre-Cast	True Hard Coat Stucco		Concrete Block		CMU/Split-Face Block		Siding	
					Front	Side/Rear	Front/Side	Rear	Front/Side	Rear	Front	Side/Rear
RES SPECIAL USE	Yes	Yes	No	No	Max. 50% per façade	Max. 50% per façade	No	No	No	No	Max. 50% per façade	Max. 50% per façade
R-DU, RM, RX, RO	Yes	Yes	No	No	Max. 50% per façade	Max. 50% per façade	No	No	No	No	Max. 50% per façade	Max. 50% per façade
OP, CI	Yes	Yes	Yes	No	Max. 25% per façade	Max. 50% per façade	No	No	No	No	No [3]	No [3]
MU	Yes	Yes	Yes	No	Max. 25% per façade	Max. 50% per façade	No	Yes [1]	No	Yes [1]	No	25%
BG	Yes	Yes	Yes	No	Max. 25% per façade	Max. 50% per façade	No	Yes [1]	No	Yes [1]	No	25%
HSB	Yes	Yes	Yes	No	Max. 25% per façade	Max. 50% per façade	No	Yes [1]	No	Yes [1]	No	25%
LM[2]	Yes	Yes	Yes	No	Max. 50% per façade	Yes	No	Yes [1]	Max. 50% per façade	Yes [1]	Yes [4]	Yes

Table Notes

- [1] Allowed only on rear façades of buildings larger than 10,000 square feet floor area. When allowed it must be tinted or painted to blend with the balance of the building. Concrete block and CMU/split-face block are prohibited when the rear building faces a residential property or public street.
- [2] For industrial/warehouse buildings less than 30,000 square feet floor area.
- [3] Allowed for buildings intended to have a residential appearance. A minimum 4:12 roof pitch is required.
- [4] Allowed for building façades that are setback at least 150 feet from the right-of-way.

**Table 201-3.2.E Allowed Building Materials: Uses over 30,000 square feet Floor Area**

Yes = Material is allowed with no limitations Percent (%) = Material is allowed but may not exceed the indicated percent of the total façade area (calculated per facade) and may not be combined with another material with a percentage restriction. No = Material is not allowed												
Zoning District	Brick	Stone	Glass	Tilt/ Pre-Cast	True Hard Coat Stucco		Concrete Block		CMU/Split-Face Block [1]		Siding	
					Front	Side/Rear	Front/ Side	Rear	Front/ Side	Rear	Front	Side/Rear
BG	Yes	Yes	Yes	Yes [1]	Max. 25% per façade	Max. 50% per façade	No	Yes [1]	No	Yes [1]	No	No
HSB	Yes	Yes	Yes	Yes [1]	Max. 25% per façade	Max. 50% per façade	No	Yes [1]	No	Yes [1]	No	No
LM	Yes	Yes	Yes	Yes [1]	Max. 50% per façade	Yes	No	Yes [1]	Max. 25% per façade	Yes [1]	Yes [2]	Yes

**Table Note**

- [1] Allowed only on rear facades. When allowed it must be tinted or painted to blend with the balance of the building. Concrete block and CMU/split-face block are prohibited when the rear building faces a residential property or public street.
- [2] Allowed for building facades that are setback at least 150 feet from the right-of-way.

**E. Architectural Accent Materials**

Architectural accents are limited to the following:

1. Any allowed exterior wall finish materials;
2. EIFS, provided the total combined area of EIFS and the other materials identified in clause 3 below may not exceed 15% of total wall area per façade; and
3. Small amounts of other materials, provided the total combined area of these accents may not exceed 10% of the total wall area per façade.

**F. Building Color**

1. All exterior wall finish, foundations, windows, and door material colors must use hues from or equivalent to any historic palettes from any major paint manufacturer, except that primary and fluorescent colors are not allowed.
2. Colors other than those not allowed by clause 1 above may be used for accents but may not exceed 10% of the total façade wall area.

**G. Building Massing**

Variation in the roofline of buildings and offsets in pitched roofs and gables are required. Parapets on individual facades exceeding 125 continuous linear feet must vary in height and projection at least once every 125 feet and must use decorative elements such as crown moldings, dentils, brick soldier courses, or similar details.

### 201-3.3. Small Residential Building Standards

#### A. Applicability

The following applies to:

1. New single-family detached dwellings not in subdivisions;
2. New single-family detached dwellings in new subdivisions approved after the effective date of this UDO;
3. New single-family detached dwellings in existing subdivisions where no dwelling units were issued a certificate of occupancy before the effective date of this UDO and where there are no valid approved or pending building permits per the transitional provisions of Sec. 101-1.4.
4. New two-family dwellings; and
5. New single-family attached dwellings.

#### B. Alternative Standards

The City Council may approve alternative standards to this subsection in a new subdivision.

#### C. Prohibited Exterior Wall Finish Materials

The following exterior wall finish materials (excluding architectural accents, windows, and doors) are not allowed:

1. Vinyl;
2. Concrete;
3. Metal, except that aluminum clapboard siding is allowed;
4. EIFS;
5. Concrete masonry units;
6. Plywood (including T1-11); and
7. Cementitious panels, except that cementitious clapboard is allowed.

#### D. Building Colors

All exterior wall finish, foundations, windows, and door material colors must use hues from or equivalent to any historic palettes from any major paint manufacturer, except that primary and fluorescent colors are not allowed.

#### E. Building Facades

Building facades facing a street must comply with the following:

1. The total combined area of all windows and non-garage doors on a front facade may not exceed 40% of the front façade wall area.
2. A front porch or stoop is required and must conform to Sec. 201-2.14.C or Sec. 201-2.14.D, as applicable.

3. For lots greater than 15,000 sq. ft. in size, single-family detached dwelling garage doors facing a street may not comprise more than 50% of the overall width of the front wall plane of the house.
4. Except single-family (attached) dwellings, all garage doors facing a public or private street must observe a minimum 22 feet front and side (street) setback from sidewalk in all zoning districts, unless a greater setback is required to meet the 30 feet minimum driveway length, measured from right-of-way to garage door, required in the Build to Rent districts.
5. Garages and driveways serving single-family (attached) dwellings must be rear-entry with access provided from an alley. Front-entry garages and driveways facing a public or private street are prohibited. Garage doors must observe a minimum 22 feet setback from alley.
6. No more than three adjacent single-family attached units may have identical façade designs. Differentiation between adjacent units may be accomplished by a change in materials, building height, color, or roof form.

**F. Building Massing**

1. Pitched roofs, if provided, must be symmetrically sloped no less than 5:12, except that roofs for front porches and attached sheds may be sloped no less than 2:12.
2. Flat roofs must be enclosed by parapets a minimum of 42 inches high, or as required to conceal mechanical equipment by Sec. 207-2.2.C (Screening, Roof Mounted Equipment).

**G. Roofs**

All roofs must have a minimum 25-year roof life (per manufacturer's warranty) and must have no visible roll roofing.

## **Sec. 201-4. Enhanced Architectural Standards**

### **201-4.1. General**

#### **A. Applicability**

This section applies in the TCO, TC, MU, and NR districts.

#### **B. Alternative Standards**

The City Council may approve alternative standards to this section as a condition of rezoning.

#### **C. Application Requirements**

1. Building plans submitted as an application for a building permit must clearly indicate the proposed building materials and colors for each facade as described in this section. The plans must clearly show the location and calculate the percentages of all building materials per facade.
2. Groups of buildings on the same site may be reviewed and permitted as a single application. This is encouraged to minimize the number of reviews required and to allow for originality and design flexibility.

#### **D. Relief**

1. The Director is authorized to grant administrative variances to the requirements.
2. 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 the following:
  - a. The purpose of the applicable district;
  - b. The policies of the Comprehensive Plan; and
  - c. The policies of other officially City plans, programs, and projects.
3. Administrative variances relating to a physical element or numeric measurements must be based upon credible submitted evidence demonstrating that:
  - a. Approval, if granted, would not offend the purposes of the applicable district;
  - b. 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 or topography or other extraordinary and exceptional situations or conditions not caused by the applicant;
  - c. Relief, if granted would not cause a substantial detriment to the public good and surrounding properties; and
  - d. That the public safety, health, and welfare are secured, and that substantial justice is done.

### **201-4.2. Basic Standards**

#### **A. Applicability**

1. The following applies to all buildings, except as provided by clauses 2 and 3 below.

2. Detached houses, carriages houses, cottage courts, semi-detached houses, and townhouses must comply with either the following or Sec. 201-4.3 (Small Residential Building Standards) at the discretion of the applicant.
3. Commercial houses must comply with Sec. 201-4.3 (Small Residential Building Standards).

**B. General**

1. Permanent mounted exterior neon lights are not allowed.
2. Back-lit awnings, roof-mounted lights, and roof-mounted flag poles are not allowed. Satellite dishes must be located and painted to blend with the background as much as practical.

**C. Exterior Wall Finish Materials**

Exterior wall finish materials (excluding foundations, architectural accents, windows, and doors) are limited to the following and Table 201-4.2.D:


1. Unpainted full-depth brick where each brick is placed on the exterior wall during construction, but not including half-depth brick, thin brick, or simulated brick veneers;
2. Stone, including unpainted natural stone, unpainted cast stone with the appearance of natural stone, and unpainted terra cotta;
3. True hard coat stucco;
4. Concrete block, which must be painted;
5. Split-face block and painted concrete masonry units (CMU);
6. Wood, including natural wood or cement-based artificial wood siding; and
7. Shingles, including wood or cement-based shakes and shingles.
8. No more than two identical materials (including color) may be used on a single building unless the façade is designed to give the appearance of many smaller buildings.

**D. Exterior Wall Finish Material Combinations.**

Exterior finish materials must be combined only horizontally, with the visually heavier below the lighter as shown in Table 201-4.2.C. This does not apply to architectural accents.

**Table 201-4.2.C. Enhanced General Visual Weight Table**

This table shows the visual weight of permitted materials. Those at the top are lighter than those at the bottom and must be combined accordingly.

	Visually Lighter ↑ ↓ Visually Heavier	True Hard Coat Stucco Shingles Wood/Cement-Based Siding Brick Natural /Manufactured Stone
-------------------------------------------------------------------------------------	------------------------------------------------	-------------------------------------------------------------------------------------------------------

**Table. 201-4.2.D. Enhanced Allowed Building Materials Table**

Yes = Material is allowed with no limitations  
 Percent (%) = Material is allowed but may not exceed the indicated percent of the total façade area (including doors and windows, but not foundations), and may not be combined with another material with a percentage restriction.  
 No = Material is not allowed

Building Type	Brick	Stone	True Hard Coat Stucco		Concrete Block		Split-Face Block, CMU		Wood		Shingles	
			Front	Side, Rear	Front	Side, Rear	Front	Side, Rear	Front	Side, Rear	Front	Side, Rear
Shopfront, mixed-use building, general building, civic building	Yes	Yes	Max. 30% per façade [1]	Max. 50% per façade	No	Max. 25% per façade [1]	No	Max. 25% per façade [1]	No	Max. 50% per façade	No	Max. 50% per façade
Detached house, carriage house, semi-detached house, cottage court, walk-up flat, stacked flat	Yes	Yes	Max. 50% per façade	Max. 50% per façade	No	Max. 25% per façade [1]	No	Max. 25% per façade [1]	Yes	Yes	Yes	Yes

Table Note:

[1] Along facades that abut an alley and are not visible from a civic space or street (not including the alley), the maximum percentage restriction is 50% per façade.

**E. Architectural Accent Materials**

Architectural accents are limited to the following:

1. Any allowed exterior wall finish materials;
2. EIFS, provided the total combined area of EIFS and the other materials identified under “3” below may not exceed 15% of total wall area per façade; and
3. Small amounts of other materials, provided the total combined area of these accents may not exceed 10% of the total wall area per façade.

**F. Foundation Materials**

Foundations must be constructed as a distinct building element that is finished in a different material or color than the exterior wall. Exposed above-ground foundations must be coated or faced in cement, true hard coat stucco, brick, manufactured stone, or natural stone to contrast with façade materials.

**G. Building Colors**

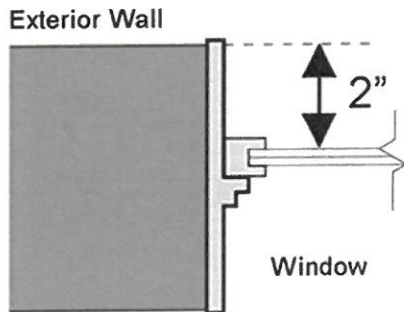
1. All exterior wall finish, foundations, windows, and door material colors must use hues from or equivalent to any historic palettes from any major paint manufacturer, except that primary and fluorescent colors are not allowed.
2. Colors other than those not allowed by clause 1 above may be used for accents but may not exceed 10% of the total façade wall area.

## H. Building Façades

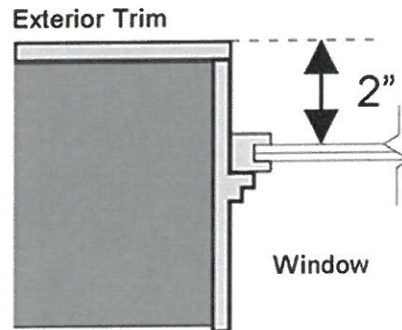
Façades facing a street or civic space must comply with the following:

1. Where used, shutters must match one half the width and shape of the window opening to which they are adjacent.
2. Façades must provide visual divisions between the ground floor and second story through architectural means such as courses, awnings, or a change in materials.
3. Façades must delineate all stories above the ground floor with windows, belt courses, balconies, cornice lines, or similar architectural detailing.
4. Except townhouses, all garage doors facing a public or private street must observe a minimum 22 feet front and side (street) setback from sidewalk.
5. Garages and driveways serving townhouses must be rear-entry with access provided from an alley. Front-entry garages and driveways facing a public or private street are prohibited. Garage doors must observe a minimum 22 feet setback from alley.
6. Windows above the ground floor must be equally sized and equally spaced rectangles with a height greater than width and arranged in a grid pattern.
7. Windowpanes must be recessed as follows:
  - a. On ground floors, panes must be recessed a minimum of 3 inches from the adjacent exterior wall.
  - b. On floors above the ground floor, panes must be recessed a minimum of 2 inches from either the adjacent exterior wall (when no trim is provided) or from the trim (when trim at least 3.5 inches wide is provided).

Window Recess without Trim



Window Recess with 3.5-inch Trim



## I. Building Massing

1. Facades over 50 feet in length must incorporate wall projections or recesses a minimum of 12 inches in depth. The combined length of said recesses and projections must constitute at least 20% of the total individual façade length.
2. Variation in the roofline of buildings and offsets in pitched roofs and gables are required. Parapets in individual facades exceeding 100 continuous linear feet must be varied in height and projection at least once every 100 feet and must use decorative elements such as crown moldings, dentils, brick soldier courses, or similar details.

### 201-4.3. Small Residential Building Standards

#### A. Applicability

The following applies to detached houses, carriages houses, cottage courts, semi-detached houses, townhouses, walk-up flats, stacked flats, and commercial houses in a TC District.

#### B. Exterior Wall Finish Materials

Exterior wall finish materials (excluding architectural accents, windows, and doors) are limited to the following:

1. Unpainted brick, except that veneers intended to simulate brick is not allowed;
2. Unpainted natural stone and unpainted cast stone with the appearance of natural stone;
3. True hard coat stucco but not EIFS;
4. Natural wood or cement-based artificial wood clapboard siding; or
5. Natural wood or cement-based artificial wood shakes and shingles.

#### C. Exterior Wall Finish Material Combinations

Exterior finish materials must be combined only horizontally, with the visually heavier below the lighter as shown in Table 201-4.3.C. This does not apply to architectural accents.

**Table 201-4.3.C. Enhanced Residential Building Visual Weight Table**

This table shows the visual weight of permitted materials. Those at the top are lighter than those at the bottom and must be combined accordingly.

Visually Lighter	True Hard Coat Stucco
↑	Shingles
↕	Wood/Cement-Based Siding
↓	Brick
Visually Heavier	Natural /Manufactured Stone

#### D. Architectural Accent Materials

Architectural accents are limited to the following:

1. Any allowed exterior wall finish materials; and
2. Small amounts of other materials, provided the total combined area of these accents may not exceed 10% of the total wall area per facade.

#### E. Foundation Materials

Foundations must be constructed as a distinct building element that is finished in a different material or color than the exterior wall. Exposed above-ground foundations must be coated or faced in cement, true hard coat stucco, brick, manufactured stone, or natural stone to contrast with façade materials.

## F. Building Colors

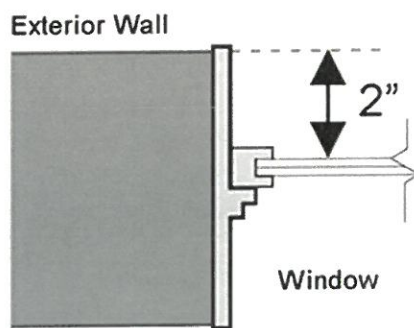
1. All exterior wall finish, foundations, windows, and door material colors must use hues from or equivalent to any historic palettes from any major paint manufacturer, except that primary and fluorescent colors are not allowed.
2. Colors other than those not allowed by clause 1 above may be used for accents but may not exceed 10% of the total façade wall area.

## G. Building Façades

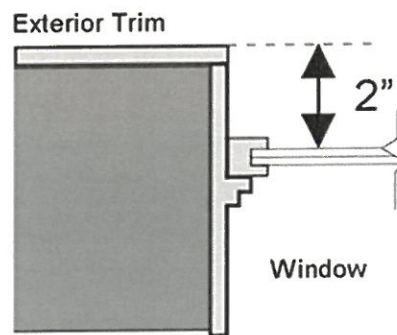
Façades facing a street or civic space must comply with the following:

1. Doors and windows that operate as sliders are prohibited.
2. Where used, shutters must match one half of the width and shape of the window opening to which they are adjacent.
3. Windows must include sills of wood, masonry, stone, cast stone, or terra cotta.
4. Windowpanes must be recessed a minimum of 2 inches from either the adjacent exterior wall (when no trim is provided) or from the trim (when trim of at least 3.5 inches wide is provided).

Window Recess without Trim



Window Recess with 3.5-inch Trim



5. Awnings are not allowed.
6. Except townhouses, all garage doors facing a public or private street must observe a minimum 22 feet front and side (street) setback from sidewalk.
7. Garages and driveways serving townhouses must be rear-entry with access provided from an alley. Front-entry garages and driveways facing a public or private street are prohibited. Garage doors must observe a minimum 22 feet setback from alley.

## H. Roofs

1. Pitched roofs, when provided, must be symmetrically sloped no less than 5:12, except that front porch roofs and attached shed roofs may be no less than 2:12.
2. Flat roofs must be enclosed by parapets a minimum of 42 inches high, or as required to conceal mechanical equipment by Sec. 207-2.2.C (Screening, Roof Mounted Equipment).
3. All roofs must have a minimum 25-year roof life (per manufacturer's warranty) and must have no visible roll roofing.

4. Chimneys, where provided, must extend to the ground and must be faced in brick or stacked stone.

## Sec. 202-5. R-DU Duplex Residential

### 202-5.1. Purpose

This district is intended for existing two-family dwellings with utilities and a residential character. It is also intended for vacant lands where utilities and a residential character are likely to occur. Because these areas are served by public utilities and facilities, a moderate density of development can be supported.

### 202-5.2. Use Provisions

See Sec. 206-2 (Allowed Use Table).

### 202-5.3. Building Types

No building type requirements apply in R-DU.

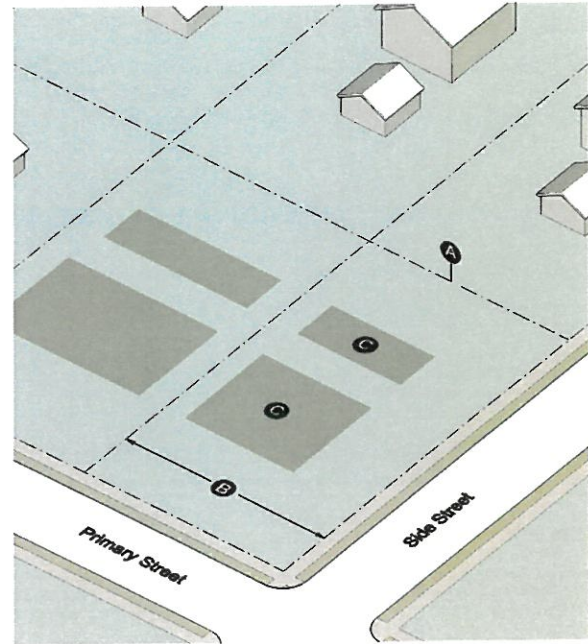
### 202-5.4. Architectural Standards

See Sec. 202-1.2 (Design Criteria) and Sec. 201-3 (General Architectural Standards).

### 202-5.5. Site Development Standards

See Chapter 200 Article 7 (Site Development) for parking and loading, buffer and screening, landscaping, tree ordinance, lighting, signs, and utility requirements.

### 202-5.6. Dimensional Standards



Site Standards	
Open space requirement:	See Sec. 401-2 (Open Space)
Lot Standards	(A) Area      (B) Width
Two-family dwellings:	15,000 sf. min. (7,500 sf. min. per unit)      80 ft. min.
Lot Coverage	
(C) All lots:	45% max.

## Sec. 202-6. R-TH Townhouse Residential

### 202-6.1. Purpose

This district is intended exclusively for single-family attached dwelling units and customary accessory uses and structures. R-TH districts are located where public water supply and sewerage facilities are available and where there is direct access to collector streets, major streets or State routes.

### 202-6.2. Use Provisions

See Sec. 206-2 (Allowed Use Table).

### 202-6.3. Building Types

No building type requirements apply in R-TH.

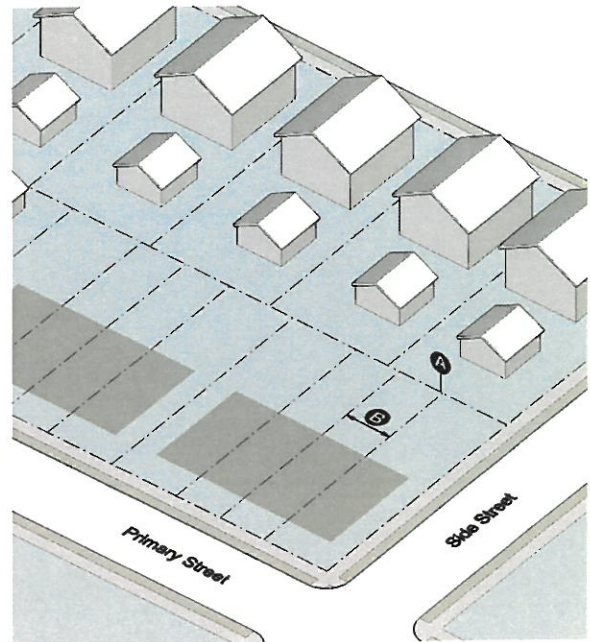
### 202-6.4. Architectural Standards

- A. See Sec. 202-1.2 (Design Criteria) and Sec. 201-3 (General Architectural Standards); and
- B. See Sec. 202-6.9 (TH Design Standards).

### 202-6.5. Site Development Standards

- A. See Chapter 200 Article 7 (Site Development) for parking and loading, buffer and screening, landscaping, tree ordinance, lighting, signs, and utility requirements.
- B. See Sec. 202-6.9 (TH Design Standards).

### 202-6.6. Dimensional Standards



Site Standards		
Density:	8 u/a max.	
Open space requirement:	20% of site min.	
External street frontage:	50 ft. min.	
Site setback (along streets):	50 ft. min. and planted per Sec. 207-3	
Site setback (not along streets):	45 ft. min. <sup>1</sup>	
Lot Standards		
	(A) Area	(B) Width
All Lots:	No min.	No min.

<sup>1</sup> Where adjacent to low-density residential land use, site setback in addition to min. required buffer in Sec. 207-2.

## Sec. 202-7. RM Multifamily Residential

### 202-7.1. Purpose

This district is intended primarily for multifamily dwellings. The RM districts are located where public water supply and sewerage facilities are available and where there is direct access to collector streets, major streets or State routes.

### 202-7.2. Use Provisions

See Sec. 206-2 (Allowed Use Table).

### 202-7.3. Building Types

No building type requirements apply in RM.

### 202-7.4. Architectural Standards

- A. See Sec. 202-1.2 (Design Criteria) and Sec. 201-3 (General Architectural Standards); and
- B. See 202-7.10 (RM Design Standards).

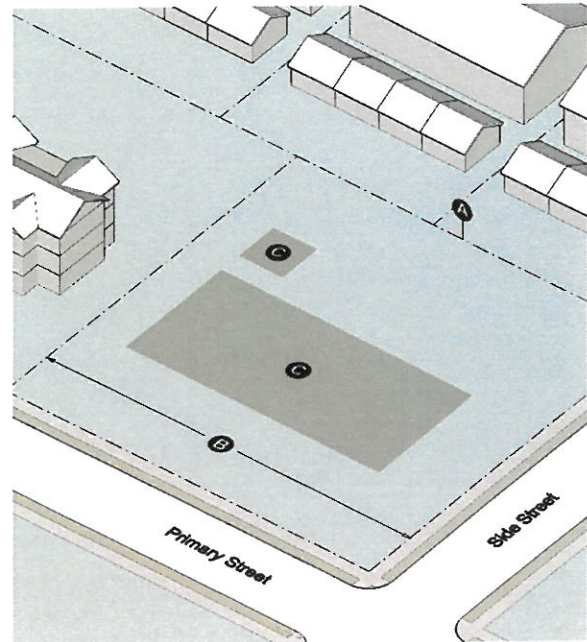
### 202-7.5. Site Development Standards

- A. See Chapter 200 Article 7 (Site Development) for parking and loading, buffer and screening, landscaping, tree ordinance, lighting, signs, and utility requirements.
- B. See 202-7.10 (RM Design Standards).

### 202-7.6. Inter-parcel Access

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

### 202-7.7. Dimensional Standards



Site Standards	
Density:	8 u/a max.
Open space requirement:	See Sec. 401-2 (Open Space)
Site setback (along streets):	Min. 50 ft. and planted per Sec. 207-3
Site setback (not along streets):	40 ft. min. <sup>2</sup>
Lot Standards	(A) Area (B) Width
Multi-family:	20,000 sf. min. [1] 100 ft. min.
Lot Coverage	
(C) All lots:	90% max.

**Table Note**

[1] At least 12,000 sf. of lot area must be provided for the first unit and at least 4,000 sf. for each additional unit, but in no event may the site density exceed 8 units per acre.

<sup>2</sup> Where adjacent to low-density residential land use, site setback in addition to min. required buffer in Sec. 207-2.

## Sec. 202-14. R-DU-BTR Duplex Residential-Build to Rent

### 202-14.1. Purpose

This district is intended for rentable two-family dwellings with utilities and a residential character. It is also intended for vacant lands where utilities and a residential character are likely to occur. Because these areas are served by public utilities and facilities, a moderate density of development can be supported.

### 202-14.2. Use Provisions

See Sec. 206-2 (Allowed Use Table).

### 202-14.3. Building Types

No building type requirements apply in R-DU-BTR.

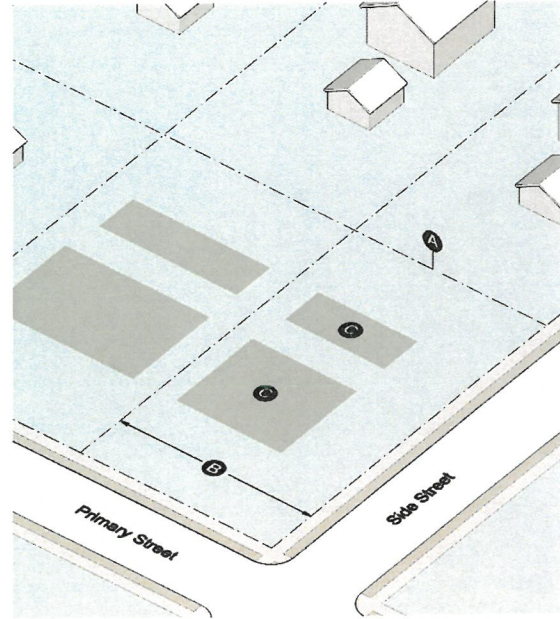
### 202-14.4. Architectural Standards

See Sec. 202-1.2 (Design Criteria) and Sec. 201-3 (General Architectural Standards).

### 202-14.5. Site Development Standards

See Chapter 200 Article 7 (Site Development) for parking and loading, buffer and screening, landscaping, tree ordinance, lighting, signs, and utility requirements.

### 202-14.6. Dimensional Standards



Site Standards		
Open space requirement:	See Sec. 401-2 (Open Space)	
Lot Standards	(A) Area	(B) Width
Two-family dwellings:	15,000 sf. min. (7,500 sf. min. per unit)	80 ft. min.
Lot Coverage		
(C) All lots:	45% max.	

## Sec. 202-15. R-TH-BTR Townhouse Residential-Build to Rent

### 202-15.1. Purpose

This district is intended exclusively for rentable single-family attached dwelling units and customary accessory uses and structures. R-TH districts are located where public water supply and sewerage facilities are available and where there is direct access to collector streets, major streets or State routes.

### 202-15.2. Use Provisions

See Sec. 206-2 (Allowed Use Table).

### 202-15.3. Building Types

No building type requirements apply in R-TH-BTR.

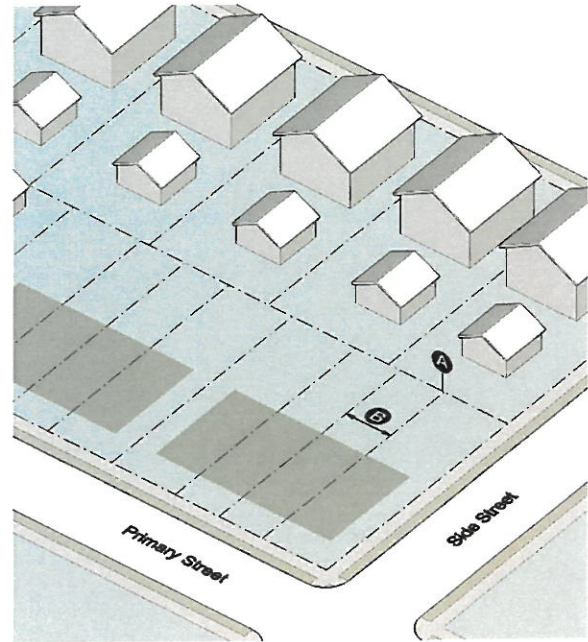
### 202-15.4. Architectural Standards

- A. See Sec. 202-1.2 (Design Criteria) and Sec. 201-3 (General Architectural Standards); and
- B. See Sec. 202-6.9 (TH Design Standards).

### 202-15.5. Site Development Standards

- A. See Chapter 200 Article 7 (Site Development) for parking and loading, buffer and screening, landscaping, tree ordinance, lighting, signs, and utility requirements.
- B. See Sec. 202-6.9 (TH Design Standards).

### 202-15.6. Dimensional Standards



Site Standards	
Density:	8 u/a max.
Open space requirement:	20% of site min.
External street frontage:	50 ft. min.
Site setback (along streets):	50 ft. min. and planted per Sec. 207-3
Site setback (not along streets):	45 ft. min. <sup>3</sup>
Lot Standards	
	(A) Area      (B) Width
All Lots:	No min.      No min.

<sup>3</sup> Where adjacent to low-density residential land use, site setback in addition to min. required buffer in Sec. 207-2.

## Sec. 206-2. Allowed Use Table

KEY: P = Permitted Use L = Limited Use S = Special Use '--' = Use Not Permitted																										
	Residential						Residential Build-to-Rent					Mixed-Use & Business				Towne Center										
Use Category Specific Use	RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	RS-30-BTR	RS-15-BTR	RS-5-BTR	R-DU-BTR	R-TH-BTR	RO-BTR	OP	BG	HSB	MU	NR	LM	TCO [1]	TC-MU	TC-R	CI	Definition/ Standards
<b>Residential Uses</b>																										
<b>All household living, as listed below:</b>																										<b>Sec. 206-3.1.A</b>
Single-family detached dwelling	P	P	P	P	P	--	P	P	P	P	P	P	P	P	P	--	--	--	P	P	--	--	S	S	--	Sec. 206-3.1.B
Two-family dwelling	--	--	--	P	P	--	P	--	--	--	--	P	P	--	--	--	--	P	P	--	--	S	S	--	Sec. 206-3.1.C	
Single-family attached dwelling	--	--	--	--	L	--	L	L	--	--	--	--	L	L	--	--	--	L	L	--	--	S	S	--	Sec. 206-3.1.D	
Multiple-family dwelling	--	--	--	--	--	P	P	--	--	--	--	--	--	--	--	--	--	S	S	--	--	--	--	--	Sec. 206-3.1.E	
Towne Center loft	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	Sec. 206-3.1.F
Towne Center flat	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	Sec. 206-3.1.G
Mobile home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-3.1.H
Live-work	--	--	--	--	--	--	S	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--	S	S	--	Sec. 206-3.1.I
<b>All group living, as listed below:</b>																										
Addiction treatment facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-3.2.B
Assisted living facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	P	--	S	--	S	S	S	P	Sec. 206-3.2.C
Boarding and rooming house	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	Sec. 206-3.2.D
Collective residence	S	S	S	S	S	--	S	--	S	S	S	S	S	S	--	S	--	--	--	S	--	--	S	S	S	Sec. 206-3.2.E
Community living arrangement	S	S	S	S	S	--	S	--	S	S	S	S	S	S	--	S	--	--	--	S	--	--	S	S	S	Sec. 206-3.2.E
Group home	S	S	S	S	S	--	S	--	S	S	S	S	S	S	--	S	--	--	--	S	--	--	S	S	S	Sec. 206-3.2.E
Halfway house	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-3.2.G
Hospice	--	--	--	--	--	--	S	--	--	--	--	--	--	--	S	S	S	S	S	--	--	--	S	S	P	Sec. 206-3.2.H
Monastery or convent	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	S	S	P	Sec. 206-3.2.I
Nursing facility (skilled)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	P	S	S	--	S	S	S	P	Sec. 206-3.2.A
Nursing home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	P	S	S	--	S	S	S	P	Sec. 206-3.2.A
Personal care home	S	S	S	S	S	--	S	--	S	S	S	S	S	S	--	S	--	--	--	S	--	--	S	S	S	Sec. 206-3.2.E
Retirement community (continuing care)	--	--	--	--	--	--	S	S	--	--	--	--	--	--	S	--	--	--	--	--	--	--	S	S	S	Sec. 206-3.2.F
Shelter	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Sec. 206-3.2.J
<b>Public/Institutional Uses</b>																										
<b>All civic, as listed below:</b>																										Sec. 206-4.1.A

- d. No business storage or warehousing of material, supplies or equipment is permitted outside of the dwelling containing the live-work use.
- e. The nonresidential use of the live-work use is limited to a permitted or special use allowed in the zoning district.
- f. No equipment or process may be used that creates, without limitation, noise, dust, vibration, glare, fumes, odors, or electrical interference detectable to the normal human senses, off the premises.
- g. No more than five customers are permitted on the premises at any one time.

## 206-3.2. Group Living

### A. Defined

Residential occupancy of a structure by a group of people that does not meet the definition of household living. Generally, group living facilities have a common eating area for residents, and residents may receive care or training.

The Fair Housing Act (42 U.S.C. Section 3604(f)(3)) makes it unlawful to make a dwelling unavailable to a person because of race, color, national origin, sex, familial status, handicap or disability. No policy or practice of this UDO is intended to have a disparate impact on a protected class. Further, in order to avoid prohibited discrimination, if a person or persons identified as a protected class believes a reasonable accommodation can be made to any use restriction, that person or persons must make an application for a special use or zoning text or map change.

Group living includes the following:

1. Addiction treatment facility.
2. Assisted living facility.
3. Boarding or rooming house.
4. Collective residence.
5. Nursing facility (skilled).
6. Nursing home.
7. Retirement community (continuing care).
8. Halfway house.
9. Hospice.
10. Monastery or convent.
11. Shelter.

### B. Addiction Treatment Facility

#### 1. Defined

An inpatient facility for treatment and recovery for substance abuse and addiction.

### C. Assisted Living Facility

#### 1. Defined

A residential, community-based state licensed facility that provides housing, meals, 24-hour supervision, and personal care services for 25 or more older adults or individuals with disabilities who need help with daily living activities but not intensive skilled nursing care. These licensed facilities promote independence while offering assistance with tasks such as medication management, bathing, and dressing. Facility may also provide specialized memory care.

**D. Boarding or Rooming House**

**1. Defined**

A dwelling in which meals, lodging, or both are furnished for compensation to more than two, but not more than ten non-transient persons.

**E. Collective Residence**

**1. Defined**

Any residence, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food, one or more personal services, support, care, or treatment exclusively for two but less than twenty-five persons who are not related to the owner or administrator of the residence by blood or marriage and which is licensed as a group home/child caring institution, personal care home, or community living arrangement pursuant to O.C.G.A. § 31-2-4(d)(8). Any residence that Georgia law requires to be licensed as a Community Living Arrangement, Group Home/Child Caring Institution, Personal Care Residence, or any other facility permitted by the State of Georgia to house two or more unrelated persons, but not an Assisted Living Facility, is considered to be a collective residence.

**2. Use Standards**

Where a collective residence is allowed by a special use permit, it is subject to the following:

- a. The facility must be licensed by the Department of Human Resources of the State of Georgia. Before applying for a special use permit, the applicant must seek a specific permit from the State of Georgia for operating the collective residence. All details of the State application must be attached to the special use permit application and must be incorporated by reference as a condition of said permit. If the applicant changes the operation of the collective residence from the type disclosed in the State application, the special use permit will be automatically revoked and the applicant must apply for a new special use permit for the new type of community residence. The new application must be judged by the City on its own merits and subject to the full review for a new special use permit, which may be denied based on the required criteria of these use standards. The fact that a different type of community residence has been operated at this same site has no bearing on the new application.
- b. Following special use permit approval, the facility must apply for and receive an occupation tax certificate/business license from the City before operation. The certificate and license must be revoked if any condition of the special use permit is violated.
- c. The facility must apply for, earn, and maintain nonprofit corporation status in accordance with the requirements of O.C.G.A. § 14-3-120 et seq., unless otherwise stated in these use standards.

- d. The facility must submit annual reports to the City Manager, just as the community residence would for a member under O.C.G.A. § 14-3-1620 et seq.
- e. The facility must comply with all parking requirements, except that no more than six parking spaces are allowed at any community residence unless otherwise allowed or required by the special use permit.
- f. Every bedroom in the residences must contain at least 80 square feet of floor area for each person who sleeps in that room.
- g. Community living arrangements and family personal care homes are subject to the following:
  - i. Special use permits may only be granted for the care of up to six persons without a variance from the City Council.
  - ii. Except as otherwise stated in i above, operations are subject to Sec. 206-8.12 (Home Occupation).
- h. Group homes/child caring institutions are subject to the following:
  - i. The dwelling unit must be licensed by the Department of Human Resources of the State of Georgia as a child caring institution.
  - ii. At least one employee must occupy the premises. Two is the minimum number of employees that must work on the premises.
- i. Family personal care homes are subject to the following:
  - i. The dwelling unit must be the primary and legal place of residence for the owner of the family personal care home.
  - ii. For purposes of this these use standards, "owner" of the family personal care home means an individual, not a partnership or corporation, who is an officer in the nonprofit corporation that owns the place of residence at which the personal care home is located. Dwelling and premises must maintain a residential character.
- j. If the use fails to comply with any threshold requirement under these use standards, its special use permit is subject to revocation by the Director pursuant to Sec. 103-10 (Special Use Permits).
- k. Collective residences may not be located within 1,500 feet of each other. This distance is measured by the most direct route of travel on the ground in the following manner:
  - i. From the main entrance of the collective residence;
  - 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 next closest collective residence.
- l. The application for a special use permit must include the following:
  - i. A full review of fire code compliance and fire access requirements must be made and to the extent that special needs are demonstrated, the special use permit can be conditioned by including additional conditions.

installation are only allowed in conformance with the standards for major or minor vehicle repair, as applicable, including any required special use permits.

## C. Boat, Recreational Vehicle, Utility or Enclosed Trailer Sales, Rental, or Service

### 1. Defined

A facility that sells, leases, rents or repairs new or used boats, recreational vehicles, utility or enclosed trailers, but not tractor/semi trailers for a fee.

### 2. Use Standards

Where boat, recreational vehicle, utility or enclosed trailer sales, leasing, rental and service is allowed as a special use, it is subject to the following:

- a. The minimum lot size is 2 acres.
- b. The property must have at 200 feet of frontage on a street with a minimum classification of Principal Arterial on the current Gwinnett County Long Range Road Classification Map.
- c. One thousand linear feet of separation must exist between said business and any other boat, recreational vehicle, utility or enclosed trailer sales, leasing, rental, and service business. For purposes of this requirement, distance is measured by the most direct route of travel on ground in the following manner:
  - i. From the main entrance of the proposed establishment from which vehicle sales or leasing 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 vehicle sales or leasing will occur.
- d. All new and used product inventory on the premises must be in generally good and operable condition. Wrecked or partially wrecked, dismantled, or non-operable recreational vehicles, boats, or trailers are not allowed, unless parked/stored inside a fully enclosed building.
- e. All new and used product inventory which is parked on the premises must be parked on a hard-surface marked/striped spaces only and only in areas designated for the display of product inventory being offered for sale, lease, or rent and may not be parked in any landscape strip or buffer area or elevated by the use of a ramp, post or other device higher than 5 feet above grade.
- f. All new and used product inventory may not be parked in areas reserved for customer or employee parking.
- g. No outdoor incidental uses such as carwashes or air compressors are allowed.
- h. The sides and rear of the facility must be screened from view of surrounding properties by an opaque 8-foot high fence.
- i. All service and repair work must be performed in an enclosed building.

1. **Defined**

A facility that sells used passenger vehicles, light or medium trucks, or motorcycles through the internet and where there is no temporary or permanent storage, parking, delivery, or display of vehicle inventory.

2. **Use Standards.**

Where internet vehicles sales is allowed as a limited use, it is subject to the following:

- a. Applicant to provide a copy of their Used Motor Vehicle Dealer license issued by the Georgia Board of Used Motor Vehicle Dealers.
- b. Sworn/notarized affidavit by the applicant or property owner certifying that there will be no temporary or permanent storage, parking, delivery or display of any passenger vehicles, trucks, motorcycles, or other motorized vehicles.

**G. Public Parking**

1. **Defined**

A facility that provides public parking or parking for off-sites uses as a principal use.

**H. Remote Parking**

1. **Defined**

A facility that provides parking as a principal use that is used to meet the off-site parking provisions of Sec. 207-1.4.C.

**I. Vehicle Rental**

1. **Defined**

A facility that rents passenger vehicles, light and medium trucks, or motorcycles for short periods of time (generally ranging from a few hours up to two weeks) for a fee.

**J. Vehicle Sales, Rental, or Auction**

1. **Defined**

A facility that sells, leases, or auctions new or used passenger vehicles, light or medium trucks, or motorcycles.

2. **Use Standards**

Where vehicles sales, rental, or auction is allowed as a special use, it is subject to the following:

- a. The minimum lot size is 2 acres.
- b. The property must have at 200 feet of frontage along a street with a minimum classification of Principal Arterial on the current Gwinnett County Long Range Road Classification Map.
- c. One thousand linear feet of separation must exist between said business and any other vehicle sales or leasing business. For purposes of this requirement, distance is measured by the most direct route of travel on ground in the following manner:
  - i. From the main entrance of the proposed establishment from which vehicle sales or leasing shall occur;

vehicle is parked off any public thoroughfare, on an all-weather surface, and in the side (interior) or rear yard.

2. **Nonresidential Districts.** Where parking of business vehicles is allowed as a limited use in a nonresidential district, it is subject to the following:
  - a. Vehicles must be parked within the side (interior) or rear yard.
  - b. Vehicles may not be parked within the side (street) or front yard, except vehicles parked temporarily while making a delivery, providing a service, or purchasing goods or services.

#### 206-8.22. Parking of Recreational Vehicles

##### A. Defined

Parking of recreational equipment such as boats and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. The use includes equipment for on-site agricultural uses.

##### B. Use Standards

Where parking of recreation vehicles is allowed as a limited use, it is subject to the following:

1. Vehicles or equipment may only be parked in the side (interior) or rear yard on a concrete or paved surface or approved grassed paving system and which connects to the driveway or in a carport or enclosed roofed accessory structure located in the side (interior) or rear yard.
2. Vehicles or equipment parked in the rear yard, but not in a carport or an enclosed structure, must be at least 15 feet from the rear lot line and at least 5 feet from the all side lot lines.
3. Vehicles or equipment used for agricultural purposes on residential property with 5 or more acres are exempt from hard surface requirements if parked outside the required front setback.

#### 206-8.23. Parking or Storage of Watercraft

##### A. Defined.

The parking or storage of ships, boats, pontoons, personal watercraft, jet skis, canoes, kayaks, paddleboats, and any other devices designed for water travel.

##### B. Use Standards

Where parking of watercraft is allowed as a limited use, it is subject to the following:

1. There may be no more than two watercraft parked, stopped, or standing on any lot.
2. All watercraft must be located on an improved surface in a side (interior) or rear yard only, except as otherwise allowed by clause 3 below.
3. All watercraft may be in a completely enclosed and safely erected roofed accessory structure.

#### 206-8.24. Portable Accessory Structure

##### A. Defined

- c. Portable accessory structure must be removed on or before the 180th day from the initial drop, or upon issuance of a certificate of occupancy, whichever occurs first.
- d. Permit fee will be waived/refunded upon providing proof of a filed insurance claim for the repair or damages caused by fire, water, lightning, fallen tree, or other unforeseen acts.
- iii. Where used due to a declared natural disaster with an approved building permit being issued:
  - a. First 180-day period in any 12-month period: permit required; however, permit fee is waived.
  - b. Ninety-day renewal period in any 12-month period: permit required; however, permit fee is waived.
  - c. Portable accessory structure must be removed on or before the 270th day from the initial drop or upon issuance of a certificate of occupancy, whichever occurs first.
  - d. The Director has the authority to grant a one-time extension up to an additional 90 days.
  - e. In no event may a portable accessory structure be allowed to remain on any property for a period exceeding one (1) year.
- c. The business owner and/or property owner upon which the portable accessory structure will be located must acquire a portable accessory structure permit from the City before locating any structure(s) on-site.

## 206-8.25. Religious Accessory Uses

### A. Defined

Accessory uses administered by a religious institution that are related directly to their place of worship.

### B. Use Standards

Where a religious accessory use is allowed as a limited use, it is subject to the following:

1. Accessory uses to a place of worship must be directly related directly to the institution, and may include parks, athletic fields, stadiums, playgrounds, bookstores, soda shops, art galleries, restaurants, cafeterias, card and souvenir shops, clinics, medical and dental offices, and emergency lodging facilities, but not columbariums, except as allowed by clause 2 below.
2. Columbariums are only allowed in the CI district and may be in any yard.

## 206-8.26. Roofed Accessory Structure

### A. Defined

A small roofed accessory building, such as a detached garage, carport, shed, gatehouse, gazebo, greenhouse, covered pavilion, pool house, cabana, children's playhouse and similar accessory use, whether portable or not (except as provided for temporary storage containers), that are

subordinate in use and size to the principal use. Excludes all garages except those serving one dwelling unit and accessory dwelling units.

**B. Use Standards**

Where a roofed accessory structure is allowed as a limited use, it is subject to the following:

1. In all residential districts, accessory buildings shall not be used for any commercial operation whether permanent or part-time or used for any type of human habitation except as part of an approved accessory dwelling unit, as provided in this UDO.
2. Accessory buildings shall not be used for the storage of hazardous materials, waste products or putrescent materials.
3. No commercial vehicles, as defined by this UDO, shall be stored inside an accessory building located within a residential zoning district.
4. The maximum allowed number of roofed accessory structures and cumulative total square footage of all roofed accessory structures is based on the residential lot size as follows:

Lot Size (sq. ft./acres)	Max. No. Roofed Accessory Structures	Total Sq. Ft. of All Roofed Accessory Structures <sup>4</sup>
Less than 6,500	1	120
6,501 to 10,500	2	350
10,501 to 0.99 acres	3	750
Over 1.0 acre	4	50% of the conditioned/heated floor area of principal structure up to 2,000 sq. ft. max., excluding any ADU.

5. Roofed accessory structures must observe the following setback requirements adjacent to all lot lines:
  - a. Up to 120 square feet in area: min. 5-foot setback.
  - b. 121 to 300 square feet: min. 10-foot setback.
  - c. 301 to 500 square feet: min. 15-foot setback.
  - d. Over 500 square feet: min. 20-foot setback.
6. Roofed accessory structures must be located in the side (interior) yard or rear yard.
7. Roofed accessory structures 120 square feet or less in floor area may not exceed 10 feet in height in a residential district.
8. Roofed accessory structures greater than 120 square feet in floor area must abide by the following, excluding any covered pavilion, greenhouse, cabana, or carport:

<sup>4</sup> The combined sum of all principal and accessory uses shall not exceed the zoning district maximum lot coverage amount.

8. Roofed accessory structures greater than 120 square feet in floor area must abide by the following, excluding any covered pavilion, greenhouse, cabana, or carport:
  - a. Exterior walls of roofed accessory structures that are accessory to all uses, except single-family detached dwellings, must be finished with brick, stone, cement-based siding, or with materials and colors similar to that of the principal building.
  - b. Exterior walls of roofed accessory structures that are accessory to single-family detached dwellings must be any material listed in sentence (a) above or LP SmartSide or similar engineered wood lap, panel or vertical siding, or factory finished powder-coated metal, except that pre-engineered metal buildings or carports are not allowed.
  - c. Roofing materials and roofing colors must match that of the principal building.
  - d. Internal floors shall be solid surface and constructed with materials such as, but not limited to, concrete or wood. Gravel and dirt floors are prohibited.
  - e. Height may not exceed height of the principal dwelling.
9. The construction of any roofed accessory structure over 20 square feet in floor area requires a building permit. All permit applications must indicate the proposed use of the structure and must include a scaled drawing (i.e. 1" = 30') that shows the exact location on the property with distance(s) from the adjacent lot line(s).
  - a. Exception: no permit is required to erect a *pre-fabricated*<sup>5</sup> roofed accessory structure 120 sq. ft. or less in floor area on a developed single-family detached lot that meets all other requirements of Sec. 206-8.26.
10. Roofed accessory structures may not be located:
  - a. Within any drainage easement, sewer easement, or other easement as shown on any recorded plat.
  - b. Within any stream buffer or impervious surface setback .
  - c. Within the Floodplain.
  - d. Within the front yard or side (street) yard.
  - e. On any lot not containing a principal building and use.

### 206-8.27. Satellite Dish Antennas

#### A. Use Standards

1. Satellite dish antennas are only allowed in rear yards unless it can be documented that reception is impaired by such a location. In this case, an antenna will be allowed in all side yards, but not a front yard.
2. Satellite dish antennas larger than 18 inches in diameter may not be located on the roof of a residential structure.

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<sup>5</sup> Defined as 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.

1. At least 10% of total parking surface lot area (gross surface area) must use porous paving or grass paving systems, such as "Grasscrete" or "Grasspave;" or
2. At least 10% of the total number of parking spaces must be in a multi-level parking deck.

## 207-1.8. Vehicle Parking Location

### A. Exceptions

This subsection does not apply in zoning districts where building types are used to determine the location of vehicle parking.

### B. Parking Location Limitations

Buildings under 10,000 square feet of floor area, except single-family detached dwellings and two-family dwellings, located on lots that are all or partially within 300 feet of State Route 124 or State Route 10/United States Highway 78, must conform to the following.

1. No more than one double row of parking may be located between a building and abutting public streets.

## 207-1.9. Vehicle Loading

### A. Loading Not Required

If determined necessary by the Director, adequate space must be made available on-site for the unloading and loading of goods, materials, items or stock for delivery and shipping, otherwise, on-site loading space is not required.

### B. Location

If a loading area is provided or required, it must meet the following.

1. Except for areas specifically designated by the City, loading and unloading activities are not permitted in a public street, not including an alley.
2. Loading and unloading activities may not encroach on or interfere with the use of sidewalks, drive aisles, stacking areas and parking areas by vehicles, bicycles, or pedestrians.
3. In the OP, BN, BG, HSB, CI, TCO, and TC Districts, loading areas must be located to the side (interior) or rear of buildings, but not between a building and a public or private street (not including an alley).

### C. Screening

If an off-street loading area is provided or required, it must meet the following.

1. Where a loading dock is placed between a public or private street (not including an alley) or a shared lot line and the associated building, the entire length of the loading area must be screened.
2. Screening must consist of an 8-foot high wall compatible with the principal building in terms of texture, quality, material, and color, except as provided in clause 3 below.
3. Screening may also consist of evergreen plant material in lieu of an 8-foot high wall if a landscape plan is submitted demonstrating that said plant material will provide an equal or

3. Business vehicles when in conformance with Sec. 206-8.21 (Parking of Business Vehicles).
4. No more than four vehicles, including utility and box trailers, per dwelling unit may be parked, stopped, standing, or stored on any lot. The Director is authorized to allow more than four vehicles when the occupants of the dwelling unit can prove that the number of vehicles does not exceed the number of licensed drivers in the dwelling and the vehicle is operable, or when the vehicle is more than 30 years old.
  - a. All vehicles and trailers of any kind found, parked, stopped, standing, or stored that require licenses, emission stickers, tags, titles, tax payment receipts, or registration with State or federal agencies, must properly display all required certifications for operation in the State or they will be cited as abatable nuisances under City ordinance and State law, and, if applicable, will otherwise be cited for other registration or display compliance failures.
  - b. Each lot may have additional vehicles, including trailers, parked, stopped, standing, or stored, so long as they are in a safely erected and maintained enclosed shelter, not visible from the public right-of-way or adjoining properties, where the entire floor area under the roof of the enclosed shelter is made of concrete, asphalt, other improved surface.

### C. Driveways and Parking Surfacing

The following only applies to driveways and parking serving single-family detached dwellings. All other uses must conform to Sec. 207-1.7.E (Surface and Lighting).

1. Driveways must be paved with concrete and additional parking must be constructed out of concrete, asphalt, or an alternative pervious paving, as allowed by clause 3 below. Gravel driveways and/or gravel parking areas are prohibited.
2. The parking of any vehicle on any surface that is not allowed by clause 1 above is prohibited.
3. Except for side-entry garages, the Director of Planning and Development may consider variances to allow construction of additional hard-surface parking areas in a side (interior) or rear yard, adjacent to an existing driveway, for the purposes of overflow parking where, in their opinion, the intent of this UDO can be achieved and equal performance obtained by granting a variance. Examples of materials that the Board may approve include, but are not limited to, brick, cobblestone, or pavers set in concrete or similar hard surfaces.

### 207-1.12. Nonresidential District Parking

#### A. Vehicle Parking Layout and Design

Vehicles in nonresidential districts must park in a parking space that conforms to Sec. 207-1.7 (Vehicle Parking Layout and Design).

#### B. Overnight Parking

1. The overnight parking of vehicles is not allowed in nonresidential districts, unless serving an on-site residential use or an off-site residential use subject to a remote parking arrangement in conformance with Sec. 207-1.4.C.
2. The overnight parking of business vehicles, including all tractor trailers, is not allowed in nonresidential districts unless in conformance with Sec. 206-8.21 (Parking of Business Vehicles).

#### C. Additional BG, HSB, LM District Standards.

**Sec. 207-2. Buffers and Screening**

**207-2.1. Buffers**

**A. Applicability**

This subsection applies to any Development Permit or Substantial Building Permit, except those involving individual single-family detached and two-family dwellings. Permit applications must include a separate landscape plan that has been prepared and sealed by a Georgia registered landscape architect, certified arborist, or Georgia registered forester.

**B. Buffer Requirements**

A buffer is required as follows:

1. New projects must provide a buffer strip along lot lines that abut another existing zoning district when indicated in Table 207-2.1.B, unless otherwise allowed by clause 2 below.
2. When a buffer is required by Table 207-2.1.B, but the existing adjacent site is designated for commercial, office institutional, or light manufacturing in the future land use plan, the buffer may be eliminated or reduced with the written consent of the abutting property owner.

**Table 207-2.1.B. Minimum Buffer Strip Requirements**

New Project Zoning	Existing Adjacent District (Required Buffer Shown in Feet)										Res (County) [2]
	RS-30 RS-30-BTR	RS-15 RS-15-BTR	RS-5 RS-5-BTR	R-DU R-DU-BTR	R-TH R-TH-BTR	RM	RX	RO RO-BTR	PRC	TC-R	
SP [1]	15	15	15	--	--	--	--	--	--	--	15
RM	15	15	15	--	--	--	--	--	--	--	15
RX	15	15	15	--	--	--	--	--	--	--	15
RO	15	15	15	--	--	--	--	--	--	--	15
R-TH	15	15	15	--	--	--	--	--	--	--	15
R-TH-BTR	15	15	15	--	--	--	--	--	--	--	15
OP	40	40	40	40	40	40	40	40	40	40	40
BG	40	40	40	40	40	40	40	40	40	40	40
HSB	60	60	60	60	60	60	60	60	60	60	60
MU	40	40	40	40	40	40	40	40	40	40	40
NR	40	40	40	40	40	40	40	40	40	40	40
LM	60	60	60	60	60	60	60	60	60	60	60
TC-R	15	15	15	15	15	15	15	15	15	--	15
TC-MU	40	40	40	40	40	40	40	40	40	--	40
CI	40	40	40	40	40	40	40	40	40	40	40

Table Notes

[1] Residential district use allowed by special use

[2] Required where adjacent to residential zoned property(s) located in unincorporated Gwinnett County.

**C. Minimum Buffer Strips**

All buffers must be established in accordance with the following:

1. Buffers must be undisturbed and may contain no structures except walls, fences, or structures otherwise allowed in the buffer by this UDO.

## Sec. 207-4. Tree Ordinance

### 207-4.1. Intent, Purpose, and Title

#### A. Title

This section is known as the "Tree Ordinance."

#### B. Intent

It is the intent of the City that there is no net loss of trees within its boundaries. The purpose of this section is to establish the standards necessary to assure that this intent is realized and that the City will continue to cultivate and encourage a high level of tree preservation, promote the general provisions within this section, and develop detailed provisions within the administrative guidelines in order to implement the regulations set forth to preserve, maintain, and replant trees within the city. The provisions of this section are enacted to:

1. Establish and maintain the maximum amount of tree cover on public and private lands by prohibiting the destruction and removal of trees except in accordance with the standards in this section;
2. Maintain trees in a healthy and nonhazardous condition through professionally accepted arboricultural practices;
3. Establish and revise as necessary standards for tree planting and maintenance so as to improve the economic base of the city by improving property values, to enhance the visual quality of the city and its neighborhoods, and to improve public health by lessening air pollution and the incidence of flooding;
4. Minimize hazards and damage to streets and sidewalks and lessen public rights-of-way maintenance costs;
5. Provide for the designation of historic and specimen trees; and
6. Provide latitude in the interpretation and application of City administrative rules, standards, and guidelines, when reasonable and necessary to minimize the destruction of trees.

### 207-4.2. Applicability

This section applies to any development permit, substantial building permit, or any undeveloped lot that requires a building permit except those involving individual single-family detached and two-family dwellings.

### 207-4.3. Permit Procedures

#### A. Required

No person may directly or indirectly remove, destroy, or injure any tree located on public property that is subject to the provisions of this section, or any tree with a diameter breast height (DBH) of 3 inches or larger located on private property subject to the provisions of this section, without obtaining a permit as provided in this subsection.

#### B. Tree Protection Plan

All permit applications must include a tree protection plan submitted with other permit drawings. The plan must be a separate drawing that has been prepared and sealed by a registered landscape architect, certified arborist, or registered forester and that includes the following:

1. **Survey.** The survey must be a to-scale map or site plan that has been prepared and sealed by a registered landscape architect, certified arborist, registered forester, registered surveyor, or registered engineer no more than 12 months before the date of submittal. The survey must show the following:
  - a. The location, species, and size (DBH) of existing specimen and/or heritage trees on the site. Their critical root zone (CRZ) must also be delineated and the spot elevation at the base of their trunk must be indicated. Trees must also be labeled in a way to determine if they are intended for removal or preservation.
  - b. The location, species, and size (DBH) of existing trees which are proposed to be saved on the site with a diameter breast height (DBH) measurement of 4 inches or larger.
  - c. The location, species, and size (DBH) of existing trees within the public right-of-way with a DBH measurement of 3 inches or larger.
  - d. The location, species, and size (DBH) of existing boundary trees with a DBH of 4 inches or larger that have a CRZ that lies anywhere on the site.
  - e. If the area of tree save, excluding required zoning buffers, is greater than 3 acres, the design professional may propose to the Director, an alternate tree sampling survey plan. Tree sampling locations must be pre-approved by the Director and shall be 50 feet by 50 feet, or 2,500 square feet in area, per acre of the site.
  - f. Existing tree save density per acre shall be determined by taking an average of the number of tree inches located in each sample area and multiplying by 17.42.
2. **Definition of Spatial Limits**
  - a. Lot line and lot acreage.
  - b. Limits of land disturbance, clearing, grading, and trenching.
  - c. Tree protection zones.
  - d. Areas of revegetation.
  - e. Indication of staging areas for parking, material storage, concrete washout, debris burn, and other areas where tree protection may be affected.
  - f. Locations of existing and proposed utilities, structures, paving, driveways, cut and fill areas, detention areas, utilities, etc.
3. **Detail Drawings of Tree Protection Measures** (where applicable)
  - a. Protective tree fencing.
  - b. Erosion-control fencing.
  - c. Tree protection signs.
  - d. Planting and transplanting specifications.
  - e. Tree wells, and aeration systems.
  - f. Staking specifications.

1. Relatively sound and solid trunk with no extensive decay.
  2. No more than one major and several minor dead limbs.
  3. No major insect or pathological problems.
  4. No major pruning deficiencies (i.e., topping).
  5. A life expectancy of greater than 10 years.
  6. At least 75% of the CRZ in a natural, undisturbed state.
  7. Exceptional quality.
  8. Of historical significance.
- C. All reasonable efforts must be made to save specimen and heritage trees. Reasonable effort includes, but is not be limited to, alternate building design, building location, parking area layout, parking area location, water retention location, and the like. In order to encourage the preservation of specimen and heritage trees, the removal of these trees requires tree replacement that is in addition to the site's required tree density and in addition to any tree density credit for tree save areas. Specimen and heritage tree replacement requirements must be provided in addition to the regular site tree replacement requirements. When authorized to remove a specimen and/or heritage tree, said trees must be replaced per the following ratios:
- Specimen tree: 1-inch of DBH removed: 1.5-inch of caliper replaced
- Ex: removing a specimen hardwood with a DBH of 32-inch will require 48-inch of replacement caliper
- Heritage tree: 1-inch of DBH removed: 2-inch of caliper replaced
- Ex: removing a heritage hardwood with a DBH of 40-inch will require 80-inch of replacement caliper
- D. The Director may identify and require the preservation of a tree stand if it contains one or more specimen and/or heritage tree(s) and the tree(s) are interlocked with other members of the stand in such a manner as to imperil the individual tree if other members of the stand were to be removed.
- E. No specimen and/or heritage tree(s) may be removed without the prior written approval of the Director. Any specimen and/or heritage tree that is removed without the appropriate review and approval of the Director must be replaced with 5-inch caliper or larger trees with a total density equal to three times the DBH value of the tree removed. Size alone will determine whether a tree was of specimen or heritage quality if the tree is removed without approval. Additionally, the area that encompassed the CRZ of the specimen and/or heritage tree must remain undisturbed to allow for the planting of replacement trees.
- F. Replacement trees for both specimen and heritage trees must be either overstory or mid-canopy trees, 3-inch minimum caliper, and conform to all other requirements of Sec. 207-4.5 (Tree Replacement, Afforestation).

## 207-4.9. Tree Recompense

A. Recompense is calculated when a project site cannot bear the tree density requirement. In this case, the Director may approve a contribution to the City of Snellville Tree Replacement Fund. The following standards have been established for administering these contributions and fund:

1. The Director must review and approve all requests for alternative compliance. In no instance may 100% of the required site density be met through alternative compliance. As many trees as can reasonably be expected to survive must be planted on the site in question.
2. No permit may be issued until the required recompense has been made to the Tree Replacement Fund. The amount of the recompense must be determined using the following formula:

$$\$250(\text{Specimen/Heritage/Public ROW Tree Replacement Requirements} + (TDF - (EDF + RDF)))$$

Ex: A 3-acre lot is zoned Office Professional (OP) (90-inch cal./acre required). There are four trees (20-inch elm, 22-inch elm, 22-inch oak, and a 19-inch oak), which are noted to be preserved on the Tree Protection Plan. There is 1 heritage tree on the site (42-inch oak) that is noted to be removed on the Tree Protection Plan. That heritage tree requires a replacement of 84-inch of caliper. No trees within the public right-of-way were removed, destroyed, or lost. The developer is replacing a total of 210-inch of tree caliper back on the site. The developer's owed recompense is calculated below:

$$\begin{aligned}
 R &= \$250(84 + (270 - (20+22+22+19 + 210))) \\
 R &= \$250(84 + (270 - (83 + 210))) \\
 R &= \$250(84 + (270 - 293)) \\
 R &= \$250(84 + -23) \\
 R &= \$250(61) \\
 R &= \$15,250*
 \end{aligned}$$

\*Note: The example calculation above is provided as an alternative method for monetary recompense when a development site cannot feasibly support required replacement trees when all reasonable efforts have been made. As outlined in Sec. 207-4.B.C. above, all specimen and heritage trees that are removed, must be replaced at the ratio required and that replacement must be in addition to the site's required tree density and in addition to any density credit for tree save area.

3. The City of Snellville Tree Replacement Fund must be used for planting trees on public property. Funds may be used for the purchase of trees, installation of trees, shrubs, and irrigation, and the purchase of mulch and soil amendments for the planted areas.

## 207-4.10. Tree Protection

- A. The following minimum tree protection measures must be in place for all tree protection zones:
1. Trees identified for preservation must have temporary protection fencing at least 4 feet high installed at the edge of the critical root zones. The Director may require this temporary fencing to be chain link where the likelihood of possible encroachment exists. All tree protection zones must be identified with signage posted visibly on all sides of the fenced area.

## Sec. 207-5. Lighting

### 207-5.1. General

#### A. Purpose

1. This section is intended to control the use of outdoor artificial illuminating devices emitting rays into the night sky which have a detrimental effect on astronomical observations. It is the intention of these standards to encourage good lighting practices such that lighting systems are designed to reduce or eliminate light pollution, conserve energy and money, while increasing nighttime safety, utility, security, and productivity.
2. Furthermore, it is the intent of this section to establish lighting levels for various permitted uses that promote visual surveillance, reduce the potential for criminal activity and prevent the unnecessary glare of light on adjacent properties.

#### B. Applicability

All areas containing outdoor lighting, including but not limited to floodlighting, security lighting, event lighting or the lighting of off-street parking and loading areas must comply with this section.

### 207-5.2. Administration

#### A. Site Lighting Plan (Required for non-residential, multifamily residential, and single-family attached developments).

1. A site lighting plan must be submitted at a 1 inch = 20-foot scale minimum.
2. Site lighting plans must include:
  - a. Location and mounting information for each light;
  - b. Illumination calculations showing light levels in foot candles at points located on a ten-foot center grid, including an illustration of the areas masked out per the requirements above regarding points of measurement;
  - c. All non-pedestrian lighting fixtures (luminaries) shall be full-cutoff luminaires whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop Dish Refractors are prohibited. Provide manufacturers drawing details for proposed fixtures and mounting poles.
  - d. Light source shall be Light Emitting Diodes (LED). Alternate light sources shall be submitted to the Director for approval. A single light source type shall be used for any one site. Fixtures must be mounted in such a manner that the cone of the light is not directed at any property line of site.
  - e. The minimum mounting height for a parking lot pole fixture is 12 feet. The maximum mounting height for a parking lot pole fixture is 20 feet.
  - f. The maximum height for a pedestrian walkway pole is 14 feet.
  - g. Photometric calculations must be initial and maintained with aiming diagrams and mounting heights.
  - h. Lighting details shall be in conformity with standards outlines in Sec. 207-5.4.

**B. Site Lighting Plan** (Required for single-family detached residential developments).

1. A site lighting plan must be submitted at a 1 inch = 20-feet scale minimum.
2. Site lighting plans must include:
  - a. Location and mounting information for each street light;
  - b. Illumination calculations showing light levels in foot candles at points located within a 30-foot radius from each street light. If the proposed residential development includes an amenity area, illumination calculations showing light levels in foot candles at points located on a ten-foot center grid shall be provided;
  - c. Lighting details in conformity with standards outlined in Sec. 207-5.4;
  - d. The minimum mounting height for a parking lot pole fixture is 12 feet. The maximum mounting height for a parking lot pole fixture is 20 feet;
  - e. The maximum height for a pedestrian walkway pole is 14 feet.

**C. Light Level Measuring**

1. Light levels are specified, calculated and measured in foot-candles. All foot-candle values are maintained foot-candles.
2. Measurements are to be made at ground level, with the light-registering portion of the meter held parallel to the ground pointing up.

**D. Relief**

Relief from the requirements of this section may be granted by the City Council under the following circumstance:

1. Minimum levels may be less than required by this section, depending on site and traffic conditions.
2. Maximum levels may be more than allowed by this section when the proposed levels strictly conform to the recommended levels within the IESNA Lighting Handbook, the accepted industry standards.
3. All lighting fixtures designed or placed so that the minimum and maximum levels of illumination as measured in foot-candles at any one point meets the standards shown in Table 207-5.6.

**207-5.3. Prohibited Lighting**

The following lighting systems are prohibited:

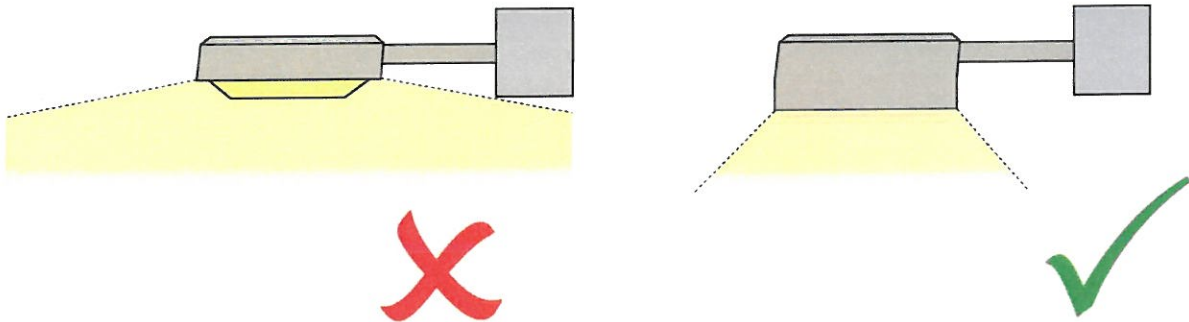
- A. Aerial lasers;
- B. Temporary searchlights and other high-intensity narrow-beam fixtures;
- C. Mercury or sodium vapor lamps and other light sources that lack color correction or do not allow for uniform site lighting;
- D. Cobra-head-type fixtures with dished or drop lenses or refractors;

- E. Blinking or flashing lights, rope lights or lights outlining architectural features (other than temporary holiday lighting);
- F. Spotlights or floodlights mounted on any tree (other than temporary holiday lighting);
- G. Any lighting configured in a manner which causes glare or distraction to the public;
- H. Home security lighting directed in a manner which causes glare into an adjoining residence; and
- I. Poles primarily constructed with materials other than painted steel and aluminum.

#### 207-5.4. Lighting Standards, Configuration, and Timing

##### A. Fixtures:

1. Exterior non-pedestrian lighting must be of full cutoff design and directed downward and away from adjoining property, with luminaires shielded to prevent unnecessary glare. "Full cutoff" has the meaning established by Illuminating Engineering Society of North America (IESNA) and means that the luminous intensity (in candelas) at or above an angle of 90° above nadir is zero, and the luminous intensity (in candelas) at or above a vertical angle of 80° above nadir does not numerically exceed 10% of the luminous flux (in lumens) of the lamp or lamps in the luminaire.



2. Exterior pedestrian lighting, or lighting installed for the purpose of illuminating a walkway or sidewalk where building mounted lighting and parking lot lighting is insufficient, may utilize fixtures other than "full-cutoff". Fixtures must be top-mounted on approved poles and must be "lantern-style" as illustrated (right). Design variations may be submitted for review.



- B. Trees and shrubs may not interfere with the distribution of exterior lighting necessary for security purposes as required by this section.
- C. Security lighting above building entrances, parking lots, off-street loading areas and service entrances must be LED, unless permitted otherwise during plan review, and incorporated in exterior areas going to and from the building(s) or use(s) within the site.
- D. All exterior fixtures, when used for security purposes, except for parking lot lighting, shall be illuminated from dusk until dawn, unless otherwise specifically designated on the site plan and

as approved through the site plan process. All other exterior lighting that is not necessary for security purposes shall be turned off one hour after the close of business.

- E. Any exterior lighting device designed for security lighting must be protected by weather and vandal-resistant covering, a managed light source for controlling the times of illumination and fully shielded and directed down to minimize glare and intrusiveness on adjacent properties or rights-of-way.
- F. Lighting in multi-level parking ramps must be evaluated on a case-by-case basis to maximize safety and to minimize unnecessary glare to adjacent or nearby residential areas.
- G. All poles utilized for mounting light fixtures must be constructed of steel or aluminum, or other material approved by the Director of Planning and Development. Poles must be maintained in good repair and must be painted a black, grey, or brown. Poles must be securely fastened to a concrete base which is sized appropriately for horizontal force demands.

**207-5.5. Minimum Illumination Guidelines for Security Purposes**

All minimum illumination guidelines for security lighting listed in this section must be maintained from ground level to a height of 6 feet. The minimum to maximum uniformity ratio may range up to 6:1 in acceptable layouts. In some circumstances, customer convenience, closed-circuit surveillance, and commercial entertainment uses may require a higher level of lighting.

**207-5.6. Outdoor lighting intensity standards**

When outdoor lighting is proposed or required, the following standards in the following table will apply.

Outdoor Lighting Intensity Standards Table		
Light Use	Minimum Horizontal Foot-candles	Maximum Horizontal Foot-candles
Non-residential Parking lots	0.6	10.0
Multi-family Parking Lots	0.2	10.0
Fuel Center Canopies	10.0	25.0
Security Entrances (Safety)	0.6	15.0
ATM Locations	0.6	25.0
Walkways, Access Drives	0.2	10.0
Loading and Unloading Areas	0.2	10.0
Landscaped Areas	--	5.0

**207-5.7. Light Trespass**

Areas containing outdoor lighting (except public street lighting) must limit light trespass onto adjacent property, when measured at any point along a lot line, to the requirements set forth below. Compliance shall be achieved by utilizing fixture shielding, directional control designed into fixtures,

fixture location, height, or aim, or a combination of these or other factors. Light trespass maximums shall not apply to the right-of-way, provided that all other limiting measures are met.

District Adjoining Subject Property	Maximum Light Spillage to Adjoining Lots Measured in Foot-candles
All residential districts, TC-R, NR	3.0
All nonresidential districts, TC-MU, CI	5.0

**207-5.8. Exterior Illumination of Buildings and Other Vertical Structures**

When buildings or other structures are illuminated, the design for the illumination must be in accordance with the following:

- A. The illumination of buildings is restricted to security lighting or highlighting unique architectural features.
- B. Lighting fixtures must be located and/or aimed such that light is directed only onto the building surface. All fixtures used to illuminate buildings must be fully shielded.
- C. For statues, monuments, fountains, or other objects for which it may not be possible to illuminate with downward lighting, upward lighting may be used only in the form of spotlights which confine the illumination to the object of interest.
- D. If upward lighting is used to illuminate flags, only spotlights may be used; floodlights directed above the horizontal shall not be used to illuminate a flag.

**207-5.9. Neon Lighting**

Light sources consisting of glass tubes filled with neon, argon, krypton, or other similar gas (hereafter referred to as “neon lighting”) are excluded from shielding and line-of-sight requirements; however, lighting must be included in the light trespass requirements of Sec. 207-5.7 (Light Trespass). Furthermore, neon lighting will not be considered as security lighting.

**207-5.10. Enforcement**

Failure to adhere to the requirements of this section or an approved lighting plan will be deemed a violation of this UDO.

**207-5.11. Exceptions**

The following types of lighting are exempt from the requirements of this section:

- A. The temporary use of low wattage or low voltage lighting for festivals and celebrations, except where they create a hazard or nuisance from glare. Consideration of light trespass requirements must be demonstrated before commencing the use of temporary lighting.
- B. Temporary holiday lighting (for a period of no more than 30 days before the holiday and no more than 7 days after the holiday), except where they create a hazard or nuisance from glare.

Consideration of light trespass requirements must be demonstrated before commencing the use of temporary lighting.

- C. Emergency lighting and traffic control lighting.
- D. Underwater lighting used for the illumination of swimming pools and fountains

#### **207-5.12. Nonconforming Lights**

##### **A. Authority to Continue**

Lawful lighting fixtures located within the City at the effective date of this UDO or which come to be located in the City as a result of annexation after the effective date of this UDO, which do not conform to the standards of this section, may continue provided the lighting remains in conformance with this section.

##### **B. Ordinary Maintenance and Repair**

Nothing in this section relieves the owner or beneficial user of legal nonconforming lighting, or the owner of the property on which the legal nonconforming lighting is located, from the provisions of this UDO regarding safety, maintenance, and repair. Normal maintenance, including replacing light bulbs, cleaning, or routine repair of legal nonconforming light fixtures, will not be deemed to be a condition which triggers a loss of lawful status described below, unless such maintenance increases the nonconforming aspects of the lighting.

##### **C. Loss of Lawful Status**

1. The legal nonconforming status will terminate under the following conditions:
  - a. If a light fixture is not used for a period of 12 months or longer it will be deemed abandoned and may not be reestablished; or
  - b. If a lighting fixture is structurally altered such that its nonconforming aspects increase; or
  - c. If a lighting fixture is relocated, replaced, or moved in any way; or the lighting fixture is damaged and the cost of repair exceeds 50% of its replacement value.
2. When any condition described in clause 1 above occurs, the lighting fixture must be immediately brought into compliance with this section or removed.

##### **D. Removal Pursuant to Public Order**

Lighting found by a governmental agency to create public hazard can be ordered removed or altered at any time.