

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED: Gwinnett County Unified Development Ordinance
(Venture Drive Redevelopment Overlay District)

READING AND ADOPTION: October 25, 2016

At the regular meeting of the Gwinnett County Board of Commissioners held in the Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

Name	Present	Vote
Charlotte Nash, Chairman	Yes	Yes
Jace Brooks, District 1	Yes	Yes
Lynette Howard, District 2	Yes	Yes
Tommy Hunter, District 3	Yes	Yes
John Heard, District 4	Yes	Yes

On motion of Commissioner Brooks, which carried 5-0, the Unified Development Ordinance of Gwinnett County, Title 2: Land Use and Zoning and the Appendix are hereby amended.

WHEREAS, the Unified Development Ordinance contains regulations governing zoning and land use, development and permitting, landscape requirements and architectural guidelines, as well as procedures for the administration and application of those regulations; and

WHEREAS, the Board of Commissioners finds that a redevelopment overlay district is an appropriate tool for revitalizing underperforming commercial areas and spurring economic investment; and

WHEREAS, the Gwinnett Place Mall and surrounding environs are a vital component of the Gwinnett County Unified Plan’s long-term vision to create vibrant, viable and sustainable Regional Mixed Use character areas; and

WHEREAS, the Gwinnett County Board of Commissioners desires that the Unified Development Ordinance provide appropriate and logical regulation of land use, zoning, development and permitting; and

WHEREAS, the Unified Development Ordinance was adopted by the Gwinnett County Board of Commissioners on February 25, 2014; and

WHEREAS, the Unified Development Ordinance provides that the text, tables and drawings thereof may be amended from time to time by the Board of Commissioners following submission of certain items to the Municipal-Gwinnett Planning Commission for review and recommendation; and

WHEREAS, the Board of Commissioners finds that the following amendment to the Unified Development Ordinance promotes the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of Gwinnett County; and

NOW, THEREFORE, BE IT ORDAINED that the Gwinnett County Board of Commissioners hereby amends portions of the Unified Development Ordinance establishing the Venture Drive Redevelopment Overlay District, which such revisions are attached hereto as Exhibit A.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this ordinance shall be effective upon its adoption.

BE IT FURTHER RESOLVED that all ordinances, regulations or parts of the same in conflict with this Resolution are hereby rescinded to the extent of said conflict.

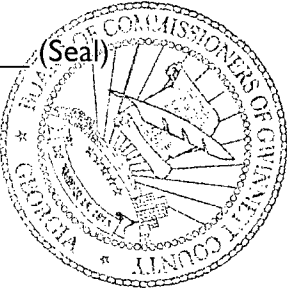
GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 11/14/16

ATTEST:

By: Diane Kemp
Diane Kemp, County Clerk



APPROVED AS TO FORM:

By: Theresa Cox
Theresa Cox, Senior Assistant County Attorney

Title 2, Chapter 220, Overlay Zoning Districts; is hereby amended by inserting Section 220-40 in its entirety as described below.

Section 220-40 Venture Drive Redevelopment Overlay District

220-40.1 Purpose and Intent

The purpose of the Venture Drive Redevelopment Overlay District is to promote a mix of high-end, dense, residential housing; commercial businesses and office buildings in an urban setting while offering the residents opportunities for recreation and alternative modes of transportation. Specifically, the Overlay District is intended to:

- A. Encourage efficient land use and redevelopment plans forming a live-work-play environment that offers residents and employees the opportunity to fulfill their daily activities with minimal use of single-occupant vehicle trips.
- B. Allow and encourage development densities and land use intensities that will provide for productive use of alternative transportation modes such as bus transit, rail transit, ride-sharing, bicycling, and walking.
- C. Encourage the revitalization of underutilized commercial areas into pedestrian-oriented developments that provide a complementary mix of uses, including a variety of residential options, within convenient walking distance.
- D. Encourage formation of a well-designed, pedestrian-friendly activity center with high-density residential, commercial and office development that increases choices for safe living environments for the citizens of Gwinnett County.
- E. Promote development standards that incorporate the design of innovative projects providing for current and future trends in urban design, public amenities and green space concepts.
- F. Promote a distinct, unified theme that will reinforce the branding process and improve the market attractiveness of the area for investments by the private and public sectors.
- G. Provide appropriate incentives to encourage redevelopment consistent with the Gwinnett County 2030 Comprehensive Plan.
- H. Provide for connectivity of streets and sidewalks for improved vehicular and pedestrian circulation and reduce the dependence on automobile uses by increasing the ease of movement and opportunities for alternative modes of travel.
- I. Encourage design that improves public safety and security.

220-40.2 Applicability

- A. The boundaries of the Venture Drive Redevelopment Overlay District shall be as shown on the official overlay district map, maintained by the Department of Planning and Development, and which may be amended from time to time by the Board of Commissioners. (See Exhibit A)
- B. The Venture Drive Redevelopment Overlay District shall function as an overlay zoning, wherein the underlying zoning at the time of enactment of the overlay remains effective until such time as the property owner elects to proceed with a redevelopment project in accordance with Venture Drive Redevelopment Overlay District provisions. Once property is proposed for development under the requirements of the Venture Drive Redevelopment Overlay District each parcel of land remains subject to all of the terms and conditions of the Venture Drive Redevelopment Overlay and the Concept Plan approved for the property as a whole and in perpetuity.

- C. Redevelopment Overlay Exhibit reviews, and any subsequent plat approvals, land disturbance permits, development permits, and building permits for each parcel located within this district shall meet all applicable requirements of this UDO and the applicable UDO Design Guidelines.
- D. Each applicant for a Redevelopment Project within the Venture Drive Redevelopment Overlay shall provide evidence of the unified control of the entire parcel or parcel assemblage. During the development process, more than one owner may participate in the development of the approved plan provided that each parcel of land remains subject to all of the terms and conditions of the Concept Plan approved for the property as a whole.

220-40.3 Definitions

The following words, terms, and phrases shall have the following meanings when used in this ordinance:

- A. Active Uses – space serviced by plumbing, heating and electricity and are limited to uses permitted within this ordinance.
- B. Block Length – the dimension of a block defined by continuous frontage between streets and/or pedestrian ways.
- C. Block Area – total land area within the rights of way forming such block.
- D. Director – the director of planning and development or designee.
- E. Gross Land Area – the entirety of a panel of land prior to designation of any portion thereof to streets.
- F. Open Space – usable, generally publicly available land meeting the standards of Section 220-40.10.
- G. Pedestrian Way – an external area permitting public accessibility to pedestrian-only traffic containing an unobstructed pedestrian path meeting all requirements of Section 220-40.9.
- H. Sidewalk Level- any building floor located within 5 vertical feet of the adjacent sidewalk, supplemental zone or pedestrian way.
- I. Supplemental Zone – the area located between any sidewalk zones and/or pedestrian ways and a building façade.

220-40.4 Permitted Uses

Uses permitted in the Venture Drive Redevelopment Overlay District are as listed in the UDO in Section 230-100, Table of Permitted and Special Uses provided that they comply with the Supplemental Use Standards of Section 230-130, and listed here below:

Agricultural and Rural Recreational Uses
Beekeeping
Community Garden
Commercial and Retail Uses
Antique Shop
Art and School Supply Store
Automatic Teller Machine
Bicycle Shop
Book, Music and Media Store

Camera/Photographic Supply Store
Catering Service
Cellular Phone Store
Clothing, Apparel and Shoe Stores
Convenience Store (with or without fuel pumps)
Copy, Blueprint or Printing Shop
Department Store
Discount Department Store, Big-Box Specialty Store or Supercenter
Electronics and Computer Stores
Farmer's Market (off-site products)
Fireworks Sales, ancillary use
Florist or Flower Shop
Food Store, Specialty (butcher, greengrocer, bakery)
Furniture or Home Furnishings Store
Gift Shop or Greeting Card Shop
Grocery Store
Hair Salon, Beauty Parlor or Barber Shop
Hardware Store
Health Club, Spa or Fitness Center
Hotel or Motel
Interior Decorating Shop
Jewelry Store
Laundry or Dry Cleaners
Lounge or Nightclub
Massage, Therapeutic
Movie Theater, Cineplex or Multiplex
Musical Instrument Store
Parking Garage or Lot
Pet Grooming
Pet Shop or Pet Supply Store
Pharmacy or Drug Store
Recreation and Entertainment Facility (indoor)
Repair Shop, Shoe and Leather
Restaurant (coffee shop, doughnut shop or ice cream parlor)
Restaurant (drive-in or drivethru fast food)
Restaurant (full service)
Sporting Goods Store
Sports Training Facility (indoor)
Studio, Art

Studio, Dance or Martial Arts
Studio, Photography
Tailor, Dressmaker, Sewing Shop
Tanning Salon
Toy Store, Hobby Shop or Game Store
Travel Agency
Industrial and Manufacturing Uses
Convention Facility
Depot/Passenger Terminal (bus or rail)
Recording/Rehearsal Studio
Office, Institutional, and Cultural Uses
Animal Hospital or Veterinary Clinic
Art Gallery
Bank or Financial Services Institution
Club, Lodge, or Fraternal Organization
Community Center or Cultural Facility
Corporate Training and Education Centers
Day Care Facility
Medical Office or Clinic
Meditation Center
Museum or Library
Office (business)
Office (professional)
Place of Worship
School or College, Business/Career (for profit)
School, Montessori
School, Private (College or University)
School, Private (Primary and Secondary)
Special Events/Banquet Facility or Rental Hall
Stadium, Concert Hall or Amphitheater
Tutoring and Learning Centers
Residential Uses
Customary Home Occupation
Dwelling, Live/Work
Dwelling, Loft
Dwelling, Multifamily
Dwelling, Single-Family Detached
Dwelling, Townhouse
Dwelling, Villa
Dwelling, Zero Lot Line
Personal Care Home, Congregate

220-40.5 Accessory Uses and Structures

Accessory uses and structures shall be permitted in the Venture Drive Redevelopment Overlay District in accordance with Section 230-100, Table of Permitted and Special Uses, and provisions detailed in Section 230-120, Accessory Building, Structure and Use Standards of the UDO.

220-40.6 Special Uses

Special Uses may be permitted in the Venture Drive Redevelopment Overlay District in accordance with Section 230-100 Table of Permitted and Special Uses, and listed here below. Special uses shall be subject to approval of a Special Use Permit as provided in Section 270-30 and may be subject to the additional Supplemental Use Standards established in Section 230-130 of the UDO.

Agricultural and Rural Recreational Uses
Golf Driving Range
Commercial and Retail Uses
Billboard or Oversized Sign
Hookah/Vapor Bar or Lounge
Outdoor Sales, Storage or Display (retail)
Recreation and Entertainment Facility (outdoor)
Industrial and Manufacturing Uses
Data Center
Office, Institutional, and Cultural Uses
School, Trade or Vocational

220-40.7 Density, Height & Bulk Requirements

- A. The maximum allowable density within the Venture Drive Overlay is a 5 FAR.
- B. Building setbacks are established as the outer edge of the prescribed sidewalk and supplemental zones.
- C. FAR is based upon gross land area prior to the removal of land associated with proposed streets and/or pedestrian ways. (See Exhibit B)
- D. On projects containing more than one block FAR may be distributed in any manner desired so long as the total allowable FAR for the entire property is not exceeded.

220-40.8 Block Standards and Connectivity Requirements (See Exhibit A)

- A. Block sizes – New developments shall be planned containing new streets and/or pedestrian ways such that no block within the development shall contain a block frontage greater than 600 feet in one direction and 400 feet in the opposite direction without an intervening street or pedestrian way.
- B. Developments shall extend streets and/or pedestrian ways to adjoining property in a manner that facilitates their future extension.
- C. Streets and pedestrian ways will meet all standards set for in Section 220-40.8.

- D. Streets and pedestrian ways for projects containing multiple blocks may be phase with respect to traffic and pedestrian circulation needs relative to each phase. Phasing will be such to complete block as developed.

220-40.9 Street and Pedestrian Way Standards (See Exhibits B & C)

A. Streets

All proposed streets will contain:

1. Minimum 12 foot wide travel lanes.
2. Minimum 8 foot wide parallel parking spaces on both sides of the street.
3. Minimum 6 inch wide header curb.
4. Minimum 15 foot wide sidewalks measured from back of curb consisting of minimum 5 foot wide street tree, lighting, and furniture zone and 10 foot wide clear zone for circulation.
5. An additional minimum 5 foot wide supplemental zone is required which may be either paved or landscape as appropriate to the adjacent use.
6. Street lighting will be provided (CID Standards).
7. Street furnishing will be provided (CID Standards).
8. The right of way will extend to the edge of the outer clear zone on each side of the street.

B. Pedestrian Ways

1. Will be a minimum of 45 feet in width from building to building facades.
2. Will contain a minimum 30 foot wide public zone consisting of landscape, seating, pedestrian level lighting and a minimum 8 foot wide clear zone sidewalk.

220-40.10 Open Space Requirements (See Exhibit A)

- A. All development shall provide 20% of net lot area as open space.
- B. All clear zone and supplemental zone sidewalk areas may be counted as open space.
- C. The minimum 30 foot wide public zone of pedestrian ways may count as open space.
- D. On projects containing multiple blocks the required open space may be distributed across multiple blocks or aggregated within a single block, so long as the total required open space is achieved.
- E. Open space which includes the accommodation of stormwater management as an amenitized element of the open space is allowed and encouraged.
- F. Where a development proposes to aggregate the required open space of a phased development, such open space must be built with the first phase of such a development. When a strict adherence of this requirement is deemed infeasible for a site development, the Director of Planning may grant a reduction in the amount of open space required for the initial phase. Such a variance in no way relieves the obligation for the ultimate total open space requirements of the development.
- G. All areas utilized to meet the open space requirements will be generally accessible to the public and will be designed to support gathering, social interaction, dining (including outdoor areas specific to restaurants) and special events. Open spaces may be predominately paved or landscape and will be designed to facilitate adequate pedestrian circulation.
- H. All areas counted as open space must be within 5 feet of elevation (above or below) adjoining street/sidewalk elevations. In cases where an open space is utilized for stormwater management, the base pool elevation may be 8 feet below the adjoining street/sidewalk elevation, so long as

the dimension from the edge of any adjoining public sidewalk is a minimum of 40 feet from the center of the proposed pool.

220-40.11 Parking Requirements

A. The following parking requirements are established:

	Maximum	Minimum
Office	4 per 1,000 sf NRA	2.5 per 1,000 NRA
Retail	5 per 1,000 NRA	4 per 1,000 NRA
Residential	1 per bedroom	.7 per bedroom
Hotel	1 per room	.8 per room

- B. On street parking provided may count towards retail parking in full and multi-family parking at 0.3 spaces per required space.
- C. Shared parking is allowed and encouraged. The Director of Planning and Development may provide administrative reductions based upon an approved shared parking plan. Administrative reductions for shared parking will be up to 50% of the minimum required. The amount of reduction granted will be based upon the Director's analysis of supporting information presented by the applicant.
- D. No surface parking lots shall be permitted between any street and any building.
- E. Surface parking lots will meet all standards for landscape contained in the UDO.
- F. Bicycle parking shall be provided at a minimum ratio of four (4) bicycle parking spaces per 100 automobile parking spaces.

220-40.12 Architectural Requirements

A. Pedestrian Level Facades

All building facades facing a street (public or private) or pedestrian way utilized to define specified block requirements shall be subject to the following requirements:

1. Building facades greater than 100 feet of continuous length shall include variety in façade treatments. Treatments may be in the form of materials, textures, and window and door patterns and colors.
2. The length of a façade without intervening fenestration shall be 20 feet.
3. All residential and/or office buildings shall provide at least one major entry via a sidewalk level lobby. The lobby door must address and be clearly visible for the adjoining sidewalk. Lobbies shall be clearly articulated.
4. All retail uses shall provide direct access to adjoining sidewalks or pedestrian ways. All entrances shall be clearly articulated.
5. All facades must contain 50% fenestration.
6. Glass for windows and doors shall utilize clear or tinted glass. Tinted glass shall have a minimum transmittance factor of 50% and a visible light reflectance factor of ten or less.
7. Arcades or deeply recessed retail or office facades are discouraged. Where utilized, size and spacing of arcade columns must all clear visibility to 65% of the retail or office storefront from any parallel point on the sidewalk.

B. Sidewalk Level Active Uses

1. Active uses shall be provided along all designated streets and/or pedestrian ways.

2. The finished floor elevation of any active use will be set no greater than five feet above or below the adjacent sidewalk. Where strict adherence to this requirement cannot be achieved due to existing topographical challenges, a variance may be granted by the Planning Director.
 3. Active uses shall be a minimum of 20 feet of depth measured from the sidewalk street level building façade.
 4. Sidewalk level active uses exclude storage areas and parking.
 5. Queuing lanes or driveways parallel to the adjoining street are not allowed in the active use zone.
 6. The following use shall be placed within a building or parking structure and are subject to the active use provisions, except at their automotive ingress and egress points:
 - a. Structures which feature fueling stations with accessory fueling pumps, service bays, and/or car washes.
 - b. Drive-thru windows for any use including all areas associated with queuing.
- C. General
1. Each building shall display a street address number clearly visible from the public sidewalk. Said address numbers shall be a minimum of 6 inches in height.
 2. No up-lighting shall be placed a height of less than 8 feet above the required adjoining public sidewalk.
 3. External storefront security grilles shall:
 - a. Be designed as to appear as part of the building architecture.
 - b. Be fully retractable.
 - c. Not be solid or opaque.
 - d. Allow visibility into the store when in use.

220-40.13 Service, Loading, Mechanical, and Accessory Features

- A. All external dumpsters and trash compactors shall be enclosed with opaque walls and gates to a height of 8 feet.
- B. All loading and service areas shall be located and oriented in a manner that minimizes visibility for any public or private street or pedestrian way that is utilized to meet the block requirements.
- C. Any mechanical and accessory features (including satellite dishes) shall be:
 1. Prohibited between the building and any street.
 2. Located on the roofs of buildings.
 3. Screened to a height equal to the height of the units.
- D. No barbed wire, razor wire, or similar elements shall be visible from any public/private street, pedestrian way, plaza, or park. Fences shall not exceed 8 feet in height.

220-40.14 Submittals and Approvals Process

- A. Any new construction and renovation of more than 60% of the principle structure of an existing property requires the issuance of a Special Administrative Permit (SAP) prior to the application for any demolition, land disturbance or building permit.
- B. Applicants needing a SAP shall schedule a pre-application meeting with the Director of Planning (or the designee) prior to the submission for any SAP. Said meeting will be held within 14 days of an applicant's request. The purpose of the meeting will be to:

1. Ensure the applicant's understanding of the overlay requirement and approvals process.
 2. Inform the staff of the applicant's vision and limits of property.
- C. Requirements for the submittal of a SAP are as follows:
1. Property boundary survey no more than 2 years old from date of application.
 2. Site plan indicating proposed block divisions and street/pedestrian way locations.
 3. Calculations of required and provided open space.
 4. Plans indicating all building locations and streetscape requirements.
 5. Design including materials for all park or plaza spaces utilized to meet open space requirements.
 6. Building elevation illustrating requirements set forth in Architectural Standards.
 7. Notification to planning for any and all variations from the standards established, whether by result of hardship or meeting the goals of the ordinance through equal or superior methods.
- D. Review and Response
1. Within 3 weeks of submittal, the Director will establish a meeting with the applicant and present to the applicant any comments relative to the lack of compliance with the standards of the ordinance. If the Director has no comments and the application is deemed to be in compliance, a SAP will be issued on that date.
 2. The applicant shall make amendments to plans and resubmit as noted. If all changes are in accordance with the comments rendered in the review meeting, the Director will issue the SAP within 10 days of resubmittal.
- E. Variations
- The Director of Planning may grant variation from any of the standards set forth in this ordinance with the exception that there will be no variations granted for uses not listed as permitted. Variations may be granted when in the opinion of the Director:
1. The strict adherence to a provision creates a hardship due to extreme topographical or site conditions.
 2. The applicant proposes a solution which meets and exceeds the minimum standards of this ordinance in a manner that in the opinion of the Director provides a superior environment.

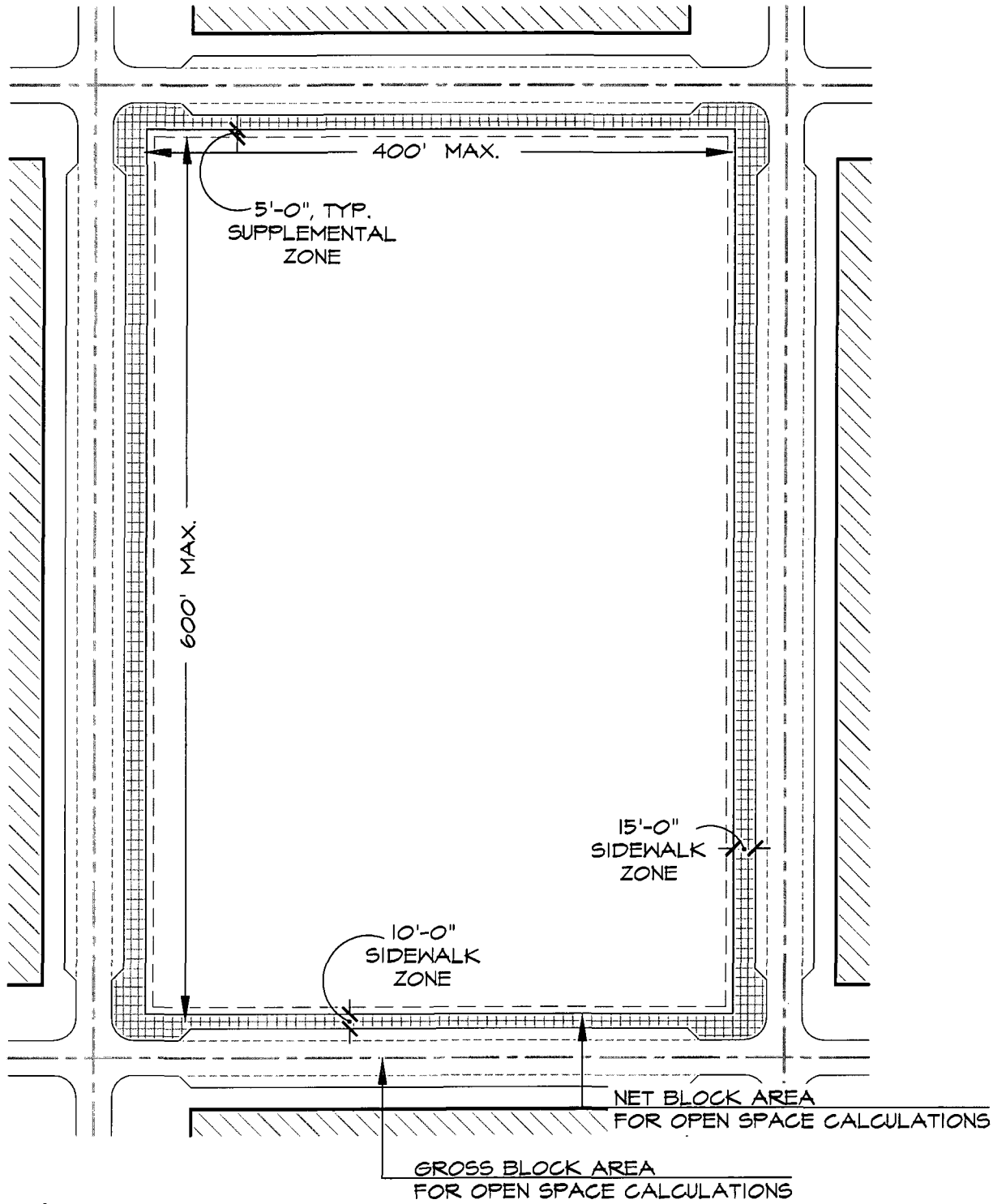


EXHIBIT A-
BLOCK STANDARDS

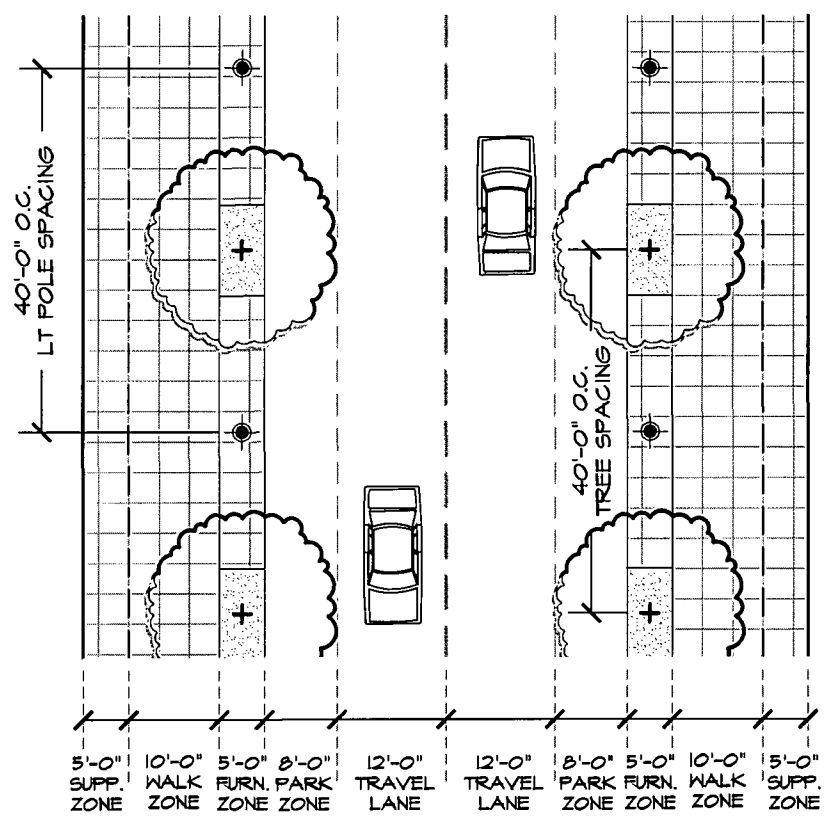
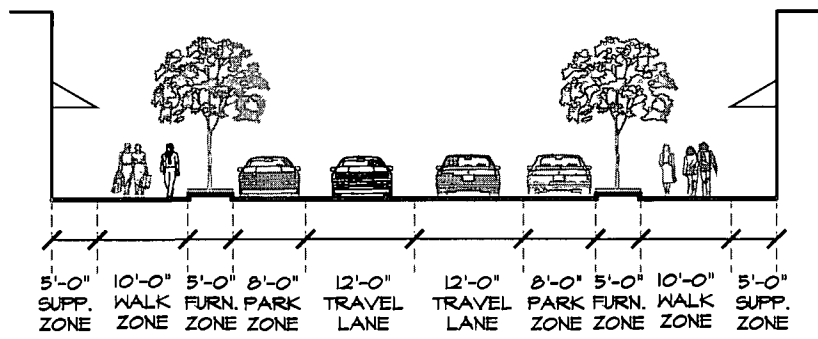


EXHIBIT B-
STREET STANDARDS

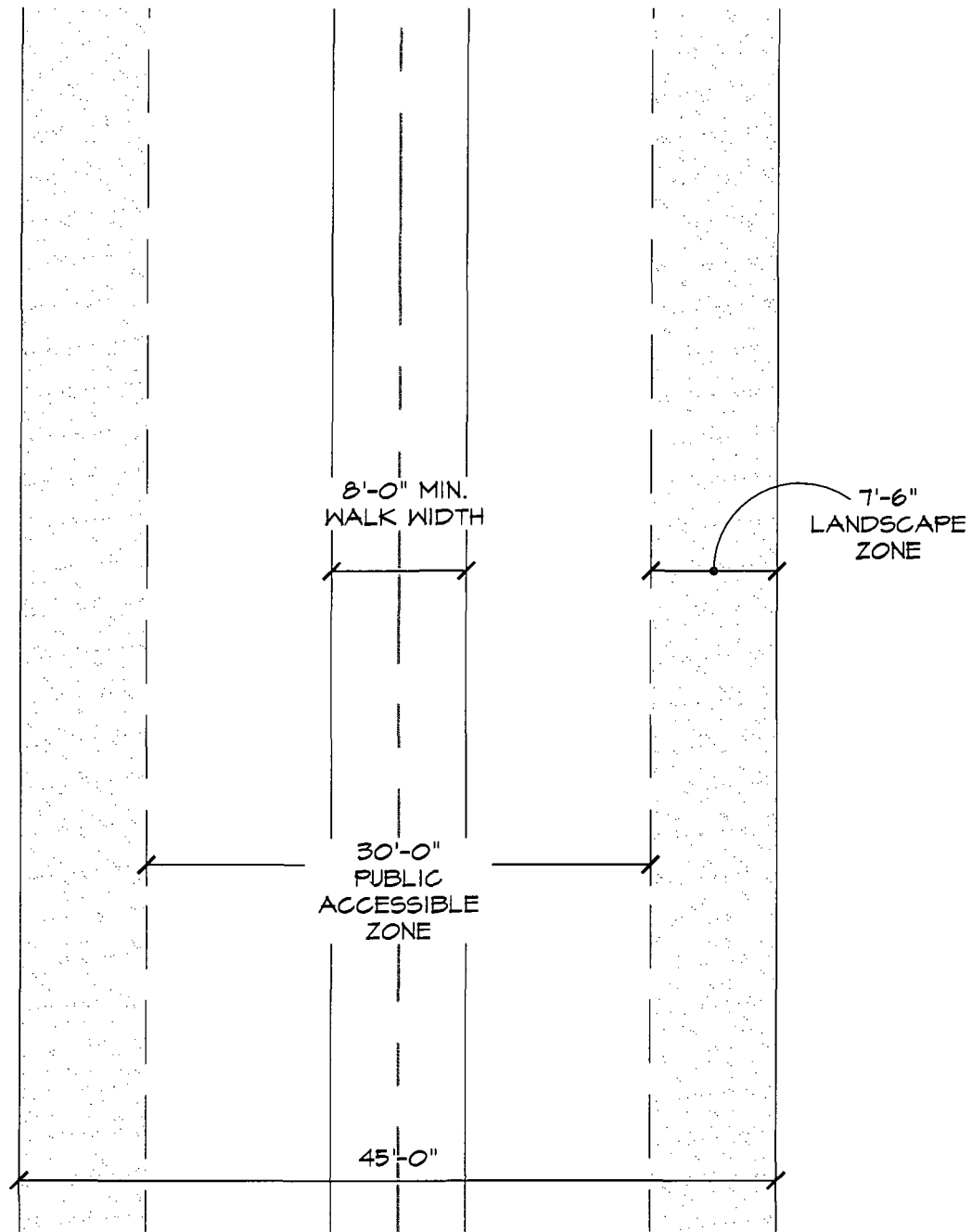


EXHIBIT C-
PEDESTRIAN WAY STANDARDS