UDOA2014-00001
GCID: 2014-0548

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED: An Ordinance to amend the Unified Development Ordinance of Gwinnett County, Title 1: Administration; Title 2: Land Use and Zoning; Title 3: Development and Permitting; and the Appendix, to provide new or revised requirements for various sections of the ordinance, and to correct typographical errors or omissions found in the document.

READING AND ADOPTION: July 22nd, 2014

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 Hunter, which carried 5-0 the Unified Development Ordinance of Gwinnett County is 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, by careful review of the rules and requirements contained therein, it has become evident that certain Chapters and Sections of the Unified Development Ordinance could be logically amended; 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, drawings and maps thereof may be amended from time to time by the Board of Commissioners, following submission of certain items to the Municipal-Gwinnett County 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;

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this, the 22nd day of July 2014, and effective upon adoption of this resolution, that the Unified Development Ordinance be amended as follows:

That Title 1, Section 110-40. General Definitions shall be amended by deleting the defined term Dwelling, Accessory in its entirety, and inserting in lieu thereof the following:

Dwelling, Accessory: A separate additional housing unit (including kitchen, sleeping and bathroom facilities), detached from the primary residential dwelling unit, on a single-family lot.

That Title 2, Chapter 210, Section 210-50 OSC Open Space Conservation District shall be amended by deleting subsection 210-50.6.D in its entirety, and inserting in lieu thereof the following:

D. The following uses may be allowed within the primary conservation space: passive recreational amenities, paths, greenways, minimal parking spaces (pervious surfaces encouraged), and picnic and restroom facilities.

That Title 2, Chapter 210, Section 210-50 OSC Open Space Conservation District shall be amended by deleting subsection 210-50.6.E in its entirety, and inserting in lieu thereof the following:

E. The following activities may be allowed in primary conservation space: removing invasive or non-native exotics; removing hazardous trees that threaten public safety; constructing paths for passive recreation activities such as, but not limited to, community hiking, running, dog walking, bird watching, biking and similar outdoor activities.

That Title 2, Chapter 210, Section 210-50 OSC Open Space Conservation District shall be amended by deleting subsection 210-50.7.C in its entirety, and inserting in lieu thereof the following:

C. Impervious surfaces in recreation areas shall not be credited, excluding trails which shall be credited.

That Title 2, Chapter 210, Section 210-50 OSC Open Space Conservation District shall be amended by deleting subsection 210-50.11.A in its entirety, and inserting in lieu thereof the following:

A. Option 1. Conveyance to the Public and Subdivision Lot Owners.

> A deed conveying ownership of the conservation space to the mandatory property owner's association shall be recorded and delivered prior to, or concurrent with, the approval of the Final Plat for the first phase of the subdivision. The deed, Final Plat, and the subdivision declaration of covenants shall contain, at a minimum, the following covenant:
>
> *"The conservation space conveyed by deed and shown on the Final Plat shall remain permanently protected and shall not be disturbed, cleared or developed except in accordance with OCGA § 36-22-1 et seq., having the following Greenspace goals: protection of streams, floodplains and wetlands; steep slopes; woodlands, open fields and meadows; historical and archeological features, including cemeteries; significant wildlife habitats; scenic vistas; encouragement of native species; passive recreation and connectivity with nearby open spaces.*
> *The following uses may be allowed: active recreational amenities; passive recreational amenities, such as paths, greenways, and minimal parking spaces; picnic and restroom facilities (constructed facilities shall not exceed 15 percent of the conservation space).*
> *This covenant is intended to benefit said area to the public and the use of same to the subdivision lot owners and residents, and it shall run in perpetuity as provided by OCGA § 44-5-60(c)."*

That Title 2, Chapter 210, Section 210-50 OSC Open Space Conservation District shall be amended by deleting subsection 210-50.12.A in its entirety, and inserting in lieu thereof the following:

A. The minimum parcel area for which the OSC district is permitted shall be 10 acres.

That Title 2, Chapter 210, Section 210-50 OSC Open Space Conservation District shall be amended by deleting subsection 210-50.13.A.in its entirety and inserting in lieu thereof the following new subsections (210-50.13.A. and 210-50.B.):

A. Each OSC zoned development that abuts property that is zoned for agricultural or single-family residential use shall provide one of the following forms of transition to adjacent zoning districts:
   1. A 50-foot conservation space strip (dedicated to the property owner's association) adjacent to RA-200, R-140 or R-100 zoned property, or;
   2. A 25-foot conservation space strip (dedicated to the property owner's association) adjacent to R-75 zoned property (except modified, cluster, CSO or OSC), or;
   3. Developed with lots that are equal in minimum lot width, lot size, and rear building setback as the adjacent zoning district.

B. Each OSC zoned development shall provide a street frontage buffer adjacent to all right-of-ways of the exterior streets in one of the following forms:
   1. 50 feet in width (not part of any building lot). The street frontage buffer shall remain natural and undisturbed except for entrance features, necessary street construction activities, right of way crossings and corner right-of-way miters or radii. If the required street frontage buffer is sparsely vegetated, it shall be replanted at a width no less than 25 feet to provide an effective visual screen which shall incorporate, in addition to the plantings, berms and fences with brick or stacked stone columns with a minimum spacing of 30 feet. All Street Frontage Buffer landscape plans shall be submitted to the Director for review and approval. The street frontage buffer may be counted towards Conservation Space calculations.

That Title 2, Chapter 210, Section 210-80 TND Traditional Neighborhood Development District shall be amended by deleting subsection 210-80.10.A.1 in its entirety, and inserting in lieu thereof the following:

A. Streets.

1. The street network shall form an interconnected grid pattern. Cul-de-sacs shall be minimized, and may only be allowed following review and approval by the Director due to unusual site conditions such as steep topography, streams, lakes, floodplain, wetlands or stream crossings, safety hazards, or other unusual property development or access constraints. Street shapes should be varied with loop streets, curving crescents, eyebrows, ovals, and courts providing visual interest and traffic calming effects. Approved cul-de-sac streets shall be no longer than 600 feet in length. Street patterns shall be designed to respect and follow existing terrain as much as possible, to minimize earthmoving and disruption of the existing topography.

That Title 2, Chapter 210, Section 210-80 TND Traditional Neighborhood Development District shall be amended by deleting Table 210.6 in its entirety, and inserting in lieu thereof the following:

Minimum Floor Area (Residential)					
Dwelling	Efficiency	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom
Attached	450 sq. ft.	600 sq. ft.	800 sq. ft.	1,150 sq. ft.	1,200 sq. ft.
Detached	600 sq. ft.	750 sq. ft.	1,000 sq. ft.	1,200 sq. ft.	1,450 sq. ft.
Maximum Floor Area					
Detached Dwelling	Accessory Dwelling	Live/Work	Office	Civic	Retail/ Commercial
5,000 sq. ft.	700 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.	10,000 sq. ft.

That Title 2, Chapter 210, Section 210-100 R-TH Residence Townhouse District shall be amended by deleting subsection 210-100.6.A.14 in its entirety, and renumbering the remaining subsections as necessary

That Title 2, Chapter 210, Section 210-225 Minimum Design Standards of Mixed-Use Districts shall be amended by deleting Table 210.9 in its entirety, and inserting in lieu thereof the following:

Project Area Standard						Off Internal Streets or		
District	Minimum	Maximum	Road Frontage	Max. Height	FAR/Density	Front (1)	Side (1)	Rear
MU-N	7 ac.	20 ac.	40 ft./lot	45 ft.	0.4 FAR; 8 d.u./ac.	5-15 ft.	10-20 ft.	25-40 ft.
MU-C	10 ac.	None	40 ft./lot	60 ft.	1.0 FAR; 10 d.u./ac.	5-15 ft.	10-20 ft.	25-40 ft.
MU-R	15 ac.	None	40 ft./lot	up to 300 ft. or 25 stories (varies per bonus)	0.4-5.0 FAR; up to 96 d.u./ac. (varies per bonus)	5-15 ft.	10-20 ft.	25-40 ft.

Exceptions: (1) Front setbacks are permitted within the range of 5 ft. to 15 ft., unless abutting classified streets. Lots abutting a classified arterial or collector street shall have a minimum of 20 ft. front and side setbacks.

That Title 2, Chapter 220, Section 220-30 Activity Center/Corridor Overlay District shall be amended by inserting the following and renumbering the remaining subsections as necessary:

220-30.3 Design Requirements.

F. Signage; Temporary Uses; Peddling

1. Except as contained herein, sizes and amount of signage shall not exceed the requirements of the Sign Ordinance.

2. Oversized Signs or Billboards shall not be permitted.

3. 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.

4. Canopy and awning sign(s) shall be limited to 15 square feet per road frontage. If lighted, lettering shall be individually formed and lighted. No spreader bar signage shall be allowed except as required by the State Fire Marshall.

5. Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.

6. Peddlers shall be prohibited.

That Title 2, Chapter 230, Section 230-10 Dimensional Standards of Zoning Districts shall be amended by deleting Table 230.1 in its entirety, and inserting in lieu thereof the following:

Table 230.1: Dimensional Standards for Residential Zoning Districts

Zoning District	Min. Lot Size	Max. Net Density	Min. Lot Width	Min. Front Setback [2]	Min. Side Setback	Min. Rear Setback	Min. Heated Floor Area	Min. % Com. Area	Max. Bldg. Hgt
RA-200	40,000 sq. ft.	NA	200 ft.	35 ft. or 50 ft.	20 ft.	40 ft.	1,400 sq. ft.	NA	35 ft.
R-LL	32,000 sq. ft.	NA	125 ft.	50 ft.	20 ft.	40 ft.	2,000 sq. ft.	NA	35 ft.
MH	15 Acres	6.0	NA	NA	NA	NA	NA	8%	35 ft.
R-100	15,000 sq. ft. sewer, 25,500 sq. ft. septic[1]	NA	100 ft.	35 ft. or 50 ft.	10 ft. one yard 25 ft. two yards	40 ft.	1,400 sq. ft.	6% [3]	35 ft.
R-75	10,500 sq. ft. sewer, 25,500 sq. ft. septic[1]	3.0	75 ft.	30 ft. or 50 ft.	10 ft.	30 ft.	1,200 sq. ft.	6% [3]	35 ft.
R-60	7,200 sq. ft sewer	4.0	60 ft.	25 ft.	7.5 ft.	30 ft.	1,000 sq. ft.	6% [3]	35 ft.
OSC	7,500 sq. ft. sewer	2.5	60 ft.	25 ft.	7.5 ft.	30 ft.	1,400 sq. ft.	25%	35 ft.
TND	Varies per Sec. 210-80								
R-SR	Varies per Sec. 210-90						1,000	15%	35 ft.
R-TH	Varies per Sec. 210-100	Varies per Sec. 210-100	Varies per Sec. 210-100	Varies per Sec. 210-100	Varies per Sec. 210-100	Varies per Sec. 210-100	Table 230.2	15%	Varies
RM-13	18,000 sq. ft.	13	100 ft.	15 ft.	10 ft.	30 ft.	Table 230.2	15%	50 ft.
RM-24	18,000 sq. ft.	24	100 ft.	15 ft.	15ft.	30 ft.	Table 230.2	20%	65 ft.

[1] Larger lot may be required by Environmental Health Section.

[2] Setback shall be 50 feet from major thoroughfare, 35 feet from local street, unless otherwise noted.

[3] Common areas are not required for single family subdivisions having less than 50 acres in gross land area.

That Title 2, Chapter 230, Section 230-10 Dimensional Standards of Zoning Districts shall be amended by deleting Table 230.3 in its entirety, and inserting in lieu thereof the following:

Zoning District	Min. Lot Size	Max. Net Density/ FAR	Max Height (min. as noted)	Min. Lot Width	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. % Common Area
O-R	15,000 sq. ft.	None	35 ft.	100 ft.	25 ft.	7.5 ft.	25 ft.	NA
O-I	None	None	35 ft.	50 ft.	15 ft.	10 ft.	25 ft.	NA
C-1	None	None	35 ft.	None	15 ft.	10 ft.	30 ft.	NA
C-2	None	None	45 ft.	None	15 ft.	10 ft.	30 ft.	NA
C-3	None	None	45 ft.	None	15 ft.	10 ft.	30 ft.	NA
HRR	None	Varies	Min. 5 stories	75 ft.	15 ft.	0 ft. [a]/10 ft.	25 ft.	20%
MU-N, MU-C, MU-R	None	Varies per Sec. 210-190 through 210-225						15%
M-1, M-2	1 acre	None	45 ft.	150 ft.	50 ft.	25 ft.	50 ft.	NA

That Title 2, Section 230-100, Table 230.4 (Table of Permitted and Special Uses) shall be amended by replacing the entry of P (Permitted Use) with the entry of S (Special Use Permit) for each of the following uses listed in the column of the Table governing the C-3 zoning district:

Check Cashing or Payday Loan Facility
Pawn Shop (general)
Tattoo and Body Piercing Parlor

That Title 2, Section 230-100, Table 230.4 (Table of Permitted and Special Uses) shall be amended by inserting the entry of Y (Yes) in the column designating Supplemental Regulations for the following uses:

Shooting and Archery Ranges
Special Events/Banquet Facility or Rental Hall

That Title 2, Section 230-100, Table 230.4 (Table of Permitted and Special Uses) shall be amended by deleting the entry of Y (Yes) in the column designating Supplemental Regulations for the following uses:

Dwelling, Live/Work
Dwelling, Loft
Dwelling, Mobile or Manufactured Home
Dwelling, Multifamily
Dwelling, Single Family Detached

Dwelling, Townhouse
Dwelling, Villa
Dwelling, Zero Lot Line

That Title 2, Chapter 230, Section 230-120 Accessory Building, Structure and Use Standards shall be amended by deleting subsection 230-120.8 in its entirety, and inserting in lieu thereof the following:

230-120.8 Except as provided herein, accessory buildings and structures shall be set back a minimum of five feet from any property line.

That Title 2, Chapter 230, Section 230-130.3 Supplemental Use Standards shall be amended by inserting the following alphabetically, and renumbering the remaining items as necessary:

Dwelling, Accessory.
Accessory dwellings shall only be located in a rear yard, and shall be subject to the following setback requirements:

Zoning District	Side Yard Setback	Rear Yard Setback
RA-200 and R-LL	20 feet	40 feet
R-100	10 feet (one yard) 25 feet (two yards)	20 feet
R-75	10 feet	20 feet
TND	5-15 feet	10 feet
O-R	10 feet	15 feet

Prior to occupancy of an accessory dwelling unit, the owner of the principal single-family dwelling shall apply for a Certificate of Occupancy for the accessory dwelling and pay a fee established by the Board of Commissioners. The Director shall arrange for an inspection of the subject accessory dwelling and certify that the requirements below are met.

Accessory dwellings shall be subject to the following requirements:

1. No more than one accessory dwelling unit per primary dwelling unit.
2. The primary dwelling unit shall be owner-occupied.
3. The accessory dwelling unit shall contain at least 400 square feet, but no more than 800 square feet, of heated living space.
4. The accessory dwelling unit shall be in a separate building from the primary dwelling unit.
5. The height of the building containing the accessory dwelling shall not exceed the height of the principal dwelling.

6. The accessory dwelling shall be constructed with the same or similar and compatible exterior style, materials, roof type and slope, doors, window style and proportions, color, trim and landscaping as the principal dwelling.
7. The windows of an accessory dwelling unit shall not be directly opposite windows of a principal dwelling on an abutting lot unless screened by a fence, wall or hedge, or separated by more than 50 ft.
8. An accessory dwelling unit shall contain a kitchen and at least one, but no more than two, bedrooms and at least one full bathroom.
9. Occupancy of the accessory dwelling shall be limited to no more than 2 persons (including minor children). The occupants of an accessory dwelling shall not be included in the calculation of occupancy for the primary dwelling or for the lot under the definition of a family.
10. An accessory dwelling unit shall have at least one paved off-street parking space dedicated for the use, in addition to any parking spaces for the primary dwelling unit.
11. An accessory dwelling shall have a separate electrical meter and service panel with main disconnect.
12. An accessory dwelling shall have a backflow preventer and shut-off valve on the potable water service line.

Hotel or Motel.
Hotels and Motels shall be subject to the following requirements:

1. Guest rooms shall be accessed internally to the building with no direct room access to the outside. The lobby shall be a minimum of 700 square feet in size.
2. Each hotel/motel site shall be a minimum of two acres.
3. Each hotel/motel must provide management on duty twenty-four (24) hours a day.
4. Each guest room shall have a minimum of three hundred (300) square feet and shall be accessed with a magnetic keycard entry-locking device.
5. Outside storage of commercial equipment is prohibited.
6. No business license shall be issued for any business operating from any guest room of the facility.
7. Provide a 75-foot natural buffer, enhanced with an additional 25-foot landscaped buffer (total 100 feet) adjacent to residentially-zoned property.

That Title 2, Chapter 240, Section 240-80 Stacking Lanes for Drive-through Facilities or Service Windows shall be amended by deleting subsection 240-80.2 in its entirety, and renumbering the remaining subsections as necessary

That Title 2, Chapter 240, Section 240-130 Construction and Dimensions of Off-street Loading shall be amended by inserting subsection 240-130.4 to read as follows:

120-130.4 Screening

Loading areas shall be screened from public view with vegetative or non-vegetative material such as an opaque fence, wall, or evergreen trees and shrubs or a combination thereof. Screening requirements can be found in Section 610-20.3 of this Ordinance.

That Title 2, Chapter 270, Section 270-130, Administrative Variances, subsection 270-130.3, Application Procedures shall be amended by deleting subsection 270-130.3.A.5 in its entirety, and inserting in lieu thereof the following:

5. A notarized letter of consent for proposed variance from adjoining property owners as required.

That Title 3, Chapter 620, Section 620-20, Landscape Regulations shall be amended by deleting subsection 620-20.3A in its entirety, and inserting in lieu thereof the following:

A. If required by zoning, landscape strips which are required to be 5 feet in width shall contain landscaping and plantings within or adjacent to the strip as follows:

1. One tree for each 50 linear feet of strip length shall be provided. Deciduous trees shall be at least 2 inches caliper and evergreen trees shall be at least 6 feet in height at time of planting. Trees shall be a species native or suitable to this region as provided in the Tree Species List as in Section 4 of the Appendix.

2. One evergreen shrub for each 8 linear feet of strip length shall be provided. Each shrub shall be a species native or suitable to this region.

That Title 3, Chapter 620, Landscape Regulations shall be amended by deleting subsection 620-80, No Access Screening Requirements in its entirety, and inserting in lieu thereof the following:

620-80.1

When no-access easements are required by the UDO the developer may choose from the following:

A. Six foot high opaque fence.

B. A single row of evergreen trees spaced no greater than 10 feet apart.

620-80.2

When a 5 foot landscape strip with a 6 feet in height screening wall (Type 4 landscape strip) is required for a no-access easement as a condition of zoning the developer shall provide the following:

A. Planted with a single row of street trees spaced every 50 linear feet of landscape strip and small evergreen shrubs spaced one shrub for every 8 linear feet of landscape strip.

620-80.3

When a 10 foot landscape strip with a 10 feet in height masonry screening wall (Type 5 landscape strip) is required for a no-access easement as a condition of zoning the developer shall choose from the following:

A. Planted with a single row of street trees spaced every 40 linear feet and evergreen shrubs that reach 10 feet in height at maturity spaced every 6 linear feet; or,

B. Planted with a single row of evergreen trees at least 6 feet in height at time of planting and spaced no greater than 10 feet apart; or,

C. Contain such other landscaping treatments or grade changes that will produce a partial screening effect as authorized by the Director.

That Title 3, Chapter 900, Section 900-40 Driveway Design Standards shall be amended by deleting subsections 900-40.3 and 900-40.4 in their entirety, and renumbering the remaining subsections as necessary

That Title 3, Chapter 900, Section 900-70, Street Construction Standards and Specifications, subsection 900-70.4, New Local and Minor Collector Streets shall be amended by deleting subsection 900-70.4.A.1 in its entirety, and inserting in lieu thereof the following:

1. The base course shall consist of at least 8 inches of graded aggregate base. After being thoroughly compacted and brought to proper section, an intermediate course of 2 inches of 19 mm Superpave shall be applied.

That Appendix, Section 1, 10.0.0 Architectural Design Standards for Zoning Districts shall be amended by inserting the following in the existing table and applying to Category 3:

220-30 Activity Center/Corridor Overlay District

That Appendix, Section 1, 6.1.1 Architectural Design Standards for Category 3, Exterior Wall Design shall be amended by inserting the following: :

J. All parapets on buildings three stories or less shall incorporate cornice features which project horizontally a minimum of 1 foot.

K. Under "glow" lighting of fabric, vinyl, or translucent material awnings shall be prohibited.

L. Buildings shall incorporate landscape areas immediately in front of the building. Landscape areas shall have live ornamental shrubs and/or trees. Landscape areas shall be located not more than ten (10) feet from the building and shall be provided at intervals not to exceed fifty (50) linear feet. Building facades without windows or storefront shall incorporate landscape areas with vertical height plants. Buildings located on corner lots or double frontage lots, facing either public streets or private driveways shall be considered as having multiple fronts. Landscape areas shall be permanent in-ground installations. Moveable planters do not qualify as permanent installations. Sculptured topiary shrubs shall not depict product shapes or other graphic shapes.

That Appendix, Section 2, Standard Drawings shall be amended by deleting Standard Drawing Number 316, Wheelchair Ramp in its entirety.

That Appendix, Section 2, Standard Drawings shall be amended by deleting Standard Drawing Number 317, Handicap Ramp Details with 4' Sidewalk in its entirety.

That Appendix, Section 2, Standard Drawings shall be amended by deleting Standard Drawing Number 318, Handicap Ramp Details with 5' Sidewalk in its entirety.

That Appendix, Section 2, Standard Drawings shall be amended by deleting Standard Drawing Number 319, Driveway Details in its entirety.

That Appendix, Section 2, Standard Drawings shall be amended by deleting Standard Drawing Number 401, Roadway Widening Sections in its entirety, and inserting in lieu thereof new Standard Drawings, Numbers:
401A Deceleration Arterials Over 10,000 ADT
401B Deceleration Arterials Under 10,000 ADT
401C Deceleration Collectors Over 10,000 ADT
401D Deceleration Collectors Under 10,000 ADT
401E Deceleration Arterials Over 10,000 ADT Overlay
401F Deceleration Arterials Under 10,000 ADT Overlay
401G Deceleration Collectors Over 10,000 ADT Overlay
401H Deceleration Collectors Under 10,000 ADT Overlay

That Appendix, Section 2, Standard Drawings shall be amended by deleting Standard Drawing Number 402, Residential Subdivision Streets in its entirety, and inserting in lieu thereof a new Standard Drawing Number 402.

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That Appendix, Section 4, Type 1: 5' Landscape Strip graphic shall be amended by deleting Sheet 4.6 in its entirety, and inserting in lieu thereof a new Sheet 4.6.

That Appendix, Section 4, Type 4: 5' Landscape Strip with 6' High Masonry Screening Wall graphic shall be amended by deleting Sheet 4.9 in its entirety, and inserting in lieu thereof a new Sheet 4.9

That Appendix, Section 5-95, RM Multi-Family Residence District, shall be amended by deleting the Section in its entirety and inserting in lieu thereof the following:

Duplex and Multi-Family Residence Districts.

The following districts (Sections 5-95, 5-100, 5-110, 5-120 and 5-130) are intended for duplex and multi-family dwellings. These zoning districts are to be located where public water supply and sewerage facilities are available or can be obtained and where there is convenient access to collector streets, major thoroughfares or state or interstate highways. The purpose of the following zoning districts is to promote better utilization of land and freedom of architectural and engineering design without maximizing density. On any tract of land zoned for RMD, RM-6, RM-8, RM-10, or RM the entire tract must be developed as the same type of use. No combinations of allowed uses are permitted on any one tract of land. Townhomes are not permitted in these districts.

Section 5-95. RM Multi-Family Residence District.

This zoning district is intended primarily for two-family and multi-family dwellings.

5-95.1 Within the RM Multi-Family Residence District (maximum density 13 units per acre), the following uses are permitted:

A. All uses permitted within the RM-10 Multi-Family Residence District, including special uses.

B. Boarding and rooming houses.

C. Fraternal organizations and clubs not operated for profit.

D. Retirement communities, which may include a nursing home, cafeteria and care facilities and accessory uses.

E. Residential and community shelters subject to the provisions of Rules for Shelters in Gwinnett County. If previously developed as a single-family residence detached development, a Special Use Permit shall be required.

5-95.2 Within the RM Multi-Family Residence District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the Board of Commissioners after receiving recommendations from the Director of Planning and Development and the Planning Commission after a public hearing:

A. Day Care Facilities

BE IT FURTHER RESOLVED that all 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: July 24, 2014

ATTEST:

By: Diane Kemp (Seal)
Diane Kemp, County Clerk

APPROVED AS TO FORM:

By: Theresa A. Cox
Theresa Cox, Senior Assistant County Attorney