

GWINNETT COUNTY
MIXED-USE REDEVELOPMENT (MUR) OVERLAY DISTRICT REQUIREMENTS

Section 1317. Mixed-Use Redevelopment (MUR) Overlay District.

1. Purpose.

The purpose of the Mixed-Use Redevelopment Overlay District is to promote the redevelopment of properties in a manner that integrates commercial and/or office with residential land uses, promotes pedestrian accessibility among uses, reduces automobile trips, provides a livable environment for project residents, and enhances the value and aesthetics of the surrounding community. MUR's utilize connective streetscapes to promote an environment conducive to human activity through the provision of landscaping, street/shade trees, street furniture and sidewalks to unify and interconnect varying uses.

2. Applicability.

The Mixed-Use Redevelopment Overlay District may only be implemented within specific geographic areas or developed corridors within unincorporated Gwinnett County as designated by the Board of Commissioners.

The MUR Overlay shall be restricted to the redevelopment of existing office, institutional, residential, commercial and/or industrial sites. However, minor (less than 25% of project acreage) addition of adjacent vacant lands, floodplains, etc. may be included within the project. Mixed-use redevelopment sites shall be located on major thoroughfares where infrastructure is available to support such a use.

Existing conditions of zoning which apply to MUR Overlay properties shall remain in effect. Where such conditions conflict with any requirement of this Section, the more restrictive requirement shall take precedence. Notwithstanding the above, the Board of Commissioners may modify or dissolve pre-existing conditions of zoning upon official designation of the Overlay District.

3. Concept Plan (CPL) Required.

All MUR Overlay projects shall be governed by an approved Concept Plan. The Concept Plan shall be submitted, reviewed and approved in accordance with applicable Zoning Resolution and Development Regulation requirements. Upon approval of the Concept Plan, individual pods of the redevelopment project may be undertaken through the Development Permit and Subdivision Platting process contained in the Development Regulations. MUR Overlay projects may be constructed as a single phase, or may be constructed in multiple phases, in accordance with the approved Concept Plan. Notwithstanding the forgoing, the Board of Commissioners may require the Concept Plan to be submitted to the Board of Commissioners for review and approval. Such requirement for the Board of Commissioners review shall be established at the time the Overlay District is designated.

4. Density, Building Height, and Minimum Project Size.

Residential density shall be based upon gross project acreage, and may be developed up to a maximum of 32 units per acre. Maximum building height shall be governed by the underlying zoning district. The Board of Commissioners may reduce maximum project density and/or establish increased building heights on a case-by-case basis at the time an Overlay District is established.

MUR Overlay projects shall contain a minimum of ten (10) contiguous acres of land area; except that expansion of an existing or approved MUR Overlay project may contain less land area. A single use may occupy no more than 70% of the gross site acreage (exclusive of required common area).

5. Permitted Uses and Structures.

MUR Overlay projects shall incorporate residential uses with office and/or commercial uses and shared common area(s). Residential uses may include single-family detached, single-family attached, multifamily, and residential/business dwellings.

The Mixed-Use Redevelopment Overlay District encourages the mixing of uses both horizontally and vertically. Within the overlay district, the permitted uses of the R-100 (Single-Family Residence District); R-75 (Single-Family Residence District); R-60 (Single-Family Residence District); R-ZT (Single Family Residence Zero Lot Line/Townhouse District); RM-6, RM-8, RM-10, and RM-13 (Multifamily Residence Districts) are allowed as specified below. Uses subject to approval of a Special Use Permit in the underlying district shall continue to require approval of said permit.

- A. Single-Family Detached Pods (Individual Lots)
 - 1. Single-Family Detached Dwellings, except Manufactured Homes.
 - 2. Zero Lot Line Single-Family Detached Dwellings.
- B. Single-Family Attached Pods (Individual Lots)
 - 1. Townhouses.
- C. Residential/Business Dwelling Pods
 - 1. Residential/Business Dwellings.
 - 2. Business activities shall be limited to those allowed within the C-1 or O-I zoning district provided:
 - a) Only one business may be operated from the residence.
 - b) No more than 50% of the dwelling unit may be used for conducting the business.
- D. Multifamily Residence Pods
 - 1. Multifamily Dwellings, Lofts, Condominiums.

E. Commercial/Office/Residential Pods

1. All uses permitted in the O-I, Office-Institutional District.
2. All uses permitted in the C-1, Neighborhood Business District.
3. All uses permitted in the C-2, General Business District, including temporary uses. Recovered Materials Processing, Yard Trimmings Composting, and Adult Entertainment Facilities are not permitted.
4. Mixed-Use Commercial Buildings which include Multifamily Dwellings, Lofts or Condominiums.
5. Residential/Business Dwellings.

6. Development Requirements.

A. Single-Family Detached on Individual Lots

1. Minimum lot area: No minimum, except that each building envelope shall contain at least 1,000 square feet outside the 100-year floodplain elevation.
2. Minimum lot width: The minimum lot width of all building lots shall be at least 40 feet.
3. Minimum Road Frontage per lot: 40 feet. Exception: Road frontage may be reduced to 20 feet for lots with frontage upon cul-de-sac turnarounds or "eyebrow" cul-de-sacs.
4. Minimum front yard (from streets interior to the development): 5 feet.
5. Minimum side yard:
5 feet per side (single-family detached); or
10 ft. one side/0 ft. opposite side (zero lot-line).

note: (zero lot-line will require 8-ft. access/ maintenance easement on the adjoining lot.)

6. Minimum rear yard: 5 feet.
7. Where adjacent to a required buffer, the minimum required side or rear yard setback(s) shall increase an additional 5-feet for every 10-foot incremental increase in building height above 35-feet.
8. Sodded yards: All grassed areas shall be sodded.
9. Minimum Garage Required: Two-car garage.
10. The required garage and off-street parking must be located to the rear of at least 50% of all dwelling units. Where garages are front entry, the garage façade shall be recessed a minimum of 4 additional feet from the building line.
11. All new or relocated utilities shall be placed underground.

B. Single-Family Attached on Individual Lots:

1. Minimum lot area: None.
2. Minimum lot width: 18 feet.
3. Minimum Road Frontage per lot: 0 feet.
4. Minimum front yard (from streets interior to the development): 0 feet.
5. Minimum side yard: 5 feet on non-attached side.
6. Minimum rear yard: 5 feet.

7. Where adjacent to a required buffer, the minimum required side or rear yard setback(s) shall increase an additional 5-feet for every 10-foot incremental increase in building height above 35-feet.
8. Sodded yards: All grassed areas shall be sodded.
9. Minimum garage required: One-car garage.
10. The required garage and off-street parking must be located to the rear of at least 50% of all dwelling units.
11. Firewalls: A minimum of a two-hour rated firewall shall be required between each attached dwelling unit. A four-hour rated firewall shall be required between every fourth attached dwelling unit. Firewalls shall be constructed in accordance with applicable building codes of Gwinnett County.
12. All new or relocated utilities shall be placed underground.

C. Residential/Business Dwellings:

1. Minimum lot area: None.
2. Minimum unit width: 18 feet.
3. Minimum Road Frontage per lot: 0 feet.
4. Minimum front yard (from streets interior to the development): 0 feet.
5. Minimum side yard: 0 feet on non-attached side.
6. Minimum rear yard: 0 feet.

7. Where adjacent to a required buffer, the minimum required side or rear yard setback(s) shall increase an additional 5-feet for every 10-foot incremental increase in building height above 35-feet.
8. Sodded yards: All grassed areas shall be sodded.
9. Minimum garage required: One-car garage.
10. The required garage and off-street parking must be located to the rear of at least 50% of all dwelling units.
11. The businesses shall have direct entry from the street frontage sidewalk.
12. All new or relocated utilities shall be placed underground.
13. Dumpsters must be screened on all sides by a minimum six-foot high brick or masonry wall with access via an opaque metal gate.

D. Multifamily Residences:

1. Minimum lot area: None.
2. Minimum lot width: none.
3. Minimum Road Frontage: 40 feet.
4. Minimum front yard: 0 feet.
5. Maximum front yard: 15 feet, except when common area is provided between the street and building.
6. Minimum side yard: 0 feet.
7. Minimum rear yard: 0 feet.
8. Where adjacent to a required buffer, the minimum required side or rear yard setback(s) shall increase an additional 5-feet for every 10-foot incremental increase in building height above 35-feet.

9. Minimum building height: 2 floors/stories.
10. Sodded yards: All grassed areas shall be sodded.
11. Parking shall be provided in designated lots/ decks subject to review and approval of the Director of Planning and Development.
12. All new or relocated utilities shall be placed underground.
13. Dumpsters must be screened on all sides by a minimum six-foot high brick or masonry wall with access via an opaque metal gate.

E. Commercial/Office/Residences:

1. Minimum lot area: None.
2. Minimum lot width: none.
3. Minimum Road Frontage: 40 feet.
4. Minimum front yard: 0 feet.
5. Maximum front yard: 15 feet except when common area is provided between the street and building.
6. Minimum side yard: 0 feet.
7. Minimum rear yard: 0 feet.
8. Where adjacent to a required buffer, the minimum required side or rear yard setback(s) shall increase an additional 5-feet for every 10-foot incremental increase in building height above 35-feet.
9. Sodded yards: All grassed areas shall be sodded.
10. Dwellings may be constructed on floors/stories above first floor non-residential uses.

11. All new or relocated utilities shall be placed underground.
 12. Dumpsters must be screened on all sides by a minimum six-foot high brick or masonry wall with access via an opaque metal gate.
7. Common Area. Common area shall be provided according to the following standards:
- A. At least twenty percent (20%) of the gross project acreage (excluding 100-year floodplain and wetland areas) shall be designated on a recorded plat as permanent common area for the use of the residents and visitors to the development.
 - B. Sidewalks and associated amenities may be credited toward common area calculations, if the sidewalk is constructed at a width of 8-feet or greater and the streetscape is enhanced with decorative, commercial quality street furniture, fountains, planters, public seating and/or similar improvements (subject to review of streetscape design by the Department of Planning and Development).
 - C. Landscaped strips along internal or external streets may be credited toward common area calculations, if the landscaped strip is constructed at a continuous width of 25-feet or greater.
 - D. Wetland and floodplain areas shall be preserved in their natural state except for the installation of required detention facilities and stormwater BMP's.
 - E. Stormwater facilities may be located within common area, if designed and improved as an amenity, subject to review and approval of the Director of Planning and Development.

F. Common areas shall be distributed throughout the project to provide linkages, amenities and visual appeal for the development. Final common area design shall include provision of at least one centrally located public gathering area (with related amenities and improvements) in the form of a town green, amphitheater, landscaped plaza, or similar approved element.

G. Common Area Ownership.

Common areas, stormwater facilities, floodplain and wetland areas shall be owned in fee-simple by a mandatory property owner's association or approved entity which administers a reciprocal access and maintenance agreement for the project; or other entity approved in advance by the Board of Commissioners during their normal course of business. The developer shall record the deed to the common area prior to, or concurrent with, the recording of the first final subdivision plat or certificate of occupancy. An access easement following the alignment of future public streets is acceptable. However, "pocket parks" or "greens" may be deeded concurrent with the unit or phase of the final subdivision plat of which it is a part.

H. Property Owner's Association.

The property owner's association bylaws or covenants, at a minimum, shall contain the following provisions:

- 1) Governance of the association by the Georgia Property Owner's Association Act (OCGA Section 44-3-220 et seq.) or a successor to that Act that grants lien rights to the association for maintenance expenses and tax obligations.
- 2) Responsibility for maintenance of common areas.
- 3) Responsibility for insurance and taxes.
- 4) Automatic compulsory membership of all property owners and subsequent lot purchasers and their successors; and compulsory assessments.

- 5) Conditions and timing of transferring control of the association from the developer to the property owners.
- 6) Guarantee that the association will not be dissolved without the advance approval of the Board of Commissioners.
- 7) Restrict the time of deliveries to commercial businesses and dumpster pick-up to between 7:00am and 9:00 pm.

I. Maintenance.

The property owner's association, or other entity approved in advance by the Board of Commissioners, shall be responsible for the continuous maintenance of buffers, common areas and recreation areas.

8. Buffer and Landscaping Requirements.

- A. A naturally vegetated, undisturbed buffer, replanted where sparsely vegetated and supplemented by an eight-foot (8') high solid opaque wall or fence along the interior of the buffer, shall be provided adjacent to external residential properties. Where adjacent properties are zoned or developed for single-family residential uses a buffer of 75-feet in width shall be provided, and where adjacent properties are zoned or developed for fee-simple townhouse/condominium uses a buffer of 50-feet in width shall be provided. These minimum buffer widths may be adjusted by the Board of Commissioner at the time an Overlay District is established. Buffers shall not be required adjacent to adjoining property zoned for or developed as office, institutional, commercial, industrial or multifamily uses.
- B. The development shall comply with the requirements of the Buffer, Landscape and Tree Ordinance (BLT) with the following exceptions:
 1. Buffers shall not be required between nonresidential uses and residential uses internal to the mixed-use development.

2. The ten (10) foot wide landscape strip shall only be required on external roadways, and planted with approved understory trees.
 3. All required parking lot trees shall be native straight-trunked hardwood shade trees.
 4. Projects within the Mixed Use Redevelopment project shall provide, at a minimum, 20 Tree Density Units per acre for the entire development.
 5. Street trees shall be required along both sides of all internal and external streets spaced every 50 feet on center. Each tree shall be a minimum 4-inch caliper (dbh) at time of planting and shall be a native straight-trunked hardwood shade tree species or similar tree suitable to this region.
- C. Above ground planters may not be used to fulfill tree planting or tree density requirements.
9. Parking. Parking for single-family detached or attached uses shall be on a per lot basis. Parking for both multifamily and non-residential uses may be provided through a combination of on-street parking and off-street parking in surface parking lots and above and/or below ground parking structures.
- A. Parking spaces shall be as required by the Zoning Resolution for each use per Section 1002.
 - B. Parking for non-residential or multifamily uses may be granted a 20% reduction in required parking when parking is shared between adjacent uses within the project. An additional 10% reduction may be administratively approved by the Director. Final parking design plans shall be subject to review and approval of the Development Division.

- C. Up to 50% of multifamily and non-residential parking may be provided by on-street parking spaces internal to the development. Designated on-street parking spaces shall not be allowed on external streets.

- D. Parking structures must be designed so that the only openings at street level are those to accommodate vehicle entrances and pedestrian access to the structure, as follows:
 - 1. Any openings for ventilation, service or emergency access located on the first floor level in the building façade must be decorative and must be an integral part of the overall building design.
 - 2. The balance of the street frontage of a parking structure must be either occupied retail/office space or designed to screen the parking areas utilizing decorative elements such as grill-work, brick, louvers, or a vegetative screen.
 - 3. Deck floors located above the first floor level of a parking structure must be screened from view from the street utilizing decorative elements such as grill-work, brick or louvers (minimum 42" in height). In no instance will cabling alone be sufficient to meet this screening requirement.

- E. Off-street parking areas shall be screened from adjacent roadways and sidewalks by an opaque decorative fence or wall, berm or vegetative screen at least 30-inches in height. Fence or wall shall be of similar design and materials to the surrounding buildings. Screening shall be installed between the parking area and the sidewalks. Perpendicular driveway crossings and pedestrian paths are allowed through the screening.

10. Signage. A Unified Signage Plan, submitted for approval by the Director, shall govern all signage within the development. Signs and the amount of signage shall be subject to the requirements of the Sign Ordinance with the following exceptions:
 - A. Oversized signs shall be prohibited.
 - B. Ground signs shall be limited to monument-type signs. Base and sign structure shall be constructed of materials such as brick, stone, stucco, wood or metal consistent with the architecture and exterior treatment of the building.
 - C. Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.
 - D. Internally illuminated wall signs may not be located within 150-feet of adjacent property developed for single-family residential uses.

11. Street/Pedestrian Lighting and Street Furniture.
 - A. Streetlights utilizing decorative fixtures and poles shall be provided along all internal streets and along all public rights-of-way. Streetlights shall be staggered, 150 feet on center, along both sides of the street. Pedestrian scale lighting shall be provided every 50 feet along both sides of the street. The lamps of streetlights shall be directed down and capped. Pedestrian lighting shall utilize fixtures designed to accommodate a shielding plate.
 - B. Decorative, commercial-quality bike racks, benches, and trash receptacles shall be provided throughout the development in accordance with the approved pedestrian access plan.

12. Architectural Design. Architectural design of all buildings shall comply with the following:

- A. For single-family detached residences: front facades shall have architectural treatments of brick, stone, stucco or wood shake. The balance of each elevation may be wood, wood shake or fiber-cement siding.
- B. For attached townhouses and residential/business dwellings: front facades shall have architectural treatments of brick, stone or stucco. The balance of each elevation may be wood, wood shake or fiber-cement siding.
- C. For multifamily residential buildings: architectural treatments of each building elevation shall be a minimum 50% brick, stone or stucco. The balance of each elevation may be wood, wood shake, or fiber-cement siding.
- D. For non-residential and mixed use buildings: architectural treatments shall be of glass and/or brick, stone or stucco. Tilt-up or pre-cast concrete, wood, wood shake, fiber-cement siding or architectural metal may be used subject to review and approval of the Director of Planning and Development.

Additionally:

- 1. In order to encourage and complement street level pedestrian activity, the street level façade of non-residential buildings facing public or private streets shall incorporate varying edifice details such as trellises, windows or recessed panels suggestive of windows, door or colonnade openings, or storefronts every 20-30 linear feet.
- 2. Contrasting accent colors of any wall, awning or other feature (other than a neutral color) shall be limited to no more than 15% of the total area for any single facade.

3. Metal or portable buildings shall be prohibited.
4. Buildings shall incorporate live plant material growing immediately in front of or on the building.
5. Non-residential buildings of less than 5,000 square feet of gross floor area shall be designed with pitched roofs, minimum pitch of 4:12. Portions of the roof structure may be flat to accommodate vents, mechanical systems or similar appurtenances, if the adequately screened subject to review and approval of the Director.
6. Roofing materials for pitched or mansard roofs shall be limited to the following:
 - * Metal standing seam of red, green or silver in color.
 - * Tile, slate or stone.
 - * Wood shake.
 - * Architectural shingles with a slate, tile or metal appearance.
7. Parapets of flat roofed buildings shall be articulated to provide visual diversity. Parapets shall include articulations or architectural features at least every 100 linear feet. The minimum height of articulations or features shall be one foot, and may be provided in height offset or facade projections such as porticoes or towers. The rear of parapet articulations visible from street level view (within 300 feet) shall be finished to match the exterior architectural treatment.
8. Design of flat-roofed buildings shall include minimum one-foot deep cornices, extending along the entire front of the building and the sides of the building for a depth of at least ten feet.
9. Building design shall include a minimum one-foot high contrasting base, extending along

the entire front of buildings and the sides of buildings for a depth of at least ten feet.

10. All mechanical, HVAC and like systems shall be screened from street level view (within 300 feet) on all sides by an opaque wall or fence of brick, stucco, split-faced block or wood.
 11. Accessories provided such as railings, benches, trash receptacles and/or bicycle racks shall be of commercial quality, and complement the building design and style.
- E. Building plans shall be subject to review and approval of the Director of Planning and Development, or his/her designee, prior to the issuance of a Building Permit. Designs which are inconsistent with these performance guidelines may be denied. Alternate designs which have been denied by the Director, may be submitted for review and approval of the Board of Commissioners.