GWINNETT COUNTY
BOARD OF COMMISSIONERS

75 Langley Drive | Lawrenceville, GA 30046-6935
O: 770.822.7000 | F: 770.822.7097
GwinnettCounty.com

Nicole L. Hendrickson, Chairwoman
Kirkland Dion Carden, District 1
Ben Ku, District 2
Jasper Watkins III, District 3
Matthew Holtkamp, District 4

Public Hearing Agenda
Tuesday, September 23, 2025 - 7:00 PM

I. Call To Order

II. Opening Remarks by Chairwoman

III. Approval of Agenda

IV. Approval of Minutes:

- **Work Session:** September 16, 2025
- **Informal Presentation 11:00 a.m.:** September 16, 2025
- **Executive Session:** September 16, 2025
- **Business Session:** September 16, 2025

V. Announcements:

- **Special Presentation:** Gwinnett Youth Commission Minute

VI. Public Hearing - Old Business

1. Planning & Development/Matt Dickison

2025-0721 REZ2025-00013, Applicant: ECG Acquisitions, LLC c/o Mahaffey Pickens Tucker, LLP; Owner: Michelle L. Tilghman; Rezoning with Concurrent Variances of Tax Parcel Nos. R6061 005D and 276; 1935 and 1975 Glenn Club Drive; C-2 to HRR for Apartments; 4.29 acres; District 2/Ku [Remanded back to the Planning Commission on 07/22/25] [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

VII. Public Hearing - New Business

1. Rezonings

2025-0942 REZ2025-00018, Applicant: Walker Anderson Homes, LLC c/o Andersen, Tate & Carr, P.C.; Owners: Raymond W. Hardy, Jr. and Maria Garner Hardy; Rezoning of Tax Parcel Nos. R2003 001(portion) and 074; 5 and 10 Block of Auburn Road; RA-200 to R-60 for a Single-Family Detached Subdivision; 107.08 acres; District 3/Watkins [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

2025-0943 REZ2025-00019, Applicant: Brand Properties, LLC c/o Andersen, Tate & Carr, P.C.; Owner: Lamp Post MF Brand Partners, LLC; Rezoning with Concurrent Variances of Tax Parcel Nos. R7073 010, 086, and 087 (portions of each); 1729, 1735, and 1741 Duluth Highway; R-TH to LRR for Apartments; 7.05 acres; District 1/Carden [Planning Department Recommendation: Deny] [Planning Commission Recommendation: Approve with Conditions]

2025-0944 REZ2025-00020, Applicant: Radovic Permits, LLC; Owner: VietGroup, LLC; Rezoning with Concurrent Variance of Tax Parcel No. R6156 008; 746 Pleasant Hill Road; O-I to C-2 for a Multi-Tenant Retail Center; 0.65 acres; District 2/Ku [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

2025-0945 REZ2025-00022, Applicant: CKK Development Services, LLC; Owner: Ohformosa, LLC; Rezoning of Tax Parcel No. R2003 002; 15 Auburn Road; RA-200 to R-IF for a Townhouse and Single-Family Detached Subdivision; 18.02 acres; District 3/Watkins [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions]

2. Law Department/Michael P. Ludwiczak

2025-0929 Approval/authorization of a Resolution abandoning a section of right of way used as a public road known as Bermuda Road, within Land Lot 60 of the 6th Land District of Gwinnett County, Georgia.

3. Amendment

2025-0947 UDOA2025-00001 – Approval of an amendment to the Unified Development Ordinance of Gwinnett County: Title 1: Administration; Title 2: Land Use and Zoning; and Title 3: Development and Permitting, to update regulations based on best practices, add illustrations, and improve code consistency. [Planning Department Recommendation: Approve] [Planning Commission Recommendation: Tabled - 10/7/2025]

VIII. New Business

1. Multiple Departments

2025-0916 Approval to renew BL089-24, provision of inspection, maintenance, and repair of elevators, escalators, and lifts on an annual contract (October 2, 2025 through October 1, 2026), with Summit Elevator, LLC, base bid $263,780.00. (Recommendation: Approval)

2. Law Department/Michael P. Ludwiczak

2025-0918 Approval/authorization the Chairwoman to execute a Resolution, a Memorandum of Understanding with the State of Georgia, and a Subdivision Participation and Release Form, to participate in the National Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc., Indivior Inc., Viatris Inc ("Mylan"), Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA) Inc. Settlements. Authorization for the Chairwoman to execute any and all documents necessary to effectuate the settlement.

2025-0971 Approval/authorization for the Chairwoman to execute a Resolution authorizing locality pay and affirming benefit availability for the Judges of the Superior Court of the Gwinnett Judicial Circuit pursuant to House Bill 85 and aligning the effective dates of compensation adjustments for other judges and elected officials whose compensation may be determined as a percentage of the salary of a superior court judge.

3. Planning & Development

2025-0960 Ratification of Plat approvals for August 1, 2025 through August 31, 2025. (Recommendation: Approval)

IX. Comments from Audience

X. Adjournment

M E M O R A N D U M

To: Chairwoman Hendrickson
District 1 Commissioner Carden
District 2 Commissioner Ku
District 3 Commissioner Watkins
District 4 Commissioner Holtkamp

From: Ashia Gallo, Communications Department

The following item(s) will be on the agenda for the BOC public hearing on **September 23, 2025**, under the item of business announcements as a resolution of recognition, award, etc., as indicated:

1) **Special Presentation:** Gwinnett Youth Commission Minute
Requested by: Muriam Nafees, Civic Engagement and Social Impact Director
Attendee(s): Johana Caracoza, South Gwinnett High School, 2025—2026 Gwinnett Youth Commission Special Projects Chair
Presented by: Johana Caracoza, South Gwinnett High School, 2025—2026 Gwinnett Youth Commission Special Projects Chair

cc:

Glenn Stephens	Betrand Williams
Buffy Rainey	Arteen Afshar
Joe Sorenson	Hunter Coleman
Heather Sawyer	Neshanta Banks
Kimberly Banner	Katie Gill
Tina King	Tammy Gibson
Carli Primavera	Jeanie Donaldson
Lauren Gamel	Lindsey Gravitt

Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:
20250721	

☑ Rezoning ☑ Public Hearing

Department:	Planning & Development			Date Submitted:	07/07/2025
Working Session:		Business Session:		Public Hearing:	09/23/2025
Submitted By:	yturruviates				
Agenda Type	Rezoning	Rezoning Type	REZ		

Item of Business:

2025-00013, Applicant: ECG Acquisitions, LLC c/o Mahaffey Pickens Tucker, LLP; Owner: Michelle L. Tilghman; Rezoning with Concurrent Variances of Tax Parcel Nos. R6061 005D and 276; 1935 and 1975 Glenn Club Drive; C-2 to HRR for Apartments; 4.29 acres; District 2/Ku

Land Lot:	061	Parcel:	005D and 276
District:	6		

Attachments	Department Case Report with Planning Commission Recommendation

Authorization: Chairwoman's Signature? Yes

Department Head	jjleitch (9/16/2025)

District		For	Against	Abstained	Absent
District 1	Aysha Treadwell	X			
District 1	Nick Nicolosi	X			
District 2	Anthony Crotser	X			
District 2	Pinkie Farver	X			
District 3	Katrina Fellows				X
District 3	Ben Archer	X			
District 4	Buzz Brockway	X			
District 4	Chris Franklin	X			
At Large	Scott Haggard	X			

Comments

County Clerk Use Only

Working Session	
Action	Remand Back to the Planning Comm
Tabled	
Motion	Ku
2nd by	Carden
Vote	5-0; Hendrickson-Yes; Carden-Yes; Ku-Yes; Watkins-Yes; Holtkamp-Yes

Planning and Development

Recommendation:

- ☐ Approve
- ■ Approve with Conditions
- ☐ Appr w/ Cond As
- ☐ Deny w/out Prejudice
- ☐ Deny PH was Held? ☐
- ☐ No Recommendation

Planning Commission

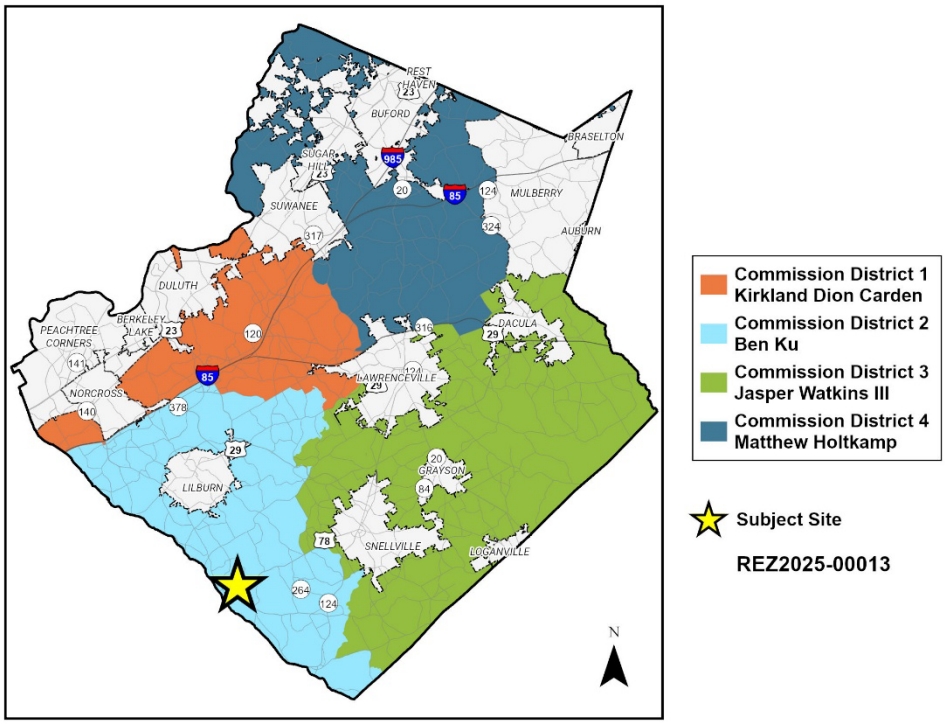
Recommendation:

- ☐ Tabled - Date
- ☐ Approve
- ■ Approve with Conditions
- ☐ Approve with Conditions As
- ☐ Deny
- ☐ Deny w/out Prejudice
- ☐ No Recommendation

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

PLANNING AND DEVELOPMENT DEPARTMENT
CASE REPORT

Case Number:	**REZ2025-00013**
Current Zoning:	**C-2** (General Business District)
Request:	Rezoning to **HRR** (High-Rise Residential Multifamily District)
Overlay District:	Highway 78 Corridor Overlay District
Additional Requests:	Variances and Waiver
Addresses:	1935 and 1975 Glenn Club Drive
Map Numbers:	R6061 005D and 276
Site Area:	4.29 acres
Units:	182
Proposed Development:	Apartments
Commission District:	District 2 – Commissioner Ku
Future Development Type:	Urban – High
Staff Recommendation:	**APPROVAL WITH CONDITIONS**
Planning Commission Recommendation:	**APPROVAL WITH CONDITIONS**



Planning Commission 1st Advertised Public Hearing Date: 7/1/2025; 2nd Advertised Public Hearing Date: 9/2/2025 (Remanded by the Board of Commissioners)
Board of Commissioners 1st Advertised Public Hearing Date: 7/22/2025; 2nd Advertised Public Hearing Date: 9/23/2025

Applicant:	ECG Acquisitions, LLC c/o Mahaffey Pickens Tucker, LLP 1550 North Brown Road, Suite 125 Lawrenceville, GA 30043	**Owner:**	Michelle L. Tilghman 1975 Glenn Club Drive Stone Mountain, GA 30087
Contact:	Shane Lanham	**Phone:**	770.232.0000

Zoning History

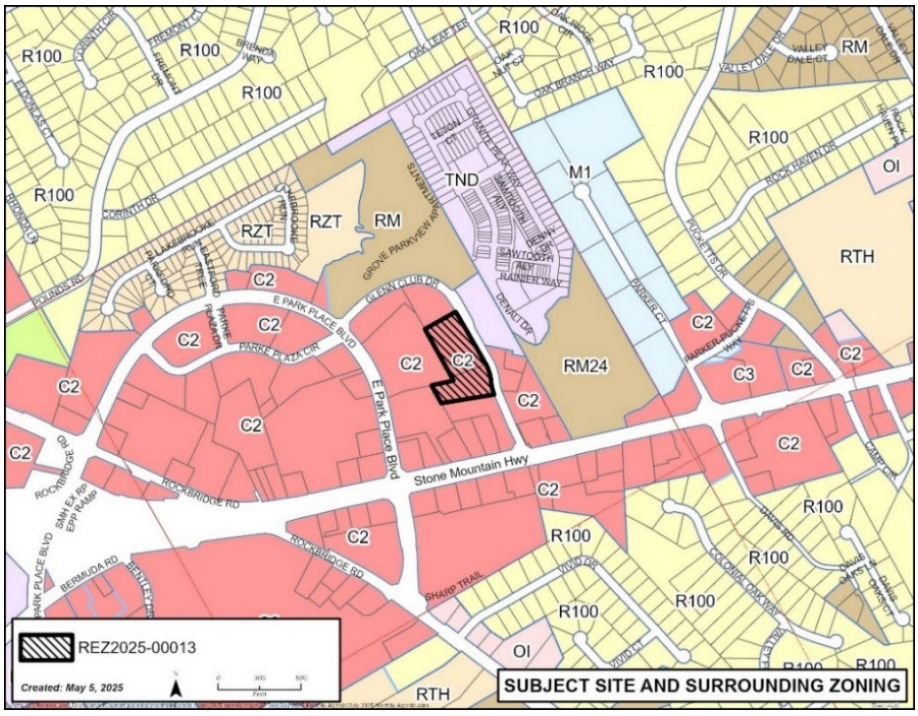
The subject property is zoned C-2 (General Business District). In 1990, the property was rezoned from RM (Multi-Family Residence District) and C-2, to solely C-2, along with a special use permit for a health club with outdoor recreation, pursuant to RZ-81-90 and SUP-48-90. The subject property is located in the Highway 78 Corridor Overlay District.

Existing Site Condition

The subject property is a 4.29-acre assemblage of two parcels located along Glenn Club Drive, north of its intersection with Stone Mountain Highway. The northern parcel is undeveloped and wooded with a drainage ditch running north to south through its center. The southern parcel is developed with an animal hospital. There is a sidewalk along the road frontage of the southern parcel. The nearest Gwinnett County transit stop is approximately 0.3 miles from the subject property.

Surrounding Use and Zoning

The property is surrounded by institutional, commercial, apartments, and single-family residential uses. A place of worship and apartments are located to the north. A variety of commercial establishments are located to the south and west. The Parkview Place traditional neighborhood development, the District at Parkview apartments, a hotel, and a 250-foot-tall telecommunications tower are all located to the east across Glenn Club Drive. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Apartments	HRR	42.42 units per acre
North	Place of Worship Apartments	C-2 RM	N/A 13.65 units per acre
East	Telecommunications Tower Hotel Single-Family Residential and Townhouses Apartments	C-2 C-2 TND RM-24	N/A N/A 4.34 units per acre 16.93 units per acre
South	Commercial	C-2	N/A
West	Commercial	C-2	N/A

Project Summary

The applicant requests rezoning of a 4.29-acre assemblage of two parcels from C-2 to HRR for apartments, including:

- Two, 5-story buildings with 182 units, yielding a density of 42.42 units per acre.
- 40 one-bedroom, 124 two-bedroom, and 18 three-bedroom units, all restricted for households making up to 60% of the Area Median Income.
- A fitness center and a business center located near the lobby of the southern building.
- Exterior building materials of brick, stone, cementitious siding, and cementitious board and batten.
- 273 surface parking spaces, comprised of 200 standard spaces, 67 compact spaces, and 6 ADA-accessible spaces.
- 9,390 square feet of usable open space around the buildings comprised of a playground, gazebo, and covered seating areas.
- A dumpster enclosure near the southern building.
- Two full-access entrances, with a deceleration lane into the southern entrance.
- A 5-foot-wide sidewalk and a 10-foot wide landscape strip along Glenn Club Drive.
- An underground stormwater facility beneath the northern parking lot.

Zoning and Development Standards

The applicant is requesting a rezoning to HRR for apartments. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Floor Area Ratio	No Maximum	1.1	YES
Lot Width	Minimum 100’	>100’	YES
Open Space	Minimum 10% or 18,710 SF	23% or 43,090 SF	YES
Usable Open Space	Minimum 5% or 9,355 SF	5% or 9,390 SF	YES
Parking	Minimum 273 spaces Maximum 455 spaces	273 spaces	YES
EV Parking	Minimum 6 spaces	0 spaces	NO*
Landscape Strip	Minimum 10’	10’	YES

* The applicant is requesting a variance from this standard.

The property is located within the Highway 78 Corridor Overlay District. The proposal complies with all overlay requirements, except for inter-parcel access to which the applicant is requesting a variance.

Variance Requests

In addition to the rezoning request, the applicant is seeking variances from the following provisions of Title II of the UDO:

1. **Section 214-20.3 A. 1. Inter-parcel Vehicle Access.**

   The applicant is requesting a variance to not provide inter-parcel access to adjacent properties to the north, west, and south.

2. **Section 240-60.2 B. Pedestrian Circulation.**

   The applicant is requesting a variance to not provide 4-foot-wide sidewalks with 2-foot-wide grass strips along primary driveways.

3. **Section 240-140.1 Electric Vehicle Charging Equipment.**

   The applicant is requesting a variance to not provide six electric vehicle charging stations.

Waiver Request

In addition to the rezoning request, the applicant is seeking a waiver from the following provision of Title III of the UDO:

1. **Section 620-30.1 B. Parking Lot Planting Requirements**

   The applicant is requesting a waiver to reduce the planting area for parking lot trees from a minimum of 400 square feet to a minimum of 130 square feet to allow planting areas to range from 130 to 400 square feet.

Public Participation

The applicant held a community meeting on May 28, 2025, at Yellow River Park in Stone Mountain. There were four community members in attendance who raised questions regarding the building façades and the programs used to achieve affordability. The applicant shared pictures of previously completed projects and explained that bonds and grants from the Georgia Department of Community Affairs will be utilized. The public participation plan and report are shown in Exhibit H.

Internal and External Agency Review

In addition to the development standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and external agency review comments are attached (Exhibit I). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Rezoning Request Analysis: The standards governing the exercise of zoning power are outlined in Section 270-20.6 of the UDO. Staff makes the following findings related to the zoning requests:

A. **Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

   The surrounding area includes a mix of commercial, institutional and multi-family residential uses, and the proposed development is suitable for the surrounding area. The proposed

rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.

The proposed apartments would complement existing non-residential uses by situating additional residents within walking distance of adjacent businesses. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.

The property has a reasonable economic use as currently zoned.

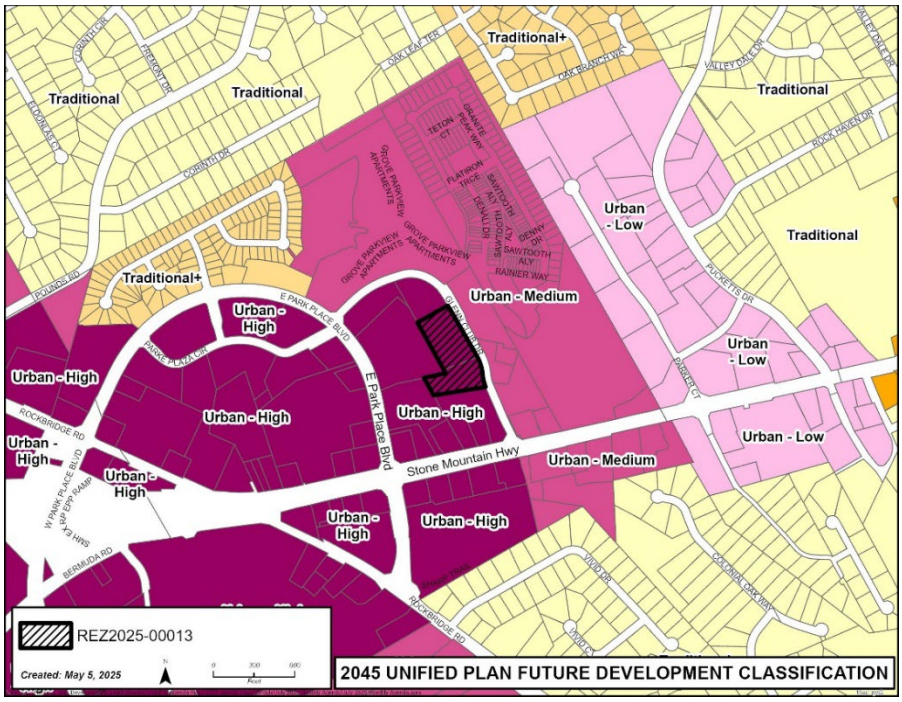
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. The traffic impact study (Exhibit G) was based off a 210-unit multifamily development – 28 more units than what is being proposed. The study estimated that the apartments would generate 81 morning and 82 evening trips and concluded that the level of service would remain unchanged, except for eastbound movement at the intersection of Glenn Club Drive and East Park Place Boulevard during P.M. peak hours. Transit access within walking distance to the site may reduce the number of estimated vehicle trips. An increased impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit I).

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

The Unified Plan's Future Development Map indicates "Urban – High" for the subject property. These areas are envisioned to be vibrant community centers with clusters of restaurants, retail, and diverse housing options. This future development type is intended to absorb significant population growth over the coming years. The target FAR is minimum 2.0, and preferred front setbacks are within 10 feet of the property line. Multi-modal goals include providing connectivity to all adjacent parcels and prioritizing pedestrian and bicyclist safety.

The proposed rezoning for apartments under the HRR zoning district is aligned with the recommended uses and zoning districts for the future development type. Although it is less dense than recommended by the Unified Plan, the proposed building is set back 10 feet as recommended by the Unified Plan. The proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.



F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning.

The County is currently working on the Park Place small area plan which includes the subject property. The vision is to redevelop the study area into a dense, mixed-use node near existing transit, and the proposal is compatible with the anticipated future context of the area.

Variance Requests Analysis: The standards for granting variances are outlined in Section 270-100.7 of the UDO. Staff makes the following findings related to the variance request:

The applicant is requesting three concurrent variances. The first variance is to not provide inter-parcel connectivity to adjacent parcels to the north, west, and south. There are no topographic or environmental barriers between these parcels. In addition, the vision for the Park Place small area plan is to develop the surrounding area into a dense, mixed-use node, and inter-parcel access would improve connectivity to adjacent parcels and transit, and promote multi-modal networks.

The second variance is to not provide sidewalks and grass strips when abutting a drive aisle. The proposed layout achieves the intent of this section while considering site constraints.

The final variance is to not provide six electric vehicle charging stations. There is no hardship to provide these spaces as they count towards minimum parking requirements.

Approval of the variances regarding inter-parcel connectivity and electric vehicle spaces would adversely affect the general public welfare or nullify the intent of the Unified Development Ordinance.

Waiver Request Analysis: The standards for granting waivers are outlined in Section 300.30.2 of the UDO. Staff makes the following findings related to the waiver request:

> The applicant is requesting to reduce the minimum planting area for parking lot trees from 400 to 130 square feet. The intent of the requirement is to allow sufficient soil volume for parking lot trees to survive and grow to maturity, which will provide shade for vehicles. The reduction is necessary to provide adequate parking for the proposed development.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

In addition, staff recommends **APPROVAL** of the following variance and waiver:

1. To not provide 4-foot-wide sidewalks with 2-foot-wide grass strips along primary driveways.

2. To reduce the minimum planting area for parking lot trees from 400 to 130 square feet.

In addition, staff recommends **DENIAL** of the following variances:

1. To not provide inter-parcel access to properties to the north, west and south.

2. To not provide six required electric vehicle charging stations.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

In addition, the Planning Commission recommends **APPROVAL** of the following variance request:

1. To not provide 4-foot-wide sidewalks with 2-foot-wide grass strips along primary driveways.

In addition, the Planning Commission recommends **DENIAL** of the following variance and waiver requests:

1. To reduce the minimum planting area for parking lot trees from 400 to 130 square feet.

2. To not provide inter-parcel access to properties to the north, west and south.

3. To not provide six required electric vehicle charging stations.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

Approval as HRR (High-Rise Residential Multifamily District) for apartments, subject to the following conditions:

1. The development shall be limited to apartments not exceeding 182 dwelling units.

2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan, dated received April 24, 2025, and Exhibit C: Elevations, dated received April 23, 2025, with revisions required by zoning conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.

3. Usable open space shall be provided in general conformance with Exhibit D: Open Space Diagram, dated received April 24, 2025, subject to the review and approval of the Department of Planning and Development.

4. Bicycle parking shall be provided at the ratio of one space for every 15 dwelling units, and at least half of the bicycle parking spaces shall be provided within a secure indoor storage area.

5. Two full-access entrances, including a deceleration lane at the southern entrance, shall be provided in general conformance with Exhibit B: Site Plan, dated received April 24, 2025, prior to the issuance of a Certificate of Occupancy, subject to the review and approval of the Gwinnett County Department of Transportation.

6. All grassed areas within usable open space shall be sodded.

7. Units located along Glenn Club Drive shall be designed as walk-up units with a direct pedestrian connection to the adjacent public sidewalk.

8. An administrative reduction in parking spaces may be granted at which time inter-parcel access **and/or parking lot design standards** results in a reduction in spaces below the required minimum parking.

Exhibits:

A. Site Visit Photos
B. Site Plan
C. Building Elevations
D. Letter of Intent and Applicant's Response to Standards
E. Application and Disclosure of Campaign Contributions
F. DWR Sewer Capacity Certification Letter
G. Traffic Impact Study
H. Public Participation Plan and Report
I. Internal and External Agency Review Comments
J. Maps
K. Document Presented at the July 1, 2025, Planning Commission Public Hearing

Exhibit A: Site Visit Photos



View of existing animal shelter on the site



View of undeveloped portion of the site



View of Glenn Club Drive



View of Parkview Place townhouses



View of Parkview Place apartments



View of Grove Parkview apartments

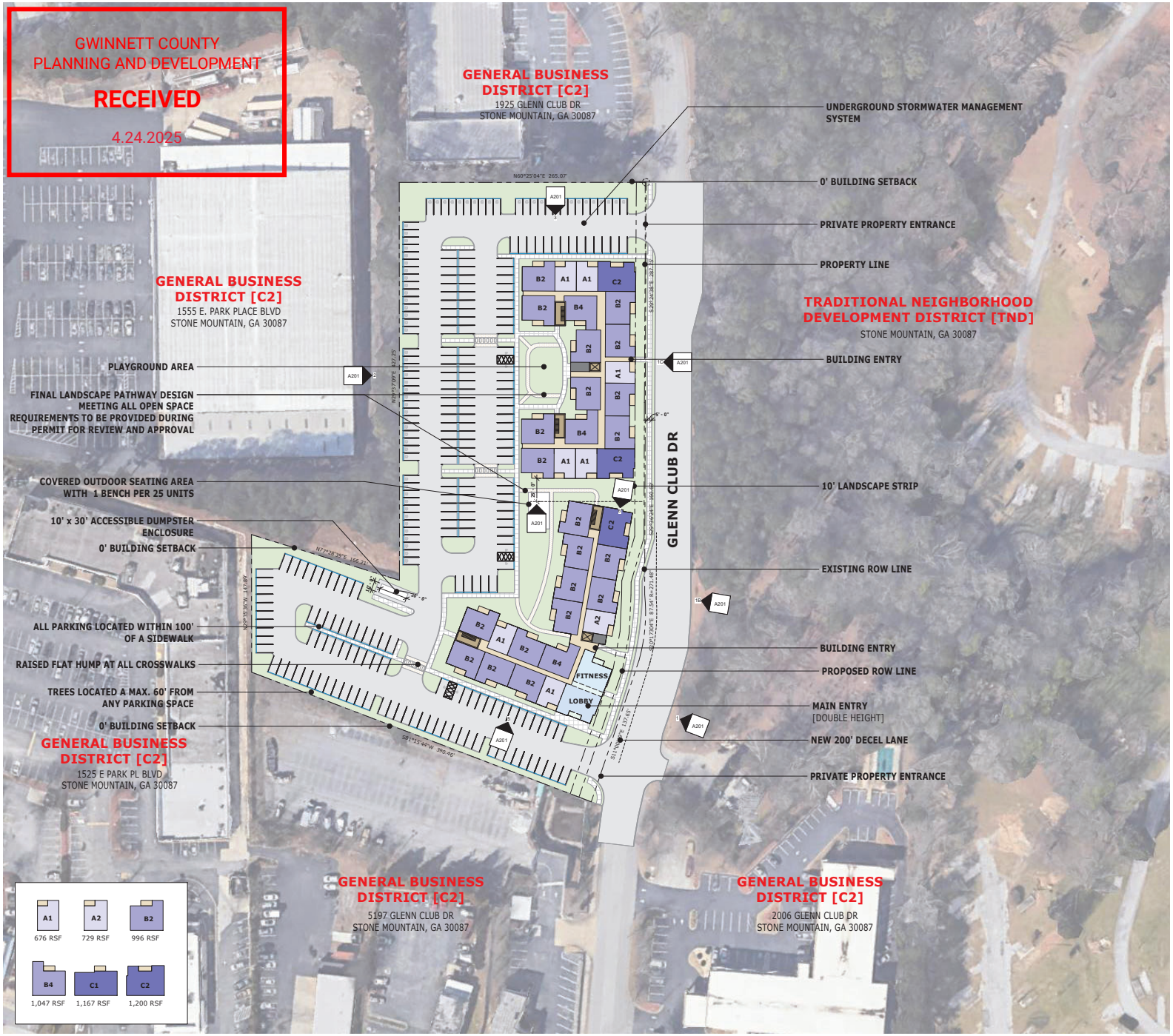
Exhibit B: Site Plan

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

4.24.2025



- UNDERGROUND STORMWATER MANAGEMENT SYSTEM
- 0' BUILDING SETBACK
- PRIVATE PROPERTY ENTRANCE
- PROPERTY LINE
- BUILDING ENTRY
- PLAYGROUND AREA
- FINAL LANDSCAPE PATHWAY DESIGN MEETING ALL OPEN SPACE REQUIREMENTS TO BE PROVIDED DURING PERMIT FOR REVIEW AND APPROVAL
- COVERED OUTDOOR SEATING AREA WITH 1 BENCH PER 25 UNITS
- 10' LANDSCAPE STRIP
- 10' x 30' ACCESSIBLE DUMPSTER ENCLOSURE
- 0' BUILDING SETBACK
- EXISTING ROW LINE
- ALL PARKING LOCATED WITHIN 100' OF A SIDEWALK
- BUILDING ENTRY
- RAISED FLAT HUMP AT ALL CROSSWALKS
- PROPOSED ROW LINE
- TREES LOCATED A MAX. 60' FROM ANY PARKING SPACE
- MAIN ENTRY [DOUBLE HEIGHT]
- 0' BUILDING SETBACK
- NEW 200' DECEL LANE
- PRIVATE PROPERTY ENTRANCE

PROJECT DATA SUMMARY

SITE DATA

PROJECT ADDRESS:	1935 GLENN CLUB DR. & 1975 GLENN CLUB DR. MOUNTAIN PARK, GA 30087
ACREAGE:	4.29AC [187,100 SF]
DENSITY:	42.42 DU/AC | 1.1 FAR
CURRENT ZONING:	C-2
PROPOSED ZONING:	HRR

OPEN SPACE

REQUIRED:			
GENERAL OPEN SPACE:	187,100 SF x 10%	=	**18,710 SF**
USEABLE OPEN SPACE:	18,710 x 50%	=	**9,355 SF**
PROVIDED:			
GENERAL OPEN SPACE [GREEN]:			**43,090 SF**
USEABLE OPEN SPACE [BLUE]:			**9,390 SF**
PLAYGROUND:	890 SF		
WALKWAYS & SEATING:	7,400 SF		
COVERED SEATING:	900 SF		
GAZEBO	200 SF		

BUILDING DATA:

OVERALL:	
TOTAL GROSS:	**206,440 GSF**
TOTAL RENTABLE:	**173,378 RSF [84%]**
UNIT MIX:	
1 BED:	40 UNITS [20.30%]
2 BED:	124 UNITS [70.56%]
3 BED:	18 UNITS [9.14%]
TOTAL:	**182 UNITS**
PROPOSED BLDG HEIGHT:	**60'-0"**
PROPOSED BLDG STORIES:	**5-STORIES**

PARKING DATA:

CODE REQUIRED:	
MIN:	1.5 x 182 = **273 SPACES**
MAX:	2.5 x 182 = **455 SPACES**
PROVIDED:	
STANDARD:	200 SPACES
COMPACT [<25%]:	67 SPACES
ADA:	6 SPACES
TOTAL PARKING:	**273 SPACES**

LANDSCAPE DATA:

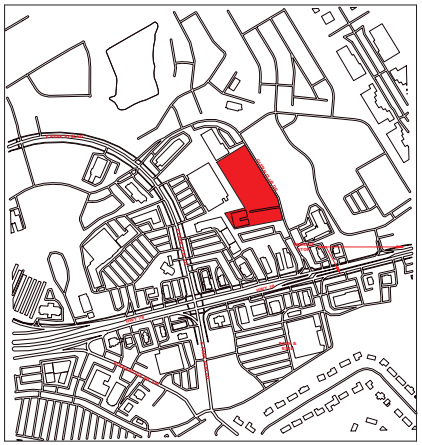
TREES REQ.: 1 TR./7 SP.	**40 TR.**
TREES PROV.:	**40 TR.**
DIST. TREE TO SPACE:	**60'-0" MAX.**
DIST. WALKWAY TO SPACE:	**100'-0" MAX.**

VARIANCE REQUEST (SEE LOI FOR DETAIL):

- A VARIANCE FROM UDO §240-70.1(B) TO ALLOW THE PROPOSED DEVELOPMENT TO BE CONSTRUCTED WITHOUT PROVIDING INTERPARCEL ACCESS TO ADJACENT NON-SINGLE-FAMILY RESIDENTIAL PROPERTIES.
- A VARIANCE FROM UDO §240-140.1 TO ELIMINATE THE REQUIREMENT FOR ELECTRIC VEHICLE CHARGING STATIONS.
- A VARIANCE FROM UDO §240-60.2(B) TO NOT PROVIDE 4-FOOT-WIDE SIDEWALKS WITH 2-FOOT-WIDE GRASS STRIPS ALONG BOTH SIDES OF THE DRIVEWAY.

WAIVER REQUEST (SEE LOI FOR DETAIL):

- A WAIVER FROM UDO §620-30.1(B) TO REDUCE THE MINIMUM AREA OF PARKING LOT TREE ISLANDS TO 130 SQUARE FEET.



VICINITY MAP

ELMINGTON

CONCEPT DESIGN | ELMINGTON | GLENN CLUB DRIVE
PROJ. #24025E-00

CONCEPT DIAGRAM - TYPICAL FLOOR PLAN

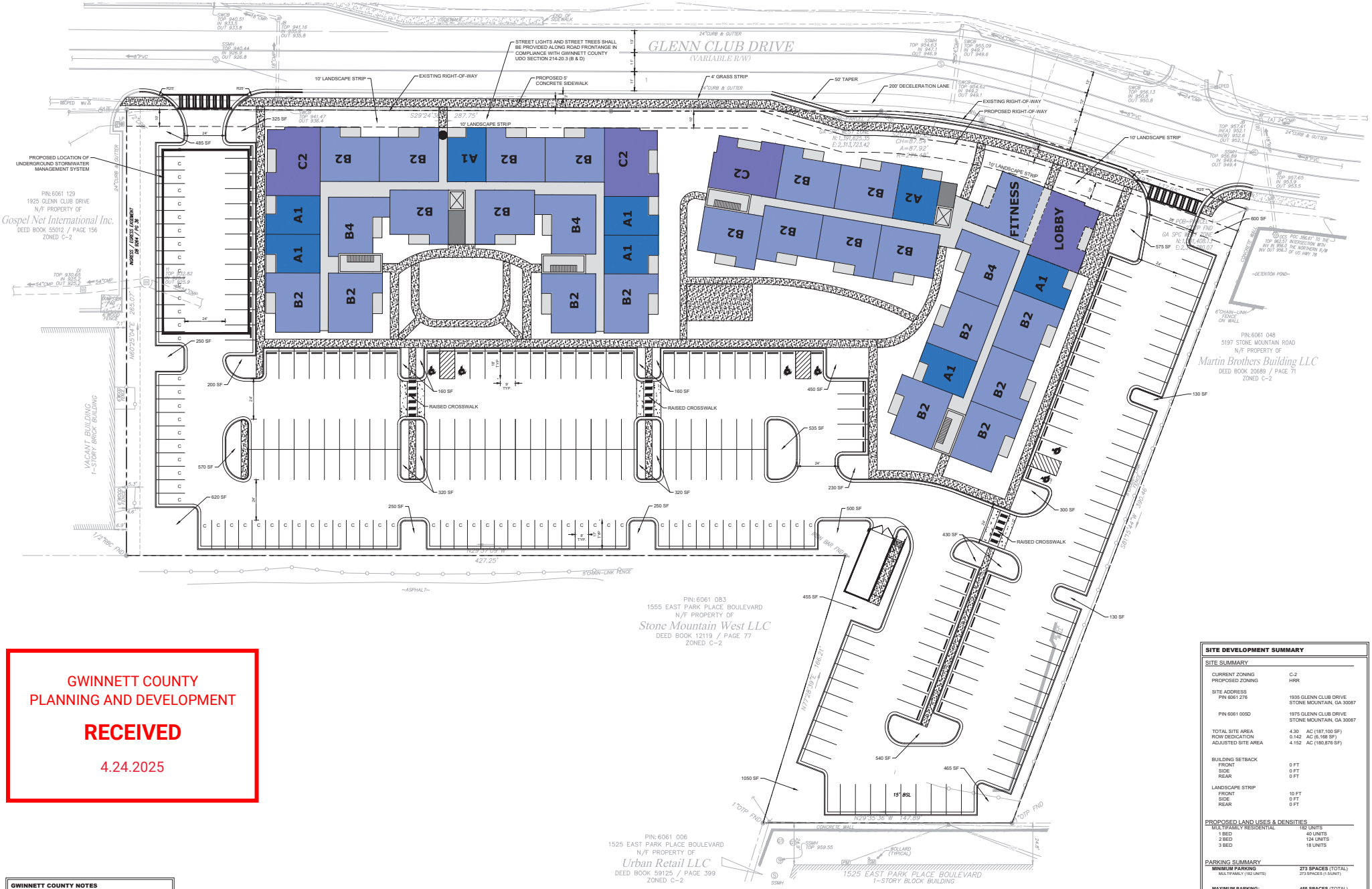
SCALE: 1" = 40'

G006

Baker Barrios
The shape of things to come.
AA000298 | LC26000427

BF

REZ2025-00013



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

4.24.2025

SITE DEVELOPMENT SUMMARY

SITE SUMMARY

CURRENT ZONING	C-2
PROPOSED ZONING	HRR
SITE ADDRESS	
PIN 6061 276	1935 GLENN CLUB DRIVE STONE MOUNTAIN, GA 30087
PIN 6061 005D	1975 GLENN CLUB DRIVE STONE MOUNTAIN, GA 30087
TOTAL SITE AREA	4.30 AC (187,100 SF)
ROW DEDICATION	0.142 AC (6,168 SF)
ADJUSTED SITE AREA	4.152 AC (180,876 SF)
BUILDING SETBACK	
FRONT	0 FT
SIDE	0 FT
REAR	0 FT
LANDSCAPE STRIP	
FRONT	10 FT
SIDE	0 FT
REAR	0 FT

PROPOSED LAND USES & DENSITIES

MULTIFAMILY RESIDENTIAL	182 UNITS
1 BED	40 UNITS
2 BED	124 UNITS
3 BED	18 UNITS

PARKING SUMMARY

MINIMUM PARKING (MULTIFAMILY (182 UNITS))	**273 SPACES** (TOTAL) 273 SPACES (1.5/UNIT)
MAXIMUM PARKING: (MULTIFAMILY (182 UNITS))	**455 SPACES** (TOTAL) 455 SPACES (2.5/UNIT)
PROPOSED PARKING:	**273 SPACES** (TOTAL)*
STANDARD	200 SPACES
ADA	6 SPACES (5 STD, 1 VAN)
COMPACT	67 SPACES (25%)

GWINNETT COUNTY NOTES

1. THE SITE WILL COMPLY WITH THE OVERLAY DISTRICT ROAD FRONTAGE STREETSCAPE STANDARDS.
2. EXISTING DRAINAGE AND DRAINAGE EASEMENTS ON SITE WILL BE REROUTED THROUGH OR AROUND THE SITE. TO BE DETERMINED DURING FULL DESIGN.

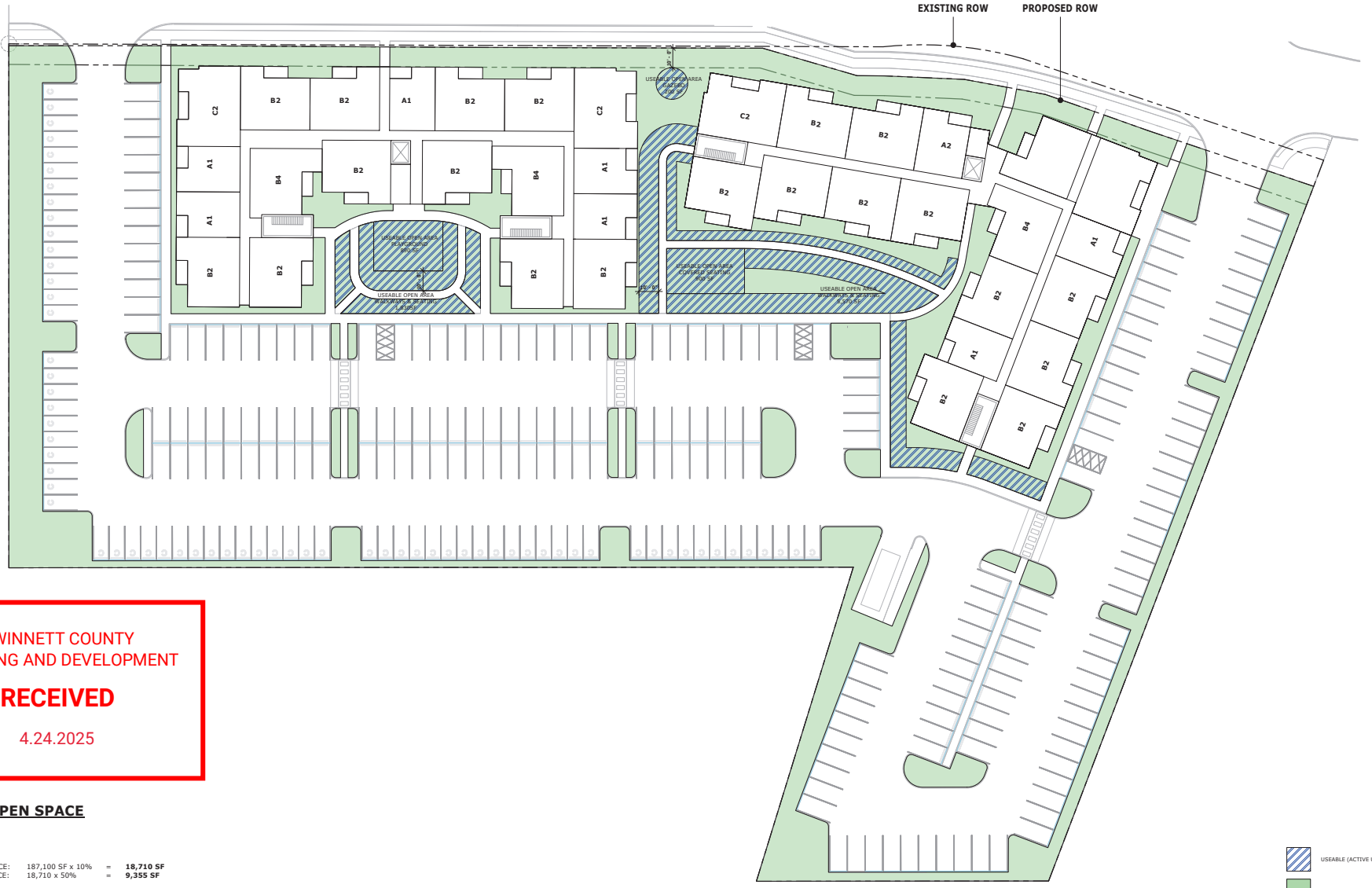
Kimley»Horn

Elmington | Glenn Club Drive
Conceptual Site Plan | CP.01

April 24, 2025

0 10 20 40 60

NORTH



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

4.24.2025

OPEN SPACE

SITE ACREAGE:
4.3AC = 187,100 SF

OPEN SPACE REQUIRED:

GENERAL OPEN SPACE:	187,100 SF x 10%	=	**18,710 SF**
USEABLE OPEN SPACE:	18,710 x 50%	=	**9,355 SF**

OPEN SPACE PROVIDED:

GENERAL OPEN SPACE [GREEN]:	**43,090 SF**
USEABLE OPEN SPACE [BLUE]:	**9,390 SF**

PLAYGROUND:	890 SF
WALKWAYS & SEATING:	7,400 SF
COVERED SEATING:	900 SF
GAZEBO	200 SF

Exhibit C: Building Elevations

[attached]



1 BUILDING 1 & 2 - EAST ELEVATION - GLEEN CLUB DRIVE
1/16" = 1'-0"



2 BUILDING 1 & 2 - WEST ELEVATION
1/16" = 1'-0"



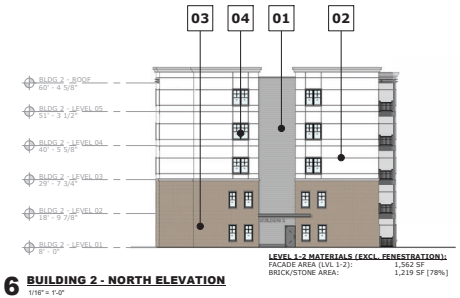
3 BUILDING 1 - NORTH ELEVATION
1/16" = 1'-0"



4 BUILDING 1 - SOUTH ELEVATION
1/16" = 1'-0"



5 BUILDING 2 - SOUTH ELEVATION
1/16" = 1'-0"



6 BUILDING 2 - NORTH ELEVATION
1/16" = 1'-0"

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

4.23.2025

ELEVATION KEYNOTES

MARK	DESCRIPTION
01	HORIZONTAL SIDING; FINISH: GRAY; BOD: HARDIE BOARD
02	BOARD AND BATTEN; FINISH: WHITE; BOD: HARDIE BOARD
03	BRICK
04	WHITE FRAME VINYL WINDOWS WITH
05	APPLIED STONE VENEER
06	LOBBY ENTRY - ACCESS DIRECT FROM GLENN CLUB DRIVE STREETSCAPE

ELMINGTON

CONCEPT DESIGN | ELMINGTON | GLENN CLUB DRIVE

PROJ. #24025E-00 2025.04.22

NOT FOR CONSTRUCTION

REZ2025-00013

BUILDING ELEVATIONS

SCALE: 1/16" = 1'

0 8 16 40 64'

A201

BF

Baker Barrios
The shape of things to come.
AA000298 | LC26000427

Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

Mahaffey Pickens Tucker, LLP
ATTORNEYS AT LAW

David Belle Isle
Matthew P. Benson
Catherine W. Davidson
Gerald Davidson, Jr.*
Brian T. Easley
Rebecca B. Gober
John D. Hipes*
Christopher D. Holbrook
Jessica R. Kelly
Shane M. Lanham
Julia A. Maxwell

Jeffrey R. Mahaffey
John N. Mahaffey
Steven A. Pickens
Jack M. Ryan
Gabrielle H. Schaller
S. Tess Shaheen
Andrew D. Stancil
Michael A. Tralongo
R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR
REZONING APPLICATION ECG ACQUISITIONS, LLC

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning application (the "Application") on behalf of ECG Acquisitions, LLC (the "Applicant") relative to an approximately 4.29-acre tract of land (the "Property") located on Glenn Club Drive near its intersection with Stone Mountain Highway (U.S. Route 78). The Property is located on the north side of Highway 78 between Glenn Club Drive and East Park Place Boulevard. The Property is currently zoned C-2 and is located within the Urban-High Future Development Map Area as set forth in the Gwinnett County 2045 Unified Plan (the "2045 Plan").

The Applicant proposes to rezone the Property to the HRR zoning classification to permit the development of a 182-unit multifamily residential community. The proposed development would include two buildings fronting Glenn Club Drive with the majority of parking spaces located to the rear of the building and shielded from the right-of-way. Residents of the proposed community would have access to multiple on-site amenities including a fitness center, business center, and a playground. Other outdoor amenity space would be provided with grassed pocket parks with seating areas. Additionally, residents would have convenient pedestrian access to multiple shopping, dining, and employment uses located in close proximity to the Property.

The proposed development is compatible with surrounding zoning classifications and land uses and is in line with the policies of the 2045 Plan. The Property is adjacent to land zoned C-2 to the north, south, and west. Additionally, the Grove at Parkview and District at Parkview multifamily communities, zoned RM and RM-24, respectively, are both located within 500 feet of the Property. The proposed development would also provide an appropriate transition of land uses from the more intense commercial uses to the west and the TND- and RM-24-zoned residential uses to the east. The 2045 Plan sets forth overarching policy goals that encourage residential development and diversifying housing types. The 2045 Plan specifically encourages the land uses of "Multifamily – High Rise" and "Multifamily – Mid Rise" in the Urban-High Future Development Map Area and lists "HRR" as a "recommended" zoning classification. The proposed development would also expand access to affordable and workforce housing as the community would be income- and rent-restricted at 60% of Area Median Income or less. As set forth in the submitted building elevations, the proposed development would include attractive architectural design and building materials including fiber-cement siding, brick, and stone veneer. The buildings would also feature entrances facing Glenn Club Drive with direct pedestrian connections enhancing the walkability of the proposed community.

In order to develop the Property as depicted on the site plan submitted with the Application, the Applicant respectfully requests the additional relief described below.

- A variance from UDO §240-70.1(B) to allow the proposed development to be constructed without providing interparcel access to adjacent non-single-family residential properties. Interparcel connectivity is not feasible on the Property due to traffic safety and topographic concerns. Elevation differences and existing retaining walls frustrate the possibility of vehicular driveway connections.
- A variance from UDO §240-140.1 to eliminate the requirement for electric vehicle charging stations. The physical characteristics of the Property are such that the additional construction required to provide electric vehicle charging stations is not feasible.
- A variance from UDO §240-60.2(B) to not provide 4-foot-wide sidewalks with 2-foot-wide grass strips along both sides of primary driveways. The site plan submitted with the application provides convenient pedestrian circulation within parking areas and provides sidewalks connecting major parking areas to the residential buildings. However, physical

characteristics of the Property prevent the installation of the sidewalks and grassed strips on both sides of the proposed development's "primary driveways." Moreover, the primary driveways on the site are the northern and southern driveways from Glenn Club Drive to the rear building line. From there, the primary driveways split off into secondary driveways or simply driveways within parking areas. The primary driveways run along the northern and southern property boundary lines and requiring a sidewalk along the property line would not further or enhance pedestrian circulation or safety. Residents or visitors would not park and then walk away from the buildings only to double back. They would park and then funnel into the interior of the site where multiple sidewalks provide convenient access to the residential buildings. Accordingly, relief from this requirement would not impair the spirit and intent of the UDO or diminish pedestrian safety or convenience.

- A waiver from UDO §620-30.1(B) to reduce the minimum area of parking lot tree islands to 130 square feet. This allows the tree islands to be provided at the width of a standard parking space. Relief, if granted, would allow the Applicant to provide attractive tree islands within the parking lot providing shade, pervious surfaces, and an attractive visual appearance. It would also allow the proposed development to provide the minimum number of parking spaces required by the UDO.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Planning and Development Department to answer any questions or address any concerns relating to the matters set forth in this letter or in the Application. The Applicant respectfully requests your approval of the Application.

This 23rd day of April, 2025

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

Shane M. Lanham

Shane M. Lanham
Attorneys for Applicant

RESPONSES TO STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

Pursuant to requirements of the United Development Ordinance, the Board of Commissioners finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Yes, approval of the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed residential development is compatible with existing residential uses and will further diversify housing options in the surrounding area.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:

No, approval of the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development will complement the housing mix of the surrounding area.

C. Whether the property to be affected by a proposed rezoning has reasonable economic use as currently zoned:

Due to the size, location, layout and dimensions of the subject property, the Applicant submits that the property does not have a reasonable economic use as currently zoned.

D. Whether the proposed rezoning will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

No, approval of the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property is in close proximity to major transportation corridors including Stone Mountain Highway (HWY 78).

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map:

Yes, approval of the proposed rezoning is in conformity with the policy and intent of the Gwinnett County 2045 Unified Plan which encourages residential development. The subject property is located in the Urban High Future Development Area which specifically encourages multi-family high rise residential development.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning:

The Applicant submits that the quality of the proposed development, the character of surrounding uses, and the close proximity to major transportation corridors provide additional supporting grounds for approval of the Rezoning Application.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GA.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: ECG Acquisitions, LLC	Name: Michelle L. Tilghman
Address: 1550 N Brown Rd, Ste 125	Address: 1975 Glenn Club Dr
City: Lawrenceville	City: Stone Mountain
State: Georgia ZIP: 30043	State: Georgia ZIP: 30087
Phone: 770.232.0000	Phone: 770.232.0000
Email: slanham@mptlawfirm.com	Email: slanham@mptllawfirm.com

Contact Person: Shane Lanham Phone: 770.232.0000

Contact's Email: slanham@mptlawfirm.com

APPLICANT IS THE:

☐ Owner's Agent ☐ Property Owner ☒ Contract Purchaser

Current Zoning District(s): C-2 Requested Zoning District: HRR

Parcel Number(s): R6061 276 & R6061 005D Acreage: +/-4.29

Property Address(es): 1935 & 1975 Glenn Club Dr

Proposed Development: Multifamily residential

Variance(s): See application Waiver(s): see application

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Dwelling Units: 182	No. of Buildings: NA
Dwelling Unit Sq. Ft.: varies per UDO	Total Building Sq. Ft.: NA
Density: 182 units/4.29 acres = +/- 42.42 units per acre	Floor Area Ratio: NA
Floor Area Ratio (LRR, MRR, HRR): +/-1.1	

MIXED-USE DEVELOPMENT

No. of Dwelling Units: NA Dwelling Unit Sq. Ft.: NA

Total Non-Residential Sq. Ft.: NA Floor Area Ratio: NA

Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon in less than six (6) months from the date of last action by the Board of Commissioners.

Property Owner

Name: Michelle Tilghman

Signature:

Date: 2/11/25

Notary Public

Name: Rebecca Ludwig

Signature: R. Ludwig

Date: 2/11/2025

R LUDWIG
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMMISSION EXPIRES
JUNE 10, 2025
Notary Seal

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Signature of Applicant	Date	Type of Print Name and Title
C. Hunter Nelson	2/11/2025	C. Hunter Nelson, Secretary of ECG Aquisitions, LLC

Signature of Applicant's Attorney or Representative	Date	Type or Print Name and Title

Signature of Notary Public	Date	Notary Seal
Caroline Adkins	2/11/2025	CAROLINE ADKINS STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY MY COMMISSION EXPIRES 9-5-2028

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating $250.00 or more to a member of the Board of Commissioners?

☐ Yes ☑ No _____ (Your Name)

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to $250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Signature of Applicant	Date	Type of Print Name and Title
	2/14/25	Michelle Tilghman

Signature of Applicant's Attorney or Representative	Date	Type or Print Name and Title

Signature of Notary Public	Date	Notary Seal
R. Ludwig	2/14/2025	

R LUDWIG NOTARY PUBLIC DEKALB COUNTY, GEORGIA MY COMMISSION EXPIRES JUNE 10, 2025

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating $250.00 or more to a member of the Board of Commissioners?

☐ Yes ☒ No _____ (Your Name)

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to $250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT | PLANNING DIVISION

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Disclosure of campaign contributions aggregating to $250.00 or more to a member of the Board of Commissioners is required pursuant to Section 270-25.E. of the Unified Development Ordinance.

Name: Shane Lanham, Attorney for Applicant

Relationship to Application: ○ Applicant ◉ Representative of Applicant

Campaign Contributions? ◉ Yes ○ No

Contributions:

Official Name	Contribution Amount	Date of Contribution	Contributor
Please see attached			

Signature: _____ **Date:** 08.08.25

CONFLICT OF INTEREST CERTIFICATION FOR REZONING, CHANGE IN CONDITIONS, AND SPECIAL USE PERMIT APPLICATIONS

MAHAFFEY PICKENS TUCKER, LLP

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Nicole Love Hendrickson, Chairwoman	$2,500	08/11/2023
Matt Holtkamp, Commissioner	$3,300	09/18/2023
Kirkland Carden, Commissioner	$3,300	09/27/2023
Nicole Love Hendrickson, Chairwoman	$3,300	10/01/2024
Ben Ku, Commissioner	$2,000	04/25/2025
Matt Holtkamp	$2,000	06/19/2025

Lee Tucker, Attorney at Law, P.C.

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Kirkland Carden, Commissioner	$2,000	10/25/2023

Jeffrey Mahaffey, Attorney at Law, Individually

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Nicole Love Hendrickson, Chairwoman	$1,000	08/14/2023

Shane M. Lanham, Attorney at Law, P.C.

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Nicole Love Hendrickson, Chairwoman	$500.00	10/02/2024

Updated 08/07/2025

Exhibit F: DWR Sewer Capacity Certification Letter

[attached]

GWINNETT COUNTY
DEPARTMENT OF WATER RESOURCES
684 Winder Highway | Lawrenceville, GA 30045-5012
678.376.6700
www.gwinnettcounty.com | www.gwinnetth2o.com

☐ **APPROVED**
☐ **DENIED**
☒ **CONDITIONALLY APPROVED**
Sewer Capacity Request #**C2025-021-02**
Expiration Date: 02/11/2026
Tie-In Manhole FID: **241307**

February 11, 2025

Christian Grabeman
Elmington Capital Group
1030 16th Ave South, Suite 500
Nashville, TN 37212

RE: Sewer Availability for Proposed Development – ECG Glenn Club Drive
Parcel ID 6061 005D, 6061 276

Dear Mr. Grabeman:

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of 225 apartment units (75 one-bedroom, 100 two-bedroom, 50 three-bedroom), 2,500 SF of office space, a 5,000 SF clubhouse, and a 30-swimmer pool on the above parcels and determined:

Gwinnett County can provide sewer service for the proposed development only upon completion of the following conditions:

- Upsizing of approximately 850 feet of existing 8-inch gravity sewer to a minimum 16-inch gravity sewer, from manhole FID 241239 to manhole FID 241005.
- Coordination on the schedule, phasing, and design of the referenced development in relation to GCDWR's improvements and upgrades at East Park Place Pump Station.

This confirmation is based on your anticipated annual average daily flow of **25 gpm** discharging to the sewer tie-in manhole at Facility ID **241307**.

Capacity Allocation: Sewer capacities are allocated only upon the issuance of a Development Permit, by Gwinnett County Planning & Development and after all applicable conditions established in this Sewer Capacity Certification, if any, are met.

Certification Expiration: The Sewer Capacity Certification is valid for 12 months from the date of this letter. If rezoning is approved, GCDWR will issue a revised Sewer Capacity Certification based on the approved units, as needed. The capacity request can be renewed for an additional 12 months. If a Development Permit has not been obtained by the expiration date above the developer may apply for renewal by providing evidence of active rezoning, plan review, or permitting efforts.

GWINNETT COUNTY
DEPARTMENT OF WATER RESOURCES
684 Winder Highway | Lawrenceville, GA 30045-5012
678.376.6700
www.gwinnettcounty.com | www.gwinnetth2o.com

Once the Sewer Capacity Certification expires, the capacity is no longer allocated, and a new Sewer Capacity Certification request must be submitted for re-evaluation with no guarantee of available capacity. The evaluation will be based on the updated conditions of the sewer system.

Certification Invalidation: This certification is not valid if there are proposed changes to your development that could impact downstream sewer capacity (e.g. land use density, sewer tie-in manhole, parcel changes, and/or rezoning). In this case the development must resubmit for a new Sewer Capacity Request with updated information prior to the expiration of the previous one.

Please contact us at 678-376-7026 if you have any questions.

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

D Taylor

Della Taylor, PE
Division Director, Infrastructure Support
678.376.2130

C: Gwinnett County DWR – Lorraine Campagne, Section Manager; Raghu Vemuru, Engineer V; Mikala Weston, Engineer III
Gwinnett County P&D – Charli Young, Planning Manager; Geniva Sylvain, Engineer I; Christina Dejarnette, Engineer I; Wendell Tumale Engineer III

Exhibit G: Traffic Impact Study

[attached]

TRAFFIC IMPACT ANALYSIS FOR

Multifamily Residential Development on Glen Club Drive

Stone Mountain, GA

DECEMBER 17, 2024

PREPARED FOR:

Christian Grabeman

Elmington Capital

1030 16th Aven South, Suite 500

Nashville, TN 37212

PREPARED BY:

Foresite Group, LLC

3740 Davinci Court, Suite 100

Peachtree Corners, GA 30092

o | 770.368.1399

f | 770.368.1944

w | www.forsitegroup.net

1. Introduction

The *Glenn Club* residential development project is planned to be a multifamily apartment building in Stone Mountain, Georgia. The development is planned to be built out in one phase and is expected to be completed by the year 2028. The development, at full build-out, will consist of a multifamily residential development with 210 units.

The purpose of this traffic study is to identify the traffic impacts associated with the proposed development on the surrounding roadway network. In addition to the proposed residential development, background traffic growth is being analyzed in the form of a background growth rate. Figure 1 shows the proposed site location in the vicinity of the Stone Mountain, Georgia. The site location is shown on an aerial image in Figure 2. A copy of the proposed site plan is provided in Appendix A.

This report has been prepared for submittal to the Gwinnett County Department of Transportation (GCDOT) to evaluate the traffic conditions at the site. This report summarizes the data collected, proposed access points, projected traffic at the study intersections, analysis of traffic impacts including level of service (LOS), and conclusions from the analysis.

Figure 1: Vicinity Map

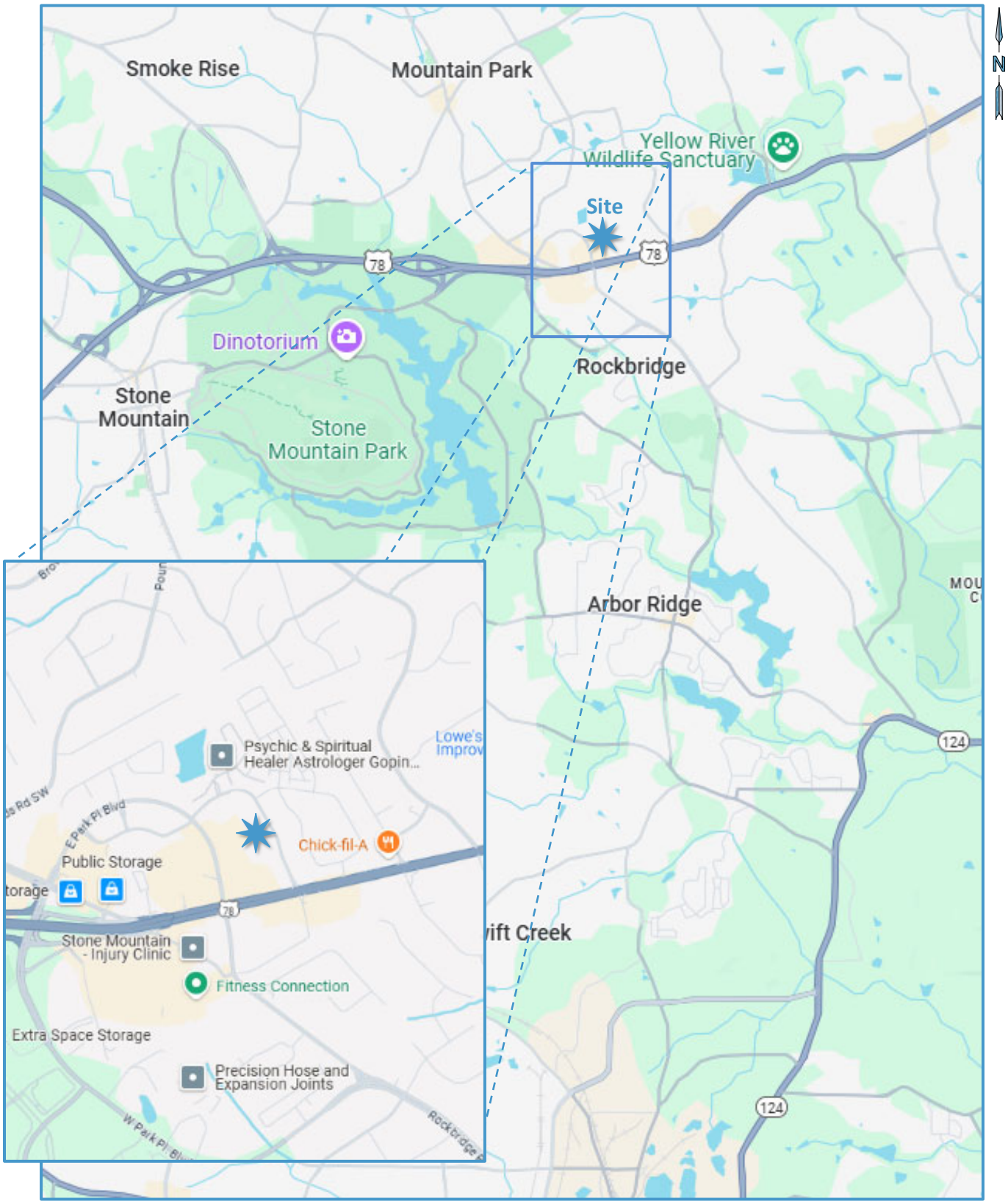
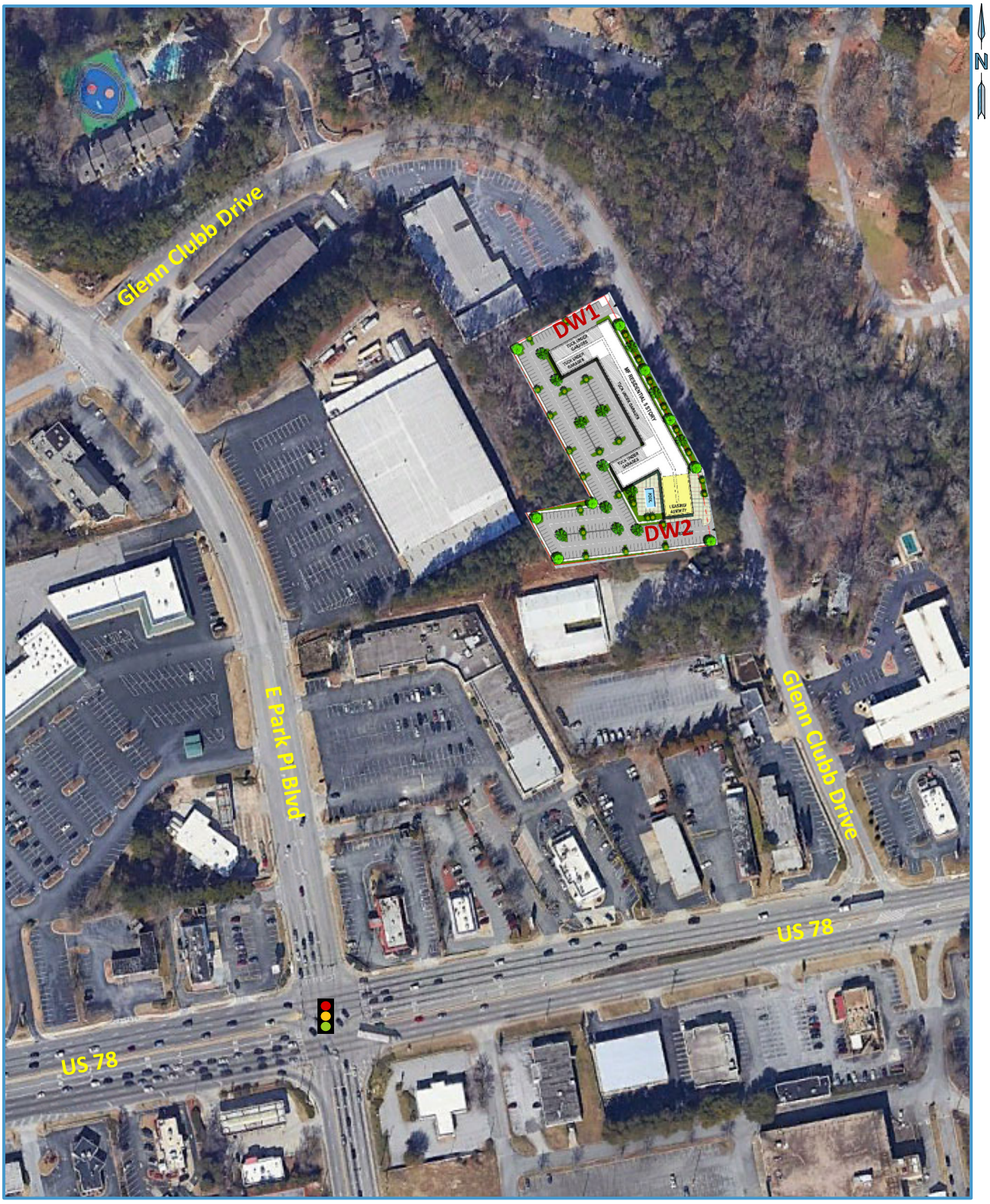


Figure 2: Site Location Aerial



2. Existing and Proposed Development Description

The site is planned to occupy the currently undeveloped land on the west side of Glenn Club Drive north of US 78. The site is located adjacent to several buildings with commercial retail and other land use types. The development, at full build-out, will consist of a multifamily residential development with 210 units. The development will be built in one phase expected to be completed by the year 2028. This site proposes to have two full access driveways on Glenn Club Drive that provides connectivity to US 78 and E Park Place Blvd. A copy of the proposed site plan is attached in Appendix A. The land use with ITE Trip Generation code is provided below:

Build-out complete by 2028:

- Multifamily Housing (Mid-Rise) (ITE code 221) – 210 Dwelling Units

The proposed *Glenn Club* apartment development will have two full access driveways with access to Glenn Club Drive.

3. Existing Conditions

3.1. Transportation Facilities

This traffic impact study examines the existing (2024), background (2028) and full build (2028) operations of the intersections listed in Table 1. There are three main roadways being analyzed in this report with roadway characteristics summarized in Table 2. The existing lane configuration is shown in Figure 3.

Table 1: Study Intersections

#	Intersections	Traffic Control
1	US 78 at E Park Place Blvd	Signal Control
2	E Park Place Blvd at Glenn Club Drive	Side-Street Stop Control
3	US 78 at Glenn Club Drive	Side-Street Stop Control (RCUT)
4	Glenn Club Drive at Driveway 1	Side-Street Stop Control
5	Glenn Club Drive at Driveway 2	Side-Street Stop Control

US 78 is a six-lane median divided roadway in this section, that runs primarily west to east from Stone Mountain through Snellville in Gwinnett County. In this section of roadway, the functional classification is Principal Arterial and has a posted speed limit of 45 mph in the project area.

E Park Place Blvd is an undivided five-lane with a two-way left turn lane (TWLTL), that loops north of US 78 from W Park Place Blvd and back to US 78 to the east. The functional classification of E Park Place Blvd is a Major Collector and it has a posted speed limit of 40 mph in the project area.

Glenn Club Drive is a three-lane roadway with a two-way left turn lane (TWLTL) that runs between E Park Place Blvd and US 78. Glenn Club Drive is a local road with a posted speed limit of 35 mph.

Table 2: Roadway Characteristics

Roadway	# of Lanes	Posted Speed Limit (MPH)	Functional Classification
US 78	6	45	Principal Arterial
E Park Place Blvd	5	40	Major Collector
Glenn Club Drive	3	35	Local Road

3.2. Traffic Count Data

Traffic count data for this project was collected on Tuesday December 3rd, 2024. Peak hour turning movement counts were collected at the three existing intersections listed above in Table 1. Also, on Tuesday December 3rd, 2024, 24-HR Bi-directional counts were collected on Glenn Club Drive and was shown to have an ADT of 625 vpd. Information from the *GDOT Traffic Analysis & Data Application (TADA)* shows E Park Place Blvd having an ADT of 8,330 vpd and US 78 with an ADT of 56,300 vpd. Full traffic counts are provided in Appendix B.

Figure 3: Existing Lane Geometry

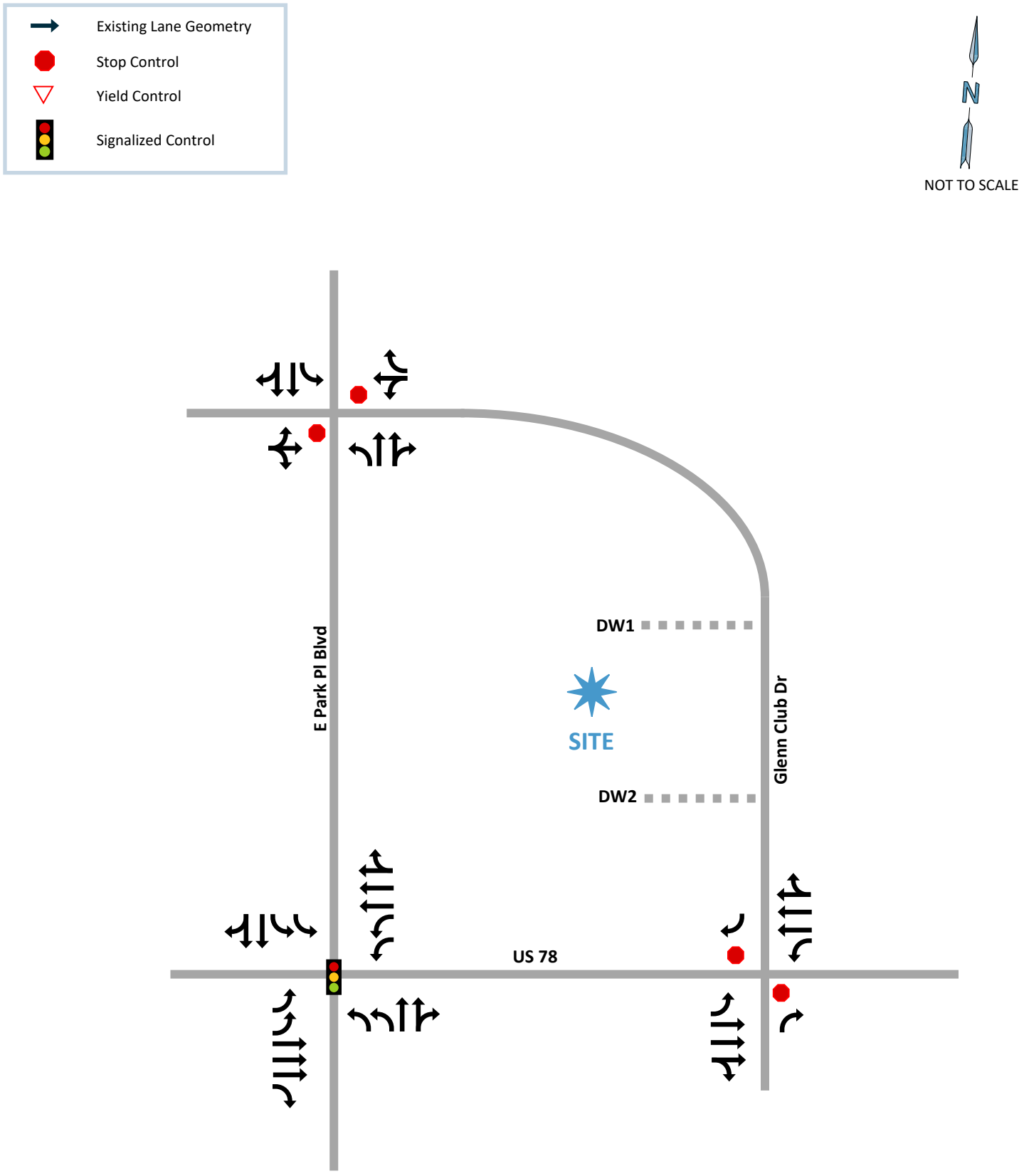
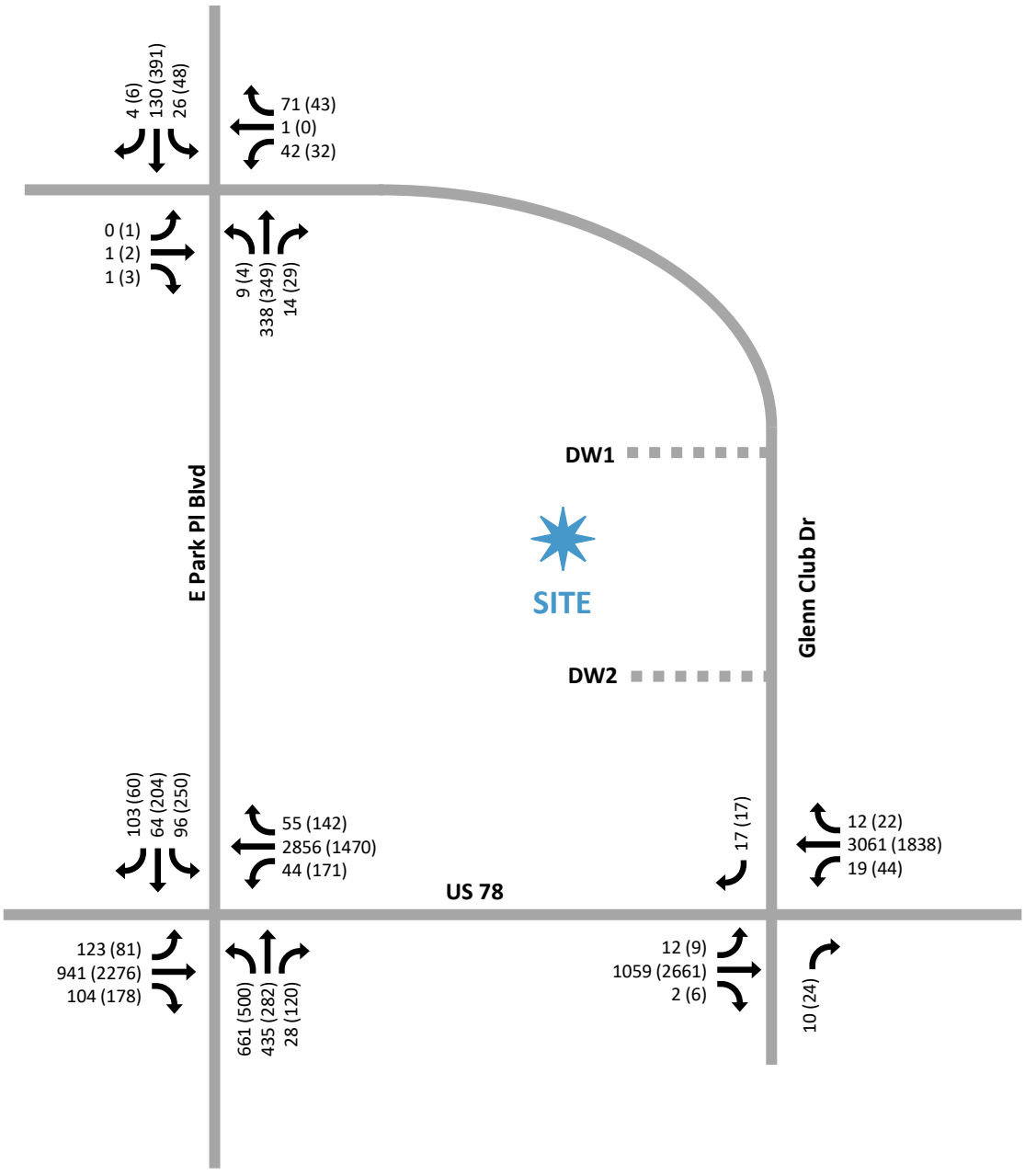


Figure 4: Existing (2024) Traffic Volumes

##(##) → AM (PM) Peak Hour Traffic Volume

N

NOT TO SCALE



3.3. Existing Conditions Capacity Analysis

Existing traffic volumes were entered into a *Synchro 11* model to perform capacity analysis of existing conditions for the weekday AM and PM peak periods. The results of the capacity analysis are shown by lane group movement in Table 3. Average vehicular delays and level-of service, as defined by the Highway Capacity Manual (HCM) 6th Edition are presented, and 95th percentile queues from *SimTraffic 11* are shown. Full *Synchro* output reports are included in Appendix C. The existing signal timings for US 78 at E Park Place Blvd were provided by the Gwinnett County Department of Transportation.

Table 3: Existing Conditions Capacity Analysis

Intersection	Control	Lane Group Movement	AM Peak Hour			PM Peak Hour		
			Delay (s)	LOS	95th% Queue (ft)	Delay (s)	LOS	95th% Queue (ft)
US 78 at E Park Place Blvd	Signal Control	EBL	98.2	**F**	151	63.5	**E**	100
		EBT	20.1	C	230	38.7	D	538
		EBR	0.0	-	53	0.0	-	258
		WBL	57.9	**E**	265	79.8	**E**	220
		WBT/R	18.3	B	503	31.0	B	343
		NBL	219.2	**F**	300	140.9	**F**	314
		NBT/R	72.9	**E**	918	104.1	**F**	926
		SBL	82.2	**F**	116	83.3	**F**	197
		SBT/R	80.1	**F**	134	128.5	**F**	201
		Intersection	55.2	**E**	-	59.0	**E**	-
E Park Place Blvd at Glenn Club Dr	Side-Street Stop Control	EB	10.7	B	9	12.4	B	16
		WBT/L	13.0	B	48	14.4	B	42
		WBR	9.9	A	38	9.8	A	39
		NBL	7.5	A	4	8.2	A	8
		NBT/R	-	-	-	-	-	6
		SBL	8.1	A	17	8.3	A	28
		SBT/R	-	-	-	-	-	-
		Intersection	-	-	-	-	-	-
US 78 at Glenn Club Dr	Side-Street Stop Control	EBL	213.4	**F**	60	32.3	D	30
		EBT/R	-	-	-	-	-	-
		WBL	16.1	C	23	203.1	**F**	74
		WBT/R	-	-	-	-	-	-
		NBR	14.1	B	29	43.3	**E**	46
		SBR	-	-	-	-	-	-
		Intersection	-	-	-	-	-	-

Existing Conditions:

US 78 at E Park Place Blvd

During the existing conditions the signalized intersection operates at LOS E in the AM peak period with 55.2 seconds of intersection delay and LOS E in the PM peak period with 59.0 seconds of intersection delay.

E Park Place Blvd at Glenn Club Drive

During the existing conditions the stop-controlled WBL approach from Glenn Club Drive operates at LOS B in both the AM and PM peak periods. The WBR approach operates at LOS A in both the AM and PM peak periods.

US 78 at Glenn Club Drive (RCUT)

During the existing conditions the EBL approach operates at LOS F in the AM peak period and LOS D in the PM peak period. In real world conditions, compared to the *SimTraffic* simulation, there are likely more gaps in traffic, with platoons of traffic, that allows the left turn to be made.

The SBR movement from Glenn Club Drive is a yield-controlled approach with an add lane that identifies with no conflict point or calculated delay at this intersection movement.

4. Background Growth

4.1. Growth Rate

Background traffic growth is an analysis method used to estimate the growth of traffic that will contribute to the traffic of the roadway network in and around the study area. The background traffic does not include trips generated by the proposed project that is being studied. The proposed multifamily development is expected to be built-out by 2028. A conservative growth rate of 1.0% was used in this analysis. The growth rate was applied to the existing volumes.

4.2. Background Conditions Capacity Analysis

Background conditions include a 1.0% growth rate per year applied to existing traffic volumes grown to the full build year by 2028. Background 2028 traffic volumes are shown graphically in Figure 5. The background traffic volumes were entered into a *Synchro 11* model which uses the same lane geometry as existing conditions. The results of the capacity analysis are shown by lane group movement in Table 4. Average vehicular delays and level-of service, as defined by the Highway Capacity Manual (HCM) 6th Edition are presented, and 95th percentile queues from *SimTraffic 11* are shown. Full *Synchro* output reports are included in Appendix C.

Figure 5: Background (2028) Traffic Volumes

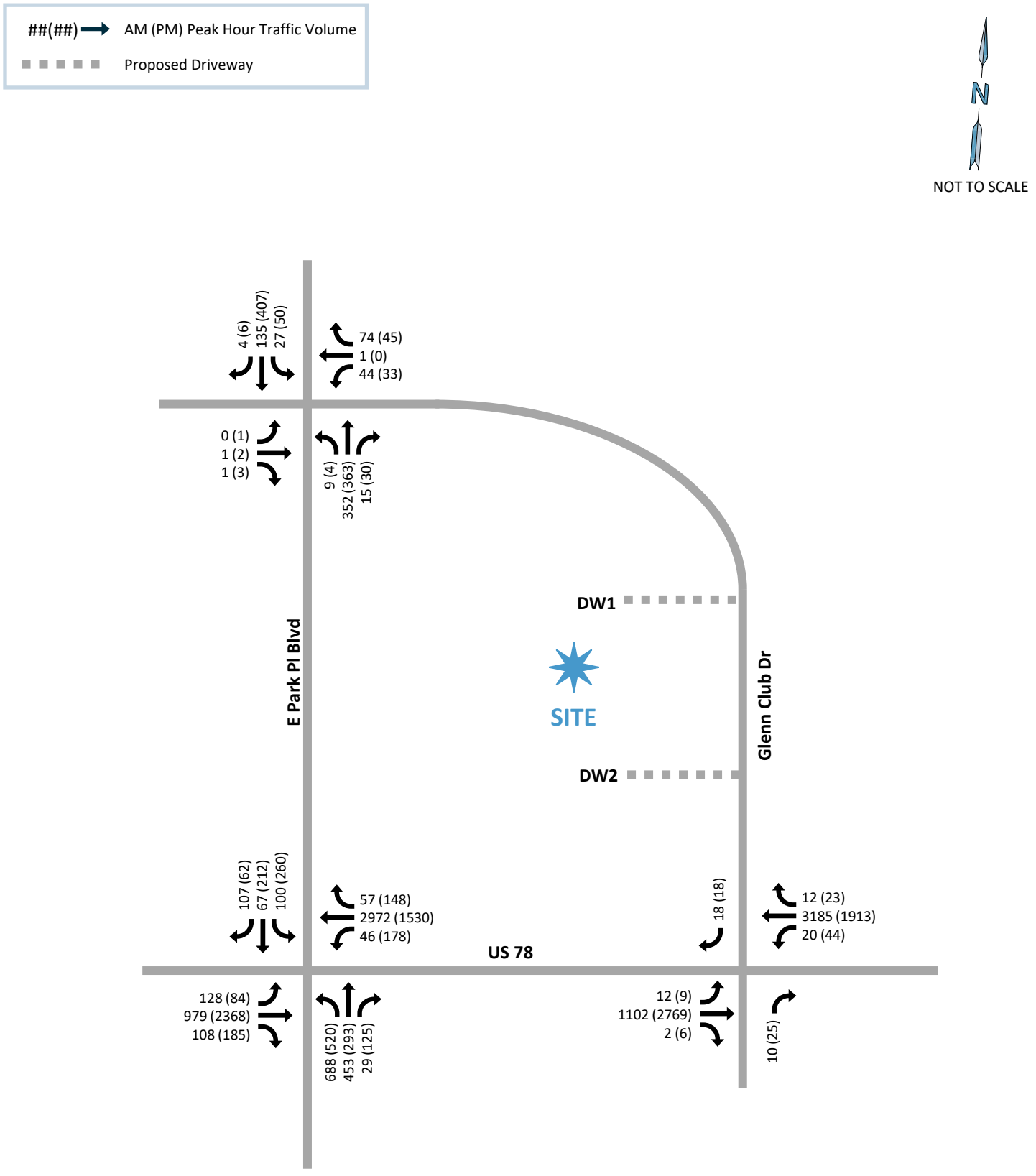


Table 4: Background (2028) Conditions Capacity Analysis

Intersection	Control	Lane Group Movement	AM Peak Hour			PM Peak Hour		
			Delay (s)	LOS	95th% Queue (ft)	Delay (s)	LOS	95th% Queue (ft)
US 78 at E Park Place Blvd	Signal Control	EBL	103.1	**F**	150	63.6	**E**	252
		EBT	20.3	C	238	42.4	D	718
		EBR	0.0	-	51	0.0	-	430
		WBL	58.0	**E**	154	79.7	**E**	240
		WBT/R	19.1	B	508	31.5	C	344
		NBL	242.3	**F**	296	157.0	**F**	313
		NBT/R	76.5	**E**	864	119.9	**F**	976
		SBL	82.9	**F**	124	84.1	**F**	210
		SBT/R	82.0	**F**	145	140.8	**F**	199
		Intersection	59.2	**E**	-	64.0	**E**	-
E Park Place Blvd at Glenn Club Dr	Side-Street Stop Control	EB	10.8	B	8	12.6	B	19
		WBT/L	13.2	B	48	14.8	B	18
		WBR	9.9	A	42	9.9	A	21
		NBL	7.5	A	6	8.3	A	12
		NBT/R	-	-	-	-	-	-
		SBL	8.2	A	25	8.4	A	29
		SBT/R	-	-	-	-	-	-
		Intersection	-	-	-	-	-	-
US 78 at Glenn Club Dr	Side-Street Stop Control	EBL	265.0	**F**	123	35.0	**E**	28
		EBT/R	-	-	-	-	-	-
		WBL	16.8	C	27	263.4	**F**	74
		WBT/R	-	-	-	-	-	-
		NBR	14.5	B	26	47.8	**E**	51
		SBR	-	-	-	-	-	-
		Intersection	-	-	-	-	-	-

Background Conditions:

US 78 at E Park Place Blvd

During the background conditions the signalized intersection continues to operate at LOS E in the AM peak period with 59.2 seconds of intersection delay and LOS E in the PM peak period with 64.0 seconds of intersection delay.

E Park Place Blvd at Glenn Club Drive

During the background conditions the stop-controlled WBL approach from Glenn Club Drive continues to operate at LOS B in both the AM and PM peak periods. The WBR approach continues to operate at LOS A in both the AM and PM peak periods.

US 78 at Glenn Club Drive (RCUT)

During the background conditions the EBL approach operates at LOS F in the AM peak period and degrades to LOS E in the PM peak period.

5. Future Conditions

5.1. Trip Generation

The *Glenn Club* apartments project is a multifamily residential development that will include 210 apartment units. The development is planned to be built out in one phase and is expected to be completed by the year 2028. The proposed land use is listed below:

Build-out complete by 2028:

- Multifamily Housing (Mid-Rise) (ITE code 221) – 210 Dwelling Units

Project trips for the residential development were estimated using the equations presented in the *Institute of Transportation Engineers' (ITE) latest Trip Generation Manual, 11th Ed., 2021* for the ITE land use codes listed above. Table 5 summarizes the trip generation for full build-out of the proposed development through 2028 for the appropriate land use code. The full trip generation worksheets are presented in Appendix D.

Table 5: Project Trip Generation

Project Land Use	Density	ITE LUC	Daily			AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out	Total	In	Out
Multifamily Housing (Mid-Rise)	210 D.U.	221	955	478	477	81	19	62	82	50	32
Total Trips			955	478	477	81	19	62	82	50	32
Reductions for Internal Capture			0	0	0	0	0	0	0	0	0
Reductions for Modal Split			0	0	0	0	0	0	0	0	0
Reductions for Pass-By Trips			0	0	0	0	0	0	0	0	0
Total Net New Project Trips			955	478	477	81	19	62	82	50	32

For future conditions year 2028 of the project, the multifamily residential apartment development is anticipated to generate 955 net new daily trips (478 inbound and 477 outbound). The highest peak hour trip volume is expected during the PM peak hour with 82 total peak hour vehicle trips (50 inbound and 32 outbound). The AM peak hour expects to have 81 total peak hour vehicle trips (19 inbound, 62 outbound).

5.2. Distribution

The assignment and directional distribution of new project trips were based on existing traffic patterns, adjacent major roadways, and trip destination densities (residential areas, job centers, recreational facilities, and retail developments) in the surrounding area. The directional distribution for new trips for the multifamily residential development are shown in Figure 6.

This project has the benefit of multiple existing connectivity options for the future residents of this apartment complex. This additional connectivity and multiple access points will provide potential alternate routes for residents that may elect to avoid some of the larger and busier intersections in this immediate area.

5.3. Future Traffic Volumes

Project trips estimated for future build conditions (2028) in the trip generation and distributed to the roadway network are shown graphically in Figure 7. Future traffic volumes including the proposed development and background traffic growth are shown in Figure 8 for the future build conditions (2028).

5.4. Turn Lanes

Per section 900-30.2 of the *Gwinnett County Unified Development Ordinance,* "when property that abuts upon an existing or proposed County road is to be developed or redeveloped for multifamily or non-residential uses and the County road will provide access to the property, project access improvements to the County road (deceleration lanes, turn lanes, etc.) shall be provided by the developer." This is a local County road with an ADT of 625 vpd. This is not considered a Major Collector Street or Major Thoroughfare. The left turn lane will be provided by the existing two-way left turn lane (TWLTL). The future lane geometry is provided in Figure 9.

Figure 6: Trip Distribution

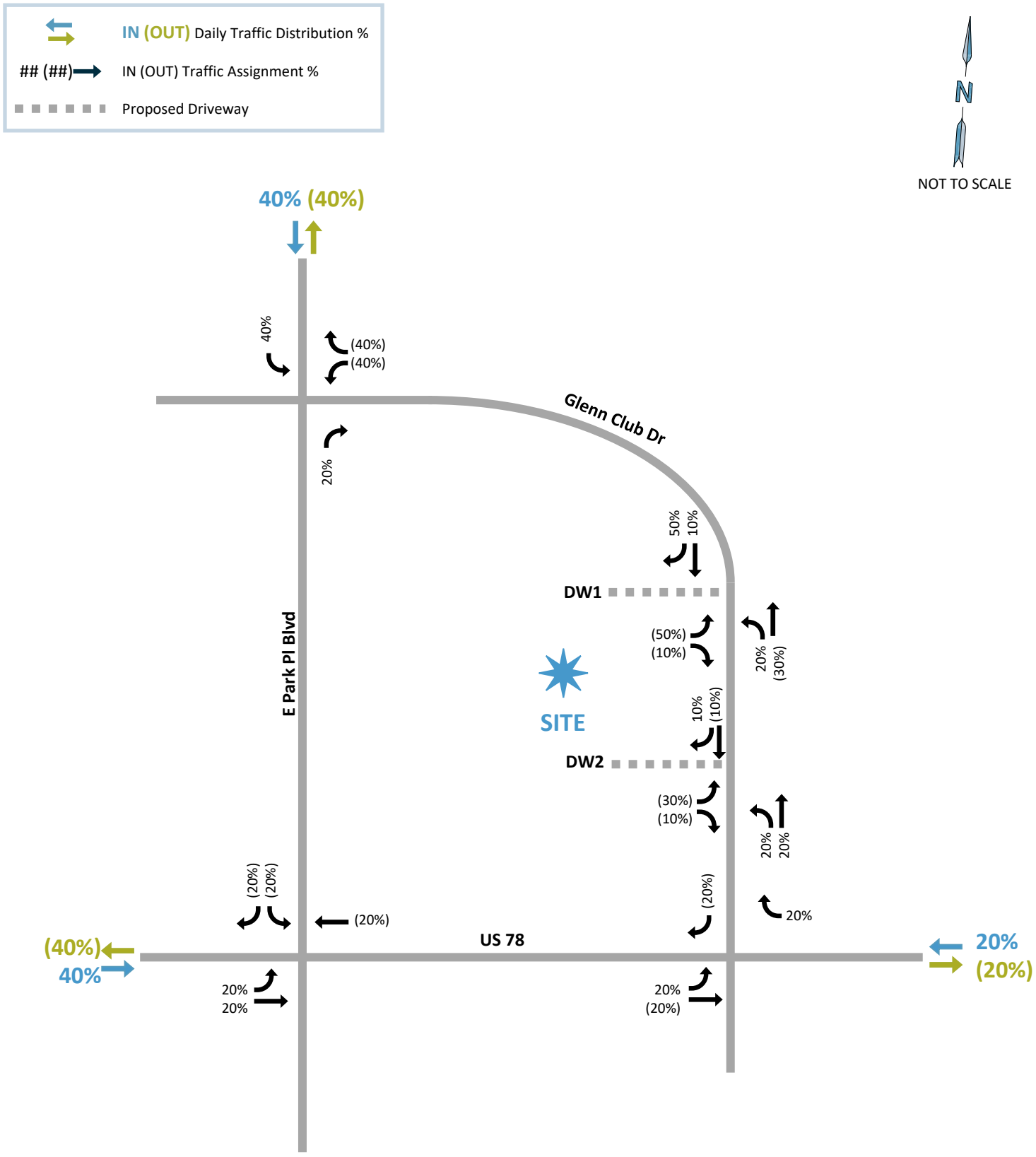


Figure 7: Project Trips

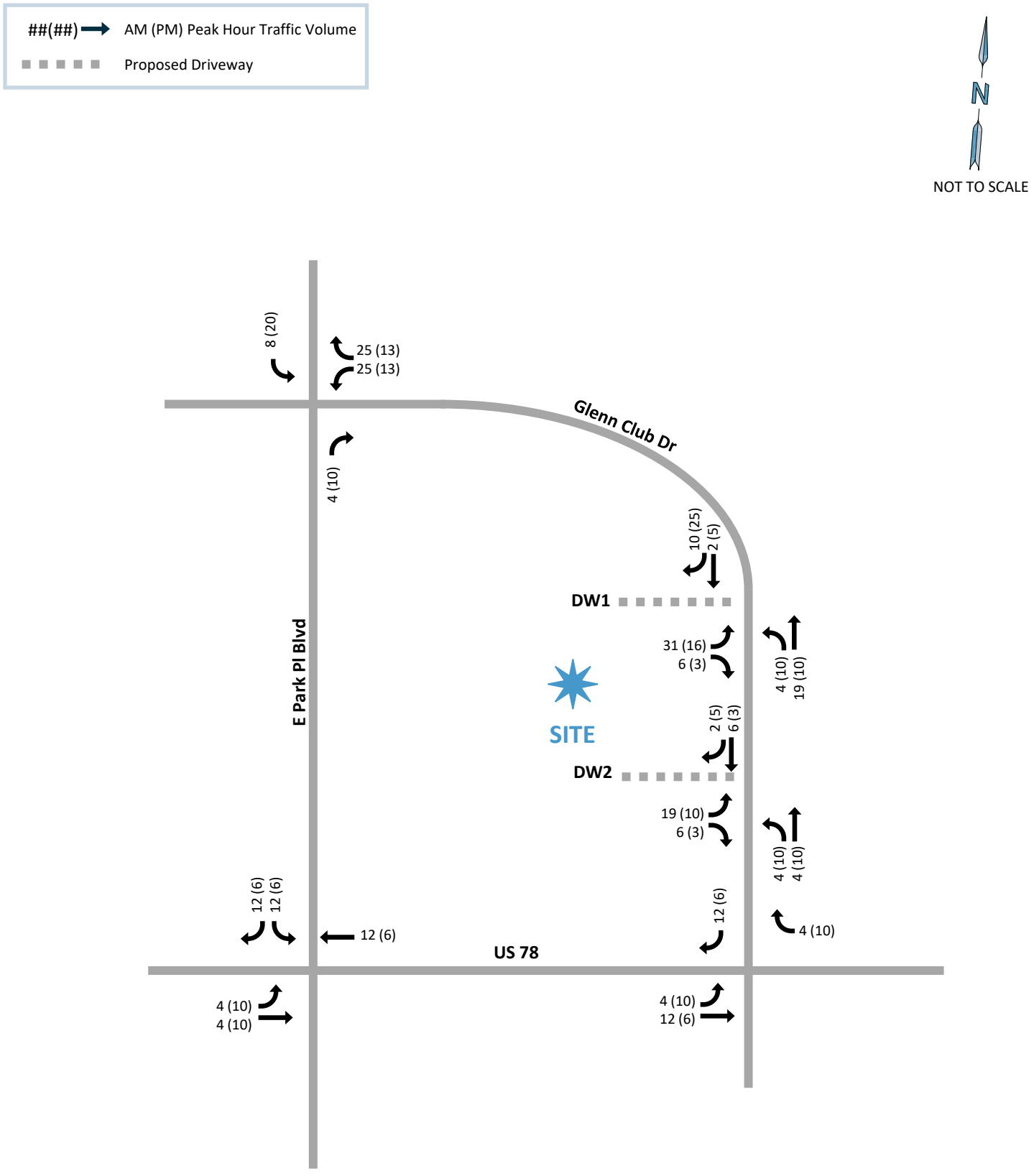


Figure 8: Future (2028) Traffic Volumes

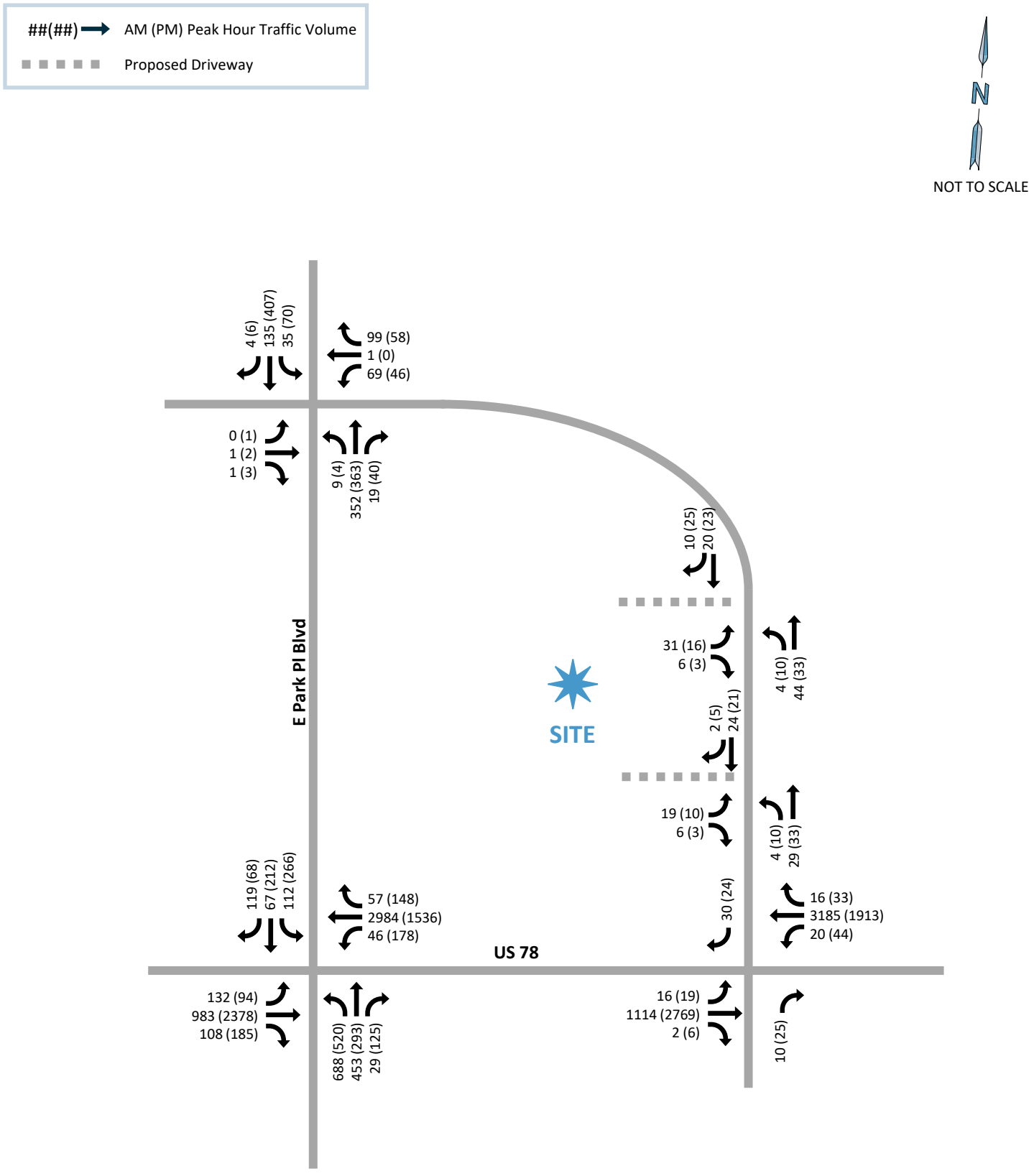
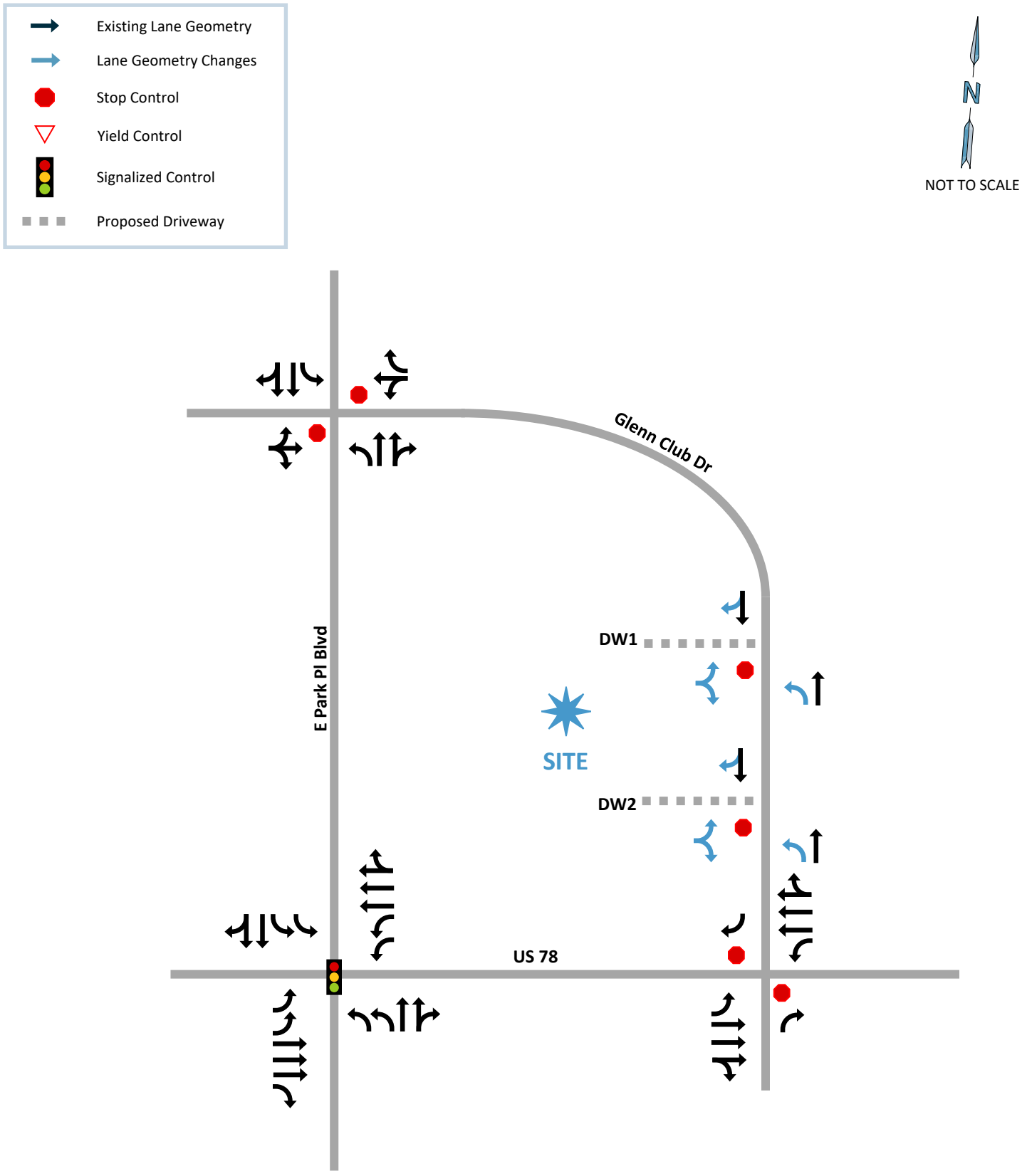


Figure 9: Future Lane Geometry



5.5. Future Conditions Capacity Analysis

The future Build traffic volumes were entered into a *Synchro 11* model. The results of the capacity analysis are shown by lane group movement in Table 6. Average vehicular delays and level-of service, as defined by the Highway Capacity Manual (HCM) 6th Edition are presented, and 95th percentile queues from *SimTraffic 11* are shown. Full Synchro output reports are included in Appendix C. Future build conditions capacity analysis results are described below.

Build Conditions:

US 78 at E Park Place Blvd

During the build conditions the signalized intersection continues to operate at LOS E in the AM peak period with 60.7 seconds of intersection delay and LOS E in the PM peak period with 64.9 seconds of intersection delay.

E Park Place Blvd at Glenn Club Drive

During the background conditions the stop-controlled WBL approach from Glenn Club Drive continues to operate at LOS B in the AM peak period. The WBL approach degrades to LOS C in the PM peak period with 15.9 seconds of approach delay. The WBR approach continues to operate at LOS A in both the AM and PM peak periods.

US 78 at Glenn Club Drive (RCUT)

During the background conditions the EBL approach operates at LOS F in the AM peak period and degrades to LOS E in the PM peak period.

Residents living in this area will become aware of other routes to and from this area. Trips arriving from the west on US 78 can also exit early at W Park Place Blvd and take a different route to Glenn Club Drive. Residents can avoid the need to make this uncontrolled eastbound left turn from US 78 if experience extreme delays during peak hours.

Glenn Club Drive at Driveway 1

During the build conditions the stop-controlled EB approach operates at LOS A in both the AM and PM peak periods.

Glenn Club Drive at Driveway 2

During the build conditions the stop-controlled EB approach operates at LOS A in both the AM and PM peak periods.

Table 6: Build (2028) Conditions Capacity Analysis

Intersection	Control	Lane Group Movement	AM Peak Hour			PM Peak Hour		
			Delay (s)	LOS	95th% Queue (ft)	Delay (s)	LOS	95th% Queue (ft)
US 78 at E Park Place Blvd	Signal Control	EBL	107.6	**F**	146	63.9	**E**	220
		EBT	20.3	C	237	42.9	D	725
		EBR	0.0	-	52	0.0	-	412
		WBL	58.0	**E**	204	79.7	**E**	244
		WBT/R	19.2	B	516	31.6	C	351
		NBL	242.3	**F**	305	157.0	**F**	304
		NBT/R	78.9	**E**	941	124.1	**F**	961
		SBL	85.4	**F**	122	84.6	**F**	195
		SBT/R	82.0	**F**	148	148.0	**F**	219
		Intersection	60.7	**E**	-	64.9	**E**	-
E Park Place Blvd at Glenn Club Dr	Side-Street Stop Control	EB	11.0	B	12	13.0	B	15
		WBT/L	14.0	B	54	15.9	C	45
		WBR	10.2	B	55	10.0	B	40
		NBL	7.5	A	8	8.3	A	7
		NBT/R	-	-	-	-	-	-
		SBL	8.2	A	21	8.5	A	41
		SBT/R	-	-	-	-	-	-
		Intersection	-	-	-	-	-	-
US 78 at Glenn Club Dr	Side-Street Stop Control	EBL	315.6	**F**	188	38.4	**E**	52
		EBT/R	-	-	-	-	-	-
		WBL	17.0	C	24	263.4	**F**	68
		WBT/R	-	-	24	-	-	-
		NBR	14.6	B	31	47.8	**E**	55
		SBR	-	-	-	-	-	-
		Intersection	-	-	-	-	-	-
Glenn Club Dr at Driveway 1	Side-Street Stop Control	EB	92.0	A	46	9.1	A	37
		NBL	7.3	A	4	7.3	A	8
		NBT	-	-	-	-	-	-
		SBT	-	-	-	-	-	-
		SBR	-	-	-	-	-	-
		Intersection	-	-	-	-	-	-
Glenn Club Dr at Driveway 2	Side-Street Stop Control	EB	9.1	A	39	9.2	A	31
		NBL	7.3	A	-	7.3	A	-
		NBT	-	-	-	-	-	-
		SBT	-	-	-	-	-	-
		SBR	-	-	-	-	-	-
		Intersection	-	-	-	-	-	-

6. Conclusions and Recommendations

The *Glenn Club* project is a residential project planned to be a multifamily apartment development in Stone Mountain, Georgia. The development is planned to be built out in one phase and is expected to be completed by the year 2028. The development, at full build-out, will consist of a residential development with 210 multifamily units.

The conclusions and recommendations for the impacts to the surrounding transportation network are described below:

In general, the project has demonstrated minor impacts to the surrounding roadway network. There are increases in delay at the intersections analyzed resulting from the traffic expected to be generated by the site, but they are relatively minor when compared to the general growth in background traffic. The existing road network, signalized intersections and other stop-controlled intersections are expected to handle the additional traffic without too much strain on the existing network. There is not expected to be a need for traffic mitigation for the additional traffic in this area.

US 78 at E Park Place Blvd

- During the build conditions the signalized intersection continues to operate at LOS E in the AM peak period with 60.7 seconds of intersection delay and LOS E in the PM peak period with 64.9 seconds of intersection delay.
- No mitigation is recommended as a result of the traffic impacts to this intersection.

E Park Place Blvd at Glenn Club Drive

- During the background conditions the stop-controlled WBL approach from Glenn Club Drive continues to operate at LOS B in the AM peak period. The WBL approach degrades to LOS C in the PM peak period with 15.9 seconds of approach delay.
- The WBR approach continues to operate at LOS A in both the AM and PM peak periods.
- No mitigation is recommended as a result of the traffic impacts to this intersection.

US 78 at Glenn Club Drive (RCUT)

- During the background conditions the EBL approach operates at LOS F in the AM peak period and degrades to LOS E in the PM peak period.
- The SBR movement from Glenn Club Drive is a yield-controlled approach with an add lane that identifies with no conflict point or calculated delay at this intersection movement.
- No mitigation is recommended as a result of the traffic impacts to this intersection.

- Residents living in this area will become aware of other routes to and from this area. Trips arriving from the west on US 78 can also exit early at W Park Place Blvd and take a different route to Glenn Club Drive. Residents can avoid the need to make this uncontrolled eastbound left turn from US 78 if experience extreme delays during peak hours.

Glenn Club Drive at Driveway 1

- During the build conditions the stop-controlled EB approach operates at LOS A in both the AM and PM peak periods.
- Per section 900-30.2 of the *Gwinnett County Unified Development Ordinance,* a right turn deceleration lane may be required. This is a local County road with an ADT of 625 vpd. This is not considered a Major Collector Street or Major Thoroughfare.
- The left turn lane at the driveway will be provided by the existing two-way left turn lane (TWLTL).

Glenn Club Drive at Driveway 2

- During the build conditions the stop-controlled EB approach operates at LOS A in both the AM and PM peak periods.
- Per section 900-30.2 of the *Gwinnett County Unified Development Ordinance,* a right turn deceleration lane may be required. This is a local County road with an ADT of 625 vpd. This is not considered a Major Collector Street or Major Thoroughfare.
- The left turn lane at the driveway will be provided by the existing two-way left turn lane (TWLTL).

Exhibit H: Public Participation Plan and Report

[attached]

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

Public Participation Plan

1. **Who do you intend to contact in addition to property owners within 1,000 feet of the site, if any?**

   District Planning Commissioners and District Commissioner

2. **Where do you plan to host the Public Participation Meeting? Ensure that the meeting is held in person at a convenient location for interested parties.**

   Yellow River Park Pavillion

3. **What date and time do you plan to host the Public Participation Meeting? Ensure that the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.**

   Wednesday, May 28, 2025 at 6:00pm

4. **What is your method for providing opportunities for discussion with interested parties at the Public Participation Meeting?**

   After a presentation, the Applicant team would open the meeting for comments and questions from the attendees.

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

Public Participation Report

1. **List all groups that you notified of the requested application. <u>Include a copy of the notification package and stamped Postal Service Form 3877 (attached) with itemized name and address of each addressee.</u>**

   Please see attached.

2. **Provide the date, time, and location of all meeting(s) that the applicant and/or representative attended to discuss an application with interested parties.**

   Wednesday, May 29, 2025, at 6:00pm, Yellow River Park Pavilion, 3232 Juhan Road SW, Stone Mountain, Georiga 30087.

3. **Provide the number of people who participated in the meeting(s). <u>Include the sign-in sheet(s) with meeting date, time, location, and attendee names.</u>**

   Please see attached. Three people attended the meeting in addition to Planning Commissioner Pinkie Farver and three members of the Applicant team: Julia Maxwell, Tess Shaheen, and Joe Horowitz.

4. **What issues and concerns were expressed by attendees at the meeting(s)?**

   Attendees asked questions about the building facades and the affordability aspect of the proposed development. The attendees seemed to react positively to the proposed development and mentioned that this product type is something this area of Gwinnett County needs.

5. **What are the applicant's responses to the issues and concerns that were expressed at the meetings? What changes to the development will be made?**

   The Applicant presented precedent images of other developments of the same type that the Applicant has built in other jurisdictions. The Applicant explained that the development will be affordable/work-force housing through the use of bonds and grants from the DCA and will not be Section 8 housing.

Exhibit I: Internal and External Agency Review Comments

[attached]

TRC Meeting Date:	05.23.2025
Department/Agency Name:	Transportation
Reviewer Name:	Brent Hodges
Reviewer Title:	Construction Manager 2
Reviewer Email Address:	Brent.Hodges@gwinnettcounty.com
Case Number:	REZ2025-00013
Case Address:	1935 / 1975 Glenn Club Drive, Stone Mountain, 30087

	Comments:	X	YES		NO
1	Glenn Club Drive is a local street. Per counts taken from the submitted traffic impact study on 12/3/2024, the Average Daily Traffic (ADT) volume is 625.				
2	The nearest (2) Ride Gwinnett facilities are each 0.3 mile away: Stop #7016 (US 78 and Parker Court) – Route 70 and stop #2554 (East Park Place Boulevard and Mountain East Plaza) - Route 25.				
3	All site driveways shall meet minimum spacing standards per section 360-40.5 of the UDO.				
4	Any gate to the site shall be located a minimum of 50' from the right-of-way line. There may need to be greater than 50' between the right-of-way line and any gate for the northernmost site entrance.				
5	Per the submitted traffic impact study, the (3) intersections that were studied: Stone Mountain Highway (US 78) and Glenn Club Drive, Stone Mountain Highway (US 78) and East Park Place Boulevard, and Glenn Club Drive and East Park Place Boulevard. No mitigation is recommended as a result of the traffic impacts to these (3) intersections.				
6					
7					

	Recommended Zoning Conditions:		YES	X	NO
1					
2					
3					
4					
5					
6					

Note: Attach additional pages, if needed

Revised 7/26/2021

TRC Meeting Date:	
Department/Agency Name:	DWR
Reviewer Name:	Mike Pappas
Reviewer Title:	GIS Planning Manager
Reviewer Email Address:	Michael.pappas@gwinnettcounty.com
Case Number:	REZ2025-00013
Case Address:	1935 Glenn Club Dr

	Comments:	**X**	**YES**		**NO**
1	Water: The proposed development is required to extend the 12-inch water main along the frontage of the development to interconnect the existing 12-inch water main on the western right-of-way of Glenn Club Drive.				
2	Sewer: A Sewer Capacity Certification (C2025-021-02) was conditionally approved in February 2025 for 225 units. The proposed development plans to connect to an existing 8-inch gravity sewer located on the subject site.				
3					
4					
5					
6					
7					

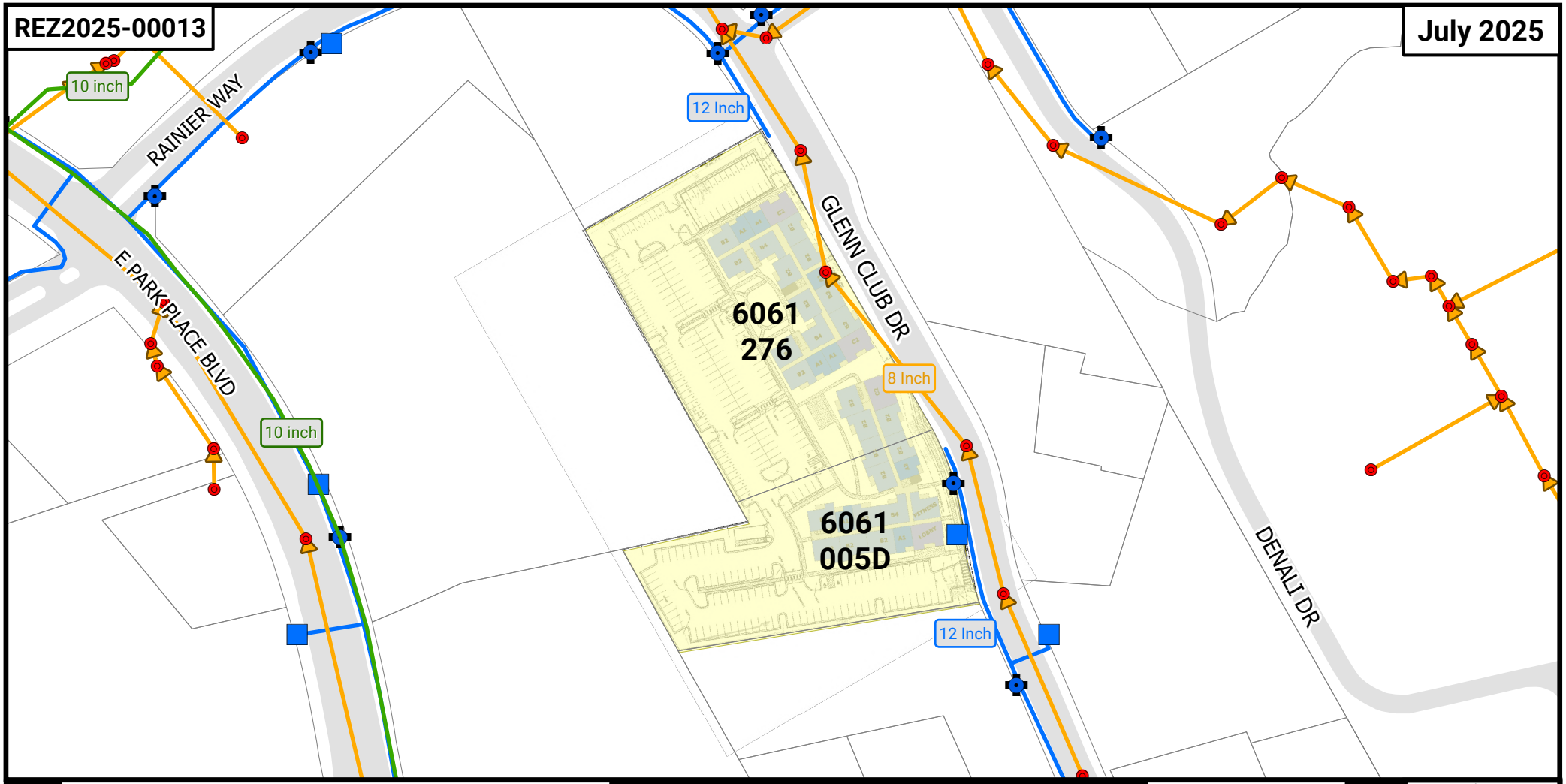
	Recommended Zoning Conditions:		**YES**	**X**	**NO**
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021

REZ2025-00013

July 2025



LEGEND

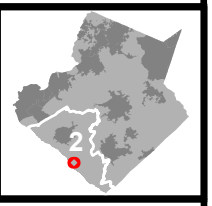
Flow Management
Pump Station
Regional
Manhole
Hydrant
City
Water Main
Proposed Water Main
Sewer Collector
Sewer Interceptor
Sewer Force Main
Proposed Sewer Collector

1935 Glenn Club Dr
C-2 to HRR

Water & Sewer Utility Map

N
W E
S
0 100 200
Feet

LOCATION



Water Comments: The proposed development is required to extend the 12-inch water main along the frontage of the development to interconnect the existing 12-inch water main on the western right-of-way of Glenn Club Drive.

Sewer Comments: A Sewer Capacity Certification (C2025-021-02) was conditionally approved in February 2025 for 225 units. The proposed development plans to connect to an existing 8-inch gravity sewer located on the subject site.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

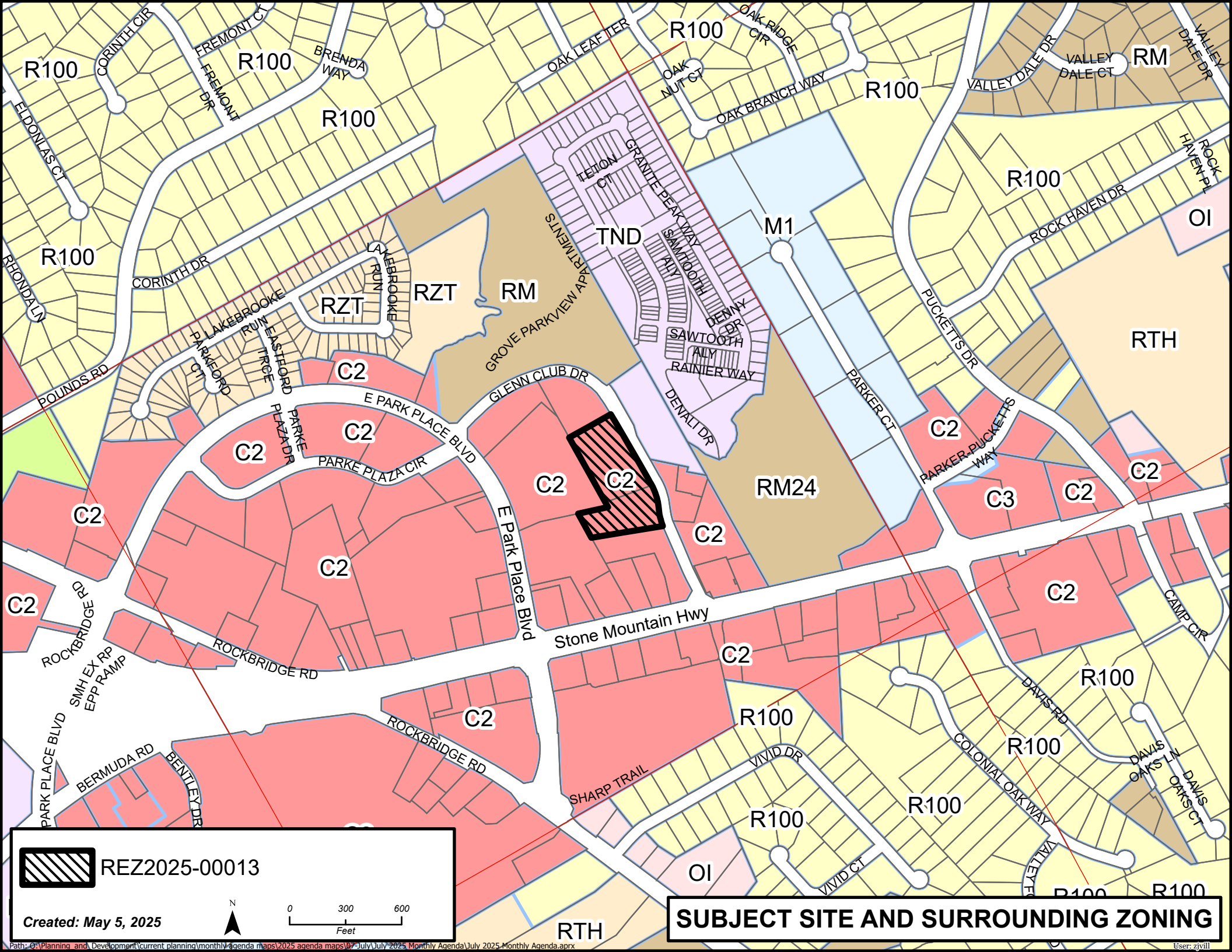
Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, JULY, 2025

										Proposed Zoning
		2025-26			2026-27			2027-28		
	School	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
	Parkview High School	**3148**	2,900	248	**3,120**	2,900	220	**3,093**	2,900	193	15
REZ2025-00013	Trickum Middle School	**2203**	2,275	-72	**2,148**	2,275	-127	**2,104**	2,275	-171	11
	Mountain Park Elementary School	**670**	450	220	**677**	450	227	**684**	450	234	20
	Archer High School	**2933**	3,325	-392	**2,977**	3,325	-348	**3,005**	3,325	-320	11
REZ2025-00014	McConnell Middle School	**1967**	1,775	192	**2,005**	1,775	230	**2,045**	1,775	270	8
	Cooper Elementary School	**1541**	1,625	-84	**1,558**	1,625	-67	**1,580**	1,625	-45	14
	Archer High School	**2933**	3,325	-392	**2,977**	3,325	-348	**3,005**	3,325	-320	40
REZ2025-00015	McConnell Middle School	**1967**	1,775	192	**2,005**	1,775	230	**2,045**	1,775	270	27
	Harbins Elementary School	**1303**	1,225	78	**1,329**	1,225	104	**1,355**	1,225	130	50

Exhibit J: Maps

[attached]


GROVE PARKVIEW APARTMENTS
GROVE PARKVIEW APARTMENTS
GROVE PARKVIEW APARTMENTS
GLENN CLUB DR
SAWTOOTH ALY
SAWTOOTH ALY
GRANITE PEAK WAY
RAINIER WAY
DENALI DR
PARKE PLAZA CIR
E PARK PLACE BLVD
STONE MOUNTAIN HWY
STONE MOUNTAIN HWY
REZ2025-00013
Created: May 5, 2025
N
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180
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User: zjvill


REZ2025-00013
Created: May 5, 2025
N
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300
600
Feet
SUBJECT SITE AND SURROUNDING ZONING
R100
RM
RZT
TND
M1
OI
RTH
RM24
C2
C3
Stone Mountain Hwy
E Park Place Blvd
GLENN CLUB DR
E PARK PLACE BLVD
PARKE PLAZA CIR
PARKE PLAZA DR
ROCKBRIDGE RD
SMH EX RP
EPP RAMP
PARK PLACE BLVD
BERMUDA RD
BENTLEY DR
SHARP TRAIL
VIVID DR
VIVID CT
DAVIS RD
DAVIS OAKS LN
DAVIS OAKS CT
COLONIAL OAK WAY
CAMP CIR
PUCKETTS DR
PARKER CT
PARKER-PUCKETTS WAY
ROCK HAVEN DR
ROCK HAVEN PL
VALLEY DALE DR
VALLEY DALE CT
OAK RIDGE CIR
OAK BRANCH WAY
OAK NUT CT
OAK LEAF TER
BRENDA WAY
FREMONT CT
FREMONT DR
CORINTH CIR
CORINTH DR
EL DONLAS CT
RHONDA LN
POUNDS RD
LAKEBROOKE RUN
LAKEBROOKE RUN EASTFORD TRCE
PARKEFORD CT
GROVE PARKVIEW APARTMENTS
TETON CT
GRANITE PEAK WAY
SAWTOOTH ALY
DENNY DR
SAWTOOTH ALY
RAINIER WAY
DENALI DR
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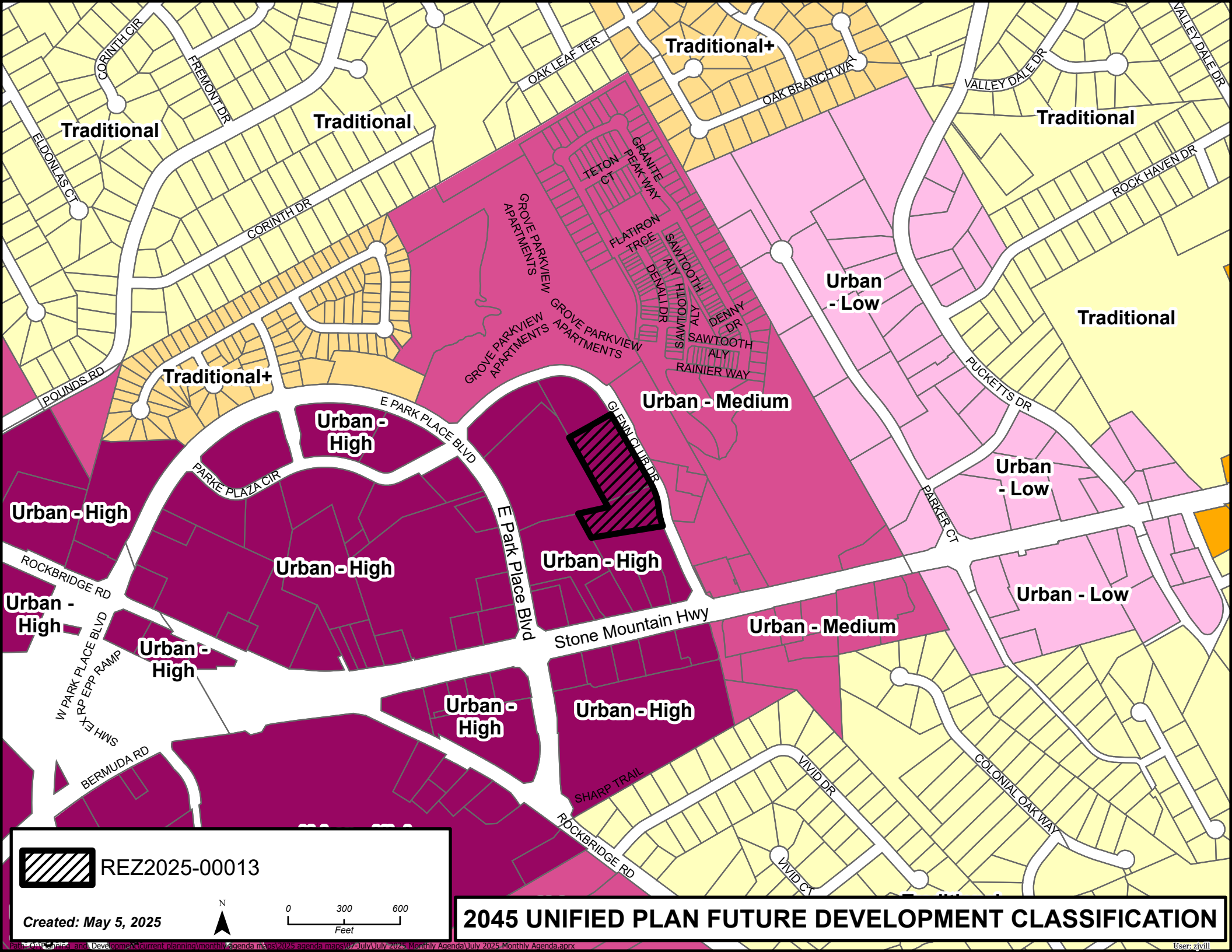

Traditional
Traditional
Traditional+
Traditional+
Traditional
Traditional
Urban - Low
Urban - Low
Urban - Low
Urban - Medium
Urban - Medium
Urban - High
Urban - High
Urban - High
Urban - High
Urban - High
Urban - High
CORINTH CIR
FREMONT DR
ELDONLAS CT
CORINTH DR
OAK LEAF TER
OAK BRANCH WAY
VALLEY DALE DR
VALLEY DALE DR
ROCK HAVEN DR
TETON CT
GRANITE PEAK WAY
GROVE PARKVIEW APARTMENTS
GROVE PARKVIEW APARTMENTS
GROVE PARKVIEW APARTMENTS
FLATIRON TRCE
DENALI DR
SAWTOOTH ALY
SAWTOOTH ALY
DENNY DR
SAWTOOTH ALY
RAINIER WAY
POUNDS RD
E PARK PLACE BLVD
GLENN CLUB DR
PUCKETTS DR
PARKE PLAZA CIR
PARKER CT
ROCKBRIDGE RD
E Park Place Blvd
Stone Mountain Hwy
W PARK PLACE BLVD
RP EPP RAMP EX
SWH
BERMUDA RD
SHARP TRAIL
VIVID DR
VIVID CT
COLONIAL OAK WAY
ROCKBRIDGE RD
REZ2025-00013
Created: May 5, 2025
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2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION
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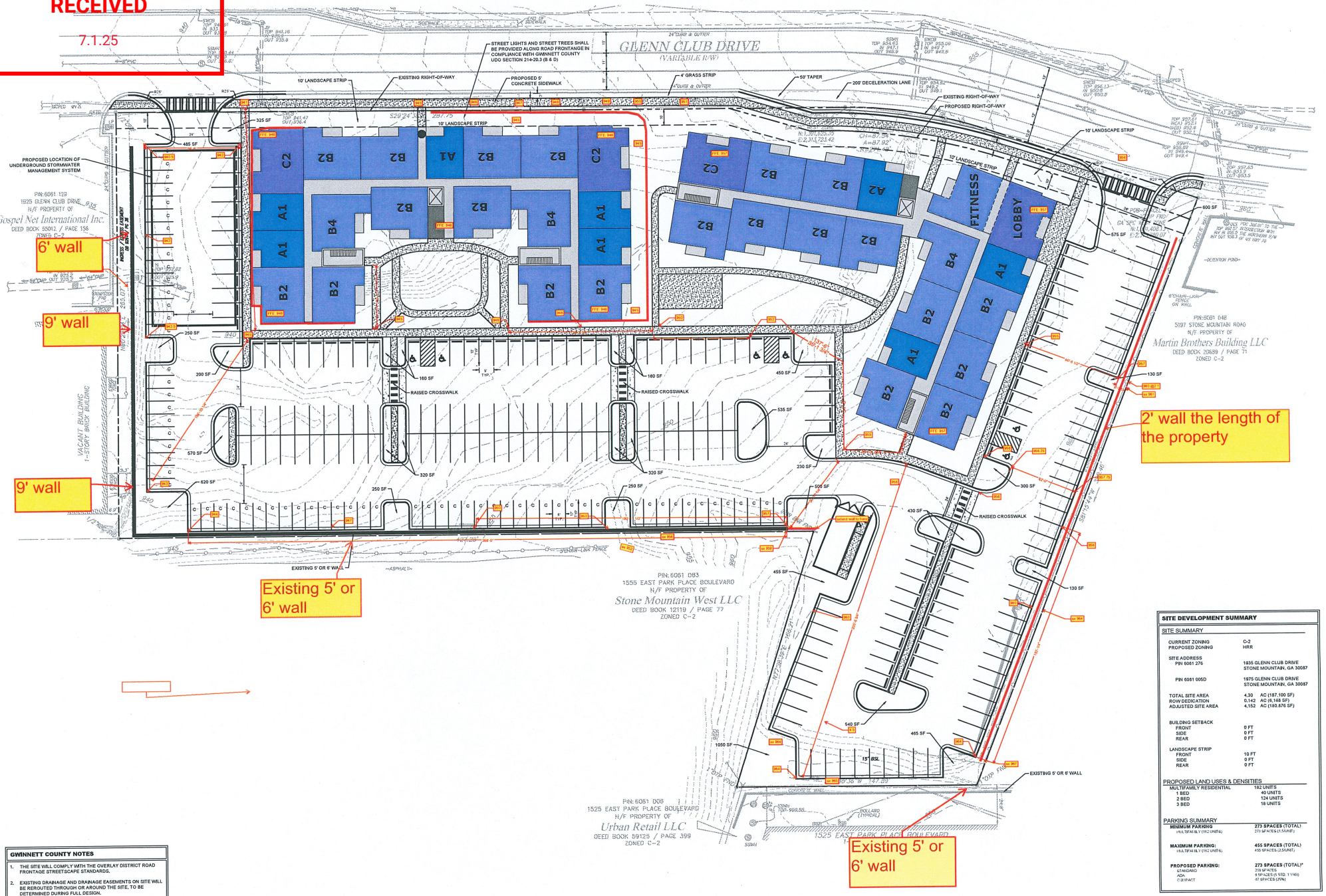
Exhibit K: Document Presented at the July 1, 2025, Planning Commission Public Hearing

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

7.1.25



GWINNETT COUNTY NOTES

1. THE SITE WILL COMPLY WITH THE OVERLAY DISTRICT ROAD FRONTAGE STREETSCAPE STANDARDS.
2. EXISTING DRAINAGE AND DRAINAGE EASEMENTS ON SITE WILL BE REROUTED THROUGH OR AROUND THE SITE, TO BE DETERMINED DURING FULL DESIGN.

SITE DEVELOPMENT SUMMARY

SITE SUMMARY

CURRENT ZONING	C-2
PROPOSED ZONING	HRR
SITE ADDRESS	
PIN 6061 276	1935 GLENN CLUB DRIVE STONE MOUNTAIN, GA 30087
PIN 6061 605D	1975 GLENN CLUB DRIVE STONE MOUNTAIN, GA 30087
TOTAL SITE AREA	4.30 AC (187,100 SF)
ROW DEDICATION	0.142 AC (6,168 SF)
ADJUSTED SITE AREA	4.152 AC (180,876 SF)
BUILDING SETBACK	
FRONT	0 FT
SIDE	0 FT
REAR	0 FT
LANDSCAPE STRIP	
FRONT	10 FT
SIDE	0 FT
REAR	0 FT

PROPOSED LAND USES & DENSITIES

MULTIFAMILY RESIDENTIAL	182 UNITS
1 BED	40 UNITS
2 BED	124 UNITS
3 BED	18 UNITS

PARKING SUMMARY

MINIMUM PARKING (MULTIFAMILY (182 UNITS))	273 SPACES (TOTAL) (273 SPACES (1.5/UNIT))
MAXIMUM PARKING: (MULTIFAMILY (182 UNITS))	455 SPACES (TOTAL) (455 SPACES (2.5/UNIT))
PROPOSED PARKING:	273 SPACES (TOTAL)*
STANDARD	209 SPACES
ADA	8 SPACES (5 STD. 1 VAN)
COMPACT	47 SPACES (25%)

Kimley»Horn

Elmington | Glenn Club Drive
Conceptual Site Plan | CP.01

June 25, 2025

Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:
20250942	

☑ Rezoning ☑ Public Hearing

Department:	Planning & Development			Date Submitted:	09/12/2025
Working Session:		Business Session:		Public Hearing:	09/23/2025
Submitted By:	yturruviates				
Agenda Type	Rezoning	Rezoning Type	REZ		

Item of Business:

2025-00018, Applicant: Walker Anderson Homes, LLC c/o Andersen, Tate & Carr, P.C.; Owners: Raymond W. Hardy, Jr. and Maria Garner Hardy; Rezoning of Tax Parcel Nos. R2003 001(portion) and 074; 5 and 10 Block of Auburn Road; RA-200 to R-60 for a Single-Family Detached Subdivision; 107.08 acres; District 3/Watkins

Land Lot:	003	Parcel:	001 (portion) and 074
District:	2		

Attachments	Department Case Report with Planning Commission Recommendation

Authorization: Chairwoman's Signature? Yes

Department Head	jjleitch (9/16/2025)

District		For	Against	Abstained	Absent
District 1	Aysha Treadwell	X			
District 1	Nick Nicolosi	X			
District 2	Anthony Crotser	X			
District 2	Pinkie Farver	X			
District 3	Katrina Fellows				X
District 3	Ben Archer	X			
District 4	Buzz Brockway	X			
District 4	Chris Franklin	X			
At Large	Scott Haggard	X			

Comments

County Clerk Use Only

Working Session	
Action	Public Hearing
Tabled	
Motion	
2nd by	
Vote	

Planning and Development

Recommendation:
- ☐ Approve
- ■ Approve with Conditions
- ☐ Appr w/ Cond As
- ☐ Deny w/out Prejudice
- ☐ Deny PH was Held? ☐
- ☐ No Recommendation

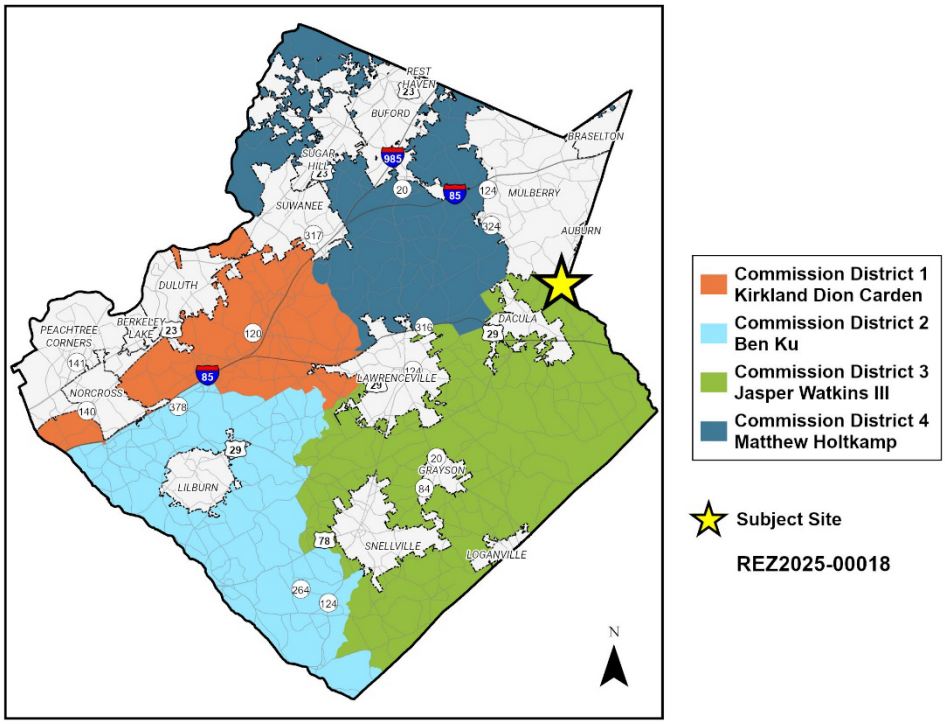
Planning Commission

Recommendation:
- ☐ Tabled - Date
- ☐ Approve
- ■ Approve with Conditions
- ☐ Approve with Conditions As
- ☐ Deny
- ☐ Deny w/out Prejudice
- ☐ No Recommendation

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

PLANNING AND DEVELOPMENT DEPARTMENT
CASE REPORT

Case Number:	**REZ2025-00018**
Current Zoning:	**RA-200** (Agriculture-Residence District)
Request:	Rezoning to **R-60** (Single-Family Residence District)
Overlay District:	Highway 124/324/Hamilton Mill Road Overlay District
Addresses:	5 and 10 Block of Auburn Road
Map Numbers:	R2003 001 (portion) and 074
Site Area:	107.08 acres
Units:	294
Proposed Development:	Single-Family Detached Subdivision
Commission District:	District 3 – Commissioner Watkins
Future Development Type:	Neighborhood Traditional+
Staff Recommendation:	**APPROVAL WITH CONDITIONS**
Planning Commission Recommendation:	**APPROVAL WITH CONDITIONS**



Planning Commission Advertised Public Hearing Date: 9/2/2025
Board of Commissioners Advertised Public Hearing Date: 9/23/2025

Applicant:	Walker Anderson Homes, LLC c/o Andersen, Tate & Carr, P.C. 390 Brogdon Road Suwanee, GA 30024	**Owners:**	Raymond W. Hardy, Jr. Maria Garner Hardy P.O. Box 351 Grayson, GA 30017
Contact:	Melody Glouton	**Phone:**	770.337.5404

Zoning History

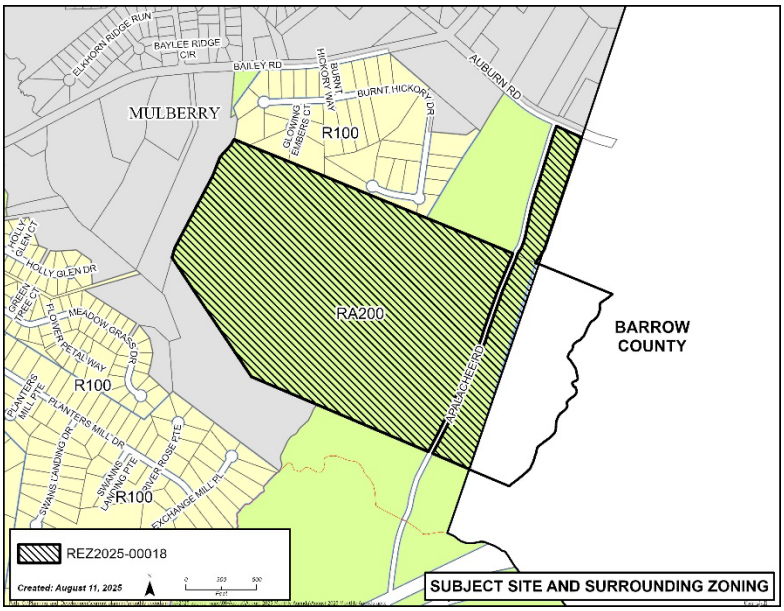
The subject property is zoned RA-200 (Agriculture-Residence District). No prior zoning requests are on record for this property. Parcel R2003 074 is located in the Highway 124/324/Hamilton Mill Road Overlay District.

Existing Site Condition

The subject property is a 107.08-acre assemblage of two parcels located near Auburn Road. A portion of Parcel R2003 001 is located within Barrow County and is not included in the rezoning request. The land is wooded with a residence fronting Auburn Road. There is a 100-foot-wide overhead power line easement running north to south bisecting the site. A stream runs through the western portion of the site and there is floodplain along the southern property line. The nearest Ride Gwinnett transit stop is approximately 9.2 miles from the subject property.

Surrounding Use and Zoning

The subject property is located within a residential area at the eastern edge of Gwinnett County. To the north is the Smoke Trace subdivision, as well as an undeveloped property currently in the rezoning process under consideration for single-family and townhouses. The Baylee Preserve, Beckett Ranch, and Brookside Crossing subdivisions are farther north, in the City of Mulberry. To the east is a residence on a large lot, as well as the remainder of the development in Barrow County. Farther east is Kentmere, a mixed-use development that is currently under construction with single-family residences, townhouses, and commercial and office space. To the south are the Meadows at Apalachee and River Oaks Plantation subdivisions and undeveloped properties within the Innovation Overlay District. To the west are residences on large lots fronting Bailey Road in the City of Mulberry. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-60	2.75 units per acre
North	Undeveloped	RA-200	N/A
	Single-Family Residential	R-100	0.92 units per acre
	Single-Family Residential	R-75 (City of Mulberry)	2.70 units per acre
	Single-Family Residential	R-60 (City of Mulberry)	3.63 units per acre
East	Single-Family Residential	AR (Barrow County)	1.28 units per acre
	Undeveloped	AG (Barrow County)	N/A
	Mixed-Use	PSV (Barrow County)	5.07 units per acre
South	Undeveloped	RA-200	N/A
	Single-Family Residential	R-100 MOD	2.19 units per acre
	Single-Family Residential	R-100	0.90 units per acre
West	Single-Family Residential	RA-200 (City of Mulberry)	0.08 units per acre

Project Summary

The applicant requests rezoning of a 107.08-acre assemblage of two parcels from RA-200 to R-60 for a single-family detached subdivision, including:

- 294 single-family detached residences, yielding a density of 2.75 units per acre.
- One-story residences with a minimum heated floor area of 1,800 square feet, and two-story residences with a minimum heated floor area of 2,200 square feet.
- Front-loaded, two-car garages for each residence.
- Exterior building materials of brick, stone, and/or cementitious siding or board and batten on the front façade, and a brick water table.
- 15.32 acres of open space located primarily within stream buffers, including 7.87 acres of usable open space comprised of a dog park, pocket park, and open space under the overhead power lines.
- A 40-foot-wide setback with a 10-foot-wide landscape strip along the right-of-way, and stub streets to the north and west for future connectivity.
- Construction of a new public road (the Auburn Connector) from Auburn Road to the southern property line, in partnership with Gwinnett County Department of Transportation.
- Two full-access entrances and a 5-foot-wide sidewalk along the Auburn Connector.
- Two stormwater management facilities near the southwest property line.
- Of note, an additional 36 residences as well as a pool, cabana, and pickleball courts are proposed within Barrow County, as part of the same development.

Zoning and Development Standards

The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Density	Maximum 4.0 units per acre	2.75 units per acre	YES
Lot Size	Minimum 7,200 square feet	>7,200 square feet	YES
Lot Width	Minimum 60’	>60 feet	YES
Lot Coverage	Maximum 60%	<60%	YES
Front Yard	Minimum 15’	15’	YES
Rear Yard	Minimum 20’	20’	YES
Side Yard	Minimum 5’	5’	YES
Building Height	Maximum 35’	<35’	YES

Open Space	Minimum 10% or 10.71 acres	14% or 15.32 acres	YES
Usable Open Space	Minimum 5% or 5.35 acres	7% or 7.87 acres	YES

Parcel R2003 074 is located within the Highway 124/324/Hamilton Mill Road Overlay District; however, these standards are not applicable to detached single-family residential property.

Public Participation

The applicant held a community meeting on July 14, 2025, at the Dacula Park in Dacula. There were 25 community members in attendance, who raised questions regarding traffic impacts, water and sewer availability, and project appropriateness. The applicant responded to these concerns by referencing the traffic impact study, sewer capacity certification, and Unified Plan. The public participation plan and report are shown in Exhibit H.

Internal and External Agency Review

Internal and external agency review comments are attached (Exhibit I). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities.

Staff Analysis

Rezoning Request Analysis: The standards governing the exercise of zoning power are outlined in Section 270-20.6 of the UDO. Staff makes the following findings related to the zoning requests:

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The site is located in an area that is transitioning from residences on large lots to residential subdivisions with smaller lots. There are similarly-sized lots and homes to the northwest in The Baylee Preserve, Beckett Ranch and Enclave at Brookside Crossing subdivisions. In addition, the Kentmere development to the east contains single-family residences, townhouses and commercial/office uses at a density of 5.07 units/acre. The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.

The proposed rezoning would allow for a single-family residential subdivision with similar density, lot size and development patterns to existing subdivisions. The proposed façades with a mix of brick, stone, and/or fiber-cement treatments are consistent with existing residences in nearby subdivisions. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.

The property has a reasonable economic use as currently zoned.

D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

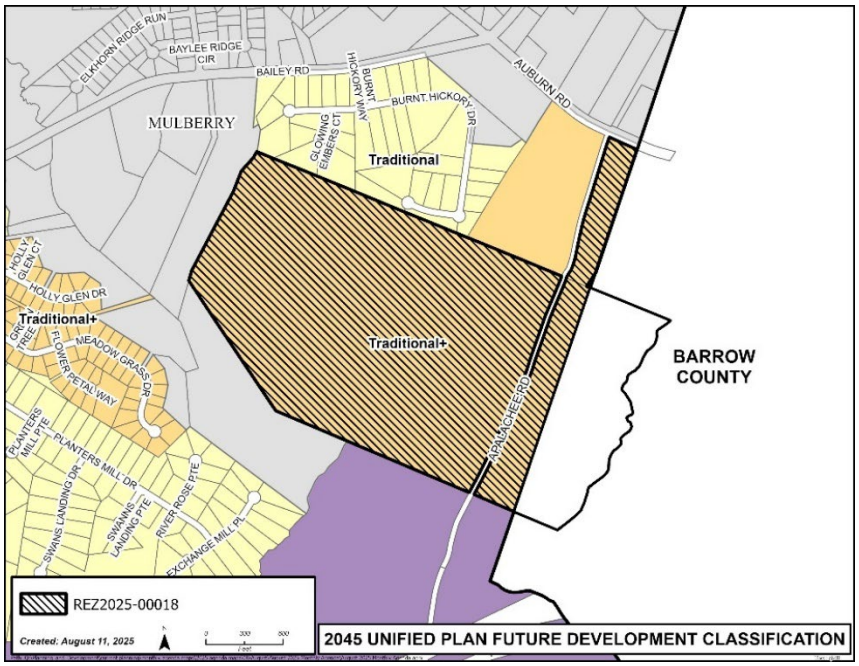
An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts could be mitigated with appropriate

conditions, site development requirements, and planning. The traffic impact study (Exhibit G) which was based on 391 residences with access only to Auburn Road, estimates that the development would generate 258 morning and 358 evening peak hour trips. The study recommends improvements at key intersections including Bailey Road at Fence Road, and Bailey Road at Auburn Road. The applicant is partnering with the County to construct a new public road (the Auburn Connector) between Auburn Road and the development's southern property line. An increased impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit I).

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

The Unified Plan's Future Development Map indicates "Neighborhood Traditional+" for the subject property, which encourages gentle density in predominantly single-family residential areas. A variety of single-family attached and detached housing types are recommended for this future development type. Street and sidewalk connectivity are encouraged, and greens and passive parks are preferred park typologies.

Single-family residential is an appropriate land use and R-60 is a recommended zoning district for the "Neighborhood Traditional+" future development type. Staff has recommended conditions to enhance pedestrian connectivity, and to promote access to usable open space and amenities within the Gwinnett County portion of the development. With proper conditions, the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.



F. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning.**

There are no existing conditions giving support for approval or disapproval of the proposal.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends APPROVAL WITH CONDITIONS of the rezoning request.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

Approval as R-60 (Single-Family Residence District) for a single-family detached subdivision, subject to the following conditions:

1. The development shall be limited to single-family detached dwellings and accessory uses and structures, not exceeding 294 units.

2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received July 25, 2025, and Exhibit C: Elevations dated received January 3, 2025, May 14, 2025 and August 12, 2025, with revisions required by zoning conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.

3. The minimum heated floor area of the one-story residences shall be 1,800 square feet, and the minimum heated floor area of the two-story residences shall be 2,200 square feet.

4. Open space shall be provided on the Gwinnett County portion of the development including, but not limited to, a pool and cabana, pickleball courts, a dog park, and trails within the power line easement, subject to the review and approval of the Department of Planning and Development.

5. Pedestrian access as required in Section 350-60.2. shall be provided by a minimum four-foot-wide walkway within a minimum 10-foot-wide strip of usable open space.

6. The developer shall coordinate with the Gwinnett County Department of Transportation on the design and construction of the Auburn Connector, in general conformance with Exhibit B: Site Plan dated received July 25, 2025, subject to the review and approval of the Gwinnett County Department of Transportation.

7. Two full-access entrances shall be provided along the Auburn Connector, prior to the issuance of a Certificate of Occupancy, subject to the review and approval of the Gwinnett County

Department of Transportation.

8. Natural vegetation shall remain on the property until the issuance of a development permit.

9. All grassed areas within lots, as well as all usable open space, shall be sodded.

10. **The development shall be limited to a maximum of 10 percent rental units. This restriction shall be included in the covenants and shall be managed by a mandatory homeowners association.**

Exhibits:

A. Site Visit Photos
B. Site Plan
C. Building Elevations
D. Letter of Intent and Applicant's Response to Standards
E. Application and Disclosure of Campaign Contributions
F. DWR Sewer Capacity Certification Letter
G. Traffic Impact Study
H. Public Participation Plan and Report
I. Internal and External Agency Review Comments
J. Maps

Exhibit A: Site Visit Photos



View of gravel drive and overhead power lines



View of typical residence in Smoke Trace to the north



View of typical residences in nearby Enclave at Brookside Crossing



View of typical residences in nearby Beckett Ranch



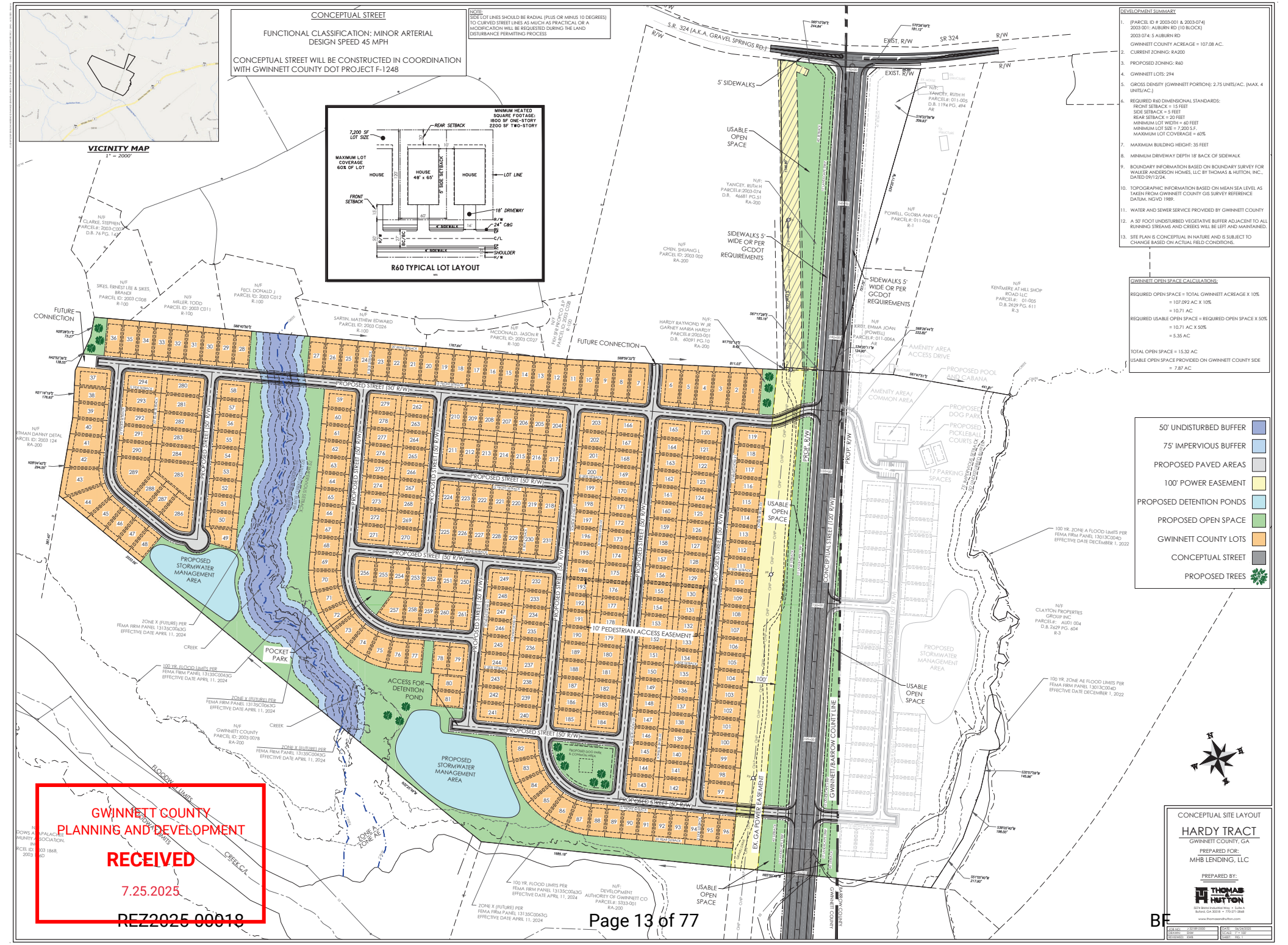
View of typical residences in nearby Kentmere in Barrow County



View of townhouses in nearby Kentmere in Barrow County

Exhibit B: Site Plan

[attached]


CONCEPTUAL STREET
FUNCTIONAL CLASSIFICATION: MINOR ARTERIAL
DESIGN SPEED 45 MPH
CONCEPTUAL STREET WILL BE CONSTRUCTED IN COORDINATION WITH GWINNETT COUNTY DOT PROJECT F-1248
NOTE: SIDE LOT LINES SHOULD BE RADIAL (PLUS OR MINUS 10 DEGREES) TO CURVED STREET LINES AS MUCH AS PRACTICAL OR A MODIFICATION WILL BE REQUESTED DURING THE LAND DISTURBANCE PERMITTING PROCESS
VICINITY MAP
1" = 2000'
R60 TYPICAL LOT LAYOUT
MINIMUM HEATED SQUARE FOOTAGE: 1800 SF ONE-STORY 2200 SF TWO-STORY
7,200 SF LOT SIZE
REAR SETBACK
MAXIMUM LOT COVERAGE 60% OF LOT
HOUSE
HOUSE 48' x 65'
5' SIDE SETBACK
LOT LINE
FRONT SETBACK
18' DRIVEWAY
4' SIDEWALK
24" C&G
SHOULDER
DEVELOPMENT SUMMARY
1. (PARCEL ID # 2003-001 & 2003-074) 2003 001: AUBURN RD (10 BLOCK) 2003 074: S AUBURN RD GWINNETT COUNTY ACREAGE = 107.08 AC.
2. CURRENT ZONING: RA200
3. PROPOSED ZONING: R60
4. GWINNETT LOTS: 294
5. GROSS DENSITY (GWINNETT PORTION): 2.75 UNITS/AC. (MAX. 4 UNITS/AC.)
6. REQUIRED R60 DIMENSIONAL STANDARDS: FRONT SETBACK = 15 FEET SIDE SETBACK = 5 FEET REAR SETBACK = 20 FEET MINIMUM LOT WIDTH = 60 FEET MINIMUM LOT SIZE = 7,200 S.F. MAXIMUM LOT COVERAGE = 60%
7. MAXIMUM BUILDING HEIGHT: 35 FEET
8. MINIMUM DRIVEWAY DEPTH 18' BACK OF SIDEWALK
9. BOUNDARY INFORMATION BASED ON BOUNDARY SURVEY FOR WALKER ANDERSON HOMES, LLC BY THOMAS & HUTTON, INC., DATED 09/12/24.
10. TOPOGRAPHIC INFORMATION BASED ON MEAN SEA LEVEL AS TAKEN FROM GWINNETT COUNTY GIS SURVEY REFERENCE DATUM. NGVD 1989.
11. WATER AND SEWER SERVICE PROVIDED BY GWINNETT COUNTY
12. A 50' FOOT UNDISTURBED VEGETATIVE BUFFER ADJACENT TO ALL RUNNING STREAMS AND CREEKS WILL BE LEFT AND MAINTAINED.
13. SITE PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE BASED ON ACTUAL FIELD CONDITIONS.
GWINNETT OPEN SPACE CALCULATIONS:
REQUIRED OPEN SPACE = TOTAL GWINNETT ACREAGE X 10%
= 107.092 AC X 10%
= 10.71 AC
REQUIRED USABLE OPEN SPACE = REQUIRED OPEN SPACE X 50%
= 10.71 AC X 50%
= 5.35 AC
TOTAL OPEN SPACE = 15.32 AC
USABLE OPEN SPACE PROVIDED ON GWINNETT COUNTY SIDE
= 7.87 AC
50' UNDISTURBED BUFFER
75' IMPERVIOUS BUFFER
PROPOSED PAVED AREAS
100' POWER EASEMENT
PROPOSED DETENTION PONDS
PROPOSED OPEN SPACE
GWINNETT COUNTY LOTS
CONCEPTUAL STREET
PROPOSED TREES
S.R. 324 (A.K.A. GRAVEL SPRINGS RD.)
EXIST. R/W
SR 324
5' SIDEWALKS
USABLE OPEN SPACE
SIDEWALKS 5' WIDE OR PER GCDOT REQUIREMENTS
FUTURE CONNECTION
PROPOSED STREET (50' R/W)
CONCEPTUAL STREET (120' R/W)
PROP. R/W
AMENITY AREA ACCESS DRIVE
PROPOSED POOL AND CABANA
AMENITY AREA / COMMON AREA
PROPOSED DOG PARK
PROPOSED PICKLEBALL COURTS
17 PARKING SPACES
PROPOSED STORMWATER MANAGEMENT AREA
POCKET PARK
ACCESS FOR DETENTION POND
10' PEDESTRIAN ACCESS EASEMENT
100' POWER EASEMENT
EX. GA POWER EASEMENT
GWINNETT/BARROW COUNTY LINE
100 YR. ZONE A FLOOD LIMITS PER FEMA FIRM PANEL 13013C0042G EFFECTIVE DATE DECEMBER 1, 2022
100 YR. ZONE AE FLOOD LIMITS PER FEMA FIRM PANEL 13013C004D EFFECTIVE DATE DECEMBER 1, 2022
ZONE X (FUTURE) PER FEMA FIRM PANEL 13135C0063G EFFECTIVE DATE APRIL 11, 2024
100 YR. FLOOD LIMITS PER FEMA FIRM PANEL 13135C0063G EFFECTIVE DATE APRIL 11, 2024
CREEK
FLOODWAY LIMITS
ZONE A
ZONE AE
CREEK C/L
N/F CLARKE, STEPHEN PARCEL#: 2003-C009 D.B. 76 PG. 147
N/F SIKES, ERNEST LEE & SIKES, BRANDI PARCEL ID: 2003 C008 R-100
N/F MILLER, TODD PARCEL ID: 2003 C011 R-100
N/F FECI, DONALD J PARCEL ID: 2003 C012 R-100
N/F SARTIN, MATTHEW EDWARD PARCEL ID: 2003 C026 R-100
N/F MCDONALD, JASON R PARCEL ID: 2003 C027 R-100
N/F FOUR B PORCO LP PARCEL ID: 2003 C028 R-100
N/F HARDY RAYMOND W JR GARNEY MARIA HARDY PARCEL#:2003-001 D.B. 60291 PG.10 RA-200
N/F CHEN, SHUANG L PARCEL ID: 2003 002 RA-200
N/F YANCEY, RUTH H PARCEL#:2003-074 D.B. 46681 PG.51 RA-200
N/F YANCEY, RUTH H PARCEL#: 011-005 D.B. 1194 PG. 494 AR
N/F POWELL, GLORIA ANN G PARCEL#: 011-006 R-1
N/F KRST, EMMA JOAN (POWELL) PARCEL#: 011-006A AR
N/F KENTMERE AT HILL SHOP ROAD LLC PARCEL#: 01-005 D.B. 2629 PG. 611 R-3
N/F CLAYTON PROPERTIES GROUP INC. PARCEL#: AU01 004 D.B. 2629 PG. 604 R-3
N/F GWINNETT COUNTY PARCEL ID: 2003 0078 RA-200
N/F: DEVELOPMENT AUTHORITY OF GWINNETT CO PARCEL#: 5333-001 RA-200
GWINNETT COUNTY PLANNING AND DEVELOPMENT
RECEIVED
7.25.2025
REZ2025 00018
CONCEPTUAL SITE LAYOUT
HARDY TRACT
GWINNETT COUNTY, GA
PREPARED FOR:
MHB LENDING, LLC
PREPARED BY:
THOMAS & HUTTON
5014 Bristol Industrial Way • Suite A Buford, GA 30518 • 770-271-3848
www.thomasandhutton.com
JOB NO.: 23018-0000
DRAWN: SMW
REVIEWED: KWB
DATE: 06/24/2025
SCALE: 1" = 100'
SHEET: FIG. 1

BF

Exhibit C: Building Elevations

[attached]

GWINNETT COUNTY
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8/12/2025

THE ORCHARD



ELEVATION A



ELEVATION B



ELEVATION C

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
1/3/2025



GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
1/3/2025



GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
1/3/2025



GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
1/3/2025



GWINNETT COUNTY
PLANNING AND DEVELOPMENT
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1/3/2025



GWINNETT COUNTY
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RECEIVED
1/3/2025



GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
5/14/2025

THE LANDON 2
HARDY TRACT

(CONCEPTUAL RENDERING)



ELEVATION A



ELEVATION B



ELEVATION C



ELEVATION D

BUILDING CODE ANALYSIS

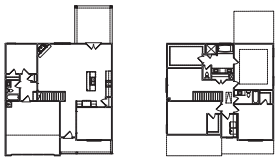
USE GROUP:	SINGLE FAMILY DWELLING
CONSTRUCTION CLASS:	UNPROTECTED
HEIGHT & AREA LIMITATION:	2 STORY MAXIMUM HGT. 35 FT.
EMERGENCY ESCAPE:	EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS SHALL HAVE A MINIMUM OF 5.7 SQ. FT.
GARAGE/ HOUSE CEILING/ HOUSE ASSEMBLY:	1/2" GYPSUM BD. WALL & CEILING W/ 20 MINUTE GARAGE/ HOUSE DOOR
DESIGN LOADS:	LIVE LOAD: SLEEPING = 30 PSF; NON-SLEEPING = 40 PSF DECKS = 40 PSF DEAD LOAD = 10 PSF BASIC WIND SPEED = 80 MPH STAIR LOAD = 40 PSF ROOF LIVE LOAD = 20 PSF LATERAL SOIL PRESSURE = 30 PCF (ASSUMED)
ATTIC VENTILATION: (EXAMPLE)	2398 SF. / 300 = 7.99 SF. FREE AREA REQ'D RIDGE VENT = 39 LF. X .085 FREE AREA/LF = 3.31 SF. PROVIDED SOFFIT VENT = 54 LF. X .045 FREE AREA/LF = 2.43 SF. PROVIDED

NOTE: VERIFY ALL APPLICABLE BUILDING CODES WITH STATE AND LOCAL JURISDICTION PRIOR TO CONSTRUCTION.

DRAWING INDEX

C0.0	COVER SHEET
A1.1	ELEVATION 'A'
A1.2	ELEVATION 'B'
A1.3	ELEVATION 'C'
A1.4	ELEVATION 'D'
A2.1	SIDES & REAR ELEVATIONS
A2.2	SIDES & REAR ELEV. W/ COVERED PORCH OPT.
A3.1	SLAB FOUNDATION PLAN
A3.2	BASEMENT PLAN
A4.1	MAIN FLOOR PLAN
A5.1	UPPER FLOOR PLAN
A6.1	ROOF PLAN
A7.1	ELECTRICAL PLAN

FOOTPRINT



AREA CALCULATION

40' x 42'

SQUARE FOOTAGE:	
MAIN LEVEL	1,149
UPPER LEVEL	1,367
TOTAL HEATED	2,516
2 CAR GARAGE	414
FRONT PORCH	163
TOTAL FRAMED	3,093
OPT. COVERED PORCH	336

WALKER ANDERSON
390 BROGDON RD.,
SUWANEE, GA. 30024

DESIGNER HEREBY EXPRESSLY RESERVES HIS COPYRIGHT AND OTHER PROPERTY RIGHT IN THESE PLANS. THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF THE DESIGNER. NOR ARE THEY TO BE ASSIGNED TO ANY INTERESTS WITHOUT FIRST OBTAINING SAID WRITTEN PERMISSION AND CONSENT. DESIGN DRAWING CONTENTS SUBJECT TO ALL APPLICABLE CODES, AND APPROVAL BY A LICENSED ENGINEER AND OR ARCHITECT.

SUB-DIVISION HARDY TRACT
LOT #

RELEASED FOR CONSTRUCTION

REVISED

THE LANDON 2

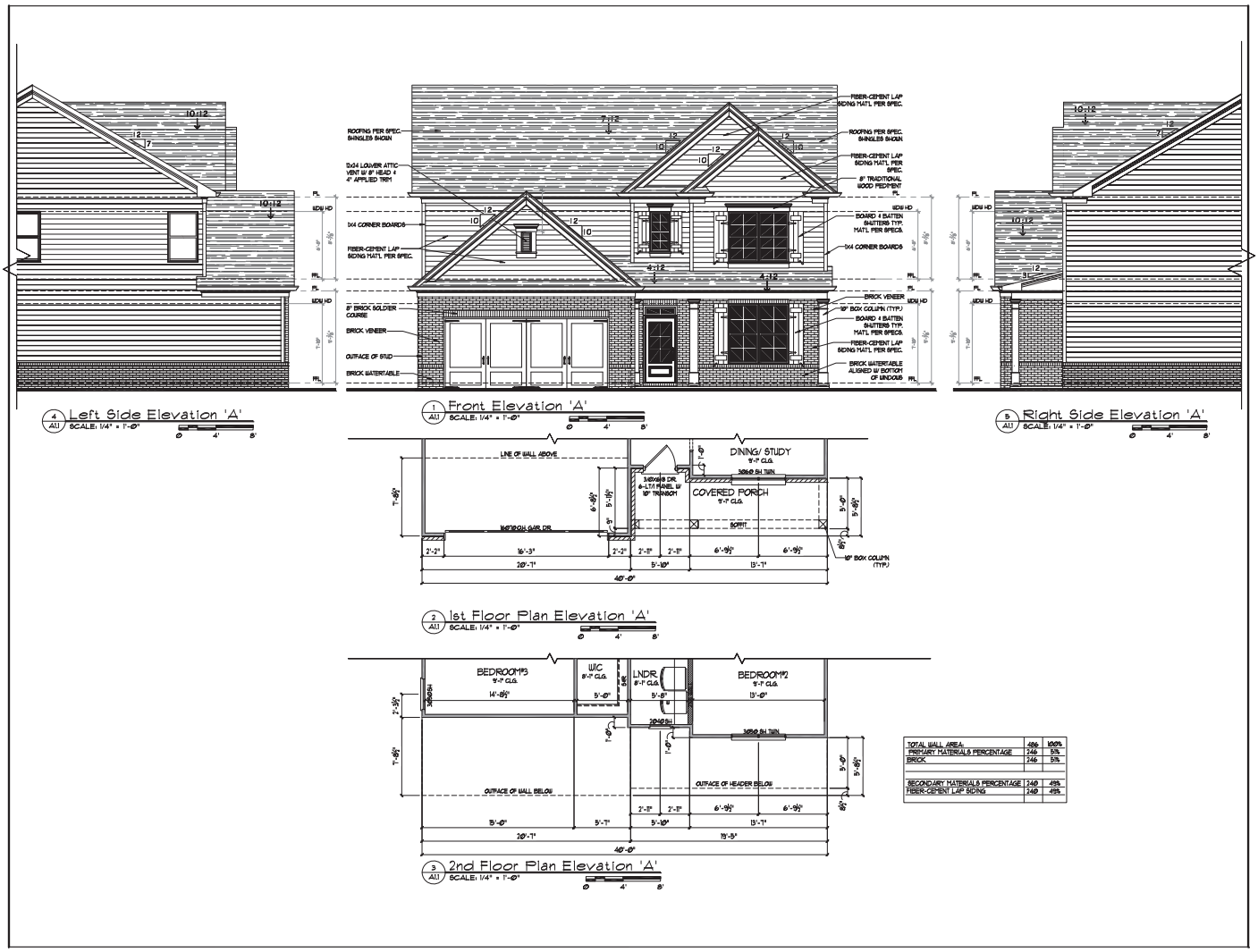
JOB NO. NA DRAWN GC
DATE 7/6/2022 CHECKED DB
SCALE: AS NOTED APROV. DB

COVER SHEET

APPROVED BY: DAVID BOWEN
DATE

SHEET NO. C0.0
SHEET: XX OF: XX

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
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5/14/2025



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SUB-DIVISION HARDY TRACT
LOT #

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REVISED

THE LANDON 2

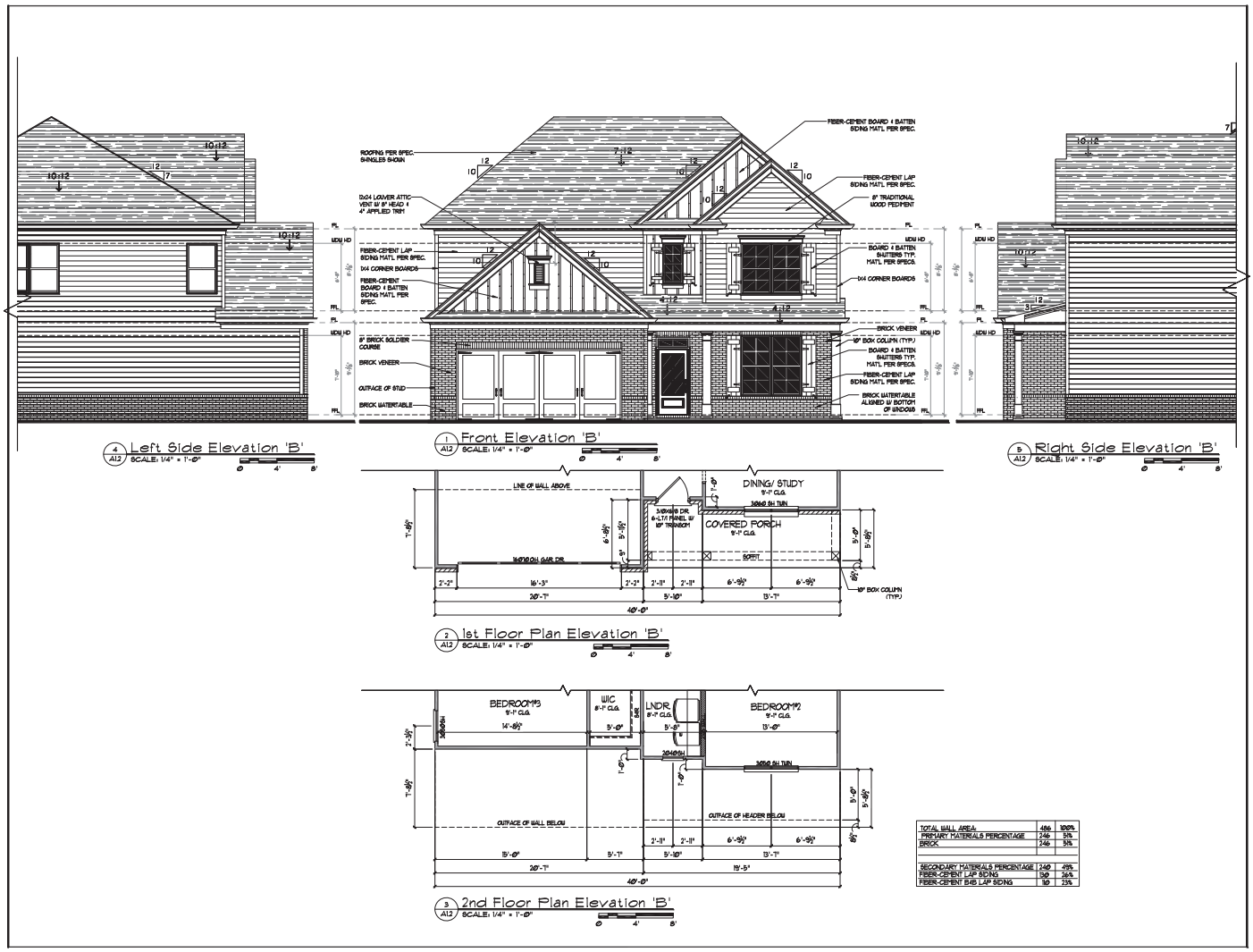
JOB NO. NA DRAWN GC
DATE 7/6/2022 CHECKED DB
SCALE: AS NOTED APROV. DB

FRONT ELEVATION 'A'

APPROVED BY: DAVID BOWEN
DATE:

SHEET NO.
A1.1
SHEET: XX OF: XX

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
5/14/2025



TOTAL WALL AREA:	486	100%
PRIMARY MATERIALS PERCENTAGE	246	51%
BRICK	246	51%
SECONDARY MATERIALS PERCENTAGE	240	49%
FIBER-CEMENT LAP SIDING	130	26%
FIBER-CEMENT B&B LAP SIDING	110	23%

WALKER ANDERSON
390 BROGDON RD.,
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SUB-DIVISION HARDY TRACT
LOT #

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THE LANDON 2

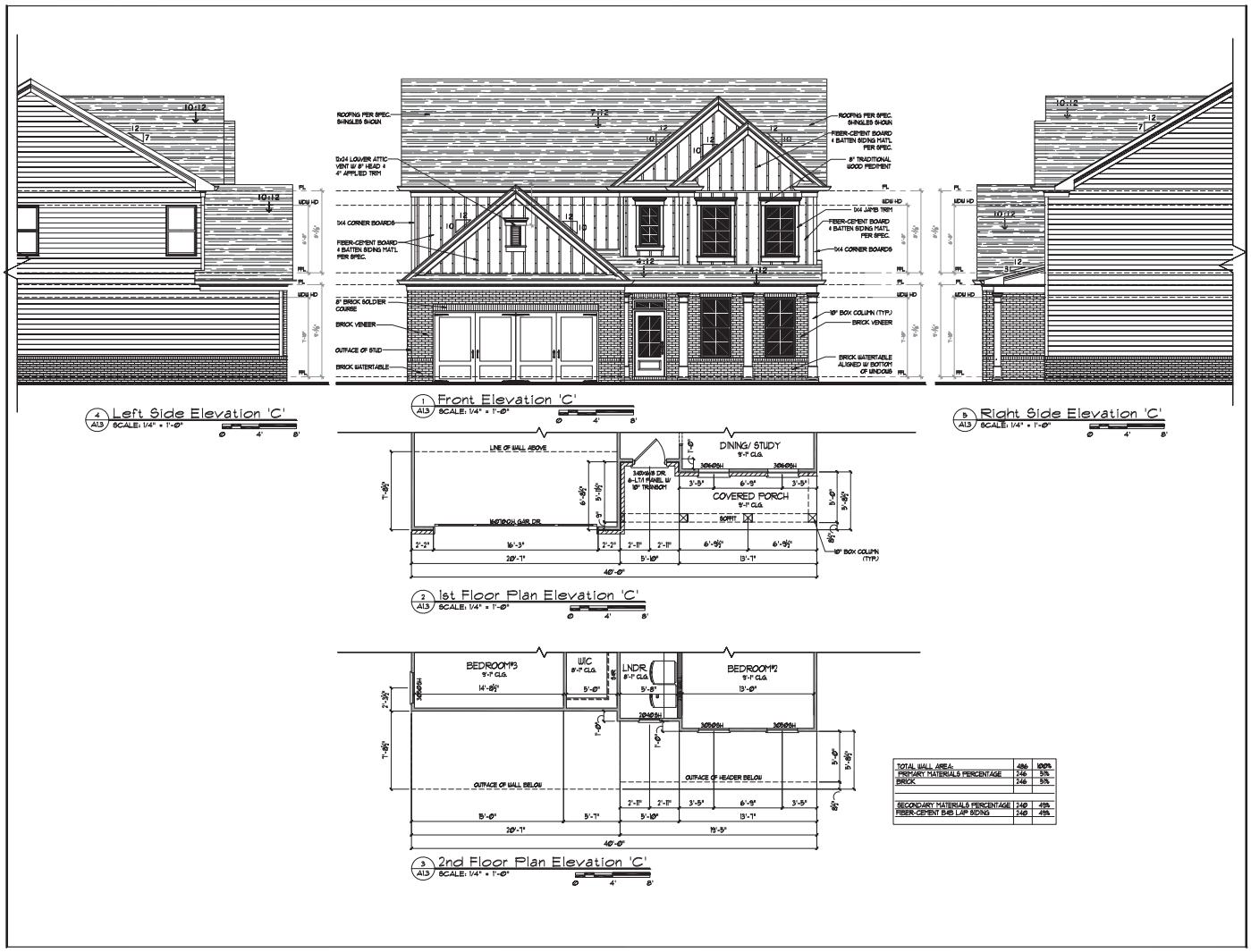
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DATE 7/6/2022 CHECKED DB
SCALE: AS NOTED APROV. DB

FRONT ELEVATION 'B'

APROVED BY : DAVID BOWEN
DATE:

SHEET NO.
A1.2
SHEET: XX OF: XX

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
5/14/2025



TOTAL WALL AREA:	486	100%
PRIMARY MATERIALS PERCENTAGE	246	51%
BRICK	246	51%
SECONDARY MATERIALS PERCENTAGE	240	49%
FIBER-CEMENT B&B LAP SIDING	240	49%

WALKER ANDERSON
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SUB-DIVISION HARDY TRACT
LOT #

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REVISED

THE LANDON 2

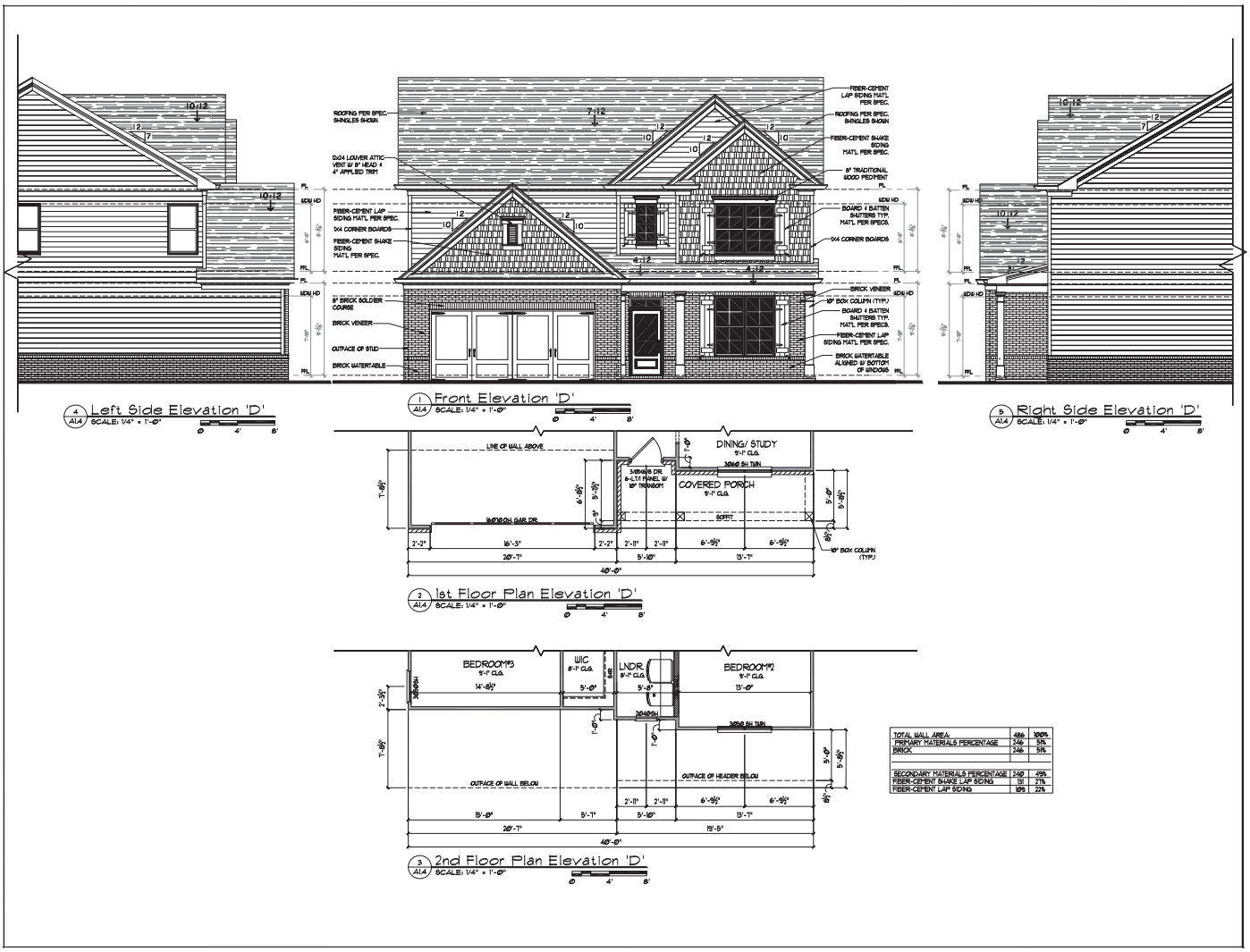
JOB NO. NA DRAWN GC
DATE 7/6/2022 CHECKED DB
SCALE: AS NOTED APROV. DB

FRONT ELEVATION 'C'

APROVED BY : DAVID BOWEN
DATE:

SHEET NO.
A1.3
SHEET: XX OF: XX

GWINNETT COUNTY
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390 BROGDON RD.,
SUWANEE, GA. 30024

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SUB-DIVISION HARDY TRACT
LOT #

RELEASED FOR CONSTRUCTION

REVISED

THE LANDON 2

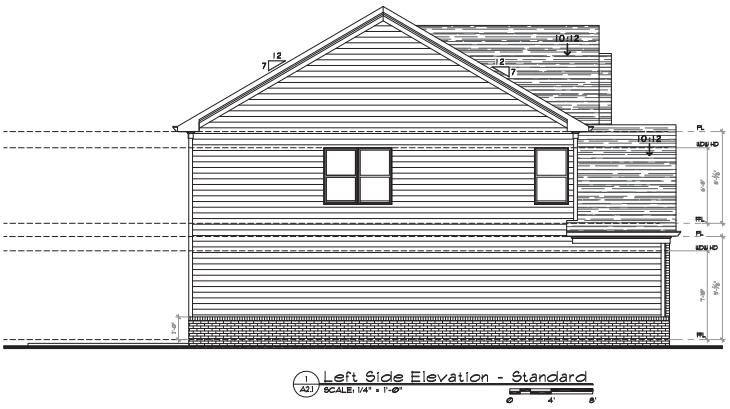
JOB NO. NA DRAWN GC
DATE 7/6/2022 CHECKED DB
SCALE: AS NOTED APROV. DB

FRONT ELEVATION 'D'

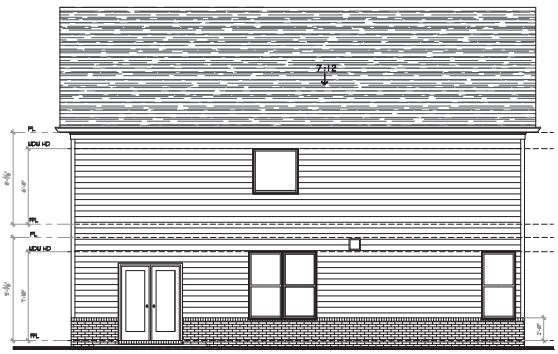
APPROVED BY: DAVID BOWEN
DATE

SHEET NO.
A1.4
SHEET: XX OF: XX

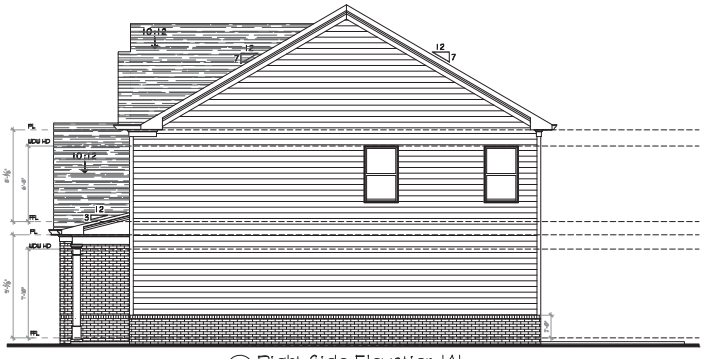
GWINNETT COUNTY
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5/14/2025



1 A21 Left Side Elevation - Standard
SCALE: 1/4" = 1'-0"



1 A22 Rear Elevation 'A', 'C', & 'D'
SCALE: 1/4" = 1'-0"



2 A21 Right Side Elevation 'A'
SCALE: 1/4" = 1'-0"

WALKER ANDERSON
390 BROGDON RD.,
SUWANEE, GA. 30024

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SUB-DIVISION HARDY TRACT
LOT #

RELEASED FOR CONSTRUCTION

REVISED

THE LANDON 2

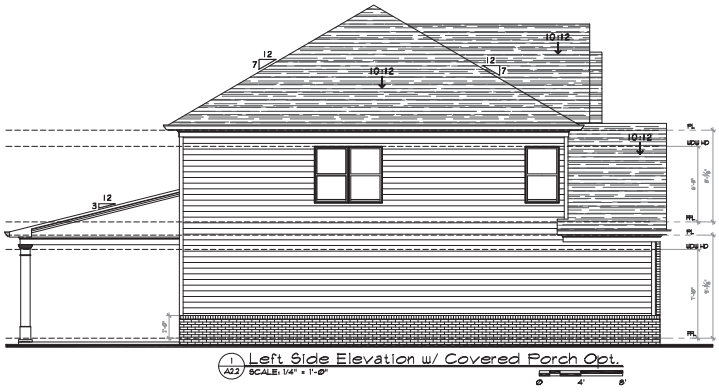
JOB NO. NA DRAWN GC
DATE 7/6/2022 CHECKED DB
SCALE: AS NOTED APROV. DB

SIDE & REAR ELEVATIONS

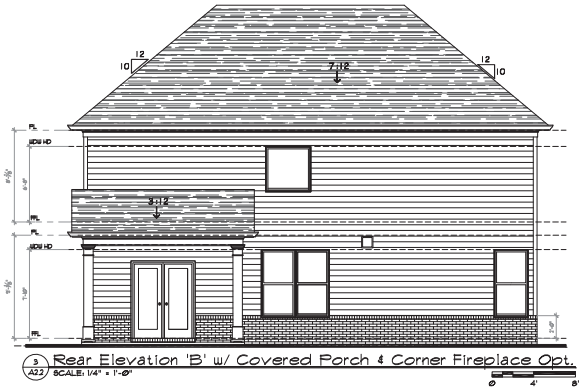
APPROVED BY: DAVID BOWEN
DATE

SHEET NO.
A2.1
SHEET: XX OF: XX

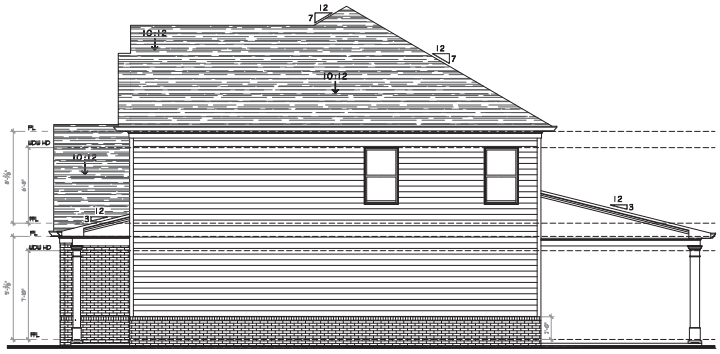
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5/14/2025



1 A2.2 Left Side Elevation w/ Covered Porch Opt.
SCALE: 1/4" = 1'-0"



3 A2.2 Rear Elevation 'B' w/ Covered Porch & Corner Fireplace Opt.
SCALE: 1/4" = 1'-0"



2 A2.2 Right Side Elevation w/ Covered Porch Opt.
SCALE: 1/4" = 1'-0"

WALKER ANDERSON
390 BROGDON RD.,
SUWANEE, GA. 30024

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SUB-DIVISION
LOT #

RELEASED FOR CONSTRUCTION

REVISED

THE LANDON 2

JOB NO. NA DRAWN GC
DATE 7/6/2022 CHECKED DB
SCALE: AS NOTED APROV. DB

SIDE & REAR ELEVATIONS
W/ COVERED PORCH OPT.

APPROVED BY : DAVID BOWEN
DATE:

SHEET NO.
A2.2
SHEET: XX OF: XX

Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

ANDERSEN | TATE | CARR

December 31, 2024, revised May 12, 2025, revised May 28, 2025

Revised July 24, 2025

LETTER OF INTENT FOR REZONING

Rezoning Application
Gwinnett County, Georgia

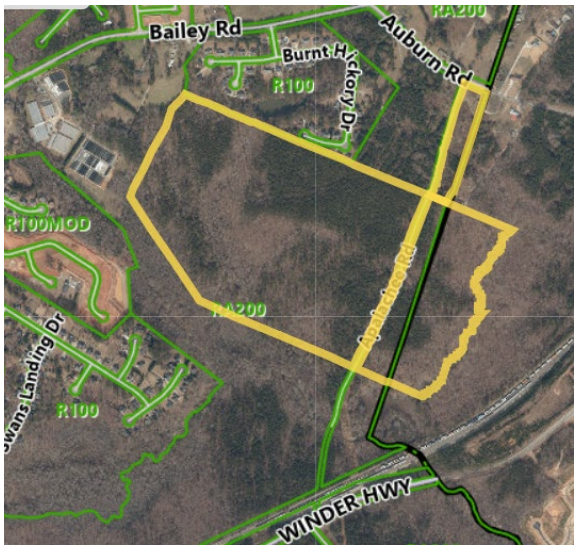
Applicant:
MHB Lending, LLC

Property:
Tax Parcels R2003 001 and R2003 074
+/- 107.08 Acres of Land
Located at 5 Auburn Road, Unincorporated Gwinnett County
From RA-200 to R-60

Submitted for Applicant by:
Melody A. Glouton, Esq.
ANDERSEN TATE & CARR, P.C.
One Sugarloaf Centre
1960 Satellite Blvd.
Suite 4000
Duluth, Georgia 30097
770.822.0900
mglouton@atclawfirm.com

I. INTRODUCTION

This Application for Rezoning is submitted for a 134.12-acre assemblage of land located in the 10 block of Auburn Road, east of its intersection with Bailey Road (hereinafter the "Property"). The Property is an assemblage of two (2) tax parcels located in Gwinnett County and two (2) tax parcels located in Barrow County. This application relates to the 107.08 acres on the Gwinnett portion of the Property. The Property is shown in the survey prepared by Thomas & Hutton, updated May 6, 2025, and filed with this Application. The Property that is the subject of this Rezoning and Annexation Application is further identified below from the Gwinnett County and Barrow County GIS Map:





The Property is currently zoned RA-200 (Agriculture-Residence District) pursuant to the Gwinnett County Unified Development Ordinance (the "UDO"). The Applicant, Walker Anderson Homes, LLC (the "Applicant") now seeks approval to rezone the Property to R-60 (Single Family Residence District) to develop a distinctive and attractive single-family residential detached subdivision with a total of 330 lots (294 lots in Gwinnett County; 36 lots in Barrow County (note: Barrow lots to be zoned in a separate matter)). This document is submitted as the Letter of Intent, Response to Standard Governing the Exercise of Zoning Power, and other materials required by the Gwinnett County UDO.

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property consists of four (4) tax parcels and contains a total of 134.12 acres.[1] Tax Parcels 2-003-001 and 2-003-074 are in Gwinnett. The Property is surrounded by single-family detached subdivisions and residences. The following is a summary of the surrounding zoning classifications:

[1] Tract 1 contains a total of 124.867 acres (101.098 acres located in Gwinnett County and 23.785 acres located in Barrow County); Tract 2 contains 5.994 acres located in Gwinnett County; Tract 3 contains 3.256 acres located in Barrow County. The total acreage in Gwinnett County is 107.08; the total acreage in Barrow County is 27.04.



The Property is located within the "Traditional+" Character Area of the 2045 Unified Plan and Future Development Map (the "2045 Plan"). The Traditional+ future development areas are primarily residential areas on sewer within one mile of a Village Center or Urban Corridor. These areas are predominantly single-family residential with the goal to encourage gentle density through smaller footprint homes. As such, a single-family detached residential subdivision with 330 lots (294 in Gwinnett) would be appropriate for this area. More importantly, the development would help achieve the housing goals of Gwinnett County and provide additional attainable housing supply.

III. PROJECT SUMMARY

As shown on the site plan dated December 18, 2024, and further refined on the plans dated May 6, 2025, May 29, 2025, and updated June 24, 2025 filed with this Application (the "Site Plan"), the Applicant proposes to develop the Property into a single-family detached subdivision. The Applicant is proposing to rezone 107.08 acres in Gwinnett from RA-200 to R-60 to accommodate the development of a residential community with 294 lots for a gross density of 2.75 units per acre. As indicated above, the site is in close proximity to single-family residential subdivisions and the proposed density and nature of this development is compatible with existing and surrounding properties. The proposed development would provide attractive residences with a minimum of 1,800 heated square feet on single-story dwellings, and 2,200 heated square feet on two-story dwellings, which is complementary to the size of homes in the area. The architectural style of the homes would be constructed with a variety of facades, including brick, stacked stone, hardi plank, shake, and board and batten. For reference, the Applicant has included sample elevations with this Application.

The proposed development will have two entrances located on a new road connecting Auburn Road to the Rowan property via a new multilane parkway to be built in partnership with

Gwinnett County Department of Transportation for a portion of project F-1248. The project also allows for connectivity to parcel 2003 002 for additional accessibility, as well as an easement to extend right of way to the adjoining parcel 2 003 124 to allow for additional future connectivity. The entrances will be landscaped and maintained by the mandatory Homeowners Association. The development would include open space in excess of the required open space in R60 with multiple designated amenity and common space areas, one including pool, cabana and pickleball courts located along the eastern side of the proposed conceptual street, and a dog park. The project is designed to be pedestrian friendly with connecting pedestrian easements on longer blocks and as shown on the zoning exhibit.

The property will be served by Gwinnett County Water and Sewer, and capacity is available for the size of this project, as the applicant has worked with Gwinnett County DWR throughout the planning process.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone the Property from RA-200 to R-60 be approved. The Applicant welcomes the opportunity to meet with the Gwinnett County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 27th day of December, 2024, revised this 12th of May, 2025, May 28, 2025, and July 24,2025.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

4898-7077-2235, v. 1

RESPONSES TO STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

Pursuant to requirements of the United Development Ordinance, the Board of Commissioners finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Yes, approval of the rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The Property is located on Auburn Road and is situated among existing residential uses.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:

No, the proposed rezoning will not adversely affect the existing use or usability of any of the nearby properties. The proposed use is compatible with existing residential uses of adjacent properties.

C. Whether the property to be affected by a proposed rezoning has reasonable economic use as currently zoned:

The Applicant submits that due to the size, location, layout, topography, and natural features of the Subject Property, it does not have reasonable economic use without rezoning the property.

D. Whether the proposed rezoning will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

No, the rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has immediate access to Auburn Road. The proposed development would be consistent with the existing residential uses. Moreover, appropriate conditions, site development requirements, and planning could mitigate any potential impacts.

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map:

The proposed rezoning is in conformity with the policy and intent of the Gwinnett County 2045 Unified Plan. The subject property is located within the Traditional+ Character Area of the 2045 Future Development Map. The Traditional+ future development areas are
primarily residential areas on sewer within 1 mile of a Village Center or Urban Corridor. More importantly, the area is predominantly single-family residential, and the goal for these areas over time is to encourage gentle density through smaller footprint homes. The R-60 zoning classification is identified as a recommended zoning as well.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning:

The Applicant submits that the character of the surrounding properties and the existing residential uses provide supporting reasons for approval of the rezoning.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GA.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: MHB Lending LLC	Name: Raymond Hardy/Maria Garner Hardy
Address: 390 Brogdon Road	Address: PO Box 351
City: Suwanee	City: Grayson
State: Georgia ZIP: 30024	State: Georgia ZIP: 30017
Phone: 404.210.9925	Phone: 770.337.5404
Email: cwoods@bfhcompany.com	Email: pastor@lwoc.net

Contact Person: Melody Glouton Phone: 770.337.5404

Contact's Email: mglouton@atclawfirm.com

APPLICANT IS THE:

☐ Owner's Agent ☐ Property Owner ■ Contract Purchaser

Current Zoning District(s): RA200 Requested Zoning District: R60

Parcel Number(s): 2003 001 & 2003 074 Acreage: 107.08

Property Address(es): 10 Block Auburn Road and 5 Auburn Road

Proposed Development: Single Family Detached Subdivision

Variance(s): NA Waiver(s): NA

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Dwelling Units: 294	No. of Buildings:
Dwelling Unit Sq. Ft.: 1800 one story/2200 two story	Total Building Sq. Ft.:
Density: 2.75 Units per acre	Floor Area Ratio:
Floor Area Ratio (LRR, MRR, HRR): NA	

MIXED-USE DEVELOPMENT

No. of Dwelling Units: Dwelling Unit Sq. Ft.:

Total Non-Residential Sq. Ft.: Floor Area Ratio:

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon in less than six (6) months from the date of last action by the Board of Commissioners.

Property Owner

Name: MARIA GARNER

Signature: Maria Garner

Date: 12/31/2024

Notary Public

Name: Deborah Lawana Perkins

Signature: Deborah Lawana Perkins

Date: 12/31/2024



Notary Seal

Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon in less than six (6) months from the date of last action by the Board of Commissioners.

Property Owner

Name: Raymond W. Hardy

Signature: Raymond W. Hardy

Date: 12/31/2024

Notary Public

Name: Deborah Lawana Perkins

Signature: Deborah Lawana Perkins

Date: 12/31/2024

DEBORAH LAWANA PERKINS
NOTARY PUBLIC
WALTON COUNTY, GEORGIA
MY COMMISSION EXPIRES
January 13, 2025

Notarial Seal

Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

PROPERTY TAX VERIFICATION

The undersigned certifies that all Gwinnett County property taxes are current. In no such case shall an application or reapplication be processed without such property tax verification.

Applicant Information

Name: Walker Anderson

Signature: Melody A. Glouton — Melody A. Glouton, Attorney For Applicant **Date:** 12/30/24

Property Information

Enter all parcel IDs in the table below. Search for Parcel ID

Parcel ID(s) (by Applicant)	**Property Taxes Paid (Yes or No)** (Tax Commissioner Use Only)
R2003 001	Yes
R2003 074	Yes

Tax Commissioner Affirmation

All Gwinnett County property taxes are current for the above referenced parcel(s) and confirmed by the signature below.

Name: Kathleen Lyles **Title:** TSA

Signature: Kathleen M. Lyles **Date:** 12/30/2024

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Disclosure of campaign contributions aggregating to $250.00 or more to a member of the Board of Commissioners is required pursuant to Section 270-25.E. of the Unified Development Ordinance.

Name: Andersen Tate & Carr

Relationship to Application (Applicant or Representative of Applicant): Applicant

Campaign Contributions? Yes

Contributions:

Official Name	Contribution Amount	Date of Contribution	Contributor
Nicole Love Hendrickson	$1,500.00	3/3/2023	Andersen Tate & Carr
Nicole Love Hendrickson	$1,000.00	6/7/2023	Andersen Tate & Carr
Nicole Love Hendrickson	$800.00	10/5/2023	Andersen Tate & Carr
Kirkland Carden	$2,000.00	7/17/2023	Andersen Tate & Carr
Kirkland Carden	$800.00	2/5/2024	Andersen Tate & Carr
Matthew Holtkamp	$2,500.00	9/15/2023	Andersen Tate & Carr
Matthew Holtkamp	$800.00	1/24/2024	Andersen Tate & Carr

Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT | PLANNING DIVISION

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Disclosure of campaign contributions aggregating to $250.00 or more to a member of the Board of Commissioners is required pursuant to Section 270-25.E. of the Unified Development Ordinance.

Name: MHB LENDING, LLC

Relationship to Application (Applicant or Representative of Applicant): APPLICANT

Campaign Contributions? NONE

Contributions:

Official Name	Contribution Amount	Date of Contribution	Contributor

Exhibit F: DWR Sewer Capacity Certification Letter

[attached]

GWINNETT COUNTY
DEPARTMENT OF WATER RESOURCES
684 Winder Highway | Lawrenceville, GA 30045-5012
678.376.6700
www.gwinnettcounty.com | www.gwinnetth2o.com

☐ **APPROVED**
☐ **DENIED**
☒ **CONDITIONALLY APPROVED**
Sewer Capacity Request #**C2024-304-12**
Expiration Date: 12/16/2025
Tie-In Manhole FID: **4080940**

December 16, 2024

Corbitt Woods
Walker Anderson Homes, LLC
390 Brogdon Rd.
Suwanee, GA 30024

RE: Sewer Availability for Proposed Development – Hardy Tract
Parcel ID 2003 074, 2003 001

Dear Mr. Woods:

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of 391 single-family homes on the above parcels and determined:

Gwinnett County can provide sewer service for the proposed development only upon completion of the following conditions:

- Execution of an Inter-Governmental Agreement (IGA) between Gwinnett County, Gwinnett County Water and Sewerage Authority, Barrow County, and the developer for the water and sewer service of the portions of the above referenced parcels located within Barrow County.
- Specification within the proposed IGA, that all water and sewer services for the entire project will be constructed to Gwinnett County standards and specifications, and will be owned, inspected, serviced, and maintained by Gwinnett County, regardless of whether the lots are in Gwinnett County or in Barrow County.
- No additional connections will be allowed in Barrow County, other than those specified by the IGA.

This confirmation is based on your anticipated annual average daily flow of **67.9 gpm** discharging to the sewer tie-in manhole at Facility ID **4080940**.

Capacity Allocation: Sewer capacities are allocated only upon the issuance of a Development Permit, by Gwinnett County Planning & Development and after all applicable conditions established in this Sewer Capacity Certification, if any, are met.

Certification Expiration: The Sewer Capacity Certification is valid for 12 months from the date of this letter. If rezoning is approved, GCDWR will issue a revised Sewer Capacity Certification based on the approved units, as needed. The capacity request can be renewed for an additional 12 months. If a Development Permit has not been obtained by the expiration date above the

developer may apply for renewal by providing evidence of active rezoning, plan review, or permitting efforts.

Once the Sewer Capacity Certification expires, the capacity is no longer allocated, and a new Sewer Capacity Certification request must be submitted for re-evaluation with no guarantee of available capacity. The evaluation will be based on the updated conditions of the sewer system.

Certification Invalidation: This certification is not valid if there are proposed changes to your development that could impact downstream sewer capacity (e.g. land use density, sewer tie-in manhole, parcel changes, and/or rezoning). In this case the development must resubmit for a new Sewer Capacity Request with updated information prior to the expiration of the previous one.

Please contact us at 678-376-7026 if you have any questions.

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

Lorraine Campagne, PE
Section Manager, Development Support
678.376.7058

C: Gwinnett County DWR – Della Taylor, Division Director; Raghu Vemuru, Engineer V; Mikala Weston, Engineer III; Lisa Willis, Assistant Director; Kat Gurd, CIP Program Project Administrator; Jonathan Semerjian, Division Director
Gwinnett County P&D – Charli Young, Planning Manager; Geniva Sylvain, Engineer I; Christina Dejarnette, Engineer I; Wendell Tumale Engineer III

Exhibit G: Traffic Impact Study

[attached]

Level 3 Traffic Impact Study

Hardy Tract Subdivision
Hills Shop Road (SR 324)
Gwinnett County, Georgia

November 4, 2024
revised December 30, 2024

SEI ENGINEERING, INC.

in collaboration with

ACAMPORA TRAFFIC, LLC

Level 3 Traffic Impact Study

Hardy Tract Subdivision
Hills Shop Road (SR 324)
Gwinnett County, Georgia

prepared for:

Mr. Corbitt Woods

November 4, 2024
revised December 30, 2024

SEI ENGINEERING, INC.
2470 Sandy Plains Road, Suite C
Marietta, Georgia 30066
(770) 321-3936
info@sei.site



in collaboration with

ACAMPORA TRAFFIC, LLC
858 Myrtle Street, NE
Atlanta, Georgia 30308
(678) 637-1763
e-mail: acamporatraffic@comcast.net

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Introduction, Project Location, and Project Description

This study assesses the traffic impact of a proposed residential subdivision Gwinnett County, Georgia. The site is located on the southwest side of Hills Shop Road (SR 324), as shown in Figure 1. The project will consist of 391 single family homes. Vehicular access will be provided at one access to SR 324 at the current location of unimproved Apalachee Road. Figure 2 presents the site plan for the project.



Figure 1 – Site Location Map

This traffic impact study was prepared for the proposed development according to the standards set forth in Gwinnett County's *Traffic Impact Study Guidelines* dated June 30, 2023. Based on peak hour trip projections made using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition (the current edition), the proposed 391 home development is projected to generate 358 new p.m. (the higher of the a.m./p.m.) peak hour trips. Based on those trips, Gwinnett County requires a Level 3 Traffic Study (required for projects that will generate 250-499 peak hour trips). This traffic impact study includes the tasks for a Level 3 Study, as set forth in the County's Guidelines, Table 1: Traffic Impact Study Scope.

Existing and Proposed Land Use

The subject property is currently zoned RA-200 Agriculture-Residence District. The proposed zoning is R-60 – Single Family Residence District.

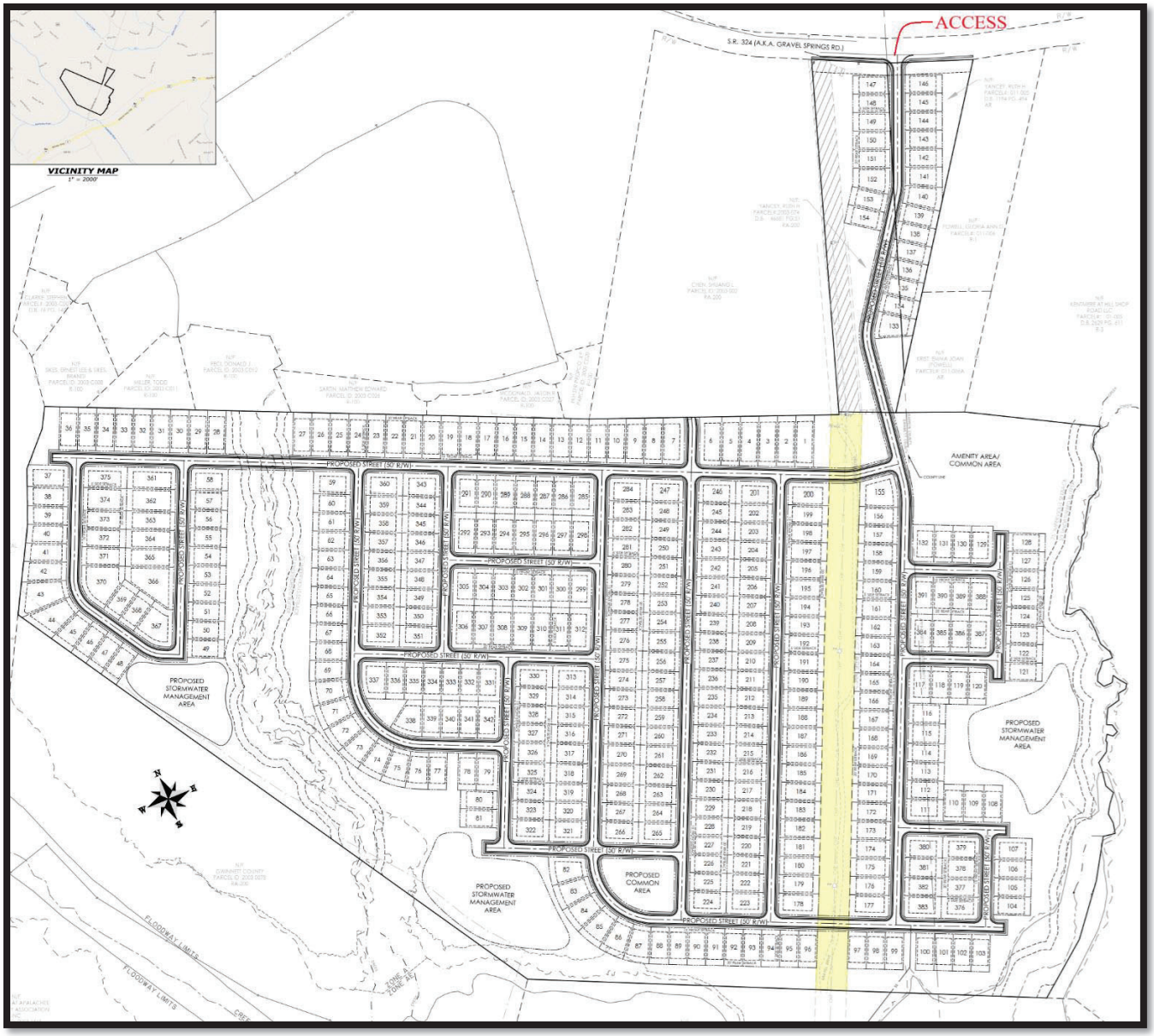


Figure 2 – Site Plan

Internal Site Circulation Review

The internal site roadway plan consists of a basic grid streets. The design of the street system is expected to function well, with the grid providing alternative paths of travel through the site. All entering vehicles are anticipated to flow into the site with no impediment. The main linear roadway accessing SR 324 is expected to comfortably accommodate exiting queues.

Trip Generation Estimate

The volume of traffic that will be generated by the subdivision was calculated using the equations in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition* (the current edition). ITE Land Use 210 – Single Family Detached Housing was chosen as representative of the project. The trip generation is summarized in Table 1.

Table 1 – Proposed Subdivision Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24 Hour
			In	Out	2-Way	In	Out	2-Way	2-Way
Single Family Detached Housing	210	391 homes	64	194	258	226	132	358	3,538

The proposed subdivision will generate 258 trips in the morning peak hour, 358 trips in the evening peak hour, and 3,538 two-way daily trips.

Project Trip Distribution and Assignment

The trips that will be generated by the proposed subdivision were distributed and assigned to the roadway network. The trip distribution percentages indicate what proportion of the project's trips will travel to and from various directions. The trip distribution percentages for the subdivision were developed based on the locations and proximity of likely trip origins and destinations including regional employment centers, retail and offices in the area, nearby schools, other regional trip attractors, and the major routes of travel in the area. The new project trips, presented in Table 1, were assigned to the roadway network based on the distribution percentages. The trip distribution percentages and the a.m. and p.m. peak hour trips expected to be generated by the proposed subdivision are shown in Figure 3.

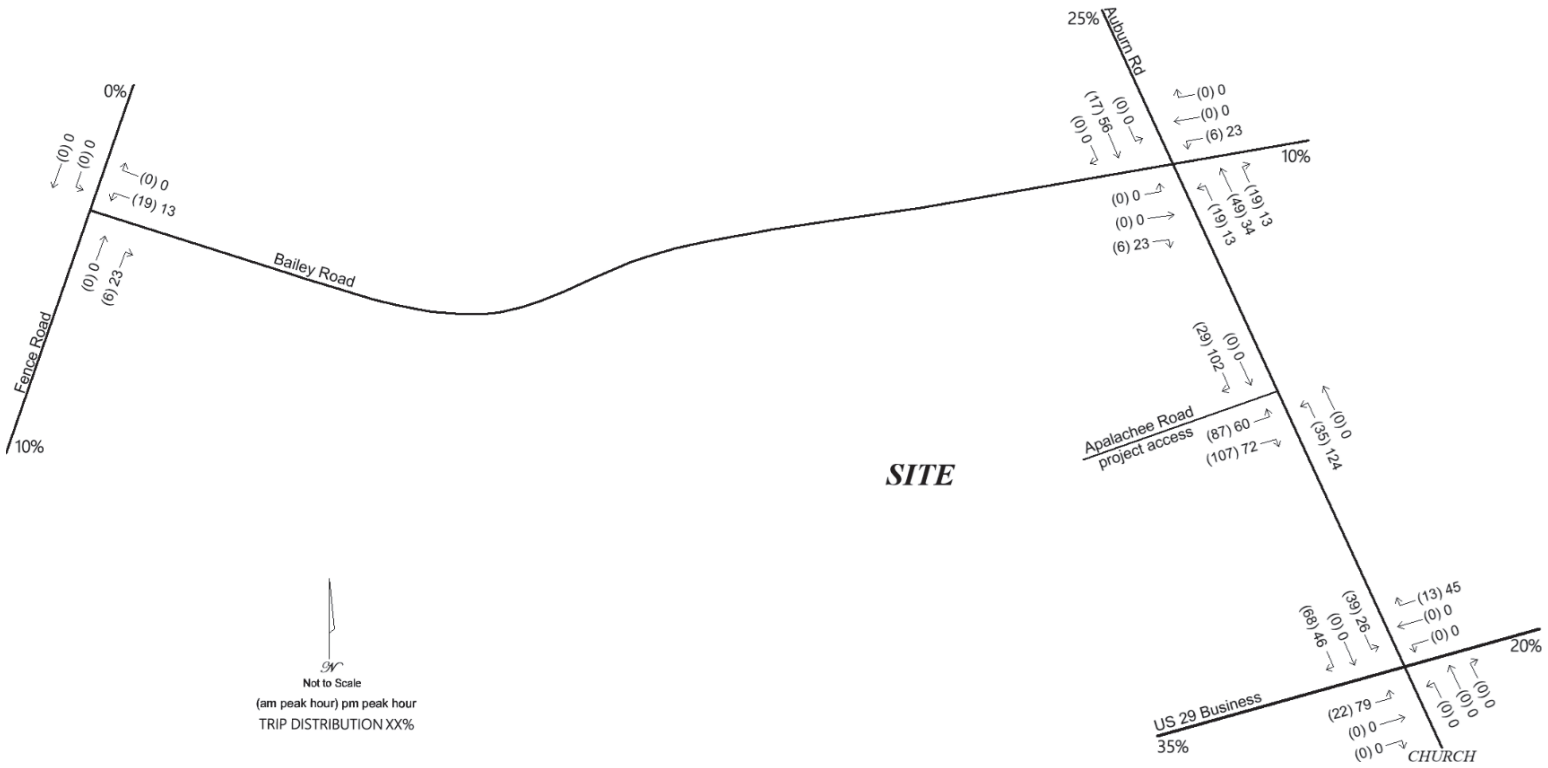


Figure 3 – Proposed Subdivision A.M. and P.M. Peak Hour Trips and Distribution Percentages

Existing Transportation Facilities

Hills Shop Road (Georgia State Route 324) is a two lane urban minor arterial that begins at a signalized intersection at US 29 Business (south of which it enters a church parking lot), is carried by a bridge over railroad tracks, passes Apalachee Road (proposed access to the subject site), changes name to Auburn Road, has a side street stop sign controlled intersection at Bailey Road, the continues to the northwest. The terrain along Hill's Shop Road is gently rolling and the posted speed limit is 45 mph. In 2023 the Georgia Department of Transportation recorded an Annual Average Daily Traffic (AADT) volume of 9,940 vehicles per day (vpd) on Hill's Shop Road southeast of Apalachee Road.

Bailey Road is a two lane local road that begins at Fence Road at a side street stop sign controlled T-intersection, intersects Auburn Road at side street stop sign controlled approaches, then continues to the northeast. The terrain is gently rolling and the posted speed limit is 40 mph. In 2022 the Gwinnett County DOT recorded an estimated ADT volume of 2,824 vpd on Bailey Road between Auburn Road and Fence Road.

US 29 Business is an urban minor arterial that provides east/west mobility through this area. At Hill's Shop Road, US 29 Business has two eastbound through lanes and an eastbound exclusive left turn lane. Westbound there is one through lane and an exclusive left turn lane serving the church, which is the beginning of a continuous two-way left turn lane that continues to the east, and an exclusive right turn lane feeding Hill's Shop Road. The terrain is very gently rolling and the posted speed limit is 45 mph. In 2023 the Georgia DOT recorded an AADT volume of 18,000 vpd on US 29 Business east of Apalachee Church Road.

Pedestrian, Bicycle, and Transit Accessibility

Hills Shop Road and Bailey Road both have rural cross-sections, with no shoulder, curb-and-gutter, or sidewalk on either road in the vicinity of the subject site. There are no dedicated bicycle lanes along area roadways. There is no regularly-scheduled mass transit within walking distance of the site.

Adjacent Access Spacing

The adjacent access spacing was measured along Hills Shop Road in each direction from Apalachee Road (the proposed project access location). On Hills Shop Road there are private driveways located approximately 180 feet and 225 feet to the north of Apalachee Road. The next intersection to the north is located at Bailey Road at a distance of approximately 1,176 feet. To the south on Hills Shop Road there are private driveways located approximately 236 feet, 367 feet, 425 feet, 533 feet, and 594 feet from Apalachee Road. The next intersection to the south would be the northern access to an under-construction subdivision, located approximately 1,060 feet from Apalachee Road.

The Gwinnett County Unified Development Ordinance (UDO) Table 900.3 provides the minimum separation requirements for driveways, public roads, and side streets. That table is reproduced below as Table 2. For a road with a posted speed limit of 45 mph (Hills Shop Road), the minimum driveway spacing is 369 feet. A few of the

individual single family homes' driveways fall within the minimum distance on Hills Shop Road. However, the next adjacent intersections are all spaced greater than the minimum requirement. Because Hills Shop Road is a state route (SR 324), it is noted that the Georgia DOT minimum driveway spacing standards, taken from Table 3-1 in their *Regulations for Driveway and Encroachment Control*, rev 5.4, dated 2/10/2023 (Georgia DOT Driveway Manual), requires a minimum driveway spacing of 230 feet on a road with a 45 mph posted speed limit. This is less than the Gwinnett County requirement and is also satisfied in both directions from Apalachee Road to the next adjacent intersections, but not some of the single family homes' driveways.

Table 2 – Gwinnett UDO Minimum Separation for Driveways, Public Roads, and Side Streets

Table 900.3. Minimum Separation for Driveways, Public Roads, and Side Streets.

Posted Speed MPH	Minimum Driveway Spacing
25	125
30	219
35	244
40	294
45	369
50	419
55	444
60	494
65	550

Figure 4 presents an aerial photograph of the subject section of Hills Shop Road with the distances scaled from Apalachee Road to the next adjacent intersections to the north and south.



Figure 4 – Aerial Photograph of Hills Shop Road Showing Distances to Adjacent Intersections

Intersection Sight Distance

Table 900.2 – Sight Distance, from the Gwinnett County UDO, is reproduced below as Table 3. The available intersection sight distances from Apalachee Road to the north and south on Hills Shop Road are presented in Table 4.

Table 3 – Gwinnett UDO Sight Distance Standards

Table 900.2. Sight Distance.

	SIGHT DISTANCE (FEET)						
SPEED, MPH	2 Lane		3 Lanes		4 Lanes		5 Lanes
	SDL=SDR	SDL	SDR	SDL	SDR	SDL	SDR
25	280	280	295	280	310	295	335
30	335	335	355	335	375	355	400
35	390	390	415	390	440	415	465
40	445	445	475	445	500	475	530
45	500	500	530	500	565	530	600
50	555	555	590	555	625	590	665
55	610	610	650	610	690	650	730
60	665	665	710	665	750	710	795
65	720	720	765	720	815	765	860

Table 4 – Available Intersection Sight Distances at Project Access

Access Location	To Northwest		To Southeast	
	Available	Min Required	Available	Min Required
Hills Shop Road	approx 780 feet	500 feet	approx 550 feet	500 feet

Table 4 reveals that the minimum required intersection sight distance is available in both directions at the project access location. The available distances are shown as approximate because the actual final available sight distances will be affected by the final design of the access including turn lanes, grades, etc. Because Hills Shop Road is a state route, it is noted that the Georgia DOT minimum intersection sight distance standards, taken from Table 3-4 in their *Regulations for Driveway and Encroachment Control*, rev 5.4, dated 2/10/2023 (Georgia DOT Driveway Manual), requires a minimum intersection sight distance of 500 feet to the left and to the right on a two lane road with a 45 mph posted speed limit. This is the same at the Gwinnett County requirement and is also satisfied in both directions from the proposed project access location (Hills Shop Road at Apalachee Road). It is recommended that the project site/civil engineer design the project access to ensure that the minimum required sight distances are achieved.

Crash History

The Georgia Electronic Accident Reporting System (GEARS) was used to obtain crash data on Hills Shop Road in the vicinity of the proposed subdivision's access for the five year period from July 1, 2019 through June 30, 2024. Figure 5 shows the GEARS crash map and data. There were zero reported crashes on the section of Hills Shop Road in the vicinity of Apalachee Road.

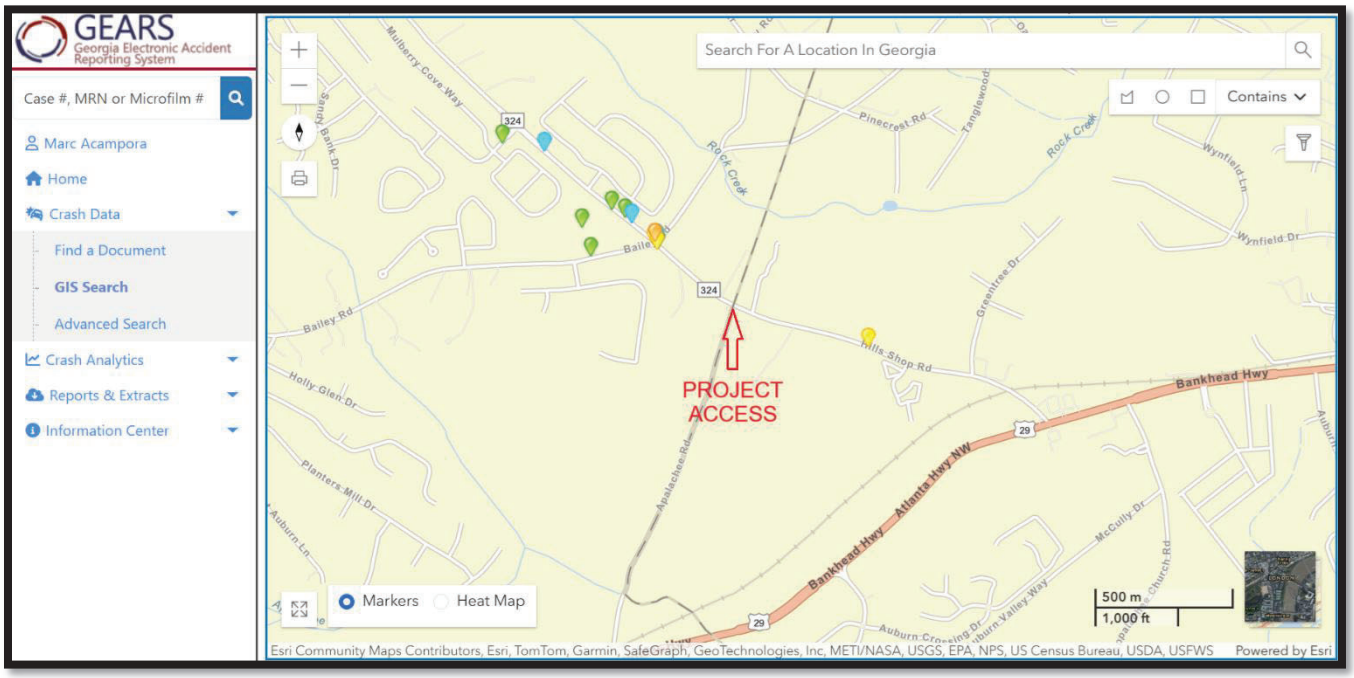


Figure 5 – GEARS Crash Map and Data

Traffic Volumes

This section describes the traffic volumes counted and calculated for use in this traffic study.

Existing Traffic Volumes

Existing full turning movement peak hour traffic volume counts were collected at the following intersections in the vicinity of the site:

1. Fence Road at Bailey Road (side street stop sign)
2. SR 324 at Bailey Road (side street stop sign)
3. US 29 Business (SR 8) at SR 324 (signal)

The locations of the traffic counts are presented in Figure 6.



Figure 6 – Traffic Volume Count Locations

The intersection counts were collected on Tuesday, October 15, 2024 from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. The counts were collected when area schools were in standard session. From the intersection turning movement count data, the highest four consecutive 15-minute interval volumes at each intersection, during each time period, were determined. The existing volumes are shown in Figure 7. The raw count data is found in Appendix A.

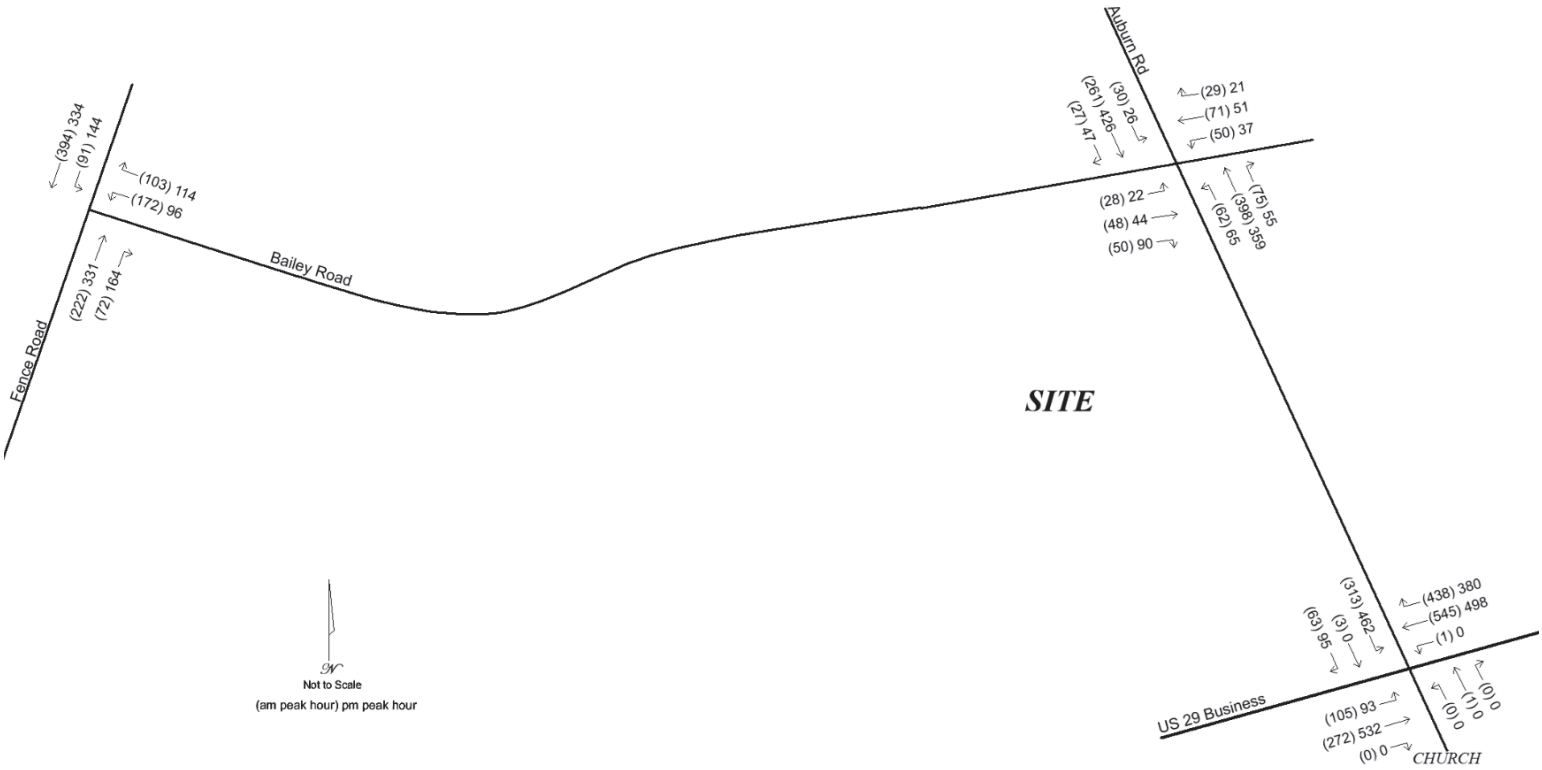


Figure 7 – Existing Weekday A.M. and P.M. Peak Hour Traffic Volumes

Traffic Volume Growth

This study evaluates existing, future no-build, and future build conditions. The project build-out year was estimated as 2029 for analysis purposes. The actual build-out year will be affected by market conditions. The 2029 no-build traffic volumes were calculated. These are volumes that will exist in the future at the anticipated date of full build-out and occupancy of the subdivision, but not including the subdivision's trips. The purpose of the analysis of the future no-build condition is to isolate the traffic impacts of the proposed development from background growth in volumes that is expected to occur in the area while the development is under construction.

In order to develop no-build volumes, a background growth factor was developed based on a review of historic Georgia DOT AADT traffic counts, as shown in Table 5.

Table 5 – Historic Georgia DOT Traffic Volume Counts and Annual Growth Rates

Year	Hills Shop E of Apalachee	Annual Growth	Fence S of Bailey	Annual Growth	Atlanta Hwy E of Hills Shop	Annual Growth
Station ID	013-0154		135-0614		013-0003	
2019	9,770		10,700		18,000	
2020	9,010	-7.8%	9,980	-6.7%	16,600	-7.8%
2021	9,740	8.1%	10,600	6.2%	18,000	8.4%
2022	9,860	1.2%	10,500	-0.9%	17,900	-0.6%
2023	9,940	0.8%	10,700	1.9%	18,000	0.6%
avg growth		*0.3%*		*0.0%*		*0.0%*

Growth in the area has fluctuated. All three of the Georgia DOT count stations experienced a decrease in volumes between 2019 and 2020 which is considered an anomaly due to the COVID-19 pandemic. There was solid positive growth at all locations the following year, which is somewhat attributable to a return to pre-pandemic levels and not necessarily new growth. In the last year of the data there was low growth ranging from 0.6% to 1.9%. Overall, growth has been low in the area, with an annual average ranging from 0.0% to 0.3%. The growth trends identified in Table 5, and taking the pandemic into consideration, suggest a low background annual growth rate could be expected on the roads in this study while the proposed subdivision is built-out. However, there are several subdivisions under construction in the area which can be expected to produce more robust growth. Therefore, a 3% annual growth rate was applied to the counted volumes. This equates to a 15.9% increase in volumes from existing to the anticipated 2029 project build-out year. The 15.9% background growth factor was applied to the counted volumes at each study intersection to develop the base 2029 no-build volumes.

In addition to the general background growth applied, as discussed above, the specific trips from a subdivision that is under construction immediately-adjacent to the proposed development, were also added. The Auburn Station subdivision is located on the southwest side of Hills Shop Road east of Apalachee Road, and will consist of 132 detached single family homes and 253 attached townhomes. The project will have two accesses on Hills Shop Road east of Apalachee Road. The trips that will be generated by that project were obtained from the traffic impact study prepared for that project in July 2021. The specific trips from that project were added, by movement, to each study intersection. These trips are shown in the traffic volume worksheets in Appendix A. The base 2029 no-build volumes plus the specific Auburn Station trips were combined to produce the 2029 volumes that are projected to be at each study intersection when the proposed subdivision is built-out, but not including the proposed subdivision's trips. These total no-build volumes are also found in Appendix A.

Programmed Improvements

Programmed (scheduled and funded) and planned (anticipated) transportation infrastructure projects in the vicinity of the proposed development were researched. No projects were identified on the adjacent roadways or the near vicinity that could affect traffic patterns, volumes, or capacity at the study intersections or project accesses by the buildout of the proposed development.

Future Traffic Volumes

The future traffic volumes are comprised of the no-build traffic volumes (existing volumes, increased by background growth plus Auburn Station trips, as described above) plus the trips that will be generated by the proposed subdivision, presented earlier in this report in Figure 3. The future traffic volumes are presented in Figure 8. The traffic volume worksheets in Appendix A show the calculation of the future volumes.

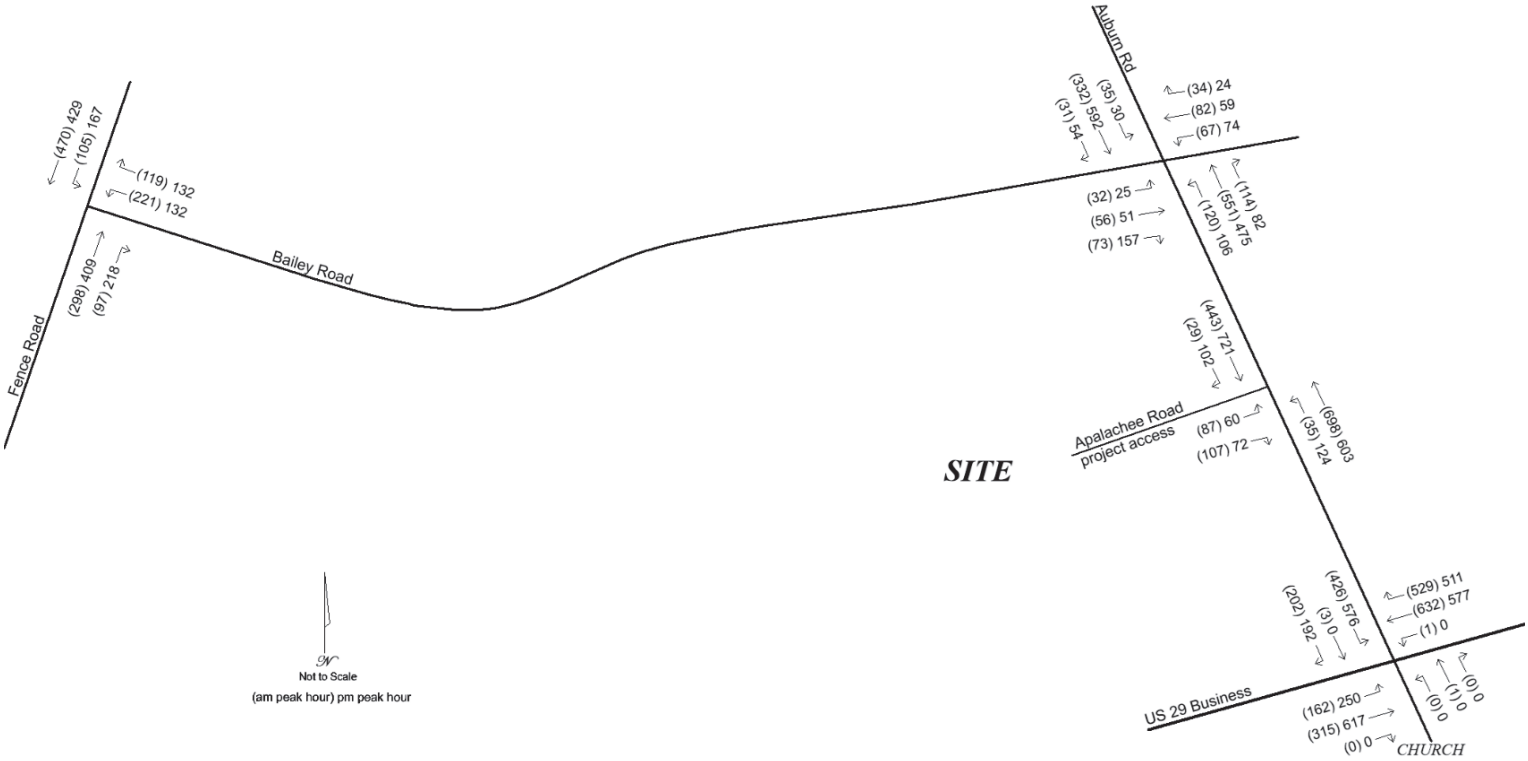


Figure 8 – Future Weekday A.M. and P.M. Peak Hour Traffic Volumes

Auxiliary Lane Requirements at Project Access

The proposed project access on Hills Shop Road (SR 324) at Apalachee Road is under the jurisdiction of the Georgia DOT. Therefore, in order to determine if a southbound right turn lane or a northbound left turn lane are required on Hills Shop Road at the project access at Apalachee Road, the Georgia DOT standards for determining the need for these auxiliary lanes, as set forth in their *Regulations for Driveway and Encroachment Control (Driveway Manual)*, revision 5.4 dated 2/10/2023, were evaluated. The right turn lane analysis is based on *Driveway Manual* Table 4-6, Minimum Volumes Requiring Right Turn Lanes, which is shown below as Table 6.

Table 6 – Georgia DOT Right Turn Lane Standards

Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	AADT		AADT	
	< 6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	200 RTV a day	100 RTV a day	200 RTV a day	100 RTV a day
40 to 50 MPH	150 RTV a day	75 RTV a day	150 RTV a day	75 RTV a day
55 to 60 MPH	100 RTV a day	50 RTV a day	100 RTV a day	50 RTV a day
>= 65 MPH	Always	Always	Always	Always

Table 4-6 Minimum Volumes Requiring Right Turn Lanes

The 2023 AADT on Hills Shop Road is 9,940 vpd which is above the 6,000 vpd threshold for roads with two lanes. On a road with two lanes, a 45 mph speed limit, and a 24-hour volume above 6,000 vpd, the right turn volume (RTV) above which a right turn lane is required is 75 right turn vehicles (RTV) per day. The future right turn volume (RTV) projected on Hills Shop Road at the project access at Apalachee Road is 796 daily southbound right turn vehicles. This RTV is above the minimum threshold. Therefore a southeast-bound right turn lane is required on Hills Shop Road at the project access at Apalachee Road and this study agrees with that requirement.

The left turn lane analysis is based on *Driveway Manual* Table 4-7a, Minimum Volumes Requiring Left Turn Lanes, which is shown below as Table 7.

Table 7 – Georgia DOT Left Turn Lane Standards

LEFT TURN REQUIREMENTS-FULL CONSTRUCTION				
Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	ADT		ADT	
	<6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	300 LTV a day	200 LTV a day	400 LTV a day	300 LTV a day
40 to 50 MPH	250 LTV a day	175 LTV a day	325 LTV a day	250 LTV a day
>= 55 MPH	200 LTV a day	150 LTV a day	250 LTV a day	200 LTV a day

Table 4-7a Minimum Volumes Requiring Left Turn Lanes

The 2023 AADT on Hills Shop Road is 9,940 vpd which is above the 6,000 vpd threshold for roads with two lanes. On a road with two lanes, a 45 mph speed limit, and a 24-hour volume above 6,000 vpd, the left turn volume (LTV) above which a left turn lane is required is 175 left turn vehicles (LTV) per day. The future left turn volume (LTV)

projected on Hills Shop Road at the project access at Apalachee Road is 973 daily northbound left turn vehicles. This LTV is above the minimum threshold. Therefore a northwest-bound left turn lane is required on Hills Shop Road at the project access at Apalachee Road and this study agrees with that requirement.

It is recommended that the project access include at least one entering lane and an eastbound (exiting) separate left and right turn lane at Hills Shop Road. The exiting approach should be controlled by side street stop sign and accompanying stop bar.

Intersection Operations

Existing, future no-build, and future build traffic operations were analyzed at the counted intersections (and project access on Hills Shop Road for the future build condition) using Synchro software, version 12, in accordance with the methodology presented in the Transportation Research Board's 2022 *Highway Capacity Manual* 7th Edition (*HCM 7*). This methodology is presented in Appendix B. The results of the analysis are shown in Table 8. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type. Computer printouts containing detailed results of the existing analysis are located in Appendix C, while Appendix D contains the no-build analysis worksheets and Appendix E contains the future build analysis worksheets.

Table 8 – Existing, No-Build, and Future Intersection Operations

Intersection / Approach	A.M. Peak Hour						P.M. Peak Hour					
	Existing		No-Build		Future		Existing		No-Build		Future	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)	LOS	Delay (s/veh)	LOS	Delay (s/veh)	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Fence Road at Bailey Road (side street stop sign)	D	27.4	***F***	***78.4***	***F***	***85.5***	B	11.6	***E***	***44.1***	***F***	***51.5***
southbound left turn	A	8.3	A	8.7	A	8.7	A	9.0	A	9.6	A	9.7
westbound approach	***F***	***110.3***	***F***	***NA****	***F***	***NA****	***F***	***53.4***	***F***	***224.1***	***F***	***258.7***
2. Auburn Road at Bailey Road (side street stop sign)	D	32.5	***F***	***248.9***	***F***	***NA****	B	14.2	***F***	***103.6***	***F***	***284.2***
northbound left turn	A	8.1	A	8.5	A	8.4	A	8.6	A	9.1	A	9.4
southbound left turn	A	8.7	A	9.4	A	9.2	A	8.4	A	8.7	A	8.9
eastbound approach	***F***	***61.6***	***F***	***NA****	***F***	***NA****	***E***	***47.3***	***F***	***NA****	***F***	***NA****
westbound approach	***F***	***160.1***	***F***	***NA****	***F***	***NA****	***F***	***83.3***	***F***	***NA****	***F***	***NA****
3. US 29 Business (SR 8) at SR 324 (signal)	B	18.2	C	21.1	C	23.9	C	20.4	C	25.7	D	35.6
southbound approach	C	22.6	C	29.7	C	31.8	C	21.5	C	30.4	D	45.1
eastbound approach	B	17.5	C	22.8	C	31.0	B	19.1	C	29.9	D	51.9
westbound approach	B	16.6	B	16.3	B	16.5	C	20.6	B	19.4	B	16.1
4. Hills Shop Rd at Project access (side street stop sign)	-	-	-	-	A	4.8	-	-	-	-	A	7.0
northbound left turn (enter project)	-	-	-	-	A	8.6	-	-	-	-	B	10.4
eastbound left turn (exit project)	-	-	-	-	***F***	***57.9***	-	-	-	-	***F***	***139.0***
eastbound right turn (exit project)	-	-	-	-	B	12.7	-	-	-	-	C	15.6

***NA** – limits of methodology exceeded; results not realistic

The next section provides a discussion of the results at each intersection:

Conclusions and Recommendations

This study assesses the traffic impact of a proposed residential subdivision in Gwinnett County. The site is located on the southwest side of Hille Shop Road (SR 324) and the project will consist of 391 single family homes. Vehicular access will be provided at one access to SR 324 at the current location of unimproved Apalachee Road.

This traffic impact study was prepared for the proposed development according to the standards for a Level 3 Traffic Study as set forth in Gwinnett County's *Traffic Impact Study Guidelines* dated June 30, 2023. The following are the findings and recommendations of this study:

1. The subject property is currently zoned RA-200 Agriculture-Residence District. The proposed zoning is R-60 – Single Family Residence District.

2. The proposed subdivision will generate 258 trips in the morning peak hour, 358 trips in the evening peak hour, and 3,538 two-way daily trips.

3. In 2023 the Georgia DOT recorded an AADT volume of 9,940 vpd on Hill's Shop Road east of Apalachee Road.

4. Hills Shop Road has a rural cross-section in the vicinity of the site, with no shoulder, curb-and-gutter, or sidewalk. There are no dedicated bicycle lanes along area roadways. There is no regularly-scheduled mass transit within walking distance of the site.

5. A few individual single family homes' driveways fall within the minimum required driveway/intersection spacing distance from the proposed project access location on Hills Shop Road at Apalachee Road. However, the next adjacent intersections are all spaced greater than the minimum requirement.

6. The available intersection sight distances meet the required minimums in both directions from the project access location on Hills Shop Road. It is recommended that the project site/civil engineer design the access to ensure that the required sight distances are achieved.

7. The project civil/site engineer should comply with all applicable design standards at the project access and all internal roadways, including sight distances, driveway spacing, turn lane storage and taper lengths, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

The following are the specific recommendations at each intersection evaluated in this traffic study:

1. Fence Road at Bailey Road

The westbound approach of this intersection fails in the existing condition. This is common on side street stop sign controlled approaches at busy roads such as Fence Road. The volumes at this intersection would benefit from the addition of a northbound right turn lane on Fence Road, a southbound left turn lane on Fence Road, and a westbound right turn lane on Bailey Road. These lanes would improve operations, but the westbound left turn movement on Bailey Road (the side street stop sign controlled approach) will continue to fail with the existing

volumes unless there is a change in control to a signal or a roundabout. This intersection is a good candidate for a roundabout and changing the intersection to that design would eliminate the need for the addition of the turn lanes just discussed. As a single lane roundabout, this intersection will operate well in the existing condition, and through the no-build and future conditions, with all approaches operating at LOS A or LOS B in the future condition. Therefore, it is recommended that this intersection be converted to a roundabout. Because the intersection is experiencing failing operations currently, and the need for additional lanes or a change in control is identified based on the existing volumes, the recommendation for a roundabout is considered a system improvement, which should be implemented whether or not the proposed subdivision is developed.

2. Auburn Road (SR 324 at Bailey Road)

This intersection is failing in the existing condition and needs several improvements. As with the discussion of the preceding intersection, the failures at this intersection are on the side street stop sign controlled approaches, and this is not uncommon. The conversion of this intersection to a signal or a roundabout will be necessary to fully mitigate the failing delays. Because Auburn Road is a state route, the Georgia DOT should be consulted to agree upon the preferred mitigation. A single lane roundabout was evaluated in the future condition and was demonstrated to operate acceptably on all approaches.

3. US 29 Business at SR 324

This intersection operates acceptably in all analysis conditions. Therefore, no mitigation is identified for this intersection. The Georgia DOT should consider adding eastbound protected / permissive phasing on the signal on US 29 Business at SR 324.

4. Hills Shop Road at the Project Access at Apalachee Road

The future analysis reveals overall acceptable operations at this intersection. However, the exiting left turn from the project will operate at LOS F with the lanes and control discussed previously. Eliminating these LOS Fs would require a change in control to a signal or a roundabout. However, it is considered improbable that such a change would be permitted at this location – this is a private access and a change in control would introduce new delays to SR 324. It is recommended that this intersection include a northwest-bound left turn lane on Hills Shop Road, a southeast-bound right turn lane on Hills Shop Road and separate left and right turn lanes exiting the project. The exiting approach should be controlled by side street stop sign and accompanying stop bar.

Exhibit H: Public Participation Plan and Report

[attached]

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

Public Participation Plan

1. **Who do you intend to contact in addition to property owners within 1,000 feet of the site, if any?**
   DISTRICT COMMISSIONER, AND PLANNING COMMISSIONERS.

2. **Where do you plan to host the Public Participation Meeting? Ensure that the meeting is held in person at a convenient location for interested parties.**
   DACULA PARK, 205 DACULA ROAD, DACULA GA 30019

3. **What date and time do you plan to host the Public Participation Meeting? Ensure that the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.**
   JULY 14, 2025 - MEETING WAS 5:30 - 7:00

4. **What is your method for providing opportunities for discussion with interested parties at the Public Participation Meeting?**
   OFFERED TO TALK OR MEET FOR FOLLOWUPS AS REQUESTED.

Gwinnett

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

Public Participation Report

1. **List all groups that you notified of the requested application. Include a copy of the notification package and stamped Postal Service Form 3877 (attached) with itemized name and address of each addressee.**
   SEE ATTACHED LIST OF INVITEES ON FORM 3877.

2. **Provide the date, time, and location of all meeting(s) that the applicant and/or representative attended to discuss an application with interested parties.**
   5:30 PM, July 14 MEETING AT DACULA PARK, 205 DACULA ROAD DACULA GA 30019

3. **Provide the number of people who participated in the meeting(s). Include the sign-in sheet(s) with meeting date, time, location, and attendee names.**
   SIGN IN SHEET PROVIDED AND INCLUDED. TOTAL ATTENDANCE WAS +/- 25 PEOPLE - SOME DID NOT CHOOSE TO SIGN IN.

4. **What issues and concerns were expressed by attendees at the meeting(s)?**
   TRAFFIC ON SR 324 AT INTERSECTION WITH BAILEY ROAD.

   WHETHER PROJECT HAD WATER/SEWER AVAILABILITY FROM GWINNETT (LETTER ON FILE CONFIRMING AVAILABILITY)

   - IS PROJECT APPROPRIATE FOR AREA -

5. **What are the applicant's responses to the issues and concerns that were expressed at the meetings? What changes to the development will be made?**
   - TRAFFIC STUDY WAS DONE PRIOR TO FILING
   - PROJECT DOES HAVE WATER AND SEWER TO BE PROVIDED BY GWINNETT COUNTY
   - PROJECT IS APPROPRIATE - TRADITIONAL PLUS ALLOWS FOR MUCH MORE DENSITY THAN OUR 2.75 U/A - OUR DENSITY IS OVER 1 U/A LESS THAN R-60 MAX

Exhibit I: Internal and External Agency Review Comments

[attached]

TRC Meeting Date:	06.20.2025
Department/Agency Name:	Transportation
Reviewer Name:	Brent Hodges
Reviewer Title:	Construction Manager 2
Reviewer Email Address:	Brent.Hodges@gwinnettcounty.com
Case Number:	REZ2025-00018
Case Address:	5 Auburn Road, Auburn, 30011

	Comments:	X	YES		NO
1	Auburn Road (SR 324) is a minor arterial. The Average Daily Traffic (ADT) Volume is 9,940.				
2	The nearest Ride Gwinnett facility is located 9.2 miles to the west at Old Peachtree Road and Publix (Stop 5000, Route 50).				
3	The developer shall coordinate with the Gwinnett County Department of Transportation on the design and construction of the connector road between Auburn Road and the southern end of the site, as part of identified project F-1248 (Winder Highway to Auburn Road).				
4	Traffic Calming shall be required for any street that exceeds 500' without a control point.				
5					
6					
7					

	Recommended Zoning Conditions:		YES	X	NO
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021

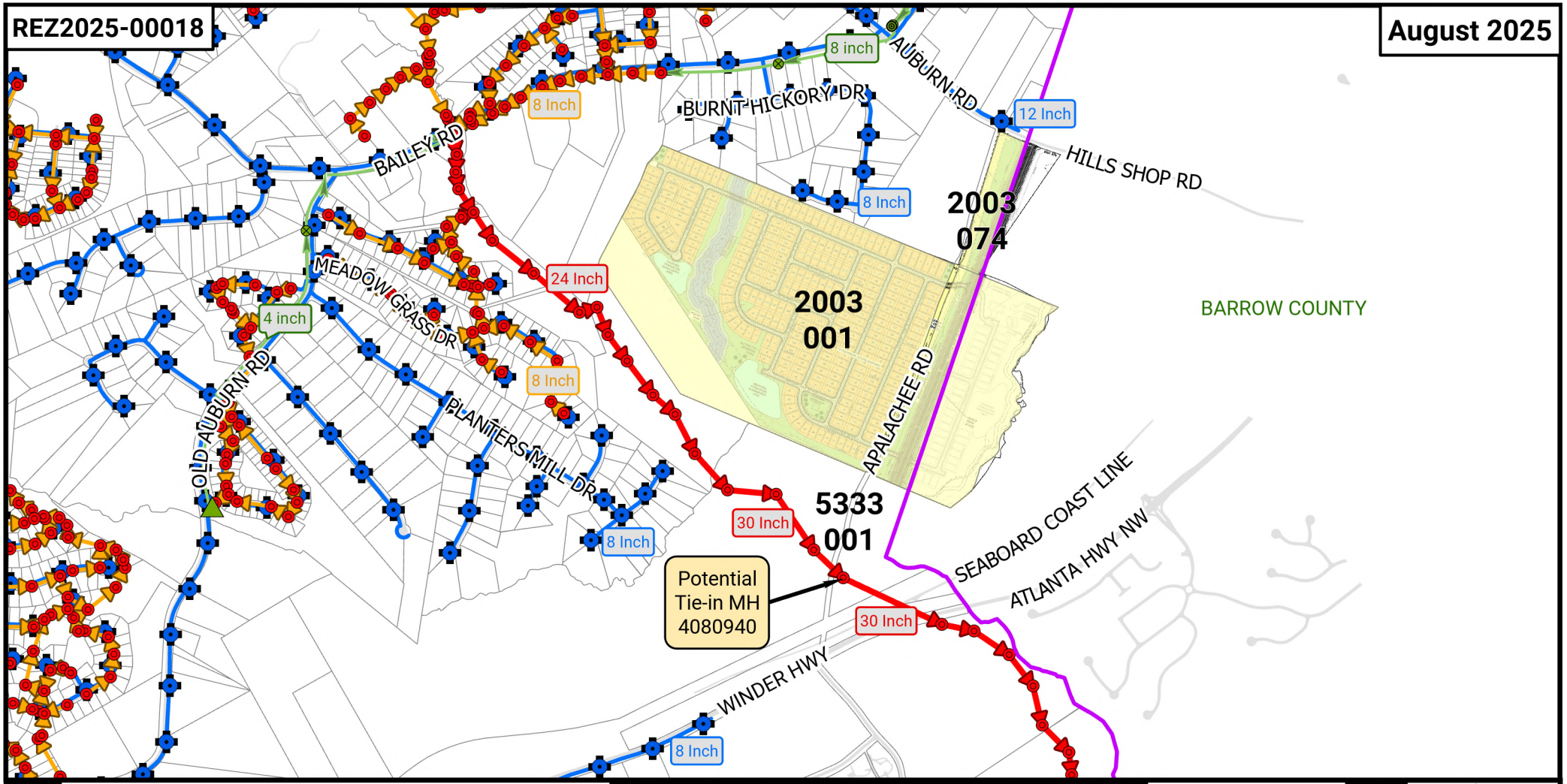
TRC Meeting Date:	
Department/Agency Name:	DWR
Reviewer Name:	Mike Pappas
Reviewer Title:	GIS Planning Manager
Reviewer Email Address:	Michael.pappas@gwinnettcounty.com
Case Number:	REZ2025-00018
Case Address:	10 Block Auburn Road & 5 Aubirn Road

	Comments:	**X**	**YES**		**NO**
1	Water: The proposed development is required to extend the existing 12-inch water main at the northern right-of-way of Auburn Road, down Apalachee Road, across the frontage of the property.				
2	Sewer: A Sewer Capacity Certification (C2024-304-12) was conditionally approved in December 2024 for 391 single family homes. The proposed development plans to connect to an existing 24-inch gravity sewer on parcel 5333 001. An offsite easement will be required. An Intergovernmental Agreement (IGA) would be required between Gwinnett County, Barrow County and the developer to serve the portion of the parcel within Barrow County.				
3					
4					
5					
6					
7					

	Recommended Zoning Conditions:		**YES**	**X**	**NO**
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021



Water Comments: The proposed development is required to extend the existing 12-inch water main at the northern right-of-way of Auburn Road, down Apalachee Road, across the frontage of the property.

Sewer Comments: A Sewer Capacity Certification (C2024-304-12) was conditionally approved in December 2024 for 391 single family homes. The proposed development plans to connect to an existing 24-inch gravity sewer on parcel 5333 001. An offsite easement will be required. An Intergovernmental Agreement (IGA) would be required between Gwinnett County, Barrow County and the developer to serve the portion of the parcel within Barrow County.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

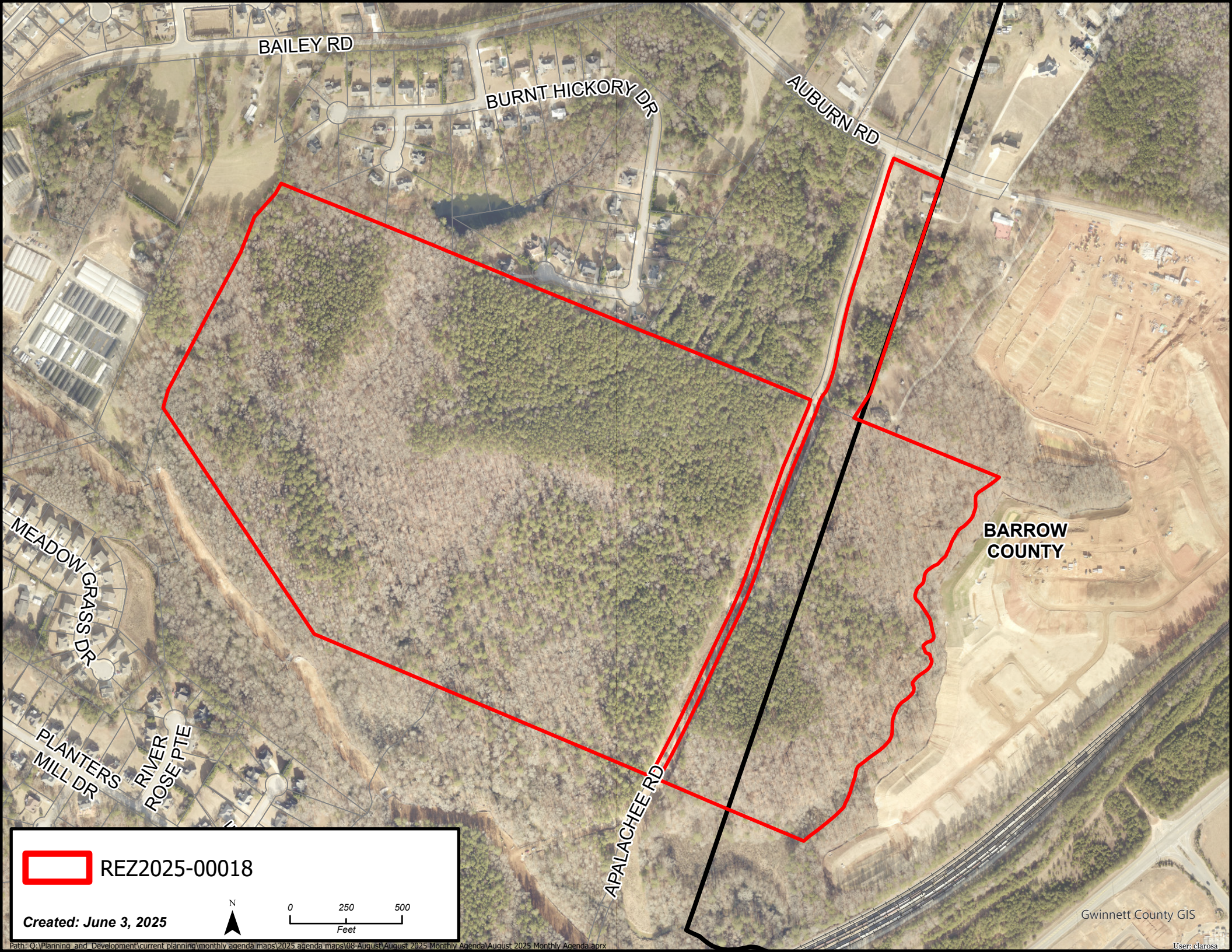
Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

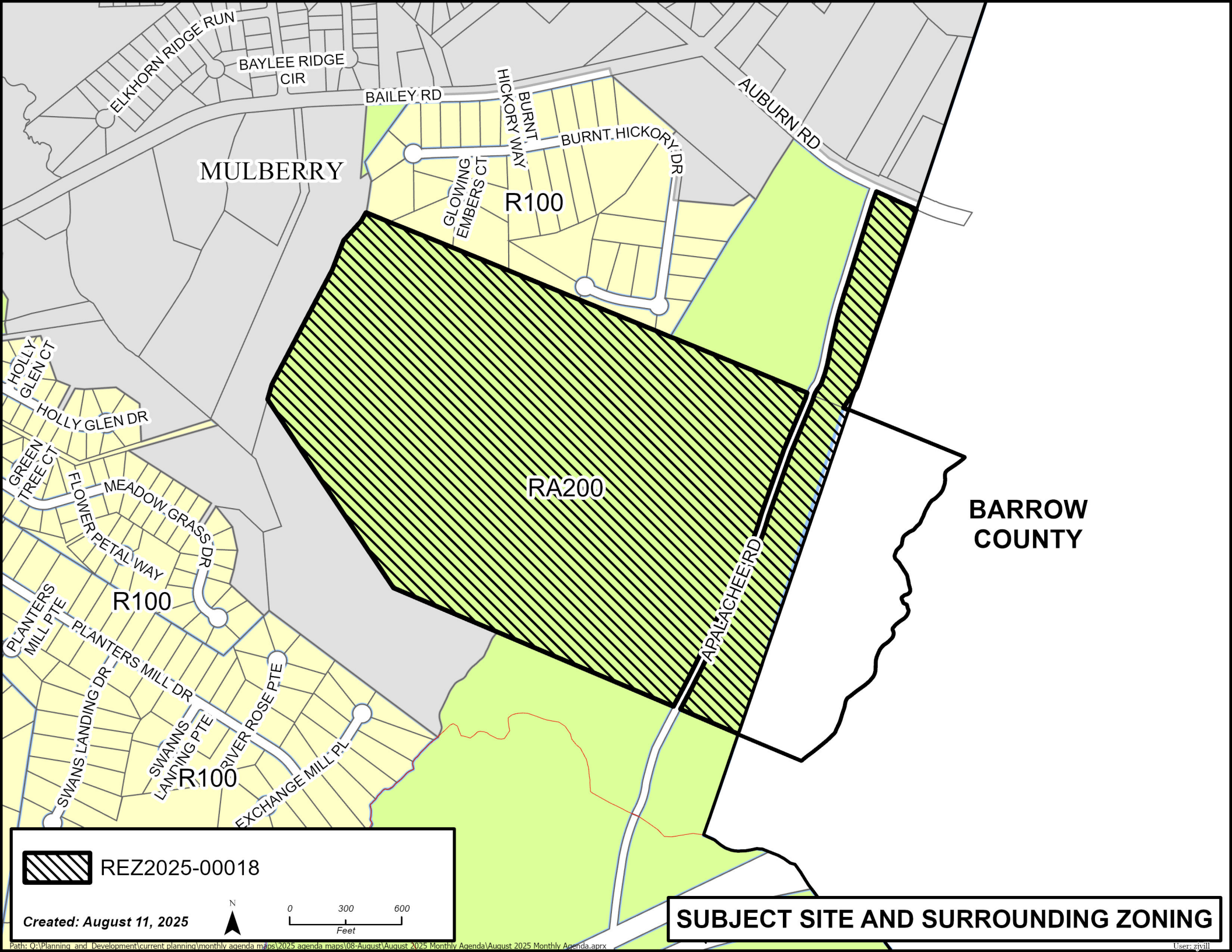
Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, AUGUST, 2025

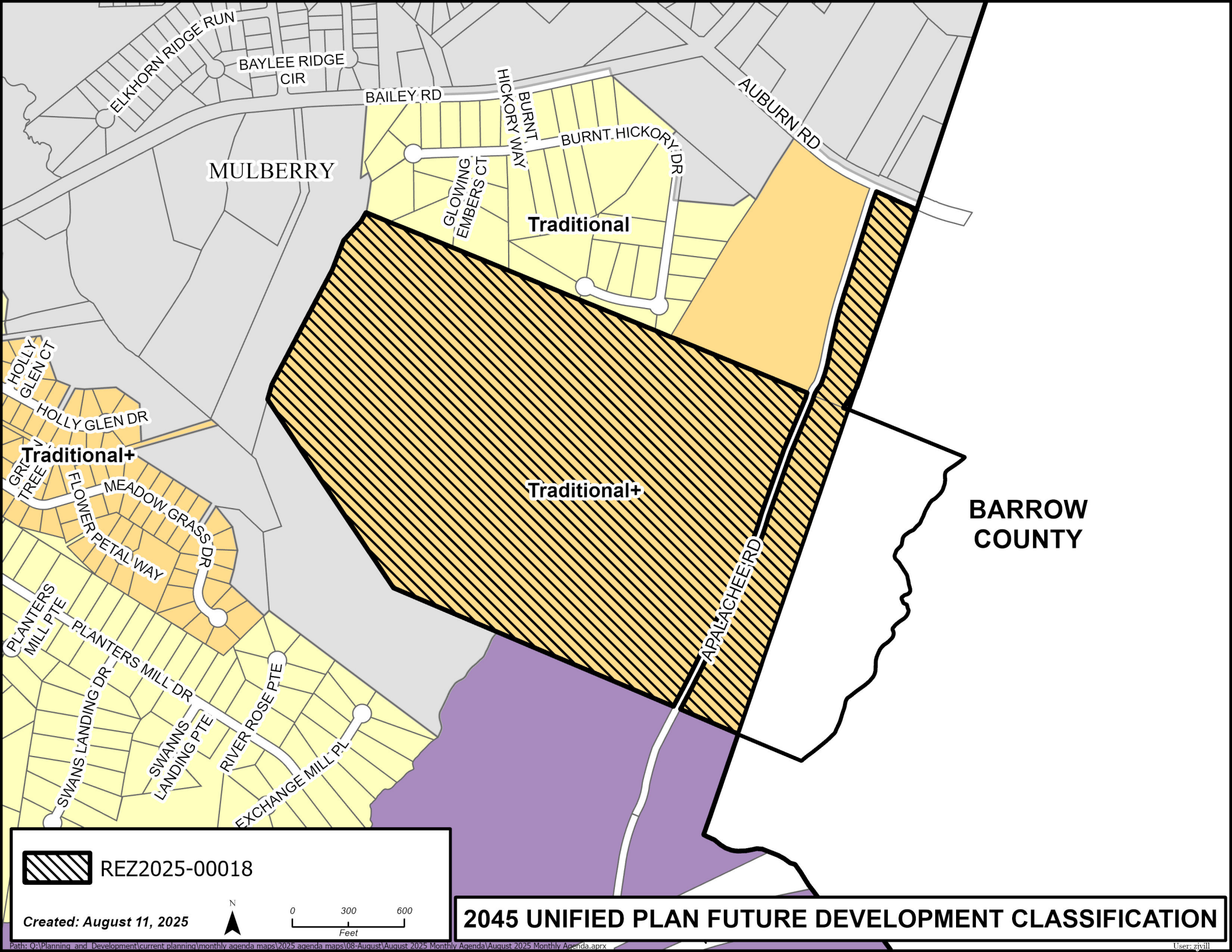
		2025-26			2026-27			2027-28			Proposed Zoning
	School	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
	Grayson High School	**3738**	3,000	738	**3,850**	3,000	850	**3,946**	3,000	946	26
REZ2025-00016	Bay Creek Middle School	**1646**	1,150	496	**1,704**	1,150	554	**1,755**	1,150	605	18
	Trip Elementary School	**1,708**	1,200	508	**1,776**	1,200	576	**1,838**	1,200	638	33
	Parkview High School	**3148**	2,900	248	**3,120**	2,900	220	**3,093**	2,900	193	5
REZ2025-00017	Trickum Middle School	**2203**	2,275	-72	**2,148**	2,275	-127	**2,104**	2,275	-171	3
	Arcado Elementary School	**917**	750	167	**908**	750	158	**899**	750	149	6
	Dacula High School	**2429**	2,550	-121	**2,477**	2,550	-73	**2,526**	2,550	-24	75
REZ2025-00018	Dacula Middle School	**1921**	1,900	21	**1,959**	1,900	59	**1,948**	1,900	48	51
	Dacula Elementary School	**1131**	1,550	-419	**1,117**	1,550	-433	**1,110**	1,550	-440	95

Exhibit J: Maps

[attached]


BAILEY RD
BURNT HICKORY DR
AUBURN RD
MEADOW GRASS DR
PLANTERS MILL DR
RIVER ROSE PTE
APALACHEE RD
BARROW COUNTY
REZ2025-00018
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ELKHORN RIDGE RUN
BAYLEE RIDGE CIR
BAILEY RD
HICKORY WAY
BURNT
BURNT HICKORY DR
AUBURN RD
MULBERRY
GLOWING EMBERS CT
R100
HOLLY GLEN CT
HOLLY GLEN DR
GREEN TREE CT
FLOWER PETAL WAY
MEADOW GRASS DR
RA200
APALACHEE RD
BARROW COUNTY
R100
PLANTERS MILL PTE
PLANTERS MILL DR
SWANNS LANDING DR
SWANNS LANDING PTE
RIVER ROSE PTE
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User: zjvill


ELKHORN RIDGE RUN
BAYLEE RIDGE CIR
BAILEY RD
BURNT HICKORY WAY
BURNT HICKORY DR
AUBURN RD
MULBERRY
GLOWING EMBERS CT
Traditional
HOLLY GLEN CT
HOLLY GLEN DR
Traditional+
GRE TREE
FLOWER PETAL WAY
MEADOW GRASS DR
Traditional+
BARROW COUNTY
APALACHEE RD
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PLANTERS MILL DR
SWANS LANDING DR
SWANNS LANDING PTE
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User: zjvill

Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:
20250943	

☑ Rezoning ☑ Public Hearing

Department:	Planning & Development			Date Submitted:	09/12/2025
Working Session:		Business Session:		Public Hearing:	09/23/2025
Submitted By:	yturruviates				
Agenda Type	Rezoning	Rezoning Type	REZ		

Item of Business:

2025-00019, Applicant: Brand Properties, LLC c/o Andersen, Tate & Carr, P.C.; Owner: Lamp Post MF Brand Partners, LLC; Rezoning with Concurrent Variances of Tax Parcel Nos. R7073 010, 086, and 087 (portions of each); 1729, 1735, and 1741 Duluth Highway; R-TH to LRR for Apartments; 7.05 acres; District 1/Carden

Land Lot:	073	Parcel:	010, 086, and 087 (portions of each)
District:	7		

Attachments	Department Case Report with Planning Commission Recommendation

Authorization: Chairwoman's Signature? Yes

Department Head	jjleitch (9/16/2025)

District		For	Against	Abstained	Absent
District 1	Aysha Treadwell	X			
District 1	Nick Nicolosi	X			
District 2	Anthony Crotser	X			
District 2	Pinkie Farver	X			
District 3	Katrina Fellows				X
District 3	Ben Archer	X			
District 4	Buzz Brockway	X			
District 4	Chris Franklin				X
At Large	Scott Haggard	X			

Comments

County Clerk Use Only

Working Session
Action: Public Hearing
Tabled
Motion
2nd by
Vote

Planning and Development

Recommendation:
☐ Approve
☐ Approve with Conditions
☐ Appr w/ Cond As
☐ Deny w/out Prejudice
☒ Deny PH was Held? ☐
☐ No Recommendation

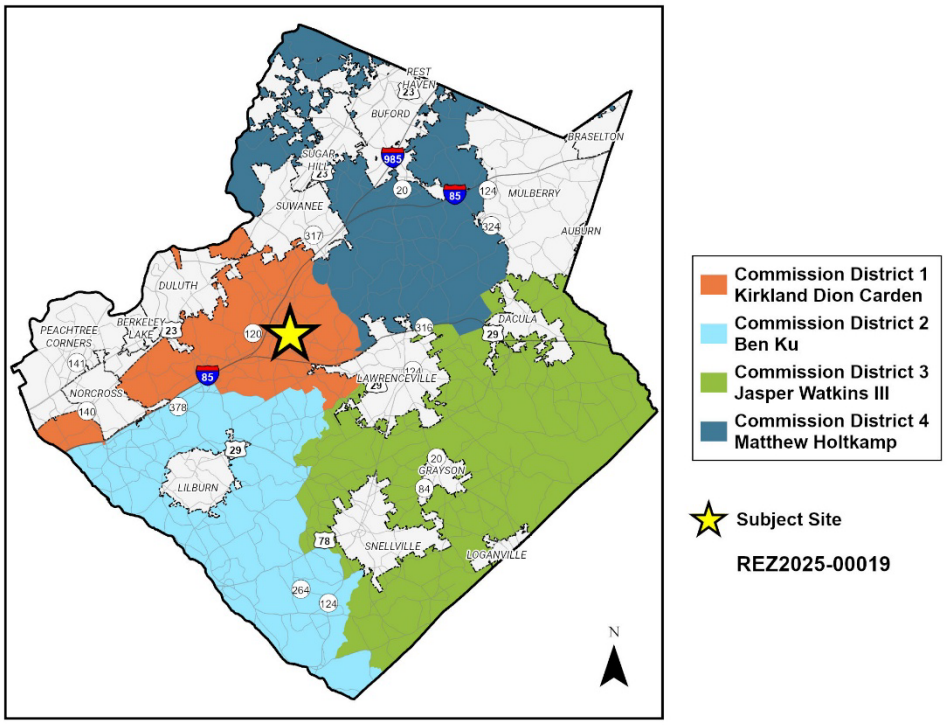
Planning Commission

Recommendation:
☐ Tabled - Date
☐ Approve
☒ Approve with Conditions
☐ Approve with Conditions As
☐ Deny
☐ Deny w/out Prejudice
☐ No Recommendation

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

PLANNING AND DEVELOPMENT DEPARTMENT
CASE REPORT

Case Number:	**REZ2025-00019**
Current Zoning:	**R-TH** (Single-Family Townhouse District)
Request:	Rezoning to **LRR** (Low-Rise Residential Multifamily District)
Additional Requests:	Variances
Addresses:	1729, 1735, and 1741 Duluth Highway
Map Numbers:	R7073 010, 086, and 087 (portions of each)
Site Area:	7.05 acres
Units:	125
Proposed Development:	Apartments
Commission District:	District 1 – Commissioner Carden
Future Development Type:	Neighborhood Traditional
Staff Recommendation:	**DENIAL**
Planning Commission Recommendation:	**APPROVAL WITH CONDITIONS**



Planning Commission Advertised Public Hearing Date: 9/2/2025
Board of Commissioners Advertised Public Hearing Date: 9/23/2025

Applicant:	Brand Properties, LLC c/o Andersen, Tate and Carr, P.C. 2827 Peachtree Road NE, Suite 600 Atlanta, GA 30305	**Owner:**	Lamp Post MF Brand Partners, LLC 2827 Peachtree Road NE, Suite 600 Atlanta, GA 30305
Contact:	Melody Glouton	**Phone:**	770.822.0900

Zoning History

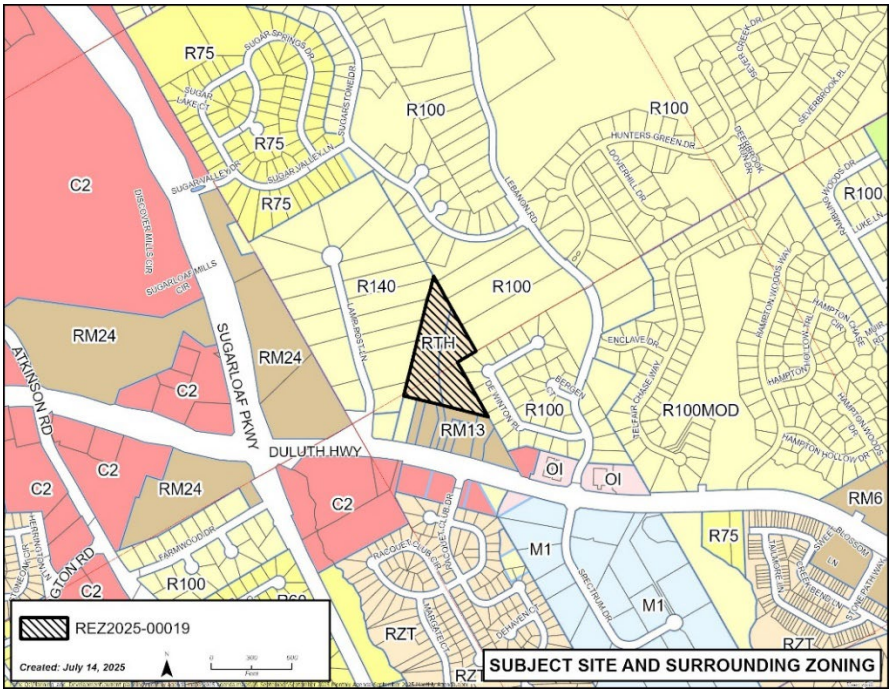
The subject property is zoned R-TH (Single-Family Townhouse District). In 2022, the property was rezoned from R-100 (Single-Family Residence District) to R-TH for 54 townhouses, pursuant to RZM2022-00025. Of note, the adjacent property fronting Duluth Highway was part of the same development and was rezoned to RM-13 (Multifamily Residence District) for a 72-unit apartment complex, pursuant to RZM2022-00024.

Existing Site Condition

The subject property is a 7.05-acre assemblage of the rear portions of three parcels located along Duluth Highway, east of its intersection with Sugarloaf Parkway. The property contains vacant single-family residences and an accessory structure. The nearest Ride Gwinnett transit stop is approximately 0.55 miles from the subject property.

Surrounding Use and Zoning

The subject property is located in a predominantly residential area with a mixture of small-scale office and commercial uses along Duluth Highway. Residences within the Sugarloaf Springs and Telfair subdivisions, and on large lots, abut the property to the north and east. To the south are vacant residences; however, the apartments that were approved in 2022 are in the permitting process. The Logwood Estates subdivision abuts the property to the west. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Apartments	LRR	17.72 units per acre
North	Single-Family Residential	R-100	1.93 units per acre
East	Single-Family Residential	R-100	2.17 units per acre
South	Vacant Vacant	RM-13 R-100	13.42 units per acre (Approved) N/A
West	Single-Family Residential	R-140	0.52 units per acre

Project Summary

The applicant requests rezoning of a 7.05-acre assemblage of three parcels from R-TH to LRR for apartments, including:

- Three, 3-4 story buildings with 125 units, yielding a density of 17.72 units per acre.
- 59 one-bedroom, 54 two-bedroom, and 12 three-bedroom units.
- Exterior building materials of brick and cementitious siding.
- 235 surface parking spaces including five EV spaces.
- 19,244 square feet of usable open space dispersed through the site, comprised of a courtyard, dog park, pocket park and a plaza/garden.
- A 25-foot-wide zoning buffer with a 25-foot-wide landscaped buffer abutting single-family detached residential zoned properties.
- An underground stormwater facility beneath the dog park and a shared detention pond with the adjacent apartment development.
- Shared access, amenities, and trash compactor with the adjacent apartment development.

Zoning and Development Standards

The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Floor Area Ratio	Maximum 0.5	0.46	YES
Lot Width	Minimum 100’	>100’	YES
Building Height	Maximum 60 feet	<60’	YES
Open Space	Minimum 10% or 30,727 SF	11% or 32,869 SF	YES
Usable Open Space	Minimum 5% or 15,363 SF	6% or 19,244 SF	YES
Parking	Minimum 188 spaces Maximum 312 spaces	235 spaces	YES
EV Parking	Minimum 5 spaces	5 spaces	YES
Zoning Buffer	Minimum 50 feet	25 feet	No*

* The applicant is requesting a variance from this standard.

Variance Requests

The applicant is seeking variances from the following provisions of Title II of the UDO:

1. **Section 230-100.1 Zoning Buffer Requirements.**

   The applicant proposes to reduce the zoning buffer from 50 feet to 25 feet.

2. **Section 240-60.2 B. Pedestrian Circulation.**

   The applicant proposes not to provide 4-foot-wide sidewalks with 2-foot-wide grass strips along both sides of the primary driveways.

Public Participation

The applicant held a community meeting on June 10, 2025, at the Mason at Sugarloaf clubhouse in Lawrenceville. There were three community members in attendance, who raised questions regarding traffic and school impacts. The applicant responded to these concerns by referencing the traffic impact analysis and by stating that one- and two-bedroom apartments are less likely to house children than dwellings with three bedrooms or more. The public participation plan and report are shown in Exhibit H.

Internal and External Agency Review

Internal and external agency review comments are attached (Exhibit I). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities.

Staff Analysis

Rezoning Request Analysis: The standards governing the exercise of zoning power are outlined in Section 270-20.6 of the UDO. Staff makes the following findings related to the zoning requests:

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The subject property is surrounded by single-family detached residences, either within subdivisions or on large lots. The previously approved townhouses would provide a transition between the surrounding lower-density single-family detached residences and the higher-density apartments fronting Duluth Highway. The proposed rezoning would replace these townhouses with apartments, which is not suitable in view of the use and development of adjacent and nearby property.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.

The previously approved townhouse subdivisions at 7.66 units per acre would provide a transition between the apartments at 13.42 units per acre and surrounding single-family detached residences at approximately 2 units per acre. The proposed density at 17.72 units per acre is significantly higher than surrounding uses, and the proposal would adversely affect the existing use or usability of adjacent or nearby property.

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.

The property has a reasonable economic use as currently zoned.

D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

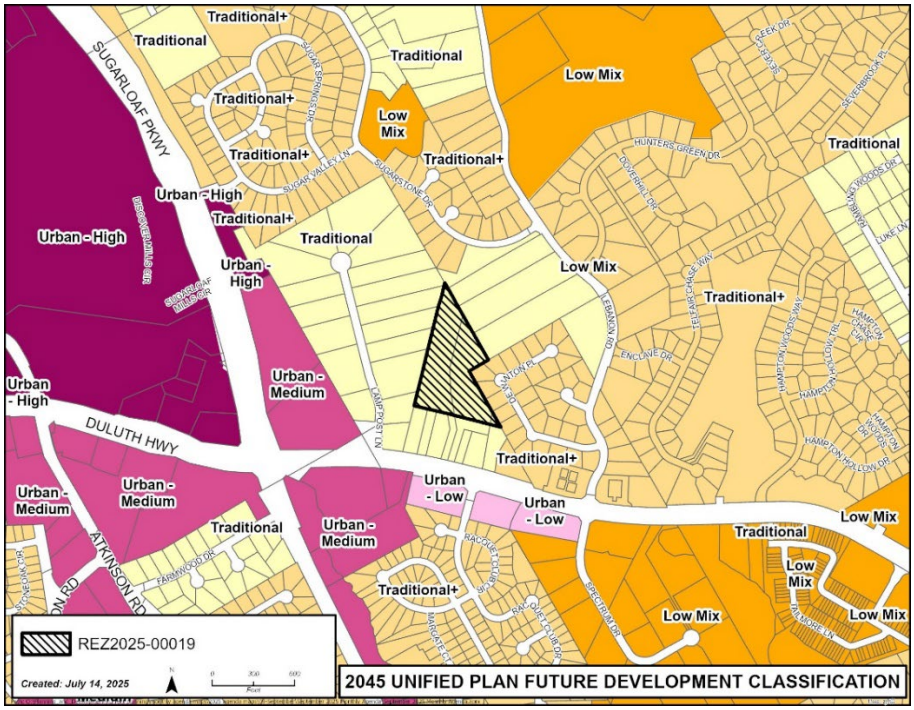
An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts could be mitigated with appropriate conditions, site development requirements, and planning. The traffic impact study (Exhibit G) estimates that the proposal would generate 62 morning and 74 evening peak hour trips. The

level of service would remain unchanged at nearby intersections. The study recommends a deceleration lane along Duluth Highway. An increased impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit I).

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

The Unified Plan's Future Development Map indicates “Neighborhood Traditional” for the subject property, which envisions low-density single-family residential development due to the lack of sewer access. Given the availability of sewer, the property could be considered "Neighborhood Traditional+", which envisions gentle density through smaller-footprint homes in predominantly single-family residential areas.

“Multifamily - Low Rise” is not an appropriate use and LRR is not a recommended zoning district for the "Neighborhood Traditional+" future development type. In addition, the proposal exceeds the target density of 7-8 dwelling units per acre for this type. In contrast, the previously approved townhouses for this site align with the use, zoning district, and density recommendations for the future development type. Therefore, the proposed rezoning is not in conformity with the policy and intent of the Unified Plan and Future Development Map.



F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning.

There are no other conditions giving support for approval or disapproval of the proposal.

Variance Requests Analysis: The standards for granting variances are outlined in Section 270-90.7 of the UDO. Staff makes the following findings related to the variance requests:

> The applicant proposes to reduce the zoning buffer from 50 feet to 25 feet, and to provide an additional 25-foot-wide landscaped buffer. In addition, the applicant proposes not to provide 4-foot-wide sidewalks with 2-foot-wide grass strips along both sides of primary driveways. The proposed landscaped buffer would remove mature vegetation that already provides ample screening for abutting residential uses. A landscaped buffer would have to grow over many years before it provides the same level of screening as the existing vegetation. Since there is not a transition between the proposed apartments and abutting single-family residences, the preservation of the undisturbed buffer is essential to meeting the intent of the UDO.
>
> The request not to provide sidewalks on the side of the driveways abutting buffers is reasonable because sidewalks are provided along the sides of the driveways closest to the buildings where they are most convenient. However, because the variances are associated with a zoning site plan that is being recommended for denial, staff also recommends denial of the variances.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **DENIAL** of the rezoning request.

In addition, staff recommends **DENIAL** of the following variances:

1. To reduce the zoning buffer from 50 feet to 25 feet.

2. To not provide 4-foot-wide sidewalks with 2-foot-wide grass strips along both sides of the primary driveways.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

In addition, the Planning Commission recommends **APPROVAL** of the following variance requests:

1. To reduce the zoning buffer from 50 feet to 25 feet.

2. To not provide 4-foot-wide sidewalks with 2-foot-wide grass strips along both sides of the primary driveways.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

Approval as LRR (Low-Rise Residential Multifamily District) for apartments, subject to the following conditions:

1. The development shall be limited to apartments not exceeding 13.42 units per acre.

2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan, dated received June 24, 2025, and Exhibit C: Elevations, dated received June 19, 2025, with revisions required by zoning conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.

3. Open space shall be provided in general conformance with Exhibit B: Site Plan dated received June 24, 2025, including, but not limited to, a courtyard, dog park, pocket park and a plaza/garden, subject to the review and approval of the Department of Planning and Development.

4. A **35-**~~25~~-foot-wide zoning buffer, a **15-**~~25~~-foot-wide landscaped buffer and a six-foot-tall privacy fence shall be provided along any external property lines abutting single-family detached residential zoned properties, subject to the review and approval of the Department of Planning and Development.

5. All grassed areas within usable open space shall be sodded.

Exhibits:

A. Site Visit Photos
B. Site Plan
C. Building Elevations
D. Letter of Intent and Applicant's Response to Standards
E. Application and Disclosure of Campaign Contributions
F. DWR Sewer Capacity Certification Letter
G. Traffic Impact Study
H. Public Participation Plan and Report
I. Internal and External Agency Review Comments
J. Zoning Resolution and Site Plan for RZM2022-00025
K. Maps

Exhibit A: Site Visit Photos



View from Duluth Highway of the portion zoned RM-13



View of existing residence on the subject property



View of abutting property in Longwood Estates to the west



View of abutting property in Telfair subdivision to the east



View of Duluth Highway near access to the subject property



View of nearby Mason at Sugarloaf apartments from Duluth Highway

Exhibit B: Site Plan

[attached]

GWINNETT COUNTY
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6.24.25

VICINITY MAP
SCALE: NTS

LEGEND:

CONCRETE SIDEWALK
ASPHALT PAVING
OPEN SPACE
NUMBER OF PARKING SPACES
SANITARY SEWER EASEMENT (APPROX)
ACCESS EASEMENT/DETENTION EASEMENT
CAR CHARGING STATION

STORMWATER MANAGEMENT NOTE

STORMWATER MANAGEMENT WILL BE PROVIDED THROUGH A COMBINATION OF PERMEABLE PAVERS, NEW UNDERGROUND DETENTION, AND USE OF THE SHARED DETENTION POND NEAR DULUTH HIGHWAY.

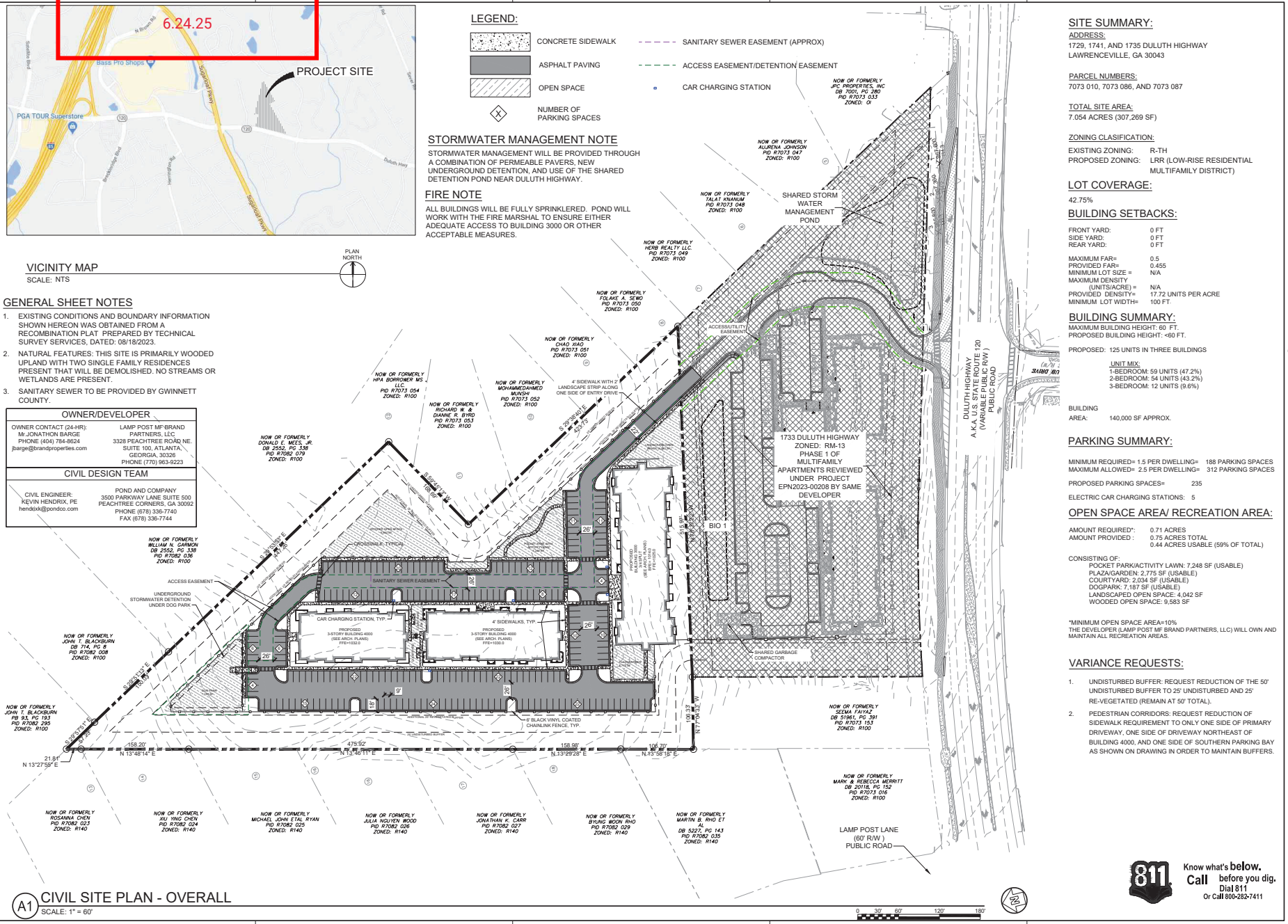
FIRE NOTE

ALL BUILDINGS WILL BE FULLY SPRINKLERED. POND WILL WORK WITH THE FIRE MARSHAL TO ENSURE EITHER ADEQUATE ACCESS TO BUILDING 3000 OR OTHER ACCEPTABLE MEASURES.

GENERAL SHEET NOTES

1. EXISTING CONDITIONS AND BOUNDARY INFORMATION SHOWN HEREON WAS OBTAINED FROM A RECOMBINATION PLAT PREPARED BY TECHNICAL SURVEY SERVICES, DATED: 08/18/2023.
2. NATURAL FEATURES: THIS SITE IS PRIMARILY WOODED UPLAND WITH TWO SINGLE FAMILY RESIDENCES PRESENT THAT WILL BE DEMOLISHED. NO STREAMS OR WETLANDS ARE PRESENT.
3. SANITARY SEWER TO BE PROVIDED BY GWINNETT COUNTY.

OWNER/DEVELOPER	
OWNER CONTACT (24-HR): Mr.JONATHON BARGE PHONE (404) 784-8624 jbarge@brandproperties.com	LAMP POST MF BRAND PARTNERS, LLC 3328 PEACHTREE ROAD NE. SUITE 100, ATLANTA, GEORGIA, 30326 PHONE (770) 963-9223
CIVIL DESIGN TEAM	
CIVIL ENGINEER: KEVIN HENDRIX, PE hendrixk@pondco.com	POND AND COMPANY 3500 PARKWAY LANE SUITE 500 PEACHTREE CORNERS, GA 30092 PHONE (678) 336-7740 FAX (678) 336-7744



A1 CIVIL SITE PLAN - OVERALL
SCALE: 1" = 60'

SITE SUMMARY:

ADDRESS:
1729, 1741, AND 1735 DULUTH HIGHWAY
LAWRENCEVILLE, GA 30043

PARCEL NUMBERS:
7073 010, 7073 086, AND 7073 087

TOTAL SITE AREA:
7.054 ACRES (307,269 SF)

ZONING CLASIFICATION:
EXISTING ZONING: R-TH
PROPOSED ZONING: LRR (LOW-RISE RESIDENTIAL MULTIFAMILY DISTRICT)

LOT COVERAGE:

42.75%

BUILDING SETBACKS:

FRONT YARD:	0 FT
SIDE YARD:	0 FT
REAR YARD:	0 FT
MAXIMUM FAR=	0.5
PROVIDED FAR=	0.455
MINIMUM LOT SIZE =	N/A
MAXIMUM DENSITY (UNITS/ACRE) =	N/A
PROVIDED DENSITY=	17.72 UNITS PER ACRE
MINIMUM LOT WIDTH=	100 FT.

BUILDING SUMMARY:

MAXIMUM BUILDING HEIGHT: 60 FT.
PROPOSED BUILDING HEIGHT: <60 FT.

PROPOSED: 125 UNITS IN THREE BUILDINGS

UNIT MIX:
1-BEDROOM: 59 UNITS (47.2%)
2-BEDROOM: 54 UNITS (43.2%)
3-BEDROOM: 12 UNITS (9.6%)

BUILDING AREA: 140,000 SF APPROX.

PARKING SUMMARY:

MINIMUM REQUIRED= 1.5 PER DWELLING= 188 PARKING SPACES
MAXIMUM ALLOWED= 2.5 PER DWELLING= 312 PARKING SPACES

PROPOSED PARKING SPACES= 235

ELECTRIC CAR CHARGING STATIONS: 5

OPEN SPACE AREA/ RECREATION AREA:

AMOUNT REQUIRED*: 0.71 ACRES
AMOUNT PROVIDED : 0.75 ACRES TOTAL
0.44 ACRES USABLE (59% OF TOTAL)

CONSISTING OF:
POCKET PARK/ACTIVITY LAWN: 7,248 SF (USABLE)
PLAZA/GARDEN: 2,775 SF (USABLE)
COURTYARD: 2,034 SF (USABLE)
DOGPARK: 7,187 SF (USABLE)
LANDSCAPED OPEN SPACE: 4,042 SF
WOODED OPEN SPACE: 9,583 SF

*MINIMUM OPEN SPACE AREA=10%
THE DEVELOPER (LAMP POST MF BRAND PARTNERS, LLC) WILL OWN AND MAINTAIN ALL RECREATION AREAS.

VARIANCE REQUESTS:

1. UNDISTURBED BUFFER: REQUEST REDUCTION OF THE 50' UNDISTURBED BUFFER TO 25' UNDISTURBED AND 25' RE-VEGETATED (REMAIN AT 50' TOTAL).
2. PEDESTRIAN CORRIDORS: REQUEST REDUCTION OF SIDEWALK REQUIREMENT TO ONLY ONE SIDE OF PRIMARY DRIVEWAY, ONE SIDE OF DRIVEWAY NORTHEAST OF BUILDING 4000, AND ONE SIDE OF SOUTHERN PARKING BAY AS SHOWN ON DRAWING IN ORDER TO MAINTAIN BUFFERS.

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POND
3500 Parkway Lane
Suite 500
Peachtree Corners
Georgia 30092

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DPR SEAL

CLIENT INFORMATION
BRAND Properties
3328 Peachtree Road NE
Suite 100, Atlanta,
Georgia 30326

PROJECT NAME
LAMP POST APARTMENTS PHASE 2

1735 DULUTH HWY
LAWRENCEVILLE, GA 30043
GWINNETT COUNTY, GEORGIA
LAND LOTS 73 & 82
7TH DISTRICT
PARCEL 7073-087

DRAWING ISSUE

MARK	COUNTY COMMENTS DESCRIPTION	DATE
		06/02/2025

DESIGNED BY:	WM
DRAWN BY:	ABC
CHECKED BY:	KDH
SUBMITTED BY:	KDH
DATE:	04/16/2025
PROJECT #	1220714

SHEET TITLE
REZONING SITE PLAN

SHEET NUMBER
RZ-100

ORIGINAL SHEET SIZE: 24" X 36"

FILE PATH: \\STARFIGHTER\PROJECTS\FY22\1220714\04.CAD_BIM\04.02.CAD\TOWNHOUSES - PHASE II\C3-101 - REZONING PLOTTED BY: HENDRIX, KEVIN DATE: 10/19/22

Exhibit C: Building Elevations

[attached]

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6.19.25

CLIENT

Brand Properties

PROJECT NAME

Duluth Highway

PRESENTATION DATE

06/17/25

JOB NUMBER

125008

MATERIAL COLOR LEGEND

BRICK MASONRY
COLOR: CHEROKEE MOSSTOWN

FIBER CEMENT LAP SIDING
COLOR: EARTHEN JUG

FIBER CEMENT BOARD & BATTEN STRIPS
COLOR: FELTED WOOL

FIBER CEMENT BOARD & BATTEN STRIPS
COLOR: BLACK FOX

FIBER CEMENT LAP SIDING
COLOR: REALIST BEIGE

FIBER CEMENT LAP SIDING
COLOR: IRON ORE

ELEVATIONS MEETS THE REQUIRED MINIMUM 50% MASONRY MATERIALS.



EAST ELEVATION - BUILDING 3000



WEST ELEVATION - BUILDING 3000

ELEVATIONS- P. 2 BLDG 3000

Presented by Silver Studio Architects

MATERIAL COLOR LEGEND

- BRICK MASONRY
  COLOR: CHEROKEE MOSSTOWN
- FIBER CEMENT LAP SIDING
  COLOR: EARTHEN JUG
- FIBER CEMENT BOARD & BATTEN STRIPS
  COLOR: FELTED WOOL
- FIBER CEMENT BOARD & BATTEN STRIPS
  COLOR: BLACK FOX
- FIBER CEMENT LAP SIDING
  COLOR: REALIST BEIGE
- FIBER CEMENT LAP SIDING
  COLOR: IRON ORE

ELEVATIONS MEETS THE REQUIRED MINIMUM 50% MASONRY MATERIALS.



SOUTH ELEVATION - BUILDING 3000



NORTH ELEVATION - BUILDING 3000

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ELEVATIONS- P.2 BLDG 3000

Presented by Silver Studio Architects

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6.19.25

CLIENT

Brand Properties

PROJECT NAME

Duluth Highway

PRESENTATION DATE

06/17/25

JOB NUMBER

125008

MATERIAL COLOR LEGEND

BRICK MASONRY
COLOR: CHEROKEE MOSSTOWN

FIBER CEMENT LAP SIDING
COLOR: EARTHEN JUG

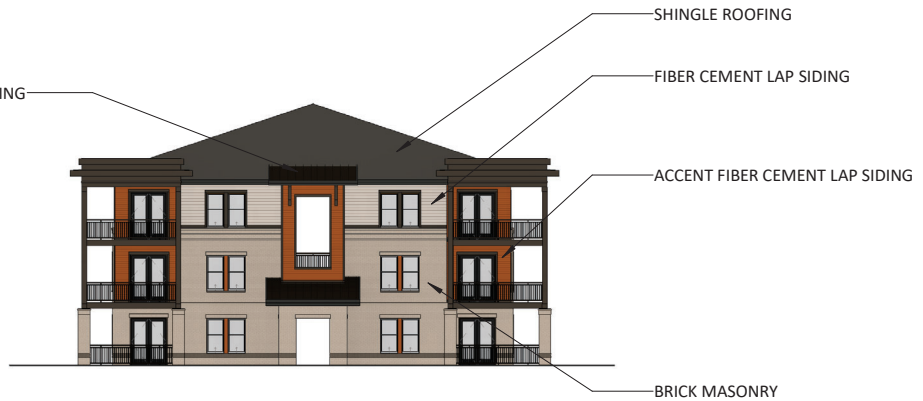
FIBER CEMENT BOARD & BATTEN STRIPS
COLOR: FELTED WOOL

FIBER CEMENT BOARD & BATTEN STRIPS
COLOR: BLACK FOX

FIBER CEMENT LAP SIDING
COLOR: REALIST BEIGE

FIBER CEMENT LAP SIDING
COLOR: IRON ORE

ELEVATIONS MEETS THE REQUIRED MINIMUM 50% MASONRY MATERIALS.



NORTH ELEVATION - BUILDING 4000



SOUTH ELEVATION - BUILDING 4000

ELEVATIONS- P. 2 BLDG 4000

Presented by Silver Studio Architects

MATERIAL COLOR LEGEND

- BRICK MASONRY
  COLOR: CHEROKEE MOSSTOWN
- FIBER CEMENT LAP SIDING
  COLOR: EARTHEN JUG
- FIBER CEMENT BOARD & BATTEN STRIPS
  COLOR: FELTED WOOL
- FIBER CEMENT BOARD & BATTEN STRIPS
  COLOR: BLACK FOX
- FIBER CEMENT LAP SIDING
  COLOR: REALIST BEIGE
- FIBER CEMENT LAP SIDING
  COLOR: IRON ORE

ELEVATIONS MEETS THE REQUIRED MINIMUM 50% MASONRY MATERIALS.



EAST ELEVATION - BUILDING 4000



WEST ELEVATION - BUILDING 4000

GWINNETT COUNTY
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ELEVATIONS- P. 2 BLDG 4000

Presented by Silver Studio Architects

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
6.19.25

CLIENT

Brand Properties

PROJECT NAME

Duluth Highway

PRESENTATION DATE

06/17/25

JOB NUMBER

125008

MATERIAL COLOR LEGEND

BRICK MASONRY
COLOR: CHEROKEE MOSSTOWN

FIBER CEMENT LAP SIDING
COLOR: EARTHEN JUG

FIBER CEMENT BOARD & BATTEN STRIPS
COLOR: FELTED WOOL

FIBER CEMENT BOARD & BATTEN STRIPS
COLOR: BLACK FOX

FIBER CEMENT LAP SIDING
COLOR: REALIST BEIGE

FIBER CEMENT LAP SIDING
COLOR: IRON ORE

ELEVATIONS MEETS THE REQUIRED MINIMUM 50% MASONRY MATERIALS.



NORTH ELEVATION - BUILDING 5000



SOUTH ELEVATION - BUILDING 5000

ELEVATIONS- P. 2 BLDG 5000

Presented by Silver Studio Architects

MATERIAL COLOR LEGEND

- BRICK MASONRY
  COLOR: CHEROKEE MOSSTOWN
- FIBER CEMENT LAP SIDING
  COLOR: EARTHEN JUG
- FIBER CEMENT BOARD & BATTEN STRIPS
  COLOR: FELTED WOOL
- FIBER CEMENT BOARD & BATTEN STRIPS
  COLOR: BLACK FOX
- FIBER CEMENT LAP SIDING
  COLOR: REALIST BEIGE
- FIBER CEMENT LAP SIDING
  COLOR: IRON ORE

ELEVATIONS MEETS THE REQUIRED MINIMUM 50% MASONRY MATERIALS.



EAST ELEVATION - BUILDING 5000



WEST ELEVATION - BUILDING 5000

GWINNETT COUNTY
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6.19.25

ELEVATIONS- P.2 BLDG 5000

Presented by Silver Studio Architects

Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

June 19, 2025

REVISED
LETTER OF INTENT AND JUSTIFICATION FOR REZONING

Rezoning Application
Gwinnett County, Georgia

Applicant:
Brand Properties, LLC

Property:
Tax Parcel IDs
R7073 086, R7073 087, R7073 010 (portions only)
±7.054 Acres of Land (Tract 2)
Located at 1729, 1735, and 1741 Duluth Highway
Lawrenceville, Georgia 30043
From R-TH to LRR

Submitted for Applicant by:
Melody A. Glouton, Esq.
ANDERSEN TATE & CARR, P.C.
One Sugarloaf Centre
1960 Satellite Blvd.
Suite 4000
Duluth, Georgia 30097
770.822.0900
mglouton@atclawfirm.com

I. INTRODUCTION

This Application for Rezoning is submitted for 7.054-acre parcel of land located in Land Lots 73 and 82 of the 7th District of Gwinnett County, Georgia, and generally known as 1729, 1735, and 1741 Duluth Highway (hereinafter the "Property"). The Property is an assemblage of a portion of three (3) parcels currently developed with several single-family residential homes and accessory structures on the site. The Property is shown on the survey prepared by Technical Survey Services dated May 4, 2022, and filed with this Application. The Property that is the subject of these rezoning applications is further identified as shown below from the Gwinnett County GIS:



The Property is currently zoned R-TH (Single Family Townhouse District) pursuant to the Gwinnett County Unified Development Ordinance (the "UDO") and RZM2022-00025. The Applicant, Brand Properties, LLC (the "Applicant") now seeks approval to rezone the Property to LRR (Low-Rise Residential Multifamily District) to develop a distinctive and attractive multifamily residential community with 125 units.

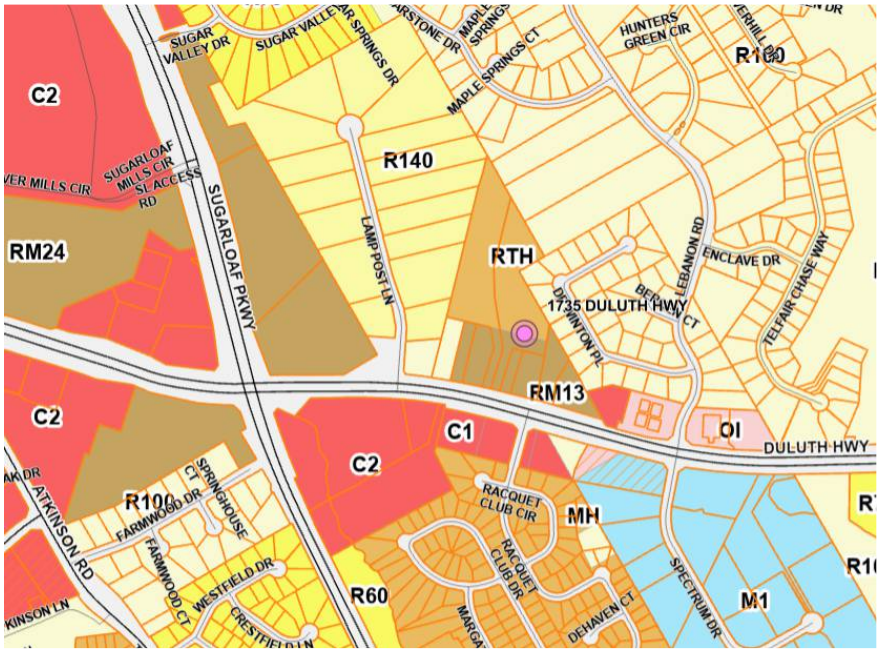
This document is submitted as the Letter of Intent, Response to Standards Governing the Exercise of Zoning Power, and other materials required by the Gwinnett County UDO.

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The subject Property is a 7.054-acre assemblage of three parcels. The site includes several residential structures and accessory buildings. The property immediately adjacent to the site is zoned RM-13 and currently under development by the same Applicant pursuant to RZM2022-00024. The Property is located on the north side of Duluth Highway east of its intersection with Sugarloaf Parkway. The Property is adjacent to multifamily, offices, and

single-family residences. Across Duluth Highway is a convenience store with fuel pumps. West of the site is an apartment complex, including the heavily commercialized Sugarloaf Mills area which includes service and retail businesses, fast food restaurants, apartments, drug stores, and financial institutions.

Below is a map of the surrounding zoning classifications:



The proposed multifamily buildings would include attractive architectural designs and building materials as set forth in the enclosed elevations, thereby preserving the aesthetics of the proposed development and enhancing the residents' experience. The residents would also have convenient access to Duluth Highway, Sugarloaf Parkway, and Interstate 85.

III. PROJECT SUMMARY

As shown on the overall site plan prepared by Pond dated April 16, 2025, and filed with this Application (hereinafter the "Site Plan"), the Applicant proposes to develop the Property into a multifamily development with 125 units. The Applicant is proposing to rezone 7.054 acres from R-TH to LRR. The proposed multifamily development would provide attractive, high-end residences with access to the shared amenities including, courtyard and park area, a two-story clubhouse, pool and outdoor patio space. The proposed multifamily community would include a mixture of one, two, and three-bedroom units, with residences ranging in size from 800 to 1,350 square feet. The proposed elevations of the multifamily development are filed with this Application. The Applicant submits the multifamily development will be compatible with the surrounding uses and will blend harmoniously into the area. The Property is currently approved for the development of 54 townhomes, within eleven (11) three-story buildings. Key distinctions between the current zoning of R-TH and requested zoning of LRR include the following:

- Building height remains the same with 3-story buildings proposed;

- Perimeter Buffer area adjacent to residentially zoned properties has been increased from 35 feet to 50 feet (proposed 25-feet undisturbed/25-feet graded and replanted);
- Distance from Buildings to property lines has increased from 85 feet to 123 feet
- Overall bedroom count has been reduced from 216 rooms to 203 rooms
- Overall building square footage has been reduced from 194,000 SF to 134,000 SF

In order to develop the property as reflected on the proposed site plan, the Applicant respectfully requests approval of the following variances (also noted on the site plan):

- Sec. 230-100.1 and Table 230.2 (Zoning Buffers): A 50-foot undisturbed buffer is required for multifamily residential adjacent to single-family detached residential. The Applicant is not requesting to reduce the buffer. Rather, the Applicant is requesting permission to grade and replant the 25-foot portion of the buffer immediately adjacent to the development due to significant site constraints. The exterior 25-foot portion of the buffer will remain undisturbed. The new proposal will actually provide more buffer than the previously approved townhome development, which only anticipated a 35-foot buffer.
- Sec. 240-60.2.B (Pedestrian Circulation): Pedestrian corridors shall include 4-foot wide sidewalks with 2-foot grassed strips along both sides of primary driveways. The Applicant is requesting to eliminate this requirement at the main entrance due to setback site constraints.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application to rezone the Property from R-TH to LRR be approved. The Applicant welcomes the opportunity to meet with the Gwinnett County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 19th day of June, 2025.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/ag

4908-3465-9919, v. 1

RESPONSES TO STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

Pursuant to requirements of the United Development Ordinance, the Board of Commissioners finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Yes, approval of the proposed Rezoning Application will permit a use that is suitable in view of the current surrounding uses and development of adjacent and nearby properties. The Property is located on Duluth Highway in Lawrenceville near the intersection of Duluth Highway (120) and Sugarloaf Parkway. The Property is adjacent to other multifamily developments, as well as intense, large-scale commercial developments.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:

No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. The proposed zoning classification of LRR (low rise residential) is compatible with both existing residential and commercial uses of adjacent property. The proposed development would complement existing commercial and employment centers.

C. Whether the property to be affected by a proposed rezoning has reasonable economic use as currently zoned:

The Applicant submits that the Subject Property does not have a reasonable economic use as currently zoned. By way of further response, the Applicant submits the rezoning of the Property would allow the property to be developed into a more viable and compatible use with surrounding properties.

D. Whether the proposed rezoning will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Duluth Highway, Sugarloaf Parkway, and Interstate 85. Access to the proposed site is via one entrance onto Duluth Highway. The proposed development would complement the existing multifamily development adjacent to the site. More importantly, the development would provide the necessary residential critical mass to support the existing commercial uses.

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map:

The proposed rezoning application is in conformity with the existing development of the area. While the Gwinnett County 2045 Unified Plan identifies the property as being located in the "Traditional" future development area, such designation is entirely inconsistent with existing and previously approved developments. Specifically, the site immediately adjacent is under development as RM-13 by the same Applicant. As such, rezoning the property to LRR would match the zoning of Phase 1. The property is uniquely situated among Urban-Medium, Urban-Low, and Traditional+ character areas.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning:

The Applicant submits that the character of the surrounding development and the existing mix of uses in the area provide supporting reasons for approval of the rezoning application. Anticipated growth in Gwinnett County based on the Comprehensive Plan suggests a strong need for this type of housing. In addition, the Applicant submits that the subject Property's location, size, and dimensions, as well as its proximity to Sugarloaf Parkway and Interstate 85 provide further support for approval of the proposed rezoning applications.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

REZONING APPLICATION

Please complete this application to amend the official zoning map of Gwinnett County and attach a letter of intent explaining what is proposed.

Applicant Information	Property Owner Information
Name: Brand Properties, LLC c/o Andersen Tate & Carr	Name: Lamp Post MF Brand Properties LLC
Address: 1960 Satellite Blvd., Suite 4000	Address: 2827 Peachtree Road, NE, Suite 600
City: Duluth	City: Atlanta
State: GA Zip code: 30097	State: GA Zip code: 30305
Phone: 770-822-0900	Phone: 404-784-8624
Email: mglouton@atclawfirm.com	Email: jbarge@brandproperties.com

Contact person: Melody A. Glouton Phone: 770-822-0900

Contact's email: mglouton@atclawfirm.com

Applicant is the

☐ Owner's agent ☒ Property owner ☐ Contract purchaser

Present zoning district(s): R-TH Requested zoning district: LRR

Parcel number(s): R7073 083, R7073 087 & R7073 010 Acreage: 7.054

Address of property: 1729, 1735, and 1741 Duluth Hwy, Lawrenceville, GA 30043

Proposed development: low-rise residential multifamily

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: 125	No. of Buildings/Lots:
Dwelling Unit Size (Sq. Ft.): 800-1,350 SF	Total Building Sq. Ft.
Gross Density: 17.72	Density:
Net Density: 17.72	

Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon in less than six (6) months from the date of last action by the Board of Commissioners.

Property Owner

Name: JONATHAN BARGE

Signature: [signature]

Date: 5.5.25

Notary Public

Name: Mary Katherine Barnes

Signature: [signature]

Date: 5/5/2025

MARY KATHERINE BARNES
NOTARY PUBLIC
FULTON COUNTY, GEORGIA

commission expires: 06/03/2025

Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

PROPERTY TAX VERIFICATION

The undersigned certifies that all Gwinnett County property taxes are current. In no such case shall an application or reapplication be processed without such property tax verification.

Applicant Information

BRAND PROPERTIES, LLC

Name: MELODY A. GLOUTON, ATTORNEY FOR APPLICANT

Signature: Melody A. Glouton **Date:** May 2, 2025

Property Information

Enter all parcel IDs in the table below. Search for Parcel ID

Parcel ID(s) (by Applicant)	**Property Taxes Paid (Yes or No)** (Tax Commissioner Use Only)
R7073 010	Yes
R7073 086	Yes
R7073 087	Yes

Tax Commissioner Affirmation

All Gwinnett County property taxes are current for the above referenced parcel(s) and confirmed by the signature below.

Name: Binh Tran **Title:** TSA

Signature: N. Pham **Date:** 5-2-2025

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Disclosure of campaign contributions aggregating to $250.00 or more to a member of the Board of Commissioners is required pursuant to Section 270-25.E. of the Unified Development Ordinance.

Name: Brand Properties, LLC

Relationship to Application: (●) **Applicant** ( ) **Representative of Applicant**

Campaign Contributions? (●) **Yes** ( ) **No**

Contributions:

Official Name	Contribution Amount	Date of Contribution	Contributor
Nicole Love Hendrickson	$10,230	5/6/24; 10/2/24	Brand Properties, LLC
Kirkland Carden	$3,100	10/26/23	Brand Properties, LLC
Matthew Holtkamp	$3,500	10/13/23	Brand Properties, LLC
Ben Ku	$3,600	5/8/25	Brand Properties, LLC

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Disclosure of campaign contributions aggregating to $250.00 or more to a member of the Board of Commissioners is required pursuant to Section 270-25.E. of the Unified Development Ordinance.

Name: Andersen Tate & Carr

Relationship to Application (Applicant or Representative of Applicant): Applicant

Campaign Contributions? Yes

Contributions:

Official Name	Contribution Amount	Date of Contribution	Contributor
Nicole Love Hendrickson	$1,500.00	3/3/2023	Andersen Tate & Carr
Nicole Love Hendrickson	$1,000.00	6/7/2023	Andersen Tate & Carr
Nicole Love Hendrickson	$800.00	10/5/2023	Andersen Tate & Carr
Kirkland Carden	$2,000.00	7/17/2023	Andersen Tate & Carr
Kirkland Carden	$800.00	2/5/2024	Andersen Tate & Carr
Matthew Holtkamp	$2,500.00	9/15/2023	Andersen Tate & Carr
Matthew Holtkamp	$800.00	1/24/2024	Andersen Tate & Carr

Exhibit F: DWR Sewer Capacity Certification Letter

[attached]

GWINNETT COUNTY
DEPARTMENT OF WATER RESOURCES
684 Winder Highway | Lawrenceville, GA 30045-5012
678.376.6700
www.gwinnettcounty.com | www.gwinnetth2o.com

☒ **APPROVED**
☐ **DENIED**
☐ **CONDITIONALLY APPROVED**
Sewer Capacity Request #**C2025-087-04**
Expiration Date: 04/11/2026
P&D Number: EPN2023-00208
Tie-In Manhole FID: **214092**

April 11, 2025

Jonathan Barge
Brand Properties
2827 Peachtree Rd. NE, Suite 600
Atlanta, GA. 30305

RE: Sewer Availability for Proposed Development – Duluth Highway Apartments (FKA Lamp Post Apartments
Parcel ID 7073 086, 7073 087, 7073 165, 7073 157, 7073 155, 7073 001, 7073 010, 7073 002

Dear Mr. Barge:

This letter supersedes the earlier Sewer Capacity Certification C2023-112-05 dated May 16, 2023.

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of 197 apartments (93 one-bedroom, 92 two-bedroom, 12 three-bedroom), a 5,325-sf clubhouse, and a 70-swimmer pool on the above parcels and determined:

Gwinnett County has adequate sewer capacity to serve the proposed development.

This confirmation is based on your anticipated annual average daily flow of **19.1 gpm** discharging to the sewer tie-in manhole at Facility ID **214092**.

Capacity Allocation: Sewer capacities are allocated only upon the issuance of a Development Permit, by Gwinnett County Planning & Development and after all applicable conditions established in this Sewer Capacity Certification, if any, are met.

Certification Expiration: The Sewer Capacity Certification is valid for 12 months from the date of this letter. If rezoning is approved, GCDWR will issue a revised Sewer Capacity Certification based on the approved units, as needed. The capacity request can be renewed for an additional 12 months. If a Development Permit has not been obtained by the expiration date above the developer may apply for renewal by providing evidence of active rezoning, plan review, or permitting efforts.

Once the Sewer Capacity Certification expires, the capacity is no longer allocated, and a new Sewer Capacity Certification request must be submitted for re-evaluation with no guarantee of

available capacity. The evaluation will be based on the updated conditions of the sewer system.

Certification Invalidation: This certification is not valid if there are proposed changes to your development that could impact downstream sewer capacity (e.g. land use density, sewer tie-in manhole, parcel changes, and/or rezoning). In this case the development must resubmit for a new Sewer Capacity Request with updated information prior to the expiration of the previous one.

Please contact us at 678-376-7026 if you have any questions.

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

D Taylor

Della Taylor, PE
Division Director, Infrastructure Support
678.376.2130

C: Gwinnett County DWR – Lorraine Campagne, Section Manager; Raghu Vemuru, Engineer V; Mikala Weston, Engineer III
Gwinnett County P&D – Charli Young, Planning Manager; Geniva Sylvain, Engineer I; Christina Dejarnette, Engineer I; Wendell Tumale Engineer III

Exhibit G: Traffic Impact Study

[attached]

TRAFFIC IMPACT STUDY
FOR
PROPOSED RESIDENTIAL DEVELOPMENT ON
SR 120 (DULUTH HIGHWAY)

GWINNETT COUNTY, GEORGIA



Prepared for:

Brand Properties
3328 Peachtree Road, NE, Suite 100
Atlanta, GA 30326

Prepared By:

A&R Engineering Inc.
2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.areng.com

April 08, 2025
A & R Project # 25-056

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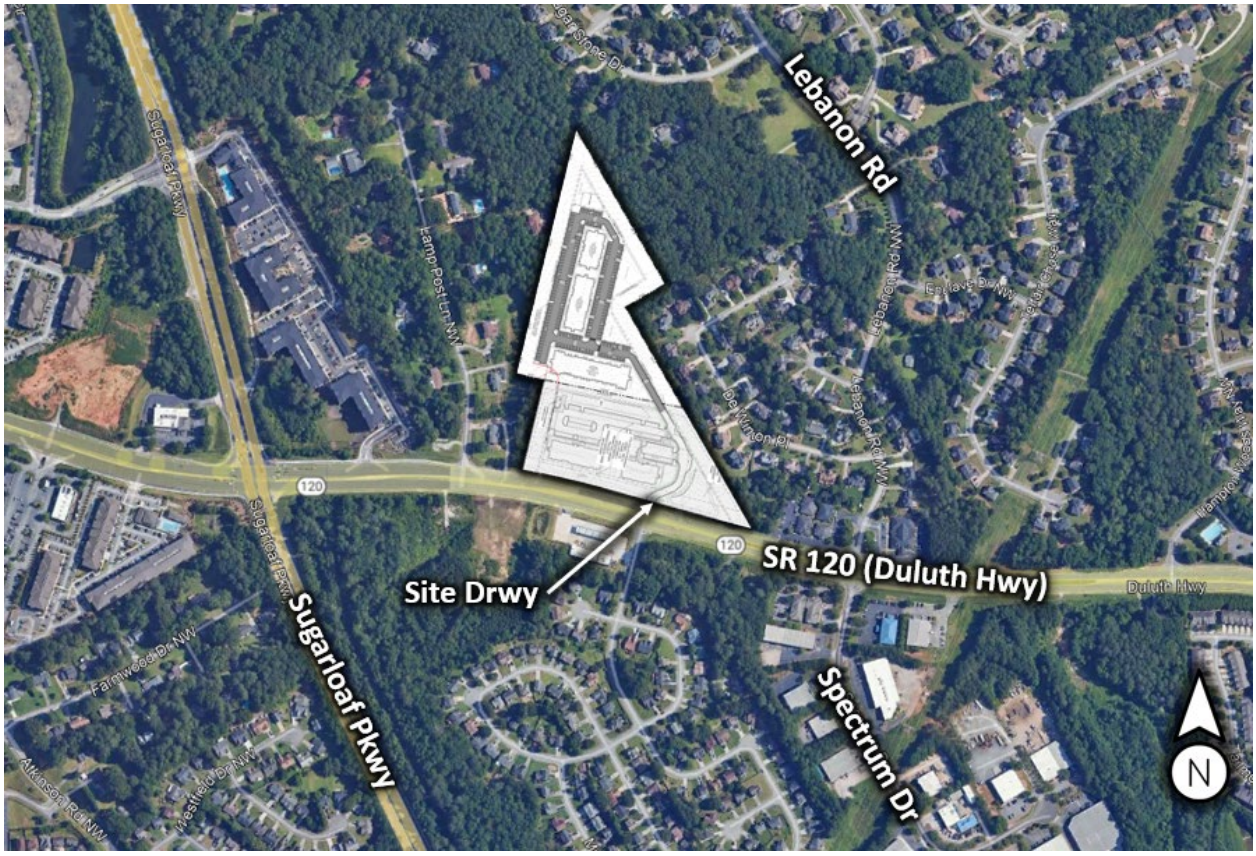
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1.0 INTRODUCTION

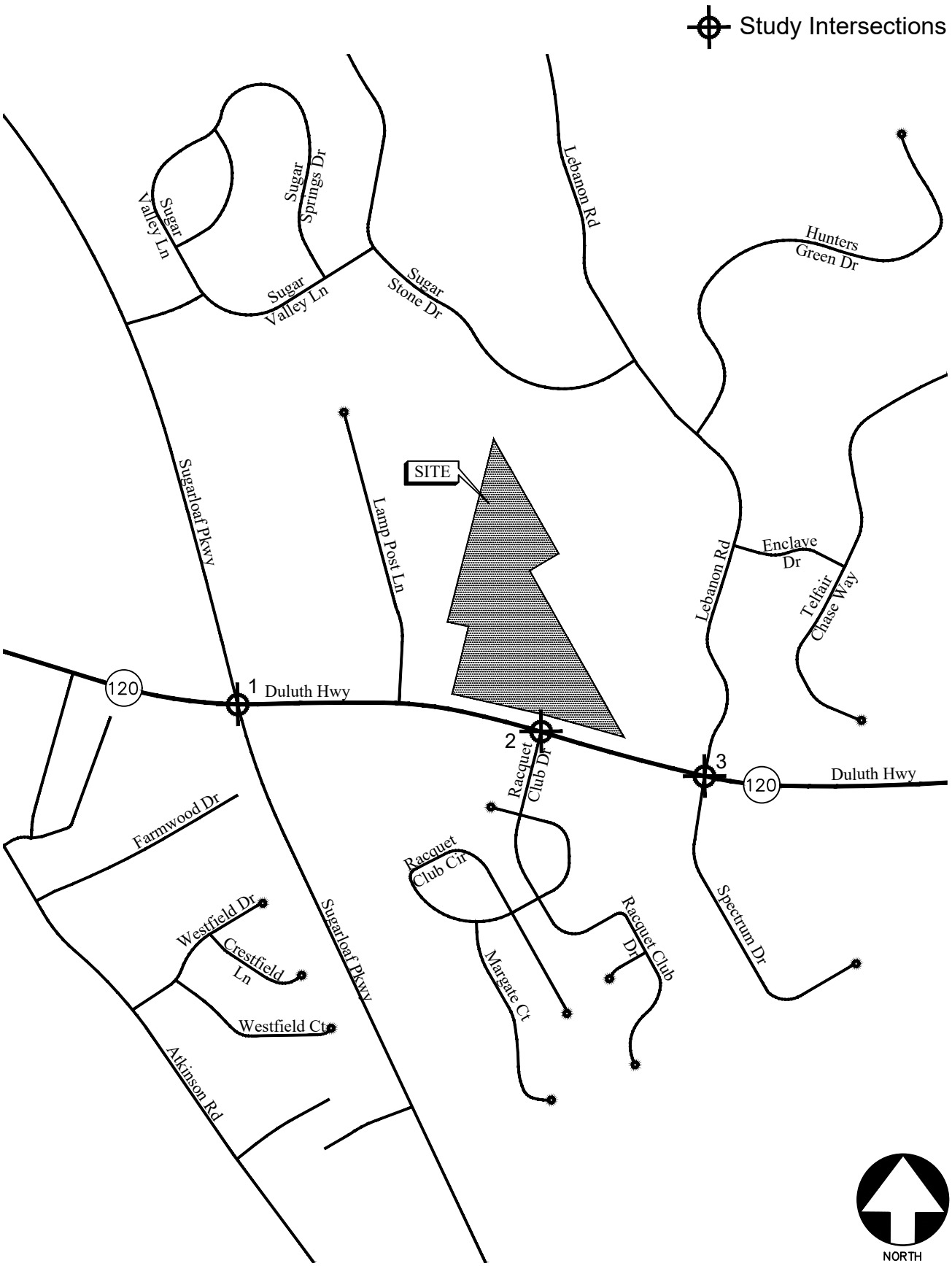
The purpose of this study is to determine the traffic impact from the proposed residential development that will be located on SR 120 (Duluth Highway) in Gwinnett County, Georgia. The traffic analysis includes evaluation of the current operations and future conditions with the traffic generated by the development. The proposed development will consist of 125 units of multifamily (low-rise) and 72 units of multifamily (mid-rise) apartments and proposes a full-access driveway on SR 120 (Duluth Highway), aligned with Racquet Club Drive.



The AM and PM peak hours have been analyzed in this study. In addition to the site access points, this study includes the evaluation of traffic operations at the intersections of:

1. SR 120 (Duluth Highway) at Sugarloaf Parkway
2. SR 120 (Duluth Highway) at Racquet Club Drive
3. SR 120 (Duluth Highway) at Lebanon Road/Spectrum Drive

Recommendations to improve traffic operations have been identified as appropriate and are discussed in detail in the following sections of the report. The location of the development and the surrounding roadway network is shown in Figure 1.



LOCATION MAP FIGURE 1

A&R Engineering Inc.

2.0 EXISTING FACILITIES / CONDITIONS

2.1 Roadway Facilities

The following is a brief description of each of the roadway facilities located in proximity to the site:

2.1.1 SR 120 (Duluth Highway)

SR 120 (Duluth Highway) is an east-west, four-lane median-divided roadway with posted speed limit of 45 mph in the vicinity of the site. Georgia Department of Transportation (GDOT) traffic counts (Station ID: 135-0165) indicate that the daily traffic volume on SR 120 (Duluth Highway) in 2023 was 25,200 vehicles per day, east of Sugarloaf Parkway. As per Gwinnett County Long Range Road classification map, SR 120 (Duluth Highway) is classified as a major arterial roadway.

2.1.2 Sugarloaf Parkway

Sugarloaf Parkway is a north-south, four-lane median-divided roadway with posted speed limit of 45 mph in the vicinity of the site. Georgia Department of Transportation (GDOT) traffic counts (Station ID: 135-6750) indicate that the daily traffic volume on Sugarloaf Parkway in 2023 was 37,200 vehicles per day, southeast of North Brown Road. As per Gwinnett County Long Range Road classification map, Sugarloaf Parkway is classified as a principal arterial roadway.

2.1.3 Racquet Club Drive

Racquet Club Drive is a north-south, two-lane, undivided roadway with a posted speed limit of 25 mph in the vicinity of the site.

2.1.4 Spectrum Drive

Spectrum Drive is a north-south, two-lane, undivided roadway with a posted speed limit of 35 mph in the vicinity of the site.

2.1.1 Lebanon Road

Lebanon Road is a north-south, two-lane, undivided roadway with a posted speed limit of 25 mph in the vicinity of the site.

3.0 STUDY METHODOLOGY

In this study, the methodology used for evaluating traffic operations at each of the subject intersections is based on the criteria set forth in the Transportation Research Board's Highway Capacity Manual, 6th edition (HCM 6). Synchro software, which utilizes the HCM methodology, was used for the analysis. The following is a description of the methodology employed for the analysis of unsignalized and signalized intersections.

3.1 Unsignalized Intersections

For unsignalized intersections controlled by a stop sign on minor streets, the level-of-service (LOS) for motor vehicles with controlled movements is determined by the computed control delay according to the thresholds stated in Table 1 below. LOS is determined for each minor street movement (or shared movement), as well as major street left turns. LOS is not defined for the intersection as a whole or for major street approaches. The LOS of any controlled movement which experiences a volume to capacity ratio greater than 1 is designated as "F" regardless of the control delay.

Control delay for unsignalized intersections includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Several factors affect the control delay for unsignalized intersections, such as the availability and distribution of gaps in the conflicting traffic stream, critical gaps, and follow-up time for a vehicle in the queue.

Level-of-service is assigned a letter designation from "A" through "F". Level-of-service "A" indicates excellent operations with little delay to motorists, while level-of-service "F" exists when there are insufficient gaps of acceptable size to allow vehicles on the side street to cross the main road without experiencing long delays.

TABLE 1 – LEVEL-OF-SERVICE CRITERIA FOR UNSIGNALIZED INTERSECTIONS

Control Delay (sec/vehicle)	LOS by Volume-to-Capacity Ratio*	
	v/c ≤ 1.0	**v/c > 1.0**
≤ 10	A	F
> 10 and ≤ 15	B	F
> 15 and ≤ 25	C	F
> 25 and ≤ 35	D	F
> 35 and ≤ 50	E	F
> 50	F	F

*The LOS criteria apply to each lane on a given approach and to each approach on the minor street. LOS is not calculated for major-street approaches or for the intersection.

Source: Highway Capacity Manual, 6th edition, Exhibit 20-2 *LOS Criteria: Motorized Vehicle Mode*

3.2 Signalized Intersections

According to HCM procedures, LOS can be calculated for the entire intersection, each intersection approach, and each lane group. HCM uses control delay alone to characterize LOS for the entire intersection or an approach. Control delay per vehicle is composed of initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Both control delay and volume-to-capacity ratio are used to characterize LOS for a lane group. A volume-to-capacity ratio greater than 1.0 for a lane group indicates failure from capacity perspective. Therefore, such a lane group is assigned LOS F regardless of the amount of control delay.

Table 2 below summarizes the LOS criteria from HCM for motorized vehicles at signalized intersection.

TABLE 2 – LEVEL-OF-SERVICE CRITERIA FOR SIGNALIZED INTERSECTIONS

Control Delay (sec/vehicle) *	LOS for Lane Group by Volume-to-Capacity Ratio*	
	v/c ≤ 1.0	**v/c > 1.0**
≤ 10	A	F
> 10 and ≤ 20	B	F
> 20 and ≤ 35	C	F
> 35 and ≤ 55	D	F
> 55 and ≤ 80	E	F
> 80	F	F

*For approach-based and intersection wide assessments, LOS is defined solely by control delay

Source: Highway Capacity Manual, 6th edition, Exhibit 19-8 *LOS Criteria: Motorized Vehicle Mode*

LOS A is typically assigned when the volume-to-capacity (v/c) ratio is low and either progression is exceptionally favorable, or the cycle length is very short. LOS B is typically assigned when the v/c ratio is low and either progression is highly favorable, or the cycle length is short. However, more vehicles are stopped than with LOS A. LOS C is typically assigned when progression is favorable, or the cycle length is moderate. Individual *cycle failures* (one or more queued vehicles are not able to depart because of insufficient capacity during the cycle) may begin to appear at this level. Many vehicles still pass through the intersection without stopping, but the number of vehicles stopping is significant. LOS D is typically assigned when the v/c ratio is high and either progression is ineffective, or the cycle length is long. There are many vehicle-stops and individual cycle failures are noticeable. LOS E is typically assigned when the v/c ratio is high, progression is very poor, the cycle length is long, and individual cycle failures are frequent. LOS F is typically assigned when the v/c ratio is very high, progression is very poor, the cycle length is long, and most cycles fail to clear the queue.

.

4.0 Additional Information – Gwinnett County Level 2 Traffic Impact Study

The following sections have been included per Gwinnett County's Traffic Impact Study Guidelines (updated June 30, 2023) to meet the requirements of a Level 2 traffic study. Additional information regarding access management/spacing, intersection sight distance, or connectivity and circulation should be requested from the civil site engineer.

4.1 Future ADT Volumes

As shown in section 2 (Page 3), the roads within the study network with recorded ADT volumes are SR 120 (Duluth Highway) and Sugarloaf Parkway. The daily traffic volume on SR 120 (Duluth Highway) in 2023 was 25,200 vehicles per day, east of Sugarloaf Parkway. Based on the proposed site traffic generation/distribution, it is estimated that the ADT on SR 120 (Duluth Highway) would be approximately 26,560 vehicles per day following the completion of the development in 2027. The daily traffic volume on Sugarloaf Parkway in 2023 was 37,200 vehicles per day, southeast of North Brown Road. Based on the proposed site traffic generation/distribution, it is estimated that the ADT on Sugarloaf Parkway would be approximately 38,923 vehicles per day following the completion of the development in 2027. Given how these estimated increased also factor in an assumed yearly growth rate of 1% from 2025 to 2027, it can be concluded that the impact of the proposed site on the ADTs for these two roadways within the study network will be minimal.

4.2 Truck Volumes and Circulation

Since the proposed site will be residential, it is not expected to have any notable impact on truck volumes/circulation in the study network.

4.3 Summary of Existing Pedestrian and Bicycle Facilities and Connectivity

There are sidewalks along both sides of SR 120 (Duluth Highway) and Sugarloaf Parkway, as well as a crosswalk on SR 120 (Duluth Highway) at its intersection with Sugarloaf Parkway. This study does not include any recommendations for new pedestrian and/or bicycle facilities within or near the study network. Any additional information regarding planned pedestrian and/or bicycle facilities within the proposed residential development itself should be requested from the civil site engineer.

4.4 Existing Transit Routes and Stops/Proposed Transit Routes

None of Gwinnett County's current transit routes or stops are located near the study network. No transit routes have been proposed to service this development in the future.

4.5 Traffic Operation Analysis Requirements

A detailed description of the study methodology is available in section 3 on page 4-5. A description of the site trip generation and distribution estimations is available on page 14. Descriptions of the methodology for the future “no-build” and “build” traffic volume projections are available on page 16.

4.6 Future Identified Projects (i.e., GCCTP, GDOT, SPLOST)

There are no planned/scheduled GDOT/Gwinnet County projects that will be completed within the study network or that will have an impact on the study network.

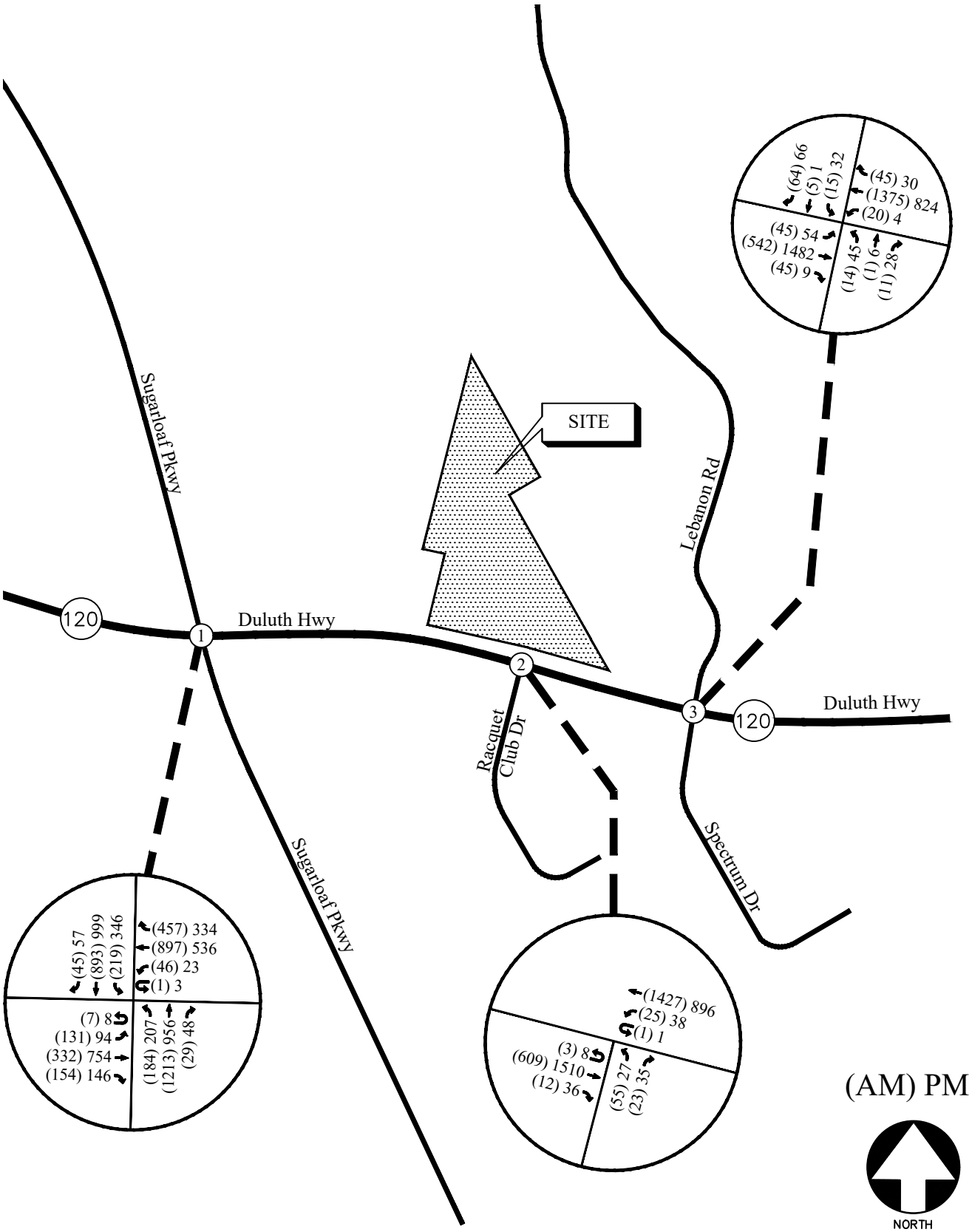
5.0 EXISTING 2025 TRAFFIC ANALYSIS

5.1 Existing Traffic Volumes

Existing traffic counts were obtained at the following study intersections:

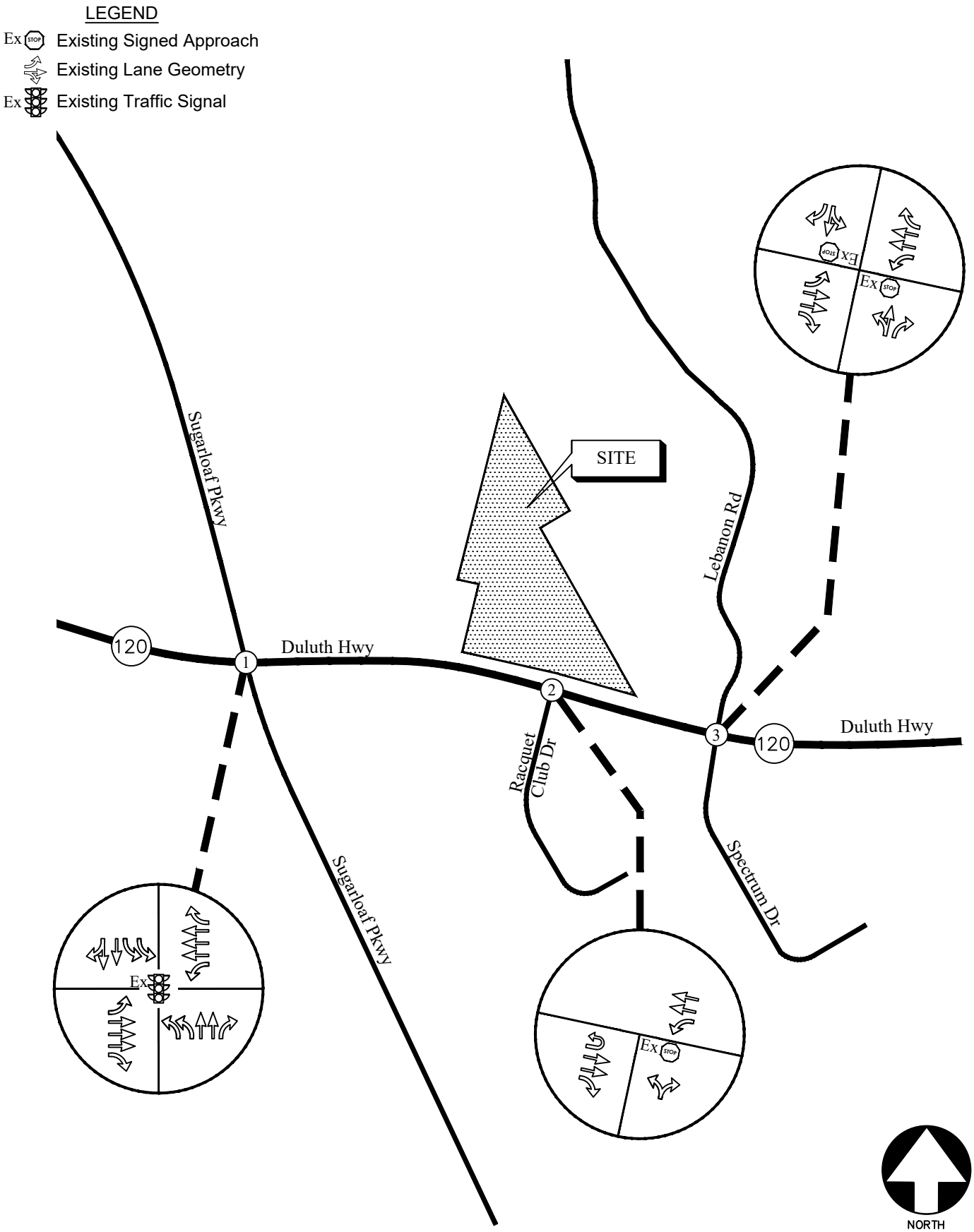
1. SR 120 (Duluth Highway) at Sugarloaf Parkway
2. SR 120 (Duluth Highway) at Racquet Club Drive
3. SR 120 (Duluth Highway) at Lebanon Road/Spectrum Drive

Turning movement counts were collected on Tuesday, April 01, 2025. All turning movement counts were recorded during the AM and PM peak hours between 7:00am to 9:00am and 4:00pm to 6:00pm, respectively. The four consecutive 15-minute interval volumes that summed to produce the highest volume at the intersections were then determined. These volumes make up the peak hour traffic volumes for the intersections counted and are shown in Figure 2. The existing traffic control and lane geometry for the intersections are shown in Figure 3.



EXISTING WEEKDAY PEAK-HOUR VOLUMES FIGURE 2

A&R Engineering Inc.



EXISTING TRAFFIC CONTROL AND LANE GEOMETRY FIGURE 3

A&R Engineering Inc.

5.2 Existing Traffic Operations

Existing 2025 traffic operations were analyzed at the study intersections in accordance with the HCM methodology. The results of the analyses are shown in Table 3.

TABLE 3 – EXISTING INTERSECTION OPERATIONS

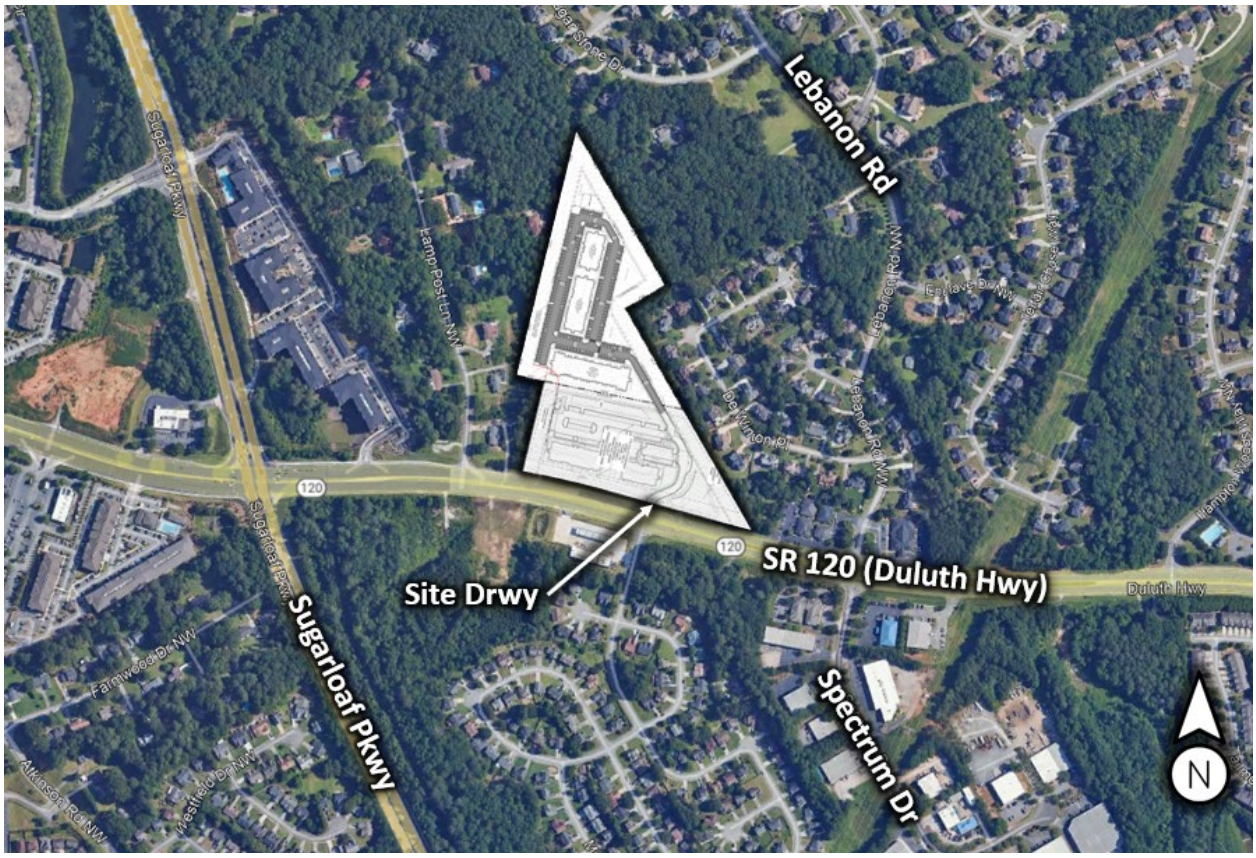
	Intersection	Traffic Control	LOS (Delay)	
			AM Peak Hour	PM Peak Hour
1	**SR 120 (Duluth Hwy) @ Sugarloaf Pkwy**	Signalized	**E (55.6)**	**D (48.5)**
	-Eastbound Approach		D (50.5)	D (49.6)
	-Westbound Approach		E (63.3)	E (61.4)
	-Northbound Approach		E (56.8)	D (43.6)
	-Southbound Approach		D (47.0)	D (43.3)
2	**SR 120 (Duluth Hwy) @ Racquet Club Dr**	Stop Controlled on NB approach		
	-Eastbound U-Turn		D (31.5)	C (15.7)
	-Westbound Left		A (9.2)	C (16.1)
	-Northbound Approach		F (70.2)	F (244.4)
3	**SR 120 (Duluth Hwy) @ Lebanon Rd / Spectrum Dr**	Stop Controlled on NB & SB approaches		
	-Eastbound Left		B (14.4)	B (10.4)
	-Westbound Left		A (8.8)	C (21.6)
	-Northbound Approach		F (69.3)	F (*)
	-Southbound Approach		F (70.1)	F (168.9)

*Delay exceeds 300 sec

The results of the existing traffic operations analysis indicate that the signalized study intersection is operating at an overall Level of Service (LOS) "E" or better during both the AM and PM peak hours. The stop-controlled side street approaches (northbound and southbound) at intersections 2 and 3 are operating at LOS "F" during the AM and PM peak hours. It is not uncommon for stop-controlled side streets on arterial roadways to experience delays during peak hours, as these delays are typically caused by side-street vehicles waiting to turn left onto the main line.

6.0 PROPOSED DEVELOPMENT

The proposed development will be located on SR 120 (Duluth Highway) in Gwinnett County. The development will consist of 125 units of multifamily (low-rise) and 72 units of multifamily (mid-rise) apartments and proposes a full-access driveway on SR 120 (Duluth Highway), aligned with Racquet Club Drive.



A site plan is shown in Figure 4.

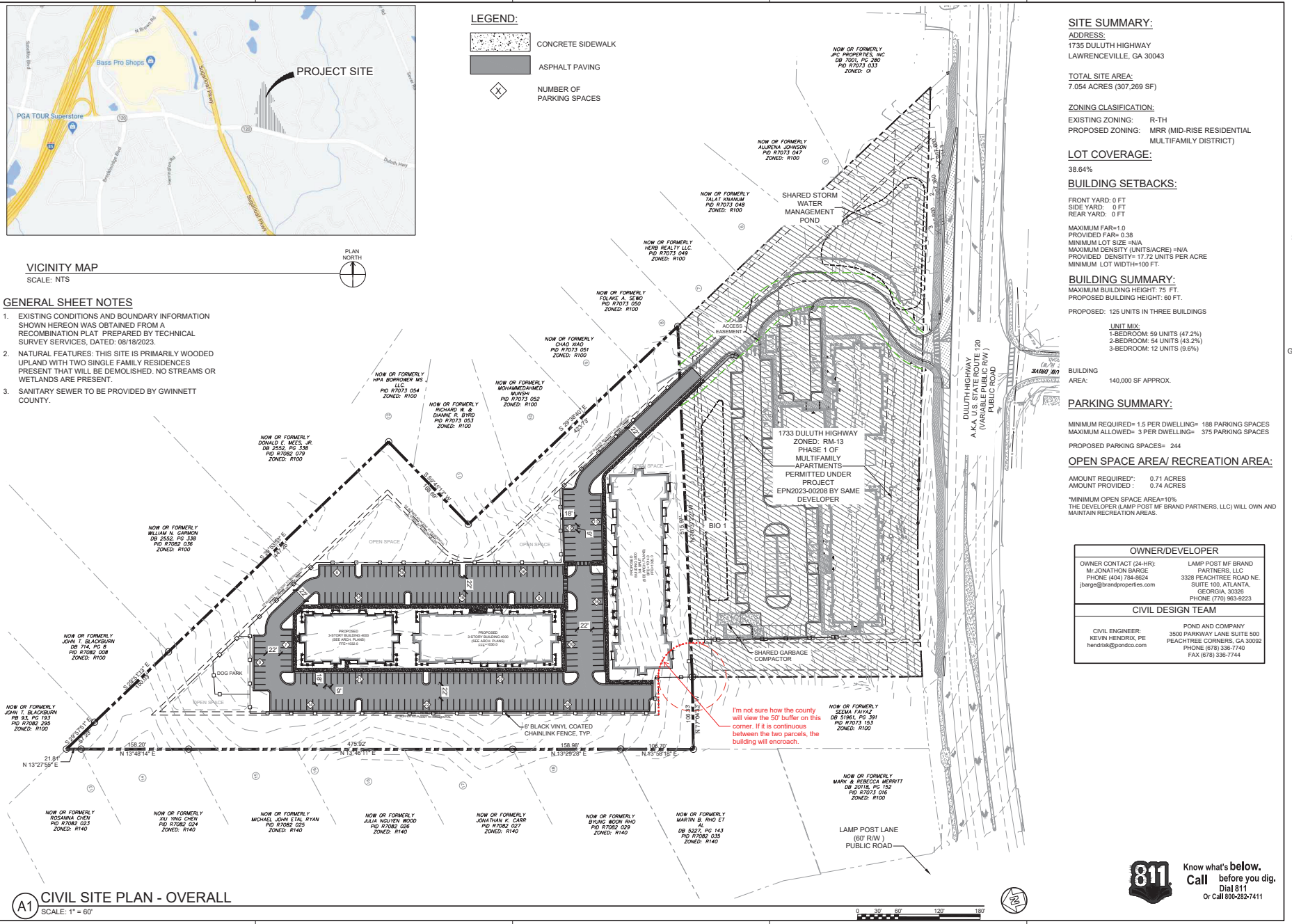
VICINITY MAP
SCALE: NTS

GENERAL SHEET NOTES

1. EXISTING CONDITIONS AND BOUNDARY INFORMATION SHOWN HEREON WAS OBTAINED FROM A RECOMBINATION PLAT PREPARED BY TECHNICAL SURVEY SERVICES, DATED: 08/18/2023.
2. NATURAL FEATURES: THIS SITE IS PRIMARILY WOODED UPLAND WITH TWO SINGLE FAMILY RESIDENCES PRESENT THAT WILL BE DEMOLISHED. NO STREAMS OR WETLANDS ARE PRESENT.
3. SANITARY SEWER TO BE PROVIDED BY GWINNETT COUNTY.

LEGEND:
- CONCRETE SIDEWALK
- ASPHALT PAVING
- (X) NUMBER OF PARKING SPACES

PLAN NORTH



A1 CIVIL SITE PLAN - OVERALL
SCALE: 1" = 60'

SITE SUMMARY:

ADDRESS:
1735 DULUTH HIGHWAY
LAWRENCEVILLE, GA 30043

TOTAL SITE AREA:
7.054 ACRES (307,269 SF)

ZONING CLASIFICATION:
EXISTING ZONING: R-TH
PROPOSED ZONING: MRR (MID-RISE RESIDENTIAL MULTIFAMILY DISTRICT)

LOT COVERAGE:

38.64%

BUILDING SETBACKS:

FRONT YARD: 0 FT
SIDE YARD: 0 FT
REAR YARD: 0 FT

MAXIMUM FAR=1.0
PROVIDED FAR= 0.38
MINIMUM LOT SIZE =N/A
MAXIMUM DENSITY (UNITS/ACRE) =N/A
PROVIDED DENSITY= 17.72 UNITS PER ACRE
MINIMUM LOT WIDTH=100 FT.

BUILDING SUMMARY:

MAXIMUM BUILDING HEIGHT: 75 FT.
PROPOSED BUILDING HEIGHT: 60 FT.

PROPOSED: 125 UNITS IN THREE BUILDINGS

UNIT MIX:
1-BEDROOM: 59 UNITS (47.2%)
2-BEDROOM: 54 UNITS (43.2%)
3-BEDROOM: 12 UNITS (9.6%)

BUILDING AREA: 140,000 SF APPROX.

PARKING SUMMARY:

MINIMUM REQUIRED= 1.5 PER DWELLING= 188 PARKING SPACES
MAXIMUM ALLOWED= 3 PER DWELLING= 375 PARKING SPACES

PROPOSED PARKING SPACES= 244

OPEN SPACE AREA/ RECREATION AREA:

AMOUNT REQUIRED*: 0.71 ACRES
AMOUNT PROVIDED : 0.74 ACRES

*MINIMUM OPEN SPACE AREA=10%
THE DEVELOPER (LAMP POST MF BRAND PARTNERS, LLC) WILL OWN AND MAINTAIN RECREATION AREAS.

OWNER/DEVELOPER	
OWNER CONTACT (24-HR): Mr.JONATHON BARGE PHONE (404) 784-8624 jbarge@brandproperties.com	LAMP POST MF BRAND PARTNERS, LLC 3328 PEACHTREE ROAD NE. SUITE 100, ATLANTA, GEORGIA, 30326 PHONE (770) 963-9223
CIVIL DESIGN TEAM	
CIVIL ENGINEER: KEVIN HENDRIX, PE hendrikk@pondco.com	POND AND COMPANY 3500 PARKWAY LANE SUITE 500 PEACHTREE CORNERS, GA 30092 PHONE (678) 336-7740 FAX (678) 336-7744

Know what's below. Call before you dig. Dial 811 Or Call 800-282-7411

POND
3500 Parkway Lane
Suite 500
Peachtree Corners
Georgia 30092
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DPR SEAL

CLIENT INFORMATION
BRAND Properties
3328 Peachtree Road NE
Suite 100, Atlanta,
Georgia 30326

PROJECT NAME
LAMP POST APARTMENTS PHASE 2

1735 DULUTH HWY
LAWRENCEVILLE, GA 30043
GWINNETT COUNTY, GEORGIA
LAND LOTS 73 & 82
7TH DISTRICT
PARCEL 7073-087

DRAWING ISSUE
DATE
DESCRIPTION
MARK

DESIGNED BY:	WM
DRAWN BY:	ABC
CHECKED BY:	KDH
SUBMITTED BY:	KDH
DATE:	03/24/2025
PROJECT #	1220714

SHEET TITLE
REZONING SITE PLAN

SHEET NUMBER
RZ-100

ORIGINAL SHEET SIZE: 24" X 36"

FILE PATH: \\STARFIGHTER\PROJECTS\FY22\1220714\04.CAD_BIM\04.02.CAD\TOWNHOUSES - PHASE II\CS-101 - REZONING PLOTTED BY: HENDRIX, KEVIN DATE: 10/19/22

6.1 Trip Generation

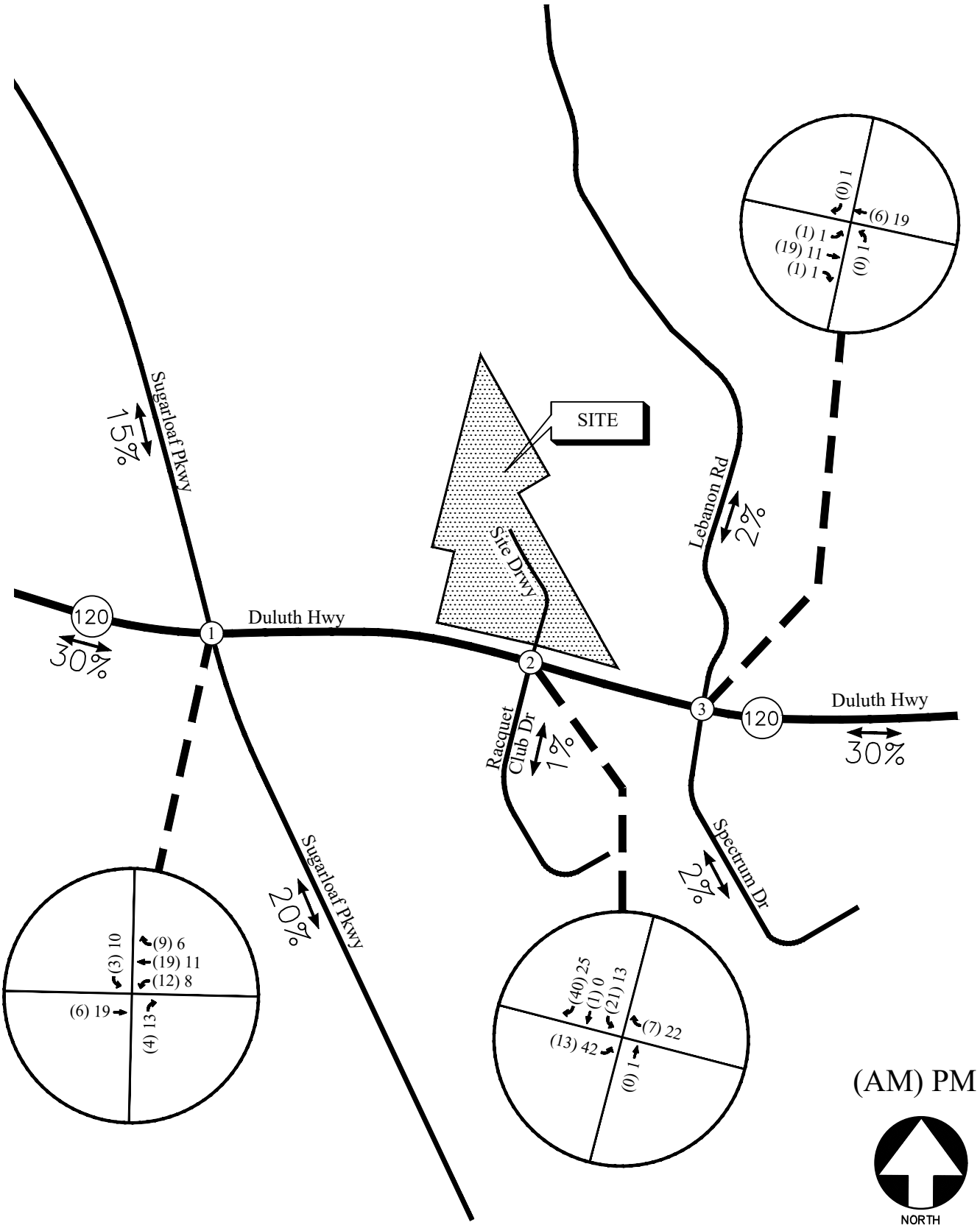
Trip generation estimates for the project were based on the rates and equations published in the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation report. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation was based on the following ITE Land Uses: *220 - Multifamily Housing (Low-Rise) - Not Close to Rail Transit* and *221 - Multifamily Housing (Mid-Rise).* The calculated total trip generation for the proposed development is shown in Table 4.

TABLE 4 – TRIP GENERATION

Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-way
ITE 220 – Multifamily Housing (Low-Rise) – Not Close to Rail Transit	125 units	15	47	62	47	27	74	877
ITE 215 – Multifamily Housing (Mid-Rise)	72 units	5	15	20	17	11	28	297
Total Trips		**20**	**62**	**82**	**64**	**38**	**102**	**1,174**

6.2 Trip Distribution

The trip distribution describes how the traffic arrives and departs from the site. An overall trip distribution was developed for the site based on a review of the existing travel patterns in the area and the locations of major roadways and highways that will serve the development. The site-generated peak hour traffic volumes, shown in Table 4, were assigned to the study area intersections based on this distribution. The outer-leg distribution and AM and PM peak hour new traffic generated by the site are shown in Figure 5.



TRIP DISTRIBUTION AND SITE-GENERATED WEEKDAY PEAK HOUR VOLUMES

FIGURE 5

A&R Engineering Inc.

7.0 FUTURE 2027 TRAFFIC ANALYSIS

The future 2027 traffic operations are analyzed for the "Build" and "No-Build" conditions.

7.1 Future "No-Build" Conditions

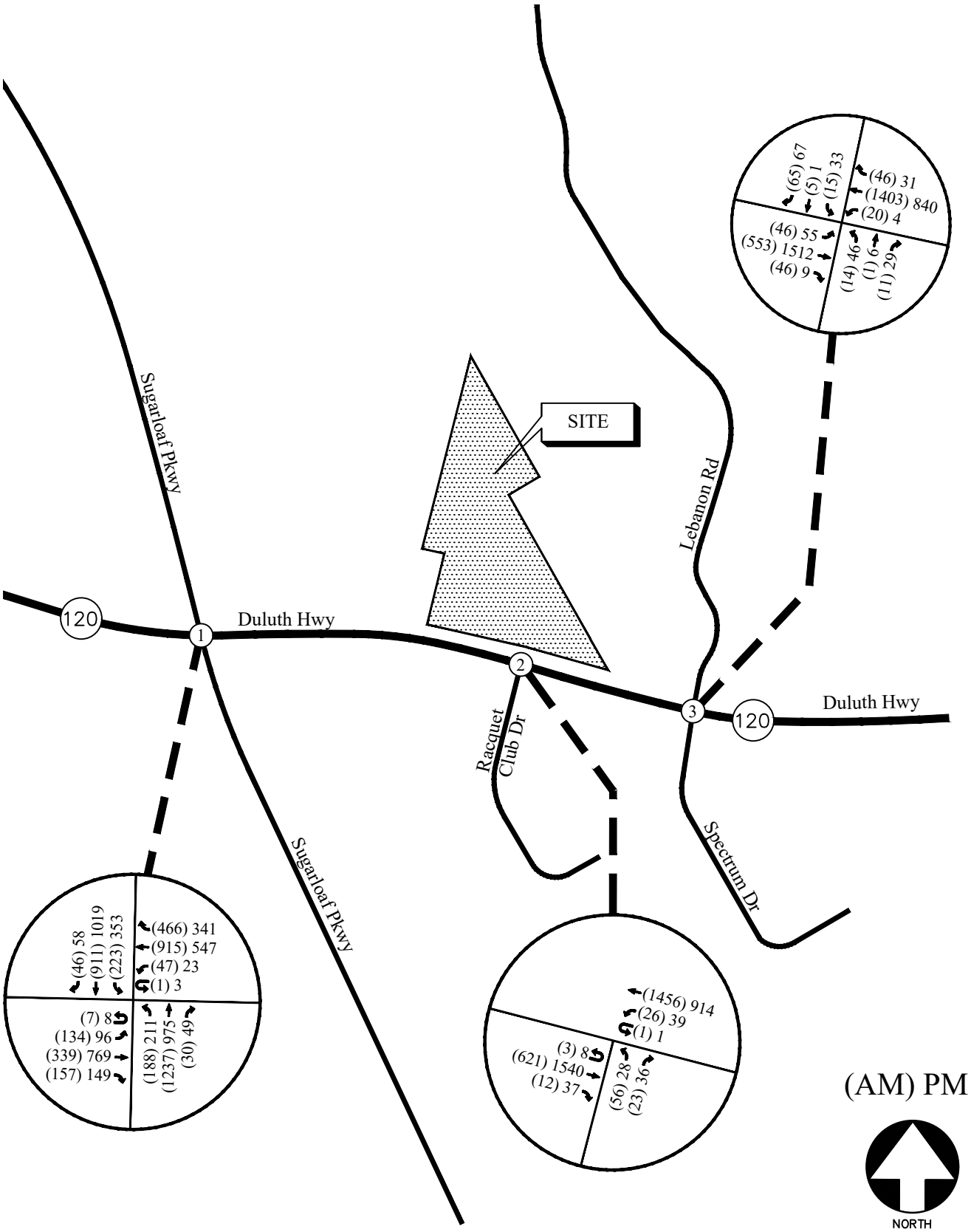
The "No-Build" (or background) conditions provide an assessment of how traffic will operate in the study horizon year without the study site being developed as proposed, with projected increases in through traffic volumes due to normal annual growth. The Future "No-Build" volumes consist of the existing traffic volumes (Figure 2) plus increase in annual growth of through traffic.

7.1.1 Annual Traffic Growth

To evaluate future traffic operations in this area, a projection of normal traffic growth was applied to the existing volumes. The Georgia Department of Transportation recorded average daily traffic volumes at several locations in the vicinity of the site. Reviewing the growth over the last five years (2018-2019 & 2021-2023) revealed a traffic volume increase of approximately 1% in the area. This growth factor was applied to the existing traffic volumes between collector and arterial roadways to estimate the future year traffic volumes prior to the addition of site-generated traffic. The resulting future "No-Build" volumes are shown in Figure 6.

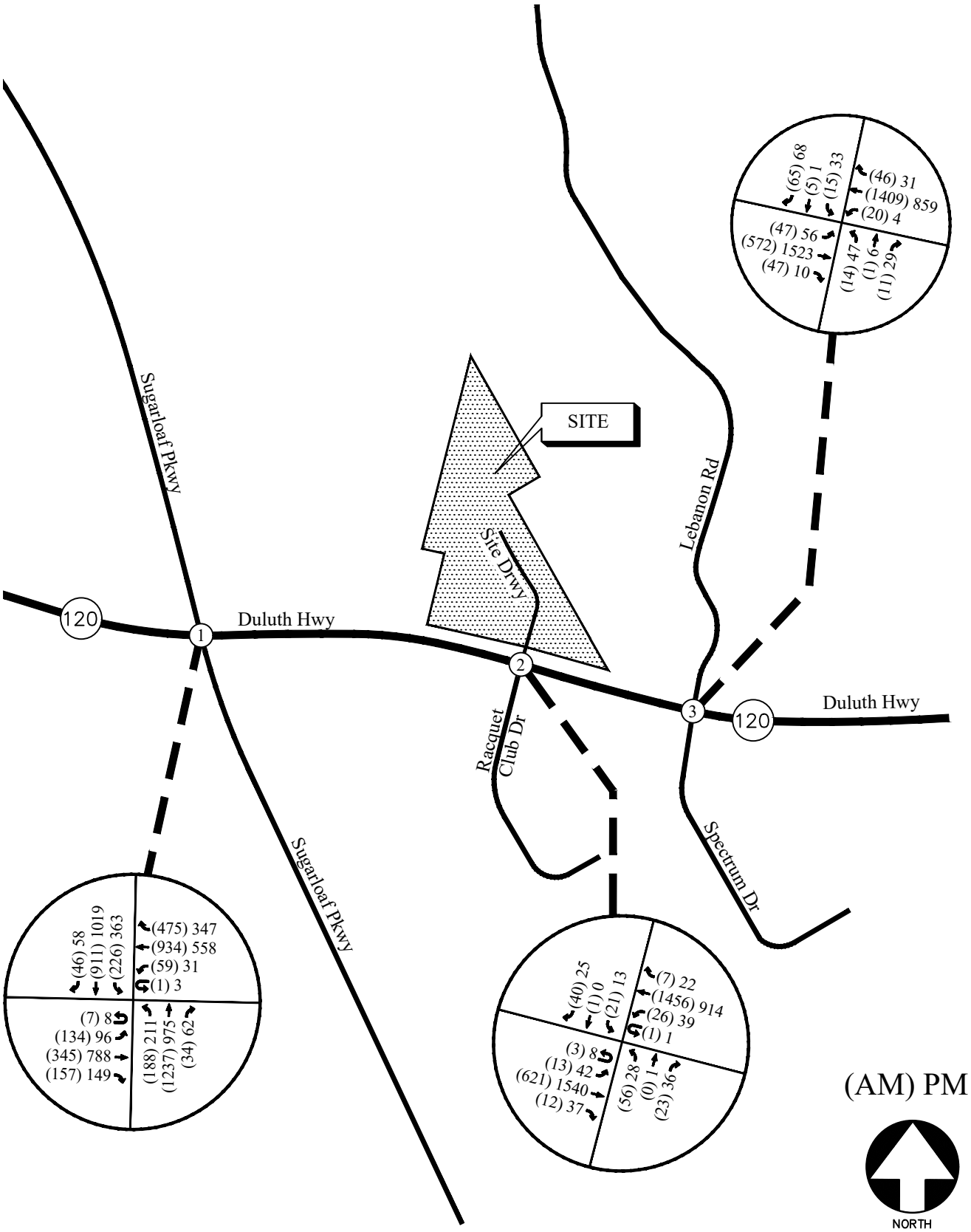
7.2 Future "Build" Conditions

The "Build" or development conditions include the estimated background traffic from the "No-Build" conditions plus the added traffic from the proposed development. To evaluate future traffic operations in this area, the additional traffic volumes from the site (Figure 5) were added to base traffic volumes (Figure 6) to calculate the future traffic volumes after the construction of the development. These total future "Build" traffic volumes are shown in Figure 7.



FUTURE (NO-BUILD) WEEKDAY PEAK HOUR VOLUMES FIGURE 6

A&R Engineering Inc.



FUTURE (BUILD) WEEKDAY PEAK HOUR VOLUMES FIGURE 7

A&R Engineering Inc.

7.3 Auxiliary Lane Analysis

Included below are analyses for left-turn lanes and deceleration lanes for all site driveways per Gwinnett County standards. The analyses below are based off the trip distribution included in Section 6.2. According to the trip distribution, the 24-hour two-way volume entering and exiting the site is 1,174 vehicles.

7.3.1 Left Turn Lane Analysis

According to Gwinnett County standards and guidelines for left turn lanes, left turn lanes must be provided at each subdivision street that accesses a minor collector street or major thoroughfare if the characteristics of the major street and site density exceed certain thresholds. Based on Gwinnett County's standards, a left-turn lane is warranted at the site driveway. The existing eastbound U-Turn lane can be used as a left-turn lane for entering traffic.

7.3.2 Deceleration Turn Lane Analysis

As per Section 900-30.2 (A, B, C) Gwinnett County, GA Code of Ordinances, a deceleration lane is required to be provided at each project driveway or subdivision street entrance that is provided street access to a minor collector street or major thoroughfare. Since the site driveway is on SR 120 (Duluth Highway) (major arterial roadway), a deceleration lane is warranted at the site driveway.

As per GDOT standards, for a four-lane roadway with an AADT greater than 10,000 vehicles and a posted speed limit of 45 mph, the daily site-generated traffic right turns movements threshold to warrant a deceleration lane is 75 right-turning vehicles a day. A right turn lane is warranted at the site driveway as per GDOT Standards.

7.4 Future Traffic Operations

The future "No-Build" and "Build" traffic operations were analyzed using the volumes in Figure 6 and Figure 7, respectively. The results of the future traffic operations analysis are shown below in Table 5. Recommendations on traffic control and lane geometry are shown in Figure 8.

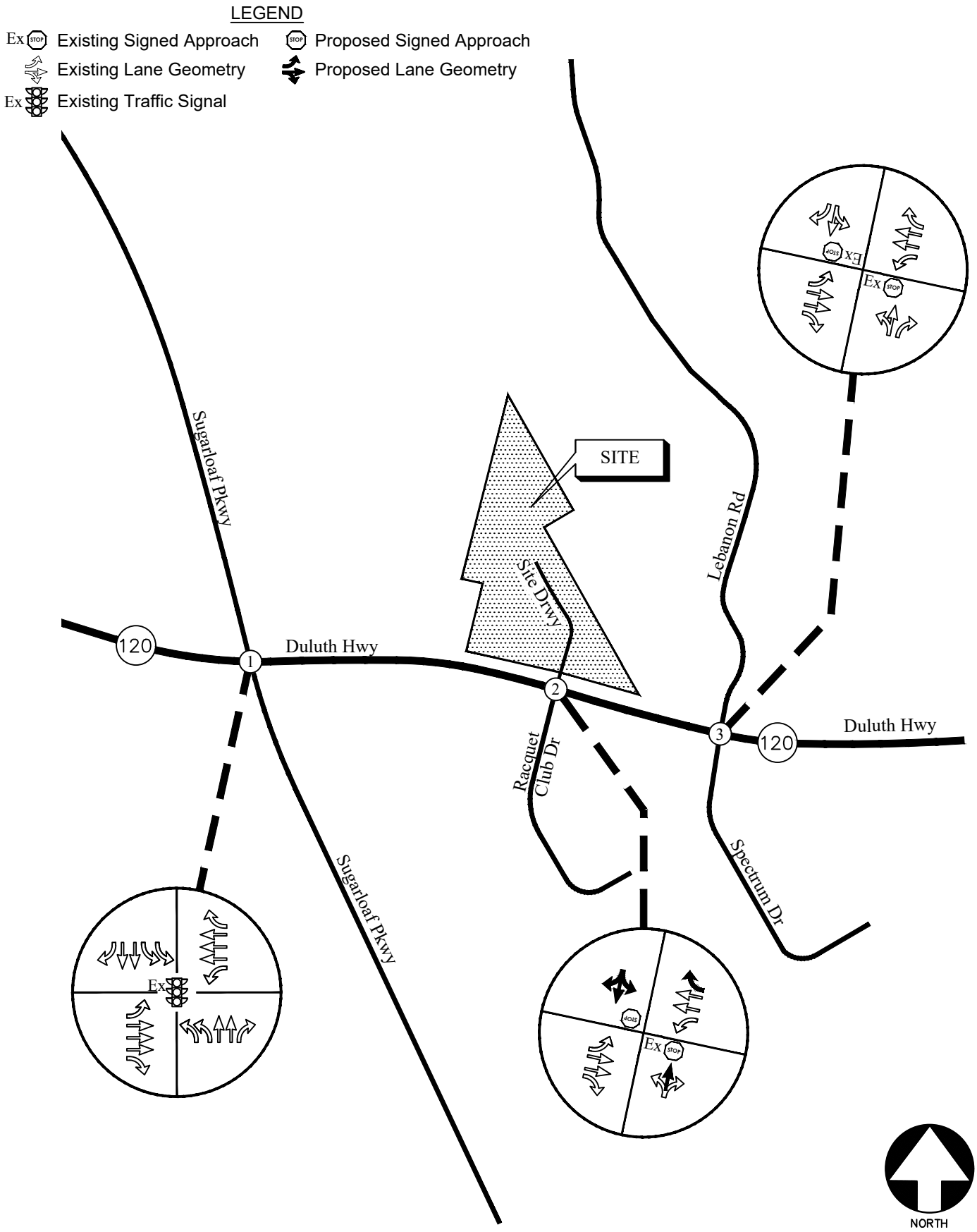
TABLE 5 – FUTURE INTERSECTION OPERATIONS

	Intersection	Future Condition: LOS (Delay)			
		NO-BUILD		BUILD	
		AM Peak	PM Peak	AM Peak	PM Peak
1	**SR 120 (Duluth Hwy) @ Sugarloaf Pkwy**	**E (57.6)**	**D (49.0)**	**E (58.5)**	**D (49.4)**
	-Eastbound Approach	D (48.9)	D (48.9)	D (49.6)	D (49.0)
	-Westbound Approach	E (65.1)	E (59.8)	E (67.3)	E (60.3)
	-Northbound Approach	E (60.5)	D (45.4)	E (60.8)	D (46.2)
	-Southbound Approach	D (49.3)	D (44.9)	D (49.5)	D (45.1)
2	**SR 120 (Duluth Hwy) @ Racquet Club Dr/ Site Drwy**				
	-Eastbound U-Turn/Left	D (33.0)	C (16.0)	C (19.0)	B (11.9)
	-Westbound Left	A (9.3)	C (16.5)	A (9.3)	C (16.5)
	-Northbound Approach	F (79.4)	F (290.7)	F (248.0)	F (*)
	-Southbound Approach	-	-	F (216.3)	F (132.1)
3	**SR 120 (Duluth Hwy) @ Lebanon Rd / Spectrum Dr**				
	-Eastbound Left	B (14.8)	B (10.5)	B (14.8)	B (10.6)
	-Westbound Left	A (8.8)	C (22.4)	A (8.9)	C (22.7)
	-Northbound Approach	F (75.0)	F (*)	F (79.4)	F (*)
	-Southbound Approach	F (78.9)	F (207.2)	F (86.3)	F (231.3)

* Delay exceeds 300 seconds

The results of future "No-Build" traffic operations analysis indicate that the signalized study intersection will operate at an overall level of service "E" or better in the AM and PM peak hour. The stop-controlled side-street approaches (northbound and southbound) at intersections 2 and 3 will be operating at LOS "F" during the AM and PM peak hours.

The results of future "Build" conditions traffic operations analysis indicate that all intersections will be operating at similar levels-of-service as in "No-Build" conditions but with some increased delays. It is not uncommon for stop-controlled side streets on arterial roadways to experience delays during peak hours, as these delays are typically caused by side-street vehicles waiting to turn left onto the main line.



FUTURE TRAFFIC CONTROL AND LANE GEOMETRY FIGURE 8

A&R Engineering Inc.

8.0 CONCLUSIONS AND RECOMMENDATIONS

Traffic impacts were evaluated for the proposed residential development will be located on SR 120 (Duluth Highway) in Gwinnett County, Georgia. The proposed development will consist of 125 units of multifamily (low-rise) apartments and 72 units of multifamily (mid-rise) apartments and proposes a full-access driveway on SR 120 (Duluth Highway), aligned with Racquet Club Drive.

Existing and future operations after completion of the project were analyzed at the intersections of:

1. SR 120 (Duluth Highway) at Sugarloaf Parkway
2. SR 120 (Duluth Highway) at Racquet Club Drive/Site Driveway
3. SR 120 (Duluth Highway) at Lebanon Road/Spectrum Drive

The analysis included the evaluation of future traffic operations for "No-Build" and "Build" conditions, the differences between "No-Build" and "Build" accounts for increase in traffic due to the proposed development.

The results of future "No-Build" traffic operations analysis indicate that the signalized study intersection will operate at an overall level of service "E" or better in the AM and PM peak hour. The stop-controlled side-street approaches (northbound and southbound) at intersections 2 and 3 will be operating at LOS "F" during the AM and PM peak hours.

The results of future "Build" conditions traffic operations analysis indicate that all intersections will be operating at similar levels-of-service as in "No-Build" conditions but with some increased delays. It is not uncommon for stop-controlled side streets on arterial roadways to experience delays during peak hours, as these delays are typically caused by side-street vehicles waiting to turn left onto the main line.

8.1 Recommendations for Site Access Configuration

The following access configuration is recommended for the site driveway intersection.

- Site Driveway: Full Access driveway on SR 120 (Duluth Hwy), aligned with Racquet Club Drive
    - One entering and one exiting lane.
    - Stop-sign controlled on the driveway approach and Racquet Club Drive with SR 120 (Duluth Highway) remaining free flow
    - A deceleration lane for entering traffic.
    - Confirm adequate sight distance per AASHTO standards

Exhibit H: Public Participation Plan and Report

[attached]

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

Public Participation Plan

1. **Who do you intend to contact in addition to property owners within 1,000 feet of the site, if any?**

   The Applicant will notify all property owners within 1,000 feet of the site, with mailing addresses as provided by the Planning Department. The Applicant will also contact District 1 Planning Commissioners and Commissioner Carden.

2. **Where do you plan to host the Public Participation Meeting? Ensure that the meeting is held in person at a convenient location for interested parties.**

   The meeting will be held at The Mason Sugarloaf Clubhouse, 5805 Sugarloaf Parkway, Duluth, GA.

3. **What date and time do you plan to host the Public Participation Meeting? Ensure that the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.**

   The meeting will be held on Monday, June 2, 2025, at 5:30 p.m.

4. **What is your method for providing opportunities for discussion with interested parties at the Public Participation Meeting?**

   The Applicant will conduct a brief presentation and overview of the proposed development and open up the meeting to address any questions or concerns from community members. The Applicant will also follow-up with any property owner that has additional questions following the public participation meeting.

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

Public Participation Report

1. **List all groups that you notified of the requested application. <u>Include a copy of the notification package and stamped Postal Service Form 3877 (attached) with itemized name and address of each addressee.</u>**

All property owners within the notification zone were notified of the requested application. District 1 Planning Commissioners and Commissioner Kirkland Carden were notified of the public participation meeting via a calendar invitation from counsel for Applicant. Planning Commissioner Aysha Treadwell attended the meeting.

2. **Provide the date, time, and location of all meeting(s) that the applicant and/or representative attended to discuss an application with interested parties.**

The public participation meeting was held on Tuesday, June 10, at 5:30 p.m. at The Mason Sugarloaf Clubhouse, located at 5805 Sugarloaf Parkway, Duluth, Georgia.

3. **Provide the number of people who participated in the meeting(s). <u>Include the sign-in sheet(s) with meeting date, time, location, and attendee names.</u>**

There were three (3) property owners in attendance.

The Applicant had three (3) representatives in attendance. Attached is a copy of the sign-in sheet.

4. **What issues and concerns were expressed by attendees at the meeting(s)?**

The Applicant made a brief presentation regarding the proposed development and discussed the prior rezoning of the site that was approved for 54 townhomes to be developed in 11 buildings. The Applicant spoke about the improvements to the plan, including an increased buffer, increased distance from the property lines, a reduced bedroom count, and a reduced overall building square footage. A copy of the presentation presented is also attached hereto. The attendees inquired about impact to school enrollment and number of children anticipated in the development. The attendees also inquired about access to the site and impact on traffic.

5. **What are the applicant's responses to the issues and concerns that were expressed at the meetings? What changes to the development will be made?**

The Applicant informed the attendees that the development will likely not have a significant number of children (less than 10% of the units are three bedrooms). The Applicant also informed the attendees that an updated traffic impact analysis was completed as part of the submittal. At this time, the Applicant has not made any revisions to the site plan.

Exhibit I: Internal and External Agency Review Comments

[attached]

TRC Meeting Date:	07.18.2025
Department/Agency Name:	Transportation
Reviewer Name:	Brent Hodges
Reviewer Title:	Construction Manager 2
Reviewer Email Address:	Brent.Hodges@gwinnettcounty.com
Case Number:	REZ2025-00019
Case Address:	1725 Duluth Highway, Lawrenceville, 30043

	Comments:	**X**	**YES**		**NO**
1	Duluth Highway (SR 120) is a major arterial. The Average Daily Traffic (ADT) Volume is 25,200.				
2	The nearest Ride Gwinnett facility is located 0.55 mile to the west at stop 4122 (routes 40 and 45) - Atkinson Road and Dollar Tree.				
3					
4					
5					
6					
7					

	Recommended Zoning Conditions:		**YES**	**X**	**NO**
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021

TRC Meeting Date:	
Department/Agency Name:	DWR
Reviewer Name:	Lorraine Campagne
Reviewer Title:	Section Manager
Reviewer Email Address:	Lorraine.campagne@gwinnettcounty.com
Case Number:	REZ2025-00019
Case Address:	1729, 1735, & 1741 Duluth Hwy

	Comments:	**X**	**YES**		**NO**
1	Water: The proposed development may connect to the 8-inch water main extension proposed under EPN2023-00208 which connects to the existing 24-inch water main on Duluth Highway.				
2	A Sewer Capacity Certification (C2025-087-04) was approved in April of 2025 for 197 apartment units, a 5,323 square foot clubhouse, and a 70-swimmer pool. The proposed development may connect to an 8-inch sanitary sewer extension proposed under EPN2023-00208 which connects to the sewer main on Racquet Club Drive.				
3					
4					
5					
6					
7					

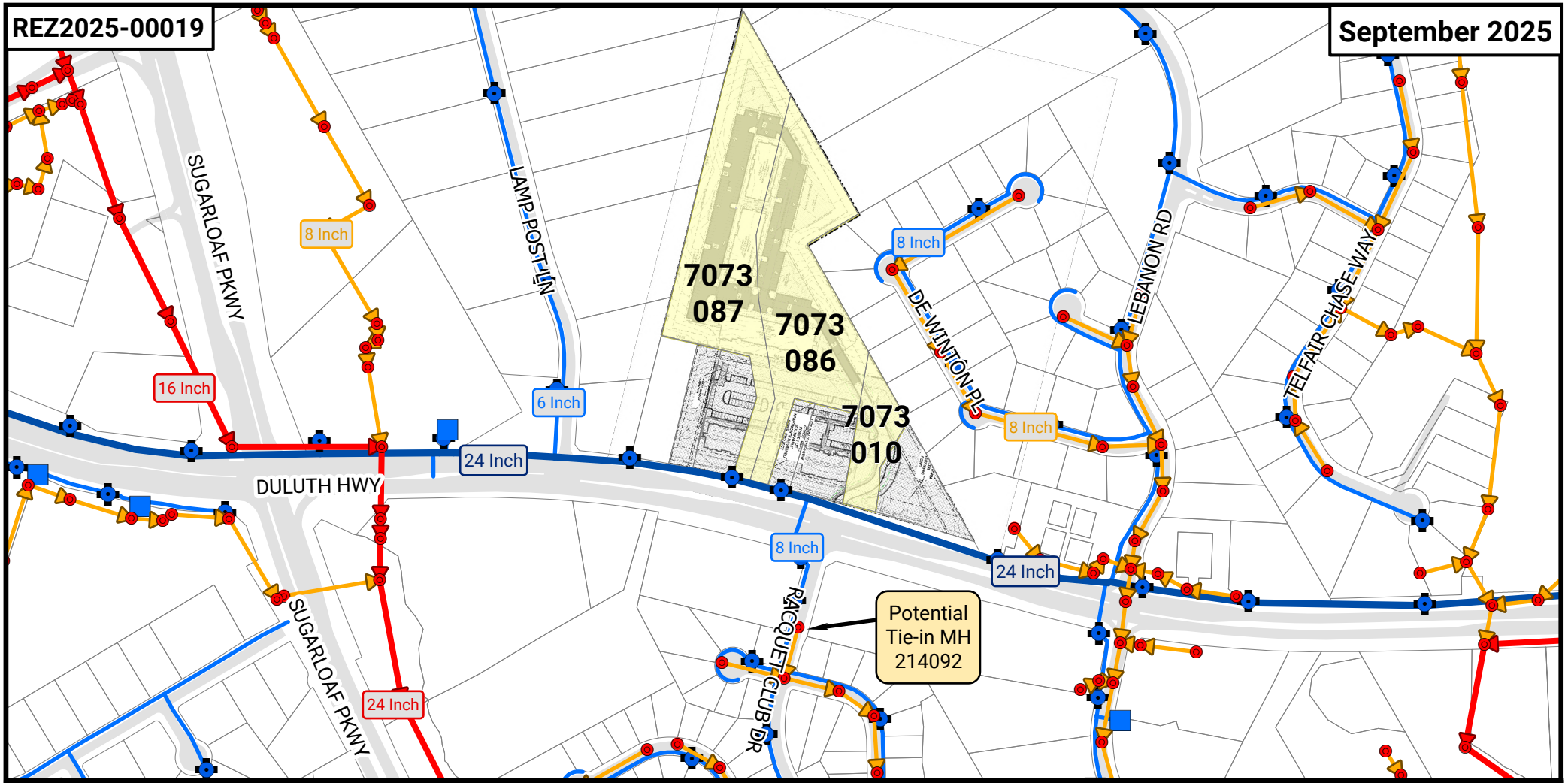
	Recommended Zoning Conditions:		**YES**	X	**NO**
1					
2					
3					
4					
5					
6					

Note: Attach additional pages, if needed

Revised 7/26/2021

REZ2025-00019

September 2025



LEGEND

Flow Management
Pump Station
Regional
Manhole
Hydrant
City
Water Main
Proposed Water Main
Sewer Collector
Sewer Interceptor
Sewer Force Main
Proposed Sewer Collector

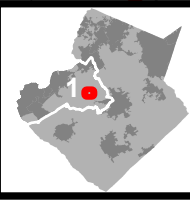
1729, 1735 & 1741 Duluth Hwy
R-TH to LRR

Water & Sewer Utility Map

N
W E
S

0 225 450
Feet

LOCATION



Water Comments: The proposed development may connect to the 8-inch water main extension proposed under EPN2023-00208 which connects to the existing 24-inch water main on Duluth Highway.

Sewer Comments: A Sewer Capacity Certification (C2025-087-04) was approved in April of 2025 for 197 apartment units, a 5,323 square foot clubhouse, and a 70-swimmer pool. The proposed development may connect to an 8-inch sanitary sewer extension proposed under EPN2023-00208 which connects to the sewer main on Racquet Club Drive.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, SEPTEMBER, 2025

											Proposed Zoning
		2025-26			2026-27			2027-28			Approximate Student Projections
	School	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	from Proposed Developments
	Peachtree Ridge High School	**3052**	3,050	2	**3,080**	3,050	30	**3,066**	3,050	16	17
REZ2025-00019	Northbrook Middle School	**970**	1,025	-55	**956**	1,025	-69	**947**	1,025	-78	12
	Jackson Elementary School	**1,394**	1,475	-81	**1,370**	1,475	-105	**1,353**	1,475	-122	21
	Dacula High School	**2429**	2,550	-121	**2,477**	2,550	-73	**2,526**	2,550	-24	19
ZON2025-00038	Dacula Middle School	**1921**	1,900	21	**1,959**	1,900	59	**1,948**	1,900	48	13
	Mulberry Elementary School	**795**	975	-180	**822**	975	-153	**847**	975	-128	23

Exhibit J: Zoning Resolution and Site Plan for RZM2022-00025

[attached]

CASE NUMBER RZM2022-00025
GCID 2022-0828

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: AMENDMENT TO THE OFFICIAL ZONING MAP

ADOPTION DATE: JULY 26, 2022

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

	Present	Vote
Nicole L. Hendrickson, Chairwoman	Yes	Aye
Kirkland Carden, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Jasper Watkins, III, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of Commissioner Carden, which carried 5-0, the following Resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R-100 to R-TH by Brand Properties for the proposed use of Townhouses on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in the Gwinnett Daily Post, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on July 26, 2022, and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this 26th day of July 2022, that the aforesaid application to amend the Official Zoning Map from R-100 to R-TH is hereby **APPROVED** with the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan, dated received June 22, 2022, and Exhibit C: Building Elevations, dated received May 20, 2022, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.

2. Development shall be limited to single-family attached residences and accessory uses and structures, not to exceed 54 units.

3. The minimum heated floor area per dwelling unit shall be 1,700 square feet.

4. The final common area and amenity plan shall be subject to the review and approval of the Department of Planning and Development.

5. The buildings shall comply with Category 3, Attached Residential Buildings of the Gwinnett County Architectural Standards.

6. A property management company shall be responsible for maintenance of all common areas/facilities, street frontage landscaping, lawn, and ornamental planting maintenance, decks, roofs, painting of exteriors, and other property maintenance.

7. An onsite property management office shall be provided with regularly scheduled business hours for the convenience of residents if rental units are provided.

8. Natural vegetation shall remain on the property until the issuance of a development permit.

9. All grassed areas shall be sodded.

10. The applicant shall construct a fence adjacent to existing single-family development, subject to the review and approval of the Director of Planning and Development.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Nicole L. Hendrickson
Nicole L. Hendrickson, Chairwoman

Date Signed: 8/29/2022

ATTEST:

By: Tina M King (Seal)
County Clerk/Deputy County Clerk

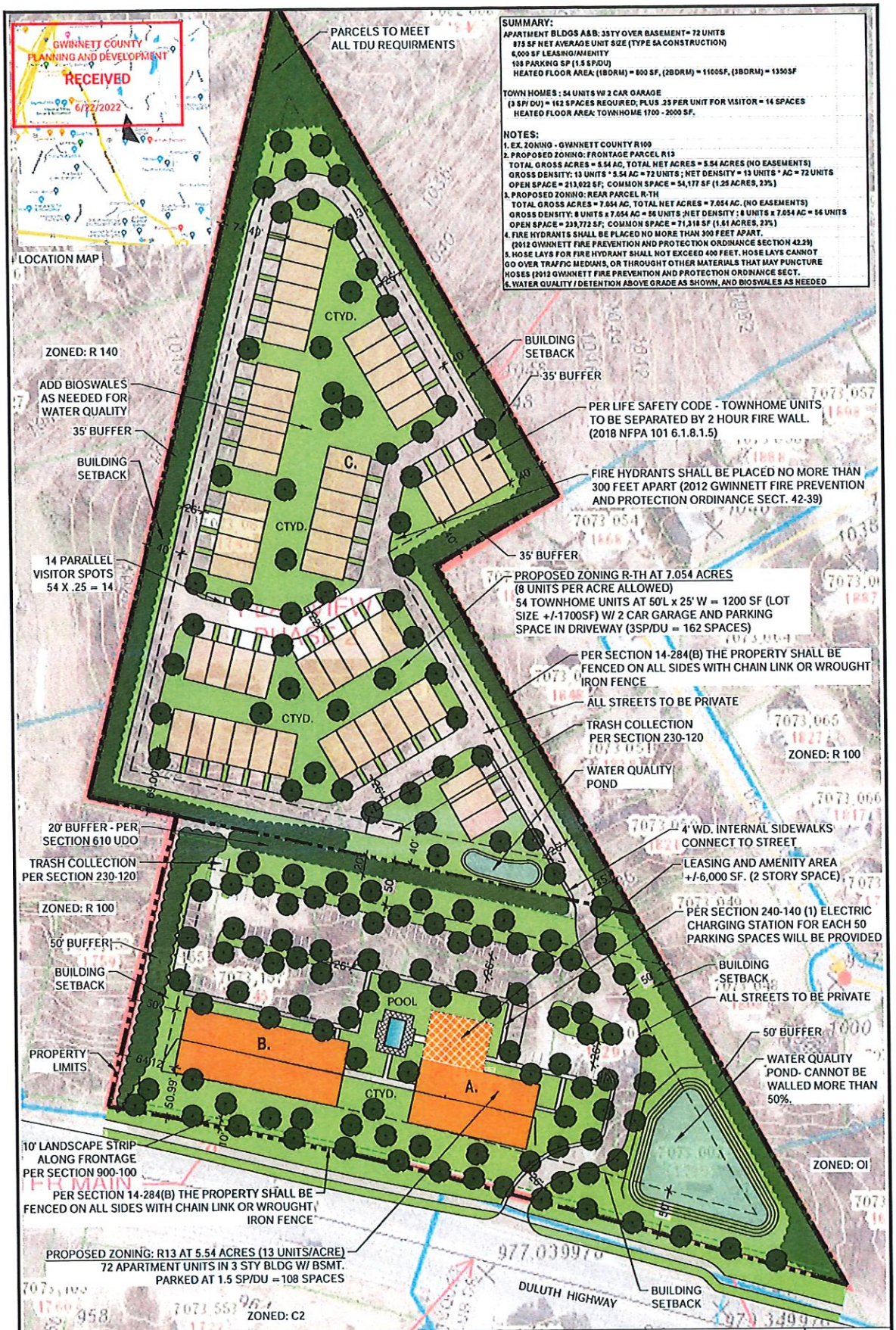
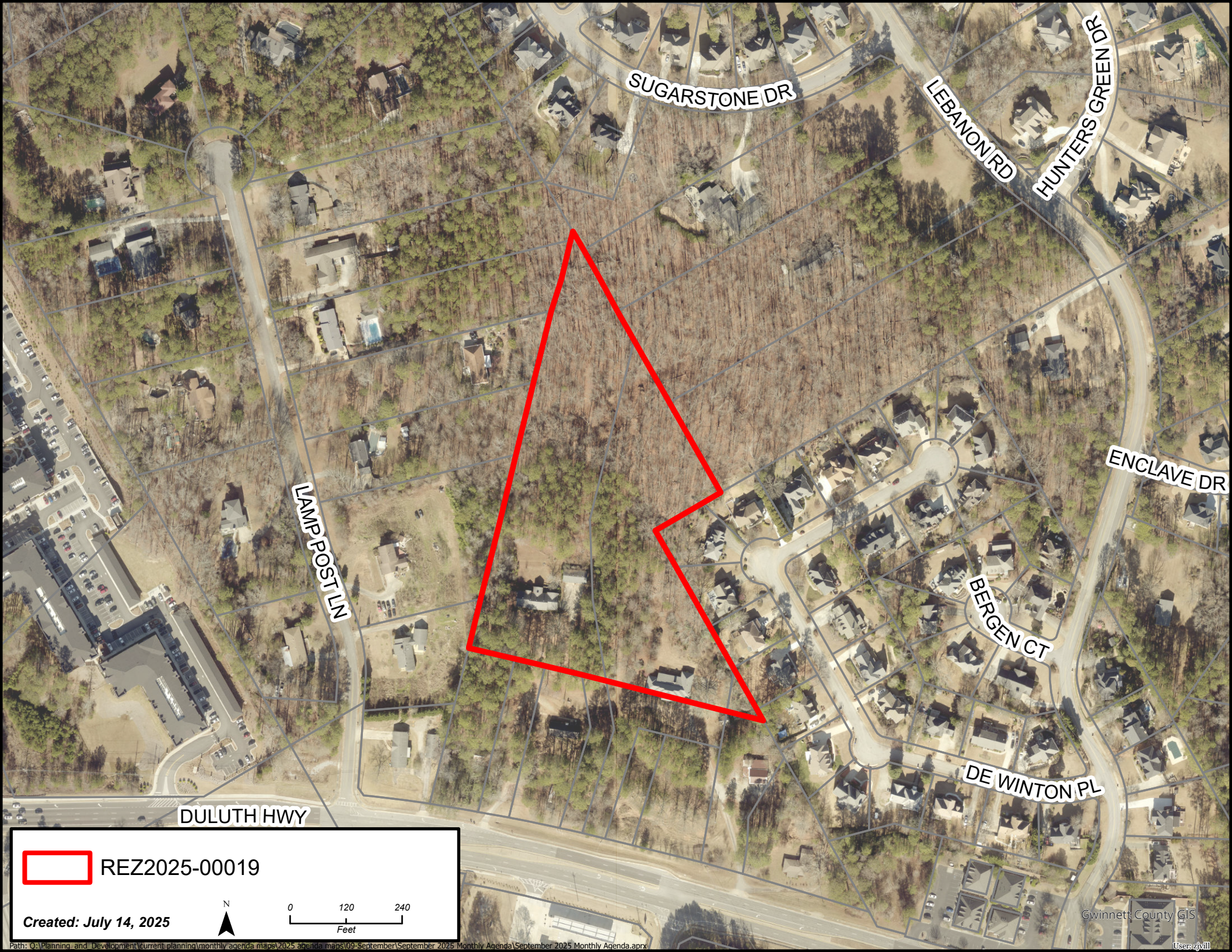
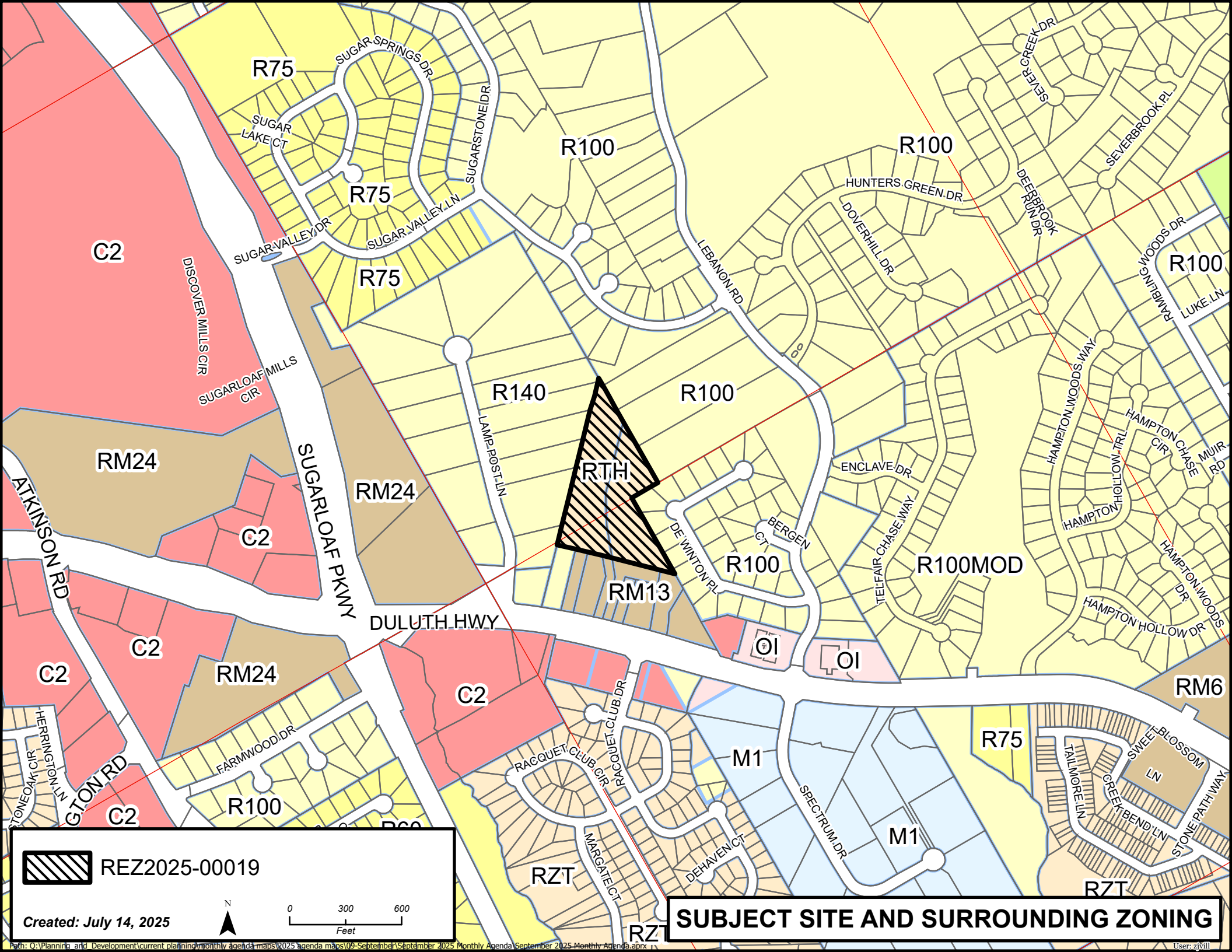
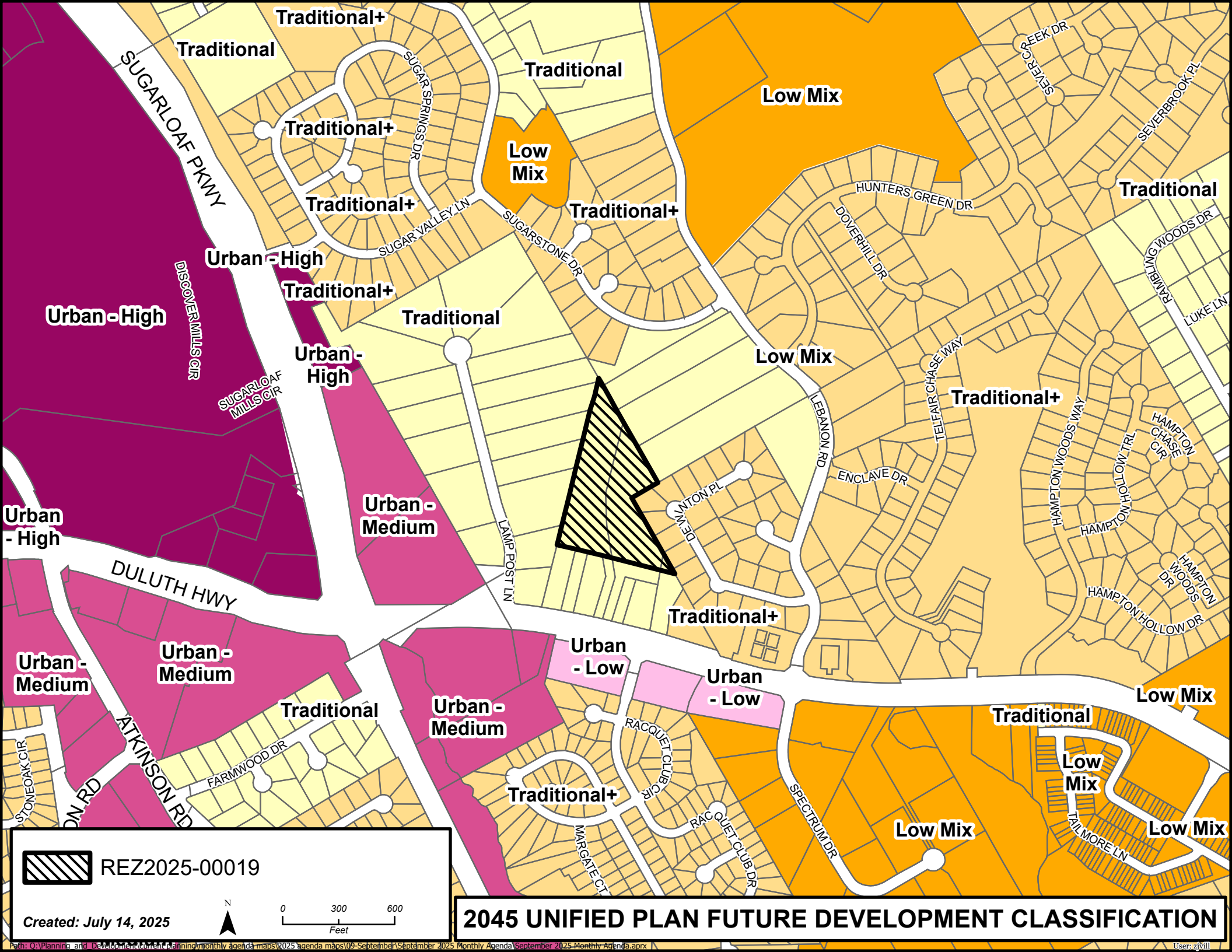

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
6/22/2022
LOCATION MAP
PARCELS TO MEET
ALL TDU REQUIRMENTS
SUMMARY:
APARTMENT BLDGS A&B: 3STY OVER BASEMENT= 72 UNITS
875 SF NET AVERAGE UNIT SIZE (TYPE 5A CONSTRUCTION)
6,000 SF LEASING/AMENITY
108 PARKING SP (1.5 SP/DU)
HEATED FLOOR AREA: (1BDRM) = 800 SF, (2BDRM) = 1100SF, (3BDRM) = 1350SF
TOWN HOMES : 54 UNITS W/ 2 CAR GARAGE
(3 SP/ DU) = 162 SPACES REQUIRED; PLUS .25 PER UNIT FOR VISITOR = 14 SPACES
HEATED FLOOR AREA: TOWNHOME 1700 - 2000 SF.
NOTES:
1. EX. ZONING - GWINNETT COUNTY R100
2. PROPOSED ZONING: FRONTAGE PARCEL R13
TOTAL GROSS ACRES = 5.54 AC, TOTAL NET ACRES = 5.54 ACRES (NO EASEMENTS)
GROSS DENSITY: 13 UNITS * 5.54 AC = 72 UNITS ; NET DENSITY = 13 UNITS * AC = 72 UNITS
OPEN SPACE = 213,022 SF; COMMON SPACE = 54,177 SF (1.25 ACRES, 23%)
3. PROPOSED ZONING: REAR PARCEL R-TH
TOTAL GROSS ACRES = 7.054 AC, TOTAL NET ACRES = 7.054 AC. (NO EASEMENTS)
GROSS DENSITY: 8 UNITS x 7.054 AC = 56 UNITS ;NET DENSITY : 8 UNITS x 7.054 AC = 56 UNITS
OPEN SPACE = 239,772 SF; COMMON SPACE = 71,318 SF (1.61 ACRES, 23%)
4. FIRE HYDRANTS SHALL BE PLACED NO MORE THAN 300 FEET APART.
(2012 GWINNETT FIRE PREVENTION AND PROTECTION ORDINANCE SECTION 42.29)
5. HOSE LAYS FOR FIRE HYDRANT SHALL NOT EXCEED 400 FEET. HOSE LAYS CANNOT
GO OVER TRAFFIC MEDIANS, OR THROUGHT OTHER MATERIALS THAT MAY PUNCTURE
HOSES (2012 GWINNETT FIRE PREVENTION AND PROTECTION ORDINANCE SECT.
6. WATER QUALITY / DETENTION ABOVE GRADE AS SHOWN, AND BIOSWALES AS NEEDED
ZONED: R 140
ADD BIOSWALES AS NEEDED FOR WATER QUALITY
35' BUFFER
BUILDING SETBACK
14 PARALLEL VISITOR SPOTS 54 X .25 = 14
CTYD.
C.
BUILDING SETBACK
35' BUFFER
PER LIFE SAFETY CODE - TOWNHOME UNITS TO BE SEPARATED BY 2 HOUR FIRE WALL. (2018 NFPA 101 6.1.8.1.5)
FIRE HYDRANTS SHALL BE PLACED NO MORE THAN 300 FEET APART (2012 GWINNETT FIRE PREVENTION AND PROTECTION ORDINANCE SECT. 42-39)
35' BUFFER
PROPOSED ZONING R-TH AT 7.054 ACRES
(8 UNITS PER ACRE ALLOWED)
54 TOWNHOME UNITS AT 50'L x 25' W = 1200 SF (LOT SIZE +/-1700SF) W/ 2 CAR GARAGE AND PARKING SPACE IN DRIVEWAY (3SP/DU = 162 SPACES)
PER SECTION 14-284(B) THE PROPERTY SHALL BE FENCED ON ALL SIDES WITH CHAIN LINK OR WROUGHT IRON FENCE
ALL STREETS TO BE PRIVATE
TRASH COLLECTION PER SECTION 230-120
WATER QUALITY POND
ZONED: R 100
20' BUFFER - PER SECTION 610 UDO
TRASH COLLECTION PER SECTION 230-120
ZONED: R 100
50' BUFFER
BUILDING SETBACK
PROPERTY LIMITS
POOL
B.
A.
CTYD.
4' WD. INTERNAL SIDEWALKS CONNECT TO STREET
LEASING AND AMENITY AREA +/-6,000 SF. (2 STORY SPACE)
PER SECTION 240-140 (1) ELECTRIC CHARGING STATION FOR EACH 50 PARKING SPACES WILL BE PROVIDED
BUILDING SETBACK
ALL STREETS TO BE PRIVATE
50' BUFFER
WATER QUALITY POND- CANNOT BE WALLED MORE THAN 50%.
ZONED: OI
10' LANDSCAPE STRIP ALONG FRONTAGE PER SECTION 900-100
PER SECTION 14-284(B) THE PROPERTY SHALL BE FENCED ON ALL SIDES WITH CHAIN LINK OR WROUGHT IRON FENCE
PROPOSED ZONING: R13 AT 5.54 ACRES (13 UNITS/ACRE)
72 APARTMENT UNITS IN 3 STY BLDG W/ BSMT.
PARKED AT 1.5 SP/DU =108 SPACES
ZONED: C2
DULUTH HIGHWAY
BUILDING SETBACK
PROJECT: PLAINVIEW II
Gwinnett County, Ga
Brand
PB 32 92
CASE #: RZM2022-00024
studio ARCHITECTS
Atlanta, Georgia
PROJECT NORTH
FEASIBILITY STUDY
SCALE: 1" = 100'-0"
0 50' 100'
DATE: June 22, 2022
NUMBER:
FS2

Exhibit K: Maps

[attached]


SUGARSTONE DR
LEBANON RD
HUNTERS GREEN DR
ENCLAVE DR
LAMP POST LN
BERGEN CT
DE WINTON PL
DULUTH HWY
REZ2025-00019
Created: July 14, 2025
N
0
120
240
Feet
Gwinnett County GIS
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User: zjvill


R75
SUGAR SPRINGS DR
SUGAR LAKE CT
SUGARSTONE DR
R75
SUGAR VALLEY LN
SUGAR VALLEY DR
R75
R100
LEBANON RD
R100
HUNTERS GREEN DR
SEVEN CREEK DR
SEVERBROOK PL
DEERBROOK RUN DR
DOVERHILL DR
WOODS DR
R100
RAMBLING
LUKE LN
C2
DISCOVER MILLS CIR
SUGARLOAF MILLS CIR
R140
LAMP POST LN
R100
RTH
ENCLAVE DR
HAMPTON WOODS WAY
HAMPTON CHASE CIR
MUIR RD
HAMPTON HOLLOW TRL
RM24
SUGARLOAF PKWY
RM24
ATKINSON RD
C2
DE WINTON PL
BERGEN CT
R100
RM13
TELFAIR CHASE WAY
R100MOD
HAMPTON WOODS DR
HAMPTON HOLLOW DR
DULUTH HWY
OI
OI
C2
C2
RM24
C2
RM6
HERRINGTON LN
STONEOAK CIR
FARMWOOD DR
G TON RD
C2
R100
RACQUET CLUB DR
RACQUET CLUB CIR
M1
R75
SWEET BLOSSOM LN
TAILMORE LN
GREEN BEND LN
STONE PATH WAY
SPECTRUM DR
M1
MARGATE CT
DEHAVEN CT
RZT
RZT
RZT
REZ2025-00019
Created: July 14, 2025
N
0
300
600
Feet
SUBJECT SITE AND SURROUNDING ZONING
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User: zjvill



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User: zjvill

Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:
20250944	

☑ Rezoning ☑ Public Hearing

Department:	Planning & Development			Date Submitted:	09/12/2025
Working Session:		Business Session:		Public Hearing:	09/23/2025
Submitted By:	yturruviates				
Agenda Type	Rezoning	Rezoning Type	REZ		

Item of Business:

2025-00020, Applicant: Radovic Permits, LLC; Owner: VietGroup, LLC; Rezoning with Concurrent Variance of Tax Parcel No. R6156 008; 746 Pleasant Hill Road; O-I to C-2 for a Multi-Tenant Retail Center; 0.65 acres; District 2/Ku

Land Lot:	156	Parcel:	008
District:	6		

Attachments	Department Case Report with Planning Commission Recommendation

Authorization: Chairwoman's Signature? Yes

Department Head	jjleitch (9/16/2025)

District		For	Against	Abstained	Absent
District 1	Aysha Treadwell	X			
District 1	Nick Nicolosi	X			
District 2	Anthony Crotser	X			
District 2	Pinkie Farver	X			
District 3	Katrina Fellows				X
District 3	Ben Archer	X			
District 4	Buzz Brockway	X			
District 4	Chris Franklin	X			
At Large	Scott Haggard	X			

Comments

County Clerk Use Only

Working Session
Action: Public Hearing
Tabled
Motion
2nd by
Vote

Planning and Development

Recommendation:
☐ Approve
☒ Approve with Conditions
☐ Appr w/ Cond As
☐ Deny w/out Prejudice
☐ Deny PH was Held? ☐
☐ No Recommendation

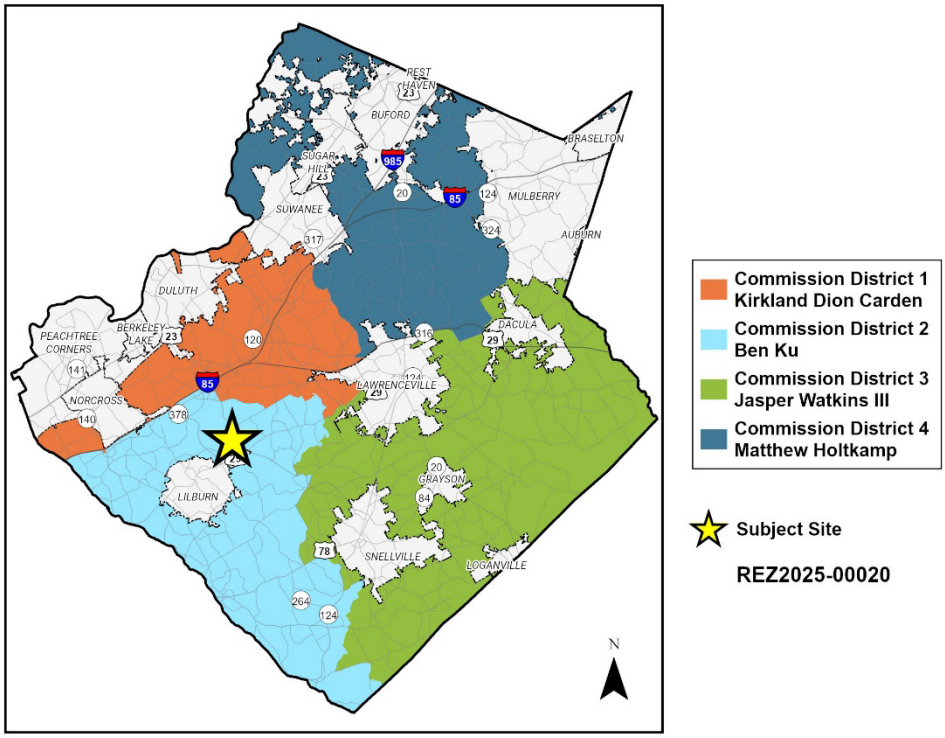
Planning Commission

Recommendation:
☐ Tabled - Date
☐ Approve
☒ Approve with Conditions
☐ Approve with Conditions As
☐ Deny
☐ Deny w/out Prejudice
☐ No Recommendation

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

PLANNING AND DEVELOPMENT DEPARTMENT
CASE REPORT

Case Number:	**REZ2025-00020**
Current Zoning:	**O-I** (Office-Institutional District)
Request:	Rezoning to **C-2** (General Business District)
Additional Request:	Variance
Address:	746 Pleasant Hill Road
Map Number:	R6156 008
Site Area:	0.65 acres
Square Feet:	2,230
Proposed Development:	Multi-tenant Retail Center
Commission District:	District 2 – Commissioner Ku
Future Development Type:	Neighborhood Traditional
Staff Recommendation:	**APPROVAL WITH CONDITIONS**
Planning Commission Recommendation:	**APPROVAL WITH CONDITIONS**



Planning Commission Advertised Public Hearing Date: 9/2/2025
Board of Commissioners Advertised Public Hearing Date: 9/23/2025

Applicant:	Radovic Permits, LLC 3021 Farmstead Court Grayson, GA 30017	**Owner:**	VietGroup, LLC 2825 Cardinal Lake Circle Duluth, GA 30096
Contact:	Maya Radovic	**Phone:**	404.717.4795

Zoning History

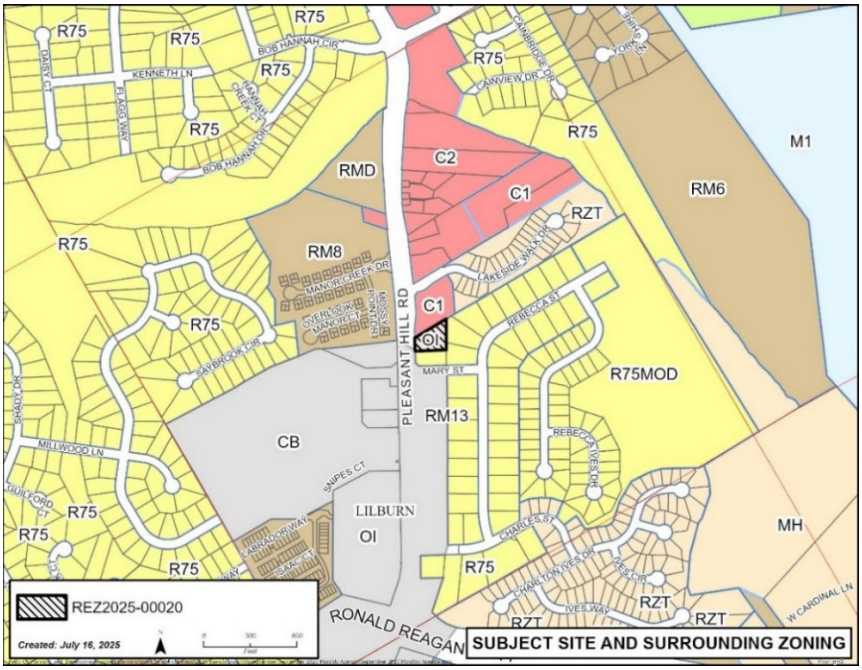
The subject property is zoned O-I (Office-Institutional District). The property was rezoned in 1988 from R-75 (Single-Family Residence District) to O-I, pursuant to RZ-78-88. In 1989, a change in conditions related to signage was approved, pursuant to RZ-48-89.

Existing Site Condition

The subject property is a 0.65-acre parcel located along Pleasant Hill Road, north of its intersection with Ronald Reagan Parkway. The property contains a one-story, 2,230-square-foot masonry building with a concrete parking lot and monument sign in the front yard, and an unenclosed dumpster in the rear. There is a wooden fence along portions of the northern and southern property lines, and a 30-foot-wide sparsely vegetated buffer and chain-link fence along the eastern property line. There are sidewalks along Pleasant Hill Road. The nearest Ride Gwinnett transit stop is approximately 550 feet from the subject property.

Surrounding Use and Zoning

The property is surrounded by commercial, office, and residential uses. An undeveloped commercial lot is north of the property. Auto-oriented uses, retail, and offices are located farther north along Pleasant Hill Road. The Pleasant Hill Villa subdivision is to the east, and a single-family detached residence is to the south. The Creekside Manor condominiums are across Pleasant Hill Road, to the west. A drive-through restaurant, a multi-tenant retail center, and a package store are also to the west, within the City of Lilburn. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning
Proposed	Commercial (Multi-tenant Retail Center)	C-2
North	Undeveloped Commercial (Vehicle Sales and Service) Commercial (Retail and Office)	C-1 C-1/C-2 C-2
East	Single-Family Residential	R-75
South	Single-Family Residential	R-75
West	Condominiums Commercial (Restaurant and Retail)	RM-8 CB (City of Lilburn)

Project Summary

The applicant requests rezoning of a 0.65-acre property from O-I to C-2 for a multi-tenant retail center, including:

- Addition of two commercial tenants.
- No modification to the site as part of the application.

Zoning and Development Standards

The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Floor Area Ratio	Maximum 1.0	0.08	YES
Lot Coverage	Maximum 80%	43%	YES
Front Yard Setback	Minimum 0’	>0’	YES
Side Yard Setback	Minimum 0’	>0’	YES
Rear Yard Setback	Minimum 0’	>0’	YES
Building Height	Maximum 45’	<45’	YES
Off-Street Parking	Minimum 5 spaces Maximum 7 spaces	5 spaces	YES
Landscape Strip	Minimum 10’	10’	YES
Zoning Buffer	Minimum 75’	0’	NO*

* The applicant is requesting a variance from this standard.

Variance Request

The applicant is seeking a variance from the following provision of Title II of the UDO:

1. **Section 230-100 Zoning Buffer Requirements.**

   The applicant is requesting to eliminate the required 75-foot-wide zoning buffer along the eastern and southern property lines adjacent to single-family detached residential properties.

Internal and External Agency Review

Internal and external agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities.

Staff Analysis

Rezoning Request Analysis: The standards governing the exercise of zoning power are outlined in Section 270-20.6 of the UDO. Staff makes the following findings related to the zoning requests:

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed rezoning is intended to allow a wider range of retail and services uses within an existing building, which is consistent with existing uses along the Pleasant Hill Road commercial corridor. The rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.

There is a 35-foot-wide sparsely vegetated buffer and chain-link fence along the eastern property line, and a wooden fence along the southern property line. Staff has recommended conditions limiting intense commercial uses and requiring a replanted 75-foot-wide zoning buffer to mitigate potential impact on adjacent residential properties. With proper conditions, the proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.

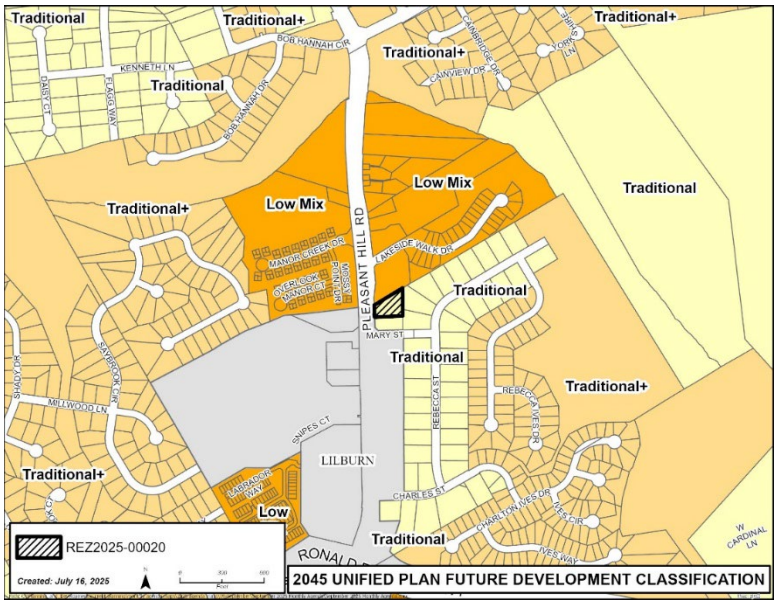
The property has a reasonable economic use as currently zoned.

D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Minimal impacts on public facilities would be anticipated for the rezoning in the form of traffic, utility demand, and stormwater runoff. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit F).

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

The Unified Plan's Future Development Map indicates "Neighborhood Traditional" for the subject property, which envisions predominantly single-family residential developments. Although the proposal is not in conformity with the policy and intent of the Unified Plan and Future Development Map, the proposal is compatible with the surrounding commercial uses located along Pleasant Hill Road.



F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning.

There are no other conditions giving support for approval or disapproval of the proposal.

Variance Request Analysis: The standards for granting variances are outlined in Section 270-90 of the UDO. Staff makes the following findings related to the variance request:

The applicant is requesting to eliminate the required 75-foot-wide buffer along the eastern and southern property lines. The zoning buffer is intended to protect existing single-family detached residences from non-single-family uses. The existing building, driveway, and parking area encroach into the required zoning buffer along the southern property line. Staff has recommended a condition requiring enhanced landscaping within the existing buffer along the eastern property line and fencing along the southern property line. With the recommended condition, approval of this variance would not nullify the intent of the UDO.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

In addition, staff recommends **APPROVAL** of the following variance:

1. To eliminate the required 75-foot-wide zoning buffer along the eastern and southern property lines.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related

to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

In addition, the Planning Commission recommends **APPROVAL** of the following variance request:

1. To eliminate the required 75-foot-wide zoning buffer along the eastern and southern property lines.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

Approval as C-2 (General Business District) subject to the following conditions:

1. The property shall be limited to uses allowed in C-2 with the following uses prohibited:
    a. Emission inspection facility.
    b. Restaurant, with drive-in or drive-thru service.
    c. Microbrewery or distillery facility.
    d. Smoke, novelty, or CBD shop.
    e. Special events facility.
    f. Vehicle parts and accessory store.

2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received July 16, 2025, with revisions required by zoning conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.

3. A 75-foot-wide landscaped buffer shall be provided along the eastern property line, and an eight-foot-tall wooden privacy fence **shall be provided along the southern property line and** ~~with~~ a 25-foot-wide landscaped buffer ~~along the southern property line~~ east of the existing parking area, subject to the review and approval of the Department of Planning and Development. The landscaping and fence shall be installed prior to issuance of a Certificate of Occupancy.

Exhibits:

A. Site Visit Photos
B. Site Plan
C. Building Elevations
D. Letter of Intent and Applicant's Response to Standards
E. Application and Disclosure of Campaign Contributions
F. Internal and External Agency Review Comments
G. Maps

Exhibit A: Site Visit Photos



View of the existing building and parking area



View of existing 30-foot-wide buffer



View of the existing parking lot



View of existing monument sign

Exhibit B: Site Plan

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

7.16.2025

ZONING DATA

1. BUILDING SETBACK EXISTING:
   FRONT= 0 FT
   SIDES= 0 FEET
   REAR= 0 FEET

SITE ANALYSIS

1. AREA = 0.65 ACRES
2. EXIST. TOTAL IMPERVIOUS =0.28 AC (43%)
3. FUTURE TOTAL IMPERVIOUS = 0.286 AC (44%)
4. NO WETLANDS EXIST ON OR WITHIN 200 FT OF THE PROJECT SITE.
5. NO WATERS OF THE STATE EXIST ON OR WITHIN 200' OF THE PROJECT SITE".
6. FLOODPLAIN = 0 ACRES.
7. (Total Lot Coverage) / (Lot Area) X (100%)=
   12458 sqft / 28314 sqft = 0.43 x 100 = 43%

PARKING ANALYSIS

PARKING MIN REQUIREMENT 2230/500 S.F.
PARKING REQD = min 5 SPACES
PARKING MAX REQUIREMENT 2230/300 S.F.
PARKING REQD = max 7 SPACES
TOTAL PROVIDED SPACES = 5 SPACES (INCL 1 H/C SPACE)

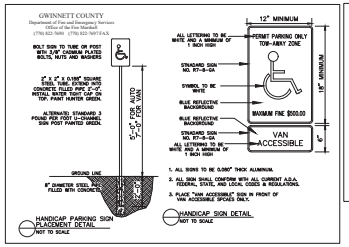
FLOOR-AREA RATIO (FAR)

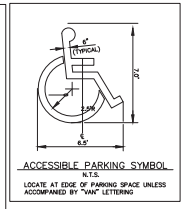
FAR(%)= 2230 / 28314=0.078%

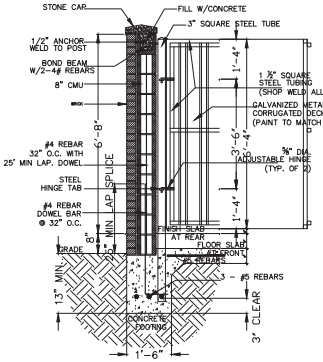
BUILDING HEIGHT=13'-5"
BUILDING AREA= 2230 SQ.FT
LAND AREA= 28 346 SQ.FT

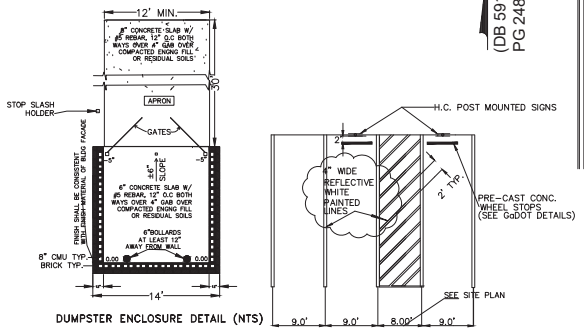
DESIGNER
3311 N BERKELEY LAKE RD-200
DULUTH, GA 30096
PH: (404) 597-6745
ELMINAENGINEER@GMAIL.COM
CONTACT:GEORGE AWUKU, P.E.
C.O.A. # PEF003807

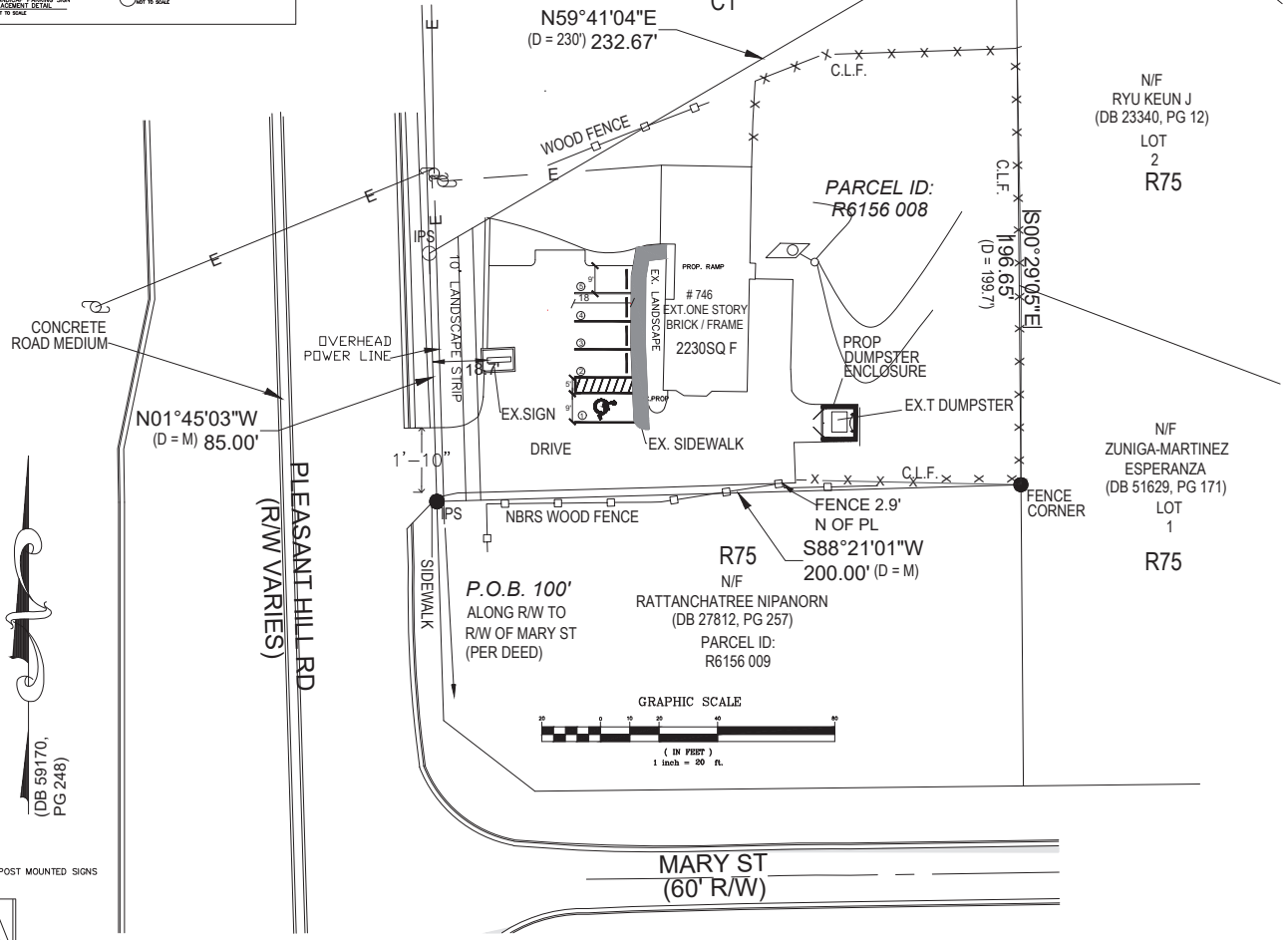
VARIANCE TO 75 FEET UNDISTURBED BUFFER, PROPOSING 0 FEET BUFFERS.
THE PROPOSED BUFFER REDUCTIONS WILL INCLUDE THE BUFFER IN REAR OF THE BUILDING AND TO THE EAST OF THE BUILDING LOCATION.











EL MINA, INC.
3311 N Berkeley Lake Rd-#200
Duluth, GA 30096

SITE LAYOUT OF EXISTING CONDITIONS AND PROPOSED ADDITION

SHEET TITLE

NO	DESCRIPTION	DATE

07/04/2025
DATE

JOB NUMBER

A1

Exhibit C: Building Elevations

[attached]









Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

July 7th , 2025

Gwinnett County Department of Planning and Development

446 West Crogan Street Suite 300

Lawrenceville, GA 30046

LETTER OF INTENT

To whom it may concern...

Please accept this application to allow rezoning a property with the existing office building and parking located at 746 Pleasant Hill Rd NW Lilburn GA 30047 currently zoned O-I (Office-Institutional District) to C-2 (General District Business). The parcel area is 0.65 ac.

The current owner of the property is VietGroup LLC providing consulting services for the professional, scientific, and technical industry. The owner would like to expand his business to sell technical specialty merchandise at the business location.

Since ownership in 2021, VietGroup LLC (Greater Atlanta Professional) has been the primary business for the building offering scientific consulting business and was sharing the building space with a lawyer who has since retired. Beginning in 2025, the building is largely unoccupied and has not been able to attract another tenant given the limitation of O-I zoning allowable businesses.

Currently, VietGroup LLC is the only occupied business at the property with one part-time employee (owner), declared to Gwinnett County Licensing Department Hours of operation (currently) are Monday-Saturday 9 AM-5 PM and the building is closed on Sunday.

The property owner is planning to open the building to tenants providing 2 (two) tenant spaces in total.

VietGroup, LLC /Viet Le is looking to expand the existing business to be able to sell scientific and technical merchandise, i.e. small gift shops selling technical products (rulers, measuring devices, etc...) and specialty merchandise (licensed health and cosmetic products) in the future. The building ownership is also looking to increase the building's marketability to attract additional tenants and increasing the economic impact of Pleasant Hill Road - Gwinnett county commercial corridor.

The owner is asking for a variance request approval for the buffer reduction from 75 feet to 0 feet in the rear and to the east of the building location due to the existing building location and a requirement for 75 foot buffer adjacent to all residential properties (for C-2 zoned properties according to Section 230-100-Standards for Zoning Buffers).

The VietGroup LLC/Viet Le is aware that site/building plan prepared by licensed professionals will be a subject of the Department of Planning standard review process. The property owner is willing to work closely with Gwinnett County to best meet compliance with the standard regulations and requirements.

Please don't hesitate to contact the property owner's representative Maya Radovic with questions or additional information. We appreciate all your help in getting the project moving forward.

Thanks and regards,

Maya Radovic

Radovic Permits 1, Inc

Cell: 404 717 4795

Email: radovicpermits@gmail.com

RESPONSES TO STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

Pursuant to requirements of the United Development Ordinance, the Board of Commissioners finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property:

The C-2 General Business District is intended to provide adequate space in appropriate locations along major streets, thoroughfares and intersections for various types of business use. These uses include the retailing of major goods and services, general
office facilities and public functions that would serve a community area of several neighborhoods. The proposed zoning request is suitable because of the use and development of adjacent and nearby property

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:

The proposed request will not affect the existing use or usability of adjacent or nearby properties.

C. Whether the property to be affected by a proposed rezoning has reasonable economic use as currently zoned:

VietGroup, LLC is currently registered with the state of GA to provide professional, scientific, and technical services. The business owner is looking to expand the business to be able to sell scientific and technical merchandise, i.e. small gift shops, technical products, specialty merchandise, etc.

D. Whether the proposed rezoning will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The proposed rezoning will not result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map:

The proposed zoning request conforms with the policy and intent of the Unified Plan and Future Development Map according to UDO Section 210-170. C-2 General Business District and 2045 Future Development Plan (Traditional Future Development Type).

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning:

There are no changes regarding the existing building in size, footage, or parking area.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GA.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: RADOVIC PERMITS, LLC	Name: VIETGROUP LLC
Address: 3021 FARMSTEAD COURT	Address: 2825 CARDINAL LAKE CIR
City: GRAYSON	City: DULUTH
State: GA ZIP: 30017	State: GA ZIP: 30096
Phone:	Phone:
Email:	Email:

Contact Person: MAYA RADOVIC Phone: 404-717-4795

Contact's Email: RADOVICPERMITS@GMAIL.COM

APPLICANT IS THE:

☑ Owner's Agent ☐ Property Owner ☐ Contract Purchaser

Current Zoning District(s): O-I Requested Zoning District: C-2

Parcel Number(s): 6156 008 Acreage: 0.65

Property Address(es): 746 PLEASANT HILL ROAD LILBURN GA 30047

Proposed Development: RETAIL

Variance(s): buffer reduction, sec 230-100 Waiver(s):

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Dwelling Units:	No. of Buildings: 1
Dwelling Unit Sq. Ft.:	Total Building Sq. Ft.: 2230
Density:	Floor Area Ratio: .08
Floor Area Ratio (LRR, MRR, HRR):	

MIXED-USE DEVELOPMENT

No. of Dwelling Units: Dwelling Unit Sq. Ft.:

Total Non-Residential Sq. Ft.: Floor Area Ratio:

Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon in less than six (6) months from the date of last action by the Board of Commissioners.

Property Owner

Name: Viet Hoang Le (Viet Group LLC)

Signature:

Date: 3/17/2025

Notary Public

Name: Stanny Zaw

Signature:

Date: March 17, 2025

STANNY ZAW
NOTARY
PUBLIC
Exp. Aug. 04, 2025
CLARKE COUNTY, GA

Notary Seal

Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

PROPERTY TAX VERIFICATION

The undersigned certifies that all Gwinnett County property taxes are current. In no such case shall an application or reapplication be processed without such property tax verification.

Applicant Information

Name: MAJA (MAYA) RADOVIC

Signature: [signature] **Date:** 4/24/25

Property Information

Enter all parcel IDs in the table below. Search for Parcel ID

Parcel ID(s) (by Applicant)	**Property Taxes Paid (Yes or No)** (Tax Commissioner Use Only)
6156 008	Yes

Tax Commissioner Affirmation

All Gwinnett County property taxes are current for the above referenced parcel(s) and confirmed by the signature below.

Name: T. Finley **Title:** TSA II

Signature: T Finley **Date:** 4-25-25

GWINNETT COUNTY

CASE NUMBER : REZ2025-00020

PRIMARY ADDRESS:	
RECEIVED DATE:	7/13/2025
APPLICATION STATUS:	Received
DESCRIPTION:	
PARCEL NUMBER:	6156 008
APPLICATION / PROJECT NAME:	746 Pleasant Hill Project

OWNER INFORMATION

OWNER NAME	ADDRESS	PHONE#	CITY/STATE/ZIP
VIETGROUP LLC	2825 CARDINAL LAKE CIR		DULUTH, GA, 30096-3925

CONTACTS INFORMATION

CONTACTS ROLE	NAME	ADDRESS	PHONE#	CITY/STATE/ZIP
Applicant	Maya Radovic	3021 Farmstead Court	4047174795	Grayson GA 30017
Applicant	Maya Radovic	3021 Farmstead Court	4047174795	Grayson GA 30017
Property Owner	Viet Le		8645534747	
Contact	Maya Radovic	560 Pittman Mill Court	4047174795	Loganville GA 30052

CASE INFORMATION

ADDITIONAL DETAILS	
CONSTRUCTING MORE THAN 5,000SQ FEET OF NONRESIDENTIAL BUILDINGS AND/OR ADDITIONS?:	NO
CREATING MORE THAN 10 NEW RESIDENTIAL UNITS?:	NO
DISTRIBUTING MORE THAN 10,000 SQUARE FEET OF LAND?:	UNDEFINED
PUBLIC PARTICIPATION PLAN REQUIRED:	NO
APPLICANT INFORMATION	
APPLICANT IS THE:	OWNER'S AGENT
CAMPAIGN CONTRIBUTIONS	
ANY CAMPAIGN CONTRIBUTIONS?:	NO
DIGITAL SIGNATURE	
APPLICANT DIGITAL SIGNATURE:	MAJA RADOVIC
PRE-APPLICATION DETAILS	
PRE-APPLICATION RECORD NUMBER:	ZAM2025-00038
PROJECT DETAILS	
DESCRIPTION:	THE APPLICANT IS REQUESTING A REZONING FROM O-I (OFFICE-INSTITUTIONAL DISTRICT) TO C-2 (GENERAL BUSINESS DISTRICT) FOR RETAIL SALES.
PROJECT NAME:	746 PLEASANT HILL PROJECT
REZONING DETAILS	
APPLICATION REFERENCE:	REZ1

Exhibit F: Internal and External Agency Review Comments

[attached]

TRC Meeting Date:	07.18.2025
Department/Agency Name:	Transportation
Reviewer Name:	Brent Hodges
Reviewer Title:	Construction Manager 2
Reviewer Email Address:	Brent.Hodges@gwinnettcounty.com
Case Number:	ZON2025-00042
Case Address:	742 Pleasant Hill Road, Lilburn, 30047

	Comments:	X	YES		NO
1	Pleasant Hill Road is a principal arterial. The Average Daily Traffic (ADT) volume is 52,773.				
2	The nearest Ride Gwinnett facility is located 0.10 mile (550') to the north at stop 2590 (route 25) - Pleasant Hill Road and Lakeside Walk Drive.				
3					
4					
5					
6					
7					

	Recommended Zoning Conditions:		YES	X	NO
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021

TRC Meeting Date:	
Department/Agency Name:	DWR
Reviewer Name:	Lorraine Campage
Reviewer Title:	Section Manager
Reviewer Email Address:	Lorraine.campagne@gwinnettcounty.com
Case Number:	ZON2025-00042/REZ2025-00020
Case Address:	746 Pleasant Hill Rd

	Comments:	**X**	**YES**		**NO**
1	Water: GCDWR does not have comments for this rezoning case. The existing building is connected to public water.				
2	Sewer: GCDWR does not have comments on this rezoning case. The existing building is on septic and will remain on septic.				
3					
4					
5					
6					
7					

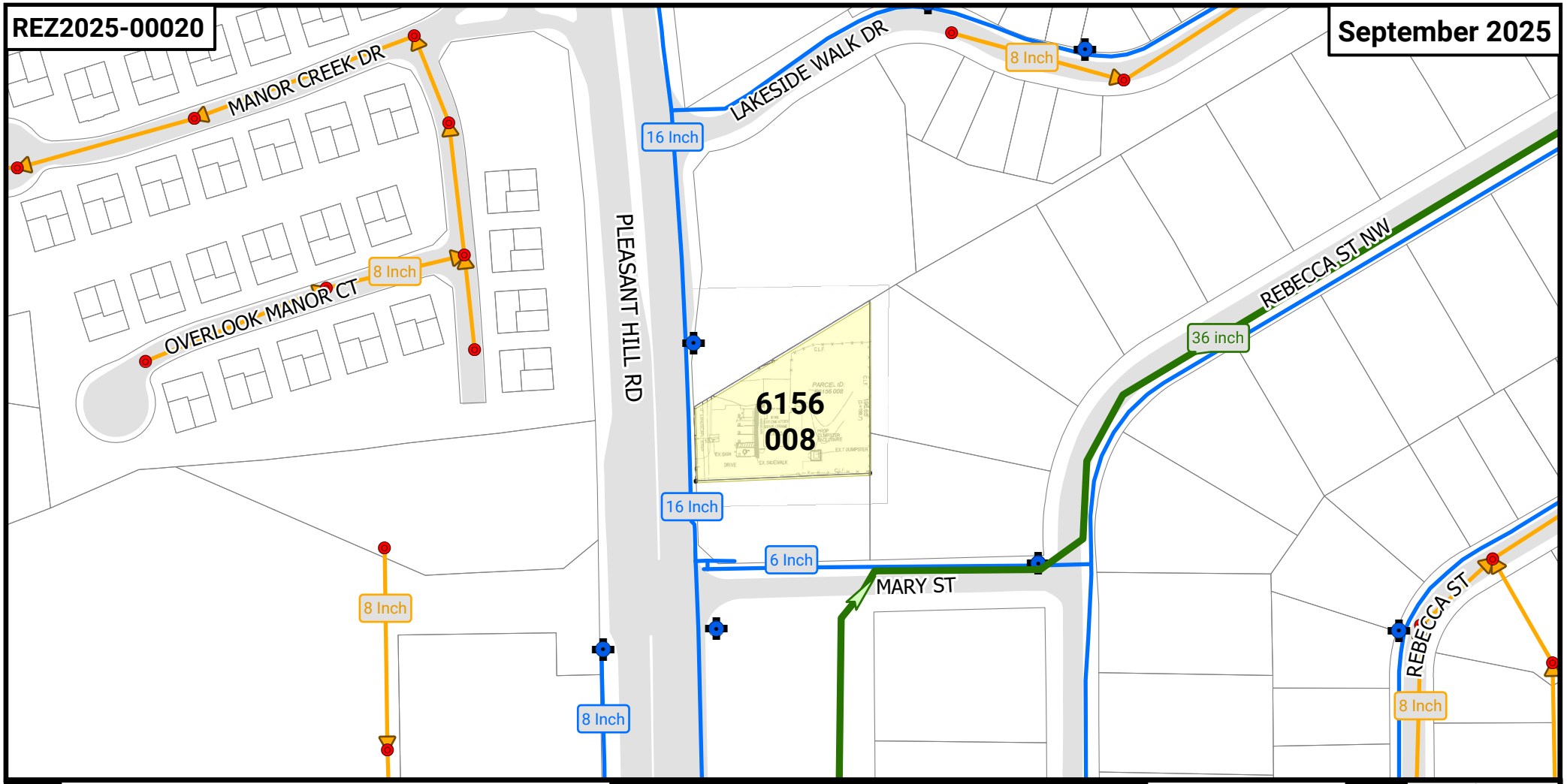
	Recommended Zoning Conditions:		**YES**	**X**	**NO**
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021

REZ2025-00020

September 2025



LEGEND

- Flow Management
- Pump Station
- Regional
- Manhole
- Hydrant
- City
- Water Main
- Proposed Water Main
- Sewer Collector
- Sewer Interceptor
- Sewer Force Main
- Proposed Sewer Collector

746 Pleasant Hill Rd
O-I to C-2

Water & Sewer Utility Map

N
W E
S

0 90 180
Feet

LOCATION



Water Comments: GCDWR does not have comments for this rezoning case. The existing building is connected to public water.

Sewer Comments: GCDWR does not have comments on this rezoning case. The existing building is on septic and will remain on septic.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

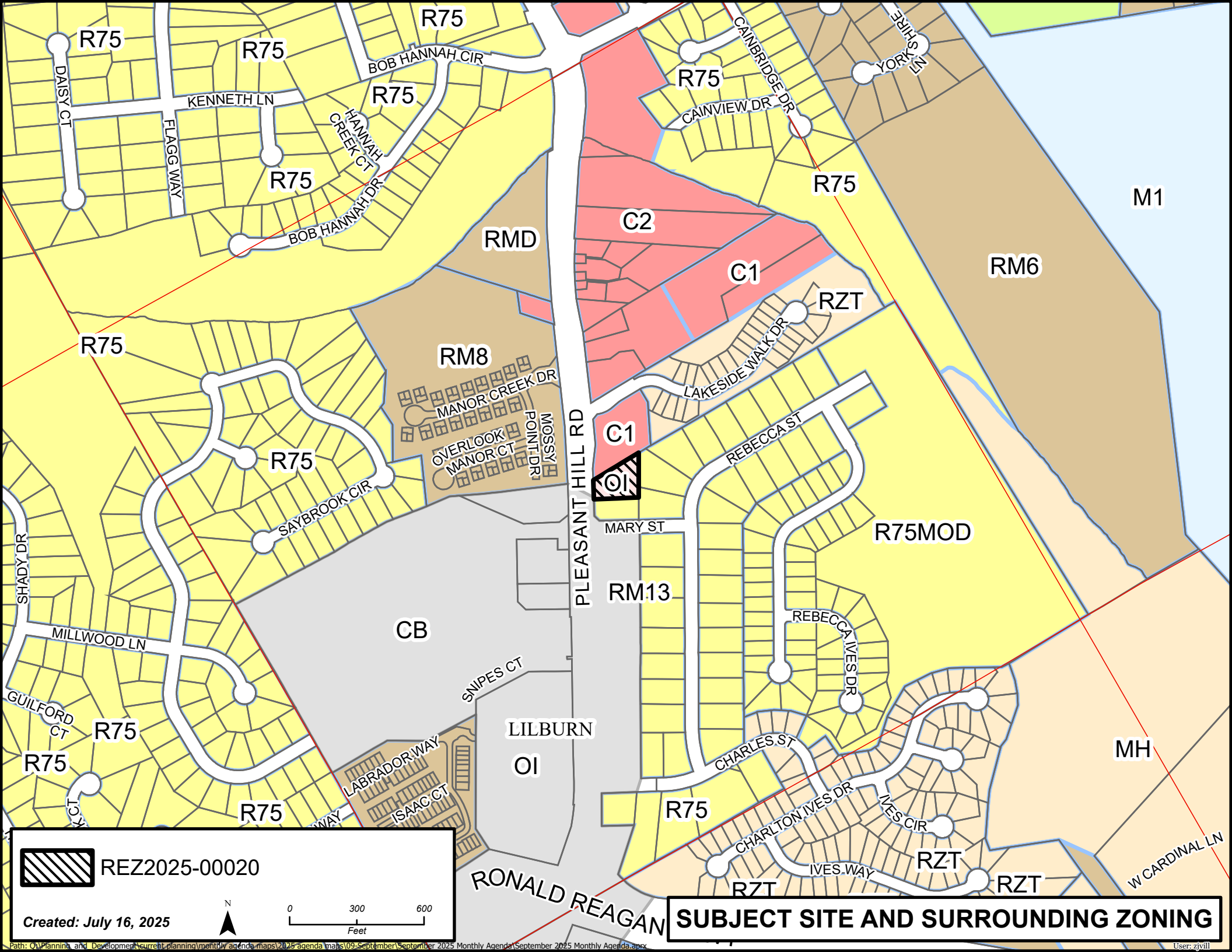
Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

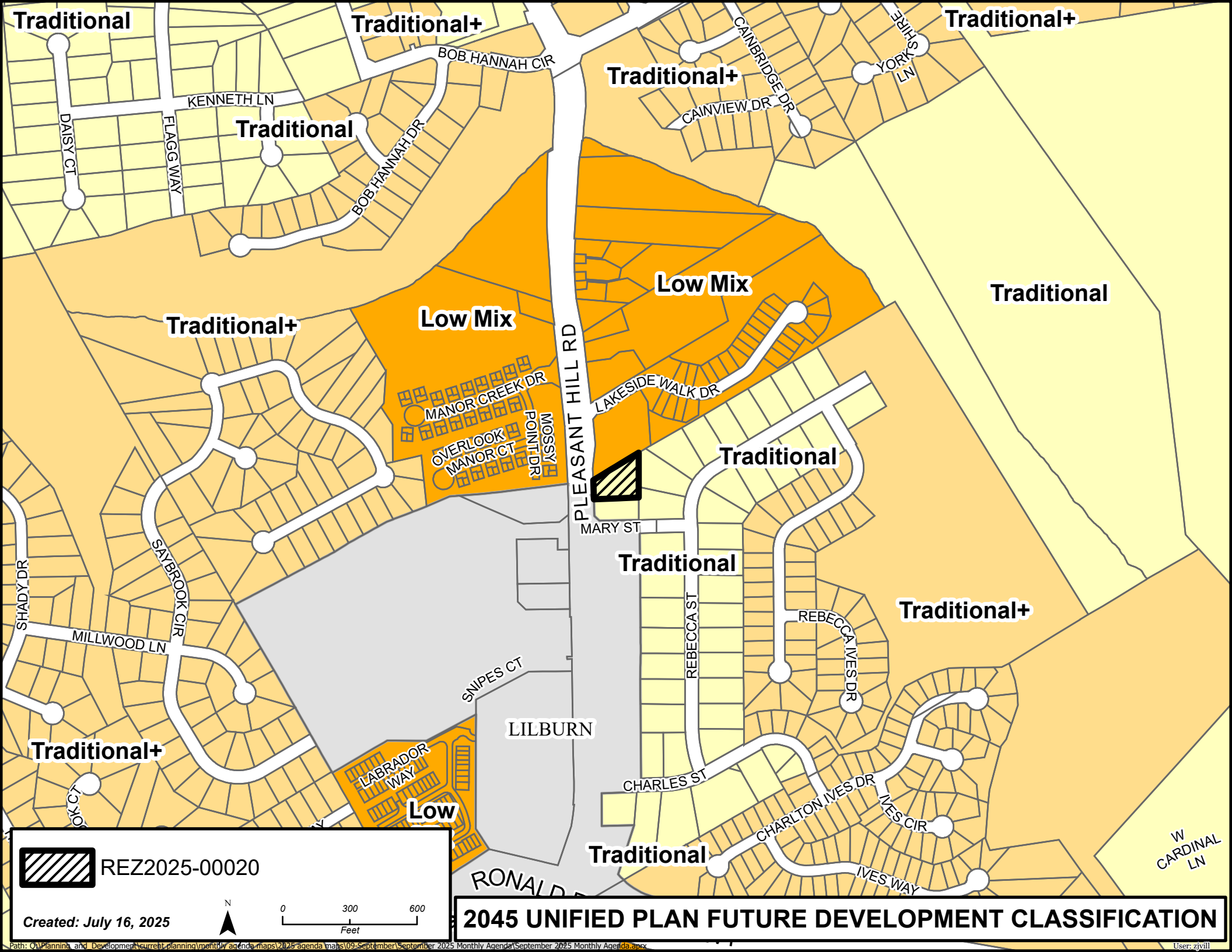
Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Exhibit G: Maps

[attached]


MANOR CREEK DR
MOSSY POINT DR
PLEASANT HILL RD
LAKESIDE WALK DR
LAKESIDE WALK DR
OVERLOOK MANOR CT
PLEASANT HILL RD
REBECCA ST
MARY ST
REZ2025-00020
Created: July 16, 2025
N
0
50
100
Feet
Gwinnett County GIS
Path: Q:\Planning_and_Development\current planning\monthly agenda maps\2025 agenda maps\09-September\September 2025 Monthly Agenda\September 2025 Monthly Agenda.aprx
User: zjvill


R75
R75
R75


Traditional
Traditional+
BOB HANNAH CIR
KENNETH LN
DAISY CT
FLAGG WAY
BOB HANNAH DR
Traditional
Traditional+
CAINBRIDGE DR
YORKSHIRE LN
CAINVIEW DR
Traditional+
Low Mix
Low Mix
Traditional
Traditional+
PLEASANT HILL RD
MANOR CREEK DR
OVERLOOK MANOR CT
MOSSY POINT DR
LAKESIDE WALK DR
Traditional
MARY ST
Traditional
Traditional+
SHADY DR
SAYBROOK CIR
MILLWOOD LN
REBECCA ST
REBECCA IVES DR
SNIPES CT
LILBURN
Traditional+
LABRADOR WAY
Low
CHARLES ST
CHARLTON IVES DR
IVES CIR
Traditional
IVES WAY
W CARDINAL LN
RONALD
REZ2025-00020
Created: July 16, 2025
N
0
300
600
Feet
2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION
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User: zjvill

Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:
20250945	

☑ Rezoning ☑ Public Hearing

Department:	Planning & Development			Date Submitted:	09/12/2025
Working Session:		Business Session:		Public Hearing:	09/23/2025
Submitted By:	yturruviates				
Agenda Type	Rezoning	Rezoning Type	REZ		

Item of Business:

2025-00022, Applicant: CKK Development Services, LLC; Owner: Ohformosa, LLC; Rezoning of Tax Parcel No. R2003 002; 15 Auburn Road; RA-200 to R-IF for a Townhouse and Single-Family Detached Subdivision; 18.02 acres; District 3/Watkins

Land Lot:	003	Parcel:	002
District:	2		

Attachments	Department Case Report with Planning Commission Recommendation

Authorization: Chairwoman's Signature? Yes

Department Head	jjleitch (9/16/2025)

District		For	Against	Abstained	Absent
District 1	Aysha Treadwell	X			
District 1	Nick Nicolosi	X			
District 2	Anthony Crotser	X			
District 2	Pinkie Farver	X			
District 3	Katrina Fellows				X
District 3	Ben Archer	X			
District 4	Buzz Brockway	X			
District 4	Chris Franklin	X			
At Large	Scott Haggard	X			

Comments

County Clerk Use Only

Working Session
Action: Public Hearing
Tabled
Motion
2nd by
Vote

Planning and Development

Recommendation:
☐ Approve
☒ Approve with Conditions
☐ Appr w/ Cond As
☐ Deny w/out Prejudice
☐ Deny PH was Held? ☐
☐ No Recommendation

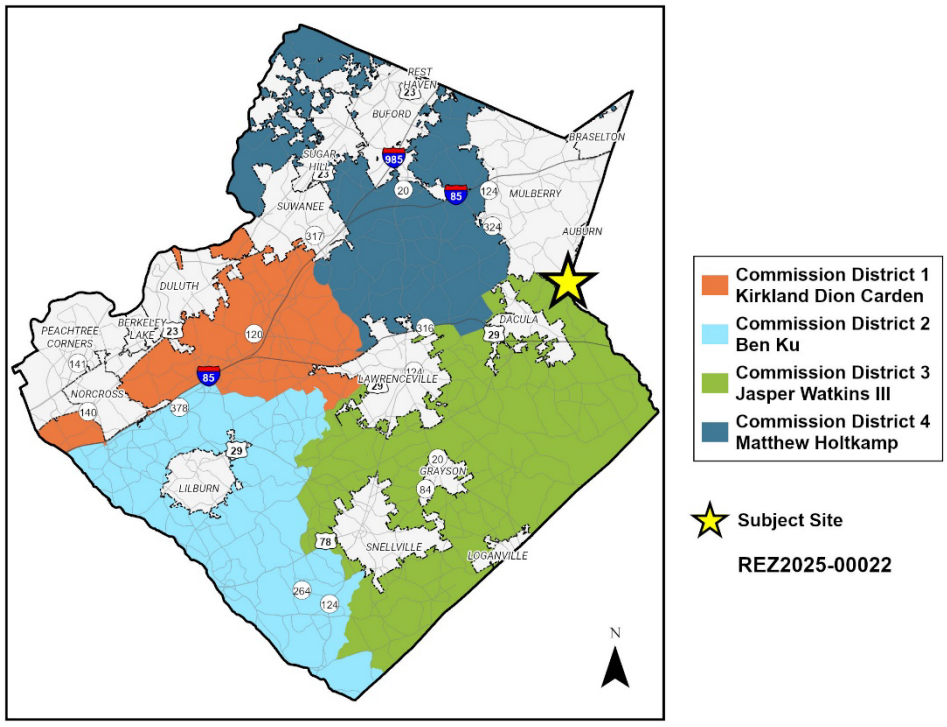
Planning Commission

Recommendation:
☐ Tabled - Date
☐ Approve
☒ Approve with Conditions
☐ Approve with Conditions As
☐ Deny
☐ Deny w/out Prejudice
☐ No Recommendation

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

PLANNING AND DEVELOPMENT DEPARTMENT
CASE REPORT

Case Number:	**REZ2025-00022**
Current Zoning:	**RA-200** (Agriculture-Residence District)
Request:	Rezoning to **R-IF** (Residential In-Fill District)
Overlay District:	Highway 124/324/Hamilton Mill Overlay District
Address:	15 Auburn Road
Map Number:	R2003 002
Site Area:	18.02 acres
Units:	91
Proposed Development:	Townhouse and Single-Family Detached Subdivision
Commission District:	District 3 – Commissioner Watkins
Future Development Type:	Neighborhood Traditional+
Staff Recommendation:	**APPROVAL WITH CONDITIONS**
Planning Commission Recommendation:	**APPROVAL WITH CONDITIONS**



Planning Commission Advertised Public Hearing Date: 9/2/2025
Board of Commissioners Advertised Public Hearing Date: 9/23/2025

Applicant:	CKK Development Services, LLC 270 North Clayton Street Lawrenceville, GA 30046	**Owner:**	Ohformosa, LLC 1090 Abingdon Lane Alpharetta, GA 30022
Contact:	James Lunsford	**Phone:**	678.314.0466

Zoning History

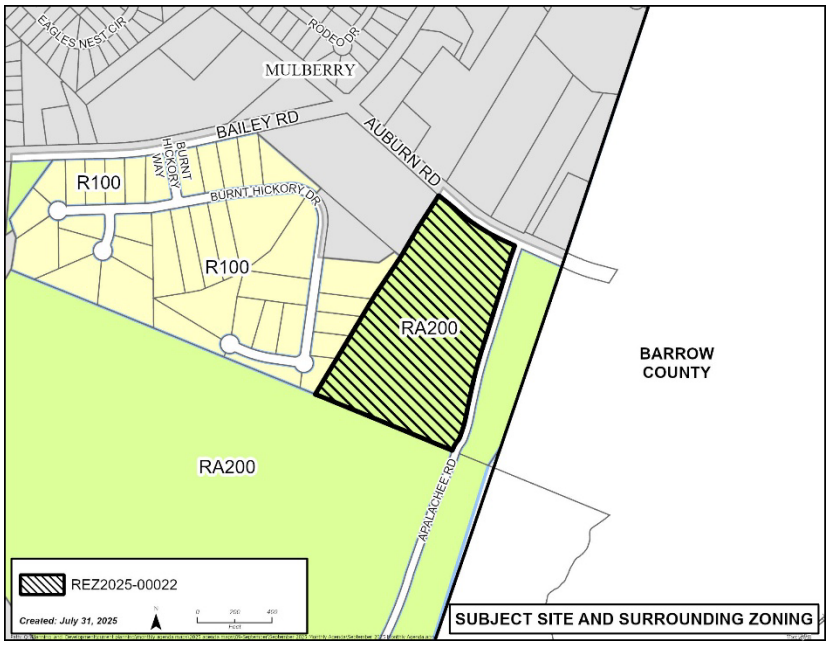
The subject property is zoned RA-200 (Agriculture-Residence District). No prior zoning requests are on record for this property. The parcel is located within the Highway 124/324/Hamilton Mill Road Overlay District.

Existing Site Condition

The subject property is an 18.02-acre parcel located along Auburn Road, west of the Gwinnett County/Barrow County line. The property is undeveloped and wooded, with a 100-foot-wide overhead power line easement along the eastern property line. There are no sidewalks along Auburn Road. The nearest Ride Gwinnett transit stop is approximately 9.2 miles from the subject property.

Surrounding Use and Zoning

The subject property is located within a residential area at the eastern edge of Gwinnett County. Residences on large lots and within the Baylee Preserve, Beckett Ranch, and Brookside Crossing subdivisions are located to the north in the City of Mulberry. To the east and south are undeveloped properties currently in the rezoning process under consideration for a single-family detached subdivision. Farther east in Barrow County is Kentmere, a mixed-use development that is currently under construction with single-family residences, townhouses, and commercial and office space. The Smoke Trace subdivision and an undeveloped parcel are located to the west. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Townhouse and Single-Family Residential	R-IF	5.01 units per acre
North	Single-Family Residential Single-Family Residential Single-Family Residential	RA-200 (City of Mulberry) R-75 (City of Mulberry) R-60 (City of Mulberry)	0.25 units per acre 2.70 units per acre 3.63 units per acre
East	Undeveloped Single-Family Residential Mixed-Use	RA-200 AR (Barrow County) PSV (Barrow County)	N/A 1.28 units per acre 5.07 units per acre
South	Undeveloped	RA-200	N/A
West	Undeveloped Single-Family Residential	RA-200 (City of Mulberry) R-100	N/A 0.92 units per acre

Project Summary

The applicant requests rezoning of an 18.02-acre property from RA-200 to R-IF for a townhouse and single-family detached subdivision, including:

- 91 total units comprised of 59 townhouses and 32 single-family detached residences, yielding a density of 5.01 units per acre.
- One-story single-family detached residences with a minimum heated floor area of 2,000 square feet, and two-story single-family detached residences with a minimum heated floor area of 2,200 square feet.
- Two-story townhouses with a minimum heated floor area of 1,800 square feet.
- Front-loaded, two-car garages for each residence.
- Exterior building materials of brick and cementitious and/or shake siding on the front façade, and cementitious siding with a brick or stacked stone water table on the side and rear façades.
- 4.80 acres of open space, including 1.55 acres of usable open space, and 15 on-street parallel guest parking spaces.
- One stormwater management facility in the southwestern corner.
- A 40-foot-wide setback with a 10-foot-wide landscape strip along Auburn Road.
- One full-access entrance with a 12-foot-wide multi-use path along Auburn Road, one full-access entrance along the proposed Auburn Connector, and a stub street to the south.

Zoning and Development Standards

The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Front Yard	Minimum 10’	10’	YES
Rear Yard	Minimum 20’	20’	YES
Side Yard	Minimum 7.5’	7.5’	YES
Building Height	Maximum 45’	<45’	YES
Open Space	Minimum 10% or 1.81 acres	26.46% or 4.80 acres	YES
Usable Open Space	Minimum 5% or 0.91 acres	8.54% or 1.55 acres	YES
Townhouse Guest Parking	Minimum 15 spaces	15 spaces	YES

This parcel is located within the Highway 124/324/Hamilton Mill Overlay District and meets all applicable standards.

Public Participation

The applicant held a community meeting on August 14 at the Pavilion at Dacula Park in Dacula. There were 10 community members in attendance, who raised questions regarding the traffic study and density. The public participation plan and report are shown in Exhibit H.

Internal and External Agency Review

Internal and external agency review comments are attached (Exhibit I). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities.

Staff Analysis

Rezoning Request Analysis: The standards governing the exercise of zoning power are outlined in Section 270-20.6 of the UDO. Staff makes the following findings related to the zoning requests:

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The site is located in an area that is transitioning from residences on large lots to residential subdivisions with smaller lots and townhouses. Several subdivisions with small lots are to the north within the City of Mulberry. The Kentmere development to the east contains single-family residences, townhouses and commercial/office uses at a density of 5.07 units/acre. In view of this area's transition, the proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.

The 40-foot-wide open space along the western property line would provide a natural separation from the Smoke Trace subdivision. Additionally, the single-family detached component of this development are oriented along external property lines to the north, east, and west. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.

The property has a reasonable economic use as currently zoned.

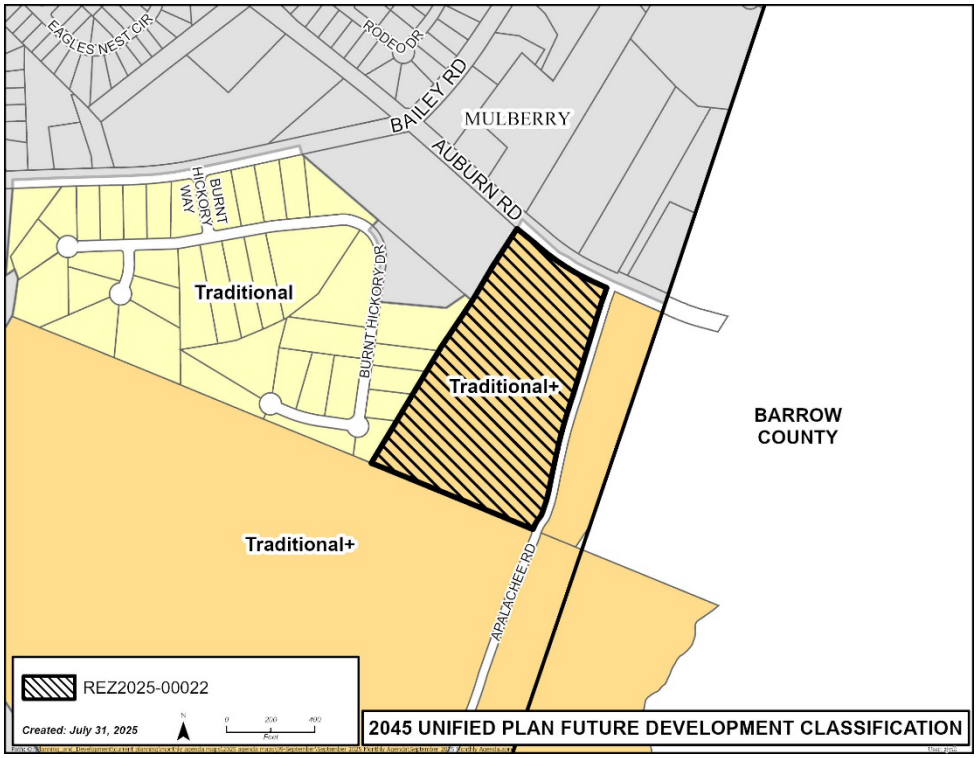
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts could be mitigated with appropriate conditions, site development requirements, and planning. The traffic impact study (Exhibit G), which was based on 99 residential units, estimates that the development would generate 74 morning and 89 evening peak hour trips and also impact the level of service at the intersection of Auburn Road and Bailey Road. The study recommends a deceleration lane and a left-turn lane along Auburn Road. Of note, the study did not factor in the construction of the Auburn Connector, which could alleviate traffic impact on Auburn Road. An increased impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit I).

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

The Unified Plan's Future Development Map indicates "Neighborhood Traditional+" for the subject property, which encourages gentle density in predominantly single-family residential areas. A variety of single-family attached and detached housing types are recommended for this future development type. Street and sidewalk connectivity are encouraged, and greens and passive parks are preferred park typologies.

Single-family detached and townhouses are appropriate land uses and R-IF is a recommended zoning district. The usable open space throughout the development and inter-parcel connectivity would further the Unified Plan vision. The proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.



F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning.

There are no other conditions giving support for approval or disapproval of the proposal.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

Approval as R-IF (Residential In-Fill District) for a townhouse and single-family detached subdivision subject to the following conditions:

1. The development shall be limited to townhouses and single-family detached residences, and accessory uses and structures, not exceeding 59 townhouses and 32 single-family detached residences.

2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received July 30, 2025, and Exhibit C: Building Elevations dated received March 11, 2025, subject to the review and approval of the Department of Planning and Development.

3. The minimum heated floor area shall be 1,800 square feet for townhouses, 2,000 square feet for one-story single-family detached residences, and 2,200 square feet for two-story single-family detached residences.

4. Usable open space shall be provided in general conformance with Exhibit B: Site Plan dated received July 30, 2025, subject to the review and approval of the Department of Planning and Development.

5. The following roadway improvements shall be provided, prior to the issuance of a Certificate of Occupancy, subject to the review and approval of the Gwinnett County Department of Transportation:
    a. A full-access entrance with a deceleration lane and left-turn lane along Auburn Road;
    b. A full-access entrance along the Auburn Connector.

6. Natural vegetation shall remain on the property until the issuance of a development permit.

7. All grassed areas within lots, and usable open space, shall be sodded.

8. **The development shall be limited to a maximum of 10 percent rental units. This restriction shall be included in the covenants and will be managed by a mandatory homeowners association.**

Exhibits:

A. Site Visit Photos
B. Site Plan
C. Building Elevations
D. Letter of Intent and Applicant's Response to Standards
E. Application and Disclosure of Campaign Contributions
F. DWR Sewer Capacity Certification Letter
G. Traffic Impact Study
H. Public Participation Plan and Report
I. Internal and External Agency Review Comments
J. Maps

Exhibit A: Site Visit Photos



View of gravel drive and overhead power lines



View of property frontage along Auburn Road



View of residences in Kentmere



View of townhouses in Kentmere

Exhibit B: Site Plan

[attached]

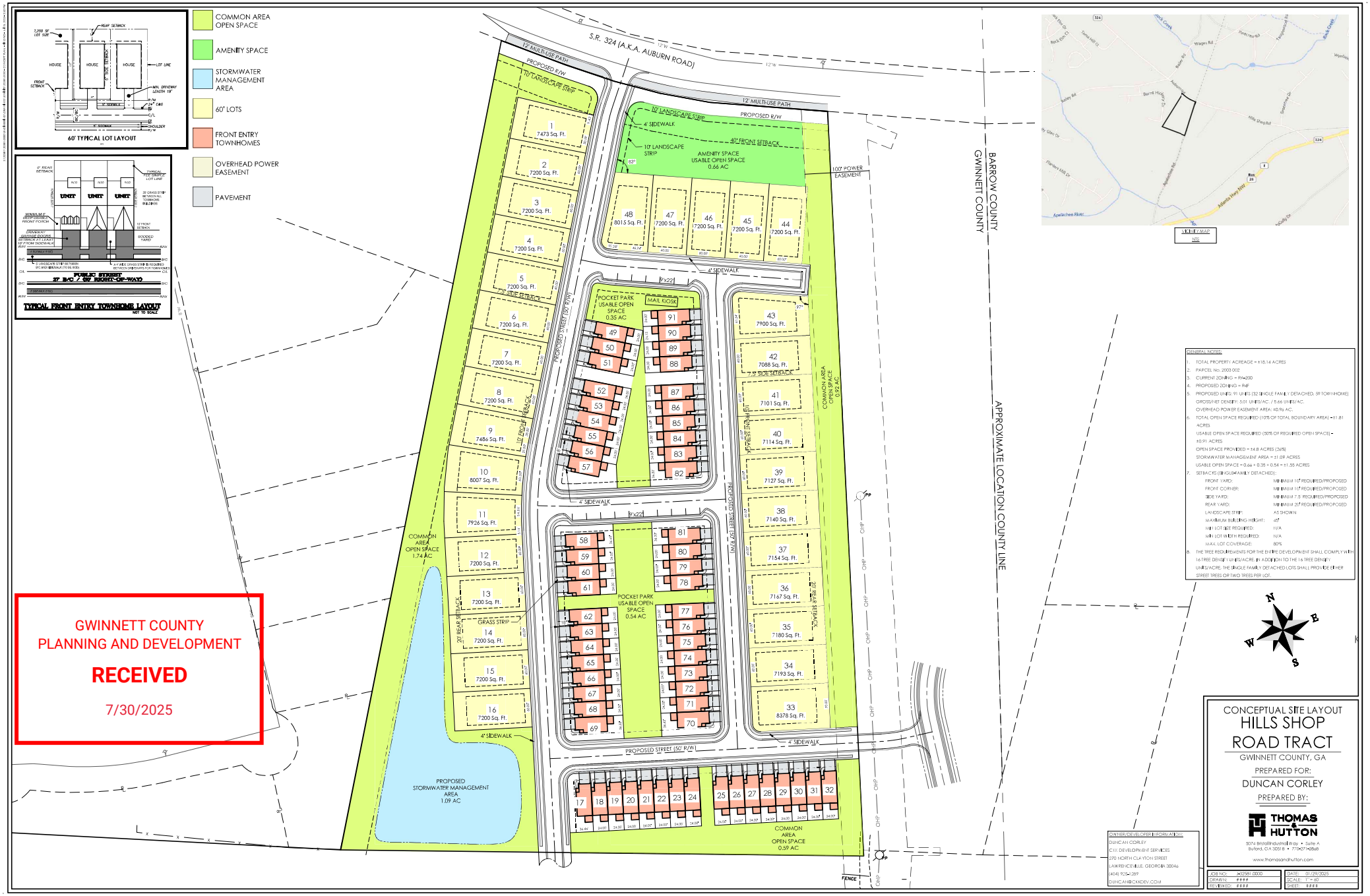

60' TYPICAL LOT LAYOUT
TYPICAL FRONT ENTRY TOWNHOME LAYOUT
NOT TO SCALE
COMMON AREA OPEN SPACE
AMENITY SPACE
STORMWATER MANAGEMENT AREA
60' LOTS
FRONT ENTRY TOWNHOMES
OVERHEAD POWER EASEMENT
PAVEMENT
S.R. 324 (A.K.A. AUBURN ROAD)
PROPOSED R/W
12' MULTI-USE PATH
10' LANDSCAPE STRIP
4' SIDEWALK
40' FRONT SETBACK
AMENITY SPACE
USABLE OPEN SPACE
0.66 AC
100' POWER EASEMENT
GWINNETT COUNTY
BARROW COUNTY
APPROXIMATE LOCATION COUNTY LINE
POCKET PARK
USABLE OPEN SPACE
0.35 AC
MAIL KIOSK
PROPOSED STREET (50' R/W)
7.5' SIDE SETBACK
10' REAR SETBACK
20' REAR SETBACK
COMMON AREA OPEN SPACE 0.52 AC
COMMON AREA OPEN SPACE 1.74 AC
POCKET PARK
USABLE OPEN SPACE
0.54 AC
GRASS STRIP
PROPOSED STORMWATER MANAGEMENT AREA 1.09 AC
COMMON AREA OPEN SPACE 0.59 AC
FENCE
VICINITY MAP
NTS
GENERAL NOTES:
1. TOTAL PROPERTY ACREAGE = ±18.14 ACRES
2. PARCEL No. 2003 002
3. CURRENT ZONING = RA-200
4. PROPOSED ZONING = R4F
5. PROPOSED UNITS: 91 UNITS (32 SINGLE FAMILY DETACHED, 59 TOWNHOME)
GROSS/NET DENSITY: 5.01 UNITS/AC. / 5.66 UNITS/AC.
OVERHEAD POWER EASEMENT AREA: ±0.96 AC.
6. TOTAL OPEN SPACE REQUIRED (10% OF TOTAL BOUNDARY AREA) = ±1.81 ACRES
USABLE OPEN SPACE REQUIRED (50% OF REQUIRED OPEN SPACE) = ±0.91 ACRES
OPEN SPACE PROVIDED = ±4.8 ACRES (26%)
STORMWATER MANAGEMENT AREA = ±1.09 ACRES
USABLE OPEN SPACE = 0.66 + 0.35 + 0.54 = ±1.55 ACRES
7. SETBACKS (SINGLE-FAMILY DETACHED):
FRONT YARD: MINIMUM 10' REQUIRED/PROPOSED
FRONT CORNER: MINIMUM 10' REQUIRED/PROPOSED
SIDE YARD: MINIMUM 7.5' REQUIRED/PROPOSED
REAR YARD: MINIMUM 20' REQUIRED/PROPOSED
LANDSCAPE STRIP: AS SHOWN
MAXIMUM BUILDING HEIGHT: 45'
MIN LOT SIZE REQUIRED: N/A
MIN LOT WIDTH REQUIRED: N/A
MAX. LOT COVERAGE: 80%
8. THE TREE REQUIREMENTS FOR THE ENTIRE DEVELOPMENT SHALL COMPLY WITH 16 TREE DENSITY UNITS/ACRE, IN ADDITION TO THE 16 TREE DENSITY UNITS/ACRE, THE SINGLE FAMILY DETACHED LOTS SHALL PROVIDE EITHER STREET TREES OR TWO TREES PER LOT.
GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
7/30/2025
CONCEPTUAL SITE LAYOUT
HILLS SHOP ROAD TRACT
GWINNETT COUNTY, GA
PREPARED FOR:
DUNCAN CORLEY
PREPARED BY:
THOMAS & HUTTON
OWNER/DEVELOPER INFORMATION:
DUNCAN CORLEY
CIVIL DEVELOPMENT SERVICES
270 NORTH CLAYTON STREET
LAWRENCEVILLE, GEORGIA 30046
(404) 925-1397
DUNCAN@CKDEV.COM
JOB NO: 0-2581.0000
DRAWN: ####
REVIEWED: ####
DATE: 01/29/2025
SCALE: 1" = 60'
SHEET: ####

Exhibit C: Building Elevations

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
3/11/2025




1 Story Left
GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
3/11/2025
17 ft to midpoint of roof pitch
Asphalt Shingles
Siding (Hardie Cement)
Metal Window
3ft Water Table of Brick or Stack Stone

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

3/11/2025



1 Story Right elevation

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

3/11/2025



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

3/11/2025



GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
3/11/2025



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

3/11/2025



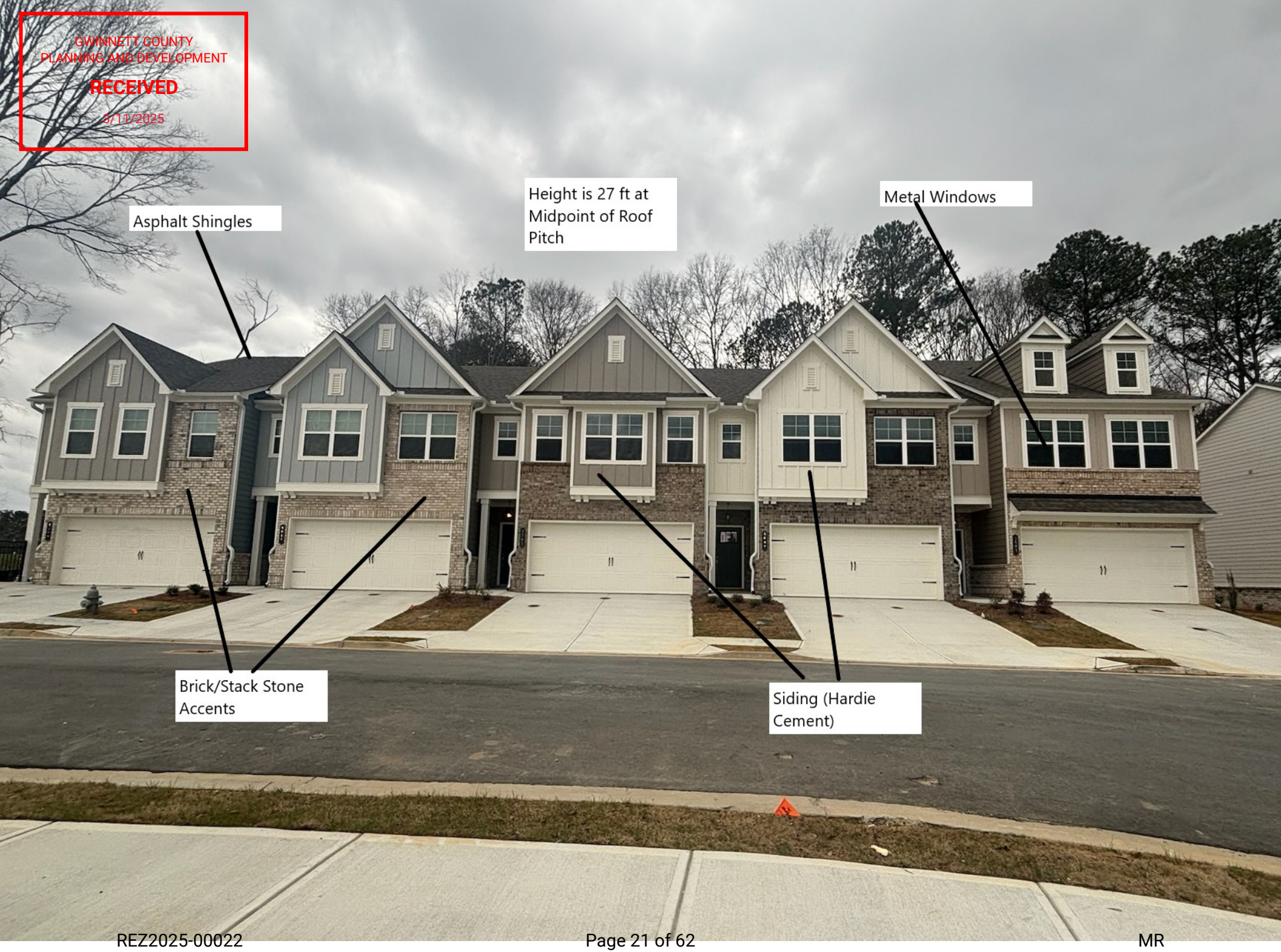
GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

3/11/2025



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GWINNETT COUNTY
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4/11/2025

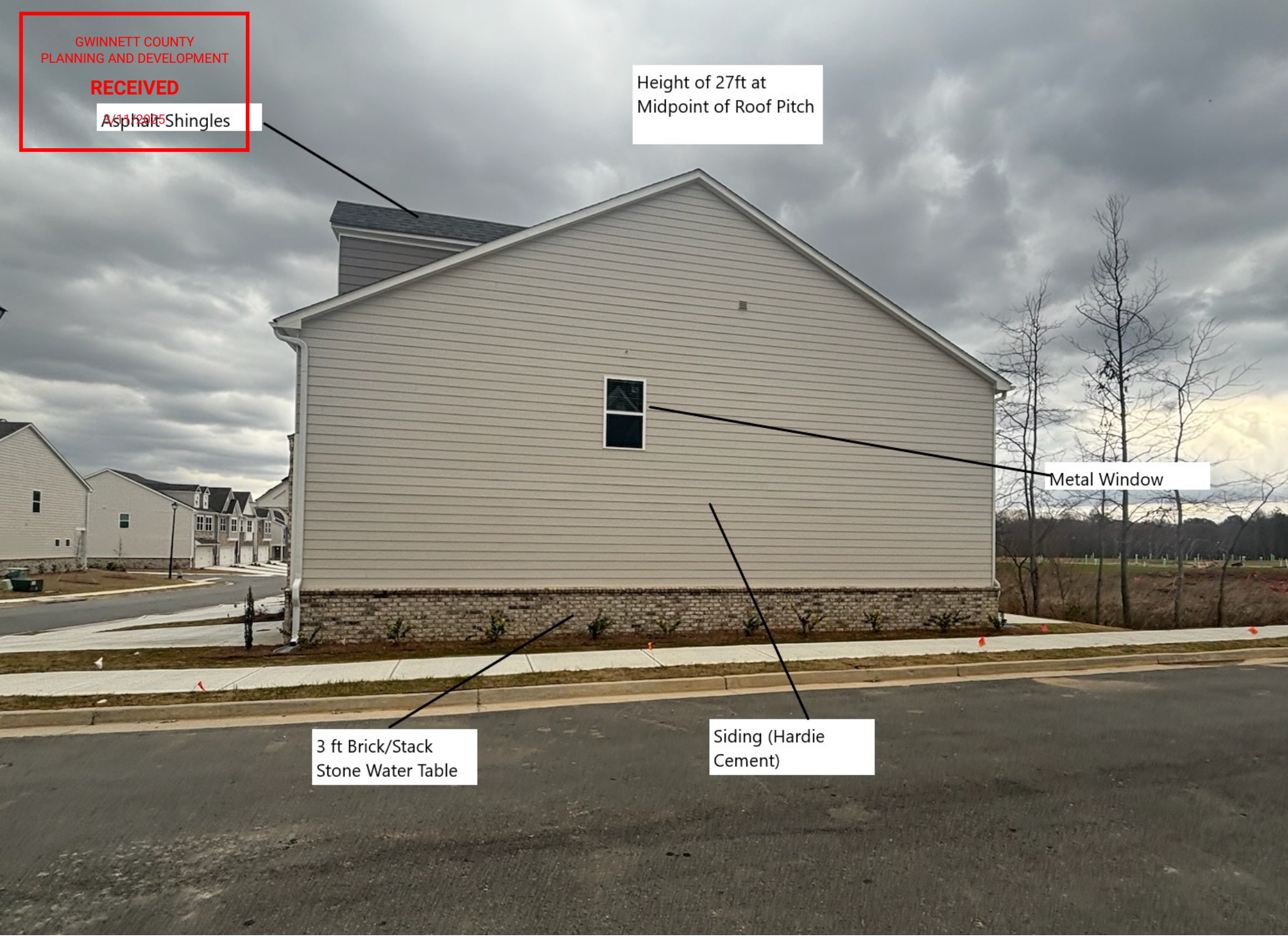


Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

CKK Development Services, LLC

270 N Clayton St, Lawrenceville Ga 30046

To: Gwinnett County

From: CKK Development Services

RE: Re-Zoning of property located on 15 Auburn Road, Dacula Ga. (Parcel R2003 002.

CKK Development Services (Applicant) submits this Letter of Intent and rezoning application to the development of a tract of land (Subject). The subject property consists of 18.14+/- acres of land currently zoned RA-200. The applicant is asking for a re-zoning to R-IF.

The subject is in the Ga. Hwy 124/324/Hamilton Mill Overlay District.

CKK is asking that the subject be rezoned to R-IF for the development of 32 Single Family Detached lots and 59 Townhome lots. Townhomes shall have a minimum square footage of 1800. One-story single family detached shall be a minimum of 2,000 square feet. Two story single family detached shall be a minimum of 2,200 square feet. All homes will be built with an attractive architectural style. Building materials will consist of fronts of primarily brick/stack stone with shake accents. Sides and Rears will consist of Hardy Cement Siding with a 3-foot brick or rock water table. Metal Windows. Asphalt Singles will be used for roofing.

A Public Participation Plan and a Level 2 Traffic Study will be provided. Also, pedestrian trails will be interconnected with sidewalks throughout the development.

CKK will be providing Pocket Parks throughout the development.

Open space required .91 acres. Open space provided is 1.55.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

8/13/25

Duncan Corley

Date

Managing Member

CKK Development Services, LLC

RESPONSES TO STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

Pursuant to requirements of the United Development Ordinance, the Board of Commissioners finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property:

The property is unique to the surrounding properties because it is in the Ga Hwy 124/324/Hamilton Mill Overlay district. The residential zoning requested is consistent with R-65 and R-75 residential zonings adjacent and near the property.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:

The proposed request will not adversely affect the existing use or usability of adjacent or nearby property. The residential zoning requested is consistent with R-65 and R-75 residential zonings adjacent and near the property.

C. Whether the property to be affected by a proposed rezoning has reasonable economic use as currently zoned:

The property does not have an economic use as currently zoned as an Agriculture property (RA-200).

D. Whether the proposed rezoning will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The proposed request will not have or cause an excessive or burdensome use of existing streets, transportation facility, utilities, or schools.

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map:

The proposed request is in conformity with the policy and intent of the Unified Plan and Future Development Map as it is designated as being in the 124/324/Hamilton Mill Overlay District.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning:

The property is surrounded by existing and proposed residential zoning.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

REZONING APPLICATION

Please complete this application to amend the official zoning map of Gwinnett County and attach a letter of intent explaining what is proposed.

Applicant Information	Property Owner Information
Name: CKK Development Services, LLC	Name: Ohformosa LLC
Address: 270 N Clayton Street	Address: 1090 Abingdon Lane
City: Lawrenceville	City: Alpharetta
State: GA Zip code: 30046	State: GA Zip code: 30022
Phone: 678.314.0466	Phone: 678.314.0466
Email: andy@ckkdev.com	Email: andy@ckkdev.com

Contact person: James Lunsford Phone: 678.314.0466

Contact's email: andy@ckkdev.com

Applicant is the

☒ Owner's agent ☐ Property owner ☐ Contract purchaser

Present zoning district(s): RA-200 Requested zoning district: R-IF

Parcel number(s): R2003 002 Acreage: +/- 18.02

Address of property: 15 Auburn Road

Proposed development: Residential In-Fill Subdivision (Single-Family Detached and Townhouses)

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units 91	No. of Buildings/Lots:
Dwelling Unit Size (Sq. Ft.): 1,800 - 2,200	Total Building Sq. Ft.
Gross Density: 5.01 Units Per Acre	Density:
Net Density: N/A	

Gwinnett

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon in less than six (6) months from the date of last action by the Board of Commissioners.

Property Owner

Name: Issure Chen for ShuangLing Chen

Signature: Issure Chen

Date: 02/11/2025

Notary Public

Name: Kathleen Driscoll

Signature: K J

Date: 2/11/2025

Kathleen F Driscoll
NOTARY PUBLIC
Forsyth County, GEORGIA
My Commission Expires 06/07/2027
Notary Seal

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

PROPERTY TAX VERIFICATION

The undersigned certifies that all Gwinnett County property taxes billed to date for the parcel listed below have been paid in full to the Tax Commissioner of Gwinnett County, Georgia. In no such case shall an application or reapplication be processed without such property tax verification.

Applicant Information

Name: James Andrew Lunsford

Signature: _____ **Date:** 3/3/25

Property Information

Enter all parcel IDs in the table below. Search for Parcel ID

Parcel ID(s) (by Applicant)	**Property Taxes Paid (Yes or No)** (Tax Commissioner Use Only)
R2003 002	Yes

Tax Commissioner Affirmation

The payment of all property taxes billed to date for the above referenced parcels were verified by:

Name: Jessilyn McWhorter **Title:** TSA

Signature: _____ **Date:** 3/3/25

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Disclosure of campaign contributions aggregating to $250.00 or more to a member of the Board of Commissioners is required pursuant to Section 270-25.E. of the Unified Development Ordinance.

Name: CKK Development

Relationship to Application (Applicant or Representative of Applicant): Applicant

Campaign Contributions? Yes

Contributions:

Official Name	Contribution Amount	Date of Contribution	Contributor
Kirkland Carden	$1,000	November 1, 2024	Duncan Corley

Exhibit F: DWR Sewer Capacity Certification Letter

[attached]

GWINNETT COUNTY
DEPARTMENT OF WATER RESOURCES
684 Winder Highway | Lawrenceville, GA 30045-5012
678.376.6700
www.gwinnettcounty.com | www.gwinnetth2o.com

☒ **APPROVED**
☐ **DENIED**
☐ **CONDITIONALLY APPROVED**
Sewer Capacity Request #**C2024-307-12**
Expiration Date: 12/13/2025
Tie-In Manhole FID: **4080940**

December 13, 2024

Duncan Corley
CKK Development Services
270 North Clayton Street
Lawrenceville, GA 30046

RE: Sewer Availability for Proposed Development – CKK Development Services - Hills Shop Road
Parcel ID 2003 002

Dear Mr. Corley:

Gwinnett County Department of Water Resources (GCDWR) has reviewed the impact of the proposed development consisting of 99 single-family homes on the above parcel and determined:

Gwinnett County has adequate sewer capacity to serve the proposed development.

This confirmation is based on your anticipated annual average daily flow of **17.2 gpm** discharging to the sewer tie-in manhole at Facility ID **4080940**.

Capacity Allocation: Sewer capacities are allocated only upon the issuance of a Development Permit, by Gwinnett County Planning & Development and after all applicable conditions established in this Sewer Capacity Certification, if any, are met.

Certification Expiration: The Sewer Capacity Certification is valid for 12 months from the date of this letter. If rezoning is approved, GCDWR will issue a revised Sewer Capacity Certification based on the approved units, as needed. The capacity request can be renewed for an additional 12 months. If a Development Permit has not been obtained by the expiration date above the developer may apply for renewal by providing evidence of active rezoning, plan review, or permitting efforts.

Once the Sewer Capacity Certification expires, the capacity is no longer allocated, and a new Sewer Capacity Certification request must be submitted for re-evaluation with no guarantee of available capacity. The evaluation will be based on the updated conditions of the sewer system.

Certification Invalidation: This certification is not valid if there are proposed changes to your development that could impact downstream sewer capacity (e.g. land use density, sewer tie-in manhole, parcel changes, and/or rezoning). In this case the development must resubmit for a

GWINNETT COUNTY
DEPARTMENT OF WATER RESOURCES
684 Winder Highway | Lawrenceville, GA 30045-5012
678.376.6700
www.gwinnettcounty.com | www.gwinnetth2o.com

new Sewer Capacity Request with updated information prior to the expiration of the previous one.

Please contact us at 678-376-7026 if you have any questions.

Sincerely,

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES

Lorraine Campagne, PE
Section Manager, Development Support
678.376.7058

C: Gwinnett County DWR – Della Taylor, Division Director; Raghu Vemuru, Engineer V; Mikala Weston, Engineer III
Gwinnett County P&D – Charli Young, Planning Manager; Geniva Sylvain, Engineer I; Christina Dejarnette, Engineer I; Wendell Tumale Engineer III

Exhibit G: Traffic Impact Study

[attached]

HILLS SHOP ROAD TRACT DEVELOPMENT

TRAFFIC IMPACT STUDY



Nikunj Dave

Digitally signed by Nikunj Dave
DN: CN=Nikunj Dave
Date: 2025.02.18 09:22:46-05'00'

LJA Project No. GA4277-2501

Nikunj Dave
GA License PE053443

LJA Engineering, Inc.
1950 Summit Park Drive Suite 600
Orlando, Florida 32810
Phone: 305.431.9312
www.ljaengineering.com

February-2025

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EXECUTIVE SUMMARY

This report presents the summary of findings for the Traffic Impact Study (TIS) prepared by LJA Engineering, Inc. (LJA) for the proposed **Hills Shop Road Tract** development in Gwinnett County, GA.

This development will consist of **99 housing units**. The objective of this study is to analyze the performance of the surrounding roadway network and to determine if mitigation measures to address any resulting deficiencies are recommended.

The study area for this TIS includes the street network located between two major intersections and includes the following intersections:

1. Auburn Road/SR 324 and Bailey Road/Bailey Road NE
2. Hills Shop Road/SR 324 and Greentree Drive/Auburn Automotive Driveway

For this study, the AM and PM peak hours were analyzed for each of the following scenarios:

1. Existing Conditions (2025)
2. 2026 Proposed Build (Existing + Development Trips)

Peak hour traffic data was collected on January 30th, 2025.

All analyses in this study were completed using standard traffic engineering practices based on the methodology outlined in the *Highway Capacity Manual – 7th Edition* (HCM7). Level of Service analyses for intersections were completed using Synchro 12 traffic analysis software.

The overall proposed development is expected to add 888 daily vehicle trips with 74 vehicle trips (19 in, 55 out) during the AM peak hour period and 89 vehicle trips (56 in, 33 out) during the PM peak hour period, which requires a Level 2 TIS per Gwinnett County requirements. Development-related traffic volumes were distributed to the surrounding roadway network according to the existing travel patterns within the study area.

Based on the development's trips and GDOT standards, it requires the main proposed driveway to be a two-lane full access driveway, and the addition of left-turn and right-turn deceleration lanes for traffic entering the development.

I. Introduction

This report presents the summary of findings for the Traffic Impact Study (TIS) prepared by LJA Engineering, Inc. (LJA) for the proposed Hills Shop Road Tract development in Gwinnett County, GA. The objective of this study is to analyze the performance of the surrounding roadway network and to determine the recommended mitigation measures to address any resulting deficiencies.

This development will consist of 43 single-family detached housing dwellings, 12 duplex dwellings, and 44 townhouses, which adds to a total of 99 housing units. The general area of where the development will be located is shown in **Figure 1**. A copy of the proposed site concept plan is in **Appendix A**.



Figure 1 – Proposed Site Location

1.1 Existing Area Conditions

The study area for this TIS includes the street network located between the first major intersection and the second major intersection. Major intersections within the study area include:

1. Auburn Road/SR 324 and Bailey Road/Bailey Road NE
2. Hills Shop Road/SR 324 and Greentree Drive/Auburn Automotive Driveway

1.1.1 Existing Roadway Configuration and Access

The development is bordered on its north side by SR 324 (Auburn Road/Hills Shop Road), a two-lane 23-foot-wide undivided Major Arterial. To the north of the development runs Bailey Road, a two-lane 21-foot-wide undivided Major Arterial. To the southeast of the development, SR 324 (Hills Shop Road) intersects with Greentree Drive, a two-lane 20-foot-wide undivided residential road, and the Auburn Automotive driveway.

1.1.2 Land Use

The existing land where the development will be built is currently zoned RA200 for Agriculture-Residence District (See **Figure 2**). The surrounding land consists of low-density residential housing. Per Section 212-20 of Gwinnett County's Unified Development Ordinance (UDO) and the site concept plan, the future zoning at this project site will be TND for Traditional Neighborhood Development District because the dwellings are below the maximum density of 8 units per total acre.

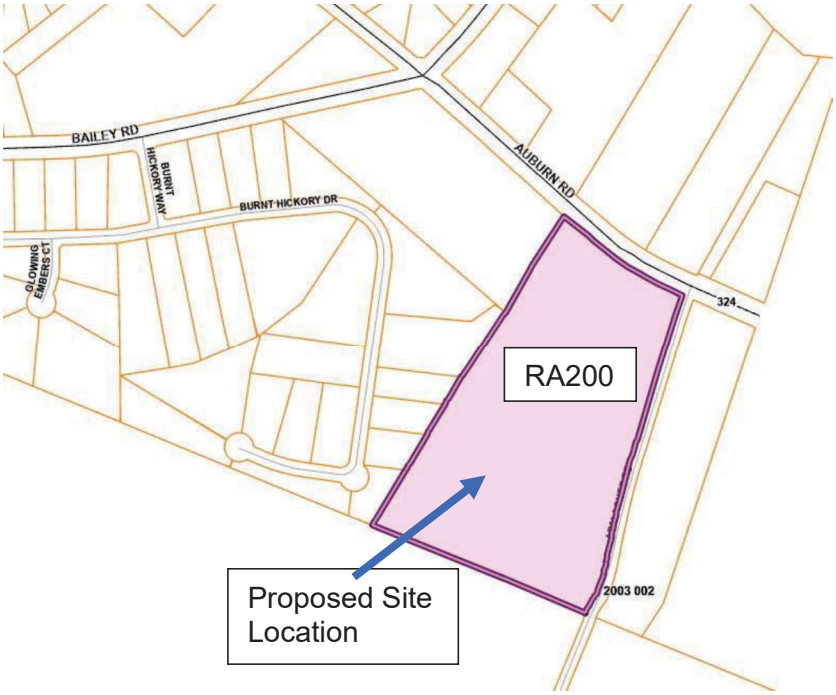


Figure 2 – Zoning Area of Site Location

1.1.3 Posted Speed Limit

SR 324 (Auburn Rd/Hills Shop Rd) has a speed limit of 45 miles per hour.
Bailey Rd has a speed limit of 40 miles per hour.
Greentree Dr has a speed limit of 25 miles per hour.

1.1.4 Current Intersection Turning Movement Peak Period Volumes

Turning movement counts were collected on January 30th, 2025, between the hours of 7:00 – 9:00 AM and 4:30 – 6:30 PM. The AM peak hour was observed to begin at 7:30 AM and the PM peak hour was observed to begin at 4:45 PM. The turning movement volumes during those peak hour periods are summarized in **Table 1**.

Table 1 – Existing Intersection Turning Movement Peak Period Volumes

Study Intersections	Movement	AM PH Turning Movement Volumes	PM PH Turning Movement Volumes
Auburn Road/SR 324 and Bailey Road/Bailey Road NE	NBL	14	24
	NBT	43	57
	NBR	49	104
	SBL	44	55
	SBT	76	56
	SBR	46	12
	EBL	35	17
	EBT	281	374
	EBR	34	15
	WBL	70	61
	WBT	367	341
	WBR	65	63
Hills Shop Road/SR 324 and Greentree Drive/Auburn Automotive Driveway	NBL	0	0
	NBT	0	0
	NBR	0	3
	SBL	6	4
	SBT	0	0
	SBR	3	3
	EBL	4	6
	EBT	343	552
	EBR	0	0
	WBL	3	0
	WBT	549	465
	WBR	7	10

1.1.5 Connectivity and Circulation Review

For this development, a connectivity and circulation review are not necessary.

1.1.6 Existing ADT Volumes

Per the Georgia Department of Transportation (GDOT) Traffic Analysis and Data Application (TADA), Hills Shop Road (SR 324) has an ADT volume of 11,186 daily trips. Per the Gwinnett County Transportation Traffic Counts Report, Bailey Road has an ADT volume of 2,180 daily trips.

1.1.7 Summary of Existing Pedestrian and Bicycle Facilities and Connectivity

There are currently no pedestrian or bicycle facilities at this location.

1.1.8 Existing Transit Routes and Stops

There are currently no existing transit routes or stops near this development.

1.2 Proposed Area Conditions

1.2.1 Access Management Review

The proposed development will have access through one (1) driveway along SR 324, Driveway A. Driveway A is approximately 730 feet southeast of the Auburn Road (SR 324) and Bailey Road intersection. The driveway will be built as a two-lane full access driveway with a single shared lane for the turning movements out of the development, and a single shared lane for turning movements into the development.

1.2.2 Internal Site Circulation Review

For this development, an internal site circulation review is not necessary.

1.2.3 Future ADT Volumes

The development is expected to add 888 daily 24-hour trips, and all these trips will be added to SR 324 (Auburn Road/Hills Shop Road). The total future ADT will be approximately 12,074 daily trips on SR 324 (Auburn Road/Hills Shop Road).

1.2.4 Future Identified Projects

There are no planned GDOT, GCCTP, or SPLOST projects planned within the study area.

II. Methodology

For this study, the AM and PM peak hours were analyzed for the following scenarios:

1. Existing Conditions (2025)
2. 2026 Proposed Build (Existing + Development Trips)

2.1 Traffic Data and Existing Conditions

Peak hour traffic data was collected on January 30th, 2025, and copies of the traffic count data are located in **Appendix B.**

Exhibit 1 in **Appendix C** shows the existing lane configurations at the study intersections and the existing traffic control is listed below.

1. Auburn Road (SR 324) and Bailey Road – Two Way Stop Control (TWSC); 4-Leg Intersection
2. Hills Shop Road (SR 324) and Greentree Drive/Auburn Automotive Driveway – One Way Stop Control (OWSC); 4-Leg Intersection

Exhibit 2 in **Appendix C** shows existing peak hour traffic volumes at the study intersections.

2.1.1 Traffic Distribution and Assignment Assumptions

The site traffic distribution used is shown in **Exhibit 3** of **Appendix C**.

2.1.2 Traffic Operation Analysis Requirements

For a Level 2 TIS, the existing condition operations must be analyzed. An Intersection Control Evaluation (ICE) is not required since the proposed driveway is along an undivided roadway and the development will not be required to construct left or right turn lanes per the GDOT Driveway Manual.

2.2 Site Generated Trips

The amount of traffic a proposed development will generate depends on several factors including the nature, size, and location of the proposed development. Vehicle trips related to the proposed development are generated based on information contained in the *Trip Generation Manual – 11th Edition* which is published by the Institute of Transportation Engineers (ITE).

2.2.1 Trip Generation

Table 2 below shows the estimated amount of vehicle trips which will be generated by the proposed development using the average rates from the manual.

Table 2 - Vehicle Trip Generation Totals for Proposed Development

Land Use (ITE Code)	Units	AM Peak Hour			PM Peak Hour			Weekday 24-Hr Trips		
		In	Out	Total	In	Out	Total	In	Out	Total
Single-Family Detached Housing (210)	27 Units (50' Front Entry)	6	17	23	18	11	29	151	152	303
Single-Family Detached Housing (210)	16 Units (40' Front Entry)	4	10	14	11	7	18	93	94	187
Single-Family Attached Housing (215)	12 Duplex Dwellings	0	1	1	2	1	3	20	21	41
Multifamily Housing (Low-Rise) (220)	44 Townhouses	9	27	36	25	14	39	179	178	357
Total	99 Units	19	55	74	56	33	89	443	445	888

The overall proposed development is expected to add 888 daily vehicle trips with 74 vehicle trips (19 in, 55 out) during the AM peak hour period and 89 vehicle trips (56 in, 33 out) during the PM peak hour period.

2.2.2 Internal Trip Capture

Internal trip capture (trips that stay within a development) occurs within developments that include complementary and interacting land uses. Examples include developments with office, retail, restaurants, entertainment, hotels and/or residential. Internal trip capture can be calculated using tables and information from the *ITE Trip Generation Manual – 11th Edition*. For this development, no internal trip capture was assumed.

2.2.3 Pass-by Trip Reduction

The total external trips of the generated traffic may be reduced by a Pass-By Reduction factor to account for the projected traffic that is already traveling along the roadways adjacent to the proposed development. Pass-by reduction methodologies are established by the Institute of Transportation Engineers (ITE) and only apply to certain types of development. Pass-by reduction was not considered in this analysis for this development.

III. Intersection Capacity Analysis

All analyses in this study were completed using standard traffic engineering practices based on the methodology outlined in the *Highway Capacity Manual – 7th Edition* (HCM7), which provides procedures used to evaluate the operations of all types of transportation facilities, including both signalized and unsignalized intersections. Level of Service analyses for intersections were completed using Synchro 12 traffic analysis software.

Levels of Service is represented by a letter grade between A and F. Generally, a LOS ranking of D or better is considered acceptable. A LOS ranking of E represents conditions where the traffic demand volume is approaching the maximum capacity for a movement or the overall intersection. A LOS ranking of F represents a condition where the traffic demand volume exceeds the capacity.

For signalized intersections and all-way stop controlled intersections, a LOS is calculated for each of the lane groups/approaches at the intersection and an overall LOS for the intersection is calculated by averaging the delays (weighted by traffic volume). For one-way and two-way stop-controlled intersections a LOS is calculated for each of the lane groups/approaches at the intersection. An overall LOS is calculated, but with some movements being free flow, it may not be representative of actual operations at stop or yield controlled approaches.

Table 3 shows the criteria for each of the levels of service as listed in the HCM for intersections and intersection lane groups for both unsignalized and signalized intersections. Complete Synchro analyses output files are presented in **Appendix D.**

Table 3 – Level of Service Criteria for Intersections and Intersection Lane Groups

Level of Service	Average Amount of Control Delay (sec/veh)	
	Unsignalized Intersections	Signalized Intersections
A	**0 - 10**	**0 - 10**
B	**10 - 15**	**10 - 20**
C	**15 - 25**	**20 - 35**
D	**25 - 35**	**35 - 55**
E	**35 - 50**	**55 - 80**
F	**> 50**	**> 80**

3.1 Existing Conditions

Table 4 below summarizes the level of service for the existing conditions with existing traffic volumes for the AM and PM peak hours.

Table 4 – LOS Summary

Study Intersection	Control Type	Intersection Overall							
		Existing				Existing + Proposed			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
		Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS
Auburn Road/SR 324 and Bailey Road/Bailey Road NE	TWSC	14.4	B	14.8	B	17.3	C	21.8	C
Hills Shop Road/SR 324 and Greentree Drive/Auburn Automotive Driveway	OWSC	0.2	A	0.2	A	0.3	A	0.3	A
Hills Shop Road/SR 324 and Driveway A	OWSC	-	-	-	-	0.9	A	0.8	A

Under existing conditions, the first intersection operates at an overall LOS of B for both peak hour periods, with only the westbound direction exceeding the maximum capacity for traffic demand volume. The second intersection operates at an overall LOS of A with no direction exceeding the maximum volume demand capacity.

Under proposed conditions, the first intersection operates at an overall LOS of C for both peak

hour periods, with only the westbound direction exceeding the maximum capacity for traffic demand volume. The second intersection operates at an overall LOS of A with no directions exceeding the maximum volume demand capacity. The third intersection operates at an overall LOS of A with no directions exceeding the maximum volume demand capacity.

3.2 Right and Left Turn Lane Analyses

Evaluations for right and left-turn lanes at the proposed development driveways were performed in accordance with Gwinnett County's guidelines, and GDOT's guidelines because the driveway of the development connects to a state road.

3.2.1 Left Turn Lanes

Table 5 – Gwinnett County's Left Turn Lane Criteria

Gwinnett County - Residential Developments				
Left Turn Lane Criteria				
Posted Speed Limit (mph)	2 Lane Routes		More Than 2 Lanes on Main Road	
	ADT<6,000	ADT>=6,000	ADT<10,000	ADT>=10,000
30 to 35	120 Lots	75 Lots	120 Lots	75 Lots
40 to 50	100 Lots	65 Lots	100 Lots	65 Lots
>= 55	75 Lots	55 Lots	75 Lots	55 Lots

Table 6 – GDOT Driveway Manual Left Turn Lane Criteria

GDOT Driveway Manual				
Left Turn Lane Criteria				
Posted Speed Limit (mph)	2 Lane Routes		More Than 2 Lanes on Main Road	
	ADT<6,000	ADT>=6,000	ADT<10,000	ADT>=10,000
<= 35	300 LTV a day	200 LTV a day	400 LTV a day	300 LTV a day
40 to 50	250 LTV a day	175 LTV a day	325 LTV a day	250 LTV a day
>= 55	200 LTV a day	150 LTV a day	250 LTV a day	200 LTV a day

SR 324 (Auburn Rd/Hills Shop Rd) is a two-lane road with a speed limit of 45 mph, its latest ADT volume count was 11,186, and its AADT volume is 9,940. The development is expected to have 99 lots. Per Table 1 in Gwinnett County's "Criteria and Guidelines for Left Turn Lanes" (**Table 5**), a left-turn lane is required if the development exceeds the minimum lot count of 65 lots. Additionally, LJA checked the GDOT Driveway Manual to make sure the criteria were met. Per Section 4.9.1.2 of the GDOT Driveway Manual (**Table 6**), a left turn lane is required if the daily left turn volume (LTV) exceeds 175 vehicles per day. The LTV of the development is expected to be 178 vehicles per day. Therefore, a left turn lane is required.

3.2.2 Right Turn Lanes

Table 7 – GDOT Driveway Manual Right Turn Lane Criteria

GDOT Driveway Manual				
Right Turn Lane Criteria				
Posted Speed Limit (mph)	2 Lane Routes		More Than 2 Lanes on Main Road	
	AADT<6,000	AADT>=6,000	AADT<10,000	AADT>=10,000
<= 35	200 RTV a day	100 RTV a day	200 RTV a day	100 RTV a day
40 to 50	150 RTV a day	75 RTV a day	150 RTV a day	75 RTV a day
55 to 60	100 RTV a day	50 RTV a day	100 RTV a day	50 RTV a day
>= 65	Always	Always	Always	Always

Per the requirements from Gwinnett County's Unified Development Ordinance (UDO), a deceleration lane is required for access from a Major Arterial (SR 324) to a proposed site driveway. Additionally, LJA checked the GDOT Driveway Manual to make sure the criteria were met. Per Section 4.9.1.1 of the GDOT Driveway Manual (**Table 7**), a right turn deceleration lane is required if the daily right turn volume (RTV) exceeds 75 vehicles per day. The RTV of the development is expected to be 271 vehicles per day. Therefore, a right-turn lane is required.

3.3 Intersection Sight Distance Analysis

For the new proposed driveway/roadways, Gwinnett County requests the intersection sight distance (ISD) for the following three conditions be considered at the proposed connections.

- Left turn from Stop (Case B1)
- Right turn from Stop (Case B2)
- Left turn from Major Road (Case F)

Table 8 – Estimated Intersection Sight Distance

Intersection	Estimated Intersection Sight Distance		
	Case B1	Case B2	Case F
Driveway A at Hills Shop Road	>500 ft	>430 ft	>365 ft

Considering that the speed limit on this length of SR 324 (Auburn Road/Hills Shop Road) is 45 mph, the intersection sight distance is more than adequate at each case.

IV. Recommendations

For this development, the recommended improvements include the following:

- A left turn lane in the WB direction along SR 324.
- A right turn lane in the EB direction along SR 324.
- Driveway A needs to be a two-lane full access driveway.
    - A NB left-right shared lane at Driveway A
    - A SB thru lane at Driveway A

Exhibit H: Public Participation Plan and Report

[attached]

Gwinnett

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

Public Participation Plan

1. **Who do you intend to contact in addition to property owners within 1,000 feet of the site, if any?**

   Everyone on GC provided list (residence within 1000 ft of subject) will be mailed a notification.

2. **Where do you plan to host the Public Participation Meeting? Ensure that the meeting is held in person at a convenient location for interested parties.**

   Perry-Rainey Center Building, 16 College St, Auburn Ga

3. **What date and time do you plan to host the Public Participation Meeting? Ensure that the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.**

   5:30pm on April 16th

4. **What is your method for providing opportunities for discussion with interested parties at the Public Participation Meeting?**

   After a review of the Project details, as much time as needed will be given to Q&A

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

Public Participation Report

1. **List all groups that you notified of the requested application. Include a copy of the notification package and stamped Postal Service Form 3877 (attached) with itemized name and address of each addressee.**

   All residence on the GC provided list were notified of the Public Participation Meeting

2. **Provide the date, time, and location of all meeting(s) that the applicant and/or representative attended to discuss an application with interested parties.**

   Meeting was held at 6pm on August 14th at The Dacula Park Pavilion located at 205 Dacula Road, Dacula Ga 30019

3. **Provide the number of people who participated in the meeting(s). Include the sign-in sheet(s) with meeting date, time, location, and attendee names.**

   10 residence attended the meeting. Applicant was represented by Alex Mitchem, Andy Lunsford, and Jeff Nash

4. **What issues and concerns were expressed by attendees at the meeting(s)?**

   Traffic impact and density were the primary concerns voiced at the meeting.

5. **What are the applicant's responses to the issues and concerns that were expressed at the meetings? What changes to the development will be made?**

   Attendees were informed of the procedures followed regarding traffic studies as well as density measures followed by the Applicant. No changes will be made as a result of the meeting.

4

Exhibit I: Internal and External Agency Review Comments

[attached]

TRC Meeting Date:	07.18.2025
Department/Agency Name:	Transportation
Reviewer Name:	Brent Hodges
Reviewer Title:	Construction Manager 2
Reviewer Email Address:	Brent.Hodges@gwinnettcounty.com
Case Number:	ZON2025-00038
Case Address:	15 Auburn Road, Auburn, 30011

	Comments:	X	YES		NO
1	Auburn Road (SR 324) is a minor arterial. The Average Daily Traffic (ADT) volume is 9,940.				
2	The nearest Ride Gwinnett facility is located 9.2 miles to the west at Old Peachtree Road and Publix (Stop 5000, Route 50).				
3	The developer shall coordinate with the Georgia Department of Transportation (GDOT) on the proposed access to Auburn Road (SR 324). The site driveway in question is subject to the review and approval of GDOT.				
4	The developer shall coordinate with the applicant/developer of the adjacent site to the south (REZ2025-00018) on the proposed site driveway connection to the future roadway. This proposed driveway connection shall be subject to turning lane requirements per section 360-30 of the UDO.				
5	Traffic calming shall be provided for any internal street that exceeds 500' without a control point.				
6					
7					

	Recommended Zoning Conditions:		YES	X	NO
1					
2					
3					
4					
5					
6					

Note: Attach additional pages, if needed

Revised 7/26/2021

TRC Meeting Date:	
Department/Agency Name:	DWR
Reviewer Name:	Lorraine Campagne
Reviewer Title:	Section Manager
Reviewer Email Address:	Lorraine.campagne@gwinnettcounty.com
Case Number:	ZON2025-00038
Case Address:	15 Auburn Rd

	Comments:	**X**	**YES**		**NO**
1	Water: The proposed development may connect to the 12-inch water main on the northern-right-of-way of Auburn Road.				
2	Sewer: A Sewer Capacity Certification (C2024-307-12) was approved in April of 2025 for 99 single-family homes. The proposed development plans to connect to the existing 30-inch gravity sewer located on parcel 5333 001 along the Apalachee Road right-of-way. An off-site easement may be required.				
3					
4					
5					
6					
7					

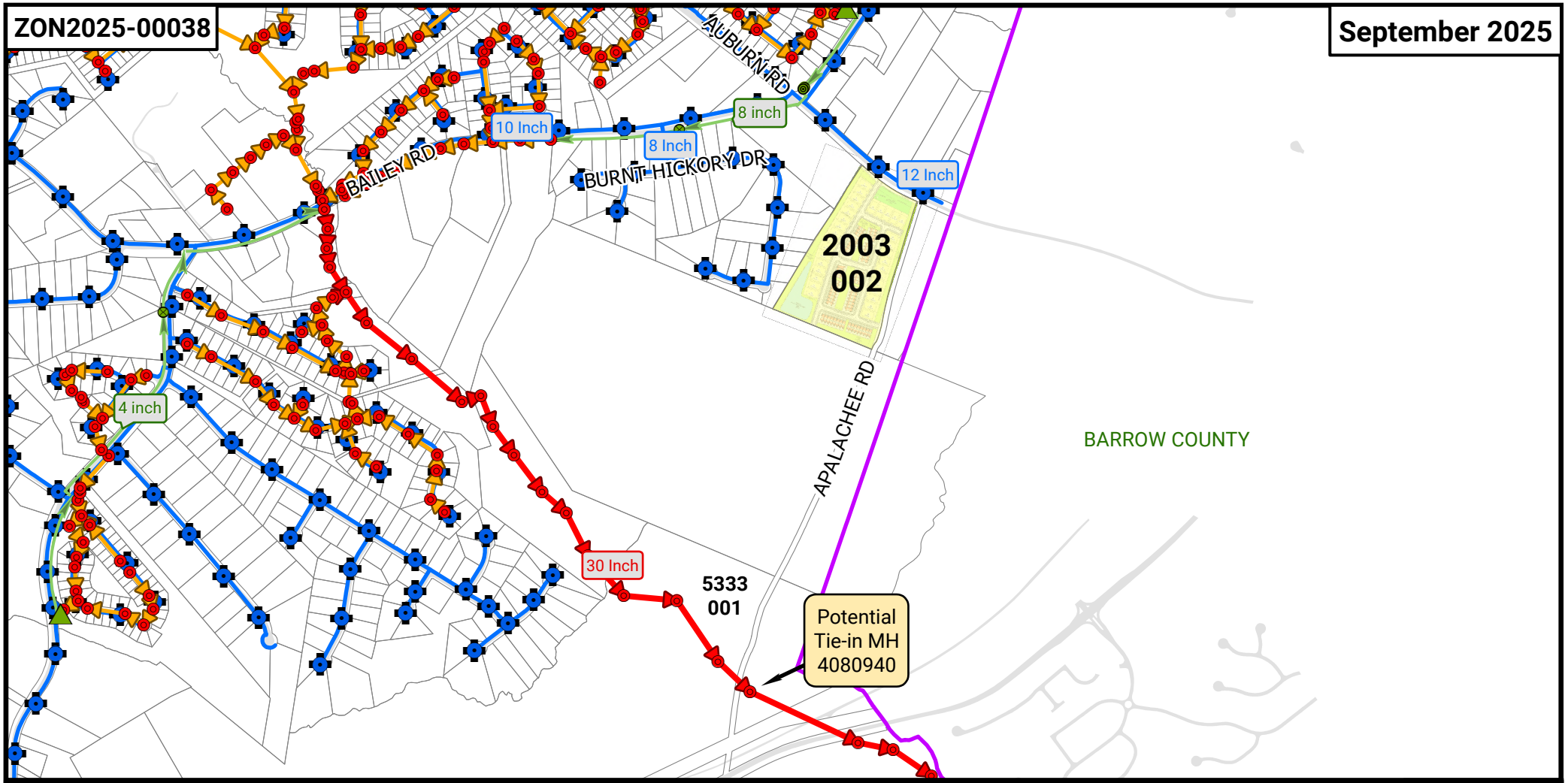
	Recommended Zoning Conditions:		**YES**	**X**	**NO**
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021

ZON2025-00038

September 2025



LEGEND

- Flow Management
- Pump Station
- Regional
- Manhole
- Hydrant
- City
- Water Main
- Proposed Water Main
- Sewer Collector
- Sewer Interceptor
- Sewer Force Main
- Proposed Sewer Collector

15 Auburn Rd

RA-200 to R-IF

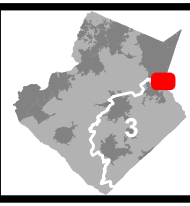
Water & Sewer Utility Map

N W E S

0 580 1,160

Feet

LOCATION



Water Comments: The proposed development may connect to the 12-inch water main on the northern-right-of-way of Auburn Road.

Sewer Comments: A Sewer Capacity Certification (C2024-307-12) was approved in April of 2025 for 99 single-family homes. The proposed development plans to connect to the existing 30-inch gravity sewer located on parcel 5333 001 along the Apalachee Road right-of-way. An off-site easement may be required.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

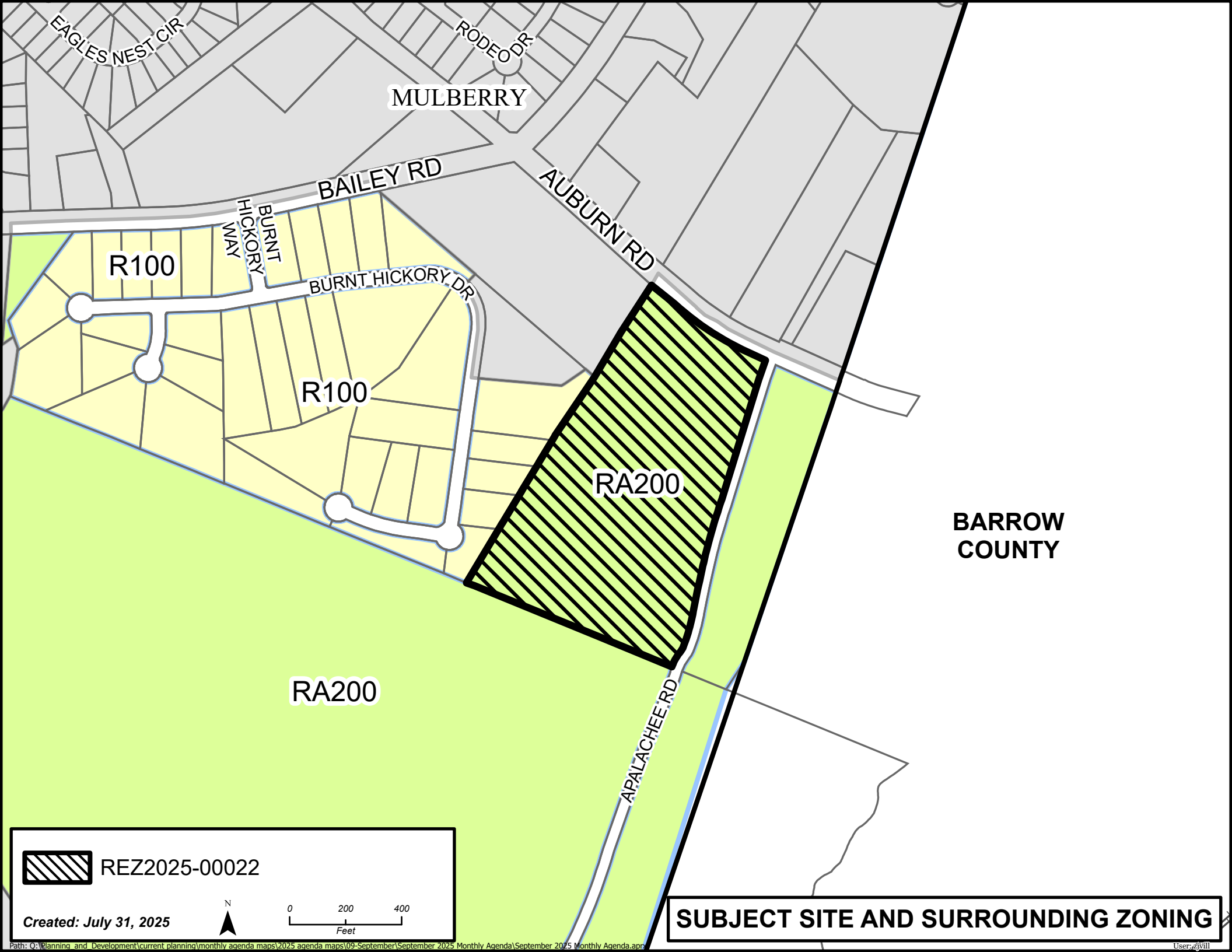
Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, SEPTEMBER, 2025

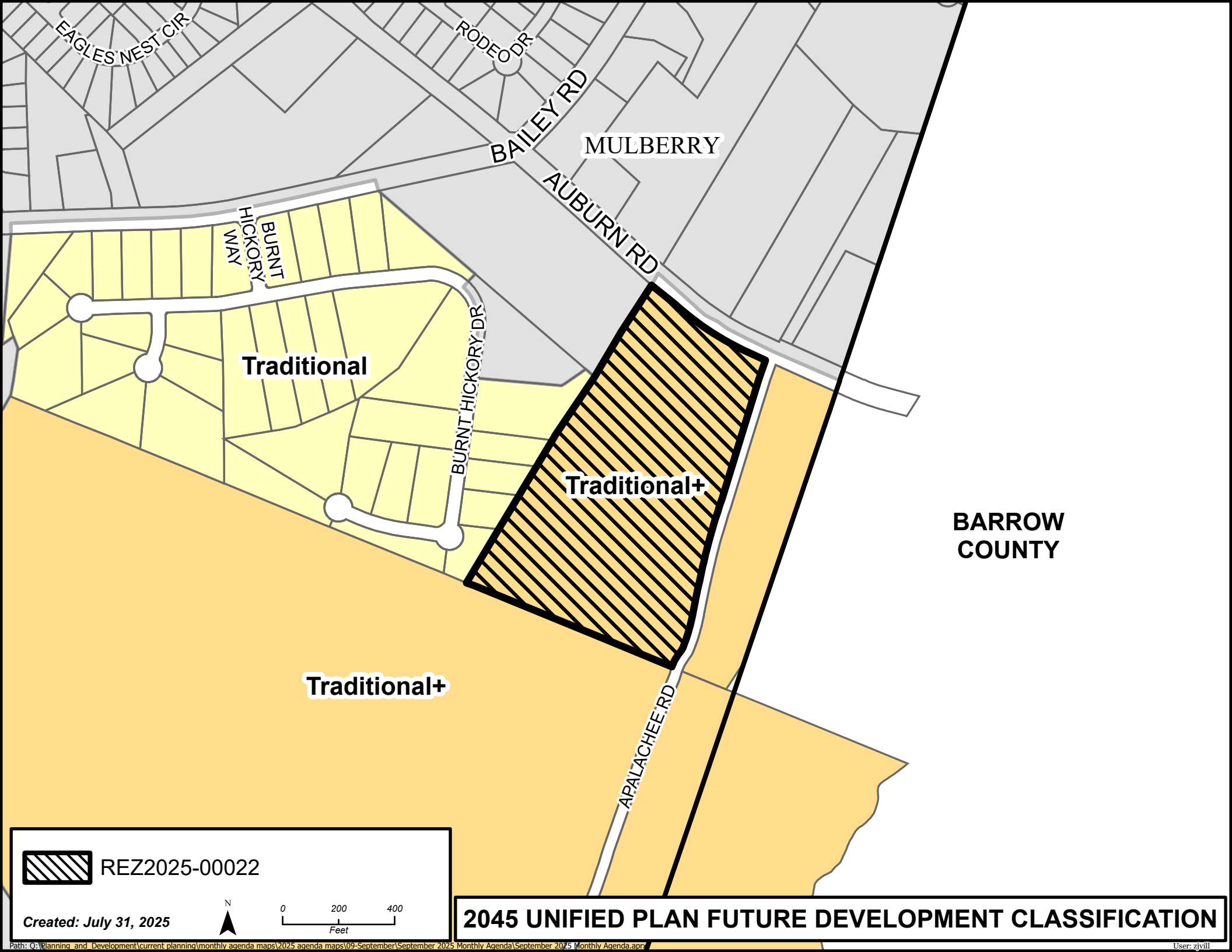
											Proposed Zoning
		2025-26			2026-27			2027-28			Approximate Student Projections
	School	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	from Proposed Developments
	Peachtree Ridge High School	**3052**	3,050	2	**3,080**	3,050	30	**3,066**	3,050	16	17
REZ2025-00019	Northbrook Middle School	**970**	1,025	-55	**956**	1,025	-69	**947**	1,025	-78	12
	Jackson Elementary School	**1,394**	1,475	-81	**1,370**	1,475	-105	**1,353**	1,475	-122	21
	Dacula High School	**2429**	2,550	-121	**2,477**	2,550	-73	**2,526**	2,550	-24	19
ZON2025-00038	Dacula Middle School	**1921**	1,900	21	**1,959**	1,900	59	**1,948**	1,900	48	13
	Mulberry Elementary School	**795**	975	-180	**822**	975	-153	**847**	975	-128	23

Exhibit J: Maps

[attached]


BURNT HICKORY DR
AUBURN RD
APALACHEE RD
BARROW
COUNTY
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User: zjvill


EAGLES NEST CIR
RODEO DR
MULBERRY
BAILEY RD
AUBURN RD
BURNT HICKORY WAY
BURNT HICKORY DR
R100
R100
RA200
RA200
BARROW COUNTY
APALACHEE RD
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SUBJECT SITE AND SURROUNDING ZONING


EAGLES NEST CIR
RODEO DR
BAILEY RD
MULBERRY
AUBURN RD
BURNT HICKORY WAY
BURNT HICKORY DR
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Traditional+
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BARROW COUNTY
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User: zjvill

Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:
20250929	

☐ Grants ☑ Public Hearing

Department:	Law Department			Date Submitted:	09/03/2025
Working Session:		Business Session:		Public Hearing:	09/23/2025
Submitted By:	lpradosta			Multiple Depts?	
Agenda Type	Approval/authorization				

Item of Business: Locked by Purchasing: No

of a Resolution abandoning a section of right of way used as a public road known as Bermuda Road, within Land Lot 60 of the 6th Land District of Gwinnett County, Georgia.

Attachments	Justification Memorandum; Maps; Resolution
Authorization: Chairwoman's Signature?	Yes
Staff Recommendation	
BAC Action:	
Department Head	jennyscarter (9/3/2025)
Attorney	jennyscarter (9/16/2025)

Agenda Purpose Only

Financial Action

Budgeted	Fund Name	Current Balance	Requested Allocation	Director's Initials
	N/A	*	N/A	brainey (9/11/2025)

Finance Comments	FinDir's Initials
*No budget impact	raroyal (9/11/2025)

☐ Budget Adjust ☐ Grand Jury

County Clerk Use Only PH was Held? ☐

Working Session		Vote	No Action Taken
Action	Public Hearing		
Tabled			
Motion			
2nd by			

GWINNETT COUNTY
DEPARTMENT OF LAW
75 Langley Drive | Lawrenceville, GA 30046-6935
(O) 770.822.8700 | (F) 770.822.8790
www.gwinnettcounty.com

MEMORANDUM

TO: Chairwoman
District Commissioners

THROUGH: Michael P. Ludwiczak
County Attorney

FROM: Jenny Carter
Deputy County Attorney

SUBJECT: Abandonment of Bermuda Road
GCID 2025-0929

DATE: September 3, 2025

ITEM OF BUSINESS

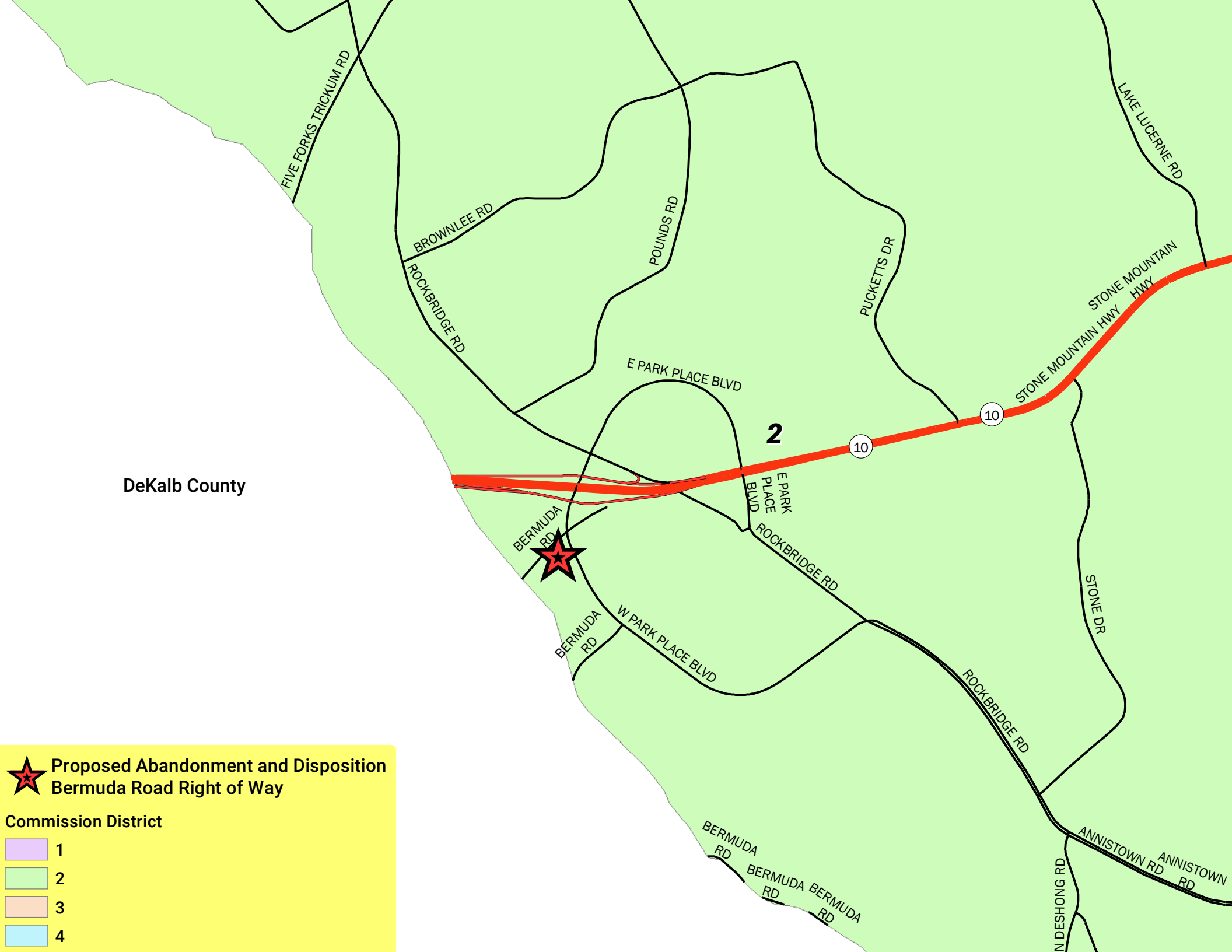
Approval/Authorization of a Resolution abandoning a section of right of way used as a public road known as Bermuda Road, within Land Lot 60 of the 6th Land District of Gwinnett County, Georgia.

BACKGROUND AND DISCUSSION

In March of 2024, the Board of Commissioners authorized an Intergovernmental Economic Development Contract with the Development Authority of Gwinnett County with respect to the transfer, development, and operation of the former Stone Mountain Tennis Center property (the "Property"). In accordance with that agreement, the Property was transferred to the Development Authority, and the Development Authority entered into a purchase and sale agreement with Fuqua Acquisitions II, LLC ("Fuqua").

The purchase and sale agreement with Fuqua contemplates the abandonment by Gwinnett County of a portion of Bermuda Road. Upon approval of the abandonment, the former right of way will revert to the adjoining property owners in accordance with a deed restriction placed on the property when it was conveyed for public road purposes. The proposed abandonment was routed to County departments and public utilities, and four utilities responded. In accordance with the purchase and sale agreement with Fuqua, Fuqua will be acquiring the entirety of the abandoned right of way from the adjoining property owners and will be responsible for relocating or abandoning the existing utility lines.

If you have any questions with regard to this matter, please do not hesitate to contact me at 770.822.8710.


FIVE FORKS TRICKUM RD
BROWNLEE RD
ROCKBRIDGE RD
POUNDS RD
PUCKETTS DR
LAKE LUCERNE RD
STONE MOUNTAIN HWY
STONE MOUNTAIN HWY
E PARK PLACE BLVD
10
10
2
DeKalb County
BERMUDA RD
E PARK PLACE BLVD
ROCKBRIDGE RD
STONE DR
BERMUDA RD
W PARK PLACE BLVD
ROCKBRIDGE RD
BERMUDA RD
BERMUDA BERMUDA RD
RD
ANNISTOWN RD
ANNISTOWN RD
DESHONG RD
Proposed Abandonment and Disposition
Bermuda Road Right of Way
Commission District
1
2
3
4



Proposed Abandonment and Disposition
Bermuda Road Right of Way

N
W E
S

0 100 200 400 600 800
Feet

Gwinnett

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: A RESOLUTION ABANDONING A SECTION OF RIGHT OF WAY USED AS A PUBLIC ROAD KNOWN AS BERMUDA ROAD, WITHIN LAND LOT 60 OF THE 6TH LAND DISTRICT OF GWINNETT COUNTY, GEORGIA

ADOPTION DATE: September 23, 2025

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

Name	Present	Vote
Nicole L. Hendrickson, Chairwoman		
Kirkland D. Carden, District I		
Ben Ku, District 2		
Jasper Watkins III, District 3		
Matthew Holtkamp, District 4		

On motion of Commissioner _____ which carried by a ____ vote, the Resolution entitled, A RESOLUTION ABANDONING A SECTION OF RIGHT OF WAY USED AS A PUBLIC ROAD KNOWN AS BERMUDA ROAD, WITHIN LAND LOT 60 OF THE 6TH LAND DISTRICT OF GWINNETT COUNTY, GEORGIA, as set forth below, is hereby adopted:

WHEREAS, by resolution dated March 26, 2024, the Gwinnett County Board of Commissioners approved an intergovernmental economic development contract with the Development Authority of Gwinnett County with respect to the transfer, development and operation of the former Stone Mountain Tennis Center property (the "Property"); and

WHEREAS, said resolution further approved and authorized a purchase and sale agreement between the Development Authority of Gwinnett County and Fuqua Acquisitions II, LLC related to the sale, development and operation of the Property; and

WHEREAS, said purchase and sale agreement contemplates the abandonment by Gwinnett County of a portion of Bermuda Road; and

WHEREAS, that portion of Bermuda Road to be abandoned consists of 2.207 acres, more or less, located in Land Lot 60, 6th District, Gwinnett County, Georgia, and is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference (the “Abandoned Property”); and

WHEREAS, the Development Authority of Gwinnett County, CK Stone Mountain Parking Lot, LLC, and GAU4511AA LP are the owners of the land that abuts the Abandoned Property to whom said property would revert upon abandonment; and

WHEREAS, after due consideration, it appears to be in the best interest of all concerned as well as in the interest of the public and of Gwinnett County, Georgia, to abandon and release the Abandoned Property.

NOW, THEREFORE, BE IT RESOLVED, by the Gwinnett County Board of Commissioners, after a duly advertised public hearing, that the Abandoned Property is hereby abandoned.

THIS RESOLUTION is made solely to release the Abandoned Property from any claim by Gwinnett County, Georgia, for use as a public road. Nothing herein is intended to interfere with any existing easements, claims of other parties, or existing utilities affecting the Abandoned Property, whether recorded or not, whether known or unknown.

BE IT FURTHER RESOLVED that the Chairwoman of the Board of Commissioners of Gwinnett County, Georgia, be, and is hereby authorized and directed to execute, deliver and accept, as the case may be, any and all documents and agreements necessary to complete said abandonment, including, without limitation, any quitclaim deeds and other instruments and agreements necessary to convey title to the Abandoned Property.

GWINNETT COUNTY BOARD OF COMMISSIONERS

BY: _____
NICOLE L. HENDRICKSON, CHAIRWOMAN

ATTEST:

BY: _____ (SEAL)
TINA M. KING, COUNTY CLERK

APPROVED AS TO FORM:

BY: _____
DEPUTY COUNTY ATTORNEY

Exhibit “A”

Legal Description

All that tract or parcel of land lying and being in Land Lot 60 of the 6th District, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a point located at the intersection of the Westerly right-of-way line of West Park Place Boulevard (variable right-of-way) and the Northerly right-of-way line of Bermuda Road (100-foot right-of-way), said point being the TRUE POINT OF BEGINNING; Thence along said right-of-way line of West Park Place Boulevard following along a curve to the left having an arc length of 152.84 feet, with a radius of 1046.45 feet, being subtended by a chord bearing of South 08 degrees 50 minutes 30 seconds East, for a distance of 152.71 feet to a point located on the Southerly right-of-way line of Bermuda Road; Thence departing said right-of-way line of West Park Place Boulevard following along a curve to the left having an arc length of 39.73 feet, with a radius of 20.00 feet, being subtended by a chord bearing of North 73 degrees 24 minutes 15 seconds West, for a distance of 33.51 feet to a point; Thence along a curve to the left having an arc length of 389.66 feet, with a radius of 2390.30 feet, being subtended by a chord bearing of South 45 degrees 01 minutes 38 seconds West, for a distance of 389.23 feet to a point; Thence South 40 degrees 21 minutes 28 seconds West, a distance of 112.13 feet to a point; Thence South 40 degrees 21 minutes 28 seconds West, a distance of 356.34 feet to a point; Thence South 40 degrees 34 minutes 26 seconds West, a distance of 27.90 feet to a point; Thence departing the Southerly right-of-way line of Bermuda Road North 49 degrees 25 minutes 34 seconds West, a distance of 102.21 feet to a 1/2-inch rebar found located on the Northerly right-of-way line of Bermuda Road; Thence along said right-of-way line North 40 degrees 30 minutes 20 seconds East, a distance of 426.08 feet to a point; Thence North 42 degrees 00 minutes 08 seconds East, a distance of 205.95 feet to a point; Thence North 45 degrees 44 minutes 41 seconds East, a distance of 195.75 feet to a point; Thence North 48 degrees 16 minutes 18 seconds East, a distance of 172.01 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 2.207 Acres.

Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:
20250947	

☑ Rezoning ☑ Public Hearing

Department:	Planning & Development			Date Submitted:	09/12/2025
Working Session:		Business Session:		Public Hearing:	09/23/2025
Submitted By:	yturruviates				
Agenda Type	Approval	Rezoning Type			

Item of Business:

UDOA2025-00001 – An amendment to the Unified Development Ordinance of Gwinnett County: Title 1: Administration; Title 2: Land Use and Zoning; and Title 3: Development and Permitting, to update regulations based on best practices, add illustrations, and improve code consistency.

Land Lot:		Parcel:	
District:			

Attachments	Justification letter, Proposed Amendment, and Resolution

Authorization: Chairwoman's Signature? Yes

Department Head	jjleitch (9/17/2025)

District		For	Against	Abstained	Absent
District 1	Aysha Treadwell	X			
District 1	Nick Nicolosi	X			
District 2	Anthony Crotser	X			
District 2	Pinkie Farver	X			
District 3	Katrina Fellows				X
District 3	Ben Archer	X			
District 4	Buzz Brockway	X			
District 4	Chris Franklin	X			
At Large	Scott Haggard	X			

Comments

County Clerk Use Only

Working Session
Action: Public Hearing
Tabled
Motion
2nd by
Vote

Planning and Development

Recommendation:
- ■ Approve
- ☐ Approve with Conditions
- ☐ Appr w/ Cond As
- ☐ Deny w/out Prejudice
- ☐ Deny PH was Held? ☐
- ☐ No Recommendation

Planning Commission

Recommendation:
- ■ Tabled - Date 9/2/2025
- ☐ Approve
- ☐ Approve with Conditions
- ☐ Approve with Conditions As
- ☐ Deny 10/7/2025
- ☐ Deny w/out Prejudice
- ☐ No Recommendation

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

MEMORANDUM

TO: Chairwoman
District Commissioners

FROM: Matthew Dickison, Director

SUBJECT: UDOA2025-00001: UDO Amendment

DATE: August 18, 2025

ITEM OF BUSINESS

Approval/Authorization to amend the Unified Development Ordinance (UDO) to reflect best practices, address emerging zoning and development issues, and provide consistency and clarity.

BACKGROUND AND DISCUSSION

Since the adoption of the last comprehensive UDO amendment in September 2023, the Planning and Development Department has been continuously monitoring the implementation of the ordinance and assessing local and national development trends.

The proposed amendment revises the ordinance to incorporate best practices, address emerging zoning and development issues, and provide consistency and clarity. Illustrations have also been incorporated to assist residents and developers with applying the ordinance. The draft amendment has been shared to the Development Advisory Committee (DAC) for review and input.

A summary of substantive changes to each chapter of the UDO is included with this memo.

UDOA2025-0947
GCID 2025-0947

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED: Unified Development Ordinance Amendment

READING AND ADOPTION: SEPTEMBER 23, 2025

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

	Present	Vote
Nicole L. Hendrickson, Chairwoman	_____	_____
Kirkland Carden, District 1	_____	_____
Ben Ku, District 2	_____	_____
Jasper Watkins III, District 3	_____	_____
Matthew Holtkamp, District 4	_____	_____

On motion of Commissioner _____, which carried _____, the Gwinnett County Board of Commissioners hereby amends the Unified Development Ordinance in the Code of Ordinances of Gwinnett County by amending Title 1: Administration, Title 2: Land Use and Zoning, Title 3: Development and Permitting, and Appendices, to reflect latest best practices, address emerging zoning and development issues, and provide consistency and clarity, as set forth in Exhibit A attached hereto.

WHEREAS, the Gwinnett County Board of Commissioners is committed to utilizing available resources to promote the preservation and improvement of the health, welfare, and public safety of the citizens of Gwinnett County; and

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

UDOA2025-0947
GCID 2025-0947

WHEREAS, the Gwinnett County Board of Commissioners adopted the Unified Development Ordinance on February 25, 2014, and has since amended it from time to time; and

WHEREAS, the Unified Development Ordinance provides that the text 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 Department of Planning and Development has been continuously monitoring the implementation of the Unified Development Ordinance and assessing local and national development trends; and

WHEREAS, the Department of Planning and Development has recommended that certain revisions be made to the Unified Development Ordinance; and

WHEREAS, the proposed amendments to the Unified Development Ordinance were duly noticed and advertised in accordance with Official Code of Georgia Annotated § 36-66-4 on August 17, 2025; and

WHEREAS, the Gwinnett County Planning Commission duly held a public hearing on September 2, 2025, to consider the proposed amendments to the Unified Development Ordinance; and

WHEREAS, the Gwinnett County Planning Commission recommended approval of the proposed amendments to the Unified Development Ordinance by a X-X vote; and

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

NOW, THEREFORE, BE IT ORDAINED that the Gwinnett County Board of Commissioners hereby amends the Unified Development Ordinance in the Code of Ordinances of Gwinnett County by amending Title 1: Administration, Title 2: Land Use and Zoning, Title 3: Development and Permitting, and Appendices, as set forth in Exhibit A attached hereto.

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

UDOA2025-0947
GCID 2025-0947

GWINNETT COUNTY BOARD OF COMMISSIONERS

BY: _____
NICOLE L. HENDRICKSON, Chairwoman

Date Signed: _____

ATTEST:

_____

TINA KING, County Clerk (seal)

APPROVED AS TO FORM:

_____
Deputy County Attorney

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
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Draft 2025 UDO Amendment Summary

The following summary includes substantive changes proposed within the attached draft UDO Amendment (UDOA2025-00001). Grammatical and structural changes are not included since they do not have an impact on the regulatory content within the UDO. Most changes are for clarification purposes based on issues that arise during the implementation of these regulations. In addition, illustrations are proposed throughout the UDO to provide additional detail and ease of understanding. Notable policy changes, include:

- Updated the similar active zoning district designation for the MH, Manufacture Housing District from R-100 to R-TH.
- Added single-family detached residences as a permitted use in the R-TH, Single-Family Townhouse District.
- Added usable front porch dimensions when included as a conditional use requirement for multiple dwelling types.
- Added day care facilities as a permitted accessory use when associated with a place of worship instead of requiring a special use permit.
- Added crematory to the permitted use table to require a special use permit as an accessory use in the C-2 and C-3 zoning districts and a special use permit as a principal use in the M-1 zoning district, along with distance requirements from residential uses.
- Reduced the amount of required “usable” open space in the OSC, Open Space Conservation District from 20 percent to 10 percent to match the original intent of the 2024 UDO Amendment.
- Added a required minimum amount (25%) to the housing type mix to the TND, Traditional Neighborhood Development District.
- Allowed up to 25 percent of units within a TND District to be rear loaded.
- Created the Five Forks Trickum Overlay Zoning District as an Activity Center/Corridor Overlay.
- Reduced the minimum floor area ratio (FAR) in the Gwinnett Place Overlay Zoning District from 2.0 to 1.0.
- Expanded Director approval for variations in most Overlay Districts to include all provisions of the UDO except for those for land use and minimum lot size.
- Added provisions to allow for loading/unloading of recreational vehicles in the front yard for up to 48 hours.
- Reduced the number of off-street parking spaces requiring structured parking from 1,500 spaces to 1,200 spaces.
- Added bicycle parking standards for non-residential, multifamily, and mixed use development.
- Prohibited zoning application changes after the public hearing is advertised.
- Extended the zoning application withdrawal deadline.
- Allowed the creation of up to 7 lots through a minor subdivision if the minimum lot size is 0.5 acres or larger without an administrative modification.
- Created provisions for Small Subdivisions to allow further subdivision of a parcel 5 acres or larger created by an exemption plat.
- Added additional interparcel access requirements for residential parcels.

A detailed list of all substantive proposed UDO changes follows.

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT
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Title 1: Draft UDO Amendments Summary

Chapter 100. General Provisions

- Extended building permit renewals or extensions from 90 days to 180 days after the effective date of the UDO or issuance of a land disturbance permit (LDP).
- Allowed the Director to grant three, 30-day extensions beyond the 180-day limitation for land disturbance permits that were applied for prior to the effective date of the UDO.
- Clarification added regarding any conflict between the text of the UDO and the newly included illustrations.

Chapter 110. Definitions

- Added, deleted, and revised definitions to ensure land uses listed in Title II have a corresponding definition, and that obsolete terms were removed.
- Added the following definitions: Brewery, Carriage House Dwelling, Commercial Kitchen, Data Center, Distillery, Exemption Plat, Extended Stay Establishment, Fire and Emergency Services Department, Fleet Vehicle, Garden Supply Center, Hotel, Intermodal Transfer Station, Landscape Supply, Live-work Dwelling, Lot Coverage, Motel, Nonconforming Development Feature, Plant Nursery, Residential Rehabilitation Center, Senior-oriented Dwelling, Short-term Rental, Usable Open Space, Variation, Vehicle Washing Establishment, and Villa Dwelling.
- Updated the following definitions: Accessory Dwelling, Architectural Modulation, Arterial Street, authorized registered professional, Average Grade, Block, Collector Street, Conservation Space, Dwelling, Flag Lot, Greenway Trail, Gross Building Space, Light-emitting Diode, Lot Width, Major Arterial Street, Major Intersection Street, Minor Arterial Street, Minor Collector Street, Minor Street, Mixed-use Development, Multifamily Dwelling, Multi-use Path, Nonconforming Building or Structure, Nonconforming Use, Open Space, Outdoor Sales and Storage of Goods, Porch, Principal Arterial Street, Private Deed Restrictions or Covenants, Recreational Vehicle, Rubbish, Single-family Dwelling, and Townhouse Dwelling.

Title 2: Draft UDO Amendments Summary

Chapter 200. General Provisions

- Revised active zoning district designation for list of inactive zoning districts.
- Simplified the interpretation of zoning district boundary lines.
- Removed the reference to UDO Design Guidelines.
- Removed extraneous language relating to the Director role that is defined in Title 1 of the UDO.
- Streamlined the determination of zoning classification for de-annexed property.

Chapter 210. Base Residential Zoning Districts

- Revised the purpose and intent statements to match the permitted housing types in each zoning district.
- Removed minimum site area for R-SR and R-TH zoning districts.
- Relocated the usable open space requirements to the Dimensional Standards table. Reduced the required usable open space ratio in R-100 from 5% to 3%.
- Revised footnotes in the Dimensional Standards table to clarify the application of standards.

- Ensured consistency between land uses within the permitted use table, conditional use standards, and definitions in Title 1.
- Added “Plant Nursery” and “Landscape Supply”, as newly defined in Title 1, as permitted uses in RA-200.
- Added “Villa Dwelling” as a conditional use in R-SR, R-IF, and R-TH.
- Added “Duplex Dwelling” and “Day Care Facilities” as conditional uses, and “Single-Family Detached Dwelling” as a permitted use in R-TH.
- Added Utility Transmission and Monitoring Facilities to RA-200, R-LL, and R-100 with a Special Use Permit and conditional use standards.
- Limited the number of boarders in a “Boarding or Rooming House”.
- Defined usable front porch dimensions for various dwelling types.
- Revised conditions for “Live-Work”, “Multifamily”, and “Villa Dwelling” types.
- Revised “Home Occupation conditions” to allow the use within an accessory structure.
- Permitted “Day Care Centers” and “Day Care Facilities” as an accessory use to “Place of Worship” without a special use permit.

Chapter 211. Base Non-Residential Zoning Districts

- Reordered land uses alphabetically.
- Added “Commercial Kitchen”, “Family Cemetery”, “Crematory (accessory use)”, “Continuing Care Retirement Community”, “Brewery”, “Distillery”, “Utilities and Infrastructure Facilities”, and “Plant Nursery” to the Permitted Use table.
- Added conditional use standards for “Crematories (principal use)”, “Extended Stay Establishments”, “Landscaping Contractors Offices with Outdoor Storage”, “Telecommunications Towers and/or Antennas”, and “Utility Transmission and Monitoring Facilities.”
- Revised conditional use standards for “Outdoor Storage and Sales of Goods” and “Vehicle Sales and Related Service Establishments.”

Chapter 212. Special Residential Zoning Districts

- Relocated the usable open space requirements to the Dimensional Standards table. Reduced the required usable open space ratio in OSC from 20% to 10%.
- Revised footnotes in the Dimensional Standards table to clarify the application of standards.
- Allowed “Day Care Facilities” as a conditional use in TND.
- Added conditional use standards for “Community Gardens”, “Day Care Facilities”, and “Home Occupations”.
- Revised conditional use standards for “Accessory Dwelling”, “Duplex Dwelling”, “Live-Work Dwelling”, “Short-Term Rentals”, and “Townhouse Dwelling.”
- Revised conservation space and street connectivity requirements in OSC.
- Provided a minimum housing mix and reduced the ratio of alley-loaded driveways requirement in TND.

Chapter 213. Mixed-Use Residential Zoning Districts

- Relocated the usable open space requirements to the Dimensional Standards table.
- Revised footnotes in the Dimensional Standards table to clarify the application of standards.
- Replaced the requirement for at least two land use categories with: requirement for residential use and at least one additional use.

- Provided a minimum floor area ratio of 1.0 for MU-R development.
- Revised vehicle parking location, inter-parcel access, and building design requirements.

Chapter 214. Overlay Zoning Districts

- Created the Five Forks Trickum Overlay District in the Activity Center/Corridor Overlay District.
- Simplified permitted uses, revised parking location requirements, and removed duplicative interparcel access requirements in the Activity Center/Corridor Overlay District.
- Simplified permitted uses, added streetscape standards, and revised parking requirements in the Venture Drive Redevelopment Overlay District.
- Expanded the threshold requiring compliance with the overlay standards and revised the pedestrian access requirements in the Gateway 85 Overlay District.
- Simplified permitted uses and revised the required FAR and building height in the Gwinnett Place Overlay District.
- Expanded applicability, simplified permitted uses, and revised the parking and lot coverage requirements in the Civic Center Overlay District standards.
- Expanded Director approval of variations within overlay districts requiring special administrative permit approval including the Venture Drive Redevelopment Overlay District, Innovation Overlay Zoning District, Gwinnett Place Overlay District, and the Satellite Boulevard/Sugarloaf Parkway Suboverlay District.

Chapter 230. Standards Applying to All Districts

- Prohibited metal roofs for carports.
- Revised dumpster pad size and screening standards.
- Simplified the determination of contextual front yard setback requirements for single-family detached lots.
- Added electric vehicle charging station canopies to permitted encroachments within required setbacks.
- Revised the fence requirements for industrial-zoned, residential, or nonresidential property.
- Differentiated protection of existing cemeteries adjacent to or within a development.
- Relocated the five-foot-wide structure setback requirement from Title 3.

Chapter 240. Off-Street Parking Standards

- Added a maximum duration for recreational or non-motor vehicles parking in the front yard for loading and unloading purposes.
- Reduced the minimum distance between parked vehicles and the property lines.
- Reduced the acreage for exemption from hard-surface parking requirements on agricultural lots.
- Eliminated the maximum paved parking or hard-surface area for attached residences.
- Revised parking requirements for “Amenity Areas”, Residential Subdivision”, “Funeral Homes”, “Plant Nurseries and Landscape Supply Centers”, “Outdoor Recreation and Entertainment”, and “Data Centers”.
- Added parking requirements for Commercial Kitchens.
- Reduced the number of parking spaces that trigger structured parking and added corresponding screening requirements.
- Clarified residential uses exempt from construction and dimensional requirements of parking areas.
- Clarified uses requiring interparcel access.

- Increased maximum driveway widths surrounding gasoline pumps.
- Provided flexibility to the minimum driveway depth for alley-loaded garages.
- Specified types of vehicles that are restricted from parking in residentially zoned districts.
- Revised thresholds and dimensions for loading spaces.
- Clarified uses requiring electric vehicle charging equipment and prohibited combining required EV and ADA spaces.
- Added bicycle parking standards.

Chapter 265. Temporary Outdoor Activity Uses
- Reduced the minimum acreage requirement for a temporary outdoor activity permit for outdoor sales and holiday activities.
- Increased the allowed frequency and duration for temporary outdoor activity permits per parcel per year for outdoor events.
- Eliminated the road classification requirement for outdoor events.

Chapter 270. Procedures
- Clarified information requirements on public advertising signs for zoning map amendment, special use permit, and change in conditions.
- Revised due date for public participation report submittal.
- Revised mailing requirement for public participation meeting.
- Prohibited application revisions after the public hearing is advertised.
- Revised the withdrawal deadline.
- Revised the public hearing procedures for the Zoning Board of Appeal to match state legislation.
- Added front porch dimensions and minimum side setbacks for substandard lots of record as administrative variances.

Title 3: Draft UDO Amendments Summary

Chapter 330. Development Plan Guidelines
- Created provisions for small subdivisions including development plan requirements, required accompanying plans, and design standards.
- Revised the maximum slope allowed for cut or fill.

Chapter 350. Development Design Standards
- Removed the prohibition of flag lots.

Chapter 360. Infrastructure, Streets, Sidewalks, Multi-Use Paths, and Greenways
- Added dead-end street requirements for new subdivisions to connect to abutting large residential properties 20 acres or greater in size.

Chapter 610. Buffers
- Relocated zoning buffer structure setback requirement to Title II. Add landscaped buffer purpose, intent, width, and planting standards.

Chapter 620. Landscape Regulations
- Prohibited light poles in parking lot islands that contain trees.
- Required street trees for attached residential zoning districts meeting certain requirements.

Chapter 630. Tree Preservation and Replacement Regulations
- Added ground cover requirement for disturbed areas.
- Increased the minimum sample area for tree density credit.

Chapter 1010. Subdivisions
- Streamlined minor subdivision process to allow seven lots for subdivisions with a minimum lot size of 0.5 acres or greater.
- Allowed parcels larger than 5 acres to be re-subdivided subject to the requirement of the Small Subdivision.
- Created provisions for Small Subdivisions.

Appendices: Draft UDO Amendments Summary

Appendix Section 1.0 – 5.0: Deleted, since these sections do not reflect current provisions.

Chapter 100. General Provisions

Section 100-10. Title.

This ordinance shall be known as "The Unified Development Ordinance ("UDO", or "Ordinance") of Gwinnett County, Georgia." It consists of three Titles: Title 1, Administration; Title 2, Land Use and Zoning; and Title 3, Development and Permitting.

Title 1 includes regulations applicable to Gwinnett County and specifically addresses administrative regulations, including definitions, enforcement, and penalties applicable to Titles 2 and 3. Title 2 serves as Gwinnett County's Zoning Ordinance, and is intended to constitute a zoning ordinance within the meaning of Georgia Law. Changes to the text of Title 2, including Title 1 as it relates to Title 2, as well as Official Zoning Map amendments and other zoning actions addressed therein, shall comply with the public notice and hearing procedures provided therein and in Georgia Open Meetings Act 2012; Georgia Planning Act 50-8-36; Title 36 Local Government Provisions Applicable to Counties & Municipal Corporations Chapter 66. Zoning Procedures 36-66-4. Title 3 regulates development and permitting activities in Gwinnett County. Title 1 and Title 3 do not constitute a zoning ordinance or zoning regulations.

Section 100-20. Purpose.

The Unified Development Ordinance is enacted by the Board of Commissioners in order to promote the public health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants and residents of Gwinnett County, Georgia. It is intended to achieve the following purposes:

100-20.1 To guide and regulate the orderly growth, development, redevelopment, and preservation of Gwinnett County in accordance with the adopted Gwinnett County Unified Plan and with long-term objectives, principles, and standards deemed beneficial to the interest and welfare of the people, and to protect the established character and the social and economic well-being of both private and public property.

100-20.2 To promote, in the public interest, the efficient utilization of land,

100-20.3 To promote the preservation of open space,

100-20.4 To provide for adequate light, air, convenience of access, and safety from fire, flood, and other dangers,

100-20.5 To reduce or minimize congestion in the public streets,

100-20.6 To facilitate the creation of a convenient, attractive, and harmonious community,

100-20.7 To encourage an aesthetically attractive environment, both built and natural, and to provide for regulations that protect and enhance these aesthetic considerations,

100-20.8 To provide a basis for establishing the future need for law enforcement and fire protection, transportation, water, sewage, flood protection, schools, parks, recreational facilities, and other public facilities and services,

100-20.9 To promote safety and reduce congestion in travel and transportation, to protect against overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, and loss of life or health from fire, flood, wind, subsidence or other dangerous conditions that could be mitigated by proper construction standards,

100-20.10 To encourage economic development that provides desirable employment and expands the tax base,

100-20.11 To ensure the perpetual conservation, preservation and enjoyment of the unique natural and physical resources of the County, including forested areas, watersheds, streams, viewsheds, and archaeological sites and the protection of water quality as the County grows,

100-20.12 To achieve compliance with all applicable state and federal laws and regulations,

100-20.13 To provide for and promote housing for all income groups and all citizens within the County,

100-20.14 To establish high quality standards for buildings, land development, and subdivision regulations for the protection of the environment and the security of buyers and users of developed property in Gwinnett County,

100-20.15 To provide adequate and safe construction standards for streets, sidewalks, drainage, utilities and other public improvements,

100-20.16 To provide a method of administration and procedure that ensures due process and equal protection for the citizens and property owners of Gwinnett County,

100-20.17 To establish a just balance between the rights of owners of property and the public interest of all the citizens of Gwinnett County,

100-20.18 To provide for protection of the constitutional rights and obligations of all citizens within the County,

100-20.19 To provide penalties for a violation and remedies for enforcement hereof; and for other purposes.

Section 100-30. Authority.

The Unified Development Ordinance is enacted pursuant to the Constitution of the State of Georgia, Article 9, Section 2, Paragraphs 1 and 3; by the County's authority to enact regulations and exercise powers granted by local laws; by the County's planning authority and general police powers; and by other powers and authority provided by federal, state, and local laws applicable hereto. Additional authority for Title 2 is set forth in Section 200-20.

Section 100-40. Jurisdiction.

This Ordinance shall apply to all unincorporated areas of Gwinnett County, Georgia.

Section 100-50. Application of Ordinance.

The provisions of this Unified Development Ordinance shall apply throughout the unincorporated area of the County. The County may enter into agreements with cities within the County, or other municipalities, to carry out the purpose of this Unified Development Ordinance. These agreements may include, but are not limited to, enforcement of provisions, resolution of disputes, and cooperative monitoring and management of the separate storm sewer system and management programs. Except as hereinafter provided, as of the date of adoption of the Unified Development Ordinance.

100-50.1 Development Activity. Any person proposing to rezone property, secure permits, undertake any land disturbance activity, construct, demolish, expand or modify a structure or a building for occupancy, develop or subdivide land within unincorporated areas of Gwinnett County, Georgia, or undertake any other development permission or activity shall pay a fee and make application to the Gwinnett County Department of Planning and Development, and shall comply with all regulations set forth in this Unified Development Ordinance.

~~; or.~~**100-50.2 Use.** No building, structure, premises, or land shall be used or occupied, and no building or part thereof shall be erected, remodeled, extended, enlarged, constructed, or altered in a manner except in conformity with the regulations herein specified for the district in which it is or is to be located.

100-50.3 Lots. No lot shall be reduced in size so that minimum lot width or depth, size of yards, lot area or any other requirement of this ordinance is not maintained unless otherwise authorized by this Unified Development Ordinance. This limitation shall not apply when a portion of a lot has been lawfully acquired for public purpose or for unbuildable lots used exclusively for subdivision identification signage or subdivision entrance landscape features or stormwater facilities.

100-50.4 Pending and Approved Applications for Building Permits. Nothing in this Unified Development Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building or structure or land disturbance for which a building permit was lawfully applied for or approved, prior to the effective date of this Unified Development Ordinance or amendment thereto, provided:

A. Such permit has not by its own terms expired prior to such effective date.

B. Actual building construction is commenced prior to the expiration of such permit.

C. Actual building construction is carried on pursuant to said permit and limited to and in strict accordance with said permit.

D. No renewals or extensions of said permit shall be authorized beyond 180~~90~~ days following the effective date of this Unified Development Ordinance or the applicable amendment thereto or issuance of a development permit prior to the effective date of the amendment.~~.~~

100-50.5 Pending and Approved Applications for Development Permits.

A. Any subdivision or other development activity for which a valid and complete application for a Development Permit has been received prior to the adoption of this Unified Development Ordinance or amendment thereto may, at the developer's option, proceed to completion and building permits may be issued as though this Unified Development Ordinance had not been adopted, provided that the Development Permit is or can be issued within 180 calendar days of the date of adoption and all time frames associated with said permit are observed. In addition to the 180 calendar day deadline, up to three 30-day extensions may be granted by the Director.

B. Any subdivision or other development activity for which a Development Permit has been issued prior to the adoption of this Unified Development Ordinance or amendment thereto may, at the developer's option, proceed to completion and building permits may be issued as though this Unified Development Ordinance had not been adopted, provided all time frames associated with said permit are observed.

C. Any subdivision or other development activity for which only a Clearing, Clearing and Grubbing, or Grading Permit has been issued prior to adoption of this Unified Development Ordinance or amendment thereto shall be brought into conformance with this Unified Development Ordinance. Subsequently, all development permits shall conform to this Unified Development Ordinance.

100-50.6 Applications for Zoning Map Amendment, Special Use Permit, or Variance.

A. ~~A.~~ Any valid and complete application for a Zoning Map Amendment, Special Use Permit, or Variance accepted by the Department prior to the adoption of this Unified Development Ordinance or amendment thereto may, at the applicant's option, proceed to completion and development and building permits may be issued as though this Unified Development Ordinance had not been adopted, provided that all permits are or can be issued within 365~~180~~ calendar days of the date of adoption and all time frames associated with said permit are observed. In addition to the 365 calendar day deadline, up to three 30-day extensions may be granted by the Director.

100-50.7 Illustrations. Illustrations included in this UDO are to illustrate the intent and requirement of the text. In the case of a conflict between the text of this UDO and any Illustrations, the text governs.

Section 100-60. Relationship to Existing Ordinances.

100-60.1 Whenever the provisions of this Unified Development Ordinance impose more restrictive standards than are required in or under any other statute, ordinance or resolution, these standards shall prevail, unless otherwise specified in this Unified Development Ordinance or otherwise restricted by State or Federal law. Whenever the provisions of any other statute, ordinance, or resolution impose more restrictive standards than are required herein, the requirements of such regulations shall prevail, unless otherwise specified in this Unified Development Ordinance.

100-60.2 In those instances where development standards for a parcel of land or a specific project have been lawfully and explicitly established as a condition of approval for a ~~rezoning~~zoning map amendment, variance, special use permit, or other formal action by the Board of Commissioners, the Zoning Board of Appeals, or any other authorized body, the requirements of such conditions shall control unless otherwise specified in this Unified Development Ordinance.

100-60.3 Nothing herein shall repeal the conditions of use, operation, or site development accompanying zoning approval~~(s)~~ or special use~~(s)~~, variances, or permits issued under previous ordinances or resolutions. Modification or repeal of such past conditions of approval may be accomplished as authorized and provided by this Unified Development Ordinance. All Special Use Permits, variances, exceptions, modifications and waivers heretofore granted by the Director ~~of Planning and Development~~, Zoning Board of Appeals, Planning Commission, or Board of Commissioners shall remain in full force and effect, and all terms, conditions and obligations heretofore imposed by the Director, Zoning Board of Appeals, or Board of Commissioners shall remain in effect.

Section 100-70. Reserved.

Section 100-80. Amendments.

100-80.1 This Unified Development Ordinance may be amended from time-to-time by resolution of the Board of Commissioners of Gwinnett County. Such amendments shall be effective as of their date of adoption unless otherwise stated in the adopting resolution.

Section 100-90. Duties of the Department of Planning and Development.

100-90.1 Unless otherwise specified in any article, chapter, or section of this Unified Development Ordinance, the UDO shall be administered, interpreted, and enforced by the Director of the Department of Planning and Development of Gwinnett County, Georgia.

100-90.2 All other ordinances or regulations referenced herein, such as the fire prevention and life safety codes, Property Maintenance Ordinance, building and other technical codes, health, water, and sewer regulations, shall be administered by the directors or liaisons of the departments responsible for such regulations, as established by the Board of Commissioners.

100-90.3 The Director ~~of Planning and Development~~ shall have the authority to carry out all duties necessary to administer the Unified Development Ordinance, including all duties otherwise delegated to the Divisions of the Department. In addition, the Director shall have the following authority:

A. To approve and accept final subdivision plats and land dedicated as a public street or other public purpose on behalf of Gwinnett County, and to cause such dedications to be recorded by the Clerk of Superior Court of Gwinnett County, subject to ratification by the Board of Commissioners.

B. To approve a Certificate of Development Plans Approval as provided in Section 320-2040 ~~40-30~~.

C. In response to a written request by the property owner or owner's authorized agent, to approve or deny requests for administrative variances as provided in Section 270-123~~0~~ of the Unified Development Ordinance.

D. In response to a written request by the property owner or owner's authorized agent, to approve or deny requests for modifications as provided in Section 300-30~~120-50~~ of the Unified Development Ordinance.

E. To make other approvals, modifications, interpretations or rulings specifically provided in the Unified Development Ordinance.

100-90.4. In particular, the Department of Planning and Development shall have the following powers and duties under the Unified Development Ordinance.

A. ~~Accept and process applications and~~ Mmake recommendations regarding amendments to the Gwinnett County Unified Plan and its related maps.

B. Maintain ~~current land use maps and~~ files of all amendments to the Gwinnett County Unified Plan, Future Development Map and related maps and policies.

C. Prepare, compile, and recommend land use, transportation and other resource and facility plans to the Board of Commissioners.

D. Prepare recommendations on all zoning amendments for consideration by the Board of Commissioners, and generally provide for the application, noticing and hearing requirements of the amendment process.

E. Prepare and maintain records of amendments to this Ordinance and make the most recently adopted version available to the public within a reasonable length of time.

F. Prepare and maintain the Official Zoning Map, maintain accurate records of zoning map amendments, and make the most recently adopted version available to the public within a reasonable length of time.

G. Prepare and maintain data, maps or other information regarding population, employment and economic characteristics of the County and land development activities, economic development, including subdivisions and building permits.

H. In response to a written request by the property owner or owner's authorized agent, issue a statement identifying the current zoning of a parcel of land. The fee for such a zoning certification shall be established by the Board of Commissioners.

I. The Director ~~of Planning and Development or designee~~ shall serve as secretary to the Gwinnett County Planning Commission, shall take and prepare its minutes and shall forward the minutes to the Board of Commissioners.

J. Provide for the orderly and safe development of the County through the provisions of the County regulations and other application regulations or standards as may be adopted by the Board of Commissioners.

K. To review and make final decisions regarding permits and other development requests authorized in this Unified Development Ordinance or the Gwinnett County Construction Code.

L. Provide for the application, noticing and hearing requirements of the zoning variances process from this Unified Development Ordinance.

M. Enforce the regulations and standards of this Unified Development Ordinance.

N. Enforce the Gwinnett County Construction Code.

O. Review plans and enforce development compliance with the Georgia Metropolitan River Protection Act, as amended.

P. The Director ~~of Planning and Development or designee~~ shall serve as secretary to the Zoning Board of Appeals, shall take and prepare its minutes, and shall forward the minutes to the Board of Commissioners.

Section 100-100. Fees.

100-100.1 Application filing, permit, inspection, and other fees shall be as established from time-to-time by the Board of Commissioners.

100-100.2 Permit fees, if any, shall be submitted as a prerequisite to issuance of the permit. Nonpayment as a result of submission of a check having insufficient funds on account, or for any other reason, shall cause the permit to be voided and re-issuance subject to penalty as provided by law or as may be established by the Board of Commissioners.

100-100.3 Application fees, if any, shall be submitted with the application unless otherwise stated on official forms from the Department ~~of Planning and Development~~. Failure to pay a required application fee shall cause the application to be returned to the applicant without consideration by the County.

100-100.4 Following the approval of development plans, and prior to authorization to begin construction, the developer shall provide the Department ~~of Planning and Development~~ such fees as may be established from time-to-time by the Board of Commissioners.

100-100.5 Prior to approval of a Final Plat or Certificate of Occupancy, the developer shall provide to the Department ~~of Planning and Development~~ such recording fees and performance and/or maintenance sureties as required by this Unified Development Ordinance or established from time-to-time by the Board of Commissioners.

Section 100-110. Severability.

If any article, section, provision or clause of any part of this Unified Development Ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this Unified Development Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to effect the portions of this Unified Development Ordinance not so held to be invalid, or the application of this Unified Development Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this Unified Development Ordinance would have been adopted had such invalid portion not been included herein.

Chapter 110. Definitions

Section 110-10. Rules of Interpretation.

For the purpose of the UDO, certain words or terms used herein shall be defined as follows:

110-10.1 Words used in the present tense include the future tense.

110-10.2 The word "shall" is always mandatory, and the word "may" is permissive.

110-10.3 Words used in the singular include the plural and words used in the plural include the singular.

110-10.4 Words in the masculine gender shall include the feminine.

110-10.5 The word "person" includes the words "individuals," "firms," "partnerships," "corporations," "associations," "governmental bodies" and all other legal entities.

110-10.6 The word "lot" shall be construed to include "parcel."

110-10.7 The word "erected" includes the words "constructed", "moved", "located" or "relocated."

110-10.8 The word "zoning map" means the Official Zoning Map of Gwinnett County, Georgia.

110-10.9 The words "used" or "occupied" include the words "intended, arranged or designed to be used or occupied."

110-10.10 Use of the word "and" is inclusive and requires that all of the component phrases so connected must be present or fulfilled for sufficiency.

110-10.11 Use of the word "or" is not exclusive (as in "either ... or"), and requires that at least one of the component phrases so connected must be present or fulfilled for sufficiency. The word "or" may allow more than one component phrase to be present or fulfilled, as is implied by the common term "and/or."

Section 110-20. Rules of Precedence.

The following rules set forth the order of precedence that determines which definition applies in a specific instance within the provisions of this Ordinance:

110-20.1 When definitions are provided within an individual chapter, article or section of this Ordinance, those definitions are to be applied within said chapter, article, or section. If the same term or phrase is also defined in this section, the definition in this section shall not apply in that instance.

110-20.2 When no definitions are provided within an individual chapter, article, or section of this Ordinance, words and phrases used in this Ordinance shall have the meaning established by the definitions provided in Section 110-40, General Definitions or Section 110-50, Definitions by Category.

110-20.3 When definitions are provided that are specific to Soil Erosion, Sedimentation and Pollution Control, Riparian Buffers, Floodplain Management, Stormwater Management, and Public Utilities they are listed in Section 110-50, Definitions by Category therein.

110-20.4 Except as specifically defined herein, all words used in this Ordinance shall be as defined in the most recent edition of The Illustrated Book of Development Definitions (Rutgers). Words not defined herein or in the above-referenced book shall be construed to have the meaning given by common and ordinary use, and shall be interpreted within the context of the sentence, section and article in which they occur.

110-20.5 Whenever a conflict of definitions is considered to exist or an interpretation of these definitions is necessary, the Director shall resolve the conflict and interpret the definition. The action of the Director shall be recorded.

Section 110-30. Abbreviations.

As used in this Unified Development Ordinance, the following abbreviations represent the terms set forth below.

ARC: Atlanta Regional Commission

ASHRAE: American Society of Heating, Refrigerating and Air-Conditioning Engineers

BFE: Base Flood Elevation

BMP: Best Management Practice

BMR: Baseline Monitoring Report

CID: Community Improvement District

CIU: Categorical Industrial User

CLOMA: Conditional Letter of Map Amendment

CLOMR: Conditional Letter of Map Revision

CPESC: Certified Professional in Erosion and Sediment Control

DBH: Diameter Breast Height

DRI: Development of Regional Impact

DWR: Gwinnett County Department of Water Resources

DWRSSS: Gwinnett County Department of Water Resources Sanitary Sewer Standards

EPA: U.S. Environmental Protection Agency

EPD: Georgia Department of Natural Resources, Environmental Protection Division.

FAA: The Federal Aviation Administration

FAR: Floor Area Ratio

FCC: The Federal Communications Commission

FEMA: Federal Emergency Management Agency

FIS: Flood Insurance Study

FIRM: Flood Insurance Rate Map

GCDOT: Gwinnett County Department of Transportation

GDOT: Georgia Department of Transportation

GFA: Gross Floor Area

GRTA: Georgia Regional Transportation Authority

HLP: House Location Plan

IU: Industrial User

LEED: Leadership in Energy and Environmental Design, as administered by the Green Building Certification Institute

LOMA: Letter of Map Amendment

LOMR: Letter of Map Revision

MOD: Modified

~~**MUD:** Mixed-Use Development~~

NOI: Notice of Intent

NOT: Notice of Termination

NOV: Notice of Violation

NPDES: National Pollutant Discharge Elimination System

NTC: Notice to Comply

NTU: Nephelometric Turbidity Units

O&M: Operation and Maintenance

O.C.G.A.: The Official Code of Georgia Annotated

POTW: Publicly Owned Treatment Works

RCRA: Resource Conservation and Recovery Act

RDP: Residential Drainage Plan

RDS: Residential Drainage Study

TDU: Tree Density Unit

TDS: Tree Density Standard

TSS: Total Suspended Solids

UDO: Unified Development Ordinance of Gwinnett County, Georgia

USACE: United States Army Corps of Engineers

USC: United States Code

Section 110-40. General Definitions.

For the purpose of this Unified Development Ordinance, the following definitions shall apply, except where otherwise provided in Section 110-20.

Abutting: Touching at one point or along a common side, boundary, or property line. Two pieces of property that are separated by a street or right-of-way are not abutting.

Accessory Building: A building detached from a principal building located on the same lot and customarily incidental to the principal building or use including but not limited to detached garages, carports and utility buildings, sheds, gazebos, or barns.

~~**Accessory Dwelling:** A dwelling unit located on the same lot as a principal residential dwelling, either within or attached to the single-family dwelling, or detached.~~

Accessory Structure: A structure detached from a principal building located on the same lot and customarily incidental to the principal building or use including but not limited to swimming pools, tennis courts, and basketball goals.

Accessory Use: A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

Active Recreation Area: This category of common area includes, but is not limited to, bikeways, paths, tennis courts, ballfields, playfields, courts, swimming pools, clubhouses, toilets, dressing rooms, lockers, equestrian facilities, beaches, docks; amphitheaters, stages, bandshells, community buildings, fountains, plazas, patios, decks, lawns, picnic shelters or picnic areas, and similar facilities and the related storage, landscaping, lighting, sidewalks, outdoor furnishings, play structures, and utilities related to active recreation areas.

Address: The number that, together with the street name, describes a physical location of a specific property.

Adjacent: Property that is abutting or on the opposite side of an easement that separates it from the subject property. Properties separated by a right-of-way are not abutting or adjacent.

~~**Adult Day Care Center**: An establishment operated by any person with or without compensation for providing for the care, supervision, and oversight only during day-time hours of seven (7) or more adults who are elderly, physically ill, or infirm, physically handicapped, or mentally handicapped. This may also include recreational and social activities for said persons.~~

~~**Adult Day Care Facility**: An establishment operated by any person with or without compensation for providing for the care, supervision, and oversight only during day-time hours of six (6) or fewer adults who are elderly, physically ill, or infirm, physically handicapped, or mentally handicapped. This may also include recreational, cultural, and social activities for said persons.~~

Adult Establishment: "Adult Establishment" shall have the same meaning as set forth in Chapter 18, Article XI of the Gwinnett County Code of Ordinances.

~~**Alcoholic Beverage Plant/Distillery:** An establishment in which beer, malt beverages, distilled spirits, or other alcoholic beverages are manufactured primarily for sale to wholesalers or distributors.~~

Alley or Service Drive: A private minor, permanent service-way which is used primarily for vehicular service access to the back or the side for properties otherwise abutting on a street.

Alternative Tower Structure: C~~c~~lock towers, bell towers, church steeples, light/power poles, electric transmission towers, man-made trees (without accessory buildings/structures), and similar natural or man-made alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Animal Care Establishment~~Hospital~~: Facility for the treatment and temporary boarding of domestic animals operated under the supervision of a licensed veterinarian. This facility may include the boarding of animals in outside runs or kennels.

Animal Quarters: Any structure which is used to shelter, care for, house, exercise, train, exhibit, display or show any animals, including but not limited to corrals, stables, barns, pens, coops, chicken houses, and other similar animal quarters. This term shall not include fenced pasture-land or paddocks for grazing.

Antenna: Any exterior apparatus designed for wireless telecommunication, radio, or television communications through the sending and/or receiving of electromagnetic waves.

Appeal: A request for a review of the Department's interpretation or decision of any provision of this Ordinance.

Applicant: A person, either the owner or the bona fide representative of the owner of land or structures governed by these regulations, who seeks authority to use, develop, construct upon, or otherwise enjoy the use of property through any of the procedures established under these regulations.

Arcade, Architectural: A succession of arches, each counterthrusting the next, supported by columns or piers or a covered walk enclosed by a line of such arches on one or both sides, providing shelter for pedestrians.

Architectural Modulation: Variation in materials, massing, fenestration, and ornamental detail of a façade that divides a façade into unique components or identities, as distinguished from a uniform façade without variation. Architectural modulations of a façade should break the vertical plane ~~by more than~~ two~~2 feet in depth, measured from the forward plane of the façade. See the Unified Development Ordinance (UDO) Design Guidelines: Building Facade Materials and Modulation~~.

"As-Built" Survey: See "Record Drawing".

Attached, or Attached to: The relationship between two or more buildings or building and a structure that are permanently connected to a foundation. In order for two or more buildings to be attached, they must be permanently connected along a common interior wall. A structure and building are attached when one relies on the other for structural support and the above foundation framing is structurally connected.

Attic: The unfinished space between the ceiling joists of the top story and the roof rafters.

"Authorized Registered Professional" ~~shall mean~~:

A. ~~A.~~ An architect who possesses a current certificate of registration issued by the State of Georgia in accordance with Georgia Law; or,

B. A landscape architect who possesses a current certificate of registration issued by the State of Georgia in accordance with Georgia Law; or,

B. A land surveyor who possesses a current certificate of registration issued by the State of Georgia in accordance with Georgia Law; or,

C. A professional engineer who possesses a current certificate of registration issued by the State of Georgia in accordance with Georgia Law; or,

D. An interior designer who possesses a current certificate of registration issued by the State of Georgia in accordance with Georgia Law.

An authorized registered professional shall know and understand the limits of their professional expertise, certification, license, or registration and shall not perform work which is outside of the scope of said professional expertise, certification, license, or registration. An authorized registered professional shall be liable for complying with all state laws and rules and licensing board requirements that apply to their particular profession, including ethical standards, and shall be liable for failure to meet the applicable standards of professional care. All documents and drawings submitted to Gwinnett County by an authorized registered professional shall bear that person's certification, license, registration, or seal, as appropriate. The certification, license, registration or seal of an authorized registered professional on documents and drawings submitted to Gwinnett County shall certify that the documents and drawings comply with all applicable state and Gwinnett County ordinances, rules and regulations and shall certify that the documents and drawings are based on personal knowledge of the conditions depicted thereon and that the accuracy and completeness of the documents and drawings have been verified by field inspection of the facilities depicted therein. (per Georgia Law: Title 43 Professions and Businesses, Chapter 15 Professional Engineers, Chapter 41 Residential and general contractors, Title 36 Local Government)

Awning: A roof~~-~~like structure with a rigid frame which cantilevers from the elevation of a building designed to provide continuous overhead weather protection.

Basement: Occupied space of a building having its finished floor surface entirely below grade plane, or in which any portion of the finished surface of the floor next above is less than or equal to ~~6~~six feet above grade plane and at any point is less than or equal to 12 feet above grade.

Best Management Practices: Sound engineering practices, activities, maintenance procedures that when properly designed and implemented will minimize negative impact on the natural environment.

Bin, Donation Collection: Any enclosed receptacle or container made of metal, steel or a similar product and designed for the depositing of donations and the temporary storage of donated items including clothing, shoes, books, or other similar materials.

Block: A ~~piece or parcel(s)~~tract of land entirely surrounded by ~~public~~ streets~~, other than~~ and/or alleys.

Board of Commissioners: The Board of Commissioners of Gwinnett County, Georgia.

Boarding or Rooming House: A building other than a motel, hotel, or bed and breakfast inn where, for compensation and by prearrangement for definite periods, meals or lodging or both are provided.

Bonus Room: An occupied and finished room in a dwelling that is located over a semi-enclosed space such as over a carport, garage, or porch, which is connected to the remainder of the dwelling and does not have a separate outside entry.

Brewery: An establishment in which beer or malt beverages are manufactured primarily for sale to wholesalers or distributors.

Brewpub: An eating establishment in which beer or malt beverages are manufactured or brewed, subject to state law barrel production limitations, for on-site consumption and retail sales directly to restaurant patrons.

Buffer: Land area used to separate one use from another through screening and distance; to shield or block noise, light, glare, visual or other conditions; to block physical passage to non-similar areas; or to reduce dust, dirt, and litter.

Buffer, Cemetery: Land area in which there is no disturbance and no grading allowed, except as necessary for required plantings and fence installation per approved plan.

Buffer, Construction: Land area in which there is no disturbance until a Certificate of Occupancy has been issued on the building lot at which time the Construction Buffer is removed.

Buffer, Enhanced: Land area in which there is no disturbance with the exception for disturbance related to additional required plantings, and for approved perpendicular access and utility crossings.

Buffer, Landscaped: Land area in which grading is allowed and revegetation to a buffer standard is required and replanted per approved landscape plan.

Buffer, Natural Undisturbed: Land area in which there is no disturbance and no grading allowed, except for approved perpendicular access and utility crossings.

Buffer, Stream: The area of land immediately adjacent to the banks of state waters in its natural or enhanced state of vegetation, which facilitates the protection of water quality and aquatic habitat as governed by Georgia Law.

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

~~**Building, Metal:** A structure which has a roof, and which is designed for the shelter, storage, housing or enclosure of persons, animals, or property of any kind and is constructed of exterior metal panels or pieces. This shall not include residential structures intended for occupancy with an exterior finish of aluminum siding where such siding is commonly used for residential structures.~~

Building Permit: Authorization by Gwinnett County, to construct, enlarge, repair, move, demolish, or change the occupancy of a building or structure, to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, fuel gas piping, mechanical, or plumbing system.

Building Setback Line: A line across a lot parallel to a street right-of-way or other property line establishing the minimum distance to be provided between any principal building and the street or other property line.

Building Space, Gross: See "Gross Floor Area." ~~The total floor area included within surrounding exterior walls of a building. Areas of a building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.~~

Bury Pit: A hole or depression in the ground that has been filled with building and/or organic materials (such as lumber and tree limbs) and then covered with dirt.

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

Carport: An open-sided automobile shelter by the side of a building.

~~**Car Wash:** Any building or premises used for washing motor vehicles including, but not limited to self-service, express service, and full service facilities, utilizing in-bay automatic, conveyor automatic, or hand washing. Use of any premises for temporary hand washing of motor vehicles for non-profit fundraising purposes shall not be considered a car wash.~~

Cellar: See "Basement".

Cemetery: An area and use of land set apart for the purpose of burial plots for deceased persons or animals and for the erection of customary markers, monuments and/or mausoleums related thereto; and which may be maintained by a church or other place of worship, or a private corporation.

Cemetery, Family: The use of property as a burial ground restricted to the members of the family owning the lot on which the cemetery is located. For the purposes of this definition, "family" shall be defined as family within the fourth degree of civil reckoning from the property owner.

Certificate of Completion: Document issued by the Department and Fire Marshal's Office to indicate that the construction work authorized by a building permit has been completed which is either applicable to a non-occupied building, structure, building/structure addition, or any portion thereof, or involves a limited scope of renovation that does not change the occupancy or configuration of the affected space.

Certificate of Development Conformance: Final approval issued by the Department for completion of land development activities for a subdivision or project for which a Development Permit was issued.

Certificate of Occupancy: Document issued by the Department and/or Fire Marshal's Office to authorize the occupancy of a building, structure, building/structure addition, or any portion thereof.

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

Chattahoochee River Corridor: All land within 2,000 feet of the banks of the Chattahoochee River, including any impoundments thereon, or within the floodplain, whichever is greater, from directly below Buford Dam downstream to the downstream limits of Fulton and Douglas counties, including the entire bed of the river and any improvements and all islands therein.

~~**Child Day Care Center:** An establishment operated by any person with or without compensation providing for the care, supervision, and protection of seven (7) or more children who are under the age of eighteen (18) years for less than twenty-four (24) hours per day, without transfer of legal custody.~~

~~**Child Day Care Facility:** An establishment operated by any person with or without compensation providing for the care, supervision, and protection of six (6) or fewer children who are under the age of eighteen (18) years for less than twenty-four (24) hours per day, without transfer of legal custody. For the purpose of computing the number of children within the child day care facility, all children who are related by blood, marriage, adoption or guardianship to the person or persons operating the facility shall be included.~~

Civic Uses: Public parks, squares, plazas, greens, lawns, amphitheaters, stages, churches, or places of worship, public or private schools, gymnasiums, assembly halls, community meeting rooms, community service centers, post offices, fire stations, libraries, museums, public libraries, or other government or public service buildings and facilities except for those requiring outdoor storage or maintenance yards.

Clearing: The removal of trees or other vegetation, but not including grubbing activities, from a property, whether by cutting or other means.

Collection Bin: An attended or unattended enclosed receptacle, trailer, or container made of metal, steel, plastic, wood, or similar material and designed or intended for the collection of unwanted clothing, shoes, textiles, books, or other household items.

Co-Location: The placement of the antennas of two or more service providers upon a single tower or alternative tower structure.

Commercial Kitchen: A private or shared kitchen used for the preparation of food to be sold on or off premises without the consumption of food on-site.

Commercial Vehicle: Any motor vehicle licensed by the state as a commercial vehicle.

Community Garden: A private, public, or non-profit facility for cultivation of fruits, flowers, vegetables, or ornamental plants cultivated by more than one household.

Complementary Mix of Uses: Land uses that serve mutually supportive functions that encourage frequent interactions, and do not cause excessive conflicts with one another in terms of noise, access, traffic, parking, services, or utility demands.

Composting Facility, Municipal Solid Waste: An establishment converting municipal solid waste to humus through a controlled process of degrading organic matter by microorganisms.

Composting Facility, Yard Trimmings: An establishment converting yard trimmings to humus through a controlled process of degrading organic matter by microorganisms. This definition does not include composting conducted on a residential lot for home gardening purposes.

Conditional Use: A land use that merits additional development standards in the zoning district in which it is located to mitigate possible impacts.

Condominium: A form of property ownership in which the buildings or portions of the buildings, whether residential or non-residential in use, are owned by individuals separate from the lands which surround the buildings, said lands held in common ownership by the owners of the several buildings.

~~**Congregate Personal Care Home:** See "Personal Care Home, Congregate".~~

Connectivity: The degree to which streets, sidewalks, trails, and bike paths form a continuous and interconnected system that allows full mobility and convenient access between all origins and destinations as they may be distributed throughout a developed area.

Conservation Easement: As used in this Ordinance, an agreement between a land owner and Gwinnett County or other government agency or land trust that permanently protects open space or green space on the owner's land by limiting the amount and type of development that can take place but continues to leave the remainder of the fee interest in private ownership.

Conservation Space: A type of open space for ~~P~~permanently protected land and water ~~, including agricultural and forestry land,~~ that is in its undeveloped or natural state. ~~or that has been developed only to the extent consistent, or is restored. to be consistent, with one or more or the following goals:~~

~~A. Water quality protection for rivers, streams, and lakes~~

~~B. Flood protection~~

~~C. Wetlands protection~~

~~D. Reduction of erosion through protection of steep slopes, areas with erodible soils and stream banks;~~

~~E. Protection of riparian buffers and other areas that serve as natural habitat and corridors for native plant and animal species;~~

~~F. Scenic protection~~

~~G. Protection of archaeological and historic resources~~

~~H. Provision of recreation in the form of boating, hiking, camping, fishing, running, jogging, biking, walking and similar outdoor activities~~

~~I. Connection of existing or planned areas contributing to the goals set out in this paragraph~~

Construction Activity: Activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but not limited to clearing and grubbing, grading, excavating, stockpiling, and demolition.

Construction Code: The Gwinnett County Construction Code as may be amended from time-to-time.

Construction/Demolition Waste: For the definition, refer to the Georgia Department of Natural Resources, Environmental Protection Division Rules and Regulations, Solid Waste Management.

Contamination: An impairment of the quality of the water, which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, bacteria, chemicals, industrial fluids, waste, etc.

Conveyance: An aboveground or underground natural or manmade stormwater infrastructure feature, that provides for the collection and movement of stormwater, and shall include but not be limited to concrete or metal pipes, ditches, depressions, swales, roads with stormwater facilities, highways, county streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, stormwater infrastructure channels, reservoirs, rights of way, storm drains, culverts, street gutters, oil/water separators, modular pavements and other similar stormwater infrastructure.

~~**Cottage Court:** Five to nine detached single-family dwellings, either located on their own lots or a common lot, that are organized around a shared courtyard.~~

County, or Gwinnett County: A political subdivision of the State of Georgia.

County Separate Storm Sewer System: Any conveyance or system of conveyances which is:

A. Owned or operated by the county

B. Not a combined sewer

C. Not part of a publicly owned treatment works

County Standards: The county ordinances, standard drawings, Gwinnett County Stormwater Management Manual, Gwinnett County Department of Water Resources Water Main Design and Sanitary Sewer Design and Construction Standards and Specifications, Traffic Calming Design Guide, and any other standards, specifications, and regulations that govern development permitting, and all procedures, rules and policies pertaining thereto as these may be updated or amended from time to time.

Courtyard: A type of public space that meets the minimal standards as listed in the Unified Development Ordinance (UDO) Design Guidelines, Public Spaces.

CPESC: Certified Professional in Erosion and Sediment Control with current certification by EnviroCert, Inc. which is also referred to as CPESSC or CPESC, Inc.

Critical Root Zone: The minimum area beneath a tree that must be left undisturbed is Critical Root Zone (CRZ). The CRZ is a concentric circle centering on the specimen tree's trunk with a radius equal in feet to 1.5 times the number of inches of the trunk's diameter at breast height (4.5'). Example: the CRZ radius of a twenty inch (20") diameter tree is 30 feet.

Cut: A portion of land surface or area from which earth has been removed, or will be removed, by excavation; the depth below original ground surface to excavated surface. Also known as "excavation".

Data Center: A facility dedicated to the housing of telecommunications exchanges, or computer or data processing, management, storage, equipment or systems.

Day Care Center, Adult: An establishment operated by any person with or without compensation for providing for the care, supervision, and oversight only during day-time hours of seven or more adults who are elderly, physically ill, or infirm, physically handicapped, or mentally handicapped. This may also include recreational and social activities for said persons.

Day Care Center, Child: An establishment operated by any person with or without compensation providing for the care, supervision, and protection of seven or more children who are under the age of 18 years for less than 24 hours per day, without transfer of legal custody.

Day Care Facility, Adult: An establishment operated by any person with or without compensation for providing for the care, supervision, and oversight only during day-time hours of six or fewer adults who are elderly, physically ill, or infirm, physically handicapped, or mentally handicapped. This may also include recreational, cultural, and social activities for said persons.

Day Care Facility, Child: An establishment operated by any person with or without compensation providing for the care, supervision, and protection of six or fewer children who are under the age of 18 years for less than 24 hours per day, without transfer of legal custody. For the purpose of computing the number of children within the child day care facility, all children who are related by blood, marriage, adoption or guardianship to the person or persons operating the facility shall be included.

Deck: An unenclosed, exterior floor without a permanent roof supported on at least two opposing sides by an adjacent structure, and/or posts, piers, or other independent supports.

Density: The number of dwelling units per acre of land.

Density Bonus: A provision of this Unified Development Ordinance that allows a parcel to accommodate additional square footage or additional residential units beyond the maximum otherwise permitted, in exchange for the provision of an amenity specified in this Ordinance that provides a public benefit.

Department: The Gwinnett County Department of Planning and Development.

Department of Transportation: The Gwinnett County Department of Transportation.

Department of Water Resources: The Gwinnett County Department of Water Resources.

Design Professional: An authorized, registered professional, forester, geologist, architect, CPESC, or certified personnel.

Developed Land: All parcels not deemed as undeveloped land, as defined herein.

Developer: Any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit who directs the undertaking or purposes to undertake development activities as herein defined, whether the development involves the subdivision of the land for sale to individual users, the construction of buildings or other improvements on a single land ownership, or both. A developer may be the owner of a premises where the development activities occur; an occupant whether through ownership, lease, or other tenancy; a contractor, builder, or agent of the aforementioned parties; or other person having direct financial obligation or interest in the property as the result of the development activities as described herein.

Development:

A. All activities associated with the conversion of land or the expansion or replacement of an existing use to any new use intended for human operation, occupancy, or habitation, other than for agricultural purposes devoted strictly to the cultivation of the land, dairying, or animal husbandry. Such activities include land disturbance (clearing and grubbing the land of vegetation and stumps, and grading) and the construction of improvements such as but not limited to streets, driveways or parking areas, water or sewer mains, stormwater facility, sidewalks or other structures permanently placed on or in the property.

B. Where appropriate to the context, the term "development" also may be used to denote a specific subdivision or project which is a single entity or intended to be constructed as an interrelated whole, whether simultaneously or in phases.

Development Agreement: A written contract between Gwinnett County and a property owner or developer that specifies the improvements to be provided by the developer for a specific project.

Development Permit: Authorization by the Department for all activities associated with the land development process, including clearing and grubbing, grading, and the construction of improvements including but not limited to streets, surface parking areas, water/sewer/stormwater systems and facilities, site planting and landscaping, sidewalk or structures requiring the issuance of a building permit.

Development Plans: The detailed and professional plans showing the layout and design, site work and construction activities proposed for a project (other than architectural building plans) and including the Subdivision Development Plan or Site Plan (as applicable), Grading Plan, Tree Preservation/Replacement Plan, Erosion and Sediment Control Plan, Buffer and Landscape Plan, and construction drawings for streets, stormwater facilities, sanitary sewers, water supply facilities, and other site improvements.

Developments of Regional Impact (DRI): Large-scale developments that are likely to have regional effects beyond the local government jurisdiction in which they are located as defined and regulated by the Georgia Department of Community Affairs per the Georgia Planning Act of 1989, as may be amended.

Development Regulations: The adopted regulations providing for the subdivision and development of real property within Gwinnett County, Georgia, as amended from time-to-time by the Board of Commissioners of Gwinnett County.

Diameter Breast Height (DBH): The diameter of a tree measured at a point 4.5 feet above the ground.

Director: The Director of the Gwinnett County Department of Planning and Development or the Director's designee, unless otherwise specified herein.

Discharge: The direct or indirect release of water, fluid, materials or other matter to a conveyance or surface that drains to a conveyance.

Distillery: An establishment in which distilled spirits are manufactured primarily for sale to wholesalers or distributors.

Distribution Facility: A warehouse establishment where individual tenants engage in the receipt, storage, and distribution of their goods, products, cargo, and materials, including transshipment by boat, rail, air, or motor vehicle.

Donation Collection Bin: Any enclosed receptacle or container made of metal, steel, or a similar product and designed for the depositing of donations and the temporary storage of donated items including clothing, shoes, books, or other similar materials.

Drainage Easement: Recorded authorization for the purpose of allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel.

Dripline: A line on the ground established by a vertical plane extending from a tree's outermost branch tips down to the ground; i.e., the line enclosing the area directly beneath the tree's crown from which rainfall would drip.

Driveway: A vehicular access way in private ownership, other than a Private Street, which provides access to one or more uses or properties.

Dwelling: A building which is designed or used exclusively for residential purposes, ~~including single-family, duplex, and multifamily residential buildings, rooming and boarding houses, fraternities, sororities, dormitories, manufactured homes, and industrialized homes but not including~~excluding hotels and motels.

Dwelling, Accessory: ~~See Accessory Dwelling.~~ A dwelling unit located on the same lot as a principal residential dwelling, either within a single-family dwelling, attached to ~~a~~the single-family dwelling, or detached.

Dwelling, Carriage House: A multifamily dwelling ~~unit~~ constructed in a group of three or more units above garages.

Dwelling, Cottage Court: Four to twelve detached single-family dwellings, either located on their own lots or a common lot, that are organized around a shared courtyard.

Dwelling, Duplex: A dwelling containing two and only two dwelling units.

Dwelling, Fourplex: A dwelling, other than a townhouse, containing four and only four dwelling units, including but not limited to single-level units located in a multistory building.

Dwelling, Live/Work: A dwelling in which a portion of the space includes a non-residential use that is operated by the occupant of the dwelling unit.

Dwelling, Multifamily: A dwelling containing ~~three~~ 17 or more dwelling units, including but not limited to single-level units located in a multistory building.

Dwelling, Multiplex: A dwelling, other than a townhouse, containing between five and ~~sixteen~~16 dwelling units, including but not limited to single-level units located in a multistory building. ~~Multiplex dwellings are no larger than 4 stories or 45 feet, whichever is lower.~~

~~**Dwelling, One-Family:** See "Dwelling, Single-Family."~~

Dwelling, Single-Family Detached: A dwelling containing one and only one dwelling unit, other than a manufactured home.

Dwelling, Townhouse: A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. ~~Each unit is separated from any other unit by one or more vertical common fire-resistance-rated walls.~~ A townhouse ~~shall have~~has at least two stories and may be either fee-simple or condominium ownership.

Dwelling, Triplex: A dwelling, other than a townhouse, containing three and only three dwelling units, including but not limited to single-level units located in a multistory building.

Dwelling, Senior-Oriented: A single-family detached dwelling that is intended to provide housing for persons 55 and over and is designed for ADA accessibility.

~~**Dwelling, Two-Family:** See "Dwelling, Duplex."~~

Dwelling, Villa: A one-family dwelling with at least three, but no more than four, attached units in which each unit has at least two exterior walls and each unit is separated from any other unit by one or more vertical common fire resistance-rated walls. Villas are exclusively single-story but may include a bonus room over a garage or covered porch.

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Dwelling Unit, Efficiency: A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

Easement: Recorded authorization for a specified purpose by a property owner for the use of any designated part of the real property by another entity.

Environmental Health Section: The Gwinnett County Board of Health, Environmental Health Section.

Environmental Protection Agency (EPA): The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

Environmental Protection Division (EPD): The Georgia Environmental Protection Division ~~(EPD)~~, an agency of the state which is charged with issuing permits that authorize withdrawal of water and with administering the Rules of the EPA in Georgia.

Erosion: The process by which the land surface is worn away by the action of wind, water, ice, or gravity.

Erosion, Sedimentation and Pollution Control Plan: A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity required by the O.C.G.A. § 12-7-1 et seq., the Erosion and Sediment Control Act, which includes, as a minimum, protections at least as stringent as the State General Permit, best management practices, and requirements of this ordinance, also known as the "plan".

Excavation: A cavity formed by cutting, digging, or scooping.

~~**Exemption Plat:** A subdivision plat drawn to Final Plat standards, as contained herein, prepared in accordance with one of the exemptions provided under Title 3 of this Ordinance.~~

Exotic Plant: A plant that does not meet the definition of Native Plant.

Extended Detention: Detention of stormwater runoff for an extended period, typically 24 hours or greater.

Extended Stay Establishment: An establishment offering transient lodging accommodations to the public, generally marketed to long-term visitors on a temporary basis, which contain furnishings and facilities for sleeping, bathing, food preparation and cooking. Kitchen facilities within individual units may include, but are not limited to, counters, refrigerators, stoves, and ovens.

Exterior Property: The area on the premises and on adjoining property under the control of owners or operators of such premises.

Extreme Flood Protection: Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Family: One or more persons related by blood, marriage, adoption, or guardianship; or not more than three persons not so related who live together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan, based on an intentionally structured relationship providing organization and stability; or not more than two unrelated persons and any minor children related to either of them.

~~**Family Personal Care Home:** See "Personal Care Home, Family".~~

Farm Winery: A winery which makes at least 40 percent of its annual production from agricultural produce grown in the state, and:

A. Is located on premises, a substantial portion of which is used for agricultural purposes, including the cultivation of grapes, berries, or fruits to be utilized in the manufacture or production of wine by the winery; or

B. Is owned and operated by persons who are engaged in the production of a substantial portion of the agricultural produce used in its annual production.

Farmers Market: A market held in an open area or in a structure where groups or individual sellers offer for sale to the public agricultural products such as raw vegetables, fruits, herbs, flowers, plants, nuts, eggs, or other similar items.

Fee Simple: A form of property ownership in which the buildings and surrounding lands are owned with absolute title without limit to inheritance of heirs, and unrestricted as to transfer of ownership.

Fence: A structural barrier for enclosure, screening, or demarcation, presenting a solid face or having openings amongst or between its constituent members.

Fill: A portion of land surface or area to which soil or other solid material has been added; the depth above the original ground.

~~**Final Plat:** A finished drawing of a subdivision showing completely and accurately all legal and boundary information and certifications required by this Ordinance.~~

Finished Grade: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design approved by the Department.

Fire and Emergency Services Department: The Gwinnett County Department of Fire and Emergency Services.

Fire Marshal's Office: A section of the Gwinnett County Department of Fire and Emergency Services responsible for enforcing the County's Fire Prevention and Protection Ordinance, the Life Safety Code, the Fire Code, and the Accessibility Code.

~~**Fire and Emergency Services Department:** The Gwinnett County Department of Fire and Emergency Services.~~

Fixed Public Transportation Station: A passenger loading area that serves an express form of public transportation such as express bus, bus rapid transit (BRT), light rail, trolley, heavy rail rapid transit, or commuter rail, but not including local bus service or shuttle bus service.

Flag Lot: A lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way or driveway. The front setback shall be measured from the point of intersection of the pole and the flag portion of a flag lot running along the property line most perpendicular to the pole.

Fleet Vehicle: A vehicle, which may include a box truck, that is owned by a business along with other similar vehicles and is used solely for business purposes.

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

A. The overflow of inland waters; or

B. The unusual and rapid accumulation or runoff of surface waters from any source.

Floor: The top of the walking surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

~~**Floor Area, Gross:** See "Building Space, Gross".~~

Floor Area Ratio (FAR): FAR expresses the relationship between the amount of useable floor area permitted in a building (or buildings) and the area of the lot on which the building is located. FAR is computed by dividing the gross floor area of a building or buildings by the total area of the lot. For purposes of this calculation, floor area of parking structures shall not be included in floor area.

Food Service Establishment: Establishments for the preparation or serving of meals, lunches, short orders, sandwiches, frozen desserts, or other edible products. The term includes but is not limited to restaurants; coffee shops; cafeterias; short order cafes; luncheonettes; taverns; lunchrooms; establishments engaged in manufacturing, wholesaling, or retailing sandwiches, salads, or other fast foods; soda fountains; institutions, both public and private; food carts; itinerant restaurants; industrial cafeterias; catering establishments; food vending machines and vehicles and operations connected therewith; or similar facilities by whatever name called.

Freeboard: The distance between the maximum water surface elevation and the top of a stormwater detention structure.

Garbage: The animal or vegetable waste resulting from the handling, storage, sale, preparation, cooking and serving of food. See also the definitions for Landfill, Monofill; Putrescible Wastes; Solid Waste, and Trash.

Garden Supply Center: The growing, cultivation, storage, and sale of garden plants, flowers, trees, shrubs, and fertilizers, as well as the sale of garden tools and similar accessory and ancillary products, to the general public.

Gas Recovery/Gas Cogeneration Plant: A facility operating as an accessory use to a landfill which extracts and utilizes landfill gases for the production of energy.

Geographic Antenna Placement Area: The general vicinity within which the placement of an antenna is necessary to meet the engineering requirements of an Applicant's cellular network or other broadcasting need.

~~**Goods and merchandise:** Tangible or movable personal property, other than money.~~

Governing Authority: The Board of Commissioners of Gwinnett County, Georgia.

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

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

Grading: Altering the shape of ground surfaces to a predetermined condition by the use of mechanical equipment; this includes stripping, cutting, filling, stockpiling, and shaping or any combination thereof and shall include the land in its cut or fill condition.

Grading Permit: Authorization by the Department for movement, earth borrow, and storage of soil along with removal of trees, stumps, roots and other vegetation on a property, placement of required tree protection measures, and installation of soil erosion and sedimentation controls and may include installation of stormwater systems and facilities.

Green: A type of public space that meets the minimum standards as listed in the Unified Development Ordinance (UDO) Design Guidelines, Public Spaces.

~~**Green Roof:** A type of public space that meets the minimum standards as listed in the Unified Development Ordinance (UDO) Design Guidelines, Public Spaces.~~

Greenway Trail: A type of public space that meets the applicable standards of such use provided in Title 3, Chapters 360 and 900 and is designed in general conformity with the most recently adopted Gwinnett Countywide Trails ~~Open Space and Greenway~~ Master Plan.

~~**Group Personal Care Home:** See "Personal Care Home, Group".~~

Gross Floor Area ~~(GFA)~~: ~~See "Building Space, Gross."~~ The total floor area included within surrounding exterior walls of a building. Areas of a building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

Grubbing: The removal of stumps or roots from a property.

Hard-Surfaced Area or All-Weather Surface: An area which has been paved with concrete, asphalt, or similar approved paving surface; or an area which has been compacted and covered with gravel and confined by landscaping timbers, railroad cross-ties, concrete curbing, or masonry or rock walls.

Hazardous Waste: Solid or liquid waste material resulting from the manufacture or use of pesticides or drugs (other than normal household use); pathological wastes; highly flammable or explosive wastes; toxic wastes; sewage sludge; or other waste material that may be a hazard to the public health, safety, or environment.

Height, Building: The vertical distance from average grade to the average height of the highest roof surface.

Height, Tower: When referring to a tower shall mean the distance measured from ground level to the highest point on the tower structure or appurtenance.

Highest Adjacent Grade: The highest natural (original) elevation of the ground surface, prior to construction, next to the proposed foundation of a structure.

Historic Structure: Any structure that is:

A. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or

C. Individually listed on a State of Georgia inventory of historic places and determined as eligible by Georgia Department of Natural Resources/State Historic Preservation Office/Historic Preservation Division.

~~**Hobby Breeding:** Owning an animal that is considered to be a pet, which is registered with a national registry for the breed, in order to breed the animal to preserve and further the respective breed with regard to physical and temperamental soundness and in conformance with official breed standards.~~

Holding Tank Waste: Any waste or wastewater from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump trucks used to store, treat, or transport waste or wastewater.

Holiday Aactivities: Seasonal activities associated with federally-recognized holidays and Halloween, including pumpkin lots and Christmas tree sales.

Home Occupation: An occupation carried on within a dwelling unit for gain or support, meeting the requirements of Title 2.

Homeowners Association (HOA): See Property Owners' Association.

~~**Hospice:** A public agency or private organization or unit of either providing to persons terminally ill and to their families, regardless of ability to pay, a centrally administered and autonomous continuum of palliative and supportive care, directed and coordinated by the hospice care team primarily in the patient's home but also on an outpatient and short-term inpatient basis and which is classified as a hospice by the Georgia Department of Human Services. (Source: Georgia Department of Human Services)~~

Hotel: An establishment offering transient lodging accommodations to the public with rooms accessed from internal corridors, and that may include additional facilities and services, such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities.

Hotspot: An area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater or to violate water quality standards.

House Location Plan (HLP): A drawing showing lot information and all improvements, as outlined in Title 3.

Impervious Cover or Impervious Surface:

A. A surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil including, but are not limited to, rooftops, buildings, streets and roads, and any concrete or asphalt surface.

B. As used when referring to the Chattahoochee River Corridor, Metropolitan River Protection Act. Any paved, hardened, or structural surface, including but not limited to, buildings, dams, decks, driveways, parking areas, patios, streets, swimming pools, tennis courts, walkways, or other structures.

Industrialized Building: Any structure or component thereof which is designed and constructed in compliance with the state minimum standards codes and is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. See Rule 110-2-1-.01.

Industrialized Building, Residential: An industrialized building that is a dwelling unit designed and constructed in compliance with the Georgia State Minimum Standard One and Two Family Dwelling Code which is wholly or in substantial part, made, fabricated, formed, or assembled in a manufacturing facility and cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. Any such structure shall not contain a permanent metal chassis and shall be affixed to permanent load-bearing foundation. The term shall not include manufactured homes as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

Inert Waste Landfill: For the definition, refer to the Georgia Department of Natural Resources, Environmental Protection Division Rules and Regulations, Solid Waste Management.

Intermodal Transfer Station: see "Truck Terminal".

Invasive Exotic Plant: A plant that is able to proliferate and aggressively alter or displace indigenous biological communities.

Junk Vehicle: Any vehicle, automobile, truck, van, trailer of any kind or type, or contrivance or part thereof which is wrecked, dismantled, partially dismantled, stripped, partially stripped, inoperative, abandoned, discarded, or kept parked, stored, or maintained on any premises or public right-of-way without a current license plate and/or decal displayed on the vehicle.

Lake~~s~~, Existing ~~and~~or Proposed: An inland body of water fed by springs, creeks and surrounding runoff which has a surface area in excess of two acres of water measured at outflow structure elevation. An existing lake is a body of water, formed by a natural or man-made dam, which is not increased as a result of development by more than 25 percent. A proposed lake is a body of water which is created by a developer or is an existing lake which realizes an increase of 25 percent or more as a result of development. Any body of water which has a surface area of two acres or less measured at outflow structure elevation shall be considered floodplain for the purpose of calculating required open space.

Land Development Activity: See "Development".

Land Disturbance: Any activity that comprise, facilitate, or result in land disturbance, and which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, clearing~~,~~ and grubbing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices. Each clearing, clearing~~,~~ and grubbing, grading, or development permit shall include the required erosion and sediment control measures and practices.

~~**Land Disturbance Activity:** See "Land Disturbance."~~

Land Disturbance Permit: Any permit other than a Building Permit issued by Gwinnett County that authorizes clearing or grading activities and any activity that comprises a site or portion of a site. Said permit may be a Clearing, Clearing and Grubbing, a Grading, or Development Permit as defined and authorized herein.

Landfill: A method of disposing of waste on land by placing an earth cover thereon. The term "landfill" shall include Construction and Demolition Debris Landfill, Hazardous Waste Landfill, Industrial Waste Landfill, Inert Waste Landfill, Monofill, Municipal Solid Waste Landfill and Private Industry Landfill. The term "landfill" shall not include approved on-site disposal of inert waste at a building, land disturbing, or development site.

Landfill, Construction and Demolition Waste: A landfill in which construction/demolition waste is disposed. Construction/ demolition waste means waste building materials and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings, and other structures. Such wastes include, but are not limited to, asbestos containing waste, wood, bricks, metal, concrete, wallboard, paper, cardboard, inert waste landfill material and other non-putrescible wastes which have a low potential for groundwater contamination.

Landfill, Industrial Waste: A commercially-operated landfill for the disposal of solid waste generated by manufacturing or industrial processes or operations that is not a hazardous waste regulated by the U.S. EPA or the Georgia Hazardous Waste Management Act. Such waste includes, but is not limited to, waste resulting from the following manufacturing processes; electric power generation; fertilizer and agricultural chemicals; food and related products and by-products; inorganic chemicals; iron and steel products; leather and leather products; nonferrous metal and foundry products; organic chemicals; plastics and resins; pulp and paper; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textiles; transportation equipment; or water treatment. This term does not include mining waste or oil and gas waste.

Landfill, Inert Waste: A landfill accepting only wastes that will not or are not likely to cause production of leachate of environmental concern. Such wastes are limited to earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trash, stumps, limbs, and leaves. This definition excludes other types of industrial and demolition waste not specifically listed above.

Landfill, Monofil: A method of solid waste disposal that involves the landfilling of one waste type or wastes having very similar characteristics in a segregated trench or area which is physically separated from dissimilar or incompatible waste. Solid waste means any garbage or refuse; sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility; and other discarded material including solid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining and agricultural operations and community activities, but does not include recovered materials; solid dissolved materials in domestic sewage; solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. Section 1342; or source, special nuclear, or by-product material as defined by the federal Atomic Energy Act of 1954, as amended.

Landfill, Municipal Solid Waste: A disposal facility where any amount of municipal solid waste, whether or not mixed with or including commercial waste, industrial waste, nonhazardous sludges, or small quantity generator hazardous waste, is disposed of by means of placing an approved cover thereon. See "Municipal Solid Waste".

Landfill, Private Industry: A landfill which is operated exclusively by and for a private solid waste generator for the purpose of accepting solid waste generated exclusively by said private solid waste generator.

Landscape Strip: Land area required to be set aside and used for landscaping upon which only limited encroachments are authorized.

Landscape Supply: The storage and sale of landscape and hardscape supplies primarily to landscapers, developers, builders, and retail nurseries.

Lawful Occupant, Collection Bin: The occupant, or occupant's legal representative, of real property, other than the Site Host, via a lease, rental agreement, or other instrument, who has the right to control and manage the maintenance and upkeep of the real property upon which a collection bin within unincorporated Gwinnett County is located or maintained.

Light-Emitting Diode (LED): A ~~light-emitting diode (LED) which is a~~ solid-state semiconductor device that converts electrical energy directly into a discrete color of light.

Livestock: Cattle, horses, donkeys, mules, goats, sheep, swine, and other hoofed animals; poultry, ducks, geese, pigeons, peacocks, and other live fowl; and fur or hide-bearing animals; whether owned or kept for pleasure, utility, or sale. The term livestock shall not include small species of pigs, cage birds or rabbits kept within a dwelling as a household pet.

~~**Live/Work Unit:** A dwelling in which a significant portion of the space includes a non-residential use that is operated by the tenant.~~

Lobby: A ~~lobby is a~~ public internal waiting area at or near the entrance of a building. A lobby may include a variety of uses but is limited to contiguous open area and shall not include separated space for public uses such as restrooms or offices.

Lot: A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.

Lot Coverage: The proportion of impervious surfaces to gross land area of a property.

~~**Lot of Record:** A lot or parcel of land which existed as a single parcel of ownership, recorded as such in its entirety and present boundaries with the Clerk of Superior Court prior to June 2, 1970, or which is shown in its entirety and~~

~~present boundaries on a Final Plat or Exemption Plat duly approved under these or any previously applicable regulations providing for the subdivision of land in Gwinnett County and recorded with the Clerk of Superior Court of Gwinnett County.~~

Lot, Corner: A lot or parcel of land abutting on two or more streets at their intersection or on two parts of the same street forming an interior angle of less than 135 degrees.

Lot, Double Frontage: A lot other than a corner lot abutting upon two or more streets.

Lot Line: A line dividing one lot from another, or from a street or any public space.

Lot, Stormwater Facility: A lot designed for the principal use of containing a stormwater treatment facility.

Lot, Through: A lot having frontage on two streets that are approximately parallel.

Lot of Record: A lot or parcel of land which existed as a single parcel of ownership, recorded as such in its entirety and present boundaries with the Clerk of Superior Court prior to June 2, 1970, or which is shown in its entirety and present boundaries on a Final Plat or Exemption Plat duly approved under these or any previously applicable regulations providing for the subdivision of land in Gwinnett County and recorded with the Clerk of Superior Court of Gwinnett County.

Lot Width: The horizontal distance between the side lines of a lot measured at the ~~minimum required~~ front building setback line.

Lot Width (Cul-de-sac): For a lot having the majority of its frontage on a cul-de-sac, the lot width shall be ~~measured as described in Section 230-40.2.~~ measured along a straight line tangent and perpendicular to the midpoint of the minimum required curved front setback line unless otherwise specified in this Unified Development Ordinance.~~.~~

Maintenance: The act of keeping property, structures, or vegetation in a proper condition so as to prevent their decline, failure, or uncontrolled growth.

Major Thoroughfare: Any public street, existing or proposed, which is shown on the Gwinnett County Long Range Road Classification Map.

Management: As used in Title 2 in reference to Shelters, the board of trustees, the partnership, the corporation, the association, or the person or group of persons who maintains and controls the shelter and who is legally responsible for the operation of the shelter.

Manager: As used in Title 2 in reference to Shelters, the adult person designated by the management as responsible for the day-to-day operation, administration and/or supervision of the shelter. The manager or other responsible person shall be capable of operating the shelter in accordance with this article.

Manufactured Home: As defined in Georgia Law.

Manufactured Home Park: A manufactured home park is a parcel of land that has been planned and improved for the placement of manufactured homes for non-transient use.

Massing: The exterior form of a building, a structure or a series of buildings seen as a whole, encompassing bulk, shape, height, width, scale, proportion, and the spatial relationships of buildings, landscaping, and open space.

Mean Sea Level (MSL): The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this Ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD) and/or North American Vertical Datum (NAVD) of 1988.

Metropolitan River Protection Act: A state law which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.

Microbrewery: A small-~~-~~scale establishment in which craft beer or malt beverages are manufactured or brewed. Microbreweries may sell to the public through wholesalers or directly to the consumer through carry-out package and/or on-site tap-room or tasting room sales.

Microdistillery: A small-~~-~~scale establishment in which distilled spirits are manufactured. Microdistilleries may sell to the public through wholesalers or directly to the consumer through carry-out package and/or on-site tasting room sales.

Mitigation Bank: A property that has been protected in perpetuity, and approved by the county expressly for the purpose of providing compensatory mitigation in advance of authorized impacts through the restoration, creation, and/or enhancement of stream buffers or water quality, and in exceptional circumstances, preservation of adjacent stream buffers, and/or other resources contributing toward the proper function of a stream buffer or water quality, or property that is utilized to implement other types of activities that restore, enhance, and protect stream buffer functions or water quality within Gwinnett County.

Mitigation Credit: A unit of value generally equivalent to one acre of created or restored functioning stream buffer.

Mitigation, Stream Buffer: An action taken to avoid, minimize, rectify, reduce, compensate, or monitor the negative impacts of development on a protected stream buffer.

Mitigation Plan: A written document developed based on the criteria in the Gwinnett County Stream Buffer Mitigation Bank procedures guide, a chapter of the Gwinnett County Stormwater Management Manual, and supplemented with graphics (including as-built drawings), that describes in detail the implemented mitigation site, the goals established for the project, how it was implemented, how it will be monitored, the amount of mitigation in the site (credits, acres, etc.), and the criteria by which its success will be determined.

Mixed-Use Development: Development of a single building or, a single parcel or multiple parcels to contain two or more of the following types of uses in a master planned project: residential, retail and personal services~~/commercial~~, or office, typically~~. Mixed uses shall be~~ combined vertically or horizontally within the same ~~building~~development.

Mobile Food Service Unit: A food service establishment that is readily moveable, is a motorized wheeled vehicle, or is a towed wheeled vehicle and that is designed and equipped to prepare and serve food as defined by state law and in accordance with the rules and regulations for food service of the Gwinnett Board of Health.

Mobile Home: A structure, transportable in one or more sections, as defined in Georgia Law. See also the definition for Manufactured Home.

Modification: A type of administrative appeal that may be granted by the Director only where specifically authorized in this Ordinance.

Modular Home: See "Industrialized Building, Residential."

Modulation: The rhythmic variation in the massing and fenestration of a building that divides its roofline and facade into small harmonious components that create visual interest, as distinct from the appearance of a large building with a featureless facade built on a single plane with a single roof line. Modulations of a facade should break the vertical plane with variations that are at least ~~2~~two feet in depth, measured from the forward plane of the façade. See Unified Development Ordinance (UDO) Design Guidelines, General Design.

Motel: An establishment offering transient lodging accommodations to the public with rooms accessed from external corridors.

Motor Vehicle: A self-propelled device used for transportation of people and goods over land surfaces and licensed as a motor vehicle.

Municipal Solid Waste: For the definition, refer to the Georgia Department of Natural Resources, Environmental Protection Division Rules and Regulations, Solid Waste Management.

Multi-Use Path: A type of public space that meets the minimum standards as listed in the Unified Development Ordinance (UDO) Design Guidelines, Public Spaces, and the Gwinnett Countywide Trails Master Plan.

National Geodetic Vertical Datum (NGVD): As corrected in 1929, the vertical control used as a reference for establishing varying elevations within the floodplain.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: A permit issued by the Georgia EPD under authority delegated pursuant to 33 USC § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Native Plant: A plant that occurs naturally in a particular region, state, ecosystem, and habitat without direct or indirect human actions (Federal Native Plant Conservation Committee, 1994).

Natural Area: An area of land or water that has substantially retained its innate character and functions as a habitat for plant and animal life.

Natural Ground Surface: The ground surface in its original state before any grading, excavation, or filling.

Nephelometric Turbidity Units (NTUs): Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloidally dispersed particles are present.

New Construction: Any structure under construction, including improvements to any structure on or after the effective date of this Ordinance and includes any subsequent improvements to the structure.

Nonconforming ~~Characteristic(s) of~~ Building or Structure: A building or structure, legally existing on the effective date of this Ordinance, but which fails to comply with one or more of the regulations adopted under the terms of this Ordinance which are applicable to said building or structure, including, but not limited to, setbacks, lot frontage, lot area, building height ~~, off street parking or loading, buffers, landscaping~~ or any other applicable development regulation.

Nonconforming Development Feature: A development feature, legally existing on the effective date of this Ordinance, but which fails to comply with one or more of the regulations adopted under the terms of this Ordinance which are applicable to said feature, including, but not limited to, off street parking or loading, lot coverage, driveways, drive-through lanes, inter-parcel access, buffers, and landscape strips.

Nonconforming Lot: A lot of record that does not comply with the current requirements of this Ordinance.

Nonconforming Lot, Legal: A lot of record that does not comply with the current requirements of this Ordinance, but was lawfully established prior to the adoption, revision, or amendment of the requirements in this Ordinance making the lot of record, structure, or use non-compliant.

Nonconforming Use~~ of Land, or Nonconforming Use of Land and Buildings(s), or Nonconforming Use of Land and Structure(s)~~: A use of land and building~~(s)~~ or ~~a use of land and~~ structure~~(s)~~, in combination, legally existing on the effective date of this Ordinance, but that is not an authorized use of land and building~~(s)~~ or ~~land and~~ structure~~(s)~~, ~~in combination,~~ under the terms of this Ordinance in the district in which such use is located.

North American Vertical Datum (NAVD) of 1988: A vertical control used as a reference for establishing varying elevations within the floodplain.

Nursing Home: A State licensed facility which admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision; it maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for

any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the home; and otherwise complies with the rules and regulations of the Georgia Department of Community Health. ~~(Source: Georgia Department of Community Health 11-8-56)~~

Occupancy: The purpose for which a building is utilized or occupied.

Occupant: Any individual living or sleeping in a building or having possession of a space within a building.

Occupiable Space: Enclosed space designed and constructed for human occupancy and equipped with means of egress, and light and ventilation facilities in accordance with the applicable codes. Occupiable space does not include space used exclusively for unheated storage or vehicle parking.

~~**Office Park:** A development on a tract of land that contains a number of separate office buildings, supporting uses and open space designed, planned, constructed, and managed on an integrated and coordinated basis.~~

Open Dump: A disposal facility in which solid waste from one or more sources is consolidated and left to decompose, burn, or to otherwise create a threat to human health or the environment.

Open Space:

A. A parcel or area of land set aside, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners, occupants and their guests of land adjoining or neighboring such open space. ~~At least 50 percent of the required open space within a development required in Title 2 of this UDO shall be usable open space. Such space shall include a combination of planted areas, fountains, community gardens, parks, plazas, amenity areas, trails, dog parks, and hardscape elements related to sidewalks and plazas, and similar features which are located on private property.~~

B. A parcel of land located within the Big Haynes Creek Watershed Protection Area set aside, designated, and reserved which shall remain in its natural state, undisturbed, and unoccupied by any structures or impervious surfaces.

Open Space, Usable: ~~A tract of privately owned~~ Non-publicly maintained land accessible to the residents within a ~~of a~~ development that is designed for active and/or passive recreational purposes. Such space shall include a combination of planted areas, fountains, community gardens, parks, plazas, amenity areas, trails constructed of durable materials, dog-parks, and hardscape elements related to sidewalks and plazas, and similar features.

Operator: The party or parties that have:

A. Operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or,

B. Day-to-day operational control of those activities that are necessary to ensure compliance with the stormwater pollution prevention plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the erosion, sedimentation, and pollution control plan or to comply with other permit conditions.

Outdoor Display or Sales of Merchandise: The placement of goods, materials, merchandise, or equipment for sale, rental, or lease in a location not enclosed by structure consisting of walls and a roof. "Outdoor display" shall not include~~mean~~ residential yard sales or vehicle sales lots.

Outdoor Sales and Storage of Goods: The keeping outdoors of any goods, materials, merchandise, equipment, or vehicles in the same place for more than twenty-four hours whether for storage, display, processing, or sale. Outdoor storage shall include portable moving or storage containers and tractor trailers.

~~**Outdoor Display and Sales of Merchandise:** The placement of goods, materials, merchandise, or equipment for sale, rental, or lease in a location not enclosed by structure consisting of walls and roof. "Outdoor display" shall not mean yard sales or vehicle sales lots.~~

Outdoor Seating Area: An area intended and approved for use by customers outside of an establishment such as a restaurant. The term includes areas for people to gather whether or not actual seating is provided.

Outfall: The location where stormwater in a discernible, confined, and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.

Overbank Flood Protection: Measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the ~~2~~two-year through 25-year frequency storm events.

Owner: An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.

Parcel: A designated lot, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.

Parking, Bicycle: An area in a parking lot or along a sidewalk that is designed and marked for the purpose of securing bicycles in an upright fashion, using a locker or open framework that is permanently attached to the ground and providing secure anchorage for two or more bicycles.

Parking, Lot: A surface parking lot, not including decked parking garages or underground parking structures.

Parking, On-street: Areas along curbs of a street that are authorized for temporary parking of automobiles belonging to owners, tenants, customers, or visitors of adjacent or nearby properties.

~~**Parking Spaces, Handicapped Accessible:** A parking space reserved for drivers of a standard vehicle with a handicapped accessibility tag visible in the car.~~

~~**Parking Spaces, Van Accessible:** A parking space reserved for drivers of a van with a handicapped accessibility tag visible in the car.~~

~~**Parking, Surplus:** Parking provided in excess of the maximum allowance for a specific use and intended to be used on an irregular basis during periods of peak activity.~~

Parking, Structured: Floors placed above-ground or underground in a structure designed principally for the parking and circulation of motor vehicles that includes a roof and/or more than one level. A parking structure may be either freestanding or incorporated in one structure along with other uses, such as office, residential or commercial uses.

Parking, Surplus: Parking provided in excess of the maximum allowance for a specific use and intended to be used on an irregular basis during periods of peak activity.

Parking Space, Handicapped Accessible: A parking space reserved for drivers of a standard vehicle with a handicapped accessibility tag visible in the car.

Parking Space, Van Accessible: A parking space reserved for drivers of a van with a handicapped accessibility tag visible in the car.

Parkway: A divided or undivided classified roadway, including:

A. University Parkway (GA. Hwy. 316).

B. Grayson Parkway (GA. Hwy. 84).

C. Ronald Reagan Parkway.

D. Sugarloaf Parkway.

E. Hamilton Mill Parkway.

F. Riverside Parkway.

G. Northbrook Parkway.

H. Lakes Parkway.

I. Any other such road as identified by the Gwinnett County Department of Transportation.

Patio: A level area covered by a hard surface, directly adjacent to a principal building at or within three feet of the finished grade and not covered by a permanent roof.

Pedestrian Way: A right-of-way within a block dedicated to public use, intended primarily for pedestrians and from which motor propelled vehicles are excluded.

Permit: Written governmental permission issued by an authorized official, empowering the holder thereof to do some act not forbidden by law but not allowed by such authorization.

Permittee, Collection Bin: Any person, organization, or other entity issued a permit to place and maintain a collection bin in unincorporated Gwinnett County.

Person: Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of the State of Georgia, interstate body or any other legal entity.

Personal Care Home: A building~~(s)~~ in which housing, meals, personal assistance services, and twenty-four-hour continuous watchful oversight are provided, and which facility is licensed or permitted by the State of Georgia. This includes all residential child-caring and adult group home facilities recognized by the State of Georgia. The term "personal care home" shall not include a ~~"child care institution,"~~ "transitional housing," a "rehabilitation housing facility," a "rooming house," or a "boarding house." "Personal care home" includes a "community living arrangement," which is an establishment licensed by the State of Georgia and providing a residence for adults receiving care for mental health, development disabilities, and/or daily living needs.

Personal Care Home, Congregate: A State licensed Personal Care Home that offers care to 16 or more residents.

Personal Care Home, Family: A State licensed personal care home that offers care to two ~~(2)~~ to six ~~(6)~~ residents.

Personal Care Home, Group: A State licensed personal care home that offers care to seven ~~(7)~~ to ~~fifteen (~~15~~)~~ residents.

Pervious Paving: Materials used for surfacing parking lots and driveways such as porous concrete or modular porous paver systems that are designed to allow infiltration of stormwater and are consistent with Stormwater BMPs. Pervious paving areas are not considered as impervious surface areas for the purpose of calculating impervious surface coverage.

Petroleum Products Recycling Center, Accessory: A facility storing, reclaiming, or containing used petroleum products which is accessory to an automotive service establishment, industrial establishment, or similar use.

Pet, ~~(~~Household ~~Pet)~~: A domesticated animal such as a dog, cat, common cage bird, rodent, rabbit, ferret, or aquarium-kept fish, reptile, amphibian, or turtle, which is traditionally kept in the home for companionship or pleasure rather than for utility or commercial purposes. This term specifically excludes livestock and wild animals.

Phase or Phased: Subparts or segments of construction projects where the subpart or segment is constructed and stabilized prior to completing construction activities on the entire construction site.

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

Planning Commission: The Municipal-Gwinnett County Planning Commission.

Plant Nursery: The growing, cultivation, storage, and sale of garden plants, flowers, trees, shrubs, fertilizers, and ancillary products primarily to landscapers, developers, builders, and retail nurseries.

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

Plat, Exemption: A subdivision plat drawn to Final Plat standards, as contained herein, prepared in accordance with one of the exemptions provided under Title 3 of this Ordinance.

~~**Final** **Plat, Final:** A finished drawing of a subdivision showing completely and accurately all legal and boundary information and certifications required by this Ordinance.

Plaza: A type of public space that meets the minimum standards as listed in the Unified Development Ordinance (UDO) Design Guidelines, Public Spaces.

Pocket Park: A type of public space that meets the minimum standards as listed in the Unified Development Ordinance (UDO) Design Guidelines, Public Spaces.

Porch: A permanent outdoor structure, consisting of a floor surface, including stairs, when present, that is attached to a building and covered by a permanent roof. The porch may be unenclosed or ~~enclosed, but~~enclosed but not heated.

Pre-existing Towers and Antennas: Structures as set forth in Section 98.21 D of this Ordinance.

Premises: Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

~~**Primary Conservation Area:** The category of common area as defined in Title 2 for Open Space Conservation Subdivisions.~~

Principal Building: A building built to fulfill the primary or predominant purpose for which a lot is occupied and/or used.

Principal Occupant: A building tenant who occupies a minimum of 25 percent of the floor space of a specific building that is available for occupancy.

Principal Use: The primary or predominant purpose for which a lot or building is occupied and/or used.

Private Deed Restrictions or Covenants: Private deed restrictions or covenants are imposed on land by private ~~land owners~~landowners. They bind and restrict the land in the hands of present owners and subsequent purchasers. They are enforced only by the ~~land owners~~landowners involved and not by any county or other public agency.

Project: A principal building or structure, or group of buildings or structures, planned and designed as an interdependent unit together with all accessory uses or structures, utilities, stormwater infrastructure, access, and circulation facilities, whether built in whole or in phases regardless of the size of the area of land to be disturbed. Examples include: a principal building on a lot, a residential subdivision, a multi-family development, a shopping center, or an office park.

Project Access Improvement: Any improvement or facility that is planned and designed to provide service or access for a particular project and which is necessary for the use and convenience of the occupants or users of the project and is not a System Improvement. A Project Access Improvement includes but is not limited to: pedestrian access improvements; site driveways; new streets; median cuts; right turn lanes, left turn lanes, acceleration lanes, and deceleration lanes made necessary to serve site driveways or new streets leading to or from the project; traffic control measures made necessary to serve site driveways or new streets; intersection improvements whose primary purpose at the time of construction is to provide access to the Project; and, necessary right-of-way dedications required for any Project Access Improvement.

Property: Any unimproved or improved residential or non-residential real property or portion thereof, situated in unincorporated Gwinnett County, including the buildings or structures located on the real property regardless of condition.

Property Owners' Association: A community association, other than a condominium association, that is organized in a development in which individual owners share common interests and responsibilities for costs and upkeep of common open space or facilities including homeowners associations.

Protection Area or Stream Protection Area: With respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.

Public Space: Certain types of developed land held in perpetual common or public ownership for the collective use of multiple property owners, maintained and made accessible for public use. Public spaces shall be defined as common area and regulated by this Ordinance, provided they are designed in general conformity with the applicable [Unified Development Ordinance (UDO) Design Guidelines] and owned by a public entity, homeowners' association, or property owners' association. See also the terms "pocket park", "green", "square", "plaza", "courtyard", "pedestrian way", and "greenway".

Public Water Supply: A water supply system, including any source, intake, treatment, storage, transmission, or distribution, that is intended to provide the public with potable, piped water.

Putrescible Wastes: Wastes that are capable of being decomposed by microorganisms. Examples of putrescible wastes include, but are not necessarily limited to, kitchen wastes, animal manure, offal, hatchery and poultry processing plant wastes and garbage.

Record Drawing: A survey or other drawing based on a field survey which shows existing features or components and horizontal or vertical information (grades or location of improvements).

Recovered Materials Processing Facility: Any facility utilized for the purpose of collecting, sorting, processing, or shipping of household, commercial or industrial waste materials to be recycled. Such facilities may also engage in the recovery of raw materials, or process recovered materials into new semi-refined or finished products.

Recreational Vehicle: A vehicle which is:

A. Built on a single chassis;

B~~C~~. Designed to be self-propelled or permanently towable by light duty truck; and,

C~~D~~. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recycling Collection Center: A facility for the drop-off and temporary holding of materials such as paper, cardboard, glass, metal, plastic, batteries, and motor oil. Processing of materials is limited to glass breaking and separation. Recycling materials are not sold to a recycling drop-off center. A recycling drop-off center is intended for household or consumer use. Use by commercial or industrial establishments is not included. Unattended drop-off stations for single materials, such as newsprint, are also not included.

Recycling Collection Point, Accessory: A passive drop-off point for the collection of household consumer recyclables; including plastic containers, glass bottles, newspaper and magazines, and aluminum and steel cans, when such use is incidental to a shopping center, church, school, government building, multi-family residential development or waste disposal facility.

~~**Recreational Vehicle:** A vehicle which is:~~

~~A. Built on a single chassis;~~

~~B. 400 square feet or less when measured at the largest horizontal projection;~~

~~C. Designed to be self-propelled or permanently towable by light duty truck; and,~~

~~D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.~~

Redevelopment: Development on a previously developed site; but excludes ordinary maintenance activities, remodeling of existing building interiors, resurfacing of paved areas, and exterior building changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Reduced Pressure Principle Backflow Prevention Assembly: An assembly containing two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located resilient seated test cocks and tightly closing resilient seated shutoff valves at each end of the assembly. This assembly is designed to protect against a non-health (i.e. pollutant) or a health hazard (i.e. contaminant). This device shall be permitted to be installed where subject to continuous pressure conditions.

Regional Stormwater Management Facility: Controls designed to manage stormwater runoff from multiple projects and/or properties which discharge into the same watershed allowing the reduction or elimination for required on-site controls.

Repetitive Loss: Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals, or exceeds 25 percent of the market value of the structure before the damage occurred.

Resident: As used in this Ordinance in reference to Shelters. Any person residing in a residential shelter and receiving services who is not related within the third degree of consanguinity to the person to whom the permit has been issued.

Residential ~~Rehab~~Rehabilitation Center: A facility that provides temporary, primarily inpatient care, treatment, and/or rehabilitation services.

Responsible Party: In the context of enforcement procedures, a person ~~(as defined above)~~ who is alleged to have committed, caused, continued, or created a violation of the terms, requirements, regulations, or provisions of this Ordinance whether as a direct act, through lack of action or neglect, or at the direction of or on behalf of others. A responsible party may be the owner of a premises where a violation has occurred; an occupant whether through ownership, lease, or other tenancy; a contractor, builder, or developer; an agent of or person otherwise acting on behalf of the aforementioned parties; or other person acting in violation of this Ordinance.

Retaining Wall: A structure that is constructed between lands of different elevations to stabilize the surfaces, prevent erosion, and/or protect structures.

Retirement Community, ~~(~~Continuing Care~~)~~: A managed residential facility for elderly adults that allows residents to age in one community, with on-site access to healthcare services and a transition to greater levels of care over time. These facilities provide distinct levels of care: independent living in which residents live on their own and

have access to a wide array of amenities; assisted living, which provides help with daily tasks such as bathing and dressing; and, 24-hour nursing home-style care. As resident's health needs increase, they transition from one level to the next, all within the same community.

Retirement Community, ~~(~~Independent Living~~)~~: A managed housing complex designed for older adults who are generally able to live independently and care for themselves. Limited or no personal or healthcare services are offered; however, activities and socialization opportunities may be provided.

Riparian: Belonging or related to the bank of a river, stream, lake, pond, or impoundment.

Road: See "Street, Public".

Road Frontage: The distance on which a parcel of land adjoins a public street or public road right-of-way dedicated to and accepted by the county for vehicular traffic or over which the county may hold a prescriptive easement for public access and including designated and numbered U.S. and state highways.

Roadway: The paved portion of a street from back of curb to back of curb (or edge to edge of pavement for streets not having curbs) but excluding driveway aprons, bridges, and large single and multi-cell culverts which in a hydrologic sense can be considered to function as a bridge.

Roadway Stormwater Infrastructure: A device such as a bridge, culvert, or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Rubbish: Discarded ~~waste paper~~wastepaper, cartons, boxes, wood, tree branches, yard trimmings, furniture, appliances, metals, cans, glass, crockery, dunnage, and/or similar materials.

Salvage Operation and/or Junk Yard: Property used for outdoor storage, keeping, abandonment, sale, or resale of junk including scrap metal, rags, paper, or other scrap materials, used lumber, tires, batteries, salvage building wrecking and structural steel materials and equipment, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.

Sanitary Sewer: A separate underground carriage system specifically for transporting sewage from houses and commercial buildings to treatment or disposal. Sanitary sewers serving industrial areas also carry industrial wastewater.

~~**Scenic Views:** Those geographic areas containing visually significant or unique natural features, as identified in the Gwinnett County Unified Plan.~~

~~**Scrap Tire Processing Plant:** A facility which grinds, shreds, chops, or otherwise processes scrap tires for secondary use.~~

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

~~**Secondary Conservation Area:** This category of common area as defined in Title 2 for Open Space Conservation Subdivisions.~~

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

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

Setback, Stream: With respect to a stream, the area extending beyond any buffer applicable to the stream.

Sewage: Human excrement and gray water. Gray water includes household showers, dishwashing operations, etc.

Sewer or Sewer Line: Any pipe or conduit used to collect and carry away sewage from the generating source to the treatment plant and other facilities.

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

Sheet Flow: Diffused water running overland to a defined watercourse.

Shelter, ~~Emergency or~~ Residential: A nonprofit institutional use, comprised of a building, institutional in nature, which provides overnight shelter, sleeping accommodations, and services, and not otherwise mandated by the state government for related or nonrelated individuals for a period of time not to exceed 15 hours every 24 hours. Stay of the individuals is presumed to be of a temporary nature.

Short-term rental: The transient occupancy of a dwelling, part of a dwelling, or a dwelling unit rented for the purpose of overnight lodging for a period of less than 30 consecutive nights.

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

Site Host, Collection Bin: Any owner of real property within unincorporated Gwinnett County upon which a collection bin is located and maintained.

Site Work: Development activity to prepare a property for construction of buildings or finished structures, including clearing, grubbing, grading, and installation of soil sedimentation and erosion control facilities.

Solid Waste: Putrescible and non-putrescible wastes, except water-carried body waste, and shall include garbage, rubbish, ashes, street refuse, dead animals, sewage sludges, animal manures, industrial wastes, abandoned automobiles, dredging wastes, construction wastes, hazardous wastes and any other waste material in a solid or semi-solid state not otherwise defined in these regulations.

Solid Waste Transfer Station: Any facility which collects, consolidates, and ships solid waste to a disposal facility or processing operation.

Special Flood Hazard Area: The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation (including A, A1-30, A-99, AE, AO, AH, and AR on the FHBM or the FIRM), all floodplain and flood prone areas at or below the future conditions flood elevation, and all other flood prone areas as referenced in Section 700-10. All streams with a drainage area of 100 acres or greater shall have the area of special flood hazard delineated. In the absence of official designation by the Federal Emergency Management Agency, Special Flood Hazard Areas shall be those designated by the local community and referenced in Section 700-10.

Special Use: A "Special Use" is a use listed in Chapter 210 of the Unified Development Ordinance as being permitted if it meets stated conditions and is approved by the Board of Commissioners of Gwinnett County.

Square: A type of public space that meets the minimum standards as listed in the Unified Development Ordinance (UDO) Design Guidelines, Public Spaces.

State Waters: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, stormwater facilities, springs, wells, and other bodies of surface or subsurface water, natural and artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation per Georgia Law.

Stop Work Order: An order to cease and desist building, development, and land disturbing that is issued by the Department ~~of Planning and Development~~ pursuant to the requirements of this Ordinance and the Gwinnett County Construction Code.

Stormwater: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation, but which also includes:

A. Water from those sources described in Chapter 800; and/or

B. Any discharge permitted under NPDES permit or order issued to the discharger and administered under the authority of the State and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the county separate storm sewer system.

Stormwater Facilities and Systems: See "Stormwater Infrastructure."

Stormwater Infrastructure: A device composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, stormwater infrastructure control, or flood control purposes.

Stormwater Infrastructure Improvements: Those facilities and structures intended to control and direct the passage of stormwater and other surface water flows from and across a property; including, but not limited to, swales and ditches, cross drains, and other piping systems, catch basins, stormwater management facilities, and velocity dissipation devices.

Stormwater Management: The collection, conveyance, storage, treatment, and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety, and general welfare.

Stormwater Runoff: The flow of surface water resulting from precipitation.

Story: Occupiable space of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters. A bonus room constructed above a garage serving a single-family residence does not constitute a story.

Story, Above Average Grade: Any story having its finished floor surface entirely above average grade, or in which the finished surface of the floor next above is:

A. More than ~~6~~six feet above average grade; or

B. More than 12 feet above the finished ground level at any point.

Stream: Any watercourse, beginning at:

A. The location where the normal stream flow has wrested the vegetation. The normal stream flow is any flow that consists solely of base flow or consists of both base flow and direct runoff during any period of the year. Base flow results from the groundwater that enters the stream channel through the soil. This includes spring flows into streams. Direct runoff is the water entering stream channels promptly after rainfall or snow melts; or

B. A point in the stream channel with a drainage area of 20 acres or more; or

C. Where evidence indicates the presence of a stream in a drainage area of other than 20 acres.

Stream Bank: The confining cut of a stream channel.

Stream Channel: The portion of a watercourse that contains the base flow of the stream.

Stream Protection Area: The combined areas of all required buffers and setbacks applicable to such stream.

Streamer: Any long, narrow flag, banner, tinsel or roping which is hung or strung from any structure to another structure or the ground.

Stream, Perennial: A watercourse having a source, terminus, banks, and channel through which water flows on a continuous basis as depicted on the most recent United States Geological Survey 7.5-minute quadrangle map (scale 1:24,000).

Street: A thoroughfare that affords the principal means of access to abutting property. This includes streets, roads, highways, avenues, alleys, sidewalks and other public places or ways.

Street, Arterial: A Principal Arterial, Major Arterial, or Minor Arterial street as defined and designated by the Gwinnett County Department of Transportation~~in the Gwinnett County Unified Plan~~.

Street, Collector: A Collector street as defined and designated by the Gwinnett County Department of Transportation~~shown as such in the Gwinnett County Unified Plan, which is on file in the office of the Gwinnett County Department of Planning and Development~~. ~~The primary purpose of a Collector Street is to collect and distribute traffic between the Local Streets and the Major and Minor Arterial Streets and to provide access to adjacent properties.~~

Street, Cul-de-Sac: A street having one end open to traffic and being permanently terminated within the development by a vehicular turnaround. For the purpose of designation, a cul-de-sac street shall be interpreted to begin at the intersection of two or more streets nearest to the vehicular turnaround.

Street, Local Non-Residential: A surface street intended primarily to provide local access to adjacent existing or planned commercial or industrial development and not for through traffic.

Street, Local Residential: A surface street intended primarily to provide local access to adjacent residential development and not for through traffic.

Street, Major Arterial: An Arterial street as defined and designated by the Gwinnett County Department of Transportation~~shown as such in the Gwinnett County Unified Plan, which is on file in the office of the Gwinnett County Department of Planning and Development~~. ~~The primary purpose of a Major Arterial Street is to carry longer trip length segments and larger volumes of traffic to, from and through the County.~~

Street, Major Intersection: The intersection of two or more public streets in which at least one of the streets is an arterial or major collector as defined and designated by the Gwinnett County Department of Transportation~~as designated by the Gwinnett County Unified Plan~~.

Street, Marginal Access: A local street which is parallel to and adjacent to a major thoroughfare and which provides access to adjacent properties and protection from through traffic.

Street, Minor Arterial: An Arterial street as defined and designated by the Gwinnett County Department of Transportation~~shown as such in the Gwinnett County Unified Plan, which is on file in the office of the Gwinnett County Department of Planning and Development~~. The primary purpose of a Minor Arterial Street is to carry medium length trip segments and moderate volumes of traffic to, from and through the County.

Street, Minor Collector: A Collector street as defined and designated by the Gwinnett County Department of Transportation. ~~A through street having the primary function of connecting subdivisions or other areas to Major Collector streets or other major thoroughfares or functioning as a central route within a subdivision channeling traffic from the local streets to an abutting major thoroughfare or another Minor Collector street. For the purposes~~

~~of this ordinance, a central but non-through route within a subdivision or other project will be considered as a Minor Collector, if the Average Daily Traffic generated by the development on the route will exceed 2000 trips.~~

Street, Principal Arterial: An Arterial street as defined and designated by the Gwinnett County Department of Transportation~~shown as such in the Gwinnett County Unified Plan, which is on file in the office of the Gwinnett County Department of Planning and Development~~. ~~The primary purpose of a Principal Arterial Street is to carry very long trip length segments and very large volumes of traffic to, from and through the County.~~

Street, Private: An access way similar to and having the same function as a public street, providing access to more than one property, but held in private ownership (as distinct from a "driveway").

Street, Public: A right-of-way dedicated to and accepted by Gwinnett County for vehicular traffic or over which Gwinnett County may hold a prescriptive easement for public access and including designated and numbered U. S. and State Highways. For the purposes of this ordinance, the term "public street" shall be limited to those which afford or could afford a direct means of vehicular access to abutting property and exclude limited access roadways which abut a property but from which direct access may not be allowed under any circumstances.

Street Jog: The alignment or offset of roads intersecting the same street.

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

Structure: Anything constructed or erected on the ground or attached to something on the ground. A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

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

Subdivision:

A. Any division or re-division of a lot, tract, or parcel, regardless of its existing or future use, into ~~2~~two or more lots, tracts, or parcels. The term, "subdivision" shall mean the act or process of dividing property. Lots that do not abut or are not directly across a public street from other subdivided lots shall be considered a separate distinct subdivision with a separate name.

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

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

Swimming Pool: Any structure intended for swimming, recreational bathing or wading that contains water over 18 inches deep including in-ground, above-ground and on-ground pools, hot tubs, spas, and fixed-in-place wading pools.

~~**System Improvement:** Any improvement or facility which is designed to provide service to the community at large. Any improvement or facility such as streets, bridges, or rights-of-ways identified on the Long Range Road Classification Map (i.e. "the System"), and any traffic control measures, landscaping, or other features to same, that is included in the Gwinnett County Unified Plan, and which is further designed to provide service to the community at large.~~

Tie Point: The point of reference for a boundary survey. Said point of reference shall be an established, monumented position which can be identified or relocated from maps, plats, or other documents on public record.

Timber Harvesting: The felling, loading, and transporting of timber products (pulpwood, etc.). The term "timber harvesting" may include both clear cutting and selective cutting of timber.

Total Suspended Solids or Suspended Solids (TSS): The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

Tower: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telecommunication towers, man-made trees (with accessory buildings/structures) and other similar structures.

~~**Townhouse:** See "Dwelling, Townhouse".~~

Trash: Combustible and noncombustible waste material, except garbage, including paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, cans, metals, bricks, lumber, concrete, mineral matter, glass crockery, and including the residue from the burning of wood, coal, coke, or other combustible material.

Tree: A woody plant, with usually one main stem or trunk and many branches, and at maturity normally attaining a trunk diameter greater than ~~3~~three inches at any point and a height of over 10 feet.

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

Tree, Hardwood: Any tree that is not coniferous (cone bearing) or needle bearing.

Tree, Softwood: Any coniferous (cone bearing) tree.

Tree Thinning: Selective cutting or thinning of trees only for the clear purpose of good forestry management in order to protect said forest from disease or infestation and in no way shall be construed as clear cutting.

Tree, Specimen: Any tree that meets one or more of the identification criteria in this Ordinance such as the tree's size, type, condition, health, location, or historical significance.

Tree, Understory: A tree that, under normal forest conditions, grows to maturity beneath overstory trees and will generally reach a mature height of at least 10 feet but less than 40 feet.

Tree Bank(ing) Option One: Whereby the developer plants and installs trees on an alternative site chosen by the developer with prior approval from the Director, ~~. Option One will result in the planting of trees at the following sites~~ including but not limited to fire stations, libraries, schools (excluding Gwinnett County Parks and Recreation properties), and revitalization projects in Community Improvement Districts.

Tree Bank(ing) Option Two: ~~A place of storage of monetary compensation for trees.~~ The process of storing monetary compensation for trees with prior approval from the Director.

Tree Canopy Calculation: A number given in square feet to a tree or group of trees that reflect the overall canopy at maturity of that tree or trees.

Tree Debris: The remains of a broken down or destroyed tree including whole trees, tree stumps, tree branches, and tree trunks.

Tree Density Standard ~~(TDS)~~: The minimum number of Tree Density Units per acre which must be achieved on a property.

Tree Density Unit ~~(TDU)~~: A credit assigned to a tree, based on the diameter of the tree, in accordance with tables contained in this Ordinance.

Tree Diameter: The diameter of a tree measured as follows:

A. For existing preserved trees, at a point 4.5 feet above the ground (DBH)

B. For new replaced trees, at a point ~~6~~six inches above the ground.

Tree Preservation and/or Replacement Plan (TP/RP): A plan that identifies Tree Protection Areas where existing trees are to be preserved and where proposed replacement trees are to be planted on a property to meet minimum requirements of this Ordinance, as well as methods of tree protection to be undertaken on the site and other pertinent information.

Tree Protection Area ~~(TPA)~~: Any portion of a site wherein are located existing trees which are proposed to be preserved in order to comply with the requirements of this Ordinance. The Tree Protection Area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.

Truck ~~or Freight~~ Terminal: An area and building where hauling companies load and unload cargo and freight from multiple origins for further transport, and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation.

Undeveloped Land: A parcel that has less than 100 square feet of impervious surface.

Undisturbed: Land in its natural state of vegetation.

Unfinished Space: Enclosed space within a building or structure which requires additional construction to render the space suitable for human occupancy in accordance with the applicable codes.

Unified Plan: Gwinnett County's Comprehensive Plan most recently adopted by the Board of Commissioners and on file with the ~~Gwinnett County Planning and Development~~ Department.

Utility: A public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems and railroads or other utilities identified by the county.

Variation: A variance from Title II of this UDO or a modification/waiver from Title III of this UDO granted by the Director as authorized by a Zoning Overlay District.

Vegetative Erosion and Sedimentation Control Measures: Measures for the stabilization of erodible or sediment-producing areas by covering the soil with including but not limited to the following:

A. Permanent seeding, sprigging, or planting, producing long-term vegetative cover; or,

B. Temporary seeding producing short-term vegetative cover; or,

C. Sodding, covering areas with a turf of perennial sod-forming grass; or,

D. Such measures are found in the publication "Manual for Erosion and Sediment Control in Georgia".

Vehicle Washing Establishment: Any building or premises used for washing motor vehicles including, but not limited to self-service, express service, and full--service facilities, utilizing in-bay automatic, conveyor automatic, or hand washing. Use of any premises for temporary hand washing of motor vehicles for non-profit fundraising purposes shall not be considered as such.

~~**Veterinary Clinic:** Facility for the treatment of domestic animals, operated under the supervision of a licensed veterinarian. The boarding of animals is limited to short-term care incidental to the clinic use and does not take place in outside runs or kennels.~~

~~**Villa:** See "Dwelling, Villa".~~

Visual Quality: The appropriate design, arrangement, and location of tower structures in relation to the built or natural environment to avoid abrupt or severe differences.

Waste Incineration Facility: Any facility which reduces waste volume by burning at a high temperature for a specified period of time. This term excludes air curtain destructors used for the on-site burning of yard trimmings and wood wastes at a building, land disturbing, or development site.

Wastewater: Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Wastewater Treatment Plant or Treatment Plant: That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

Watercourse: A natural or artificial channel through which water flows. A channel with a defined bed and banks, including lakes, ponds, and marshes, and which meets the definition of watercourse in Section 391-3-7.01 of the Georgia Department of Natural Resources Regulations. Any natural or artificial waterway, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, gully, ravine, or wash in which water flows either continuously or intermittently, having a definite channel, bed and bank, and includes any area adjacent thereto which is subject to inundation by reason of overflow or floodwater.

Water Quality: The chemical, physical, and biological characteristics of the state's water resources.

Water Quantity: The volume of runoff which is not entirely confined and retained completely upon a parcel.

Watershed: A drainage area or basin in which all land and water areas drain or flow toward a downstream collection area such as a stream, river, lake, or reservoir.

Water System: All public water facilities for supply, treatment, storage, transmission, distribution, and other support facilities required for system operation.

Weeds: All rank vegetative growth including but not limited to kudzu, poison ivy, jimsonweed, burdock, ragweed, thistle, cocklebur, dandelion, plants of obnoxious odors, or other similar unsightly vegetative growths; however, this term shall not include cultivated flowers, fruits and vegetables, and gardens.

Wetlands: Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The ecological parameters for designating wetlands include hydric soils, hydrophytic vegetation, and hydrological conditions that involve a temporary or permanent source of water to cause soil saturation.

Wild Animal: Any living member of the animal kingdom, excluding livestock and household pets.

Xeriscaping: A method of landscaping utilizing materials which are water-efficient.

Yard: An open space on a lot situated between the principal building or use on the lot and a lot line, and unoccupied by any structure except as otherwise provided herein.

Yard, Front: An open, unoccupied space on the same lot with a principal building or use, extending the full width of the lot and located between the street easement or right-of-way and the front line of the building projected parallel to the street projected to the side lines of the lot. Corner lots shall be considered to have two front yards.

Yard, Rear: An open space on the same lot with a principal building or use, unoccupied except by an accessory building or use, extending the full width of the lot and located between the rear line of the lot and the rear line of the building or use projected to the side lines of the lot.

Yard, Side: An open, unoccupied space on the same lot with a principal building or use, located between the building or use and the side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

Zero Discharge Permit: A permit issued to an IU, which may include CIUs, and which prohibits the discharge of industrial process wastewater to the POTW.

Zoning Board of Appeals: The Zoning Board of Appeals of Gwinnett County.

Section 110-50. Definitions by Category/Chapter.

~~**110-50.0** The following definitions are to be applied in Chapter 265, Temporary Outdoor Activity Uses:~~

~~**Goods and merchandise** shall mean tangible or movable personal property, other than money.~~

~~**Holiday activities** shall mean seasonal activities associated with federally-recognized holidays and Halloween, including pumpkin lots and Christmas tree sales.~~

~~**Temporary outdoor activity** shall mean activities involving the temporary outside sale of goods and merchandise in association with an existing business located on the same premises as the principal use of the parcel. Temporary outdoor activities shall occur in non-enclosed areas.~~

~~**Temporary outdoor activity permit** shall mean written authorization by the Director of the Department of Planning and Development, or designee, for the applicant to engage in temporary outdoor activities at a specified, fixed location meeting all requirements of this UDO.~~

110-50.1 The following definitions are to be applied in Chapter 400, Soil Erosion, Sedimentation and Pollution Control:

Best Management Practices: These include sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the "Manual for Erosion and Sediment Control in Georgia" published by the commission as of January 1 of the year in which the land-disturbing activity was permitted. Best management practices are a collection of structural measures and vegetative practices which, when properly designed, installed and maintained, will provide effective erosion and sedimentation control. The term "properly designed" means designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in Georgia Law.

Board: The Georgia Board of Natural Resources.

Certified Personnel: A person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.

Commission: The Georgia Soil and Water Conservation Commission.

Design Professional: A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by EnviroCert, Inc.

Director of EPD: The Director of the Environmental Protection Division (EPD) of the Georgia Department of Natural Resources.

District: The Gwinnett County Soil and Water Conservation District.

Division: The Environmental Protection Division (EPD) of the Department of Natural Resources.

Final Stabilization: All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures, 100 percent of the soil surface is uniformly covered in permanent vegetation with a density of 70 percent or greater, or equivalent permanent stabilization measures (such as the use of rip rap, gabions, permanent mulches or geotextiles) have been used. Permanent vegetation shall consist of: planted trees, shrubs, perennial vines appropriate for the time of year and region; or a crop of annual vegetation

and a seeding of target crop perennials appropriate for the region as defined in the Manual. Final stabilization applies to each phase of construction.

Ground Elevation: The original elevation of the ground surface prior to cutting or filling.

Larger Common Plan of Development or Sale: A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For the purposes of this paragraph, "plan" means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.

Local Issuing Authority (LIA): The governing authority of any county or municipality which is certified pursuant to Georgia Law.

Notice of Intent (NOI): A notice of intent form provided by EPD for coverage under the state general permit.

Notice of Termination (NOT): A notice of termination form provided by EPD to terminate coverage under the state general permit.

Properly Designed: Designed in accordance with the design requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the manual as approved by the commission up until the date of the NOI submittal.

Qualified Personnel: Any person who meets or exceeds the education and training requirements of Georgia Law.

Soil and Water Conservation District Approved Plan: An Erosion, Sedimentation and Pollution Control Plan approved in writing by the Gwinnett County Soil and Water Conservation District.

Stabilization: The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

State General Permit: The National Pollution Discharge Elimination System general permit or permits for stormwater runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., of Georgia Law.

Stormwater Structure: A device composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control, or flood control purposes.

Structural Erosion, Sedimentation and Pollution Control Measures: Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control measures are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps and land grading, etc. Such measures are found in the publication "Manual for Erosion and Sediment Control in Georgia".

110-50.2 The following definition is to be applied in Chapter 500 Riparian Buffers.

Trout Streams: All streams or portions of streams within the watershed as designated by the Game and Fish Division of the Georgia Department of Natural Resources under the provisions of the O.C.G.A. § 12-5-20 et seq., the Georgia Water Quality Control Act, and in the Georgia Rules and Regulations Water Quality Control, Chapter 391-3-6. Streams designated as primary trout waters are defined as water supporting a self-sustaining population

of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.

110-50.3 The following definitions are to be applied in Chapter 700, Floodplain Management.

Addition (to an existing structure): Any walled and roofed expansion to the perimeter or height of a building.

Base Flood: The flood which has a one percent probability of occurring in any calendar year. (i.e., the 100 year frequency flood).

Base Flood Elevation: The highest water surface elevation anticipated at any given point during the base flood.

Basement: That portion of a building having its floor subgrade (below ground level) along all or a majority of its perimeter length and includes the term "cellar".

Breakaway Wall: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Building: Same meaning as "Structure".

Compensation: The replacement of flood storage capacity lost as the result of floodplain encroachment.

Development: All activities associated with man-made changes to improved or unimproved real estate and the conversion of land or the expansion or replacement of an existing use to any new use intended for human operation, occupancy, or habitation, other than for agricultural purposes devoted strictly to the cultivation of the land, dairying or animal husbandry. Such activities include but are not limited to buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation or drilling operations, storage of equipment or materials, water or sewer mains, stormwater management facilities, sidewalks or other structures permanently placed on or in the property.

Elevated Building: A non-basement building with the lowest elevated floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

Federal Emergency Management Agency (FEMA): The Federal Agency which administers the National Flood Insurance Program. This Agency prepares, revises, and distributes the maps and studies referenced in this ordinance.

Flood Boundary and Floodway Map: The official map issued by the Federal Emergency Management Agency, where the boundaries of the floodways are shown, and the areas of Special Flood Hazard have been defined as Zone "A".

Flood Hazard Area: See "Floodplain".

Flood Insurance Rate Map (FIRM): An official map on which the Federal Emergency Management Agency has delineated both the areas of Special Flood Hazard and the applicable risk premium zones.

Flood Insurance Study: The official report provided by the Federal Emergency Management Agency (FEMA) Administration examining and evaluating flood hazards and corresponding flood profiles and water surface elevations of the base flood.

Floodplain, 100-Year: Those lands subject to flooding, which have at least a one percent probability of flooding occurrence in any calendar year; and specifically, the floodplain as shown on the Flood Boundary and Floodway Map as prepared by the Federal Emergency Management Agency (FEMA).

Flood Prone Area: Any land area subject to flooding.

Flood Proofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to: 1) discharge the base flood without cumulatively increasing the water surface elevation more than one foot above the base flood elevation; or, 2) discharge the future conditions flood without cumulatively increasing the water surface elevation more than one foot above the future conditions flood elevation. The more restrictive shall apply.

Functionally Dependent Use: A use which cannot be used for its intended purpose unless it is located or carried out in close proximity to water.

Future Conditions Flood Elevation: This flood standard is equal to or higher than the Base Flood Elevations. The highest water surface elevation anticipated at any given point during the future conditions flood.

Future Conditions Flood Hazard: The land area that would be inundated by the one-percent-annual-chance flood based on future-conditions hydrology (100-year future-conditions flood).

Future Conditions Floodplain: Any land area susceptible to flooding by the future-conditions flood.

Future Conditions Hydrology: The flood discharges associated with the drainage basin being fully developed as shown on Gwinnett County's Unified Plan. Only detention that can be shown that it will remain (i.e. owned by County) and is large enough to be included in the hydrograph routings shall be considered when determining the flood peak. No consideration of projected future construction of flood detention structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation shall be given.

Lowest Floor: The lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is constructed in accordance with the provisions of this ordinance.

Manufactured Home: A structure (or building), transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes mobile homes, park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Manufactured Home Park or Subdivision, Existing: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading of the pouring of concrete pads) is completed before April 9, 1975.

Manufactured Home Park or Subdivision, Expansion to an Existing: Preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

Manufactured Home Park or Subdivision, New: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be fixed (including at a minimum, the installation of utilities, and the construction of streets) April 10, 1975.

Start of Construction: Includes substantial improvement, and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The

actual start means the first placement of permanent construction of a structure (including manufactured home) on a site, such as pouring slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or not part of the main structure.(Note: accessory structures are not exempt from any ordinance requirements.) For a substantial improvement, the actual start of construction means the first alternation of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: A walled and roofed building (including gas or liquid storage tank), that is principally above ground, or a manufactured home.

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantially Improved Existing Manufactured Home Parks or Subdivisions: Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction of improvement commenced.

Substantial Improvement: Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during a 10-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the structure prior to the improvement. The market value of the structure should be:

A. The appraised value of the structure prior to the start of the initial repair or improvement; or

B. In the case of damage, the value of the structure prior to the damage occurring.

C. This term includes structures which have incurred "repetitive loss" or "substantial damage" regardless of the actual amount of repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the structure commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Violation: The failure of a structure or other development to be fully compliant with Chapter 700 of this Ordinance. A structure or other development without the elevation certificate, other certificates, or other evidence of compliance required in Chapter 700 is presumed to be in violation until such time as that documentation is provided.

110-50.4 The following definitions are to be applied in Chapter 800, Stormwater Management.

Best Management Practices: Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the Prohibited Discharge Standards and as contained in 40 CFR 403.5(a)(1) and (b). BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Procedure: A procedure adopted by the Department, by and through the ~~d~~Director, to implement a regulation or regulations, or to carry out other responsibilities as may be required by this Ordinance or other codes, ordinances, or resolutions of the county or other agencies.

Post-development: The time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity.

Potable Water: Any public potable water supply that has been investigated and approved by the EPD. The system must be operating under a valid health permit issued by the EPD. In determining what constitutes an approved water supply, the EPD has final judgment as to its safety and potability.

Pre-development: The time period, or the conditions that exist on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads, and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

Stormwater Management Facility: Any infrastructure that controls or conveys stormwater runoff.

Stormwater Retrofit: A stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

Chapter 120. Enforcement and Penalties

Section 120-10. Violations of the Unified Development Ordinance.

It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure or use any land in the County, or cause the same to be done, contrary to or in violation of the provisions of this Unified Development Ordinance. Unless otherwise specified in any chapter or section of this Unified Development Ordinance, any violation of this Unified Development Ordinance shall be subject to the procedures set forth in this Chapter.

Section 120-20. Inspection and Right of Entry.

Work for which a permit is required by this Unified Development Ordinance (UDO) shall be subject to inspection by authorized County representatives or employees upon presentation of County identification to the developer, contractor, owner, owner's agent, operator, or occupants during all reasonable hours, or outside reasonable hours in the event of any emergency threatening life or property. Where it is necessary to make an inspection to enforce the provisions of this UDO, where the Director ~~of Planning and Development~~ or authorized County representative or employee has reasonable cause to believe that there exists upon a premises or property a condition which is contrary to or in violation of this UDO, the Director ~~of Planning and Development~~ or authorized County representative or employee is authorized to enter the property or premises at reasonable times to inspect or to perform the duties imposed by this UDO, provided that if property or premises is occupied that credentials will be presented and entry requested. If such property or premises is unoccupied, the Director ~~of Planning and Development~~ or authorized County representative or employee shall first make a reasonable effort to locate the owner or other person having charge or control of the property or premises and request entry.

120-20.1 If a property or facility has security measures in force, which require proper identification and clearance before entry into its premises, the authorized representative or employee shall make the necessary arrangements to allow access to the Director ~~of Planning and Development~~.

120-20.2 The owner or operator shall allow the Director ~~of Planning and Development~~ access to all parts of the premises for the purposes of inspection, investigation, observation, monitoring, measuring, recording, enforcing, sampling, testing, photography, and videotaping for the purpose of ensuring compliance with the provisions of this Unified Development Ordinance. The owner or operator shall allow the Director ~~of Planning and Development~~ to examine and copy any records that are required under the conditions of any permit granted under this Unified Development Ordinance.

120-20.3 The Director ~~of Planning and Development~~ shall have the right to set up on any premises, property or facility such devices as are necessary to conduct any of the procedures as described in ~~sec.~~Section 120-20.2.

120-20.4 The Director ~~of Planning and Development~~ may require the owner or operator to install monitoring equipment and perform monitoring as necessary and make the monitoring data available to the Department ~~of Planning and Development~~. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense.

120-20.5 Any temporary or permanent obstruction to safe and easy access to, or from the premises, property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the Director ~~of Planning and Development~~ and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.

120-20.6 Unreasonable delays in allowing the Director ~~of Planning and Development~~ or access to a facility, property or premises shall constitute a violation of this Unified Development Ordinance.

120-20.7 If the Director ~~of Planning and Development~~ or authorized County representative or employee has been refused access to any part of a premises, property or facility and the Director ~~of Planning and Development~~ is able to demonstrate probable cause to believe that there may be a violation of this Unified Development Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Unified Development Ordinance or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then the Director ~~of Planning and Development~~ or authorized County representative or employee may seek an inspection warrant in accordance with Georgia law.

Section 120-30. Notice of Violation.

120-30.1 Whenever the Director or any authorized County representative or employee determines that any violation of this Unified Development Ordinance is taking place, or that a condition of ~~rezoning~~a zoning map amendment, special use permit, variance, or other permit or administrative approvals are not complied with, said Director may present to the owner, owner's agent, or the owner, occupier, or party responsible for such use or activity, a notice of violation and or order the use or activity to cease immediately.

120-30.2 The notice shall contain the following information:

A. The name and address of the owner or responsible person,

B. The location or address of the site upon which the violation is occurring,

C. A description of the nature of the violation,

D. A description of the remedial actions or measures necessary to bring an action or inaction into compliance with a permit, approved plan or this Unified Development Ordinance,

E. The deadline or completion date of any such remedial actions or measures,

F. A statement of the penalty or penalties that may be assessed against the owner or responsible person to whom the Notice of Violation is directed.

120-30.3 If the violation has not been corrected within a reasonable length of time, which shall not exceed 14 days, the owner of the property on which such violation has occurred or the agent, occupier, or other party responsible for the violation shall be subject to the penalties set forth in this Chapter, provided that either the Director may, at his/her discretion, extend the time for compliance with any such notice.

120-30.4 The Director shall have authority to issue a warning notice prior to issuance of a notice of violation for any violation set forth in Section 120-40. A warning notice shall be discretionary when circumstances warrant such action in the opinion of said Director and shall under no circumstances be required prior to issuance of a notice of violation or other enforcement action. If issued, a warning notice shall include requirements set forth in Section 120-30.2. If a warning notice has not resulted in corrective action within the time specified in the notice, or within any time limit as extended in writing by said Director, said Director may proceed with a notice of violation or other authorized enforcement action.

Section 120-40. Stop Work Orders.

120-40.1 Whenever any building, structure, or premises is being developed, demolished, expanded, renovated, constructed, used, or occupied contrary to the provisions of this Unified Development Ordinance, or the public interest is otherwise threatened in a manner requiring immediate action, the Director may order the work stopped and said stop work order shall be posted on the property and delivered or mailed to the owner or person performing said unlawful work.

120-40.2 Stop work orders are effective immediately and shall remain in effect until necessary corrective actions or remedial measures as set forth in the notice of violation have occurred. Stop work orders may be withdrawn or modified by the Director in order to enable an owner or responsible person to take necessary remedial actions or measures to correct violations.

Section 120-50. Suspensions, Revocations, or Modifications.

120-50.1 Director Authorized to Suspend or Stop Work and Direct Corrections. In any case in which activities are undertaken in violation of this Ordinance, not in compliance with the provisions of a permit issued under the authorization of this Ordinance, or without authorization of a permit which would otherwise be required, the Director is hereby authorized to suspend or invalidate such permits, order that all unauthorized or improper work be stopped, direct correction of deficiencies, issue summonses to any court of competent jurisdiction, or take any other legal or administrative action appropriate to the severity of the violation and degree of threat to the public health, safety, and welfare.

120-50.2 The Director may suspend, revoke, or modify any permit issued authorizing land disturbing activities or development, or suspend, revoke, or modify any certificate of occupancy for any land, building, or structure that is being constructed, used, or occupied in violation of any provision of this Unified Development Ordinance in order to protect the health, safety, and general public welfare. The Director is authorized to reinstate a suspended, revoked, or modified permit or certificate of occupancy after the owner or responsible person has taken the remedial actions or measures stated in the notice of violation with an approved inspection, or has otherwise corrected the violations described therein. The Director is also authorized to reinstate such permit, which may include conditions as the Director may deem necessary, to enable the owner or responsible person to take the necessary remedial actions or measures to correct the violations.

Section 120-60. Other Enforcement and Penalties.

When any violation of this Unified Development Ordinance takes place, the provisions set forth in this Chapter shall apply. However, enforcement and penalty provisions set forth elsewhere in any other Chapter or Section of this Unified Development Ordinance shall be applicable as therein provided and such enforcement and penalties may be applied in addition to those enforcement and penalty provisions available in this Chapter.

Section 120-70. Issuance of Citations or Summons to Court; Violations; Penalties for Violations.

120-70.1 In case any building or structure is, or is proposed to be erected, constructed, reconstructed, altered, converted, or maintained, or any building, structure, or land is or is proposed to be used in violation of any provision of this Unified Development Ordinance, a duly authorized officer or employee of the County may issue a citation requiring the violator to appear in the Recorders Court of Gwinnett County.

120-70.2 The owner of any buildings or premises or parts thereof, where anything in violation of this Ordinance exists, and any builder, contractor or any other agent of the owner, or any tenant, who commits or assists in the commission of any violation shall be guilty of a separate offense.

120-70.3 Each day any violation of any provision of this Unified Development Ordinance shall continue shall constitute a separate offense.

120-70.4 Any person, firm or corporation found in violation of any provision of this Unified Development Ordinance by the Recorders Court of Gwinnett County shall be punished either by a fine of not less than $250 nor more than $1,000, or by confinement in the County jail for a total term not to exceed 60 days, or both.

Section 120-80. Other Remedies and Penalties.

In any case in which a violation of this Unified Development Ordinance has occurred, the County may petition for a restraining order, injunction, abatement, or take any other appropriate legal action or proceeding through a court of competent jurisdiction to prevent, restrain, or abate such unlawful use or activity. The remedies listed in this Chapter are not exclusive of any other remedies available under any applicable federal, state, or local law and the Department charged with enforcement of the particular provision of the UDO may seek cumulative remedies. The Department charged with enforcement of the particular provision of the UDO may also recover attorney's fees, court costs, and other expenses associated with enforcement of this Chapter.

Section 120-90. Administrative Appeal and Judicial Review.

This appeals process applies in all cases except those relating to zoning activities or as stated elsewhere in this Unified Development Ordinance (UDO).

120-90.1 Administrative Appeal. Appeals to the Zoning Board of Appeals may be taken by any person aggrieved or by any official of the County affected by any decision by the Director ~~of Planning and Development~~. Such appeal shall be taken within fifteen days after the decision appealed from by filing with the Director ~~of Planning and Development and with the Zoning Board of Appeals~~ a Notice of Appeal specifying the grounds thereof. The ~~Department of Planning and Development~~ Director shall forthwith transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed from was taken.

120-90.2 An appeal shall stay all proceedings in furtherance of the action appealed from unless the Director ~~of Planning and Development~~ certifies to the Zoning Board of Appeals that, by reason of facts stated in the certificate, a stay would, in his/her opinion, cause imminent peril to life or property. In such a case, proceedings shall not be stayed otherwise than by the Zoning Board of Appeals or by a restraining order granted by a court of record on application and notice to the Director ~~of Planning and Development~~ for good cause shown.

120-90.3 Any person aggrieved by a decision or order of the Zoning Board of Appeals or Board of Commissioners, shall have the right to appeal in the manner provided by law.

Section 120-100. Liability.

This Unified Development Ordinance (UDO) shall not create any duty or right of recovery against Gwinnett County's officials and employees. The inspection or permitting of activity or plan by Gwinnett County, under the requirements of this UDO, is not intended to be construed as a representation or warranty of the physical condition of the site or property or the adequacy of such plans. Neither Gwinnett County nor any official or employee thereof shall be liable for damages to person or property for any defect or hazardous or illegal condition or inadequacy in such activity or plans. Neither Gwinnett County nor any of its officials or employees shall have any liability for any act or failure to act pursuant to the provisions of this UDO.

Chapter 200. General Provisions

Section 200-10. Purpose.

This Title 2 is intended to implement the purposes set forth in Section 100-20, and further is enacted for the purposes of promoting the public health, safety, and the general welfare of the present and future inhabitants of Gwinnett County; of lessening congestion in the streets; securing safety from fire, panic and other dangers; providing adequate light and air; preventing the overcrowding of land, avoiding both undue concentration of population and urban sprawl; protecting natural resources, facilitating the adequate provision of multi-modal transportation, water, sewerage, schools, parks and other public requirements; protecting property against blight and depreciation; encouraging the most appropriate use of land, buildings and other structures throughout the County; securing economy in government expenditures; and for other purposes, all in accordance with a comprehensive plan for the development of the County.

Section 200-20. Authority.

This Title 2 is enacted pursuant to Gwinnett County's authority to adopt plans and exercise the power of zoning granted by the Constitution of the State of Georgia, Article 9, Section 2; pursuant to Chapters 66 and 70 of Title 36 of the Official Code of Georgia Annotated; by the Georgia Planning Act of 1989; by Gwinnett County's authority to enact regulations and exercise powers granted by local laws and by the County's general police powers; and by other powers and authority provided by applicable federal, state, and local laws.

Section 200-30. Incorporation of Official Zoning Map.

200-30.1 The location and boundaries of Zoning Districts are hereby established as shown on the map entitled "Official Gwinnett County Zoning Map" which is hereby made a part of this UDO. The Official Gwinnett County Zoning Map may be amended from time to time and maintained in electronic format by the Gwinnett County Geographic Information System~~-~~.

200-30.2 Certified copies of said map shall be prepared by the Gwinnett County Department of Planning and Development~~, Planning Division~~.

Section 200-40. Division of County into Zoning Districts.

200-40.1 For the purposes of this Unified Development Ordinance, the unincorporated area of Gwinnett County, Georgia, is divided into Zoning Districts designated as follows:

RA-200	Agriculture-Residence District
R-LL	Single-Family Residence-Large Lot District
R-100	Single-Family Residence District
R-75	Single-Family Residence District
R-60	Single-Family Residence District
R-SR	Senior~~-~~Oriented Residence District
R-TH	Single-Family Residence Townhouse District
R-IF	Residential In-Fill District
LRR	Low-Rise Residential Multifamily District
MRR	Mid-Rise Residential Multifamily District

HRR	High-Rise Residential Multifamily District
O-I	Office-Institutional District
C-1	Neighborhood Business District
C-2	General Business District
C-3	Highway Business District
M-1	Light Industry District
M-2	Heavy Industry District
OSC	Open Space Conservation District
TND	Traditional Neighborhood Development District
MU-N	Neighborhood Mixed-Use District
MU-C	Community Mixed-Use District
MU-R	Regional Mixed-Use District

200-40.2 Inactive Zoning Districts. No new zoning applications will be accepted for the inactive districts listed below, or any other inactive zoning districts in the County. In these districts, any existing or proposed development shall conform to the development and use standards established by zoning resolution for that particular parcel, or the most similar current zoning district as indicated in ~~240.2.B~~ 200-40.2 B. below, subject to the provisions of Section 100-60 and any other applicable sections of this UDO.

A. Inactive Zoning Districts include, but are not limited to, the following:

~~1.~~ MOD Modified Single-Family Development

1.

2. CSO Conservation Subdivision Overlay District

~~2.~~3. CLU Cluster Subdivision Overlay District

~~3.~~4. R-140 Single Family Residence District

~~4.~~5. RL Lakeside Residence District

~~5.~~6. R-ZT Single Family Residence Zero Lot Line/Townhouse District~~.~~ (Prior to January 2005)~~F~~ and~~.~~ R-ZT Single Family Residence District~~.~~ (After January 2005)

~~6. R-TH Single Family Residence Townhouse District. (Prior to January 2005)~~

7. MH Manufactured Housing

~~8. MHS Manufactured Housing Subdivision District~~

~~9.~~8. RM Multi-Family Residence District

~~10.~~9. RMD Multi-Family Residence District ~~(Duplexes)~~

~~11.~~10. RM-6 Multi-Family Residence District

~~12.~~11. RM-8 Multi-Family Residence District

~~13.~~12. RM-10 Multi-Family Residence District

~~14.~~13. RM-13 Multifamily Residence District

~~15.~~14. RM-24 Multifamily Residence District

~~16.~~15. HS Hospital Service District

~~17.~~16. NS Neighborhood Shopping District

~~18.~~17. O-R Office-Residence District

~~19.~~18. OBP Office-Business Park District

~~20.~~19. MUO Mixed-Use Overlay District

~~21.~~20. MUD Mixed-Use Development District

~~22.~~21. Big Haynes Creek Conservation Subdivision Option

B. Similar Current Active Zoning Districts ~~(Inactive District: Active District)~~:

Inactive District	Active District
1. ~~MH, MHS,~~ RL, R-140, R-100 MOD, and R-100 CLU: R-100	
2. O-R, R-75 CLU, and R-75 MOD:	R-75
3. CSO and Big Haynes Creek Conservation Subdivision Option:	OSC
~~4. MH, MHS, R-140, and RL:~~	~~R-100~~
~~5.~~4. ~~RMD,~~ R-ZT, and MH~~, and R-TH (Pprior to January 2005)~~: ~~R-TH~~	R-TH~~—~~
5. Single-family detached or duplexes in RM, RMD, RM-6, RM-8, RM-10, and R-ZT:~~,~~	R-IF
6. Multifamily in RM, RM-6, RM-8, RM-10, and RM-13:	LRR
7. RM-24:	MRR
8. OBP and HS:	O-I
9. NS:	C-1
10. MUO and MUD:	MU-C

200-40.3 Split-Zoned Parcels. No application for rezoning shall be permitted that creates a split-zoned parcel, unless otherwise authorized by this UDO or by action of the Board of Commissioners.

Section 200-50. Interpretation of Zoning District Boundaries.

200-50.1 Where uncertainty exists with respect to the location of the boundaries of any Zoning District in Gwinnett County, Georgia, the following rules shall apply.

A. Where a Zoning District boundary line is shown as approximately following a corporate limits line, a militia district line, a land lot line, a lot line or the centerline of a street, a county road, a state highway,

an interstate highway or a railroad right-of-way or such lines extended, then such lines shall be construed to be the Zoning District boundary lines.

~~B. Where a Zoning District boundary line is shown as being set back from a street, a county road, a state highway, an interstate highway, or a railroad right-of-way, 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, state highway, interstate highway or railroad right-of-way and as being parallel thereto.~~

~~C.~~B. 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.

~~D.~~C. Whenever any street, alley or other public way is vacated or abandoned by official action of the County, 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.

~~E.~~D. Where a boundary line is shown and its location is not fixed by any of the rules of this sub-section, its precise location shall be determined by the Director. ~~is determined by scaling from fixtures, objects, or other structures shown on the map.~~

Section 200-60. Relationship to Comprehensive Plan.

200-60.1 Role of the Comprehensive Plan. The Gwinnett County Unified Plan (Comprehensive Plan), consisting of its Future Development Map and related policies, as may be amended from time to time, is hereby established as the official policy of the County concerning designated future land uses, and as a guide to decisions regarding the appropriate manner in which property shall be zoned in the unincorporated area of Gwinnett County.

200-60.2 Relationship between Comprehensive Plan and Zoning. The Gwinnett County Unified Plan (Comprehensive Plan) does not change the existing zoning districts in Gwinnett County, does not effectuate an amendment to the Gwinnett County Zoning Map, and does not itself permit or prohibit any existing land uses. Instead, the Unified Plan establishes broad planning policy for current and future land uses and should be consulted as a guideline for making decisions about applications to amend the Gwinnett County Zoning Map and text of the UDO.

Section 200-70. Reserved. ~~Incorporation of UDO Design Guidelines.~~

~~**200-70.1** The Director is authorized to administer and interpret the UDO Design Guidelines included in the UDO Appendix and adopted as a part of this UDO. These guidelines provide acceptable architectural design controls, landscaping, detail drawings, signage, fencing, lighting, and street and site furniture.~~

~~**200-70.2** In the case that any provision of Title 2 Land Use and Zoning, or Title 3 Land Development, conflicts with those of the UDO Design Guidelines, the provisions of Title 2 and Title 3 shall govern.~~

Section 200-80. Zoning Certification.

Upon request, the Director ~~or designee~~ shall have authority to issue written zoning certifications stating the existing zoning of a particular parcel of property. Requests to the Director ~~or the Director's designee~~ shall be in writing, accurately identify the subject property as required by the Director and be accompanied by a fee established by the Board of Commissioners.

Section 200-90. Zoning Classification of De-Annexed Property.

~~Undeveloped~~ P~~p~~roperty which has been de-annexed from any municipality or other county ~~will be subject to the same zoning district, including any conditions established prior to annexation. However, if the zoning district within Gwinnett County cannot be determined from existing records or by the Director, a public hearing, as specified in Section 270, will be conducted to establish the appropriate zoning classification for the property. Any lawfully developed, de-annexed property~~ shall be zoned to the nearest compatible Gwinnett County zoning district ~~in which the use is permitted~~. Any non-conforming use shall be subject to the provisions of Chapter 260 of this UDO.

Chapter 210. Base Residential Zoning Districts

Section 210-10. RA-200 Agriculture-Residence District.

210-10.1 Purpose and Intent. This district is comprised of land having a predominantly rural character. It is the intent of the regulations of this zoning district to provide for agriculture, forestry and very low-density residential uses and to discourage the subdivision of land for urban development requiring such urban services as a public water supply and sanitary sewers.

Section 210-20. R-LL Single-Family Residence-Large Lot District.

210-20.1 Purpose and Intent. This zoning district is intended primarily for single-family detached residences and related uses on large lots.

Section 210-30. R-100 Single-Family Residence District.

210-30.1 Purpose and Intent. This zoning district is intended primarily for single-family detached residences and related uses.

Section 210-40. R-75 Single-Family Residence District.

210-40.1 Purpose and Intent. This zoning district is intended primarily for single-family detached residences and related uses.

Section 210-50. R-60 Single-Family Residence District.

210-50.1 Purpose and Intent. This zoning district is intended primarily for ~~s~~Single-family detached residences and accessory uses on land where urban services, including public water and sewer are available.

Section 210-60. R-SR Senior ~~-~~Oriented Residence District.

210-60.1 Purpose and Intent. This zoning district is intended for ~~detached~~ single-family detached residences and villas ~~homes surrounding a common landscaped courtyard. These developments are appropriate for smaller infill tracts or assemblages of land in areas~~ and accessory uses on land where public sewerage facilities are~~-~~ available or can be readily obtained and where there is convenient access to collector streets, major thoroughfares, or state or interstate highways.

Section 210-70. R-TH Single-Family Townhouse District.

210-70.1 Purpose and Intent. This zoning district is intended for attached townhouse dwellings and detached single-family and duplex dwellings on small lots. These developments are appropriate for smaller infill tracts or assemblages of land in areas where public sewerage facilities are available or can be readily obtained and where there is convenient access to collector streets, major thoroughfares, or state or interstate highways.

Section 210-80. R-IF Residential In-Fill District.

210-80.1 Purpose and Intent. This zoning district is intended ~~primarily~~ for townhouse dwellings and missing middle housing in areas where public water supply and sewerage facilities are available or can be obtained and where there is convenient access to local streets, collector streets, major thoroughfares, or state or interstate highways.

Section 210-90. LRR Low-Rise Residential Multifamily District.

210-90.1 Purpose and Intent. This zoning district is intended primarily for low-rise multifamily buildings in areas 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.

Section 210-100. MRR Mid-Rise Residential Multifamily District.

210-100.1 Purpose and Intent. This zoning district is intended primarily for mid-rise multifamily dwellings 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.

Section 210-110. HRR High-Rise Residential Multifamily District.

210-110.1 Purpose and Intent. This zoning district is intended primarily for high-rise multifamily dwellings in areas 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.

Section 210-120. Dimensional Standards for Base Residential Zoning Districts.

Dimensional Standard	RA-200	R-LL	R-100	R-75	R-60	R-SR	R-TH	R-IF	LRR	MRR	HRR
Max. FAR	N/A	N/A	N/A	N/A	N/A	N/A[4]	N/A	N/A	0.5	1.0	None
Max. Density (units per acre)	N/A	N/A	N/A	3.0	4.0	6.0[67]	10.0	N/A	N/A	N/A	N/A
Min. Lot Size (sq. ft.)[1]	40,000	32,000	15,000	10,500	7,200	5,000[4]	N/A	N/A	N/A	N/A	N/A
Min. Lot Width (ft.)	200	125	100	75	60	50[4]	N/A	N/A	100	100	100
Max. Lot Coverage (% of lot)	25	25	45	55	60	70[4]	N/A	N/A	N/A	N/A	N/A
Min. Front ~~Yard~~Setback (ft.)[2,78]	35	35	25	20	15	10[4]	10[3]	10[3]	0	0	0
Min. Rear ~~Yard[2]~~Setback[2] (ft.)	40	40	30	25	20	20[4]	25[3]	20[3]	0	0	0
Min. Side ~~Yard~~Setback[2] (ft.)	20	20	10	7.5	5	5~~4~~[4]	5[3]	7.5[3]	0	0	0
Max. Bldg. Height (ft.)	35	35	35	35	35	35	40	45	60	75	N/A
~~Min. Project Site Area (acres)~~	~~N/A~~	~~N/A~~	~~N/A~~	~~N/A~~	~~N/A~~	~~10~~N/A	~~2~~	~~N/A~~	~~N/A~~	~~N/A~~	~~N/A~~
Min. Open Space (% of site ~~of area~~site)[5]	N/A	N/A	10	10	10	10	10	10	10	10	10
Min. Usable Open Space (% of site ~~of site~~)[6]	N/A	N/A	3	5	5	5	5	5	5	5	5

[1] Larger minimum lot sizes may be required for lots served by septic.

[2] Where the ~~backs~~ rears or sides of single-family attached or detached residential ~~units~~ buildings are oriented toward an external public street, a 40-foot-wide setback including a 10-foot-wide landscaped strip adjacent to the right-of-way shall be required between the property line and residential units.

[3] Applies to ~~E~~external property line setbacks, except within a single-family detached lot.

[4] For single-family detached lots only. Attached villas are subject to the conditional use requirements of this Chapter.

[5] Open space requirements do ~~Does~~ not apply to lots within an exemption plat, or individual lots within single-family detached residential zoning districts.

[6] The minimum us~~e~~able open space counts towards the total open space requirement.

[6~~,~~7] For attached villas only. The maximum density for detached lots shall be 4.0.

[7~~8~~] Contextual front setbacks~~yards~~ apply per Section 230-40.5.

Section 210-130. Permitted Uses within Residential Zoning Districts.

210-~~,~~130.1 The uses set forth in the table below shall be permitted only as listed within each zoning district and only in the manner so listed. Any use not listed in said table shall be prohibited, except as contained herein. Additionally, for any use not listed in said table, the ~~d~~Director shall have the authority to determine the most appropriate zoning district(s) and/or Special Use Permit requirements for such use, after receiving documentation from the property owner adequately outlining and describing the specific details of the proposed use.

P: Permitted use.

S: Special use requiring a Special Use Permit subject to approval following the application procedures and requirements in Section 270-30 of the UDO.

C: Conditional use subject to the additional requirements in Section 210-1~~2~~40.

S/C: A Special Use Permit is ~~required~~required, and conditional use standards apply.

Land Use	RA-~~-~~200	R-LL	R-100	R-75	R-60	R-SR	R-TH	R-IF	LRR	MRR	HRR
Agricultural Uses											
Agricultural Uses (crop or animal production)	C										
Agricultura~~l~~ Uses (livestock)	C	C	C	C	C	C	C	C			
Animal ~~Hospital or Veterinary Clinic~~Care Establishment ~~(livestock)~~	S										
Beekeeping	P	C	C	C	C	C	C	C	C	C	C
Community Garden	C	C	C	C	C	C	C	C	C	C	C
Country Clubs ~~and~~ or Golf Courses	C	S	S	S							
Equestrian Facility, Riding Stables or Academy	S/C										
Farm Winery	P										
Farmer~~'~~s Market (off-site products)	S/C										

Farmer's Market (on-site products only)	C										
Fishing Club or Fishing Pond	P										
Forestry and Logging	P										
Golf Driving Range	S										
Greenhouse or Plant Nursery (wholesale)	P										
Kennel or Pet Boarding	S/C										
Landscape Supply	P										
Livestock Sales Pavilion or Auction Facility	S/C										
Plant Nursery	P										
Shooting and or Archery Ranges and similar outdoor recreation facilities	S/C										
Wild Animals, keeping of	S/C										
Non-Residential Uses											
Land Use	**RA-200**	**R-LL**	**R-100**	**R-75**	**R-60**	**R-SR**	**R-TH**	**R-IF**	**LRR**	**MRR**	**HRR**
Bed and Breakfast Inn	C	S/C	S/C								
Cemetery, Family or Mausoleum	S/C	S/C	S/C	S/C							
Community Center or Cultural Facility	S/C		S/C	S/C							
Day Care Facility (familyadult or child)	P	P	P	P	P		C				
Landfill	S/C										
Place of Worship	C	C	C	C	C	C	C	C	C	C	C
Recreational Vehicle Park or Campground	S										
Residential Rehabilitation Center	S/C		S/C								
Sawmills and Logging Facility	S										
School, Private (College or University)	S		S								
School, Private (Primary and Secondary)	S/C		S/C								
Short-term Rentals	C	C	C	C	C	C	C	C	C	C	C
Special Events/Banquet Facility or Rental Hall	S/C										
Utility transmission Transmission and monitoring Monitoring facilitiesFacility	S/C	S/C	S/C	S	S	S	S	S	S	S	S

Residential Uses											
Land Use	**RA-200**	**R-LL**	**R-100**	**R-75**	**R-60**	**R-SR**	**R-TH**	**R-IF**	**LRR**	**MRR**	**HRR**
Boarding or Rooming House									C	C	C
~~Customary~~ Home Occupation	C	C	C	C	C	C	C	C	C	C	C
Dormitory	S								P	P	P
Dwelling, Accessory	C	C	C	C	C	C	C	C			
~~Dwelling, Boarding or Rooming House~~									~~C~~	~~C~~	~~C~~
Dwelling, Cottage Court				C	C			C			
Dwelling, Duplex							C	C	C		
Dwelling, Fourplex								C	C		
Dwelling, Live/Work							C	C	C	C	C
Dwelling, Mobile or Manufactured Home	P										
Dwelling, Multifamily									C	C	C
Dwelling, Multiplex								C	C		
Dwelling, Senior-Oriented						C					
Dwelling, Single-Family Detached	P	P	P	P	P		P	P			
Dwelling, Townhouse							~~P~~ C	~~P~~ C			
Dwelling, Triplex								C	C		
Dwelling, Villa						C	C	C			
Personal Care Home, Congregate	S/C	S/C	S/C								
Personal Care Home, Family	C	C	C								
Personal Care Home, Group	S/C	S/C	S/C								
Retirement Community, Independent Living or Continuing Care									P	P	P

Section 210-140. Conditional Uses within Base Residential Zoning Districts.

210-140.1 Agricultural Uses (crop or animal production). Agricultural uses ~~(crop production)~~ shall be subject to the following standard:

A. Corrals, stables, barns, pens, coops, chicken houses, and other similar animal quarters shall be located no closer than 100 feet to any property line.

210-140.2 Agricultural Uses (livestock). Agricultural uses ~~(livestock)~~ shall be subject to the following standards:

A. In the RA-200 ~~Zoning~~ zoning ~~District~~district: The keeping of livestock shall be permitted. Corrals, stables, barns, pens, coops, chicken houses, and other similar livestock quarters shall be located no closer than 100 feet to any property line.

B. In all other zoning districts: the raising and keeping of livestock ~~for personal pleasure or utility~~ on a parcel which contains the dwelling of the owner of the livestock is permitted, provided that the parcel is at least ~~3~~three acres in area and all animal quarters are located no closer than 100 feet from any property line.

1. In non-agricultural residential zoning districts, the keeping of chickens ~~for personal pleasure or utility~~ on a parcel which contains the dwelling of the owner is permitted, subject to the following requirements:

   a. The minimum lot size for the keeping of chickens shall be ~~ten thousand five hundred (~~10,500~~)~~ square feet.

   b. Chickens must be kept securely in an enclosed yard or ~~6~~six-sided pen at all times.

   c. Minimum pen area for chickens shall be ~~ten (~~10~~)~~ square feet per chicken.

   d. Chickens must be housed at least ~~twenty (~~20~~)~~ feet from any property line, and ~~fifty (~~50~~)~~ feet from any residence on an adjoining parcel.

   e. Any structure housing chickens must be located in the rear yard.

   f. The keeping of roosters shall be a prohibited use, for which a variance is not authorized.

   g. The maximum number of chickens shall be as follows: Lots 10,500 square feet to 12,499 square feet: maximum of ~~3~~three chickens; lots 12,500 square feet to 24,999 square feet: maximum of ~~5~~ five chickens; lots 25,000 square feet to 39,999 square feet: maximum of ~~8~~eight chickens; lots of 40,000 square feet to 2.99 acres: maximum of 10 chickens; lots ~~3~~three acres or larger: no maximum.

   h. Each coop shall have at least four ~~(4)~~ square feet of floor space per chicken over four ~~(4)~~ months old.

   i. Chickens are only permitted as pets or for egg laying production; chickens cannot be kept for slaughter or sale.

   j. Chickens must be kept under sanitary conditions and shall not be a public nuisance as defined by State law.

210-~~.~~140.3 Bed and Breakfast Inn. Bed and ~~Breakfast~~ breakfast i~~I~~nns shall be subject to the following ~~requirements~~standards:

A. The operator of the establishment shall reside on the site.

B. The use shall have a lot area of not less than 20,000 square feet. The structure shall have a minimum heated floor area of 2,500 square feet.

C. No guest shall reside in a Bed and Breakfast Inn for a period in excess of 14 days.

D. The structure shall be compatible with the character of the neighborhood in terms of height, setbacks and bulk. Any modifications to the structure shall be compatible with the character of the neighborhood.

E. Guest rooms may not be equipped with cooking facilities.

F. Food may be served on the premises only for overnight guests and employees of the Bed and Breakfast Inn.

210-140.4 Beekeeping. Beekeeping shall ~~meet~~ be subject to the following standards~~requirements~~:

A. Honeybees shall not be kept on lots containing less than 10,000 square feet. No more than two colonies or hives, with only two swarms, shall be allowed per 10,000 square feet of lot area.

B. Hives shall be marked or identified to notify visitors.

C. No hive shall exceed 20 cubic feet in volume.

D. No hive shall be located closer than ten feet from any property line or 25 feet from any principal building on an adjoining parcel.

E. No hive shall be located closer than 50 feet from a public right-of-way.

F. A constant supply of water shall be provided for all hives.

G. A flyway barrier at least six feet high ~~in height~~ shall shield any part of a property line that is within 25

feet of a hive. The flyway barrier shall consist of a wall, fence, dense vegetation, or a combination thereof.

H. Any colony or hive which becomes a nuisance as defined by state law must be removed by the owner.

I. Abandoned colonies or hives and diseased bees shall be removed (this shall not prohibit the use of swarm traps) by the owner.

210-140.5 Boarding or Rooming House. Boarding or rooming houses shall be limited to no more than six non-transient boarders.

210-140.6 Cemetery, Family Cemetery or Mausoleum. ~~Except when accessory to a place of worship;~~ Cemeteries, family cemeteries and ~~mausoleums~~ mausoleums, except when accessory to a place of worship, shall be subject to the following standards~~conform to the following requirements~~:

A. The use shall have frontage on a street classified as a Collector or Arterial roadway or along a State Highway, and the entrance and exits shall only be from the classified street on which it fronts.

B. The use shall be bordered by a 25-foot ~~in depth~~ wide buffer and a minimum six-foot-high decorative fence or wall along all its exterior property lines not bordering the frontage street and not extending into the required front ~~yard~~setback. The buffer strip shall be planted with evergreen trees or shrubs that grow at least eight ~~-~~ feet ~~-~~ tall and provide an effective visual screen. A 25-foot ~~in depth~~ wide buffer and a four-foot-high decorative fence or wall shall be installed along the right-of-way of any abutting public street.

C. Prior to permit approval, a site plan and a covenant for perpetual care shall be submitted to the Department of Planning and Development. The covenant for perpetual care shall include measures to be undertaken to preserve, protect, and provide for ongoing maintenance including the fencing, landscaping, and gravesites.

D. The covenant for perpetual care and a plat of survey delineating the limits of the use shall be recorded in the Gwinnett County Clerk of Superior Court (Deeds and Records).

~~**210-140.6**~~ **210-140.7 Community Garden.** Community gardens shall be subject to the following ~~requirements~~standards:

A. Outdoor lighting shall be prohibited.

B. The garden shall be within a fully fenced area.

C. Signage shall be limited to a single, non-illuminated sign of no more than four square feet.

D. Gardening equipment and machinery must be stored in an enclosed, secure building or shed and meet all required setback~~s~~.

E. Retail sales shall be prohibited.

F. Composting is permitted on the premises if stored in a manner that controls odor, prevents insect or rodent infestation, and minimizes runoff into waterways and onto adjacent properties.

G. The garden must maintain an orderly appearance and may not be neglected or allowed to become overgrown or eroded.

H. If a community garden ceases operation, and is no longer desired by the owners, it shall be stabilized with grass, trees and/or shrubbery in accordance with a plan submitted for approval by the Director.

~~**210-140.7**~~**210-140.8 Community Center or Cultural Facility~~.~~.** Community centers or cultural facilities shall be subject to the following standards~~conform to the following requirements and restrictions~~. Properties not meeting these ~~requirements~~ standards shall be required to obtain a Special Use Permit.

A. The use shall be located on a Principal Arterial, Major Arterial, Minor Arterial, Major Collector Street or State Highway on a site of not less than five acres with at least 250 feet of road frontage.

B. All buildings shall be located not less than 50 feet from any street and not less than 30 feet from any side or rear property line.

C. Parking shall not be permitted within the minimum required front building setback.

D. A minimum 50-foot-wide ~~in depth~~ buffer shall be provided adjacent to residentially zoned properties.

~~D.~~E. The following additional uses may be permitted as accessory to a community center or cultural facility only upon approval of a Special Use Permit:

~~A.~~ 1. ~~-~~Lighted outdoor ball fields, pools, or similar recreation facilities.

~~B.~~ 2. Cemeteries or mausoleums.

~~C.~~ 3. Day Care Centers.

4. ~~———~~Private schools (K-12).

~~210-140.8~~210-140.9 Country Clubs or Golf Courses. ~~Properties~~Country c~~C~~lubs or g~~G~~olf c~~C~~ourses not meeting the following ~~requirements~~ standards shall be required to obtain a Special Use Permit.

A. The main clubhouse entrance shall be located on a Principal Arterial, Major Arterial, Minor Arterial, Major Collector Street or State Highway, unless the entrance is located internal to a planned golf course residential development.

B. The property shall contain a minimum of ten acres and a minimum 300 feet of road frontage.

C. Adequate off-street parking shall be provided for the use.

D. Buildings and parking lots shall be located not less than 50 feet from any street and not less than 40 feet from any side or rear property line.

E. Any driving ranges shall be located not less than 50 feet from any street and not less than 100 feet from any side or rear property line.

~~**210-140.9 Customary Home Occupation.** Customary Home Occupations shall be subject to the following requirements and restrictions:~~

~~A. The home occupation shall be carried on only by a member or members of the family residing in the residence.~~

~~B. No sale of items may occur on the premises unless a Special Use Permit is granted by the Board of Commissioners.~~

~~C. Personal services may be provided to a maximum of two clients in the residence at any given time. Service hours shall be limited to between 8 AM to 7 PM daily. A maximum of 5 clients may receive service in any residence per day.~~

~~D. The home occupation shall not involve group instruction or group assembly of people on the premises.~~

~~E. There shall be no exterior evidence of the conduct of a home occupation. The home occupation shall be conducted only within the enclosed living area of the home (including basement, if any). There shall be no display or storage of products, materials, or machinery where they may be visible from the exterior of the residence.~~

~~F. Except as contained herein, the conduct of the home occupation shall neither increase the normal flow of traffic nor shall it increase either on-street or off-street parking.~~

~~G. No equipment, Ssupplies, or materials may be utilized or stored in the conduct of the home occupation except those which are normally used for domestic or household purposes.~~

~~H. No more than 25 percent of the dwelling unit may be used for conducting the home occupation.~~

~~I. One business vehicle used exclusively by the resident is permissible. This vehicle may only be an automobile, pick-up truck, van, or sport-utility vehicle.~~

~~J. Any deviations from these requirements shall require approval as a Special Use Permit.~~

210-140.10 Day Care Facility (adult or child). Day care facilities shall be subject to the following standard:

A. Day c~~C~~are f~~F~~acilities are only permitted in single-family detached dwellings.

~~**210-140.10**~~**210-140.11 Dwelling, Accessory.** A~~Detached a~~ccessory dwellings shall be subject to the following standards ~~are only permitted on lots with a single-family detached residence. Detached accessory dwellings, shall only be located in a rear yard, and shall be subject to the following setback requirements:~~:

~~Zoning District~~	~~Minimum Side Yard Setback~~	~~Minimum Rear Yard Setback~~
~~RA-200 and R-LL~~	~~20 feet~~	~~40 feet~~
~~R-100~~	~~10 feet~~	~~20 feet~~
~~R-75, R-60, R-SR, TND, R-TH, LRR~~	~~10 feet~~	~~15 feet~~
~~R-IF~~	~~5 feet~~	~~10 feet~~

~~Prior to occupancy of an accessory dwelling unit, the owner of the principal single-family dwelling shall receiveapply 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:~~

A. Accessory dwellings are only permitted on lots with a single-family detached residence.

B. Detached accessory dwellings shall only be located in a rear yard, and shall be subject to the following setback requirements:

Zoning District	Minimum Side Setback	Minimum Rear Setback
RA-200 and R-LL	20 feet	40 feet
R-100	10 feet	20 feet
R-75, R-60, R-SR, R-TH	10 feet	15 feet
R-IF	5 feet	10 feet

~~A.~~C. No more than one accessory dwelling unit per ~~primary~~principal dwelling unit.

~~B.~~D. The ~~primary~~principal dwelling unit shall be owner-occupied.

~~C.~~E. The accessory dwelling unit shall not exceed 50 percent~~%~~ of the principal residence's heated floor area.

~~D.~~F. The accessory dwelling unit may be in a separate building from the ~~primary~~ principal dwelling unit or may be attached ~~to the principal residence~~ and accessible from a separate entrance.

~~E.~~G. If in a separate building, the height of the building containing the accessory dwelling shall not exceed the height of the principal dwelling.

~~F.~~H. Detached accessory dwellings 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.

~~G.~~I. Accessory dwelling units shall contain a full kitchen~~=~~ and at least one full bathroom.

~~H.~~J. The occupants of an accessory dwelling shall not be included in the calculation of occupancy for the ~~primary~~principal dwelling or for the lot under the definition of a family.

~~I.~~K. 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~~principal dwelling unit.

~~J.~~L. An accessory dwelling shall have a separate electrical meter and service panel with main disconnect.

M. An accessory dwelling shall have a backflow preventer and shut-off valve on the potable water service line.

~~A.~~N. Prior to occupancy of an accessory dwelling unit, the owner of the principal single-family dwelling shall receive a Certificate of Occupancy for the accessory dwelling.

~~210-140.11~~210-140.12 **Dwelling, Cottage Court.** Cottage c~~C~~ourts ~~developments~~ shall be subject to the following standards~~must meet the following additional requirements~~:

A. Cottage ~~cluster~~ court developments shall be designed to accommodate a minimum of four and a maximum of ~~twelve~~ 12 detached dwelling units surrounding a shared internal courtyard. Each unit shall have a ~~usable~~minimum four-foot-deep and six-foot-wide ~~6-feet-deep~~ front porch with direct access to the courtyard.

B. Front porches may encroach up to ~~6~~six feet into the courtyard.

C. Each dwelling unit shall have a maximum building footprint of 1,200 square feet and a maximum building height of 24 feet or 1.5 stories.

D. Courtyards shall be a minimum of 3,000 square feet in size or 600 square feet per unit, whichever is greater. A minimum of 70 percent of the courtyard shall consist of pervious material, of which a minimum of 50 percent of the courtyard shall be landscaped. Courtyards shall not be parked or driven upon except for emergency access and permitted temporary events.

~~D.~~E. A cottage court development may be subdivided into individual lots that do not meet the minimum street frontage requirements and may be treated as fee-simple or condominium lots.

~~210-140.12~~210-140.13 **Dwelling, Duplex.** Duplex dwellings shall be subject to the following standards~~shall meet the following additional requirements~~:

A. The rear facades of buildings~~Duplexes~~ shall not be oriented toward abutting external streets.

B. Duplexes may be side-by-side or stacked.

C. Each unit shall have a full kitchen and at least one full bathroom and bedroom.

D. Duplexes shall meet the additional following design guidelines:

1. Have a ~~usable~~ minimum four-foot-deep and six-foot-wide front porch.

2. Shall be designed to have the external appearance of ~~one~~ a single-family home.

E. Duplexes in the R-IF District shall be located on individual lots meeting the following additional requirements:

1. Minimum lot size: 5,000 square feet.

~~210-140.13~~210-140.14 **Dwelling, Fourplex.** Fourplex dwellings shall be subject to the following standards~~shall meet the following additional requirements~~:

A. The rear facades of buildings ~~Fourplexes~~ shall not be oriented toward abutting external streets.

B. Fourplexes may be side-by-side and/or stacked.

C. Each unit shall have a full kitchen and at least one full bathroom and bedroom.

D. Fourplexes shall meet the additional following design guidelines:~~:~~

1. Have a ~~usable~~ minimum four-foot-deep and six-foot-wide ~~-~~front porch.

2. Shall be designed to have the external appearance of ~~one~~ a single-family home.

E. Fourplexes in the R-IF District shall be located on individual lots meeting the following additional requirements:

1. Minimum lot size: 7,200 square feet.

2. Minimum front ~~yard~~ setback: 15 feet.

3. Minimum rear ~~yard~~ setback: 20 feet.

~~210-140.14~~210-140.15 **Dwelling, Live/work.** Live/work dwellings shall be subject to the following standards~~shall meet the following additional requirements~~:

A. Each live/work unit shall contain a minimum of 1,500 square feet of heated floor area, of which the non-residential (work) portion of the unit shall be no less than 500 square ~~feet, but~~feet but shall not exceed 50 percent of the unit size.

B. The rear facades of buildings~~Live/work units~~ shall not be ~~on the ground floor and~~ oriented toward ~~the~~ internal or external streets.

C. An occupational tax certificate for the non-residential (work) use shall be required. Live/work units shall not be considered home occupations.

D. Shall be limited to professional office and personal service uses.

E. Shall meet the parking requirements for both uses.

1. Live/work units in the R-TH district shall meet the following additional requirements: Shall be limited to no more than 10 percent of total units within a townhouse development.

2. Shall be limited to professional office uses only. No personal service uses shall be permitted.

3. One additional off-street parking space shall be required for each live/work unit.

4. Shall be limited to no more than two~~one~~ business related visitors at any given time. Business related visitors shall be limited to the hours of 8 AM to 7~~5~~ PM daily~~, Monday through Friday~~.

~~210-140.15~~210-140.16 **Dwelling, Multifamily.** Multifamily dwellings shall be subject to the following standards~~shall meet the following additional requirements~~:

~~A. No more than 20 percent of dwelling units may be efficiency units.~~

~~B. No more than 10 percent of units may include three or more bedrooms.~~

~~C.~~A. No more than ~~5~~five percent of units may be carriage houses. Carriage houses and detached garages shall not be located adjacent to an abutting external street and shall be constructed of the same façade materials of the principal ~~structure(s)~~multifamily buildings.

~~D.~~B. The rear facades of buildings~~The fronts of buildings~~ shall not be oriented toward abutting external streets. Front facades shall have ~~with~~ at least one direct pedestrian connection to an external sidewalk~~s~~.

~~E.~~C. No more than 20 percent of provided off-street parking spaces may be located between the façade of the building and the street on which the building faces. ~~–~~All off-street parking areas within the front yard shall be screened from external rights-of-way with landscaping.

D. In the M~~M~~RR and HRR zoning districts, up to ~~10~~ 20 percent of ground floor space may be utilized ~~as office, and/or retail uses.~~as non-residential uses permitted in the C-1, Neighborhood Business Zoning District.

~~F.~~E. In the MRR and HRR zoning districts, all unit access above ground~~street~~ level shall be from interior corridors. Mechanical ventilation, breezeway, and natural ventilation openings in the exterior façade shall be prohibited.

F. A minimum of 25 percent of units shall include usable balcony/patio space.

G. ~~Mulitfamily~~Multifamily residential developments shall provide facilities for recycling which meet the dumpster standards of Section 230-30.13.

~~210-140.16~~210-140.17 **Dwelling, Multiplex.** Multiplex dwellings shall be subject to the following standards~~shall meet the following additional requirements~~:

A. Shall be limited to a minimum of five units and a maximum of 16~~2~~ units.

~~B. No more than 20 percent of dwelling units may be efficiency units.~~

C Multiplexes shall be oriented toward abutting external streets or usable open space.

D. Multiplex units may be side-by-side and/or stacked.

E. Shall have one or more direct pedestrian connections to external sidewalks.

F. Shall include shared open space to include shared lawns, courtyards, community gardens, roof gardens, play areas, etc. Any open space that includes structures such as play equipment, accessory structures, etc. shall be located within the rear yard.

G. Units shall be accessed from internal corridors with mechanical ventilation. Breezeway and corridor natural ventilation openings in the exterior façade shall be prohibited.

H. Off-street parking shall not be located within the front yard and shall be screened from external rights-of-way.

I. Multiplexes shall meet the additional following design guidelines.

1. Facades shall be broken up horizontally, through building materials and offsets.

~~2.~~ In the R-IF District, shall have focused, predominant entryways with no more than two entry points or have the appearance of no more than two entry points. If located on a corner lot, no more than two entry points may be oriented toward an external street.

J. Multiplexes in the R-IF District shall be located on individual lots meeting the following additional requirements:

1. Minimum lot size: 8,000 square feet.

2. Minimum front ~~yard~~ setback: 15 feet.

3. Minimum rear ~~yard~~ setback: 20 feet.

4. Minimum side ~~yard~~ setback: 10 feet.

~~210-140.17~~210-140.18 **Dwelling, Senior~~-~~Oriented.** Senior~~-~~oriented dwellings shall be subject to the following standards~~shall meet the following additional requirements~~:

~~A. Attached Villas shall meet the following requirements:~~

~~1. Villa developments shall have at least 50 feet of frontage on an external road.~~

~~2. Units shall be at least 40 feet in width.~~

~~3. A minimum 20 foot~~12-foot-wide setback separation ~~shall be maintained between buildings.~~

~~4. The following setbacks shall apply to the perimeter of the development: Minimum front yard: 20 feet, Minimum side yard: 10 feet, Minimum rear yard: 20 feet.~~

~~5. Villa buildings shall have a minimum of three units and a maximum of four units.~~

~~B.~~A. All homes shall be limited to one-story; however, bonus rooms in attics shall be allowed.

~~C.~~B. All homes shall include a minimum ~~double~~single-car garage.

~~D.~~C. All dwellings shall incorporate ADA accessibility standards and shall include the following:

1. Easy access step free feature at entrances to the unit.

2. Easy passage feature requiring 32-inch wide, clear passage doorways throughout the unit.

3. Easy use feature requiring wheelchair accessible bedroom(s), kitchen, entertainment area and bathroom(s), via step-free entrance.

~~E.~~D. The ~~R-SR District~~development shall require a mandatory homeowners association. The association shall publish and adhere to policies and procedures that demonstrate that the community is intended to provide housing for persons 55 and over including maintaining

surveys or affidavits verifying compliance with 55 and older occupancy requirements as permitted by 42 U.S.C. Section 3607,
(b) (2) (c) of the Federal Fair Housing Act. The association shall also include declarations and bylaws including rules and regulations, which shall at a minimum regulate and control the following:

1. Restriction on homes being occupied, with at least 80 percent of the occupied units occupied by at least one resident who is age 55 or older.
2. Restrictions on single-family residential use only and leasing of units. No more than 10 percent of the total units may be leased by individual owners at any one time.
3. Maintenance of exterior items such as fences, lawn ornaments and restrictions on removal of landscaped areas and buffers.

~~210-140.18~~210-140.19 **Dwelling, Townhouse.** Townhouse dwellings shall be subject to the following standards~~shall meet the following additional requirements~~:

A. All townhouse dwellings shall include a minimum one-car garage that is either under the unit or detached. ~~Garage doors shall be setback at least 18 ft. from the adjacent sidewalk or alley so that a parked vehicle in the driveway will not obstruct the sidewalk or alley.~~

B. All rear-loaded townhouse buildings shall include a continuous walkway~~sidewalk~~ no less than ~~3 ft.~~three feet in width connecting front entrances of all dwellings to sidewalks.

C. The fronts of buildings shall be oriented toward abutting external streets with at least one direct pedestrian connection to external sidewalks.

D. All townhouse units shall provide a minimum four-foot-deep and five-foot-wide~~usable~~ front porch.

E. Additional guest parking shall be provided at a ratio of 0.25 spaces per dwelling unit. Guest parking ~~may~~shall either be provided as on-street parallel parking or within separate off-street parking lots~~. Guest parking~~, and shall be distributed throughout the development~~. or in a centrally located location.~~

F. All townhouse developments shall include a minimum of 50 feet of external road frontage.

~~210-140.19~~210-140.20 **Dwelling, Triplex.** Triplex dwellings shall be subject to the following standards~~shall meet the following additional requirements~~:

A. The rear facades of buildings~~Triplexes~~ shall not be oriented toward abutting external streets.

B. Triplexes may be side-by-side and/or stacked.

C. Each unit shall have a full kitchen and at least one full bathroom and bedroom.

D. Triplexes shall meet the additional following design guidelines:

1. Have a ~~usable~~ minimum four-foot-deep and six-foot-wide front porch.
2. Shall be designed to have the external appearance of ~~one~~ a single-family home.

E. Triplexes in the R-IF District shall be located on individual lots meeting the following additional requirements:

1. Minimum lot size: 5,000 square feet.
2. Minimum front ~~yard~~ setback: 15 feet.
3. Minimum rear ~~yard~~ setback: 20 feet.

210-140.21 Dwelling, Villa. Villa developments shall be subject to the following standards:

A. Villa buildings shall have a minimum of three dwelling units and a maximum of four dwelling units.

~~Villa developments shall have at least 50 feet of frontage on an external road.~~

B. The following setbacks shall apply to the perimeter of the development:

1. Minimum front setback: 20 feet.

2. Minimum side setback: 10 feet.

3. Minimum rear setback: 20 feet.

C. A minimum 12-foot-wide separation shall be maintained between buildings.

D. All dwellings shall incorporate ADA accessibility standards and shall include the following:

1. Easy access step free feature at entrances to the unit.

2. Easy passage feature requiring 32-inch wide, clear passage doorways throughout the unit.

3. Easy use feature requiring wheelchair accessible bedroom(s), kitchen, entertainment area and bathroom(s), via step-free entrance.

E. The development shall require a mandatory homeowners association. The association shall publish and adhere to policies and procedures that demonstrate that the community is intended to provide housing for persons 55 and over including maintaining surveys or affidavits verifying compliance with 55 and older occupancy requirements as permitted by 42 U.S.C. Section 3607, (b) (2) (c) of the Federal Fair Housing Act. The association shall also include declarations and bylaws including rules and regulations, which shall at a minimum regulate and control the following:

1. Restriction on homes being occupied, with at least 80 percent of the occupied units occupied by at least one resident who is age 55 or older.

2. Restrictions on single-family residential use only and leasing of units. No more than 10 percent of the total units may be leased by individual owners at any one time.

3. Maintenance of exterior items such as fences, lawn ornaments and restrictions on removal of landscaped areas and buffers.

210-140.22 Equestrian ~~Facilities~~Facility, Riding Stables, or ~~Academies~~Academy. Equestrian facilities, riding stables, or academies shall be subject to the following standard:

~~**210-140.20**~~A. Stables, corrals, riding rings and other similar facilities shall be located no closer than 100 feet to any property line**.**

210-140.23 Farmers~~'~~ Market~~s (on-site products only)~~. Farmers markets shall be subject to the following standard:

A. Any temporary or permanent structure for the sale of farm products shall be located no closer than 35 feet to any side or rear property line and may be no larger than 1,000 square feet.

210-140.24 Home Occupation. Home o~~O~~ccupations shall be subject to the following ~~requirements and restrictions:~~standards:

~~**Home Occupation**. Home Occupations shall be subject to the following requirements and restrictions:~~

A. The home occupation shall be carried on only by those ~~a member or members of the family~~ residing in the residence.

B. No sale of items may occur on the premises unless a Special Use Permit is granted by the Board of Commissioners.

C. Personal services may be provided to a maximum of two clients in the residence at any given time. Service hours shall be limited to between 8 AM to 7 PM daily. A maximum of five clients may receive service in any residence per day.

D. The home occupation shall not involve group instruction or group assembly of people on the premises.

E. There shall be no exterior evidence of the conduct of a home occupation. The home occupation shall be conducted only within an ~~the~~ enclosed structure~~living area of the home~~ (including basement, if

any). There shall be no display or storage of products, materials, or machinery where they may be visible from the exterior of the residence.

F. Except as contained herein, the conduct of the home occupation shall neither increase the normal flow of traffic nor shall it increase the space dedicated to ~~either~~ on-street or off-street parking.

~~No equipment, supplies, or materials may be utilized or stored in the conduct of the home occupation except those which are normally used for domestic or household purposes.~~

G. If conducted within a dwelling unit, n~~N~~o more than 25 percent of the dwelling unit may be used for conducting the home occupation. If conducted within an accessory structure, no more than 50 percent of the accessory structure may be used for conducting the home occupation.

H. One business vehicle used exclusively by the resident is permissible. This vehicle may only be an automobile, pick-up truck, van, or sport-utility vehicle.

~~**210-140.21**~~

210-140.25 Kennel~~s and~~ or Pet Boarding. Kennels or pet boarding shall be subject to the following standard:

~~**210-140.22**~~A. Dog runs, pens and other similar facilities shall be located no closer than 100 feet to any property line.

~~**210-140.23**~~**210-140.26 Landfill~~s~~.** Landfills shall meet the following ~~requirements~~standards:

A. A minimum 200 ~~-~~foot-wide ~~in depth~~ natural, undisturbed buffer shall be provided between all active waste burial areas and exterior property lines except for approved perpendicular access and utility crossings.

B. A minimum 75 ~~-~~foot ~~in depth~~ -wide natural, undisturbed buffer shall be provided between non-waste disposal operations and exterior property lines except for approved perpendicular access and utility crossings.

C. The limits of any 100-year floodplain or a stream buffer of 200 feet, whichever is greater, shall be preserved as natural, undisturbed area except for approved perpendicular access and utility crossings.

D. The entire site shall be fenced with a minimum eight-foot-tall chain link security fence.

E. The landfill shall be located on or have direct private access to a road classified as a major collector, minor arterial, major arterial, or principal arterial.

F. A report detailing the phasing of the landfill and plans for closure and reclamation shall be provided prior to issuance of any permits.

G. Sanitary landfills allowed within the Big Haynes Creek Watershed shall utilize synthetic liners and leachate collection systems.

H. The following waste disposal activities, recycling facilities, and recovery activities shall be permitted as accessory uses to landfills, unless otherwise stipulated by the Board of Commissioners:

1. Composting, Municipal Solid Waste.
2. Composting, Yard Trimmings.
3. Consumer Recycling Centers.
4. Gas Recovery/Gas Co-generation Plant.
5. Recovered Materials Processing Facility.
6. Solid Waste Transfer Stations.

I. Facilities which handle hazardous materials, of the types and amounts determined by the Georgia Department of Natural Resources, shall perform all operations on impermeable surfaces having spill and leak protection systems as prescribed by the Georgia Department of Natural Resources.

J. The property shall contain a minimum of 100 acres.

K. Within the Big Haynes Creek and Alcovy River Watersheds, landfills and hazardous waste facilities are subject to the following:

1. New sanitary landfills shall utilize synthetic liners and leachate collection systems.

2. Hazardous waste treatment or disposal facilities are prohibited.

3. Facilities which handle hazardous materials, of the types and amounts determined by the Georgia Department of Natural Resources, shall perform all operations on impermeable surfaces having spill and leak protection systems as prescribed by the Georgia Department of Natural Resources.

~~210-140.24~~210-140.27 **Livestock Sales Pavilion or Auction Facility.** Livestock sSales pPavilions or aAuction fFacilities shall ~~meet~~ be subject to the following standards:

A. Such facilities shall be located on a Principal Arterial, Major Arterial, Minor Arterial, Major Collector Street or State Highway.

B. The property shall contain a minimum of 10 acres.

C. Livestock sales pavilions, auction facilities, show rings or other arenas for the display, exhibition training or sale of livestock, and animal quarters shall be located no closer than 100 feet to any property line.

D. Adequate off-street parking shall be provided for livestock trailers, recreation vehicles, etc., associated with the use.

~~210-140.25~~210-140.28 **Personal Care Home, Congregate.** Congregate pPersonal cCare hHomes shall be located on a lot of at least one~~1~~ acre in size ~~and shall be limited to sixteen or more residents~~.

~~210-140.26~~210-140.29 **Personal Care Home, Family.** Family pPersonal cCare hHomes shall be located on a lot of at least ~~1~~one acre in size ~~and shall be limited to no more than six residents~~.

~~210-140.27~~210-140.30 **Personal Care Home, Group.** Group pPersonal cCare hHomes shall be located on a lot of at least ~~1~~one acre in size ~~and shall be limited to between 7 and 15 residents~~.

~~210-140.28~~210-140.31 **Place~~s~~ of Worship.** In all residential zoning districts, places of worship shall ~~-~~ be subject to the following standards. ~~conform to the following requirements.~~ Residentially zoned properties not meeting these requirements shall be required to obtain a Special Use Permit.

A. They shall be located on a Principal Arterial, Major Arterial, Minor Arterial, Major Collector Street or State Highway on a site of not less than five acres with 250 feet of road frontage.

B. The buildings shall be located not less than 50 feet from any street and not less than 30 feet from any side or rear property line.

C. Parking shall not be provided in the front yard ~~building setback area~~.

D. A minimum 20-foot ~~in depth~~ wide buffer shall be provided adjacent to residentially zoned properties. This buffer shall be increased to 50 ~~-~~ feet ~~-~~ wide ~~in depth~~ adjoining a detention pond and any church recreation facilities, such as, but not limited to an indoor gym or outdoor playground.

E. The place of worship may utilize one manufactured building for worship services for an initial period not to exceed one ~~three~~ year~~s~~. –

F. ~~Uses Requiring Special Use Permit. In residential zoning, the following additional uses may be permitted as accessory to a place of worship~~Day Care Centers and Day Care Facilities are allowed as an accessory use. The following accessory uses may be allowed ~~only~~ upon approval of a Special Use Permit:

1. Lighted outdoor ball fields, pools, or similar recreation facilities.

2. Cemeteries or mausoleums.

~~3. Day Care Centers.~~

~~4. Kindergartens.~~

~~5.~~3. Private schools (K-12).

~~6.~~4. Health and social services: including out-patient clinics, transitional housing, shelters, and other similar facilities.

~~210-140.29~~210-140.32 **School, Private.** Private schools shall be subject to the following standards~~shall conform to the following requirements~~:

A. The use shall be located on property with direct access to a roadway classified as a collector or higher category.

B. Minimum Lot Size (based on the highest grade level offered):

1. Elementary School: two acres, plus one additional acre for each 100 students based on the design capacity of the school.

2. Middle School: three acres plus one additional acre for each 100 students based on the design capacity of the school.

3. High School: five acres, plus one additional acre for each 100 students based on the design capacity of the school.

C. When adjacent to a residential zoning district, the following additional standards shall apply:

1. A minimum 50-foot ~~in depth~~ wide natural, undisturbed buffer shall be maintained adjacent to residential zoning ~~is required~~.

2. Driveways and parking areas must set back at least 25 feet from side property lines and five feet from any buffer.

3. Parking lots or outdoor lights shall not be closer than 100 feet from residences on adjacent property.

4. Outdoor recreational facilities shall be located at least 100 feet from property lines of adjacent residential properties.

D. Accessory Uses and Facilities. In addition to the accessory uses and facilities that are permitted in Chapter 230 for the zoning district in which the private school is located, additional accessory uses and facilities are permitted that are customarily associated with schools and intended primarily for the use of students, such as an auditorium, library, administrative offices, cafeteria and related kitchen and dining area, or outdoor recreational facilities.

~~210-140.30~~210-140.33 **Shooting ~~and~~ or Archery Range~~s~~ and similar Outdoor Recreation Facilities.** Shooting ~~and~~ or a~~A~~rchery r~~R~~anges and similar o~~O~~utdoor r~~R~~ecreation f~~F~~acilities shall be subject to the following standards~~shall conform to the following requirements~~:

A. Outdoor shooting ranges shall be located on properties with a minimum of 20 acres.

B. Outdoor recreation activities may include:

1. Community or private sports practices or games,

2. Paintball, zip lines, mudder or obstacle courses, or similar activities.

3. Other such activities, as may be authorized at the discretion of the Director ~~of Planning and Development~~.

C. Adequate off-street parking and restroom facilities shall be provided on-site.

D. No buildings or facilities associated with the use shall be located closer than 100 feet to any property line. Outdoor shooting ranges shall be a minimum of 300 feet from any property line.

~~210-140.31~~210-140.34 **Short-term Rental~~s~~.** Short-term r~~R~~ental ~~F~~f~~F~~acilities ~~s~~ shall be subject to the following standards~~shall conform to the following requirements~~:

A. There shall be no exterior evidence that a dwelling, part of a dwelling or a dwelling unit is being used as a short-term rental.

B. Outdoor parking shall only be provided on hard surface areas on the property and shall not be permitted outside such hard surface areas ~~consistent with the provisions of this title~~. There shall be no parking on the street, on neighboring properties, in the yard, or in the right-of-way.

C. The occupancy for a short-term rental shall be limited to two adults per bedroom. The total number of occupants of a dwelling unit must meet the definition of family provided in this UDO.

D. The property owner or responsible property manager shall at all times maintain their contact information posted in a conspicuous location near the primary entrance to the home.

~~210-140.32~~210-140.35 **Special Events~~/Banquet~~ Facility ~~or Rental Hall~~.** Special eEvents~~/Banquet~~ fFacilities ~~or Rental Halls~~ shall be subject to the following standards:~~shall conform to the following requirements.~~

A. Such facilities shall be located on a Principal Arterial, Major Arterial, Minor Arterial, Major Collector Street or State Highway.

B. The property shall contain a minimum of ~~3~~three acres.

C. Activities shall be limited to community or private parties, gatherings or charity events; weddings, wedding receptions; showers; business functions. Other similar events may also be included, at the discretion of the Director ~~of Planning and Development~~.

D. Guests shall be limited to no more than 150 people (subject to fire code limitations) at any one time. During inclement weather there shall be sufficient space to safely shelter guests. Adequate, permanent restroom facilities shall be provided, which shall meet the minimum requirements of the Board of Health and building code requirements.

E. Special event hours of operation shall be limited to between 9:00 a.m. and 11:00 p.m.

F. Adequate off-street parking facilities shall be provided on-site.

G. A minimum 50-foot-wide buffer shall be provided ~~to all~~ adjacent to all residentially-zoned properties.

210-140.36 Utility Transmission and Monitoring Facility. Utility transmission and monitoring facilities shall be subject to the following standards:

A. Facilities shall be set back a minimum of 50 feet from rights-of-way, and the side and rear setbacks for the principal building shall apply.

B. Facilities shall be enclosed by an opaque fence or wall. A row of evergreen trees shall be planted along the fence or wall to provide an effective year-round visual screen.

C. Storage of vehicles and equipment outside of the fence or wall shall be prohibited.

D. No signage shall be permitted for the facility.

~~210-140.33~~210-140.37 **Wild Animals (raising and keeping of).** Any resident who keeps a wild or exotic animal shall be subject to the following standards~~subject to the following standards meet the following requirements~~:

A. The owner or custodian of wild or exotic animals shall obtain any and all necessary permits and meet all requirements of the State of Georgia for such activity.

B. No animal quarters may be located closer than 200 feet to any property line.

Chapter 211. Base Non-Residential Zoning Districts

Section 211-10. O-I Office-Institutional District.

211-10.1 Purpose and Intent. The O-I Office-Institutional District is intended to provide a location for offices, institutions and limited related retail business and service activities in buildings of high character in attractive surroundings.

Section 211-20. C-1 Neighborhood Business District.

211-20.1 Purpose and Intent. The C-1 Neighborhood Business District is intended to provide for commercial uses of a convenience nature for nearby residential neighborhoods. These uses are intended to be facilities serving the everyday needs of these nearby neighborhoods rather than the larger community. The residential character of the area surrounding this district shall be of primary consideration when Rezonings, Special Use Permits or Variances to these regulations are reviewed.

Section 211-30. C-2 General Business District.

211-30.1 Purpose and Intent. The C-2 General Business District is intended to provide adequate space in appropriate locations along major streets, thoroughfares and intersections for various types of business use. These uses include the retailing of major goods and services, general office facilities and public functions that would serve a community area of several neighborhoods. The intensity of development and uses in the C-2 General Business District is greater than in the C-1 Neighborhood Business District because it is intended to serve a greater population and to offer a wider range of goods and services.

Section 211-40. C-3 Highway Business District.

211-40.1 Purpose and Intent. The C-3 Highway Business District is intended for business uses which require locations accessible to major highways and arterials that serve significant portions of the community. The C-3 district allows an intensity of development and uses that is greater than in the C-2 General Business District because it is intended to serve a greater population and to offer a wider range of goods and services. Due to the nature of the businesses permitted within the C-3 district, the zoning district should be limited to property fronting on principal arterials, major arterials or minor arterials, not indicated as residential arterials, as shown on the Long Range Road Classification Map. C-3 Districts should provide an internal transition in intensity or provide a step-down to less intensive zoning districts when adjacent to residential districts.

Section 211-50. M-1 Light Industry District.

211-50.1 Purpose and Intent. The M-1 Light Industry District is comprised of lands that are located on or have ready access to a Major Street or State Highway and are well adapted to industrial development but whose proximity to residential or commercial districts makes it desirable to limit the intensity of industrial operations and processes. This district limits industrial, manufacturing and warehousing uses to those which are wholly conducted indoors, with the exception of outdoor storage which is screened and situated in a side or rear yard.

Section 211-60. M-2 Heavy Industry District.

211-60.1 Purpose and Intent. The M-2 Heavy Industry District provides a location for industrial operations and processes conducted both indoors and outdoors, and which due to their intensity of use, should be located on or have ready access to a major thoroughfare or State Highway, and not in close proximity to residential areas.

Section 211-70. Dimensional Standards for Base Non-Residential Zoning Districts.

Dimensional Standard	O-I	C-1	C-2	C-3	M-1	M-2
Max. FAR	3.0[2]	0.5	1.0	2.0	1.0	2.0
Min. Lot Size (acres)[1]	N/A	N/A	N/A	N/A	1	1
Min. Lot Width (ft.)	N/A	N/A	N/A	N/A	150	150
Max. ~~Impervious~~Lot Coverage (% of lot)	80	80	80	80	80	80
Min. Front ~~Yard~~ Setback (ft.)	0	0	0	0	50	75
Min. Rear ~~Yard~~Setback ~~-~~(ft.)	0	0	0	0	50	75
Min. Side ~~Yard~~ Setback (ft.)	0	0	0	0	25	35
Max. Bldg. Height (ft.)	75	35	45	60	45	45

[1] Larger minimum lot sizes may be required for lots served by septic.

~~[2] No maximum FAR within Regional Activity Centers.~~

Section 211-80. Permitted Uses within Base Non-Residential Zoning Districts.

211.80.1 The uses set forth in the table below shall be permitted only as listed within each zoning district and only in the manner so listed. Any use not listed in said table shall be prohibited, except as contained herein. Additionally, for any use not listed in said table, the ~~d~~Director shall have the authority to determine the most appropriate zoning district(s) and/or Special Use Permit requirements for such use, after receiving documentation from the property owner adequately outlining and describing the specific details of the proposed use.

P: A permitted use.

S: A special use requiring a Special Use Permit subject to approval following the application procedures and requirements in Section 270-30 of the UDO.

C: A conditional use subject to the additional requirements in Section 211-9~~8~~0.

S/C: A Special Use Permit is ~~required~~required, and conditional use standards apply.

General Commercial Uses						
Land Use	**O-I**	**C-1**	**C-2**	**C-3**	**M-1**	**M-2**
Eating and Drinking Establishments, not included below		**P**	**P**	**P**		
Brewpub		P	P	P	P	P
Restaurant, with drive-in or drive-~~thru~~ through service			P	P		
Lodging Establishments, not included below	~~P~~C	~~P~~C	~~P~~C	~~P~~C		
Bed and Breakfast Inn		P	P	P		
Extended Stay ~~Facility~~Establishment			S/C	S/C		
Business, Medical, or Professional Offices, not included below	**P**	**P**	**P**	**P**	**P**	**P**
Automobile Brokerage Office, no storage of vehicles	C	C	C	C	C	C
Medical Laboratory	P		P	P	P	P
~~Research and Testing Laboratory~~	~~P~~			~~P~~	~~P~~	~~P~~
Radio, Recording, or Television Studio			P	P	P	P
Research and Testing Laboratory	P			P	P	P
Personal Services Establishments, not included below		**P**	**P**	**P**		
~~ATM, standalone drive-up~~			~~P~~	~~P~~		

Animal Care Establishment, indoor only	P	P	P	P	P	P
Animal Care Establishment, with outdoor pens or runs		S	S	P	P	P~~p~~
Appliance or Electronics Repair Establishment				P	P	P
ATM, standalone drive-up			P	P		
Bail Bonding Company				S		
Catering Service Establishment	S	S	P	P	P	P
Check Cashing/Payday Loan Establishment, ~~Standalone~~principal use			S	S		
~~Catering Service Establishment~~	~~P~~S	~~S~~	~~P~~	~~P~~	~~P~~	~~P~~
Commercial Kitchen	P	S	P	P	P	P
Day ~~c~~Care ~~Facility~~Center (adult or child)	P	P	P	P	S	S
Driving Instruction School				P	P	P
Locksmith Establishment		P	P	P	P	P
Massage Therapy Establishment		P	P	P		
Tattoo and Body Piercing Studio			P	P		
Taxidermy Shop				S	P	P
Tutoring and Learning Center	P	P	P	P	S	S
Retail Sales or Rental of Goods Establishments, not included below		**P**	**P**	**P**		
Copy and Print Store	P	P	P	P	P	P
Department or Wholesale Store			P	P		
Discount, Dollar, or Thrift Store			S	P		
~~Furniture Sales or Rental Store~~			~~P~~	~~P~~		
Fireworks Sales, a~~ncillary~~ccessory use		P	P	P		
Fireworks Sales Establishment, principal use			S	S		
Furniture Sales or Rental Store			P	P		
Garden Supply Center			~~S~~P	P		
Home Improvement or Building Supply Store			P	P		
Pawn Shop				S		
Precious Metals Dealer Establishment			P	P		
Smoke, Novelty, or CBD Shop			P	P		
Swimming Pool Sales or Supply Establishment with Outdoor Display				P	P	P
Entertainment and Recreation Uses						
Land Use	**O-I**	**C-1**	**C-2**	**C-3**	**M-1**	**M-2**
Indoor Entertainment and Recreation Facilities, not included below		**S**	**P**	**P**	**P**	**P**
Adult Entertainment Establishment					C	C
~~Health or~~ Fitness Center		P	P	P	S	S
Hookah~~,~~ Vapor Bar, or Cigar Lounge			S/C	S/C		
Lounge or Nightclub Establishment			S	P		
Microbrewery or Microdistillery Facility			C	C	C	C
Movie Studio	P			P	P	P
Movie Theater			P	P		
Pool or Billiards Hall~~s~~			P	P		
Shooting or Archery Range, indoor			S	S	S	S
Special Events Facility	S	S	P	P	S	S
Outdoor Entertainment and Recreation Facilities, not included below			**S**	**P**	**S**	**S**
Aircraft Landing Field, private			S	S	S	S
Shooting ~~and~~ or Archery Range, outdoor				S	S	S
Recreational Vehicle Park or Campground			S	P		

Civic and Institutional Uses						
Land Use	**O-I**	**C-1**	**C-2**	**C-3**	**M-1**	**M-2**
Civic, Private and Public Institutions, not listed below	**P**	**P**	**P**	**P**		
Club, Lodge, or Fraternal Organization Facility	S	P	P	P	S	S
~~Funeral Home~~			~~P~~	~~P~~	~~P~~	~~P~~
Cemetery, Family Cemetery, or Mausoleum			S/C	S/C		
Crematory, accessory use			S/C	S/C	C	
Crematory, principal use					S/C	C
Community Center or Cultural Facility		P	P	P	S	S
Funeral Home (without crematory)			P	P	P	
Place of Worship	P	P	P	P	P	P
School, Ccollege, Pprivate, Ttrade, or similar	C	C	C	C	S/C	S/C
Shelters, ~~community~~Emergency or Rresidential			S	S	S	S
Hospitals and Related Healthcare Facilities, not included below	**P**		**P**	**P**		
Nursing Home	P	P	P	P		
~~Residential Rehab Center (alcohol or drug)~~	~~S~~	~~S~~	~~S~~	~~S~~		
Personal Care Home, Ccongregate	S	P	P	P		
Personal Care Home, Group	S	P	P	P		
Residential Rehabilitation Center (alcohol or drug)	S	S	S	S		
Retirement Community, Continuing Care	P	P	P	P		
Retirement Community, ~~i~~independent Living ~~or Ccontinuing Ccare~~	S					
Automobile, Truck, Recreational Vehicle, Motorcycle, Boat, ATV, and Related Uses						
Land Use	**O-I**	**C-1**	**C-2**	**C-3**	**M-1**	**M-2**
Vehicle Rental and Related Services Establishments, not included below	**S**		**S**	**P**	**P**	**P**
Heavy Truck and Heavy Equipment Establishment					S	P
Taxi or Limousine Service Establishment				P	S	S
Vehicle Repair, Service, and Body Work Establishments, not included below			**S**	**P**	**S**	**S**
Aircraft Hanger or Maintenance Facility					P	P
Convenience Store, with Ffuel Ppumps			S	P		
Emissions Inspections Establishment			~~S~~C	C	C	C
Fleet Vehicle Repair Establishment					P	P
Heavy Truck or Heavy Equipment Repair Establishment					S	P
Parts and Accessories Store, without installation			P	P		
Parts and Accessories Store, with installation			S	P		
Vehicle Washing Establishment			S/C	C		
~~Emissions Inspections Establishment~~			~~C~~	~~C~~	~~C~~	~~C~~
Vehicle Sales and Related Services Establishments, not included below			**S/C**	**~~P/~~C**		
Heavy Truck and Heavy Equipment Sales Establishment					P	P
Industrial Uses						
Land Use	**O-I**	**C-1**	**C-2**	**C-3**	**M-1**	**M-2**
Contractors Offices, not included below				**P**	**P**	**P**
Carpet or Upholstery Cleaning Service Office			~~S~~P	P	P	P
Heavy/Civil Construction/Logging Contractors Office with Outdoor Storage					S	P

Landscaping Contractors Office with Outdoor Storage			S	~~P~~C	~~P~~C	~~P~~C
Heavy Industrial Facilities, not included below						**P**
Asphalt Plant						S
Composting Facility, municipal solid waste						S
Landfill						S
Poultry or Meat Slaughterhouse or Processing Plant						S
Quarry, Mine, or Borrow Pit						S
Recovered Materials Processing Facility						S/C
~~Poultry or Meat Slaughterhouse or Processing Plant~~						~~S~~
Salvage Operation or Junk Yard						S/C
Solid Waste Transfer Station						S
~~Quarrying, Mining, or Borrow Pit~~						~~S~~
Waste Incineration Facility						S
Light Industrial Facilities, not included below					**P**	**P**
Ambulance or Medical Transport Company			S	P	P	P
Brewery			S	S	P	P
Carpet or Upholstery Cleaning Service			S	P	P	P
Distillery			S	S	P	P
~~Crematory, as a principal use~~			~~S~~	~~S~~	~~S~~	~~S~~
Stone Yard or Stone Cutting Establishment			S	S	P	P
~~Bulk~~ Storage Tank, ~~(~~principal use~~)~~					S	S
Towing or Wrecker Service Establishment					S	S
Truck Terminal or Intermodal Transfer Station					S	S
~~Towing or Wrecker Service Establishment~~					~~S~~	~~S~~
Wood or Lumber Processing Facility					S/C	C
Utility and Infrastructure Facilities, not included below					**P**	**P**
Data Center					P	P
Telecommunications Tower and/or Antenna	C	C	C	C	C	C
Utility Transmission and Monitoring Facility	S/C	S/C	C	C	C	P
Warehouse, Wholesale, and Distribution Facilities, not included below					**P**	**P**
Auction House				P	P	~~p~~P
Landscape Supply				S	P	P
Plant Nursery				S	P	P
Self-Storage Facility~~, indoor climate controlled~~			S/C	S/C	S/C	S/C
~~Self-Storage Facility, all others~~					~~S/C~~	~~S/C~~
Outdoor Sales, Storage and Display Uses						
Land Use	**O-I**	**C-1**	**C-2**	**C-3**	**M-1**	**M-2**
Outdoor Sales and Storage of Goods, not included below			**S/C**	**C**	**C**	**C**
Automobile or Truck Storage Lot, ~~standalone or offsite~~principal use				S/C	S/C	C
~~Public or Private~~ Parking ~~Garage~~Structure or Lot, ~~standalone~~principal use	S	S	P	P	P	P
Outdoor Display or Sales of Merchandise~~of Goods, retail~~	C	C	C	C	C	C

Section 211-90. Conditional Uses within Base Non-Residential Zoning Districts.

211-90.1 Adult Entertainment Establishment. Adult eEntertainment eEstablishments shall conform to Chapter 18, Article XI and Chapter 86, Article IV of the Gwinnett County Code of Ordinances.

211-90.2 Automobile Brokerage Office. Automobile bBrokerage oOffices shall be subject to the following requirementsstandards:

A. The brokerage shall be limited to office activities only.

B. Vehicles for sale or lease shall not be delivered to, displayed, or parked on the premises at any time.

C. Maintenance, repair, refurbishing, washing, or detailing of automobiles on the premises is prohibited.

211-90.3 Automobile or Truck Storage Lot, principal use. Automobile or tTruck sStorage lLots shall be subject to the following requirementsstandards:

A. Storage lots for commercial vehicles, semis and/or tractor trailers shall be located on a site containing no less than 10 acres.

A.B. The entire lot shall be surrounded by a 15-foot in depth wide buffer adjacent to any public street, a 25- foot in depth buffer adjacent to a non-residential zoning district, and a 50-foot in depth wide buffer adjacent to any mixed-use or residential zoning district.

B.C. A security fence or wall is required enclosing the lot. The security fence or wall shall meet the requirements of Section 230-80.

C.D. No outdoor sound amplification device is permitted.

D.E. No inoperable or junk vehicles are permitted.

E.F. Outdoor lighting shall consist of cut-off luminaires that shall be directed inward so as not to direct light onto adjacent residential property. When adjacent to residentially-zoned property, any outdoor light fixtures shall not exceed 35 feet in height.

211-90.4 Cemetery, Family Cemetery or Mausoleum. Except when accessory to a place of worship; cemeteries, family cemeteries and mausoleums shall be subject to the following standardsconform to the following requirements:

A. The cemetery may front only on a street classified as a Collector or Arterial roadway or along a State Highway, and the entrance and exits to the cemetery shall only be from the classified street on which it fronts.

B. The cemetery shall be bordered by a 25-foot in depth wide buffer and a minimum six-foot-high decorative fence or wall along all of its exterior property lines not bordering the frontage street and not extending into the required front yardsetback. The buffer strip shall be planted with evergreen trees or shrubs that grow at least eight feet tall and provide an effective visual screen. A 25-foot in depth wide buffer and a four-foot-high decorative fence or wall shall be installed along the right-of- way of any abutting public street.

C. Prior to the approval of a request to use property as a cemetery, a site plan and a covenant for perpetual care shall be submitted to the Department of Planning and Development. The covenant for perpetual care shall include measures to be undertaken to preserve, protect, and provide for ongoing maintenance including the fencing, landscaping, and gravesites.

D. The covenant for perpetual care and a plat of survey delineating the limits of the cemetery shall be recorded in the Gwinnett County Clerk of Superior Court (Deeds and Records).

211-90.5 Crematory (Principal or Accessory)

D1 The facility shall be located at least 1,000 feet from residential property lines. Distance shall be measured by a straight line without regard to intervening structures or objects, from the structure to the closest point on a boundary.

211-90.5211-90.6 Emissions Inspections StationsEstablishment. Emissions inspections stationsestablishments shall meet be subject to the following design standards:

A. The facility shall be located in a permanent non-combustible structure.

B. The structure shall include a designated indoor public waiting area (minimum three fixed seats) with restrooms; or as an alternative, shall provide the required designated indoor waiting area and restrooms upon the same lot, within 500 feet of the testing facility.

C. The facility shall provide a minimum of four paved parking spaces. Drive-through facilities shall also provide a paved stacking lane for a minimum of four vehicles. Parking spaces and stacking lane shall be striped.

D. If constructed in an existing parking lot, the facility and stacking lane~~(s)~~ shall not occupy any required on-site parking space or encroach into any minimum required driveway width.

211-90.~~6~~7 Extended Stay Establishment. Extended s~~S~~tay e~~E~~stablishments shall be subject to the following ~~restrictions~~standards:

A. The minimum lot size shall be two acres.

B. Management shall be on duty 24 hours a day.

C. No business may operate from any guest room within the facility.

211-90.~~7~~8 Hookah/Vapor Bar or Cigar Lounge. Hookah/v~~V~~apor b~~B~~ars and c~~C~~igar l~~L~~ounges shall be subject to the following ~~restrictions~~standards:

A. Smoking of vapor products or hookah in any establishment that serves alcohol or food shall be prohibited.

B. Hookah bars and lounges shall not serve patrons under the age of 21.

C. Hookah bars and lounges shall be additionally subject to the requirements of the Smoke-free Ordinance in Article V, Chapter 38 of the Gwinnett County Code of Ordinances.

211-~~.~~90.~~7~~ ~~98~~ Landfill. Landfills shall be subject to the following standards:~~s~~

A. A landfill may be permitted in certain zoning districts of Gwinnett County by Special Use Permit, after a public hearing, provided the following conditions are met:

1. A minimum 200~~-foot-in-depth-~~foot-wide natural, undisturbed buffer shall be provided between all active waste burial areas and exterior property lines except for approved perpendicular access and utility crossings.

2. A minimum 75~~-foot-in-depth-~~foot-wide natural, undisturbed buffer shall be provided between non- waste disposal operations and exterior property lines except for approved perpendicular access and utility crossings.

3. The limits of any 100 year floodplain or a stream buffer of 200 feet, whichever is greater, shall be preserved as natural, undisturbed area except for approved perpendicular access and utility crossings.

4. The entire site shall be fenced with a minimum six-~~-~~foot-~~-~~high chain link security fence.

5. The landfill shall be located on or have direct private access to a road designated on the Long Range Road Classification Map as a major collector, minor arterial, major arterial, or principal arterial.

6. The applicant shall include with the Special Use Permit application a report detailing the phasing of the landfill and plans for closure and reclamation.

B. The following waste disposal activities, recycling facilities and recovery activities shall be permitted as accessory uses to landfills, unless otherwise stipulated by the Board:

1. Composting, Municipal Solid Waste.

2. Composting, Yard Trimmings.

3. Consumer Recycling Centers.

4. Gas Recovery/Gas Co-generation Plant.
5. Recovered Materials Processing Facility.
6. Solid Waste Transfer Stations.

C. Within the Big Haynes Creek and Alcovy River Watersheds, landfills and hazardous waste facilities are subject to the following:

1. New sanitary landfills shall utilize synthetic liners and leachate collection systems.
2. Hazardous waste treatment or disposal facilities are prohibited.
3. Facilities which handle hazardous materials, of the types and amounts determined by the Georgia Department of Natural Resources, shall perform all operations on impermeable surfaces having spill and leak protection systems as prescribed by the Georgia Department of Natural Resources.

211-90.~~8~~10. Landscaping Contractors Office with Outdoor Storage. Landscaping Contractors Office with Outdoor Storage shall be subject to the following standards:

A. Outdoor storage of equipment and materials shall be allowed subject to the following restrictions and requirements:

1. Outdoor storage shall be set back at least 15 feet from any side or rear property lines.
2. Outdoor storage shall not be located in the area between the front of the principal structure and the public street.
3. Outdoor storage shall be fully screened by a solid wood fence, masonry wall or slatted chain-link fence at least 8 feet in height.
4. Materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.
5. The required 15-foot setback distance shall be landscaped to provide a year-round vegetative screen.

211-90.11 Lodging Establishment. Lodging establishments shall be subject to the following ~~requirements~~standards:

A. Guest rooms shall be accessed internally to the building with no direct room access to the outside. This does not prohibit balconies on individual rooms.

B. Each ~~hotel/motel~~lodging establishment must provide management on duty 24 hours a day.

C. No business may operate from any guest room within the facility.

~~211.90.9~~ **211-~~.~~90.12 Microbrewery or ~~/~~Microdistillery Facility.** ~~Microbreweries~~ Microbrewery ~~and~~ or ~~Microdistilleries~~ microdistillery facilities shall be subject to the following standards.

A. Sale of beer, malt beverages, or distilled spirits in tap rooms or tasting rooms, or as carry-out packages, shall be limited to those produced on-site.

B. Outdoor placement of grain silos shall be allowed, subject to the Department of Planning and development review and approval of their appearance, signage, location and height.

C. If placed outdoors, containers for spent grain shall be sealed and located in a screened service/dumpster area.

~~211.90.10~~ **211-~~.~~90.13 Outdoor Display or Sales of Merchandise.** Outdoor display or sales of merchandise shall be subject to approval of a Special Use Permit, with the following exceptions:

A. Automobile, truck, and other vehicle sales facilities shall be exempt for the parking of vehicle inventory.

B. Businesses which have obtained a valid Temporary Outdoor Activity Permit shall be exempt during the permit period.

C. Merchandise may be displayed on the front sidewalk immediately adjacent to a retail building or immediately beneath an actively operating fuel island canopy, subject to the following restrictions and requirements:

1. Merchandise shall be permitted only along the business' tenant bay or storefront façade.
2. Merchandise shall not block an entrance or exit to or from the building.
3. Merchandise displayed for sale shall be that normally found within the on-premises business.
4. Merchandise shall not be located on sidewalks that are less than six feet in depth and may not extend beyond the limits of the sidewalk.
5. All such display or sales shall meet applicable building, fire and safety codes.

~~211.90.11~~ 211-~~.~~90.14 **Outdoor Sales and Storage of Goods.** Outdoor sales and storage of goods shall be subject to the following standards:

A. Outdoor storage in residential zoning districts shall be governed by the Gwinnett County Property Maintenance Ordinance (PMO).

B. In mixed-use and non-residential zoning districts (other than industrial), outdoor storage of equipment, materials and/or merchandise shall be subject to approval of a Special Use Permit.

C. In industrial zoning districts, outdoor storage of equipment and materials shall be allowed subject to the following restrictions and requirements:

1. Outdoor storage shall be set back at least 15 feet from any side or rear property lines. The required setback shall be landscaped to provide a year-round vegetative screen.

~~2. Shall not be located within a required front yard.~~

~~3.~~2. Outdoor storage shall not be located in the area between the front of the principal structure and the public street.

~~4.~~3. Outdoor storage shall be fully screened by a solid wood fence, masonry wall or slatted chain-link fence at least ~~8~~eight feet in height.

~~5.~~ Materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.

~~6.~~4. ~~The setback distance shall be landscaped to provide a year-round vegetative screen.~~

~~211.90.12~~ 211-~~.~~90.15 **Recovered Materials Processing Facility.** Recovered m~~M~~aterials p~~P~~rocessing f~~F~~acilities shall be subject to the following standards:~~meet the following design standards:~~

A. The minimum lot area for such facilities shall be ~~2~~two acres.

B. Activities shall be limited to collection, sorting, compaction and shipping.

C. Along the entire road frontage (except for approved access crossings), provide a ~~3~~three-foot-high landscaped earthen berm with a maximum slope of 3 to 1 and/or a minimum ~~6~~six-foot-high, 100 percent opaque, solid wooden fence or masonry wall. The fence/wall or berm must be located outside of any public right-of-way and interior to any landscaped strip. The finished side of a fence/wall shall face the exterior property lines.

D. The facility shall not be located adjacent to or across the street from any property used for or zoned for single-family residential use.

E. Lighting for such facilities shall be placed in such a fashion as to be directed away from any nearby residential areas.

F. Materials collected shall not be visible and deposited in a bin or bunker. All sorting and collection bins shall either be enclosed and have chutes available to the public or be located inside a fully-enclosed building.

G. No outdoor storage of uncontainerized materials shall be allowed.

H. Any outside storage areas shall be screened by a minimum eight-foot-high, solid wood fence, masonry wall or slatted chain-link fence. Materials stored outdoors shall not be placed or stacked

at a height exceeding that of the screening fence.

~~211.90.13~~ 211-~~.~~90.16 **Salvage Operation or Junk Yard.** Salvage operations or junk yards shall be subject to the following standard:

A. The minimum lot area for such facilities shall be ~~2~~two acres.

~~211.90.14~~ 211-~~.~~90.17 **School, college, private, trade, or similar.** Private schools shall be subject to the following standards~~conform to the following requirements~~. Properties not meeting these standards shall be required to obtain a Special Use Permit:

A. This use shall not be located except on property with direct access to a roadway designated as a collector or higher category on the latest Gwinnett County Long Range Road Classification Map.

B. Minimum Lot Size (based on the highest grade level offered):

1. Elementary School: two acres, plus one additional acre for each 100 students based on the design capacity of the school.

2. Middle School: three acres plus one additional acre for each 100 students based on the design capacity of the school.

3. High School: five acres, plus one additional acre for each 100 students based on the design capacity of the school.

~~C.~~ C. When adjacent to a residential zoning district, the following additional standards shall apply:

1. A minimum 50-foot ~~in depth~~ wide natural, undisturbed buffer shall be maintained adjacent to residential zoning ~~is required~~.

2. Driveways and parking areas must set back at least 25 feet from side property lines and five feet from any buffer.

3. Parking lots or outdoor lights shall be closer than 100 feet from residences on adjacent property.

4. Outdoor recreational facilities shall be located at least 100 feet from property lines of adjacent residential properties.

D. Accessory Uses and Facilities. In addition to the accessory uses and facilities that are permitted in Chapter 230 for the zoning district in which the private school is located, additional accessory uses and facilities are permitted that are customarily associated with schools and intended primarily for the use of students, such as an auditorium, library, administrative offices, cafeteria and related kitchen and dining area, or outdoor recreational facilities.

~~211.90.15~~ 211-~~.~~90.18 **Self-Storage Facilit~~y~~ies~~.~~** Self-sStorage ~~and Mini-Warehouse~~ fFacilities shall be subject to the following standards~~meet the following restrictions and design standards~~:

A. Storage units shall not be used for manufacturing, retail or wholesale selling, office, other business or service use, or human habitation.

B. Site access shall not be onto roadways classified as local residential streets.

C. Outdoor speakers or sound amplification systems shall be prohibited.

D. Dumpsters shall not be located within 150 feet of residentially zoned properties.

E. Provide adequate loading and unloading areas outside of fire lanes.

F. Adequate screening via a 6-foot-tall privacy fence and vegetation shall be provided adjacent to residentially zoned properties and subject to the review and approval of the Department of Planning and Development.

G. Shall be indoor, climate controlled self-storage buildings without any exterior roll-up doors for individual storage units.

211-~~.~~90.19 **Telecommunications Tower and/or Antenna.** Telecommunications towers and/or antennas shall be subject to the standards of Chapter 98 of the Gwinnett County, Georgia Code

of Ordinances.

211-90.~~1208~~ Utility Transmission and Monitoring Facility. Utility transmission and monitoring facilities shall be subject to the following standards:

B. Facilities shall be set back a minimum of 50 feet from rights-of-way, and the side and rear ~~yard~~setback setbacks for the principal building shall apply.

C. Facilities shall be enclosed by an opaque fence or wall. A row of evergreen trees shall be planted along the fence or wall to provide an effective year-round visual screen.

D. Storage of vehicles and equipment outside of the fence or wall shall be prohibited.

E. No signage shall be permitted for the facility.

~~**211.90.16**~~ **211-90.~~21~~19 Vehicle Sales and Related Services Establishment.** Vehicle s~~S~~ales and r~~R~~elated s~~S~~ervices e~~E~~stablishments shall be subject to the following standards subject to the following standards~~meet the following restrictions and design standards~~:

A. Such establishments shall be located on lots with a minimum size of two acres.

~~A.~~B. All inventory vehicles shall be located in parking spaces as specified in Section 240-20.

~~**211.90.17**~~ **211-90.~~22~~0 Vehicle Washing Establishment~~s~~.** Vehicle w~~W~~ashing e~~E~~stablishments shall be subject to the following standard~~meet the following restrictions and design standards~~:

A. All newly constructed conveyor car washes shall install a recycled water system which captures and reuses water used in the wash or rinse cycles. A minimum of 50 percent of the water utilized shall be recycled. Car wash facilities, including hand car washes, shall utilize floor drains connected to the sanitary sewer system for collection and proper disposal of all wastewater.

~~**211.90.18**~~ **211-90.~~23~~1 Wood or Lumber Processing Facility.** Wood c~~C~~hipping and s~~S~~hredding and l~~L~~og s~~S~~plitting f~~F~~acilities shall be subject to the following standards~~meet the following restrictions and design standards~~:

A. Such facilities shall not be located closer than 200 feet from residentially-zoned property.

B. Along the entire road frontage (except for approved access crossings), and along the side and rear property lines, provide a three~~-~~foot~~-~~high landscape earthen berm with a maximum slope of ~~three~~3 to ~~one~~1 and/or a minimum six~~-~~foot~~-~~high, 100 percent opaque, solid wooden fence or masonry wall. The fence/wall or berm must be located outside of any public right-of-way and interior to any landscape strip. The finished side of a fence/wall shall face the exterior property lines.

Chapter 212. Special Residential Zoning Districts

Section 212-10. OSC Open Space Conservation District.

212-10.1 Purpose and Intent. The purposes of this zoning district are as follows:

A. To encourage the development of residential communities to preserve and protect natural and environmental resources while providing safe, walkable neighborhoods and communities that include value-added amenities such as conservation space and recreational opportunities.

B. To enhance land, water, air, and tree resources by minimizing the area of land disturbance, reducing impervious surface, optimizing stream buffers, preserving tree cover, and encouraging retention and conservation of natural resources in common areas.

C. To reduce infrastructure maintenance costs as a result of efficient community design.

D. To increase conservation space and the number of interconnected greenway trails and wildlife corridors within and among residential communities.

E. To encourage recreation opportunities within walking distance of neighborhood residents.

F. To preserve significant historical and archeological features.

G. To preserve and protect contiguous conservation space within developed areas of Gwinnett County.

Section 212-20. TND Traditional Neighborhood Development District.

212-20.1 Purpose and Intent. The purpose of the Traditional Neighborhood Development District (TND) is to create an innovative zoning classification that encourages a pattern of neighborhood development that will be distinguished from other residential zoning districts through a diversity of lot sizes, housing types and sizes to accommodate persons of a variety of stages of life in a pedestrian-oriented setting that is well integrated with the County's neighborhoods, parks, civic spaces, and supportive services.

Section 212-30. Dimensional Standards for Special Residential Zoning Districts.

Dimensional Standard	OSC	TND
Max. Density (units per acre)	2.5	8.0
Min. Lot Size (sq. ft.)[1]	5,000	N/A
Min. Lot Width (ft.)	50	N/A
Max. ~~Impervious~~ Lot Coverage (% of lot)	70	80[2]
Min. Front ~~Yard~~Setback (ft.)[1,3]	10	10[3]
Min. Rear ~~Yard~~Setback (ft.)[1]	20	20[2]
Min. Side ~~Yard~~Setback (ft.)[1]	5	5[2,3]
Max. Bldg. Height (ft.)	35	35
Min. Project Area (acres)	10	5
Min. Open Space (% of ~~project area~~site)	40	10
Min. Useable Open Space (% of site)[4]	10	5

~~[1] Larger minimum lot sizes may be required for lots served by septic.~~

[1] Where the ~~backs~~ rears or sides of single-family attached or detached residential ~~units~~ buildings are oriented toward an external public street, a 10-foot-wide landscape strip ~~-~~within a 40-foot-wide setback ~~and a 10-foot-wide landscape strip~~ adjacent to the right-of-way shall be required between the ~~sidewalk~~ property line and residential units.

[2] ~~For detached~~ Applies only to single ~~-~~family detached lots.

[3] Contextual front setbacks apply per Section 230-40.5.

[4] The minimum useable open space counts towards the total open space requirement.

Section 212-40. Permitted Uses within Special Residential Zoning Districts.

212-~~.~~40.1 The uses set forth in the table below shall be permitted only as listed within each zoning district and only in the manner so listed. Any use not listed in said table shall be prohibited, except as contained herein. Additionally, for any use not listed in said table, the ~~d~~Director shall have the authority to determine the most appropriate zoning district(s) and/or Special Use Permit requirements for such use, after receiving documentation from the property owner adequately outlining and describing the specific details of the proposed use.

P: A permitted use.

C: A conditional use subject to the additional ~~requirements~~ standards in Section 212-50.

Land Use	OSC	TND
Beekeeping	C	C
Community Garden	C	C
~~Customary Home Occupation~~	~~C~~	~~C~~
Day Care Facility (~~family~~adult or child)	P	C~~P~~ [1]
Dwelling, Accessory	C	C
Dwelling, Cottage Court		C
Dwelling, Duplex		C
Dwelling, Live/Work		C
Dwelling, Single-Family Detached	P	P
Dwelling, Townhouse		C
Home Occupation	C	C
Non-Residential Uses in the O-I and C-1 Zoning Districts		per Sec. 211-80
Short-term Rentals	C	C

~~[1] Within single-family detached homes only~~

Section 212-50. Conditional Uses within Special Residential Zoning Districts.

212-50.1 Beekeeping. Beekeeping shall be subject to the following standards~~meet the following requirements~~:

A. Honeybees shall not be kept on lots containing less than 10,000 square feet. No more than two colonies or hives, with only two swarms, shall be allowed per 10,000 square feet of lot area.

B. Hives shall be marked or identified to notify visitors.

C. No hive shall exceed 20 cubic feet in volume.

D. No hive shall be located closer than ten feet from any property line or 25 feet from any principal building on an adjoining parcel.

E. No hive shall be located closer than 50 feet from a public right-of-way.

F. A constant supply of water shall be provided for all hives.

G. A flyway barrier at least six~~-~~ feet high~~ in height~~ shall shield any part of a property line that is within 25 feet of a hive. The flyway barrier shall consist of a wall, fence, dense vegetation, or a combination thereof.

H. Any colony or hive which becomes a nuisance as defined by state law must be removed by the owner.

I. Abandoned colonies or hives and diseased bees shall be removed (this shall not prohibit the use of swarm traps) by the owner.

212-50.2 Community Garden. Community gardens shall be subject to the following standards:

A. The garden shall not be located within any required buffer.

B. Outdoor lighting shall be prohibited.

C. The garden shall be within a fully fenced area. See fence regulations in Section 230-80.

D. Signage shall be limited to a single, non-illuminated sign of no more than four square feet.

E. Gardening equipment and machinery must be stored in an enclosed, secure building or shed.

F. Retail sales shall be prohibited.

G. Composting is permitted on the premises if stored in a manner that controls odor, prevents insect or rodent infestation, and minimizes runoff into waterways and onto adjacent properties.

H. The garden must maintain an orderly appearance and may not be neglected or allowed to become overgrown or eroded.

I. If a community garden ceases operation, and is no longer desired by the owners, it shall be stabilized with grass, trees and/or shrubbery in accordance with a plan submitted for approval by the Director.

~~**212-50.3 Customary Home Occupation.** Customary Home Occupations shall be subject to the following requirements and restrictions:~~

~~A. The home occupation shall be carried on only by a member or members of the family residing in the residence.~~

~~B. No sale of items may occur on the premises unless a Special Use Permit is granted by the Board of Commissioners.~~

~~C. Personal services may be provided to a maximum of two clients in the residence at any given time. Service hours shall be limited to between 8 AM to 7 PM daily. A maximum of 5 clients may receive service in any residence per day.~~

~~D. The home occupation shall not involve group instruction or group assembly of people on the premises.~~

~~E. There shall be no exterior evidence of the conduct of a home occupation. The home occupation shall be conducted only within the enclosed living area of the home (including basement, if any). There shall be no display or storage of products, materials, or machinery where they may be visible from the exterior of the residence.~~

~~F. Except as contained herein, the conduct of the home occupation shall neither increase the normal flow of traffic nor shall it increase either on-street or off-street parking.~~

~~G. No equipment, . sSupplies, or materials may be utilized or stored in the conduct of the home occupation except those which are normally used for domestic or household purposes.~~

~~H. No more than 25 percent of the dwelling unit may be used for conducting the home occupation.~~

~~I. One business vehicle used exclusively by the resident is permissible. This vehicle may only be an automobile, pick-up truck, van, or sport-utility vehicle.~~

~~J. Any deviations from these requirements shall require approval as a Special Use Permit.~~

212-50.3 Day Care Facility (~~family~~adult or child). Day care facilities shall be subject to the following standards:

~~——~~Day Care Facilities are only permitted in single-family detached dwellings.

A.

212-50.4 Dwelling, Accessory. Accessory dwellings shall be subject to the following standards: ~~Detached~~

~~accessory dwellings shall only be located in a rear yard, and shall be subject to the following setback requirements:~~

~~Zoning District~~	~~Minimum Side Yard Setback~~	~~Minimum Rear Yard Setback~~
~~R-75, R-60, R-SR, R-THOSC~~	~~10 feet~~	~~15 feet~~
~~TND~~	~~5 feet~~	~~10 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 DirectorDepartment of Planning and Development 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:~~

A. Accessory dwellings are only permitted on lots with a single-family detached residence.

B. Detached accessory dwellings shall only be located in a rear yard, and shall be subject to the following setback requirements:

Zoning District	Minimum Side Setback	Minimum Rear Setback
OSC	10 feet	15 feet
TND	5 feet	10 feet

~~A.~~C. No more than one accessory dwelling unit per ~~primary~~principal dwelling unit.

~~B.~~D. The ~~primary~~principal dwelling unit shall be owner-occupied.

~~C.~~E. The accessory dwelling unit shall not exceed 50 percent~~%~~ of the principal residence's heated floor area.

~~D.~~F. The accessory dwelling unit may be in a separate building from the ~~primary~~principal dwelling unit or may be attached to the principal residence and accessible from a separate entrance.

~~E.~~G. If in a separate building, the height of the building containing the accessory dwelling shall not exceed the height of the principal dwelling.

~~F.~~H. Detached accessory dwellings 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.

~~G.~~I. An accessory dwelling unit shall contain a full kitchen and at least one full bathroom.

~~H.~~J. The occupants of an accessory dwelling shall not be included in the calculation of occupancy for the ~~primary~~principal dwelling or for the lot under the definition of a family.

~~I.~~K. 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~~principal dwelling unit.

~~J.~~L. An accessory dwelling shall have a separate electrical meter and service panel with main disconnect.

M. An accessory dwelling shall have a backflow preventer and shut-off valve on the potable water service line.

~~K.~~N. Prior to occupancy of an accessory dwelling unit, the owner of the principal dwelling shall apply for a Certificate of Occupancy for the accessory dwelling.

212-50.5 Dwelling, Cottage Court. Cottage c~~C~~courts shall be subject to the following standards~~developments must meet the following additional requirements~~:

A. Cottage ~~cluster~~ court developments shall be designed to accommodate a minimum of four and a maximum of ~~twelve~~ 12 detached dwelling units surrounding a shared internal courtyard. Each unit shall have a minimum four-foot-deep and six-foot-wide front porch with direct access to the courtyard.

B. Front porches may encroach up to ~~6~~six feet into the courtyard.

C. Each dwelling unit shall have a maximum building footprint of 1,200 square feet and a maximum building height of 24 feet or 1.5 stories.

D. Courtyards shall be a minimum of 3,000 square feet in size or 600 square feet per unit, whichever is greater. A minimum of 70 percent of the courtyard shall consist of pervious material, of which a minimum of 50 percent of the courtyard shall be landscaped. Courtyards shall not be parked or driven upon except for emergency access and permitted temporary events.

E. A cottage court development may be subdivided into individual lots that do not meet the minimum lot development standards and may be treated as fee-simple or condominium lots.

212-50.6 Dwelling, Duplex. Duplex dwellings shall be subject to the following standards~~shall meet the following additional requirements~~:

~~A. Duplexes shall be oriented toward abutting external streets.~~

~~B.~~A. Duplexes may be side-by-side or stacked.

~~C.~~B. Each unit shall have a full kitchen and at least one full bathroom and bedroom.

C. Duplexes shall meet the additional following design guidelines:

1. Have a minimum four-foot-deep and six-foot-wide front porch.

2. Shall be designed to have the external appearance of a single-family home.

~~D. Duplexes shall be designed to have the external appearance of a single-family home.meet the additional following design guidelines:~~

~~1. Have a 6 feet in depth and 8 feet in width six-feet-deepusable front porch.~~

~~2. Shall be designed to have the external appearance of one single-family home.~~

~~E.~~D. Duplexes ~~in the R-IF District~~ shall be located on individual lots meeting the following additional requirements:

1. Minimum lot size: 5,000 square feet.

212-50.7 Dwelling, Live/work. Live/work dwellings shall be subject to the following standards~~shall meet the following additional requirements~~:

~~A. Live/work dwellings shall only be permitted within townhouse buildings.~~

~~B.~~A. Each live/work unit shall contain a minimum of 1,500 square feet of heated floor area, of which the non-residential (work) portion of the unit shall be no less than 500 square ~~feet, but~~feet but shall not exceed 50 percent of the unit size.

~~C. Live/work units shall not be on the ground floor and oriented toward the street.~~

~~D.~~B. An occupational tax certificate for the non-residential (work) use shall be required. Live/work units shall not be considered home occupations.

~~E.~~C. Shall be limited to no more than 10 percent of total units within a TND development.

~~F.~~D. Shall be limited to professional office uses only. No personal service uses shall be permitted.

~~G.~~E. One additional on-street or off-street parking space shall be required for each live/work unit.

~~H.~~F. Shall be limited to no more than one ~~business related~~business-related visitor at any given time. Business related visitors shall be limited to the hours of 8 AM to ~~7~~5 PM daily.~~, Monday through Friday.~~

~~I.~~G. Shall be within owner-occupied townhouses.

212-50.8 Dwelling, Townhouse. Townhouse dwellings shall be subject to the following standards~~shall meet the following additional requirements~~:

A. All townhouse dwellings shall include a minimum one-car garage that is either under the unit or detached. ~~Garage doors shall be setback at least 18 ft. from the adjacent sidewalk or alley so that a parked vehicle in the driveway will not obstruct the sidewalk or alley.~~

B. All rear-loaded townhouse buildings shall include a continuous ~~sidewalk~~ walkway no less than ~~3~~

~~ft.~~three feet in width connecting front entrances of all dwellings to sidewalks.

~~C. The fronts of buildings shall be oriented toward abutting external streets with at least one direct pedestrian connection to external sidewalks.~~

~~D.~~ All townhouse units shall provide a minimum four-foot-deep and five-foot-wide~~6 feet in depth and 8 feet in width six feet deepusable~~ front porch.

~~E.~~C. Additional guest parking shall be provided at a ratio of 0.25 spaces per dwelling unit. Guest parking ~~may~~shall either be provided as on-street parallel parking or within separate off-street parking lots~~. Guest parking~~, and shall be distributed throughout the development. ~~or in a centrally located location.~~

212-50.9 Home Occupation. Home ~~O~~occupations shall be subject to the following standards~~shall be subject to the following requirements and restrictions~~:

A. The home occupation shall be carried on only by ~~a member or members of the family~~ those residing in the residence.

B. No sale of items may occur on the premises unless a Special Use Permit is granted by the Board of Commissioners.

C. Personal services may be provided to a maximum of two clients in the residence at any given time. Service hours shall be limited to between 8 AM to 7 PM daily. A maximum of ~~5~~five clients may receive service in any residence per day.

D. The home occupation shall not involve group instruction or group assembly of people on the premises.

E. There shall be no exterior evidence of the conduct of a home occupation. The home occupation shall be conducted only within ~~the~~an enclosed ~~living area of the home~~structure (including basement, if any). There shall be no display or storage of products, materials, or machinery where they may be visible from the exterior of the residence.

F. Except as contained herein, the conduct of the home occupation shall neither increase the normal flow of traffic nor shall it increase ~~either~~the space dedicated to on-street or off-street parking.

~~No equipment, supplies, or materials may be utilized or stored in the conduct of the home occupation except those which are normally used for domestic or household purposes.~~

G. If conducted within a dwelling unit, no~~No~~ more than 25 percent of the dwelling unit may be used for conducting the home occupation. If conducted within an accessory structure, no more than 50 percent of the accessory structure may be used for conducting the home occupation.

~~One business vehicle used exclusively by the resident is permissible. This vehicle may only be an automobile, pick-up truck, van, or sport-utility vehicle.~~

H. One business vehicle used exclusively by the resident is permissible. This vehicle may only be an automobile, pick-up truck, van, or sport-utility vehicle.

~~212-50.9~~212-50.10 **Short-term Rentals.** Short-term r~~R~~entals ~~facilities~~ shall be subject to the following standards~~shall conform to the following requirements~~:

A. There shall be no exterior evidence that a dwelling, part of a dwelling or a dwelling unit is being used as a short-term rental.

B. Outdoor parking shall only be provided on hard surface areas on the property and shall not be permitted outside such hard surface areas ~~consistent with the provisions of this title~~. There shall be no parking on the street, on neighboring properties, in the yard, or in the right-of-way.

C. The occupancy for a short-term rental shall be limited to two adults per bedroom. The total number of occupants of a dwelling unit must meet the definition of family provided in this ordinance.

D. The property owner or responsible property manager shall at all times maintain their contact information posted in a conspicuous location near the primary entrance to the home.

Section 212-60. Additional Design and Development Standards for the OSC Open Space

Conservation District.

212-60.1. Conservation Space Requirements.

A. The following areas ~~may~~ shall not be disturbed, unless otherwise permitted by this UDO:

1. Land within the 100-year floodplain.
2. Stream buffers and impervious surface setback areas.
3. Slopes greater than 40 percent.
4. Wetlands (unless permitted by the US Army Corp of Engineers).
5. Endangered or threatened species and/or their habitats.
6. Archaeological sites.
7. Cemeteries and burial grounds.
8. Features and structures of historical importance.
9. Peaks and rock outcroppings.
10. ~~Viewsheds.~~
11. ~~Prime agricultural lands consisting of at least five contiguous acres.~~
12. ~~10.~~ Existing trails that connect to neighboring areas.
13. ~~Healthy, native forests of at least one contiguous acre.~~
14. ~~11.~~ Existing lakes and ponds.

B. The following uses and activities may occur within required undisturbed conservation areas:

1. Soft surface trails and greenways.
2. Removal of invasive plants, non-native plants, and hazardous trees.

212-60.2 Required Minimum Open Space Exclusions and Credits.

A. Open space calculations shall not include the following: ~~:~~

1. Area within any single-family residential lot.
2. Land area within a utility easement.
3. Land area within a public right-of-way or private street easement.

B. Open space calculations may include the following: ~~:~~

1. All undisturbed conservation areas.
2. Proposed permanent lakes and wet detention areas designed as amenities.
3. All common areas and amenities, except for detention pond lots.
4. Any required landscape strips on the site.

210-60.3 ~~Conservation~~Open Space Ownership. ~~Conservation~~Open space shall be owned in fee-simple by a mandatory property owner's association or other entity approved in advance by the Board of Commissioners. ~~Conservation~~Open space shall be recorded by deed and plat prior to or concurrent with the recording of the first final subdivision plat. An access easement, that follows the proposed alignment of future public streets, may be recorded connecting the required ~~conservation~~open space to said final plat. ~~"Pocket Parks" and/or "Neighborhood Greens"~~Usable open space shall be deeded concurrent with the unit or phase of the final plat of which it is a part.

212-60.4 Property Owner~~'~~s' Association. The property owner~~'~~s' association bylaws or covenants, at a minimum, shall contain the following provisions:

A. 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.

B. Responsibility for maintenance of ~~the conservation~~open space.

C. Responsibility for insurance and taxes.

D. Automatic compulsory membership of all lot purchasers and their successors; and compulsory assessments.

E. Conditions and timing of transferring control of the association from the developer to the lot owners.

F. Guarantee that the association will not be dissolved without the prior approval of the Board of Commissioners.

G. Conservation surety language as stated in Section 212-~~50.11~~60.6.

212-60.5 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, ~~conservation~~open space and amenity areas.

212-60.6 Conservation Surety. ~~Conservation~~Open space delineated on the Final Plat and required to be ~~in a primary conservation area~~undisturbed per Section 212-60.1 shall be permanently protected by either one or both of the following options:

A. *Option ~~1~~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 O.C.G.A. § 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: passive recreational amenities, such as paths, greenways community hiking, running, dog walking, bird watching, biking and similar outdoor uses.

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 O.C.G.A. § 44-5-60(c)."

B. *Option 2. Conveyance to Other Qualified Organizations or Entities*. Except for ~~"Pocket Parks" or "Neighborhood Greens," developed recreation areas~~usable open space or ~~Conservation Areas~~open space not desired for permanent protection, Conservation Space shall be permanently protected by the:

1. Recording of a covenant or conveyance of an easement which runs in perpetuity under OCGA § 44-5-60 in favor of any corporation, trust, or other organization holding land for the use of the public or certain governmental entities; or,

2. Conveyance of a conservation easement running in perpetuity to a third party "qualified organization" recognized by Federal Treasury Regulation Section 1.170A-14(c)(1). Qualified organizations recognized by this Treasury Regulation include, but may not be limited to, governmental entities, certain publicly supported charities, local and national land trusts, or other conservation groups that are organized or operated primarily or substantially for one of the conservation purposes specified in the Internal Revenue Code. Governmental entities that qualify to be named in covenants under OCGA § 44-5-60 or to receive conservation easements under the Treasury Regulation referred to above for purposes of this section shall include the Federal government, the State of Georgia, Gwinnett County, or authorities of the State of Georgia or Gwinnett County.

3. If a covenant is recorded or an easement conveyed in favor of a governmental entity, formal acceptance by the governmental entity or qualified conservation organization shall be obtained prior to the recording of the covenant or conveyance of the easement.

4. The developer shall record the necessary legal instrument to accomplish protection of the Conversation Space prior to, or concurrent with, the recording of the Final Plat.

5. The legal instrument shall contain, at a minimum, the same language required to be placed on a deed as stated in Option 1 of this Section.

212-60.7 Public Improvements.

Streets.

A. Streets shall be designed to:

1. Parallel and preserve existing tree lines, hedgerows, existing historic structures, and water elements.

2. Minimize alteration of natural, cultural, or historic features.

3. Minimize the acreage devoted to streets.

4. Calm traffic speeds.

5. Promote pedestrian movement.

6. Secure the view to prominent natural vistas.

7. Be aligned so that the "terminal vista" is of civic buildings or ~~Conservation~~ open s~~S~~pace land, either man-made (such as greens, commons, squares, or parks) or natural.

8. Minimize crossing of Conservation Areas.

B. All streets, except for loop streets, shall terminate at other streets within the conservation subdivision~~, and at least two streets shall provide connections to existing or proposed through streets or collectors~~external streets ~~outside the OSC zoned property, where practicable~~. There shall be a maximum of two~~minimum of~~ cul-de-sacs, which shall be approved by the Director only in cases of topographical or environmental constraints.

C. New streets shall be built in accordance with Chapter ~~900~~ 360 of the UDO.

Streetlights.

A. Streetlights are to be provided along one side of every street and shall be a minimum of 16 ~~-~~ feet ~~-~~ high and a maximum of 20 ~~-~~ feet ~~-~~ high if overhanging into the street and placed no more than 160 feet apart.

Sidewalks.

A. Sidewalks shall be provided as required in ~~Title 3~~Chapter 360 of this UDO.

B. Public sidewalks shall create a linked network of walkways connecting all homes in the district with ~~parks~~usable open space ~~and other Conservation Space land areas~~.

Street Trees and Lot Trees.

A. Street trees and lot trees shall be in accordance with ~~the requirements~~Title 3 of this UDO.

Underground Utilities.

A. Utilities shall be located underground.

B. For all new construction and redevelopment, utilities along public streets must be placed underground. The Director may approve an exception, if a unique technical or physical hardship makes such

installation infeasible. This requirement does not apply to the temporary provision of electricity, including but not limited to construction power.

C. Water and sewer utilities shall be located in either street rights-of-way or easements located at the outer edge of street rights-of-way.

Section 212-70. Additional Application Requirements for the OSC Open Space Conservation District.

212-70.1 Existing Features Site Analysis Plan.

A. As part of the rezoning application an Existing Features Site Analysis Plan shall be prepared by an authorized registered professional, botanist, ecologist, or a biologist or a combination thereof and submitted by the applicant or developer.

B. The purposes of the Existing Features Site Analysis Plan are to:

1. Delineate areas that have been identified as worthy of permanent protection in conservation space because of their environmental values.

2. Set forth the particulars of the site, including but not limited to boundary, flora and fauna ecosystems, topographic data (minimum 4four-foot contour intervals), existing structures and utility easements.

C. The Existing Features Site Analysis Plan shall include at a minimum the following information:

1. Closed boundary of the site.

2. Flora and fauna ecosystems with their locations mapped and delineated on the plan.

3. The date in which the flora and fauna were surveyed.

4. Identification of protected plant species as listed by the Georgia Department of Natural Resources, to be certified by a forester, arborist, biologist, botanist, or horticulturist.

5. Perennial and intermittent streams, FEMA designed 100-Year Flood Hazard Zones and Wetlands. The source of this information shall also be indicated.

6. Identification of tree lines, native woodlands, open fields or meadows, peaks or rock outcroppings, and prime agricultural land.

7. Delineation of tree resource areas by type such as hardwoods, pines or mixed; and old or new growth.

8. Delineation of steep slope areas (2540 percent or greater). ~~Slopes greater than 25 percent shall be undisturbed except for vegetation needed to deter erosion.~~

9. Identification of historical, archaeological, or other significant features.

10. The plan also shall include certification by the owner that timber harvesting activity has not occurred on the property in the previous 24 months prior to filing an application for OSC zoning.

11. Identification of ~~Primary~~ Conservation Space~~, Secondary Conservation Space,~~ and other common areas.

Section 212-80. Additional Design and Development Standards for the TND Traditional Neighborhood Development District.

212-80.1 Mix of Housing Types

A. Each TND development shall include at least three of the following housing types:

1. Single-family detached dwellings.

2. Duplex dwellings.

~~2.~~3. Accessory dwelling units.

~~3.~~4. Townhouses.

~~4.~~5. Live/Work dwelling units.

~~5.~~6. Cottage Courts

B. There shall be a~~A~~ minimum of 25 percent and a maximum of 50 percent of any single~~one~~ housing type within a TND development ~~shall be permitted~~.

212-80.2 Building and Site Design Standards. TND developments shall meet the following additional requirements:

A. The rear facades of buildings ~~fronts of all dwelling units~~ shall not be oriented toward ~~the~~ internal or external streets. ~~with~~provide ~~at least one direct pedestrian sidewalk connection to an adjacent sidewalk.~~

B. All units shall have a covered minimum four-foot-deep and six-foot-wide~~usable~~ front porch.

C. The minimum front ~~yard~~ setback shall also serve as the maximum front ~~yard~~ setback.

D. All TND developments shall have a minimum 10,000 square foot centrally~~-~~located common area with amenities, regardless of the required minimum open space requirement.

E. No unit shall be located more than 1,000 feet from a common area.

~~F. When the rear of units are oriented toward an external public street, an additional 30-foot-wide landscaped buffer shall be provided between the units and the right-of-way.~~

~~G.~~F. All single-family dwelling units ~~lots~~ shall include a minimum ~~side-by-side~~ one~~two~~-car garage that is either attached or detached.

212-80.3 Public Improvement Standards. All streets, driveways, alleys, sidewalks, multiuse paths, and greenways shall conform to the requirements of this UDO and the following additional standards:

A. *Streets.*

1. The street network shall form an interconnected grid pattern. Cul-de-sacs and dead-end streets shall be prohibited.

2. The maximum permitted block length shall be 500 feet.

B. *Driveways and Alleys.*

1. A minimum 75% of~~All~~ residential driveways shall be accessed from an alley.

~~2. Garage doors shall be setback at least 18 ft. from the adjacent alley so that parked vehicles in the driveway will not obstruct the alley.~~

~~3.~~2. Alleys shall provide a continuous connection between two streets.

~~4.~~3. Alleys shall be graded to ensure proper drainage, installed on a minimum ~~4~~four-inch gravel aggregate base with a minimum ~~2~~two-inch asphalt topping or other approved surface of, concrete, porous concrete, or porous asphalt.

~~5.~~4. Joint driveways may be permitted by the Director where appropriate to allow flexible development opportunities.

C. *Pedestrian Connectivity.*

~~1.~~ There shall be adequate separation of pedestrian walkways from automobile traffic within a development. Appropriate design elements or traffic calming measures, such as paving material ~~t~~

1. variation or barrier (structural or spatial) shall be provided to distinguish vehicular and pedestrian access points.

2. Safe, convenient, and continuous pedestrian walkways a minimum of five feet in width shall be provided throughout the development.

D. *Sidewalks, Multiuse Paths, and Greenways.*

1. Sidewalks shall be provided on both sides of all internal and external streets.

2. Multiuse paths, where provided, shall be designed in conformity with Title 3 of this UDO.

3. Where required, construction of greenway or greenway access, or dedication of greenway easement shall be in accordance with ~~the 2014 Gwinnett County Open Space and Greenway Master Plan as well as~~ the ~~2018~~most recently adopted Gwinnett Countywide Trails Master Plan and be maintained in accordance with Title 3 of this UDO and other applicable sections of the UDO. If a project abuts a greenway, then a multiuse path shall be provided to connect the greenway for pedestrian and bicyclist use. The final location of the greenways or greenway access shall be coordinated with the Department of Community Services.

4. Unless otherwise noted, areas located outside of the 100-year floodplain where greenways and multiuse paths are constructed, shall be designated as common area and be maintained by a mandatory property owner's association.

212-80.4 Landscaping.

A. Minimum five-foot-wide landscape strips shall be located on both sides of all streets.

B. Street trees shall be provided 40 feet on center within required landscaped strips.

C. Pedestrian lights shall be located between every other street tree (80 feet on center), unless waived by the Director due to adequate lighting from streetlights.

D. Streetlights shall be located as required by the Department of Planning and Development and Department of Transportation.

E. Spacing of street trees and pedestrian lights may be adjusted to account for driveways, utility poles, fire hydrants and other obstructions and to provide adequate visual clearance for intersections, driveways and traffic control devices as approved by the Gwinnett County Department of Transportation and the Department of Planning and Development.

212-80.5 Underground Utilities.

A. For all new construction and redevelopment, utilities along public streets must be placed underground. This requirement does not apply to the temporary provision of electricity, including but not limited to construction power.

B. Water and sewer utilities shall be located in either street rights-of-way or easements located at the outer edge of street rights-of-way.

212-80.6 Maintenance of Common Areas.

A. The TND District shall require a mandatory property owner's' association that shall be responsible for ownership, operation, insurance and maintenance of all land, facilities, buildings, and utilities within the common areas of the development that is outside individual lots and land dedicated to the county. A landscape maintenance easement shall be recorded for the grounds surrounding buildings of attached residential units and said lands shall also be maintained by the ~~aforementioned property~~property owners' association.

Chapter 213. Mixed-Use Zoning Districts

Section 213-10. Mixed-Use Districts.

There are three mixed-use zoning districts, each with its distinct purpose and intent: Neighborhood Mixed-Use District (MU-N), Community Mixed-Use District (MU-C) and Regional Mixed-Use District (MU-R). The primary purpose of these districts is to promote pedestrian-oriented mixed-use developments that will facilitate a more efficient use of land and infrastructure and preserve open space, while allowing varying densities, intensities and flexibility in zoning and development requirements.

Section 213-20. MU-N Neighborhood Mixed-Use District.

213-20.1 Purpose and Intent. The purpose of the Neighborhood Mixed-Use District (MU-N) is to promote complementary groupings of small-scale mixed-use buildings that are within walking distance and compatible with the surrounding neighborhood. It is the intent of this district to ~~provide for~~provide diverse housing options to accommodate multigenerational communities with a range of residential building forms, lot sizes and dwelling sizes, and neighborhood-oriented retail, services and low intensity office uses that are within convenient walking distances.

Section 213-30. MU-C Community Mixed-Use District.

210-30.1 Purpose and Intent. The purpose of the Community Mixed-Use District (MU-C) is to promote complementary groupings of community-scale mixed-use buildings and activity areas along commercial corridors at locations that have adequate infrastructure and transportation access. The intent of this district is to promote diverse uses, including places of employment, shopping and commercial services, varied housing options for multigenerational communities within pedestrian and bicycle friendly mixed-use activity centers and corridors that are compatible with established surrounding neighborhoods.

Section 213-40. MU-R Regional Mixed-Use District.

213-40.1 Purpose and Intent. The purpose of the Regional Mixed-Use District is to encourage the development, redevelopment, or revitalization of commercial and residential areas along major transportation corridors into vibrant, high density, pedestrian friendly, live-work-play environments that offer employees and residents the opportunity to fulfill their daily activities with minimal use of single-occupant automobiles. The intent of this district is to allow flexibility in design standards and high-density residential development in exchange for innovative and high standards inclusive of landscaping, green space, urban space, and public amenities within a distinct, unified theme that can improve the viability of the development and surrounding communities.

Section 213-~~,~~50. Dimensional Standards for Mixed-Use Zoning Districts.

Table 213-~~,~~1: ~~,~~ Dimensional Standards~~,~~

Project Area Standards			Dimensional Standard				External Setbacks		
District	Minimum Area	Road Frontage	Max. Height	Max. FAR	Min. Open Space	Min. Usable Open space[3]	Min. Front Setback[1]	Min. Side Setback	Min. Rear Setback
MU-N	None	40 ft.	60 ft.	1.0 FAR	10%	5%	15 ft.[~~2~~1,2]	10 ft.	25 ft.
MU-C	3 ac.	60 ft.	75 ft.	2.0 FAR	10%	5%	0 ft.	10 ft.	25 ft.

MU-R	5 ac.	80 ft.	~~varies~~ Varies per bonus	Varies per bonus	10%	5%	0 ft.	10 ft.	25 ft.

[1] Where the backs or sides of single-family attached or detached residential units are oriented toward an external public street, a 10-foot-wide landscape strip within a 40-foot-wide setback ~~with a 10-foot-wide landscape strip~~ shall be required between the ~~sidewalk~~property line and residential units.

[2] For detached single family lots. Zero (0) feet for all other uses.

[3] The minimum useable open space counts towards the total open space requirement.

Section 213-60. Permitted Uses within Mixed-Use Zoning Districts.

213.60.1 The uses set forth below shall be permitted only as listed within each corresponding zoning district and only in the manner so listed. Any use not listed within each corresponding zoning district shall be prohibited, except as contained herein. Additionally, for any use not listed below, the Director shall have the authority to determine the most appropriate zoning district(s) and/or Special Use Permit requirements for such use, after receiving documentation from the property owner adequately outlining and describing the specific details of the proposed use.

213-60.2 Uses in the MU-N, Neighborhood Mixed-Use District, shall be subject to the following:

A. Non-residential uses within the MU-N, Neighborhood Mixed-Use District shall be permitted as allowed in the C-1, Neighborhood Business District and the O-I, Office-Institutional District.

B. Residential uses within the MU-N, Neighborhood Mixed-Use District shall be permitted as allowed in the R-IF, Residential In-Fill District and the LRR, Low-Rise Residential Multifamily District.

C. In addition to residential uses, a minimum ~~Include at minimum two major land use categories chosen from office, retail/eating and drinking, or residential. No single land use category shall constitute less than 5~~ five percent of the gross floor area of the entire development shall be occupied by non-residential uses as defined in Section 213-60.2 .

213-60.3 Uses in the MU-C, Community Mixed-Use District, shall be subject to the following:

A. Non-residential uses within the MU-C, Community Mixed-Use District shall be permitted as allowed in the C-1, Neighborhood Business District and the O-I, Office-Institutional District.

B. Residential uses within the MU-C, Neighborhood Mixed-Use District shall be permitted as allowed in the MRR, Mid-Rise Residential Multifamily District.

C. In addition to residential uses, ~~Include a~~t minimum ~~two major land use categories chosen from office, retail/eating and drinking, or residential. No single land use category shall constitute less than~~ 10 percent of the gross floor area of the entire development shall be occupied by non-residential uses as defined in Section 213.60.3.A. A minimum of 25% of required non-residential uses shall be located on the ground floor of vertically mixed-use buildings. Up to 50% of non-residential ground floor uses within a vertically mixed-use building may be constructed as convertible space for future non-residential occupancy or constructed as live-work units.

213-60.4 Uses in the MU-R, Regional Mixed-Use District, shall be subject to the following:

A. Non-residential uses within the MU-R, Regional Mixed-Use District shall be permitted as allowed in the C-1~~2~~, General Business District and the O-I, Office-Institutional District.~~, with the following exceptions:~~

~~1. The following uses shall be prohibited in the MU-R District unless approved as a Special Use Permit:~~

~~a. Aircraft Landing Field, private~~

~~b. Animal Care Establishment, with outdoor pens or runs~~

~~c. Carpet or Upholstery Cleaning Service Office~~

~~d. Cemetery or Mausoleum~~

~~e. Hookah, Vapor, or Cigar Lounge~~

~~f. Landscaping Contractors Office~~

~~g. Light Industrial Facilities~~

~~h. Personal Care Home, congregate, family, or group~~

~~i. Restaurant, with drive-in or drive-thru through service~~

~~j. Self-Storage Facility~~

~~k. Shooting or Archery Range, indoor~~

~~l. Recreational Vehicle Park or Campground~~

~~m. Vehicle Rental and Related Service Establishments (unless located within a parking structure)~~

~~n. Vehicle Repair, Service, and Body Work Establishments~~

~~o. Vehicle Sales and Related Service Establishments~~

B. Residential uses within the MU-R, Regional Mixed-Use District shall be permitted as allowed in the HRR, High-Rise Residential Multifamily District.

C. In addition to residential uses, ~~Include at minimum two major land use categories chosen from office, retail/eating or drinking, or residential. No single land use category shall constitute less than~~ a minimum 10 percent of the gross floor area of the entire development shall be occupied by non-residential uses as defined in Section 23-60.4.A. A minimum of 50% of required non-residential uses shall be located on the ground floor of vertically mixed-use buildings. Up to 50% of non-residential ground floor uses within a vertically mixed-use building may be constructed as convertible space for future non-residential occupancy or constructed as live-work units.

213-70 Additional ~~Minimum~~ Development Standards for development within the MU-R Regional Mixed-Use District.

A. The Floor Area Ratio (FAR) and maximum height of development, without density bonuses, within the MU-R District shall be a minimum 1.0 FAR and a maximum 3.0 FAR and ~~75 feet in~~ a maximum height of 75 feet, unless otherwise approved as a zoning condition by the Board of Commissioners or through ~~density~~ bonuses outlined in this UDO.

B. Additional bonuses as listed below may be granted by the Director or as a zoning condition by the Board of Commissioners, subject to the approval of a site-specific concept plan.

Table 213-~~7~~2: Amenities Eligible for FAR Bonus for MU-R District

Amenities	FAR Bonus*
For each ~~1%~~one percent ~~percent~~ of ~~common area~~usable open space in excess of the required minimum.	Additional 0.1 FAR~~/each 1% over~~
For each one half-acre of contiguous area consisting of environmentally sensitive natural, undisturbed area (i.e., wetlands, floodplain, specimen trees) or culturally sensitive features that are preserved and dedicated as ~~conservation~~open space.	Additional 0.25 FAR~~/ each 1/2 acre tract.~~
Structured Parking: 50~~%~~ percent of minimum required. 25 percent~~%~~ of minimum required.	 Additional 1.0 FAR Additional 0.5 FAR
For each ~~1%~~one percent ~~percent~~ increase over the minimum amount of vertical mixed-use development.	Additional 0.25 FAR
Mixed-use development that includes at least 10~~%~~ percent of units affordable to households earning between 60~~%~~ percent and 120~~%~~ percent of area median income.	Additional 0.5 FAR
Mixed-use development that includes at least 10~~%~~ percent of units affordable to households earning between 30~~%~~ percent and 60~~%~~ percent of area median income.	Additional 1.0 FAR
Mixed-use development that includes office space constituting at least 40 percent of the total GFA.	Additional 0.5 FAR
Transit passenger shelter and related support facilities.	Additional 0.25 FAR
Documentation by a LEED-certified professional that the project, if constructed as proposed, meets the "Silver" standards of LEED or the standards of ASHRAE Standard 189.1 for Sustainable Design, or another comparable third-party certification program approved by the Director.	Additional 0.5 FAR
Multiuse paths located outside of the floodplain, or within the development and meeting the standards of Section 900-100. A bonus may be granted proportionately to the FAR/path ratio if more or less than 1000 feet of path is provided.	Additional 0.2 FAR~~/1000 feet path~~
Regional stormwater management facility meeting the standards of Section 800-90.	Additional 0.75 FAR
~~Within the required common areas, at least 50 percent of the area~~Required usable open space ~~is developed into~~designed as a contiguous green space for public gathering and related functions (i.e., pocket park, plaza, amphitheater, or greenways).	Additional 0.2 FAR
These bonuses are additive and can be accumulated subject to total maximum FAR of 5.0	

Table 213-~~.~~3: Maximum Allowable Building Height for the MU-R District (Subject to Approved Bonus Density)

FAR	Building Height
0.00 — 3.00	140 ft.
3.01 — 4.00	210 ft.
4.01 — 5.00	300 ft.

Section 213-80. Minimum Design Standards of Mixed-~~-~~Use Districts.

All mixed-use districts MU-N, MU-C and MU-R shall comply with the applicable site related provisions contained in Title 3 of the UDO and the following additional standards.

213-80.1 Open space. Open space shall meet the following design standards:

A. Open space shall meet all standards set forth in this UDO.

B. Open Space shall include at least one conveniently located public gathering area or activity center with related amenities and improvements in the form of a square, green, plaza, or similar approved element that is accessible by the general public from at least three points of entry by sidewalks.

C. Open space may include greenways or greenway access to satisfy the requirements of ~~the 2014 Gwinnett County Open Space and Greenways Master Plan as well as~~ the ~~2018~~most recently adopted Gwinnett Countywide Trails Master Plan.

213-80.2 Connectivity.

A. *Interconnected network.* It is the intent of this section that the public access ways, walkways, transportation facilities, and improvements in the mixed-use district contribute to an inter-connected and continuous network providing convenient vehicular and pedestrian access to abutting properties. The design of developments and related public improvements shall provide for maximum connections for automobiles, pedestrians, bicycles, and public transportation to off-site and on-site attractions such as concentrations of employment, shopping, housing and community services, public parking, parks, and public facilities.

B. *Vehicular connectivity.*

1. No streets may be longer than 500 feet without an intersection with another street or alley.

2. Any private vehicular garages shall be served from alleys and shall not be visible from an external right-of-way. ~~Garage doors shall be setback a minimum of 5 ft. or at least 18 ft. from the adjacent alley so that parked vehicles in the driveway shall not obstruct the alley.~~

3. The street network shall form a connected pattern (grid system). Cul-de-sacs shall be prohibited. Street shapes should form an interconnected grid pattern. Street patterns shall also be designed to respect and follow existing terrain as much as possible to minimize earthmoving and disruption of the existing topography.

4. New streets shall contribute to an inter-connected network and meet all of the following standards:

   a. Location of the new street shall be reviewed and approved by the Gwinnett DOT. Such approval shall be contingent on a finding that the new street will serve a public purpose such as improving traffic safety, reducing traffic congestion, or improving vehicular and pedestrian circulation and access to major thoroughfares.

   b. Right-of-way and design of the new street shall meet applicable requirements provided in this UDO.

   c. Streets may not be gated.

C. *Pedestrian Connectivity.*

1. There shall be a minimum ~~5~~five-foot-wide ~~landscape~~ grassed strip separating pedestrian walkways from internal streets and driveways.~~automobile traffic within a development.~~ Appropriate design elements or traffic calming measures, such as paving material variation or barrier (structural or spatial) shall be provided to distinguish vehicular and pedestrian access points.

2. Safe, convenient, and continuous pedestrian walkways shall be provided:

   a. Between building entrances for all buildings in the same block.

   b. Along both sides of the street frontage of all streets.

c. Through parking lots and parking structures at regular intervals connecting to building entrances and the public sidewalks on surrounding streets.

213-80.3 Public Improvements.

A. Sidewalks shall be provided as required in Section ~~900~~360-90.

B. Multiuse Paths shall be provided on both sides of streets classified as arterials and shall comply with Section ~~900~~360-100. Eligible FAR Bonus, if applicable, may be granted by the Director for multiuse paths constructed on streets.~~7.~~

C. Crosswalks and pedestrian crossing signage shall be provided consistent with the most recent edition of the Manual of Uniform Traffic Control Devices (MUTCD) and AASHTO, as per Gwinnett DOT approval.

D. Greenway Access.

1. Greenways shall be provided in accordance with the ~~2014 Gwinnett County Open Space and Greenway Master Plan as well as the 2018~~ most recently adopted Gwinnett Countywide Trails Master Plan and maintained in accordance to Sections ~~900~~360-110, and other applicable sections of the UDO. Final location of the greenways shall be coordinated with the Department of Community Services.

2. If a project abuts a greenway, then a multiuse path shall be provided connecting to the greenway for pedestrian and bicycle use.

213-80.4 Access Easements and Inter-parcel Access.

A. Inter-parcel access, joint driveways, cross-access drives, and access easements shall be provided, as follows, except where the Director determines that they are infeasible because of topographic or other site-specific constraints:

1. Inter-parcel driveway connection or provision of a future inter-parcel driveway stub (with appropriate cross-access easements) shall be required between ~~adjacent non-residential properties~~ all contiguous multifamily, commercial, office, and industrial uses.~~;~~

2. Joint driveways and cross-access easements shall be established for all adjoining parcels.~~;~~

3. Roads are to be designed with a design speed of 25 mph and a two-way travel aisle, with a minimum of 22 feet to accommodate automobiles, service vehicles, and loading vehicles.~~;~~

4. Driveway aprons, stub-outs, and other design features or traffic calming features may be required by the Director or Gwinnett DOT to indicate cross access or service drive for traffic safety or per County standards.

213-80.5 Parking Management.

A. *Vehicle Parking.*

1. The maximum number of required off-street parking spaces shall be as provided in Chapter 240. There shall be no minimum required parking within Mixed-Use Districts.

2. ~~All off-street parking must be located to the side or rear of the principal buildings within MU-N and MU-C Districts and screened from residential districts per Section 620-80, No Access Easement Screening Requirements, and the UDO Design Guidelines. In MU-R, no~~No more than 20 percent of the required parking for a building shall be in parking lots located between the facade of the building and the street on which the building faces. These parking lots shall be limited to two rows of parking spaces with a center drive aisle meeting the requirements of this UDO.

~~B. *Bicycle Racks.*~~

~~1. All uses t shall provide bicycle racks consistent with each of the standards below:~~

~~a. Provide at least one bicycle rack space for every 30 parking spaces provided for motorized vehicles.~~

~~b. No single building shall provide less than 2~~two bicycle parking spaces or be required to provide more than 30 bicycle rack spaces.

~~c. Bicycle racks shall be anchored to a concrete pad and shall be located outside of the street right-of-way, in a well-lighted area, no more than 50 feet from the primary entrance of the building. Multifamily buildings shall provide indoor lockable bicycle storage.~~

213-80.6 Building Services.

A. Off-street loading and servicing areas shall be enclosed with a parking structure or located to the rear of all buildings and screened from public view.

B. All retaining walls and fences shall be constructed of materials and colors that are compatible with those of the principal building facade.

C. Access ways and loading areas used for delivery trucks, service vehicles, and driveway and loading areas for garbage trucks shall provide safe means of ingress and egress from public streets such that delivery vehicles and garbage trucks are not required to back into streets classified as arterials or collectors on the Gwinnett County Long Range Road Classification Map.

D. All access ways and loading areas shall provide a minimum horizontal and vertical clearance of 14 feet at all points.

E. Mechanical equipment located at ground level, roof level, or attached to buildings shall be screened from view from all streets and public rights-of-way with screening walls or landscaping.

213-80.7 Transition Height along Exterior Boundaries.

A. All buildings, or portion thereof, located within 50 feet of a single-family detached residential district of lower density shall have a maximum height equal to that of the adjacent district, for the portion of the building within 50 feet of that adjacent district.

213-80.8 Landscape, Buffers, and Tree Protection.

A. The purpose of landscape requirements in Mixed-Use Districts is to provide for flexibility of design based upon the pedestrian and vehicular connectivity, the type of common space areas, architectural design, and density, while the objective is to maintain the health and well-being of the trees.

B. Buffers and tree protection shall be in conformity with this UDO.

C. Trees within the Mixed-Use ~~Development~~ Districts must meet street tree, parking lot tree and 16 tree density units per acre requirements. Street trees may count towards meeting the tree density units.

1. Street trees.

   a. Trees on major entry drives throughout the development shall be canopy trees.

   b. Trees on local streets throughout the development may be canopy or small trees.

   c. If tree wells are provided within sidewalks, a tree grate, or pavers shall be provided for each tree. Engineered soils and irrigation for each tree is required. An owner or developer shall submit to the Department ~~of Planning and Development~~ the engineered soil specifications prior to issuance of development permit. Details of the tree grates are required to be on the plan.

2. Parking Lot Trees.

a. Parking rows shall terminate with a planting island unless adjacent to a landscape strip.

b. Landscape islands shall be provided within parking lots no farther apart than every 15 parking spaces meeting all other requirements of this UDO.

c. Recommendations for parking lot planting area designs:

i. The use of elongated planting strips that is perpendicular to the parking stalls;

ii. Irrigation and a long-term maintenance plan for newly planted trees and shrubs; and,

iii. The use of at-grade planting areas (bioswales) in parking lots to promote stormwater runoff treatment.

D. *Screening Off-Street Parking Lots.*

1. Off-street parking lots shall be screened from adjacent roadways and sidewalks by a landscape strip consistent with ~~the UDO Guidelines of~~ Chapter 600 of this UDO.

213-80.9 Streetscape Design.

A. The location and specifications of other improvements in public rights-of-way, including streetlights, bike racks, trash receptacles, benches, street trees, and landscaping, shall be as provided below:

1. Lighting.

a. A unified lighting plan must be submitted with the development permit application for approval by the Department in accordance with Section 240-100 and other sections as applicable. Such lighting must provide adequate vehicular and pedestrian visibility and security of on-site areas such as building entrances, parking, service delivery and pedestrian walkways. Light fixtures shall include glare shields to limit direct rays onto adjacent residential properties. Such lighting plan must include typical designs for shielded light fixtures, light poles, and lighting levels that are compatible with or complement the surrounding developments.

2. Pedestrian amenities.

a. Public gathering areas shall be designed with appropriately scaled and thematic site furnishings or amenities such as decorative seating, planters, or water fountains. Site furnishings and amenities shall be located outside of the street right-of-way and be privately maintained.

b. Materials should be durable and variable in texture, color, and form. Plastic or petroleum-based resin materials are prohibited.

3. Landscaping shall be separated from vehicular uses by some form of barrier such as high back concrete curb, bollards, curb stops, or other suitable permanent alternative.

4. A minimum five~~5~~-foot-wide strip shall be provided between the sidewalk and the curb. This strip shall be grassed when not adjacent to on-street parking and shall be constructed with pavers or similar materials approved by the Department if adjacent to on-street parking spaces.

5. Street trees shall be provided at least 50 feet~~'~~ on center between the sidewalk and the street.

6. Pedestrian lights shall be provided between every other street tree (~~at least~~maximum 100 feet~~'~~ on center) between the sidewalk and the street.

7. Streetlights shall be provided as required by the Department of Planning and Development and the Department of Transportation.

213-80.10 Utilities.

A. All proposed utilities located along streets in the Mixed-Use Districts, except for substations and major electric transmission lines located on separate easements, are required to be placed underground or relocated to the rear of the property so that they will be less visible from streets.

213-80.11 Signs. Signs for buildings with an individual use or tenant shall be permitted in accordance with the Gwinnett County Sign Ordinance.

213-80.12 Building Design.

A. *Odor Scrubbing.*

1. Where residential uses are located with other non-residential uses within the same building, odor scrubbing equipment shall be required of the non-residential tenant to eliminate obnoxious odor as deemed appropriate for each use.

B. *Doors and Entrances.*

1. Buildings must have a primary entrance door facing a public sidewalk and accessible to the public during business hours. Entrances at building corners may be used to satisfy this requirement.

2. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

C. *Interior Corridors.*

~~2.~~1. All unit access above street level shall be from interior corridors. Mechanical ventilation, breezeway, and natural ventilation openings in the exterior façade shall be prohibited.

213-80.13 Outdoor Operations.

A. All uses and operations except off-street parking, off-street loading and delivery and walk-up customer service windows shall be conducted completely within enclosed buildings, except as follows:

1. Outdoor seating for restaurants shall be subject to the supplemental use regulations of this UDO and be located outside of the street right-of-way.

2. Outdoor display or sales of merchandise shall be subject to the supplemental use regulations of this UDO and be located outside of the street right-of-way.

213-80.14 Property Owners' Association.

A. Open space, stormwater management facilities, floodplain and wetland areas shall be owned in fee-simple by a mandatory property owner's association or approved entity. The developer shall record the deed to the common area prior to, or concurrent with, the recording of the first final subdivision plat.

B. The property owner~~'~~s' association, or other approved entity shall be responsible for the continuous maintenance and protection of buffers, common areas, and recreation areas established pursuant to this Section.

C. At minimum, the property owner~~'~~s' association bylaws or covenants, 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 the open space or common area.

3. Responsibility for insurance and taxes.

4. Automatic compulsory membership of all lot purchasers and their successors; and compulsory assessments.

5. Conditions and timing of transferring control of the association from the developer to the lot owners.

6. Guarantee that the association will not be dissolved without the advance approval of the Board of Commissioners.

213-80.15 Application Process. The mMixed-uUse ~~rezoning~~ zoning map amendment process shall follow the process for ~~rezoning~~ zoning map amendments as prescribed in Section 270-20 with the following modifications:

A. Each applicant for the mixed-use district shall provide evidence of the unified control of the entire parcel. During the development process, more than one owner may participate in the development of the approved plan so long as each parcel of land remains subject to all of the terms and conditions of the Zoning Exhibit approved for the property as a whole.

213-80.16 Phasing Plan. A phasing plan shall be submitted with the development permit application, and approved by the Director, unless the entire development is to be completed at one time. Such phasing plan shall describe and illustrate in written and graphic format the incremental implementation of the mMixed-uUse development over a number of years, including the sequence, timing, and responsibility for construction of each building, support facilities, infrastructure, and utilities. The revision of the phasing plan is permitted and must be approved by the Department prior to each construction phase.

213-80.17 Other Requirements. The applicant shall adhere to all other applicable requirements of this Ordinance and other applicable requirements of Gwinnett County. In any case where the standards and requirements of this district conflict with other provisions of the Gwinnett County Code of Ordinances, the requirements of this district shall govern.

Chapter 214. Overlay Zoning Districts

Section 214-10. Interpretation and Applicability of Overlay Districts.

214-10.1 Purpose and Intent.

A. This Chapter establishes standards that apply to the development, use, or alteration of land, buildings, and structures within the boundaries of an overlay district.

B. The overlay districts in this Chapter contain development procedures and standards that are supplemental to other provisions of this UDO. All development and building permits for lots located within an overlay district contained in this Chapter shall meet all of the requirements of the base zoning district in which it is located, all conditions of rezoning or special use permit approvals and, in addition, shall meet the requirements of the overlay district applicable to the lot.

214-10.2 Applicability.

A. The procedures and standards contained in the overlay districts in this Chapter apply to each application for a permit for the development, use, or alteration, or modification of any structure where the subject property lies within the boundaries of an overlay district as established by the Board of Commissioners and recorded on the Gwinnett County Zoning Maps, as they may be amended from time to time.

B. The procedures and standards of overlay districts apply only to property within the boundaries of the overlay districts as established by the Board of Commissioners.

C. In any case where the standards and requirements of an overlay district in this Chapter conflict with those of the base zoning district, the standards and requirements of the overlay district shall govern.

D. In any case where the conditions of approval for rezoning or special use permit approved by the Board of Commissioners conflict with the provisions of an overlay district, the conditions shall take precedence.

214-10.3 Map Amendments. No change in the boundary of an Overlay district shall be authorized, except by the Gwinnett County Board of Commissioners pursuant to procedures in Chapter 270.

~~loading~~Section 214-20. Activity Center/ Corridor Overlay District.

214-20.1 Findings and Purposes. The Activity Center/Corridor Overlay District is intended to enhance the viability and livability of the area surrounding major activity centers in Gwinnett County as designated by the Board of Commissioners. The purpose of the Overlay District is to achieve and maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture, and signage; and to promote alternative modes of transportation within the district through the provision of pedestrian and local public transit.

214-20.2 Applicability.

A. The requirements of the Overlay District shall apply to all non-residential, townhouse, mixed-use, and ~~attached residential~~multifamily properties within the unincorporated areas as shown on:

1. Mall of Georgia Overlay District Map.
2. Grayson/Highway 20 Corridor Overlay District Map.
3. Centerville/Highway 124 Corridor Overlay District Map.

4. Highway 124/324/Hamilton Mill Road Overlay District Map.

5. Highway 78 Corridor Overlay District Map.

~~5.~~6. Five Forks Trickum Overlay District Map.

6. These standards shall apply to all new construction and shall apply to the applicable and affected portions of a redeveloped site or refurbished building as determined by the Director ~~of Planning and Development~~.

214-20.3 Design Requirements.

A. *Transportation/Infrastructure.*

~~1. Provide interparcel vehicle access points between all contiguous multifamily, commercial, office, industrial or attached residential tracts. This requirement may be waived by the Director only if it is demonstrated that an interparcel connection is not feasible due to traffic safety or topographic concerns.~~

~~2.~~1. All new utility lines shall be located underground.

~~3.~~2. Sidewalks shall be required adjacent to all public rights-of-way and into and throughout attached residential developments. The location of sidewalks shall be reviewed and approved by the Gwinnett or Georgia Department of Transportation. A minimum four-foot-wide sidewalk ~~that is a minimum of four feet wide~~ shall connect entrance~~(s)~~s of buildings to the public rights-of-way.

~~4.~~3. At the following locations, sidewalks shall be constructed with an additional ~~2~~two-foot-deep by eight~~8~~-foot-wide concrete pad, located outside of the right-of-way, designed to accommodate future pedestrian amenities such as benches, planters, and trash containers.

a. At intersections of the corridor with an arterial, major collector or minor collector identified on the Gwinnett County Long Range Road Classification Map.

b. At locations along the corridor designated for a transit stop or future transit stop by Gwinnett County Department of Transportation.

c. At locations along the corridor designated for a school bus stop by the Gwinnett County Board of Education.

d. Such pedestrian amenity sidewalk pads shall not be required closer than 300 feet from another such pad on the same side of the street.

~~5.~~4. Amenity pads located along an existing transit route shall include pedestrian amenities at time of installation. All amenities required and listed above shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the Gwinnett or Georgia Department of Transportation. Locations of pedestrian amenity sidewalk pads shall be coordinated to avoid locations of curb inlets, guardrails, and bridges.

B. *Streetlights.*

1. Provide streetlights along all public rights-of-way utilizing decorative light poles/fixtures. Streetlights shall be staggered, 150 feet on-center, along both sides of the roadway. All street lighting shall be subject to review and approval of the Gwinnett County Department of Transportation. Where applicable, streetlights shall be placed adjacent to required pedestrian amenity sidewalk pads. Specifications of light fixtures are provided in Table 214.1.

Table 214~~.~~1: Light Fixture Requirements for Public Rights-of-Way

Fixture Head	Pole Type (Streetlight)	Max. Pole Height
Cobra Head	Smooth black	40 ft.

~~2. Refer to Section 240-100 for lighting in parking lot requirements.~~

C. *Greenway Access.* Where required, construction of greenway or greenway access, or dedication of greenway easement shall be in accordance with the most recently adopted Gwinnett ~~County Open Space and Greenway~~Countywide Trails Master Plan and be maintained in accordance with Section ~~900-10~~360-110 and other applicable sections of the UDO. If a project abuts a greenway, then a multi-use path shall be provided to connect the greenway for pedestrian and bicyclist use. Final location of the greenways or greenway access shall be coordinated with the Department of Community Services.

D. *Landscaping Requirements.*

~~1.~~ Provide, at a minimum, 20 Tree Density Units per acre for all non-residential development. Type and size of plantings shall be in compliance with this UDO. At least 50 percent of plantings shall consist of trees ~~3~~ three inches caliper or greater.

1.

2. ~~2.~~Landscape islands shall be provided within parking lots no farther apart than every 15 parking spaces, meeting all other requirements of this UDO.

2. Provide a minimum 10-foot-wide landscaped strip between all road rights-of-way and the back-of-curb of abutting off-street paved parking lots. At a minimum, landscaped strips shall be planted in accordance with this UDO.

3. Provide street trees spaced 50 feet on-center or grouped at 120 feet on-center adjacent to the ~~right of way~~street on the following roads:

   a. Mall of Georgia Overlay:

      i. Buford Drive

      ii. Woodward Crossing Boulevard

      iii. Mall of Georgia Boulevard

   b. Grayson/Highway 20 Overlay:

      i. Grayson Highway

      ii. Loganville Highway

      iii. Sugarloaf Parkway

      iv. Webb Gin House Road

      v. Hillside Drive

      vi. Cooper/Ozora Road

      vii. Oak Grove Road

      viii. Hope Hollow Road

      ix. Hoke O'Kelly Mill Road

x. Brand Road

c. Centerville/Highway 124 Overlay:

i. Scenic Highway

ii. Centerville Highway

iii. Highpoint Road

iv Everson/Springdale Road

v. Bethany Church/Zoar Road

vi. Zoar Church Road

vii. Annistown/Centerville-Rosebud Road

viii. Campbell Road

ix. Lee Road

x. Anderson-Livsey Lane

d. Highway 124/324/Hamilton Mill Overlay

i. Braselton Highway

ii. Gravel Springs Road

iii. Auburn Road

iv. Hamilton Mill Road

e. Highway 78 Overlay

i. E. Park Place Blvd

ii. Hewatt Road

iii. Highpoint Road

iv. Killian Hill Road

v. Parkwood Road

vi. Rockbridge Road

vii. Stone Mountain Highway

viii. W. Park Place Blvd.

f. Five Forks Trickum Overlay

i. Five Forks Trickum Road

ii. Killian Hill Road

iii. Rockbridge Road

iv. Old Tucker Road

v. River Drive

vi. Dogwood Road

vii. Oak Road

viii. Tom Smith Road

ix. Bowers Road

4. All street trees shall be a minimum ~~3~~three-inch caliper at the time of planting. Street trees shall be located between the sidewalk and back-of-curb within a minimum ~~5~~five-foot-wide landscape

strip, or hardscape strip if adjacent to on-street parking, subject to review and approval of the Georgia or Gwinnett Department of Transportation. Street trees shall be chosen from the Tree Species List in the UDO Appendix.

5. Natural vegetation shall remain on the property until issuance of a development permit.

E. *Parking and Accessory Structures.*

1. For retail developments exceeding 125,000 square feet of gross floor area, at least ten percent of all provided parking spaces shall be provided in parking areas of porous paving or grass pavingsystems, such as "Grasscrete" or "Grasspave," not to exceed 1,000 parking spaces or as approved by the Director ~~of Planning and Development~~.

2. Up to 25 percent of the provided parking spaces for any development may be compact spaces. ~~reduced in total area, width, or depth for designated compact vehicle parking. Each compact vehicle parking space shall not be less than eight feet in width and 17 feet in depth.~~

3. No more than 10 percent of parking spaces may be located between the front building line of ~~a~~ the closest building to the right-of-way~~building~~ and the right-of-way~~.~~. This parking shall be limited to no more than one double row of parking. ~~No more than 30 percent of off-street parking areas may be located to the sides of building(s), with the balance of parking located to the rear the building(s).~~

4. Primary building facades and entrances closest to the right-of-way shall be located no more than 70 feet from the public rights-of-way ~~and~~ , shall be oriented toward the street, and shall provide a sidewalk connecting the front entrance to a continuous sidewalk placed parallel to the street.

~~5. Decorative, commercial-quality, bicycle racks subject to all bicycle parking regulations of this UDO shall be provided for all multifamily, commercial, and office developments.~~

~~6.~~5. Benches and trash receptacles shall be required for all multifamily, retail, and office developments adjacent to the public sidewalk~~.~~, and outside of the right-of-way.

~~7.~~6. Shopping cart corrals located in the parking areas of retail developments shall be of decorative quality.

~~8.~~7. Vending machines, if provided, shall be located within a building.

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~~are prohibited.

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.

G. *Architectural Standards~~/ Design~~.*

1. Refer to the Gwinnett County Architectural Design Standards and UDO Design Guidelines. All development in the Activity Center/ Corridor Overlay District shall be in conformity with the Gwinnett County Architectural Design Standards and in substantial conformity to the UDO Design Guidelines.

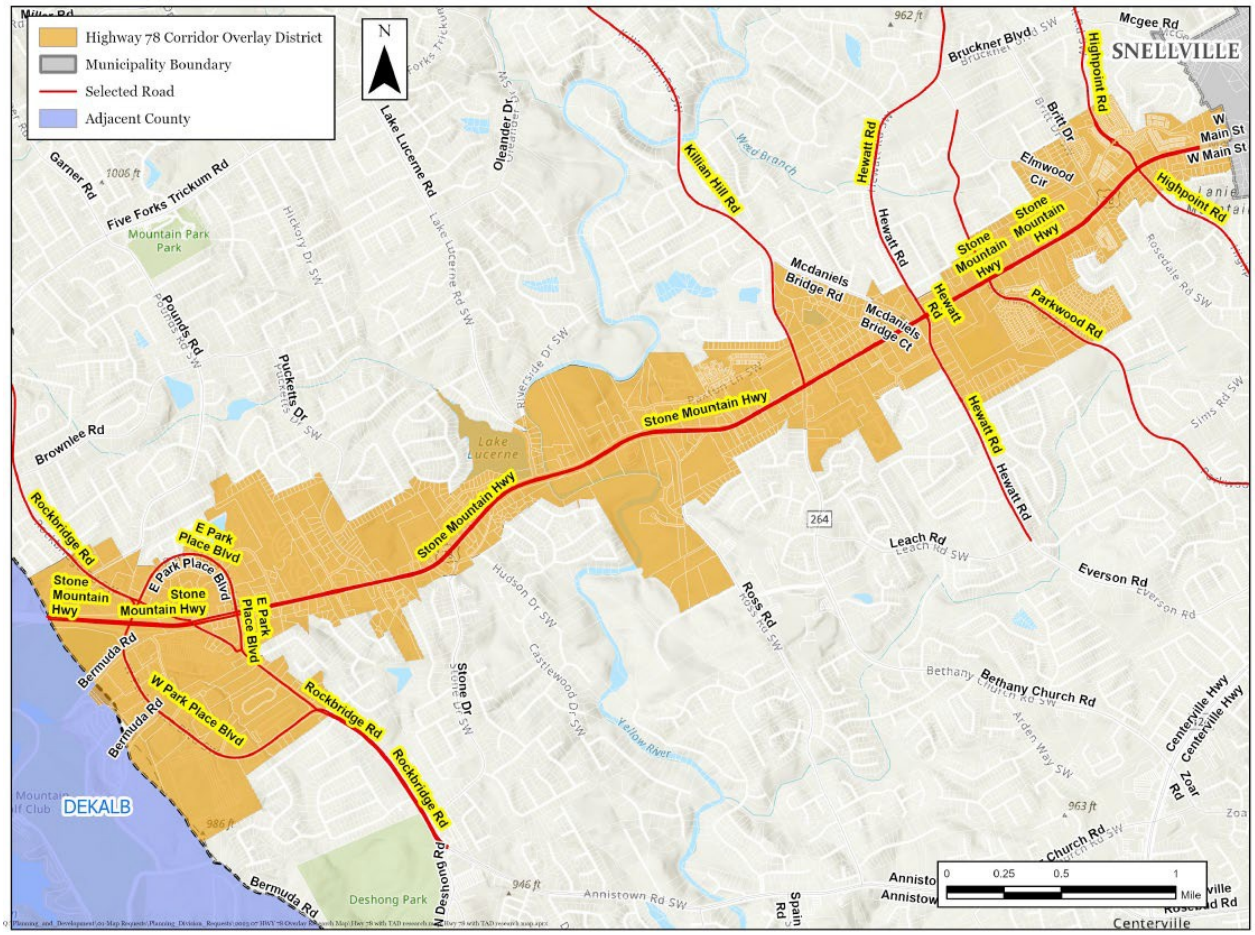
2. Building plans shall be subject to review and approval of the Director prior to issuance of a building permit. Building designs that are inconsistent with these standards shall be denied.

Denial of the Director's decision shall be subject to appeal pursuant to Chapter 270, Procedures, of this UDO.

214-20.4 ~~Prohibited Uses~~Uses within the Five Forks Trickum Overlay District.

A. ~~The followinguses~~Uses located in the Five Forks Trickum Overlay District within the following major land use categories as listed in Section 211.80 of this UDO shall ~~be prohibited~~require a Special Use Permit-:

1. Smoke, Novelty, or CBD Shop;
~~1.~~2. Vehicle Rental and Related Services Establishments;
~~2.~~3. Vehicle Repair, Service, and Body Work Establishments;
4. Vehicle Sales and Related Service Establishments.



Section 214-30. Venture Drive Redevelopment Overlay District.

214-30.1 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, ridesharing, 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.~~C. 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.~~D. 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.~~E. 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.~~F. Provide appropriate incentives to encourage redevelopment consistent with the Gwinnett County Unified Plan.

~~H.~~G. 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.~~H. Encourage design that improves public safety and security.

214-30.2 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.

214-30.3 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.~~A. Block Length: ~~—~~ T~~t~~he dimension of a block defined by continuous frontage between streets and/or pedestrian ways.

~~C.~~B. Block Area: ~~—~~ T~~t~~otal 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.~~C. Open Space: U~~—u~~sable, generally publicly available land meeting the standards of Section 214-30.10.Pedestrian Way: A~~—a~~n external area permitting public accessibility to pedestrian-only traffic containing an unobstructed pedestrian path meeting all requirements of Section 214-30.9.

~~G.~~D. Sidewalk Level: A~~—a~~ny building floor located within 5 vertical feet of the adjacent sidewalk, supplemental zone, or pedestrian way.

~~H.~~E. Supplemental Zone: T~~—t~~he area located between any sidewalk zones and/or pedestrian ways and a building façade.

214-30.4 Use Provisions. ~~Permitted Uses.~~

A. General. Residential u~~U~~ses shall be in accordance with the HRR, High-Rise Residential Multifamily District as listed in Section 210-130 of this UDO. Non-Residential uses shall be in accordance with the C-1, Neighborhood Business District as listed in Section 211-80 of this UDO. ~~the underlying zoning district, except as specifically otherwise stated in this section.~~

~~shall be~~Uses permitted in the Venture Drive Redevelopment Overlay District are 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 drive thru 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, Multifamily

214-30.5 Accessory Uses and Structures.

Accessory uses and structures shall be permitted in the Venture Drive Redevelopment Overlay District in accordance with the provisions of this UDO.

214-30.6 Special Uses.

Special Uses may be permitted in the Venture Drive Redevelopment Overlay District. 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 Chapter 211 of this UDO.

Agricultural and Rural Recreational Uses
Golf Driving Range
Commercial and Retail Uses
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

214-30.67 Density, Height, and Bulk Requirements.

A. The maximum allowable density within the Venture Drive Overlay is a 5.0 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.

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.

214-30.78 Block Standards and Connectivity Requirements (See Exhibit A).

A. *Block sizes*. New developments shall be planned containing with new streets and/or pedestrian ways such that no block within the development shall contain a block frontage greater than 500 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 pedestrians ways to adjoining property in a manner that facilitates their future extension or provide easements for such future extensions

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

214-30.89 Street and Pedestrian Way Standards (See Exhibits A & B & C).

A. *Streets.*

All proposed streets will contain:

1. Minimum 12-foot-wide travel lanes.

~~2.~~ Minimum ~~8~~eight-foot-wide parallel parking spaces on both sides of the street.

~~3.~~2. ~~Minimum 6six-inch-wide header curb.~~

~~4.~~3. Minimum 15-foot-wide sidewalks measured from back of curb consisting of minimum ~~5~~five-foot-~~wide~~ street tree, lighting, and furniture zone and 10-foot-wide clear zone for circulation.

~~5.~~4. An additional minimum ~~5~~five-foot-wide supplemental zone is required which may be either paved or landscape as appropriate to the adjacent use.

~~6.~~5. ~~Street lighting will be provided (Gwinnett CID Standards).~~Streetlights shall be staggered, 150 feet on-center, along both sides of the roadway. All street lighting shall be subject to review and approval of the Department of Planning and Development and the Gwinnett County Department of Transportation.

6. Street trees shall be spaced 50 feet on-center or grouped at 120 feet on-center adjacent to the street.

7. Street furnishing will be provided as required by the Department of Planning and Development and the Department of Transportation.~~k(Gwinnett 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~~eight-foot-wide clear zone sidewalk.

214-30.9~~10~~ Open Space Requirements (~~See~~ Exhibit B~~A~~).

A. All development shall provide 20~~%~~ percent of ~~net lot~~project 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 site development, the Director ~~of Planning and Development~~ 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~~ five 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.

214-30.1~~0~~1 Parking Requirements.

A. The following parking requirements are established:

Land Use	Minimum	Maximum
Office	None	1~~4~~ per 250~~1,000 sf~~sq. ft.
Retail	None	1~~5~~ per 3~~1,0~~00 sq. ft.

Residential	None	2~~1~~ per bedroom
Hotel	None	1.5 per room
		~~NRA~~

~~Retail~~	~~5 per 1,000 NRAsq. ft.~~	~~None~~
~~Residential~~	~~1 per bedroom~~	~~None~~
~~Hotel~~	~~1 per room~~	~~None~~

B. On-street parking provided does not count towards maximum retail ~~parking in full~~ and multi-family parking.

C. Shared parking is allowed and encouraged.

D. No surface parking lots shall be permitted between any street and the front building line of any building.

E. Surface parking lots shall provide internal landscape islands at the end of all parking stalls and within parking lots at least every 15 parking spaces, subject to the planting requirements of this UDO.

~~F. Bicycle parking shall be provided at a minimum ratio of one (a) bicycle parking spaces per 30 automobile parking spaces. No single building shall provide less than two (2) bicycle parking spaces or be required to provide more than 30 bicycle rack spaces. Multifamily buildings shall provide indoor lockable bicycle storage.~~

~~G.~~F. At least one public transit shelter shall be provided along each external street with transit service, subject to the review and approval of the Georgia or Gwinnett Department of Transportation.

214-30.11~~2~~ 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 50 ~~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 oriented toward a sidewalk or street 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 at least 50~~%~~ percent fenestration at the sidewalk level. The total building façade shall contain an overall average of 40~~%~~ percent fenestration.

6. Glass for windows and doors shall utilize clear or tinted glass. Tinted glass shall have a minimum transmittance factor of 50~~%~~ percent 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~~%~~ percent of the retail or office storefront from any parallel point on the sidewalk.

8. Parking structure facades shall incorporate finish materials that are consistent and complementary with the façade finish of the primary buildings.

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 ~~-~~deep ~~of depth~~ measured from the sidewalk street level building façade.

4. Sidewalk level active uses exclude storage areas and parking.

5. Queueing 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~~ through windows for any use including all areas associated with queueing.

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~~ six inches in height.

2. No up-lighting shall be placed a height of less than ~~8~~ eight 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.

214-30.12~~3~~ Service, Loading, Mechanical, and Accessory Features.

A. All external dumpsters and trash compactors shall be located to the rear of buildings and be enclosed with decorative masonry walls and decorative gates to a height of 8 feet or located within a building or parking structure.

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 or located within a building or parking structure.

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.

4. Wall mounted utility equipment shall be screened and/or painted to match the adjacent façade finish.

D. No barbed wire, razor wire, or similar elements shall be permitted.

214-30.13~~4~~ Submittals and Approvals Process.

A. Any new construction and renovation of more than 60~~%~~ percent of the principal 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~~an SAP shall schedule a pre-application meeting with the Director ~~of Planning and Development (or the designee)~~ prior to the submission for any SAP. Said meeting will be scheduled within 14 days and held within~~g~~ 30 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~~an SAP are as follows:

1. Property boundary survey no more than ~~2~~ two 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 ~~4~~ four weeks of submittal of a complete application, 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~~an 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 30 days of resubmittal.

E. *Variations*.

The Director ~~of Planning and Development~~ may grant variations from any of the standards set forth in this UDO with the exception that there will ~~be no will~~ be no variations granted for use~~s~~ or lot size~~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, or~~.~~
2. The applicant proposes a solution which does not circumvent the intent of this UDO and/or ~~meets and exceeds the minimum standards of this ordinance in a manner that~~ in the opinion of the Director provides a superior environment.

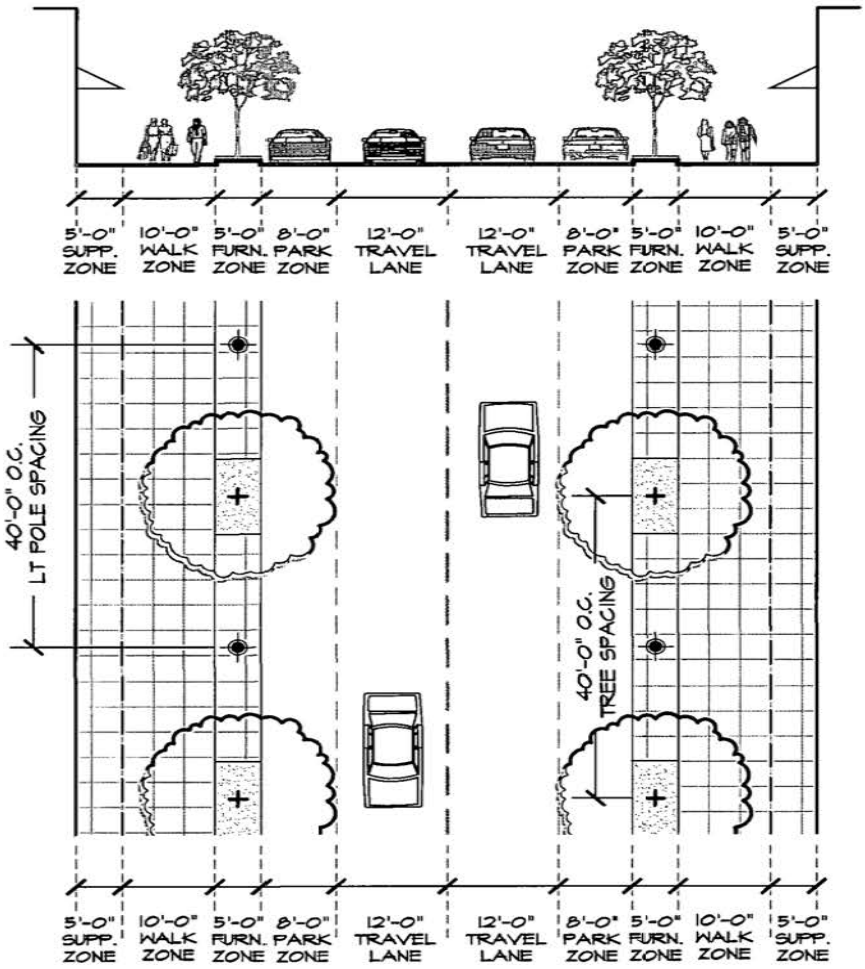


EXHIBIT ~~A~~B

STREET STANDARDS

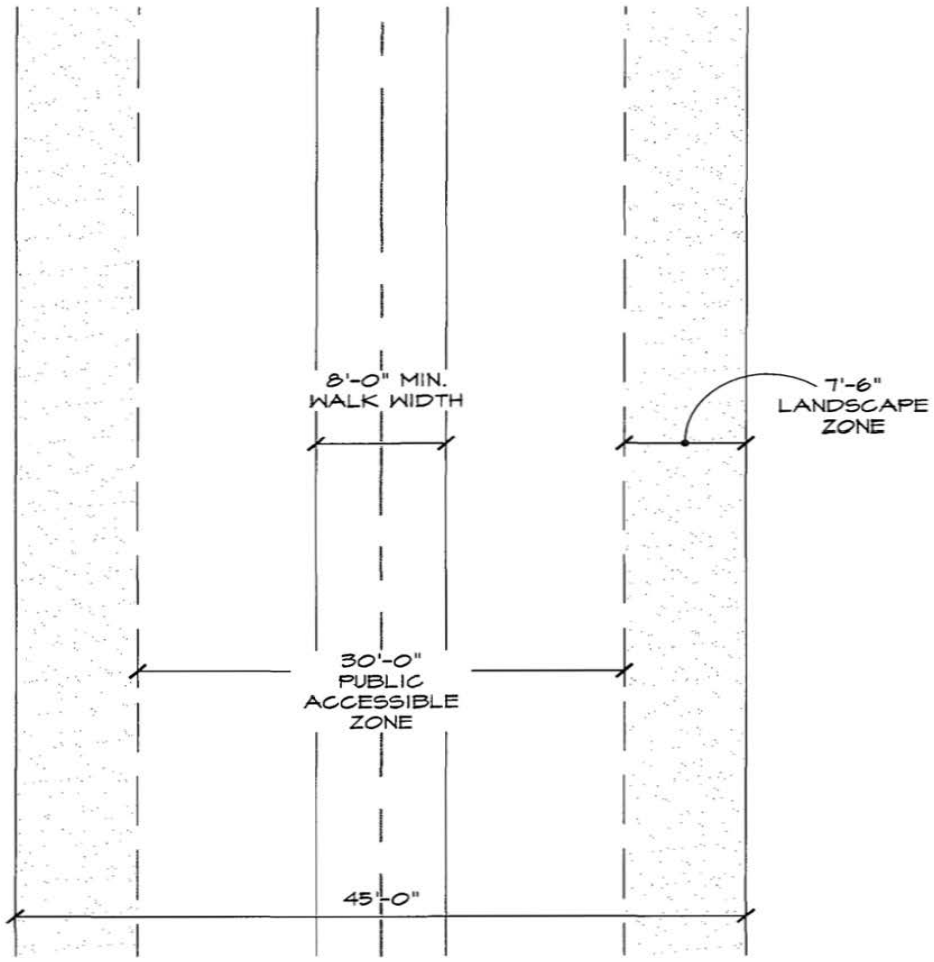


EXHIBIT ~~B~~C
PEDESTRIAN WAY STANDARDS

Section 214-40. Gateway 85 Overlay District.

214-40.1 Purpose and Intent.

The purpose of the Gateway 85 Overlay District is to enhance the vitality and livability of the Gateway 85 business district. Specifically, the district is intended to:

A. Create an attractive setting for business growth that supports the tax base, provides jobs, and promotes the district's continued success;

B. Promote quality redevelopment that will reinforce the district's brand and improve its market attractiveness for investment;

C. Encourage the revitalization of underutilized commercial and industrial properties;

D. Reduce and eliminate incompatible land uses;

E. Achieve and maintain a unified and pleasing aesthetic quality in landscaping, site planning, and signage;

F. Establish standards for high-quality, use~~e~~able open space in commercial and mixed-use projects;

G. Promote safe and convenient vehicular, pedestrian, bicycle, and transit mobility; and

H. Encourage design that improves public safety and security.

214-40.2 Applicability.

A. The boundaries of the Gateway 85 Overlay District shall be as shown on the official overlay district map, except that this overlay does not apply to ~~areas zoned exclusively for~~ single-family detached or attached residential development.

B. The Gateway 85 Overlay District shall function as an overlay zoning, wherein the underlying zoning district standards remain in effect and the standards of this overlay apply in addition. Whenever this overlay imposes a standard that is more or less restrictive, the requirements of this Overlay District shall govern.

C. All buildings, structures, or land, in whole or in part, shall be used, occupied, erected, constructed, moved, enlarged, or structurally altered, in conformance with this overlay according to Section 220.40.3.

D. Nothing in this overlay shall require any change in the plans, construction or intended use of a building or structure for which a lawful permit has been issued or a lawful permit application has been accepted before the effective date of this overlay, provided that the construction under the terms of such permit is diligently followed until its completion subject to all applicable provisions of this UDO.

E. It is not the intent of this overlay to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this overlay imposes a greater restriction upon the use of property or requires more space than is imposed or required by other resolutions, rules or regulations, or by easements, covenants or agreements, the provisions of this overlay shall govern.

F. *Definitions.* The following term shall have the following meaning when used in this overlay:

1. *Priority Corridor.* High visibility corridors that are held to a higher design standard, including:

a. Beaver Ruin Road;

b. Buford Highway;

c. Crescent Drive;

d. Dawson Boulevard;

e. Indian Trail Road;

f. Jimmy Carter Boulevard;

g. Oakbrook Parkway;

h. Rockbridge Road;

i. Singleton Road; and

j. South Norcross Tucker Road.

214-40.3 Redevelopment Thresholds.

A. *Redevelopment thresholds.*

1. *Renovations.* Renovations, alterations, adaptations, restorations, repairs, or other physical modification to a structure or portion of a structure that existed before adoption of this overlay, shall be subject to the Non-conforming Use provisions of this UDO.

2. *Expansion.* Expansions to any building or use shall be subject to the provisions of this overlay with the exception of Section 214.40.5 Streetscape Standards and Section 214.40.8 Access Management.

3. *Site Disturbance.* Any Site disturbance or modifications shall be subject to the provisions of this overlay with the exception of Section 214.40.8 Access Management.

4. *Change of use.* Change from a use that existed before adoption of this overlay shall be subject to the provisions of this overlay with the exception of Section 214.40.5 Streetscape Standards and Section 214.40.8 Access Management.

5. *Multiple thresholds.* When a proposed activity includes multiple thresholds identified in "2" through "4" immediately above, the provisions of each applicable threshold shall apply.

~~5.~~6. *Redevelopment.* Any new development shall comply with all regulations of this overlay district.

214-40.4 Use Provisions.

A. *General.* Uses shall be in accordance with the underlying zoning district, except as specifically otherwise stated in this section.

B. *Prohibited Uses.* The following use are prohibited in this overlay:

1. Adult entertainment;

2. Salvage operation or junk yard;

3. Pawn shops; and

4. Used tire sales as a principal use or accessory to any use.

C. *Used automobile sales and rental use standards.* The minimum lot size shall be ~~2~~ two acres.

D. *Vehicle repairs.* All vehicle repairs shall be fully conducted indoors, regardless of whether the vehicle repairs are a principal or accessory use.

E. *Used vehicle sales.* Used vehicles shall not be displayed for sale on any premises unless the premises is used for a conforming automobile sales~~, car dealership~~ use, or unless such used vehicle sales is a continuation of an activity that was ~~a~~ legally occurring on the premises on the effective date of this overlay.

F. *Outdoor display or sales standards.*

1. Prohibited outdoor displays or sales. In addition to the conditional use requirements of this UDO for outdoor storage in non-residential districts, the following are prohibited:

a. Outdoor display or sales of merchandise associated with a pawn shop;

b. Outdoor display or sales of used merchandise associated with any use;

c. Outdoor display of tires for sale, rental, or storage; and

d. Outdoor display of or sales of appliances associated with any use.

G. *Convenience Stores with Fuel Pumps.* Shall be prohibited in the C-1, Neighborhood Business District and shall require a Special Use Permit in the C-2, General Business District and C-3, Highway Business District.

214-40.5 Streetscape Standards.

A. Streetscapes shall be installed along public rights-of-way as specified in Table 214-~~.~~24: Streetscape Table, except as provided in "B" immediately below for an alternative multi-use trail. Streetscapes shall include a sidewalk landscape strip adjacent to the roadway, a sidewalk, and a landscape strip at the back of the sidewalk on private property.

B. A multi-use trail may be required instead of a sidewalk landscape strip and sidewalk where identified as a multi-use trail in the most recently adopted Gwinnett Countywide Trails Master Plan.

C. Sidewalks shall be constructed with an additional two~~2~~-foot-deep by eight~~8~~-foot-wide concrete pad, located outside of the right-of-way, designed to accommodate existing or future pedestrian amenities such as benches, planters, and trash containers, at the following locations:

1. At intersections of Priority Corridors with an arterial, major collector or minor collector identified on the Gwinnett County Long Range Road Classification Map;

2. At locations along Priority Corridors designated for a transit stop or future transit stop by Gwinnett County Department of Transportation;

3. At locations along Priority Corridors designated for a school bus stop by the Gwinnett County Board of Education; and

4. Such pedestrian amenity sidewalk pads shall not be required closer than 300 feet from another such pad on the same side of the Priority Corridor.

D. All amenities required and listed above shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the Gwinnett and/or Georgia Department of Transportation. Locations of pedestrian amenity sidewalk pads shall be coordinated to avoid locations of curb inlets, guardrails, and bridges.

~~E.~~ All new utility lines shall be buried.

~~F.~~E. ~~Streetlights shall be provided. (Gwinnett CID Standards)~~

~~C.~~

Table 214-~~,~~24: Streetscape Table

Street Type	Sidewalk Landscape Strip	Sidewalk	Landscape Strip	Streetlights
Principal Arterial, Major Arterial, Minor Arterial, Major Collector	Min. 2 ft.	Min. 8 ft.	Min. 10 ft. per Section 620-20	Required
Local	Min. 2 ft.	Min. 5 ft.	Min. 10 ft. per Section 620-20	Required

214-40.6 Lighting Standards.

A. Rope lighting is prohibited, including on the interior of a building when visible from the exterior.

214-40.7 Pedestrian Access.

A. A walkway shall be provided from all buildings to an adjacent public right-of-way, as follows:

1. Parcels under ~~2~~two acres shall provide a minimum five-foot-wide walkway ~~with a minimum width of 5 feet~~, except as specified in "3" immediately below.

2. Parcels two~~2~~ acres or larger shall provide a minimum five-foot-wide walkway ~~with a minimum width of 5 feet~~ and a minimum five-foot-wide ~~landscape~~ grassed strip ~~with a minimum width of 5 feet~~ along both sides of the required walkway, except as specified in "3~~C~~" immediately below.

3. Walkways and ~~landscape~~ grassed strips are not required for existing buildings or uses when the applicant demonstrates that their installation would do any of the following:

a. Render the parcel non-conforming with regards to parking; or

b. Result in a 10% or more reduction in the number of parking spaces on the parcel; or

c. Require the construction of retaining walls, site grading, site excavation, or site fill; or

d. Is determined by the Director ~~of Planning and Development~~ to be infeasible because of topographic or other site-specific constraints.

4. The required or provided walkway surface shall be hardscape but may not be asphalt.

~~B. The required or provided landscape strip shall be planted in accordance with the standards of Section 620-20.~~

214-40.8 Access Management.

A. Driveways ~~may~~shall not be located on a Priority Corridor when vehicular access is available from a right-of-way that is not classified as a Priority Corridor, except where the Director ~~of Planning and Development~~ determines it is infeasible due to conflicts with adjacent land uses.

214-40.9 Building Design.

A. *Foundation plantings.* All building foundations along a Priority Corridor shall conform to these standards, except as provided for in "3" immediately below:

1. All portions of foundations that extend more than ~~12 inches~~one foot above finished grade shall be screened from Priority Corridors with continuous evergreen or semi-evergreen shrubs;
2. At the time of installation, the screening shall be at least ~~1~~one foot in height and reach a height

of ~~3~~three feet within ~~3~~three years of planting; and ~~F~~foundation plantings are not required adjacent to ground floor commercial storefronts when said plantings would obstruct views into the commercial establishments, subject to approval of the Director ~~of Planning and Development~~.

214-40.10 Screening.

A. *Wall-mounted equipment.* Wall-mounted equipment shall be screened from Priority Corridors as follows:

1. Wall-mounted equipment located on any surface shall be screened from Priority Corridors by an opaque fence or wall, or landscaping;
2. The screening design shall be compatible with the principal building in terms of texture, quality, material, and color; and
3. Screening shall be of a height equal to or greater than the height of the mechanical equipment being screened.

214-40.11 Site Accessories.

A. *Fences and walls.* This section applies to all fences and walls, regardless of whether they are intended to satisfy screening requirements.

1. Chain link fencing is prohibited, except in M-1 and M-2 zoning districts and only when the change link fencing is not visible from a Priority Corridor.
2. Barbed wire, razor wire, or similar elements are prohibited, except in M-1 and M-2 zoning districts and only when not visible from any street.
3. Any wall or fence which extends into the ~~required~~ front yard shall be ornamental or decorative and either constructed as:
    a. A solid wall faced in brick, stucco, or stacked stone wall; or
    b. As a wrought iron-style fence with brick or stacked stone columns (maximum 30-feet on-center).
4. When fences or walls are located within the streetscape landscape strip listed in Sec. 214-40.5, they shall be set back at least ~~5~~ five feet from the public right-of-way to provide landscaping between the fence and the sidewalk.

B. *Shopping cart corals.* Shopping cart corrals located in the parking areas of retail developments shall be of decorative quality. Shopping cart storage shall be screened from view from the parking lot.

214-40.12 Common Area.

A. At least ~~5~~five percent of the ~~net project acreage (total acreage of the project excluding 100-year floodplain and wetland areas)~~site area of all new non-industrial developments over 10 acres in size shall be provided as Common Area as required by this section.

B. Required Common Area shall be provided outdoors and appropriately improved as a pedestrian amenity and/or for aesthetic appeal.

C. Common Area may be met in one contiguous open area or in multiple open areas on a parcel; however, to receive credit, the area shall be at least 20 feet in width and length, and at least 50~~%~~ percent of the required amenity space shall be located in one contiguous open area.

D. All Common Area, other than rooftop areas shall be located at grade.

E. Common Area may be roofed provided it is part of the Common Area facilities and it is not enclosed.

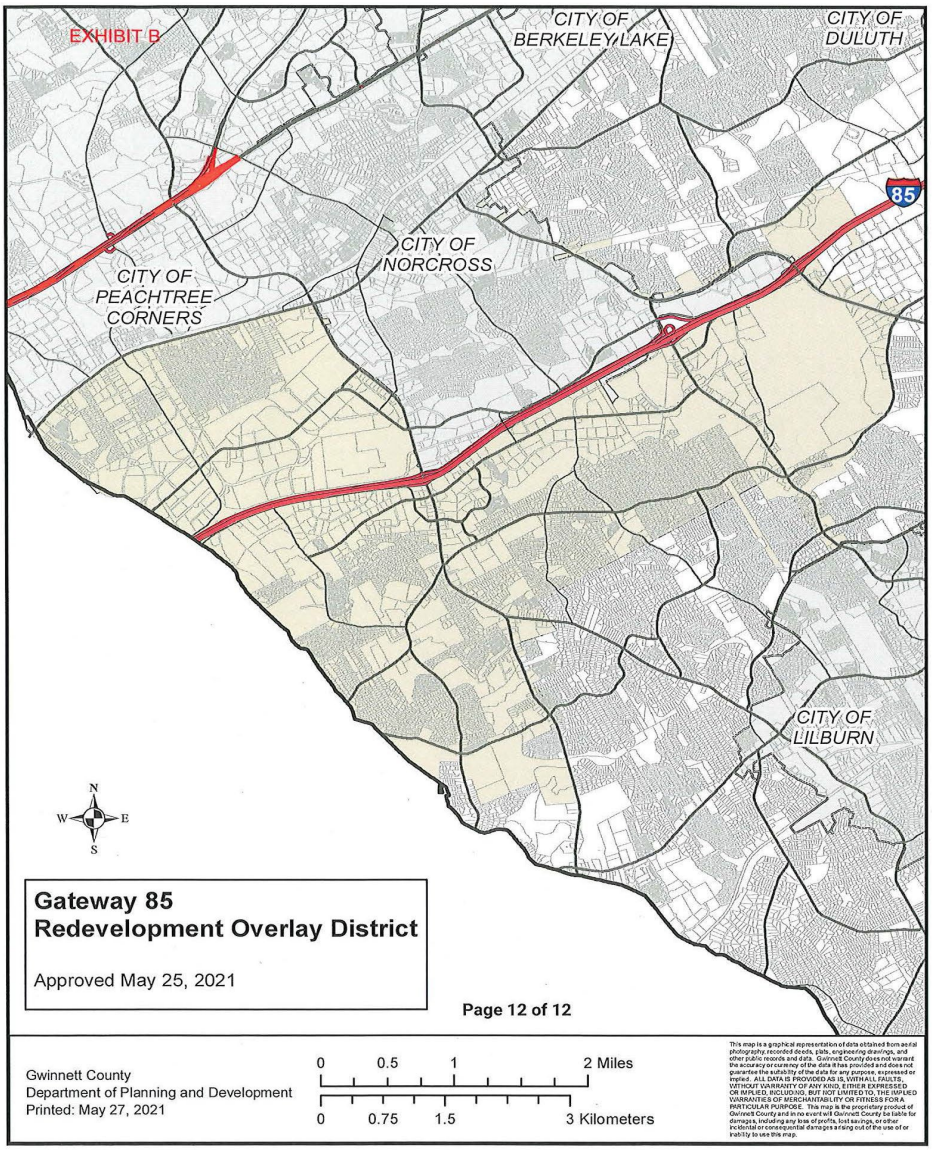
F. Common Area shall not be parked or driven upon, except for emergency access and permissible temporary events.

G. In calculating the minimum Common Area requirement, the following or similar facilities may be included:

1. Ground-level Common Area facilities such as sidewalks/walkways, swimming pool, playground, sport court, dog park, garden, community garden, park, green pavilion, seating area or plaza, landscape areas, bio-retention areas (when designed as an amenity), pond/lakes, and water features.

2. Upper-level Common Area facilities such as a common balcony, rooftop deck or rooftop garden.

3. Required zoning buffers ~~and/or State~~and required stream buffers ~~may~~shall not be considered Common Area.



Section 214-50. Innovation Overlay Zoning District.

214-50.1 Purpose and Intent.

The purpose of the Innovation Overlay Zoning (IOZ) District is to promote sustainable, environmental stewardship; to facilitate a knowledge community including medical, agricultural, and environmental research uses, and a mix of housing options; and to provide civic space and parks; entertainment and hospitality amenities; and businesses and entrepreneurial space in a cohesively designed setting. The IOZ District encourages opportunities for recreation and alternative modes of transportation throughout the district. The entirety of the district is conceived as a place where a focus on people and ideas creates special environments. The district shall be guided by a series of unifying principles:

A. Respect for the natural contour of the land;

B. Provide a diversity of housing types;

C. Create highly collaborative environments supportive of programing for the arts, music, and education;

D. Inspire settings where people can feel, touch, experience and create the future; and

E. Promote access to a wide variety of people, companies, and institutions.

Specifically, the IOZ District is intended to:

A. Allow for a range of innovation and research facilities, and the broad exchange of ideas between residents and employees;

B. Promote a framework for innovative design solutions with respect to environmental resources and functions within the landscape;

C. Allow development that will support and benefit from alternative transportation modes such as bus transit, rail transit, ridesharing, bicycling, and walking;

D. Support the clustering of land uses and development patterns that support pedestrian circulation;

E. Encourage formation of pedestrian-friendly activity centers with residential, commercial, and office development that incorporate safe living environments for the residents of Gwinnett County;

F. 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;

G. Provide a distinct district that will improve the market attractiveness of the area for investments by the private and public sectors;

H. Provide appropriate guidelines to encourage development consistent with the 2040 Unified Plan, as amended;

I. Provide for connectivity of streets, multipurpose trails, 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; and

J. Provide for the integration and preservation of open space which incorporates a multiuse trail system that provides connectivity within the district and to the larger region, when possible.

214-50.2 Applicability.

A. The boundaries of the Innovation Overlay Zoning District shall be as shown on the official Overlay District Map, maintained by the Department of Planning and

Development.
The Innovation Overlay Zoning District shall function as an overlay zoning, wherein the underlying zoning at the time of enactment of the overlay remains effective. Whenever this overlay imposes a standard that is more restrictive or less restrictive, the requirements of this Overlay District shall govern per the redevelopment thresholds in Section 214.50-4.

B. All buildings, structures, or land, in whole or in part, shall be used, occupied, erected, constructed, moved, enlarged, or structurally altered, in conformance with this Overlay according to Section 214-50.4

C. It is not the intent of this Overlay to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where this overlay imposes a greater restriction upon the use of property or requires more space than is imposed or required by other resolutions, rules or regulations, or by easements, covenants or agreements, the provisions of this Overlay shall govern.

D. All properties located in the Rowen Innovation Subdistrict shall be developed in conformity with the Rowen Design Guidelines, adopted by the Board of Commissioners on September 27, 2022, incorporated herein by reference, including any amendments thereto.

214-50.3 Reserved.

214-50.4 Redevelopment Thresholds and Nonconforming Uses.

A. Renovations, expansions, and site disturbance of any structure or site existing before the adoption of this Overlay shall be subject to the provisions of Chapter 260-Non-Conformation Uses, of this UDO, with the following exceptions:

1. Renovation. Renovations to a structure, or portion of a structure, that existed before adoption of this Overlay in the Rowen Innovation Subdistrict shall apply if they impact 60 percent or more of a building.
2. Expansion. Expansions to any building or use by more than 10 percent shall be subject to the provisions of this Overlay, except for 214.50.6.D and 7.D Street Standards.
3. Site Disturbance. Site disturbance greater than 5,000 square feet shall be subject to the provisions of this Overlay, except 214.50.6.A and 7.A Permitted Uses, 214.50.6.C and 7.C Building Standards, and
   214.50.6.D and 7.D Street Standards.
4. Change in Use. Any change in use from one occupancy classification to another shall be subject to the following provision of this Overlay:
   214.50.6.A and 7.A Permitted Uses.

214-50.5 Use and Development Standards.

The Rowen Innovation Subdistrict is intended to accommodate a critical mass of innovation and research facilities representing a wide range of industries.

A. *Permitted Uses.*
   1. Low and medium density research and office uses limited to research, professional office, and some incidental assembly; and
   2. High density mixed use.

B. *Prohibited Uses*. The following uses ~~are~~ shall be prohibited:

1. Adult Establishments
2. Ambulance or Medical Transport Company

3. Appliance Repair Shop
4. Automobile Brokerage
5. Automobile, Truck, Motorcycle, ATV, Recreational Vehicle or Marine Related Uses including any establishment selling, installing, repairing, or servicing vehicles in any manner, including:
   a. Accessories Sales and Installation
   b. Auction
   c. Brokerage
   d. Customization, Modification, and Rebuilding
   e. Emissions Inspections
   f. Parts Store
   g. Rental (unless as an accessory use to a hotel and located entirely within a parking structure)
   h. Repair or Lubrication
   i. Sales and Related Service
   j. Tire Sales and/or installation
   k. Washing and/or Detailing
6. Bail Bonding Company
7. Bank or Financial Service with Drive-~~Thru~~through
8. Blood Plasma Donation Center
9. Building Materials Sales
10. Carpet and Upholstery Cleaning Service
11. Cement, Concrete, or Masonry Plant
12. Cemetery or Mausoleum
13. Check Cashing or Payday Loan Facilities
14. Contractor's Office with Outdoor Storage
15. Convenience Stores with Fuel Pumps
16. Driving Instruction
17. DUI School
18. Electronics Waste (e-waste) Collection/Recycling
19. Funeral Home
20. Golf Driving Range
21. Ice Vending Machines, Bulk

22. Janitorial and Maid Services
23. Kennel or Pet Boarding
24. Lawn Treatment Service
25. Manufactured Building or Mobile Home Sales
26. Lawn and Garden Equipment Sales and Service
27. Outdoor Sales and Storage
28. Pawn Shop
29. Recreational Vehicle Park or Campground
30. Restaurant with drive-in or drive-~~thru~~ through service
31. Self-Storage or Mini-Warehouse Facility
32. Shooting and Archery Ranges and similar outdoor recreation facilities
33. Shooting Ranges, indoor
34. Smoke Shop or Novelty Shop
35. Sports Training Facility, outdoor
36. Standalone ATM
37. Standalone Parking Lots
38. Stone Yard and Stone Cutting
39. Swimming Pool Sales and Supply Stores
40. Taxi or Limousine Service
41. Title Loan Facility

C. *General District Requirements*.~~:~~ All development and/or redevelopment of property within the district shall adhere to the Rowen Design Guidelines, per Section 214-50.~~2.E~~2. E, with the exception of the standards outlined below.

1. Development of individual sites with the Rowen Innovation Subdistrict shall be developed according to the applicable character area in which they are located, as indicated in the Rowen Design Guidelines. The development of these sites shall meet the following minimum standards:

   a. Low Density Office/Research Character Area:
      i. Maximum Site Coverage: 60~~%~~ percent
      ii. Density: Maximum 0.9 Floor Area Ratio (FAR)
      iii. Maximum Building Height: ~~5~~ Five stories

   b. Medium Density Office/Research Character Area:
      i. Maximum Site Coverage: 75~~%~~ percent
      ii. Density: Maximum 1.25 Floor Area Ratio (FAR)
      iii. Maximum Building Height: ~~8~~ Eight stories

c. Village Character Area:
   i. Density: Maximum 2.5 Floor Area Ratio (FAR)
   ii. Maximum Building Height: ~~8~~ Eight stories

~~D.~~ *Submittal and Approval Process*.

D.

1. Special Administrative Permit (SAP) Required: Applicants shall submit an SAP application on forms provided by the Department of Planning and Development prior to submittal of a land development or building permit application.
2. SAP applicants shall schedule a pre-application meeting with the Director ~~(or designee)~~ prior to the submission of an SAP application on forms provided by the Department of Planning Development. The purpose of the meeting will be to:
   a. Ensure the applicant's understanding of the Overlay requirement and approvals process.
   b. Inform the staff of the applicant's plan for developing the property.
3. Minimum submittal requirements for an SAP application are as follows:
   a. Official approval documentation from the Rowen Architectural Guidance and Design Review Board.
   b. Approved plans, building elevations, and other documents approved by the Rowen Architectural Guidance and Design Review Board.
   c. Any other required information to demonstrate compliance with this overlay district and the Rowen Design Guidelines.
   d. Any other requirements determined necessary by the Department of Planning and Development.
4. SAP application review procedures, include:
   a. Upon acceptance of a complete application, the Department of Planning and Development shall review the submitted application and provide a list of comments to the applicant.
   b. The applicant shall make amendments to plans and resubmit, as noted.
   c. A meeting with the applicant may be requested, if necessary, to discuss any application deficiencies.
   d. Once the application is approved, an SAP shall be issued which is required prior to submittal of a land development application.
5. The Director may grant variations from any of the standards set forth in this UDO with the exception that there will be no variations granted for use or lot size. Variations may be granted when in the opinion of the Director:
   a. The strict adherence to a provision creates a hardship due to topographical or site conditions, or
   b. The applicant proposes a solution which does not circumvent the intent of this UDO and/or provides a superior environment.

~~214-60. Reserved~~

Section 214-60. Gwinnett Place Overlay District.

Sec. 214-60.1. Purpose and Intent.

The purpose of the Gwinnett Place Overlay District is to enhance the vitality and livability of the former Gwinnett Place site by encouraging redevelopment of the area. Specifically, the district is intended to:

A. Promote the vision for the redevelopment of the former mall site and surrounding area as envisioned in the Gwinnett Place Mall Equitable Redevelopment Plan, the Gwinnett Place Mall Site Revitalization Strategy, and the Gwinnett County Unified Plan.

B. Promote and improve the market attractiveness of Gwinnett Place for investment by the private and public sectors.

C. Provide a range of high quality and aesthetically compatible housing options to accommodate a variety of housing needs within the County.

D. Encourage the revitalization of underutilized commercial areas and large areas of surface parking into pedestrian-oriented developments that provide a complementary mix of uses, including a variety of residential options, within convenient walking distance.

E. Allow and encourage development densities and land use intensities that will provide for productive use of active transportation modes such as transit, bicycling, and walking.

F. Promote a range of usable and interconnected open spaces including parks, plazas, multimodal trails, and squares that contribute to the redevelopment of the site and the creation of a sense of place and community for residents.

G. Provide connectivity of street and sidewalk networks for enhanced transit, vehicular, and pedestrian circulation thereby reducing the dependence on automobiles and providing opportunities for alternative modes of travel.

H. Encourage design that is harmonious and orderly to secure the redevelopment of Gwinnett Place through these regulations.

Sec. 214-60.2. Applicability.

A. The boundaries of the Gwinnett Place Overlay District shall be as shown on the official zoning map, maintained by the Department of Planning and Development, and which may be amended from time to time by the Board of Commissioners.

B. The Gwinnett Place Overlay District shall function as an overlay zoning, wherein the standards of this overlay apply in addition to those of the underlying zoning. Whenever this overlay imposes a standard that is in conflict with the provisions of any other statute or conditions of zoning approval, the requirements of the Overlay District shall govern.

C. All buildings, structures, or land, in whole or in part, shall be used, occupied, erected, constructed, moved, enlarged, or structurally altered, in conformance with this overlay, subject to Section 214-60.4. Redevelopment Thresholds.

D. Nothing in this overlay shall require any change in the plans, construction or intended use of a building or structure for which a lawful permit has been issued provided that the construction under the terms of such permit is diligently followed until its completion, or a lawful permit application has been accepted before the effective date of this overlay as detailed in Section 100-50 of this UDO.

Sec. 214-60.3. Definitions.

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

A. Active uses: Space within a building serviced by plumbing, heating, and electricity and limited to uses permitted within this overlay.

~~B. Director. The Director of Planning and Development or their designee.~~

BC. Overlay, this: The Gwinnett Place Overlay District.

CD. Pedestrian way: An area external to any building or structure permitting unrestricted public accessibility to pedestrian-only traffic containing an unobstructed pedestrian path meeting the requirements of Section 214-60.7.

DE. Stub-out: A shortened thoroughfare which is intended to provide connectivity at some point in the future and which provides all necessary easements for such connectivity.

EF. Underlying zoning district: The base zoning district applicable to a parcel shown on the official zoning map.

Sec. 214-60.4. Redevelopment Thresholds.

A. Redevelopment thresholds.

1. *Renovations*. Renovations, alterations, adaptations, restorations, repairs, or other physical modification to a structure or portion of a structure that existed before adoption of this overlay shall be subject to the provisions of Chapter 260 of this UDO, unless the requirements of "2" through "4" immediately below otherwise apply.
2. *Expansion*. Expansions to any building or use in which the floor area is increased by at least 25~~%~~ percent of the existing floor area shall be subject to the provisions of this overlay, with the exception of Section 214-60.7 Street and Pedestrian Way Standards.
3. *Site Disturbance*. Site disturbance or modifications shall be subject to the provisions of Section 214-60.8 of this overlay.
4. *Change of use*. Change from a use that existed before adoption of this overlay shall be subject to the provisions of this overlay with the exception of Section 214-60.7 Street and Pedestrian Way Standards.
5. *Multiple thresholds*. When a proposed activity includes multiple thresholds identified in "2" through "4" immediately above, the provisions of each applicable threshold shall apply.

Sec. 214-60.5. Use Provisions.

A. *General*. Uses within the Gwinnett Place Overlay are as listed below.

B. *Permitted Residential Uses*. Permitted residential uses within this overlay shall be those uses listed in the HRR district in Section 210-130 of this UDO, including all applicable conditional use standards. Residential uses contained within the Ring Road loop as shown in Appendix A shall follow the use provisions for the MU-R, Regional Mixed Use District as outline in Section 213.60 of this UDO. This requirement may be waived by the Director only if it is demonstrated not to oppose the purpose and intent of the Gwinnett Place Mall Equitable Redevelopment Plan, Gwinnett Place Mall Site Revitalization Strategy, and Gwinnett County Unified Plan.

C. *Permitted Nonresidential Uses*. Permitted nonresidential uses within this overlay shall be those uses listed in the C-1~~2~~ district in Section 211-80 of this UDO~~, except as specified in "D" below.~~

~~D. *Prohibited Uses*. The following use are prohibited in this overlay:~~

~~1. Aircraft Landing Field, private.~~
~~2. Ambulance or medical transport company.~~
~~3. Animal Care Establishment, with outdoor pens or runs.~~
~~4. Carpet or Upholstery Cleaning Service.~~
~~5. Carpet or Upholstery Cleaning Service Office.~~
~~6. Cemetery or Mausoleum.~~
~~7. Check cashing/payday loan establishments.~~
~~8. Collection bin.~~
~~9. Convenience store with fuel pumps.~~
~~10. Crematory.~~
~~11. Discount, dollar, or thrift store.~~
~~12. Drive Through~~
~~13. Extended stay facility.~~
~~14. Firework sales, Principal Use.~~
~~15. Funeral home.~~
~~16. Garden supply center.~~
~~17. Hookah or Vapor Lounge.~~
~~18. Landscaping Contractors Office.~~
~~19. Outdoor storage.~~
~~20. Personal Care Homes.~~
~~21. Private parking lot, standalone.~~
~~22. Recreational Vehicle Park or Campground.~~
~~23. Restaurant, with drive-in or drive-thru service.~~
~~24. Self-storage facility.~~
~~25. Shelters, community or residential.~~
~~26. Smoke, Novelty, or CBD Shop.~~

~~27. Stone yard or stone cutting establishment.~~

~~28. Title loan facility.~~

~~29. Vehicle Rental and Related Service Establishments.~~

~~30. Vehicle Repair, Service, and Body Work Establishments.~~

~~31. Vehicle Sales and Related Service Establishments.~~

Sec. 214-60.6. Density, Height, and Bulk Requirements.

A. There shall be no maximum FAR in this Overlay.

B. A minimum FAR of 1.0 is required for all new development, with the exception of parcels located within the Ring Road Loop as indicated on Exhibit A which shall have a minimum FAR of 2.0 ~~2.0 is required for all new development~~, except as follows:

1. Additional floor area is being added to an existing structure; or
2. All existing floor area is demolished to create a vacant lot; or
3. Parks and open space is the principal use of the lot.

C. There shall be no maximum height limit within this Overlay. All new one-story buildings shall have a minimum first floor façade height of 24 feet.~~must be a minimum of 2 stories in height~~.

D. Buildings shall be setback from the back of the required sidewalk a maximum of 10 feet.

Sec. 214-60.7. Street and Pedestrian Way Standards.

A. *Streets*.

1. New streets shall be incorporated and constructed as indicated on the New Roadways map in Appendix A, unless granted a variation by the Director in accordance with Section 214-60.13. When conditions exist which would prohibit the construction of new streets in accordance with the New Roadways map, alternative locations for roadways may be considered by the County. Such alternative locations shall require the approval from the Department of Planning and Development and the Department of Transportation.
2. Streets shall be designed in accordance with the roadway design standards for future development type "Urban High" as outlined in the 2045 Unified Plan. Alternative standards for the design of streets may be permitted upon approval from the Department of Planning and Development and the Department of Transportation.
3. Developments shall extend streets or pedestrian ways to adjoining property in a manner that facilitates their future extension.
4. Cul-de-sacs or dead-end streets are prohibited with the exception of stub-outs reserved for future connections.

B. *Pedestrian ways*.

1. Pedestrian ways shall be incorporated and constructed as indicated on the New Roadways map in Appendix A.
2. Pedestrian ways shall be designed in accordance with the design standards in Appendix B. Alternative standards for the design of pedestrian ways may be permitted upon approval from the Department of Planning and Development and the Department of Transportation.
3. In addition to the design standards, pedestrian ways shall incorporate landscaping, seating, and pedestrian level lighting subject to review and approval by the Director.
C. With approval from the Director, streets and pedestrian ways for projects containing multiple blocks may be phased with respect to traffic and pedestrian circulation needs relative to each phase. Phasing must be such to complete the block as developed.

Sec. 214-60.8. Streetscape Standards.

A. Streetscapes shall be installed along all public and private rights-of-way as specified in Table 214-~~.~~35: Streetscape Standards. Trees selected for planting shall be a species listed in the Gwinnett County Streetscape Tree Species List. Trees shall be planted to avoid conflict with utilities. This may include the installation of impermeable rigid tree root barriers, as determined by the County.

B. Bio-retention areas within sidewalk landscape strips are permitted subject to the review and approval of the Director.

C. A multi-use trail may be required instead of a sidewalk where identified as a multi-use trail in the current version of the Gwinnett Countywide Trails Master Plan adopted by the Board of Commissioners.

D. All existing and new utility lines shall be buried.

E. Streetscape Lighting. Required lights shall conform to the following:

1. Streetlights shall be provided as required by the Department of Planning and Development and the Department of Transportation.

2. Pedestrian lights shall be provided at regular intervals of 80 feet on center between every other street tree within the sidewalk landscape strip.

Table 214-~~,35~~: Streetscape Standards

Street Type	Sidewalk Landscape Strip	Sidewalk/Multi-use Trail	Tree Spacing
Type A and B	Min. 6 ft.	Min. 8 ft.	40 feet on center
Type C and D	Not required adjacent to building Min. 6 ft. adjacent to park	Min. 16 ft. (adjacent to building) Min. 8 ft. (adjacent to park)	40 feet on center[1]
Type E[2]	Not required	Varies, 12-24 ft.	40 feet on center[3]
Type F	Not required	Min. 12 ft.	40 feet on center[3]
Type G	Min. 6 ft.	Min. 12 ft.	40 feet on center[3]

1- Trees are to be provided in the sidewalk adjacent to a building with tree wells at least ~~4~~ four feet in width and ~~8~~ eight feet in length.
2- Type E streets are pedestrian ways.
3- Trees are to be provided in the sidewalk with tree wells at least ~~4~~ four feet in width and eight~~8~~ feet in length.

~~F. Property owners abutting public streets shall be responsible to maintain the sidewalk landscape strip and all vegetation within, in accordance with the maintenance standards of the Department of Transportation.~~

Sec. 214-60.9. Parking and Loading.

A. *Vehicular Parking*.

1. There shall be no minimum required parking within this overlay.
2. Maximum parking shall be as follows:
   a. Residential uses:
   i. ~~2~~ Two spaces for every dwelling with two or fewer bedrooms.
   ii. 2.5 spaces for every dwelling with more than two bedrooms.
   b. Nonresidential uses:
   i. As provided in Chapter 240.
3. Shared parking between uses is allowed and encouraged.
4. No surface parking lots shall be permitted between any street and any building.
5. Surface parking lots may be constructed of alternative paving methods designed to mitigate stormwater, subject to the approval of the Director.
6. Off-street parking spaces provided within a parking structure or on-street parking shall not be subject to maximum parking requirements.
7. Electric vehicle charging shall be required as provided in Section 240-140.

B. *On-street Parking*.

1. Newly created on-street parking on public or private streets shall meet the following standards:
   a. Parking spaces shall be a minimum of eight ~~(8)~~ feet in width and 20 feet in length.
   b. A bulb-out shall be provided for every four ~~(4)~~ on-street parking spaces.
   c. Bulb-outs shall be at least 10 feet in length and must be planted with at least one tree. Trees must be a minimum of three ~~(3)~~ inches caliper at the time of planting. Trees shall be planted to avoid conflict with utilities. This may include the installation of impermeable rigid tree root barriers, as determined by the County.
   d. When on-street parking is provided, sidewalk landscape strips may be replaced with hardscape material, provided that all required trees are planted with area sufficient to accommodate future growth.

C. *Bicycle Parking*.

1. Bicycle parking shall be provided as follows:
    a. At least one bicycle parking space shall be provided for every 30 vehicular parking spaces.
    b. In no instance shall any building provide less than two~~2~~ bicycle parking spaces or be required to provide more than 30 bicycle parking spaces.
    c. Bicycle parking shall be located within 50 feet of the primary entrance of a building or as close as the nearest vehicular parking space, whichever is less.
    d. Multifamily residential structures with more than 10 units must provide long-term bicycle parking areas for residents.
        i. One long-term bicycle parking space must be included for every 10 units. No more than 30 spaces shall be required.
        ii. Parking areas must be provided in an enclosed bicycle storage locker, a room within a building, or within a parking structure. Such areas shall be secure, weather resistant, and provided with lighting at all hours.
        iii. Parking areas shall be located on the ground floor and shall be accessible to building occupants from public streets, multi-use trails, or public entrances and walkways without the use of stairs or elevators.

D. *Parking structures*. In addition to the standards of Section 230.110.10, the following shall apply to all parking structures.

1. Parking structures shall be designed to minimize the impacts of such structures at street level. These structures shall be placed behind buildings if possible.
2. Parking structures shall be no taller than the principal building.
3. When a parking structure fronts a Type A, Type C, or Type G roadway, its ground story shall have active uses as detailed in Section 214-60.~~11.C.~~11. C.
4. Where any portion of structured parking is visible from a street it must be screened so that cars and ramps are not visible from ground level view from the adjacent street or sidewalk. Screening includes:
    a. Evergreen trees, vines, or landscaping that is physically attached to the parking structure; or
    b. A facade having the appearance of a horizontal storied building; or
    c. A combination of “a” and “b” above.
    d. Similar or alternative means of screening may be used subject to approval by the Director.

E. *Loading*.

1. Loading areas for new buildings shall not be located along a street-facing facade and shall be located to the rear of buildings.
2. When provided, loading areas must be screened with the following:
    a. A wall or fence at least 8 feet in height and compatible with the principal building in terms of texture, quality, material, and color; or
    b. Evergreen plant material that can be expected to reach a height of eight~~8~~ feet with a spread of four~~4~~ feet within three years of planting. Material should be staggered to provide the maximum screening at mature height.
3. A self-closing gate with an architectural finish compatible with the principal structure in terms of texture, quality, material, and color must be installed to screen openings into loading areas.

F. *Driveways and access*.

1. Driveways shall be spaced at least 200 feet apart.
2. Driveways shall be no more than 24 feet in width for two-way entrances and 12 feet for one-way entrances.
3. All sidewalk paving materials shall continue across any intervening driveway at the same prevailing grade and cross-slope as the adjacent sidewalk.
4. No driveway shall be permitted on an arterial street or Type C Roadway when access can be provided from another street.
5. Driveways shall be perpendicular to the street. Parking areas or driveways, except for a driveway to reach a side or rear yard or on-site parking facility, are not permitted between the sidewalk and the front of the building.

Sec. 214-60.10. Landscaping and Screening.

A. *General*. Walls and fences required by this section shall conform to the following:

1. Walls and fence surfaces shall consist of one or more of the following: stained poured-in place concrete,

architectural block, brick, stone, cast-stone, stucco, prefinished metal, or painted or stained wood.

2. Walls and fences may not be faced in any of the following: chain link fencing (with or without slats), concrete masonry units, unpainted or unstained wood, repurposed pallets, garbage, repurposed vehicles, plastic, canvas, netting, or corrugated metal.
3. Barbed wire, razor wire, or similar elements are prohibited.

B. *Parking lot landscaping*. All parking lots shall meet the landscaping standards of the UDO and the following additional standards:

1. Landscaped areas within the interior of the parking area may be designed as bio-retention areas, using inwardly draining swales without curbs, in lieu of raised planting areas surrounded by curbs, provided that each parking space provides a wheel stop and provided that depressed areas adjacent to driving aisles are surrounded by painted lines or flush curbing to separate landscaping from driving aisles.
2. The use of native plant and landscape materials is encouraged. Refer to the Appendix ~~3.0~~ of this UDO for appropriate landscape materials.

C. *Foundation plantings*. All building facades along a street or pedestrian way shall conform to these standards, except as provided in "3" immediately below:

1. All portions of foundations that extend more than 12 inches above finished grade shall be screened with continuous evergreen or semi-evergreen shrubs.
2. At the time of installation, the screening shall be at least 1 foot in height and reach a height of three~~3~~ feet within three~~3~~ years of planting.
3. Foundation plantings are not required adjacent to ground floor commercial storefronts when said plantings would obstruct views into the commercial establishments, subject to approval of the Director.

D. *Service areas*. Service areas shall be screened in all locations as follows:

1. Trash and recycling collection and other similar service areas, when not located within a parking structure, shall be located to the side or rear of buildings and shall not be between a building and the street.
2. Trash and recycling collection and other similar service areas, when not located within a parking structure, shall be screened on three sides by an opaque wall and on the fourth side by an opaque gate at least 6 feet in height. The gate shall be self-locking and maintained in good working order.
3. The screening design shall be compatible with the principal building in terms of texture, quality, material, and color.

E. *Roof-mounted equipment*. Roof-mounted equipment shall be screened from adjacent streets as follows:

1. Roof-mounted equipment shall be set back at least 10 feet from the edge of the roof and screened from ground level view from the abutting parcel or street.
2. New buildings shall provide a parapet wall or other architectural element that is compatible with the principal building in terms of texture, quality, material, and color that fully screens roof-mounted equipment from ground level view.
3. For existing buildings with no or low parapet walls, roof mounted equipment shall be screened on all sides by an opaque screen compatible with the principal building in terms of texture, quality, material, and color.

F. *Wall mounted and ground mounted equipment*. All wall mounted and ground mounted equipment shall meet the standards of Section 230-110.

G. *Maintenance of landscaping*. The property owner is responsible for maintaining all required landscaping and screening in good health and condition.

Sec. 214-60.11. Open Space.

A. All development shall provide at least 15 percent~~%~~ of the net lot area as open space.

B. The following may be used to satisfy open space requirements:

1. Pedestrian Ways.
2. Parks, squares, plazas or similar elements intended for public use and accessible by the general public by adjacent sidewalks or pedestrian ways.
3. Outdoor dining areas adjacent to a public street or pedestrian way.
4. Outdoor amenity space or common space for residents or occupants.
5. Rooftop decks, balconies, porches, or patios.
6. Green roofs designed to mitigate stormwater runoff.
7. Stormwater management facilities when designed as a publicly accessible amenity by a registered landscape

architect.

C. The following may not be used to satisfy open space requirements:
   1. Areas used for vehicles, except for incidental service, maintenance, or emergency access.
   2. Stormwater management facilities, except when designed as a publicly accessible amenity by a registered landscape architect.

D. Open Space shall include at least one conveniently-located publicly-accessible open space area, with related amenities and improvements, in the form of a square, green, park, plaza, or similar approved element that is accessible by the general public from multiple points of entry along adjacent sidewalks.

E. Each square foot of publicly accessible open space provided, including but not limited to squares, greens, parks, and plazas, shall count as two~~2~~ square feet of open space when the following requirements are met:
   1. The finished ground surface of the open space is located at the same grade as the adjacent sidewalk.
   2. A minimum of 25 percent~~%~~ of the open space perimeter abuts and is directly accessible from the sidewalk along a street or pedestrian way.
   3. The open space must be accessible to the public and may not be intended solely for residential use.

F. On projects containing multiple blocks the required open space must be met for each individual block.

Sec. 214-60.12~~.~~ Building Design.

A. This section applies to all new buildings, additions to existing buildings, and any change to a building facade except for ordinary maintenance and repairs.

B. Architectural requirements. In addition to the architectural requirements of Section 230-110 for each applicable building type, the following design standards shall apply within this overlay:
   1. All new building facades along a street or pedestrian way shall use one of the following to divide the facade into vertical divisions with a maximum facade width of 100 feet, measured along the base of the facade, as illustrated in Figure 214-60.12:
      a. A change of facade material and window systems from grade to roof, and change of building height of at least one story; or
      b. A change in facade composition and/or architectural style from grade to the roof; or
      c. An open space or pedestrian passage with a minimum width of 10 feet and a minimum depth of 30 feet.
      d. Similar means intended to convey the impression of separate buildings.

      Change in color alone, setback alone, or any combination of the two may not be used to satisfy this requirement.

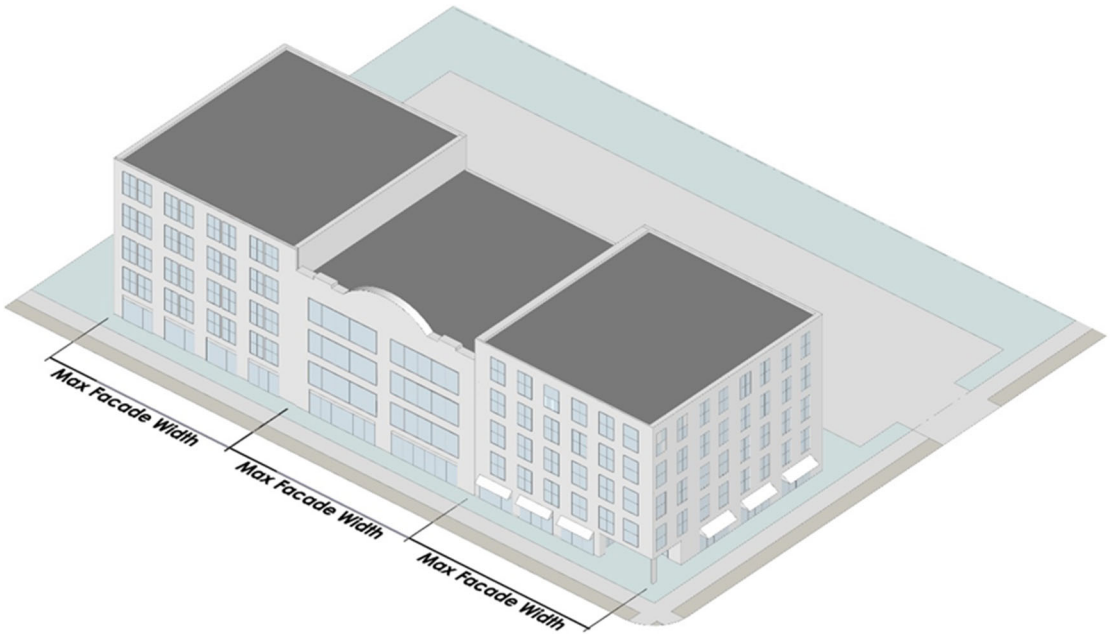


Figure 214-60.1~~2~~1: Maximum facade with illustration

2. In addition to the above, building facades greater than 200 feet in length shall be articulated with recesses a minimum of 25 feet in depth and 25 feet in width, or with a break in the building facade of at least 25 feet in width which opens into an interior courtyard or plaza.
3. Facades shall provide visual divisions between the ground story and second story through architectural means such as courses, awnings, or a change in materials.
4. Facades shall delineate all stories above the ground story with windows, belt courses, balconies, cornice lines or similar architectural detailing.
5. Each building facade along a street or pedestrian way shall provide fenestration as follows:
    a. Fenestration shall mean the minimum percentage of window and door glass that must cover a given facade. It shall be calculated based on facade area and by floor.
    b. Residential uses shall provide at least 15 percent~~%~~ fenestration on all stories.
    c. Nonresidential uses shall provide at least 60 percent~~%~~ fenestration on the ground story and at least 20 percent ~~%~~ fenestration on upper stories.
    d. The length of facade without intervening fenestration shall be no more than 20 feet.
    e. Glass for windows and doors shall utilize clear or tinted glass. Tinted glass shall have a maximum transmittance factor of 70 percent~~%~~ and a visible light reflectance factor of ten or less.
6. All multifamily residential or office buildings shall provide at least one major ground story lobby entrance. Lobbies shall be clearly articulated within the building design.
7. Buildings with residential uses adjacent to a sidewalk or pedestrian way shall have individual entrances to such units which are directly accessible from the sidewalk or pedestrian way.

C. *Ground story*.
1. The ground story of all buildings shall be no more than five~~5~~ feet above or below the adjacent sidewalk or pedestrian way.
2. The ground story of all buildings along any public or private street or pedestrian way shall contain active uses a minimum depth of 20 feet.

D. *Pedestrian Access*. All buildings must include a street-facing pedestrian entrance. Said entrance shall be operable to residents at all times and operable to customers, visitors, and employees during business hours.
1. A walkway shall be provided from all buildings and building entrances to any adjacent public or private right-of-way, pedestrian way, multi-use trail, or publicly accessible park or open space.
2. The walkway shall be a minimum of five~~5~~ feet in width.
3. Walkways are not required for existing buildings or uses when the applicant demonstrates that their installation would do any of the following:
    a. Create a hardship due to the construction of retaining walls, site grading, site excavation, or site fill; or
    b. Is determined by the Director to be infeasible because of topographic or other site-specific constraints.
4. Where a building has frontage on both a street and a pedestrian way, a pedestrian entrance is required along both frontages.

Sec. 214-60.13~~.~~ Submittal and Approval Process.

A. Applicants shall submit a Special Administrative Permit (SAP) application on forms provided by the Department of Planning and Development prior to the submittal of a land development or building permit application.

B. Applicants shall schedule a pre-application meeting with the Director (or designee) prior to the submission of an SAP application. The purpose of the meeting will be to:
1. Ensure the applicant's understanding of the Overlay requirements and approval process.
2. Inform the staff of the applicant's plan for developing the property.

C. All submittals for an SAP application shall provide the following:
1. Property boundary survey drawn by a registered land surveyor no more than two~~2~~ years prior to the date of application.
2. Site plan indicating the compliance with all requirements of this overlay, including:
    a. Locations of all buildings.
    b. Calculation and location of provided open space.

c. Locations of new streets or pedestrian ways.
d. Streetscape standards.

3. Proposed design of any publicly accessible open space used to satisfy the requirements of this Overlay.
4. Building elevations illustrating compliance with Section 214-60.121~~1~~ and 230-110, as applicable.
5. A written request for any variations as provided for in part E of this section.

D. SAP Review and Response.

1. Within four weeks of acceptance of a complete application, the Department of Planning and Development shall provide a list of comments to the applicant relative to the lack of compliance with the standards of the ordinance. If the Department of Planning and Development has no comments and the application is deemed to be in compliance, ~~a~~an SAP will be issued.
2. The applicant shall make amendments to plans and resubmit as noted. If all changes are in accordance with the comments provided, the Department of Planning and Development will issue the SAP within four weeks of resubmittal.

E. The Director may grant variations from any of the standards set forth in this UDO with the exception that there will be no variations granted for use or lot size. Variations may be granted when in the opinion of the Director:

1. The strict adherence to a provision creates a hardship due to topographical or site conditions, or
2. The applicant proposes a solution which does not circumvent the intent of this UDO and/or provides a superior environment.

~~The Director may grant a variation from any of the standards set forth in this Overlay with the exception of uses and any associated provisions. Variations may be granted when, in the opinion of the Director, strict adherence to a provision creates a hardship due to extreme topographical or site provisions~~

Section 214-70. Civic Center Overlay District.

214-70.1 Findings and Purposes. The Civic Center Overlay District is intended to enhance the viability and livability of the areas shown on the Civic Center Overlay Map. The purpose of the Overlay District is to achieve and maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture, and signage; and to promote alternative modes of transportation within the district through the provision of pedestrian and local public transit.

214-70.2 Applicability. The requirements of the Overlay District shall apply to all non-residential, townhouse, and ~~attached residential~~multifamily properties within the unincorporated areas as shown on the Civic Center Overlay Map. These standards shall apply to all new construction and shall apply to the applicable and affected portions of a redeveloped site or refurbished building as determined by the Director ~~of Planning and Development~~.

214-70.3 Design Requirements.

A. *Transportation/Infrastructure.*

1. Provide interparcel vehicle access points between all contiguous multifamily, commercial, office, industrial or attached residential tracts. This requirement may be waived by the Director only if it is demonstrated that an interparcel connection is not feasible due to traffic safety or topographic concerns.
2. All new utility lines shall be located underground.
3. Sidewalks shall be required adjacent to all public rights-of-way and into and throughout attached residential developments. The location of sidewalks shall be reviewed and approved by the Gwinnett or Georgia Department of Transportation. A minimum ~~4~~four-foot-wide sidewalk ~~that is a minimum of four feet wide~~ shall connect entrance(s) of buildings to the public rights-of-way.
4. At the following locations, sidewalks shall be constructed with an additional two~~2~~-foot by ~~8~~eight-foot concrete pad, located outside of the right-of-way, designed to accommodate future pedestrian amenities such as benches, planters, and trash containers.
   a. At intersections of the corridor with an arterial, major collector or minor collector identified on the Gwinnett County Long Range Road Classification Map.
   b. At locations along the corridor designated for a transit stop or future transit stop by

Gwinnett County Department of Transportation.

c. At locations along the corridor designated for a school bus stop by the Gwinnett County Board of Education.

d. Such pedestrian amenity sidewalk pads shall not be required closer than 300 feet from another such pad on the same side of the street.

5. Amenity pads located along an existing transit route shall include pedestrian amenities at time of installation. All amenities required and listed above shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the Gwinnett or Georgia Department of Transportation. Locations of pedestrian amenity sidewalk pads shall be coordinated to avoid locations of curb inlets, guardrails, and bridges.

B. *Streetlights.*

1. Provide streetlights along all public rights-of-way utilizing decorative light poles/fixtures. Streetlights shall be staggered, 150 feet on-center, along both sides of the roadway. All street lighting shall be subject to review and approval of the Gwinnett County Department of Transportation. Where applicable, streetlights shall be placed adjacent to required pedestrian amenity sidewalk pads. Specifications of light fixtures are provided in Table 214-.46.

Table 214-.46: Light Fixture Requirements for Public Rights-of-Way

Fixture Head	Pole Type (Streetlight)	Max. Pole Height
Cobra Head	Smooth black	40 ft.

2. Refer to Section 240-100 for lighting in parking lot requirements.

C. *Greenway Access.* Where required, construction of greenway or greenway access, or dedication of greenway easement shall be in accordance with the most recently adopted Gwinnett County Open Space and Greenway wide Trails Master Plan and be maintained in accordance with Section 900-10360-110 and other applicable sections of the UDO. If a project abuts a greenway, then a multi-use path shall be provided to connect the greenway for pedestrian and bicyclist use. Final location of the greenways or greenway access shall be coordinated with the Department of Community Services.

D. *Landscaping* Requirements.

1. Provide, at a minimum, 20 Tree Density Units per acre for all non-residential development. Type and size of plantings shall be in compliance with this UDO. At least 50 percent of plantings shall consist of trees three3 inches caliper or greater. Landscape islands shall be provided within parking lots no farther apart than every 15 parking spaces, meeting all other requirements of this UDO.

2. Provide a minimum 10-foot-wide landscaped strip between all road rights-of-way and the back- -of-curb of abutting off-street paved parking lots. At a minimum, landscaped strips shall be planted in accordance with this UDO.

3. Provide street trees spaced 50 feet on-center or grouped at 120 feet on-center adjacent to the right of waystreet on the following roads:

a. Sugarloaf Parkway
b. Satellite Boulevard
c. Duluth Highway
d. Old Peachtree Road
e. Meadow Church Road
f. North Brown Road

4. All street trees shall be a minimum three3-inch caliper at the time of planting. Street trees shall be located between the sidewalk and back-of-curb within a minimum five5-foot-wide landscape strip, or hardscape strip if adjacent to on-street parking, subject to review and approval of the Georgia or Gwinnett Department of Transportation. Street trees shall be chosen from the Tree Species List in the UDO Appendix.

5. Natural vegetation shall remain on the property until issuance of a development permit.

E. *Parking* and Accessory Structures.

1. For retail developments exceeding 125,000 square feet of gross floor area, at least ten percent of all provided parking spaces shall be provided in parking areas of porous paving or grass paving systems, such as "Grasscrete" or "Grasspave," not to exceed 1,000 parking spaces or as approved by the Director ~~of Planning and Development~~.
2. Up to 25 percent of the provided parking spaces for any development may be compact spaces ~~reduced in total area, width, or depth for designated compact vehicle parking. Each compact vehicle parking space shall not be less than eight feet in width and 17 feet in depth.~~.
3. No more than 10 percent of parking spaces may be located between the front building line of ~~a~~ the closest building to the right-of-way ~~building and the right-of-way~~. This parking shall be limited to no more than one double row of parking. ~~No more than 30 percent of off-street parking areas may be located to the sides of building(s), with the balance of parking located to the rear the building(s).~~
4. Primary building facades and entrances shall be located no more than 70 feet from the public rights-of- ~~way and shall~~way, shall be oriented toward the street, and shall provide a sidewalk connecting the front entrance to a continuous sidewalk placed parallel to the street.

~~5. Decorative, commercial-quality, bicycle racks subject to all bicycle parking regulations of this UDO shall be provided for all multifamily, commercial, and office developments.~~

~~6.~~5. Benches and trash receptacles shall be required for all multifamily, retail, and office developments adjacent to the public sidewalk., and outside of the right-of-way.

~~7.~~6. Shopping cart corrals located in the parking areas of retail developments shall be of decorative quality.

~~8.~~7. Vending machines, if provided, shall be located within a building.

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~~are prohibited.
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.

G. *Architectural Standards~~/ Design~~.*

1. Refer to the Gwinnett County Architectural Design Standards and UDO Design Guidelines. All development in the Civic Center Overlay District shall be in conformity with the Gwinnett County Architectural Design Standards and in substantial conformity to the UDO Design Guidelines.
2. Building plans shall be subject to review and approval of the Director prior to issuance of a building permit. Building designs that are inconsistent with these standards shall be denied. Denial of the Director's decision shall be subject to appeal pursuant to Chapter 270, Procedures, of this UDO.

H. Satellite Boulevard/Sugarloaf Parkway Suboverlay District

1. *Purpose*. The purpose of the Satellite Boulevard/Sugarloaf Parkway Suboverlay District is to enhance the vitality and livability of the Satellite Boulevard/Sugarloaf Parkway area by encouraging redevelopment of the area.
2. *Applicability*.
    a. The boundaries of the Satellite Boulevard/Sugarloaf Parkway Suboverlay 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.
    b. The Satellite Boulevard/Sugarloaf Parkway Suboverlay District shall function as a suboverlay zoning, wherein the standards of this suboverlay apply in addition to those of the underlying zoning and the Civic Center Overlay District. Whenever this suboverlay imposes a standard that is in conflict with the

provisions of any other statute or conditions of zoning approval, the requirements of the suboverlay shall govern.

c. All buildings, structures, or land, in whole or in part, shall be used, occupied, erected, constructed, moved, enlarged, or structurally altered in conformance with this suboverlay.

d. Each applicant for development within the Satellite Boulevard/Sugarloaf Parkway Suboverlay 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 shall remain subject to all the terms and conditions of the Concept Plan approved for the property as a whole.

e. Nothing in this suboverlay shall require any change in the plans, construction or intended use of a building or structure for which a lawful permit has been issued provided that the construction under the terms of such permit is diligently followed until its completion, or a lawful permit application has been accepted before the effective date of this suboverlay as detailed in Section 100-50 of this UDO.

3. *Use Provisions*.

a. *General*. Uses with the Satellite Boulevard/Sugarloaf Parkway Suboverlay District are as listed below.

b. *Permitted Residential Uses*. The following residential uses shall be permitted within this suboverlay, subject to the applicable standards of Section 210-140 of this UDO:

i. Dwelling, live/work.

ii. Dwelling, multifamily.

iii. Dwelling, townhouses.

No more than 25~~%~~ percent of the residential units shall be townhouses.

~~c.~~ *Permitted Nonresidential Uses*. Permitted nonresidential uses within this suboverlay shall be those uses listed in the C-1~~2~~ district in Section 211-80 of this UDO~~, except as specified in "d" below.~~

~~d. *Prohibited Uses*. The following uses are shall be prohibited in this suboverlay:~~

~~i. Aircraft Landing Field, private.~~

~~ii. Ambulance or medical transport company.~~

~~iii. Animal Care Establishment, with outdoor pens or runs.~~

~~iv. Carpet or Upholstery Cleaning Service.~~

~~v. Carpet or Upholstery Cleaning Service Office.~~

~~vi. Cemetery or Mausoleum.~~

~~vii. Check cashing/payday loan establishments.~~

~~viii. Collection bin.~~

~~ix. Convenience store with fuel pumps.~~

~~x. Crematory.~~

~~xi. Discount, dollar, or thrift store.~~

~~xii. Extended stay facility.~~

~~xiii. Firework sales, Principal Use.~~

~~xiv. Funeral home.~~

~~xv. Garden supply center.~~

~~xvi. Hookah or Vapor Lounge.~~

~~xvii. Landscaping Contractors Office~~

~~xviii. Outdoor storage.~~

~~xix. Personal Care Homes.~~

~~xx. Private parking lot, standalone.~~

~~xxi. Recreational Vehicle Park or Campground.~~

~~xxii. Restaurant, with drive-in or drive-thru service.~~

~~xxiii. Self-storage facility.~~

~~xxiv. Shelters, community or residential.~~

~~xxv. Smoke, novelty, or CBD shop~~

~~xxvi. Stone yard or stone cutting establishment.~~

~~xxvii. Title loan facility.~~

~~xxviii. Vehicle Rental and Related Service Establishments.~~

~~xxix. Vehicle Repair, Service, and Body Work Establishments.~~

~~xxx.~~i. ~~Vehicle Sales and Related Service Establishments.~~

~~c.~~c. All multifamily development uses shall be in accordance with the MU-R, Regional Mixed-Use District as listed in Section 213-60 of this UDO. ~~shall include at least one nonresidential use chosen from the general commercial uses category. No single land use category shall constitute less than 10 percent of the gross floor area. A minimum of 50% percent of the required non-residential uses shall be located on the ground floor. Up to 50% percent of non-residential ground floor uses may be constructed as convertible space for future non-residential occupancy or constructed as live-work units.~~

4. *Density, Lot Coverage, Height, and Bulk Requirements*.

   a. The maximum allowable density within this suboverlay is a 3.0 FAR. Additional bonus as listed in Section 21~~43-70.B~~70. B~~.~~ may be granted by the Director, subject to the approval of a site-specific concept plan.

   ~~a.~~b. The maximum allowable lot coverage is 80 percent~~%~~.

   ~~b.~~c. The maximum allowable height is 75 feet.

   ~~c.~~d. Buildings shall be setback from the back of the required sidewalk a maximum of 15 feet.

5. *Open Space*.

   a. All new development and/or expansion in which the floor area is increased by at least 25 percent~~%~~ of the existing floor area shall provide at least 15 percent~~%~~ of the lot area as open space.

   b. The following may be used to satisfy open space requirements:

      i. Parks, squares, plazas or similar elements intended for public use and accessible by the general public by adjacent sidewalks.

      ii. Outdoor dining areas adjacent to a public street.

      iii. Outdoor amenity space or common space for residents or occupants.

      iv. Rooftop decks, balconies, porches, or patios.

      v. Green roofs designed to mitigate stormwater runoff.

      vi. Stormwater management facilities when designed as a publicly accessible amenity by a registered landscape architect.

   c. The following may not be used to satisfy open space requirements:

      i. Areas used for vehicles, except for incidental service, maintenance, or emergency access.

ii. Stormwater management facilities, except when designed as a publicly accessible amenity by a registered landscape architect.

d. Open ~~Space~~ space shall include at least one conveniently-located publicly-accessible open space area, with related amenities and improvements, in the form of a square, green, park, plaza, or similar approved element that is accessible by the general public from multiple points of entry along adjacent sidewalks.

e. Each square foot of publicly accessible open space provided, including but not limited to squares, greens, parks, or plazas, shall count as two~~2~~ square feet of open space when the following requirements are met:

i. The finished ground surface of the open space is located at the same grade as the adjacent sidewalk.

ii. A minimum of 25 percent~~%~~ of the open space perimeter abuts and is directly accessible from the sidewalk along a street.

iii. The open space must be accessible to the public and may not be intended solely for residential use.

iv. The open space must be amenitized for the use by the occupants, invitees, guests of the development and the public.

f. On projects containing multiple blocks the required open space must be met for each individual block.

6. *Building Design.*

a. This section applies to all new buildings, additions to existing buildings, and any change to a building facade except for ordinary maintenance and repairs.

b. Architectural requirements. In addition to the architectural requirements of Section 230-110 for each applicable building type, the following design standards shall apply within this suboverlay:

i. All new building facades along a street shall use one of the following to divide the facade into vertical divisions with a maximum facade width of 100 feet, measured along the base of the facade, as illustrated in the figure below:

a) A change of facade material and window systems from grade to roof, and change of building height of at least one story; or

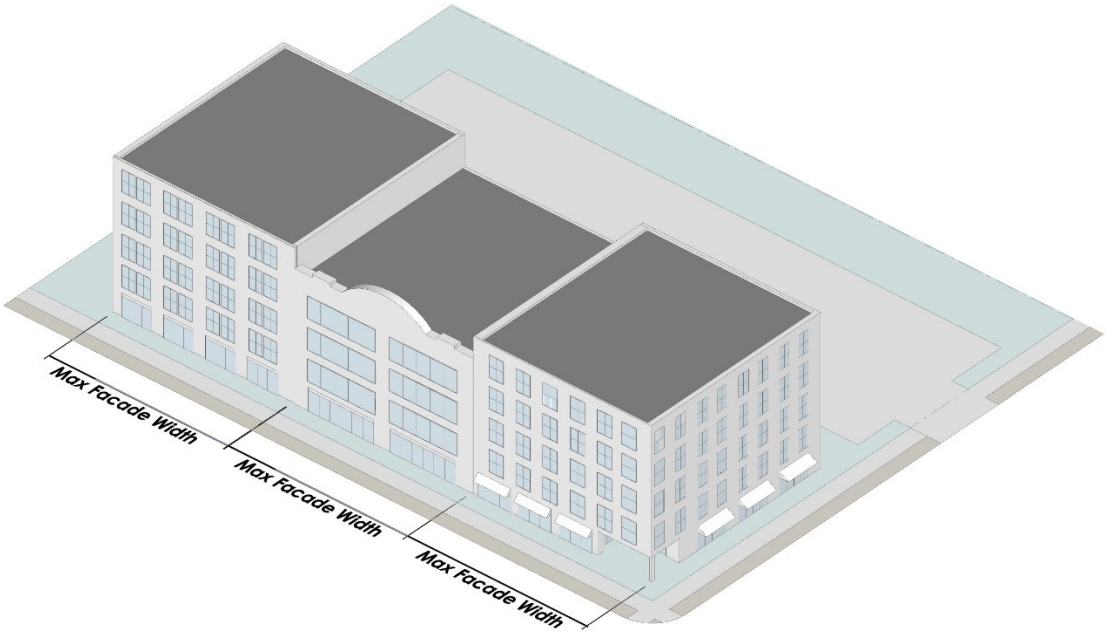
b) A change in facade composition and/or architectural style from grade to the roof; or

c) An open space or pedestrian passage with a minimum width of 10 feet and a minimum depth of 30 feet.

d) Similar means intended to convey the impression of separate buildings.

Change in color alone, setback alone, or any combination of the two may not be used to satisfy this requirement.

Figure 214-70.3: Maximum facade with illustration



ii. In addition to the above, building facades greater than 200 feet in length shall be articulated with recesses a minimum of 25 feet in depth and 25 feet in width, or with a break in the building facade of at least 25 feet in width which opens into an interior courtyard or plaza.

iii. Facades shall provide visual divisions between the ground story and second story through architectural means such as courses, awnings, or a change in materials.

iv. Facades shall delineate all stories above the ground story with windows, belt courses, balconies, cornice lines or similar architectural detailing.

v. Each building facade along a street shall provide fenestration as follows:

a) Fenestration shall mean the minimum percentage of window and door glass that must cover a given facade. It shall be calculated based on facade area and by floor.

b) Residential uses shall provide at least 15 percent~~%~~ fenestration on all stories.

c) Nonresidential uses shall provide at least 60 percent~~%~~ fenestration on the ground story and at least 20% fenestration on upper stories.

d) The length of facade without intervening fenestration shall be no more than 20 feet.

e) Glass for windows and doors shall utilize clear or tinted glass. Tinted glass shall have a maximum transmittance factor of 70 percent~~%~~ and a visible light reflectance factor of ten or less.

vi. All multifamily residential or office buildings shall provide at least one major ground story lobby entrance. Lobbies shall be clearly articulated within the building design.

vii. Buildings with residential uses adjacent to the sidewalk shall have individual entrances to such units which are directly accessible from the sidewalk.

c. Ground Story.

i. The ground story of all buildings shall be no more than ~~5~~ five feet above or below the adjacent sidewalk.

ii. The ground story of all buildings along any public or private street shall contain active uses within a minimum depth of 20 feet.

d. *Pedestrian Access*. All buildings must include a street-facing pedestrian entrance. Said entrance shall be operable to residents at all times and operable to customers, visitors, and employees during business hours.

i. A walkway shall be provided from all buildings and building entrances to any adjacent public or private right-of-way, multi-use trail, or publicly accessible park or open space.

ii. The walkway shall be a minimum of five~~5~~ feet in width.

iii. Walkways are not required for existing buildings or uses when the applicant demonstrates that their installation would do any of the following:

a) *Create a hardship due to the construction of retaining walls, site grading, site excavation, or site fill; or*

b) *Is determined by the Director to be infeasible because of topographic or other site-specific constraints.*

iv. Where a building has two frontages, a pedestrian entrance is required along both frontages.

7. *Phasing*. Mixed-use construction shall be sequenced in accordance with a project build-out schedule submitted for review as part of the building permit and approved by the Department of Planning and Development. Project proposals shall adhere to the following sequencing requirements:

a. Building permits for up to 50 percent of the residential square footage as shown on the site plan as required by Section 214-70.3.8. may be issued prior to commencing any non-residential construction.

b. Building permits for 51 to 79 percent of the residential square footage as shown on the site plan as required by Section 214-70.~~3.H.~~3. H.8. may only be issued after the issuance of building permits for at least 25 percent of non-residential square footage as shown on the master plan and commencement of said non-residential construction.

c. Building permits for the final 20 percent of residential square footage as shown on the site plan as required by Section 214-70.3.8. may only be issued after the issuance or the Certificate of Occupancy for at least 80 percent of the non-residential square footage as shown on the master plan.

d. Any of the above-mentioned requirements may be adjusted or waived by the Director, as long as the applicant provides a binding assurance that the remaining major use types shown in the master plan will be built.

8. *Submittal and Approval Process*.

a. Any new construction and renovation of more than 25 percent~~%~~ of the principal 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 shall schedule a pre-application meeting with the Director or designee prior to the submission of an SAP application. The purpose of the meeting will be to:

i. Ensure the applicant's understanding of the suboverlay requirements and approval process.

ii. Inform the staff of the applicant's plan for developing the property.

c. All submittals for an SAP application shall provide the following:

i. Property boundary survey drawn by a registered no more than two~~2~~ years old from date of application.

ii. Site plan indicating the compliance with all requirements of this suboverlay, including:

a) *Locations of all buildings.*

b) *Calculation and location of provided open space.*

c) *Locations of new streets.*

d) *Streetscape standards.*

iii. Proposed design of any publicly accessible open space used to satisfy the requirements of this suboverlay.

iv. Building elevations illustrating compliance with Section 214-~~60.11~~70.3.6. and 230-110, as applicable.

v. A written request for any variations as provided for in part e.~~E~~ of this section.

d. *SAP Review and Response*.

i. Within four weeks of acceptance of a complete application, the Department ~~of Planning and Development~~ shall provide a list of comments to the applicant relative to the lack of compliance with the standards of the ordinance. If the Department ~~of Planning and Development~~ has no comments and the application is deemed to be in compliance, ~~a~~an SAP will be issued.

ii. The applicant shall make amendments to plans and resubmit as noted. If all changes are in accordance with the comments provided, the Department ~~of Planning and Development~~ will issue the SAP within four weeks of resubmittal.

e. The Director may grant ~~a~~ variations from any of the standards set forth in this UDO ~~set forth in this suboverlay~~ with the exception of use or lot sizes ~~and any associated provisions~~. Variations may be granted when ~~,~~ in the opinion of the Director:

i. ~~i.~~ The s~~S~~strict adherence to a provision creates a hardship due to ~~extreme~~ topographical or site ~~provisions~~conditions, or

~~e.~~ii. ~~ii.~~ The applicant proposes a solution which does not circumvent the intent of this UDO and/or provides a superior environment.~~.~~

Chapter 230. Standards Applying to All Districts

Section 230-10. Permitted and Special Uses.

230-10.1 The uses established by each zoning district within this UDO shall be permitted only as listed within each zoning district and only in the manner so listed. Any use not listed in said table shall be prohibited, except as contained herein. Additionally, for any use not listed in said table, the Director shall have the authority to determine the most appropriate zoning district(s) and/or Special Use Permit requirements for such use, after receiving documentation from the property owner adequately outlining and describing the specific details of the proposed use.

230-10.2 Any use not listed in a particular zoning district shall be prohibited in that zoning district, unless it is a non-conforming use lawfully established prior to the effective date of the ordinance or amendment that rendered it legally non-conforming. See Chapter 260 Non-Conforming Uses.

230-10.3 Restrictions on the location of telecommunication facilities in certain zoning districts are provided in the Gwinnett County Telecommunications Tower and Antenna Ordinance.

230-10.4 Restrictions on the location and operation of adult establishments are provided in Article XI of the County Code of Ordinances. ~~Section 230-130~~.

230-10.45 Restrictions on the location and operation of temporary outdoor activities are provided in ~~the Temporary Outdoor Activity Ordinance. Temporary outdoor activities shall also meet the parking requirements of~~ Chapter 240 of this UDO.

230-10.56 All uses identified in this UDO are intended to mean: 1) terms as may be specifically contained in the definitions section of this ordinance; and 2) to have the commonly accepted definitions contained in the most recent edition of the Complete Illustrated Book of Development Definitions~~.~~.

Section 230-20. Conditional Use Standards.

230-20.1 Purpose and Intent.

A. The purpose of the ~~e~~ Conditional Uses in this UDO is to provide more specific standards for certain uses for which additional use restrictions, site development and/or design standards are necessary to ensure that they will be compatible with surrounding uses, have minimal impact on the environment, promote the health, safety and welfare of the community and meet the intent of the Gwinnett County Unified Plan.

B. These standards apply to specific uses in all zoning districts (unless otherwise noted) and shall be enforced by the Department.

C. Any use that is regulated by this UDO and is authorized in a zoning district shall be developed in conformity with the applicable Conditional Use Standards for that use provided. No permit shall be issued for a use, building or structure that does not conform to applicable Conditional Use provisions; except that, where any requirement of the Conditional Use Standards conflicts with a condition of rezoning, special use permit or other action of the Board of Commissioners, the condition shall prevail.

Section 230-30 Accessory Use, Building, and Structure Standards.

230-30.1 All accessory buildings, structures, and uses shall also be subject to other sections of this UDO, but not limited, to the Conditional Use Standards.

230-30.2 All accessory buildings, structures and uses of land shall be clearly subordinate to and supportive of the principal use and located on the same lot as the principal use to which they are accessory.

230-30.3 Accessory buildings or structures shall not be erected on a lot prior to the time of construction of the principal building to which it is accessory, unless otherwise authorized by the Director ~~of Planning and Development~~.

230-30.4 Accessory buildings or structures shall not be utilized unless the principal structure on that lot is occupied, unless otherwise authorized by the Director ~~of Planning and Development~~.

230-30.5 If a principal building is removed from a property, all accessory buildings or structures on that property shall be removed within 180 days unless a new principal building is constructed.

230-30.6 No accessory uses or structures except driveways and individual mailboxes shall be located within the public right-of-way. Landscaping, unless required by this UDO, shall not be located within the public right-of-way unless approved by Gwinnett County Department of Transportation.

230-30.7 All accessory buildings or structures shall be located in the rear or side yard unless explicitly stated otherwise in this section.

230-30.8 Accessory buildings, structures or uses shall not be allowed in a front yard except those permitted by this UDO.

230-30.9 Except as provided herein, accessory structures shall be located no closer than five feet to all property lines. Accessory buildings shall meet the following minimum setback requirements adjacent to all property lines:

Table 230-~~.~~1: Accessory Building Setback Requirements

The following setback~~s~~ shall apply to accessory buildings, unless otherwise specified in this UDO:

Accessory building size, in area	~~Required~~Minimum setback~~s distance~~
0 - 500 sq. ft.	5 ft.
Over 500 sq. ft.	10 ft.

230-30.10 Driveways, concrete patios, sidewalks, and fences may be located along a property line.

230-30.11 In all zoning districts, the following accessory uses and structures shall be allowed in front and side yards: fences, walls, gates and gatehouses, signs, mailboxes, covered mail kiosks, sidewalks, walkways, driveways, parking pads, parking lots, parking decks, EV charging stations with canopies, lampposts, flagpoles, basketball goals adjacent to driveway, birdbaths, birdhouses, arbors, trellises, landscaping, and similar features. In the RA-200 zoning district, provided the lot is a minimum of three acres in size, the following shall also be allowed in front and side yards: barns and stables, silos, animal quarters, and agricultural buildings that are customarily related to commercial farming.

In all non-residential zoning districts, the following shall also be allowed in front yards, as applicable: fountains, statu~~ary~~es, and similar decorative features; gasoline pumps and canopies; cart corrals; vacuum stands and canopies, and similar features.

230-30.12 In all residential zoning districts, except RA-200, the following ~~requirements~~ standards shall apply to all accessory buildings:

A. Accessory buildings greater than 120 square feet in floor area shall ~~abide by the following design guidelines:~~be subject to the following standards:

1. Exterior walls shall be finished with materials and/or colors similar to that of the principal building. Metal roofs as part of carports are prohibited.

2. Internal floors shall be a solid surface and constructed with materials such as, but not limited to, concrete or wood. Gravel and dirt floors are prohibited.

3. Building height shall not exceed the maximum height permitted by the zoning district or the height of the principal building, whichever is less.

B. The maximum cumulative total gross square footage of all accessory buildings allowed on a property shall be no more than 50 percent~~%~~ of the gross square footage of the principal building unless a variance is approved by the Zoning Board of Appeals.

C. Accessory buildings shall not be used for any commercial operation whether permanent or part-time or for any type of human habitation except as part of an approved accessory dwelling, as provided in this UDO.

D. Accessory buildings shall not be used for the storage of hazardous materials, waste products or putrescent materials.

E. No commercial vehicles, as defined by this UDO, shall be stored inside an accessory building located within a residential zoning district.

230-30.13 Dumpsters. Dumpsters shall be permitted subject to the following standards:

A. *Location*. Dumpsters shall be located in the rear or side yard. Dumpsters are not allowed in front yards. Dumpsters, including the enclosure structure, shall be located a minimum of ~~5~~five feet from property lines and buffers.

B. *Pad*. Dumpsters shall be placed on concrete pads of sufficient size and strength to support the weight of service vehicles. The size of the pad shall not be less than 10 feet wide by ~~30~~ 20 feet long.

C. *Screening*. Dumpsters that are not inside a building shall be surrounded by a~~n~~ minimum six~~6~~-foot-tall opaque enclosure ~~not less than 6 feet in height~~ with access via an opaque metal gate. Dumpster enclosures shall be constructed from brick or masonry materials, unless located on industrially zoned property and not visible from the street or an adjoining residential property. In this case, dumpsters may be screened with a wooden fence.~~.~~

D. *Lid and Plug*. Dumpsters shall be required to have lids and are prohibited from connecting to sanitary sewer utilities or the stormwater system.

E. Construction dumpsters for construction material and debris are permitted only for 30 days or with an active building permit and are exempt from screening requirements.

230-30.14 Flagpoles. In all districts, flagpoles shall be permitted as accessory structures subject to the following ~~restrictions~~standards:

A. Shall be setback from property lines a distance equal to the height of the flagpole or greater.

B. Each lot or parcel shall be allowed a maximum of three flagpoles.

C. Flagpoles shall be 20 feet in height or less in residentially zoned districts and 80 feet in height or less in non-residentially zoned districts.

230-30.15 Drive-through Service Windows. Drive-through service windows shall meet the standards for Section 240-80, Stacking Lanes for Drive Through Facilities or Service Windows, and the additional following ~~items~~standards:

A. Each drive-through service window is allowed one additional incidental sign adjacent to the drive-through window that shall not exceed 24 square feet in area.

B. No outdoor speakers shall be employed within 100 feet of any residential use.

230-30.16 Collection Bins. Collection bins shall be permitted subject to the following standards:

A. Permit required; dates of issuance, expiration.

1. It shall be unlawful to erect, place, maintain, or operate any collection bin in unincorporated Gwinnett County without first obtaining a permit issued by Gwinnett County.

2. A permit issued under this Section shall be valid for one year and renewable for one-year periods thereafter.

3. Collection bins owned and/or operated by one person or entity for the benefit of permit applications for another person or entity require the contact information for both entities.

B. *Fee required*. The Fee for the Initial Application and Renewal Applications shall be $250.00. The Sticker Fee shall be $25.00. These fees shall remain in effect unless otherwise modified by the Gwinnett County Department of Planning and Development's Fee Schedule.

C. *Qualifications of Permittee and Form of Application*. In order to qualify as a Permittee under this Section, an applicant must either be (1) an organization exempt from taxes under 26 U.S.C. § 501(c)(3) of the United States Internal Revenue Code, and in good standing with the State of Georgia; (2) a business organization in good standing with the State of Georgia; or (3) a natural person. The application for a collection bin permit shall include the following information from the applicant:

1. If the applicant claims to be a qualified nonprofit organization; (1) a copy of the determination letter issued by the Internal Revenue Service stating that the applicant is an organization exempt from taxation under Internal Revenue Code, 26 U.S.C. § 501(c)(3); and (2) a certificate of good standing issued by the Office of the Georgia Secretary of State. If the applicant is a business organization not exempt from taxation, a certificate of good standing issued by the Office of the Georgia Secretary of State. A certificate of good standing must not be older than three~~3~~ months at the time of application for a permit.

2. Name, address, and telephone number of the contact person of the applicant who will agree in writing to be available by telephone between the hours of 8 a.m. to 5 p.m., Monday through Friday, to receive and respond to complaints or other inquiries regarding the permitted collection bin.

3. Name, address, and telephone number of a person who is authorized by the owner or operator of the collection bin to accept service of process and to accept citations issued by the County on behalf of the applicant for violations of this Section.

4. Written and signed consent from the Site Host or the Lawful Occupant, if applicable, to place the collection bin on the property, including name, address, and telephone number of the Site Host or Lawful Occupant and the name, address, and telephone number of the person authorized by the Site Host or Lawful Occupant to accept service of process and to accept citations issued by the County on behalf of the Site Host or Lawful Occupant. A copy of the lease, rental agreement, or other instrument between the Site Host or Lawful Occupant and the Permittee shall be sufficient to satisfy this requirement provided that the lease, rental agreement, or instrument contains the name, address, and telephone number information required above.

5. Permittee must provide proof to Gwinnett County of a Certificate of Liability Insurance of at least $1 million covering the liability of the Permittee arising out of the placement and maintenance of a collection bin.

6. Permittee must provide a closed boundary survey and a site plan drawn to scale which will indicate the zoning of the property, indicate if there are zoning or overlay conditions on the proposed Site, and show the location of any and all existing bins on the Site; show, and label the dimensions of the proposed bin; show the footprint of the principal building for the Site; show and label the front, rear, and side building setbacks on the Site; label concrete or asphalt surfaces; label landscape and planter areas; label and dimension all buffers (if applicable); show and identify adjacent public streets and rights-of-way; provide a dimension of the distance between the collection bin and the public right-of-way; and any other information deemed necessary by the Director.

7. In addition to the information listed in this Section, the application shall be made on the form provided by the Gwinnett County Department of Planning and Development.

8. Applications which are not complete when submitted shall be returned to the applicant with a list of items that are missing from the application.

9. A complete Collection Bin Permit Application meeting all of the requirements set forth in Subsections (C)(2), (C)(3), and (C)(6) of this section, which is submitted to the Gwinnett County Department of Planning and Development with the required application fee, shall be approved or denied within thirty (30) days of its receipt. Any complete application not approved or denied within 30 days shall be deemed to be approved.

D. *Proof of Permit*. Gwinnett County shall provide the Permittee with one permit Sticker for each approved permit. The permit Sticker shall be placed in a conspicuous place on the front of the collection bin that is installed on the permitted property. Gwinnett County will provide replacement Stickers for ($25.00) should the original Sticker become damaged, fall off, or disappear.

E. *Management, Maintenance; Requirements*.

1. Permittee must maintain the aesthetic presentation of each collection bin including fresh paint, readable signage, and general upkeep.

2. Permittee must provide the County and Site Host or Lawful Occupant a telephone number for requests to respond to collection bin maintenance complaints.

3. Permittee must respond to complaints within 48 hours of receiving said complaint from the County by telephone during regular business hours of 8:00 a.m. through 5:00 p.m., Monday through Friday. This response may be via telephone and should include a time frame for resolving the complaint.

4. Permittee must remove graffiti within 48 hours following receipt of notice of its existence by telephone during regular business hours of 8:00 a.m. through 5:00 p.m., Monday through Friday.

5. If a collection bin becomes damaged or vandalized, it shall be repaired, replaced, or removed within five days of receipt of notice of such condition by telephone during regular business hours of 8:00 a.m. through 5:00 p.m., Monday through Friday.

6. Permittee shall clearly post on its collection bin that no items shall be left outside the collection bin and Permittee shall remove any materials, trash, or other debris placed outside the collection bin within 48 hours following receipt of notice of its existence by telephone during regular business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

7. Collection bins shall have a receiving door that can be closed so that only an authorized representative of the owner may access the items deposited in the collection bin.

F. *Location and Placement of Collection Bins*.

1. On parcels of land which constitute ~~ten~~ 10 ~~(10)~~ acres or less, there shall be no more than two collection bins per parcel of land.

2. On parcels of land greater than ~~ten~~ 10 ~~(10)~~ acres, the Director shall have the discretion to allow for one ~~(1)~~ additional collection bin per every two ~~(2)~~ additional acres of land, provided, however, that all bins are separated by at least 500 feet.

3. Collection bins shall only be permitted as an accessory use on developed property which is zoned C-1, C-2, C-3, M-1, or M-2; or on the premises of a church or school, consistent with all applicable ordinances and policies, within any zoning district. Collection bins located on County-owned properties shall meet the requirements of subsection (C) 6.

4. Collection bins shall not be located on property if the principal structure is vacant.
5. Collection bins shall not be placed in a right-of-way and shall be placed no closer to any adjacent right-of-way than 50 feet or the front or side building plane of the principal structure located on the site, whichever is greater.
6. Collection bins shall be placed on the Site in a manner that does not impede vehicular or pedestrian traffic flow.
7. Collection bins shall not be placed in designated parking spaces or reduce the number of parking spaces below the minimum number required by the Unified Development Ordinance, any other Gwinnett County Ordinance, or state law.
8. Collection bins shall be placed on a concrete or asphalt surface.
9. Collection bins shall not be placed within any landscape strip, landscaped parking lot island, any type of buffer, or within five feet ~~(5')~~ of a zoning buffer.
10. Collection bins shall not be placed on sidewalks.
11. Collection bins shall not be placed within the sight triangle, as defined in The Complete Illustrated Book of Development Definitions, Fourth Edition, and its subsequent revisions, of any intersection and shall not interfere with on-site traffic circulation.
12. Collection bins located at public libraries shall meet the above requirements ~~of subsections a through k above~~.

G. *Information and Label Requirement for all Bins*. Every collection bin shall display the following information in boldface letters at least two inches high located on the front of the collection bin and directly underneath the deposit door or on the deposit door:

1. The name, address, telephone number, and the Internet Web Address of the Permittee.
2. Each bin shall meet the requirements set forth by the State of Georgia as found in Title 43, Chapter 17 of the Official Code of Georgia Annotated.

H. *Size, Appearance, and Screening of Bins*.

1. Collection bins shall not cover a ground surface area in excess of five feet by five feet, nor be more than seven feet in total height.
2. The exterior of collection bins shall be of neutral, or earth tone color schemes as found in the Architectural Design Standards, Color and Finish Chart found in the Appendix of the Gwinnett County Unified Development Ordinance. High-intensity colors, metallic colors, black, or fluorescent colors shall be prohibited; however, the use of black color for lettering and accent use is not prohibited provided, however, the majority of the bin shall not be black in color.
3. Collection bins shall be surrounded by a three-sided opaque enclosure not less than six feet in height, with an open side facing away from any public road. Collection bin enclosures shall have a finish consistent with the finish materials of the building facade and conform substantially with the Unified Development Ordinance Design Guidelines.

I. *Violations and Penalties*.

1. In addition to any other penalties or remedies prescribed for ordinance violations pursuant to the Official Code of Georgia Annotated and this Unified Development Ordinance, Sections 120-60, 120-70, and 120-80, any person, corporation, company, or entity who places a collection bin on property prior to receiving a permit shall be subject to a penalty of $300 for each violation.

2. In addition to any other penalties or remedies prescribed for ordinance violations pursuant to the Official Code of Georgia Annotated and this Unified Development Ordinance, Sections 120-60, 120-70, and 120-80, if a Permittee is found to have violated any provision of this Section, after notice and opportunity to cure the alleged violation, the Permittee shall be subject to a penalty of $250.00 for each violation, including but not limited to the following violations:

   a. Failure to adequately respond to maintenance request;

   b. Failure to maintain collection bins as set forth in Section ~~C(~~C (5) above;

   c. Failure to adhere to collection bin placement and removal provisions; or as set forth in Section ~~C(~~C (6) above;

   d. Failure to adhere to all permit requirements.

3. If a Permittee is found to have violated the provisions of Section 230-130.4(C) and ignores mitigation on more than ~~3~~three occasions in a calendar year, the Permittee shall, in addition to all penalties set forth in this Section along with those allowed by the Official Code of Georgia Annotated, be deemed ineligible to place, use, or employ a collection bin, and apply for any renewal permits for collection bins, within the County for a period of one year, and the County may require removal of any or all of such Permittee's collection bins upon 30 days advance notice.

J. *Liability; protections*. The Site Host or Lawful Occupant will be held harmless by the Permittee for the removal of an unauthorized collection bin or where removal is necessary to comply with zoning ordinances.

230-30.17 Outdoor Seating. Outdoor seating for restaurant service ~~is~~ shall be permitted subject to the following ~~requirements and restrictions~~standards:

A. No outdoor seating associated with a sidewalk café shall be used for calculating seating requirements pertaining to the location of, applications for, or issuance of a liquor license for any establishment nor shall the additional seats be used to claim any exemption from any other requirement of any county or state code or ordinance.

B. The perimeter of the outdoor seating area shall be delineated using non-permanent fixtures such as railings, planters, decorative chains, or other similar decorative fixtures.

C. Tables, chairs, umbrellas, canopies, awnings, and other similar fixtures shall be of uniform design and shall be made of quality materials and workmanship to ensure the safety and convenience of users and to enhance the visual quality of the urban environment.

D. Design, materials, and colors shall be compatible with the abutting building for all locations, and any applicable design guidelines.

E. Outdoor seating abutting a public sidewalk shall be subject to the following additional development standards:

   1. A minimum six-foot-wide ~~of one~~ unobstructed pedestrian path ~~of at least six feet wide~~ shall be maintained parallel along the sidewalk connecting to any abutting businesses.

   2. A minimum six-foot-wide ~~of one~~ unobstructed pedestrian path ~~of at least six feet wide~~ shall be maintained to connect the building entrances to the sidewalk or curb line of the abutting street.

Section 230-40. Application of Dimensional Standards.

230-40.1 Proposed structures exceeding the height limitations established by the zoning districts contained within this UDO, and which have not been granted approval by the Board of Commissioners through a concurrent

variance, shall be subject to a variance by the Zoning Board of Appeals. The height limitations of this Section shall not apply to:

A. Cupolas, weathervanes, chimneys, parapets and similar architectural features, or satellite dishes or other necessary mechanical rooftop appurtenances, which extend 12 feet, or less, above the allowable building height.

B. Steeples, domes, belfries, or ornamental towers which are 100 feet in height, or less.

C. Barns, silos, and similar agricultural structures which are 35 feet in height, or less within the RA-200 zoning district.

D. Water towers, smokestacks, conveyors, derricks, and similar industrial structures which are 75 feet in height, or less.

E. These exclusions shall not apply in the vicinity of airports where Federal Aviation Administration runway protection zone standards shall apply.

230-40.2 Minimum Lot Size.

A. Lots shall meet the minimum lot size and minimum lot width established by each zoning district within this UDO. In addition, no lot served by a septic tank shall have a lesser area than that approved by the Environmental Health Section for safe drinking water and septic tank operation.

B. For a lot fronting on a cul-de-sac, lot width shall be measured along a straight line tangent and perpendicular to the midpoint of the minimum required curved front setback line.

230-40.3 Reduction in Lot Dimensions. No lot shall be reduced in size so that the minimum lot size established by each zoning district within this UDO is not maintained. This limitation shall not apply when a portion of a lot is acquired for a public purpose or for unbuildable lots such as those used exclusively for subdivision identification signage, entrance or landscape features, common areas, mail kiosks, or stormwater facilities.

230-40.4 Substandard Lots of Record. Any lot of record existing at the time of the adoption or amendment of the UDO, that has an area or width that is less than is required by the UDO, may be used, subject to the following exceptions and modifications.

A. *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 shall be considered as a single lot or several lots of the minimum width and area required in the Zoning District in which they are located and are required to be combined.

B. *Individual Lot Not Meeting Minimum Lot Size Requirements*. Except as set forth below in 230-~~20.5~~40.4.A., in any Zoning District in which single ~~one~~ family detached dwellings are permitted, any lot of record existing at the time of adoption or amendment of the UDO which has an area, width or depth less than that required by the UDO may be used as a building site for a single ~~one~~ family detached dwelling.

~~1. In any case of such a lot, when it is not possible to provide the required side setbacks and at the same time build a minimum width one-family dwelling, an administrative variance may be granted reducing the side setback requirements for such lot the minimum amount necessary for a reasonable dwelling, but in no case shall each of the side setbacks be less than 5 feet in width.~~

230-40.5 Contextual Front ~~Yard~~ Setback Requirements for Single-Family Detached Residential Lots.

A. The front setback requirements of the UDO shall not apply for a new single-family detached residential dwelling on any lot where the average depth of the front ~~yard~~setbacks of existing buildings on adjoining lots located wholly or partially within ~~one hundred (~~100~~)~~ feet on each side of such lot within the same block and zoning district and fronting on the same side of the street is either greater or less than the minimum required front setback ~~depth~~.

B. ~~If the average depth of the front yards is greater than the required front setback, t~~The minimum front setback for such lot shall be within the range of depths of the front ~~yard~~setbacks of the above referenced buildings.

~~C. If the average depth of the front yards is less than the required minimum front setback depth, the depth of the front setback of such lot shall be within the range of depths of the front yards of the above referenced buildings.~~

~~D.~~C. These provisions shall not apply to properties located within the RA-200 zoning district.

230-40.6 County Approvals that are Required. All County approvals that are required for the use of the land and structures and for the location and operation of businesses and industries shall be obtained by the applicant and transmitted with a request for a development permit, building permit, or a certificate of occupancy.

230-40.7 Temporary Buildings. A temporary building or buildings for use in connection with a construction project or land subdivision development shall be permitted on the land of the project during the construction period upon issuance of a building permit for the temporary building(s).

230-~~,~~40.8 Industrialized Buildings.

A. After the effective date of this UDO, all newly installed industrialized buildings in Gwinnett County are subject to the requirements of this UDO, the State of Georgia Industrialized Buildings Act O.C.G.A. Title 8, Chapter 2, Article 2, Part 1 and "Rules of the Commissioner of Community Affairs, 110-2 Industrialized Buildings".

B. Industrialized buildings shall conform to all requirements of the UDO and other applicable codes of Gwinnett County and the State of Georgia. The installation of an industrialized building shall require zoning certification and a building permit. Industrialized buildings shall conform to the Gwinnett County Architectural Design ~~Guidelines~~ Standards that are otherwise applicable to such buildings or uses in accordance with this UDO.

C. Prior to approval of a building permit, the installer shall provide to the Department ~~of Planning and Development~~ a site plan and a set of building design plans to show compliance of each industrialized building unit with this UDO. Evidence of approval by the Georgia Department of Community Affairs shall also be provided.

D. Transportation of industrialized buildings or components on the streets and highways of Gwinnett County shall be in accordance with applicable requirements of the Georgia State Highway Patrol.

E. Prior to relocation of an existing building that was constructed in an industrialized fashion but does not bear the insignia of approval of the Commissioner of the Department of Community Affairs required for new industrialized buildings, the owner of such building shall apply for and receive certification of the Department of Community Affairs as provided in Section 110-2-11 of the Rules of the Commissioner of the Department of Community Affairs.

Section 230-50. Minimum Space between Dwelling Units.

The minimum distance between dwelling units shall be 10 feet measured at the closest points between the two structures, excluding building projections such as cornices, eaves, steps, handrails, gutters, and downspouts, except where a greater distance is required by the Gwinnett County Construction Code.

Section 230-60. Permitted Encroachments upon Required Setbacks.

230-60.1 Cornices, eaves, chimneys, landings, enclosed porches, bay windows, or other similar architectural features may extend into the required front, side, and rear setbacks provided such extensions do not exceed ~~3~~three feet.

Unenclosed d~~D~~ecks and~~,~~ porches, steps, and landings may extend into the minimum required side or rear setback, but

no closer than 5five feet from any property line. Unenclosed decks and , porches, steps, and landings may extend into the minimum required front yard setback provided that such extensions do not exceed 10 feet and are located at least 5five feet from the front property line.

230-60.2 Canopies, covered entrances or walkways for non-single-family residential uses may extend into the required side or rear setbacks provided such extensions do not exceed 3three feet. Such features may extend into the front setback provided such extensions are no closer than 15 feet from the front property line.

230-60.3 Electric vehicle charging station canopies and cCanopies over fuel pump islands or over pedestrian walkways may extend into any yardsetback provided such extensions are at least 5five feet from any property line.

Section 230-70. Street Access

230-70.1 No buildable lot shall be created that does not have access to either a public street, a publicly approved street, publicly maintained street, or private street.

Section 230-80. Fences and Retaining Walls.

230-80.1 Maximum Fence Height. of Fencing Except as provided in Section 230-80.2, Nno fence shall exceed 4four feet in height within a required front yard setback or eight8 feet in height in any other location, except as provided in Section 230-80.2. .

230-80.2 Maximum Fence Height Exceptions to Section 230-80.1 are as follows. :

A. A fence that encloses an approved stormwater management facility may be a maximum of 6six-feet-high in height.

B. A fence or wall enclosing a sports court may be a maximum of 12-feet-high in height within a required rear or side yard setback.

A fence or wall enclosing an industrial use may be a maximum of 6-feet-high within the front yard.

C. The Board of Commissioners may condition the approval of a rezoning or special use permit to require that walls or fences of a height in excess of these regulations shall be placed in any yard where such walls or fence is necessary to provide screening.

D. Through lots may have a fence up to 6six-feet in heigh-hight within the front yard without driveway access.

E. Subdivision entrance features may be a maximum of 10-feet in height-high. Perimeter walls and fences along an external road may be a maximum of six-feet in height high.

230-80.3 Fence Design Standards.

A. Any fence which extends into the required front yard on a residential property less than 3three acres in area shall be constructed of brick, stone, wood, wrought-iron-style, or split rail.

A.B. Any fence which extends into the front setback on a nonresidential property shall be constructed of brick, stone, wood, or wrought-iron-style and shall be located outside of the required landscape strip, internal to the property.

B.C. No wall or fence constructed of woven wire or metal fabric (chain link, hog wire or barbed wire) shall extend into a front yard. Woven wire or metal fabric fences may extend into a front yard, except when property contains a minimum of 3three acres and is used for agricultural purposes or is industrially zoned.

C.D. Electric and barbed wire fences shall be prohibited except on lots three acres or larger which meet or exceed the minimum requirements for raising and keeping of livestock (3 acres) or industrially zoned properties.

D.E. Exposed concrete blocks, tires, scrap metal, sheet metal, plastic/fiberglass sheeting, vinyl siding or fabric, plywood, pallet material, junk or other discarded items shall be prohibited as fence material.

E.F. Posts shall be anchored in concrete and for privacy fencing shall face inward to the subject property.

~~F.~~G. Temporary chain link security fences up to eight~~8~~ feet-high ~~ft. in height~~ may be erected to surround a non-single- family residential property up to 30 days prior and 30 days following completion of demolition, rehabilitation, or new construction.

230-80.4 Maximum Retaining Wall Height ~~of Retaining Walls~~. No retaining wall shall exceed four~~4~~ feet in height within 10 feet of ~~a front~~the front property line.

230-80.5 ~~-~~Retaining Wall Design Standards.

A. Walls visible from an adjoining property shall be tiered so that no single tier is taller than 20 feet.

B. Retaining walls visible from the public right-of-way shall be constructed of decorative concrete modular block or shall be faced with stone, brick, or textured cement masonry.

Section 230-90. Protection of Existing Cemeteries.

230-90.1 ~~Whenever a development site contains or is adjacent to an existing cemetery, the following cemetery protection measures shall be required:~~ Development Standards Adjacent to Cemeteries.

A. When a development site contains an existing cemetery, a minimum four-foot high wrought-iron style or brick/stone fence and a 25-foot-wide grassed strip shall be provided adjacent to the cemetery. ~~A 25-foot wide in-depth grassed buffer strip and a minimum four-foot high wrought-iron style or brick/stone fence shall be provided around the entire perimeter of the cemetery. Said fence shall be located exterior to the required grassed strip.~~

B. When a development site is adjacent to an existing cemetery, a minimum 25~~-~~foot-wide undisturbed buffer shall be maintained from the nearest boundary of the cemetery.

C. In instances where a cemetery includes an existing fence, the existing fence may be considered to satisfy the fencing ~~this~~ requirement in Section 230-90.1.A~~.~~

Section 230-100. Standards for Zoning Buffers.

230-100.1 Zoning Buffer Requirements.

A. All property zoned for non-residential use shall provide and maintain a zoning buffer along any rear and side property lines abutting a residential zoning district.

B. All zoning buffers shall meet the planting and maintenance standards for permanent buffers as outlined in Title 3 of this UDO.

~~B.~~C. All proposed improvements including, but not limited to, pavement, driveways, dumpsters, parking facilities, or retaining walls shall be located a minimum of five feet from any buffer.

~~C.~~D. Buffers shall meet the minimum width requirements for dissimilar districts as shown in Table 230~~-~~2~~1~~ "Table of Minimum Buffer Requirements" as provided in this Section or as required by a condition of zoning, special use permit, or variance approval. Where conflicts exist between the standards of this section and a condition of approval, the stricter requirement shall apply.

Table 230~~-~~2~~:~~ Table of Minimum Buffer Requirements

Zoning District of New Development	Adjacent Zoning District								
	Single-Family Detached Residential[1]	R-TH	R-IF	Multi-Family Residential[2]	TND	Mixed-Use[3]	Commercial[4]	O-I	Industrial[5]
Single-Family Detached Residential[1]	None	None	None	None	None	None	None	None	None
R-IF	None	None	None	None	None	None	None	None	None
R-TH	35 ft.	None	None	None	None	None	None	None	None
Multi-Family Residential[2]	50 ft.	30 ft.	10 ft.	None	10 ft.	None	None	None	None
TND	40 ft.	None	None	None	None	None	None	None	None
Mixed-Use[3]	75 ft.	30 ft.	None	None	10 ft.	None	None	None	None
C-1	50 ft.	20 ft.	10 ft.	10 ft.	30 ft.	10 ft.	None	None	None
C-2	75 ft.	30 ft.	20 ft.	20 ft.	40 ft.	20 ft.	None	None	None
C-3	85 ft.	40 ft.	30 ft.	30 ft.	50 ft.	30 ft.	None	None	None
O-I	50 ft.	20 ft.	10 ft.	10 ft.	30 ft.	10 ft.	None	None	None
M-1	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.	30 ft.	30 ft.	None
M-2	100 ft.	100 ft.	50 ft.	50 ft.	50 ft.	50 ft.	30 ft.	30 ft.	None

[1] RA-200, R-LL, R-100, R-75, R-60, R-SR, & OSC (Inactive Districts: CSO, CLU, MOD, R-140, RL, R-ZT)

[2] LRR, MRR, & HRR (Inactive Districts: MH, MHS, RM, RMD, RM-6, RM-8, RM-10, RM-13, RM-24)

[3] MU-N, MU-C, & MU-R (Inactive Districts: MUO, MUD)

[4] C-1, C-2, & C-3 (Inactive Districts: O-R, HS, NS, OBP)

[5] M-1 & M-2

Section 230-110. Architectural Design Standards

230-110.1 Purpose. The purpose of these Architectural Design Standards is to enhance the viability and livability of Gwinnett County and encourage pleasing aesthetic design quality in architecture. The Architectural Design Standards promote high quality and aesthetically attractive development and construction in Gwinnett County and establish the basic requirements for architectural and associated landscape components.

230-110.2 Applicability. The Gwinnett County Architectural Design Standards shall apply to all buildings and structures constructed in unincorporated Gwinnett County. Wherever the provisions and/or conditions of a zoning case and the requirements of these standards impose a more restrictive, greater, or higher standards, the requirements of the strictest requirement shall prevail.

230-110.3 Architectural Design Review. Buildings and structures not requiring an ~~Detailed~~ Architectural Design Review, as indicated below, shall adhere to the following:

A. Building elevations shall be included in the construction plans submitted for a building permit and shall include a finish legend that specifies each product style name and color for all exterior materials and finishes.

B. Alternate building designs may be granted upon review by the Director ~~of the Department of Planning and Development~~. Creative, innovative, and unique designs are encouraged, but care must be taken to maintain design compatibility with surrounding buildings and community features. The Director may authorize a review of an Alternative Architectural Review by the Planning Commission. Such Alternative Architectural Reviews shall be submitted on forms provided by and as directed by the Department ~~of Planning and Development~~.

230-110.4 Special Architectural Design Areas. Certain buildings and structures shall adhere to special review and design requirements.

~~230-110.4~~

~~A.~~ Buildings and structures within the following areas, or meeting the following thresholds, shall be subject to the following additional review procedures and additional design standards throughout this Section of the UDO:

A.

1. Those located in an Activity Center/Corridor Overlay Zoning Districts
2. Those located in a Mixed-Use Zoning Districts
3. Those located in a Multifamily Residential Zoning Districts

~~4.~~ Any new building or structure exceeding 100,000 square feet of gross floor area, regardless of location

4.

~~A.~~ Additional review procedures include:

B.

1. Color elevations of all sides of each building shall be included in the construction plans submitted for a building permit and shall include a finish legend that specifies each product manufacturer, product style name and color for all exterior materials and finishes.

~~2.~~ An architectural design guide illustrating building and site accessory design elements and features shall also be submitted with the construction plans.

2.

C. Alternate building designs may be granted upon review by the Director ~~of the Department of Planning and Development~~. Creative, innovative, and unique designs are encouraged, but care must be taken to maintain design compatibility with surrounding buildings and community features. The Director may authorize a review of an Alternative Architectural Review by the Planning Commission. Such Alternative Architectural Review shall be submitted on forms and as directed by the Department ~~of Planning and Development~~.

230-110.5 Building Design for Parcels with Zoning Conditions. Building designs required by zoning conditions as specified by the Board of Commissioners shall be subject to review and approval of the ~~Director~~Department ~~of Planning and Development~~, ~~or his/her designee,~~ prior to the issuance of a building permit.

A. Whereas a parcel that is subject to zoning conditions and the Architectural Design Standards of this section, the most stringent design condition/standard of each regulation shall apply to the building design.

B. The ~~d~~Director may approve a modification request, pertaining to the designated parcel zoning conditions, to allow alternate façade design and materials provided the building design modification proposes composition and façade finish materials of a quality which exceeds the parcel zoning conditions requirements. Any design modification request pertaining to parcel zoning conditions denied by the Director shall be submitted by application to obtain a Change in Conditions by the Board of Commissioners.

230-110.6 Architectural Design Standards for ~~Commercial and~~ Non-R~~r~~esidential Buildings.

A. *Design Composition.*

1. Existing industrial or warehouse buildings constructed prior to the adoption of these standards are exempt.
2. Building designs shall incorporate façade treatments with a composition of materials, textures, and window and door patterns and colors. Building designs shall integrate at least one material change and color variation averaged over each façade. Buildings with facades longer than one hundred ~~(~~100~~)~~ feet shall have an articulated façade that incorporates at least one significant modulation that includes a plan offset and/or color and texture change.

3. The appearance and materials of the rear and side walls shall be similar to and compatible with the front of the building. Generally, the primary exterior material~~(s)~~ incorporated on the front of the building shall be incorporated on all sides.
~~4.~~ Building designs shall incorporate a composition of façade features. Features include, but are not limited to, columns, storefront, windows, piers, pilasters, changing rooflines, plan offsets, cornice~~,~~
4. tower elements, architectural patterns and texture, cupolas, and dormers.
5. Building~~s designs~~ with greater than four ~~(4)~~ stories shall incorporate at least one significant color change, material change, or architectural feature on either the lower story or upper story.
6. Building facade elevation colors shall be neutral, earth tone, and natural finish.
7. The use of business identity colors may be allowed as part of an entrance feature subject to review by the Director.
8. Ground mounted electrical, mechanical, and like utility equipment shall be screened. Screening height shall be equal to the height of the equipment. Screens shall be a material consistent with the adjacent building or permanent vegetative landscaping.
9. Wall mounted electrical, mechanical, utility meters, and other utility equipment shall be screened. Screening height shall be equal to the height of the equipment.
10. Electrical and gas meters on buildings shall be painted to blend with the surrounding wall.
11. All roof mounted equipment, such as mechanical units, vent hoods, communication devices, and/or other building system~~s(s)~~ equipment, shall be screened from view on all sides of the building. Roof screening height shall be equal to the height of the equipment with building materials that complement the building facade.
12. PTAC wall units on buildings located in Special Architectural Design Areas shall incorporate ornamental louvers or screens.
13. Modular buildings with permanent foundation connection shall have an exterior façade of fiber cement panels which resembles horizontal siding or textured stucco finish. Metal façade panels are prohibited.
14. Portable buildings shall be prohibited.

B. *Design Materials.*

1. Building façade finishes shall be permanent durable materials.
2. Smooth face concrete masonry units are prohibited.
3. Textured face concrete masonry shall not exceed 25 percent~~%~~ of the non-fenestration surface area of any building facade.
4. Architectural smooth and industrial ribbed metal panels may be allowed subject to review by the Director.
5. Low temperature refrigeration buildings may have insulated metal panels subject to review by the Director.
6. Buildings in zoning districts that allow industrial classified buildings with industrial factory occupancies may have precast concrete or tilt-up concrete panels with textured coating finish.
7. Concrete panels shall have a design pattern of architectural reveals and/or insets.
8. The building facades shall incorporate a minimum of two colors.
9. Vinyl siding is prohibited.
10. Exposed plywood/OSB/pressed wood sheathing is prohibited.
11. Exterior burglar bars and steel roll-down curtains are prohibited.
12. Exposed neon, LED or other types of exposed bulb accent lighting shall be prohibited. Light emitting graphic features or signage located on interior walls or bulkheads shall be located a minimum of eight ~~(8)~~ feet behind the exterior glass façade.
13. Equipment screens for ground mounted units shall have a finish that is consistent with the finish materials of the building façade or provide vegetative landscape screening immediately around the units. Screening shall not resemble mechanical louvers.
~~14.~~ Equipment screens for wall mounted units shall have finish that is consistent with the finish materials of the building façade, or vegetative landscape screening shall be provided immediately in front of the equipment units. Screening shall not resemble mechanical louvers.
14.

~~15.~~ Equipment screens for roof mounted units and appliances shall be a finish and color consistent~~t~~ with the finish materials of the building facades. Screening shall not resemble mechanical louvers.

~~16.~~15. Under "glow" lighting of fabric, vinyl, or translucent material awnings is prohibited.

230-110.7 Architectural Design Standards for Multifamily Residential Buildings.

A. *Design Composition.*

1. Building designs shall incorporate a composition of features. Features include, but are not limited to, columns, windows, doors, balconies, pilasters, changing rooflines, plan offsets, cornice, porch entrances, tower elements, architectural patterns and texture, cupolas, and dormers. The maximum wall length without façade features shall not exceed ~~thirty (~~30~~)~~ feet.
2. Building design shall incorporate a minimum two ~~(2)~~ foot plan offset and/or a color change every ~~one hundred (~~100~~)~~ feet.
3. Building designs shall incorporate a composition of colors and materials. Building designs shall integrate at least one material change and color variation averaged over each façade.
4. The appearance and materials of the rear and side walls shall be similar to and compatible with the front of the building. Generally, the primary exterior material~~(s)~~ incorporated on the front of the building shall be incorporated on all sides.
5. Building designs with greater than four stories shall incorporate at least one significant color change, material change, or architectural feature on either the lower story or upper story.
6. Building façade elevation colors shall be neutral, earth tone, and natural finish.
7. Buildings located in Special Architectural Design Areas shall incorporate ornamental louvers or screens on PTAC wall units.
8. Exterior burglar bars and steel roll-down curtains are prohibited.
9. Ground mounted electrical, mechanical, and like utility equipment shall be screened. Screening height shall be equal to the height of the equipment. Screening shall not resemble mechanical louvers.
10. Wall mounted electrical, mechanical, utility meters, and other utility equipment shall be screened. Screening height shall be equal to the height of the equipment. Screening shall not resemble mechanical louvers.
11. All roof mounted equipment, such as mechanical units, vent hoods, communication devices, and/or other building system~~(s)~~ equipment, shall be screened from view on all sides of the building. Roof screening height shall be equal to the height of the equipment. Screening shall not resemble mechanical louvers.

B. *Design Materials.*

1. Building walls shall incorporate brick, cast stone, and/or stone for at least 30 percent~~%~~ of the non- fenestration façade area in the first and second story. Exposed basement walls shall be considered as part of the first story.
2. Smooth face concrete masonry units are prohibited.
3. Exposed plywood/OSB/pressed wood sheathing is prohibited.
4. Architectural smooth and industrial ribbed metal panels may be allowed subject to review by the Director.
5. Exposed neon, LED or other types of exposed bulb accent lighting shall be prohibited, unless otherwise authorized by this UDO.

Equipment screens for ground mounted units shall have a finish that is consistent with the finish materials of the building façade or provide vegetative landscape screening immediately around the units. Screening shall not resemble mechanical louvers~~.~~

6. .

~~6.~~7. Equipment screens for wall mounted units shall have finish that is consistent with the finish materials of the building façade, or vegetative landscape screening shall be provided immediately in front of the equipment units. Screening shall not resemble mechanical louvers.

~~7.~~8. Equipment screens for roof mounted units and appliances shall be a material consistent with the finish materials of the building facades. Screening shall not resemble mechanical louvers.

230-110.8 Architectural Design Standards for Attached Residential Buildings.

A. *Design Composition.*

1. Building designs shall incorporate a composition of features. Features include, but are not limited to, columns, architectural windows, balconies, pilasters, changing rooflines, cornice, ornamental roof brackets, porch entrances, tower elements, material patterns, cupolas, and dormers.
2. Building designs shall incorporate a composition of colors and materials. Building designs shall integrate at least one material change and color variation averaged over each façade.
3. Setbacks and/or roof lines shall be varied so that no more than three ~~(3)~~ adjoining dwelling units within a single building shall have the same front setback or roof line.
4. Allowed building elevation colors shall be neutral, earth tone, and natural finish.
5. Ground mounted electrical, mechanical, and like utility equipment shall be screened. Screening height shall be equal to the height of the equipment.
6. Wall mounted electrical, mechanical, utility meters, and other utility equipment shall be screened. Screening height shall be equal to the height of the equipment.
7. All roof mounted equipment, such as mechanical units, vent hoods, communication devices, and/or other building system~~(s)~~ equipment, shall be screened from view on all sides of the building. Roof screening height shall be equal to the height of the equipment.

B. *Design Materials.*

1. Front building walls shall incorporate brick, cast stone, and/or stone for at least 50 percent~~%~~ of the non- fenestration facade area.
2. Concrete masonry units~~, and~~ metal wall panels and industrial metal siding are prohibited.
~~3. Industrial metal siding is prohibited.~~
~~4.~~3. Exposed plywood/OSB/pressed wood sheathing is prohibited.
~~5.~~4. Exposed neon, LED or other types of exposed bulb accent lighting is prohibited.
~~6.~~5. Equipment screens for ground mounted units shall have a finish that is consistent with the finish materials of the building façade or provide vegetative landscape screening immediately around the units. Screening shall not resemble mechanical louvers.
~~7.~~6. Equipment screens for wall mounted units shall have finish that is consistent with the finish materials of the building façade, or vegetative landscape screening shall be provided immediately in front of the equipment units. Screening shall not resemble mechanical louvers.
~~8.~~7. Equipment screens for roof mounted units and appliances shall be a material consistent with the finish materials of the building facades. Screening shall not resemble mechanical louvers.

230-110.9 Architectural Design Standards for Detached Residential Buildings.

A. *Design Composition*

~~1.~~ Building designs shall incorporate a composition of features. Features include, but are not limited ~~d~~

1. to, columns, architectural windows, balconies, pilasters, changing rooflines, cornice, ornamental roof brackets, porch entrances, tower elements, material patterns, cupolas, and dormers.
2. Building designs shall incorporate neutral, earth tone, and natural finish colors.
~~3.~~

B. *Design Materials.*

1. Concrete masonry units, metal wall panels, and metal siding are prohibited.

230-110.10 Architectural Design Standards for Parking Decks and Structures.

A. *Design Composition.*

1. Building designs shall incorporate a composition of features. Features include, but are not limited to, columns, pilasters, tower elements, ornamental grilles, ornamental wall screens, plan offsets, and architectural material patterns.
2. Building designs shall incorporate a composition of colors and materials. Building designs shall integrate at least one material change and color variation averaged over each façade. Buildings with facades longer than ~~one hundred (~~100~~)~~ feet shall an articulated façade that incorporates at least one significant modulation that includes a plan offset, color change, and/or texture change.
3. Parking decks and structures in Special Architectural Design Areas must maintain architectural compatibility with the adjacent principal building~~(s)~~.
4. Exterior facades shall incorporate ornamental or solid guardrail designs.
5. Building façade elevation colors shall be neutral, earth tone, and natural finish.
6. Accent colors for unique façade design features may be allowed subject to the review of the Director.
7. Facades facing public streets or private driveways shall incorporate landscape areas immediately in front of the parking structure.
8. Openings for ventilation, service, or emergency access located in the façade of the first level must be decorative and shall be designed as an integral feature of the overall façade design.
9. Ground mounted electrical, mechanical, and like utility equipment shall be screened. Screening height shall be equal to the height of the equipment.
10. Wall mounted electrical, mechanical, utility meters, and other utility equipment shall be screened. Screening height shall be equal to the height of the equipment.
11. All roof mounted equipment, such as mechanical units, vent hoods, communication devices, and/or other building system~~(s)~~ equipment, shall be screened from view on all sides of the building. Roof screening height shall be equal to the height of the equipment.

B. *Design Materials.*

1. The front, sides, and rear facades of parking decks and structures shall have a primary composition of brick, stone, architectural pre-cast concrete, and/or formed concrete with textured finish that relates and is compatible to the finishes of the adjacent ~~primary~~principal building.
2. Back lit translucent wall panels shall be prohibited.
3. Equipment screens for ground mounted units shall have a finish that is consistent with the finish materials of the building façade, or provide vegetative landscape screening immediately around the units.
4. Equipment screens for wall mounted units shall have finish that is consistent with the finish materials of the building façade, or vegetative landscape screening shall be provided

immediately in front of the equipment units. Screening shall not resemble mechanical louvers.

5. Equipment screens for roof mounted units and appliances shall be a material consistent with the finish materials of the building facades. Screening shall not resemble mechanical louvers.
6. Under "glow" lighting of fabric, vinyl, or translucent material awnings shall be prohibited. Screening shall not resemble mechanical louvers.

230-110.11 Architectural Design Standards for Commercial and Non-residential Canopy Structures.

A. *Design Composition.*

1. Canopy designs shall incorporate neutral, earth tone, and/or natural finish colors that matches the adjacent ~~primary~~principal building.
2. Canopy design may include one six-inch height horizontal feature featuring a business color.
3. Other business identity color features and graphics may be allowed as signage.
4. All under canopy lighting for gas/service islands must be fully recessed fixtures.

B. *Design Materials.*

1. Columns shall have full height brick, stone, stucco, and/or architectural wood case with a finish that complements the finish of the ~~primary~~principal adjacent building. Columns shall be a minimum of 12 inches by 12 inches plan size.
2. Exposed rough timber columns may be allowed subject to review by the Director.
3. The vertical fascia panels shall be an opaque material. Backlit translucent panels shall be prohibited. The color of the vertical façade panels shall match the main color of the adjacent ~~primary~~principal building.

230-110.12 Architectural Design Standards for Commercial, Non-residential, and Multifamily Miscellaneous Site Structures. ~~(~~Miscellaneous site structures include, but are not limited to, trash enclosures, shopping cart corrals, and vending/self-service machines. ~~Refer to Section 5.0.0. for color and finish standards.)~~

A. *Design Standards for Commercial, Non-residential, and Multifamily Miscellaneous Site Structures.*

1. Dumpsters shall be screened from view on all sides with an opaque wall and gate. Dumpster enclosures screen walls shall have a finish consistent with the finish materials of the building façade. Screen walls shall be a minimum of six-feet-high ~~(6) feet in height~~ and shall be at least equal in height to the height of the dumpster.
2. Trash receptacles shall be screened from view on all sides with an opaque wall or decorative fence. Trash enclosures shall have a finish consistent with the finish materials of the building façade. The screen wall or fence shall be at least equal in height to the height of the trash receptacles.
3. Shopping cart corrals, located in parking lots, shall have decorative side rails and posts with at least 50 percent infill screen. Shopping cart corrals located directly at the facade of the building shall be screened with an opaque decorative masonry wall at least equal in height to the height of the carts.
4. Vending/self-service machines shall not be located directly in front of glass/window storefront areas. The vending machines shall not exceed the ratio of one vending machine per 25 linear feet of tenant store frontage.

230-110.13 Architectural Design Standards Color and Finish Chart.

A. *Definition of Colors and Materials*

1. Neutral – Colors that have a low (less than 50 percent~~%~~) color value and low (less than 50 percent~~%~~) color saturation intensity.
2. Color value (also known as lightness or luminosity) is the measure of the relative lightness or darkness of a color.
3. Color saturation is the measure of the intensity of a color.
4. Earth Tone – Colors that draw from a color palette of browns, tans, warm grays, greens, oranges, whites, and some reds, and some blues. The colors in an earth tone scheme are muted and flat in an emulation of the natural colors found in dirt, moss, trees, and rocks.
5. Natural Finish – Colors and patterns that naturally occur in wood grain textures or stone without a tinted finish.

Table 230-~~.~~3: Color and Finish Chart

The following chart represents, but is not limited to, typical and common building finishes.

Brick	Natural clay colors or paint finish earth tone and neutral colors.
Stone	Natural finish colors.
Stucco/EIFS	Earth tone and neutral colors.
Tilt-up Concrete	Earth tone and neutral colors of textured coating finish.
Pre-cast Concrete	Concrete with earth tone and/or neutral color coating or architectural concrete with exposed aggregate finish.
Metal Panels	Earth tone and neutral colors. Metal panels with simulated natural finish may be allowed subject to review by the Director.
Ceramic Accent Tile	Earth tone and neutral colors. Tile with simulated natural finish may be allowed subject to review by the Director.
Standing Seam Metal Roof	Colors shall be earth tone, neutral, dark green, silver, black, dark metallic bronze, or beige, and/or aged copper.
Standing Seam Metal Awnings	Colors shall be earth tone, neutral, dark green, silver, black, dark metallic bronze, or beige, and/or aged copper.
Fabric Awnings	Colors shall be earth tone, neutral, dark green, and/or black. Alternative colors may be utilized provided that the awnings and other alternative color features do not exceed 10 percent of any single façade surface area. Graphic stripes or non-object graphics may be allowed subject to the review of the Director.

Canopy Fascia Panels	Earth tone and neutral colors – colors shall be consistent with features/colors of the ~~primary~~principal adjacent building.
Slate or Stone Shingles	Natural stone finish color.
Architectural Roof Tiles	Natural terra cotta or slate color.
Dimensional Shingles	Shingles with slate or natural stone color appearance.
Wood Shakes	Natural Finish.
Wood Siding & Fiber Cement Siding and Panels	Earth tone, neutral, and natural finish colors for the main field and accents.
High Pressure Laminate (HPL)	Earth tone and neutral colors. HPL panels with simulated natural finish may be allowed subject to review by the Director.

Chapter 240. Off-Street Parking Standards

Section 240-10. General Requirements.

240-10.1 Purpose and Intent.

A. To ensure that the development and redevelopment of property provides safe and adequate parking for automobiles and bicycles for the convenience and safety of all residents, employees, visitors, and shoppers, including persons with disabilities.

B. To provide design standards for parking facilities and driveways that minimize harm to motorists and private property, provide adequate emergency vehicle access, and to protect the safety and capacity of public streets.

C. To ensure that the number of off-street parking spaces does not impact adjacent residential areas from encroachment of commercial parking into neighborhood streets.

D. To minimize the impacts of stormwater runoff from off-street parking facilities due to erosion and pollution of water bodies.

240-10.2 Applicability. Vehicle and bicycle parking shall be in accordance with this Chapter of the UDO.

240-10.3 Parking surfaces.

A. In any non-residential district, the parking of any vehicle on other than a paved surface (or other system approved by the Director) is prohibited.

B. In a residential district, the parking of any motor vehicle except on a hard-surfaced driveway or in a carport or garage with hard-surfaced flooring is prohibited. Any recreational vehicle or non-motor vehicle may only be parked in ~~a carport, enclosed structure, or~~ in the side or rear yard on a paved surface or approved porous or grassed paving system. Any recreational vehicle or non-motor vehicle may be parked in the front yard for loading and unloading purposes for no more than 48 hours. Any vehicles parked in the side or rear yard not in a carport or an enclosed structure must be parked at least ~~15~~ 10 feet from the property line. Vehicles or equipment used for agricultural purposes ~~on residential property~~ with ~~5~~three or more acres are exempt from hard surface requirements if parked outside of the required front setback.

C. Maximum allowable paved parking or hard surface area in the front yard of single-family residential development (excluding walkways and required sidewalks):

1. Single-family attached development: ~~– not more than 75 percent. Driveways~~ driveways for adjoining units shall be separated by at least a four~~4~~-foot-wide grassed strip, unless the units have shared driveways.

2. Single-family detached development: ~~–~~not more than 35 percent.

240-10.4 Application for Additions, Renovations, and Change in Use.

A. Additional parking and loading space is required for each addition or renovation to a building or use which results in a gross floor area increase of 500 square feet or more. Residential uses are exempt from this provision provided that the addition or renovation does not increase the number of families.

B. Whenever a change in use occurs for all or a portion of a building, off-street parking must be provided to accommodate the new use.

240-10.5 Prohibited Uses. No parking areas may be used for the sale, repair, dismantling, servicing or long-term storage of any vehicles or equipment, unless permitted by the zoning district in which the area is located.

Section 240-20. Parking Space Requirements.

240-20.1 Minimum Parking Space Requirements. The minimum number of parking spaces shall be determined based on the spaces required for principal uses from the Table of Minimum Parking Requirements, unless the development qualifies for a reduction in minimum parking requirements as provided in Section 240-30 or is located within a zoning district that does not require minimum parking. Where parking requirements for any use are not specifically defined in the Table of Minimum Parking Requirements, such requirements shall be determined by the Director based upon the most comparable use specified herein, and other available data.

240-20.2 Maximum Parking Requirements. Maximum parking requirements are established in order to promote efficient use of land, enhance urban form, encourage alternate modes of transportation, provide for better pedestrian movement, reduce the amount of impervious surface and protect air and water quality.

240-20.3 Required area for each parking space.

A. Each automobile space shall be a minimum of 9 feet wide and 18 feet deep for perpendicular spaces. Angled parking spaces shall be a minimum of 9 feet wide and 20 feet deep. Parallel parking spaces shall be a minimum of 9 feet wide and 22 feet in length. All spaces are measured from face-of-curb.

B. Compact parking spaces shall be a minimum of 8.5 feet wide and 16.5 feet deep as measured from the face-of-curb and shall be clearly marked as compact spaces. Up to 15 percent of the overall parking spaces for non-single-family residential development may be in the form of compact spaces.

~~B.~~C. Alternative surfaces used for parking and approved by the Director which do not require curb and gutter, shall be a minimum of 9.5 feet wide and 18.5 feet deep as measured from the terminating edge.

~~C. Up to 15 percent of the overall parking spaces for non-single-family residential development may be in the form of compact spaces. Compact parking spaces shall be 8.5 feet in width and 16.5 feet in depth as measured from the face-of-curb and shall be clearly marked as compact spaces.~~

~~D. If off-street parking is provided wholly within a parking structure, there shall be no maximum number of parking spaces.~~

TABLE 240-~~.~~1: Minimum and Maximum Parking Requirements.

Use/Development Category	Minimum Parking Spaces	Maximum Parking Spaces
Adult Entertainment Eestablishments	1 per 400 sq. ft.	1 per 25 sq. ft.
Amenity Area, residential subdivision	~~1 per 20 homes~~None	1 per 10 homes
Boarding or Rooming House	1 per 4 beds	1 per 3 beds
Civic, Private, and Public Institutions	~~1 per 500 sq. ft.~~ 1 per every 4 people allowed to occupy the building	~~1 per 300 sq. ft.~~ 1 per 3 people allowed to occupy the building
Commercial Kitchen	1 per 500 sq. ft.	1 per 300 sq. ft.
Community Garden	~~No min.~~None	5 spaces

Convenience Sstore~~, gasoline stations~~ with fuel pumps	1 per 500 sq. ft.	1 per 300 sq. ft.
Data Center	1 per 5,000 sq. ft.	1 per 3,000 sq. ft.
Day Care Center or Facility, all types	1 per 500 sq. ft.	1 per 300 sq. ft.
~~Dwelling, Boarding or Rooming House~~	~~1 per 4 beds~~	~~1 per 3 beds~~
Dwelling, single-family detached, cottage court, duplex, townhouse, villa	2 per dwelling	4 per dwelling
Dwelling, live/work, triplex, fourplex, multiplex, multifamily	1.5 per dwelling	2.5 per dwelling
Eating and Drinking Establishment~~, freestanding or retail center~~	1 per 200 sq. ft.	1 per 100 sq. ft.
Equestrian Facility	1 per 10 stables	1 per 2 stables
~~Equipment rental~~	~~1 per 500 sq. ft.~~	~~1 per 300 sq. ft.~~
Funeral H~~h~~ome	1 per every 4 people allowed to occupy the building~~1 per 500 sq. ft.~~	1 per 3 people allowed to occupy the building~~1 per 300 sq. ft.~~
Golf Course	15 per 9 holes	25 per 9 holes
Golf Driving R~~r~~ange	1 per tee box	1.5 per tee box
~~Health Club, freestanding~~	~~1 per 500 sq. ft.~~	~~1 per 200 sq. ft.~~
Hospital or Related Healthcare Facility~~, nursing home, or personal care home~~	1 per 4 beds	1 per 2 beds
~~Hotel/motel~~	~~0.5 per unit~~	~~1.5 per unit~~
~~-~~Indoor Entertainment or Recreation Facility	1 per 500 sq. ft.	1 per 200 sq. ft.
~~Industrial/manufacturing~~	~~1 per 3,000 sq. ft.~~	~~1 per 1,500 sq. ft.~~
Kennel	2 spaces	20 spaces
~~Light~~ Industrial Facility	1 per 3,000 sq. ft.	1 per 1,500 sq. ft.
~~Laboratory/scientific research center~~	~~1 per 2,000 sq. ft.~~	~~1 per 500 sq. ft.~~
~~Lodges and clubs~~	~~1 per 300 sq. ft.~~	~~1 per 200 sq. ft.~~
Lodging Establishment	0.5 per unit	1.5 per unit
Medical or Research and Testing Laboratory	1 per 2,000 sq. ft.	1 per 500 sq. ft.
~~Mini-warehouses~~	~~2 for office, plus 1 per 6,000 sq. ft.~~	~~2 for office, plus 1 per 3,000 sq. ft.~~
Office~~;~~, Bbusiness, Medical, or Pprofessional	1 per 500 sq. ft.	1 per 250 sq. ft.
Outdoor Recreation and Entertainment	1 per 3,000 sq. ft. of the gross site area	1 per 1,000 sq. ft. of the gross site area
~~Office, medical~~	~~1 per 500 sq. ft.~~	~~1 per 250 sq. ft.~~
Personal Care Home, all types	1 per 4 beds	1 per 2 beds
Personal Services Establishment	1 per 500 sq. ft.	1 per 300 sq. ft.
Place of Worship	1 per every 4 people allowed to occupy the building	1 per 3 people allowed to occupy the building
Plant N~~n~~ursery and L~~l~~andscape	1 per 5,000 sq. ft. of the gross site	1 per ~~300~~ 2,500 sq. ft. of the gross

Ssupply	area	site area
Public Aassembly	1 per every 4 people allowed to occupy the building	1 per 3 people allowed to occupy the building
Public assembly		
Recreation Area, subdivision	1 per 20 homes	1 per 10 homes
Recreation, indoor	1 per 500 sq. ft.	1 per 200 sq. ft.
Recreation, outdoor (miniature golf)	10 spaces	20 spaces
Recreation, outdoor (water park, amusement) park, etc.)	1 space per 4,000 sq. ft. of the gross site area	1 space per 2,000 sq. ft. of the gross site area
Residences (one and two family dwellings on individual lots)	2 per dwelling	4 per dwelling
Residences (townhomes)	2 per dwelling	3 per dwelling
Residences (multifamily)	1.5 per dwelling	2.5 per dwelling
Residences (multifamily age restricted)	1 per dwelling	2 per dwelling
Restaurant, freestanding	1 per 200 sq. ft.	1 per 100 sq. ft.
Retail use, shopping center, or regional shopping mallSales or Rental of Goods Establishments, freestanding or retail center	1 per 500 sq. ft.	1 per 300 sq. ft.
Retirement Community, Continuing Care; Nursing Home	1 per 4 beds	1 per 2 beds
Retirement Community, Independent Living	1 per dwelling	2 per dwelling
Rooming/boarding house	1 per beds	1 per 3 beds
School, college, private, trade or similar	1 per every 4 people allowed to occupy the building	1 per 3 people allowed to occupy the building
School, private (elementary and middle, offering general education)	1 per every 4 people allowed to occupy the building	1 per 3 people allowed to occupy the building
School, private (high school offering general education)	1 per every 4 people allowed to occupy the building	1 per 3 people allowed to occupy the building
School, trade, vocational, or college	1 per every 4 people allowed to occupy the building	1 per 3 people allowed to occupy the building
Mini-warehousesSelf-storage facility	2 for office, plus 1 per 6,000 sq. ft.	2 for office, plus 1 per 3,000 sq. ft.
Shelter, all types	1 per 4 beds	1 per 2 beds
Theater	1 per every 4 people allowed to occupy the building	1 per 3 people allowed to occupy the building
Vehicle or Truck Rental	1 per 400 sq. ft. No min. for inventory	1 per 200 sq. ft. No max. for inventory
Vehicle Repair, Service, and Body Work Establishment	1 per 300 sq. ft.	1 per 200 sq. ft.
Automobile sales; used car or new car dealershipVehicle Sales	1 per 500 sq. ft. No min. for inventory	1 per 200 sq. ft. No max. for inventory
Vehicle Repair, Service, and Body Work Establishment	1 per 3500 sq. ft.	1 per 2300 sq. ft.
Vehicle Washing Establishment, full--service, includes vacuum spaces	1 per 500 sq. ft., plus 4 stacking spaces per line	1 per 300 sq. ft., plus 10 stacking spaces per line

Vehicle Washing Establishment, self-service	1 within each wash bay	2 per wash bay
Warehouse, Wholesale, and Distribution Facilities ~~(including office)~~	1 per 3,000 sq. ft.	1 per 1,500 sq. ft.
~~Wholesale Membership Club~~	~~1 per 500 sq. ft.~~	~~1 per 300 sq. ft.~~

Section 240-30. ~~Reduction in Minimum~~Alternative Compliance with Parking Requirements.

240-30.1 Off-site Parking. If the required automobile off-street parking spaces cannot reasonably be provided on the same lot on which the principal use is located, such spaces may be provided on other off-street property lying not more than 500 feet from ~~the~~a main entrance to the principal use. In this situation the applicant shall submit with ~~his/her~~the application for a building permit or an occupancy permit an instrument duly executed and acknowledged which accepts as a condition for the issuance of a building permit or an occupancy permit the permanent availability of such off-street parking spaces to serve ~~his /her~~the principal use.

240-30.2 On-street Parking. Buildings and uses directly adjacent to on-street parking located within a right- of-way may ~~count such~~count such spaces towards the minimum required ~~parking at~~parking at a ratio of 0.5 spaces per on-street parking space provided.

240-30.3 Structured Parking. If off-street parking is provided wholly within a parking structure, there shall be no maximum parking requirement.

240-30.~~43~~ ~~Administrative variance~~Pervious Parking Surface. The ~~Director shall have the authority to grant a reduction in the total number of off-street parking spaces by up to 10 percent of the number required by the Table of Minimum Parking Requirements through administrative variance. Increases to the maximum number of permitted off-street parking spaces shall require approval as a variance from the Zoning Board of Appeals or a concurrent variance by the Board of Commissioners. However, the~~ maximum number of parking spaces may be increased by up to 10 percent over the ~~number required by the Table of Maximum Parking Requirements~~maximum parking requirement if such parking is provided on a ~~approved~~ pervious parking surface that has been approved by the Director. ~~The above administrative variances require review and approval of the applicant's written documentation and justification that one or more of the following conditions exist:~~

~~A. Because of unique circumstances including the shape, topography, soils and vegetation of the site, the provision of the minimum number of required spaces would cause the applicant to suffer unique and undue hardship.~~

~~B. The site is located in an environmentally sensitive area, such as a water supply watershed, where stormwater runoff should be minimized.~~

~~C. The unique circumstances of the use make the minimum number of parking spaces excessive for actual needs.~~

Section 240-40. Parking Structures.

240-40.1 Non-residential, mixed-use, and multifamily residential developments exceeding 1,~~500~~ 200 overall parking spaces shall be required to provide at least 50 percent of their overall parking total within a decked or underground parking structure. A building height increase of ~~1~~one vertical foot is permitted for each ~~1~~one vertical foot of parking placed under a structure. Single-family detached residential or townhouse component~~(s)~~s of mixed-use developments shall not be subject to this requirement.

240-40.2 Parking structures shall conform substantially with the Architectural Design Standards for façade and elevation. ~~Screening is required for each~~Each parking structure facade over two~~three~~ levels above street level and facing a public street shall be screened from view by "liner buildings" providing pedestrian-oriented activities at least 20 feet in depth that are continuous along the ground floor except for driveway entrances ~~and shall be approved by the Director~~.

~~**240.40.3** Parcels wherwhere,e all off-street parking is provided within a parking structure shall not be subject to the maximum number of parking space requirements of this UDO.~~

Section 240-50. ADA Parking.

Off-street parking shall comply with ADA standards and Georgia State Law for Accessible Design and the Georgia Accessibility Code for Buildings and Facilities for all multifamily and non-residential uses.

Section 240-60. Construction and Dimensional Requirements of Parking Areas.

240-60.1 Layout. Except for single family detached dwellings, townhouse dwellings, and ~~two-family residential uses~~ duplex dwellings, and triplex dwellings, all off-street parking areas for more than five~~5~~ vehicles shall be constructed and maintained in accordance with the following requirements:

A. All parking areas shall have access to a public street and shall be designed to ensure ease of mobility, ample clearance, and the safety of pedestrians and vehicles.

B. Adequate interior driveways shall connect each parking space with a public right-of-way or private street. The design of driveways and parking aisles~~,~~ shall conform with all requirements of this UDO.

C. Bumper stops shall be installed to separate each parking space from sidewalks, rights-of-way, adjacent properties and landscape strips to prevent overhangs or encroachments. Where required, bumper stops shall be a minimum of ~~6~~six- inches-high ~~in height~~ and ~~6~~six- inches-wide ~~in width~~. Bumper stops shall be constructed of concrete, stone, or approved equal, and be permanently secured to the pavement surface.

240-60.2 Pedestrian Circulation.

A. Parking lots containing 100 spaces or more shall incorporate pedestrian access corridors into their design.

B. Pedestrian corridors shall include ~~4~~five-foot- wide sidewalks with ~~2~~two-foot-wide grassed strips along both sides of primary driveways. The pedestrian corridors shall connect parking areas directly with buildings and adjacent public streets. These corridors shall not apply to vehicle~~auto~~ sales lots.

C. Where pedestrian corridors cross a driveway, they shall be constructed as a raised, flat hump with a height of ~~4~~four inches and a ~~6~~six-foot- wide top with ~~4~~five-foot- wide ramps and marked as a crosswalk.

D. Parking spaces shall not be located more than 100 feet from any pedestrian corridor.

240-60.3 Improvement of off-street parking lots.

A. Parking lots shall be graded to ensure proper drainage, installed on a minimum ~~4~~four-inch gravel aggregate base with a minimum ~~2~~two-inch asphalt topping or other approved surface of, concrete, porous concrete, or porous asphalt. An approved porous concrete, porous asphalt or grassed paving system may be permitted for surplus parking. Spaces with surfaces of modular block or grass shall be located on the outside perimeter of a parking lot.

B. Each parking space, except for approved grassed paving systems, shall be clearly marked by a painted stripe no less than ~~3~~three- inches- wide running the length of each of the sides of the space or by curbing or by other acceptable method which clearly marks and delineates the parking space within the parking lot. Single family detached dwellings, townhouse dwellings, ~~and~~ ~~two-family~~duplex ~~residential uses~~dwellings, and triplex dwellings are exempt from this provision.

C. *Maintenance and Appearance*: Parking lots shall be maintained in good condition, free of potholes, faded paving markings, weeds, dust, trash and debris. Porous paving and grass paving systems shall be maintained to function as designed.

Section 240-70. Driveways.

240-70.1 Interior driveways.

A. Interior driveways shall connect each parking space with a public right-of-way or private street.

B. Inter-parcel driveway connection or provision of a future inter-parcel driveway stub ~~(~~with appropriate cross-access easements~~)~~ shall be required between all contiguous multifamily, commercial, office, and industrial uses~~adjacent non-single-family residential properties~~. This requirement may be waived by the Director only if it is demonstrated that an inter-parcel connection is not feasible due to existing site conditions, traffic safety, or topographic concerns.

C. Interior driveways, without parking, shall be a minimum of 10 feet wide for one-way traffic, and 22 feet wide for two-way traffic. Interior driveways, with parking, shall be a minimum of 12 feet wide for one-way traffic, and 24 feet wide for two-way traffic. Any driveways that are determined to be essential fire access shall be a minimum of 20 feet in total width.

D. Interior driveways providing primary access to loading/unloading zones or loading docks for truck traffic shall be ~~increased to~~ a minimum of 14 feet ~~in width~~ wide per travel lane.

E. Interior driveways surrounding gasoline pumps shall be no more than 50~~40~~ feet ~~in total width~~wide, ~~(~~as measured from the base of the gasoline pump islands to the face-of-curb~~)~~.

240-70.2 Single-family detached dwelling, townhouse dwelling, duplex dwelling, and triplex dwelling ~~attached~~ residential driveways.

A. The minimum driveway width shall be 10 feet.

B. The minimum driveway depth for front-loaded garages shall be 18 feet, measured from the garage door or edge of the driveway to the back of the sidewalk or right-of-way, whichever is closer.

~~B.~~C. The driveway depth for alley-loaded garages shall be up to five feet or at least 18 feet, measured from the edge of the alley.

Section 240-80. Stacking Lanes for Drive-through Facilities or Service Windows.

240-80.1 A driveway and stacking lane are~~is~~ required for any drive-through window, bank drive-through, ATM stand~~-~~alone structure, or drop-off or pick-up area. These stacking lanes shall not interfere with circulation of the lot or free movement or access to parking spaces.

240-80.2 Stacking Spaces. The ~~-~~following general standards shall apply to all stacking spaces:

A. Each drive~~-thru~~ through lane shall provide adequate stacking space for a minimum of five cars per lane from the point of ordering outside of the required through-lane providing circulation around the building or service facility.

B. Each stacking space shall be a minimum of 20 feet in length and 10 feet in width along straight portions.

C. Stacking spaces shall be a minimum of 12 feet in width along curved segments.

~~D. Stacking spaces shall be provided from the point of ordering if ordering is provided prior to the drive- through pick-up window and/or drive-up service location.~~

240-80.3 Drive-through Lanes. The following general standards shall apply to all drive-~~thru~~ through lanes:

A. Drive-through lanes shall be separated by striping or curbing from off-street parking areas, loading areas, and service areas. Individual lanes shall be striped, marked or otherwise distinctly delineated.

B. Drive-~~thru~~ through lanes shall be a minimum of 10 feet ~~in width~~wide~~,~~ and parallel the entire length for the drive- through service area~~-~~.

C. Drive-~~thru~~ through lanes shall be a minimum of 12 feet wide ~~in width~~ along curved segments.

D. Drive-~~thru~~ through lanes shall be delineated from traffic aisles, through lanes and parking areas with striping, curbing, landscaping and the use of alternative paving materials or raised medians.

E. Entrances to drive-~~thru~~ through lane~~(s)~~s shall provide a minimum length to keep awaiting vehicles outside of the nearest intersection and/or public right-of-way.

F. Drive-~~thru~~ through lanes shall be designed to prevent circulation congestion, both on-site and on adjacent public streets. The circulation shall: (a) separate drive-through traffic from site circulation, (b) not impede or impair access into or out of parking spaces, (c) not impede or impair vehicle or pedestrian traffic movement, and (d) minimize conflicts between pedestrian and vehicular traffic with physical and visual separation between the two.

G. Drive-~~thru~~ through lanes shall not interfere with required loading and trash storage areas and loading or trash operations shall not impede or impair vehicle movement. An emergency by-pass or exit shall be provided prior to the drive-through pick-up window and/or drive-up service location.

H. Service areas and drive-~~thru~~ through lanes shall be set back at least ~~5~~five feet from all lot lines and roadway right-of-way lines.

Section 240-90. Landscaping in Parking Lots.

Parking lots shall be designed with landscape areas, in accordance with ~~all provisions~~Title 3 of this UDO.

Section 240-100. Lighting in Parking Lots and Pedestrian Areas.

240-100.1 N~~Within n~~on-residential and M~~m~~ultifamily D~~d~~evelopment. T~~s t~~he following lighting standards shall apply:

A. All lighting fixtures designed or placed ~~so as to~~to illuminate any portion of a parking area and its perimeter shall meet the following requirements:
   1. All lighting fixtures (luminaries) shall be cutoff luminaries whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop Dish Refractors are prohibited.
   2. 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 sight.
   3. The minimum mounting height for a parking lot pole fixture is 12 feet. Refer to Table 240-~~-~~3 for maximum mounting height.
   4. The maximum height for a pedestrian walkway pole is 14 feet.
   5. The average level of illumination (See Table 240-~~-~~2) shall not exceed the calculated value, as derived using only the area of the site included to receive illumination.
   6. Points of measure shall not include the area of the building or areas which do not lend themselves to pedestrian traffic.
   7. All site lighting shall be designed so that the minimum and maximum levels of illumination as measured in foot-candles (f-c) at any one point meets the standards shown in Table 240-~~-~~2.

B. All lighting fixtures designed or placed so as to provide decorative accent lighting for an outdoor courtyard, activity plaza, or outdoor dining patio shall be exempt from these requirements.

Table 240-~~.~~2: Illumination Levels ~~(In Foot-Candles)~~

Location or Type of Lighting	Minimum Level at Single Point (foot-candles)	Maximum Average Level (foot-candles)	Maximum Level at Single Point[1] (foot-candles)
Non-residential Parking Lots	0.6	4.5	10.0
Multifamily Parking Lots	0.2	2.0	10.0
Fuel Canopies	10.0	15.0	25.0
Security Entrances Safety	0.6	10.0	15.0
ATM Locations	0.6	15.0	25.0
Walkways, Access Drives,	0.2	2.0	10.0
Loading and Unloading Areas	0.2	4.5	10.0
Landscaped Areas	0.0	0.5	5.0

Table 240-~~.~~3: Light Fixture Requirements for Parking Areas

Location	Fixture Head (Parking Lot)	Pole Type (Parking Lot)	Pole Type (Pedestrian)
Mall of Georgia and Civic Center Overlay District/Corridor[1]	Box Head	Smooth Black (50' max.)	Smooth or Fluted Black (14' Max) (Other colors subject to approval by the Director ~~of Planning and Development~~)
Grayson/Hwy 20, Centerville/Hwy 124, Hamilton Mill/Hwy 124 & 324 Overlay District/Corridor, Five Forks Trickum Road, Highway 78 Corridor[1]	Box Head	Smooth Black (35' Max.)	Smooth or Fluted Black (14' Max)
Venture Drive Redevelopment Overlay District[1]	Box head	Smooth (35' Max.) (Colors subject to approval by the Director ~~of Planning and Development~~)	Smooth or Fluted (14' ~~)~~') (Colors subject to approval by the Director ~~of Planning and Development~~)
Gateway 85 Overlay D~~d~~istrict[1]	Box head	Smooth (35' Max.) (Colors subject to approval by the Director ~~of Planning and Development~~)	Smooth or Fluted (14' ~~)~~') (Colors subject to approval by the Director ~~of Planning and Development~~)
Mixed Use Districts (MU-N, MU-C)[1]	Box head	Smooth Black (35' Max.)	Smooth or Fluted Black (14' Max) (Other colors subject to approval by the Director ~~of Planning and Development~~)
Mixed Use District (MU-R) and High-Rise Residence District (HRR)[1]	Box Head	Smooth Black (35' Max.)	Smooth or Fluted Black (14' Max) (Other colors subject to approval by the Director ~~of Planning and Development~~)
Other County Areas[1]	Box Head	Smooth Black (35' Max.)	Smooth or Fluted Black (14' Max)

[1] Maximum levels for high security areas shall be 12.0 foot-candles. Examples of high security areas include entrances and exits of buildings and ATM machines.

C. Exceptions to site lighting standards:

1. Security lighting activated by motion sensor.

2. Construction or emergency lighting provided it is temporary and is discontinued immediately upon construction completion or emergency cessation.

3. Security lighting less than 2.0 average foot-candles.

D. Site Lighting Plans shall be submitted to the ~~Planning and Development~~Department prior to issuance of a development permit, or building permit if no site development is proposed, or prior to the installation or replacement of any site lighting which shall indicate the following:

1. Location and mounting information for each light.

2. Illumination calculations showing light levels in foot candles at points located on a 10~~-~~-foot~~-~~-center grid, including an illustration of the areas masked out per the requirements above regarding points of measurements.

3. A schedule listing the fixture design, type of lamp, distribution and wattage of each fixture, and number of lumens.

4. Manufacturer's photometric data for each type of light fixture, including initial lumens and mean depreciation values.

5. An illumination summary, including the minimum average and maximum foot-candle calculations ("array values") and the total number of array points (points used on the 10~~-~~-foot~~-~~-grid calculations).

Section 240-110. Restricted Vehicles in Parking Areas.

240-110.1 In any non-single-family residential zoning district, delivery/service vehicles and vehicles displaying advertising must be parked within the side or rear yard and may not be parked within the front yard.

240-110.2 Except as permitted in Section 240-10.3 in all residential zoning districts, the parking of the following vehicles is prohibited: ~~any vehicle for hire including but not limited to~~ limousines, taxis, box trucks, flatbed trucks with specialized equipment or greater than a 350 or 3500 series truck, dump trucks, tow trucks, transport wreckers, tandem axle trucks, cab-on-chassis trucks, tractor trailers, wheeled attachments, pull behind cement mixers, ~~or trailers,~~ bucket trucks, buses, earth moving machinery, semi-trailers, and open or enclosed trailers greater than 20 feet in length. ~~any vehicle exceeding 20 feet in length, any vehicle exceeding 7seven feet in height, and any vehicle exceeding 7 feet in width.~~ Vehicles used for agricultural purposes on residential property with ~~five (5)~~three acres or more are permitted if parked outside the required front ~~yard~~ setback.

240-110.3 Notwithstanding the above provisions of Section 240-110, in all residential zoning districts, the parking of the following vehicles is permitted:

A. An automobile, pick-up truck, van, or SUV used to provide daily transportation to and from work ~~(~~except those vehicles that fall under the requirements for Section ~~230-130~~210-140.22 ~~Customary~~ Home Occupation~~)~~.

B. A commercial vehicle that is parked temporarily in conjunction with construction under a valid permit or~~,~~ a commercial service~~, sale, or delivery~~.

Section 240-120. Off-Street Loading Standards.

240-120.1 Purpose and ~~i~~intent.

A. To ensure that off-street loading facilities and driveways are adequate to protect the safety and capacity of public streets.

B. To ensure that the design and location of off-street loading facilities do not have a negative impact on adjacent property or surrounding residential areas.

240-120.2 Application. Whenever the normal operation of any development requires that goods, merchandise or equipment be routinely delivered to or shipped from the development, a sufficient off-street loading and unloading area shall be provided in accordance with this section of the UDO. Loading docks may be used to meet this requirement.

240-120.3 Minimum number of spaces. Off-street loading spaces shall be provided as follows:

~~No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.~~

Table 240-~~,~~1203: Off-S~~s~~treet Loading Space Requirements.

Type of Use	Gross Floor Area (Sq. Ft.) or Units	Loading Spaces Required
~~Single retail establishment services~~Retail Sales of Goods Establishment, freestanding	0 to 19,999;	None
	20,000 to 49,999;	One
	50,000 to 250,000;	Two
	Over 250,000	Three
~~Shopping centers~~Retail Sales of Goods Establishment, retail center	0 to 19,999;	None
	20,000 to 49,999;	One
	50,000 to 100,000;	Two
	Each additional 100,000	One
Multifamily	50 units or less;	None
	51 to 200 units;	One
	More than 200 units	Two
Office ~~buildingss;, multi-family residential, h~~Hospitals or Related~~,~~ ~~H~~Hhealth ~~-~~care ~~establishments~~Facility;~~,~~ ~~hotels~~ Hotels ~~and motels~~Lodging Establishment	0 to ~~999,999~~49,999;	None
	~~1,000,000~~50,000 to 1~~2,0~~00,000;	One
	More than ~~2,0~~100,000	Two
Manufacturing, W~~w~~arehous~~inge~~, W~~w~~holesal~~inge~~, and~~etc.~~ Distribution Facility	Up to 14,999;	One
	15,000 to 39,999;	Two
	40,000 to 65,000;	Three
	Each additional 80,000	One
Recycling C~~c~~enter~~s~~	N/A	~~2 loading spaces measuring no less than 12 ft. by 35 ft. and having 14 ft. of vertical clearing~~Two

240-120.4 Location of off-street loading spaces.

A. All required off-street loading spaces shall be located on the same lot as the building that they are intended to serve or on an adjacent lot where shared with the use occupying said adjacent lot.

B. Each required off-street loading space shall have access to a street or alley that provides safe and adequate ingress and egress for trucks.

~~No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.~~

~~B.~~

240-120.5 Areas reserved for off-street loading, in accordance with the requirements of this UDO, shall not be reduced in area or changed to any other use unless the permitted use that is served, is discontinued or modified; except where equivalent loading space is provided and approved by the Director.

Section 240-130. Construction and Dimensions of Off-street Loading.

240-130.1 Required dimensions for each loading ~~stall~~space. Each loading ~~stall~~ space shall be a minimum of ~~10~~ 12 ~~–~~feet ~~–~~wide and 30 ~~–~~feet ~~in length~~ deep, except that for warehouse, wholesale and ~~industrial use~~distribution facilities, loading ~~stalls~~ spaces shall be a minimum of ~~10~~ 12 ~~–~~feet ~~–~~wide and 50 ~~–~~feet ~~in length~~ deep.

240-130.2 Loading areas shall provide adequate ingress and egress with a minimum vertical clearance of 12 feet and a driveway grade no greater than ~~4~~four percent. The loading area shall not exceed a grade of ~~2~~two percent.

240-130.3 Paving. All required loading areas shall be paved with asphalt, ~~or~~ concrete, or other materials subject to approval by the Director. Paving areas shall be of sufficient size and strength to support the weight of service vehicles.

24~~12~~0-130.4 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~~Title 3 of this Ordinance.

Section 240-140. Electric Vehicle Charging Equipment.

240-140.1. ~~Commercial~~Non-residential, mixed-use, and multifamily developments which exceed 50 parking spaces shall provide at least one electric vehicle charging station (pedestal) for each 50 parking spaces provided~~.~~.

240-140.2. ~~Commercial and multifamily redevelopments which exceed 50 parking spaces shall provide at least one electric vehicle charging station (pedestal) for each 50 parking spaces.~~ Compliance with this subsection is required for redevelopment projects where site work and/or repaving of existing parking areas and driveways (greater than 50 parking spaces) exceeds 50% of the existing parking area impervious surface~~, area~~.

240.140.3 Charging spaces may be counted as part of minimum required parking ~~spaces, but~~spaces but shall not be counted ~~toward~~against the maximum parking.

240.140.4 Required charging spaces shall not be located in spaces required for ADA accessibility.

Section 240-150. Bicycle Parking.

240-150.1. All non-residential, mixed-use, and multifamily developments shall provide bicycle parking spaces consistent with each of the standards below:

A. *Nonresidential development*. One bicycle parking space for every 30 automobile parking spaces. No single development shall provide less than two bicycle parking spaces or be required to provide more than 30 bicycle parking spaces.

B. *Mixed-use and Multifamily development*. One bicycle parking space for every 15 multifamily dwelling units. No single development shall be required to provide more than 30 bicycle parking spaces. The required spaces shall be provided within a secure indoor area for long-term storage.

C. Bicycle racks shall be anchored to a concrete pad and shall be located outside of the street right-of-way, in a well-lighted area, no more than 150 feet from the primary entrance of the building.

Chapter 245. On-Street Parking Standards

Section 245-10. General Requirements.

245-10.1 Purpose and Intent.

A. To ensure that the development and redevelopment of property provides safe and adequate parking for automobiles and bicycles for the convenience and safety of all residents, employees, visitors, and shoppers, including persons with disabilities.

B. To provide design standards for parking facilities and driveways to minimize harm to motorists and private property, provide adequate emergency vehicle access, and to ensure the provision of safe effective and efficiently designed public streets.

C. To ensure that the number of on-street parking spaces does not impact adjacent residential areas from encroachment of commercial parking into neighborhood streets.

D. To minimize the impacts of stormwater runoff from on-street parking facilities causing erosion and pollution of water bodies.

245-10.2 Applicability.

A. On-street parking may be used on Gwinnett County maintained public streets and shall be limited to local streets internal to development.

B. On-street parking shall be subject to Gwinnett County Department of Transportation and the Director ~~of the Gwinnett County Department of Planning and Development~~.

C. Individual businesses shall not designate any one on-street parking space for exclusive use by their patrons.

Section 245-20. Parking Space Requirements.

245-20.1 Parking areas shall comply with all ADA Standards, the Georgia State Law for Accessible Design and the Georgia Accessibility Code for Buildings and Facilities for all multi-family and non-residential uses.

245-20.2 A maintenance agreement for on-street parking shall be authorized between the owner/developer and the Department of Transportation prior to development permit issuance.

245-20.3 On-street parking shall be constructed to the street standards as established in this UDO and maintained in accordance with GCDOT Standards and further maintained so as not to create any hazards with traffic flow on the adjacent street. A mandatory property owners association shall be established. The property owner's association shall be responsible for the maintenance of any on-street parking in the development. A maintenance responsibility statement for on-street parking shall be placed on the approved plans and the covenants shall include a section that specifically states who is responsible for maintenance and what the maintenance standards are for on-street parking.

Chapter 260. Non-Conforming Uses

Section 260-10. Determination of Non-Conforming Status.

260-10.1 Determination of Non-Conforming Status.

A. The burden of proving a nonconformity was lawfully established rests entirely with the subject property owner.

B. A preponderance of evidence must be provided by the subject landowner and be sufficient to show that the nonconformity was lawfully established before adoption of the subject regulations. Evidence must also indicate that the nonconformity has been continuous, and that the situation has not lost its nonconforming status. Examples of reliable evidence include occupational tax certificates; building permits; zoning compliance permits; city/county billing records; utility billing records; assessment, tax or rent records; and directory listings.

C. The ~~Planning and Development~~ Director shall determine whether adequate proof of nonconforming status has been provided by the subject landowner.

Section 260-20. Continuance of Non-Conforming Uses.

260-20.1 Continuance of Non-Conforming Uses.

A. The lawful use of any building or structure or land existing at the time of the enactment or amendment of this Ordinance may be continued even though such use does not conform with the provisions of this Ordinance, except that the non-conforming use shall not be:

1. Extended to occupy a greater area of land.
2. Extended to occupy a greater area of a building or structure unless such additional area of the building or structure existed at the time of the passage or amendment of this Ordinance and was clearly designed to house the same use as the non-conforming use occupying the other portion of the building or structure.
3. Reestablished after discontinuance for ~~twelve~~12 months.
4. Changed to another non-conforming use.

Section 260-30. Continuance of Non-Conforming Buildings and Features.

260-30.1 Continuance of Non-Conforming Buildings.

A. A non-conforming building existing at the time of the enactment or amendment of this Ordinance may be retained except as follows:

1. No building other than a single-family detached dwelling may be enlarged, or altered except in conformance with this Ordinance but it may be repaired to the extent necessary to maintain it in a safe and sanitary condition.
2. No building other than a single-family detached dwelling shall be rebuilt, altered, or repaired after damage exceeding 50 percent of the replacement cost of the above-ground structure at the time of destruction, except in conformity with this Ordinance, provided that such damage

occurred as a result of fire, flood, wind, earthquake, or other natural disaster**. ~~Section 260-~~**

~~40. Continuance of Non-Conforming Development Features.~~

260-30.2 Continuance of Non-Conforming Development Features.

A. A nonconforming development feature may remain except as otherwise expressly stated in this UDO, but the nature and extent of nonconforming site features may not be increased except as otherwise expressly stated in this UDO.

B. No change to any nonconforming development feature shall be made which increases the degree of nonconformity with the requirements of the UDO, but changes may be made which result in the same or a lesser degree of nonconformity, subject to compliance. In cases where land is taken for public purposes in such a manner as to reduce existing off-street parking, loading or other development features that is required by the regulations for the current district, the deficiency thus created shall be construed as a nonconforming development feature.

Section 260-40. Buildings and Structures Where Construction Has Begun.

260-40.1 To avoid undue hardship, nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building or structure for which a development or building permit was lawfully applied for or issued, or a subdivision development plan or final subdivision plat was lawfully approved, prior to the effective date of the UDO or amendment thereto, provided:

A. Such permit or approval has not by its own terms expired prior to such effective date.

B. Actual building construction is commenced prior to the expiration, or valid renewal, of such permit or approval.

C. Actual building construction is carried on pursuant to said permit or approval and limited to and in strict accordance with said permit or approval.

Section 260-50. Prior Authorization.

Variances, Zoning Map Amendments~~rezonings~~, and S~~s~~pecial U~~u~~se P~~p~~ermits lawfully authorized and granted and conditions of such approvals or occurring prior to the effective date of this Title 2 shall continue to be enforced provided the terms and conditions of said authorization are followed.

Chapter 265. Temporary Outdoor Activity Uses

Section 265-10. General Requirements and Restrictions.

A. The following requirements and restrictions apply to all temporary outdoor activities:

1. All activities governed by this chapter shall require a temporary outdoor activity permit which is issued by the Department ~~of Planning and Development~~. The Department ~~of Planning and Development~~ shall collect a fee for the issuance of such permits per the adopted fee schedule.
2. All activities governed by this chapter shall require an Occupation Tax Certificate, which is issued by the Department ~~of Planning and Development~~, as required by the Gwinnett County ~~Code~~Ordinance.
3. Written permission from the property owner, if not the applicant, shall be obtained and submitted by the applicant to the Department ~~of Planning and Development~~ prior to the issuance of a temporary outdoor activity permit.
4. All activities shall be permitted only on property where such activities shall not disrupt controlled vehicular ingress and egress, pedestrian movement, and parking.
5. No display shall be erected or installed, nor shall any activities take place, within 20 feet of a county or state right-of-way.
6. No operator, employee, or representative of the operator of a temporary outdoor activity shall solicit directly from the motoring public.
7. All temporary signage shall meet the requirements of the Gwinnett County Sign Ordinance.

Section 265-20. Temporary Outdoor Sales.

A. In addition to the provisions of Section 265-10, temporary outdoor sales activities shall ~~adhere to the following provisions~~be subject to the following standards:

1. Peddling goods and merchandise not customarily sold on a day-to-day basis in the business which constitutes the principal use of the premises is prohibited.
2. Temporary outdoor sales activities shall only be permitted within non-residential zoning districts and mixed-use zoning districts with non-residential uses.
3. A temporary outdoor activity permit for temporary outdoor sales shall not be issued on parcels of land that are less than one~~two~~ acre~~s~~ in size.
4. Multiple temporary outdoor activity permits for temporary outdoor sales shall not be simultaneously issued for a single parcel of land.
5. Temporary outdoor sales activities shall be conducted on a paved surface and not on grassed or landscaped areas.
6. Temporary outdoor sales activities shall be prohibited on vacant parcels.
7. No more than four temporary outdoor activity permits for temporary outdoor sales shall be permitted per calendar year per parcel of land.

8. Each temporary outdoor sales activity shall be limited to a maximum of ~~5~~five consecutive days, except holiday activities as indicated in this Chapter.

Section 265-30. Temporary Outdoor Events.

A. In addition to the provisions of Section 265-10, temporary outdoor events shall be subject to the following standards~~adhere to the following provisions~~:

1. No more than three~~two~~ temporary outdoor activity permits for outdoor events shall be permitted per calendar year per parcel of land.

2. Each temporary outdoor event shall be limited to a period not to exceed 14 consecutive days or 26 calendar days.

3. A temporary outdoor activity permit for temporary outdoor events shall not be issued on parcels of land that are less than ~~two~~ one acre~~s~~ in size.

4. No temporary sanitary facility or trash receptacle shall be located within 100 feet of a property zoned for residential use, excluding those in a ~~(not including~~ mixed-use development~~s)~~.

~~5. Temporary outdoor events shall be limited to parcels with vehicular access from a street classified as an arterial or collector street.~~

~~6.~~5. All event parking must be accommodated on-site on a paved surface or through a shuttle service to an off-site parking area.

Section 265-40. Temporary Outdoor Holiday Activities.

A. In addition to the provisions of Section 265-10, temporary outdoor holiday activities~~.~~, shall be subject to the following standards:~~adhere to the following provisions:~~

1. A temporary outdoor activity permit for holiday activities shall not be issued on parcels of land that are less than ~~two~~ one acre~~s~~ in size.

2. Multiple temporary outdoor activity permits shall not be simultaneously issued on a parcel of land containing less than five acres.

3. The activity shall be permitted for 30 consecutive days due to the seasonal nature of such activities.

4. Pumpkin sales shall be permitted from September 15 through October 31 due to the seasonal nature of such sales.

5. Christmas tree sales shall be permitted between November 1 and December 31 due to the seasonal nature of such sales.

6. Holiday carnivals shall be permitted as temporary holiday activities so long as no structure or equipment is located within 100 feet of any single-family residential property line.

7. No more than four temporary outdoor activity permits for holiday activities shall be permitted per calendar year per parcel of land.

Section 265-50. Mobile Food Service Units.

265-50.1 Exemptions from Temporary Outdoor Activity Permit Requirements.

A. Mobile food service units may operate with the written approval of the property owner in the following zoning districts and locations without issuance of a temporary outdoor activity permit:

1. ~~Gwinnett Entertainment~~Gas South District~~: the buildings and property currently known as the Infinite Energy Center, including any future development as envisioned on the Infinite Energy Center Master Plan 2015~~.
2. Any commercial development having at least 750,000 square feet of commercial space.
3. Property zoned MU-R Regional Mixed~~-~~-Use District.

B. Mobile food service units shall be permitted in association with a Temporary Outdoor Event or Holiday Activity without a separate permit, regardless of location.

265-50.2 Standalone Temporary Activity Permit Requirements.

A. In addition to the provisions of Section 265-10, mobile food service units shall be subject to the following standards~~adhere to the following provisions~~:

1. Shall be limited to properties zoned for office, commercial, and mixed-use development and shall only be located on a lot containing a principal building.
2. Shall be located at least 100 feet from the main entrance of any eating or drinking establishment.
3 No mobile food service unit shall conduct business or operate within 50 feet of the public right-of-way unless otherwise invited or permitted.
4. A mobile food service unit shall maintain documentation of permission from the property owner to operate on the premises while in operation.
5. A mobile food service unit shall not create sounds, play music, or make announcements to call attention to the mobile food service either while traveling on the public rights-of-way or when the unit is stationary. At all times the mobile food service units shall comply with the County's noise control requirements set forth in Article III of Chapter 38 of this ~~Code~~Ordinance.
6. Mobile food service units shall not disrupt controlled vehicular ingress and egress or occupy required off-street parking spaces.
7. Mobile food service units shall comply with all state, federal and local health and safety regulations and requirements, shall comply with all provisions of this Code of Ordinances, and shall obtain and maintain any and all licenses required by any other health, or governmental organization or entity having jurisdiction over this subject matter.
8. No more than four temporary outdoor activity permits for mobile food units shall be permitted per calendar year per parcel of land. This limitation shall not apply to office developments without restaurants on-site.
9. Each temporary outdoor sales activity permit for a mobile food unit shall be limited to a maximum of ~~3~~three consecutive days.

Section 265-60. Inspections.

The Director~~ of the Department of Planning and Development, or designee,~~ is hereby authorized to inspect the temporary outdoor activity for compliance with the provisions of this article.

Chapter 270. Procedures.

Section 270-10. Administration and Legislative Bodies.

The provisions of this Title 2 of the UDO shall be administered by the Department ~~of Planning and Development~~, in association with and in support of the Planning Commission, Zoning Board of Appeals, and Board of Commissioners, as described herein.

Section 270-20. Zoning Ordinance Text and Map Amendments.

270-20.1 Zoning Ordinance and Official Zoning Map Amendment Procedure.

A. The Zoning Ordinance (as contained in Titles 1 and 2 of this UDO), including the Official Zoning Maps, may be amended from time to time by the Board of Commissioners, but no text or map amendment shall become effective unless it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation.

B. If the Planning Commission fails to submit a report within 30 days of its first meeting after it has received an amendment request complete in all respects, it shall be deemed to have given a recommendation of "no comment" on the proposed amendment. However, the Planning Commission may table or continue the hearing on the matter to a specific future date and time in accordance with Section 270-~~25.B.~~25. B.

270-20.2 Public Hearing Required; Required Notice of Public Hearing.

A. Before the Planning Commission submits a report or the Board of Commissioners enacts or denies an amendment, they shall each hold a public hearing thereon, and the Board of Commissioners shall hold any additional public hearings required by law.

B. At least 15~~fifteen~~ but not more than ~~forty-five~~45 days prior to the date of each such hearing, the Board of Commissioners shall cause to be published within a newspaper of general circulation within the territorial boundaries of Gwinnett County, a notice of the hearing. The notice shall state the time, place, and purpose of the hearing. In addition, the notice shall include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property.

C. A sign containing the information outlined above shall be placed in a conspicuous location on the property not less than ~~fifteen~~15 days prior to the date of the hearing. A sign shall be erected at or near the right-of-way line (near the center of the frontage). Such sign shall not interfere with the sight distance at any intersection or driveway. The Director ~~of Planning and Development~~ may require the placement of signs at multiple locations for large acreage tracts or sites with multiple road frontages.

1. The zoning map amendment sign shall contain the following information: location of the property, the present zoning of the property, the proposed zoning of the property, proposed use, and the date, time, and location of the public hearing.

~~1.~~2. The special use permit and change in conditions sign(s) shall contain the following information: location of the property, proposed use, and the date, time, and location of the public hearing.

~~2. For cases tabled to a subsequent month, the sign shall be updated with the revised public hearing dates.~~

D. In addition to the notices outlined above, the applicant shall give notice of the proposed zoning action by first class mail to all property owners of record within 1,000 feet of the subject property as shown by Gwinnett County tax records. Such notice shall be mailed at least ~~fifteen (~~15~~)~~ days prior to the first

Planning Commission public hearing and shall include: ~~a copy of the application cover sheet,~~ letter of intent, applicant/contact person, vicinity map, site plan, zoning action case number, and the date, time, and place of the public hearings. A certificate of mailing from the U.S. Postal Service must be submitted to the Planning Division a minimum of ~~fifteen (~~15~~)~~ days prior to the first scheduled public hearing.

Failure to timely submit the certificate of mailing will result in an administrative hold by the Department.

270-20.3 Public Participation.

A. Public Participation is required for any Zoning Map Amendment, Change-in-Conditions, or Special Use Permit application meeting the following thresholds:

1. Any of the following Zoning Amendment Applications:
   a. Those resulting in the creation of more than 10~~ten~~ new residential lots and/or units.
   b. Those resulting in the construction of more than 5,000 square feet of non-residential buildings and/or additions to buildings.
   c. Those resulting in more than 10,000 square feet of land disturbance.
2. Any of the following Special Use Permit Applications:
   a. Those resulting in the construction of more than 5,000 square feet of non-residential buildings and/or additions to buildings.
   b. Those resulting in more than 10,000 square feet of land disturbance.
3. Any of the following Change-in-Conditions Applications:
   a. Those resulting in the creation of more than 10~~ten~~ additional residential lots and/or units.
   b. Those resulting in the construction of more than 5,000 square feet of additional non-residential buildings and/or additions to buildings.
   c. Those resulting in more than an additional 10,000 square feet of land disturbance.
   d. Those requesting any increase in building height, reduction of any building setback from an external property line, reduction of buffers, changes to the architecture of exterior facades, change in use or mixture of uses, or major changes to approved site plans as determined by the Director ~~of Planning and Development~~.

B. The Public Participation process consists of the following two-part process designed to enhance dialogue between applicants and communities which may be impacted by a proposed development.

1. *Public Participation Plan Required.* All applications requiring public participation are required to create and submit a Public Participation Plan which must be filed simultaneously with the application. The plan shall be implemented prior to the first public hearing. The minimum standards for the plan are as follows:
   a. Identification of all property owners within 1,000 feet of the site. Written notice shall be ~~provided~~ mailed by the applicant to all property owners a minimum of ~~e~~14~~(~~) days prior to the meeting.
   b. A summary of methods for providing opportunities for discussion with interested parties before public hearings are held. Applicants are required to schedule at least one meeting at a convenient location and time, subject to review and approval by the Director, and notify all interested parties, as identified above, of the purpose, place, and time of the meeting. The applicant may schedule additional meetings as deemed necessary to ensure that interested parties have adequate opportunity to participate in the process.

c. The applicant or representative thereof shall attend this meeting and provide an opportunity for dialogue with interested parties.

d. Applicant's schedule for completion of the Public Participation Plan.

2. *Public Participation Report Required.* All applications requiring public participation are required to provide a Public Participation Report to the Department ~~of Planning and Development~~ no later than ~~15~~ 35 calendar days prior to the Planning Commission hearing. This report shall be made a part of the official file and will be provided to the Planning Commission and the Board of Commissioners. The minimum standards for the report are as follows:

a. Provide a list of all parties that were contacted, the methods of notification that were used, ~~and~~ a copy of the notification letter~~(s),~~ and a certificate of mailing from the U.S. Postal Service.

b. Provide dates and locations of all community and/or other meetings that were attended by the applicant to discuss an application. (Attach meeting notices, letters, etc.)

c. Provide the number of people who participated in meetings held to discuss an application with sign-in sheets.

d. A summary of concerns and issues expressed by interested parties.

e. A summary of the applicant's response to these concerns and issues.

270-20.4 Initiation of Amendments. Applications for zoning map amendments may be initiated by resolution of the Board of Commissioners, or by motion of the Planning Commission, Director ~~of Planning and Development~~, or by petition of any property owner addressed to the Board of Commissioners. Amendments to the text of the UDO may be initiated by resolution of the Board of Commissions, or by motion of the Planning Commission, or Director ~~of Planning and Development~~. In the case of a petition for the rezoning of property, such petition shall be submitted by the owner of record of said property, the owner's agent or by a contract purchaser with the owner's written consent.

270-20.5 Limitation on Permits. Once a map amendment is initiated by the Board of Commissioners, no application for a clearing, grubbing, grading, septic tank, building, development or other similar permit, or for a v~~V~~ariance or Special Use Permit for the affected property shall be accepted for processing or acted upon until final action is taken by the Board of Commissioners on the proposed map amendment. Provided, however, that if the Board of Commissioners does not take final action on the proposed map amendment within six ~~(6)~~ months from the date of initiation, p~~P~~ermit, v~~V~~ariance and Special Use Permit applications shall again be accepted and reviewed pursuant to existing zoning. And further provided that such permit applications shall be accepted during the map amendment process if the proposed use is authorized under the same conditions in both the existing and proposed zoning district.

270-20.6 Standards Governing the Exercise of Zoning Power. The Board of Commissioners finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of zoning power:

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property;

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property;

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned;

D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning.

270-20.7 Impact Analysis. If a proposed amendment is for the rezoning of property, then:

A. The initiating party, if a party other than the Board of Commissioners, shall be required to file, with its application for amendment, a written, documented analysis of the impact of the proposed zoning with respect to each of the matters enumerated in Section 270-20.6~~5~~, above. Such a zoning proposal and analysis shall be a public record.

B. The Department shall, with respect to each such zoning proposal, investigate and make a recommendation with respect to each of the matters enumerated in Section 270-20.6~~5~~ above.

C. The Department shall make a written record of its investigation and recommendations, and this record shall be a public record.

D. The Planning Commission shall, with respect to each such zoning proposal, investigate and make a recommendation based on their investigation, the Department's evaluation, and information presented during the public hearing, which includes the consideration of the matters enumerated in Section 270-20.6~~5~~ above. The Department shall make a written record of the Planning Commission recommendation, and this record shall be a public record.

270-20.8 Action by Board of Commissioners. Following its public hearing the Board of Commissioners may:

A. Approve the proposed amendment as presented;

B. Approve the proposed amendment with conditions. Such approval and associated conditions shall be based on the application package submitted subject to Section 270-20.9~~;~~

C. Approve a similar or less intense use (including special uses), with or without conditions, if the proposed amendment is for the rezoning of property;

D. Deny the proposed amendment in whole or in part;

E. Deny the proposed amendment without prejudice, which means the action will not appear in any future staff case reports related to a zoning application impacting the property;

F. Remand the matter back to the Planning Commission for reconsideration;

G. Table final action to a future regularly scheduled business session or public hearing, or table the final action indefinitely.

270-20.9 Plans and Other Documents Showing Proposed Use and Impact Required. An application for an amendment to create or extend a Zoning District shall be accompanied by a ~~sketch~~site plan at scale and such other plans, elevations or additional information as the Director and this Ordinance may require, showing the proposed development and its impact on natural and built systems. Additional information may include without limitation traffic studies developed in accordance with Gwinnett County Department of Transportation Guidelines utility studies, and drainage studies. All application requirements must be satisfied as outlined in the Department's Procedures and Instructions for Rezoning, Change-in-Conditions, and Special Use Permit Applications. No revisions to any application materials shall be permitted ~~accepted~~ once notice of the public hearing has been advertised.

270-20.10 Change in Conditions of Zoning. Changes to the conditions of an approved ~~R~~rezoning or special use permit shall be subject to the same application, review, and approval process as a new application, including the payment of relevant fees.

270-20.11 Appeals of a Zoning Ordinance Text and Map Amendment Decision. Appeals of a decision by the Board of Commissioners to approve or deny an amendment may be taken in the manner provided by law.

270-20.12 ~~Actions to be Taken if~~ If p~~P~~lans are not i~~I~~mplemented within s~~S~~pecified t~~T~~ime l~~L~~imits, the following action may be taken:~~.~~

A. For any zoning map amendment for which the Board of Commissioners is not the applicant, and upon which property no development permit, building permit, or certificate of occupancy has been issued within 12 months of the date of approval of said amendment, the Board of Commissioners may review the zoning district classification of the property and determine whether it shall be continued or initiated for rezoning.

B. Such properties shall first be reviewed by the Planning Commission, which shall make such findings and recommendations as it deems appropriate.

270-20.13 Concurrent Variances. In cases where an applicant is proposing a zoning map amendment and where the applicant files an application to obtain a variance at the same time of filing an application for zoning map amendment, the variance application may be processed simultaneously. Granting of concurrent variances shall be subject to compliance with the applicable Standards Governing Exercise of the Zoning Power, as determined by Sec. 270-20.6~~5~~.

270-25 Public Hearing Rules of Procedure.

A. Exercise of zoning power shall conform to the standards expressed in the ~~county land use plan~~Unified Development Ordinance, as amended from time to time, and Section 270.20.6~~5~~.

B. All items on an advertised agenda for a public hearing shall be heard on the scheduled date except if, in the judgment of a majority of the quorum of the Planning Commission or Board of Commissioners, as applicable, special circumstances surrounding the matter warrant the continuance of the hearing on the matter to a specific future date and time.

C. If there are multiple applications for the same property, including applications to rezone property from one zoning classification to another pursuant to Section 270-20, applications for a Special Use Permit pursuant to Section 270-30, applications for a concurrent variance pursuant to Section 270-20.13~~1 or Section 270-30.14~~, or applications for a change in conditions to a previously approved rezoning or special use permit, a single public hearing covering all applications shall be held.

D. Prior to the presentation of zoning matters, the Chairperson of the Planning Commission or Board of Commissioners, as applicable, shall make an announcement that may include, but not be limited to, the following:

1. A reminder that the public hearings are being held at an official public meeting at which important business is conducted, and a request that audience members refrain from applause and all other extraneous remarks and cooperate to maintain an orderly meeting.

2. A request that individuals intending to make a comment in support or opposition to any of the matters take a seat toward the front of the auditorium before the item they wish to address occurs on the agenda.

3. A request that individuals provide their name and address for the public record when they come to the microphone.

4. Instructions for the placement of any maps, photos, or other items to be viewed by the commissioners.

5. Notice that the clerk will be keeping time with ~~ten~~ 10 minutes allocated for presentation in support and ~~ten~~ 10 minutes in opposition and that questions from commissioners will not take away from presentation time.

E. At least five calendar days prior to the first hearing on an application, any person wishing to speak in opposition to said application who has made campaign contributions aggregating $250.00 or more to a commissioner within the two-year period immediately preceding the filing of said application, must have provided a written disclosure of campaign contributions in accordance with O.C.G.A. Title 36, Ch. 66 (O.C.G.A. § 36-67A-1 et seq.). A similar disclosure is required of applicants and representatives of applicants at the time an application is filed.

F. All hearings held by the Planning Commission and Board of Commissioners shall be conducted in accordance with the following rules of procedure:

1. The Chairperson or presiding member of the Planning Commission or Board of Commissioners, as applicable, shall open a public hearing for each matter that requires a public hearing.

2. The Chairperson or presiding member may call for a presentation by the Department that includes the recommendation of the Department and Planning Commission, if applicable, on each such matter. Following the Department presentation, the commissioners may ask the Department questions pertinent to the application.

3. The Chairperson or presiding member shall then call for parties in interest on the matter who shall have privilege on the floor. The parties shall identify themselves by name, address and affiliation with any business or organization which would be relevant to the matter being considered.

4. Proponents shall speak first; opponents shall speak second. All comments and questions from the parties in interest shall be directed to the commissioners. Proponents and opponents shall generally be provided ten minutes per side to present data, evidence, and opinions in support of their position. The Chairperson or presiding member shall have the power and discretion to expand the period of time for presentation if, in the Chairperson's or presiding member's judgment, circumstances surrounding the matter warrant such action and any such expansion is granted equally to the proponents and opponents. The applicant may request that any unused portion of the allotted time be reserved for rebuttal. In the event that there is more than one speaker per side, speakers must divide their time in order to complete their full presentation within the allotted time period.

5. In the event that an official who represents a municipality or an agency of federal, state, or local government wishes to speak on an agenda item, such official representative may be heard at the time established on the agenda for such matter and subject to the time limits set by the Chairperson. Such time shall not reduce the time otherwise allotted to the proponents or opponents to present their public comments.

6. Should the commissioners ask questions of an opponent, proponent or an official, the time taken to respond to questions will not take away from presentation time.

7. The Chairperson or presiding member shall call for questions from the commissioners to the proponents or opponents immediately after their individual presentation and before moving to the next speaker.

8. When the allotted public hearing time period is complete or there are no additional speakers to address the commissioners during the allotted time period and questions or comments by the

commissioners have been concluded, the Chairperson or presiding member shall close the public hearing and call for a motion for action on the issue and a second of the motion. The Chairperson or presiding member shall then call for discussion of the matter and voting thereon.

9. Once discussion has begun, no further comment or presentation shall be made by parties in interest unless a commissioner has a specific question for a party in interest or the Department, or the Chairperson or presiding member deems further comment to be appropriate or germane to the issues surrounding the matter.

10. Authorized action by the Planning Commission and Board of Commissioners shall consist of any of the actions specified in this UDO.

G. The rules of procedure governing public hearings shall be made available in written form to the public in the Department, the office of the Board of Commissioners and at public hearings.

Section 270-30. Special Use Permits.

270-30.1 Purpose. The purpose of a Special Use Permit is to provide a process for review of a use that is generally compatible with the use characteristics of a zoning district, but requires individual review of its location, design, height, intensity, configuration, and public facility impact to determine the appropriateness of the use for any particular site and its compatibility with adjacent uses.

270-30.2 Authority. The Board of Commissioners shall take final action on applications for Special Use Permits in accordance with the procedures, standards, and limitations of the UDO. In order to accommodate these special uses, the Special Use Permit allows the Board of Commissioners to approve a special use on a particular parcel without changing the general zoning district. Such approval shall be subject to the requirements set forth in this UDO and any additional conditions deemed necessary to ensure the compatibility of the special use with the surrounding properties. All Special Use Permit applications shall be for a specific development proposal and use. The Special Use Permit shall not be used for securing early zoning for conceptual proposals which may not be undertaken for some time.

270-30.3 Special Use Permit Procedure. The application and review process for a Special Use Permit, including all public notice and public hearing requirements and procedures, shall be the same as those contained in Section 270-20 and Section 270-25 herein. In addition to the information and/or site plans which are required to be submitted for the proposed development, additional information deemed necessary by the Director in order to evaluate a proposed use and its relationship to the surrounding area shall be submitted. All application requirements must be satisfied as outlined in the Department's Procedures and Instructions for Rezoning, Change-in-Conditions, and Special Use Permit Applications.

270-30.4 Staff Analysis and Recommendation. The Staff analysis and recommendation on each application for a Special Use Permit shall follow the same procedures as those contained in Section 270-20, herein. In the review process, particular emphasis shall be given to the evaluation of the characteristics of the proposed use in relationship to neighboring properties and the compatibility of the proposed use with its surroundings.

270-30.5 Public Hearing Required. The public hearing process, impact analysis and application of the Standards Governing the Exercise of Zoning Power for a Special Use Permit shall be the same as those contained in Section 270-20, herein.

270-30.6 Action by the Board of Commissioners. When considering a Special Use Permit application, the Board of Commissioners shall consider the policies and objectives of the Unified Plan and Future Development Map, particularly in relationship to the proposed site and surrounding area and shall consider the potential adverse impacts on the surrounding area, especially in regard to but not limited to traffic, storm drainage, impacts

to the usability of adjacent and nearby properties, and compatibility of land use activities. Following its public hearing the Board of Commissioners may:

A. Approve the proposed special use as presented;

B Approve the proposed special use with conditions. Such approval and associated conditions shall be based on the application package submitted subject to Section 270-20.9;

C. Deny the proposed special use in whole or in part;

D. Deny the proposed amendment without prejudice, which means the action will not appear in any future staff case reports related to a zoning application impacting the property;

E Remand the matter back to the Planning Commission for reconsideration;

F. Table final action to a future regularly scheduled business session or public hearing, or table the final action indefinitely.

270-30.7 Special Uses Within or Accessory to a Dwelling. An application for a Special Use Permit in a residential zoning district where the use is proposed to operate in a dwelling or as an accessory use to a dwelling is subject to the following additional requirements:

A. The special use shall operate within the dwelling on the property or, if approved by the Board of Commissioners, in an accessory structure.

B. The exterior character of the dwelling shall be preserved in its residential state and there shall be no outside evidence of the operation of the special use to the neighborhood, except for any accessory structure approved by the Board of Commissioners.

C. The owner of the property or business shall occupy the property and shall operate any business associated with the special use.

270-30.8 Change in Conditions or Modification of a Special Use Permit. Changes to the conditions or modification of an approved Special Use Permit shall be subject to the same application, review, and approval process as a new application, including the payment of relevant fees.

270-30.9 Development of an Approved Special Use.

A. The issuance of a Special Use Permit shall only constitute approval of the proposed use, and development of the use shall not be carried out until the applicant has secured all other permits and approvals required. The Department shall not issue a Certificate of Occupancy for the specific use unless all requirements and conditions of the Special Use Permit have been fulfilled by the owner of the property.

B. If an application is approved and a Special Use Permit is granted, all conditions which may have been attached to the approval are binding on the property. All subsequent development and use of the property shall be in accordance with the approved plan and conditions.

270-30.10 Compliance with Special Use Permit Requirements. The ~~Planning and Development~~ Department shall have the right to periodically examine the operation of the specific use to determine compliance with the requirements and any conditions.

270-30.11 Appeal of a Special Use Permit Decision. Appeals of a decision by the Board of Commissioners to approve or deny a Special Use Permit application may be taken in the manner provided by law.

270-30.12 Designated Official for Appeals. The County Attorney is hereby authorized to accept service of any appeal of a quasi-judicial decision on behalf of the Board of Commissioners, during normal business hours, at the regular offices of the County Attorney.

270-30.13 Concurrent Variances. In cases where an applicant is proposing a special use permit and where the applicant files an application to obtain a variance at the same time of filing an application for a Ss~~s~~pecial Uu~~u~~se

Ppermit, the variance application may be processed simultaneously. Granting of concurrent variances shall be subject to compliance with the applicable Standards Governing Exercise of the Zoning Power, as determined by Sec. 270-20.65.

Section 270-40. Conditional Approvals.

270-40.1 In adopting an amendment to the Official Zoning Map, or approving a Special Use Permit, the Board of Commissioners may impose special conditions which it deems necessary in order to make the requested action acceptable and consistent with the purposes of the district(s) involved and to further the goals and objectives of the Unified Plan.

270-40.2 Conditions of Approval. Such Ceonditions of approval shall:

A. Only be valid if they are included in the motion approving the amendment for adoption;

B. Be recorded in the Resolution of the Board of Commissioners if enacted pursuant to an amendment of the text of the UDO or the Official Zoning Maps.;

C. Be continually in effect, or for the period of time specified in the amendment;.

D. Be required of the property owner and all subsequent owners as a condition of their use of the property;.

E. Be interpreted and continually enforced by the Director in the same manner as any other provision of this UDO;. and

F. Where any condition conflicts with a UDO requirement, the stricter requirement shall apply unless otherwise indicated in this UDO.

270-40.3 Violations of Conditions. Notwithstanding any other remedies available in this UDO and under local and state law, violations of conditions imposed pursuant to this Section 270-40 shall be handled in accordance with Chapter 120.

Section 270-50. Withdrawal of Application.

270-50.1 Once an application for an amendment to the Official Zoning Map, Change-in-Conditions, Special Use Permit, or vVariance has been made, the applicant may withdraw such application ~~without prejudice only until such time as the official withdrawal deadline published in the Public Hearing Schedule, maintained by the Department.~~up to 3 business days prior to the day of the Planning Commission Public Hearing or Zoning Board of Appeals Public Hearing.

270-50.2 An application may not be withdrawn by an applicant or property owner under any circumstance after the official withdrawal deadline. Once past the published withdrawal deadline, all applications shall be considered by the Board of Commissioners or Zoning Board of Appeals, as appropriate, and shall receive final action, unless having been administratively withdrawn for cause by the Department.

Section 270-60. Lapse of Time Requirement for Reapplication.

The following shall apply to the reapplication for a Zoning Map Amendment, Change-in-Conditions, vVariance or Special Use Permit.

270-60.1 No application or reapplication for any zoning map amendment, Change-in-Conditions, or Special Use Permit affecting the same land or any portion thereof shall be acted upon within six6 months from the date of last action by the Board of Commissioners.

No application or reapplication for the same type of vVariance affecting the same land or any portion thereof shall be acted upon within six6 months from the date of last action by the Zoning Board of Appeals.

270-60.2 Administrative variances, as outlined in Section 270-1230, shall not be subject to this time lapse requirement.

Section 270-70. Zoning Board of Appeals.

270-70.1 Authority. The Zoning Board of Appeals shall have the authority granted by enabling ordinance approved by the Board of Commissioners of Gwinnett County, Georgia, on September 17, 1985, and as may be amended from time to time.

270-70.2 Membership and Appointment. The Zoning Board of Appeals shall consist of five members residing within Gwinnett County, appointed by the County Commissioners of Gwinnett County. One member of the Zoning Board of Appeals may be a member of the Planning Commission. No other member of the Zoning Board of Appeals shall simultaneously hold any employment or elected office within the Gwinnett County Government which is inconsistent with his or her duties on the Zoning Board of Appeals.

270-70.3 Terms of Office.

A. The term of office of each member of the Zoning Board of Appeals shall be for one year, or thereafter until his successor is appointed and qualified. Members may be reappointed. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.

B. Members shall be removable for cause by the Board of Commissioners of Gwinnett County upon written charges and after a public hearing.

C. Any member of the Zoning Board of Appeals shall be disqualified to act upon a matter in which the member has an interest.

270-70.4 Officers. The Zoning Board of Appeals shall elect one of its members, other than the member of the Planning Commission, as Chairperson and one member as Vice-Chairperson. The Chairperson and Vice-Chairperson shall serve for one year or until reelected or until successors are elected. The Department shall serve as the Secretary of the Zoning Board of Appeals.

270-70.5 Procedure. The Zoning Board of Appeals shall adopt rules of procedure. Meetings of the Zoning Board of Appeals shall meet on a regular schedule as determined by the Department and at the call of the Chairperson and at such other times as the members of the Zoning Board of Appeals may determine. The Chairperson or, in his absence, the Vice-Chairperson, may administer oaths and compel the attendance of witnesses by subpoena.

270-70.6 Powers of the Zoning Board of Appeals.

A. The Zoning Board of Appeals shall have the following powers:

1. To hear and decide appeals of determination made by the Director ~~of Planning and Development~~ in the enforcement of this UDO.

    a. In exercising the above powers, the Zoning Board of Appeals may, in conformity with the provisions of Title 2 of the UDO, reverse decisions or determinations from which the appeal is taken and, to that end, shall have all the powers of the Director from whom the appeal is taken and may issue or revoke or direct the issuance or revocation of a Building or other permit.

2. To authorize variances from the terms of Title 2 and applicable sections of Title 3 of the UDO.

Section 270-80. Appeals to the Zoning Board of Appeals.

270-80.1 Appeals to the Zoning Board of Appeals may be taken by any person aggrieved by any decision of the Director.

A. Such appeal shall be taken within 15 days after the written decision of the Director by filing with the Department and Director a Notice of Appeal specifying the grounds thereof.

B. The Director shall forthwith transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed from was taken.

C. A public hearing shall be held by the Zoning Board of Appeals within 60 days of the receipt of an appeal.

270-80.2 An appeal shall stay all proceedings in furtherance of the action appealed from unless the Director certifies to the Zoning Board of Appeals that, by reason of facts stated in the certificate, a stay would, in his/her opinion, cause imminent peril to life or property. In such a case, proceedings shall not be stayed other than by the Zoning Board of Appeals or by a restraining order granted by a court of record on application and notice to the Director for good cause shown.

Section 270-90. Variances to the Zoning Board of Appeals.

270-90.1 Authority. Unless otherwise provided for in the UDO, the Zoning Board of Appeals shall have authority to grant variances from the requirements of Title 2, and applicable standards in Title 3, in accordance with the standards and procedures as set forth in this UDO.

270-90.2 The purpose of a variance is to provide a mechanism when, owing to special conditions, the strict application of the UDO would impose on a landowner exceptional and undue hardship that can be mitigated without conferring on the applicant special privilege.

270-90.3 Initiation. A written petition for a variance is to be initiated by the owner~~(s)~~ of the subject property or the authorized agent~~(s)~~ of the owner~~(s)~~ of the property for which relief is sought. Applications shall be filed on forms and with required exhibits as provided by the Department and shall not be considered accepted unless complete in every respect.

270-90.4 Application Procedures. An application for a variance shall be filed with the Department, accompanied by a non-refundable fee, as established from time to time by the Board of Commissioners, to defray the actual cost of processing the application. The application shall be in such form and shall contain at a minimum the following information and documentation:

A. Name, address, telephone number, and email address of each owner~~(s)~~ and applicant, if not owner.

B. Legal description, street address, lot number and subdivision name, if any, of the property that is the subject of the application.

C. The size of the subject property.

D. The purpose for the requested variance, and a statement of the intended development of the property if the variance is granted.

E. The specific provision of Title 2 from which a variance is requested.

F. A statement explaining how the proposed variance is consistent with the general spirit and intent of Title 2 of the UDO and the Unified Plan.

G. Any other requirements requested by the Department.

270-90.5 Staff Report. The staff of the Department shall conduct a site inspection and shall prepare an analysis of each application for variance. The staff report shall be presented in written form to the Zoning Board of Appeals at least seven~~7~~ days prior to the scheduled hearing date.

270-90.6 Public Hearing Procedures.

A. Before the Zoning Board of Appeals acts upon an application for a v~~V~~ariance, it shall hold a public hearing thereon.

B. The notice of the time, place and purpose of such hearing shall be published at least ~~thirty~~15 but not more than 45 days prior to the hearing in the official organ/of the County. Written notice of the time, place and purpose of the hearing shall also be mailed to the owner of the property that is the subject of the application at least ~~thirty~~30 15 but not more than 45 days prior to the hearing. At the hearing, any party may appear in person or by agent or attorney.

C. In addition, a sign shall be erected in a conspicuous place on the property which shall contain information as to the v~~V~~ariance applied for and the time and place of hearing.

D. The rules of procedure of meetings are as follows:

1. The ~~Chairman~~ Chairperson shall call the matter before the Zoning Board of Appeals.

2. The Chairperson~~man~~ shall then call parties in interest that shall have privilege on the floor after appearing before the Zoning Board of Appeals and identifying themselves by name, address, and affiliation with any business or organization, which would be relative to the matter being considered.

3. Applicants and p~~P~~roponents shall speak first, and opponents shall speak second. All comments and questions from the parties in interest shall be directed to the Zoning Board of Appeals. Neither applicants and proponents nor opponents shall generally have more than five (5) minutes total to present their interest and the Chairperson~~man~~ shall have the power to restrict or expand the period of time for presentations if, in his or her judgment, circumstances surrounding the matter may warrant such action.

4. The Chairperson~~man~~ shall call for questions from the Zoning Board of Appeals to the proponents or opponents immediately after their individual presentations.

5. The ~~Chairman~~ Chairperson shall then call for discussion of the matter by the Zoning Board of Appeals and the voting thereon. Once discussions by the Zoning Board of Appeals ~~has~~have been called for, no further comment or presentation shall be made by parties in interest unless a Zoning Board of Appeals member has a specific question for a party in interest, or the Chairperson~~man~~ deems further comment to be appropriate and germane to the issues surrounding the matter before the Zoning Board of Appeals.

6. All items on an advertised agenda for a public hearing shall be heard on the scheduled date except, if in the judgment of a majority of the Zoning Board of Appeals members, specific circumstances surrounding the matter warrant the continuance of the hearing on the matter to a specific future date and time.

7. The Zoning Board of Appeals may table a vote on a specific matter to a specified future date and time after a public hearing.

270-90.7 Standards for Granting Variances.

A. *Granting Variances.* The Zoning Board of Appeals shall not grant a variance unless evidence is presented supporting conclusions that the variance meets one or more of the following criteria:

1. Arises from a condition that is unique and peculiar to the land, structures and buildings involved.

2. Is necessary because the particular physical surroundings, the size, shape, or topographical condition of the specific property involved would result in unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience if the provisions of the UDO are literally enforced.

3. The condition requiring the requested relief is not ordinarily found in properties of the same zoning district as the subject property.

4. The condition is created by the regulations of the UDO and not by an action or actions of the property owner or the applicant.

5. The granting of the variance will not impair or injure other property or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety or substantially diminish or impair property values within the neighborhood.

6. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structures.

7. The variance desired will not be opposed to the general spirit and intent of Title 2 of the UDO or the purpose and intent of the Gwinnett County Unified Plan.

B. *No variance shall be authorized to:*

1. Allow a structure or use not authorized in the applicable zoning district.

2. Allow a density or intensity of development that is not authorized within such district.

3. To decrease the minimum lot size authorized by the applicable zoning district.

4. Allow any variance that conflicts with or changes any requirement enacted as a condition of zoning or of a Special Use Permit by the Board of Commissioners.

5. Permit the expansion or enlargement of any non-conforming use of land, non-conforming use of land and buildings in combination, non-conforming use of land and structures in combination, or non-conforming use requiring a Special Use Permit.

6. Permit the re-establishment of any non-conforming use of land, non-conforming use of land and buildings in combination, non-conforming use of land and structures in combination, or non-conforming use requiring a Special Use Permit where such use has lapsed.

~~6.~~C. ~~C.~~ The Zoning Board of Appeals may attach reasonable conditions to a variance when necessary to prevent or minimize adverse impacts upon property or the environment.

270-90.8 Standards for Considering Appeals of Administrative Decisions. In considering whether to uphold an administrative decision, the Zoning Board of Appeals shall consider the following criteria:

A. Whether the official acted within the scope of their authority.

B. Whether the decision was based on an erroneous finding of material fact.

C. Whether the decision was based on the standards set forth in this UDO and whether the standards were properly applied or the official making the decision acted in an arbitrary manner in making the decision.

D. Whether the official adhered to the plain language of this UDO in making the decision, or if the language is determined to be ambiguous, whether or not the decision satisfies the intent of this UDO.

Section 270-100. Burden of Proof in Appeals and Variances.

270-100.1 Requirements. It shall be the responsibility of an applicant seeking relief to present facts and evidence to explain how the proposed appeal or variance is consistent with the general spirit and intent of the UDO.

270-100.2 Review. It is the duty of the Zoning Board of Appeals to review such facts and evidence in light of the intent of the UDO to balance the public health, safety, and general welfare against the injury to a specific applicant that would result from the strict application of the provisions of the UDO on the applicant's property.

Section 270-110. Appeals to Decisions of the Zoning Board of Appeals.

270-110.1 Any person or persons seeking an appeal from a final decision of the Zoning Board of Appeals shall appeal to Superior Court in the manner provided by law.

270-110.2 Appeals from a final decision of the Department made pursuant to the provisions of Section 270-890 shall be to the Zoning Board of Appeals in accordance with Section 270-110. Decisions made by the Zoning Board of Appeals shall be final. All Appeals of decisions made by the Zoning Board of Appeals shall be made pursuant to Section 270-120110.1.

270-110.3 The Director ~~of Planning and Development or designee~~ is hereby authorized to approve or issue any form or certificate necessary to perfect any petition described in Title 5 of the Official Code of Georgia Annotation for review of lower judicatory bodies and is further authorized to accept service of any such petition on behalf of the Zoning Board of Appeals, during normal business hours, at the regular offices of the Department. The County Attorney is hereby authorized to accept service of an appeal to a decision of the Zoning Board of Appeals on behalf of the Zoning Board of Appeals, during normal business hours, at the regular offices of the County Attorney

Section 270-120. Administrative Variances.

270-120.1 The Director shall have the power to grant variances from the certain development standards as established in Title 2 of the UDO where, in his/her opinion, the intent of the ordinance can be achieved, and equal performance obtained by granting a variance.

270-120.2 The authority to grant such variances shall be limited to variances from the following requirements:

A. *Required Front Porch.* Variance not to exceed 1 foot in depth and/or 1 foot in width.

~~A.~~B. *Required Minimum Front ~~Yard~~ Setback for a Principal Structure.* ~~—~~ V~~v~~ariance not to exceed 10 feet.

~~B.~~C. *Required Minimum Side ~~Yard~~ Setback for a Principal Structure.* ~~–~~ V~~v~~ariance not to exceed ~~5~~five feet. No side ~~yard~~ setback shall be reduced to less than ~~5~~five feet.

~~C.~~D. *Required Minimum Rear ~~Yard~~ Setback for a Principal Structure.* ~~–~~ V~~v~~ariance not to exceed 10 feet. No rear ~~yard~~ setback shall be reduced to less than ~~5~~five feet.

~~D.~~E. *Required Minimum Lot Width.* ~~—~~ V~~v~~ariance not to exceed 10 percent of the minimum required lot width.

F. *Required Maximum Lot Coverage.* ~~—~~ V~~v~~ariance not to exceed ~~5~~five percent of the maximum required lot coverage.

~~E.~~G. *Required Minimum Side ~~Yard~~ Setback for Substandard Lots of Record.* ~~—~~ V~~v~~ariance to reduce the side setback to the minimum amount necessary for a reasonable dwelling. No side setback shall be reduced to less than five feet.

H. *Required Minimum Side ~~Yard~~ or Rear ~~Yard~~ Setback of an Accessory Structure ~~(~~including Accessory Dwelling Units~~).~~* ~~–~~ V~~v~~ariance not to exceed ~~5~~five feet. No setback shall be reduced to less than ~~5~~five feet.

~~F. *Required Minimum Parking* – variance not to exceed 10 percent of the minimum parking requirement for the use.~~

~~Minimum Road Frontage – variance not to exceed 10 feet.~~

~~G.~~

~~H.~~I. *Maximum Fence Height*.~~ –~~ V~~v~~ariance not to exceed one~~1~~ foot in the front yard, two~~2~~ feet in any other yard, and up to three~~3~~ feet in one yard on a corner lot with two front yard ~~setback~~s.

~~I.~~J. *Maximum Retaining Wall Height*.~~ –~~ ~~v~~Variance not to exceed ~~2~~two feet in the front yard within 10 feet of a front property line.

K. *Required Parking*. Variance not to exceed 10 percent of the minimum or parking requirement for the use.

~~J. *Reduction in Minimum Parking per Section 240-30.*~~

~~K.~~L. ~~*Reduction in the*~~*Required Minimum ~~Number of~~ Off-Street Loading Spaces*.~~ –~~ V~~v~~ariance not to exceed one~~1~~ space. At least one~~1~~ off-street loading space shall be provided.

~~L.~~M. *Maximum Building Height*. – V~~v~~ariance not to exceed five~~5~~ feet.

~~M.~~N. *Minimum Zoning Buffer Width~~s~~*. – V~~v~~ariance not to exceed 25 percent of the minimum required buffer width.

270-120.3 Application Procedures.

A. *Application form and Documentation.* Applications for administrative variances shall be in such a form and contain such information and documentation as shall be prescribed by the Department, but shall contain at least the following:

1. Name and address of the applicant.
2. Legal description of the subject property.
3. Size of the subject property.
4. A statement of the hardship imposed on the applicant by the UDO and a statement of why the variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located.
5. A non-refundable application fee shall accompany the application, as established from time to time by the Board of Commissioners, to defray the actual cost of processing the application.

B. *Standards for Issuance of Administrative Variances.* In deciding whether to grant an application for an Administrative Variance, the Department shall consider all the applicable standards provided in Title 2 and Title 3 of this~~e~~ UDO.

Chapter 300. General Provisions

Section 300-10. Purpose.

300.10.1 Title 3 of this UDO establishes procedures and standards related to the development and subdivision of land. This Title is designed to facilitate adequate provision for water, sewer, stormwater management facilities; for the dedication of rights-of-way or easements for streets and utility purposes; to facilitate the further subdivision of larger tracts into smaller parcels of land; and to provide proper land records for the convenience of the public and for better identification and permanent location of real property boundaries. This Title is also designed to protect and enhance the quality of the natural environment of the County by encouraging the preservation and protection of significant existing trees; assisting in the natural control of solar heat; reducing the impact of development on the community's storm drainage system; assisting in soil conservation and flood control; reduction of air emissions and noise; conserving water supply; and enhancing the visual and aesthetic appearance of the community.

Section 300-20 Relationship to Existing Ordinances.

300-20.1 Whenever there is a discrepancy between minimum standards or dimensions required in this Title and those contained in zoning regulations, building codes, or other official regulations or resolutions, the most restrictive shall apply. In those instances where development standards for a parcel of land or a specific project have been lawfully and explicitly established as a condition of approval for a rezoning, variance, permit, or other formal action by the Board of Commissioners, the Zoning Board of Appeals, or any other authorized body, the requirements of such conditions shall control.

Section 300-30. Modifications, Waivers, and Appeals.

300-30.1 Modifications. Modifications of the design standards set forth in Chapters 350 through 380 the standard drawings as described in Section 1.0 of the Appendix may be authorized by the Director in specific cases when, in his or her opinion, undue hardship may result from strict compliance; provided any such determination shall be based fundamentally on the fact that unusual topographical or other exceptional conditions require such modification, or that the granting of the modification will not adversely affect the general public welfare or nullify the intent of these standards or regulations. Any such modification granted by the Director shall be made in writing to the applicant and made a part of the Department's records. Application for any modifications shall be filed in writing with the Director by the applicant on a form provided by the Department with necessary supporting documents and application fees as established by the Board of Commissioners and shall explain in detail the reasons and facts supporting the application.

300.30.2 ***Waivers.*** Waiver requests of all other requirements of Title 3 of the UDO shall be submitted on an application form as prescribed by the Director, along with such fees as shall be established by the Board of Commissioners. When considering waivers, the Board of Commissioner's shall consider whether undue hardship may result from strict compliance; provided any such determination shall be based fundamentally on the fact that unusual topographical or other exceptional conditions require such modification, or that the granting of the waiver will not adversely affect the general public welfare or nullify the intent of these standards or regulations. The Director shall coordinate the review of each waiver with all other affected County departments and shall

summarize such comments or recommendations as may be received to the Board of Commissioners for action in their normal course of business. Exception: ~~waiver~~ variance requests from the stormwater requirements of Title 3 shall be submitted to the Board of Construction Adjustments and Appeals for action in their normal course of business.

300-30.3 Appeals. Appeals of the interpretation by the Director of the requirements of Title 3 of the UDO and of the standard drawings as described in Section 1.0 of the Appendix shall first be submitted in writing on a form provided by the Department to the Director who shall review the request in a timely manner and receive comments from other affected county departments. The appeal thereupon shall be forwarded to the Board of Commissioners for final action in their normal course of business. Exception: appeal requests from the stormwater requirements of Title 3 shall be submitted to the Board of Construction Adjustments and Appeals for action in their normal course of business.

Section 300-40. Stop Work Orders.

300-40.1 Stop work orders may be issued for violations of Title 3of this UDO as provided in this UDO.

Section 300-50. Activities Limited to Permit Authorization.

300-50.1 Development activities shall be limited to those as authorized by the applicable permit and as may be further restricted by conditions of approval pertaining thereto attached by the Department or other department or agency as may have authority or jurisdiction over said activities in whole or in part.

Section 300-60. Additional Information Requirements for Development on Properties with Riparian Buffers

300-60.1 Any permit applications for property requiring riparian buffers and/or setbacks must provide additional information as indicated in this UDO.

Chapter 310. Permits Required for Development or Construction

Section 310-10. Limited Land Disturbance Permits.

310-10.1 Clearing Permit, Clearing and Grubbing Permit, and Grading Permit. The following permits covering portions of the land development process may be issued in accordance with the requirements of this UDO and the provisions of any *Metropolitan River Protection Act* Certificate, if applicable:

A. *Clearing Permit:*

1. A permit limited to clearing only with no grubbing or other land disturbance except for such activities necessary to install and maintain erosion and sediment control practices (as defined in the Georgia Soil Erosion and Sedimentation Act) may be authorized upon identification of the property, a specimen tree survey, the limits of the area to be cleared, the type of activities to be undertaken and the following additional items if required by the Department:
    a. Soil Erosion, Sedimentation and Pollution Control Plan.
    b. Hydrology Study.
    c. Specimen Tree Survey
    d. Specimen Tree Concept Plan.
    e. Tree Preservation and/or Replacement Plan.
2. All clearing activities are to be consistent with the provisions of this UDO, and any conditions of zoning approval. If clearing of the required tree density units is proposed, a performance bond and a development performance agreement may be required prior to issuance of permit to guarantee tree replacement will occur in future phases.
3. A clearing permit shall expire unless activities are commenced within 60 consecutive calendar days of issuance of the permit or if activities lapse and are abandoned for a period exceeding 60 consecutive calendar days.
4. A clearing permit shall not be construed as approval of or authorization to construct any improvements, buildings, or other structures on the property.
5. If landscape improvements are required by the clearing permit, then all plantings must be completed. A performance bond may be filed for incomplete work prior to the closing of such permit, if approved by the Department.

B. *Clearing and Grubbing Permit:*

1. A permit limited to clearing and grubbing only may be authorized upon identification of the property, a specimen tree survey, the limits of the area to be cleared and grubbed, the type of activities to be undertaken, and the following additional items if required by the Department:
    a. Soil Erosion, Sedimentation and Pollution Control Plan.
    b. Hydrology Study
    c. Specimen Tree Survey
    d. Specimen Tree Concept Plan
    e. Tree Preservation and/or Replacement Plan.

2. Appropriate soil erosion, sedimentation and pollution control and tree protection measures shall be placed and maintained as required. If clearing of the required tree density units is proposed, a performance bond and a development performance agreement may be required prior to issuance of permit to guarantee tree replacement will occur in future phases.

3. A permit for clearing and grubbing shall expire unless activities are commenced within 60 consecutive calendar days of issuance of the permit or if activities lapse and the project is abandoned for a period exceeding 60 consecutive calendar days.

4. A clearing and grubbing permit shall be limited to the removal of vegetation and stumps and the placement of required tree protection measures and soil erosion and sedimentation facilities and may authorize the removal of existing stormwater facilities and infrastructure on the property at the option of the developer. A demolition permit is required to remove all other existing structures. No grading or construction activities may be started under a clearing and grubbing permit except for such activities necessary to install and maintain erosion and sediment control practices. The approval of a clearing and grubbing permit shall not be construed as approval of or authorization to construct any improvements, buildings, or other structures on the property.

5. If landscape improvements are required by the clearing and grubbing permit, then all plantings must be completed. A~~of a~~ performance bond may be filed for incomplete work prior to the closing of such permit, if approved by the Department.

C. *Grading Permit:*

1. A grading permit, which may include clearing and grubbing, may be issued prior to approval of a development permit, as provided in this UDO. A grading permit may also be issued for earth borrow or storage, where no development or construction is proposed or imminent, based on approval of a grading plan, identification of the property, a specimen tree survey, the limits of the area to be graded, the type of activities to be undertaken, , and the following additional items if required by the Department:

   a. Soil Erosion, Sedimentation and Pollution Control Plan.

   b. Hydrology Study

   c. Specimen Tree Survey

   d. Specimen Tree Concept Plan

   e. Tree Preservation and/or Replacement Plan

2. If clearing of the required tree density units is proposed, a performance bond and a development performance agreement may be required prior to issuance of permit to guarantee tree replacement will occur in future phases.

3. A permit authorizing but limited to grading (and clearing and grubbing) shall expire unless activities are commenced within 60 consecutive calendar days of issuance of the permit or if activities lapse and the project is abandoned for a period exceeding 60 consecutive calendar days. Any site for which the grading permit expires shall be stabilized within 14 days.

4. A grading permit shall be limited in its authorization to land grading activities along with associated tree protection, clearing and grubbing, and demolition activities, and may authorize the construction of storm drainage improvements and soil erosion and sedimentation measures as allowed by the permit itself. The approval of a grading permit shall not be construed as approval of or authorization to construct any other improvements, buildings, or other structures on the property.

5. If landscape improvements are required by the grading permit, then all plantings must be completed. A performance bond may be filed for incomplete work prior to the closing of such permit, if approved by the Department.

D. *Tree Thinning, Timber Harvesting, or Removal of Trees for Disease or Insect Infestation Permit:*
1. A tree thinning, timber harvesting, or removal of trees permit may be issued subject to the requirements of this UDO.

Section 310-20. Development Permits.

310-20.1 Development Permits.

A. *Development Activities Authorized*. A development permit shall be issued to authorize all activities associated with the land development process, including clearing and grubbing, grading, and the construction of such improvements as streets, surface parking areas and drives, stormwater drainage facilities, sidewalks, or other structures permanently placed on or in the property. This does not authorize construction of any buildings and other structures requiring the issuance of a building permit. Sanitary sewer and water system improvements shall be authorized by the Department of Planning and Development and require the issuance of a utility construction permit prior to commencement of installation.

B. *Development Permit Approval.* A development permit shall be issued at the developer's request following approval of a *Metropolitan River Protection Act* Certificate, if applicable, and upon approval of Development Plans , and all other documents required to be submitted by this UDO. All applications submitted for development permit approval will expire after twelve months if no permit is issued within said time period, unless otherwise authorized by the Director.

C. *Expiration of Development Permits.* A development permit shall expire by limitation and shall become null and void under any one or more of the following conditions:

1. The development activity authorized by such permit is not commenced within 12 consecutive calendar months after issuance. Work shall be considered not commenced where there are no passed inspections of the work within the stated time frame of the permit.

2. The project or development activity is abandoned for a period exceeding 60 consecutive calendar days. The project or development activity shall be deemed abandoned where there are no passed inspections of the work within the stated time frame.

The Director is authorized to grant one permit extension for a period of time not exceeding six consecutive calendar months provided such extension is requested by the permit holder in writing prior to expiration of the permit and justifiable cause is demonstrated. Development activity must commence within this six-month period, or the permit shall expire. The Director is also authorized to grant one renewal for a permit issued in accordance with this Chapter. The renewal shall be requested by the original permit holder in writing within six calendar months following expiration of the permit showing justifiable cause.

D. *Lapse in Construction Activity.* For the purposes of this UDO, a lapse in or suspension of development activity as authorized by a development permit, as a direct result of action or inaction on the part of Gwinnett County completely beyond the control of the developer, shall not be considered as a lapse in activity causing the development permit to expire. The 12 months within which development activity must begin shall exclude any such time period during which the activity is prohibited or has been caused to lapse by said County action or inaction.

Section 310-30. Issuance of Building Permits.

310-30.1 Applicable Codes. Building permits for buildings and structures are issued after meeting the applicable requirements of the fire prevention and life safety codes, the Gwinnett County Construction Code and the various health, water, sewer codes and regulations as well as the provisions of any Certificate approved under the *Metropolitan River Protection Act*, if applicable, subject to Chapter 14 of the Gwinnett County Code of Ordinances.

310-30.2 Environmental Health Section: On-Site Sewage Disposal. For any structure for which on-site sewage disposal will be provided, a permit issued by the Environmental Health Department shall be required prior to issuance of a building permit.

310-30.3 Single-Family Detached, Single-Family Attached, and Duplex Residences.

A. A building permit for a single or two-family residence may be issued after the recording of a Final Plat or after the lot upon which the building is to be located has otherwise become a buildable lot of record, except under special circumstances limited to and as specifically described in this Section, below.

1. In a single-family detached and duplex residential subdivision, building permits for no more than four model home units may be issued by the Department on the basis of an approved Development Plan and subject to all limitations or requirements as may be established by the Director. A Certificate of Occupancy shall not be issued for the completed model home until the Final Plat encompassing the model home building lots has been approved and recorded.

2. In fee-simple townhouse subdivisions, a building permit may be issued on a buildable lot of record established for each building (containing any number of townhouse dwelling units) through recording of a Final Plat following completion of all required public improvements. For condominium units, upon completion of the buildings, the Final Plat shall be rerecorded to establish individual lots for the units, based on their actual locations, prior to issuance of Certificates of Occupancy.

3. Issuance of the above building permits shall be conditioned upon the following:

   a. Fire Plan Review approval shall be required prior to issuance of any building permit.

   b. Approval of the Environmental Health Department for on-site sewage disposal or by the Department of Water Resources for a building to be served by public sewer shall be required prior to issuance of any Building Permit.

   c. Construction of the required public improvements shall proceed concurrently with construction of the buildings.

d. No Certificate of Occupancy shall be approved for any structure within a subdivision prior to recording of the Final Plat, and submittal and approval of the Certificate of Development Conformance (CDC) and related Development Performance and Maintenance Agreement and bonds, if applicable. In the case where multiple buildings are proposed and under construction, the Director, at their discretion, may approve the issuance of a Certificate of Occupancy of a building and postpone the CDC requirement to a later date. B. The approval by the Department of a House Location Plan (HLP), Residential Drainage Plan (RDP), or Residential Drainage Study (RDS), may be required prior to issuance of a building permit, as noted, and conditioned on the Final Plat or as may be required for compliance with the Georgia *Metropolitan River Protection Act*. For such lots, a Certificate of Occupancy shall not be issued until conformance to the HLP, RDP, and/or RDS has been field verified by the Department as shown on a certified foundation survey prepared by a Registered Land Surveyor. (See Chapter 330 for plan and study specifications)

310-30.4 Multi-Family and Non-residential Structures.

A. Issuance of a building permit for any multifamily or non-residential structure (and associated accessory structures) shall first require issuance of a development permit for the building site, and the building permit shall be consistent with said development permit.

B. Construction documents for buildings and structures must be reviewed and approved by the Planning and Development Department and other Departments prior to permitting for all structures for compliance with this Ordinance and all other codes, ordinances, and laws.

C. Building permits shall only be issued on buildable lots of record, as defined in this UDO.

Section 310-40. Swimming Pool Permits.

Issuance of a swimming pool permit as an accessory use to a single or two-family residence, whether to be issued at the same time as or subsequent to the permitting or construction of the residence, shall first require approval of a Swimming Pool Location Plan as described in Chapter 330. The permits shall comply with all requirements of this UDO, the Gwinnett County Swimming Pool Ordinance, and Georgia State Minimum Standards for One- and Two-Family Dwellings Code. Based on site conditions, additional plans and studies may be required prior to issuance of the permit. A Certificate of Completion shall not be issued until conformance to the Swimming Pool Location Plan (and other plans and studies, if applicable) has been field verified by the Department.

Chapter 320. Development Plan Review Procedures

Section 320-10. Pre-Application Meeting.

Whenever any site development or subdivision of a tract of land is proposed to be made, whether for residential or non-residential development, the subdivider/developer is encouraged to submit for review with the Department, preliminary documents and graphic exhibits for an early evaluation of the project's intentions and coordination with this UDO, the Unified Plan, the *Metropolitan River Protection Act*, the Gwinnett County Architectural Design Standards, the UDO Design Guidelines, and other applicable standards and regulations, at which time the Department will inform and provide the subdivider/developer with the necessary regulations in order to properly accomplish the proposed project. Requests for a Pre-Application Meeting shall be submitted as prescribed by the Director.

Section 320-20.Application and Review Process for Development Permits with Subdivision.

320-20.1 Plan Review and Approval Procedures.

A. An application for Development with Subdivision shall be submitted to the Department as prescribed by the Director. The application shall include the Preliminary Plat, Development Plans, construction drawings, and related documents as appropriate to the project. All construction drawings and other engineering data shall be prepared and sealed by an authorized registered professional currently registered in the State of Georgia, in accordance with provisions of Georgia Law.

B. Following submission to the Department of Development Plans and all drawings required for development permit review, a clearing and grubbing or grading permit, if permitted by zoning or zoning conditions, may be issued at the developer's request based on the approval of a Tree Protection Plan, Soil Erosion, Sedimentation and Pollution Control Plan, stormwater management report (hydrology study), and related construction drawings consistent with an approved Certificate issued under the *Metropolitan River Protection Act*, as applicable. The grading permit shall be limited to the area included within the Development Plans and may be further conditioned as deemed appropriate or necessary pending development permit approval.

C. The Director may indicate on a review copy of the drawings, in written memorandum, or electronically, all comments related to compliance of the Development Plans with this UDO, principles of good design, conditions of zoning approval, and the regulations of other County departments and State agencies as appropriate. The Director shall have final staff authority to determine the applicability of any and all comments under this UDO or conditions of zoning approval.

D. The Director may not approve any Development Plans whereon is shown a proposed buildable lot which would present particularly unusual difficulties for construction of a building, which would clearly require a variance or waiver to be reasonably usable, or which is otherwise "unbuildable" because of its unusability, whether due to the presence of floodplain, unusual configuration, lack of public utilities or for any other reason. A House Location Plan (HLP) may be required to be filed as a part of the Development Plans approval to substantiate the buildability of any such difficult or unusual lot.

E. The subdivider shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the noted and written comments of the Director.

F. Should an applicant disagree with the findings or final review comments of the Director or of any other County department, concluding that factual or interpretive errors have been made, the following appeal procedure shall be followed to resolve the issues.

1. Submit to the Department of Planning and Development a written statement clearly defining the nature of the disagreement, the specific reference to the Sections of the regulations at issue, and the applicant's own opinion.

2. Should the Department under appeal fail to respond within 30 working days from the date of transmittal of the appeal, the Director shall automatically forward a copy of the appeal to the Zoning Board of Appeals, or Board of Commissioners, as appropriate, for final action in their normal course of business. This requirement shall not prohibit an applicant from filing an appeal to the Zoning Board of Appeals at any time.

G. When the Director has determined that the Development Plans and related documents are in compliance with all applicable County regulations and zoning requirements, and a *Metropolitan River Protection Act* Certificate, if applicable, has been issued and approval has been received from all affected County departments, the Director or designee shall sign and date a CERTIFICATE OF DEVELOPMENT PLANS APPROVAL stamped on a reproducible copy of the plans. The approved Development Plans shall be transmitted to the applicant and retained by the Department for its records.

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

I. Following the above approval by all affected County departments, a development permit shall be issued at the developer's request to begin construction activities based on the approved development plans.

Section 320-30. Application and Review Process for Development Permits without Subdivision.

320-30.1 Plan Review and Approval Procedures.

A. An application for Development without Subdivision shall be submitted to the Department, as prescribed by the Director. The application shall include the Development Plans, construction drawings, and related documents as appropriate to the project. All construction drawings and other engineering data shall be prepared and sealed by an authorized registered professional currently registered in the State of Georgia, in accordance with the provisions of Georgia Law.

B. The Director may indicate on a review copy of the drawings, in a written memorandum, or electronically all comments related to compliance of the Development Plans with this UDO, principles of good design, conditions of zoning approval, and the regulations of other County departments and State agencies as appropriate. The Director shall have final staff authority to determine the applicability of any and all comments under this UDO or conditions of zoning approval.

C. The developer shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the noted and written comments of the Director.

D. Deeds to lands dedicated to Gwinnett County in fee simple, shall be recorded. Copies of recorded deeds shall be submitted to the Department.

E. Should an applicant disagree with the findings or final review comments of the Director or of any other County department, concluding that factual or interpretive errors have been made, the following appeal procedure shall be followed to resolve the issues:

1. Submit to the Department of Planning and Development a written statement clearly defining the nature of the disagreement, the specific reference to the Sections of the regulations at issue, and the applicant's own opinion.

2. Should the Department under appeal fail to respond within 30 working days from the date of transmittal of the appeal, the Director shall automatically forward a copy of the appeal to the Zoning Board of Appeals, or Board of Commissioners, as appropriate, for final action in their normal course of business. This requirement shall not prohibit an applicant from filing an appeal to the Zoning Board of Appeals at any time.

F. When the Director has determined that the Development Plans and related documents are in compliance with all applicable County regulations and zoning requirements, and a *Metropolitan River Protection Act* Certificate, if applicable, has been issued and approval has been received from all affected County departments, the Director or designee shall sign and date a CERTIFICATE OF DEVELOPMENT PLANS APPROVAL stamped on a reproducible copy of the plan. The approved Development Plans shall be transmitted to the applicant and retained by the Department for its records.

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

H. Following the above approval by all affected County departments, a development permit shall be issued at the developer's request to begin construction activities based on the approved development plans.

Chapter 330. Development Plan Guidelines

Section 330-10. Development Plans without Subdivision.

330-10.1 Conformance with Zoning Resolution. Development Plans shall conform to all conditions of zoning as indicated on any applicable zoning resolutions pertaining to the property.

330-10.2 Scale. Development Plans and other applicable plans shall be clearly and legibly drawn at an engineering scale convenient to illustrate the details of the project. Sheet size shall not exceed 42 inches by 36 inches. Plan and Profile sheets, if any, shall have a horizontal scale of no less than 100 feet to 1 inch and a vertical scale of no less than 10 feet to 1 inch.

330-10.3 Project Boundary Data.

A. Development Plans shall be based on the boundaries of a lot as recorded on a Final Subdivision Plat or on a certified boundary survey delineating the entirety of the property contained within the project and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than 1 in to 10,000 feet and shall meet all requirements of Georgia Law regarding the recording of maps and plats.

B. Each Development Plan shall be drawn on, accompanied by, or referenced to a boundary survey which shall at least meet the requirements of Subsection 320-10.3A, above.

330-10.4 List of what is required to be shown. Development Plans shall contain the following (on one or more sheets):

A. Proposed name of development. If the project is located within a subdivision, the name of the subdivision, lot, and block number must also be shown.

B. Name, address, email address, and telephone number of the owner of record, and of the developer (if not the owner).

C. Name, address, email address, and telephone number of each professional firm associated with the Development Plans (engineer, landscape architect, etc.).

D. Date of survey, north point, and graphic scale, source of datum, date of plan drawing, and space for revision dates.

E. Proposed use of the site, including gross square footage for each different use type or building.

F. Location, District, Land Lot(s) and Parcel(s) acreage or area in square feet, and density (if applicable).

G. Location sketch locating the development in relation to the surrounding area with regard to well-known landmarks such as major thoroughfares or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.

H. Size and location of all buildings, building setback lines, minimum yard lines, and distances between buildings and from buildings to property lines; location of outdoor storage areas; parking and loading areas, driveways, curb cuts and designated fire lanes. Each building shall be identified with a number or letter.

I. Boundary lines of the perimeter of the tract indicated by a heavy line giving lengths to the nearest one-hundredth of a foot and bearings to the nearest second. Bearing and distance to designated tie point.

J. Directional flow arrows for street and lot drainage and minimum floor elevations for all structures.

K. Contour lines based on sea level datum. These shall be drawn at intervals of not more than two feet and shall include the entire site and all abutting public streets. Contour lines shall be based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic contour shown shall be specified and dated.

L. Natural features within the proposed development, including drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses the direction of flow shall be indicated. The 100-year floodplain shall be outlined, and the source of the depicted floodplain information shall be indicated. The acreage or area in square feet within the floodplain shall be indicated.

M. Man-made and cultural features existing within and adjacent to the proposed development including existing right-of-way measured from centerline, pavement widths, and names of jurisdiction lines; existing structures on the site and their disposition, Chattahoochee River Corridor information and Chattahoochee River Tributary Protection Areas (if applicable), and other significant information. Location and dimensions of existing bridges; water, sewer, and other existing utility lines and structures; culverts and other existing features shall be indicated.

N. Street names, roadway and right-of-way lines and widths and sites reserved through covenants, easement, dedication or otherwise for public uses.

O. Identify unit number, division, or stage of development, if any, as proposed by the developer.

P. Show all adjoining property owners, subdivision names, lot numbers, lot lines and block letters, and zoning.

Q. Show the location and number of parking spaces according to the size of the building on the plans. Show factors used in determining number of spaces as required in this UDO. Parking spaces for persons with disabilities shall be shown as required by the Official Code of Georgia and any other applicable state laws.

R. Show the zoning district, rezoning and special use permit case number(s), date of approval, and conditions. Show Modification, Waiver, or Variance case number(s), date of approval, and conditions.

S. If buffers, other landscaping or screening treatments, or vegetation and landscaping stormwater BMP's are required, show the location, size, and type (natural or planted) on the plans conforming to the Tree Preservation/Replacement Plan or Buffer and Landscape Plan, as applicable.

T. Location, height, and size of all freestanding signs to be erected on the site, and indication whether lighted or unlighted.

U. Location of all known existing landfills and proposed on-site bury pits (State EPD Permit, and Gwinnett County Special Use Permit or other approval may be required).

V. Such additional information as may be reasonably required to permit an adequate evaluation of the project.

W. Certificate of Development Plans Approval.

Each Site Plan shall carry the following certificate printed or stamped thereon:

All requirements of the Gwinnett County Unified Development Ordinance (UDO) relative to the preparation and submission of a development plans having been fulfilled, and said application and all supporting plans and data having been reviewed for code compliance by all affected County Departments as required under their respective and applicable regulations, approval of this development plan is hereby granted and all other development plans associated with this project shall be subject to all further provisions of said UDO.

_____ _____

Director Date

Department of Planning and Development

THIS CERTIFICATE EXPIRES TWELVE MONTHS FROM THE DATE OF APPROVAL UNLESS A DEVELOPMENT PERMIT IS ISSUED

Section 330-15. Development Plans with Small Subdivision.

330-15.1 Conformance with Zoning Resolution Development Plans shall conform to all conditions of zoning as required by any applicable zoning resolutions pertaining to the property.

330-15.2 Scale. Development Plans shall be clearly and legibly drawn at a scale of not less than 100 feet to 1 inch. Sheet size shall not exceed 48 inches by 36 inches. Plan and Profile sheets shall have a horizontal scale of no less than 100 feet to 1 inch and a vertical scale of no less than 10 feet to 1 inch.

330-15.3 Certified Boundary Survey.

A. Development Plans shall be based on a Certified Boundary Survey delineating the entirety of the property contained within the Mini-Subdivision and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than 1 in 10,000 feet and shall meet all requirements of Georgia Law regarding the recording of maps and plats.
B. Development Plans shall be drawn on, accompanied by, or referenced to a Certified Boundary Survey which shall at least meet the requirements as described above.

330-15.4 List of what is required to be shown. Development Plans shall contain the following:

A. Name, address, and telephone number of the owner of record, and of the subdivider (if not the owner).
B. Name, address, email address and telephone number of each professional firm associated with the Development Plans (engineer, surveyor, landscape architect, etc.).
C. Date of survey, north point, and graphic scale, source of vertical datum, date of plat drawing, and space for revision dates.
~~D. Proposed use of the site and total number of dwelling units within plat (minimum of four lots and a maximum of ten lots).~~
~~E.~~D. ~~Location,~~ District, Land Lot(s) and Parcel(s)~~,~~and acreage, ~~and density (if applicable)~~.
~~F.~~E. Location sketch locating the mini subdivision in relation to the surrounding area with regard to well-known landmarks such as major thoroughfares or railroads. ~~Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.~~
~~G.~~F. Boundary lines of the perimeter of the tract indicated by a heavy line giving lengths in feet and hundredths of a foot, and bearings in degrees, minutes, and seconds. Bearing and distance to designated tie point.
~~H.~~G. Directional flow arrows for individual lot drainage as well as minimum floor elevations for each lot.
~~I.~~H. A notation that a Residential Drainage Plan (RDP) is required to be approved prior to issuance of a Building Permit.
~~J.~~I. Contour lines based on sea level datum. These shall be drawn at intervals of not more than 2 feet. Contour lines shall be based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic contour shown shall be specified and dated.
~~K.~~J. Natural features within the proposed subdivision, including drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses the direction of flow shall be indicated. The 100-year floodplain shall be outlined, and the source of the depicted floodplain information shall be indicated. For those lots containing floodplain, a Floodplain Lot Chart shall be provided showing the area (in square feet) of each lot lying inside and outside of the floodplain as though the land-disturbing activity were completed.
~~L.~~K. Man-made and cultural features existing within and adjacent to the proposed subdivision including existing right-of-way measured from centerline, pavements widths, and names of existing and platted

streets; all easements, city, and County jurisdiction lines; existing structures on the site and their disposition, Chattahoochee River Corridor information and limits of Chattahoochee River Tributary protection Area (if applicable), and other significant information. Location and dimensions of existing bridges; water, sewer, and other existing utility lines and structures; culverts and other existing features shall be indicated.

~~M.~~L. Proposed layout including lot lines, lot numbers, required easements, and minimum building setback line.

~~N.~~M. Existing zoning of the property. Rezoning, modification, waiver and variance case numbers, dates of approval and conditions (as applicable). Note minimum lot size and minimum building setback requirements, and other applicable zoning requirements. Show and dimension any required buffers, landscape strips, no-access easements, etc.

~~O.~~N. All adjoining property owners, subdivision names, lot numbers and lot lines, block letters, and zoning.

~~P.~~O. Location of all known existing or previously existing landfills.

~~Q.~~P. Such additional information as may be reasonably required to permit an adequate evaluation of the subdivision.

~~R.~~Q. Certificate of Development Plans approval.

Development Plans shall carry the following certificate printed or stamped thereon:

All requirements of the Gwinnett County Unified Development Ordinance (UDO) relative to the preparation and submission of development plans having been fulfilled, and said application and all supporting plans and data having been reviewed for code compliance by all affected County Departments as required under their respective and applicable regulations, approval of these development plans is hereby granted, on this development plan and all other development plans associated with this subdivision, shall be subject to all further provisions of said UDO.

_____

Director Date

Department of Planning and Development

THIS CERTIFICATE EXPIRES TWELVE MONTHS FROM THE DATE OF APPROVAL UNLESS A DEVELOPMENT PERMIT IS ISSUED.

NOTE: The boundaries of proposed lots shown on these plans have not been surveyed. These plans are not for recording.

330-15.5 Other plans to accompany development plans with Small Subdivision. Development Plans shall be accompanied by other plans showing the following information when the same is not shown on, or evident from the Development Plans. The various plans may be combined where appropriate, and clarity can be maintained.

A. Erosion, Sedimentation and Pollution Control Plan prepared in accordance with the requirements of this UDO.

B. Grading Plan prepared in accordance with the requirements of this UDO if grading is proposed beyond the street right-of-way and over 1-acre of disturbance is proposed.

C. Utility Plans:

1. Sewage disposal plans prepared in accordance with the requirements of the current Water Main and Sanitary Sewer Design and Construction Standards and Specifications, including but not limited to:

i. Sanitary Sewer Plans, including the profiles and other information as may be required by the Department of Water Resources.

ii. For projects proposed to be served by on-site sewage disposal systems, location, and extent of septic tank, drain field and attendant structures, and other information required by the Environmental Health Section.

2. Water System Plans prepared in accordance with the requirements of the current Water Main and Sanitary Sewer Design and Construction Standards and Specifications, including but not limited to:

i. Water Main Extension plans, if any, are to be designed in accordance with current Water Main Specifications.

ii. Private Water Systems Plans, if any, indicating, proposed devices, water main size and location, with fire hydrants, on the site. The distance and direction to all other fire hydrants within 300 feet of the site or buildings along existing streets or other access drives shall also be indicated.

330-15.6 Design Standards.

A. A fire hydrant must be installed at the right-of-way if an existing hydrant is not located within 200-ft of the property line.

B. Each lot shall have a sodded front yard and a minimum of four (4) trees on the property with two trees located in the front yard and two trees located in the rear yard. If a minimum of four trees are preserved on-site, then additional trees will not be required.

C. Water Quality must be provided on each lot as outlined in Section 800-30 of this UDO.

D. Vehicular access easements may be provided from a public street indirectly via easement subject to the following:

1. The minimum width of the access easement is 25-ft in width.

2. The access easement serves no more than 10 single-family residences.

3. The access easement was lawfully established as such under the code, ordinances, or regulations of Gwinnett County prior to the adoption of this UDO.

4. The shared driveway shall be paved and a minimum of 20-ft in width. All driveways shall be constructed to the following standards:

i. 6-inch Aggregate base

ii. 6-inch 3,000 psi concrete

Section 330-20. Development Plans with Subdivision.

330-20.1 Conformance with Zoning Resolution Development Plans shall conform to all conditions of zoning as required by any applicable zoning resolutions pertaining to the property.

330-20.2 Scale. Development Plans shall be clearly and legibly drawn at a scale of not less than 100 feet to 1 inch. Sheet size shall not exceed 48 inches by 36 inches. Plan and Profile sheets shall have a horizontal scale of no less than 100 feet to 1 inch and a vertical scale of no less than 10 feet to 1 inch.

330-20.3 Certified Boundary Survey.

A. Development Plans shall be based on a Certified Boundary Survey delineating the entirety of the property contained within the Subdivision and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than 1 in 10,000 feet and shall meet all requirements of Georgia Law regarding the recording of maps and plats.

B. Development Plans shall be drawn on, accompanied by, or referenced to a Certified Boundary Survey which shall at least meet the requirements as described above.

330-20.4 List of what is required to be shown. Development Plans shall contain the following:

A. Proposed name of subdivision.

B. Name, address, email address, and telephone number of the owner of record, and of the subdivider (if not the owner).

C. Name, address, email address and telephone number of each professional firm associated with the Development Plans (engineer, surveyor, landscape architect, etc.).

D. Date of survey, north point, and graphic scale, source of vertical datum, date of plat drawing, and space for revision dates.

E. Proposed use of the site, such as single-family detached residences, duplexes, townhouses, office park, industrial subdivision, etc. For residential, indicate total number of dwelling units within plat.

F. Location, District, Land Lot(s) and Parcel(s), acreage, and density (if applicable).

G. Location sketch locating the subdivision in relation to the surrounding area with regard to well-known landmarks such as major thoroughfares or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.

H. Name of former subdivision, if any or all of the land in the Development Plans has been previously subdivided, showing boundaries of same.

I. Boundary lines of the perimeter of the tract indicated by a heavy line giving lengths in feet and hundredths of a foot, and bearings in degrees, minutes, and seconds. Bearing and distance to designated tie point.

J. Directional flow arrows for street drainage and individual lot drainage as well as minimum floor elevations for each lot. Each lot to be labeled as slab, basement, or slab/basement.

K. Contour lines based on sea level datum. These shall be drawn at intervals of not more than 2 feet. Contour lines shall be based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic contour shown shall be specified and dated.

L. Natural features within the proposed subdivision, including drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses the direction of flow shall be indicated. The 100-year floodplain shall be outlined, and the source of the depicted floodplain information shall be indicated. For those lots containing floodplain, a Floodplain Lot Chart shall be provided showing the area (in square feet) of each lot lying inside and outside of the floodplain as though the land-disturbing activity were completed.

M. Man-made and cultural features existing within and adjacent to the proposed subdivision including existing right-of-way measured from centerline, pavements widths, and names of existing and platted streets; all easements, city, and County jurisdiction lines; existing structures on the site and their disposition, Chattahoochee River Corridor information and limits of Chattahoochee River Tributary protection Area (if applicable), and other significant information. Location and dimensions of existing bridges; water, sewer, and other existing utility lines and structures; culverts and other existing features shall be indicated.

N. Proposed layout including lot lines, lot numbers, and block letters; proposed street names, roadway, and right-of-way lines; and, sites reserved through covenants, easement, dedication, or otherwise for public uses. Lots shall be numbered in numerical order and blocks lettered alphabetically.

O. The minimum building setback line from all streets. Streets shall be dimensioned to show right-of-way and roadway widths, central angles, intersection radii, and cul-de-sac roadway and right-of-way radii. Centerline curve data shall be provided for all roadway curves [radius, length, amount of super elevation (if any), point of curvature (P.C.), point of tangency (P.T.), etc.] if not shown separately on construction drawings.

P. Identify unit number, division, or stage of development, if any, as proposed by the subdivider.

Q. Existing zoning of the property. Rezoning, modification, waiver and variance case numbers, dates of approval and conditions (as applicable). Note minimum lot size and minimum building setback requirements, and other applicable zoning requirements. Show and dimension any required buffers, landscape strips, no-access easements, etc.

R. All adjoining property owners, subdivision names, lot numbers and lot lines, block letters, and zoning.

S. Location of all known existing or previously existing landfills.

T. Proposed recreation area, common area, conservation space, if any, the area of each site and percent of site within the 100-year floodplain, proposed disposition of the site (public ownership, homeowners association, etc.). If these areas are required, provide calculation of the required and provided areas.

U. Such additional information as may be reasonably required to permit an adequate evaluation of the subdivision.

V. Certificate of Development Plans approval.

Development Plans shall carry the following certificate printed or stamped thereon:

All requirements of the Gwinnett County Unified Development Ordinance (UDO) relative to the preparation and submission of development plans having been fulfilled, and said application and all supporting plans and data having been reviewed for code compliance by all affected County Departments as required under their respective and applicable regulations, approval of these development plans is hereby granted, on this development plan and all other development plans associated with this subdivision, shall be subject to all further provisions of said UDO.

_____ _____

Director Date

Department of Planning and Development

THIS CERTIFICATE EXPIRES TWELVE MONTHS FROM THE DATE OF APPROVAL UNLESS A DEVELOPMENT PERMIT IS ISSUED.

NOTE: The boundaries of proposed lots shown on these plans have not been surveyed. These plans are not for recording.

Section 330-30. Other Plans to Accompany Development Plans without Subdivision .

330-30.1 Development Plans shall be accompanied by other plans showing the following information when same is not shown on, or evident from the Development Plans. The various plans may be combined where appropriate, and clarity can be maintained.

A. Erosion, Sedimentation and Pollution Control Plan prepared in accordance with the requirements of this UDO. Erosion control measures may be shown on the Grading Plan, if allowed by the Department.

B. Grading plan, prepared in accordance with the requirements of this UDO.

C. Stormwater drainage construction data prepared in accordance with the requirements of this UDO and the Gwinnett County Storm Sewer Pipe Standards, including but not limited to:

1. Location and size of all proposed drainage improvements, and all proposed drainage easements to be located outside street right-of-way lines.

2. Profiles of all storm drainage pipes and slope of receiving channels. Hydraulic grade line is to be shown on all pipes (except roof drains) for the required design flow. On storm drainage profiles a pipe chart will be shown which will include: pipe numbers, pipe size, pipe material, pipe slope, pipe length, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity. On all pipes, the hydraulic grade line shall be shown.

3. Profiles of all open channels and ditches including the design flow, normal depth, and velocity. On storm drainage profiles an open channel chart will be shown which will include: open channel numbers, conveyance size, lining material, length, channel slope, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity for the required design flow.

4. Acreage of drainage areas and Hydrological study used in determining size of structures, including map of all contributing drainage basins and acreages.

D. Sewage disposal plans prepared in accordance with the requirements of the current Water Main and Sanitary Sewer Design and Construction Standards and Specifications, including but not limited to:

1. Sanitary Sewer Plans, including the profiles and other information as may be required by the Department of Planning and Development.

2. For projects proposed to be served by on-site sewage disposal systems, location, and extent of septic tank, drain field and attendant structures, and other information required by the Environmental Health Section.

E. Street widening and construction data prepared in accordance with the requirements of this UDO, including but not limited to:

1. Centerline profiles and typical roadway sections of all proposed streets, as well as plans and profiles for all proposed major thoroughfares. Profiles (and plans, where required) shall be drawn on standard plan and profile sheet with plan section showing street layout, pavement and right-

of-way width, curvature, and required drainage facilities. Typical roadway sections shall be provided for street widenings.

2. Profiles covering roadways that are extensions of existing roadways shall include elevations at 50-foot intervals for such distance as may be adequate to provide continuity consistent with the standards required by this UDO for street improvements, but no less than 200 feet.

3. All elevations shall be coordinated and sited into U.S. Coast and Geodetic Survey or Department of Transportation benchmarks where feasible or into reference monuments established by the Federal Emergency Management Agency.

F. Utility Plans.

G. Specimen Tree Survey.

H. Specimen Tree Concept Plan, if applicable.

I. Tree Preservation and/or Replacement Plan prepared in accordance with this UDO.

J. Buffer and Landscape Plan. If any such areas exist within the site, the plan shall be prepared in accordance with the specifications and requirements contained within this UDO.

K. Floodplain Management Plans if any floodplain areas are located on the property. Such data as is required by this UDO shall be submitted.

L. Water System Plans prepared in accordance with the requirements of the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, including but not limited to:

1. Water Main Extension plans, if any, are to be designed in accordance with the current Water Main Specifications.

2. Private Water System Plans, if any, indicating proposed devices, water main size and location, with fire hydrants, on the site. The distance and direction to all other fire hydrants within 500 feet of the site or buildings along existing streets or other access drives shall also be indicated.

M. Street striping plan, showing striping in accordance with the Manual on Uniform Traffic Control Devices, for any street newly constructed to four or more lanes, and all newly constructed or widened major thoroughfares.

Section 330-40. Other Plans to Accompany Development Plans with Subdivision

330-40.1 Development Plans shall be accompanied by other plans showing the following information when same is not shown on, or evident from the Development Plans. The various plans may be combined where appropriate, and clarity can be maintained.

A. Preliminary Plat prepared in accordance with this UDO.

B. Erosion, Sedimentation and Pollution Control Plan prepared in accordance with the requirements of this UDO.

C. Grading Plan prepared in accordance with the requirements of this UDO if grading is proposed beyond the street right-of-way.

D. Stormwater drainage construction data prepared in accordance with the requirements of this UDO and the Gwinnett County Stormwater Management Manual, including but not limited to:

1. Location and size of all proposed drainage structures, including stormwater management facilities, catch basins, grates, headwalls, pipes, and any extensions thereof, energy dissipators, improved channels, and all proposed drainage easements to be located outside street right-of-way lines.

2. Profiles of all storm drainage pipes and slope of receiving channels. Hydraulic grade line is to be shown on all pipes (except roof drains) for the required design flow. On storm drainage profiles a pipe chart will be shown which will include pipe numbers, pipe size, pipe material, pipe slope, pipe length, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity. On all pipes, the hydraulic grade line shall be shown.

3. Profiles of all open channels and ditches including the design flow, normal depth, and velocity. On storm drainage profiles an open channel chart will be shown which will include: open channel numbers, conveyance size, lining material, length, channel slope, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity for the required design flow.

4. Hydrological study used in determining size of structures, including map of all contributing drainage basins and acreage.

E. Sewage disposal plans prepared in accordance with the requirements of the current Water Main and Sanitary Sewer Design and Construction Standards and Specifications, including but not limited to:

1. Sanitary Sewer Plans, including the profiles and other information as may be required by the Department of Water Resources.

2. For projects proposed to be served by on-site sewage disposal systems, location, and extent of septic tank, drain field and attendant structures, and other information required by the Environmental Health Section.

F. Construction data for new streets and street widenings, including:

1. Centerline profiles and typical roadway sections of all proposed streets, as well as plans and profiles for all proposed major thoroughfares. Typical roadway sections shall be provided for street widenings.

2. Profiles covering roadways that are extensions of existing roadways shall include elevations at 50-foot intervals for such distance as may be adequate to provide continuity consistent with the standards required by Chapter 900 for street improvements, but no less than 200 feet.

3. All elevations shall be coordinated and tied into U.S. Coast and Geodetic Survey or Department of Transportation benchmarks where feasible, or into reference monuments established by the Federal Emergency Management Agency.

4. Stub streets shall be profiled at least 200 feet onto adjoining property (no tree cutting).

G. Utility Plans

H. Specimen Tree Survey.

I. Specimen Tree Concept Plan, if applicable.

J. Tree Preservation and/or Replacement Plan prepared in accordance with this UDO.

K. Buffer and Landscape Plan. If any such areas exist within the subdivision, the plan shall be prepared in accordance with the specifications under this Chapter, and the requirements.

L. Floodplain Management Plans. If any floodplain areas are located on the property, such data as is required by this UDO shall be submitted.

M. Water System Plans prepared in accordance with the requirements of the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, including but not limited to:

1. Water Main Extension plans, if any, are to be designed in accordance with the current Water Main Specifications.

2. Private Water System Plans, if any, indicating proposed devices, water main size and location, with fire hydrants, on the site. The distance and direction to all other fire hydrants within 500 feet of the site or buildings along existing streets or other access drives shall also be indicated.

N. Street striping plan, showing striping in accordance with the Manual on Uniform Traffic Control Devices, for any street newly constructed to four or more lanes, and all newly constructed or widened major thoroughfares.

Section 330-50. Preliminary Plat.

330-50.1

A. *Plat Specifications Size.* The Preliminary Plat for a subdivision development shall be clearly and legibly drawn at a scale of not less than 100 feet to 1 inch. Sheet size shall not exceed 48 inches by 36 inches, provided, however, a scale of 200 feet to 1 inch may be used to avoid sheets in excess of 48 inches by 36 inches. The Director may approve other scales and sheet sizes as deemed appropriate. B. *List of what is required to be shown*. The Preliminary Plat shall contain the following:

1. Total acreage.

2. Proposed total number of lots and minimum lot size.

3. Size and location of adjoining existing streets or access drives and proposed rights-of-way, roadways, access drives, and adjoining sidewalks.

4. Topography with contour intervals no greater than 10 feet.

5. Proposed method of sewage disposal (expressed as a note).

6. Boundary lines of the overall property showing bearings and distances along all lines and the bearings and distance to an existing street intersection or other recognized permanent landmark. The source of said boundary information shall be indicated.

7. All contiguous property under the ownership or control of the developer, except those lands of a dissimilar zoning category specifically approved to be excluded by the Department. Areas not planned at the time of the submittal shall be shown as "Future Development".

8. Authorization statement on the Preliminary Plat to read as follows:

   I hereby submit this Preliminary Plat as authorized agent/owner of all property shown thereon and certify that all contiguous property under my ownership or control is included within the boundaries of this Preliminary Plat, as required by the Unified Development Ordinance.

   _____ _____

   Signature of Authorized Agent/Owner Date

9. Location sketch (vicinity map).

10. Location and size (in acres) of lakes, ponds, wetlands and floodplains and the source of the information.

11. Required recreation areas and other public areas to be dedicated to the public or held in common ownership by a homeowner association or other similar entity.

12. Existing zoning of the property and adjoining properties.

13. Land lot and district.

14. Subdivider's name, local and permanent (if different) address, email address, and phone number.

15. Name, address, email address, and phone number of company or person who prepared plan.

16. Boundaries of the Chattahoochee River Corridor and Chattahoochee River Tributary Protection Areas, if applicable to the property.

17. General development data, such as minimum lot size, floor area, and all relevant conditions of zoning.

18. Location of public utilities.

Section 330-60. Erosion, Sedimentation and Pollution Control Plan

330-60.1 Plan Requirements

A. *Plans shall meet minimum requirements.* Plans shall be prepared to meet the minimum requirements as contained in Section 400-30.2 and Section 400-30.3 of this UDO or through the use of more stringent, alternative design criteria which conform to sound conservation and engineering practices. In addition, plans shall also comply with the data requirements of Chapter 320 of this UDO. Conformance with the minimum requirements may be attained through the use of design criteria in the current issue of the "Manual for Erosion and Sediment Control in Georgia", published by the Georgia Soil and Water Conservation Commission as a guide; or through the use of alternate design criteria which conform to sound conservation and engineering practices. The "Manual for Erosion and Sediment Control in Georgia" is hereby incorporated by reference into this UDO. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and stormwater management facilities, local ordinances or regulations and state laws.

B. *Data required for plan.* Data shall include all information required from the appropriate Erosion, Sedimentation, and Pollution Control Plan review checklist established by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted. The following data shall be required to be provided on all plans:

1. Narrative or notes required by this Chapter shall be located on the plan in general notes or in erosion and sediment control notes.

2. Description of existing land use at the project site and description of the proposed project.

3. Name, address, email address, and phone number of the property owner.

4. Name and phone number of the 24-hour local contact person who is responsible for erosion and sedimentation controls.

5. Size of the project, or the phase under construction, in acres.

6. Activity schedule, including initial installation and final removal of all best management practices, shall indicate the anticipated start and completion dates for the project.

7. The following statement in bold letters shall be printed on the plan: "The Installation of Erosion and Sedimentation Control Measures And Practices Shall Occur Prior To Or Concurrent With Land-Disturbing Activities ONLY AFTER THE REQUIRED PRE-CONSTRUCTION SITE MEETING WITH DEVELOPMENT INSPECTORS."

8. Stormwater and sedimentation management systems, storage capacity, hydrologic study, and calculations, including off-site drainage areas. Vegetative plan for all temporary and permanent

vegetative practices, including species, planting dates, and seeding, fertilizer, lime, and mulching rates. The vegetation plan shall show options for year-round seeding.

9. Detail drawings for all structural practices. Specifications shall follow the guidelines set forth in the Manual for Erosion and Sediment Control in Georgia.

10. Maintenance statement shall be printed on the plan as follows: *"Erosion and sedimentation control measures shall be maintained at all times. If full implementation of the approved plan does not provide for effective erosion and sediment control, additional erosion and sediment control measures shall be implemented to control or treat the sediment source."*

C. *Additional plan preparation and data requirements.* Maps, drawings, and supportive computations shall bear the signature and seal of the certified design professional. Persons involved in land development design, review, permitting, construction, monitoring, or inspections or any land-disturbing activity shall meet the education and training certification requirements, dependent on his or her level of involvement with the process, as developed by the Georgia Soil and Water Conservation Commission and in consultation with the Environmental Protection Division (EPD) of the Department of Natural Resources and the stakeholder advisory board created pursuant to O.C.G.A. § 12-7-20. The certified plans shall contain the following:

1. Graphic scale and north point or arrow indicating magnetic north.

2. Vicinity map indicating the location of the project and existing streets.

3. Boundary line survey information.

4. Delineation of disturbed areas within the project boundary.

5. Existing and planned contours, with contour lines drawn with an interval in accordance with the following table:

Map Scale	Ground Slope	Contour Level
One (1) inch = 100 feet; or larger scale	Flat: 0 — 2%	0.5 or 1
	Rolling: 2 — 8%	1 or 2
	Steep: 8% +	2, 5 or 10

6. Adjacent areas and features such as streams, lakes, residential areas, etc., which might be affected shall be indicated on the plan.

7. Proposed structures or additions to existing structures and paved areas.

8. Delineate the 25-foot horizontal buffer adjacent to state waters and the specified width of buffers in areas required by the *Metropolitan River Protection Act*.

9. Delineate the specified horizontal buffer along designated trout streams, where applicable.

10. Location of the erosion and sedimentation control measures and practices, using the uniform coding symbols from the "Manual for Erosion and Sediment Control in Georgia," Chapter 6.

D. Property owner responsibility for maintenance. Maintenance of all soil erosion and sedimentation control measures and practices, whether temporary or permanent, shall be at all times the responsibility of the property owner. Section 330-70. Grading Plan.

Section 330-70. Grading Plan

330-70.1 Compliance with contour line and grade required. Grading shall be done in accordance with the contour lines and grades shown on the approved Grading Plan.

330-70.2 Contour interval of 2 feet required. Grading plans shall show existing and proposed contour lines at an interval of no more than 2 feet. Grading plans shall outline the areas that are required to remain undisturbed (i.e., Tree Protection Areas, buffer, etc.) and shall indicate protective fencing or staking to be placed surrounding such areas.

330-70.3 *Consistent with Metropolitan River Protection Act.* If the property is within the jurisdiction of the *Metropolitan River Protection Act*, the grading shall be consistent with the Chattahoochee River Corridor Certificate approved for the project.

330-70.4 Embankment layering shall be consistent with the Gwinnett Stormwater Management Manual.

330-70.5 Maximum Slopes.

A. The maximum slopes for cut or fill shall be ~~2:1~~ 3:1 (~~two~~ three feet of horizontal run for each foot of rise or fall) with a 5-foot wide bench every 10 feet of rise, except for the following:

   1) for earthen dam embankments

   2) for rock cuts

   3) where certified by a professional engineer

   4) as discussed below.

B. Earthen embankments shall be 3:1 maximum unless a modification application is approved. The intent of the earthen dam embankment slope regulation is to provide for public safety, soil stability, and dam maintenance considerations. The depth of cut referred to herein shall be the maximum cut or fill that shall be allowed to occur in any one section of cut or fill. The slope of cut or fill shall be uniform throughout for each section of cut or fill unless benching is approved by the County.

C. Maximum slopes shall otherwise be consistent with the Gwinnett County Stormwater Management Manual.

330-70.6 Special conditions for soil with low shearing resistance and cohesion shall be required as specified in the Gwinnett County Stormwater Management Manual.

330-70.7 Grading plan for building pad locations for residential subdivisions.

A. A grading plan showing building pad locations shall be submitted for residential subdivisions zoned for a lot size of less than 12,000 square feet or a density of 4 units per acre or more unless a modification application is approved.

B. Lot must be graded to ensure adequate lot-to-lot drainage. Granting a modification will not nullify the intent of this UDO when the layout has a minimum lot area of 14,520 square feet and a minimum lot width of 90 feet. The grading plan may be used as a construction document prior to approval of the Final Plat or as a guidance document for individual lot grading after approval of the Final Plat.

C. The grading plan must include the minimum floor elevations, drainage flow arrows and a designation of slab, basement, or slab/basement for each lot.

330-70.8 Grading for roads and improved ditches shall be shown.

Section 330-80. Utility Plan.

All utility construction plans within County right-of-way shall be reviewed and approved by the Department before construction begins. Street cuts shall not be allowed unless deemed absolutely necessary due to the presence of rock, the need to tap into an existing line beneath the road surface, or other circumstances which makes boring impossible or infeasible.

Section 330-90. Specimen Tree Survey and Specimen Tree Concept Plan.

330-90.1 Specimen Tree Survey. The specimen tree survey shall be to scale and prepared, certified, or sealed by a certified arborist, registered forester, or authorized registered professional.

A. The Specimen Tree Survey P shall be prepared on a closed boundary survey of the property and at minimum the following items shall be shown:

1. Parcel identification number(s).
2. Project name.
3. Property owner's name and contact information.
4. Developer's name, company name, address, phone, and email address.
5. Designer's name, company name, address, phone, and email address.
6. Specimen trees located and labeled with tree identification number, diameter, genus and/or common name.
7. Specimen tree stands located and labeled with their tree identification number, diameter, genus and/or common name.
8. Existing structures and their location.
9. Abandoned and existing wells and their location.
10. Any notes required by this UDO.

B. In chart format, provide specimen tree identification number, genus or common name, size (dbh); and condition description. as listed in Section 630-70.3.A.2).

330-90.2 Specimen Tree Concept Plan. If specimen trees are identified, a Specimen Tree Concept Plan shall be prepared by a qualified professional and submitted with development plans.

A. The Specimen Tree Concept Plan shall be prepared on a closed boundary survey of the property. In addition to items listed in Section 330-20.1., the following shall be shown:

1. Dripline or critical root zone of each specimen tree (whichever is greater) and tree save areas.
2. Building footprint.
3. Driveways.
4. Parking Lot(s).
5. Utility lines and easements (both existing and proposed).
6. Limits of disturbance.
7. Proposed stormwater management areas.
8. Existing and proposed topography.

B. Provide the percentage of disturbance for each specimen tree when critical root zone is partially disturbed.

C. In chart format, provide information that states if a tree is to be removed or preserved/protected; state the tree density unit credit for each specimen tree; and provide a column for assigned recompense in the event the tree is removed or the critical root zone disturbance is greater than 30 percent.

D. Trails and Greenways. In the case of trails and greenways that are not located on public access easements or public or private utility easements show the proposed trail or greenway, show the trail or greenway limits of clearing and a 25-foot corridor on either side of the trail or greenway limits of clearing with any specimen tree identified within that trail or greenway corridor.

E. For Limited Land Disturbance Permits, a tree survey is required for the area within the land disturbance and 50 feet beyond the limits of the disturbance line.

Section 330-100. Limited Land Disturbance Plan for Tree Removal.

330-100.1 List of plan requirements for Limited Land Disturbance:

A. Tree Thinning, Timber Harvesting, or Removal of Trees for Disease or Insect Infestation shall meet plan requirements as described in this UDO and shall contain the following information:

1. Owners name, address, email address, and telephone number;
2. Consultant's name, address, email address and telephone number;
3. Contractor's name, address, email address, and telephone number;
4. Twenty-Four (24) Hour Emergency Contact;
5. Location/ Vicinity Map;
6. District, Land Lot(s), Parcel number(s);
7. Scale;
8. North Arrow;
9. Closed property boundary showing bearings and distances of all property lines;
10. Zoning;
11. Zoning case numbers, approval date, and all conditions;
12. Zoning of adjacent parcels;
13. Total acreage of property;
14. Total acreage of disturbed area;
15. Tree protection areas;
16. Tree protection fence;
17. Silt fence;
18. Street Name(s);
19. Location of:
    a. Streams;
    b. Stream Buffers (State Waters)(Gwinnett County);
    c. Impervious Surface Setback;
    d. Topography;
    e. 100-year floodplain;
    f. Wetlands.

20. Limits of land disturbance, and;

21. Approximate locations of:

    a. Logging decks;

    b. Haul roads;

    c. Stream crossings;

    d. Historical features such as cemeteries.

Section 330-110. Tree Preservation and/or Replacement Plan.

330-110.1 Tree Preservation and/or Replacement Plans shall be prepared and certified by an authorized registered professional, registered forester, or certified arborist in accordance with the specifications for such plans contained in this UDO.

330-110.2 The Tree Preservation and/or Replacement Plan shall be shown on a site plan and included with the permit application for a Development Permit and shall be, drawn to the same scale as the other development plans in the set. Specific sections of the Tree Preservation and/or Replacement Plan may be shown at a larger scale for detail purposes provided the overall plan is at the same scale as the other development plans in the set. The Tree Preservation and/or Replacement Plan may be combined with the Buffer and Landscape Plan for the project provided it remains legible.

330-110.3 The Tree Preservation and/or Replacement Plan shall provide sufficient information and detail to clearly demonstrate that all applicable requirements and standards of this UDO will be fully satisfied.

330-110.4 The Tree Preservation and/or Replacement Plan shall, at a minimum, contain the following:

A. Project name, land district, land lot, parcel, north arrow, and scale.

B. Developer's name, address, email address, and telephone number.

C. The name, address, email address, and telephone number of the authorized registered professional, registered forester, or certified arborist.

D. Delineation of overhead power lines and transmission lines.

E. Delineation of all minimum yard areas, buffers, and landscape areas as required by this UDO or conditions of zoning, special use or variance approval.

F. Total acreage of the site and total acreage exclusive of all zoning buffer areas.

G. Delineation of all areas located within a 100-year flood plain.

H. Existing trees to be retained in Tree Protection Areas:

    1. Trunk location and size (to the nearest inch in diameter at 4.5 feet above the ground), of individual trees proposed to remain for credit toward meeting the minimum Tree Density Standard on the property.

    2. Groups of three or more trees whose driplines combine into a single Tree Protection Area may be outlined as a group and their number, by diameter, shown in the Summary Table.

    3. If the number and size of all existing trees to remain on the site exceeds the required tree density standard for the entire site, only those trees required to meet the minimum Tree Density Standard must be shown.

    4. All Tree Protection Areas are to be outlined and labeled.

I. Tree Protection Measures:

1. A detail or description of the protective tree fencing to be installed, and the location of such measures, which at a minimum shall follow the dripline of all trees to be retained along adjoining areas of clearing, grading, or other construction activity.

2. Measures to be taken to avoid soil sedimentation intrusion into Tree Protection Areas, and the location of such devices.

3. Proposed location of temporary construction activities such as equipment or worker parking, materials storage, burn holes, equipment washdown areas, and entrance pads.

4. Proposed type and location of any tree save area signs or other pertinent signage.

J. If replacement trees are proposed to be planted in order for the property to achieve the required Tree Density Standard, the replacement trees shall be shown and their spacing and caliper identified, to the extent needed to achieve the minimum requirements. Trees grouped together in tree planting areas may be listed on the Summary Table by total number in the grouping, by size.

K. A Summary Table of the number of existing trees to remain by diameter to the nearest inch at 4.5 feet above the ground for preserved trees and for new trees to be planted by caliper at 6 inches above the ground for replaced trees, shall be shown along with calculations showing the tree density achieved for the site. Additional credits shall be noted where applicable.

L. Tree Canopy Calculations. (See Chapter 630)

M. The plan sheet which shows the grading plan, including existing and proposed contour lines, shall indicate the dripline location of all Tree Protection Areas through the use of shading on the plans. The exact location of each tree is not desired to be shown, only the limits of the Tree Protection Area and any other areas which are not to be disturbed.

N. The location of all easements.

Section 330-120. Buffer and Landscape Plan.

330-120.1 A Buffer and Landscape Plan shall be prepared for any project wherein buffer areas or other landscaping areas, or treatment are required and when conditions of zoning, special use or variance approval, or other regulations of Gwinnett County require them, and shall be approved prior to issuance of a development permit. While the plan shall cover, at a minimum, the required buffer and landscape areas, it may be combined with the Tree Preservation and/or Replacement Plan into a general landscaping plan for the entire project at the developer's option provided it remains legible.

330-120.2 The Buffer and Landscape Plan shall be shown on a site plan or boundary survey and included in the Development Plans and drawn to the same scale as the other development plans in the set or at a larger scale for detail purposes.

330-120.3 The Buffer and Landscape Plan shall, at a minimum, contain the following:

A. Project name and land district, land lot, parcel acreage, north arrow, and scale.

B. Developer's name, address, email address, and telephone number.

C. The name, address, email address and telephone number of the authorized registered professional, registered forester, or certified arborist responsible for preparation of the plan.

D. Boundary lines of each buffer or other landscape area, appropriately labeled.

E. Delineation of undisturbed buffer areas along the dripline of the trees or groups of trees contained therein, and any other areas wherein trees are proposed to be retained to meet County requirements. These areas shall be treated in accordance with Tree Protection Area requirements contained in this UDO and labeled as such.

F. Protective barriers and signage as required by this UDO shall be shown as to location and detailed.

G. Delineation of overhead power lines and overhead transmission lines.

H. General location of all proposed trees, shrubs, vines, groundcovers, mulching, and other features proposed within the buffer/landscape area. The layout of the vegetation and landscaping required for the proposed stormwater management facilities as well as the plant names are to be shown.

I. Within areas involving or adjacent to landform changes, existing and finish grade topographic lines at an interval of no more than 2 feet may be required.

J. For new plant materials to be installed, a plant material list including but not limited to:

1. Common and botanical names of all proposed plants.
2. Plant quantities.
3. Size and condition of plants. (Example: 2-inch caliper, 6 feet height, balled and burlapped).
4. Spacing.
5. Remarks as necessary to ensure proper plant selection upon installation. (Example: specimen, multi-trunked).

K. The location of easements.

Section 330-130. Floodplain Management Plan and Plat

330-130.1 An application for a development project with any Area of Special Flood Hazard or Area of Future-conditions Flood Hazard located on site shall include a floodplain management/flood damage plan. This plan shall include the following items:

A. Site plan drawn to scale, which includes but is not limited to:

1. Existing and proposed elevations of the area in question and the nature, location, and dimension of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
2. For all proposed structures, spot ground elevations at the building corners and 20-foot or smaller intervals along the foundation footprint, or one foot contour elevations throughout the building site;
3. Proposed locations of water supply, sanitary sewer, and utilities;
4. Proposed locations of drainage and stormwater management facilities;
5. Proposed grading plan;
6. Base flood elevations and future-conditions flood elevations;
7. Boundaries of the base flood floodplain and future-conditions floodplain;
8. Location of the floodway, if applicable; and
9. Certification of the above by a licensed professional engineer or surveyor.

B. Building and foundation design detail, including but not limited to:

1. Design plans certified by a licensed professional engineer or architect for all proposed structure(s).

2. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;

3. Certification that any proposed non-residential floodproofed structure meets the criteria in Chapter 700.

4. For enclosures below the base flood elevation, location and total net area of flood openings as required in Chapter 700.

C. Hard copies and digital files of computer models, copy of work maps, comparison of pre- and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, Special Flood Hazard Areas and regulatory floodways, flood profiles and all other computations and other information similar to that presented in the FIS;

D. The approved floodplain management/flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. Any and all development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in accordance with approved plans.

E. All residential lots in a proposed subdivision shall have sufficient buildable area outside of the future conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required.

F. All preliminary plats and site development plans will provide the elevations of proposed structures in accordance with this Chapter.

G. All preliminary plats and site development plans shall be consistent with the need to minimize flood damage.

H. All construction plans for land development shall show public utilities and facilities such as water, sanitary sewer, gas, and electrical systems located and constructed to minimize or eliminate infiltration of flood waters, and discharges from the systems into flood waters.

I. All construction plans for land development include adequate drainage and stormwater management facilities per the requirements of Chapter 800 to reduce potential exposure to flood hazards.

Section 330-140. Structure Location Plans.

330-140 House Location Plan.

A. *Size and description.* House Location Plans shall be drawn to scale and may be shown on a certified boundary survey of the lot or any other drawing showing the information required below. The Department may accept a House Location Plan drawn to the same scale as shown on the Final Plat where sufficient detail can be shown to support an adequate review and approval. The House Location Plan may be combined with a Residential Drainage Plan (RDP) if a RDP is required for the lot.

B. *May be drawn by an individual.* It is not the intent of the Department that the House Location Plan be prepared by an authorized registered professional but may be done by the individual proposing the improvements on the lot. It is the intent, however, to receive a drawing with sufficient readability and accuracy to ensure that the proposed improvements will be constructed on the lot in conformance with the requirements of this UDO, or other regulations as applicable.

C. *List of what is to be shown.* House Location Plans shall show the following, as applicable:

1. Boundary lines of the lot, giving distances to the nearest one-tenth of a foot and bearing to the nearest minute.
2. Location and names of all abutting streets or other rights-of-way.
3. Minimum required front, side and rear building setback lines with dimensions, and notation of the existing zoning on the property.
4. All easements, public water, sewer, or storm drainage facilities traversing or located on the property, septic tank, and septic tank drain field.
5. Subdivision name, lot designation, land lot, district, and parcel number.
6. North arrow and scale.
7. Limit of the 100-year floodplain and any applicable buffers or special building setback lines.
8. If the lot is located within the Chattahoochee River Corridor, the location of each area by vulnerability category and calculations of impervious surface and clearance by category, or other such data in accordance with the Certificate for the subdivision approved under the Metropolitan River Protection Act. Show also any buffer or setback required by the Metropolitan River Protection Act.
9. All other applicable requirements of this UDO and conditions of zoning approval.
10. Name, address, email address, and telephone number of the owner and the person who prepared the HLP.

D. *Certificate of Occupancy.* If a lot is located in the Chattahoochee River Corridor, a Certificate of Occupancy shall not be issued for the structure or other improvements until conformance to the provisions or other requirements of the House Location Plan have been field verified by a survey prepared by a registered land surveyor and submitted to the Department.

330-140.2 Residential Drainage Plan (RDP).

A. *Certified boundary survey required.* Prior to issuance of a Building Permit, Residential Drainage Plans shall be drawn to scale on a certified boundary survey of the lot and prepared by an authorized registered professional and be approved by the Department of Planning and Development. The Residential Drainage Plan may be combined with a House Location Plan (HLP) if an HLP is required for the lot. The requirements contained herein shall also apply to lots which formerly required SPED (Site Plan - Engineering Division) approval.

B. *A list of what is required to be shown*. Residential Drainage Plans shall show the following, as applicable:

1. Boundary lines of the lot, giving distances to the nearest one-tenth of a foot and bearings to the nearest minute.
2. Location and names of all abutting streets or other rights-of-way.

3. The outline of all buildings, driveways, parking areas, swimming pools, recreational courts, patios, accessory structures, and other improvements existing or proposed on the property, and dimensions of buildings and distances between all structures and the nearest property lines as required to locate the major improvements on the lot.

4. All easements, public water or sewer facilities traversing or located on the property, and septic tank drain field.

5. Subdivision name, lot designation, land lot, and district.

6. North arrow and scale.

7. Contour lines based on sea level datum. These shall be drawn at intervals of not more than two feet and shall be based on a field survey. Proposed grading of the lot shall be shown along with the finished floor elevation of the lowest habitable floor of the house.

8. Stormwater features, including swales, pipes, stormwater management facilities and other structures, all drainage easements (DE), and directions of flow.

9. Floodplain features, including the limits of the flood hazard area, 100-year flood high water elevation, origin of the floodplain data, and any proposed modifications to the floodplain limits.

10. Sedimentation and erosion control measures to be taken or placed on the lot during construction.

11. Names, address, email address, and telephone number of the owner and person who prepared the RDP.

12. Seal, registration number, and date of expiration of the authorized registered professional who prepared the drainage improvements or modifications shown on the RDP.

330-140.3 Residential Drainage Study (RDS).

A. A Residential Drainage Study (RDS) shall be conducted by the developer's or builder's authorized registered professional prior to issuance of a Certificate of Occupancy on those lots so noted on the Final Plat. The requirements for a RDS contained herein shall also apply to lots that formerly required SSED (Site Study - Engineering Division) approval. The grading and construction of the lot shall be field verified by the developer's or builder's authorized registered professional as being in conformance with grading plans and stormwater management studies approved for the subdivision. A Certificate of Occupancy shall not be issued for the structure until a written certification has been received from the developer's or the builder's authorized registered professional stating that the provisions or improvements required by the Residential Drainage Plan or as a result of the Residential Drainage Study have been field verified.

330-140.4 Certificate - Department approval. If an RDP or RDS is required because a stream or floodplain is on or adjacent to the lot, the notation on the development plans and plat shall be "RDP" or "RDS" as appropriate.

330-140.5 Swimming Pool Location Plan.

A. A Swimming Pool Location Plan is required for residential lots in order to obtain a building permit for a swimming pool. Its purpose is to ensure that the rear yard location and accessory structure setback requirements are met and that easements are kept free of encroachments.

B. Size and description. Swimming Pool Location Plans shall be drawn to scale and may be shown on a certified boundary survey of the lot or any other drawing showing the information required below. The Department may accept a Swimming Pool Location Plan drawn to the same scale as shown on the Final Plat where sufficient detail can be shown to support an adequate review and approval.

C. May be drawn by an individual. It is not the intent of the Department that the Swimming Pool Location Plan be prepared by an authorized registered professional but may be done by the individual proposing the pool on the lot. It is the intent, however, to receive a drawing with sufficient readability and accuracy to ensure that the proposed improvements will be constructed on the lot in conformance with the requirements of this UDO, or other regulations as applicable.

D. *List of what is required to be shown:*

1. Boundary lines of the lot with distances.
2. Location and names of all abutting streets or other street rights-of-way.
3. Minimum required front building setback lines with dimensions.
4. Minimum required 5-foot accessory structure setback from side and rear property lines.
5. Self-closing and self-latching gate equipped with a locking device.
6. Pump, equipment structures and decking.
7. Septic tank and drain field (if applicable).
8. Height, type, and location of required pool fencing.
9. The approximate outline of all buildings, driveways, swimming pools, recreational courts, patios, accessory structures, and other improvements, existing or proposed, on the property, and dimensions of buildings and distances between all structures and the nearest property lines.
10. Location and dimensions of any water, sewer, drainage or other easements, stormwater management facilities, septic tank, and septic tank drain field located on the lot.
11. Subdivision name, lot, and block designation.
12. North arrow and scale.
13. The 100-year floodplain limits, any applicable stream buffers, or other special building setback lines.

14 Names, address, email address, and telephone number of the owner and person who prepared the plan.

15. Any other applicable requirements of this UDO or conditions of zoning approval.

Chapter 340. Inspections

Section 340-10. Initiation of Development Activities.

340-10.1 Initial Activities Required.

A. Following the issuance of any permit authorizing clearing, grubbing, grading or development of a site, a preconstruction conference shall be mandatory for all phases of construction and conducted before erosion and sediment control installation or any land disturbance takes place. Utility construction permits and retaining wall permits shall be issued prior to scheduling a pre-construction conference.

B. The Department shall be contacted no less than 2 business days prior to scheduled start of construction to schedule the mandatory pre-construction conference. Attendees to include owner's representative, engineer, site work contractors, and utility contractors.

C. Site development related activities prior to this required pre-construction conference shall be a violation of the permitted scope of work. A Notice of Violation and a Stop Work Order may be issued on site and all work must stop until the pre-construction conference has been completed and all work prior to the pre-construction conference inspected for compliance with the rules, appropriate standards, regulations, codes, and ordinances, then, if warranted corrections to illegal work completed before the work associated with the approved permit can proceed.

340-10.2 Erosion and Sediment Control Measures. Required preliminary erosion and sediment control measures must be installed in the field per the developer's authorized plans and inspected by the Department prior to actual grading or removal of vegetation. All erosion and sediment control measures shall be in place per State and County regulations as soon as or in conjunction with the commencement of activities and in continual coordination with the progress of the project and as per the authorized Erosion, Sedimentation and Pollution Control Plan.

A. Preliminary erosion and sedimentation control measures must be installed and operational prior to major grading operations.

B. Buffer areas required to be undisturbed per this UDO, conditions of zoning approval, per the *Metropolitan River Protection Act*, or any other applicable ordinance, or regulation shall be designated by approved protective tree fencing and shall be inspected by the Department prior to the commencement of any clearing, grubbing, grading, or development activities.

340-10.3 Tree Protection Areas. Prior to the initiation of land-disturbing activities and throughout the clearing, grubbing and grading process the following must be accomplished for a designated tree protection area in accordance with any approved Buffer and Landscape Plan or Tree Protection Plan for the property, as set forth in this UDO:

A. For trees which are not to be disturbed or removed, required protective fencing, and tree protection area signage shall be established and maintained in place. These barriers must be maintained throughout the land disturbance process and shall not be removed until the final landscaping phase has begun.

B. The tree protection areas shall not be encroached for any reason or be used for storage of earth and other materials resulting from or used during the development process.

C. Construction site activities such as parking, materials storage, concrete washout, burning, etc., shall be arranged to prevent disturbance or damage within or to the tree protection areas.

340-10.4 Stabilization for Erosion Control. If for any reason a lapse of 14 days occurs after initial land clearing, grubbing, and grading, or development activities have commenced, the developer and/or builder shall be responsible for reestablishing temporary vegetation cover of the site. If the lapse in construction activity extends beyond 30 days, permanent vegetative measures are required under the direction of the Department.

Section 340-20. Development Inspections.

340-20.1 Development Inspections. The developer or contractor shall request all inspections at least 2 business days prior to commencement of any development or construction activity for each of the phases below as authorized by any permit for site work or development. Inspections shall be made by the Department and passed prior to authorization for continuation of further activity or proceeding into new phases. Newly installed underground infrastructure including but not limited to; stormwater pipes and water and sewer lines must be installed per design standards and inspected prior to cover up of any portion.

The following items refer to construction activities that require approval before the next phase of construction occurs:

A. *Development of the site.* Clearing, grubbing, grading or development of the site or any portion included under the permit.

B. *Grading.* Installation of slope and grade stakes, erosion controls and detention facilities.

C. *Road Construction.* The grading of areas for placement of the new roadway(s) shall be staked by the proper responsible parties as per the authorized plan.

D. *Installation of storm drainage pipe, detention, or other storm water facilities.* Installation of storm drainage pipe, detention, or other stormwater management facilities require a pre-construction conference before commencement.

E. *Installation of sanitary sewer and appurtenances and/or water main extensions and appurtenances.* Notification shall be made by the authorized utility contractor after obtaining a utility construction permit from the Department of Planning and Development.

F. *Curbing of roadways.* Inspection shall be requested before the forms have been set (if used). Roadway width will be spot checked by string line between curb stakes. The developer or representative must be present for all "string line" related field inspections.

G. *Sub-base or subgrade of streets.* After compaction, the subgrade shall be string-lined for depth and crown. The subgrade shall pass a roll test with no defects, to the satisfaction of the Department.

H. *Street base.* The base will be string-lined for depth and crown and shall pass a roll test with no movement to the satisfaction of the Department.

I. *Paving.* A Department inspector shall be on site during the paving process to check consistency, depth, and workmanship, as applicable. For asphalt paving, the temperature of the material will be spot-checked, and evidence provided of quantity, thickness, and mix of installation.

J. *Water Line*. Shall install curb and gutter prior to installing the water lines.

340-20.2 Responsibility for Quality and Design. The completion of inspections by Gwinnett County officials or employees and authorization for work continuation shall not transfer responsibility for the quality of the work performed or materials used from the contractor or developer, nor imply or transfer acceptance of responsibility for project design or engineering from the professional corporation or individual under whose hand or supervision the plans were prepared.

Chapter 350. Development Design Standards

Section 350-10. Incorporation of Standard Drawings.

350-10.1 Department to Maintain Standard Drawings on File. The Department shall maintain on file for consultation and distribution a set of Standard Drawings, which may be updated administratively from time to time, illustrating details of construction and design of streets, stormwater management facilities, site improvements and other elements related to the development of land in accordance with this UDO and under the jurisdiction of the Department.

350-10.2 Standard Drawings to Illustrate Standards. The Standard Drawings shall illustrate minimum acceptable standards for land development activities authorized under this UDO but shall not supersede more restrictive prudent design requirements or good engineering practices as applied to specific situations on a case-by-case basis.

350-10.3 Standard Drawings Incorporated as Part of the Unified Development Ordinance. The Standard Drawings shall be treated as though a part of this UDO for application to the minimum standards for design and construction of improvements required herein and subject to the modification and waiver provisions of this UDO.

Section 350-20. Incorporation of the Gwinnett Countywide Trail Master Plan.

350-20.1 All development shall be consistent with the guidelines and policies of the Gwinnett Countywide Trails Master Plan.

350-20.2 The Gwinnett Countywide Trails Master Plan shall be treated as though a part of these regulations for application to the minimum standards for design, construction of improvements, and/or dedication of easements required herein and subject to the modification and waiver provisions of Section 340-40.

350-20.3 Where conflicts exist between the Gwinnett Countywide Trails Master Plan and this UDO, the recommendations within the Master Plan shall prevail.

Section 350-30. Design of Lots.

350-30.1 Building Setback Conformity. Building setback lines shall conform to the minimum setback requirements of Title 2 of this UDO except where a greater distance is required by the Gwinnett County Construction Code.

350-30.2 Lots.

A. *Lots to conform to the Title 2 of this UDO.* Lots shall conform to requirements of this UDO. No lot shall be created that is of a lesser dimension than that required to meet the standards established in Title 2 of this UDO, unless a variance is granted. However, this provision shall not apply when a conforming lot is made non-conforming as a result of public acquisition.

B. *Subdivisions shall be designed to minimize direct lot access to major thoroughfares.*

1. Double frontage and reverse frontage lots shall be required for subdivisions along major thoroughfares where internal access can be provided. A no-access easement of at least ten feet in width, across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery. When located along a major thoroughfare, the no-access easement shall be planted and/or screened as required by Chapter 62080 of this UDO, when the backs of homes are oriented toward the street.

2. No-access easement planting or other screening treatments which are required by the UDO, or as a condition of zoning, shall be installed by the developer at no cost to Gwinnett County.

~~C. *Flag lots prohibited.* No plat shall be approved on which is shown a flag lot, as defined in this UDO.~~

~~D.~~C. *Side Lot Lines.* Side lot lines generally should be at right angles (90 degrees) to straight street lines or radial to curved street lines as much as practical. Side lot lines should be radial to the radius points of all cul-de-sacs. Variations of more than 10 degrees shall require modification approval from the Department and shall be approved when appropriate to the reasonable design pattern of the subdivision and efficient use of the land relative to topographic conditions.

~~E.~~D. The Department may require notation that a House Location Plan (HLP) is required to be approved prior to issuance of a Building Permit on certain lots when particular care in locating the house or other improvements will be necessary. Such lots include, but are not limited to:

1. A lot which presents particular or unusual difficulties for a builder to meet minimum required building setbacks;
2. A lot upon which is located an easement of unusual configuration;
3. A lot containing floodplain;
4. A lot upon which is located all or a part of a stormwater management facility;
5. A lot upon which is located a buffer which was required by Title 2, and Title 3 of this UDO or as a condition of zoning approval;
6. All duplex lots; and
7. All lots within, or partially within, the Chattahoochee River Corridor, or containing a River Corridor Tributary Buffer Zone.

~~F.~~E. The Department may require notation that a Residential Drainage Plan (RDP) is required to be approved prior to issuance of a Building Permit on certain lots where additional (site specific) engineering will be necessary to properly grade the lot or locate the building or other improvements. Such lots include, but are not limited to:

1. A lot containing floodplain where fill or other encroachment into the floodplain is planned or reasonably expected;
2. A lot containing severe topographic features intersecting the building site;
3. A lot containing a drainage easement with a pipe discharge or other facilities, or flow characteristics which may adversely affect the location of a building or other site improvement.

~~G.~~F. The Department may require notation that a Residential Drainage Study (RDS) is required to be approved prior to issuance of a Building Permit on certain lots where particular attention to site grading will be necessary, but formal engineering is not needed. Such an RDS is conducted in the field where the effect of the site grading must be accomplished with adequate care so as not to create a drainage problem on neighboring property.

Section 350-40. Exceptions to Design of Lots.

350-40.1 Signage and Landscape Features. The creation of an unbuildable lot in a proposed subdivision for the exclusive purpose of subdivision identification signage or subdivision entrance landscape features is authorized only under the following circumstances (modification applications from the circumstances of this exception shall not be accepted):

A. The lot shall be located at an entrance to the subdivision as an "island" in the right-of-way of a local or minor collector street; and,

B. A mandatory property owner's association shall be required for the subdivision for ownership and maintenance of the lot as common area; and,

C. Right-of-way of a minimum width of 6 feet from back of curb shall be provided adjacent to the perimeter of the lot; and,

D. Landscape plantings within the right-of-way shall not extend more than 2.5 feet above the street grade.

350-40.2 Stormwater Management and Utility Facilities. The creation of an unbuildable lot for the exclusive purpose of providing and maintaining a stormwater management or utility facility is authorized, provided that such a lot meets all applicable requirements set forth in this UDO and under the jurisdiction of the Department.

350-40.3 Open Space. The creation of an unbuildable lot for the exclusive purpose of providing and maintaining open space or conservation space for the enjoyment of the community is authorized.

Section 350-50. Access and Right-of-Way.

350-50.1 Project Access Improvements.

A. Every developer of land shall provide the project access improvements included in this UDO as shall be appropriate to serve the project, in accordance with these regulations and other pertinent Codes, Ordinances, and regulations of Gwinnett County. Said improvements and associated lands shall be provided at no cost to Gwinnett County, and shall be dedicated or otherwise transferred, as required, to the public in perpetuity and without covenant or reservation, except as otherwise provided herein.

B. For all business and industrial developments fronting a state highway, no land disturbance or building permits shall be issued until the approval of the Georgia Department of Transportation (DOT) has been obtained by the applicant on the entrances and exits, curb radii, drainage and other matters that are the appropriate concern of Georgia DOT.

350-50.2 Access.

A. *Large parcels to provide future street access.* When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged and designed so as to allow for the opening of future streets and to provide access to those areas not presently served by streets.

B. *Landlocking of adjacent property prohibited.* No development shall be designed so as to completely eliminate street access to adjoining parcels of land. Every development shall be designed to facilitate access to adjoining properties which are developed or anticipated to be developed in a manner substantially similar to the subject property. Locations of inter-parcel access shall be as required by and subject to the approval of the Department.

C. *Private streets to be constructed pursuant to roadway construction standards.* Private streets as may be approved under the provisions of this UDO shall be constructed to the street construction standards of Gwinnett County, as contained in Chapter 360.

350-50.3 Vehicular Access Easements. Vehicular access easements may be provided from a public street indirectly via easement subject to the following:

A. The easement shall be in a location and the access driveway shall have a width and alignment acceptable to the Department and the Department of Fire and Emergency Services.

B. The access easement serves a single-family residence on a lot which is otherwise a buildable lot of record, and which is sharing a common driveway with more than one other single-family residence.

C. The sharing of a common driveway (or alley) by multiple residences.

D. The access easement was lawfully established as such under the code, ordinances, or regulations of Gwinnett County prior to the adoption of this UDO.

E. The access easement coincides with a private roadway or alley approved under the code, ordinances, or regulations of Gwinnett County.

350-50.4 Dedication of Street Right-of-Way. Right-of-Way for all public streets, existing and proposed, shall be dedicated in accordance with the street classifications as shown on the officially adopted Gwinnett County Long Range Road Classification Map or as required by Director or Designee of Gwinnett DOT.

350-50.5 Greenway Access Dedication of Easement and Construction Requirements. Access, dedication of easement and/or construction of greenway trails shall be provided in accordance with the prioritized greenway network map of the most currently approved Gwinnett Countywide Trails Master Plan, as follows:

A. *Greenway Access.* All properties or assemblages of parcels abutting designated greenways as shown on the prioritized greenway network map of the Gwinnett Countywide Trails Master Plan shall provide at least one multi-use path to the programmed or existing greenway. The multi-use path shall be paved or constructed with materials approved by Gwinnett County , and the route segment shall be a minimum of 10 feet in width. Multi-use path locations shall be reviewed and approved by the Department of Community Services.

B. *Greenway Construction and Easement Dedication.*

1. Within flood plains and stream buffers, greenway easements shall be dedicated and constructed to provide public access to trails as shown on the prioritized greenway network map of the Gwinnett Countywide Trails Master Plan. Greenways shall be located so that the route is feasible for both construction and long-term maintenance. The specific location of the greenway shall be verified on the ground before approval and project release of the development. The amount of land required for greenway construction shall not exceed 5 percent of the land within the development excluding greenways located within a standard street right-of-way.

2. For all other locations, as established by the prioritized greenway network map of the Gwinnett Countywide Trails Master Plan, dedication of easement shall be required for greenways lying outside of any floodplain or stream buffer or shall be reserved either for public access greenway easement, dedication and construction, or other terms negotiated with the County.

3. In coordination with the Department of Community Services and the Director of Planning and Development, greenways with public access may be allowed to substitute for required sidewalks if the greenway alignment coincides with locations intended to be served by sidewalks.

C. *Limitations.*

1. Single-family residential zoning districts. The dedication or construction of greenways in single-family residential zoning districts is required for subdivisions that involve the creation of a new street. Existing single-family lots are exempt from greenway easement dedication and construction.

2. All other zoning districts. Construction of the greenway is required in the following situations:

a. Whenever there is new development; or

b. Whenever alterations to existing development are 25 percent or greater of the total improvements on the site; or

c. Whenever new streets are constructed.

D. *The construction and dedication of greenways* shall be in accordance with the approved Gwinnett Countywide Trails Master Plan design standards. Any deviation or modification of the construction standards contained herein shall be subject to the approval of a modification or waiver.

Section 350-60. Design of Blocks.

350-60.1 Length, Width, and Shape. The lengths, widths, and shapes of blocks shall be determined with regard to:

A. Provision of adequate building sites suitable to the special needs of the type of use contemplated;

B. Applicable zoning requirements as to maximum length of street, lot size and dimensions;

C. Needs for convenient access, circulation, control, and safety of street traffic; and

D. Limitations and opportunities of topography.

350-60.2 Pedestrian Access. In blocks over 500 feet long, an alley, sidewalks, pedestrian way, or pedestrian access easement, shall be provided through the block to other streets within the development.

Section 350-70. Residential Amenities, Open Space.

350-70.1 Residential Amenities and Common Areas.

A. In subdivisions where land is required for open space use in accordance with this UDO, such land shall be deeded to a qualified Property Owners or Homeowner's Association, or other legal entity incorporated under the laws of Georgia upon the approval of the Final Plat containing said land. Said land shall be deeded with a restriction that the land shall be used exclusively for recreational purposes and shall be made available to all residents of the subdivision project on an equal basis. The qualified Property Association shall provide for the mandatory membership of all of the owners within the subdivision, and shall be responsible for the perpetuation, maintenance and function of the recreation areas and uses or facilities therein. The association shall have the authority and duty to assess its members for such maintenance and improvements as set forth in the instrument creating the association. All covenants shall be recorded simultaneously with the final subdivision plat.

B. In multifamily rental or condominium projects, land provided for open space in accordance with these requirements shall be held in the ownership of the owner of the project.

C. Gwinnett County may lease or sell land reserved for public parks to a qualified Property Owners Association with a deed restriction that the land be used exclusively for open space, common area or public recreational purposes in perpetuity. The organization of a qualified Property Owners Association and its adequate financing for the discharge of its responsibilities shall be assured through acceptable private deed covenants running with the land or other such documents as approved by the Boards of Commissioners of Gwinnett County.

D. In a residential development, where usable open space is to be developed, permits for any amenities must be issued prior to 25 percent of the proposed residential units receiving a certificate of occupancy. All amenity areas must be completed prior to 75 percent of the proposed residential units receiving a certificate of occupancy.

350-70.2 Open Space in Big Haynes Creek Watershed Protection Area. Open space provided in projects located in the Big Haynes Creek Watershed Protection Area shall meet the following requirements:

A. *Open Space shall be permanent and shall remain in its natural state,* undisturbed and unoccupied by any structures or impervious surfaces to include septic tanks and septic tank fields and except for

approved access or utility crossings. Pedestrian access shall be subject to the approval of the Director. Buffers, floodplains, and wetlands may be used as open space.

B. *Ownership Requirements.* Open Space provided in a development located in the Big Haynes Creek Watershed Protection Area shall be owned and maintained by the property owner, or in the case of subdivision, by a property owner's association. The association shall be established by the developer prior to or concurrent with the recording of the Final Plat of the subdivision. The association by laws shall include the following provisions:

1. Automatic (mandatory) membership of all purchasers of lots therein and their successors.
2. Conditions and timing of transferring control of the association from the developer to the lot owners shall be specified which shall not exceed four years from the date of recording of the Final Plat of the subdivision
3. Responsibility for maintenance, insurance, and taxes.
4. Sharing of the costs of maintenance among the lot owners with shares defined by the association bylaws.
5. Authority to place liens on the real property of members who fail to pay their dues or assessments.
6. Prohibition of the dissolution of the association without the approval of the Board of Commissioners.

C. *Maintenance.* The property owner, or the property owner's association, shall be responsible for the maintenance of open space. Open Space shall be kept in reasonable order and condition.

Chapter 360. Infrastructure, Streets, Sidewalks, Multi-Use Paths, and Greenways

Section 360-10. Street Classification and Right-of-Way Requirements.

360-10.1 Street Classifications.

A. *Dedication of Street Right-of-Way.* Right-of-way for all existing and proposed public streets within a project shall be dedicated in accordance with the street classifications as shown on the officially adopted Gwinnett County Long Range Road Classification Map.

B. *Street Improvements.* All streets and project access improvements shall be constructed or improved to the standards as established in the UDO. Roadway improvements shall be made in accordance with the street classifications as shown on the officially adopted Long Range Road Classification Map or the UDO as applicable, or as otherwise required by the Board of Commissioners.

360-10.2 Minimum Right-of-Way and Street Improvements.

A. *Right-of-Way and Pavement Widths.* Minimum widths of street right-of-way and roadway pavement shall be as shown on Table 360.1 unless a modification is granted by the Director, except as follows:

1. *New Local Residential Streets in OSC, TND and Mixed-Use Districts.* New local streets in subdivisions developed in the OSC District and in exclusively residential areas of TND, MU-N, MU-C and MU-R Districts shall be as follows:

    a. Right-of-way width of new interior local streets.

        i. Entrance Streets: at least 50 feet for a depth of 300 feet from the subdivision entrance (measured from exterior road right-of-way) after which street right-of-way width shall be at least 46 feet.

        ii. Other Interior Streets: at least 44 feet.

        iii. Right-of-Way Radii: at least 60 feet for cul-de-sac or "eyebrow" turnarounds.

    b. Pavement width of new interior local streets.

        i. Entrance Streets: at least 27 feet (measured to back of curb) for a depth of 300 feet from the subdivision entrance (measured from exterior road right-of-way) after which pavement width shall be at least 24 feet (measured to back of curb).

        ii. Other Interior Streets: at least 24 feet (measured to back-of-curb).

        iii. Pavement Radii: at least 50 feet for cul-de-sac or "eyebrow" turnarounds (measured to back of curb).

    c. Additional right-of-way shall be provided to accommodate additional travel lanes, sidewalks, multi-use paths, trails and greenways, and underground utilities.

2. *New Local non-residential streets in the MU-N, MU-C and MU-R Districts.*

    a. New local non-residential streets developed in the mixed-use areas of TND, MU-N, MU-C and MU-R Districts shall meet the minimum right-of-way and roadway pavement widths for local non-residential street as shown in Table 360.1.

    b. Additional pavement and right-of-way width.

        i. Additional Travel Lanes: at least 11 feet of pavement width.

ii. On-Street Parallel Parking: at least 9 feet of pavement width.

iii. On-Street Angled Parking: at least 18 feet of pavement width.

iv. Right-of-Way: additional right-of-way shall be provided to accommodate additional travel lanes, sidewalks, underground utilities, multi-use paths, trails, and greenways located between lots and street right-of-way.

Table 360.1. Minimum Right-of-Way and Roadway Widths for New Streets and Project Access Improvements.

Street Category	Minimum Right-Of-Way[1]	Minimum Roadway[2]
Principal Arterial	120′ TO 150′	6 through lanes with median
Major Arterial	100′ TO 120′	67′
		4 to 6 through lanes with median
Minor Arterial	80′ TO 100′	52′ TO 66′
		4 through lanes with median
Major Collector	80′	52′
Minor Collector	60′ TO 80′	28′
Local Street	60′[3]	32′
Non-residential	60′ radius	50′ radius
Non-residential Cul-De-Sac		
Local Street	50′	27′
Residential — Urban	50′ radius	40′ radius
Residential — Urban Cul-de-sac		
Local Street	60′[5]	24′[6]
Residential - Rural[4]	60′[5] radius	40′ radius
Residential — Rural Cul-de-sac[4]		

[1]*The greater right-of-way width shall apply under circumstances as described in Section 360-10.2.*

[2]*Roadway width dimensions are back-of-curb to back-of-curb except where noted.*

[3]*Utility easement shall be provided in a location and size as required by the Department of Water Resources.*

[4]*Subdivisions zoned RA-200.*

[5]*May be reduced to 50 feet if curb, gutter, and piped drainage system is provided.*

[6]*Measured to edge of pavement. Curb and gutter is not required in RA-200 subdivision. Roadway width may be reduced to 23 feet if curb and gutter is provided (27 feet total width).*

B. *Street Rights-of-Way.*

1. The minimum width of street right-of-way shall be dedicated based upon the street classification as shown on the officially adopted Gwinnett County Long Range Road Classification Map and as contained in the UDO.

2. Additional street right-of-way width shall be required to be dedicated at intersections or other locations to accommodate required traffic safety improvements (e.g., deceleration lanes, turning lanes, storage lanes, medians, sidewalks/pedestrian facilities or realignments), , future projects identified in official planning documents, or within 500 feet of a major intersection and minimum right-of-way standards would be inadequate to accommodate the improvements.

3. If a new street or thoroughfare is proposed by the officially adopted Gwinnett County Long Range Road Classification Map or the State of Georgia to adjoin or traverse the property, permits shall not be issued until the Department of Transportation has submitted the project to the Board of Commissioners for review in order to seek a determination if Gwinnett County should acquire the right-of-way or if a study of alternate routes should be undertaken.

Section 360-20. Requirements for New Streets and Roadways.

360-20.1 Construction Standards. Streets, whether public or private, shall be constructed or improved at least to the standards contained in this UDO in accordance with the category of said streets or as otherwise required by the Board of Commissioners.

360-20.2 General Layout Requirements.

A. *Conformance.* The arrangement, character, extent, width, grade, and location of all streets shall conform at a minimum to the officially adopted Gwinnett County Long Range Road Classification Map and this UDO.

B. *Local Streets and Minor Collectors.*

1. Local streets shall be laid out so that their use by through traffic will be discouraged. Minor collectors shall be provided to channel through traffic movements within a development, where appropriate to the design and a major thoroughfare is not proposed by the officially adopted Gwinnett County Long Range Road Classification Map. Minor collectors also may be provided as central routes within large residential subdivisions, where appropriate to the design, based on project traffic demands exceeding 2,000 trips per day (ADT). Traffic calming measures for new local streets are required to encourage and maintain maximum vehicle operating speeds of 25 mph. In order to achieve this objective, the maximum length of roadway section between speed control points shall be 500 feet. Such design and construction should be in substantial conformance with the Gwinnett County Department of Transportation Traffic Calming Design Guide for traffic calming measures and requirements.

C. *Cul-de-sac Streets.*

1. Dead end streets designed to have one end permanently closed shall provide a cul-de-sac or other approved turnaround and may be no more than 600 feet in length. Additional length necessitated by topography or property configuration may be approved by the Director.

2. The length of a cul-de-sac street shall be measured from the center of the cul-de-sac or other approved turnaround to the center of the intersection with another street, whether a through street or another cul-de-sac or dead-end street.

3. Eyebrow cul-de-sac (half cul-de-sacs) will be allowed only at "right-angled" intersections having an interior angle between 80 degrees and 100 degrees.

4. Cul-de-sacs shall conform to the layout and dimensional requirements as shown in the Standard Drawings maintained by the Department.

D. *Substandard Streets.* In the event that a development has access to a substandard street (i.e., a dirt or gravel road), the following project access improvements shall be required:

1. If the abutting substandard street provides access to the development and is dirt or gravel, the street shall be upgraded by the developer to a paved roadway from the project entrance to the nearest standard paved road along the route of access.

2. Off-site project access improvements required under Subsection 360-20.2.D.1, above, and Chapter 360 shall at a minimum, result in a full-section roadway meeting the requirements of a local residential rural roadway (24 feet edge to edge of pavement, with drainage swale ditches as needed). Responsibilities shall be as follows:

   a. The Developer shall design the road and provide the labor, equipment, and materials required for roadway improvements and necessary drainage improvements.

   b. If the County desires the roadway to be improved to a standard greater than that for a local residential rural roadway, the County shall provide or pay the cost of the additional materials and labor.

   c. All right-of-way required for these off-site improvements shall be acquired by the developer at no expense to the County.

   d. In the event that access to a new development is through an existing local County-maintained Road, the Developer and/or Builder is responsible for any and all damages to the existing road. Developer and/or Builder may be required to document existing conditions of this access road prior to any construction, may be required to post a bond or some form of guarantee and make necessary repairs as deemed appropriate per the Director.

3. Half Streets. Half-streets (new boundary streets having one-half of the minimum required right-of-way or pavement width) shall not be allowed nor access to same be permitted should it exist.

E. *Improvements along State Highways.* For any development which abuts a state highway or other right-of-way controlled by the State of Georgia, improvements to the roadway and the location and design of any street or driveway providing access from the state highway shall comply with the standards and requirements of the Georgia Department of Transportation. A permit for the proposed access or improvements shall be required to have been approved by the Georgia Department of Transportation and incorporated into the construction drawings for the project prior to issuance of a development permit by the Department.

F. *Dead End Streets.*

1. A dead-end street shall be provided to the boundary of a subdivision where necessary to provide access to a land-locked abutting property, for planned continuity of future circulation, for improved access for public safety vehicles, or for the extension of public water or other utilities to neighboring lands. Such dead-end streets shall be designed so as to allow their reasonable extension and shall be located so as to be reasonably incorporated into a street design for the neighboring property. The stub street requirement may be waived by the Director.

2. A dead-end street shall be provided within a subdivision connecting to abutting residential-zoned properties 20 acres or greater in size. This requirement may be waived by the Director.

~~2.~~3. Dead end streets on abutting property shall be extended into a proposed subdivision and incorporated into the street design of the development. This requirement may be modified by the Director in cases of serious topographical hardship or dissimilar zoning which would create unacceptable land use conflicts between the two developments. This modification may be conditioned on the provision of easements necessary for the extension of public utilities, the provision of cul-de-sac or other permanent turnaround on the dead-end street, or the removal of the dead-end street back to its nearest intersection.

~~3.~~4. Where a dead-end street (other than a cul-de-sac) serves more than three lots, the developer shall be required to provide a permanent ~~temporary~~ vehicular turnaround within the right-of-way. This requirement may be waived if extension of the dead-end street is approved and under construction prior to its inclusion in a Final Plat.

~~4.~~5. Where a street dead ends at the property boundary and the street exceeds 1000 feet in length, a permanent cul-de-sac or other approved turnaround shall be required. In this situation, right-of-way to the property boundary shall be required, but the pavement shall not be extended to the property boundary beyond the edge of the paved cul-de-sac or other approved turnaround. In no case shall a dead-end street exceed 2000 feet in length unless approved by the Department of Transportation due to unusual topographic conditions or property configuration.

~~5.~~6. Connections for future extension of all public utilities shall be constructed as part of the subdivision. Curb returns shall be constructed as part of the subdivision. Curb returns shall be provided to the future "stub" street roadway location, and curb and gutter shall be installed across the roadway stub at the right-of-way line (extended).

~~6.~~7. The right-of-way for the “stub” street shall be dedicated as part of the Final Plat. Slope easements or construction easements, if required by the street design, shall be shown on the Final Plat.

G. *Service Roads.* Where a development borders on or contains a railroad right-of-way, or limited access highway right-of-way or major thoroughfare, a public street may be required to be constructed and dedicated within the development approximately parallel to and on each side of such right-of-way.

360-20.6 Reserve Strips. Land in private ownership adjacent to public rights-of-way which could control or are intended to control access to streets, alleys, or public lands shall not be permitted unless their control is given to the County under ownership, dedication, or easement conditions approved by the County Attorney or acceptable to the Director. No development shall be designed so as to deny access to abutting properties.

360-20.7 Street Jogs.

A. Street jogs shall either directly align or have offsets as shown in Table 360.3, as measured between centerlines of said streets.

B. All Major Thoroughfares shall provide offsets as required by the Department, where alignment is not desirable or feasible, but in no case be spaced less than 600 feet apart as measured between centerlines of said streets.

Section 360-30. Project Access Improvements.

360-30.1 Project access improvements for single-family detached, single-family attached, and duplex residential subdivisions.

A. When property that abuts upon an existing or proposed County road is to be developed or redeveloped as a single-family detached, attached, or duplex subdivision and the County street will provide access to the property, project access improvements to the County road (deceleration lanes, turn lanes, etc.) shall be provided by the developer as required herein. Two remote entrances shall be required for developments with more than 120 dwelling units unless an administrative modification is granted by the Department and an administrative variance is granted by the Gwinnett County Fire Marshall.

B. A deceleration lane shall be required to be provided at each project driveway or subdivision street entrance that is provided street access to a Minor Collector Street or Major Thoroughfare. In the event a street has an existing or proposed median, and the developer desires to construct a median break to serve the subdivision, a left turn lane leading to the median break shall be required to be provided by the developer if approved by the Department of Transportation and shall meet the standards contained herein. The preferred spacing for median breaks shall be 2,000 feet between the centerlines of the openings, and the minimum spacing for median breaks shall be 1,000 feet between centerlines of the openings. Other factors will also be considered, such as distance to other median openings,

adjacent land use, expected traffic volumes, and the resulting volume of U-turns that are likely to occur without the median opening. Meeting the spacing criteria is not, in itself, an indication that median openings will be allowed.

C. Deceleration lanes shall have a length of 200 feet, with an additional 50-foot taper length, a pavement width of 12 feet (exclusive of curb and gutter) and shall be provided with curb and gutter. Additional right-of-way to accommodate the deceleration lane and an 11-foot shoulder measured from back of curb shall be dedicated by the developer to Gwinnett County at no cost. Associated stormwater infrastructure as deemed necessary by the construction of the deceleration lane shall also be required.

D. A left turn lane shall be provided into each project driveway or subdivision street that accesses a Minor Collector or Major Thoroughfare in accordance with the Department of Transportation's "Criteria and Guidelines for Left Turn Lanes".

E. Other project access improvements may be required by the Department upon the recommendation of the Department of Transportation in order to ensure adequate site access, pedestrian access, convenience and safety to the motoring public.

F. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure, as may be occasioned by the required Project Access Improvements.

360-30.2 Project Access Improvements for Multifamily and Non-residential Developments.

A. When property that abuts upon an existing or proposed County road is to be developed or redeveloped for multifamily or non-residential uses and the County road will provide access to the property, project access improvements to the County road (deceleration lanes, turn lanes, etc.) shall be provided by the developer.

B. A deceleration lane shall be required to be provided at each project driveway or subdivision street entrance, as applicable, that is provided street access to a Minor Collector Street or Major Thoroughfare. In the event a street has an existing or proposed median, and the developer desires to construct a median break to serve the project, a left turn lane leading to the median break shall be required to be provided by the developer if approved by the Department of Transportation and shall meet the standards contained herein. The preferred spacing for median breaks shall be 2000 feet between the centerlines of the openings, and the minimum spacing for median breaks shall be 1000 feet between centerlines of the openings. Other factors will also be considered, such as distance to other median openings, adjacent land use, expected traffic volumes, and the resulting volume of U-turns that are likely to occur without the median opening. Meeting the spacing criteria is not, in itself, an indication that median opening will be allowed.

C. Deceleration lanes shall have a length of 200 feet, with an additional 50-foot taper length, pavement width of 12 feet (exclusive of curb and gutter) and shall be provided with curb and gutter. Additional right-of-way to accommodate the deceleration lane and an 11-foot shoulder shall be dedicated by the developer to Gwinnett County at no cost. Associated drainage improvements as deemed necessary by the construction of the deceleration lane shall also be required.

D. A left turn lane shall be provided into each project driveway or subdivision street that accesses a Minor Collector or Major Thoroughfare in accordance with the Department of Transportation's "Criteria and Guidelines for Left Turn Lanes."

E. Other project access improvements may be required by the Department upon the recommendation of the Department of Transportation in order to ensure adequate site access, pedestrian access, convenience and safety to the motoring public.

F. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure, as may be occasioned by the required Project Access Improvements.

Section 360-40. Driveway Design Standards.

360-40.1 Angle and Improvements. Driveways shall generally intersect streets at right angles. The portion of a driveway located within a public right-of-way shall be paved. Driveways providing access to parking lots which contain five or more spaces shall be paved in accordance with the parking lot requirements in Chapter 240.

360-40.2 Driveway Design Standards. Driveways serving single-family detached or duplex residences may be no less than 10 feet wide at the right-of-way line and shall provide a radius to the back of curb or edge of pavement of the roadway of no less than 5 feet. Driveways shall provide a parking area of at least 18 feet deep measured from the edge of the sidewalk or curb if a sidewalk is not present or required. All other driveway curb cuts on public streets shall conform to the standards shown on the driveway details contained in the Standard Drawings in the Appendix of the UDO and by land use type as follows:

A. *Driveway Detail 1 (32-foot Width, 25-foot Radius) for:*

1. Commercial and Retail Uses (over 80,000 Square Feet).
2. Office/Institutional/Cultural Uses (Over 100,000 Square Feet).
3. Multifamily Residential Developments (Over 200 Units).
4. Mobile or Manufactured Home Developments (Over 200 Lots).
5. Service Stations.

B. *Driveway Detail 2 (28-foot Width, 25-foot Radius) for:*

1. Commercial and Retail Use Sites (80,000 Square Feet or Less).
2. Office/Institutional/Cultural Use Complexes (100,000 Square Feet or Less).
3. Multifamily Residential Developments (200 Units or Fewer).
4. Mobile or Manufactured Home Developments (200 Lots or Fewer).

C. *Driveway Detail 3 (32-foot Width, 40-foot Radius) for:*

1. Industrial Sites.

D. *Driveway Detail 4 (Optional Design with Island) for:*

1. Private Commercial/Office Street Entrances.
2. Private Entrances to Multifamily Residential Developments (Over 200 Units).
3. Private Entrances to Mobile or Manufactured Home Developments (Over 200 Lots).
4. All driveways and driveway curb cuts on State highways shall conform to Georgia Department of Transportation standards.

360-40.3 Auxiliary Lanes. Along any Major Thoroughfare, a deceleration lane, acceleration lane, larger turning radius, traffic islands, or other devices or designs may be required to avoid specific traffic hazards which would otherwise be created by the proposed driveway location.

360-40.4 Corner Sight Distance. All driveways approaching a Minor Collector or Major Thoroughfare shall provide adequate corner sight distance, and shall meet or exceed the following design standards:

A. The sight distance criteria are based on the time required for a vehicle to make a left turn from a stop-controlled approach to the Highway (AASHTO Case B1). The time to execute the maneuver is based on recommendations contained in NCHRP Report 383, Intersection Sight Distance. The sight distances, for

a two-lane road, are the distances traveled at the arterial speed during 7.5 seconds. The time is increased by 0.5 seconds for each additional lane to be crossed.

B. The sight distances given in Table 360.2 are for undivided highways and streets. If the highway or street is divided, the effect of the median should be considered in determining the required sight distance. Based on the conditions, it may be feasible for the crossing maneuver to be done in two stages with a stop in the median. However, the intersection should only be treated in this manner if the signing and marking is accordingly provided. Otherwise, the sight distance requirements should be increased to account for the additional width that must be crossed. See A ASHTO Green Book, Chapter 9 Intersections, for adjustments due to grades greater than 3 percent and design vehicles other than passenger cars.

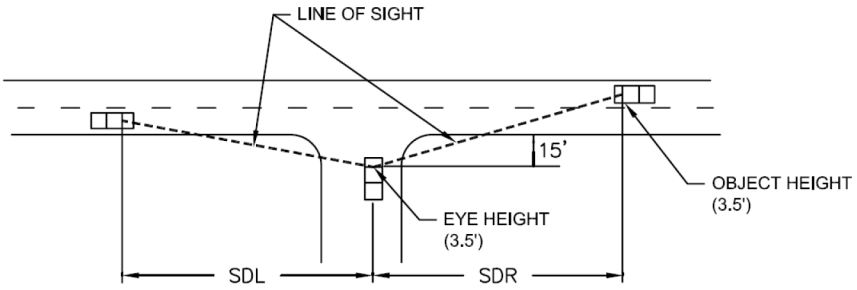


Table 360.2. Sight Distance.

		SIGHT DISTANCE (FEET)					
SPEED, MPH	2 Lane		3 Lanes		4 Lanes		5 Lanes
	SDL=SDR	SDL	SDR	SDL	SDR	SDL	SDR
25	280	280	295	280	310	295	335
30	335	335	355	335	375	355	400
35	390	390	415	390	440	415	465
40	445	445	475	445	500	475	530
45	500	500	530	500	565	530	600
50	555	555	590	555	625	590	665
55	610	610	650	610	690	650	730
60	665	665	710	665	750	710	795
65	720	720	765	720	815	765	860

360-40.5 Separation and Spacing. All driveways except those serving residential units on individual lots shall meet the following criteria:

A. Minimum separation for driveways, public roads, and side streets:

Table 360.3. Minimum Separation for Driveways, Public Roads, and Side Streets.

Posted Speed	Minimum
MPH	Driveway Spacing
25	125
30	219
35	244

40	294
45	369
50	419
55	444
60	494
65	550

B. Driveway Spacing. Spacing shall be measured from centerline to centerline of driveways, public roads, or side streets. Where there is an arterial or major collector intersecting with a side street, the measurement may be taken from the edge of pavement or back of curb, as opposed to the centerline of the arterial/major collector. Greater separation may be required for safe operation of intersections and right or left turning lanes. Whenever possible, proposed driveways along one side of a street shall coincide with existing or proposed driveways on the opposite side of such street. If offset driveways cannot be avoided, the same driveway spacing criteria as given in Table 360.3 should be provided. Spacing shall be measured from centerline to centerline. If the Highway involved is a divided facility and the driveways do not align with a median crossover, the driveway spacing would only apply to the adjacent driveway on the same side of the Highway as provided in Table 360.3.

C. Maximum Number of Driveways. Developments shall be limited to one driveway access on county-maintained roadways. Additional driveways may be permitted subject to the review and approval of the Gwinnett County Department of Transportation.

D. Interior Driveways. The placement of the first interior drive which intersects the driveway from a county-maintained roadway should be as far as possible from the road for safe, more efficient operation. The distance between the roadway traffic and the first internal movement shall be a minimum of 200 feet as referenced in the Georgia Department of Transportation Regulations for Driveway Encroachment Control Manual, Figure 3-1.2. Lots less than 500 deep should maintain, a minimum distance of 100 feet. The distance required should be maintained or increased so as to avoid interference with the mainline traffic flow for large sites with high volumes, heavy truck traffic, and on high volume roadways. If no other design alternatives exist and interior drives are proposed which do not meet minimum spacing, the left turning movement should be restricted with a raised barrier. Site planning should be done such that Interior Driveways accommodate the right of way at least 100 feet of storage.

Section 360-50. Street Intersections.

360-50.1 Angle of Intersection. Intersections shall generally be at right angles and shall not be at an angle of less than 85 degrees, unless approved by the Department, nor less than 80 degrees unless the intersection is signalized, in which case the angle of the intersection may be reduced subject to the review and approval of the Gwinnett County Department of Transportation.

360-50.2 Maximum Grade. Street intersections should be designed with a flat grade wherever possible, but in no case should the grade exceed 2 percent in normal situations (or 4 percent in topographical hardship situations on local streets).

360-50.3 Intersection Approaches: Horizontal Alignment.

A. New local streets which approach an intersection with a street in a category higher than itself on a horizontal curve having a centerline radius less than 240 feet shall provide a tangent section of roadway at least 30 feet long. Minor Collectors approaching an intersection with a Major Thoroughfare on a horizontal curve having a centerline radius of less than 550 feet shall also provide the 30-foot tangent section. The tangent length shall be measured along the centerline of the street, from the

right-of-way line of the intersecting street, extended, to the point of tangency with the centerline of the curve section.

B. New Major Thoroughfares shall provide tangent sections at intersections with streets in equal or higher categories as needed to provide adequate stopping distances at their design speeds.

360-50.4 Intersection Approaches: Vertical Alignment.

A. For intersections with local or minor collector streets, a leveling of the street at a grade not exceeding 2 percent shall be provided but no level approach distance is required for streets approaching at less than 7 percent, and a minimum 25-foot level approach distance shall be provided for streets approaching at a grade of 7 percent or more.

B. As a street approaches an intersection with a major thoroughfare, there shall be a suitable leveling of the street at a grade not exceeding two percent and for a distance not less than the following minimums, as set forth in Table 360.4 below:

Table 360.4. Approach Distances at Major Intersections.

Approaching Street Category	Minimum Approach Distance
Principal Arterial	100 Feet
Major Arterial	100 Feet
Minor Arterial	100 Feet
Major Collector	75 Feet
Minor Collector	75 Feet
Local	50 Feet

[*]Distance of the approach is measured from edge of pavement of the intersecting street to the point of curvature in the approaching street.

360-50.5 Intersection Radii. Intersection radii for roadways measured at back of curb and for the right-of-way lines shall be as set forth in Table 360.5 below. For intersecting streets of different classifications, the larger radii shall be provided. In all cases, adequate right-of-way shall be provided to maintain minimum of 11 feet from back-of-curb. Larger radii may be required for streets intersecting at angles less than 90 degrees.

Table 360.5. Intersection Radii.

Street Category	Roadway Radii	R/W Radii
Arterial	40 Feet	20 Feet
Major Collector	40 Feet	20 Feet
Minor Collector-Residential	25 Feet	9 Feet
Minor Collector-Non-residential	40 Feet	20 Feet
Local Residential	20 Feet	9 Feet
Local-Commercial or Office	25 Feet	11 Feet
Local-Industrial	40 Feet	25 Feet

[*]Intersecting right-of-way lines may be joined by an arc having the minimum radius shown, or by a miter which cuts across the right-of-way lines connecting the points where the required radius would have otherwise been tangent.

360-50.6 Islands. Islands in street intersections shall conform to the design requirements of the Standard Drawings in the Appendix of the UDO. In no case shall anything in an island extend more than three feet above the street grade within the right-of-way, except traffic regulatory devices and other infrastructure erected or approved by Gwinnett County. No island shall be approved which contains less than 100 square feet.

360-50.7 Intersection Corner Sight Distance.

A. Intersections shall be designed with adequate corner sight distance for each street which approaches a street in an equal or higher street category (except an intersection of two local streets). Where necessary, backslopes shall be flattened and horizontal or vertical curves lengthened to provide the minimum required sight distance.

B. The minimum corner sight distance shall meet the standards as shown in Table 360.2 Sight Distance.

C. The sight distance criteria are based on the time required for a vehicle to make a left turn from a stop-controlled approach to the Highway (AASHTO Case B1). The time to execute the maneuver is based on recommendations contained in NCHRP Report 383, Intersection Sight Distance. The sight distances, for a two-lane road, are the distances traveled at the arterial speed during 7.5 seconds. The time is increased by 0.5 seconds for each additional lane to be crossed. The sight distances given in Table 360.2 are for undivided highways. If the highway is divided, the effect of the median should be considered in determining the required sight distance. Based on the conditions, it may be feasible for the crossing maneuver to be done in two stages with a stop in the median. However, the intersection should only be treated in this manner if the signing and marking is accordingly provided. Otherwise, the sight distance requirements should be increased to account for the additional width that must be crossed. See AASHTO Green Book, Chapter 9 Intersections, for adjustments due to grades greater than 3 percent and design vehicles other than passenger cars.

360-50.8 Obstructing Visibility at Intersections. In all zoning districts, no fence, wall, structure, shrubbery, or other obstruction to vision between the heights of 3 feet and 15 feet, except utility poles, light or street sign standards or tree trunks shall be permitted within 20 feet of the intersection of the right-of-way lines of streets, roads, highways, or railroads.

360-50.9 Turning Lanes at Intersections. Right turning lanes may be required to meet traffic demands or safety concerns. When provided, turning lanes shall meet the following criteria:

A. Storage length — A minimum of 150 feet of storage length for turning lanes on any arterial roadway shall be used. A minimum of 100 feet of storage length for turning lanes on all collectors shall be used.

B. Taper Length — The minimum taper length shall be 50 feet.

C. Left turning lanes from arterial roads shall be subject to longer storage lengths and tapers and as determined on a case-by-case basis.

Section 360-60. Street Design Standards.

360-60.1 Street Grades and Design Speeds.

A. Minimum grade for all Local and Minor Collector Streets shall be 1.5 percent. Minimum grades for all major collector and arterial streets shall conform to Georgia Department of Transportation standards and regulations.

B. Minimum grade of less than 1.5 percent on a local street may be approved by the Department, based on adequate engineering designs, where at least 1.5 percent cannot reasonably be achieved due to topographical limitations imposed by the land. In such cases, a Record Drawing, and such computations as necessary shall be provided after construction to establish that the street will drain in accordance with this UDO. Street sections where unacceptable pooling, excessive spread at catch basins, or other hazardous conditions occur shall be reconstructed or otherwise improved to eliminate such conditions.

C. Minimum vehicle design speeds and maximum grades allowable in Gwinnett County by street classification shall be as shown in Table 360.6.

D. Maximum grade on any cul-de-sac turnaround shall be 6 percent.

Table 360.6. Minimum Design Speeds and Maximum Grades.

Street Category	Maximum Grade	Design Speed
Principal Arterial	8%	60 MPH
Major Arterial	9%	50 MPH
Minor Arterial	10%	40 MPH
Major Collector	10%	40 MPH
Minor Collector	10%	30 MPH
Local	15%*	25MPH

**Grades between 11 percent and 15 percent shall not exceed a length of 150 feet and shall require an "as graded" survey prior to the installation of the curb or utilities. The distance shall be measured as the tangent length between points of curvature.*

360-60.2 Vertical Street Alignment.

A. All changes in street profile grades having algebraic difference greater than one percent shall be connected by a parabolic curve having a minimum length (L) equal to the product of the algebraic difference between the grades in percent (A) and the design constant (K) assigned to the street according to its category (i.e., L=KA).

B. Constant (K) values are shown in the Table 360.7 for both desirable and minimum acceptable ("hardship") conditions. In all cases, the "desirable" value shall be used, unless it cannot be achieved due to topographic conditions beyond the developer's control. In such hardship situations, the Department may approve a lesser value to the extent required by the hardship situation, but in no event less than the value shown in Table 360.7 as "minimum."

Table 360.7. Constant (K) Values for Vertical Curves.

	Crest Curves		Sag Curves	
Street Category	Minimum	Desirable	Minimum	Desirable
Principal Arterial	151	320	136	155
Major Arterial	84	170	96	110
Minor Arterial	44	80	64	70
Major Collector	44	80	64	70
Minor Collector	19	30	37	37
Local	12	20	26	26

360-60.3 Horizontal Street Alignment.

A. All new streets shall adhere to the standards governing horizontal curvature and superelevation as set forth in Table 360.8 below:

Table 360.8. Horizontal Curves.

Street Category	Minimum Radio (Ft.)	Maximum Superelevation
Principal Arterial	1,333	0.06
Major Arterial	833	0.06
Minor Arterial	560	0.04
Major Collector	560	0.04
Minor Collector	300	0.04*
Local	181	0.00

**No superelevation will be allowed on Minor Collectors internal to residential subdivisions*

B. Superelevation for horizontal curves shall be calculated utilizing the following formula:

R = minimum radius curve

v = vehicle design speed (MPH)

e = rate of superelevation (decimal of a foot rise per foot roadway)

f = side friction factor

Vehicle Design Speed (v)	30	40	50	60
Side Friction Factor (f)	.16	.15	.14	.12

C. Widening section along existing streets shall be designed reflecting existing curvature and superelevation, if any, unless the existing street has been included in a specific design by the Gwinnett County Department of Transportation or Georgia Department of Transportation which calls for different standards, in which case the project will be coordinated with the overall design.

D. Superelevation runoff. Roadway edge curves shall be provided for tangent runout (bringing edge from a normal crown to centerline elevation) and superelevation runoff (from the end of tangent runout to the point of design superelevation) in accordance with design standards of the Georgia Department of Transportation or other professional engineering standards.

E. Tangents and compound curves. Between reverse horizontal curves there shall be not less than the minimum centerline tangents shown in Table 360.9 unless otherwise specified by the Georgia Department of Transportation. Compound radii curves are prohibited. At least the "desirable" length shall be provided unless hardship conditions of topography or property configuration will not allow lengths greater than those shown as "minimum." For compound circular curves, the ratio of the flatter radius to the sharper radius shall not exceed 1.5 to 1.

Table 360.9. Tangents.

Street Category	Minimum Tangent Length	Desirable Tangent Length
Principal Arterial	150	180 Feet
Major Arterial	125	150 Feet
Minor Arterial	100	120 Feet
Major Collector	100	120 Feet
Minor Collector	75	90 Feet
Local	50	60 Feet

Note: Minimum tangents are based on the distance traveled in 1.7 seconds at the design speed for each category of street. Desirable length is based on distance traveled in 2.0 seconds.

360-60.4 Horizontal and Vertical Clearances.

A. *Horizontal clearances.*

1. A shoulder of no less than 11 feet from the back of curb or edge of pavement, appropriately graded and having gentle slopes of not more than 0.5 inch per foot and rounded cross-sectional design shall be maintained along all streets. Beyond the shoulder but within the right-of-way, slopes shall not exceed 1 foot of rise for each 2 feet of horizontal distance on a cut slope, and 1 foot of fall for each 3 feet of horizontal distance on a fill slope.

2. Along all public streets, a clear zone shall be provided per current AASHTO standards wherein nothing may be located above ground level except traffic/street signs, public utility structures, driveways, and mailboxes.

3. At selected locations, such as the outside of a sharp curve, a wider clear zone with greater horizontal clearances provided to any roadside obstruction may be required.

4. The Department of Transportation, in accordance with O.C.G.A. § 32-6-51, is authorized to remove or direct the removal of any sign, signal, device, or other structure erected, placed, or maintained on the right-of-way of a public road which because of its nature, construction, or operation constitutes a danger to or interferes with the vision of drivers of motor vehicles.

B. *Vertical clearances.* Vertical clearance at underpasses shall be at least 14.5 feet over the entire roadway width.

Section 360-70. Street Construction Standards and Specifications.

360-70.1 Specifications. Unless otherwise specifically set forth herein, all of the materials, methods of construction, and workmanship for the work covered in reference to street construction shall conform to the latest specifications of the Georgia Department of Transportation.

360-70.2 Subgrade Preparation for All Streets.

A. *Subgrade preparation* shall be in accordance with Georgia Department of Transportation specifications.

B. *Removal of unsuitable material.* If any sections of the subgrade are composed of topsoil, organic, or other unsuitable or unstable material, such material shall be removed and replaced with suitable material and then thoroughly compacted as specified for fill or stabilized.

C. *Compaction.* Fill shall be placed in uniform, horizontal layers not more than 8 inch thick (loose measurement). Moisture content shall be adjusted as necessary to compact material to 95 percent of maximum dry density except for the top 12 inches which shall be compacted to 100 percent of maximum dry density.

D. *Brought to line and grade.* After the earthwork has been completed, all storm drainage, water, and sanitary sewer utilities have been installed within the right-of-way as appropriate, and the backfill in all such ditches thoroughly compacted, the subgrade shall be brought to the lines, grades, and typical roadway section shown on the plans.

E. *Utility trenches to be compacted.* All utility crossings within the right-of-way must be installed prior to subgrade approval. All manhole covers must be flush with top of intermediate course if there is a delay in applying the final surface course for new roadway pavement. Manhole covers will be required to be adjusted flush when final surface course is installed. Utility trenches cut in the subgrade shall be backfilled as specified herein. Compaction tests at the rate of 1 per 150 feet of trench shall be provided to verify compaction.

F. *Roll testing required.* The subgrade must pass roll testing prior to placement of the base material. The roll test of the subgrade and base material shall be observed and approved by a Department Development Inspector prior to paving.

G. *Temporary traffic surface.* When the street is to be used for construction traffic before the paving work is completed, a layer of stone (except crusher run) shall be laid as a traffic surface. This material shall not be used as a part of the base material. It may be worked into the subgrade, or it shall be removed before the base course is set up for paving.

H. *Provisions to drain low points*. Provisions shall be made to drain low points in the road construction when the final paving is delayed. A break in the berm section is required when the curbing has not been constructed. Drainage under the curb to side slopes after installation is required, using minimum four-inch diameter pipe sections. Vegetated or stabilized swales should be considered for managing

road construction runoff. Swales shall be constructed in accordance with the Gwinnett County Stormwater Management Manual.

360-70.3 Project Access Improvement Standards.

A. *Sections wider than 4 feet in width.* For sections 4 feet or greater in width, the section shall comply with the construction standards for new streets, in accordance with the street's category as shown on the officially adopted Gwinnett County Long Range Road Classification Map. The base course must pass roll testing prior to paving. If a delay is expected, then the base must be sealed and retested prior to paving.

B. *Sections less than 4 feet in width.* For sections less than 4 feet in width, 6 inches of class "B" concrete shall be poured flush with the adjacent pavement surface and dyed black. A minimum of 8 inches of Graded Aggregate Base shall be provided below the widening section.

360-70.4 New Local and Minor Collector Streets.

A. *The following standards* shall apply to new local and minor collector streets in residential subdivision and non-residential projects.

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.

2. The final asphaltic surface course of 1.25 inches of 9.5 mm Superpave Type II shall be applied.

3. If a delay in paving is anticipated, then the base course shall be primed the same day it is compacted and cured in accordance to Georgia DOT standards.

4. Upon the final acceptance of the final surface course, a maintenance bond for a period not to exceed 18 months following the date of approval of Development Conformance shall be required.

B. *Local residential-rural streets.* Where allowed, local residential-rural streets may install streets without curb and gutter. In such cases, the road base shall be extended 1 foot beyond the edge of pavement, and the shoulders shall extend eight feet from the edge of pavement to a standard ditch section on each side (see Standard Drawings in the Appendix of this UDO). Otherwise, the roadway shall comply with the standards for new residential subdivision streets set forth in Section 360-70.4.A.

360-70.5 New Major Thoroughfares. Minor collectors or greater shall be constructed in accordance with designs prepared by Gwinnett County or Georgia DOT, or, if no design has been prepared, to the following standards:

A. *Arterials Pavement Section:*

1. 10 inches GAB.

2. 4 inches of 25mm Superpave.

3. 2 inches of 19mm Superpave.

4. 1.5 inches of 9.5mm Type II Superpave (volumes less than 10,000 ADT), OR;

5. 1.5 inches of 12.5mm Superpave (volumes greater than 10,000 ADT).

B. *Collectors Pavement Section:*

1. 10 inches GAB.

2. 4 inches of 19mm Superpave.

3. 1.5 inches of 9.5mm Type II Superpave (volumes less than 10,000 ADT), OR;

4. 1.5 inches of 12.5mm Superpave (volumes greater than 10,000 ADT).

Section 360-80. Curbs and Gutters.

360-80.1 Curb and Gutter Required. All new streets and Project Access Improvements shall be provided with curb and gutter except in subdivisions zoned RA-200, where swale ditches may be provided in lieu of curb and gutter. All gutters shall drain smoothly with no areas of ponding.

360-80.2 Residential Curbing. Residential curbing shall meet the following requirements:

A. Concrete shall be Class "B" (as defined by Georgia Department of Transportation) and have a minimum strength of 3,000 PSI at 28 days.

B. Typical minimum section shall be 6” × 24” × 12”.

C. Vertical curbing only. Rollback curbing may be specified in townhouse on the garage side the townhouse street,

360-80.3 Industrial or Commercial Curbing. Industrial or commercial curbing shall meet the following requirements:

A. Concrete shall be Class "B" (as defined by Georgia Department of Transportation) and have a minimum strength of 3,000 PSI at 28 days.

B. Typical minimum section shall be 8” × 24” × 14”.

C. Vertical curbing only.

360-80.4 Collector and Arterial Curbing. Collector and Arterial curbing shall meet the following requirements:

A. Concrete shall be Class "B" (as defined by Georgia Department of Transportation) and have a minimum strength of 3,000 PSI at 28 days.

B. Typical minimum section shall be 8” × 30” × 14”.

C. Vertical curbing only.

360-80.5 Construction Methods.

A. Curb and gutter shall be set true to line and grade, be field staked, and finished to the section shown on the plans. Along the Project Access Improvements of a road which the Department of Transportation has identified for resurfacing within one year of the new construction, the grade of the new gutter shall be placed 1 inch above the Project Access Improvement pavement grade in areas where drainage will not be adversely affected.

B. Line and grade shall be field staked for grades less than two percent and grades over 12 percent, and within 100 feet in both directions from all low points.

C. One-half inch expansion joints or premolded bituminous expansion joint material shall be provided at all structures and radius points and at intervals not to exceed 250 feet in the remainder of the curb and gutter.

D. Inferior workmanship or unprofessional construction methods resulting in unacceptable curb and gutter will be cause for rejection of the finished work.

E. Disturbed areas along all curbing shall be backfilled, stabilized, and grassed.

Section 360-90. Sidewalk Requirements.

360-90.1 Sidewalks. Sidewalks and curb ramps shall be constructed in all new development or redevelopment along all abutting or internal streets, existing or new, private, or public. Whenever a discrepancy occurs between the design and construction standards of this UDO and any state or federal regulation, then the most restrictive shall apply.

360-90.2 Sidewalk and curb ramp installation and timing. Sidewalks and curb ramps shall be installed as follows:

A. *Developers shall connect proposed sidewalks* on developed property to the adjacent property's sidewalks.

B. *Residential subdivision projects.* Sidewalks and curb ramps, where required, shall be installed on new internal streets (both sides including "eyebrow" turnarounds and cul-de-sacs) and on abutting external streets (abutting side).

C. *Residential subdivision developer's responsibility.* Developers shall install sidewalks and curb ramps on abutting external streets, "passive" recreation areas, common area and open space prior to the approval of the Final Plat. Sidewalks on "active" recreation area lots shall be installed prior to issuance of a Certificate of Occupancy.

D. *Homebuilder responsibility.* Homebuilders shall install sidewalks, and curb ramps not required to be installed by developers, on residential lots prior to release of the Certificate of Occupancy for a home.

E. *Non-residential and non-subdivision projects.* Sidewalks shall be installed on new internal streets (both sides including cul-de-sac and "eyebrow" turnarounds) and on abutting external streets (abutting side) by the lot owner or developer prior to the issuance of a Certificate of Occupancy.

F. *Performance surety.* Performance surety for sidewalks and ramps not yet installed must be approved by the Director. The surety shall be in an amount acceptable to the County.

G. *Escrow alternative.* The cost of sidewalk installation may be set aside in escrow with the Department of Transportation if proposed road improvements by the County may impact the location of a sidewalk or if the sidewalk cannot be constructed due to topographic or utility constraints. Costs shall be set at a linear rate by Gwinnett DOT and are subject to include construction, acquisition, and engineering costs for sidewalk projects within the County.

360-90.3 Sidewalk design and construction standards. Sidewalks shall be constructed in accordance with the requirements of this section. The Director is authorized to grant Modifications upon specific application due to topographic or drainage difficulty as well as alternative design proposals after receiving a recommendation from the Department of Transportation.

A. *Width.* Sidewalks shall be at least 4 feet wide on new internal subdivision streets and at least 5 feet wide on abutting external streets with the following exceptions:

1. Sidewalks shall be at least 5 feet wide on new internal streets or drives within the Senior Oriented Residence District (R-SR) and Office-Residential District (O-R).

2. Sidewalks shall be at least 5 feet in width on new local non-residential streets and 5 feet in width for new local residential streets in the TND and Mixed-Use Districts (MU-N, MU-C and MU-R) and shall conform with this Section and any additional requirements of Sections 210-190 through 210-225.

B. *Setback.* Sidewalks shall be located at least 2 feet from the back of curb. The area between the curb and the sidewalk shall consist of grass or landscaping and shall be consistent with the requirements of

this UDO. Where no curb exists, or if road improvements are proposed for installation by the County, sidewalks, including appropriate storm-water infrastructure, shall be constructed in a location acceptable to the Gwinnett County Department of Transportation.

C. *Cross slope.* Sidewalks shall be constructed with a cross slope of 0.25 inch per foot. Sidewalks shall maintain this cross slope at driveway crossings or transition the sidewalk to a driveway with ramps and detectable warnings.

D. *Material.* Class "B" concrete (as defined by Georgia Department of Transportation) with a minimum strength of 2,200 PSI at 28 days.

E. *Final stabilization.* Disturbed areas resulting from sidewalk construction shall be backfilled, stabilized, and grassed or landscaped.

F. *Georgia Department of Transportation controlled roads.* Sidewalks located in the right-of-way of roads under the jurisdiction of the Georgia Department of Transportation shall be constructed in accordance with Georgia Department of Transportation design and construction standards.

G. *Sidewalk curb ramp design and construction standards.* Intersection radius curb ramps shall be provided at street intersections. Straight ramps may be provided at intersections of curbed driveways and at streets without sidewalks. Curb ramps shall meet the requirements of the *Americans with Disabilities Act*.

H. *Damage repair.* Damage to roads, sidewalks, curbs, and ramps caused by construction or development activity shall be repaired at no cost to the County within 30 days or prior to issuance of a Certificate of Occupancy, whichever is earlier.

Section 360-100. Multi-Use Path Requirements.

360-100.1 Multi-use paths shall be provided along all arterial streets. Also, where a proposed development is shown with roadway frontage along a roadway that is classified as being within the Gwinnett Countywide Trails Master Plan, the developer shall be responsible for the construction of a minimum 12-foot trail along the road frontage. The developer/builder shall coordinate with the Department of Transportation for location and approval. Where provided multi-use paths shall comply with the provisions of this section as well as the provisions contained in Chapter 360 of this UDO and shall meet the following requirements:

360-100.2 Width. Multi-use trails and paths shall be a minimum of 12 feet in width.

360-100.3 Material and construction details.

A. A multi-use path that is constructed in a floodplain, adjacent to a stream, or adjacent to undisturbed land shall be asphalt or concrete or approved alternative such as pervious asphalt, or pervious pavement. In all other cases, a multiuse path shall be concrete.

B. Multi-use paths shall be designed to minimize direct auto-pedestrian and/or auto-conflicts by such means as striping and signs.

C. Multi-use paths shall be connected to crosswalks at intersections where applicable.

Section 360-110. Greenway Requirements.

360-110.1 Greenways shall be designed and developed in coordination with the Gwinnett Countywide Trails Master Plan Trails Master Plan. Greenways, where provided, shall comply with the provisions of this section as well as the provisions contained in Chapter 360 of this UDO and shall meet the following requirements:

A. For width, materials, and design standards, refer to the Gwinnett Countywide Trails Master Plan Update.

B. Construction Obligation. The greenway shall be constructed by the developer prior to issuance of a Certificate of Occupancy, or in the case of residential subdivisions, prior to the approval of the Final Plat.

1. *Residential subdivision developer's responsibility.* Where required, developers shall install greenways on open space, common area and abutting external streets, prior to the approval of the Final Plat. Greenways on "active" recreation area lots shall be installed prior to issuance of a Certificate of Occupancy.

2. *Homebuilder responsibility.* Homebuilders shall install greenways not required to be installed by developers on building lots prior to release of the Certificate of Occupancy for a home.

3. *Non-residential projects.* Greenways, where required, shall be installed prior to the issuance of a Certificate of Occupancy.

4. *Performance surety.* Performance surety for greenways not yet installed must be approved by the Director. The surety shall be in an amount and form acceptable to the County.

360-110.2 Greenway Maintenance and Liability.

County Maintenance. The County will accept maintenance responsibility similar to its maintenance for County-owned park property, for a greenway if the Director of Community Services or designee finds all of the following:

A. The applicant requests that the County assume the responsibilities

B. The greenway lies within an easement or right-of-way granted to the County for trail purposes

C. The greenway has been constructed to County standards

D. The greenway is physically continuous for at least 1/4-mile along the designated route. This requirement for a minimum length of route segment or route spur will be waived if the primary network greenway has not been made part of a physically continuous segment of at least 1/4-mile within two years after completion of the segment under consideration.

E. If the applicant desires to use a private security force to patrol the greenway area, the owner has signed an agreement holding the County harmless from all claims, suits, or actions of any nature, caused, or arising out of the actions of the private security force, its subcontractors, agents, or employees

360-110.3 Owner/Applicant maintenance. The owner/applicant retains maintenance responsibilities unless these responsibilities are accepted by the County. Where the applicant retains maintenance responsibilities, the greenway must be maintained at a level at least equal to those design standards as required by the Gwinnett Countywide Trails Master Plan.

Section 360-120. Traffic Control Devices.

360-120.1 Traffic Control Signs. Street signs, traffic control signs, and devices such as striping and signalization, shall be provided through payment of fees to the Department of Transportation for the installation thereof.

360-120.2 Street Name Signs. Public street name signs shall have a green background with white legends mounted on channelized posts. Private street name signs shall have a blue background with white legends mounted on channelized posts. Alternate post material shall be subject to the review and approval of the Department of Transportation. The posts and signs will be furnished and installed by the County at all street

intersections. The developer (or homeowners association in the event an alternate signpost is chosen at a later date) shall pay the County's costs.

360-120.3 Traffic Signals and Signs. All traffic signals and signs shall conform to the Manual on Uniform Traffic Control Devices (no decorative traffic control devices will be allowed) or as per Gwinnett County Department of Transportation.

360-120.4 Striping Requirements. All newly constructed streets having four or more lanes (including auxiliary lanes) and existing streets being widened with one or more additional lanes shall be striped or the payment of said striping costs shall be required from the Developer by the Department of Transportation prior to the Approval of Development Conformance for the project. Striping shall be accomplished with paint meeting Georgia Department of Transportation standards conforming to the Manual on Uniform Traffic Control Devices.

360-120.5 Payment of Fees. Payment for materials and installation of street name and traffic control signs in new developments shall be required by the Department of Transportation prior to the approval of the Final Plat for new subdivision streets and the Approval of the Development Conformance for all other developments.

Section 360-130. Traffic Calming Devices.

360-130.1 Subdivision streets shall be designed in accordance with the Gwinnett County Traffic Calming Guide. The maximum length of roadway section between speed control points, as defined by the Traffic Calming Guide, shall be 500 feet.

360-130.2 The traffic-calming plan is subject to review and approval by the Department of Transportation. The Director of the Department of Transportation may grant modifications.

Section 360-140. Private Streets and Alleys.

360-140.1 ~~360-140.1~~ Private Streets and Alleys Permitted.

A. Proposed streets within a new subdivision may be developed as public or private streets provided private streets are developed in accordance with this Section. ~~Application for approval of private streets shall be considered by the Board of Commissioners~~the Director of the Department of Planning and Development. ~~Not withstanding other provisions of the UDO, the Board of Commissioners~~Department ~~may impose conditions on the approval of private streets to ensure the health, safety, and welfare of the general public and to mitigate potential problems with private streets.~~

B. Alleys intended to serve as private access route in the rear of buildings shall be permitted, constructed, and maintained as private driveways, and in substantial conformance with the UDO Design Guidelines. Application for approval of such private alleys may be considered by the Director of the Department of Planning and Development.

~~B.~~C. Application for approval of conversion of public streets to private streets, or private streets to public streets ~~private streets converting to public~~ shall be considered by the Board of Commissioners.

360-140.2 General Provisions.

A. It shall be unlawful for any person, firm, or corporation to construct a new private street or alley, or alter an existing private street or alley, or to cause the same to be done without first obtaining a development permit, for such construction or alteration, from the Department.

1. All private streets shall be constructed to the roadway construction standards for public streets as required by the UDO and contained herein. All private alleys shall be designed and constructed as private driveways as required by the UDO. No permit for a private street or alley shall be issued unless the proposed roadway improvements are in conformity with the standards and requirements for public streets and the applicable provisions of the UDO.

2. For setback purposes, front setbacks shall be measured as if the streets were public streets, or as approved by individual variances. Rear setbacks of lots adjacent to alleys shall be a minimum of 5 feet measured from the rear property line of such lot.

3. The subdivider/developer shall comply with the Department of Fire and Emergency Services general order for security gate access if a gated development is proposed.

4. All provisions of the UDO regarding roadways, water lines, sewer lines, stormwater facilities and their appurtenances, including the design, submittal of plans, required improvements, etc., shall apply to all developments with private streets or alleys approved pursuant to this section.

5. The subdivider/developer shall comply with the standards and requirements of the Department of Water Resources for the installation of water and sanitary sewer mains within private developments/subdivisions.

6. The subdivider/developer shall establish a mandatory property owners association, with bylaws and/or covenants which shall include the following:

    a. Mandatory membership of all purchasers of lots therein and their successors

    b. Responsibility for maintenance, insurance, and taxes

    c. Equitable sharing of the cost of maintenance

    d. Authority to place liens on the real property of members who fail to pay their dues or assessments

7. No Final Plat or development permit involving any private street shall be approved unless said Final Plat or development permit conforms to the requirements of this section.

360-140.3 Street Names and Address Assignments for Private Streets.

A. Proposed names for private streets shall follow the same rules as for public streets.

1. The subdivider of land involving a private street shall install street signs with the street name and designation "private," as approved by the Department.

2. Address assignments will be in accordance with this UDO.

360-140.4 Easements for Private Streets or Alleys.

A. Easements for private streets shall be designated on Final Plats as general purpose public access and utility easements, along with the name of said street. Said easement shall at minimum be of the same width as that required for the right-of-way of a public street as shown on the Long Range Road Classification Map for the type of public street (local, collector, etc.) most closely resembling the proposed private street.

B. In cases where alleys are intended to serve as private service or access route, either with or without utility easement, for more than two properties, then the alleys shall have a minimum easement width of 20 feet and shall be designated on Final Plats as private access and utility easement, as applicable, and on its own discrete parcel to be dedicated to a private property association.

1. Easements for private streets and alleys shall not be included in any calculation of minimum lot size as established by this UDO.

2. In the cases of private streets where roadway improvements are not required (i.e., exemption plat, minor subdivision), the general purpose public access and utility easement for the private street shall be shown in a manner on the plat such that each lot fronting the private street extends to the centerline of the private street. No lot shall be permitted to be divided by the general purpose public access and utility easement required and established for a private street.

3. In the cases of private streets where roadway improvements are required, the general purpose public access and utility easement for a private street shall be drawn as its own discrete parcel to be dedicated to a private homeowners association (i.e., not shown to be a part of any lot).

360-140.5 Maintenance.

A. Gwinnett County shall not maintain, repair, resurface, rebuild, or otherwise improve streets, signs, drainage improvements, or any other appurtenances within general purpose public access and utility easements established for private streets or alleys.

1. Gwinnett County assumes full responsibility for the repair and maintenance of the water and/or sanitary sewer mains and appurtenances and any areas disturbed by repair or maintenance efforts will be restored to as near to its original condition as is feasible. Permanent repairs to the streets shall be made by the homeowners associations or other entity having maintenance responsibility for the development. Driveways and sidewalks will be repaved, sodded or landscape areas will be graded, smoothed, reseeded or resodded where appropriate. Maintenance responsibility by Gwinnett County for individual sanitary sewer stubs shall extend to the end of the standard six-inch stub, and to the water meter for individual water lines.

2. A private maintenance covenant recorded with the Clerk of the Superior Court shall be required for any private street, alley and other improvements within general purpose public access and utility easements established for private streets and alleys. The covenant shall set out the distribution of expenses, remedies for non-compliance with the terms of the agreement, rights to the use of easements, and other pertinent considerations. The covenant shall specifically include the following terms:

    a. The covenant shall establish minimum annual assessments in an amount adequate to defray costs of ordinary maintenance and procedures for approval of additional needed assessments. The covenant shall also specify that the funds from such assessments will be held by a homeowners or property owners association in cases of a subdivision fronting on a private street or containing a private alley.

    b. The covenant shall specify that the property owners association shall be responsible for the maintenance and repair of the stormwater drainage system and all common areas within the development.

    c. The covenant shall include a periodic maintenance schedule.

    d. The covenant for maintenance shall be enforceable by any property owner served by the private street or alley.

    e. The covenant shall establish a formula for assessing maintenance and repair costs equitably to property owners served by the private street or alley.

    f. The covenant shall run with the land.

3. The Board of Commissioners may, at its discretion, as a condition of approving private streets, require a performance bond and/or maintenance bond be submitted by the subdivider and held by a homeowners or property owners association, or the Board may require that the subdivider pay an amount of money as recommended by the Director into an escrow account or other suitable account for the construction, maintenance and repair of private streets and stormwater management improvements, to be drawn from by the homeowners or property owners association as the need may arise.

360-140.6 Specifications for Final Plats Involving Private Streets. No Final Plat involving a private street shall be approved by the Department for recording unless and until it shall contain the following on the face of the plat:

A. Deed book and page reference to the recorded covenant required in Section 360-120.5 Maintenance, as listed above.

1. "Gwinnett County has no responsibility to build, improve, maintain, or otherwise service the private streets, drainage improvements, and other appurtenances contained within the general public purpose access and utility easement or easements for private streets shown on this plat."

2. "Grant of Easement. The general purpose public access and utility easement(s) shown on this plat for private street(s) is hereby granted and said grant of rights shall be liberally construed to provide all necessary authority to the County, and to public or private utility companies serving the subdivision, for the installation and maintenance of utilities, including, but not limited to electric lines, gas lines, telephone lines, water lines, sewer lines, cable television lines, and fiber optic cables, together with the right to trim interfering trees and brush, together with a perpetual right of ingress and egress for installation, maintenance, and replacement of such lines.

   Signature of Property Owner Date

3. "Certificate of Dedication." All water and sewer lines installed within the general purpose public access and utility easement(s) shown on this plat for private street(s) are hereby dedicated to Gwinnett County.

360-140.7 Requirement for Purchaser's Acknowledgement of Responsibilities for Private Street and/or Alley.

A. Prior to the sale or as a condition of the closing of a real estate transaction involving any lot served by a private street or alley in Gwinnett County, the purchaser of said lot shall execute a notarized Purchaser's Acknowledgement of Private Street and/or Alley Construction and Drainage Maintenance Responsibilities set forth below. A copy of the purchaser's acknowledgement shall be retained by the subdivider or seller and shall be required to be submitted as a condition of a Building Permit for a principal building on said lot:

"Purchaser's Acknowledgement of Private Street and/or Alley and Drainage Maintenance Responsibility."

(I) (We) have read the Declaration of Covenant which pertains to the lot that is the subject of this real estate transaction _____(insert address or attach legal description). (I) (We) understand that the Declaration of Covenant applies to the lot that (I am) (we are) purchasing and requires (me) (us) to provide a specified percentage or amount of the financing for the construction and maintenance of any private street (and/or alleys) and drainage facilities serving the lot which (I am) (we are) purchasing, and that owners of other lots in this plat may sue and recover for those costs which this covenant requires (me) (us) to pay, plus their damages resulting from (my) (our) refusal to contribute, plus reasonable attorney's fees. (I) (we) further understand that the County has no obligation to assist with the maintenance and improvement of the private street or alley, drainage facilities, and other appurtenances within the general purpose public access and utility easement for the private road serving the lot in question. (I) (we) understand that a copy of this purchaser's acknowledgement shall be required as a condition of the issuance of a building permit for a principal building on the lot (I am) (we are) purchasing.

_____ _____ _____ _____

Purchaser Date Purchaser Date

Chapter 370. Street Lighting

Section 370-10. Responsibility for Street Lighting on Public Roads.

Except as otherwise provided for in this UDO, the responsibility for providing street lighting for the public streets, roads, highways, and sidewalks in the unincorporated area of the County rests with the Board of Commissioners. ~~No street or roadway lighting of the public streets, roads, highways, or sidewalks in the unincorporated area of the County is permitted unless provided for by the Board of Commissioners.~~

Section 370-20. Street Lighting in Overlay Zoning Districts.

In addition to the requirements of Chapter 370, street lighting for overlay districts shall also meet the requirements of Chapter 220. Should a conflict arise between the requirements of Chapter 220 and this Chapter 370, the requirements of Chapter 220 shall take precedence.

Section 370-30. Specifications.

Unless otherwise specifically set forth herein, all of the materials, methods of construction, and workmanship for the work covered in reference to street construction shall conform to the latest specifications of the Georgia Department of Transportation (Georgia DOT).

Section 370-40. Installation of Street Lights.

The installation and operation of lighting fixtures located within the rights-of-way of any public street, road, highway, sidewalk, or alley in the unincorporated areas of the County or fixed to any pole, lamppost, standard or other supporting device, which is located within such rights-of-way, will comply the following procedures:

A. Plans and specifications for the proposed installation showing compliance with the standards in this Chapter shall be submitted to the Director of the Department of Transportation or a designee thereof for approval. No installations will be made without this approval.

B. Roadway or street lighting luminaries or fixtures installed within the public rights-of-way as "security lights" or for the purpose of lighting areas other than the public streets shall require the approval of the Director of the Department of Transportation or a designee thereof before installation of such lights.

C. Fixtures for illuminating areas adjoining the public streets, roads, and the like, such as parking areas and driveways, shall be mounted in such a manner as to ensure that the light pattern is kept off the public roadway. When street or roadway lighting luminaries are to be used for security lighting, they will be mounted on the side of the pole that is opposite from the public street and will be mounted to ensure that the lateral light distribution pattern is parallel to the street and the vertical light distribution at the initial light source is perpendicular to the street.

D. If lighting fixtures of a type other than those in the classification of street or roadway luminaries are to be used or if the proposed lighting is to be installed outside of public rights-of-way, the plans and specifications submitted shall be sufficiently detailed to clearly show that such shall be installed and operated in such a manner to prevent glare from being a hazard to or interfering with the normal use of the public rights-of-way.

Section 370-50. Street Lights for New Subdivisions.

370-50.1 Street lights shall be provided by the developer in new subdivisions which propose the construction of a new street to be dedicated to the County or which propose lot access to existing County streets.

370-50.2 Prior to the approval of a Final Plat, the developer shall submit a copy of the approved Subdivision Development Plan to the ~~Traffic and Operations Division of the~~ Department of Transportation. The ~~Traffic and Operations Division~~ Department of Transportation shall prepare a street light design drawn on the Subdivision Development Plan based upon the requirements of this Chapter 370. The design shall be forwarded to the appropriate power provider and the developer shall pay the power provider the appropriate cost for materials and installation. Proof of payment to the power provider shall be required.

370-50.3 All fixtures and poles shall meet the requirements of the County and all maintenance shall be the responsibility of the power provider. Fixtures shall be mounted a minimum of 16 feet above the ground. For subdivisions with street trees, fixtures shall be mounted a maximum of 14 feet above the ground. The County, in addition to other requirements, may require a light to be located at street intersections within the development.

370-50.4 Upon acceptance of the street light installation by the County, the power provider shall submit monthly bills to ~~the Traffic and Operations Division of~~ the Department of Transportation for payment which will be assessed to the individual lots.

Chapter 380. Public Utilities Installation

Section 380-10. Placement of Utilities.

380-10.1 Underground Utilities to be in Right-of-Way or Easement. All authorized public underground utilities shall be located within the right-of-way of a public street or within an easement designated for such use. Within a public street right-of-way, placement of the various authorized utilities (power, gas, cable TV, water, and sewer) shall conform to the specific locations designated for such use by Gwinnett County, as illustrated in the Standard Drawings in the Appendix of this UDO.

380-10.2 Private Underground Utilities Require Department Approval if in the Right-of-Way. No other underground utilities, such as private lawn sprinkler systems, yard lighting, etc., shall be installed within a public right-of-way or easement except by authorization of the Operations and Maintenance Section of the Gwinnett County Department of Transportation Gwinnett County. Such authorization, if issued, shall require the applicant to assume all repair costs of the applicant's facilities should they be damaged during the course of installation, maintenance, or repair of any roadway facilities or any of the public utilities authorized to occupy said right-of-way or easement.

380-10.3 Easements.

A. *Dedication requirement.* Temporary construction easements and permanent easements for public utilities, stormwater infrastructure or other public facilities shall be dedicated to Gwinnett County in accordance with County requirements.

B. *Cleared, opened, and stabilized.* Drainage easements are required for any part of the stormwater infrastructure system or undisturbed drainage features which are designed to carry existing or proposed stormwater runoff. Drainage easements for improved ditches, pipe construction, and stormwater facilities shall be cleared, opened, and stabilized at the time of development to control surface water run-off (See also Chapter 800). Run-off slope and side slopes shall be specified by the authorized registered professional, according to good engineering practice. Drainage easements for stormwater that convey water shall be provided according to the minimum requirements found in Table 380.1 below, conform to County Standards, and centered over the conveyance system. The minimum easement width shall be based on the pipe diameter (span) plus 2 feet plus 2 times the pipe invert depth. This value shall be rounded up to the nearest 5 feet. For pipes exceeding 16 feet in depth, a pre-submittal conference shall be held with the County to determine what additional requirements may be required.

Table 380.1. Easement Width for Stormwater Infrastructure.

Pipe Size (In)	Maximum Pipe Invert Depth (Ft.)												
	4	5	6	7	8	9	10	11	12	13	14	15	16
15	20	20	20	20	20	25	25	30	30	30	35	35	40
18	20	20	20	20	20	25	25	30	30	30	35	35	40
24	20	20	20	20	20	25	25	30	30	30	35	35	40
30	20	20	20	20	25	25	25	30	30	35	35	35	40
36	20	20	20	20	25	25	25	30	30	35	35	35	40
42		20	20	20	25	25	30	30	30	35	35	40	40
48		20	20	20	25	25	30	30	30	35	35	40	40

54			20	25	25	25	30	30	35	35	35	40	40
60			20	25	25	25	30	30	35	35	35	40	40
66				25	25	30	30	30	35	35	40	40	40
72				25	25	30	30	30	35	35	40	40	40

C. *Width of permanent sanitary sewer easements.* Permanent sanitary sewer easements shall be no less than 20 feet in width when no other parallel utilities are located therein. When warranted, temporary construction easement widths shall be determined by the authorized registered professional.

D. *Provision for common sanitary/drainage easement.* A common easement for sanitary sewer and drainage purposes may be allowed if the pipes are parallel and at least 10 feet is provided between pipes (on center). The easement width shall be equal to the width shown in Table 380.1 plus the width distance separating the pipes (minimum of 10 feet).

E. *Watercourse easements*. Drainage easements shall be provided where a development is traversed by or contains a watercourse, impoundment, detention facility, improved channel, floodplain, natural stream, or channel. It shall conform substantially to the flooding limits of the 100-year storm based on fully developed conditions per the Gwinnett County Unified Plan but shall be no less than 20 feet in width.

F. *Off street right-of-way easements.* Drainage easements off the street right-of-way shall be clearly defined on the Final Plat. The property owner will be required to keep the easement free of obstruction in such a way as to assure the maximum designed flow at all times. The property owner shall not alter any drainage improvements without the prior written approval from the County. Structures shall not be constructed or erected in an easement without the prior written approval from the County. Driveways shall cross an easement as close to perpendicular as practical. Property owners may plant landscaping in an easement that is piped; however, the County is not responsible for replacing the landscape material located in the easement when it is removed to maintain the drainage system.

G. *Cleared easements to be grassed.* All drainage, sewer, access, or other easements that were required to be cleared shall be fine graded and grassed within 10 days of completing construction work. The use of sediment control measures may be required to protect the area until a comprehensive vegetative cover is obtained.

Section 380-20. Water Supply Systems.

Refer to Gwinnett County, Georgia, Code of Ordinances, Part II, Chapter 106, Utilities.

Section 380-30. Cross-Connection Control and Backflow Prevention.

Refer to Gwinnett County, Georgia, Code of Ordinances, Part II, Chapter 106, Utilities.

Section 380-40. Disposal of Sanitary Waste.

Refer to Gwinnett County, Georgia, Code of Ordinances, Part II, Chapter 106, Utilities.

Section 380-50. Private Wastewater Disposal.

Refer to Gwinnett County, Georgia, Code of Ordinances, Part II, Chapter 106, Utilities.

Section 380-60. Sewer Construction Standards.

Refer to Gwinnett County, Georgia, Code of Ordinances, Part II, Chapter 106, Utilities.

Section 380-70. Water and Sanitary Sewer Installation Standards

380-70.1 Installation and Compaction Required before Pavement or Base. All water and sanitary sewer utilities and stormwater infrastructure facilities within the curbs shall be installed and the ditches backfilled and thoroughly compacted before any pavement or base is installed. A minimum of 95 percent compaction is required.

380-70.2 After Base Installed, Utilities to be Bored. Once the base has been placed, all further installation of utilities under the roadway shall be bored or otherwise comply with Section 380-80.

380-70.3 Manholes Flush with Finished Grade. All utility manholes and valve boxes shall be brought flush to the finished grade within the roadway section. If there is a delay in applying the final surface course for new roadway pavement, then the utility manholes and valve boxes shall be brought flush with the finished grade of the intermediate course of the roadway pavement.

380-70.4 Standard Drawings Apply. All utility locations shall adhere to the details found in the Standard Drawings in the Appendix of this UDO.

Section 380-80. Street Cuts.

380-80.1 Review and Approval by the Gwinnett County Department of Transportation. All utility construction plans within County right-of-way shall be reviewed and approved by the Gwinnett County Department of Transportation before construction begins. Street cuts shall not be allowed unless deemed absolutely necessary due to the presence of rock, the need to tap into an existing line beneath the road surface, or other circumstance which makes boring impossible or infeasible.

380-80.2 Fees Required.

A. No street cut shall be authorized until such Street Cut Fees have been paid.

B. All street cut repairs must be inspected and approved prior to the release of street cut fees.

380-80.3 Trenches to be Backfilled.

A. If approved, all trenches shall be backfilled and compacted the same day the trench is opened.

B. Trenches under the paving shall be returned to 95 percent compaction.

C. Trenches elsewhere shall be returned to 90 percent compaction.

D. See Section 360-70.2 for trench compaction and test requirements.

380-80.4 Trenches under Paving. All trenches under paving shall be concreted with 8 inches of Class "A" concrete base and 2 inches of 9.5 mm Superpave Type II wearing course asphalt is to be spread.

A. The paving cut shall be widened to a minimum of 9 inches beyond the edges of the trench.

B. The edges of the paving cut shall be smooth.

C. If the final course of asphalt has been completed prior to the street cut, then milling and inlay of the surrounding area will be required. Limits of mill and inlay are subject to Gwinnett County Department of Transportation approval.

380-80.5 Utility Extension Information.

A. Contact the Department of Water Resources or the Department of Planning and Development for public utility extension information from the existing to the proposed development.

B. Contact Gwinnett County Department of Transportation at least 24 hours in advance of closure of traffic lanes. All lane closures must meet Manual on Uniform Traffic Control Devices (MUTCD) guidelines.

Chapter 400. Soil Erosion, Sedimentation, and Pollution Control

Section 400-10. Title and Purpose.

The real potential exists for excessive quantities of soil to erode from areas that are undergoing land disturbance. The resulting sediment could clog storm sewers and road ditches, add mud to streams and silt lakes, rivers, and reservoirs. Excessive sediment limits the use of water for most beneficial purposes. Sediment choked streams are unsightly and their reduced channel capacity can result in flooding and associated damages, including the threat to the public health and safety. Therefore, it is the purpose of this chapter is to effectively contain soil erosion and sedimentation on the parcels where land is being disturbed by requiring provisions for water disposal and the protection of soil surfaces prior to, during, and after the land disturbance in order to promote the safety, public health, convenience, and general welfare of the citizens of Gwinnett County.

400-10.1 In the interpretation and application of Chapter 400 of this UDO, all provisions shall be:

1. Considered as minimum requirements.
2. Liberally construed in favor of Gwinnett County.
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

Section 400-20. Exemptions.

This Chapter shall apply to any land-disturbing activity undertaken by any person on any land except for the following:

400-20.1 Surface mining, as the same is defined in O.C.G.A. § 12-4-72, The *Georgia Surface Mining Act* of 1968.

400-20.2 Granite quarrying and land clearing for such quarrying.

400-20.3 Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion.

400-20.4 The construction of single-family residences, when such construction disturbs less than one acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements set forth in Sections 400-30.1, 400-30.2, and 400-30.3 of this UDO, O.C.G.A. § 12-7-6, and this paragraph. For single-family residence construction covered by the provisions of this paragraph, there shall be a buffer zone between the residence and any state waters classified as trout streams pursuant to O.C.G.A. § 12-5-20 et seq. In any such buffer zone, no land disturbing activity shall be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone shall be at least 50 horizontal feet, and no variance to a smaller buffer shall be granted. For secondary trout waters, the buffer zone shall be at least 50 horizontal feet, but the Director of the Environmental Protection Division may grant variances to no less than 25 feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters, which are streams into which no other streams flow except for springs, the buffer shall be at least 25 horizontal feet, and no variance to a smaller buffer shall be granted. The general provision and minimum requirements of 400-30.1 and the minimum requirements of Sections 400-30.2 and 400-30.3 of this UDO, O.C.G.A. § 12-7-6(b) and the buffer zones provided by this section shall be enforced by the Department.

400-20.5 Agricultural operations as defined in O.C.G.A. § 1-3-3 to include raising, harvesting, or storing of crops; feeding, breeding, or managing livestock or poultry; producing or storing feed for use in the production of

livestock, including, but not limited to, cattle, calves, swine, hogs, goats, sheep, and rabbits, or for use in the production of poultry, including, but not limited to, chickens, hens, ratites, and turkeys; producing plants, trees, fowl, or animals; or the production of aquacultural, horticultural, dairy, livestock, poultry, eggs, and apiarian products.

400-20.6 Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in Subsections 400-30.3.O. and 400-30.3.P of this UDO, no other land disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three years after completion of such forestry practices.

400-20.7 Any project carried out under the active technical supervision of the Natural Resources Conservation Service of the United States Department of Agriculture. This excludes those land-disturbing activities undertaken by a person who has requested technical advice only rather than active participation from the Natural Resources Conservation Service;

400-20.8 Any project involving 5,000 square feet or less of disturbed area; provided, however, that this exemption shall not apply to any of the following activities:

1. Any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than 1 acre or; Within 200 feet of the bank of any state waters, and for purposes of this paragraph, "state waters" excludes channels and drainage ways which have water in them only during and immediately after rainfall events and intermittent streams which do not have water in them year-round; provided, however, that any person responsible for a project which involves 5,000 square feet or less of disturbed area and which is within 200 feet of any such excluded channel or drainage way, must prevent sediment from moving beyond the boundaries of the property on which such project is located. The provisions of this paragraph shall not apply to those projects specifically exempted by Sections 400-20.1 through 400-20.7 and Sections 400-20.9 through 400-20.10 of this section.

400-20.9 Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Georgia Department of Transportation, the Georgia Highway Authority, the State Road and Tollway Authority, or the Gwinnett County Department of Transportation; provided, however, that construction or maintenance projects of the Georgia Department of Transportation or the State Road and Tollway Authority which disturb one or more contiguous acres of land shall be subject to the provisions of O.C.G.A. § 12-7-7.1; except where the Georgia Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the local issuing authority, the local issuing authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;

400-20.10 Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the local issuing authority shall enforce

compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and,

400-20.11 Any public water system reservoir.

Section 400-30. Requirements for Erosion and Sedimentation Control Using Best Management Practices.

400-30.1 General Provisions. Excessive soil erosion and resulting sedimentation can take place during land disturbing activities. Therefore, plans for those land-disturbing activities that are not exempted by this Chapter shall contain provisions for the application of soil erosion, sedimentation and pollution control measures and practices. These provisions shall be incorporated into the Erosion, Sedimentation, and Pollution Control Plans. Soil erosion, sedimentation and pollution control measures and practices shall conform to the requirements of Sections 400-30.2 and 400-30.3. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed and continually maintained to prevent or control erosion, sedimentation and pollution during all stages of any land-disturbing activity in accordance with the requirements of this UDO and the NPDES general permit.

400-30.2 Minimum Requirements/Best Management Practices (BMP's).

A. Best Management Practices as set forth in Sections 400-30.2 and 400-30.3 shall be required for all land disturbing activities. Proper design, installation, and maintenance of Best Management Practices shall constitute a complete defense to any action by the Director of the Environmental Protection Division or to any other allegation of noncompliance with Subsection B of this Section or any substantially similar terms contained in a permit for the discharge of stormwater issued pursuant to O.C.G.A. § 12-5-30(f), the *Georgia Water Quality Control Act*. As used in this section, the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. § 12-7-6(b).

B. A discharge of stormwater runoff from disturbed areas where Best Management Practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land disturbance permit issued by Gwinnett County or of any state general permit issued by the Environmental Protection Division of the Georgia Department of Natural Resources pursuant to O.C.G.A. § 12-5-30(f), the *Georgia Water Quality Control Act*, for each day on which such discharge results in the turbidity of receiving waters being increased by more than 25 nephelometric turbidity units (NTU's) for waters supporting warm water fisheries or by more than ten nephelometric turbidity units (NTU's) for waters classified as trout waters. The turbidity of the receiving waters shall be measured in accordance with guidelines issued by the Director of the Environmental Protection Division of the Georgia Department of Natural Resources. This paragraph shall not apply to any land disturbance associated with the construction of single-family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than 5 acres.

C. Failure to properly design, install, maintain, or remove Best Management Practices shall constitute a violation of any land disturbance permit issued by Gwinnett County or of any state general permit issued by the Environmental Protection Division of the Georgia Department of Natural Resources pursuant to O.C.G.A. § 12-5-30(f) for each day on which such failure occurs.

D. The Director of the Environmental Protection Division of the Georgia Department of Natural Resources may require, in accordance with regulations adopted by the Georgia Board of Natural Resources, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land-disturbing activities occur.

400-30.3 Additional Minimum Requirements. The rules and regulations, ordinances or resolutions adopted pursuant to O.C.G.A. § 12-7-1 et seq. for the purpose of governing land-disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit; and Best Management Practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation which are consistent with, and no less stringent than the state general permit, and those practices contained in the *Manual for Erosion and Sediment Control in Georgia* published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, shall be observed by all land disturbers and plan preparers, as well as the following:

A. Stripping of vegetation, regrading, and other development activities shall be conducted in a manner so as to minimize erosion.

B. Cut-fill operations must be kept to a minimum.

C. Development plans must conform to topography and soil type so as to create the lowest practical erosion potential.

D. Whenever feasible, natural vegetation shall be retained, protected, and supplemented.

E. The disturbed areas and the duration of exposure to erosive elements shall be kept to a practicable minimum.

F. Disturbed soil shall be stabilized as quickly as practicable.

G. Temporary vegetation or mulching shall be employed to protect exposed critical areas during development. The disturbed area shall be stabilized with temporary vegetation or mulch if land-disturbing activity temporarily ceases for more than 14 calendar days.

H. Permanent vegetation and structural erosion control measures shall be installed as soon as practicable. The disturbed area shall be stabilized with permanent vegetation if land-disturbing activity ceases for more than 30 calendar days.

I. To the extent necessary, sediment in run-off water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of this Chapter and O.C.G.A. § 12-7-1 et seq.

J. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping surface of fills.

K. Cuts and fills may not endanger adjoining property.

L. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners.

M. Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings shall be kept to a minimum;.

N. Land-disturbing activity plans for erosion, sedimentation and pollution control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on-site or preclude sedimentation of adjacent waters beyond the levels specified in Section 400-30.2b.

O. Except as provided in Subsection P of this section, there is established a 25-foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director of the Environmental Protection Division determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director of the Environmental Protection Division

pursuant to O.C.G.A. § 12-2-8, or where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; or along any ephemeral stream. As used in this paragraph, the term "ephemeral stream" means a stream: that under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the ground-water table year-round; for which ground water is not a source of water; and for which runoff from precipitation is the primary source of water flow. Unless exempted as along an ephemeral stream, the buffers of at least 25 feet established pursuant to O.C.G.A. § 12-5-440 shall remain in force unless a variance is granted by the Director of the Environmental Protection Division as provided in this paragraph. The following requirements shall apply to any such buffer:

1. No land-disturbing activities shall be conducted within a buffer and it shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed.
2. Once the final stabilization of the construction site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed.
3. Exception: Any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed.
4. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented:
    a. Stream crossings for water lines; or,
    b. Stream crossings for sewer lines; and,
    c. Prior to action by the Director of the Environmental Protection Division, buffer variance requests along state waters with drainage areas greater than 20 acres shall be reviewed for approval or denial by the director using the same buffer variance criteria as adopted by the Board of the Georgia Department of Natural Resources.

P. There is established a 50-foot buffer as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any state waters classified as "trout streams" pursuant to O.C.G.A. § 12-5-20 et seq, except where a roadway drainage structure must be constructed; provided, however, that small springs and streams classified as trout streams which discharge an average annual flow of 25 gallons per minute or less shall have a 25-foot buffer or they may be piped, at the discretion of the landowner, pursuant to the terms of a rule providing for a general variance promulgated by the Board of Natural Resources providing for notice to the Environmental Protection Division or the County of the location and extent of the piping and prescribed methodology for minimizing the impact of such piping and for measuring the volume of water discharged by the stream. Any such pipe must stop short of the downstream landowner's property, and the landowner must comply with the buffer requirement for any adjacent trout streams. The Director of the Environmental Protection Division may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the

project plans and specifications and are implemented. The following requirements shall apply to any such buffer:

1. No land-disturbing activities shall be conducted within a buffer and it shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed.
2. Once the final stabilization of the construction site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed.
3. Exception: Any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and,
4. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented:
    a. Stream crossings for water lines; or,
    b. Stream crossings for sewer lines.

Section 400-40. Proof or Presumption of Violation by Injury.

The fact that land-disturbing activity for which a land disturbance permit has been issued results in injury to the property of another shall neither constitute proof of, nor create a presumption of, a violation of the standards provided for in this UDO or the terms of a land disturbance permit.

Section 400-50. Permit Application and Plan Requirements.

400-50.1 General. The property owner, developer and designated planners and engineers shall review the general development plans and detailed plans of Gwinnett County that affect the tract to be disturbed and the area surrounding it. They shall review the UDO and any other ordinances, regulations, or permits that regulate the development of land within the unincorporated areas of Gwinnett County. However, the operator is the only party who may obtain a land disturbance permit.

400-50.2 Application Requirements.

A. *Land Disturbance Permit Required.* Land-disturbing activities within the jurisdictional boundaries of Gwinnett County shall not be conducted by any person without first obtaining a land disturbance permit from the Gwinnett County Department of Planning and Development to perform such activity and providing a copy of the NOI submitted to the Environmental Protection Division if applicable. If land is to be disturbed or developed in phases, then a separate land disturbance permit shall be required for each phase.

B. *Application Submittal.* The application for a permit shall be submitted to the Gwinnett County Department of Planning and Development and shall include the applicant's Erosion, Sedimentation, and Pollution Control Plan accompanied by supporting data as necessary. Plans shall include, as a minimum, the data specified in Section 400-30.2 and 400-30.3. Erosion, Sedimentation, and Pollution

Control Plans, together with supporting data, shall demonstrate affirmatively that the land-disturbing activity proposed will be carried out in such a manner that the provisions of Sections 400-30.2 and 400.30.3 will be met. Applications for a permit will not be accepted unless accompanied by a full set of the applicant's Erosion, Sedimentation, and Pollution Control Plans. All applications shall contain a certification stating that the plan preparer, or the designee thereof, visited the site prior to creation of the plan in accordance with the Environmental Protection Division Rule 391-3-7.10.

C. *Fees.* A land disturbance permit fee, in an amount as established by the Board of Commissioners, shall be charged for each acre or fraction thereof in the project area. In addition to the land disturbance permit fee, fees shall be assessed pursuant to O.C.G.A. § 12-5-23(a) (5), provided that such fees shall not exceed $80.00 per acres of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land disturbance permit. In a jurisdiction that is certified pursuant O.C.G.A. § 2-7-8(a), half of such fees levied shall be submitted to the Georgia Environmental Protection Division; except that any and all fees due from an entity that is required to give notice pursuant to O.C.G.A. § 12-7-17(9) and (10) shall be submitted in full to the Georgia Environmental Protection Division regardless of the existence of a Local Issuing Authority in the jurisdiction. The local issuing authority with plan review authority shall approve or disapprove a revised plan within 35 days of receipt.

D. *Review by County Departments.* After having received a complete land disturbance permit application, having been reviewed same by the Department of Planning and Development, and finding it to be in compliance with all titles of this UDO, the requirements of Chapter 400 and any variances required by Subsections 400-30.3.O. and 400-30.3.P. are obtained, the Department of Planning and Development shall issue the land disturbance permit.

E. *Permit Suspension, Revocation, or Modification.* The land disturbance permit may be suspended, revoked, or modified by the Department of Planning and Development, as to all or any portion of the land affected by the plan, upon finding that the holder or the holder's successor in the title is not in compliance with the approved Erosion, Sedimentation, and Pollution Control Plan or that the holder or the holder's successor in title is in violation of this Chapter. A holder of a land disturbance permit shall notify any successor in title to the holder as to all or any portion of the land affected by the approved plan of the conditions contained in the permit. If a permit applicant has had two or more violations of previous permits of this Chapter, of this ordinance section or of the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing the application under consideration, the local issuing authority may deny the permit application.

400-50.3 Plan Requirements.

A. Plans shall be prepared as outlined in Chapter 330 of this UDO.

Section 400-60. Inspections.

400-60.1 The Department will periodically inspect the sites of land-disturbing activities for which land disturbance permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures and practices required in the plan are effective in controlling erosion and sedimentation. Also regulated by Gwinnett County are ~~both~~ primary~~;~~, secondary, and tertiary permittees as such terms are defined in the state general permit. Primary permittees shall be responsible for installation and maintenance of best management practices where the primary permittee is conducting land-disturbing activities. Secondary permittees shall be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land-disturbing activities. Tertiary permittees shall be responsible for installation and maintenance where the tertiary permittee is conducting land-disturbing activities.

400-60.2 The Director shall have the power to conduct such investigations as reasonably deemed necessary to carry out the duties as prescribed in this ordinance, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing activities.

400-60.3 Entry or access shall not be refused by any person to any authorized representative or agent of the Department who requests entry for the purpose of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.

Section 400-70. Violations, Enforcement, and Penalties.

Any action or inaction that violates the provisions of this Chapter 400 shall be subject to the enforcement actions and penalties identified in Chapter 120 of this UDO.

Section 400-80. Education and Certification Required.

400-80.1 Persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the Georgia Soil and Water Conservation Commission in consultation with the Environmental Protection Division ~~(EPD)~~ of the Department of Natural Resources and the stakeholder advisory board created pursuant to O.C.G.A. § 12-7-20.

400-80.2 For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee, as defined in the state general permit, shall have as a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the Georgia Soil and Water Conservation Commission present on site whenever land-disturbing activities are conducted on that site. A project site shall herein be defined as any land disturbance site or multiple sites within a larger common plan of development or sale permitted by an owner or operator for compliance with the state general permit.

400-80.3 Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this ordinance.

400-80.4 If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of O.C.G.A. § 12-7-19(b)(1), then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall meet those educational requirements specified in O.C.G.A. § 12-7-19(b)(4) and shall not be required to meet any educational requirements that exceed those specified in said paragraph.

Section 400-90. Variance and Appeal.

400-90.1 Variance and Appeal.

A. A variance from the requirements of this chapter or of the decision or interpretation of the Director shall be submitted by the property owner on an application form as prescribed by the Department, along with such fees as may be established from time-to-time by the Board of Commissioners.

B. The suspension, revocation, or modification with condition of a permit by the Department of Planning and Development upon finding that the holder is not in compliance with the approved erosion and sediment control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of this chapter of the UDO; shall entitle the person submitting the plan or holding the permit to a hearing before the Board of Construction Adjustments and Appeals to be scheduled in their

normal course of business after receipt by the Department of Planning and Development of written notice of appeal.

C. The property owner shall state clearly why the requirements of this chapter cannot be met or why the interpretation or decision of the Director is in error.

D. The Director shall transmit a copy of the appeal application to all affected County departments, including the Soil and Water Conservation District, soliciting their respective recommendations and coordinate the recommendations of each respondent. The other responses together with the D~~d~~irector's recommendation shall be forwarded to the Board of Construction Adjustments and Appeals, with the exception of appeals from buffer variance request decisions, for final action in their normal course of business.

E. Buffer variance appeals shall be decided upon by the Soil and Water Conservation District in their normal course of business whose decision shall be final. An appeal in conflict with the provisions of the Georgia Erosion and Sedimentation Act, O.C.G.A. § 12-7-1 et seq., shall not be considered or approved by the Board of Construction Adjustments and Appeals.

F. After final action by the Board of Construction Adjustments and Appeals, the Director shall transmit a copy of said action to the Soil and Water Conservation District of Gwinnett County and to the property owner.

G. Any person aggrieved by a decision or order of Gwinnett County, after exhausting his or her administrative appeals, shall have the right to appeal de novo to the Superior Court of Gwinnett County.

Chapter 500. Riparian Buffers

Section 500-10. Stream Buffer Protection.

500-10.1 Applicability.

A. Chapter 500 of this UDO shall apply to all land development activity on property containing a stream protection area as defined in Chapter 110 of this UDO. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established under State law and approval or exemption from these requirements do not constitute approval or exemption from buffer requirements established under State law or from other applicable local, State or Federal regulations.

B. After April 1, 2005, this Section 500-10 shall apply to new subdividing, land development, and platting activities

500-10.2 Grandfather Provisions. This Section 500-10 of the UDO shall not apply to the following types of applications, but such work shall be subject to the provisions of stream buffer protection regulations in effect at the time of the subject application:

A. Work consisting of the repair, maintenance or replacement within the same disturbed area of any lawful use of land that is zoned and approved for such use on or before the effective date of this UDO.

B. Any lawful land development activity that is under construction, has a valid permit, or has submitted a valid and complete application for a permit as of April 1, 2005, which has not expired.

C. Any lawful land development activity that has not been submitted for approval, but that is part of a larger approved master development plan, such as a house in a subdivision, building in an office park, or planned greenway, which has a valid master plan development permit and a partially or wholly recorded plat prior to April 1, 2005.

500-10.3 Exemptions.

A. The following specific activities are exempt from this Section 500-10, however any activity within a state waters' buffer must meet State requirements:

1. Activities for the purpose of building one of the following:

    a. A perpendicular stream crossing by a driveway, transportation route including but not limited to bike paths and pedestrian trails, or utility line.

    b. Public water supply intake or public wastewater outfall structures.

    c. Land development necessary to provide access to a property.

    d. Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the water body, fishing platforms and overlooks.

    e. Unpaved foot trails and paths.

    f. Activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.

    g. Stormwater outfalls to the stream, by pipe or channel, necessary to protect the buffer from erosion caused by high flow velocities due to steep slopes.

2. Public sewer line installation in easements running parallel with the stream where necessary, except that all easements (permanent and construction) and land disturbance within a state

waters' buffer must meet State requirements. This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures. This exemption shall not be construed as allowing the construction of roads, bike paths or other transportation routes in such easements, regardless of paving material, except for access for the uses specifically cited in Subsection 500-10.3A.1., above.

3. Land development activities within a dedicated transportation right-of-way existing at the time this UDO takes effect or approved under the terms of this UDO.

4. Within an easement of any utility existing at the time this UDO takes effect or approved under the terms of this UDO, land-disturbing activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.

5. Emergency work necessary to preserve life or property. However, when emergency work is performed under this subsection, the person performing it shall report such work to the Department of Planning and Development on the next business day after commencement of the work. Within 10 business days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the Department of Planning and Development to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.

6. Forestry and silviculture activities on land that is zoned for forestry, silvicultural or agricultural uses and are not incidental to other land development activity. If such activity results in land disturbance in the buffer that would otherwise be prohibited, then no other land-disturbing activity other than normal forest management practices will be allowed on the entire property for three years after the end of the activities that intruded on the buffer.

B. Exemption of these activities does not constitute an exemption for any other activity proposed on a property.

500-10.4 Land Development Requirements.

A. Buffer and setback requirements.

1. All land development activity subject to this UDO shall meet the following requirements:

a. An undisturbed buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank. The land forming the bank is also considered part of the buffer for purposes of this UDO.

b. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed buffer, in which all impervious cover shall be prohibited including, but not limited to, buildings, parking areas, driveways, and concrete retaining walls. Grading, filling and earthmoving shall be minimized within the setback.

c. No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback.

B. Any land development activity within a buffer established hereunder or any impervious cover within a setback established hereunder is prohibited unless a variance is granted pursuant to Subsection 500-10.4C below.

C. Variance Procedures. Variance requests from the requirements of this Section 500-10 shall be submitted on an application form as prescribed by the Director of the Department of Planning and Development or the Director's designee, along with such fees as shall be established by the Board of Commissioners. The Director of the Department of Planning and Development or the Director's

designee shall coordinate the review of each variance request with all other affected County departments and shall forward such comments or recommendations as may be received to the Board of Construction Adjustments and Appeals for action in their normal course of business. This section describes how to apply for a variance from this chapter, however any activity within a state waters' buffer must meet State requirements. Variances may be granted in accordance with the following provisions:

1. The Board of Construction Adjustments and Appeals shall grant no variance from any provision of this UDO without first conducting a public hearing on the application for variance and authorizing the granting of the variance by an affirmative vote of the Board of Construction Adjustments and Appeals. The Department of Planning and Development shall give public notice of each such public hearing in the local organ of Gwinnett County at least once a week for two consecutive weeks before it is heard. The Department of Planning and Development shall require that the applicant post a sign giving notice of the proposed variance and the public hearing at least 15 days prior to the date of the hearing. The sign shall be of a size and posted in right-of-way.
2. No application or reapplication for a variance affecting the same stream segment on a property shall be heard within 12 months from the date of last action by the Board of Construction Adjustments and Appeals unless such 12- month period is waived by the Board of Construction Adjustments and Appeals, and in no case may such application or reapplication be reconsidered in less than six months from the date of last action by the Board of Construction Adjustments and Appeals.
3. Variances will not be considered when, following adoption of this UDO, actions of any property owner of a given property have created conditions of a hardship on that property. Variances will be considered only in the following cases:
    a. The applicant provides evidence that impacts to the buffer have been avoided or minimized to the fullest extent practicable.
    b. The project involves the construction or repair of a structure that, by its nature, must be located within the buffer. Such structures include dams and detention/retention ponds.
    c. Paved recreational foot trails and viewing areas, providing that impacts to the buffer are minimal; or
    d. The proposed land-disturbing activity within the buffer will receive a permit from the United States Army Corps of Engineers (USACE) under Section 404 of the Federal Water Pollution Control Act Amendment of 1972, 33 U.S.C. Section 1344, and the Corps of Engineers has received a mitigation plan to be implemented as a condition of such a permit. In addition, land-disturbing activities in the buffer that are outside the USACE's jurisdiction must be mitigated.
    e. The buffer intrusion is mitigated using the procedure established in the Gwinnett County Stormwater Management Manual.
    f. A valid and complete application for rezoning of the property is submitted prior to the effective date of this UDO and approval of the rezoning by the Board of Commissioners occurs after the effective date of this UDO, and the variance request is consistent with the intent of this UDO factoring into account the property owner's reliance on standards in effect at the time of the rezoning.
4. At a minimum, a variance request shall include the following information:
    a. A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;

b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

c. A dated site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;

d. Documentation that impacts to the buffer have been avoided or minimized to the fullest extent practicable;

e. A calculation of the total area and length of the proposed intrusion;

f. A stormwater management site plan, if applicable;

g. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed;

h. A description of the project, with details of the buffer disturbance, including estimated length of time for the disturbance and justification for why the disturbance is necessary;

i. Any other reasonable information related to the project that the Department of Planning and Development may deem necessary to effectively evaluate the variance request;

j. A copy of the permit application, supporting documentation, and proposed mitigation plan as submitted to the United States Army Corps of Engineers under Section 404 of the Federal Water Pollution Control Act Amendment of 1972, 33 U.S.C. Section 1344, if applicable;

k. A copy of the permit application, supporting documentation, and proposed mitigation plan as submitted to the Georgia Environmental Protection Division for a variance from the state waters' buffer; and

l. A buffer mitigation plan in accordance with the procedure outlined in the Gwinnett County Stormwater Management Manual.

5. The following factors will be considered in determining whether to issue a variance:

   a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property.

   b. The locations of all streams on the property, including along property boundaries as determined from field inspection.

   c. The location and extent of the proposed buffer or setback intrusion.

   d. Whether alternative designs are possible which require less intrusion or no intrusion.

   e. The long-term and construction water-quality impacts of the proposed variance.

   f. Whether issuance of the variance is at least as protective of natural resources and the environment.

   g. The value of mitigation activities as calculated in accordance with the Gwinnett County Stormwater Management Manual.

6. Administrative variances may be considered for projects which have water quality impacts which have been determined equal to or less than 0.1 units for the entire project site or development area.

500-10.5 Special Buffer Regulations and Requirements. In addition to the other provisions of Section 500-10, the following requirements shall apply. Whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall take precedence.

The Grandfather Provisions, Exemptions, and Variance Procedures Sections of Section 500-10, Stream Buffer Protection, do not apply to this subsection. Applicable exemptions and variances are given below.

A. *Big Haynes Creek and Alcovy River Watershed protection requirements.* This Section of this UDO is adopted pursuant to Georgia Department of Natural Resources Rules for Environment Planning Criteria for water supply watersheds (O.C.G.A 391-3-16).

1. Stream buffer zone/impervious surface setbacks shall meet minimum criteria for Large Water Supply Watersheds (O.C.G.A 391-3-16 (6)).

    a. Roadways, bridges and drainage structures may encroach upon required buffers and setbacks where such structures are necessary to provide access. Such roadways and bridges shall cross streams perpendicularly where reasonably possible. The number of such stream crossings and associated structures shall be minimized to the greatest extent possible.

    b. Limited minor land disturbances, such as trails and picnic areas are exempt.

2. Lots of record. All lots or parcels of record as of the October 28, 1997, in the Big Haynes Creek Watershed and November 28, 2000, in the Alcovy River Watershed and all lots or parcels which have been submitted by way of preliminary plat and approved by the Department of Planning and Development in accordance with the provisions of Title 2 of this UDO, as of October 28, 1997, within the Big Haynes Creek Watershed and November 28, 2000, within the Alcovy River Watershed, that are made unbuildable by the buffer and setback provisions, may still be developed on a case-by-case basis. Requests for development of these lots shall be made to the Director of the Department of Planning and Development as Administrative Variances. If development is allowed, the maximum possible impervious surface setback and stream buffer width, given the configuration of the lot, shall be maintained.

3. Limitation on variances. Variances from the provisions of Subsection A (Big Haynes Creek and Alcovy River Watershed Protection Requirements) are prohibited except as provided by Subsection A.2.

B. *Chattahoochee Corridor.*

1. Vegetation shall be left in its natural state, and impervious surfaces shall not be permitted, for a distance of 50 horizontal feet as measured from both banks of the Chattahoochee River and its impoundments, and for a distance of 35 horizontal feet as measured from both banks of all other flowing stream channels within the Chattahoochee Corridor, except for footpaths, designated public access areas, river or stream crossings by transportation facilities, public water supply intake structures, public wastewater treatment plant outfalls and utility line crossings.

2. Subject and in addition to the restrictions set forth in Subsection 500-10.5B.1. herein, impervious surfaces and structures shall not be permitted within, on or over any land that is 150 horizontal feet or less from either bank of the Chattahoochee River and its impoundments, except for footpaths, designated public access areas, river or stream crossings by transportation facilities, public water supply intake structures, public wastewater treatment plant outfalls and water supply and sewerage manholes that are designed and built at grade, unless it is determined by the Atlanta Regional Commission, after consideration by a Committee of the Atlanta Regional Commission as authorized by the Atlanta Regional Commission, and based in part upon the affidavit of, and substantial evidence submitted by, a registered professional engineer qualified in water quality and hydrology that the impervious surfaces and structures will not be harmful to

the water and land resources of the Chattahoochee Corridor, will not significantly impede the natural flow of flood waters and will not result in significant land erosion, stream bank erosion, siltation or water pollution.

3. Not including the impervious surfaces and structures that are excepted above, any impervious surfaces or structures that, in the judgment of the Atlanta Regional Commission, must legally be permitted within, on or over any land that is 150 horizontal feet or less from either bank of the Chattahoochee River and its impoundments on lots of record as of March 16, 1973, for the portion of the Chattahoochee Corridor between Buford Dam and the downstream limit of the City of Atlanta water intake, which were designated by the local governing authority for a single-family detached residential use, shall meet the following standard: For each one foot incursion into the 150 foot impervious surface buffer, one foot of natural vegetation shall be added to the 50 foot natural vegetation buffer. In the event that the Atlanta Regional Commission determines that legal, physical, biological, or hydrologic conditions on the site prevent the addition of all the required natural vegetation, substitute measures satisfactory to the Atlanta Regional Commission shall be taken to provide an equivalent level of land and water resource protection.

500-10.6 Additional Information Requirements for Development on Buffer Zone Properties. Any permit applications for property requiring buffers and setbacks hereunder must include the following:

A. *A site plan showing:*

1. The location of all streams on the property.
2. Limits of required stream buffers and setbacks on the property.
3. Buffer zone topography with contour lines at no greater than 2-foot contour intervals.
4. Delineation of forested and open areas in the buffer zone.
5. Detailed plans of all proposed land development in the buffer and of all proposed impervious cover within the setback.

B. *Description.* A description of all proposed land development within the buffer and setback.

C. *Documentation.* Any other documentation that the Department of Planning and Development may reasonably deem necessary for review of the application and to ensure that the buffer and landscaping requirements are addressed in the approval process. All buffer and setback areas must be recorded on the final plat of the property following plan approval.

500-10.7 Responsibility. Neither the issuance of a development permit nor compliance with the conditions thereof, nor with the provisions of this UDO shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon Gwinnett County, its officers or employees, for injury or damage to persons or property.

500-10.8 Inspection.

A. The Department of Planning and Development may cause inspections of the work in the buffer or setback to be made periodically during the course of work and shall make a final inspection following completion of the work. The permittee shall assist representatives of the department in making such inspections. The Director of the Department of Planning and Development or the Director's designee shall have the authority to conduct such investigations as he or she may reasonably deem necessary to carry out the duties as prescribed in this UDO, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.

B. No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

500-10.9 Violations, Enforcement, and Penalties. Any action or inaction that violates the provisions of Section 500-10 shall be subject to the enforcement actions and penalties identified in Chapter 120 of this UDO.

500-10.10 Administrative Appeal and Judicial Review.

A. *Administration.* This Chapter of the UDO shall be administered, interpreted, and enforced by the Director of the Department of Planning and Development or the Director's designee.

B. *Administration appeal.* Appeals of the interpretation by the Director of the Department of Planning and Development or the Director's designee of the requirements of this Chapter of the UDO shall follow the procedures outlined in Section ~~270-90~~ 500-10.4.C of this UDO.

500-10.11 Fees.

A. Application filing, permit, inspection, and other fees shall be established from time-to-time by the Board of Commissioners.

B. Permit fees, if any, shall be submitted as a prerequisite to issuance of the permit. Nonpayment as a result of submission of a check having insufficient funds on account, or for any other reason, shall cause the permit to be voided and re-issuance subject to penalty as may be established by the Board of Commissioners.

C. Application fees, if any, shall be submitted with the application and upon acceptance of said submission for review and consideration shall not be refundable. Failure to pay a required application fee shall cause the application to be returned to the applicant without acceptance for review or consideration by the County.

D. Following the approval of development plans, and prior to authorization to begin construction, the developer shall provide the Department of Water Resources with mitigating fees. Such fees shall not be refundable following issuance of a development permit, except upon approval of the Board of Commissioners.

Section 500-20. Other Riparian Buffers.

500-20.1 Wetlands.

A. Section 500-20.1 of this UDO shall apply to all new land development activity, not part of a previously approved master plan, on property containing wetlands as defined in Chapter 110 of this UDO with undisturbed designation. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established under State law and approval or exemption from these requirements does not constitute approval or exemption from buffer requirements established under State law or from other applicable local, State or Federal regulations.

B. Construction Buffer Requirements. A temporary construction buffer shall be maintained for 10 feet, measured horizontally, from the outer most perimeter of areas delineated as undisturbed wetlands.

500-20.2 Lakes.

A. *Section 500-20.2 of this UDO shall apply to all new land development activity,* not part of a previously approved master plan, on property containing a lake defined in Chapter 110 of this UDO. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established under State law and approval or exemption from these requirements do not

constitute approval or exemption from buffer requirements established under State law or from other applicable local, State or Federal regulations.

B. *Undisturbed Buffer Requirements.* An undisturbed State Waters buffer shall be maintained for 25 feet, measured horizontally, from the water surface edge and including banks with wrested vegetation.

C. *Construction Buffer Requirements.* A temporary construction buffer shall be maintained for 10 feet, measured horizontally, from the undisturbed State water buffer.

Chapter 600. Buffers, Landscaping, and Tree Protection General Provisions

Section 600-10. Intent.

Chapters 600 through ~~640~~ 630 of this UDO shall apply to all properties or portions thereof located within the unincorporated areas of Gwinnett County, Georgia, to the extent of the provisions contained herein. The Board of Commissioners hereby finds that the protection and preservation of trees, the planting of new trees and other landscape material, and the provision of buffers between dissimilar uses as part of the land development process is a public purpose and provides for the public health and general welfare.

Section 600-20. Purpose.

600-20.1 The purpose of Chapters 600 through ~~640~~ 630 of the UDO is to preserve and enhance the County's natural environment. This is accomplished through the preservation, protection and planting of trees and other landscape material, particularly those trees recognized herein as canopy and small trees, and the provision of natural and/or planted buffers between dissimilar uses as part of the land development process, as required by Title 2 of this UDO.

600-20.2 Chapters 600 through ~~640~~ 630 of the UDO are intended to further the County's policy that all development sites where trees are most commonly removed will achieve upon project completion a uniform standard related to tree coverage, landscaping, and buffers. In addition, trees are recognized for their importance in shading and cooling, noise and wind reduction, prevention of soil erosion, production of oxygen, dust filtration, fostering air quality through carbon dioxide absorption, providing wildlife habitat, and contributing to the aesthetic and economic value of real property.

600-20.3 Chapters 600 through ~~640~~ 630 of the UDO are also intended to further the County's policy of encouraging all individuals or firms who propose to develop land, and which are required to meet the requirements of this UDO, to consider the use of water-efficient landscaping principles and techniques (xeriscaping).

Chapter 610. Buffers

Section 610-10. Applicability.

600-10.1 Buffers shall be required between dissimilar districts or uses in accordance with the provisions of Title 2 of this UDO or as a condition of zoning, special use, or variance approval as provided in Chapter 270.

600-10.2 Buffers shall be established and maintained along required property lot lines in accordance with the landscaping policies and standards of this Chapter and any additional specifications that may be established by the Department of Planning and Development and approved by the Board of Commissioner

Section 610-20. Standards for Permanent Buffers.

610-20.1 Requirements.

A. In the event the buffer includes a utility or pipeline easement, a minimum buffer of no less than 20 feet in width will be required outside the easement. In no case will the buffer be less than 20 feet.

B. In cases in which both a buffer and landscape strip are required along the same lot line, the width of the required landscape strip shall be counted as part of the required buffer width. When a landscape strip tree is within the buffer it may be counted toward Tree Density Units.

610-20.2 Buffer Screening.

A. Buffers shall meet minimum screening requirements. Screening and/or buffers shall be required for purposes of obscuring features such as but not limited to, dumpsters, rear entrances, utility, and maintenance structures, and loading facilities.

B. Buffers shall be natural, undisturbed, and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein, and shall contain the existing tree cover and vegetation as well as any supplemental plantings or replanting~~'~~s as may be required.

C. Buffers shall be of such nature and density so as to screen activities, structures and uses on the property from view from the normal level of a first story window on an abutting lot and shall further provide a year-round effective visual screen.

D. Screening shall be established within any buffer along the entire length of the property lines. However, this screening requirement may be adjusted in order to observe the sight distance required in this UDO or as a condition of zoning, special use, or variance approval or as approved by the Director.

E. Buffers required adjacent to side property lines shall extend to a street right-of-way line unless otherwise required by the Director in order to observe the sight distance requirements contained in this UDO, or as authorized by a condition of zoning, special use, or variance approval.

F. In situations where the required buffer width is partially or completely contained within an existing easement (e.g., power, or natural gas transmission, etc.), the screening requirements of this UDO shall be met outside of the easement area per Section 610-20.1.A.

G. Additional screening shall be required where a nonresidential use abuts a public street across from a residential district. For specifics on additional screening, see Section 610-20.5. However, this screening requirement may be adjusted in order to observe the sight distance required in this UDO or as a condition of zoning, special use, or variance approval or as approved by the Director.

610-20.3 Buffer Plan Standards ~~and Structure Setbacks~~.

A. All buffers shall be designated on the appropriate permit application(s) and indicated on the required site plan or final subdivision plat.

~~B. All proposed improvements including, but not limited to, driveways, dumpsters, parking facilities, pavement, or retaining walls will be located a minimum of 5 feet from any buffer.~~

610-20.4 Reserved.

610-20.5 Non-Vegetative Screening.

A. Non-vegetative materials used to satisfy the screening requirements of this UDO, in addition to the use of existing vegetation and/or supplemental plantings, may consist of walls, fences, earthen berms or any combination thereof.

B. If walls or fences are to be used, their placement and installation shall be such so as to cause minimal disturbance of existing vegetation and located so as to provide an effective visual screen.

610-20.6 Supplemental Plantings.

A. Buffers in which vegetation is non-existent or is inadequate to meet the screening requirements of this UDO shall be supplemented with trees and shrubs to provide an effective year-round visual screen and shall be planted per the ratios as specified in paragraph G. below.

B. Buffers required as a condition of zoning, variance, or waiver, whether they are ~~an~~ natural, undisturbed or enhanced ~~or a landscaped buffer,~~ shall be planted per the ratios as specified in paragraph G. below. Landscaped buffers shall be planted as specified in 610-20.7.

C. Buffer plantings shall consist of a combination of evergreen and deciduous trees and evergreen shrubs adaptable to the region. Deciduous trees shall be a minimum of 2 inches in caliper and evergreen trees shall be a minimum of 6 feet in height at time of planting. All shrubs shall be of a large growing species and chosen from the approved Gwinnett County Shrub Species List, listed in ~~Section 4.0 of~~ the Appendix, shall be a minimum of 3 feet in height at time of planting, and shall be a species which will achieve a height of at least 10 feet at maturity.

D. Trees, shrubs, grasses, and ground covers identified in the Gwinnett County Prohibited Plant Species List ~~in Section 4.0 of the~~ in the Appendix are invasive plant species and shall not be planted in buffers.

E. No genus of tree shall comprise more than 33 1/3 percent of plantings in any buffer. Calculations are required to be shown on Tree Preservation and/or Tree Replacement Plan.

F. Leyland Cypress, *Cuppressus leylandii* may be used in supplemental replanting in buffers but shall not exceed 33 1/3 percent of total buffer trees. Leyland Cypress trees are not allowed to fulfill regulatory density requirements but may be used for screening purposes.

G. Trees planted in buffers shall be small, medium, or large trees chosen from the Gwinnett County Tree Species List in ~~Section 4.0 of~~ the Appendix. Shrubs planted in buffers shall meet the specifications as outlined~~s~~ in paragraph C. above. Both trees and shrubs shall, at a minimum, meet the following ratios. Large, medium, and small refer to the tree and shrub size at maturity. Calculation results shall be rounded up~~:~~.

1. Qty. one (1) large hardwood tree per 2,000 sq. ft.
2. Qty. one (1) large evergreen tree per 1,000 sq. ft.
3. Qty. one (1) small or medium ornamental tree per 700 sq. ft.
4. Qty. one (1) large evergreen shrub per 200 sq. ft.

H. Example ~~1~~: The requirement is for an enhanced buffer that is 450 lineal feet and 50 ft. in width in which 70% of the buffer is heavily wooded and 30% is sparse and devoid of vegetation. Therefore 6,750 sq. ft. of buffer area must be planted with the following quantity of plants:

1. 6,750/2,000 = 3.375 = 4 large hardwood trees
2. 6,750/1,000 = 6.75 = 7 large evergreen trees
3. 6,750/700 = 9.64 = 10 small or medium ornamental trees
4. 6,750/200 = 33.75 = 34 large evergreen shrubs

~~I. Example 2: The requirement is for a landscaped buffer that is 450 lineal feet and 50 ft. in width. Therefore 22,500 sq. ft. of buffer area must be planted with the following quantity of plants:~~

~~1. 22,500/2,000 = 11.25 = 12 large hardwood trees~~

~~2. 22,500/1,000 = 22.5 = 23 large evergreen trees~~

~~3. 22,500/700 = 32.14 = 33 small or medium ornamental trees~~

~~4. 22,500/200 = 112.5 = 113 large evergreen shrubs (deciduous shrubs in a landscaped buffer may~~

~~comprise a maximum of 25% of the shrubs)~~

~~J.~~I. Supplemental plantings shall be spaced and installed to allow for proper plant growth and maintenance.

610-20.7 ~~Disturbance or Encroachments.~~ Landscaped Buffer.

Purpose, Intent, Width and Planting Standards.

A. The intent of a landscaped buffer is not only to obtain a diverse selection and varying sizes of plant material, but also to screen the backs and sides of buildings from adjacent property or external streets and serves as an effective long-term replacement of existing trees of poor structure that may be located on the fringe of the buffer after clearing has taken place adjacent to them. ~~.~~

B. The width of the landscaped buffer is as specified in the zoning condition(s) or as required in this UDO.

C. The landscaped buffer shall be planted with a mixture of deciduous and evergreen trees that reach large, medium, and small sizes at maturity; a mixture of evergreen and deciduous shrubs; and ornamental grasses and ground covers. The majority of the evergreen trees and shrubs shall be located to the rear of the buffer that is closest to the sides and rear of buildings as practical with the intent to screen.

D. Landscape plans shall be subject to the review and approval of the Director of Planning and Development prior to permit issuance.

E. Both trees and shrubs for a landscaped buffer shall, at a minimum, meet the following ratios. Large, medium, and small refer to the tree and shrub size at maturity. Calculation results shall be rounded up:

1. Qty. two (2) large hardwood trees per 2,000 sq. ft.

2. Qty. three (3) large evergreen trees per 1,000 sq. ft.

3. Qty. two (2) small or medium ornamental trees per 700 sq. ft.

4. Qty. four (4) large evergreen shrubs per 200 sq. ft.

5. Qty. two (2) medium deciduous shrubs per 100 sq. ft.

610-20.8 Disturbance or Encroachments.

A. Ditches, swales, storm water conveyance facilities, storm water detention ponds, sanitary sewer conveyance facilities, similar facilities, and any associated easements, shall not encroach into a buffer except that necessary access and utility crossings (e.g., storm water or sanitary sewer pipes) may encroach into the buffer as near to perpendicular as practical.

B. Driveways and sidewalks shall not encroach into a buffer except that necessary access crossings may encroach into the buffer as near to perpendicular as practical.

C. Supplemental plantings or replanting's of vegetation, or authorized non-vegetative screening devices may encroach into a buffer provided there is minimal disturbance of any significant existing vegetation.

D. Fences are authorized in a buffer provided minimal disturbance occurs. Live trees shall not be removed for the placement of the fence.

E. Land disturbance is authorized per Director approval in areas of a buffer that are devoid of significant vegetation provided that the final grade and replanting of vegetation meet the screening requirements contained herein.

F. Dying, diseased or dead vegetation may be removed from a buffer provided minimal disturbance occurs. Vegetation thus removed shall be replaced where necessary to meet the screening requirements contained herein.

G. Greenway paths or trails as identified in the official Gwinnett Trails Countywide Trails Plan are

authorized in the buffer. The greenway path or trail shall be located so as to minimize encroachment in the buffer. In cases where there is not adequate existing vegetation to provide an effective year-round visual screen, supplemental plantings shall be planted between the greenway and the property line. When the greenway does not allow adequate space to supplemental plant inside the buffer, vegetation may be planted outside of the buffer.

610-20.~~8~~9 Protection during Land-Disturbing Activities.

A. During authorized land-disturbing activities, undisturbed buffers shall be clearly demarcated and protected prior to commencement of, and during, construction.

B. The method of demarcation and protection used shall be in accordance with best management practices.

Section 610-30. Standards for Construction Buffers.

610-30.1 Where Required. Construction buffers shall only be required where specifically provided as a condition of zoning, special use or variance approval.

610-30.2 Time Constraints. Construction buffers shall only be in effect during the construction period of a project and shall terminate upon project completion. In the case of a residential subdivision, a construction buffer shall terminate upon each individual lot with the issuance of a Certificate of Occupancy for the principal dwelling.

610-30.3 Disturbance or Encroachments.

A. Construction buffers shall be natural, undisturbed, and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein.

B. The encroachment of ditches, swales, storm water conveyance facilities, stormwater management facilities, sediment basins, sanitary sewer conveyance facilities, similar facilities, and any associated easements, into a construction buffer shall not be authorized except that necessary access and utility crossings (e.g., stormwater or sanitary sewer pipes), and natural bottom detention ponds (sediment basins must be located outside of the construction buffer) and their appurtenant structures which require no grading and removal of trees, may encroach upon the construction buffer.

C. If the construction buffer on a residential lot is devoid of existing trees and vegetation, and a tree survey is submitted to document this situation prior to conducting land-disturbing activities (including clearing) on the lot, then the Department may authorize the encroachment of a building or structure into the construction buffer for a distance not to exceed 10 feet.

610-30.4 Protection during Land-Disturbing Activities.

A. During authorized land-disturbing activities, construction buffers shall be clearly demarcated and protected prior to commencement of, and during, construction.

B. The method of demarcation and protection used shall be in accordance with best management practices.

Chapter 620. Landscape Regulations

Section 620-10. Applicability.

620-10.1 Nonresidential, Multi-family developments; and areas of commercial and civic uses of Traditional Neighborhood (TND) zoning districts shall provide for and maintain landscape plantings on-site as follows:

A. A Landscape Strip at least 10 feet in width adjacent to any street right-of-way abutting the property and running the length of the entire property frontage.

B. Trees are required for parking lots with five off-street parking spaces or more and may be planted in

areas adjacent or internal to off-street parking lots.

C. Other landscape Strips, if required, by a condition of zoning, special use or variance approval.

620-10.2 The Director is hereby authorized to grant a modification of up to 20 percent of the 10-foot landscape strip width provided the strip is not required by a condition of zoning, special use, modification, variance, or waiver approval.

620-10.3 Topping trees is not allowed. Trees removed or having had their tops cut after compliance with this UDO shall be replaced with the equivalent inches of removed trees.

A. Trees removed due to death, disease, or insect infestation shall be replaced in accordance with the minimum standards contained in Chapter 630.

B. Appropriate pruning and healthy tree management shall be according to the standards as followed by the International Society of Arboriculture.

620-10.4 Residential Subdivisions. Residential subdivisions shall provide for and maintain landscape plantings on site as set forth in this UDO ~~as set forth in Section 620-60 and 620-70;~~ and in the following circumstances:

A. In no-access easements that are required by this UDO along the line of double frontage lots abutting upon a major thoroughfare.

B. As required by a condition of zoning, special use, modification, variance, or waiver approval.

Section 620-20. Landscape Strip Planting Requirements.

620-20.1 Minimum Requirements for Landscape Strips.

A. Landscape Strips shall be provided in conformity with the Guidelines for Landscape Strips provided in the UDO Section 4.0 of the Appendix and all other requirements of this Chapter 620.

B. Landscape strips shall be provided as required by Section 620-10.1.

C. Driveway widths and other ingress and egress areas may be subtracted from the landscape strip lineal feet calculation.

D Utility easement widths that run perpendicular shall not be subtracted from the landscape strip lineal feet calculation. ~~Utility easements that run parallel to the landscape strip shall be located outside of the landscape strip.~~ A landscape strip that runs parallel to a utility easement shall not be located within said easement.

E. Shrubs planted to meet regulatory requirements shall be selected from the Shrub Species List, in ~~Section 42.0 of~~ the Appendix.

F. Trees, shrubs, grasses, and ground covers listed in the Prohibited Plant Species List in ~~Section 4.0 of~~ the Appendix are invasive plant species and shall not be used to meet landscape strip requirements.

620-20.2 Ten-Foot-Wide Landscape Strips.

A. Proposed developments~~, other than single-family detached developments in single-family residential districts,~~ without street trees in the adjacent right-of-way shall include at a minimum a 10-foot-wide landscape strip. The landscaping and shrub plantings within or adjacent to the strip shall contain as follows:

1. One tree for each 40 linear feet of strip length shall be provided. Deciduous trees shall be at least 2 inches caliper and evergreen trees shall be 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 in ~~Section 4 of~~ the Appendix.

2. One evergreen shrub, for each 4 linear feet of strip length shall be provided. Each shrub shall be a species native or suitable to this region as provided in the Shrub Species List in ~~Section 4.0 of~~ the Appendix.

B. Trees and shrubs required herein may be planted and spaced singly or in groups so long as the total number of trees and shrubs are achieved

C. The remaining ground area shall be sodded, seeded or hydroseeded with turf, and/or planted with groundcover species and/or provided with other landscaping material, or any combination thereof.

620-20.3 Five-Foot-Wide Landscape Strips.

~~A.~~F. 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 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 as provided in the Shrub Species List in ~~Section 4.0 of~~ the Appendix.

~~B.~~G. Trees and shrubs required herein may be planted and spaced singly or in groups so long as the total number of required trees and shrubs are achieved.

~~C.~~H. The remaining ground area shall be sodded, seeded or hydroseeded with turf, and/or planted with groundcover species and/or provided with other landscaping material, or any combination thereof.

(Ord. No. UDOA2014-00001(GCID No. 2014-0548), 7-22-14)

620-20.4 Landscape Strips Wider than 10 Feet. Tree and shrub quantities in landscape strips that are required to be wider than 10 feet by a condition of zoning, special use, variance or waiver approval shall be proportional in width to the requirements listed above for 10-foot wide landscape strips (e.g. a 20 foot wide landscape strip would require two trees for every 40 linear feet of strip length and two shrubs, quadruple row spaced, for each 4 linear feet of strip length).

620-20.5 Encroachments into Landscape Strips. Required Landscape Strips shall not be encroached upon by parking spaces, driveway surfaces or stormwater management facilities except that driveway crossings and sidewalks may traverse such strip as near to a perpendicular alignment as practical. Ground signs, walls and the two foot by eight-foot concrete pad used for benches and trash receptacles in Overlay Districts may be located in such strip.

Section 620-30. Off-Street Surface Parking Lot Planting Requirements.

620-30.1 Quantity, Spacing and Planting Standards.

A. Off-street surface parking lots which are required to contain more than five parking spaces shall contain landscaping and plantings as follows:

1. Trees shall be provided and maintained adjacent to, and in the interior portions of, parking lots in a ratio of one tree for each seven parking spaces. In addition, every parking space shall be within 60 feet of the trunk of a tree.

2. Deciduous trees shall be at least 2 inches caliper and evergreen trees shall be at least six feet in height at time of planting. ~~Canopy trees~~ Parking lot trees listed in the Tree Species List in ~~Section 4.0 of the UDO~~ the Appendix, shall be selected, planted, and maintained. Any plantings beyond the minimum requirements may come from any of the ~~Tree~~ tree ~~S~~species ~~Lists~~ included in ~~Section 4.0 of~~ the ~~UDO~~ Appendix.

B. The minimum planting area or island for each canopy tree shall be at least 400 square feet. If shared with other trees, 100 square feet for each additional tree shall be added. Light poles are prohibited in parking lot planter islands that contain trees.

C. Trees shall be planted in areas surrounding the perimeter of the parking lot and/or shall be planted in planting areas or islands internal to the parking lot. Trees may be planted and spaced singly or in groups. Each planting area or island shall not be less than four feet in width in any direction.

D. The use of at-grade planting areas in parking lots to promote stormwater runoff treatment and to supplement irrigation needs is encouraged; provided that the trees planted there will not be adversely impacted, and that the system is designed by a licensed, professional civil engineer in accordance with the Gwinnett County Stormwater Management Manual.

E. Newly planted trees and existing trees subjected to construction impacts typically need supplemental watering when rainfall is inadequate. Commercial project applicants should be prepared to discuss how trees are to be watered during their establishment or transition period, and to possibly note on the plan the proposed method of irrigation.

F. Parking lot islands, peninsulas and medians must have clean, cultivated soil to a total depth of two and one-half (2½) feet. Native subsoil is acceptable in parking lot islands, peninsulas, and medians if the entire area is amended with appropriate soil improvements and thoroughly tilled.

G. Ground areas shall be sodded, seeded or hydro-seeded with grass and/or planted with groundcover species, and/or provided with other landscaping material, or any combination thereof.

H. Paved or striped islands greater than 50 square feet shall not be allowed. These areas shall contain landscape plantings.

I. Parking lot lights and light poles are prohibited in landscape islands containing trees and are allowed in landscape islands containing shrubs.

J. The Director is hereby authorized to grant a modification of tree species in cases where parking lot trees are located under power easements.

Section 620-40. Street Tree Requirements in Non-residential Zoning Districts.

A. Street trees shall be provided by the developer in non-residential and attached residential zoning districts under the following conditions:

1. In Overlay Districts along the right-of-way of the streets listed in ~~Section 220-30.3D.4.~~Chapter 214
2. In zoning districts MU-N, MU-C, and MU-R.
3. As a condition of zoning.

B. When street trees are required in non-residential zoning districts the following regulations shall apply:

1. Street trees shall be located along the property frontage, either inside or outside of the right-of-way, in no case closer than 11 feet to the edge of pavement or back of curb. When the street trees are proposed inside the right-of-way, they shall be located outside of the clear zone per the current edition of the AASHTO Roadside Design Guide subject to Department of Transportation approval.
2. One tree per 50 linear feet of property frontage (both sides of street) shall be provided.
3. Street trees in Overlay Districts shall be selected from the Large Tree Species list in the UDO Appendix and shall be 3 inches caliper at time of planting.
4. Street trees shall be spaced as evenly as possible along the property frontage to create a unified and repetitive tree canopy at maturity with consideration given to lighting, underground utility placement, and utility easements.
5. Underground utilities are required when planting street trees.
6. Provide a minimum 200 square feet planting area per street tree. When 200 square feet of planting area is not possible, for example, in a streetscape setting, tree pits shall be utilized.

C. Prior to the issuance of a development permit a street tree plan shall be submitted for review and approval.

1. Street tree plan must show compliance with the above requirements and include details for hardscape, paver stones, landscape area, ground cover, tree grates, tree pits, and soil composition.
2. Street tree plan shall be reviewed and approved by the GCDOT for County maintained roads and by the GDOT for State Highways.

D. Street trees shall be planted as follows:
1. The owner/developer shall be responsible for planting of street trees on common area prior to the approval of the Final Plat.
2. The lot owner/developer shall be responsible for the planting of street trees in front of the affected lots prior to the issuance of a Certificate of Occupancy.

E. Street trees shall be cared for and maintained by the owner of the property on which they are located, except in developments where the property owners association provides maintenance and care.

F. A Right-of-Way Encroachment Maintenance Agreement shall be provided by the developer for street trees located within the right-of-way.

G. A maintenance responsibility statement shall be provided on the Final Plat that describes who is responsible for the maintenance and replacement of street trees and trees located in common areas.

H. When a Final Plat is not required the maintenance responsibility statement shall be provided on the Site Development Plan.

I. Street tree maintenance shall include replacement and pruning as necessary. Pruning and tree management shall be in accordance with standards of the International Society of Arboriculture.

J. The Director is hereby authorized to grant a modification for street tree location and genus and species variation.

Section 620-50. Tree Requirements in Single Family Attached Residential Zoning Districts.

In single family attached residential zoning districts developers shall comply with this Section by providing 16 Tree Density Units per acre as indicated in Section 630-30.5.

Section 620-60. Tree Requirements in Single Family Detached Residential Zoning Districts R-75 MOD, R-60, TND, R-SR, or R-ZT.

In single-family detached residential zoning districts listed above developers and homebuilders shall comply with this Section by planting street trees or two trees per lot and by providing 16 Tree Density Units per acre as indicated in Section 630-30.5.

A. When the lot trees option is selected in order to comply with this Section, individual lot trees shall be provided or preserved on each lot within the subdivision.

B. When the street tree option is selected in order to comply with this Section, street trees shall be provided.

C. Sixteen Tree Density Units per acre shall be provided.

Section 620-65. Tree Requirements in Single-Family Detached Residential Zoning Districts R-100 CSO, R-75 CSO and OSC.

In single-family detached residential zoning districts listed above developers and homebuilders shall comply with this Section by planting street trees and by providing 16 Tree Density Units per acre as indicated in Section 630-30.5.

A. Street trees shall be provided. Refer to Section 620-75.B for street tree requirements.

B. Sixteen Tree Density Units per acre shall be provided.

Section 620-70. Tree Requirements in Single Family Detached Residential Zoning Districts RA-200, R-100, R-75, or R-100 MOD.

In single family detached residential zoning districts listed above, developers and homebuilders shall comply with this Section by planting street trees, by planting two trees per lot, and by providing 16 Tree Density Units per acre as indicated in Section 630-30.5.

A. Individual lot trees shall be provided or preserved on each lot within the subdivision.

B. Street trees shall be provided.

C. Sixteen Tree Density Units per acre shall be provided.

Section 620-75. Tree Requirements in Residential Zoning Districts

Prior to the issuance of a development permit a Tree Preservation and/or Replacement Plan shall be submitted for review and approval that shows compliance with the tree requirements.

A. When planting lot trees in residential districts the following regulations shall apply:

1. Two trees per lot shall be provided or preserved in the front, side, or rear yard provided trees are not located in utility easements, drainage easements, or septic drain fields.
2. Homebuilder shall be responsible for planting or preserving the individual lot trees prior to the issuance of a Certificate of Occupancy.
3. Lot trees shall be selected from the Tree Species List in the UDO Appendix and shall be at least 2-inch caliper at time of planting.

B. When planting street trees in residential zoning districts the following regulations shall apply:

1. Underground utilities are required.
2. One tree per 50 linear feet of street (both sides of street) shall be provided.
3. Street trees shall be located outside of the street right-of-way, within 5 feet of the right-of-way.
4. Street tree spacing in residential subdivisions where street trees are required shall be spaced at about 35-40 feet centers and located a minimum of 30-50 feet from intersecting streets and a minimum of about 40 feet from streetlights as depicted in the UDO Appendix Section 4.0, unless otherwise indicated in this UDO.
4. Street trees shall be selected from the Tree Species List in the UDO Appendix and shall be at least 3-inch caliper at time of planting.
5. Maximum allowable genus of street trees shall be 33 percent of entire subdivision or one genus per street.
6. Prior to permit issuance an overall street tree plan shall be submitted for review and approval that indicates the location; size; genus, species, and variety; genus percentages, and planting details. The street tree plan may be a part of the Tree Preservation and/or Replacement Plan.
7. The developer shall be responsible for the planting of street trees on common area and conservation space lots prior to the approval of the Final Plat.
8. The homebuilder shall be responsible for the planting of street trees in front of the affected individual lots prior to the issuance of a Certificate of Occupancy.
9. Street tree planting shall be delayed from June through August.
10. Street trees shall be maintained and cared for by the property owner except in subdivisions in which the property owner's association provides maintenance and care. Maintenance shall include replacement and trimming as necessary. Pruning and tree management shall be in

accordance with standards of the International Society of Arboriculture.

C. When 16 Tree Density Units per acre is required, the following regulations shall apply:

1. Density may be achieved by preserving existing trees, planting new trees, or a combination of the two methods.

2. Prior to permit issuance of a development permit a Tree Preservation and/or Replacement Plan shall be submitted, for review and approval that shows compliance with the tree requirements.

3. Trees planted to meet the two trees per lot and/or street tree requirement may be counted toward the tree density unit requirement.

4. New trees shall be selected from the Gwinnett County Tree Species List in the UDO Appendix and shall be a minimum of 2-inch caliper at time of planting. Existing trees shall be a minimum of 3 inches in diameter.

5. Preserved trees counted toward meeting the Tree Density Units shall be protected with Tree Protection Fence at the dripline or critical root zone (whichever is greater) prior to the start of construction.

D. A maintenance responsibility statement shall be provided on the Final Plat that describes who is responsible for the maintenance and replacement of lot trees, street trees, and trees located in common areas.

Section 620-80. No Access Easement Screening Requirements.

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~~ staggered 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.

Chapter 630. Tree Preservation and Replacement Regulations

Section 630-10. Applicability and Exemptions.

630-10.1 Applicability. This Chapter shall apply to any activity on real property which requires the issuance of a Development or Land Disturbance Permit except as otherwise excluded in accordance to Table 630.1 Summary of Applicability and Exemptions at the end of this section, or as described herein. In applicable cases where the Gwinnett County Board of Commissioners has approved a streetscape plan, its provisions shall supersede the minimum requirements of those set forth in Section 630-20.4.B.

630-10.2 Grandfathered Projects.

A. In no event shall any grandfather clause be extended to permits that have not started and expired or are unfinished and expired for a greater time period than 24 months from the date of enactment of this UDO.

B. For those projects where a development permit was issued and where development was completed prior to the effective date of this UDO and is proceeding with additional development on a portion of the property see Section 630-90 for re-development thresholds.

630-10.3 Horticultural or Agricultural Operations.

A. All land-disturbing activities associated with plant or tree nurseries and botanical gardens shall be exempt from the terms and provisions of this Chapter in relation to those trees which are being grown for relocation and continued growth in the ordinary course of business, or for some public purpose.

B. All land-disturbing activities associated with orchards of trees in an active commercial operation shall be exempt from the terms and provisions of this Chapter for bona fide agricultural purposes only.

630-10.4 Removal of Disease or Insect Infestation. Upon the written advice of the Gwinnett County Cooperative Extension Service, the Georgia Forestry Commission, or a certified arborist, in accordance with commonly accepted forestry practices and a finding of disease or insect infestation, the Director may authorize the removal of trees to prevent the transmission of disease or infestation, to prevent the danger of these trees falling, or to prevent potential injury to life and property. The owner/developer, prior to the removal of these trees, shall notify the Director, identifying the location of the property where the infested trees are and shall submit to the Director the written finding of the County Extension Service, Georgia Forestry Commission, or certified arborist. The applicant shall also meet the site requirements below.

A. The property shall be required to meet a Tree Density Standard of 24 units per acre upon completion of authorized removal of diseased or insect infested trees. If applicable, a Tree Preservation and/or

Tree Replacement Plan may be required to show compliance with 24 tree density units per acre.

B. Specimen trees that meet the identification criteria and are not diseased or insect infested shall be preserved and protected as outlined in Section 630-70.

C. The owner/developer shall use the recommended Best Management Practices (BMP's) as established by the Georgia Forestry Commission.

630-10.5 Site Requirements for Limited Land-Disturbing Activities.

A. Permits authorizing limited land-disturbing activities shall be required to follow these additional site requirements:

1. In zoning districts other than RA-200, properties which are not under the authorization of a Final Plat, and which exceed 1 acre in size, disturbance shall be authorized only in accordance with the issuance of a land disturbance permit and shall require the submittal and approval of a Tree Preservation and/or Replacement Plan.

2. A 50-foot undisturbed buffer (not a zoning buffer) shall be provided and maintained along the entire perimeter of the property, including road frontages, during the land-disturbing activity, except for authorized access crossings.

3. The property shall be required to meet a Tree Density Standard of 24 units per acre upon completion of authorized land-disturbing activities. The 50-foot perimeter buffer and specimen trees may be counted toward meeting the 24 tree density units per acre.

4. The owner/developer shall use the recommended Best Management Practices (BMP's) as established by the Georgia Forestry Commission.

630-10.6 Tree Thinning. Upon the written advice and findings of the County Extension Service, Georgia Forestry Commission, or a certified arborist, the thinning of trees (selective cutting only) in zoning districts other than RA-200, solely for the purpose of good forestry management, if permitted per zoning condition, shall require the submittal and approval of a land disturbance permit and a Tree Preservation and/or Replacement Plan. The applicant shall also meet the following requirements:

A. A 50-foot undisturbed buffer (not a zoning buffer) shall be provided and maintained along the entire perimeter of the property, including road frontages, during the land-disturbing activity, except for authorized access crossings.

B. The property shall be required to meet a Tree Density Standard of 24 units per acre upon completion of authorized land-disturbing activities. The 50-foot perimeter buffer and specimen trees may be counted toward meeting the 24 tree density units per acre. If applicable, a Tree Preservation and/or Replacement Plan may be required to show compliance with 24 tree density units per acre.

C. Specimen trees that meet the identification criteria shall be preserved and protected as outlined in Section 630-70.

D. The owner/developer shall use the recommended Best Management Practices (BMP's) as established by the Georgia Forestry Commission.

630-10.7 Timber Harvesting. Timber harvesting (selective cutting or clear-cutting) for pulpwood or sawtimber shall be exempt within the RA-200 zoning district. In other zoning districts, properties which are not under the authorization of a Final Plat, and which exceed 1 acre in size, timber harvesting shall be authorized only in accordance with the issuance of a land disturbance permit and shall require the submittal and approval of a Tree Preservation and/or Replacement Plan, and shall also meet the following requirements:

A. A 50-foot undisturbed buffer (not a zoning buffer) shall be provided and maintained along the entire perimeter of the property, including road frontages, during the land-disturbing activity, except for authorized access crossings.

B. The property shall be required to meet a Tree Density Standard of 24 units per acre upon completion of authorized land-disturbing activities. The 50-foot perimeter buffer and specimen trees may count towards meeting the 24 tree density units per acre.

C. Specimen trees that meet the identification criteria shall be preserved and protected as outlined in Section 630-70.

D. The owner/developer shall use the recommended Best Management Practices (BMP's) as established by the Georgia Forestry Commission.

TABLE 630.1 Summary of Applicability and Exemptions.

Project Type	Type of Construction	Applicability
Grandfathered Projects	In no event shall any grandfather clause be extended to permits that have not been	Exempt (see 630-10.2.)

	started and expired, or are unfinished and expired, for a greater time period than 24 months from the date of enactment of this UDO. For those projects where a development permit was issued and where development was completed prior to the effective date of this UDO and is proceeding with additional development on a portion of the property see Section 630-90 for re-development thresholds.	
Horticultural or Agricultural Operations	Land clearing for clearly agricultural purposes, including Plant or Tree Nurseries; Orchards	Exempt (see 630-10.3.)
Diseased or Insect Infested Trees	Removal upon advice and written finding of County Cooperative Extension Service, Georgia Forestry Commission, or Certified Arborist.	TP/RP Required (see 630-10.4.)
Tree Thinning	Thinning of trees (selective cutting) in zoning districts other than RA-200 solely for the purpose of good forestry management, utilizing recommended BMP's of the Georgia Forestry Commission, upon the advice and written findings of the County Extension Service, Georgia Forestry Commission, or Certified Arborist.	TP/RP Required (see 630-10.6.)
Timber Harvesting	Properties which are not under the authorization of a Final Plat which exceed 1 acre in size, timber harvesting shall be authorized only in accordance with the issuance of a land disturbance permit.	TP/RP Required (see 630-10.7.)
Private or Public Utilities, and County Greenways	Land clearing for utilities and greenways and construction of private or public utilities or greenways	Exempt (see 630-20.3.)
Residential Lots or Subdivisions	Clearing, Clearing and Grubbing, Grading, Development or Building Permit	Two trees per lot and street trees and TP/RP meeting 16 TDU's *(see 630-20.4.)
Residential Recreation Areas, Multifamily and Non-residential Individual Sites	Clearing or clearing and grubbing only.	TP/RP required (see 630-20.2.)
	Grading or Development Permit	TP/RP required (see 630-20.2.)
	Building Permit	Covered by TP/RP as approved by LDP (see 630-20.2)

Section 630-20. Permit Requirements.

630-20.1 Land Disturbance Permit Required. Land-disturbing activities shall not commence until such activities have been authorized by issuance of an appropriate land disturbance or development permit under the provisions of this UDO. Once a Final Plat has been recorded, land-disturbing activities on residential lots shall not occur until a lot disturbance permit for a specific lot has been obtained.

630-20.2 Tree Preservation and/or Replacement Plan Required.

A. For projects not exempt from the provisions of this Chapter, as described in Section 630-10, a Tree Preservation and/or Replacement Plan shall be submitted along with the Tree Canopy Calculation, and the other documents required by the UDO for the issuance of a Clearing, Clearing and Grubbing, Grading, or Development Permit.

B. Tree Preservation and/or Replacement Plans, including the Tree Canopy Calculation, and related documentation shall be reviewed by the Department for conformance to the provisions of this Chapter along with and at the same time as all other plans required for a requested land disturbance permit under the provisions of the UDO.

C. Clearing, grading and development activities shall conform in all respects with the approved Tree Preservation and/or Replacement Plan. Any revisions to the proposed development of a property, and any changes reflected in a subsequently submitted permit application, shall be shown on a revised Tree Preservation and/or Replacement Plan and be approved as part of the new or revised permit prior to the commencement of such changed activities.

630-20.3 Limited Land Disturbing Projects. Projects which propose only limited development activities may be issued a land disturbance permit without a Tree Preservation and/or Replacement Plan under the following circumstances:

A. Private or public utility easements and County greenways on public access easements and private or public utility easements shall not be required to submit a Tree Preservation and/or Replacement Plan if the proposed land-disturbing activities are strictly limited to those directly related to the placement of required soil erosion and sedimentation controls, the installation of public or private utilities, the installation of County greenways on public access easements and private or public easements, or other required improvements expressly required by the County or by a condition of zoning, special use, modification, waiver or variance approval.

B. Residential recreation areas, individual multifamily residential and attached ~~townhomes~~ townhouses (not on individual lots), and non-residential projects (not involving the subdivision of the property) may not be allowed to undertake activities limited to clearing, or clearing and grubbing only, without approval of a Tree Preservation and/or Replacement Plan. Additional areas may be designated by the Department to remain undisturbed as may be reasonably required with consideration given to the proposed use of the property, as well as adjacent properties, in accordance with the Gwinnett County Unified Plan.

C. The limits of clearing or clearing and grubbing shall be established no closer to the boundaries of all said undisturbed areas than the driplines of the trees that are located within said areas.

D. For any property for which a Tree Preservation and/or Replacement Plan was not required prior to issuance of a land disturbance permit under the provisions of Subsection 630-20.2, all areas required to be undisturbed shall be provided with protective tree fencing along the limits of clearing or grading which adjoin existing trees in accordance with the provisions found in Subsection 630-50.2. These measures shall be in place prior to beginning clearing or grading activities and shall be maintained throughout the land-disturbing period.

Section 630-30. Tree Density Requirements.

630-30.1 Tree Density Standard.

A. On each property for which a Tree Preservation and/or Replacement Plan is required, existing trees shall be retained and new trees shall be planted such that the property shall attain or exceed a Tree Density Standard of 16 Tree Density Units per acre, or 20 Tree Density Units per acre as specified in the Overlay Districts, or 24 Tree Density Units per acre for limited land-disturbing activities (Sections 630-10.4, 5, 6 and 7).

B. Trees, both existing and new, shall be reasonably distributed throughout the site, with emphasis on tree groupings to achieve aesthetic results following professional landscaping standards. Trees, including street trees, may be retained, or planted for credit within a public street right-of-way.

C. Trees located in a stream buffer may be counted toward fulfilling the Tree Density Standard provided the acreage within the stream buffer is included in the calculations used to fulfill the Tree Density Standard.

D. Trees, both existing and new, located in a temporary construction buffer may be counted toward fulfilling the Tree Density Standard provided the acreage within the temporary construction buffer is included in the calculations used to fulfill the Tree Density Standard.

E. If a specimen tree's Critical Root Zone (CRZ) falls outside of the buffer partial credit may be obtained toward fulfilling the Tree Density Standard. See Section 630-30.5 in this UDO.

630-30.2 Buffer Exclusion in Fulfilling the Tree Density Standard.

A. Existing trees proposed to be retained and preserved, and new trees proposed to be planted, in order to meet the buffer requirements as required per Table 610.1, as required by the Supplemental Use Standards, or as a condition of Zoning, Special Use, Variance, or Waiver approval shall not be considered in fulfilling the requirements of Tree Density Standard for the project.

B. The acreage within the buffer shall be excluded from the overall acreage used to calculate the Tree Density Standard.

630-30.3 Easement Exclusion. Properties possessing natural gas, petroleum or electric power transmission easements, or major sanitary sewer main (greater than 8 inches in diameter) or water main (greater than 16 inches in diameter) distribution easements, may exclude the land area contained in the easement from the total acreage of the property in fulfilling the Tree Density Standard provided that no improvements (e.g., parking lots, tennis courts, driveways, greenways, stormwater management facilities, etc.) are proposed within the easement. If any improvements are proposed within the easement, then the land area so used within the easement for the improvements, plus an additional 10-feet of land area surrounding the improvements, shall be included in the total acreage of the property to fulfill the Tree Density Standard.

630-30.4 Lake and Pond Exclusion. Properties with a lake or pond greater than 1 acre in size may exclude the land area contained in the lake or pond from the total acreage of the property in fulfilling the Tree Density Standard.

630-30.5 Tree Density Standard Calculation. The Tree Density Standard shall be calculated by summing the following credits and dividing by the total acreage of the project included within the limits of the permit application (but excluding any acreage included within a zoning buffer and other land area allowed to be excluded by this Chapter).

A. *Existing trees.*

1. Credit for existing trees proposed to be preserved on the site shall be calculated by assigning the units listed in ~~multiplying the diameter of the tree times the units assigned in~~ Table 630.2.~~,~~ Credit for Existing Trees, based on the diameter of the existing tree. Credit shall be given for all trees preserved on a property having a diameter of 3 inches or more, except trees located in a required zoning buffer. Tree sample areas of similar vegetation ~~of 50 square feet or larger~~may be used as credit provided the sample area is a minimum of 100 feet in length and width. The prism cruising method may also be used as a method of measuring Tree Density Units.

B. *New trees.*

1. Credit for new trees proposed to be replaced on the site shall be calculated based on the units assigned in Table 630.4, Credit for Replacement Trees. Credit shall be given for all new trees replaced on a property except for trees 1 inch or less in caliper and new trees planted in a required zoning buffer. Deciduous trees shall be a minimum 2 inches in caliper and evergreen trees shall be a minimum of 6 feet in height. New multi-trunked trees shall only be given credit by measuring the single largest trunk and not the cumulative total of the various trunks. Tree-form shrubs shall not be given credit for satisfying the required Tree Density Standard.

C. *Specimen trees.*

1. Credit for specimen trees preserved on the site shall be calculated based on the units assigned in Table 630.3, Credit for Specimen Trees. When multi-trunked specimen trees split below diameter at breast height the trunk shall be measured at the narrowest point below the split.

2. The Critical Root Zone (CRZ) shall include no less than the minimum area beneath a tree that must be left undisturbed. The CRZ is a concentric circle centering on the specimen tree's trunk with a radius equal in feet to 1.5 times the number of inches of the trunk's diameter at breast height (4.5 feet) or the dripline, whichever is greater. For example, the CRZ for a 24-inch diameter tree trunk is a 36-foot radius concentric circle from the trunk of the tree. However, if the dripline extends further than the 36-foot circle that dripline shall take precedence.

3. Credit shall be given for all specimen trees preserved on a property except for those located in a required zoning buffer where partial credit may be given. A specimen tree located within a buffer with a CRZ extending beyond the buffer is allowed partial credit toward Tree Density Units. The partial credit is based on the percentage of CRZ that is outside of the buffer. For example: a 30-inch specimen tree's CRZ extends by 20 percent over the buffer line then the developer receives 20 percent of the credit for a 30-inch existing specimen tree (19.6 × .20 = 3.92 TDU's).

4. To determine the percentage of CRZ outside of the buffer, measure the area of the CRZ circle. Then measure the area of CRZ outside of the buffer. Divide the smaller number into the larger number and that is the percentage of CRZ. For example: a specimen tree's CRZ is 6,000 square feet, 1,200 square feet is outside of the buffer. Divide 1,200 by 6,000 and the answer is .2 or 20 percent of the CRZ is outside of the buffer.

D. *Additional credits shall be granted under the following circumstances:*

1. Existing trees to be preserved within a 100-year floodplain shall be granted a bonus credit of 50 percent of the units assigned in Table 630.2 unless the tree is located within a required zoning buffer.

E. *Genus percentage for overall site.*

1. There shall be no more than 33 percent of any one genus of tree for overall site. Provide calculations on the Tree Preservation and/or Tree Replacement Plan.

630-30.9 Trees Selected for Planting.

A. Replacement trees proposed to be planted for credit toward meeting the minimum required Tree Density Standard on a property shall comply with the following:

1. The spacing of replacement trees must be compatible with spatial site limitations and with responsible consideration towards species size when mature.

2. Trees selected for planting shall be a species listed in the Gwinnett County Tree Species List in ~~Section 4 of~~ the ~~UDO~~ Appendix. Standards for transplanting shall be in keeping with those established by the International Society of Arboriculture, as included in the "Tree and Shrub Transplanting Manual," latest edition. Refer to the American Association of Nurserymen publication "American Standard for Nursery Stock" (ANSI Z60, 1973) for plant material quality specifications. Refer to the "Manual of Woody Landscape Plants" (Michael Dirr, 1983, Castle Books) for information on tree species site requirements.

3. Trees selected for planting must be free from injury, pests, disease, nutritional disorders, or root defects, and must be of good vigor, so as to assure a reasonable expectation of survivability.

Table 630.2. Credit for Existing Trees (measured at 4.5 feet above the ground).

*Conversion from tree diameter in inches to tree density units for trees remaining on site**							
DIA.	UNITS	DIA.	UNITS	DIA.	UNITS	DIA.	UNITS
3	.75	15	3.6	27	12.0	39	24.9
4	.90	16	4.2	28	12.9	40	26.1
5	1.05	17	4.8	29	13.8	41	27.6
6	1.35	18	5.4	30	14.7	42	28.8
7	1.50	19	6.0	31	15.6	43	30.3
8	1.65	20	6.6	32	16.8	44	31.8
9	1.8	21	7.2	33	17.7	45	33.0
10	1.95	22	7.8	34	18.9	46	34.5
11	2.1	23	8.7	35	20.1	47	36.0
12	2.4	24	9.3	36	21.3	48	37.8
13	2.7	25	10.2	37	22.5	49	39.3
14	3.3	26	11.1	38	23.7	50	40.8

** Tree diameter for existing trees is measured at 4.5 feet above the ground. Tree diameter fractions may be "rounded up" if 0.5 inches or greater or "rounded down" if less than 0.5 inches.*

Table 630.3. Credit for Specimen Trees (measured at 4.5 feet above the ground).

*Conversion from specimen tree diameter in inches to specimen tree density units for specimen trees on site**							
DIA.	UNITS	DIA.	UNITS	DIA.	UNITS	DIA.	UNITS
12	3.2	24	12.4	36	28.4	48	50.4
13	3.6	25	13.6	37	30.0	49	52.4
14	4.4	26	14.8	38	31.6	50	54.4
15	4.8	27	16.0	39	33.2	51	56.4
16	5.6	28	17.2	40	34.8	52	58.4
17	6.4	29	18.4	41	36.8	53	60.4
18	7.2	30	19.6	42	38.4	54	62.4
19	8.0	31	20.8	43	40.4	55	64.4
20	8.8	32	22.4	44	42.4	56	66.4
21	9.6	33	23.6	45	44.0	57	68.4
22	10.4	34	25.2	46	46.0	58	70.4
23	11.6	35	26.8	47	48.0	59	72.4

Tree diameter for existing trees is measured at 4.5 feet above the ground.

*** Multi-trunked specimen trees shall be measured at the narrowest point below the split.*

Table 630.4. Credit for Replacement Trees (measured at 6 inches above the ground).

*Conversion from tree caliper to tree density units for proposed replacement trees**			
Caliper	Units	Caliper	Units
2	.5	9	1.5
3	.6	10	1.7
4	.7	11	1.9
5	.9	12	1.1
6	1.0	13	2.3
7	1.2	14	2.5
8	1.3	15	2.7

Tree caliper for new replacement trees is measured at 6 inches above the ground. Tree caliper fractions may be "rounded up" if 0.5 inches or greater or "rounded down" if less than 0.5 inches. New planted multi-trunked trees shall be given credit by measuring the single largest trunk only. Tree-form shrubs shall not be given credit.

Section 630-40. Tree Canopy Calculation Requirement.

630-40.1 The tree canopy calculation requirement is required for all new developments and existing developments adding structural or site improvements. Pre-construction and post construction calculations shall be provided on the Tree Preservation/ Replacement Plan and shall include the total net increase or decrease in canopy area for the site. There is no minimum or maximum tree canopy percentage required at this time.

630-40.2 Tree Canopy Calculation Method.

A. The pre-construction tree canopy shall be calculated by assigning square feet of canopy to each existing tree based on the Tree Species List in ~~Section 4.0 of~~ the ~~UDO appendix~~Appendix. Stands of three or more existing trees can be computed with polygons and canopy area noted in terms of square feet.

B. The post construction tree canopy shall be calculated by assigning square feet of canopy to each tree proposed and each tree preserved on the Tree Species List in ~~Section 4.0 of~~ the ~~UDO~~ Appendix. Existing trees whose critical root zone is protected during construction activities are counted toward meeting the post construction tree canopy calculations. Stands of three or more existing trees can be computed with polygons and canopy area noted in terms of square feet. Include existing and proposed buffer trees, landscape strip trees, parking lot trees and any tree preserved or replaced within the site in the tree canopy calculation.

C. Add the total square feet of canopy. Convert the total site acreage to square feet. Calculate the total square feet of canopy as a percentage of the total square feet for the site.

Example of Tree Canopy Calculation.

Qty	Botanical Name	Canopy Area in square feet	Total Canopy area in square feet
10	Fraxinus pennsylvanica	491	4,910
27	Juniperus virginiana	79	2,133
14	Quercus coccinea	1,590	22,260
8	Nyssa aquatica	1,256	10,048
23	Pinus taeda	491	11,293
6	Existing oak hardwoods	1,800 (avg.)	10,800

	Existing (mixture of softwoods and hardwoods)	polygon	23,400
4.0 Acres		TOTAL	84,844
	Total site acreage		174,240
	Percentage of total site covered by canopy	84,844 divided by 174,240	49%

Section 630-50. Tree Preservation and Replacement Requirements.

The following guidelines and standards shall apply to trees proposed to be preserved for credit toward meeting the minimum required Tree Density Standard on a property and to all boundary trees extending into permitting property.

630-50.1 Tree Protection Areas.

A. The root system is generally within the dripline or Critical Root Zone. To protect these critical roots, a Tree Protection Area shall be established around each tree or group of trees to be retained.

B. The Tree Protection Area shall include no less than the total area beneath the tree canopy as defined by the dripline or Critical Root Zone of the tree or group of trees collectively.

C. Site Utility and Grading Plans shall clearly indicate that the Tree Protection Areas will not be disturbed.

D. Construction site activities such as parking, materials storage, concrete washout, burnhole placement, etc., shall be arranged so as to prevent disturbances within Tree Protection Areas.

630-50.2 Protective Barriers.

A. Protective tree fencing shall be installed between buffers, Tree Protection Areas and areas proposed to be cleared, graded, or otherwise disturbed on the site, prior to any land disturbance.

B. All Tree Protection Areas shall be designated as such with "tree save area signs" posted in addition to the required protective fencing. Signs requesting subcontractor cooperation and compliance with tree protection standards are recommended for site entrances.

C. All Tree Protection Areas must be protected from soil sedimentation intrusion through the use of silt screens or other acceptable measures placed up-slope from the tree protection area.

D. All protective tree fencing, and all erosion control barriers must be installed prior to and maintained throughout the land-disturbing and construction process and should not be removed until final landscaping is installed.

630-50.3 Encroachment. If encroachment into a Tree Protection Area occurs causing irreparable damage to the trees, the Tree Preservation and/or Replacement Plan shall be revised to compensate for the loss. Under no circumstances shall the developer be relieved of responsibility for compliance with the provisions of this Chapter of the UDO, nor shall plan revision activities stop the Department from instituting action for violation of this Chapter of the UDO.

Section 630-60. Tree Species List Requirements.

Tree species lists for small, medium, or large trees are found in Section 4.0 of the Appendix. The Director is authorized to administratively add and delete species from the list. Except as specifically approved by the Director

as a modification, only the trees listed in Section 4.0 of the Appendix shall be given credit towards meeting the requirements of Chapters 610, 620, 630, and 640.

Section 630-61. Shrub Species List Requirements.

Allowed shrub species lists are found in ~~Section 4.0 of~~ the Appendix. Except as specifically approved by the Director as a modification, only the approved shrubs listed in ~~Section 4.0 of~~ the Appendix shall be given credit towards meeting regulatory requirements of Chapters 610, 620, and 630 ~~and 640~~. The Director is authorized to administratively add and delete species from the list.

Section 630-62. Prohibited Plant Species List.

The Gwinnett County Prohibited Plant Species List contains trees, shrubs, ground covers, vines and grasses that are defined as exotic plants that are serious to minor problems in Georgia natural areas based on the Georgia Exotic Pest Plant Council. The plants on Gwinnett County Prohibited Plant Species List are invasive plant species and shall not be used for meeting regulatory requirements. The Director is authorized to administratively revise the list based on current information from the Georgia Exotic Pest Plant Council.

Section 630-63. Ground Covers.

Unless otherwise stated in Chapter 400 or required per condition of zoning, all disturbed areas shall be sodded, or seeded, or be planted with an approved alternate native ground cover and specified on the Tree Preservation/Tree Replacement plans.

Section 630-70. Specimen Trees.

630-70.1 Specimen trees are required to be preserved. For preliminary site visit criteria refer to Section 630-70.4 of this UDO. For plan preparation guidelines for the Specimen Tree Survey and Specimen Tree Concept Plan refer to Section ~~320-20~~330-90 ~~-~~of this UDO.

630-70.2 A Specimen Tree Survey Plan is required to be submitted to the Department for all development that does not meet the exemptions listed in Section 630-70.8 below prior to the Specimen Tree Concept Plan submittal and shall be prepared by a certified arborist, authorized registered professional or registered forester. In cases where there is phasing of development a Specimen Tree Survey Plan and a Specimen Tree Concept Plan is required for the entire property boundaries prior to the Final Plat for the first phase. Any tree that meets the identification criteria for tree size in Section 630-70.3 below is considered a specimen tree and shall be shown on the Specimen Tree Survey Plan. Any tree that meets the identification criteria for tree size and condition in Section 630-70.3 shall be shown on the Specimen Tree Concept Plan. In general, the Specimen Tree Survey Plan shows where the existing specimen trees that meet the identification criteria for size are located, and the Specimen Tree Concept Plan shows where the existing specimen trees that meet the identification criteria for size and condition are located in relation to the preliminary plan design. For plan preparation guidelines for the Specimen Tree Survey and the Specimen Tree Concept Plan refer to Section ~~320-20~~ 330-90 of this UDO.

630-70.3 Specimen Tree Identification.

A. *Identification Criteria.*

1. *Tree Size:* Tree must meet size criteria in number 1. and in number 2. below tree must meet conditions a. through e. Conditions f. and g. are optional.
    a. Large Hardwood: 28-inch diameter or larger
    b. Large Softwood: 30-inch diameter or larger
    c. Small Native Flowering: 12-inch diameter or larger
        i. The list below indicates small native flowering specimen tree types:
            - Cercis canadensis, Eastern Redbud

- Cornus florida, Flowering Dogwood
- Amelanchier arborea, Serviceberry
- ~~Oxydendrum arboretum, Sourwood~~

2. *Condition.*

   a. A life expectancy of greater than 10 years.

   b. A sound and solid trunk with no extensive decay or hollow, and less than 20 percent radial trunk dieback.

   c. No more than one major and three minor dead limbs (hardwoods only).

   d. No major insect problem.

   e. No major pathological problem (fungus, virus etc.).

   f. Exceptional quality.

   g. Of historical significance.

630-70.4 Site Visit.

A. Prior to the submission of specimen tree survey developer's certified arborist, authorized registered professional, or registered forester shall visit the site:

   1. Locate and flag specimen trees that meet the size criteria with green and white striped tape.

   2. Number specimen trees that meet the size criteria with tree ID tags.

   3. Prepare Specimen Tree Survey Plan (Section 320-20.1).

   4. Submit the Specimen Tree Survey to the Department of Planning and Development.

630-70.5 Specimen Tree Stands.

A. Specimen tree stands are required to be preserved. If groupings of trees are designated as specimen tree stands, they are required to be preserved and shown on the Specimen Tree Survey Plan and Specimen Tree Concept Plan. Specimen tree stands shall be marked as listed above in Section 630-70.4.

B. Identification Criteria (meeting one or more of the following):

   1. Contiguous group of trees that contain one or more specimen trees and the specimen trees are interlocked with other members of the stand in such a manner as to endanger the specimen tree if other members of the stand were to be removed.

   2. Stand of historical significance.

   3. Exceptional aesthetic quality or striking characteristics.

   4. Unique, of a rare or unusual species.

630-70.6 Specimen Tree Preservation:

A. Additional density credit will be given for the preservation of specimen tree(s) given tree preservation is followed per the guidelines listed below and in this Chapter. Credit for any successfully saved and maintained specimen tree is listed in Table 630.3, Credit for Specimen Trees.

630-70.7 Specimen Tree Protection.

A. Specimen trees identified as preserved on the Specimen Tree Concept Plan shall have tree protection fence at the Critical Root Zone or dripline, whichever is greater, after the pre-construction meeting and prior to any land disturbance.

B. The layout of utility lines, easements, and grading shall be outside the Critical Root Zone or dripline.

C. There shall be no parking, construction material storage, bury pits, concrete or gravel wash out, within Critical Root Zones, driplines, and Tree Save Areas.

D. Critical Root Zone or dripline of specimen tree(s) and Tree Save Areas shall remain undisturbed with the following exceptions:

1. Thinning is allowed and may include manual removal (no motorized/ wheeled or track vehicles) of non-specimen trees. Stumps may be ground provided there is no grading disturbance.

2. The manual removal of the following plants is allowed: Kudzu, Pueraria lobata; Bamboo spp.; Japanese Honeysuckle, Lonicera japonica; Japanese Climbing Fern, Lygodium japonicum; Mimosa, Albizia julibrissin; Multiflora Rose, Rosa multiflora; Autumn Olive, Elaeagnus umbellata, Chinese Privet, Ligustrum sinense; Chinese Tallow Tree, Sapium sebiferum. A Commercial Applicator License and a Pesticide Contractor License are required by the contractor if the use of herbicides is necessary for noxious plant material removal.

3. Non-vegetative material may be removed manually.

4. Thinning and clearing of any vegetative material in the Critical Root Zone shall be done in the landscape installation phase of development.

E. The tree protection fence shall be placed at the dripline or Critical Root Zone of the trees.

F. Tree protective fencing shall be located at the dripline or the Critical Root Zone prior to any land disturbance. A certified arborist shall conduct a site visit after the pre-construction meeting and prior to any land disturbance to inspect tree protection fencing.

G. Specimen trees and clearing limits shall be shown on the Site Development Plan, Grading Plan, Erosion, Sedimentation and Pollution Control Plan, Utility Plan, and Tree Preservation and/or Tree Replacement Plan.

H. The top vegetative cover within the Critical Root Zone or dripline shall remain undisturbed. Mulch may be applied if the certified arborist, authorized registered professional or registered forester finds it will benefit the tree. If mulch is applied, it shall be aged hardwood mulch, and it shall be applied at the landscape installation phase of the project.

I. Tree protection fencing shall be a minimum of four feet in height and be one of the three options listed below:

1. Orange mesh type fabric or polyethylene laminar safety fencing.

2. Two inch by 4-inch wood posts and 1 inch by 4-inch wood rails.

3. Chain link fence, minimum 4 feet in height.

J. Tree protection fences must have signage that reads "Stay Out", and "Tree Save", posted on fence every 20 feet with a minimum of four signs.

K. Specimen trees and stands of specimen trees shall be protected from silt.

L. Type S silt fencing must be placed along the outer uphill edge of Tree Protection Zones where land disturbance is taking place.

M. A stop work order will be issued if a project is found to be out of compliance with the requirements of this Chapter.

630-70.8 Specimen Tree Exemptions. The following are exempt from a Specimen Tree Survey Plan and Specimen Tree Concept Plan:

A. Small sites (1 to 2 acres in size) in which it is clearly visible from one vantage point that there are no specimen trees on site are not required to submit a Specimen Tree Survey Plan or Specimen Tree Concept Plan. The Department of Planning and Development shall require a letter from the developer's certified arborist, authorized registered professional or registered forester certifying there are no specimen trees on site.

B. A site that has been previously graded or cleared under a development permit or land disturbance permit and in which there are no specimen trees on site is not required to submit a Specimen Tree Survey Plan or Specimen Tree Concept Plan. The Department of Planning and Development shall

require a letter from the developer's certified arborist, authorized registered professional or registered forester certifying there are no specimen trees on site.

C. Private or public utility easements and County greenways on public access easements, and private or public utility easements shall not be required to submit a Specimen Tree Survey Plan or Specimen Tree Concept Plan if the proposed land-disturbing activities are strictly limited to those directly related to the placement of required utilities or placement of County greenways and the installation of private or public utilities, and County greenways on public access easements, private or public utility easements.

630-70.9 Specimen Tree Critical Root Zone (CRZ) Disturbance.

A. A maximum of 30 percent of disturbance is allowed within the Critical Root Zone given specific circumstances. Specific circumstances include and are not limited to sidewalks, boardwalks, and paths. Any proposed disturbance shall be reviewed and approved by the Director. Credit may be given for the specimen tree when the Critical Root Zone is disturbed up to 25 percent. Credit is listed in Table 630.3 (Credit for Specimen Trees) and is as follows:

1. 0 — 10 percent disturbance to the CRZ may receive 100 percent credit.
2. 10.1 — 15 percent disturbance to the CRZ may receive 75 percent credit.
3. 15.1 — 20 percent disturbance to the CRZ may receive 50 percent credit.
4. 20.1 — 25 percent disturbance to CRZ may receive 25 percent credit.
5. Any proposed disturbance to the specimen tree's CRZ from 25.1 to 30 percent may receive credit based upon what type of disturbance is proposed. Any proposed disturbance and specialty cut slopes shall be reviewed by the Director.
    a. For example: Given a 36-inch specimen tree whose critical root zone is proposed to be disturbed by 15.4 percent: Table 630.3 assigns a 36-inch specimen tree 28.4 tree density units (TDU's). That tree may receive credit for 50 percent of 28.4 TDU's which is equivalent to 14.2 TDU's.

B. When critical root zone disturbance exceeds 30 percent, the Director is hereby authorized to determine recompense.

C. In the event a specimen tree's Critical Root Zone has experienced unauthorized impact and the disturbance is documented by photos, the Director is hereby authorized to determine recompense.

630-70.10 Recompense/Specimen Tree Removal with Director Approval.

A. Director Approval is required for removal of specimen trees. The Director is hereby authorized to make a determination whether a specimen tree may be removed.

1. If a specimen tree previously identified on the Specimen Tree Concept Plan to be preserved cannot be preserved due to site constraints, the developer shall submit to the Director a statement of hardship alleging a necessity for removal of the specimen tree and site design alternatives. Examples of hardship include, but are not limited to, a tree's proximity to overhead

transmission lines and topography after site design options have been exhausted. Hardship factors require due justification and shall include documentation.

a. Plans to be submitted to the Director showing hardship justification shall include the following:

i. Specimen Tree Survey Plan.

ii. Existing and proposed contours.

iii Limits of Disturbance

iiii. Specimen Tree Concept Plan.

B. The Director is hereby authorized to determine recompense requirements when a specimen tree requires removal based on site constraints. Recompense requirements shall not count toward existing specimen Tree Density Units.

C. If specimen tree removal is approved by the Director, recompense Tree Density Units generated from removal of a specimen tree(s) shall not be counted toward any ~~landscape requirement such as parking lot, landscape strip, or buffer trees~~required trees.

D. If specimen tree removal is approved by the Director, and if the existing Tree Density Units remaining post construction exceed the required Tree Density Units per acre requirement, recompense Tree Density Units may count toward any additional existing Tree Density Units.

E. The Director is hereby authorized to make a final determination whether a tree is a specimen tree or whether it has historical significance.

F. Trees shown on plan and planted on site for recompense shall be a minimum of 2 inches in caliper or greater, or a minimum of 6 feet in height or greater at time of planting and may be hardwood or softwood or a combination thereof.

G. Trees planted for recompense shall be included in the overall percentage of genus calculations for the site. Refer to Subsection 630-30.5.E.

630-70.11 Recompense/Specimen Tree Removal without Director Approval.

A. If a specimen tree is removed without prior approval from the Director, the penalty to replace that tree is two times the Tree Density Units of the specimen tree removed. Replacement tree(s) shall be 3 inches caliper or greater.

B. If a specimen tree is removed without Director Approval with no residual evidence of its condition with the exception of the trunk, the diameter of the trunk will determine if the tree was of specimen quality. Required recompense units shall be two times the Tree Density Units of the specimen tree removed. Replacement trees shall be 3 inches caliper or greater.

C. If there is evidence that a specimen tree is removed without plan approval and there is no residual evidence of its condition or trunk diameter, recompense requirements shall be a minimum of two 28-inch hardwood trees. The property owner will be required to plant 34.4 Tree Density Units on site in addition to other site density and landscape requirements.

630-70.12 Specimen Tree Options. The following are suggested guidelines for successful specimen tree preservation.

A. *Specimen Tree Value.* At the option of developer and contractor a value of the tree can be computed and displayed on the tree protection fence during construction. Once the value is computed it can be written down on a weatherproof placard and placed on the tree protection fencing. The monetary replacement value of a specimen tree can be computed in two different ways.

B. *The "replacement" value of the tree is defined as the cost to replace a tree.* Compute the value by taking the diameter of the specimen tree and match it to the existing credit unit value for that tree. The result is the total number of credit units attributed to the specimen tree. For this example, the tree was removed without prior Director approval, therefore the Tree Density Unit for the specimen tree must be multiplied by two. Take the total and divide by .6 (a 3-inch caliper replacement tree is worth .6 units). The result is the number of trees necessary to replace the specimen tree. Multiply the number of trees needed by the cost of the tree including planting, labor, and materials. The result is the total cost to replace the specimen tree or "the value" of the specimen tree.

C. *Example, Given: a 36-inch diameter oak tree.*

1. Credit Value = 28.4 Credit Units
2. A 3-inch caliper replacement tree = .6 credit units (See Table 630.3)
3. 28.4 times 2 equals 56.8
4. 56.8 divided by .6 = 94.66 replacement trees needed
5. 95 × $250.00 (estimated cost) = $23,750 = Value of the tree

Section 630-80. Tree Bank for Alternative Compliance.

630-80.1 Purpose

The intent of the requirements of this Section is to ensure that a minimum number of trees are replaced and/ or preserved on newly developed or redeveloped sites. The Tree Bank is an alternative option and may be used in the event the site tree density or recompense tree density unit requirements cannot be met on-site due to hardship. Hardship must be documented by the developer and presented to the Director before the Tree Bank may be used.

Trees required by this Ordinance such as but not limited to parking lot, landscape strip, landscape setbacks, landscape frontages, street frontage buffer, supplemented buffer, and no access easement plantings must be planted on site and shall not utilize the Tree Bank.

630-80.2 Monetary Compensation for Trees. A developer may choose to provide the Gwinnett County Department of Planning and Development with monetary compensation for trees. If the Tree Bank is chosen, then the following criteria shall be observed:

A. Provide tree density calculations on the Tree Preservation / Tree Replacement Plan including the total number of Tree Density Units that cannot be met on-site.

B. Multiply the Tree Density Units that cannot be met on-site by the Monetary Compensation Value. The Department is authorized to determine the current Monetary Compensation Value for tree density units. To determine the tree bank monetary compensation, multiply this value times the Tree Density Units deficit to determine the dollar amount to be paid.

D. The monies collected for the Tree Bank may be used for:

1. Projects that collect data needed for management of urban community forests such as tree canopy mapping, assessments, tree management plans, and urban heat island mapping.
2. Street tree planting programs.
3. Community initiatives for the planting of trees.
4. Food forest projects.
5. Removal of invasive species.
6. Educational purposes.

7. Creation and/or updates to tree and landscape related regulations.

8. Matching funds for any grants associated with the above items.

E. The funds may be used by the Departments of Planning and Development, Community Services, and Support Services, community improvement districts, and neighborhood associations for the project types in 630-80.2D. Projects may be on public or private land as may be approved by the department.

Section 630-90. Redevelopment.

630-90.1 For redeveloped sites the Department of Planning and Development strongly recommends the developer, authorized registered professionals, design professionals and staff schedule a pre-submittal meeting with the department to discuss the potential of the site and any issues that may be present on the site.

630-90.2 Redeveloped sites shall comply with the buffer and specimen tree requirements as set forth in Chapter 610 and Section 630-70 respectively and provide compliance with parking lot, landscape strip and Tree Density Unit requirements.

630-90.3 Where the scope of a project results in disturbance, removal, and replacement of 25.1 percent or greater of the site area, a Tree Preservation and/or Tree Replacement Plan is required. The plan shall show landscape strip planting, parking lot trees, Tree Density Units, buffers and shall comply with the requirements of Chapters 600, 610, 620, 630 and 640 of this UDO.

630-90.4 Where the scope of a project results in disturbance, removal, and replacement of 25 percent or less of the site area, a Tree Preservation and/or Tree Replacement Plan is required. The plan shall include the existing and proposed landscape conditions that verify compliance with Chapters 600, 610, 620, 630 and 640 of this UDO.

A. At a minimum the plan must show the following existing and proposed elements with intent to comply:

1. Buffers.

2. Landscape strips.

3. Parking lot trees.

4. Tree Density Units.

5. Tree Save Areas.

B. Director shall review the proposed Tree Preservation and/or Tree Replacement Plan.

630-90.5 Disturbance as stated above in Redevelopment Section 630-90 shall include a building replacement where the footprint of the building counts toward the site disturbance.

Section 630-100. Water-Efficient Design Considerations.

630-100.1 It is the policy of Gwinnett County to encourage individuals or firms who prepare the plans and plats required by this UDO to consider the use of water-efficient landscaping principles and techniques as one of the criterion to be used in plant selection and design.

630-100.2 Principles and Techniques of Water-Efficient Landscaping (Xeriscaping). The recommended principles and techniques to be considered are as follows:

A. *Proper Location and Design.* Locating plants where they will naturally thrive and not require excessive water and maintenance to survive, as well as grouping plants by water needs, and limiting and concentrating high water using plants.

B. *Turf Selection.* Limiting turf areas, and selecting turf grasses that can survive the variable rainfall conditions in this region.

C. *Efficient Watering.* Once plants are established, avoid watering during periods of normal rainfall and during droughts, watering every week to 10 days or less depending on the drought tolerance of the plants.

D. *Soil Improvements.* Loosening and breaking up the soil beyond the immediate planting area to allow better water absorption and to promote deep roots.

E. *Mulching.* Using mulch to hold moisture in the soil which helps maximize the benefits of watering as well as preventing weeds.

F. *Plant Selection.* Selecting plants native or suitable to the region according to their watering requirements and optimum locations.

G. *Maintenance.* Maintaining the landscape to maximize water conservation such as increasing mowing heights and avoiding fertilizing during dry spells.

Section 630-110 Artificial Materials Prohibited.

630110.1 Only live plant material may be used to fulfill the requirements of this UDO.

Section 630-120. Warranty, Maintenance Surety, and Performance Surety.

630-120.1 All trees and landscape materials planted to meet the requirements of this UDO shall conform to the warrant and surety requirements of Chapter 1000.

630-120.2. Continuing Maintenance.

A. The owner, occupant, tenant, and respective agent of each, if any, shall be jointly and severally responsible for the perpetual maintenance and protection of buffers, trees and landscape plantings required by this UDO.

B. The Department is hereby authorized to order diseased, infested, dying, dead or damaged landscaping required herein to be replaced.

C. Buffers that, over a period of time, lose their screening ability shall be replanted to meet the requirements of Section 610-20.

D. Replacement trees and landscaping shall be in accordance with the applicable provisions of this UDO.

E. Owner of the property or property owners association as the designated responsible party for the landscaping, shall provide continued proper maintenance, repair, and replacement of all landscaping materials and areas in accordance with the approved plan for perpetuity. Maintenance shall include weeding, cultivating, mulching, trimming, pruning, watering, and fertilizing as needed. Maintenance should begin immediately after planting.

F. Indemnification and maintenance agreements for developments must be recorded with the Gwinnett or Georgia Department of Transportation, as appropriate, prior to plan approval for landscaping and related site amenities within the right-of-way.

Section 630-130. Enforcement.

Enforcement of this Chapter shall be consistent with the terms of Chapter 120 of the UDO.

Chapter 700. Floodplain Management

Section 700-10. General Provisions.

700-10.1 Findings.

A. The flood hazard areas of Gwinnett County are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

B. Flood hazard areas can serve important stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation, and ecological purposes when permanently protected as undisturbed or minimally disturbed areas.

C. Effective floodplain management and flood hazard protection activities can:

1. Protect human life and health.

2. Minimize damage to private property.

3. Minimize damage to public facilities and infrastructure such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains.

4. Minimize expenditure of public money for costly flood control projects associated with flooding and generally undertaken at the expense of the general public.

D. Article IX, Section II of the Constitution of the State of Georgia and O.C.G.A. § 36-1-20(a), have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, Gwinnett County, Georgia, establishes this set of floodplain management and flood hazard reduction policies ~~for the purpose of regulating~~ to regulate the use of flood hazard areas. It is determined that the regulation of flood hazard areas and the prevention of flood damage are in the public interest and will minimize threats to public health and safety, as well as to private and public property.

700-10.2 Requirements. The requirements of Chapter 700 shall ~~be applicable~~ apply to all Areas of Special Flood Hazard within the jurisdiction of Gwinnett County.

700-10.3 Purpose. It is the purpose of Chapter 700 to protect, maintain, and enhance the public health, safety, environment, and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, streambank and stream corridor protection, wetlands preservation and ecological and environmental protection by provisions:

A. Restricting or prohibiting uses or activities which are dangerous to health, safety, and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion.

B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction or renovation.

C. Limiting the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.

D. Controlling filling, grading, dredging, and other development which may increase erosion or flood damage.

E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters, or which may increase flood hazards to other lands.

F. Protecting ~~the~~ stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological functions of natural floodplain areas.

700-10.4 Flood Area Maps and Studies. For the purposes of defining and determining "Area of Special Flood Hazard," "Areas of Future-conditions Flood Hazard," "Areas of Shallow Flooding," " Base Flood Elevations," "Floodplains," "Floodways," "Future-conditions Flood Elevations," "Future-conditions Floodplains," potential flood hazard or risk categories as shown on FIRM maps, and other terms used in Chapter 700, the following documents and sources may be used for such purposes and are adopted by reference thereto:

A. The Flood Insurance Study (FIS) dated September 29, 2006, or most current study, with accompanying maps and other supporting data and any revision thereto.

B. Other studies which may be relied upon for establishment of the base flood elevation (BFE) or delineation of the base or one percent (100-year) floodplain and flood-prone~~d~~ areas, including:

1. Any flood or flood related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or any other local, State, or Federal Agency applicable to Gwinnett County.

2. Any base flood study conducted by a licensed professional engineer in the State of Georgia which has been prepared utilizing FEMA approved methodology and approved by the Department of Planning and Development.

C. Other studies which may be relied upon for establishment of the future conditions flood elevation or delineation of the future conditions floodplain and flood-prone~~d~~ areas, including:

1. Any flood or flood related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or any other local, state, or federal agency applicable to Gwinnett County.

2. Any future-conditions flood study conducted by a licensed professional engineer in the State of Georgia which has been prepared utilizing FEMA approved methodology and approved by the Department of Planning and Development.

D. The repository for public inspection of the FIS, accompanying maps, and other supporting data is located at the following location:

Gwinnett County Department of Water Resources
Central Facility
684 Winder Highway
Lawrenceville, GA 30045

700-10.5 Interpretation.

A. In the interpretation and application of Chapter 700 all provisions shall be:

1. Considered as minimum requirements.

2. Liberally construed in favor of Gwinnett County.

3. Deemed neither to limit nor repeal any other powers granted under state statutes.

B. Where interpretation is needed as to the exact location of floodplain or floodway boundaries (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Department shall make the necessary interpretation based on data submitted by the

applicant. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Chapter 700.

C. Where flood-plain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps.

700-10.6 Drainage Easement Establishment. On behalf of the public, a drainage easement is hereby established for the sole purpose of preserving and protecting the free flow of surface waters inside the future conditions flood contour elevations and along all watercourses. Where debris has accumulated in such a manner as would increase the need for flood protection, raise the flood level, or increase the risk of hazardous inundation of adjacent communities or jurisdictions, the County is hereby authorized to enter upon such watercourse and clear or remove such debris or obstructions as are hazardous to the public safety. The cost thereof shall be charged to the owner of the property where such debris and/or obstruction was generated. Where erosion has occurred in such a manner as would endanger a building or a structure, the County is hereby authorized to enter upon such watercourse and stabilize the channel for public safety. The cost thereof shall be charged to the owner of the property where the erosion has occurred and/or caused the erosion.

700-10.7 Establishment of Development Permit. A development permit shall be required in conformance with the provisions of this UDO prior to the commencement of any clearing, grading, or development activities adjacent to, within, or affecting a future conditions floodplain.

700-10.8 Compliance. No structure or use of land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of Chapter 700 and other applicable regulations.

700-10.9 Compatibility with Other Regulations. Chapter 700 is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction, or other provision of law. The requirements of Chapter 700 are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of Chapter 700 imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

700-10.10 Warning and Disclaimer of Liability. The degree of flood protection required by Chapter 700 is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. Chapter 700 does not imply that land outside the special flood hazard or flood--prone areas or uses permitted within such areas will be free from flooding or flood damages. Chapter 700 shall not create liability on the part of Gwinnett County or on the part of any officer or employee thereof for any flood damages that results from reliance on this Chapter, or any administrative decision lawfully made thereunder.

700-10.11 Duties and Responsibilities of Ordinance Administrator. As the administrator of Chapter 700, the duties of the Director of the Department of Planning and Development or the Director's designee shall include, but shall not be limited to:

A. Review all development applications and permits to ~~assure~~ ensure that the requirements of Chapter 700 have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding.

B. Require that copies of all necessary permits from governmental agencies from which approval is required by federal or state law, including but not limited to Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334, be provided and maintained on file.

C. When base flood elevation data or floodway data have not been provided, then the Director or Director's designee shall require the applicant to obtain, review and reasonably use any base flood elevation and floodway data available from a federal, state, or other sources in order to meet the requirements of Sections 700-20 and 700-30 and provisions of 700-40 herein.

D. Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures.

E. Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been flood-proofed.

F. When flood-proofing is used for a non-residential structure, the director or director's designee shall review the design and operational maintenance plan and obtain certification of design criteria from a registered professional engineer or architect.

G. Notify affected adjacent communities and the Georgia Department of Natural Resources (GA DNR) prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).

H. Where interpretation is needed as to the exact location of boundaries of the special flood hazard area (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions) the director or director's designee shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Chapter 120. Where floodplain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps.

I. All records pertaining to the provisions of Chapter 700 shall be maintained in the office of the Director or Director's designee and shall be open for public inspection.

J. Coordinate all FIRM revisions with the GA DNR and FEMA.

K. Review variance applications.

700-10.12 Severability. If the provisions of any section, subsection, paragraph, subdivision, or clause of Chapter 700 shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of Chapter 700.

Section 700-20. Permit Procedures and Requirements.

700-20.1 General Permit Procedures. An application for a development permit on any property where a special flood hazard area is located or is proposed to be altered or disturbed in any way shall include, but not be limited to, the following in addition to the requirements of Section 330 of this UDO: plans drawn to scale of the property showing the floodplain, floodway and the nature, location, dimensions, and elevations of existing or proposed structures, fill, storage of materials, and drainage facilities.

700-20.2 Permit Application Requirements.

A. No owner or developer shall perform any development activity on a site where an Area of Special Flood Hazard or Area of Future-conditions Flood Hazard is located without first meeting the requirements of this ordinance prior to commencing the proposed activity.

B. Unless specifically excluded by this Chapter, any landowner or developer desiring a permit for development activity shall submit to Gwinnett County a permit application on a form provided for that purpose.

C. No permit will be approved for any development activities that do not meet the requirements, restrictions, and criteria of this Chapter.

700-20.3 Encroachments.

A. Application Procedure.

1. An application for a development permit which proposes any encroachment into, or alteration of a floodway shall, in addition to the requirements of Chapter 330 of this UDO, require submittal to the Department of complete plans and engineering calculations as required by Chapter 700 for "no-rise" certification.

2. The Department shall review and authorize such floodway encroachments prior to the issuance of a development permit and shall obtain from the applicant an engineering "no-rise" certification signed by a professional engineer stating that the proposed development will not create any change to the pre-project base flood elevations, floodway elevations, or floodway widths.

3. If the applicant proposes to revise the floodway boundaries or base flood elevations, no permit authorizing an encroachment into or the alteration of the floodway shall be issued by the Department until an affirmative Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable, is issued and a "no-rise" certification is approved by the Department.

4. An application for a map revision shall be submitted first to the Department. Record drawings and calculations shall be required to be provided to the Department by the applicant at the time of completion of the floodway encroachment.

5. Payment of any review fees associated with the review and approval of the encroachment shall be the responsibility of the applicant. Final plats or certificates of occupancy shall not be issued by the Department until an affirmative Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA), whichever is applicable, is issued.

B. Flood Levels Resulting from Floodway Encroachments. Located within Areas of Special Flood Hazard are areas designated as floodway. A floodway may be an extremely hazardous area due to the velocity of flood waters, debris, or erosion potential. In addition, floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including but not limited to fill, new construction, substantial improvements, and other developments, within the regulatory floodway except for activities specifically allowed in Subsection 700-20.2.B.2 below.

2. Encroachments for bridges, culverts, roadways, and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof.

C. In areas where the floodplain has been established but the base flood elevation (BFE) and/or the floodway has not been established on FIS maps, no encroachments into areas of special flood hazard, including fill or structures, shall be authorized unless certification by a registered professional engineer is provided to the Department demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the floodplain more than 0.01 foot at any point. The study shall be submitted as a revision/amendment to the FIS maps showing the BFE and the floodway. Approval of the revision/amendment must be received before the final plat can be approved or a certificate of occupancy can be issued.

D. In areas beyond the limits of study on the flood boundary and floodways maps or FIRM, which contains a watercourse, and have greater than 100 acres of surface drainage area above the property, no increase in flood elevations off-site shall be authorized.

700-20.4 Engineering Study Requirements. An engineering study is required (as appropriate to the proposed development activities on the site) when a base flood or future conditions floodplain is located on the property proposed for development. This study shall be prepared by a currently registered professional engineer in Georgia and made a part of the application for a development permit. This information shall be submitted to and approved by the Department prior to the approval of any permit that would authorize the development. The engineering study shall contain, but not be limited to:

A. Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development.

B. Any report that must be submitted for review, in accordance with this Section, must use a step-backwater analysis approved by the Department. Cross-sections (which may be supplemented by the applicant) and flow information from the existing FIS will be obtained whenever available. Where applicable, computations will be shown duplicating FIS results and then computations will be rerun with the proposed modifications to determine the new base flood and future conditions flood profiles.

C. Floodplain storage calculations based on cross-sections (at least one every 100 feet) showing existing and proposed floodplain conditions must be provided to show that future conditions floodplain storage capacity will not be diminished by the development.

D. If changes to the base flood or future conditions flood elevation are proposed, profiles of the channel showing the existing and proposed base flood and future conditions flood elevations must be provided.

E. The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future conditions of floodplain encroachments.

F. The floodway shall be determined when any encroachment in the floodplain is proposed, or a detailed study is performed to determine flood profiles.

G. Detailed flood studies in areas where the floodplain has been established but the Base Flood Elevation (BFE) and/or the floodway has not been established and in areas beyond the limits of study on the FIRM, which may contain a watercourse, and have greater than 100 acres of surface drainage area above the property, shall be submitted showing the base flood elevations, future conditions flood elevations, and the floodway. Approval of the study must be received before the final plat of the affected lots can be approved or a Certificate of Occupancy can be issued.

700-20.5 Floodplain Management Plan and Plat Requirements. An application for a development project with any Area of Special Flood Hazard or Area of Future-conditions Flood Hazard located on-site shall include a floodplain management/flood damage plan. This plan shall include the following items:

A. Site plan drawn to scale, which includes but is not limited to:

1. Existing and proposed elevations of the area in question and the nature, location, and dimension of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;

2. For all proposed structures, spot ground elevations at the building corners and 20-foot or smaller intervals along the foundation footprint, or one-foot contour elevations throughout the building site;

3. Proposed locations of water supply, sanitary sewer, and utilities;

4. Proposed locations of drainage and stormwater management facilities;

5. Proposed grading plan;

6. Base flood elevations and future-conditions flood elevations;

7. Boundaries of the base flood floodplain and future-conditions floodplain;

8. Location of the floodway, if applicable; and

9. Certification of the above by a licensed professional engineer or surveyor.

B. Building and foundation design detail, including but not limited to:

1. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including the basement, of all proposed structures;

2. Design plans certified by a licensed professional engineer or architect for all proposed structure(s).

C. Hard copies and digital files of computer models, copy of work maps, comparison of pre- and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, Special Flood Hazard Areas and regulatory floodways, flood profiles and all other computations and other information similar to that presented in the FIS;

D. The approved floodplain management/flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. ~~Any and all~~All development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in accordance with approved plans.

E. All residential lots in a proposed subdivision shall have sufficient buildable area outside of the future conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required.

F. All preliminary plats and site development plans will provide the elevations of proposed structures in accordance with this Chapter.

G. All preliminary plats and site development plans shall be consistent with the need to minimize flood damage.

H. All construction plans for land development shall show public utilities and facilities such as water, sanitary sewer, gas, and electrical systems located and constructed to minimize or eliminate infiltration of flood waters, and discharges from the systems into flood waters.

I. All construction plans for land development include adequate drainage and stormwater management facilities per the requirements of Chapter 800 to reduce potential exposure to flood hazards.

700-20.6 Building Permit Requirements. Prior to the issuance of a building permit for a site which contains or is adjacent to the floodplain, a drawing which shows the elevation of the proposed lowest floor of the building, including the basement, the limits of the floodplain, and the highest future conditions flood elevation and base flood elevation (100-year) adjacent to the building, must be submitted to the Department for approval. If the proposed development is located in multiple flood zones or multiple base flood elevations cross the proposed building site, the higher or more restrictive base flood elevation or future condition elevation and development standards shall take precedence at the building site. Proposed grading encroachments must be shown on this drawing. Elevations shall be referenced to an accurate topographical reference (e.g., a recorded final plat where~~on~~ the future conditions and the base floodplain is shown).

700-20.~~6~~ 7 Other Permits or Approvals.

A. Copies of any additional federal or state permits or approvals as may be required by the Corps of Engineers, Georgia Department of Natural Resources, FEMA, or others shall be provided by the developer upon their approval and maintained on file in the Department of Planning and Development.

B. The Department shall notify adjacent communities and the Georgia Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).

700-20.~~7~~ 8 Construction Stage. For all new construction and substantial improvements on sites with a floodplain management/ flood damage prevention plan which may be shown on a Residential Drainage Plan, the permit holder shall provide to Gwinnett County a certified as-built Elevation Certificate, or Floodproofing Certificate for non-residential construction, including the lowest floor elevation or floodproofing level immediately after the lowest floor or floodproofing is completed. A final Elevation Certificate shall be provided after completion of construction including final grading of the site. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by the same. When floodproofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a licensed professional engineer or architect and certified by same using the FEMA Floodproofing Certificate. This certification shall also include the design and operation/maintenance plan to ~~assure~~ ensure continued viability of the floodproofing measures.

Any work undertaken prior to submission and approval of the certification shall be at the permit holder's risk. No framing inspection shall be completed or approved by the Department until such required certification is received and verified by the Department. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed. Failure to submit the survey or failure to make said corrections required thereby shall be cause to issue a stop work order for the project.

Section 700-30. Standards for Development.

700-30.1 Definition of Floodplain Boundaries.

A. Studied "A" zones, identified in the Gwinnett County Flood Insurance Study identified in Section 700-10.4 shall be used to establish base flood elevations whenever available.

B. For all streams with a drainage area of 100 acres or greater, the base flood elevation and future conditions flood elevation shall be determined from the FIRM and FIS or provided by the Department. If base flood elevation and future conditions flood elevation data is not available, then it shall be determined by a registered professional using FEMA approved methodology. The method of analysis shall be subject to the approval of the Department.

C. The boundaries or limits of the floodplain shall be within 0.5 feet vertical accuracy on the development plan containing existing topographic information.

700-30.2 Definition of Floodway Boundaries.

A. The width of a floodway shall be determined from the FIS or FEMA approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway shall be provided by the Department. If floodway data is not available from the Department, then it shall be determined by a registered professional engineer using a method approved by FEMA and the Department.

B. Following a pre-design conference with the Department, the boundaries or limits of the floodway shall be shown on the development plan containing existing topographic information.

700-30.3 General Standards.

A. No development shall be allowed within any Area of Special Flood Hazard or Area of Future-conditions Flood Hazard that could result in any of the following:

1. Raise the base flood or future conditions flood elevation equal to or more than 0.01 foot.
2. Reduce the base flood or future conditions flood storage capacity.
3. Change the flow characteristics of the waters of the base flood or future conditions flood as they pass both the upstream and the downstream boundaries of the property. Verification shall be provided via a step-backwater analysis.
4. Create hazardous or erosion-producing velocities or result in excessive sedimentation.

B. Any development within any Area of Special Flood Hazard or Area of Future-conditions Flood Hazard allowed under 700-30.3 shall also meet the following conditions:

1. Compensation for storage capacity shall occur between the average ground water table elevation and the base flood elevation for the base flood, and between the average ground water table elevation and the future-condition flood elevation for the future-conditions flood. Compensation shall occur within the boundaries of ownership of the property being developed, or within a permanent, recorded flood control easement (which shall be a part of the Departmental record) and shall be within a reasonable proximity to the location of the encroachment. Acceptable means of providing required compensation include: lowering of natural ground elevations within the floodplain; or lowering of adjoining land areas to create additional floodplain; or raising of the future conditions flood elevation within the boundaries of ownership of the property being developed. All cut areas are to be graded to a slope of no less than two percent. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the top of the natural (pre-development) stream channel unless such excavation results from widening or relocation of the stream channel.
2. Cut areas shall be stabilized to a slope of no less than 2.0 percent;
3. Verification of no-rise conditions, flood storage volumes, and flow characteristics shall be provided via a step-backwater analysis meeting the requirements of 700-20.4;
4. Effective transitions shall be provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;
5. All proposed development shall have public utilities and facilities, such as sewer, gas, electrical and water systems, located and constructed to minimize or eliminate flood damage.
6. Any significant physical changes to the base flood floodplain shall be submitted as a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval by the County using the FEMA Community Concurrence forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the responsibility of the applicant. Within six months of the completion of development, the applicant shall submit as-built surveys and plans for a final Letter of Map Revision (LOMR).

C. All subdivision proposals shall identify the Area of Special Flood Hazard and Areas of Future-conditions Flood Hazard therein and provide base flood elevation data and future-conditions flood elevation data.

1. All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required; and
2. All subdivision plans will provide the elevations of proposed structures in accordance with Section 700-20.5.

700-30.4 Maintenance Requirements. The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on his property so that the flood-carrying or flood storage capacity is not diminished. Gwinnett County may direct the property owner (at no cost to the County) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not, in the opinion of the County pursuant to the approved plans and floodplain report on file with the Department, performed satisfactory maintenance.

Section 700-40. Provisions for Flood Damage Reduction.

700-40.1 General Standards. All new construction and substantial improvement of structures adjacent (residential or non-residential) to special flood hazard areas shall comply with the applicable requirements of the Gwinnett County Construction Code and the following:

A. Buildings/structures, including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain;

B. Buildings/structures shall be constructed with materials and utility equipment resistant to flood damage;

C. Buildings/structures shall be constructed by methods and practices that minimize flood damage;

D. Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be constructed or located three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;

E. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

F. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;

G. New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse, or lateral movement of the structure;

H. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;

I. Other public utilities such as gas and electric systems shall be located and constructed to avoid impairment to them, or public safety hazards from them, during flooding;

J. New development shall include adequate drainage and stormwater management facilities per requirement of Gwinnett County to reduce exposure to flood hazards;

K. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;

L. When only a portion of a parcel is located within a flood zone or the future-conditions floodplain, all new and substantially improved structures on the parcel shall meet requirements of Chapter 700;

M. Any alteration, repair, reconstruction, or improvement to a structure which is not compliant with the provisions of Chapter 700, shall be undertaken only if the non-conformity is not furthered, extended, or replaced.

N. If the proposed development is located in multiple flood zones, or multiple base flood elevations cross the proposed site, the higher or restrictive base flood elevation or future condition elevation and development standards shall take precedence;

O. Subdivision proposals and other proposed new development, including manufactured home parks, shall be reasonably safe from flooding:

1. All such proposals shall be consistent with the need to minimize flood damage within the flood prone area;

2. All public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage; and

3. Adequate drainage shall be provided to reduce exposure to flood hazards.

700-40.2 Structures and Buildings Authorized in the Floodplain.

A. *Residential Buildings.*

1. *New construction.* New construction of principal residential structures shall not be allowed within the limits of the future-conditions floodplain.

2. *Substantial improvements.* For substantial improvements to all or part of an existing principal residential buildings, the requirements of Sections 700-20.1 through 700-20.3 and Sections 700-30.1 et seq., shall apply and the elevation of the lowest floor, including basement and access to the building, shall be elevated at least three feet above the level of the highest base flood elevation (100-year) adjacent to the building or at least 1 foot above the future conditions flood elevation whichever is highest. Openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with Section 700-40.4 titled "Elevated buildings".

B. *Non-Residential Buildings.*

1. *New construction.* New construction of principal non-residential structures shall not be allowed within the limits of the future future-conditions floodplain.

2. *Substantial improvements.* Substantial improvements to all or part of an existing principal non-residential buildings may be authorized by the Department to be flood proofed in lieu of being elevated, in accordance with Section 700-40.4 titled "Elevated buildings", provided that all areas of the building less than 1 foot above the base flood elevation or below the future conditions flood elevation, whichever is highest, are water-tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify to the Department that the standards of this subsection are satisfied and shall provide the Department a flood proofing certificate including flood proofing level immediately after flood proofing is completed. The certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The requirements of Sections 700-20.1 through 700-20.3 and Sections 700-30.1, et seq., shall also apply.

C. *Accessory and non-habitable buildings and structures.* Accessory and non-habitable structures (i.e., barns, sheds, gazebos, and other similar structures) which are permitted to be located within the limits of the floodplain under the provisions of Title 2 of this UDO shall be designed and constructed of flood resistant materials to pass all floodwater and be anchored to prevent flotation, collapse, or lateral movement of the structure in a manner consistent with Chapter 700.

D. *Drainage structures and impoundments.* Drainage structures and impoundments may be authorized provided they are designed and constructed pursuant to the requirements of this UDO, are approved by the Department, and are consistent with the requirements of Chapter 700. Detention facilities may

be located within the future conditions floodplain if the future conditions flood storage capacity is not reduced by the dam and water impounded behind the dam as required in Section 700-30.3.A.

E. *Standards for Recreational Vehicles.* All recreational vehicles placed on sites must either:

1. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions).

2B. The recreational vehicle must meet all the requirements for residential buildings including the anchoring and elevation requirements.

F. *Standards for Manufactured Homes.*

1. New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain.

2. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision shall be elevated so that both:

i. The lowest floor of the manufactured home is elevated no lower than three (3) feet above the level of the base flood elevation, or one (1) foot above the future-conditions flood elevation, whichever is higher; and,

ii. The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.

3. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement in accordance with standards of Section 700-40.1(K).

700-40.3 Structures and Buildings Authorized Adjacent to the Future Conditions Floodplain.

A. *Residential buildings.* For new construction or substantial improvement of any principal residential building or manufactured home, the elevation of the lowest floor, including the basement and access to the building, shall be at least three feet above the level of the highest base flood (100-year) elevation adjacent to the building or at least 1 foot above the future conditions flood elevation whichever is highest. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with Section 700-40.4.

B. *Non-residential buildings.* For new construction or substantial improvement of any principal non-residential building, the elevation of the lowest floor, including the basement and access to the building, shall be at least 1 foot above the level of the highest base flood (100-year) elevation adjacent to the building or at least as high as the future conditions flood elevation whichever is highest. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with Section 700-40.4.

700-40.4 Elevated Buildings. All new construction or substantial improvements of existing structures that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed ~~so as~~ to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of flood water.

A. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

1. Provide a minimum of two openings having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding.

2. The bottom of all openings shall be no higher than 1 foot above grade.

3. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.

B. So as not to violate the "lowest floor" criteria of Section 700-40.1.A or Section 700-40.1.B, the unfinished or flood resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area.

C. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

700-40.5 Building Standards for Residential Single-lot Developments on Streams without Established Base Flood Elevations and/or Floodway (A-Zones). For a residential single-lot development not part of a subdivision that has areas of special flood hazard, where streams exist but no base flood data have been provided (A-zones), the Director shall review and reasonably use any available scientific or historic flood elevation data, base flood elevation and floodway data, or future conditions flood elevation data available from a federal, state, local or other source, in order to administer the provisions and standards of Chapter 700.

If data is not available from any of these sources, the following provisions shall apply:

A. No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or 50 feet from the top of the bank of the stream, whichever is greater.

B. In special flood hazard areas without base flood elevation or future conditions flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with Section 700-40.6.

700-40.6 Building Standards for Areas of Shallow Flooding (AO-Zones). Areas of Special Flood Hazard may include designated "AO" shallow flooding areas. These areas have base flood depths of one (1) to three (3) feet above ground, with no clearly defined channel. In these areas the following provisions apply:

A. All new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including the basement, elevated to no lower than one (1) foot above the flood depth number in feet specified on the Flood Insurance Rate Map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three (3) feet above the highest adjacent grade. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided in accordance with standards of Section 700-40.4;

B. New construction and substantial improvement of a non-residential structure may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water-tight to the specified FIRM flood level plus one (1) foot above the highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice, and shall provide such certification to the (ordinance administrator) using the FEMA Floodproofing Certificate along with the design and operation/maintenance plan; and

C. Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

Section 700-50. Variances.

700-50.1 Variance Procedures.

A. Requests for variances from the requirements of Chapter 700 shall be submitted to the Department. All such requests shall be heard and decided in accordance with the procedures outlined in the Gwinnett County Stormwater Management Manual and as set forth by the O.C.G.A. § 5-4-1 when certiorari shall lie. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.

B. Any person adversely affected by any decision of a request for variance shall have the right to appeal the decision to the Board of Construction Adjustments and Appeals in their normal course of business. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.

700-50.2 Evaluation of Variance Requests.

A. In passing upon variance applications for relief from the provisions of Chapter 700, all technical evaluations, all relevant factors, all standards specified in other sections of this Chapter, and the items listed in the Gwinnett County Stormwater Management Manual shall be provided for review.

B. Upon consideration of the factors listed in the Gwinnett County Storm Sewer Pipe Standards and the stated purposes of Chapter 700, such conditions to the granting of a variance as the Board of Construction Adjustments and Appeals deems necessary or appropriate, consistent with the purposes of this Sections may be attached to the variance.

C. Variances shall not be approved within any designated floodway if any increase in flood levels outside the boundaries of ownership of the property being developed or drainage easement during the future conditions or the base flood discharge would result.

D. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of Chapter 700 are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.

E. Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as deemed necessary to the consideration of the request.

F. Variances shall not be issued "after the fact."

700-50.3 Historic Structures. Variances from the requirements of Chapter 700 may be approved for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, and provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historical designation and provided further that the requirements of Section 700-50.4 herein are met.

700-50.4 Conditions for Variance Approval.

A. Variances shall only be approved upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.

B. Variances shall only be issued upon a finding of the following:

1. A showing of good and sufficient cause.

2. A determination that failure to grant the variance would result in exceptional hardship.

3. A determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

C. No variance from the provisions of Chapter 700 may be approved which would allow a structure or use of land otherwise prohibited in the flood hazard area under the provisions of Title 2 of this UDO.

D. Any person to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.

700-50.5 Records and Reports. The Department shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

Chapter 800. Stormwater Management[1]

Section 800-10. Stormwater Management General.

800-10.1 Stormwater management is intended to lessen the impacts of urbanization on the natural hydrology of the site. The goal is to reduce the amount of stormwater runoff and pollutants that are released, provide for natural on-site control and treatment of runoff, and optimize the location of stormwater management facilities. These goals are met through runoff reduction or water quality, channel protection, overbank flood protection and extreme flood protection.

800-10.2 Runoff reduction practices shall be sized and designed to retain the first 1-inch of rainfall on the site to the maximum extent practicable. Runoff reduction practices are stormwater best management practices, BMP's, used to disconnect impervious and disturbed pervious surfaces from the stormwater drainage system to reduce the post-construction stormwater runoff rates, volumes, and pollutant loads. Runoff Reduction shall be used where practical, prior to using water quality standards. If the Runoff Reduction requirements cannot be met in whole or part, then the water quality standards shall be used to treat the remainder.

800-10.3 Stormwater management systems shall be designed to detain or treat the runoff from 85% of the storms that occur in an average year and reduce the average annual post-development total suspended solids loadings by 80% ~~in order~~ to meet the water quality requirement. The water quality requirement can be waived if the entire 100% of runoff reduction is provided. Water quality and runoff reduction can also be provided in conjunction ~~in order~~ to meet the water quality requirements outlined in the Gwinnett County Stormwater Management Manual.

800-10.4 The increase in the frequency and duration of bankfull flow conditions in stream channels due to urban development is the primary cause of stream bank erosion and the widening and downcutting of stream channels. In order to reduce the effects ~~from~~ of urban development within the stream channels, channel protection must be provided. Stream channel protection shall be provided using the following three approaches:

A. 24-hour extended detention storage of the 1-year 24-hour return frequency storm event

B. Erosion prevention measures such as energy dissipation and velocity control

C. Preservation of the applicable stream buffer

800-10.5 Stormwater management facilities shall be designed so that their peak release rates, when combined with those of all bypass areas in the same basin, produce peak flow rates and flow velocities at the site's boundary line no greater than those which occurred at the same location for pre-developed conditions. A downstream analysis may warrant a development to over-detain to protect downstream properties or may even warrant reduction/elimination of detention due to the timing of peak discharges within the watershed as outlined in Sections 800-50.2 and 800-50.3

.**800-10.6** The positive effects of stormwater management via on-site stormwater management facilities diminish rapidly as the distance downstream from the point of discharge increases, and the smaller the facility's contribution is, as a percentage of the total runoff contributing to downstream flow, the shorter the distance downstream that the benefits are realized. Because of these limitations, on-site stormwater treatment is effective

[1]Editor's note(s)—Ord. No. UDOA2020-00003(GCID: 2020-0962) , Exh. A, adopted Oct. 6, 2020, repealed the former Ch. 800, §§ 800-10—800-100, and enacted a new Ch. 800 as set out herein. The former Ch. 800 pertained to similar subject matter and derived from Ord. No. UDOA2019-00005(GCID2019-0295) , Exh. A, adopted March 19, 2019.

at controlling flooding only when flow from the facility is a significant percentage of the total flow at the point of interest, and only if the point of interest is immediately downstream. The concepts of immediately downstream and significant percentage of total flow are inseparable. The portion of a receiving watercourse (one which receives and conveys runoff from a site) which lies downstream from the site to the point where the area of the site is 10 percent of the total drainage area, shall generally be considered to constitute that portion of the watercourse which is immediately downstream.

800-10.7 Peak flow rate control shall normally be provided only for the 2-year, 5-year, 10-year, and 25-year frequency storm events ~~in order~~ to meet the requirements of overbank flood protection. The 100-year event shall be provided when failure to do so would result in flooding of other habitable dwellings, property damage, or public access and/or utility interruption (extreme flood protection).

800-10.8 Trout stream protection, when required, can be achieved by using the appropriate stormwater BMP's outlined in the Gwinnett County Stormwater Management Manual. A temperature increase greater than 2°F is not allowed within a trout stream.

Section 800-20. Stormwater Management Documentation.

800-20.1 The purpose of Stormwater management documentation is to support the development of the project site using Best Management Practices (BMP's) and diligent engineering. The report must follow the guidelines set forth in the Gwinnett County Stormwater Management Manual and is required for all developments. The report shall be certified by a qualified registered professional registered in the State of Georgia.

800-20.2 A stormwater management analysis shall identify the locations and quantities of stormwater runoff entering and exiting the site for both pre-and post-developed conditions. Analysis of the off-site properties shall anticipate future development in addition to addressing existing conditions.

800-20.3 For the purposes of these regulations, the words "downstream" and "analysis" shall have the following meanings. The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis shall focus on the portion of the drainage way "immediately" downstream from the project. This area shall extend downstream from the project to a point in the drainage basin where the project area is 10 percent of the total basin area. The analysis shall be in accordance with the Gwinnett County Stormwater Management Manual.

800-20.4 The following criteria shall be evaluated by the authorized registered professional preparing the Stormwater Management Report, and in determining whether stormwater treatment is required for any portion of any site:

A. Existing land uses downstream.

B. Anticipated future land uses downstream.

C. Magnitude of increase in peak flows due to development.

D. Presence of existing drainage problems.

E. Capacity of existing and anticipated drainage systems.

F. Creation of concentrated flows where none had occurred previously.

G. Availability of feasible locations for stormwater management facilities.

H. Existing flows generated off-site which pass through the project site.

I. The nature of the receiving watercourse.

800-20.5 When a development uses an existing facility where the last approved certification and record drawing of the facility was over 18 months prior to the new development's submittal, the authorized registered professional shall provide one of the following:

A. A new survey, drawing and certification showing that the outlet structure is constructed as approved on the as-built plan and that the flood storage and water quality volume of the facility is equal to or greater than the volume required when the facility was approved.

B. Construction plans and calculations showing that the outlet structure will function as designed and the flood storage and water quality volume of the facility will be equal to or greater than the volume required when the facility ~~was~~ is approved once proposed maintenance has been performed.

C. A new record survey, drawing, study, and certification showing that the facility meets the development requirements when the facility was approved.

D. Current inspection of existing stormwater management structures with deficiencies noted

E. BMP Landscaping Plans if required at the time of BMP construction.

800-20.6 All design related to stormwater shall be in accordance with the Gwinnett County Stormwater Management Manual and the Gwinnett County Storm Sewer Pipe Standards.

800-20.7 A certified record survey of each facility shall be prepared by an authorized registered professional currently registered in the State of Georgia. A certified record drawing of the facility shall be prepared based upon this survey. The authorized registered professional shall certify that the facility functions hydraulically as designed. Documentation demonstrating the required testing outlined in the Gwinnett County Stormwater Management Manual for the proposed stormwater BMP shall also be provided. The record drawing shall be submitted to the Department at least one week prior to the issuance of a Certificate of Occupancy or Final Plat approval (as appropriate for the project). Record drawings of off-site facilities shall be recorded at least one week prior to the recording of the Final Plat.

800-20.8 The applicant shall certify and provide documentation that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management report.

Section 800-30. Stormwater Runoff Quality/Reduction.

800-30.1 Stormwater runoff quality/reduction can be provided through runoff reduction, water quality, or any combination of the two. The applicant shall provide runoff reduction in accordance with the requirements of the Gwinnett County Stormwater Management Manual. To the extent Runoff Reduction has been determined to be infeasible for all or a portion of the site using the Planning and Development Practicability Policy, then water quality shall apply for the remaining runoff from a 1.2-inch rainfall event. The design professional shall schedule a meeting with Planning and Development when requesting removal or reduction of the runoff reduction requirement.

800-30.2 All projects, unless exempt pursuant to Section 800-90.1, that meet one or more of the following criteria, shall provide water quality treatment or runoff reduction as outlined in the Gwinnett County Stormwater Management Manual.

A. New development that involves the creation or addition of 5,000 square feet or more of impervious cover.

B. New development that involves land-disturbing activities of 1 acre or more.

C. Redevelopment (excluding routine maintenance and exterior remodeling) that creates, add, or replaces 5,000 square feet or greater of new impervious surface area or that involves land disturbing activity of 1 acre or more.

D. New and redevelopment if land development activities that are part of a subdivision or other common plan of development and the sum of all associated impervious surface area or land disturbing activities that are being developed as of such development meets or exceeds the thresholds in A and B above.

E. Runoff from any new development or redevelopment, regardless of size, that is defined by the Director of Water Resources, or their designee, to be a hotspot land use or activity shall be adequately treated and addressed through the use of structural stormwater controls, nonstructural practices, and pollution prevention practices.

F. Linear transportation projects that exceed the threshold in (A) or (B) above.

800-30.3 Requirements for a certified record survey and applicable addendum as necessary to the Stormwater Management Report shall be the same for water quality facilities as for stormwater management facilities in Section 800-20.7.

800-30.4 Stormwater management facilities shall not be embedded within each other.

Section 800-40. Stream Channel Protection.

800-40.1 Stream channel protection shall be provided by using all of the following three approaches:

A. 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event. This standard is intended to reduce the frequency, magnitude, and duration of post-development bankfull flow conditions. The volume to be detained is also known as the channel protection volume (CPv).

B. Erosion prevention measures, such as energy dissipation and velocity control to prevent downstream erosion and stream bank damage.

C. Preservation of the applicable stream buffer. Stream buffers not only provide channel protection but also water quality benefits and protection of streamside properties from flooding.

800-40.2 Channel protection volume is not required for post-development discharges less than 2.0 cfs at each individual discharge location for the 1-yr storm event.

800-40.3 The use of nonstructural site design practices and runoff reduction practices can reduce the channel protection volume by a proportional amount.

800-40.4 Channel protection criteria may be waived for sites that discharge into larger streams, rivers, wetlands, lakes, estuaries, or tidal waters where the reduction in the smaller flows will not have a negative impact on the stream banks or channel integrity.

800-40.5 Stormwater management facilities shall not be embedded within each other.

Section 800-50. Stormwater Peak Flow Design Criteria.

800-50.1 Whenever a stormwater management report indicates that an adverse impact from stormwater runoff is expected to result from the development of a property, that project shall be provided with stormwater management facilities that provide storage (i.e., detention, extended detention, or retention) as discussed in the Gwinnett County Stormwater Management Manual. The meaning of "adverse impact" shall apply when pre-development flows did not cause difficulties and post-development flows do. Difficulties shall include, but not be limited to, situations where 25-year velocities exceed the non-erosive velocity of the stream, habitable structures are shown to be subject to increased depth of flooding for any frequency up to and including the regulatory flood, and stormwater facilities that cannot carry the design storm in accordance with these regulations.

800-50.2 Stormwater management facilities required in Section 800-50.1 shall be provided, unless the authorized registered professional certifies and provides certified documentation supporting the conclusion to the Director that at least one of the following is true and correct as applicable.

A. The non-detained, post-development runoff will leave the project site as sheet flow and will not have an adverse impact upon downstream properties. The increase for a 25-year storm should not exceed 1 cfs over a length perpendicular to the flow of 100 feet.

B. The effect of stormwater treatment would be to concentrate flows where sheet flow had occurred under pre-developed- conditions, and any impact of increased sheet flows upon downstream properties would be less adverse than that which would result from the concentrated flows from a stormwater management facility even if energy dissipation devices were employed.

C. The undetained flow will pass through downstream properties, in drainage easements obtained by the developer, to an existing stormwater treatment facility, which has been designed to manage the upstream property's runoff, or to the point in the downstream analysis (see Section 800-20.3) which shows that stormwater treatment is not required.

D. Where the site runoff will flow directly into a stream or lake without crossing off-site properties:

1. 24-hour detention of the one-year storm is not required per section 800-40.4. In this case, the post-development peak flows in the receiving channel may exceed pre-development flows by the smaller value of up to 0.1 percent of the pre-development flows or 3 cfs in the downstream analysis.

2. Only peak detention for the two-year through the 25-year storm, Overbank Flood Protection, is not required if the downstream analysis using timing of the hydrographs shows no adverse impact from the exit of the site to the point immediately downstream from the project in the drainage basin where the project area is 10 percent of the total drainage basin area.

800-50.3 Should the authorized registered professional conclude that overbank flood protection and extreme flood protection may not be necessary because of anticipate compliance with Section 800-50.2, rigid compliance with all of the following criteria is mandatory:

A. A stormwater management report shall always be required whether stormwater detention is required.

B. If the applicant proposes to show that, the stormwater treatment requirement may be eliminated for all or a portion of a project, then a pre-submittal conference with the Department staff is required prior to preparation and submittal of construction plans for the project.

C. At the pre-submittal conference with the staff, the consultant shall be prepared to discuss the downstream analysis findings as follows:

1. The affected stream must be analyzed downstream from the project to a point where the project area is 10 percent of the total drainage basin. The analysis must include all culverts, obstructions, existing and potential erosion problems, elevations of existing improvements, and any other existing modifications to natural conditions.

2. If the existing downstream conditions are overburdened by the pre-developed flows in the stream, then stormwater treatment shall be required unless the developer elects to eliminate the downstream overburdened conditions at his or her expense when the development occurs.

D. If there are any existing drainage complaints downstream, then stormwater treatment shall be required unless the developer elects to minimize the conditions causing the complaint at his or her expense when the development occurs.

E. Even if the overbank flood protection and the extreme flood protection requirements are waived water quality and channel protection are still required as outlined in sections 800-30 and 800-40.

800-50.4 All stormwater management facility hydrologic and hydraulic analysis and design calculations shall be certified by the qualified registered professional. The design shall be in accordance with the Gwinnett County Stormwater Management Manual and the Gwinnett County Storm Sewer Pipe Standards.

800-50.5 All stormwater management facilities designed to treat peak flow, water quality or a combination of the two shall control the peak flow rates associated with storms having 2-year, 5-year, 10-year, and 25-year return frequencies so that flows from the developed site do not exceed those associated with pre-development conditions at the project boundary nor increase the peak flows downstream from the project to the point in the drainage basin where the project area is 10 percent of the total basin. Where adverse impacts, as defined in Section 800-50.1, occur during the 100-year storm, the 100-year storm shall also be regulated.

800-50.6 The hydrologic methodology used for any given project shall conform to the Gwinnett County Stormwater Management Manual.

800-50.7 Runoff coefficients and runoff curve numbers used for pre- and post-development conditions shall be consistent with those shown in the Gwinnett County Stormwater Management Manual.

800-50.8 The USGS Method shall be used to check the magnitude of peak flows.

800-50.9 Calculations shall be provided showing how all times of concentration or lag times were computed, both for pre- and post-developed conditions. Likewise, adequate support must be provided for all composite runoff coefficients or curve numbers used.

Section 800-60. Stormwater Management Facility Location and Easement Criteria.

800-60.1 For the purpose of this UDO, a stormwater management facility shall be deemed to consist of the total area of the approved stormwater BMPs outlined in the Gwinnett County Stormwater Management Manual. The stormwater BMPs outlined in the Gwinnett County Stormwater Management Manual are intended to be used in a series or as a standalone, where applicable, to meet the requirements outlined within the Gwinnett County Stormwater Management Manual and Chapter 800 of the UDO. If multiple BMPs are used to meet the stormwater requirements, then all BMP's will be marked a stormwater management facility.

800-60.2 Stormwater management facilities, to the greatest extent feasible, shall be located to minimize the amount of flow generated on the project that bypasses the facility.

800-60.3 No portion of any stormwater management facility shall disturb any required (as opposed to voluntary) buffer, landscape strip, or tree protection area, except that natural bottom stormwater management ponds and its appurtenant structures, which require no grading and removal of trees, may encroach into a required construction buffer.

800-60.4 No portion of a private stormwater management facility shall encroach upon a public right-of-way.

800-60.5 Stormwater management facilities may be located within utility easements or rights-of-way, or encroach upon utility easements or rights-of-way, upon receipt by the Department of written permission from both the property and utility owners.

800-60.6 Stormwater management facilities may be constructed within open space areas required under this UDO, if the following criteria are met:

A. Ownership of the area will be held by a Qualified Property Owner's Association, Homeowners Association, or other private parties.

B. Permanent structures, such as buildings and swimming pools, will not be constructed within the boundaries of the stormwater management facility.

C. Stormwater management facilities within recreation areas will be approved only if the design of the area includes recreation amenities such as ball fields, tennis courts, grassed open areas or other similar

improvements. The intent is to provide recreation facilities with stormwater treatment as a secondary feature.

D. Permanent stormwater treatment features shall not interfere with the intended use of the recreation amenity, (i.e., a ditch or large swale shall not traverse a ball field, an inlet structure shall not be in a tennis court, etc.).

800-60.7 If a residential subdivision is provided with an on-site stormwater management facility not located within an open space area as specified in Section 800-60.6 above, then a mandatory property owners' association shall be established for the ownership and maintenance of all stormwater BMP's within a residential subdivision. All stormwater BMP's which are placed on an individual private parcel, or which crosses multiple private lots must be located within a private drainage easement, which will include access to the right-of-way, to be maintained by the HOA. If the project is provided with an off-site stormwater treatment facility, a mandatory property owners' association shall be established for its maintenance. The association bylaws shall be recorded concurrently with the recording of a Final Subdivision Plat.

A. The following stormwater BMP's must be located on a separate lot, owned by the HOA, if not located on a recreation area lot as specified in Section 800-60.6:

1. Bio-retention Areas
2. Dry/Dry Extended Ponds
3. Stormwater Ponds
4. Stormwater Wetlands
5. Submerged Gravel Wetlands
6. Multi-purpose Detention Areas

800-60.8. Residential Stormwater Management Facilities.

A. In a residential subdivision, the following stormwater management facilities are not permitted:

1Oil-Grit Separator

2. Organic Filter

3. Proprietary Devices

4. Sand Filters

5. Underground Detention (except in the R-IF zoning district and mixed-use zoning districts, if authorized by the Director)

6. Or any additional BMP's deemed unacceptable by Planning & Development.

800-60.9 A non-residential subdivision is not required to locate an on-site stormwater management facility on a separate lot. The property owners served by a stormwater management facility that provides runoff reduction, water quality, channel protection, overbank flood protection, extreme flood protection or any combination for more than one property owner or is located off-site shall enter into a maintenance agreement acceptable to the County for the facility's maintenance. However, if desired by the developer, the facility may be located on a separate lot if it is owned and maintained by a mandatory property owners' association.

800-60.10 In a residential subdivision, a private drainage easement at least 20 feet in width in accordance with the UDO section 1000-10.3B shall be required to provide access to all linear stormwater BMPs from a public street. The private drainage easements are to be shown on the subdivision's recorded plat and clearly labeled as a private drainage easement to be maintained by the HOA.

800-60.11 Stormwater management facility access easement requirements for stormwater BMPs shall, at a minimum, meet the requirements outlined in the Gwinnett County Stormwater Management Manual.

800-60.12 Stormwater BMP's must be designed and installed as outlined in the Gwinnett County Stormwater Management Manual.

800-60.13 For every type of stormwater treatment facility, a planned safe flow path must be provided for conveyance of flows of water in excess of those for which the stormwater treatment facility was designed. In many instances, this function can be provided through installation of an emergency spillway. Emergency spillways are usually excavated open channels, either vegetated or paved with reinforced concrete.

800-60.14 Stormwater management facility maintenance requirements are as follows:

A. The detention storage capacity or function of any stormwater management facility whether natural or man-made, shall not be removed or diminished without the express approval of the Department.

B. In a residential subdivision, it shall be the responsibility of the Qualified Property Owner's Association, Homeowners Association, or other private parties to maintain the operational characteristics of any stormwater management facility constructed on their property for stormwater management pursuant to County requirements, to keep the access drive free of obstructions, and to maintain the facility free of obstruction, silt, or debris.

C. In a non-residential subdivision or project served by a stormwater management facility that provides stormwater management for more than one property or by an off-site facility, the property owners shall enter into a maintenance agreement with the County for maintenance of the operational characteristics of the facility pursuant to County requirements, to keep the access drive free of obstructions, and to maintain the facility free of obstruction, silt, or debris.

D. In a non-residential project with an on-site stormwater management facility which serves only that project, the property owner shall be responsible to maintain the operational characteristics of the facility pursuant to County requirements, to keep the access drive free of obstructions, and to maintain the facility free of obstruction, silt or debris as outlined in the Gwinnett County Stormwater Management Manual

E. Where no maintenance agreement has been recorded, it shall be the responsibility of the property owner to maintain the operational characteristics of any facility constructed on their property for stormwater management pursuant to County requirements, to keep the access drive free of obstructions, and to maintain the facility free of obstruction, silt, or debris.

F. Prior to the issuance of a Development Permit, the owner shall submit a detailed schedule of long-term maintenance and inspection activities. This schedule of activities shall be incorporated into a maintenance agreement to be entered into between the County and the owner. The schedule shall describe all maintenance and inspection activities and the parties responsible. The maintenance agreement shall be in a form acceptable to the County and shall be recorded in the deed records of the Clerk of Superior Court of Gwinnett County.

800-60.15 Stormwater management facilities shall be constructed in accordance with plans reviewed and approved by the Department and shall be in place and inspected prior to the initiation of other improvements. If the stormwater management is planned to be handled by a lake a stormwater BMP which shall provide runoff reduction, or any other stormwater management system as determined by Planning and Development, a temporary stormwater management facility shall be provided and shall remain in place until such time as the stormwater management facility has become effective in providing stormwater management. The construction shall be in accordance with the Gwinnett County Stormwater Management Manual.

800-60.16 Upland Area Easements in non-residential subdivisions that are claimed as undisturbed upland areas for the site shall be recorded in an easement acceptable to the County. These areas shall be left in a natural, undisturbed condition except for walking trails.

800-60.17 Prior to or concurrent with the recording of a Final Plat for a subdivision, or issuance of a Certificate of Occupancy for a non-subdivision project, the developer, shall meet the surety requirements of Chapter 900 and provide acceptable surety such as a bond or letter of credit, as determined by Planning & Development, providing for the stormwater management facility(ies) for a period of not less than 18 months. At the end of 18 months, the County may require the surety to be renewed due to anticipated improvements caused by such concerns as future construction activity within the project limits in the drainage basin. The surety for a facility shall be renewed until:

A. The surface water drainage area within the project has undergone final stabilization and all planned site construction activity has been completed.

B. All stormwater runoff in the surface water drainage area within the project is coming from undisturbed or stabilized areas.

C. All stormwater facilities and infrastructure construction has been completed and permanent vegetation is established.

D. If a temporary stormwater management facility is still in use at the end of the site construction, then the surety shall remain in place until the accumulation of acreage of undeveloped lots, lots with no completed permanent structure and no final stabilization, within the surface water drainage area within the project is less than 10 percent of the total area of the common development draining to the facility.

E. Two months prior to surety release, the permanent stormwater management facility shall be installed and cleaned out, as necessary. A new record survey, drawing and certification showing that the volume of the facility is equal to or greater than the volume shown in the record survey, drawing and certification when the facility was approved shall be submitted. Documentation demonstrating the required testing outlined in the Gwinnett County Stormwater Management Manual for the proposed stormwater BMP shall also be provided. As an alternative, a new record survey, drawing and certification showing that the facility complies with this UDO as specified in Section 800-20.7. shall be submitted. If deficiencies are found, the developer shall be required to update the stormwater BMP to comply with the approved development plans.

800-60.18 The methodology used for an underground or rooftop stormwater management facility design shall conform to the Gwinnett County Stormwater Management Manual and the Gwinnett County Storm Sewer Pipe Standards. In the case of rooftop stormwater treatment, permissible structural loads and weatherproofing shall be governed by the Georgia State Building Code as may be amended by the County.

Section 800-70. Dams.

800-70.1 New Dams Subject to the Requirements of The Georgia Safe Dams Act and Rules for Dam Safety. Dams proposed to be 25-feet or more in height and proposed to have a maximum storage volume of 100 acre-feet or more and are determined to be a Category I dam as defined by the Georgia Safe Dams Program shall be subject to the requirements of the Georgia Safe Dams Act, the Rules for Dam Safety adopted by the Georgia Department of Natural Resources and the USDA Soil Conservations Service's Technical Release No. 60 "Earth Dam and Reservoirs". The developed shall obtain necessary approvals and permits from the Environmental Protection Division of the Georgia Department of Natural Resources for the project and the dam prior to securing a Development Permit from the Department.

800-70.2 New Dams Subject to Regulation by Gwinnett County. Dams proposed to be nine feet or more in height, but less than 25 feet in height, in combination with an impounding capacity proposed to be 20 acre-feet or

more at maximum water storage elevation, but less than 100 acre-feet, or dams determined Category II dams by the Georgia Safe Dams Program shall be subject to the following:

A. If the developer elects not to construct the new dam to the design standards for new dams as contained in the Rules for Dam Safety, then a dam breach analysis for the dam shall be submitted with the construction plans for review and authorization prior to securing a Development Permit from the Department. The professional engineer shall use the computer model such as "DAMBRK" for the dam breach analysis.

B. Should the new dam not meet the design standards for new dams as contained in the Rules for Dam Safety, then only the following uses and structures shall be permitted within the dam breach zone:

   1. Agriculture that requires no structures for human habitation within the dam breach zone including forestry, livestock raising, and agricultural and forestry access roads.

   2. Fences.

   3. Roads, driveways, and parking areas.

   4. Utility poles, towers, pipelines, water treatment outfalls and facilities, or similar facilities and structures.

C. If the developer elects to construct the new dam in accordance with the design standards for new dams as contained in the Rules for Dam Safety, then new development shall be permitted within the dam breach zone. However, the dam shall meet the design standards for new dams as contained in the Rules for Dam Safety if development currently exists or is proposed in the dam breach zone.

D. Construction plans for new dams defined herein shall be submitted to Gwinnett County for review for the project and the dam prior to securing a Development Permit from the Department.

E. For any dam that is proposed not to meet the design standards for new dams as contained in the Rules for Dam Safety, the developer shall obtain a dam breach easement, recorded with the Clerk of Superior Court, from any offsite property owner where it is proposed for the dam breach zone to extend off the property where the dam is being constructed. The developer shall also cause a dam breach easement to be recorded upon the property being developed.

Prior to recording of a Final Plat or issuance of a Certificate of Occupancy, as appropriate, an as-built certification from a professional engineer shall be submitted to the Department. The certification shall state that the dam is constructed in accordance with the provisions of these regulations as well as the authorized construction plans. If the project is for the development of a subdivision, the developer shall also establish a legal entity, acceptable to Gwinnett County, such as a mandatory Property Owners Association, at time of recording of the Final Plat, responsible for the maintenance of the dam and its impoundment.

800-70.3 Existing Dams. Existing dams that are located on a project site and will remain after construction is complete, shall comply with the provisions of this Chapter and all referenced chapters and sections as if they were new dams.

800-70.4 Existing Category II Dams. When an existing Category II dam may be reclassified to a Category I dam because of a proposed development downstream of the dam, the following shall be provided by the developer for review by the Georgia Safe Dams Program. The following information shall be provided:

A. Location of the Category II dam and the proposed development.

B. A surveyed cross-section of the stream valley at the location of the proposed development including finished floor elevations.

C. A dam breach analysis must establish the height of the floodwave in the downstream floodplain. A professional engineer shall complete the dam breach analysis in accordance with the Safe Dams Program Quality Assurance Program.

Section 800-80. Stormwater Management Practices for Redevelopment Projects.

800-80.1 Stormwater management for redevelopment projects must follow the guidelines set forth in the Gwinnett County Stormwater Management Manual. For redevelopment, the pre-developed conditions may take into account the existing conditions unless the existing development causes a negative impact on downstream property. The standards within this section apply to all redevelopment sites that meet the criteria in section 800-30.2.

800-80.2 The purpose of a stormwater management analysis is to support the redevelopment of the project site using Best Management Practices and diligent engineering. The report must follow the guidelines set forth in the Gwinnett County Stormwater Management Manual and is required for all redevelopment projects. A qualified registered professional in the State of Georgia shall certify the analysis. The analysis shall be in accordance with the criteria specified in Section 800-20.

800-80.3 Water quality treatment of stormwater runoff for the purposes of water quality shall be in accordance with the criteria specified in the Gwinnett County Stormwater Management Manual under the following conditions:

A. Water quality treatment must be met for the entire site when the disturbed area is more than 50 percent of the property.

B. Water quality treatment must be met for the improvements on the site only when the disturbed area is less than 50 percent of the property.

800-80.4 Channel protection and stormwater treatment for a redeveloped project site shall be provided in accordance with the criteria specified in the Gwinnett County Stormwater Management Manual under the following conditions:

A. Protection of stream channels from bank and bed erosion and degradation shall be provided by using all of the following three approaches:

1. Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer.

2. Erosion prevention measures such as energy dissipation and velocity control.

3. 24-hour extended detention storage of the one-year, 24-hour return frequency storm event (channel protection volume).

B. Downstream overbank flood and property protection shall be provided by controlling (attenuating) the post-development peak discharge rate to the pre-developed conditions which may take into account the existing conditions unless the existing development cause a negative impact on downstream property or the 25-year, 24-hour return frequency storm event.

C. Extreme flood and public safety protection shall be provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated.

D. For receiving water with trout stream designation, the stormwater management plan must address the protection of the trout waters.

800-80.5 Existing stormwater management facilities used for a redevelopment project must have a recorded maintenance agreement and must meet one of the following criteria:

A. Where water quality treatment for a proposed redevelopment is to be provided in an existing detention facility, water quality treatment must be provided for the original project area. A modification to the 25-year detention requirement may be granted for retrofitting the stormwater management facility to meet current water quality regulations. Granting a modification will meet the intent and purpose of these regulations when:

   1. The detention requirements of the current regulations are provided in the facility for the 1-year, 2-year, 5-year and 10-year storm. For a retrofitted facility, the volume of the 1-year storm shall be based on the original project area being detained instead of the total area draining to the facility.

   2. The water quality requirements of the current regulations are provided for the original project area in the facility.

   3. The 25-year ponding limits create a hardship if no modification is granted.

   4. The outlet structure meets the requirements of the current regulations.

B. Where water quality is treated in a regional stormwater management facility approved between April 27,1999, and January 1, 2001, all lots within the treated area shall either conform to the original permit requirements and water quality regulations at the time of approval or conform to the current water quality regulations. A volume verification confirming facility maintenance in accordance with the original design shall be certified by an authorized registered professional and submitted to the Department for review and approval.

C. Where stormwater detention is treated in a regional detention facility approved before April 27, 1999, all lots within the treated area shall conform to current water quality and channel protection regulations. A volume verification confirming facility maintenance in accordance with the original design shall be certified by an authorized registered professional and submitted to the Department for review and approval.

Section 800-90. Exemptions.

800-90.1 Exemptions from the Gwinnett County Stormwater Management Manual Standards are listed below:

A. Land disturbing activity conducted by local, state, authority, or federal agencies, solely to respond to an emergency need to protect life, limb, or property or conduct emergency repairs;

B. Land disturbing activity that consists solely of cutting a trench for utility work and related pavement replacement;

C. Land disturbing activity conducted by local, state, authority, or federal agencies, whose sole purpose is to implement stormwater management or environmental restoration

D. Repairs to any stormwater management system deemed necessary by the Director;

E. Agricultural practices as described O.C.G.A. 12-7-17(5) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in (A) or (B);

F. Silvicultural land management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in (A) or (B);

G. Installations or modifications to existing structures solely to implement Americans with Disabilities Act (ADA) requirements, including but not limited to elevator shafts, handicapped access ramps and parking, and enlarged entrances or exits.

800-90.2 Gwinnett County Department of Transportation should reference the Gwinnett County Stormwater Management Manual to determine stormwater management requirements for each project.

A. If such requirements are ascertained to be infeasible to implement in certain site development or transportation projects due to one or more of the factors listed below, a Determination of Infeasibility Report shall be submitted to the Department of Planning and Development for review, along with the associated set of proposed plans. Factors affecting infeasibility include:

   1. Additional cost of 10 percent or greater of the total project costs, including right of way acquisition, construction, and utility relocation costs.
   2. Project delay of 180 days or greater due to implementation of post-construction controls.
   3. Loss of habitat for endangered or threatened species.
   4. Significant damage to a cultural resource, such as a historical site, archaeological site, or cemetery.
   5. Significant damage to a community resource, such as a park, wildlife refuge, trail, or school.
   6. Implementation would result in the displacement of a residence or business.
   7. Implementation would result in the violation of a State or Federal law, regulation, or standard.

B. The Determination of Infeasibility Report must be prepared by an authorized registered professional and include the following sections based on the applicable affecting factor(s):

   1. Written narrative justifying limitations.
   2. Summary of proposed additional costs.
   3. Projected number of days for delays.
   4. Vicinity map showing site limitations.

Chapter 810. Stormwater Conveyance Systems

Section 810-10. General Requirements.

810-10.1 Drainage Improvements Required. Stormwater conveyance systems, which may include but are not limited to culverts, storm drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutter, swales, channels, and ditches, shall be provided for the protection of public right-of-way and private properties adjoining project sites and/or public rights-of-way. Stormwater conveyance systems that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the requirements of this UDO.

810-10.2 Design Criteria—General. All stormwater conveyance systems design calculations shall be certified by the authorized registered professional (refer to Section 800-20):

A. Methods to calculate stormwater flows shall be in accordance with the Gwinnett County Stormwater Management Manual.

B. All portions of a stormwater conveyance system shall be analyzed using the same methodology.

C. Run-off coefficients used for the Rational Method and runoff Curve Numbers used for the SCS Method shall be consistent with those shown in the Gwinnett County Stormwater Management Manual.

810-10.3 Design Criteria—Conveyance Systems. Conveyance system design is to be in accordance with the methods contained in the Gwinnett County Stormwater Management Manual. The 100-year ponding limits at and upstream of the culvert shall be shown on the Development Plans and on the Final Plat (if applicable).

Section 810-20 Collection System Guidelines.

810-20.1 Outlet Location — Conveyance Systems.

A. Outlet structures (such as headwalls) shall not be located closer to the project site's property line with an adjoining property than the greater of the distance necessary to construct velocity protection or a flow distance equal to six pipe diameters. For non-circular conduits, this distance shall be six times the rise dimension of the conduit.

B. The invert elevation of a piped conveyance system outlet shall be no more than two feet above the elevation of the bottom of the receiving watercourse.

810-20.2 Energy Dissipation. The maximum post-developed flow velocity at the project site's downstream property line with an adjoining tract shall not exceed the maximum pre-developed flow velocity. Calculations shall be required to support this velocity standard.

810-20.3 Concentrated Flows.

A. The discharge of concentrated flows of stormwater into public roadways shall be avoided as practicable. In no case shall such concentrated flows, including flows from swales, ditches, draws, driveways, or piped systems, exceed the allowable peak flow rates in Table 810.1 below

Table 810.1. Maximum Flows into Streets.

Street Classification	Allowable Peak Flow Rate For a 2-Year Storm
Local	2.0 cfs
Minor Collector	1.0 cfs
Other	0.5 cfs

B. In residential subdivisions, the drainage area contributing to the peak flow along any property line between lots within 50 feet of the building setback line for either lot shall not exceed 2 acres, unless contained within a piped drainage system or maintained in a natural watercourse. The stormwater conveyance shall be in a drainage easement.

Section 810-30. Walls.

810-30.1 When permanent grades are proposed with a resulting slope steeper than one foot vertical for every three feet of horizontal, resulting wall height (measured from top of footing to top of wall) will exceed four feet, or surcharge loading will be applied to the back side of the wall, then an appropriate earth retaining structure shall be designed and permitted. The wall may be constructed of concrete, masonry, segmental block or wire basket units, or other appropriate structural materials. Walls that do not exceed six feet in height may also be constructed of timber. Retaining Wall design shall be in compliance with the current Georgia State Minimum Standard Building Code- and ASCE/SEI 7-16. As applicable, wall design shall also comply with ACI 318-18 (Concrete Wall), TMS 402-16 (Masonry Wall), NCMA Design Manual for Segmental Walls (Modular Wall), and/or ANSI/AWC NDS-2018 (Wood Wall). Walls exceeding six feet in height shall be designed and drawings shall be prepared by a Georgia Registered Professional Engineer.

810-30.2 Walls and wall foundations or supports shall be located in such a fashion as to not encroach upon existing or proposed drainage easements, drainage courses, or floodplains. Walls shall be constructed so that the zone of influence from the wall shall not encroach upon the area of potential excavation to maintain, service or replace a utility facility such as stormwater, sanitary sewer, or water facility. Grading on each side of the wall shall be designed so that the wall will not encumber the natural flow of stormwater surface runoff. Walls and wall

supports shall be located at a distance from easements to allow for anticipated future maintenance of the easement while still maintaining the structural integrity of the wall.

810-30.3 Retaining/detention pond walls of any height that are proposed for the purpose of stormwater management must be designed by a Georgia Registered Professional Engineer and must be permitted. Walls shall be designed for hydrostatic loading under full pond conditions and retained backfill soil under dry pond conditions. The hydrological design must allow for a freeboard dimension and emergency overflow capacity that meets the requirements outlined in the Gwinnett County Stormwater Management Manual. The overflow device should be placed above the projected 100-year flood elevation within the detention area. Detention area and wall calculations are required submittals to Gwinnett County Planning and Development.

810-30.4 Retaining walls constructed in or adjacent to a residential subdivision shall comply with the following:

A. For proposed developments with a residential component, no greater than 50% of a stormwater management facility perimeter may be walled without approval from the Director of Planning & Development.

B. Retaining Walls along the perimeter of a stormwater management facility where the top of wall elevation exceeds the surface elevation and which face a habitable structure and/or a public right-of-way, private access easement or other means of access, shall be screened. The screening shall include native vegetation supplemented as necessary via a preserved landscape strip at least 20-ft in width, a planted landscape strip at least 15-ft in width and the wall may be faced with brick or stone. The strip shall be located a minimum of 10-ft from the face of wall. Vegetation shall be maintained by the property owner on non-residential properties, or a qualified homeowner's association on residential properties or a property owner's association.

C. Retaining walls which face the property line of a residential property or properties shall be located a minimum of 1.5 times the height of the retaining wall from the property line or within the building setbacks of the property/lot. The wall setback area shall be landscaped with native vegetation to screen the wall from the adjacent property.

810-30.5 Any construction that may impact or be within the right-of-way of an existing or proposed water or sanitary sewer easement must be approved by the utility providing service.

Chapter 900. Development Conformance, Sureties, and Maintenance

Section 900-10. Development Conformance, Sureties, and Maintenance, in General.

900-10.1 Prerequisite to Final Plat, Certificate of Completion, or Certificate of Occupancy. The submittal and acceptance of a Certificate of Development Conformance shall be a prerequisite to the approval of a Final Plat or issuance of a Certificate of Occupancy or Certificate of Completion for any project, or portion thereof, included in a Development Permit, except for single-family and two-family structures. The approval shall reflect the certification by the owner, being the subdivider or developer, that all site work and construction has been accomplished according to the terms of the approved plans and permits, and that all improvements intended for maintenance, supervision and/or dedication to the public are in compliance with appropriate standards, regulations, codes, and ordinances. Such approval shall be revoked in cases of fraud or whenever unauthorized changes are made to the site without the benefit of required permits.

900-10.2 Submission Requirements. Upon completion of the project as authorized for construction by the development permit, the subdivider/developer, shall file the following items with the Director:

A. A Certificate of Development Conformance in a form as required by the Director, accompanied by an executed Development Performance and Maintenance Agreement and related surety bonds, or other surety forms, as appropriate and acceptable to the Director.

B. Record drawings of all stormwater management facilities.

C. Modifications to the limits of the 100-year floodplain (if any).

D. An "as-built" hydrology study for the project with the actual parameters from the record drawing of the stormwater management facilities.

E. A record drawing of the sanitary sewer facilities shall also be prepared and submitted to the Plan Review Section for review and approval. If the owner is a corporation, the documents shall be executed by the President, or Vice-President, be affixed by a corporate seal, and either the corporate secretary shall attest to the signature and affix the corporate seal, or a Certificate of Corporate Resolution shall also be submitted.

900-10.3 Certificate of Development Conformance Approval Process.

A. Following final inspection and approval of all record drawings, the Director shall require an executed Certificate of Development Conformance from the subdivider/developer.

B. Final approval by the Director shall not be shown on the Certificate of Development Conformance until all requirements of these and other applicable regulations have been met.

C. Once the Department has approved the Certificate of Development Conformance and after all maintenance and performance bonds are released, the Director or designee shall certify by signature on the original of the Certificate of Development Conformance that all of the requirements of this UDO and the conditions of zoning approval have been met, and that all other affected departments have approved the development or Final Plat.

D. For developments with private streets, all required improvements and installations must be completed in accordance to the applicable rules and regulations of Gwinnett County.

900-10.4 Project Closeout and Continuing Maintenance.

A. *Development Performance and Maintenance Agreement.* Based on the approved Certificate of Development Conformance, the owner shall file a Development Performance and Maintenance Agreement with the Department, along with any required Certificate of Corporate Resolution and performance or maintenance surety, as a prerequisite to the approval of a Final Plat or issuance of a

Certificate of Occupancy for any part of a project included in the development permit, except for single-family and two-family residential structures. The Development Performance and Maintenance Agreement shall be in a form as required by the Director, and shall include the following:

1. Maintenance surety shall be filed to warrant to the County that all newly completed street improvements including but not limited to street pavement, curbing, sidewalks, water and sewer lines, appurtenances, stormwater facilities, wall(s), berms, and required landscaping within the right-of-way shall be maintained in compliance with the standards and rules and regulations of Gwinnett County. Such surety shall:

    a. Be conditioned upon the faithful maintenance by the principal, being the subdivider, owner or developer of the public streets and drainage facilities within public streets or easements, in compliance with this UDO and all other applicable rules and regulations within a specified time, not less than 18 months;

    b. Be payable to, and for the indemnification of the County;

    c. Be an amount equal to 50 percent of the cost of construction of the work required, as calculated based on yearly contract prices or County contracts, where applicable;

    d. Be with a surety company entered and licensed to do business in the State of Georgia; and

    e. Be in a form acceptable to the Director or to the County Attorney.

2. A Performance surety shall be filed to warrant to the County that all improvements and installations required for the Development Permit or Final Plat approval, but not yet completed, shall:

    a. Be conditioned upon the faithful performance by the principal, being the subdivider, owner or developer of all work required to complete all improvements and installation for the development, or approved portion thereof, in compliance with this UDO and all other rules and regulations within a specified time, not to exceed 12 months, unless an extension for additional time is granted;

    b. Be payable to, and for the indemnification of, the County;

    c. Be in an amount equal to the cost of construction of the work required plus an additional 50 percent of said costs, as calculated based on the yearly contract prices or County contracts, where available;

    d. Be with surety by a company entered and licensed to do business in the State of Georgia; and,

    e. Be in a form acceptable to the Director or the County Attorney.

B. *Continuing Maintenance.* The surety principal, being the subdivider, owner, or developer, shall be responsible for maintaining the public streets and drainage facilities within public rights-of-way or easements for the surety period after the date of approval of the Certificate of Development Conformance. Repairs shall be made for any deficiencies identified within the surety period or the bonds shall be called to complete same.

C. *Indemnification.* Indemnification of the County against any and all liability for damages arising as a result of errors or omissions in the design or construction of the development for a period of ten years. If liability is subsequently assigned or transferred to a successor in title or other person, a copy of such legal instrument shall be filed with the Clerk to Superior Court.

D. *Transfer of Land Ownership during the Maintenance and/or Performance Agreement Time Period.* No person, firm, partnership, association, corporation, estate, trust, developer, subdivider or any other

owner or agent shall transfer title of any property by reference to, exhibition of, or any other use of any map or plat illustrating the subdivision of land of which there are active maintenance or performance bonds without first providing to Gwinnett County, as beneficiary, a newly executed Development Performance and Maintenance Agreement from the new owner or developer. All required performance or maintenance sureties acceptable to Gwinnett County shall accompany the new Agreement as deemed necessary.

900-10.5 Maintenance and Performance Surety.

A. The maintenance surety and the performance surety, required from the subdivider, owner/developer or the contractor employed by the owner/developer, may be in the form of cash deposited with the County, or a surety bond, or letter of credit from a bank or other financial institution in a form acceptable to the Director or County Attorney.

1. The surety bond shall be issued by a surety company authorized by law to do business in the State of Georgia pursuant to a current certificate of authority to transact surety business by the Commissioner of Insurance.

2. The letter of credit shall be an irrevocable letter of credit issued by a bank or savings and loan association, as defined in O.C.G.A Code Section 7-1-4.

3. The cash escrow shall be in the form of cashier's check issued to Gwinnett County by a bank or savings and loan, as defined in O.C.G.A Code Section 7-1-4

B. The performance surety and maintenance surety shall, in all cases, be provided in an amount as required in Section 900-90.4 as applicable. All cost estimates which form the basis of the bond value shall be as prepared by or acceptable to the Department.

C. The Maintenance Bond period shall not be less than 18 months from the date of approval of the Certificate of Development Conformance for the installation of the public streets and drainage facilities improvements within the right-of-way unless an extension for an additional 12 months is requested by the subdivider or developer and granted by the Director. The Performance Bond period of application shall not exceed 12 months unless an extension of an additional 12 calendar months has been requested by the subdivider or developer and granted by the Director.

D. If a period of 18 months elapses from the commencement of the maintenance period for any subdivision and defects, noncompliance, or violations still exist to the extent that the subdivision has not been accepted by the County, the County is authorized to withhold issuance of any and all permits or to refuse inspections to any subdivider/person on the project in dispute or any other project in which the subdivider/person may have a financial interest, or both, who violates or fails to comply with this UDO.

900-10.6 Maintenance Agreement for Water and Sanitary Sewer Installation. An Owner and Developer Agreement required from the subdivider, owner/developer or the contractor employed by the owner/developer, for sanitary sewer installation and water main installation is required by the Department of Water Resources. The Owner and/or developer agree that they or their contractor will maintain the installation for a period of one year from the date of final approval by correcting all defects or deficiencies in material and workmanship. The Owner and/or Developer further agree that the warranty period shall be extended an additional four years when the defects are a direct result of the installation of non-specified materials or the application of non-specified construction practices or methods.

Section 900-20. Warranty, Surety and Maintenance for Trees and Landscape Materials.

900-20.1 Upon final installation of new trees, shrubs or other landscape material planted to meet the requirements of this UDO, and following acceptance by the Department in accordance with the procedures set forth herein, the owner shall either provide proof of warranty or post a Maintenance Bond or other acceptable surety, warranting the new trees, shrubs, or landscape material for a period of no less than one year. This section shall not apply to individual residential lot trees or street trees.

900-20.2 *Inspection.*

A. The Department shall perform an inspection of the plantings and landscape materials required by this UDO prior to expiration of the one-year warranty or maintenance period. The owner shall be notified of any replacements or restoration that must be made to maintain compliance with this UDO.

B. Required landscape material found to be dead or near death shall be replaced prior to release by the Department of the warranty or maintenance surety. In no case shall replacement be delayed greater than 30 days from notification unless a performance bond is posted with the Department.

900-20.3 *Performance Surety.*

A. Compliance Prior to Certificate of Occupancy or Final Plat Approval. In the event that new trees proposed to be planted to achieve the Tree Density Standard as set forth in the Tree Regulations contained herein, or other trees or landscape material required to be planted as set forth in this Chapter, are not installed upon application for a Certificate of Occupancy or Final Plat approval as appropriate to the project, then a Performance Bond or other acceptable surety shall be posted with the Department in accordance with the performance bonding requirements and provisions of this UDO.

900-20.4 Compliance upon Permit Completion or Expiration. Properties where a permit is issued to conduct land-disturbing activities that do not require the issuance of a Certificate of Occupancy or the approval of a Final Plat, or said activities as authorized are completed or the permit expires, shall comply with the Tree Density Standard of Section 630-30, and as follows:

A. *Clearing, Clearing and Grubbing, or Grading Only Permits*

1. Replacement trees proposed to be planted to achieve the Tree Density Standard of Section 630-30 which are not planted upon completion or prior to expiration of a clearing, clearing~~,~~ and grubbing, or grading permit, shall be planted within 30 days of the completion or expiration of said permit unless a performance bond is posted with the Department.

B. *Development Permits*

1. Replacement trees proposed to be planted to achieve the Tree Density Standard of Section 630-30 which are not planted upon expiration, as opposed to completion, of a development permit shall be planted within 30 days of expiration of said permit unless a performance bond is posted with the Department.

Section 900-30. Additional Requirements for Stormwater Facilities

900-30.1 Prior to or concurrent with the recording of a Final Plat for a subdivision, or issuance of a Certificate of Occupancy for a non-subdivision project, the developer, shall provide acceptable surety such as a bond or letter of credit, as determined by Planning & Development, providing for the stormwater management facility(ies) for a period of not less than 18 months. At the end of 18 months, the County may require the surety to be renewed due to anticipated improvements caused by such concerns as future construction activity within the project limits in

the drainage basin. A renewed surety may be required up to a total maximum of 10 years. The surety for a facility shall be renewed during the ten-year period until:

A. The surface water drainage area within the project has undergone final stabilization and all planned site construction activity has been completed.

B. All stormwater runoff in the surface water drainage area within the project is coming from undisturbed or stabilized areas.

C. All stormwater facilities and infrastructure construction have been completed and permanent vegetation is established.

D. If a temporary stormwater management facility is still in use at the end of the site construction, then the surety shall remain in place until the accumulation of acreage of undeveloped lots, lots with no completed permanent structure and no final stabilization, within the surface water drainage area within the project is less than 10 percent of the total area of the common development draining to the facility.

E. Two months prior to surety release, the permanent stormwater management facility shall be installed and cleaned out, as necessary. A new record survey, drawing and certification showing that the volume of the facility is equal to or greater than the volume shown in the record survey, drawing and certification when the facility was approved shall be submitted. Documentation demonstrating the required testing outlined in the Gwinnett County Stormwater Management Manual for the proposed stormwater BMP shall also be provided. As an alternative, a new record survey, drawing and certification showing that the facility complies with this UDO as specified in Section 800-20.7. shall be submitted. If deficiencies are found, the developer shall be required to update the stormwater BMP to comply with the approved development plans.

Chapter 1000. As-Builts

Section 1000-10. As-Built Drawings.

1000-10.1 As-built drawings shall show the location, vertical and horizontal alignment, and finished elevations (top and inverts, as appropriate) of the improvements listed below:

A. Drainage system pipes and channels.

B. Bridges or culverts.

C. Stormwater management facilities.

D. Sanitary sewer system. (In accordance with the requirements of the Gwinnett County Department of Water Resources.)

E. Water system. (In accordance with the requirements of the Gwinnett County Department of Water Resources.)

F. Streets. {Street centerlines showing angles of deflection and standard curve data of intersection, radii, length of tangents and arcs, and degree of curvature with basis of curve data. Also indicate pavement width and pavement structure (individual thickness of wearing course, binder course, base, and/or sub-base).}

G. Curb and gutter, sidewalks, multi-purpose trails, bicycle facilities, and recreation improvements on property dedicated to the public.

H. Signage in public rights-of-way and other public dedicated areas.

I. Any other improvements subject to maintenance by the County.

1000-10.2 As-built drawings as required above shall bear the stamp and certification of a Professional Engineer or Registered Land Surveyor.

1000-10.3 An as-built survey is required for sites located within the Chattahoochee River Corridor and subject to the Metropolitan River Protection Act after construction is completed prior to issuance of a Certificate of Occupancy and shall be prepared by a Registered Land Surveyor. The as-built survey shall include the requirements of the House Location Plan in Subsection 320-140.5.C. and in addition shall require the following to be shown on the survey:

A. Land Vulnerability Categories;

B. Impervious surfaces including but not limited to house footprint, garage, driveway, deck(s), patio(s), gazebo, swimming pool, retaining walls, and entry sidewalks;

C. Clearing limits;

D. Calculations for impervious and cleared square feet, including allowances and as-built;

E. Stream buffers and impervious surface setbacks.

Section 1000-20. Stormwater As-Built Plan Review Process.

All constructed stormwater infrastructure improvements, including but not limited to new, replaced, or extended conveyance systems, shown on Final Plats shall be as-built and submitted prior to recording for review and

approval by the Stormwater, Water and Sewer Plan Review Section of the Department. The design and construction of such system shall comply with the current policy and procedures of the Department and in accordance with the following documents as applicable: Gwinnett County Storm Sewer Pipe Standards and The Gwinnett County Standard Drawings.

Section 1000-30. Water and Sewer As-Built Plan Review Process.

All constructed improvements, including but not limited to the extension, replacement, or new installation of any portion of the water distribution system or sanitary sewer system, shall be submitted for review and approval by the Stormwater, Water and Sewer Plan Review Section of the Department. The design and construction of such improvements shall comply with the current policy and procedures of the Gwinnett County Department of Water Resources and in accordance to the following documents as applicable: The Sanitary Sewer Installation Regulations and Specifications, also known as the Sanitary Sewer Standards Manual and the DWRSSS; The Sanitary Sewer Pump Station and Force Main Design and Construction Standards for Developer Installed Systems; The Water Main Design and Sanitary Sewer Design and Construction Standards and Specifications and the Gwinnett County Backflow Prevention Manual.

Chapter 1010. Subdivisions

Section 1010-10. Subdivision Exemptions.

1010-10.1 General Requirements. For the purpose of the UDO the types of activities contained in this Section shall be considered subdivisions but exempt from the "procedures" and "required public improvements" portions of this Unified Development Ordinance, except as noted. Each such subdivision shall be drawn in accordance with Final Plat standards pursuant to the requirements of this Unified Development Ordinance and shall be submitted in an appropriate format and the appropriate fees to the Department for review and approval. Upon approval, the Director shall authorize the recording of the plat with the Clerk of Superior Court of Gwinnett County and grant the issuance of building permits pursuant to the Codes and Ordinances of Gwinnett County.

1010-10.2 Recombinations. The combination or recombination of all of two or more buildable lots of record, where the total number of lots is not increased and the resultant lots or parcels are in compliance with Title 2 of this Unified Development Ordinance.

1010-10.3 Minor Subdivision. The division of a buildable lot of record into 5 or fewer lots for subdivisions with a minimum lot size less than 0.5 acre or 7 or fewer lots for subdivisions with a minimum lot size 0.5 acre or greater, provided:

A. Each proposed lot complies with all requirements of Title 2 of this Unified Development Ordinance, unless variances are granted as permitted within this UDO, and is limited to single-family detached residential uses.

B. All project related slope and utility easements as well as necessary street right-of-way shall be provided at no cost to the County as determined by the Department based upon the officially adopted Long Range Road Classification Map.

C. Each lot thus created may not be re-subdivided as a minor subdivision. However, parcels larger than five acres may be re-subdivided subject to the requirements of a Small Subdivision.

D. Each proposed lot shall comply with all ~~the requirements of the~~ Water and Sewer Plan Review requirements~~Section~~ of the Department ~~of Planning and Development~~, as appropriate, whose approval shall be required prior to approval of the Exemption Plat ~~by the Department~~.

E. Each proposed lot shall comply with the requirements of the Environmental Health Section, as appropriate, whose certification of approval shall be required prior to approval of the Exemption Plat ~~by the Department~~.

F. Each proposed lot shall comply with the requirements of the Department of Transportation, as appropriate, whose approval shall be required prior to approval of the Exemption Plat ~~by the Department~~.

~~G. The Director is authorized to grant a modification from the 5-lot maximum exemption for subdivision with a minimum lot size of 0.5 acre; provided, however, modifications shall not be granted to exceed a total of 7 exempt lots. The Director may impose conditions of approval upon any modification thus granted as may be necessary to ensure the general public welfare.~~

1010-10.4 Final Plat of Non-Residential Lots. The division of land in any non-residential, commercial, office or industrial subdivision where the purpose of the subdivision is for platting purposes only, where there are no required or proposed improvements, shall comply with the provisions of Section 1010-40 Non-residential Final Plat Specifications for "Platting Only" Purposes, provided that the following provisions are met:

A. Each lot complies with all applicable requirements of Title 2 and Title 3 of the UDO and is limited to commercial, office or industrial use.

B. Each lot abuts an existing street right-of-way.

C. All project related slope and utility easements as well as necessary street right-of-way shall be provided at no cost to the County as determined by the Department based upon the officially adopted Long Range Road Classification Map.

D. Each lot complies with the utility and stormwater requirements of the Department of Water Resources, as appropriate, whose signature of approval shall be required prior to the Final Plat approval by the Department.

E. Each lot complies with the requirements of the Environmental Health Section, as appropriate, whose signature of approval shall be required prior to Final Plat approval of the Department.

F. Each lot complies with the requirements of the Fire Plan Review and Building Plan Review Sections of the Department, as appropriate, whose signature of approval shall be required prior to the Final Plat approval of the Department.

G. All existing buildings and structures shall be shown on the plat and shall meet the dimensional standards of the applicable zoning district, unless a variance or waiver is approved for each non-standard condition.

H. Applicable easement agreements for shared access or facilities between lot owners are recorded and copies provided to the Department.

1010-10.6 Non-residential Project Management. The creation of a lot for recording within an overall non-residential development, provided:

A. The overall non-residential development is being undertaken as a single multi-phase or multi-use project under the unified control of a single developer, is zoned for such use or development, and an overall Preliminary Plat for the entire project has been approved by the Department.

B. The proposed subdivision is clearly intended to transfer title for financing or building management purposes and not for the sale of the property for future development, to the satisfaction of the Director.

C. The proposed lot has been approved by the Department to be provided permanent vehicular access by private drive. Said access shall be established by easement or acceptable covenant prior to or concurrently with recording of the Final Plat.

D. The proposed lot must encompass a principal structure which has been granted a building permit and which is under construction or has been completed.

E. The Final Plat shall be drawn to include the entirety of the overall development and shall clearly identify those lots to be recorded, those lots previously recorded and the remainder of the development which shall be labeled "not included." All easements, dedications, etc., shall be shown as appropriate or as required. Each lot shall be consistent with the zoning approved for the overall development and the applicable requirements of Title 2 of this Unified Development Ordinance.

1010-10.7 Amnesty Lots. The designation of a lot as a buildable lot of record if the lot was recorded between June 2, 1970, and the effective date of this Unified Development Ordinance but not reviewed and approved under the provisions of the Subdivision Regulations in effect at that time, provided:

A. The Exemption Plat is limited to one individual lot and no property which adjoins the lot is, or has been, owned by the applicant in whole or in part.

B. The lot meets all requirements of Title 2 of this Unified Development Ordinance, and the applicant demonstrates to the satisfaction of the Director that approval of the lot will not create nonconformity to the requirements of Title 2 of this Unified Development Ordinance on any other portion of the original property from which the lot was subdivided.

C. The lot abuts upon an existing public street.

D. All project related slope and utility easements as well as necessary street right-of-way shall be provided at no cost to the County as determined by the Department based upon the officially adopted Long Range Road Classification Map.

E. The lot shall comply with the requirements of the Water and Sewer Plan Review Section of the Department of Planning and Development, as appropriate, whose approval shall be required prior to approval of the Exemption Plat by the Department.

F. The lot shall comply with the requirements of the Environmental Health Section, as appropriate, whose certification of approval shall be required prior to approval of the Exemption Plat by the Director.

G. A Record Survey certified by a Land Surveyor currently registered in the State of Georgia shall be submitted to and approved by the Department showing the lot.

1010-10.8 Small Subdivision. The division of a buildable lot of record created through the approval of a minor subdivision, provided:

A. Small subdivisions shall not be exempt from the required public improvements portions of this Unified Development Ordinance.

B. The buildable lot of record being subdivided is 5 acres or greater in size.

C. Each proposed lot shall have a minimum lot size of 0.5 acres.

D. The buildable lot of record was created as part of a minor subdivision at least 2 years prior to authorization of the small subdivision exemption plat.

E. The small subdivision will result in the creation of five or less buildable lots of record.

F. Each proposed lot complies with all requirements of Title 2 of this Unified Development Ordinance, unless variances are granted as permitted within this UDO, and is limited to single- family detached residential uses.

G. All project related slope and utility easements as well as necessary street right-of-way shall be provided at no cost to the County as determined by the Department based upon the officially adopted Long Range Road Classification Map.

H. Each lot thus created may not be re-subdivided as a minor or small subdivision. However, parcels larger than ten acres may be further subdivided subject to the requirements of a Small Subdivision.

I. Each proposed lot shall comply with all Water and Sewer Plan Review requirements of the Department, as appropriate, whose approval shall be required prior to approval of the Exemption Plat.

J. Each proposed lot shall comply with the requirements of the Environmental Health Section, as appropriate, whose certification of approval shall be required prior to approval of the Exemption Plat.

K. Each proposed lot shall comply with the requirements of the Department of Transportation, as appropriate, whose approval shall be required prior to approval of the Exemption Plat.

L. Applicable easement agreements for shared access or facilities between lot owners are recorded and copies provided to the Department.

Section 1010-20. Final Plat Approval Process.

The subdivision of lots where there is a development permit issued for construction of new street(s) and related utility, stormwater and infrastructure improvements shall comply with the following provisions for Final Plat approval prior to the recording of such lots.

1010-20.1 When the applicable provisions of the UDO have been complied with, the subdivider may submit to the Department an application for Final Plat approval.

1010-20.2 The Director shall indicate on a review copy of the plat or in a written memorandum all

comments related to compliance of the Final Plat with this UDO, conditions of zoning approval, and the regulations of other County departments and State agencies as appropriate. The Director shall have final staff authority to determine the applicability of any and all comments under Title 2 and Title 3 of the UDO or conditions of zoning approval.

1010-20.3 The Director may not approve any Final Plat whereon is shown or by which is otherwise created a lot which would present particularly severe and unusual difficulties for construction of a building, which would clearly require a variance to be reasonably usable, or which is otherwise "unbuildable" due to the presence of floodplain, unusual configuration, lack of Environmental Health Section approval, or for any other justified reason.

1010-20.4 Lots which would appear to be buildable under certain circumstances and would require further study or additional information before a building permit could be issued, but which present problems or unusual difficulties which can reasonably be addressed or overcome by the lot owner, may be included in the Plat with the appropriate notation of the steps necessary to allow issuance of a building permit.

1010-20.5 The subdivider shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the comments of the Director.

1010-20.6 Final approval by the Director shall not be shown on the Final Plat until all requirements of these and other applicable regulations have been met, and the Director shall require an executed Certificate of Development Conformance and an executed Development Performance and Maintenance Agreement from the subdivider. The Agreement, when applicable, shall be accompanied by a bond, letter of credit or other acceptable surety providing for the maintenance of all installations and improvements required by this UDO in the subdivision for a period not to exceed 18 months following the date of approval of the Certificate of Development Conformance.

The Director shall further determine that either:

A. All improvements and installation to the subdivision required for approval of the Final Plat under the rules and regulations of Gwinnett County have been completed in accordance with the appropriate specifications; or

B. All of the stormwater drainage and management facilities, water and sewer utilities, private utilities (power, gas, cable, etc.), or proof of payment for private utilities, street base and curbing construction required for approval of the Final Plat have been properly installed and completed and, for those required improvements not yet completed (grassing, required landscaping, sidewalks, entrance monuments, final street topping etc.) a performance bond shall have been filed by the subdivider with the Development Performance and Maintenance Agreement.

C. Payment for materials and installation of streetlights, traffic control, and street name signs shall be made to the Department of Transportation prior to approval of the Final Plat. Payment of the cost of striping major thoroughfares or required signalization if required and not completed by the developer shall also be received by the Department of Transportation prior to approval of the Final Plat.

D. Payment of the required plat review and authorization fees shall be made to the Department of Planning and Development prior to approval of the Final Plat.

1010-20.7 Once the Department has approved the Final Plat and all other affected departments and agencies of government as required have certified compliance, the Director shall certify by signature on the original of the plat that all of the requirements of the UDO and the conditions of zoning approval have been met, and that all other affected departments have approved the plat. The Final Plat shall not be deemed approved until it has been signed by the Director and where use of septic tanks is proposed, by a duly authorized representative of the Environmental Health Section.

1010-20.8 Once the Final Plat has been certified, the Director shall authorize it to be recorded with the Clerk of the Superior Court of Gwinnett County. The subdivider shall provide the Department an electronic copy of the recorded plat.

1010-20.9 Periodically, but no less often than once each month, the Director shall submit a listing of all approved Final Plats to the Board of Commissioners for ratification of acceptance of all dedications.

Section 1010-30. Procedures for Revising Final Plats.

1010-30.1 When it becomes necessary or desirable to revise a recorded Final Plat, the subdivider shall prepare a letter to the Director documenting the reason for and extent of the revision and drawing(s) that contain the subject revisions along with a review fee determined by the Board of Commissioners. The revised plat shall contain a new signature block, be dated with the current date, be drawn at an appropriate scale and contain notation(s) indicating the nature, location and number of the revision, the previously recorded subdivision name, date and book and page number of the revision(s). The subdivision name, date and book and page number of the original or previously recorded recording shall be noted on the new plat; and the new plat drawings shall be designated as "Revised Final Plat".

1010-30.2 All revisions shall be recorded on the original Final Plat, and a statement to that effect shall be noted on the Final Plat.

1010-30.3 If necessary, corresponding revisions to construction drawings, as-built drawings, engineering data and reports also shall be prepared, labeled appropriately, submitted, reviewed, and certified by the Director, and filed in the Department along with a review fee determined by the Board of Commissioners.

1010-30.4 The Director shall forward the proposed plat revision, Final Plat and any related documentation to the appropriate departments or agencies that would be involved in checking the accuracy of the revision. After receipt of approval from such other departments or agencies, the Director shall certify the Revised Final Plat and submit it to the Board of Commissioners for ratification.

1010-30.5 The subdivider shall be responsible of re-recording the certified revised plat with the Clerk of the Superior Court and provide a copy of recorded plat to the Department.

Section 1010-40. Non-residential Final Plat Specifications for "Platting Only" Purposes.

The subdivision of non-residential lots for the purpose of platting only, where there are no improvements proposed, shall conform to the provisions of Section 1010-40 and all requirements of Georgia Law, including but not limited to O.C.G.A § 15-6-67 and latest amendments regarding recordation of maps and plats specifications.

1010-40.1 Size. The Final Plat shall be clearly and legibly drawn in black ink on good legible reproducible paper or approved print material. The scale of the Plat shall be 100 feet to 1 inch (1"= 100') or larger. Sheet size shall not exceed 24 inches by 36 inches.

1010-40.2 Certified Boundary Survey. The Final Plat shall be based on a certified boundary survey delineating the entirety of the property contained within the Final Plat and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than 1 in 10,000 feet.

1010-40.3 The Final Plat "for platting only" purposes shall contain the following information:

A. Title or name of the Final Plat, subdivision name, unit number, land district, land lot number and parcel(s) of the parent tract(s) and the proposed tracts.

B. Name, address, email address, and telephone number of owner of record, and the subdivider (if not the owner).

C. Name, address, and telephone number and registration number of the land surveyor and professional firm associated with the Final Plat.

D. Date of plat preparation and date of the field survey, graphic scale, north arrow; notation as to the reference of bearings to magnetic, true north or grid north, and indication whether bearings shown are calculated from angles turned.

E. Location sketch of tract showing major surrounding features.

F. Name of former subdivision, if any or all of the Final Plat has been previously recorded.

G. Case number and date of approval for any applicable rezoning, special use permit, variance, modification, or waiver affecting the property.

H. Location and dimension of any buffer, landscape strip, special setback, no-access easement, etc.

I. Boundary lines of the tract, to be indicated by a heavy line, giving distances to the nearest one-

hundredth foot and bearings to the nearest second. Bearing and distance to designated tie point shall be shown. The Plat shall have a closure precision of 1 foot in no less than 10,000 feet.

J. Municipal or County jurisdictional lines approximately tied to the lines of the subdivision by distance and angles when such lines traverse or adjoin the subdivision; land lot lines traversing or adjoining the subdivision shall also be indicated.

K. Locations, widths, and names of all streets and alleys within and immediately adjoining the plat, the location and widths of all internal public crosswalks, and all other public rights-of-way.

L. Street center lines showing angles of deflection and standard curve data including radii, length of arcs and tangents between curves, point of curvature (PC) and point of tangency (PT).

M. Lot lines with dimensions to the nearest one-tenth of a foot and bearings to the nearest second, and radii of rounded corners, as necessary to delimit each lot.

N. Building setback lines along streets with dimensions.

O. When lots are located on a curve or when side lot lines are at angles other than 90 degrees, the lot width measured in accordance with the provisions of Title 2 of the UDO may be required to be shown, if deemed necessary by the Department for clarity.

P. Lots numbered in numerical order and blocks lettered alphabetically.

Q. Location and size of all drainage pipe, the location and size of all stormwater management facilities, and the location, dimensions and purpose of any easements, including construction or slope easements if required.

R. The location and size of all public sanitary sewer lines and manholes and the location, dimensions, and purpose of any easements, including construction or slope easements if required.

S. The location and size of all public water lines and fire hydrants and the location, dimensions, and purpose of any easements, including construction or slope easements if required.

T. Location of any areas to be reserved, donated, or dedicated to public use with notes stating their purpose and limitations. Location of any areas to be reserved by private deed covenant for common use of all property owners or dedicated to a property owner's association.

U. Accurate location, material, and description of monuments and markers (all monuments shall be in place prior to approval of the Final Plat).

V. All information required under the Georgia Metropolitan River Protection Act for recording of plats, if applicable.

W. Extent of the 100-year floodplain and a floodplain chart showing the area within and outside the floodplain for each lot containing any portion of the 100-year floodplain. Origin of the floodplain data shall be indicated.

X. Street address numbers, lot or tract number designations, and parcel identification numbers of the proposed tracts.

Y. All other notes or notations as may be required by the Department.

Z. Certificates and statements specified in Section 1010-40.6.

1010-40.4 Reserved.

1010-40.5 Warranty or Right-of-Way Deeds. If any lands shown on the Final Plat are proposed for dedication to Gwinnett County, including street rights-of-way or easements, a Warranty Deed transferring title to said land in fee simple, in a form acceptable to the Director, shall be submitted with the Final Plat application.

1010-40.6 Certificates. Each Final Plat shall bear the following certificates or statements printed or stamped thereon as follows:

A. *Final Registered Land Surveyor's Certificate:*

It is hereby certified that this plat is true and correct as to the property lines and all improvements

shown thereon and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist, and their location, size, type, and material are correctly shown. The field data upon which this plat is based has a closure precision of 1 foot in _____ feet and an angular error of _____ per angle point and was adjusted using _____ rule. This plat has been calculated for closure and is found to be accurate within 1 foot in _____ feet and contains a total of _____ acres. The equipment used to obtain the linear and angular measurements herein was _____.

By: _____

REGISTERED GEORGIA LAND SURVEYOR

REG NO _____ DATE OF EXPIRATION _____

B. *Owners Acknowledgment and Declaration:*

STATE OF GEORGIA, COUNTY OF GWINNETT

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, and dedicates by this Acknowledgement and Declaration to the use of the public forever all streets, sewer collectors, lift stations, drains, easements, and other public facilities and appurtenances thereon shown.

_____ _____

SIGNATURE OF SUBDIVIDER DATE SIGNED

_____

PRINTED OR TYPED NAME OF SUBDIVIDER

_____ _____

SIGNATURE OF OWNER DATE SIGNED

_____

PRINTED OR TYPED NAME OF OWNER

C. *Final plat approval:*

The Director of the Department of Planning and Development certifies that this plat complies with Title 2 and Title 3 of the Gwinnett County Unified Development Ordinance (UDO) and that it has been approved by all other operational County departments, as appropriate. This plat is approved.

DATED THIS _____ DAY OF _____, 20___.

_____

DIRECTOR, DEPARTMENT OF PLANNING AND DEVELOPMENT

D. *Environmental Health Section Certification (for subdivisions served by septic tanks):*

The lots shown hereon have been reviewed by the Environmental Health Section of the Gwinnett County Board of Health and with the exception of lots _____ are approved for development. Each lot is to be reviewed by the Environmental Health Section of the Gwinnett County Board of Health and approved for septic tank installation prior to the issuance of a Building Permit.

DATED THIS _____ DAY OF _____, 20___.

BY: _____

TITLE: _____

ENVIRONMENTAL HEALTH SECTION

E. *Public Notice - Drainage:*

NOTE: Gwinnett County assumes no responsibility for overflow or erosion of natural or artificial drains beyond the extent of the street right-of-way, or for the extension of culverts beyond the point shown on the approved and recorded subdivision plat. Gwinnett County does not assume responsibility for the maintenance of pipes in drainage easements beyond the County right-of-way.

Stream Buffer Easements are to remain in a natural and undisturbed condition.

NOTE: Structures are not allowed in drainage easements.

Section 1010-50. Survey Monuments.

360-50.1 Lot Corner Survey Monuments. All corners shall be marked with an iron rebar or pin, at least one-half inch in diameter and 18 inches long and driven so as to extend no less than 1 inch above the finished grade.

Section 1010-60. Assignment of Names and Addresses.

1010-60.1 Subdivision or Development Names.

A. Proposed subdivision or development names must be reviewed and approved prior to the issuance of a Development Permit. Names will be reviewed by the Department upon submittal of the Subdivision Development Plan or Site Development Plan.

B. Proposed names shall not duplicate or too closely approximate, phonetically, the name of any other subdivision or development in Gwinnett County or its municipalities except for extensions of existing subdivisions or developments.

C. Subdivision and development names may be reserved if submitted and approved along with the Concept Plan for the project.

1010-60.2 Street Names.

A. Proposed street names for public or private streets must be reviewed and approved prior to approval of a Development Permit or recording of a Final Plat. Street names may be reserved through approval as shown on an approved Concept Plan or Subdivision Development Plan for the subdivision.

B. Street names shall consist of a root name of the subdivider or developer's choosing and a suffix designation (such as "Street", "Avenue", "Drive", etc.), and shall be followed by a quadrant suffix. Directional prefixes (i.e., "North", "South") and the prefixes "old" or "new" shall not be used.

C. All streets shall bear the proper quadrant suffix appropriate to its location within the County (i.e., NE, NW, SE, and SW), as determined by the Department.

D. A proposed street that is obviously in alignment with another already existing and named street shall bear the name of such existing street, unless this requirement is waived by the Department of Transportation.

E. Except within the same development, no proposed street name shall duplicate (be spelled the same or be phonetically the same) as an existing street name within Gwinnett County regardless of the use of such suffix designations as "Street", Avenue", "Boulevard", "Drive", "Place", "Way", "Court", or however otherwise designated. In the same subdivision, a root name may not occur more than twice.

F. All street root names, and suffix designations are subject to the approval of the Department. Obscene or otherwise unacceptable language, abbreviations, contractions, or initials may not be used.

G. Root names shall consist of no more than 13 characters including spaces. Letters not occurring in the English alphabet, hyphens, and numerals shall not be used.

1010-60.3 Street Address Assignments.

A. A street address number will be assigned prior to issuance of a Building Permit. For any new structure proposed on a property which has not been assigned an address, a street number will be assigned upon confirmation or establishment of the property as a buildable lot of record under the requirements of this UDO. Unless a public or private street is proposed, an overall development located on one buildable lot of record shall be issued a single street address. The property owner shall be responsible for numbering/lettering individual buildings, suites, and units.

B. Subdivisions. House numbers will be assigned prior to Exemption Plat or Subdivision Development Plan is approved for the property. . Block number assignments shall also be designated for abutting major street name signs at this time.

C. For each of the plans listed below projects will be numbered after the developer submits the Site Development Plan or Subdivision Development Plan to the Department of Planning and Development.

1. Commercial/Industrial projects or buildings.
2. Apartment projects.
    a. One number shall be assigned to the apartments when the project is located on one parcel.
3. Condominium projects.
    a. Individual units shall be numbered consecutively if located along public or private streets.
    b. Units in the "stacked-flat" configuration shall use the same numbering approach as applies to an apartment project.

Section 1010-70 Final Plat Specifications.

The subdivision of lots where there are proposed streets and related utility, stormwater, and infrastructure improvements in accordance with an approved development permit shall conform to the provisions of Section 1010-70 and all requirements of Georgia Law, including but not limited to O.C.G.A § 15-6-67 and latest amendments regarding recordation of maps and plats specifications.

1010-70.1 Size. The Final Plat shall be clearly and legibly drawn in black ink on good legible reproducible paper or approved print material. The scale of the Final Plat shall be 100 feet to 1 inch (1"=100') or larger. Sheet size shall not exceed 24 inches by 36 inches.

1010-70.2 Certified Boundary Survey. The Final Plat shall be based on a certified boundary survey delineating the entirety of the property contained within the Final Plat and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than 1 in 10,000 feet.

1010-70.3 Conformity to Subdivision Development Plan. The Final Plat shall substantially conform to the Subdivision Development Plan, and it may constitute only that portion of the approved Subdivision Development Plan which the subdivider proposes to record at any one time, provided that such portion conforms to the requirements of this UDO, and said portion is not inconsistent with the public health, safety, or welfare. Any substantial deviation from the Subdivision Development Plan shall require revision and reapproval of the Subdivision Development Plan.

1010-70.4 The Final Plat shall contain the following information:

A. Name of the subdivision, unit number, land district, and land lot number.

B. Name, address, email address, and telephone number of owner of record, and the subdivider (if not the owner).

C. Name, address, email address, and telephone number of each professional firm associated with the portion of the subdivision within the Final Plat (engineer, surveyor, landscape architect, etc.).

D. Date of plat drawing, graphic scale, north arrow; notation as to the reference of bearings to magnetic, true north or grid north, and indication whether bearings shown are calculated from angles turned.

E. Location sketch of tract showing major surrounding features.

F. Name of former subdivision, if any or all of the Final Plat has been previously recorded.

G. Case number and date of approval for any applicable rezoning, special use permit, variance, modification, or waiver affecting the property.

H. Location and dimension of any buffer, landscape strip, special setback, no-access easement, etc.

I. Boundary lines of the tract, to be indicated by a heavy line, giving distances to the nearest one-hundredth foot and bearings to the nearest second. Bearing and distance to designated tie point shall be shown. The Plat shall have a closure precision of 1 foot in no less than 10,000 feet.

J. Municipal or County jurisdictional lines approximately tied to the lines of the subdivision by distance

and angles when such lines traverse or adjoin the subdivision; land lot lines traversing or adjoining the subdivision shall also be indicated.

K. Locations, widths, and names of all streets and alleys within and immediately adjoining the plat, the location and widths of all internal public crosswalks, and all other public rights-of-way.

L. Street center lines showing angles of deflection and standard curve data including radii, length of arcs and tangents between curves, point of curvature (PC) and point of tangency (PT).

M. Lot lines with dimensions to the nearest one-tenth of a foot and bearings to the nearest second, and radii of rounded corners, as necessary to delimit each lot.

N. Building setback lines along streets with dimensions.

O. When lots are located on a curve or when side lot lines are at angles other than 90 degrees, the lot width measured in accordance with the provisions of Title 2 of this UDO may be required to be shown, if deemed necessary by the Department for clarity.

P. Lots numbered in numerical order and blocks lettered alphabetically.

Q. Location and size of all drainage pipe, the location and size of all stormwater management facilities, and the location, dimensions and purpose of any easements, including construction or slope easements if required.

R. The location and size of all public sanitary sewer lines and manholes and the location, dimensions, and purpose of any easements, including construction or slope easements if required.

S. The location and size of all public water lines and fire hydrants and the location, dimensions, and purpose of any easements, including construction or slope easements if required.

T. Location of any areas to be reserved, donated, or dedicated to public use with notes stating their purpose and limitations. Location of any areas to be reserved by private deed covenant for common use of all property owners or dedicated to a homeowner's association.

U. A statement of private covenants if any shall be recorded on the plat; otherwise, if covenants are separately recorded provide a statement as follows:

This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby become a part of this plat, and which were recorded and signed by the owner.

V. Accurate location, material, and description of monuments and markers (all monuments shall be in place prior to approval of the Final Plat).

W. Certificates and statements specified in Section 1010-70.7.

X. All information required under the Georgia Metropolitan River Protection Act for recording of plats, if applicable.

Y. Extent of the 100-year floodplain and a floodplain chart showing the area within and outside the floodplain for each lot containing any portion of the 100-year floodplain. Origin of the floodplain data shall be indicated.

Z. Street address numbers and block number designations for street names on abutting streets, where appropriate.

AA. Individual lots shall be designated HLP (House Location Plan), RDP (Residential Drainage Plan) and/or RDS (Residential Drainage Study) if such are required by the Department to be approved prior to issuance of a Building Permit.

BB. All lots shall be labeled with minimum floor elevations, drainage flow arrows and designated as either a slab, basement, or slab/basement.

CC. All other notes or notations as may be required by the Department.

1010-70.5 Warranty Deed. If any lands are shown on the Final Plat for dedication to Gwinnett County

including street rights-of-way or easements, a Warranty Deed transferring title to said land in fee simple, in a form acceptable to the Director, shall be submitted with the Final Plat application.

1010-70.6 Property Owner's Association/Homeowner's Association. If any lands are shown on the Final Plat for dedication to a Property Owners Association in order to meet minimum park or open space requirements of the UDO, a copy of the deed of transfer for such dedication and a copy of the instrument of incorporation of the Property Owners Association/Homeowner's Association shall be submitted with the Final Plat application.

1010-70.7 Certificates. Each Final Plat shall bear the following certificates or statements printed or stamped thereon as follows:

A. *Final Registered Land Surveyor's Certificate:*

It is hereby certified that this plat is true and correct as to the property lines and all improvements shown thereon and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist, and their location, size, type, and material are correctly shown. The field data upon which this plat is based has a closure precision of 1 foot in _____ feet and an angular error of _____ per angle point and was adjusted using _____ rule. This plat has been calculated for closure and is found to be accurate within 1 foot in _____ feet and contains a total of _____ acres. The equipment used to obtain the linear and angular measurements herein was _____.

By: _____

REGISTERED GEORGIA LAND SURVEYOR

REG NO _____ DATE OF EXPIRATION _____

B. *Owners Acknowledgment and Declaration:*

STATE OF GEORGIA, COUNTY OF GWINNETT

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, and dedicates by this Acknowledgment and Declaration to the use of the public forever all streets, sewer collectors, lift stations, drains, easements, and other public facilities and appurtenances thereon shown.

_____ _____
SIGNATURE OF SUBDIVIDER DATE SIGNED

_____
PRINTED OR TYPED NAME OF SUBDIVIDER

_____ _____
SIGNATURE OF OWNER DATE SIGNED

_____
PRINTED OR TYPED NAME OF OWNER

C. *Final Plat Approval:* The Director of the Department of Planning and Development certifies that this plat complies with Title 2 and Title 3 of the Gwinnett County Unified Development Ordinance (UDO) and that it has been approved by all other operational County departments, as appropriate. This plat is approved subject to the provisions and requirements of the Development Performance and Maintenance Agreement executed for this project between the Owner and Gwinnett County. Acceptance of constructed greenways, if shown on the final plat, is hereby expressly excluded from approval and maintenance, and shall not be accepted by the County until said greenway is completed in its entirety and verified that it has been built to standards as set forth in the UDO.

D. *Environmental Health Section Certification (for subdivisions served by septic tanks):*

The lots shown hereon have been reviewed by the Environmental Health Section of the Gwinnett County Board of Health and with the exception of lots _____ are approved for development. Each lot is to be reviewed by the Environmental Health Section of the Gwinnett County Board of Health and approved for septic tank installation prior to the issuance of a Building Permit.

DATED THIS _____ DAY OF _____, 20___.

BY: _____

TITLE: _____

ENVIRONMENTAL HEALTH SECTION

_____

PRINTED OR TYPED NAME OF OWNER

E. *Public Notice - Drainage:*

NOTE: Gwinnett County assumes no responsibility for overflow or erosion of natural or artificial drains beyond the extent of the street right-of-way, or for the extension of culverts beyond the point shown on the approved and recorded subdivision plat.

NOTE: Stream Buffer Easements are to remain in a natural and undisturbed condition.

NOTE: Structures are not allowed in drainage easements.

F. *Fee-simple layout plan for single-family detached lots less than 7,500 square feet:* Every Final Plat for a subdivision proposing single-family detached houses on fee-simple ownership lots less than 7,500 square feet shall contain the following statement:

NOTE: Lot layout plan is required on each lot to be approved by the Department of Planning and Development prior to a Building Permit being issued. This lot layout plan must be drawn to scale on a copy of a certified boundary survey of the lot. It must show all proposed improvements and easements on the lot and must indicate compliance with the requirements of Title 2 of this UDO and conditions of zoning approval. It shall be the builder's responsibility to ensure that the house is staked out on the site to match the approved lot layout plan.

G. *House Location Plans (HLP):* On any Final Plat containing a lot for which a House Location Plan approval is required prior to issuance of a Building Permit (see Section 330-20), the following statement shall be included:

HLP - HOUSE LOCATION PLAN

A House Location Plan shall be required to be approved by the Department of Planning and Development prior to issuance of a Building Permit on those lots labeled "HLP". A House Location Plan is a scale drawing submitted by the builder at the time of the permit application. It is not required that this plan be prepared by an authorized registered professional. The purpose of this plan is to ensure that the house is properly located on the lot.

H. *Residential Drainage Plan (RDP) or Study (RDS):* On any Final Plat containing a lot for which a Residential Drainage Plan (RDP) or Residential Drainage Study (RDS is required, the following statements shall be included, as applicable:

A Residential Drainage Plan (RDP) [or Residential Drainage Study (RDS)] must be approved by the Stormwater Plan Review Section of the Department of Planning and Development prior to issuance of a Building Permit on those lots labeled "RDP" or "RDS" respectively.

A Residential Drainage Study (RDS) must be conducted by the builder's design professional and approved by the Building Permits Section prior to issuance of a Certificate of Occupancy on those lots so noted on the Final Plat.

Appendix Section 1.0 Standard Drawings[1]

NOTE: Many of the drawings in this section cover two pages. Each drawing's end is marked by the Gwinnett County Board of Commissioner's seal as shown below.



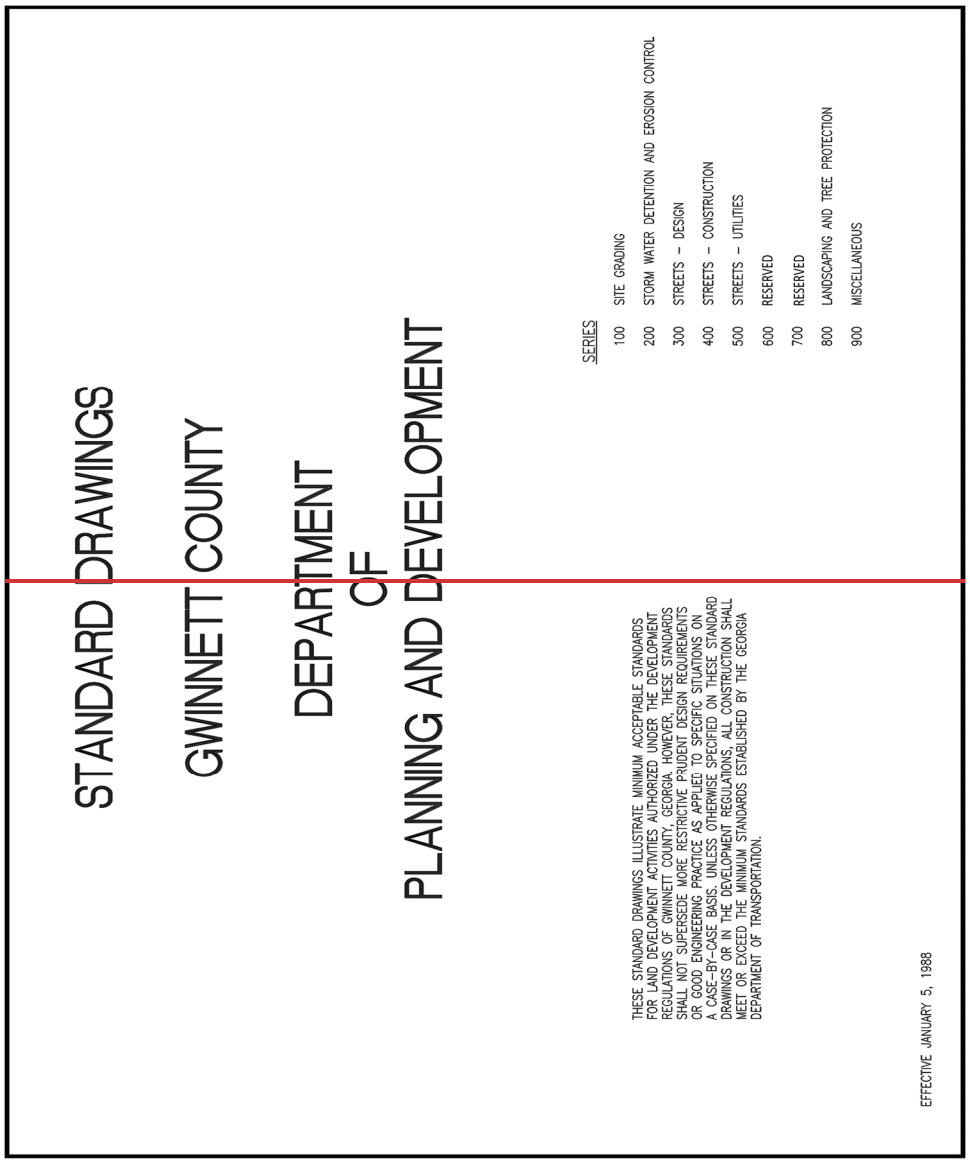
These standard drawings illustrate minimum acceptable standards for land development activities authorized under the development regulations of Gwinnett County, Georgia, however, these standards shall not supersede more restrictive prudent design requirements or good engineering practice as applied to specific situations on a case-by-case basis. Unless otherwise specified on these standard drawings or in the development regulations, all construction must meet or exceed the minimum standards established by the Georgia Department of Transportation.

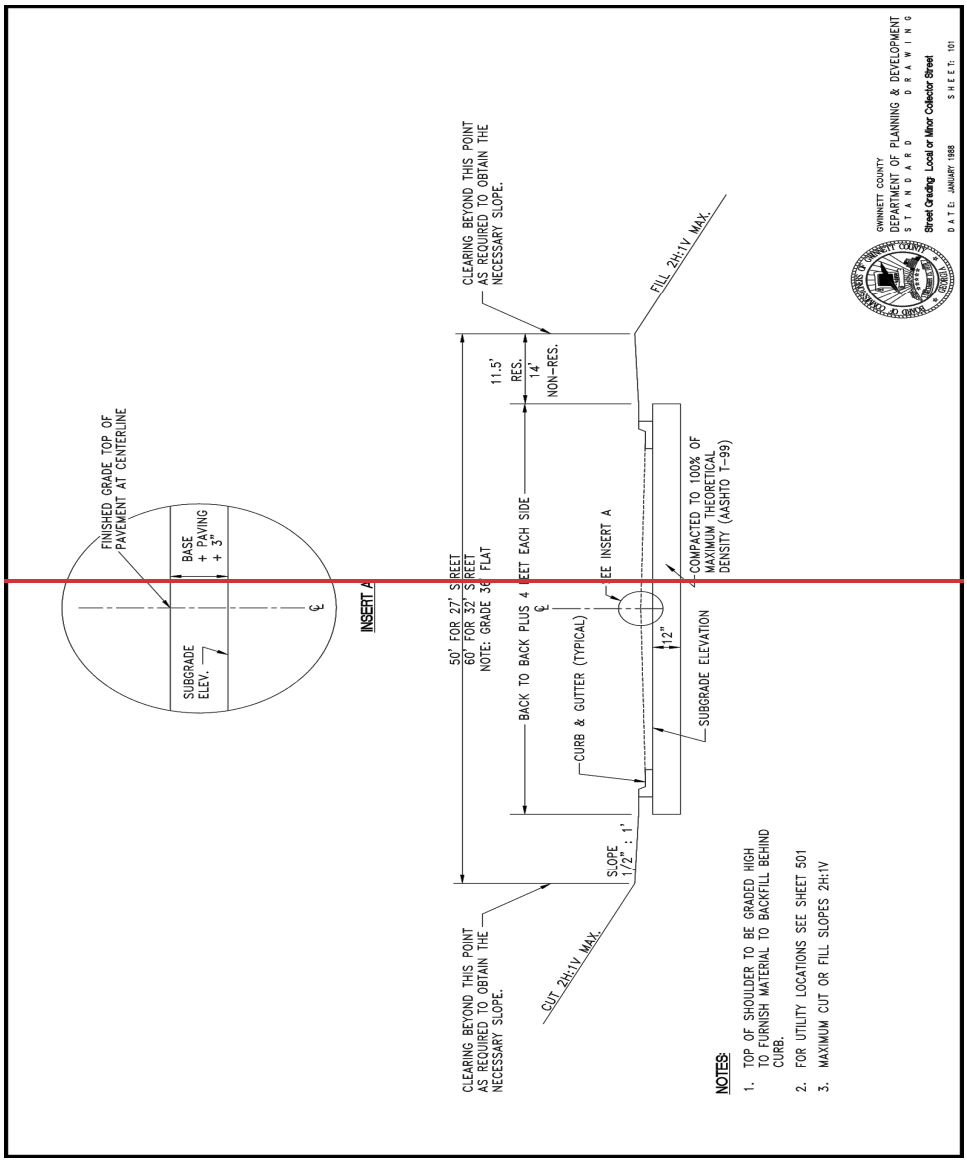
Series

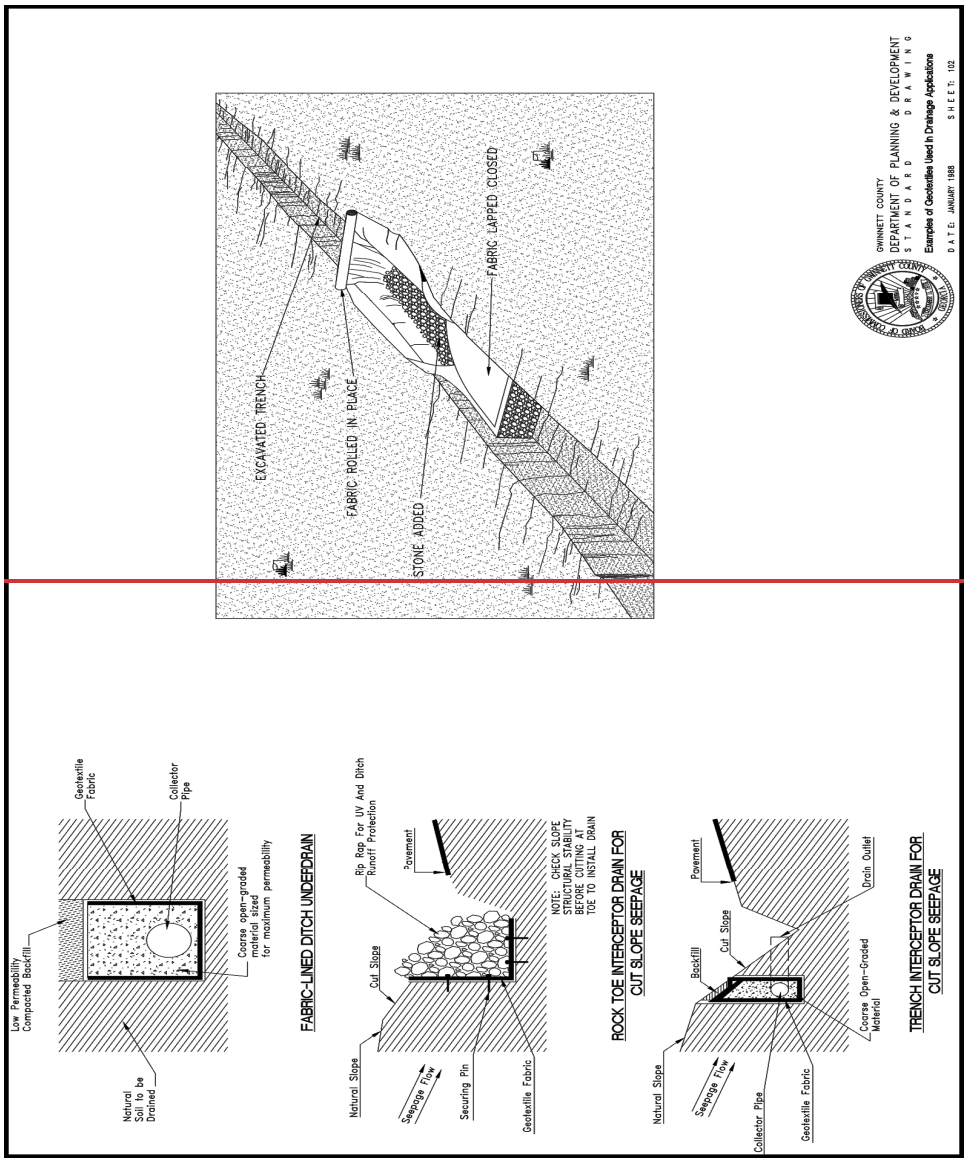
100: Site Grading
200: Storm Water Detention and Erosion Control
300: Streets — Designs
400: Streets — Construction
500: Streets — Utilities
600: Reserved
700: Reserved
800: Landscaping and Tree Protection
900: Miscellaneous

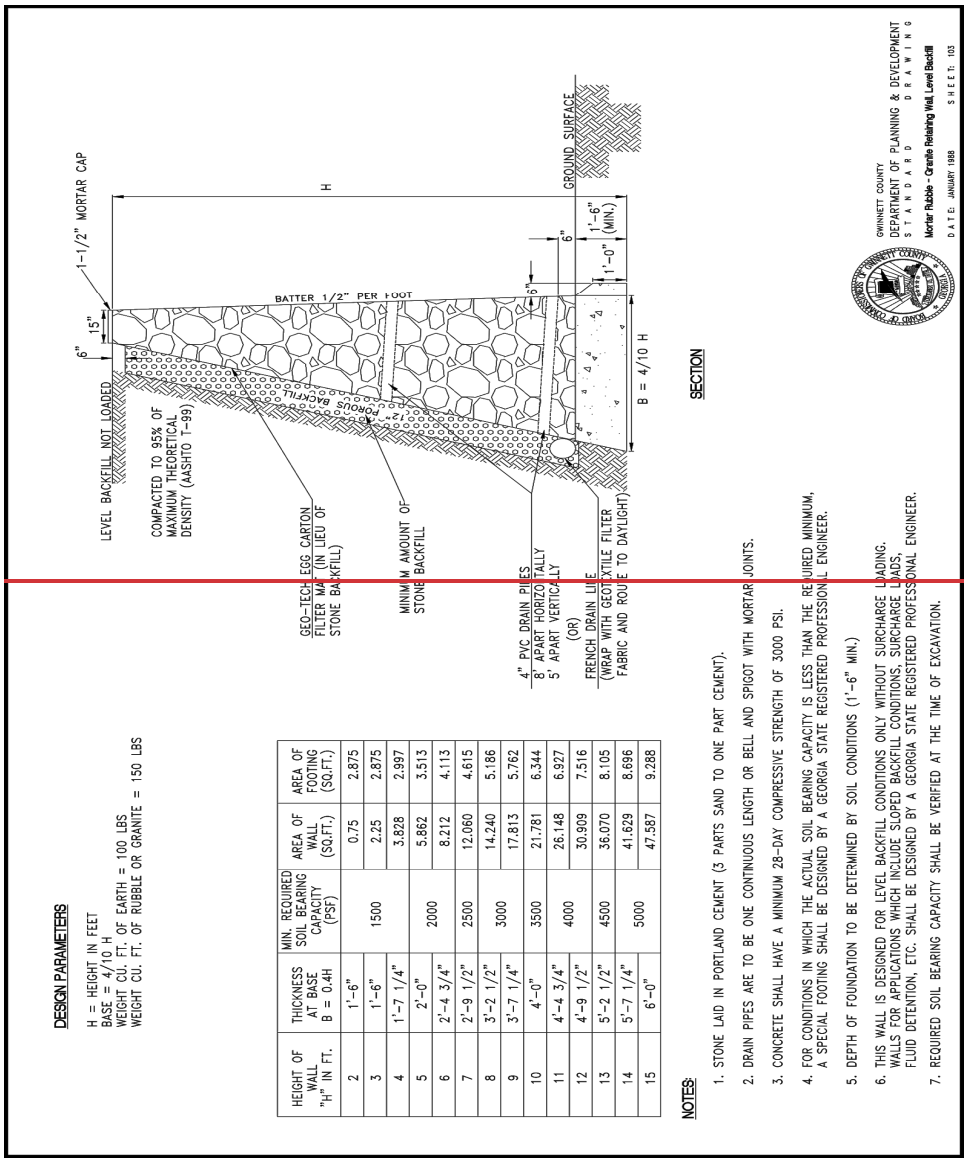
Effective January 5, 1988

[1]Editor's note(s)—Ord. No. UDOA2023-00002(GCID 2023-0604), Exh. A(§ 52), adopted Sept. 26, 2023, repealed the former App. 1.0, and enacted a new App. 1.0 as set out herein. The former App. 1.0 pertained to architectural design standards and derived from Ord. No. UDOA2014-00001(GCID No. 2014-0548), adopted July 22, 2014; Ord. No. UDOA2018-00001(GCID2018-0776), Exh. A, adopted July 24, 2018.


STANDARD DRAWINGS
GWINNETT COUNTY
DEPARTMENT
OF
PLANNING AND DEVELOPMENT
SERIES
100 SITE GRADING
200 STORM WATER DETENTION AND EROSION CONTROL
300 STREETS – DESIGN
400 STREETS – CONSTRUCTION
500 STREETS – UTILITIES
600 RESERVED
700 RESERVED
800 LANDSCAPING AND TREE PROTECTION
900 MISCELLANEOUS
THESE STANDARD DRAWINGS ILLUSTRATE MINIMUM ACCEPTABLE STANDARDS FOR LAND DEVELOPMENT ACTIVITIES AUTHORIZED UNDER THE DEVELOPMENT REGULATIONS OF GWINNETT COUNTY, GEORGIA. HOWEVER, THESE STANDARDS SHALL NOT SUPERSEDE MORE RESTRICTIVE PRUDENT DESIGN REQUIREMENTS OR GOOD ENGINEERING PRACTICE AS APPLIED TO SPECIFIC SITUATIONS ON A CASE-BY-CASE BASIS. UNLESS OTHERWISE SPECIFIED ON THESE STANDARD DRAWINGS OR IN THE DEVELOPMENT REGULATIONS, ALL CONSTRUCTION SHALL MEET OR EXCEED THE MINIMUM STANDARDS ESTABLISHED BY THE GEORGIA DEPARTMENT OF TRANSPORTATION.
EFFECTIVE JANUARY 5, 1988


GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Street Grading Local or Minor Collector Street
DATE: JANUARY 1988
SHEET: 101
FINISHED GRADE TOP OF PAVEMENT AT CENTERLINE
BASE + PAVING + 3"
SUBGRADE ELEV.
INSERT A
50' FOR 27' STREET
60' FOR 32' STREET
NOTE: GRADE 3% FLAT
BACK TO BACK PLUS 4 FEET EACH SIDE
CURB & GUTTER (TYPICAL)
SEE INSERT A
12"
SUBGRADE ELEVATION
COMPACTED TO 100% OF MAXIMUM THEORETICAL DENSITY (AASHTO T-99)
11.5' RES.
14' NON-RES.
CLEARING BEYOND THIS POINT AS REQUIRED TO OBTAIN THE NECESSARY SLOPE.
FILL 2H:1V MAX.
CUT 2H:1V MAX.
SLOPE 1/2" : 1'
NOTES:
1. TOP OF SHOULDER TO BE GRADED HIGH TO FURNISH MATERIAL TO BACKFILL BEHIND CURB.
2. FOR UTILITY LOCATIONS SEE SHEET 501
3. MAXIMUM CUT OR FILL SLOPES 2H:1V


GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Examples of Geotextiles Used in Drainage Applications
DATE: JANUARY 1988 SHEET: 102
EXCAVATED TRENCH
FABRIC ROLLED IN PLACE
STONE ADDED
FABRIC LAPPED CLOSED
Geotextile Fabric
Collector Pipe
Low Permeability Compacted Backfill
Coarse open-graded material sized for maximum permeability
Natural Soil to be Drained
FABRIC-LINED DITCH UNDERDRAIN
Rip Rap For UV And Ditch Runoff Protection
Cut Slope
Natural Slope
Seepage Flow
Securing Pin
Geotextile Fabric
NOTE: CHECK SLOPE STRUCTURAL STABILITY BEFORE CUTTING AT TOE TO INSTALL DRAIN
ROCK TOE INTERCEPTOR DRAIN FOR CUT SLOPE SEEPAGE
Pavement
Backfill
Cut Slope
Drain Outlet
Natural Slope
Seepage Flow
Collector Pipe
Geotextile Fabric
Coarse Open-Graded Material
TRENCH INTERCEPTOR DRAIN FOR CUT SLOPE SEEPAGE



DESIGN PARAMETERS

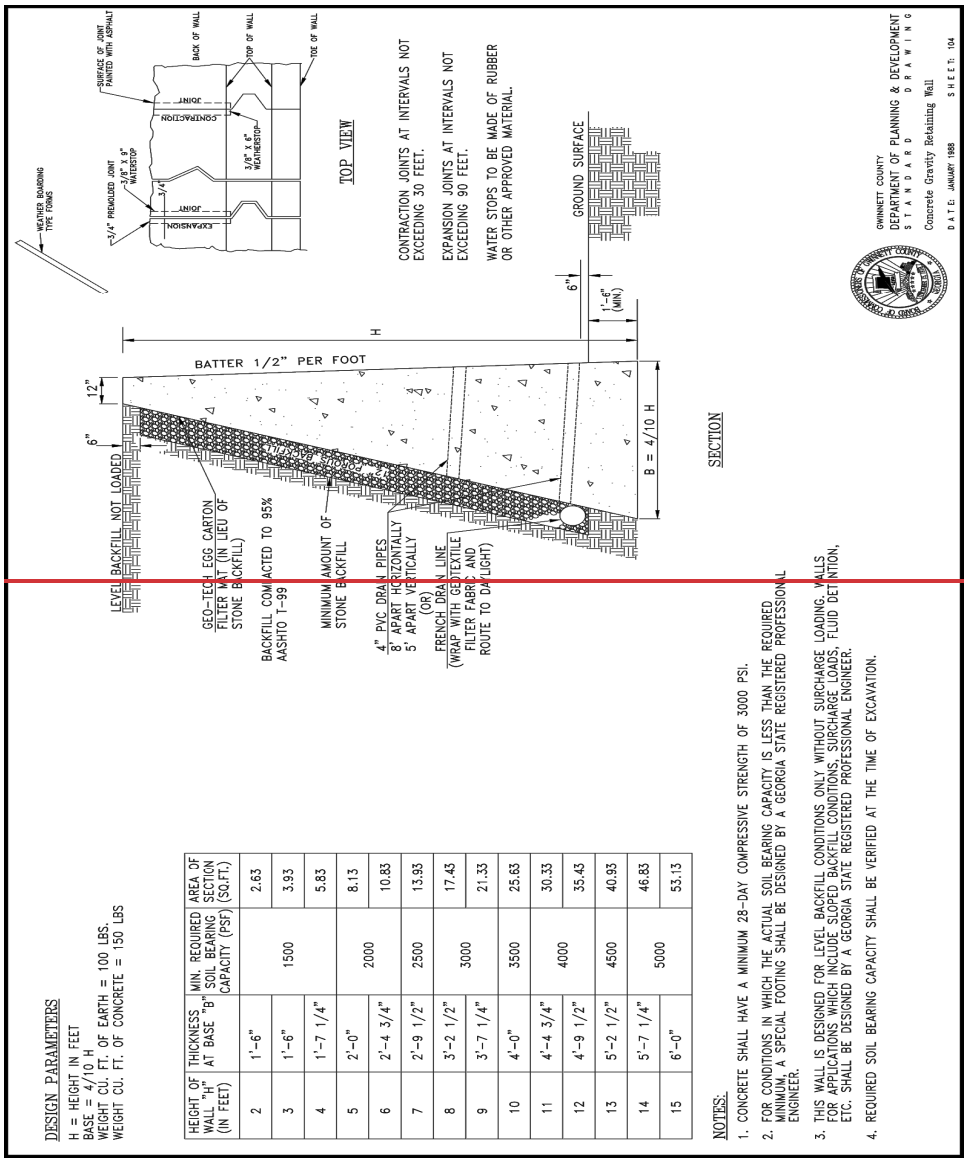
H = HEIGHT IN FEET
BASE = 4/10 H
WEIGHT CU. FT. OF EARTH = 100 LBS
WEIGHT CU. FT. OF RUBBLE OR GRANITE = 150 LBS

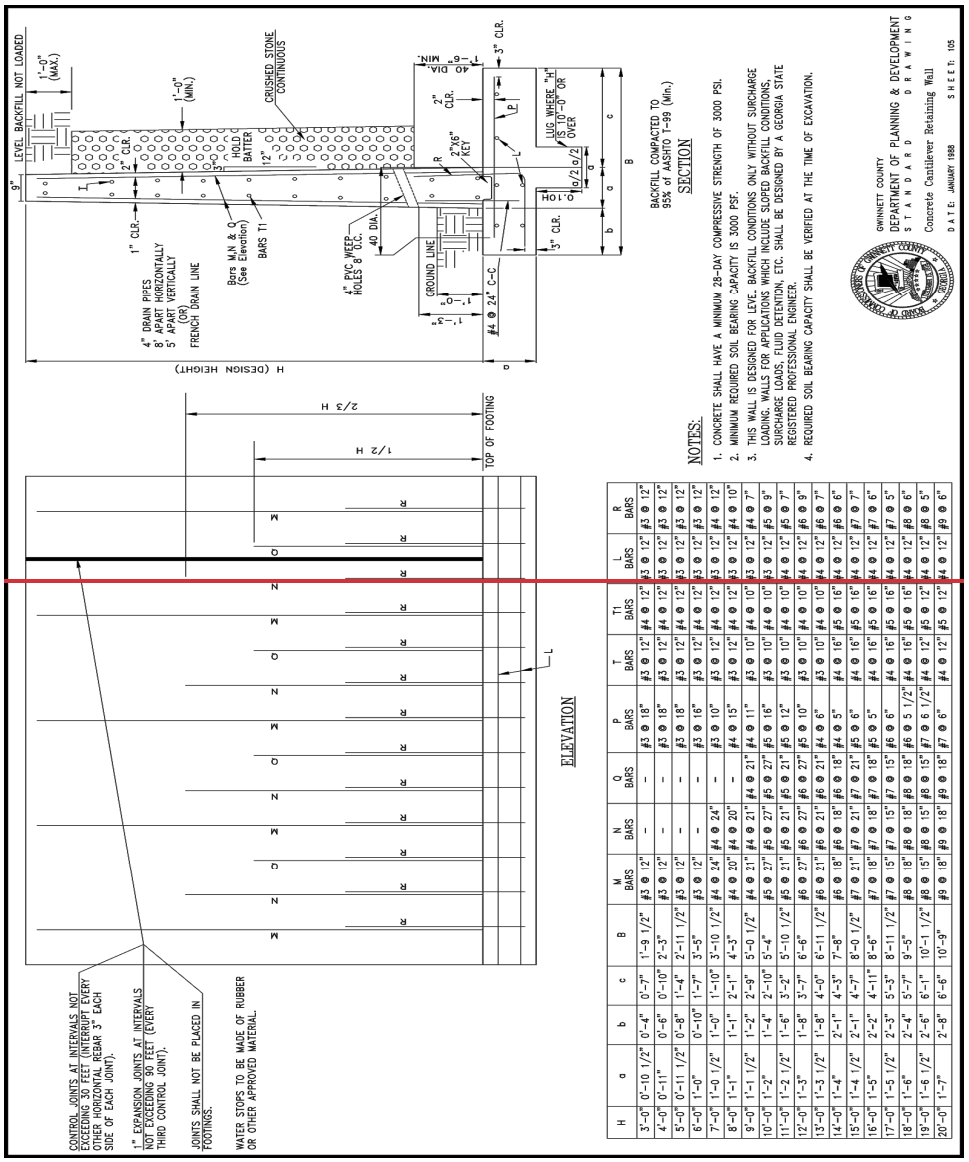
HEIGHT OF WALL "H" IN FT.	THICKNESS AT BASE B = 0.4H	MIN. REQUIRED SOIL BEARING CAPACITY (PSF)	AREA OF WALL (SQ.FT.)	AREA OF FOOTING (SQ.FT.)
2	1'-6"	1500	0.75	2.875
3	1'-6"		2.25	2.875
4	1'-7 1/4"		3.828	2.997
5	2'-0"	2000	5.862	3.513
6	2'-4 3/4"		8.212	4.113
7	2'-9 1/2"	2500	12.060	4.615
8	3'-2 1/2"	3000	14.240	5.186
9	3'-7 1/4"		17.813	5.762
10	4'-0"	3500	21.781	6.344
11	4'-4 3/4"	4000	26.148	6.927
12	4'-9 1/2"		30.909	7.516
13	5'-2 1/2"	4500	36.070	8.105
14	5'-7 1/4"	5000	41.629	8.696
15	6'-0"		47.587	9.288

NOTES

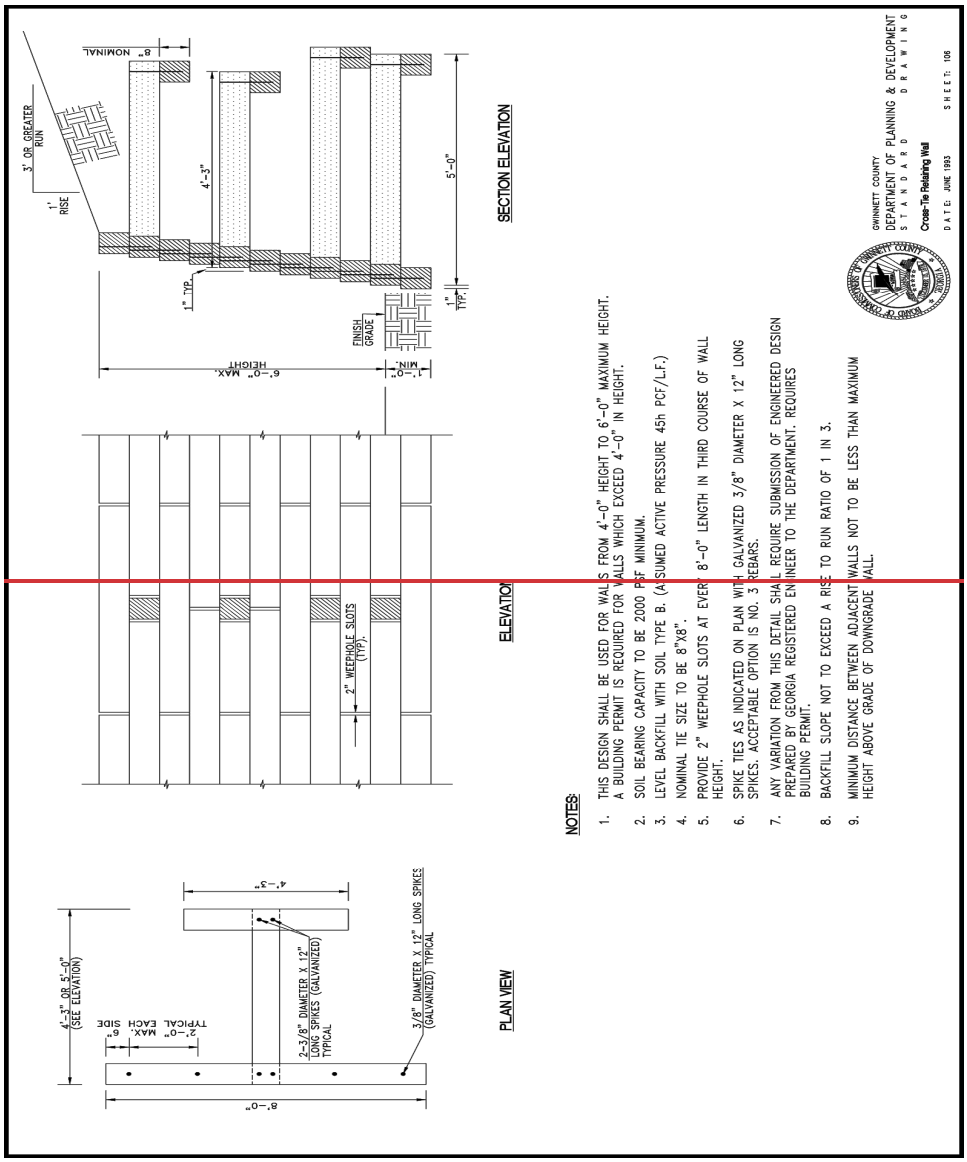
1. STONE LAID IN PORTLAND CEMENT (3 PARTS SAND TO ONE PART CEMENT).
2. DRAIN PIPES ARE TO BE ONE CONTINUOUS LENGTH OR BELL AND SPIGOT WITH MORTAR JOINTS.
3. CONCRETE SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 3000 PSI.
4. FOR CONDITIONS IN WHICH THE ACTUAL SOIL BEARING CAPACITY IS LESS THAN THE REQUIRED MINIMUM, A SPECIAL FOOTING SHALL BE DESIGNED BY A GEORGIA STATE REGISTERED PROFESSIONAL ENGINEER.
5. DEPTH OF FOUNDATION TO BE DETERMINED BY SOIL CONDITIONS (1'-6" MIN.)
6. THIS WALL IS DESIGNED FOR LEVEL BACKFILL CONDITIONS ONLY WITHOUT SURCHARGE LOADING. WALLS FOR APPLICATIONS WHICH INCLUDE SLOPED BACKFILL CONDITIONS, SURCHARGE LOADS, FLUID DETENTION, ETC. SHALL BE DESIGNED BY A GEORGIA STATE REGISTERED PROFESSIONAL ENGINEER.
7. REQUIRED SOIL BEARING CAPACITY SHALL BE VERIFIED AT THE TIME OF EXCAVATION.

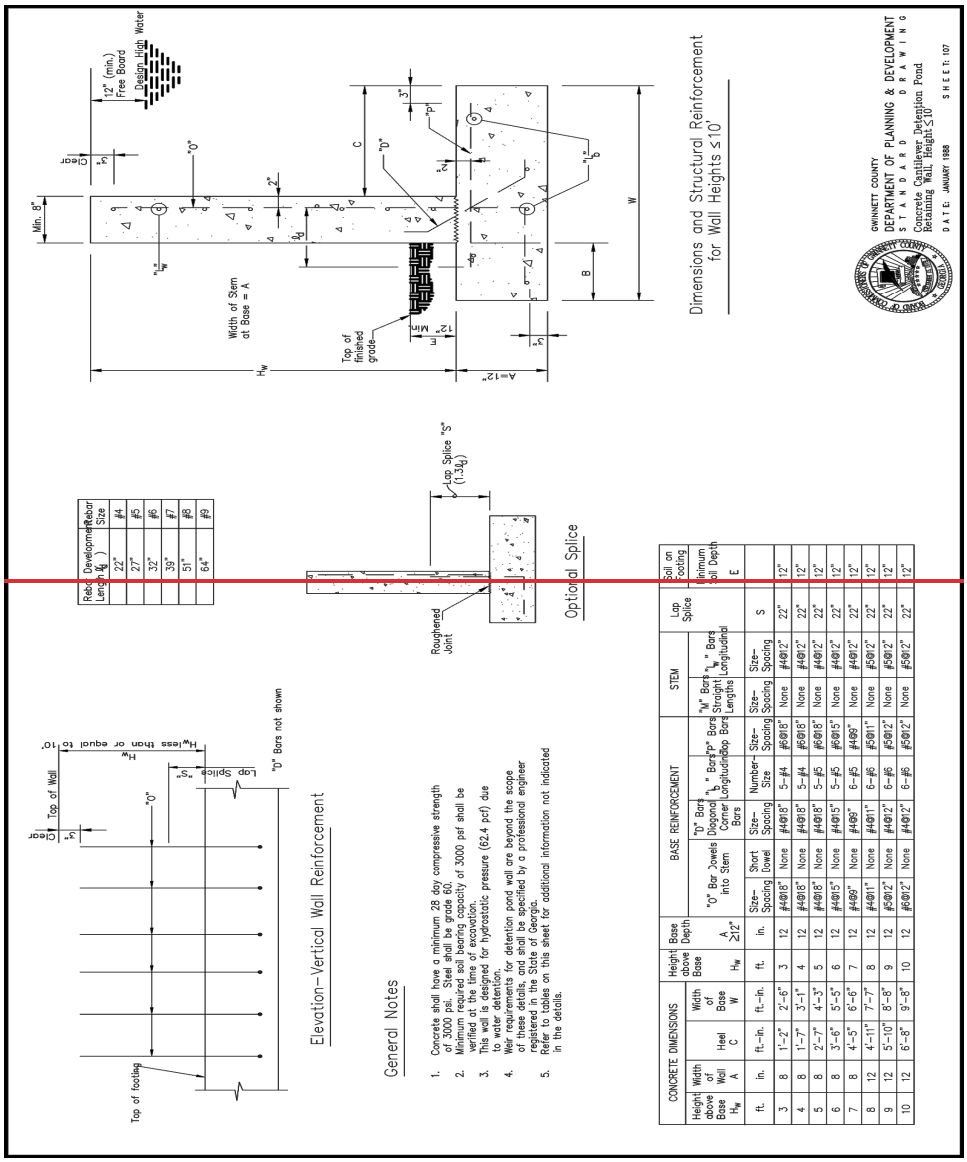
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Mortar Rubble - Granite Retaining Wall, Level Backfill
DATE: JANUARY 1988 SHEET: 103


GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Concrete Gravity Retaining Wall
DATE: JANUARY 1988
SHEET: 104
DESIGN PARAMETERS
H = HEIGHT IN FEET
BASE = 4/10 H
WEIGHT CU. FT. OF EARTH = 100 LBS.
WEIGHT CU. FT. OF CONCRETE = 150 LBS
HEIGHT OF WALL "H" (IN FEET)
THICKNESS AT BASE "B"
MIN. REQUIRED SOIL BEARING CAPACITY (PSF)
AREA OF SECTION (SQ.FT.)
2 1'-6" 1500 2.63
3 1'-6" 3.93
4 1'-7 1/4" 5.83
5 2'-0" 2000 8.13
6 2'-4 3/4" 10.83
7 2'-9 1/2" 2500 13.93
8 3'-2 1/2" 3000 17.43
9 3'-7 1/4" 21.33
10 4'-0" 3500 25.63
11 4'-4 3/4" 4000 30.33
12 4'-9 1/2" 35.43
13 5'-2 1/2" 4500 40.93
14 5'-7 1/4" 5000 46.83
15 6'-0" 53.13
NOTES:
1. CONCRETE SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 3000 PSI.
2. FOR CONDITIONS IN WHICH THE ACTUAL SOIL BEARING CAPACITY IS LESS THAN THE REQUIRED MINIMUM, A SPECIAL FOOTING SHALL BE DESIGNED BY A GEORGIA STATE REGISTERED PROFESSIONAL ENGINEER.
3. THIS WALL IS DESIGNED FOR LEVEL BACKFILL CONDITIONS ONLY WITHOUT SURCHARGE LOADING. WALLS FOR APPLICATIONS WHICH INCLUDE SLOPED BACKFILL CONDITIONS, SURCHARGE LOADS, FLUID DETENTION, ETC. SHALL BE DESIGNED BY A GEORGIA STATE REGISTERED PROFESSIONAL ENGINEER.
4. REQUIRED SOIL BEARING CAPACITY SHALL BE VERIFIED AT THE TIME OF EXCAVATION.
SECTION
TOP VIEW
CONTRACTION JOINTS AT INTERVALS NOT EXCEEDING 30 FEET.
EXPANSION JOINTS AT INTERVALS NOT EXCEEDING 90 FEET.
WATER STOPS TO BE MADE OF RUBBER OR OTHER APPROVED MATERIAL.
BATTER 1/2" PER FOOT
LEVEL BACKFILL NOT LOADED FOR 24 HOURS
GEO-TECH EGG CARTON FILTER MAT (IN LIEU OF STONE BACKFILL)
BACKFILL COMPACTED TO 95% AASHTO T-99
MINIMUM AMOUNT OF STONE BACKFILL
4" PVC DRAIN PIPES 8' APART HORIZONTALLY 5' APART VERTICALLY (OR) FRENCH DRAIN LINE (WRAP WITH GEOTEXTILE FILTER FABRIC AND ROUTE TO DAYLIGHT)
GROUND SURFACE
B = 4/10 H
H
12"
6"
6"
1'-6" (MIN.)
WEATHER BOARDING TYPE FORMS
3/4" PREMOLDED JOINT
3/8" X 9" WATERSTOP
3/4"
EXPANSION
JOINT
CONTRACTION
JOINT
3/8" X 6" WEATHERSTOP
SURFACE OF JOINT PAINTED WITH ASPHALT
BACK OF WALL
TOP OF WALL
TOE OF WALL

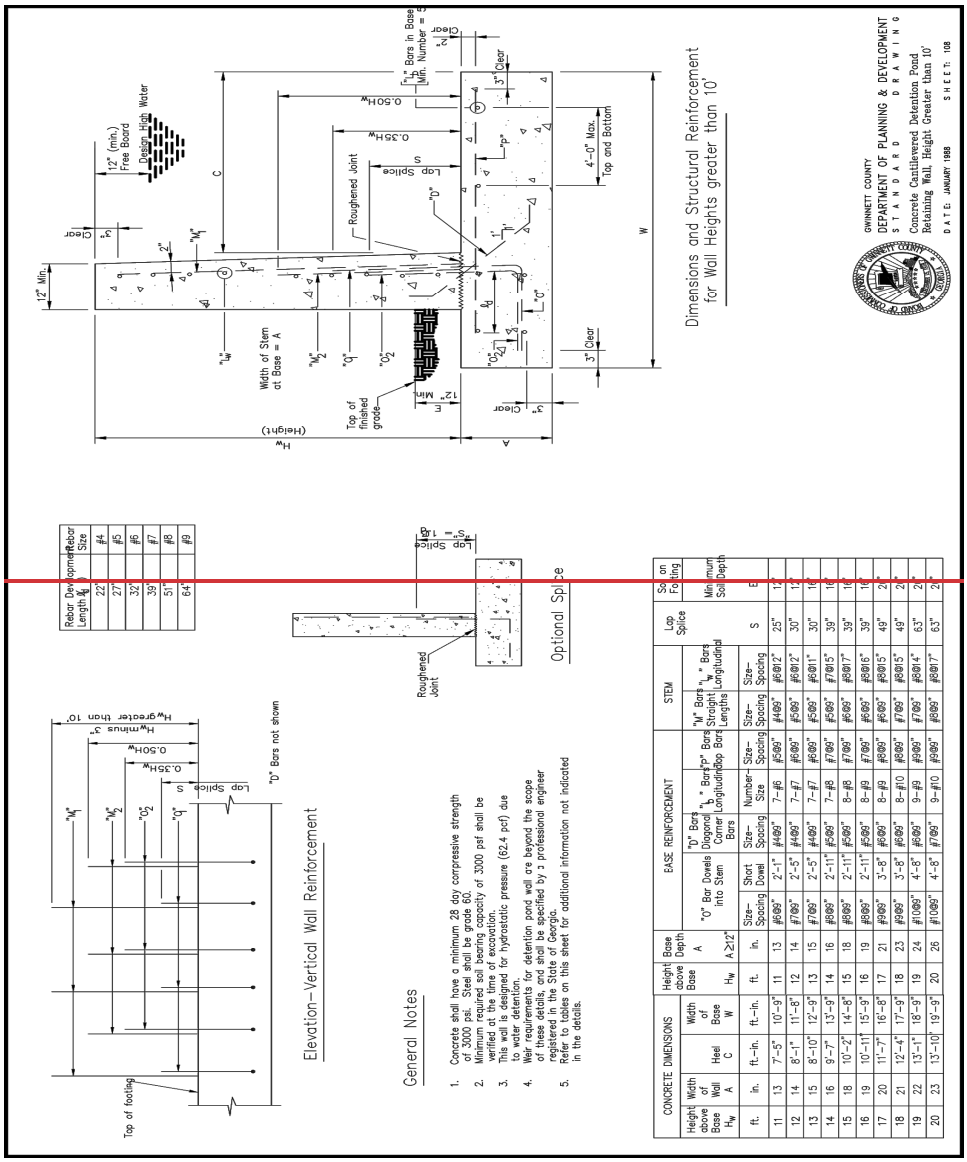


H	a	b	c	B	M BARS	N BARS	Q BARS	P BARS	T BARS	T1 BARS	L BARS	R BARS
3'-0"	0'-10 1/2"	0'-4"	0'-7"	1'-9 1/2"	#3 @ 12"	–	–	#3 @ 18"	#3 @ 12"	#4 @ 12"	#3 @ 12"	#3 @ 12"
4'-0"	0'-11"	0'-6"	0'-10"	2'-3"	#3 @ 12"	–	–	#3 @ 18"	#3 @ 12"	#4 @ 12"	#3 @ 12"	#3 @ 12"
5'-0"	0'-11 1/2"	0'-8"	1'-4"	2'-11 1/2"	#3 @ 12"	–	–	#3 @ 18"	#3 @ 12"	#4 @ 12"	#3 @ 12"	#3 @ 12"
6'-0"	1'-0"	0'-10"	1'-7"	3'-5"	#3 @ 12"	–	–	#3 @ 16"	#3 @ 12"	#4 @ 12"	#3 @ 12"	#3 @ 12"
7'-0"	1'-0 1/2"	1'-0"	1'-10"	3'-10 1/2"	#4 @ 24"	#4 @ 24"	–	#3 @ 10"	#3 @ 12"	#4 @ 12"	#3 @ 12"	#4 @ 12"
8'-0"	1'-1"	1'-1"	2'-1"	4'-3"	#4 @ 20"	#4 @ 20"	–	#4 @ 15"	#3 @ 12"	#4 @ 12"	#3 @ 12"	#4 @ 10"
9'-0"	1'-1 1/2"	1'-2"	2'-9"	5'-0 1/2"	#4 @ 21"	#4 @ 21"	#4 @ 21"	#4 @ 11"	#3 @ 10"	#4 @ 10"	#3 @ 12"	#4 @ 7"
10'-0"	1'-2"	1'-4"	2'-10"	5'-4"	#5 @ 27"	#5 @ 27"	#5 @ 27"	#5 @ 16"	#3 @ 10"	#4 @ 10"	#3 @ 12"	#5 @ 9"
11'-0"	1'-2 1/2"	1'-6"	3'-2"	5'-10 1/2"	#5 @ 21"	#5 @ 21"	#5 @ 21"	#6 @ 12"	#3 @ 10"	#4 @ 10"	#4 @ 12"	#5 @ 7"
12'-0"	1'-3"	1'-8"	3'-7"	6'-6"	#6 @ 27"	#6 @ 27"	#6 @ 27"	#5 @ 10"	#3 @ 10"	#4 @ 10"	#4 @ 12"	#6 @ 9"
13'-0"	1'-3 1/2"	1'-8"	4'-0"	6'-11 1/2"	#6 @ 21"	#6 @ 21"	#6 @ 21"	#4 @ 6"	#3 @ 10"	#4 @ 10"	#4 @ 12"	#6 @ 7"
14'-0"	1'-4"	2'-1"	4'-5"	7'-8"	#6 @ 18"	#6 @ 18"	#6 @ 18"	#4 @ 5"	#4 @ 16"	#5 @ 16"	#4 @ 12"	#6 @ 6"
15'-0"	1'-4 1/2"	2'-1"	4'-7"	8'-0 1/2"	#7 @ 21"	#7 @ 21"	#7 @ 21"	#5 @ 6"	#4 @ 16"	#5 @ 16"	#4 @ 12"	#7 @ 7"
16'-0"	1'-5"	2'-2"	4'-11"	8'-6"	#7 @ 18"	#7 @ 18"	#7 @ 18"	#5 @ 5"	#4 @ 16"	#5 @ 16"	#4 @ 12"	#7 @ 6"
17'-0"	1'-5 1/2"	2'-3"	5'-3"	8'-11 1/2"	#7 @ 15"	#7 @ 15"	#7 @ 15"	#6 @ 6"	#4 @ 16"	#5 @ 16"	#4 @ 12"	#7 @ 5"
18'-0"	1'-6"	2'-4"	5'-7"	9'-5"	#8 @ 18"	#8 @ 18"	#8 @ 18"	#6 @ 5 1/2"	#4 @ 16"	#5 @ 16"	#4 @ 12"	#8 @ 6"
19'-0"	1'-6 1/2"	2'-6"	6'-1"	10'-1 1/2"	#8 @ 15"	#8 @ 15"	#8 @ 15"	#7 @ 6 1/2"	#4 @ 12"	#5 @ 12"	#4 @ 12"	#8 @ 5"
20'-0"	1'-7"	2'-8"	6'-6"	10'-9"	#9 @ 18"	#9 @ 18"	#9 @ 18"	#7 @ 6"	#4 @ 12"	#5 @ 12"	#4 @ 12"	#9 @ 6"


GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Cross-Tie Retaining Wall
DATE: JUNE 1993
SHEET: 106
SECTION ELEVATION
ELEVATION
PLAN VIEW
NOTES:
1. THIS DESIGN SHALL BE USED FOR WALLS FROM 4'-0" HEIGHT TO 6'-0" MAXIMUM HEIGHT. A BUILDING PERMIT IS REQUIRED FOR WALLS WHICH EXCEED 4'-0" IN HEIGHT.
2. SOIL BEARING CAPACITY TO BE 2000 PSF MINIMUM.
3. LEVEL BACKFILL WITH SOIL TYPE B. (ASUMED ACTIVE PRESSURE 45h PCF/L.F.)
4. NOMINAL TIE SIZE TO BE 8"X8".
5. PROVIDE 2" WEEPHOLE SLOTS AT EVERY 8'-0" LENGTH IN THIRD COURSE OF WALL HEIGHT.
6. SPIKE TIES AS INDICATED ON PLAN WITH GALVANIZED 3/8" DIAMETER X 12" LONG SPIKES. ACCEPTABLE OPTION IS NO. 3 REBARS.
7. ANY VARIATION FROM THIS DETAIL SHALL REQUIRE SUBMISSION OF ENGINEERED DESIGN PREPARED BY GEORGIA REGISTERED ENGINEER TO THE DEPARTMENT. REQUIRES BUILDING PERMIT.
8. BACKFILL SLOPE NOT TO EXCEED A RISE TO RUN RATIO OF 1 IN 3.
9. MINIMUM DISTANCE BETWEEN ADJACENT WALLS NOT TO BE LESS THAN MAXIMUM HEIGHT ABOVE GRADE OF DOWNGRADE WALL.
8" NOMINAL
3' OR GREATER RUN
1' RISE
4'-3"
5'-0"
1" TYP.
FINISH GRADE
6'-0" MAX. HEIGHT
1'-0" MIN.
2" WEEPHOLE SLOTS (TYP.)
4'-3"
4'-3" OR 5'-0" (SEE ELEVATION)
TYPICAL EACH SIDE 2'-0" MAX. 6"
2-3/8" DIAMETER X 12" LONG SPIKES (GALVANIZED) TYPICAL
3/8" DIAMETER X 12" LONG SPIKES (GALVANIZED) TYPICAL
8'-0"

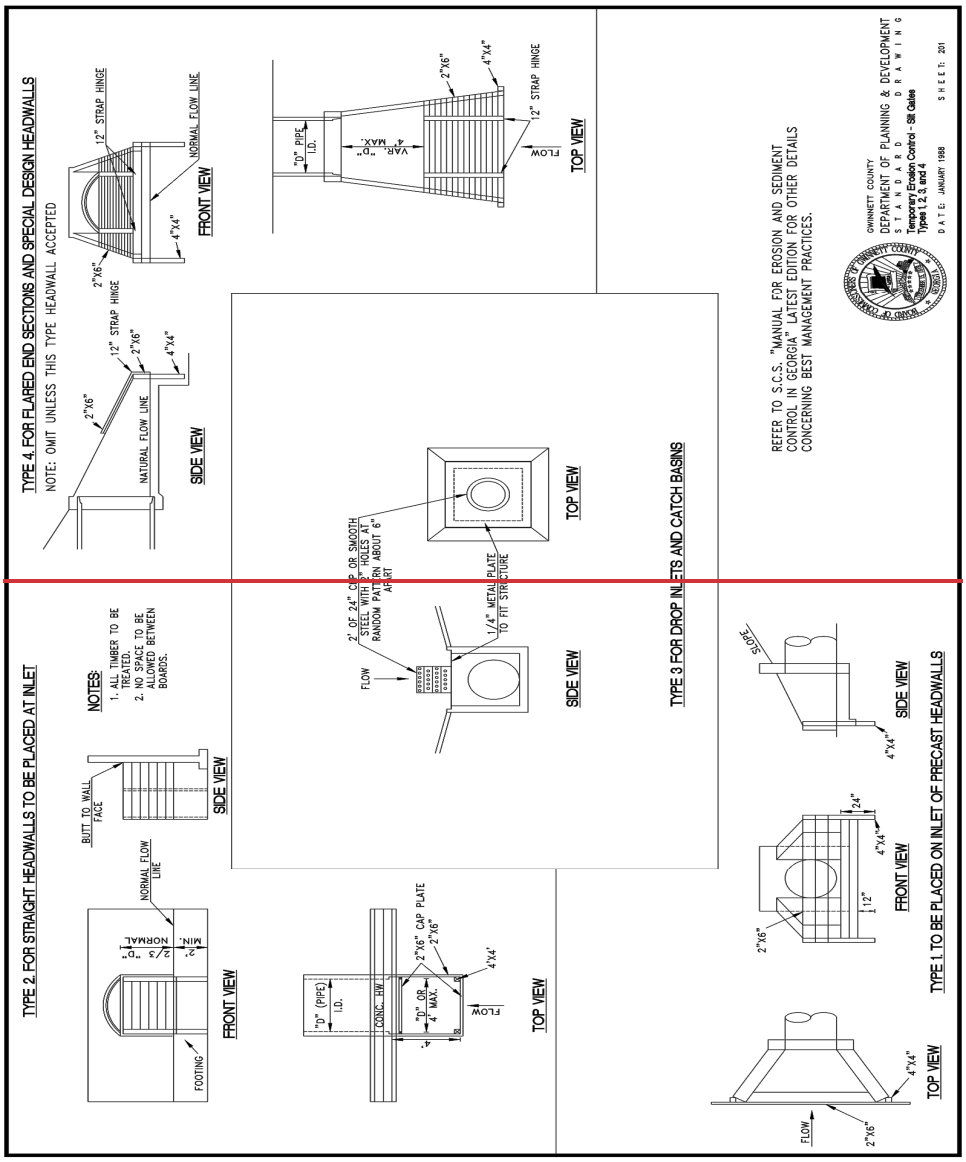


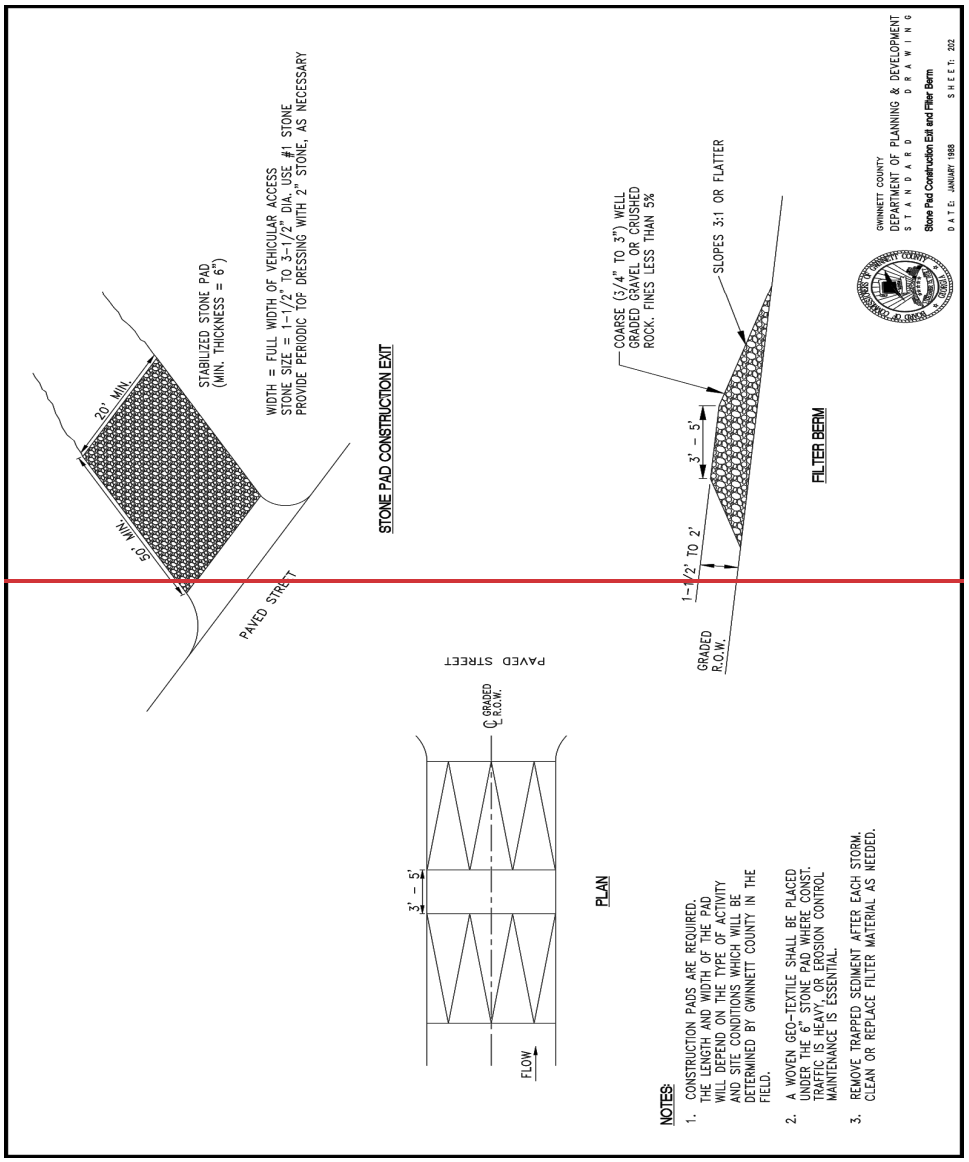
CONCRETE DIMENSIONS				BASE REINFORCEMENT							STEM		Lap Splice	Soil on Footing
Height above Base H_w	Width of Wall A	Heel C	Width of Base W	Base Depth	"D" Bar Dowels into Stem		"D" Bars Diagonal Corner Bars	"L" Bars Longitudinal Bars		Top Bars	"M" Bars Straight Lengths	"L" Bars Longitudinal		Minimum Soil Depth E
ft.	in.	ft.–in.	ft.–in.	in. A ≥12"	Size–Spacing	Short Dowel	Size–Spacing	Number–Size	Size–Spacing	Size–Spacing	Size–Spacing	Size–Spacing	S	
3	8	1'–2"	2'–6"	12	#4@18"	None	#4@18"	5–#4	#6@18"	None	#4@12"	#4@12"	22"	12"
4	8	1'–7"	3'–1"	12	#4@18"	None	#4@18"	5–#4	#6@18"	None	#4@12"	#4@12"	22"	12"
5	8	2'–7"	4'–3"	12	#4@18"	None	#4@18"	5–#5	#6@18"	None	#4@12"	#4@12"	22"	12"
6	8	3'–6"	5'–5"	12	#4@15"	None	#4@15"	5–#5	#6@15"	None	#4@12"	#4@12"	22"	12"
7	8	4'–5"	6'–6"	12	#4@9"	None	#4@9"	6–#5	#4@9"	None	#4@12"	#4@12"	22"	12"
8	12	4'–11"	7'–7"	12	#4@11"	None	#4@11"	6–#6	#5@11"	None	#5@12"	#5@12"	22"	12"
9	12	5'–10"	8'–8"	12	#5@12"	None	#4@12"	6–#6	#5@12"	None	#5@12"	#5@12"	22"	12"
10	12	6'–8"	9'–8"	12	#5@12"	None	#4@12"	6–#6	#5@12"	None	#5@12"	#5@12"	22"	12"

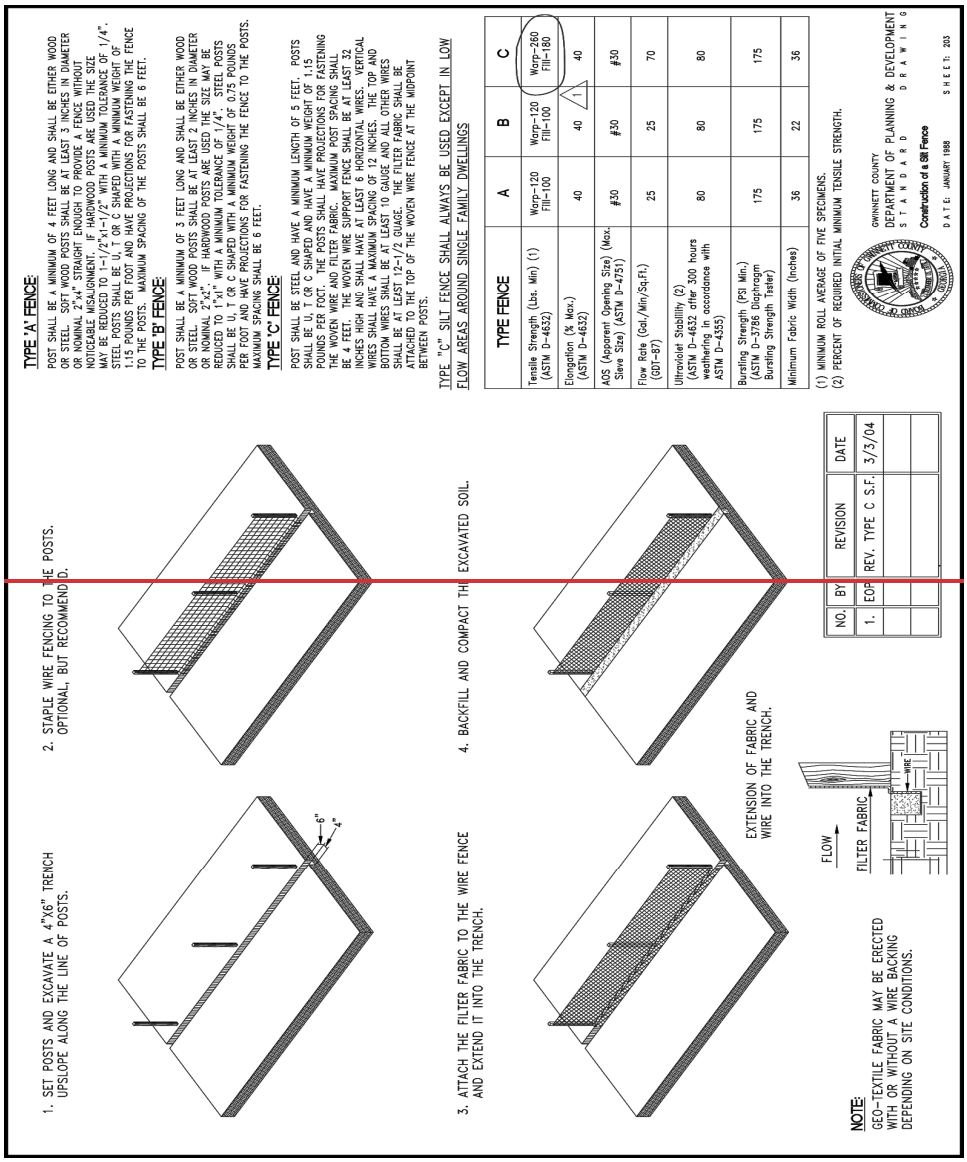


Rebar Designation	Rebar Size
22"	#4
27"	#5
32"	#6
39"	#7
51"	#8
64"	#9

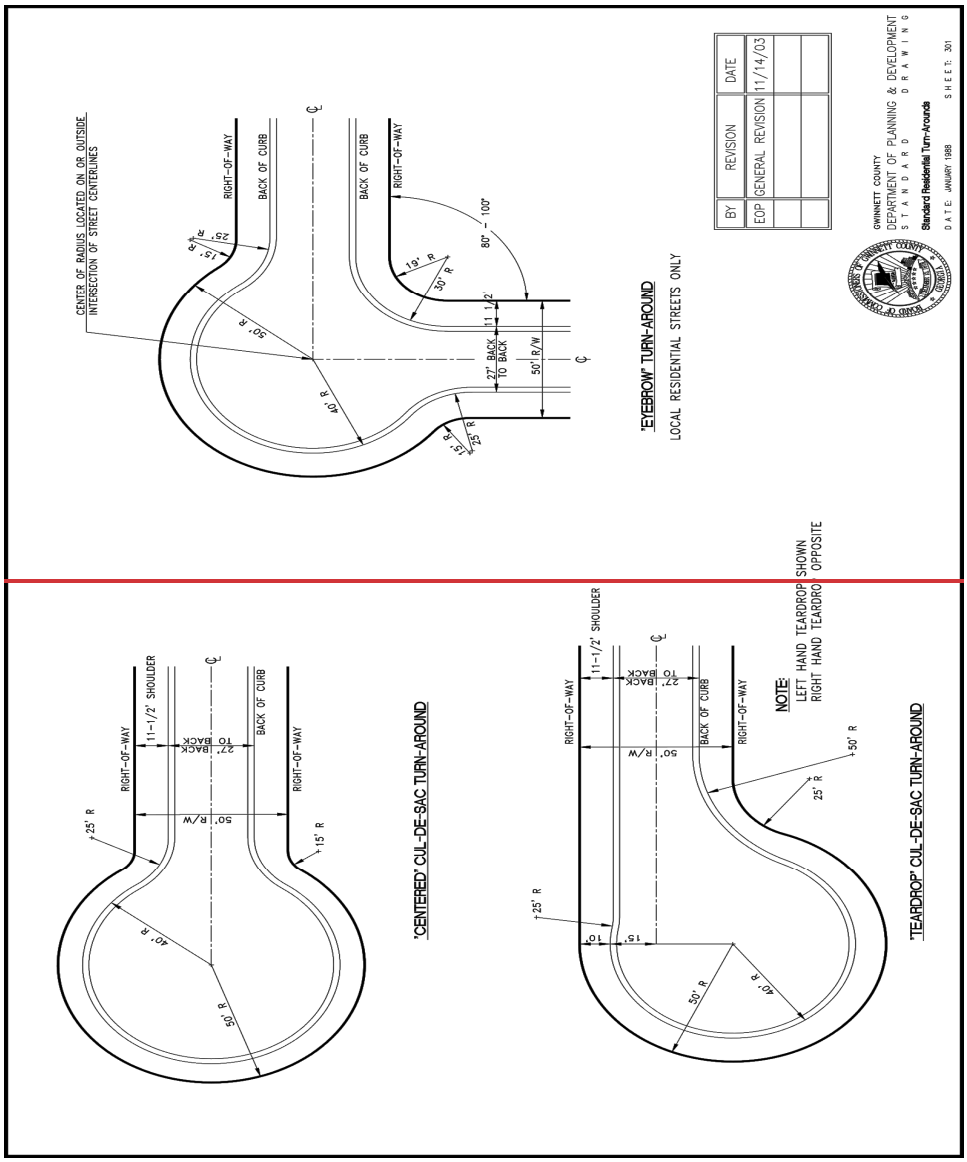
CONCRETE DIMENSIONS				EASE REINFORCEMENT						STEM		Lap Splice	Scour Footing
Height above Base H_w	Width of Wall A	Heel C	Width of Base W	Height above Base H_w	Base Depth A	"D" Bar Dowels into Stem		"D" Bars Diagonal Corner Bars	"L" Bars Longitudinal Bars	"W" Bars Straight Lengths		"L" Bars Longitudinal	Minimum Soil Depth
					A ≥12"	Size–Spacing	Short Dowel	Size–Spacing	Number–Size	Size–Spacing	Size–Spacing	Size–Spacing	S	E
ft.	in.	ft.–in.	ft.–in.	ft.	in.	#5@9"	2'–1"	#4@9"	7–#6	#5@9"	#4@9"	#6@12"	25"	1'-0"
11	13	7'–5"	10'–9"	11	13	#7@6"	2'–5"	#4@9"	7–#7	#6@9"	#5@9"	#6@12"	30"	1'-0"
12	14	8'–1"	11'–8"	12	14	#7@6"	2'–5"	#4@9"	7–#7	#6@9"	#5@9"	#6@11"	30"	1'-0"
13	15	8'–10"	12'–9"	13	15	#7@6"	2'–5"	#4@9"	7–#7	#6@9"	#5@9"	#6@11"	30"	1'-0"
14	16	9'–7"	13'–9"	14	16	#8@6"	2'–11"	#5@9"	7–#8	#7@9"	#5@9"	#7@15"	39"	1'-0"
15	18	10'–2"	14'–8"	15	18	#8@6"	2'–11"	#5@9"	8–#8	#7@9"	#6@9"	#8@17"	39"	1'-0"
16	19	10'–11"	15'–9"	16	19	#8@6"	2'–11"	#5@9"	8–#9	#7@9"	#6@9"	#8@16"	39"	1'-0"
17	20	11'–7"	16'–8"	17	21	#9@6"	3'–8"	#6@9"	8–#9	#8@9"	#6@9"	#8@15"	49"	2'-0"
18	21	12'–4"	17'–9"	18	23	#9@6"	3'–8"	#6@9"	8–#10	#8@9"	#7@9"	#8@15"	49"	2'-0"
19	22	13'–1"	18'–9"	19	24	#10@6"	4'–8"	#6@9"	9–#9	#9@9"	#7@9"	#9@14"	63"	2'-0"
20	23	13'–10"	19'–9"	20	26	#10@6"	4'–8"	#7@9"	9–#10	#9@9"	#8@9"	#9@17"	63"	2'-0"

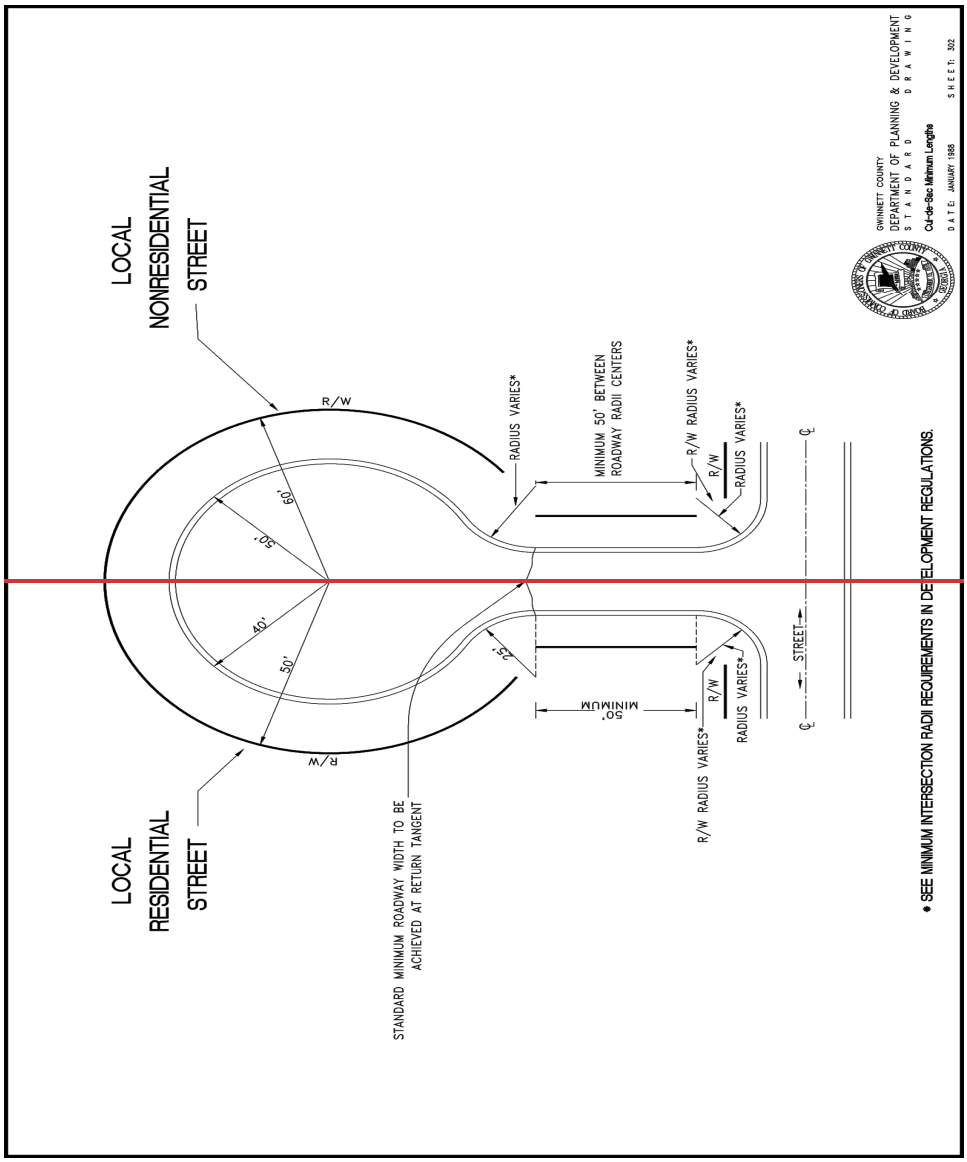

TYPE 4. FOR FLARED END SECTIONS AND SPECIAL DESIGN HEADWALLS
NOTE: OMIT UNLESS THIS TYPE HEADWALL ACCEPTED
FRONT VIEW
SIDE VIEW
TOP VIEW
TYPE 2. FOR STRAIGHT HEADWALLS TO BE PLACED AT INLET
NOTES:
1. ALL TIMBER TO BE TREATED.
2. NO SPACE TO BE ALLOWED BETWEEN BOARDS.
FRONT VIEW
SIDE VIEW
TOP VIEW
TYPE 3 FOR DROP INLETS AND CATCH BASINS
REFER TO S.C.S. "MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA" LATEST EDITION FOR OTHER DETAILS CONCERNING BEST MANAGEMENT PRACTICES.
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Temporary Erosion Control - Silt Cation
Types 1, 2, 3, and 4
DATE: JANUARY 1988
SHEET: 201
SIDE VIEW
FRONT VIEW
TOP VIEW
TYPE 1. TO BE PLACED ON INLET OF PRECAST HEADWALLS

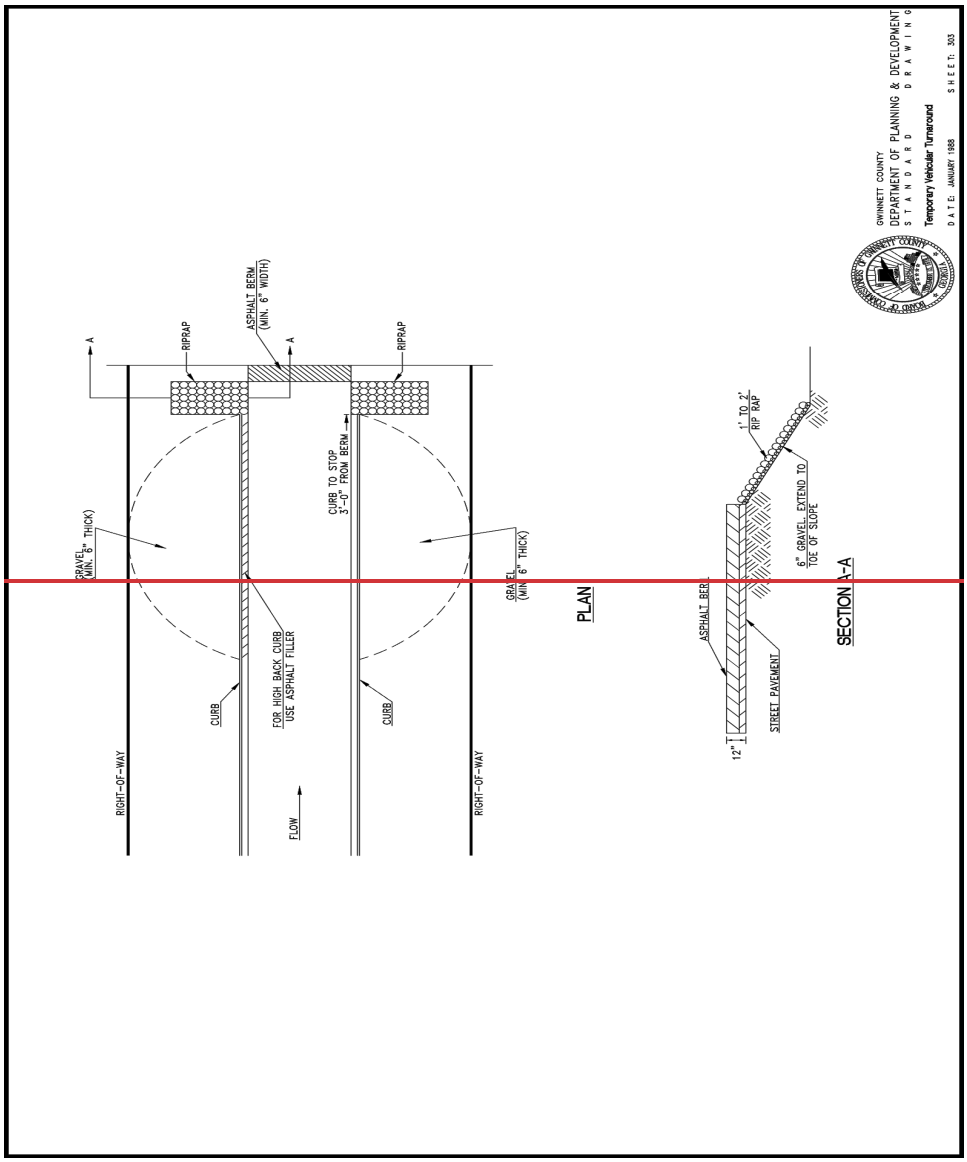

STONE PAD CONSTRUCTION EXIT
STABILIZED STONE PAD
(MIN. THICKNESS = 6")
WIDTH = FULL WIDTH OF VEHICULAR ACCESS
STONE SIZE = 1-1/2" TO 3-1/2" DIA. USE #1 STONE
PROVIDE PERIODIC TOP DRESSING WITH 2" STONE, AS NECESSARY
20' MIN.
50' MIN.
PAVED STREET
PLAN
PAVED STREET
℄ GRADED R.O.W.
3' - 5'
FLOW
FILTER BERM
COARSE (3/4" TO 3") WELL GRADED GRAVEL OR CRUSHED ROCK. FINES LESS THAN 5%
SLOPES 3:1 OR FLATTER
3' - 5'
1-1/2' TO 2'
GRADED R.O.W.
NOTES:
1. CONSTRUCTION PADS ARE REQUIRED. THE LENGTH AND WIDTH OF THE PAD WILL DEPEND ON THE TYPE OF ACTIVITY AND SITE CONDITIONS WHICH WILL BE DETERMINED BY GWINNETT COUNTY IN THE FIELD.
2. A WOVEN GEO-TEXTILE SHALL BE PLACED UNDER THE 6" STONE PAD WHERE CONST. TRAFFIC IS HEAVY, OR EROSION CONTROL MAINTENANCE IS ESSENTIAL.
3. REMOVE TRAPPED SEDIMENT AFTER EACH STORM. CLEAN OR REPLACE FILTER MATERIAL AS NEEDED.
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Stone Pad Construction Exit and Filter Berm
DATE: JANUARY 1988
SHEET: 202

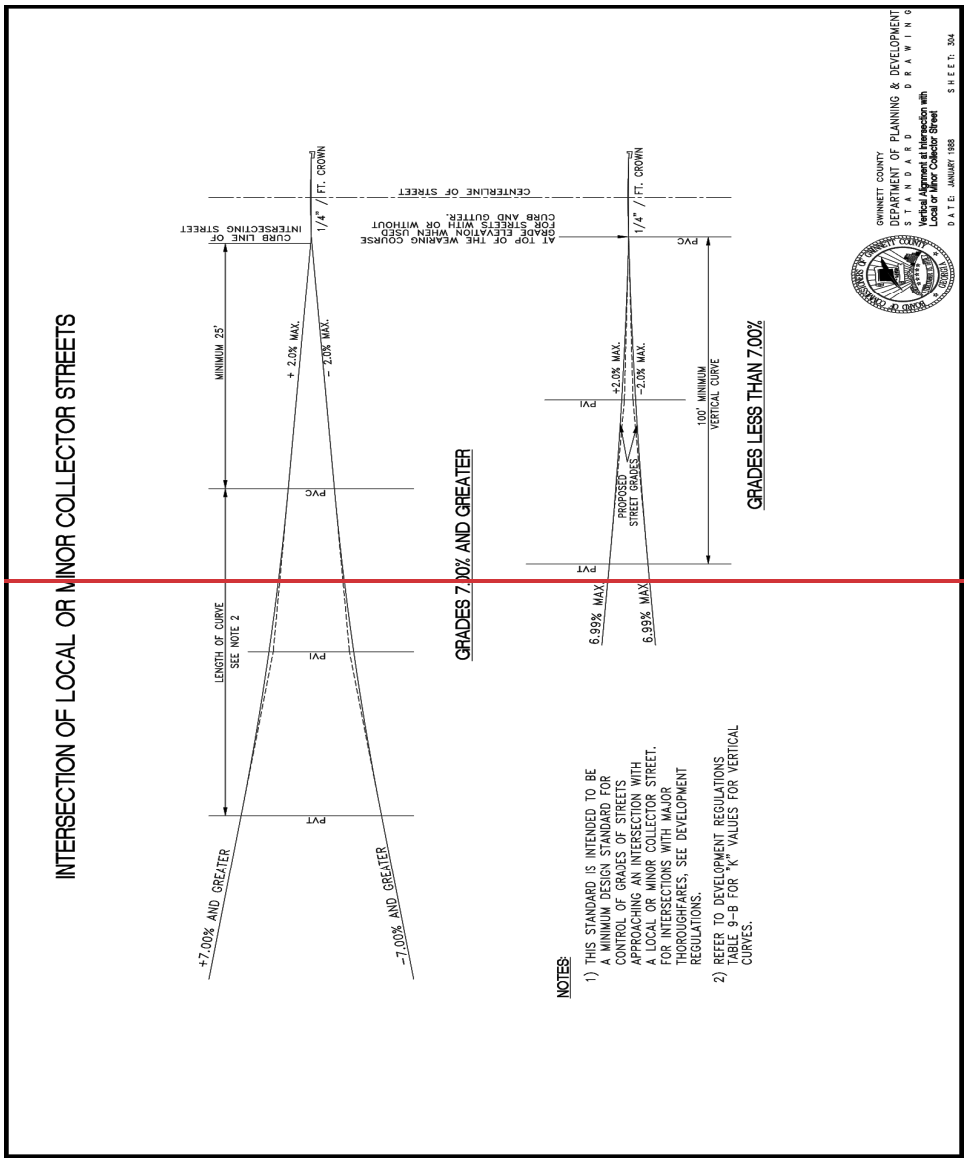


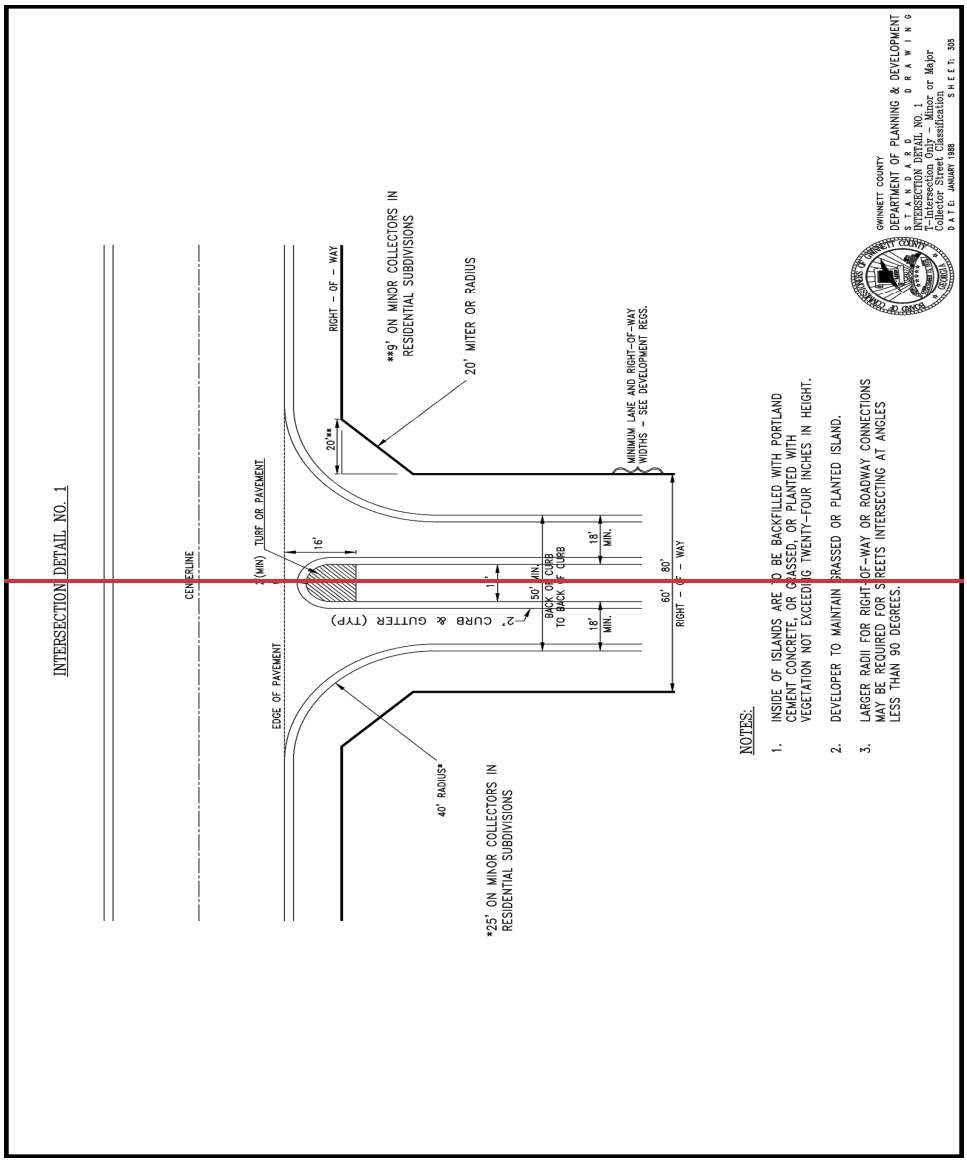
TYPE FENCE	A	B	C
Tensile Strength (Lbs. Min) (1) (ASTM D-4632)	Warp-120 Fill-100	Warp-120 Fill-100	Warp-260 Fill-180
Elongation (% Max.) (ASTM D-4632)	40	40	40
AOS (Apparent Opening Size) (Max. Sieve Size) (ASTM D-4751)	#30	#30	#30
Flow Rate (Gal./Min/Sq.Ft.) (GDT-87)	25	25	70
Ultraviolet Stability (2) (ASTM D-4632 after 300 hours weathering in accordance with ASTM D-4355)	80	80	80
Bursting Strength (PSI Min.) (ASTM D-3786 Diaphragm Bursting Strength Tester)	175	175	175
Minimum Fabric Width (Inches)	36	22	36

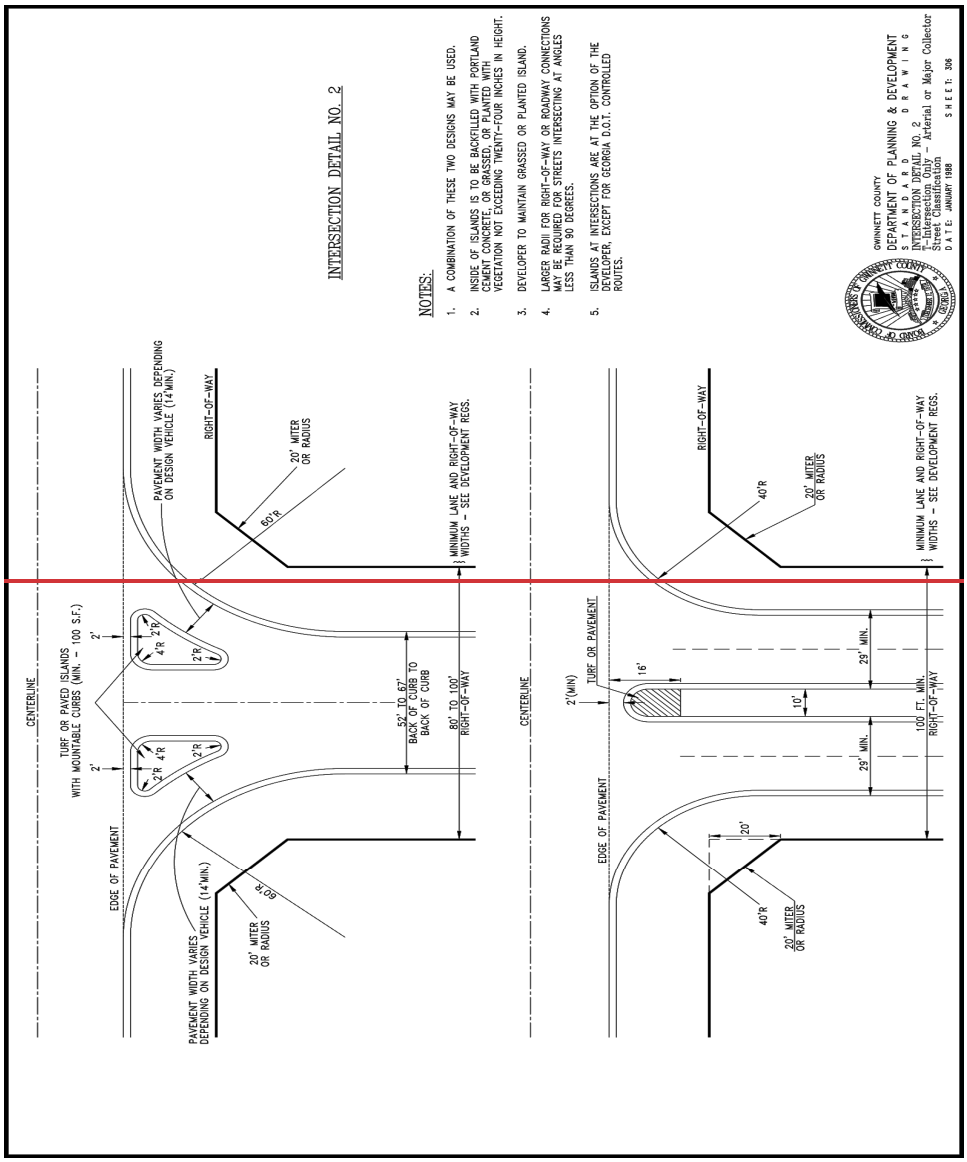

CENTER OF RADIUS LOCATED ON OR OUTSIDE INTERSECTION OF STREET CENTERLINES
RIGHT-OF-WAY
BACK OF CURB
BACK OF CURB
RIGHT-OF-WAY
80' - 100'
50' R
40' R
15' R
25' R
11 1/2'
27' BACK TO BACK
50' R/W
"EYEBROW" TURN-AROUND
LOCAL RESIDENTIAL STREETS ONLY
BY
EOP
REVISION
GENERAL REVISION
DATE
11/14/03
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Standard Residential Turn-Arounds
DATE: JANUARY 1988
SHEET: 301
"CENTERED" CUL-DE-SAC TURN-AROUND
RIGHT-OF-WAY
11-1/2' SHOULDER
27' BACK TO BACK
BACK OF CURB
RIGHT-OF-WAY
50' R/W
25' R
15' R
40' R
50' R
"TEARDROP" CUL-DE-SAC TURN-AROUND
NOTE:
LEFT HAND TEARDROP SHOWN
RIGHT HAND TEARDRO

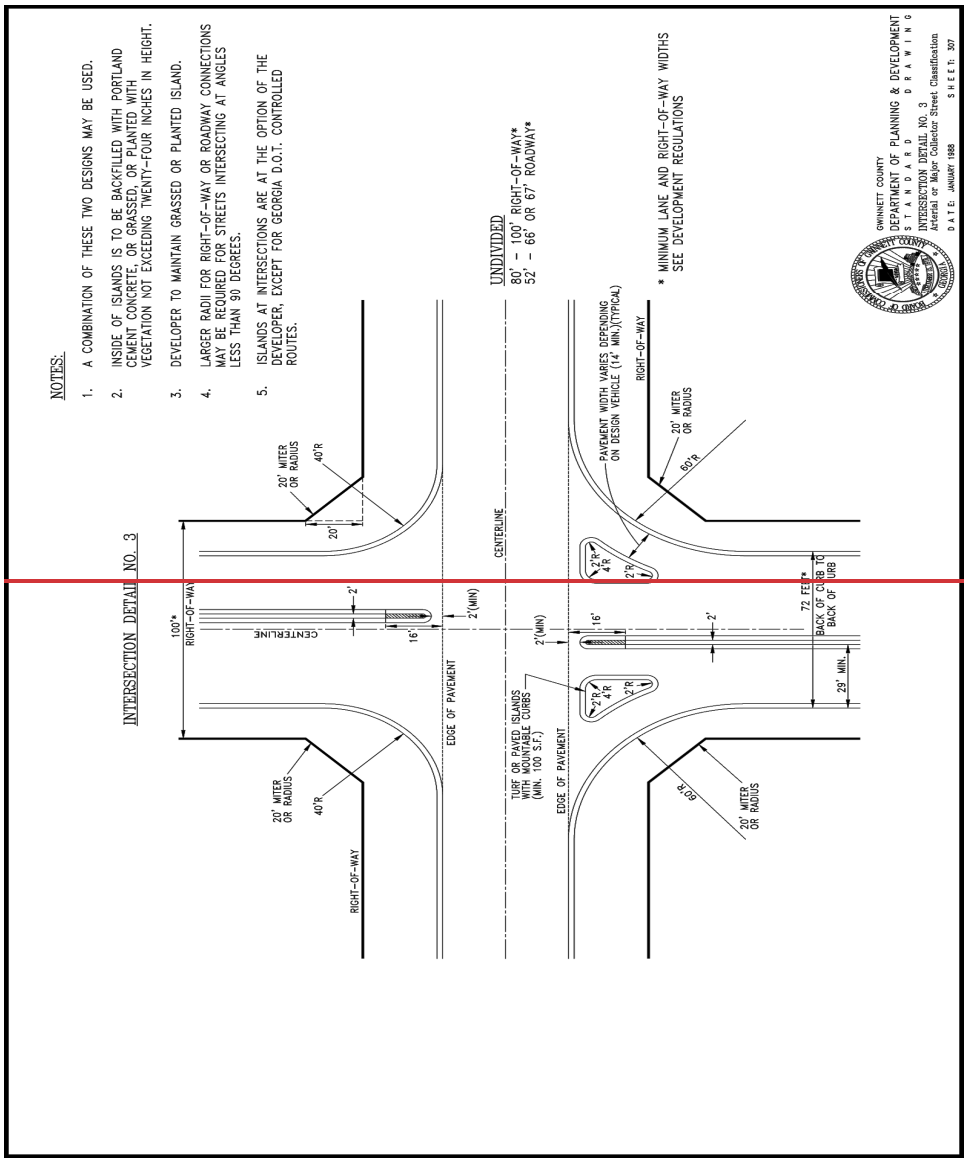

GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Cul-de-Sac Minimum Lengths
DATE: JANUARY 1988
SHEET: 302
LOCAL NONRESIDENTIAL STREET
LOCAL RESIDENTIAL STREET
R/W
60'
50'
40'
50'
25'
RADIUS VARIES*
MINIMUM 50' BETWEEN ROADWAY RADII CENTERS
R/W RADIUS VARIES*
R/W
RADIUS VARIES*
MINIMUM 50'
R/W RADIUS VARIES*
R/W
RADIUS VARIES*
STREET
STANDARD MINIMUM ROADWAY WIDTH TO BE ACHIEVED AT RETURN TANGENT
* SEE MINIMUM INTERSECTION RADII REQUIREMENTS IN DEVELOPMENT REGULATIONS.

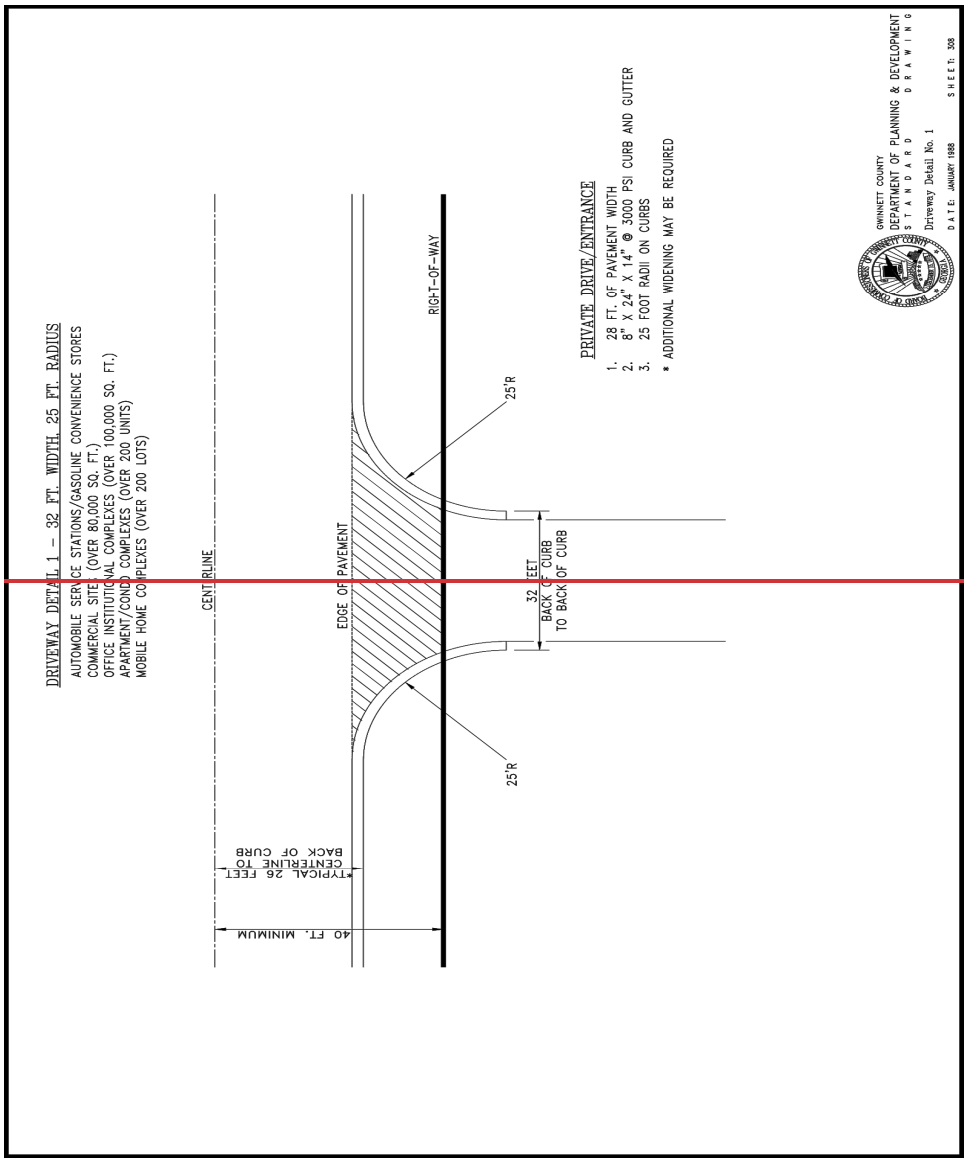

GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Temporary Vehicular Turnaround
DATE: JANUARY 1988
SHEET: 303
ASPHALT BERM (MIN. 6" WIDTH)
RIPRAP
RIPRAP
A
A
CURB TO STOP 3'-0" FROM BERM
GRAVEL (MIN. 6" THICK)
GRAVEL (MIN. 6" THICK)
CURB
6" HIGH BACK CURB USE ASPHALT FILLER
CURB
RIGHT-OF-WAY
RIGHT-OF-WAY
FLOW
PLAN
1' TO 2' RIP RAP
6" GRAVEL EXTEND TO TOE OF SLOPE
ASPHALT BER
12"
STREET PAVEMENT
SECTION A-A

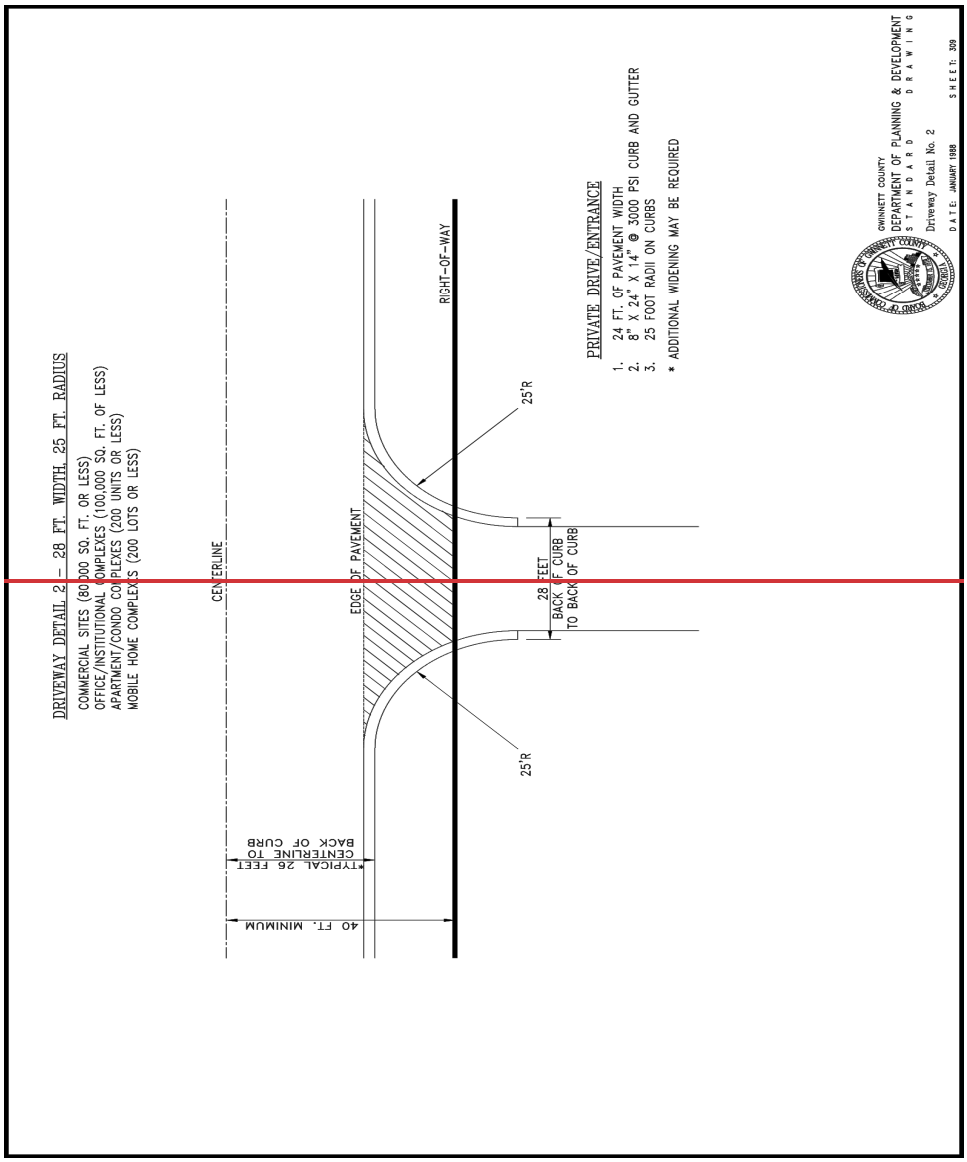

GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Vertical Alignment at Intersection with Local or Minor Collector Street
DATE: JANUARY 1988
SHEET: 304
INTERSECTION OF LOCAL OR MINOR COLLECTOR STREETS
GRADES 7.00% AND GREATER
GRADES LESS THAN 7.00%
CENTERLINE OF STREET
1/4" / FT. CROWN
CURB LINE OF INTERSECTING STREET
AT TOP OF THE WEARING COURSE
GRADE ELEVATION WHEN USED
CURB STREETS WITH OR WITHOUT
CURB AND GUTTER.
MINIMUM 25'
LENGTH OF CURVE
SEE NOTE 2
+ 2.0% MAX.
- 2.0% MAX.
+2.0% MAX.
-2.0% MAX.
PVC
PVI
PVT
100' MINIMUM
VERTICAL CURVE
PROPOSED
STREET GRADES
6.99% MAX.
6.99% MAX.
+7.00% AND GREATER
-7.00% AND GREATER
NOTES:
1) THIS STANDARD IS INTENDED TO BE A MINIMUM DESIGN STANDARD FOR CONTROL OF GRADES OF STREETS APPROACHING AN INTERSECTION WITH A LOCAL OR MINOR COLLECTOR STREET. FOR INTERSECTIONS WITH MAJOR THOROUGHFARES, SEE DEVELOPMENT REGULATIONS.
2) REFER TO DEVELOPMENT REGULATIONS TABLE 9-B FOR "K" VALUES FOR VERTICAL CURVES.

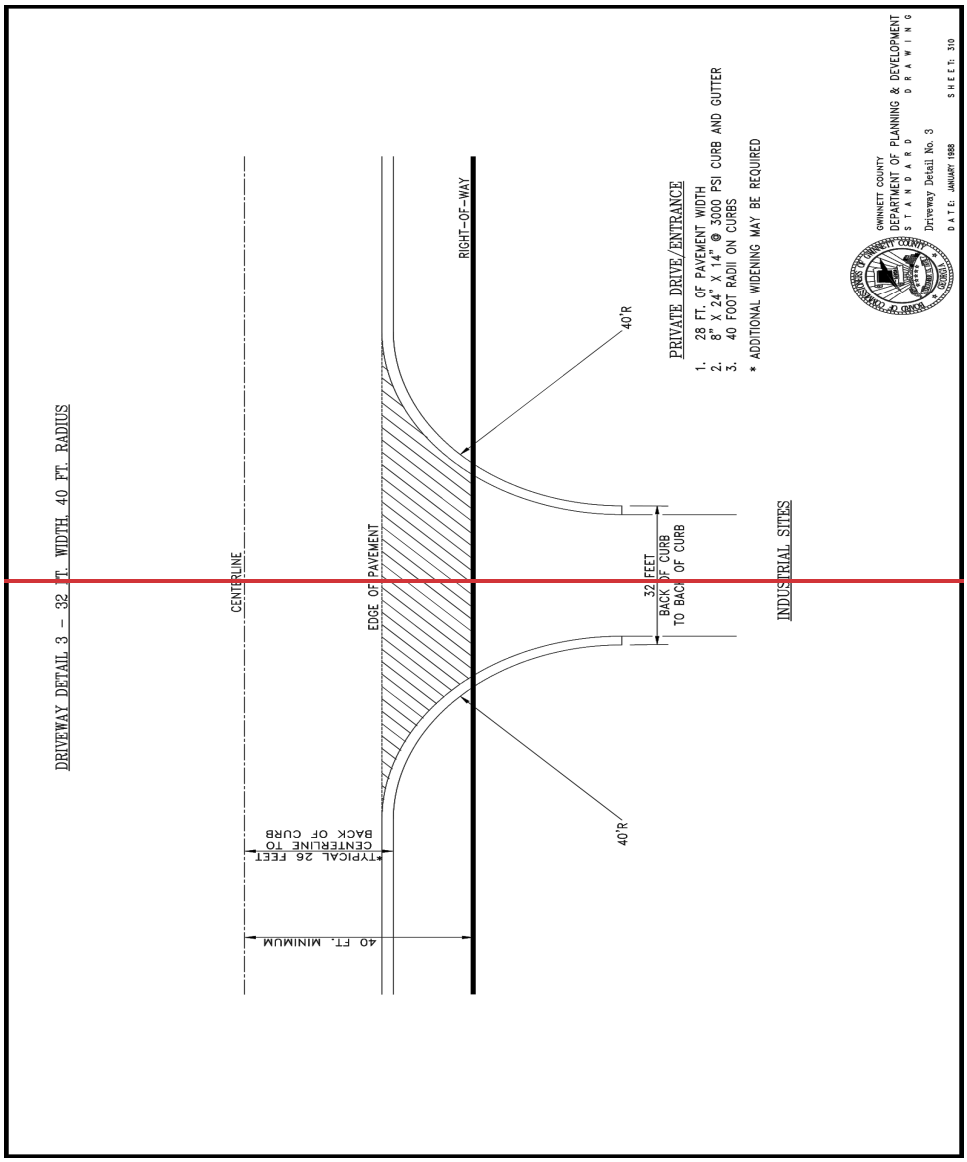

INTERSECTION DETAIL NO. 1
CENTERLINE
EDGE OF PAVEMENT
2' (MIN) TURF OR PAVEMENT
16'
1'
2" CURB & GUTTER (TYP)
50' MIN. BACK OF CURB TO BACK OF CURB
18' MIN.
18' MIN.
RIGHT - OF - WAY
60'
80'
RIGHT - OF - WAY
20'**
**9' ON MINOR COLLECTORS IN RESIDENTIAL SUBDIVISIONS
20' MITER OR RADIUS
MINIMUM LANE AND RIGHT-OF-WAY WIDTHS - SEE DEVELOPMENT REGS.
40' RADIUS*
*25' ON MINOR COLLECTORS IN RESIDENTIAL SUBDIVISIONS
NOTES:
1. INSIDE OF ISLANDS ARE TO BE BACKFILLED WITH PORTLAND CEMENT CONCRETE, OR GRASSED, OR PLANTED WITH VEGETATION NOT EXCEEDING TWENTY-FOUR INCHES IN HEIGHT.
2. DEVELOPER TO MAINTAIN GRASSED OR PLANTED ISLAND.
3. LARGER RADII FOR RIGHT-OF-WAY OR ROADWAY CONNECTIONS MAY BE REQUIRED FOR STREETS INTERSECTING AT ANGLES LESS THAN 90 DEGREES.
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
INTERSECTION DETAIL NO. 1
T-Intersection Only - Minor or Major
Collector Street Classification
DATE: JANUARY 1988
SHEET: 305

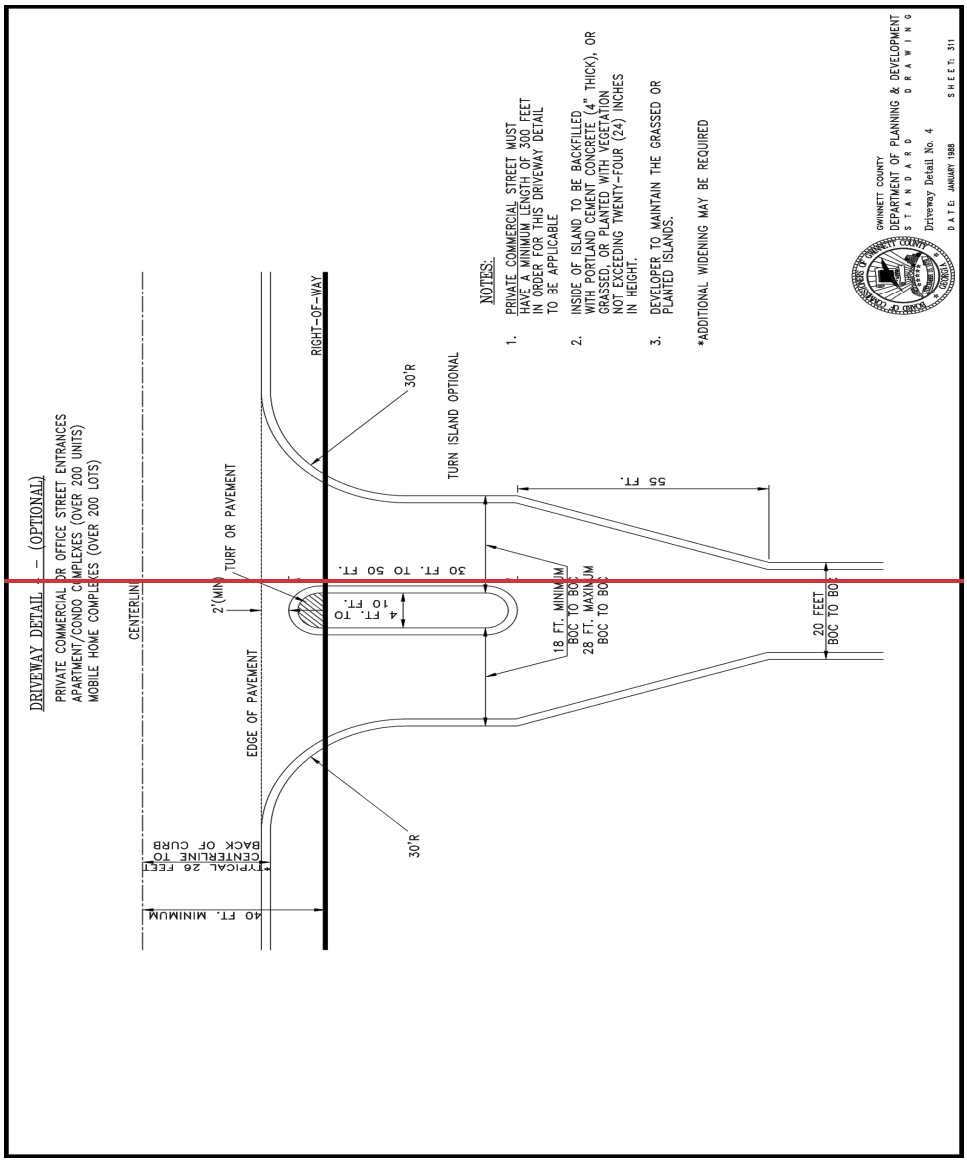

INTERSECTION DETAIL NO. 2
NOTES:
1. A COMBINATION OF THESE TWO DESIGNS MAY BE USED.
2. INSIDE OF ISLANDS IS TO BE BACKFILLED WITH PORTLAND CEMENT CONCRETE, OR GRASSED, OR PLANTED WITH VEGETATION NOT EXCEEDING TWENTY-FOUR INCHES IN HEIGHT.
3. DEVELOPER TO MAINTAIN GRASSED OR PLANTED ISLAND.
4. LARGER RADII FOR RIGHT-OF-WAY OR ROADWAY CONNECTIONS MAY BE REQUIRED FOR STREETS INTERSECTING AT ANGLES LESS THAN 90 DEGREES.
5. ISLANDS AT INTERSECTIONS ARE AT THE OPTION OF THE DEVELOPER, EXCEPT FOR GEORGIA D.O.T. CONTROLLED ROUTES.
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
INTERSECTION DETAIL NO. 2
Functional Classification - Arterial or Major Collector
Street Classification
DATE: JANUARY 1988
SHEET: 306
CENTERLINE
TURF OR PAVED ISLANDS WITH MOUNTABLE CURBS (MIN. - 100 S.F.)
2'
4'R
2'R
EDGE OF PAVEMENT
PAVEMENT WIDTH VARIES DEPENDING ON DESIGN VEHICLE (14' MIN.)
20' MITER OR RADIUS
60'R
RIGHT-OF-WAY
52' TO 67' BACK OF CURB TO BACK OF CURB
80' TO 100' RIGHT-OF-WAY
MINIMUM LANE AND RIGHT-OF-WAY WIDTHS - SEE DEVELOPMENT REGS.
2'(MIN)
TURF OR PAVEMENT
16'
10'
29' MIN.
100' FT. MIN. RIGHT-OF-WAY
40'R
20'

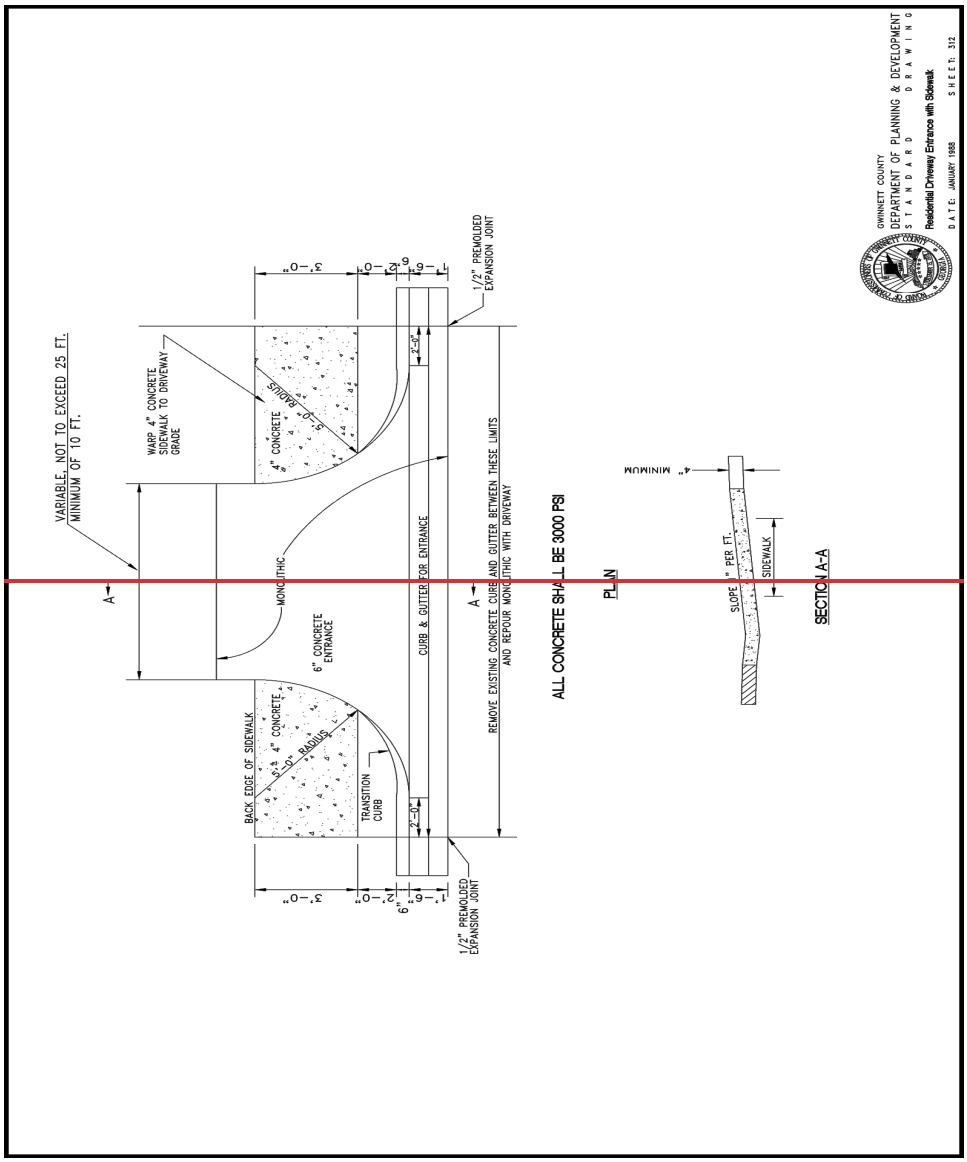

NOTES:
1. A COMBINATION OF THESE TWO DESIGNS MAY BE USED.
2. INSIDE OF ISLANDS IS TO BE BACKFILLED WITH PORTLAND CEMENT CONCRETE, OR GRASSED, OR PLANTED WITH VEGETATION NOT EXCEEDING TWENTY-FOUR INCHES IN HEIGHT.
3. DEVELOPER TO MAINTAIN GRASSED OR PLANTED ISLAND.
4. LARGER RADII FOR RIGHT-OF-WAY OR ROADWAY CONNECTIONS MAY BE REQUIRED FOR STREETS INTERSECTING AT ANGLES LESS THAN 90 DEGREES.
5. ISLANDS AT INTERSECTIONS ARE AT THE OPTION OF THE DEVELOPER, EXCEPT FOR GEORGIA D.O.T. CONTROLLED ROUTES.
INTERSECTION DETAIL NO. 3
UNDIVIDED
80' - 100' RIGHT-OF-WAY*
52' - 66' OR 67' ROADWAY*
* MINIMUM LANE AND RIGHT-OF-WAY WIDTHS SEE DEVELOPMENT REGULATIONS
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
INTERSECTION DETAIL NO. 3
Arterial or Major Collector Street Classification
DATE: JANUARY 1988
SHEET: 307
20' MITER OR RADIUS
40'R
20'
CENTERLINE
100'* RIGHT-OF-WAY
2'
16'
2'(MIN)
EDGE OF PAVEMENT
RIGHT-OF-WAY
TURF OR PAVED ISLANDS WITH MOUNTABLE CURBS (MIN. 100 S.F.)
PAVEMENT WIDTH VARIES DEPENDING ON DESIGN VEHICLE (14' MIN.)(TYPICAL)
2'R
4'R
60'R
72 FEET*
BACK OF CURB TO BACK OF CURB
29' MIN.
8'R

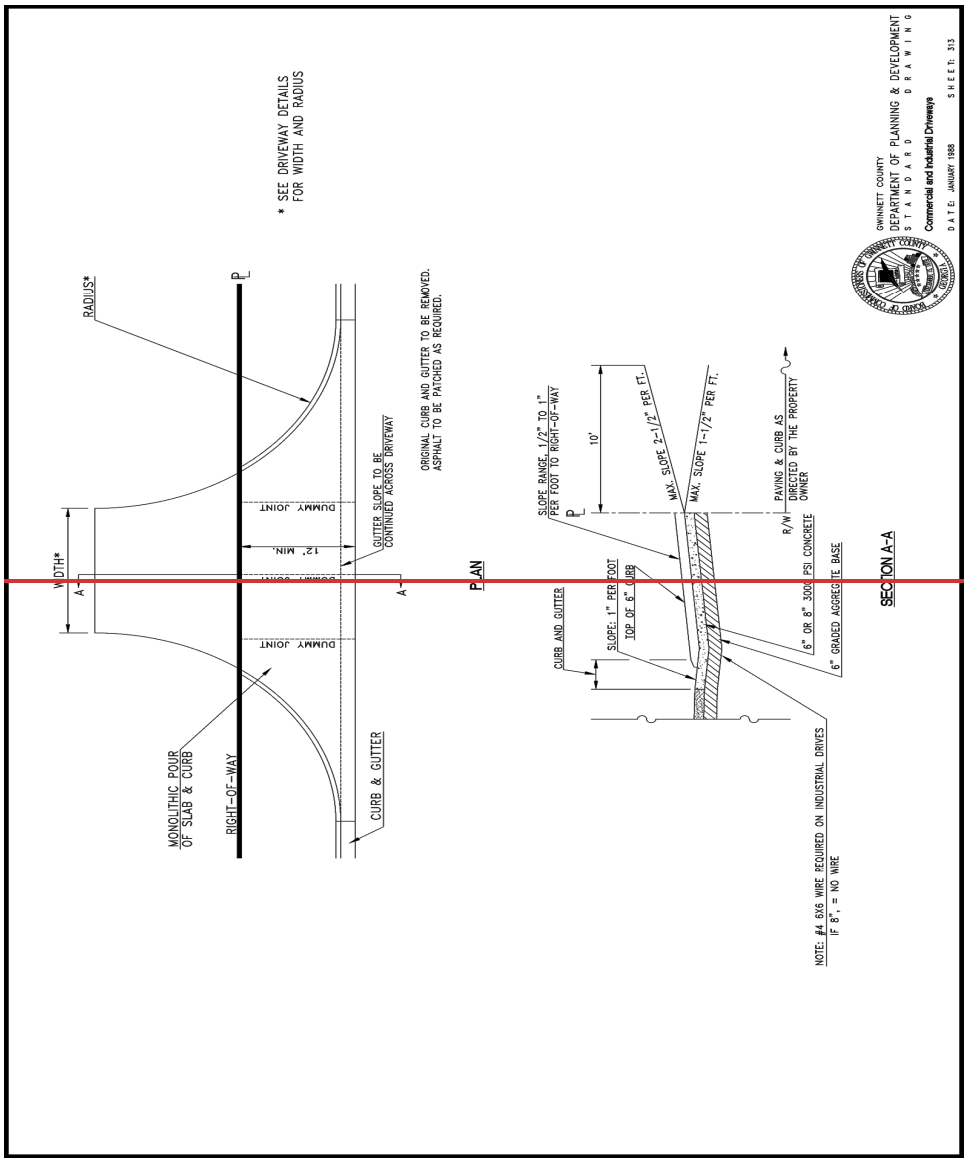

DRIVEWAY DETAIL 1 – 32 FT. WIDTH, 25 FT. RADIUS
AUTOMOBILE SERVICE STATIONS/GASOLINE CONVENIENCE STORES
COMMERCIAL SITES (OVER 80,000 SQ. FT.)
OFFICE INSTITUTIONAL COMPLEXES (OVER 100,000 SQ. FT.)
APARTMENT/CONDO COMPLEXES (OVER 200 UNITS)
MOBILE HOME COMPLEXES (OVER 200 LOTS)
CENTERLINE
EDGE OF PAVEMENT
RIGHT-OF-WAY
25'R
25'R
32 FEET
BACK OF CURB
TO BACK OF CURB
TYPICAL 26 FEET
CENTERLINE TO
BACK OF CURB
40 FT. MINIMUM
PRIVATE DRIVE/ENTRANCE
1. 28 FT. OF PAVEMENT WIDTH
2. 8" X 24" X 14" @ 3000 PSI CURB AND GUTTER
3. 25 FOOT RADII ON CURBS
* ADDITIONAL WIDENING MAY BE REQUIRED
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Driveway Detail No. 1
DATE: JANUARY 1988
SHEET: 308

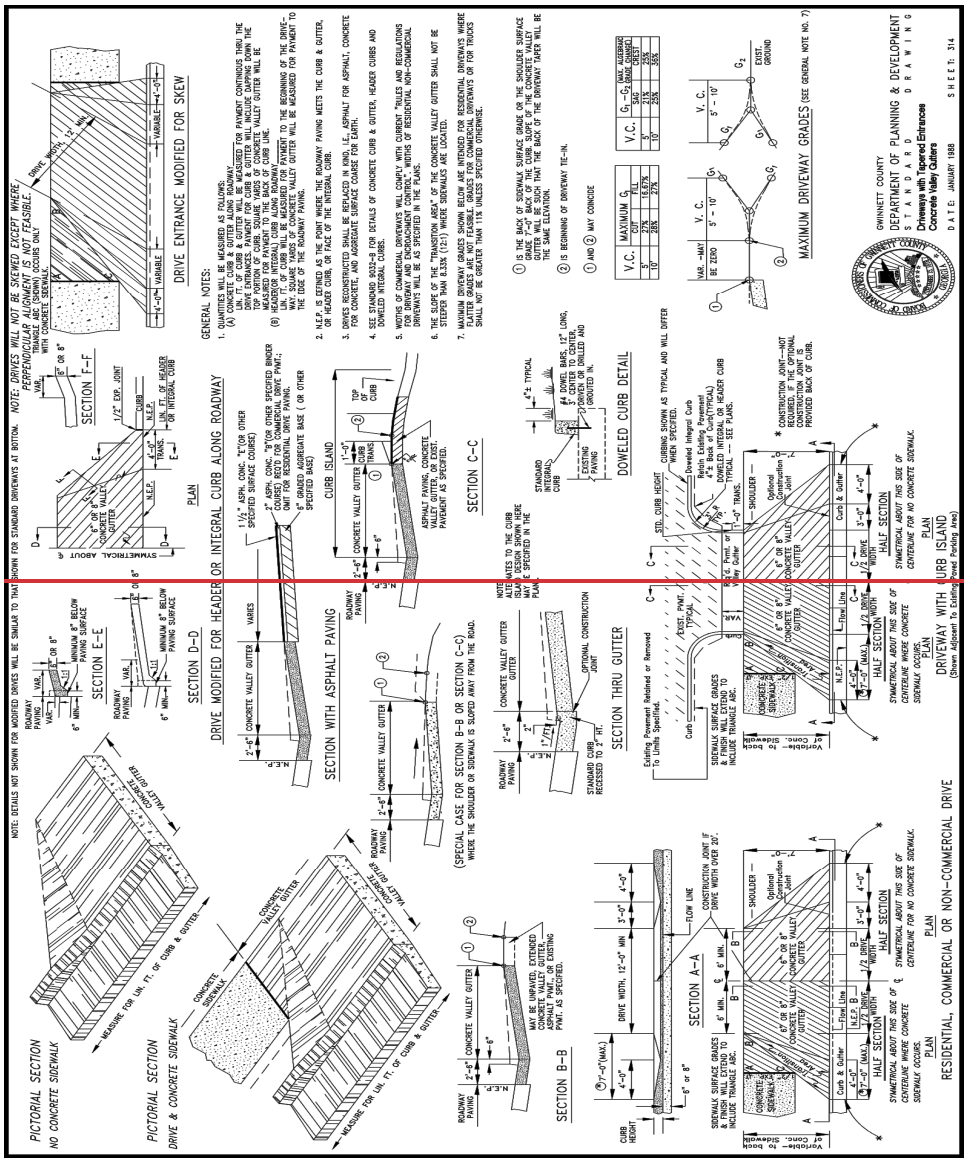

DRIVEWAY DETAIL 2 – 28 FT. WIDTH, 25 FT. RADIUS
COMMERCIAL SITES (80,000 SQ. FT. OR LESS)
OFFICE/INSTITUTIONAL COMPLEXES (100,000 SQ. FT. OF LESS)
APARTMENT/CONDO COMPLEXES (200 UNITS OR LESS)
MOBILE HOME COMPLEXES (200 LOTS OR LESS)
CENTERLINE
EDGE OF PAVEMENT
RIGHT-OF-WAY
25'R
25'R
28 FEET
BACK OF CURB
TO BACK OF CURB
PRIVATE DRIVE/ENTRANCE
1. 24 FT. OF PAVEMENT WIDTH
2. 8" X 24" X 14" @ 3000 PSI CURB AND GUTTER
3. 25 FOOT RADII ON CURBS
* ADDITIONAL WIDENING MAY BE REQUIRED
40 FT. MINIMUM
*TYPICAL 26 FEET
CENTERLINE TO
BACK OF CURB
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Driveway Detail No. 2
DATE: JANUARY 1988
SHEET: 309

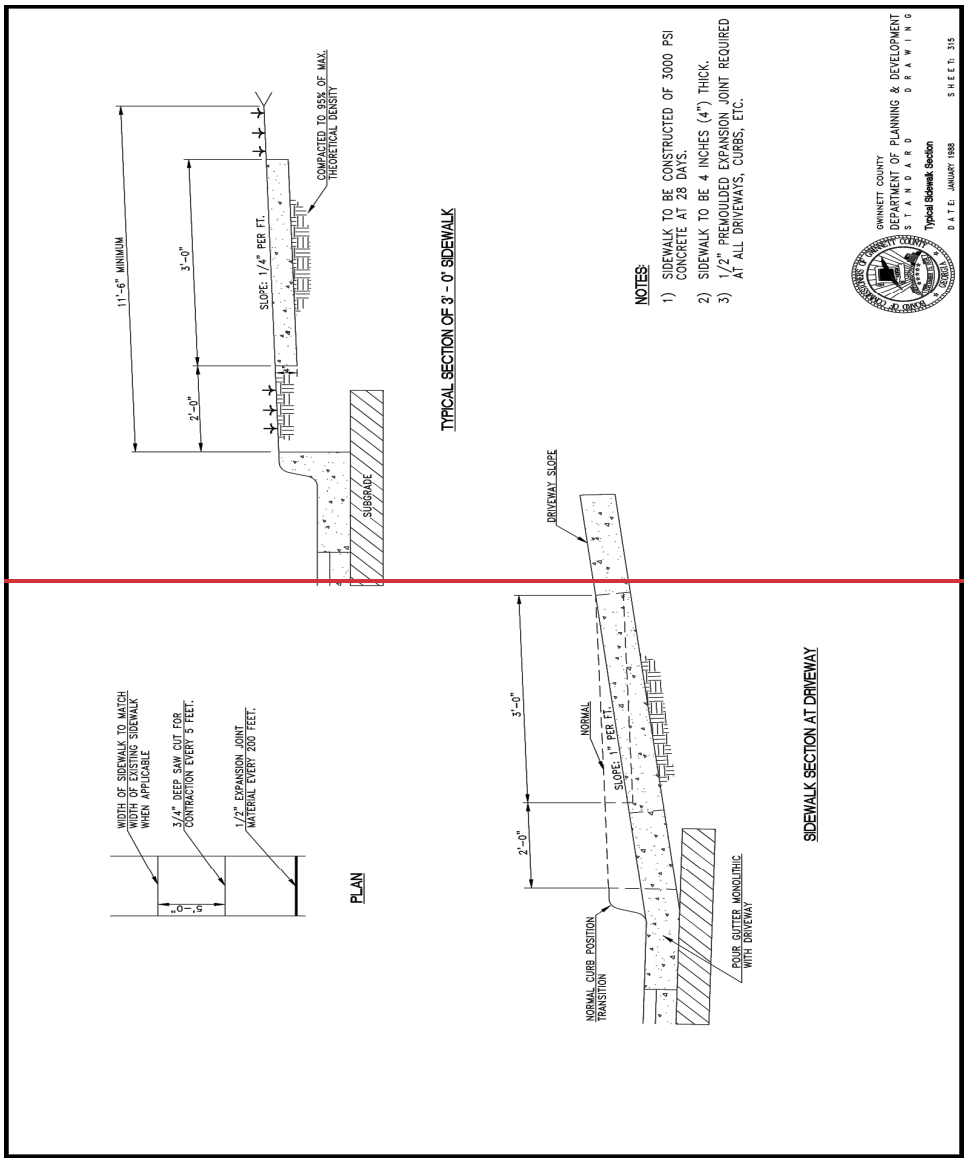

DRIVEWAY DETAIL 3 - 32 FT. WIDTH, 40 FT. RADIUS
CENTERLINE
EDGE OF PAVEMENT
RIGHT-OF-WAY
40'R
40'R
32 FEET
BACK OF CURB
TO BACK OF CURB
INDUSTRIAL SITES
PRIVATE DRIVE/ENTRANCE
1. 28 FT. OF PAVEMENT WIDTH
2. 8" X 24" X 14" @ 3000 PSI CURB AND GUTTER
3. 40 FOOT RADII ON CURBS
* ADDITIONAL WIDENING MAY BE REQUIRED
TYPICAL 26 FEET
CENTERLINE TO
BACK OF CURB
40 FT. MINIMUM
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD
DRAWING
Driveway Detail No. 3
DATE: JANUARY 1988
SHEET: 310

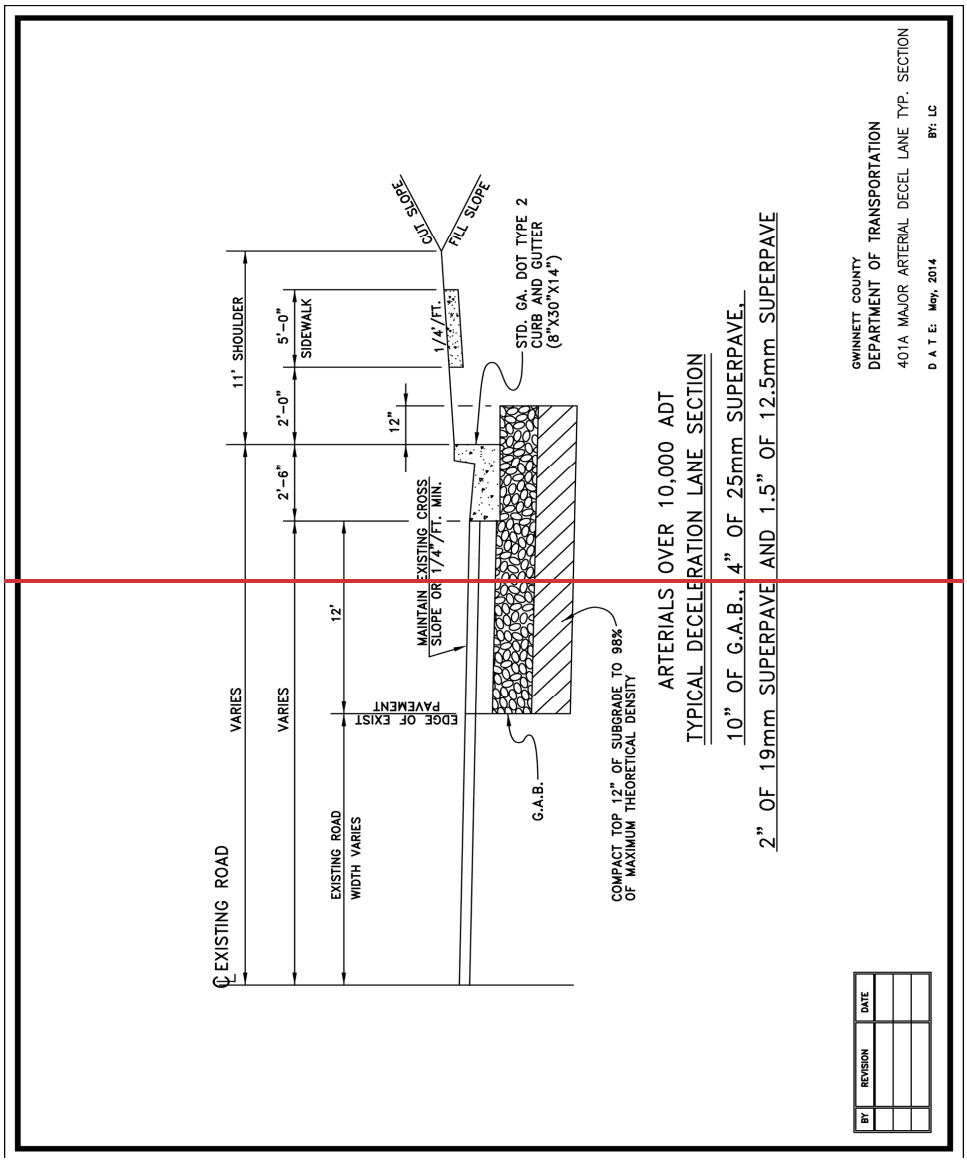

DRIVEWAY DETAIL - (OPTIONAL)
PRIVATE COMMERCIAL OR OFFICE STREET ENTRANCES
APARTMENT/CONDO COMPLEXES (OVER 200 UNITS)
MOBILE HOME COMPLEXES (OVER 200 LOTS)
CENTERLINE
RIGHT-OF-WAY
TURF OR PAVEMENT
2'(MIN)
EDGE OF PAVEMENT
30'R
TURN ISLAND OPTIONAL
50 FT. TO 50 FT.
4 FT. TO 10 FT.
55 FT.
18 FT. MINIMUM BOC TO BOC
28 FT. MAXIMUM BOC TO BOC
20 FEET BOC TO BOC
30'R
TYPICAL 26 FEET CENTERLINE TO BACK OF CURB
40 FT. MINIMUM
NOTES:
1. PRIVATE COMMERCIAL STREET MUST HAVE A MINIMUM LENGTH OF 300 FEET IN ORDER FOR THIS DRIVEWAY DETAIL TO BE APPLICABLE
2. INSIDE OF ISLAND TO BE BACKFILLED WITH PORTLAND CEMENT CONCRETE (4" THICK), OR GRASSED, OR PLANTED WITH VEGETATION NOT EXCEEDING TWENTY-FOUR (24) INCHES IN HEIGHT.
3. DEVELOPER TO MAINTAIN THE GRASSED OR PLANTED ISLANDS.
*ADDITIONAL WIDENING MAY BE REQUIRED
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Driveway Detail No. 4
DATE: JANUARY 1988
SHEET: 311

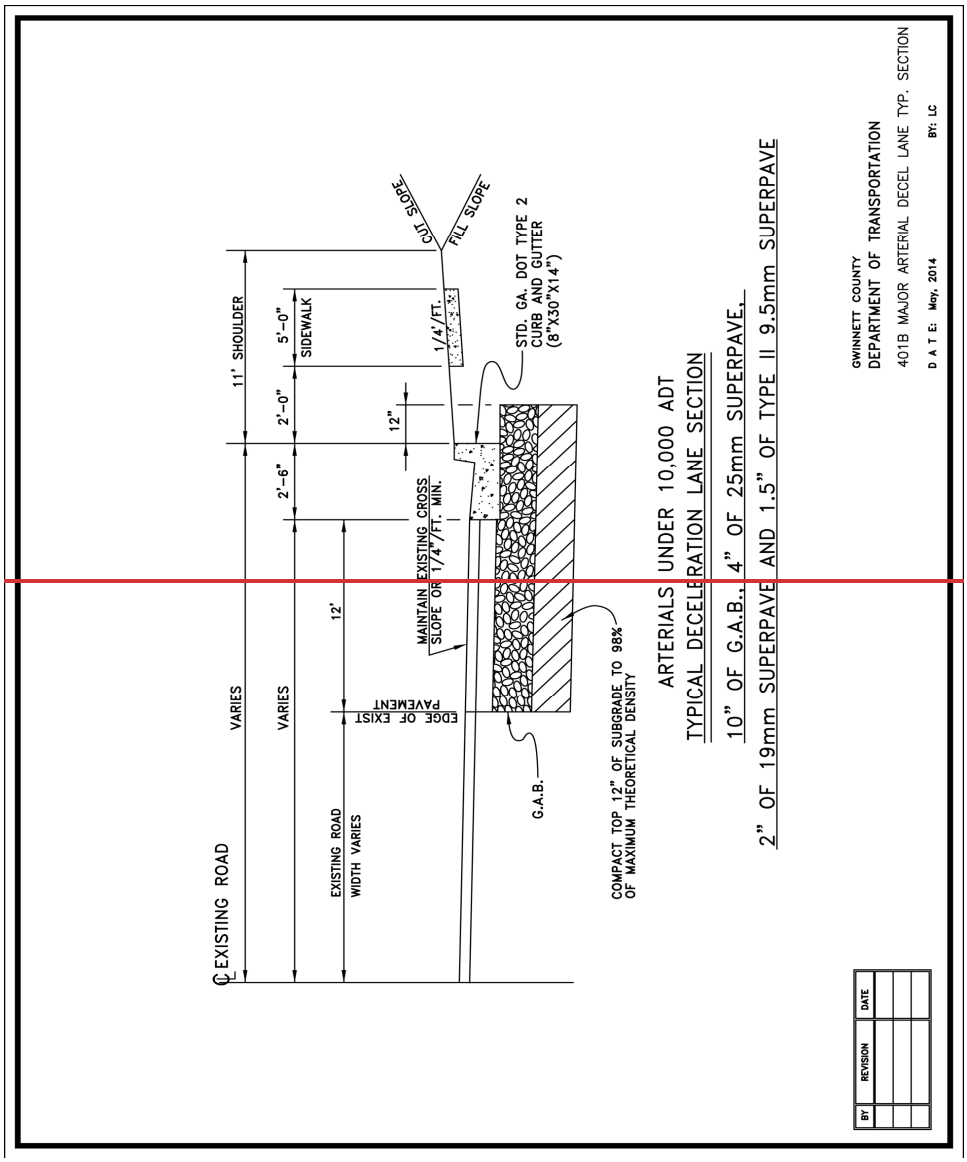

GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Residential Driveway Entrance with Sidewalk
DATE: JANUARY 1988
SHEET: 312
VARIABLE, NOT TO EXCEED 25 FT.
MINIMUM OF 10 FT.
WARP 4" CONCRETE SIDEWALK TO DRIVEWAY GRADE
4" CONCRETE
SLOPE 1/2" PER FT.
6" CONCRETE ENTRANCE
MONOLITHIC
CURB & GUTTER FOR ENTRANCE
REMOVE EXISTING CONCRETE CURB AND GUTTER BETWEEN THESE LIMITS AND REPOUR MONOLITHIC WITH DRIVEWAY
1/2" PREMOLDED EXPANSION JOINT
BACK EDGE OF SIDEWALK
TRANSITION CURB
ALL CONCRETE SHALL BE 3000 PSI
PLAN
SECTION A-A
SIDEWALK
MINIMUM 4"

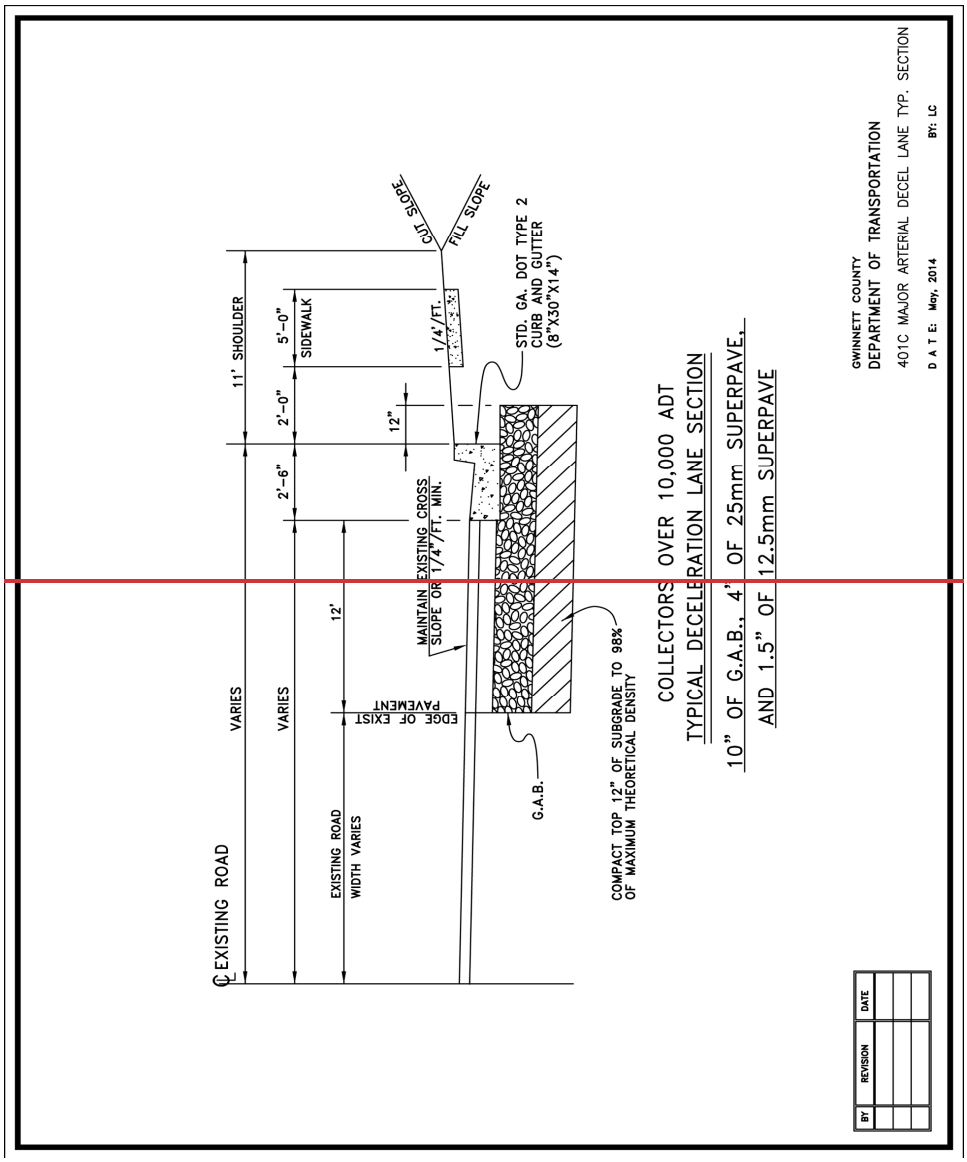

* SEE DRIVEWAY DETAILS FOR WIDTH AND RADIUS
RADIUS*
WIDTH*
MONOLITHIC POUR OF SLAB & CURB
RIGHT-OF-WAY
CURB & GUTTER
GUTTER SLOPE TO BE CONTINUED ACROSS DRIVEWAY
ORIGINAL CURB AND GUTTER TO BE REMOVED. ASPHALT TO BE PATCHED AS REQUIRED.
PLAN
SLOPE RANGE, 1/2" TO 1" PER FOOT TO RIGHT-OF-WAY
MAX. SLOPE 2-1/2" PER FT.
MAX. SLOPE 1-1/2" PER FT.
PAVING & CURB AS DIRECTED BY THE PROPERTY OWNER
SLOPE: 1" PER FOOT TOP OF 6" CURB
CURB AND GUTTER
6" OR 8" 3000 PSI CONCRETE
6" GRADED AGGREGATE BASE
NOTE: #4 6X6 WIRE REQUIRED ON INDUSTRIAL DRIVES IF 8", = NO WIRE
SECTION A-A
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Commercial and Industrial Driveways
DATE: JANUARY 1988
SHEET: 313

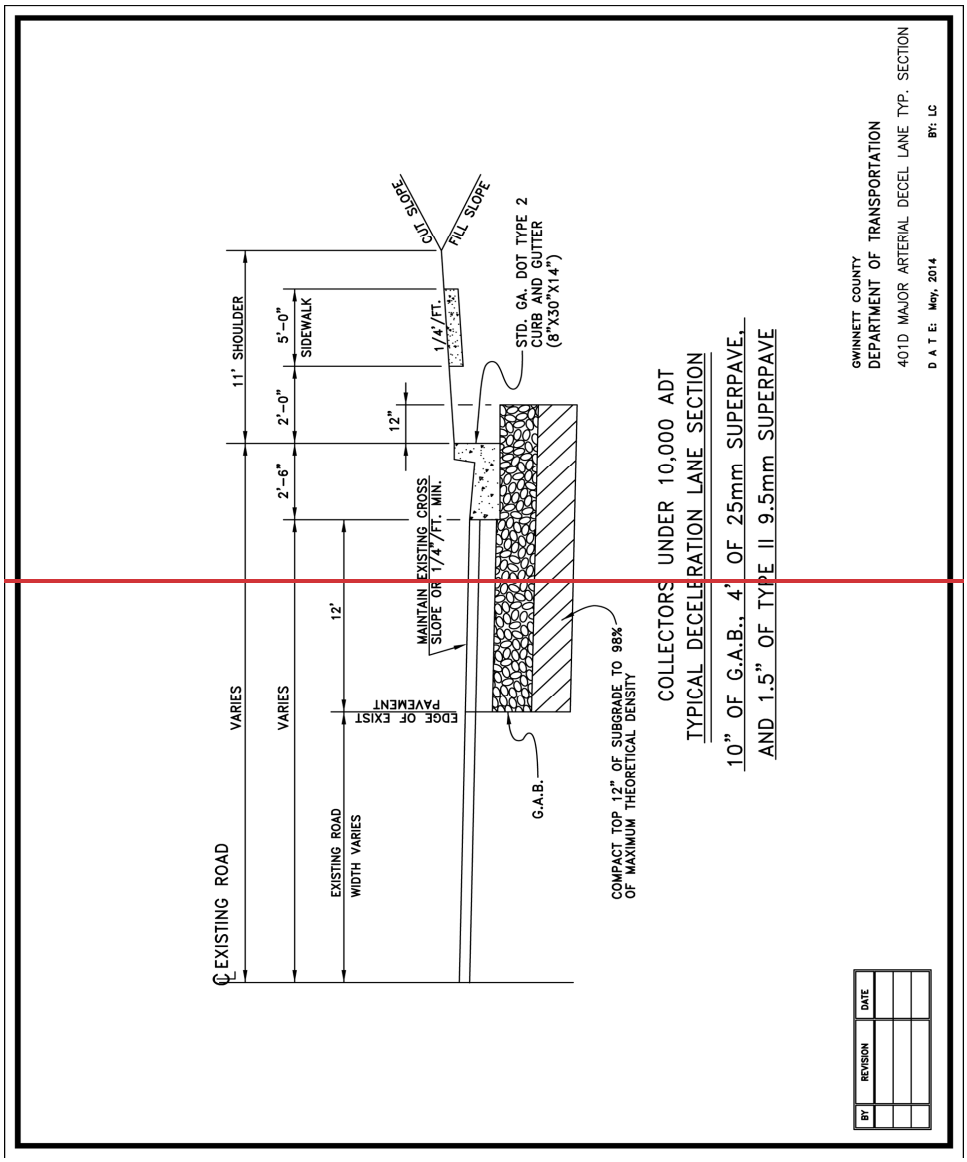

GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD
Driveway with Tapered Entrances
Concrete Valley Gutters
DRAWING
DATE: JANUARY 1988
SHEET: 314
DRIVEWAY WITH CURB ISLAND
(Shown Adjacent to Existing Paved Parking Area)
RESIDENTIAL, COMMERCIAL OR NON-COMMERCIAL DRIVE
PICTORIAL SECTION
NO CONCRETE SIDEWALK
PICTORIAL SECTION
DRIVE & CONCRETE SIDEWALK
NOTE: DETAILS NOT SHOWN FOR MODIFIED DRIVES WILL BE SIMILAR TO THAT SHOWN FOR STANDARD DRIVEWAYS AT BOTTOM. NOTE: DRIVES WILL NOT BE SKEWED EXCEPT WHERE PERPENDICULAR ALIGNMENT IS NOT FEASIBLE.
DRIVE ENTRANCE MODIFIED FOR SKEW
SECTION E-E
SECTION F-F
PLAN
DRIVE MODIFIED FOR HEADER OR INTEGRAL CURB ALONG ROADWAY
SECTION D-D
GENERAL NOTES:
SECTION WITH ASPHALT PAVING
SECTION C-C
CURB ISLAND
DOWELED CURB DETAIL
SECTION THRU GUTTER
(SPECIAL CASE FOR SECTION B-B OR SECTION C-C)
WHERE THE SHOULDER OR SIDEWALK IS SLOPED AWAY FROM THE ROAD.
SECTION B-B
SECTION A-A
MAXIMUM DRIVEWAY GRADES (SEE GENERAL NOTE NO. 7)
V.C.
MAXIMUM G_1
G_1-G_2 MAX ALGEBRAIC DIFFERENCE
5'
10'
STD. CURB HEIGHT
CURBING SHOWN AS TYPICAL AND WILL DIFFER WHERE NOTED.
Dowel Integral Curb
Match Existing Pavement
4"± Back of Curb (TYPICAL)
DOWELED INTEGRAL OR HEADER CURB (TYPICAL) - SEE ABOVE.
Existing Pavement Retained or Removed To Limits Specified.
SIDEWALK SURFACE GRADES & FINISH WILL EXTEND TO INCLUDE TRIANGLE ABC.
Vertical-to-Back of Conc. Sidewalk
Optional Construction Joint
CONSTRUCTION JOINT--NOT REQUIRED, IF THE OPTIONAL CONSTRUCTION JOINT IS PROVIDED BACK OF CURB.
CONCRETE VALLEY GUTTER
CONCRETE SIDEWALK
MEASURE FOR LIN. FT. OF CURB & GUTTER
SYMMETRICAL ABOUT THIS SIDE OF CENTERLINE WHERE CONCRETE SIDEWALK OCCURS.
SYMMETRICAL ABOUT THIS SIDE OF CENTERLINE FOR NO CONCRETE SIDEWALK.
HALF SECTION
PLAN
DRIVE WIDTH, 12'-0" MIN.
FLOW LINE
CURB HEIGHT
CONC. WATERWAY JOINT IF CURB WIDTH OVER 20'.
EXIST. GROUND

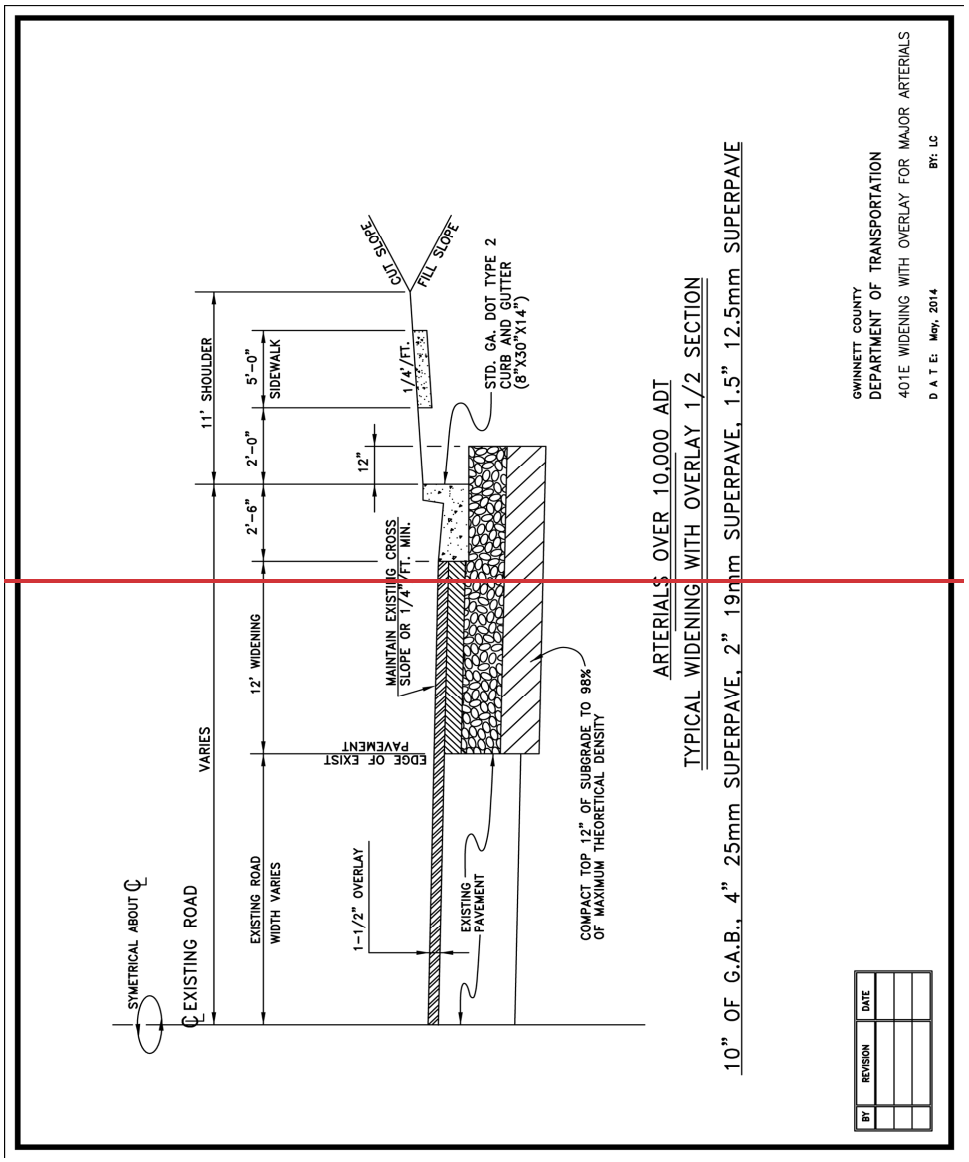

GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Typical Sidewalk Section
DATE: JANUARY 1988
SHEET: 315
NOTES:
1) SIDEWALK TO BE CONSTRUCTED OF 3000 PSI CONCRETE AT 28 DAYS.
2) SIDEWALK TO BE 4 INCHES (4") THICK.
3) 1/2" PREMOULDED EXPANSION JOINT REQUIRED AT ALL DRIVEWAYS, CURBS, ETC.
TYPICAL SECTION OF 3' - 0' SIDEWALK
11'-6" MINIMUM
3'-0"
2'-0"
SLOPE: 1/4" PER FT.
COMPACTED TO 95% OF MAX. THEORETICAL DENSITY
SUBGRADE
SIDEWALK SECTION AT DRIVEWAY
DRIVEWAY SLOPE
3'-0"
2'-0"
NORMAL SLOPE: 1" PER FT.
NORMAL CURB POSITION TRANSITION
POUR GUTTER MONOLITHIC WITH DRIVEWAY
PLAN
WIDTH OF SIDEWALK TO MATCH WIDTH OF EXISTING SIDEWALK WHEN APPLICABLE
3/4" DEEP SAW CUT FOR CONTRACTION EVERY 5 FEET.
1/2" EXPANSION JOINT MATERIAL EVERY 200 FEET.
5'-0"

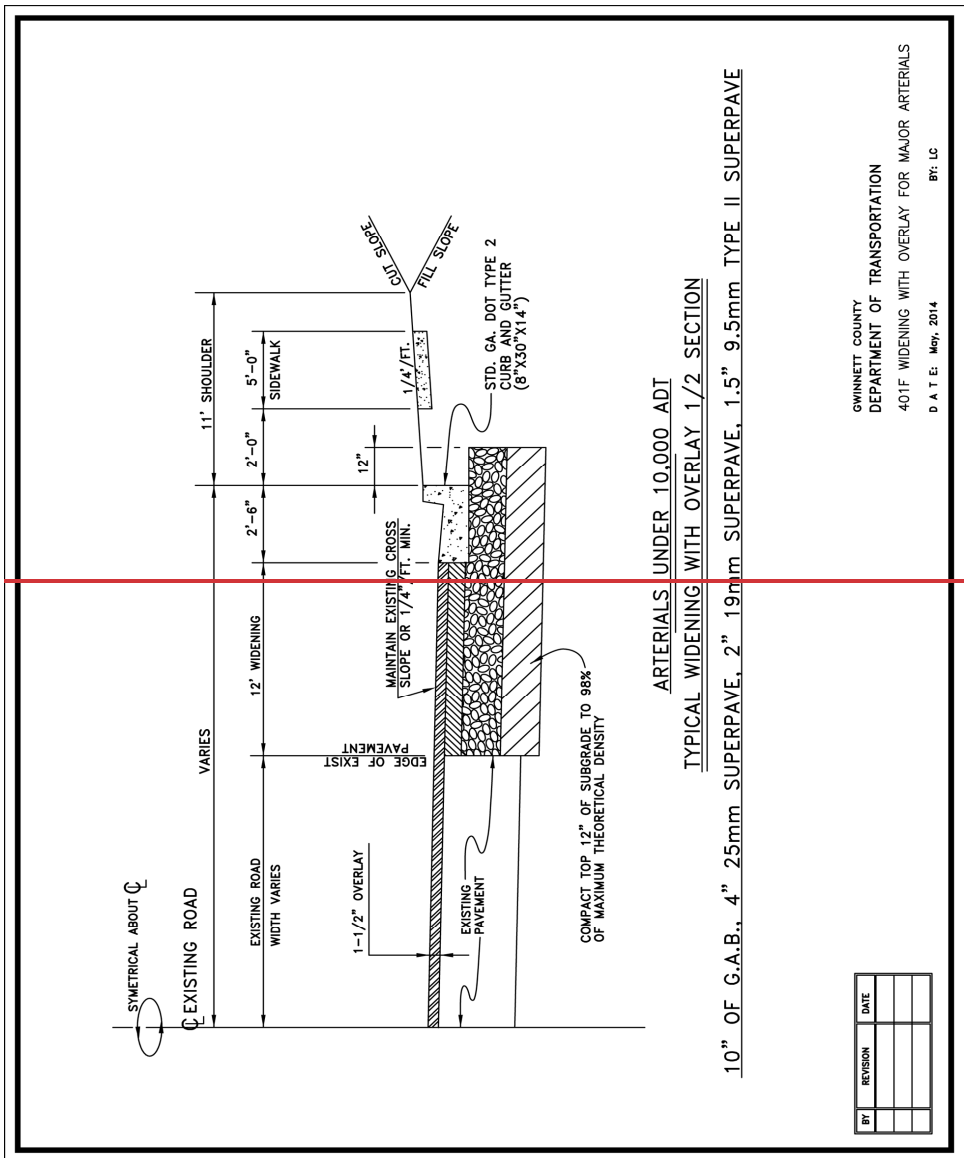

GWINNETT COUNTY
DEPARTMENT OF TRANSPORTATION
401A MAJOR ARTERIAL DECEL LANE TYP. SECTION
DATE: May, 2014
BY: LC
ARTERIALS OVER 10,000 ADT
TYPICAL DECELERATION LANE SECTION
10" OF G.A.B., 4" OF 25mm SUPERPAVE,
2" OF 19mm SUPERPAVE AND 1.5" OF 12.5mm SUPERPAVE
℄ EXISTING ROAD
VARIES
VARIES
EXISTING ROAD WIDTH VARIES
12'
EDGE OF EXIST PAVEMENT
MAINTAIN EXISTING CROSS SLOPE OR 1/4"/FT. MIN.
2'-6"
12"
2'-0"
5'-0"
SIDEWALK
11' SHOULDER
1/4"/FT.
CUT SLOPE
FILL SLOPE
STD. GA. DOT TYPE 2 CURB AND GUTTER (8"X30"X14")
G.A.B.
COMPACT TOP 12" OF SUBGRADE TO 98% OF MAXIMUM THEORETICAL DENSITY
BY
REVISION
DATE

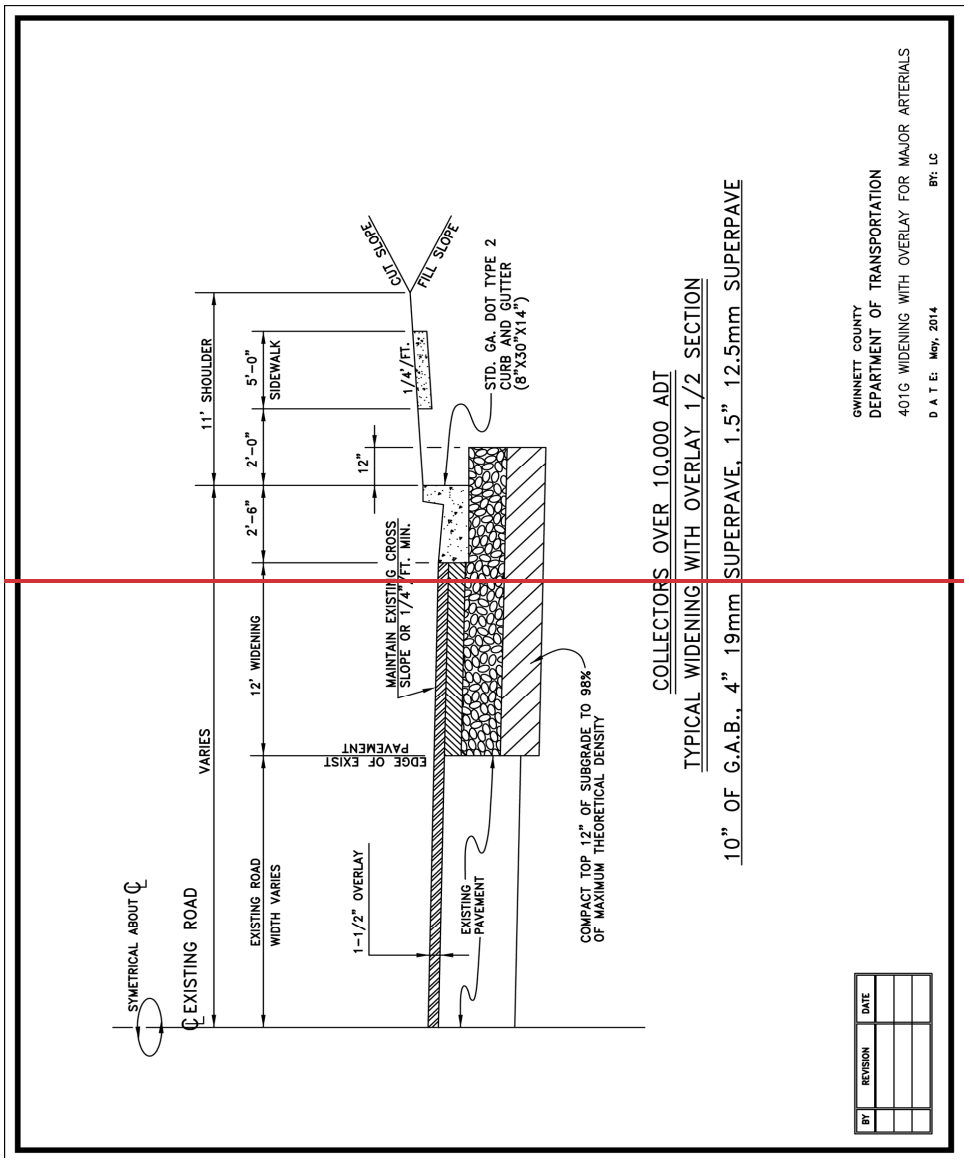

GWINNETT COUNTY
DEPARTMENT OF TRANSPORTATION
401B MAJOR ARTERIAL DECEL LANE TYP. SECTION
DATE: May, 2014
BY: LC
ARTERIALS UNDER 10,000 ADT
TYPICAL DECELERATION LANE SECTION
10" OF G.A.B., 4" OF 25mm SUPERPAVE,
2" OF 19mm SUPERPAVE AND 1.5" OF TYPE II 9.5mm SUPERPAVE
℄ EXISTING ROAD
VARIES
VARIES
EXISTING ROAD WIDTH VARIES
12'
EDGE OF EXIST PAVEMENT
MAINTAIN EXISTING CROSS SLOPE OR 1/4"/FT. MIN.
G.A.B.
COMPACT TOP 12" OF SUBGRADE TO 98% OF MAXIMUM THEORETICAL DENSITY
11' SHOULDER
2'-6"
2'-0"
5'-0"
SIDEWALK
12"
1/4'/FT.
CUT SLOPE
FILL SLOPE
STD. GA. DOT TYPE 2 CURB AND GUTTER (8"X30"X14")
BY
REVISION
DATE

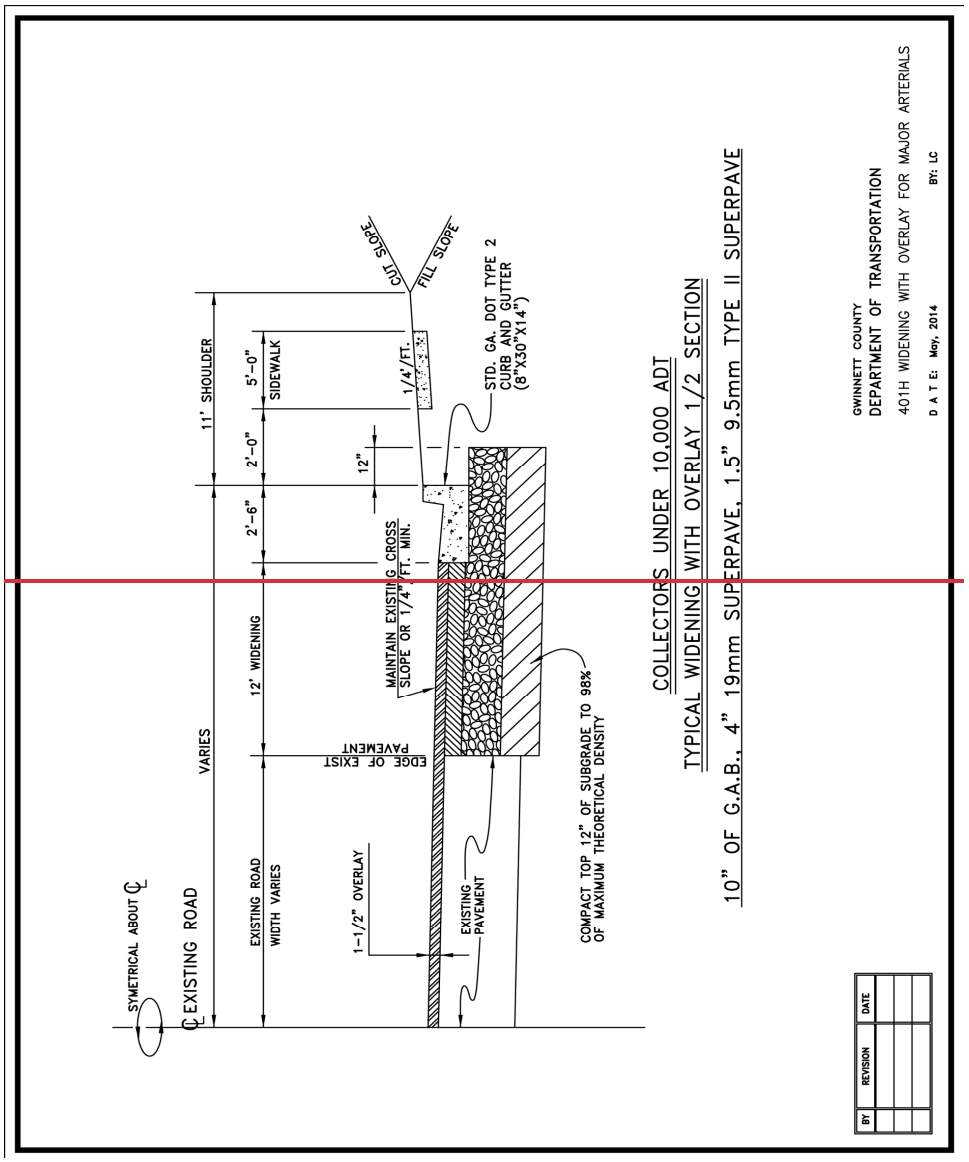

GWINNETT COUNTY
DEPARTMENT OF TRANSPORTATION
401C MAJOR ARTERIAL DECEL LANE TYP. SECTION
DATE: May, 2014
BY: LC
COLLECTORS OVER 10,000 ADT
TYPICAL DECELERATION LANE SECTION
10" OF G.A.B., 4" OF 25mm SUPERPAVE,
AND 1.5" OF 12.5mm SUPERPAVE
CUT SLOPE
FILL SLOPE
STD. GA. DOT TYPE 2
CURB AND GUTTER
(8"X30"X14")
1/4"/FT.
11' SHOULDER
5'-0"
SIDEWALK
2'-0"
12"
2'-6"
MAINTAIN EXISTING CROSS
SLOPE OR 1/4"/FT. MIN.
12'
EDGE OF EXIST
PAVEMENT
VARIES
VARIES
EXISTING ROAD
WIDTH VARIES
℄ EXISTING ROAD
G.A.B.
COMPACT TOP 12" OF SUBGRADE TO 98%
OF MAXIMUM THEORETICAL DENSITY
BY
REVISION
DATE

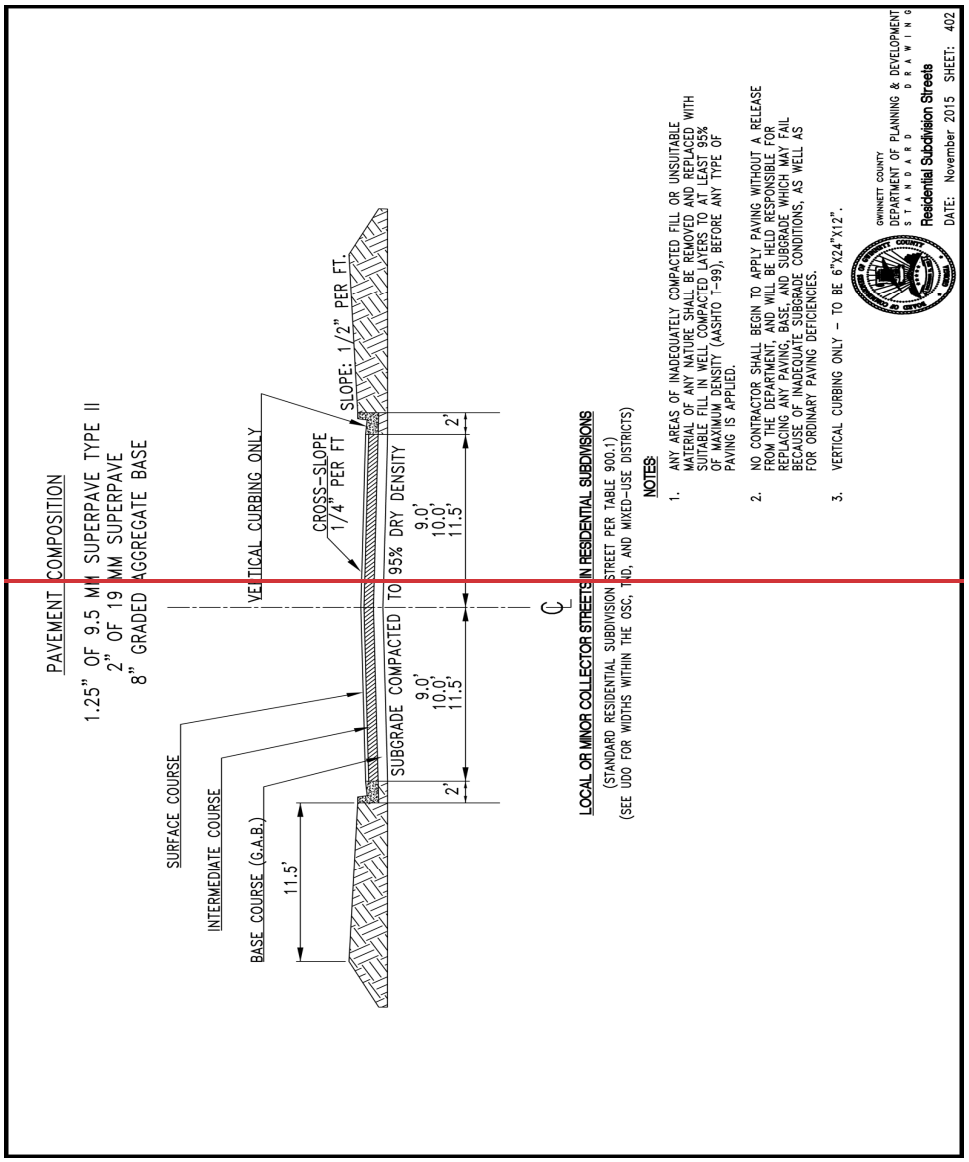

GWINNETT COUNTY
DEPARTMENT OF TRANSPORTATION
401D MAJOR ARTERIAL DECEL LANE TYP. SECTION
DATE: May, 2014
BY: LC
COLLECTORS UNDER 10,000 ADT
TYPICAL DECELERATION LANE SECTION
10" OF G.A.B., 4' OF 25mm SUPERPAVE,
AND 1.5" OF TYPE II 9.5mm SUPERPAVE
CUT SLOPE
FILL SLOPE
STD. GA. DOT TYPE 2
CURB AND GUTTER
(8"X30"X14")
1/4'/FT.
11' SHOULDER
5'-0"
SIDEWALK
2'-0"
12"
2'-6"
MAINTAIN EXISTING CROSS
SLOPE OR 1/4"/FT. MIN.
12'
EDGE OF EXIST
PAVEMENT
VARIES
VARIES
EXISTING ROAD
WIDTH VARIES
℄ EXISTING ROAD
G.A.B.
COMPACT TOP 12" OF SUBGRADE TO 98%
OF MAXIMUM THEORETICAL DENSITY
BY
REVISION
DATE

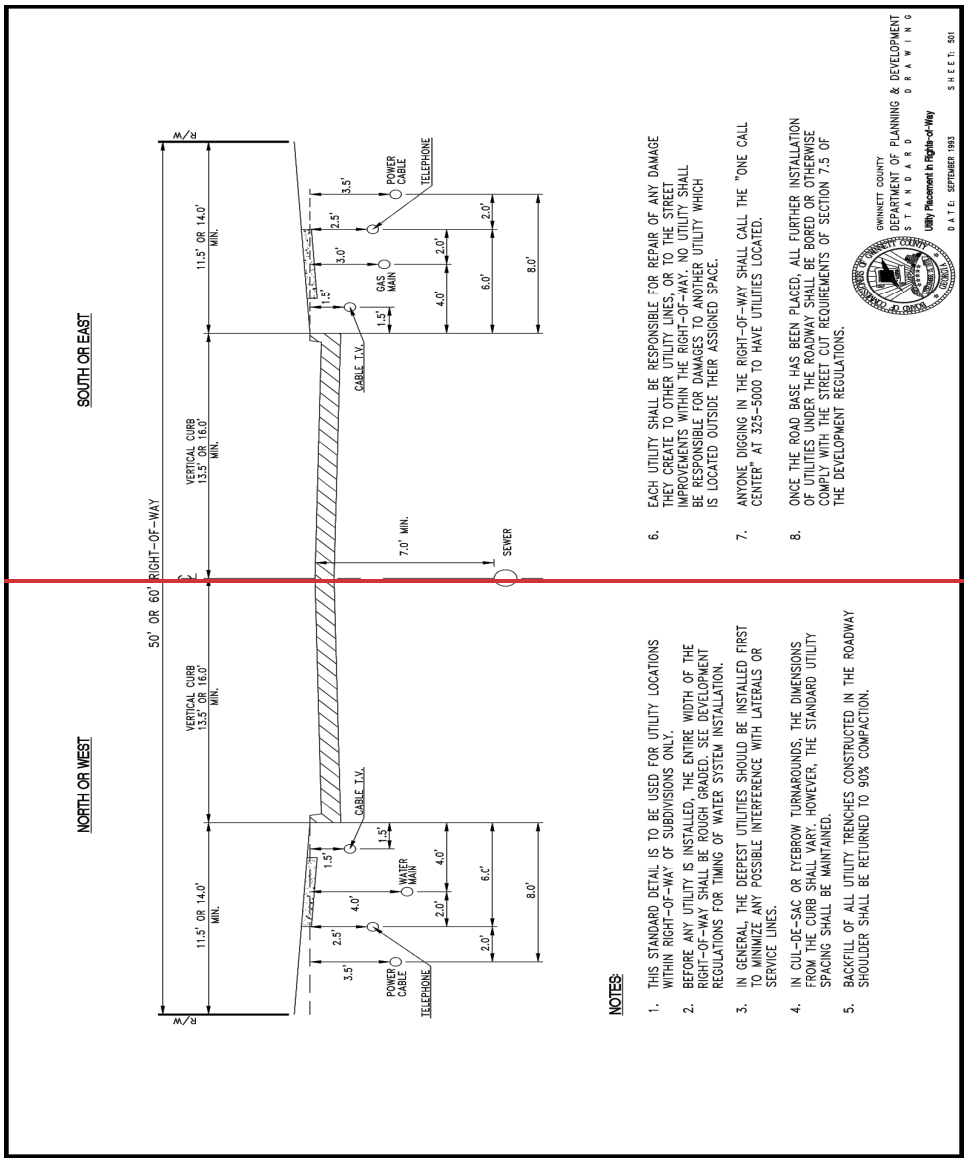

GWINNETT COUNTY
DEPARTMENT OF TRANSPORTATION
401E WIDENING WITH OVERLAY FOR MAJOR ARTERIALS
DATE: May, 2014
BY: LC
ARTERIALS OVER 10,000 ADT
TYPICAL WIDENING WITH OVERLAY 1/2 SECTION
10" OF G.A.B., 4" 25mm SUPERPAVE, 2" 19mm SUPERPAVE, 1.5" 12.5mm SUPERPAVE
SYMETRICAL ABOUT ℄
℄ EXISTING ROAD
EXISTING ROAD WIDTH VARIES
VARIES
11' SHOULDER
5'-0" SIDEWALK
2'-0"
2'-6"
12' WIDENING
1-1/2" OVERLAY
EXISTING PAVEMENT
EDGE OF EXIST PAVEMENT
MAINTAIN EXISTING CROSS SLOPE OR 1/4" /FT. MIN.
12"
1/4"/FT.
CUT SLOPE
FILL SLOPE
STD. GA. DOT TYPE 2 CURB AND GUTTER (8"X30"X14")
COMPACT TOP 12" OF SUBGRADE TO 98% OF MAXIMUM THEORETICAL DENSITY
BY
REVISION
DATE

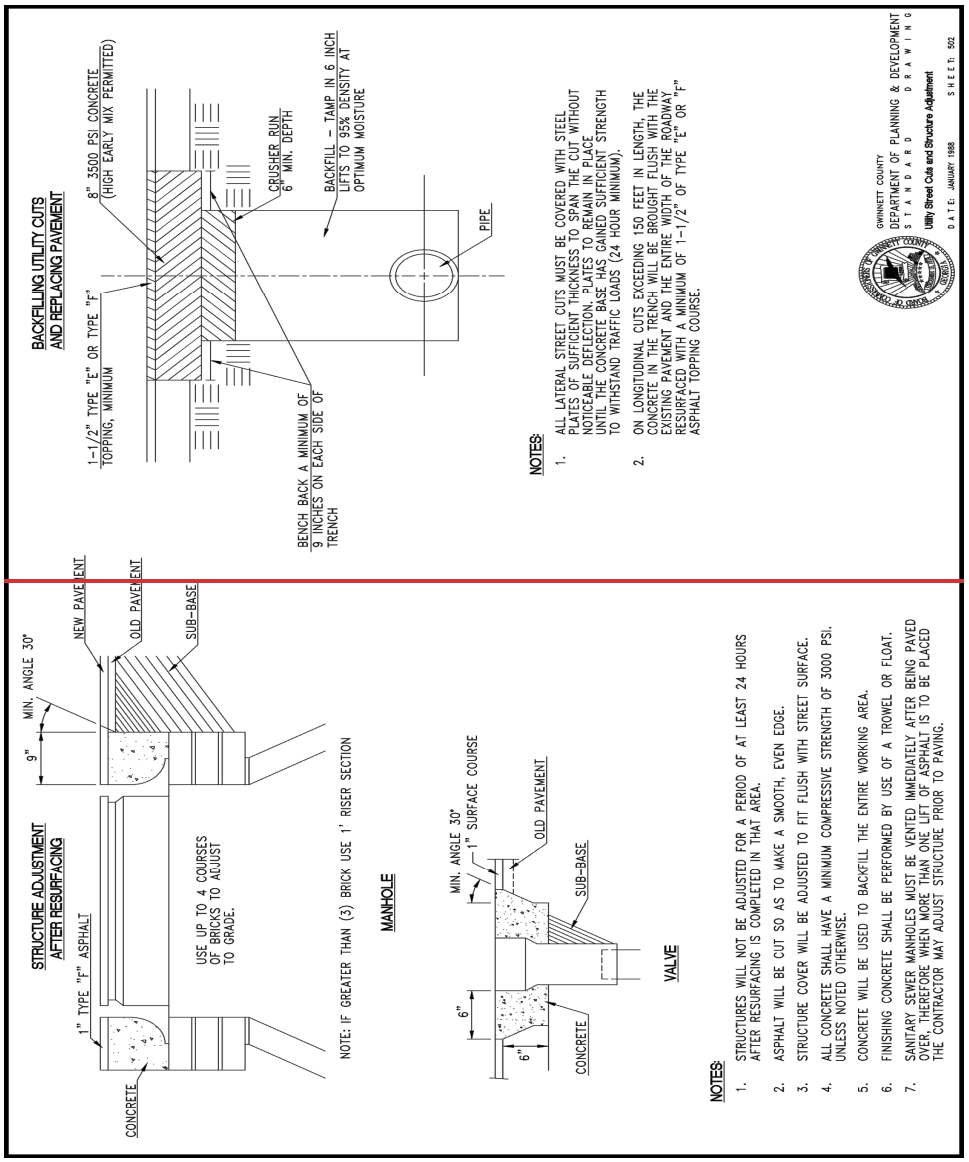

GWINNETT COUNTY
DEPARTMENT OF TRANSPORTATION
401F WIDENING WITH OVERLAY FOR MAJOR ARTERIALS
D A T E: May, 2014
BY: LC
ARTERIALS UNDER 10,000 ADT
TYPICAL WIDENING WITH OVERLAY 1/2 SECTION
10" OF G.A.B., 4" 25mm SUPERPAVE, 2" 19mm SUPERPAVE, 1.5" 9.5mm TYPE II SUPERPAVE
SYMETRICAL ABOUT ℄
℄ EXISTING ROAD
EXISTING ROAD WIDTH VARIES
VARIES
11' SHOULDER
5'-0" SIDEWALK
2'-0"
2'-6"
12' WIDENING
1-1/2" OVERLAY
EXISTING PAVEMENT
EDGE OF EXIST PAVEMENT
MAINTAIN EXISTING CROSS SLOPE OR 1/4" FT. MIN.
12"
1/4"/FT.
CUT SLOPE
FILL SLOPE
STD. GA. DOT TYPE 2 CURB AND GUTTER (8"X30"X14")
COMPACT TOP 12" OF SUBGRADE TO 98% OF MAXIMUM THEORETICAL DENSITY
BY
REVISION
DATE

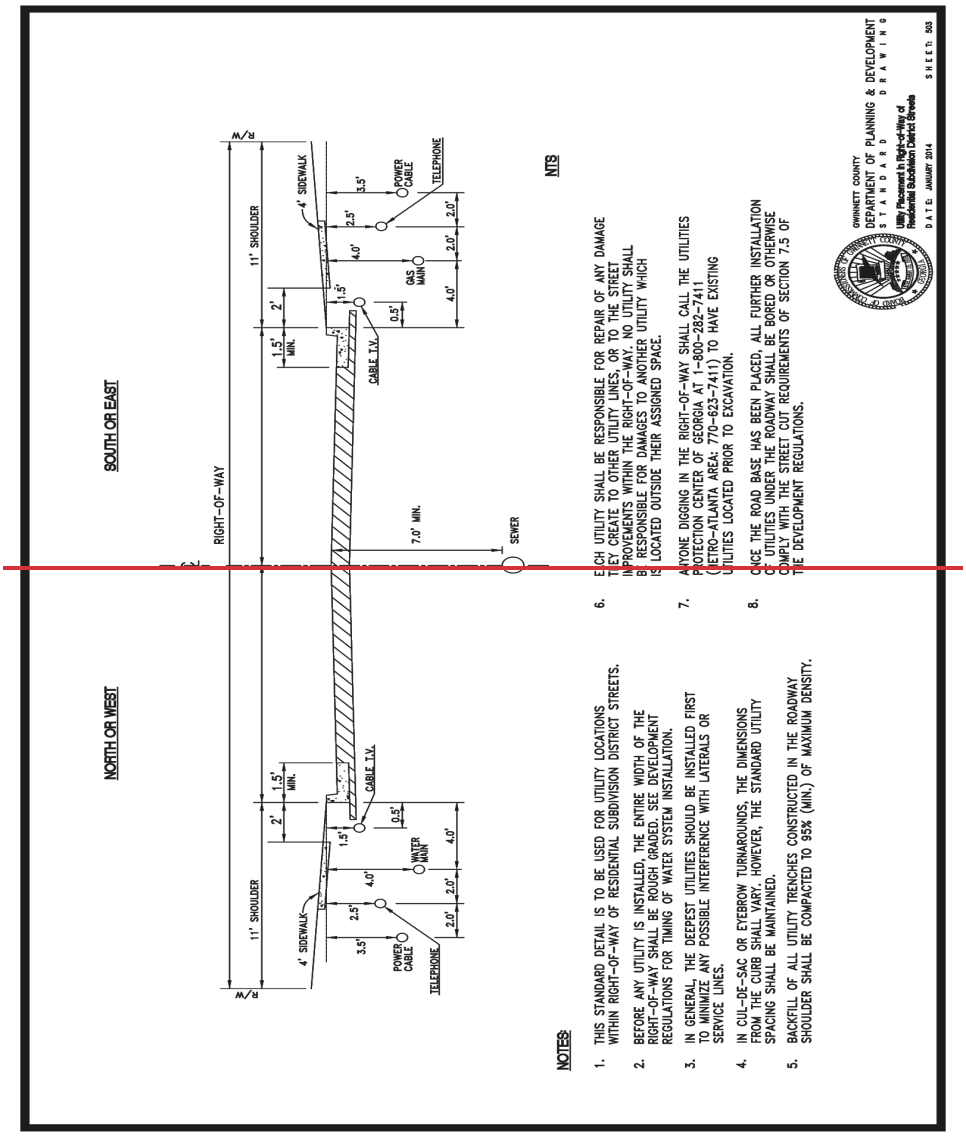

GWINNETT COUNTY
DEPARTMENT OF TRANSPORTATION
401G WIDENING WITH OVERLAY FOR MAJOR ARTERIALS
DATE: May, 2014
BY: LC
COLLECTORS OVER 10,000 ADT
TYPICAL WIDENING WITH OVERLAY 1/2 SECTION
10" OF G.A.B., 4" 19mm SUPERPAVE, 1.5" 12.5mm SUPERPAVE
CUT SLOPE
FILL SLOPE
STD. GA. DOT TYPE 2 CURB AND GUTTER (8"X30"X14")
1/4"/FT.
11' SHOULDER
5'-0" SIDEWALK
2'-0"
12"
2'-6"
12' WIDENING
VARIES
MAINTAIN EXISTING CROSS SLOPE OR 1/4" FT. MIN.
EDGE OF EXIST PAVEMENT
1-1/2" OVERLAY
EXISTING PAVEMENT
COMPACT TOP 12" OF SUBGRADE TO 98% OF MAXIMUM THEORETICAL DENSITY
EXISTING ROAD WIDTH VARIES
℄ EXISTING ROAD
SYMETRICAL ABOUT ℄
BY
REVISION
DATE

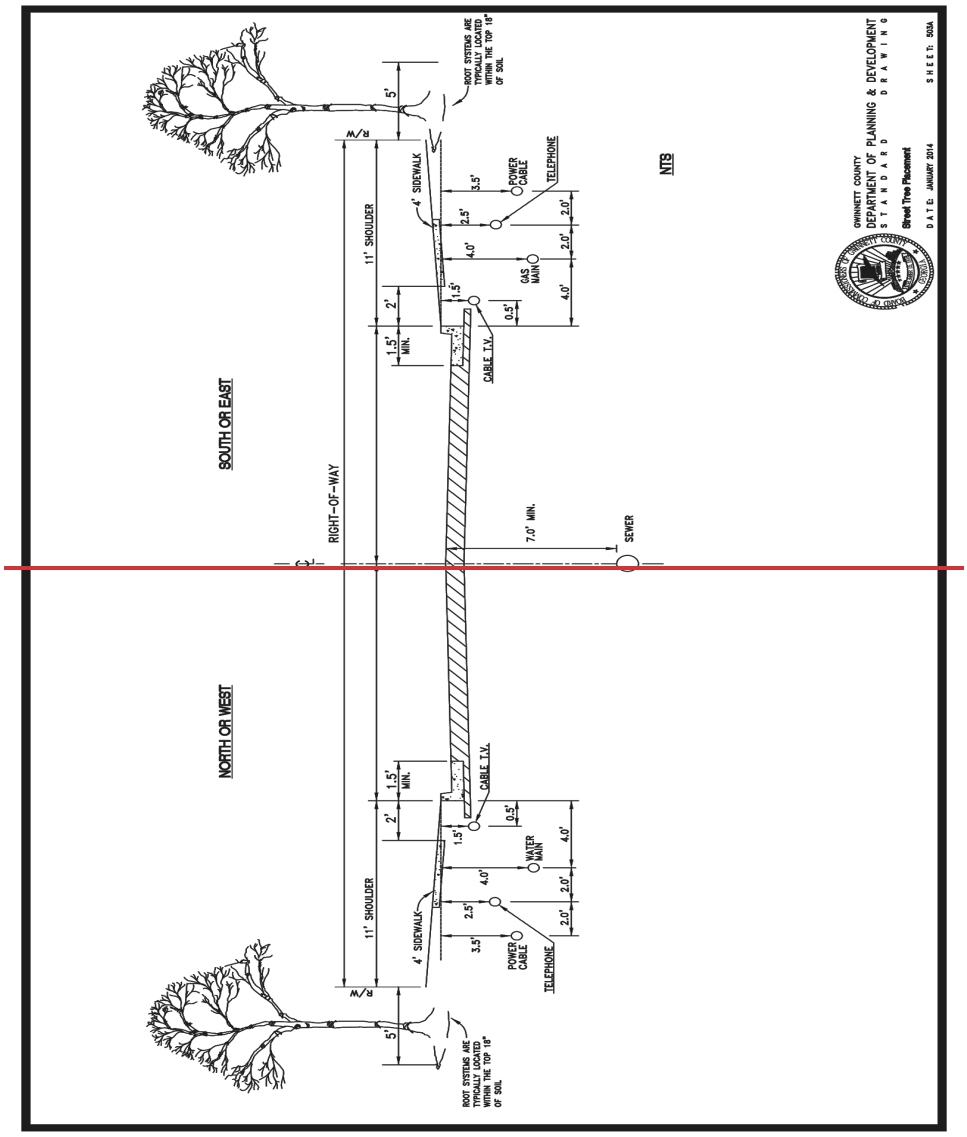

GWINNETT COUNTY
DEPARTMENT OF TRANSPORTATION
401H WIDENING WITH OVERLAY FOR MAJOR ARTERIALS
D A T E: May, 2014
BY: LC
COLLECTORS UNDER 10,000 ADT
TYPICAL WIDENING WITH OVERLAY 1/2 SECTION
10" OF G.A.B., 4" 19mm SUPERPAVE, 1.5" 9.5mm TYPE II SUPERPAVE
CUT SLOPE
FILL SLOPE
STD. GA. DOT TYPE 2 CURB AND GUTTER (8"X30"X14")
1/4'/FT.
11' SHOULDER
5'-0" SIDEWALK
2'-0"
12"
2'-6"
MAINTAIN EXISTING CROSS SLOPE OR 1/4" FT. MIN.
12' WIDENING
VARIES
EDGE OF EXIST PAVEMENT
EXISTING ROAD WIDTH VARIES
1-1/2" OVERLAY
EXISTING PAVEMENT
COMPACT TOP 12" OF SUBGRADE TO 98% OF MAXIMUM THEORETICAL DENSITY
SYMETRICAL ABOUT ℄
℄ EXISTING ROAD
BY
REVISION
DATE

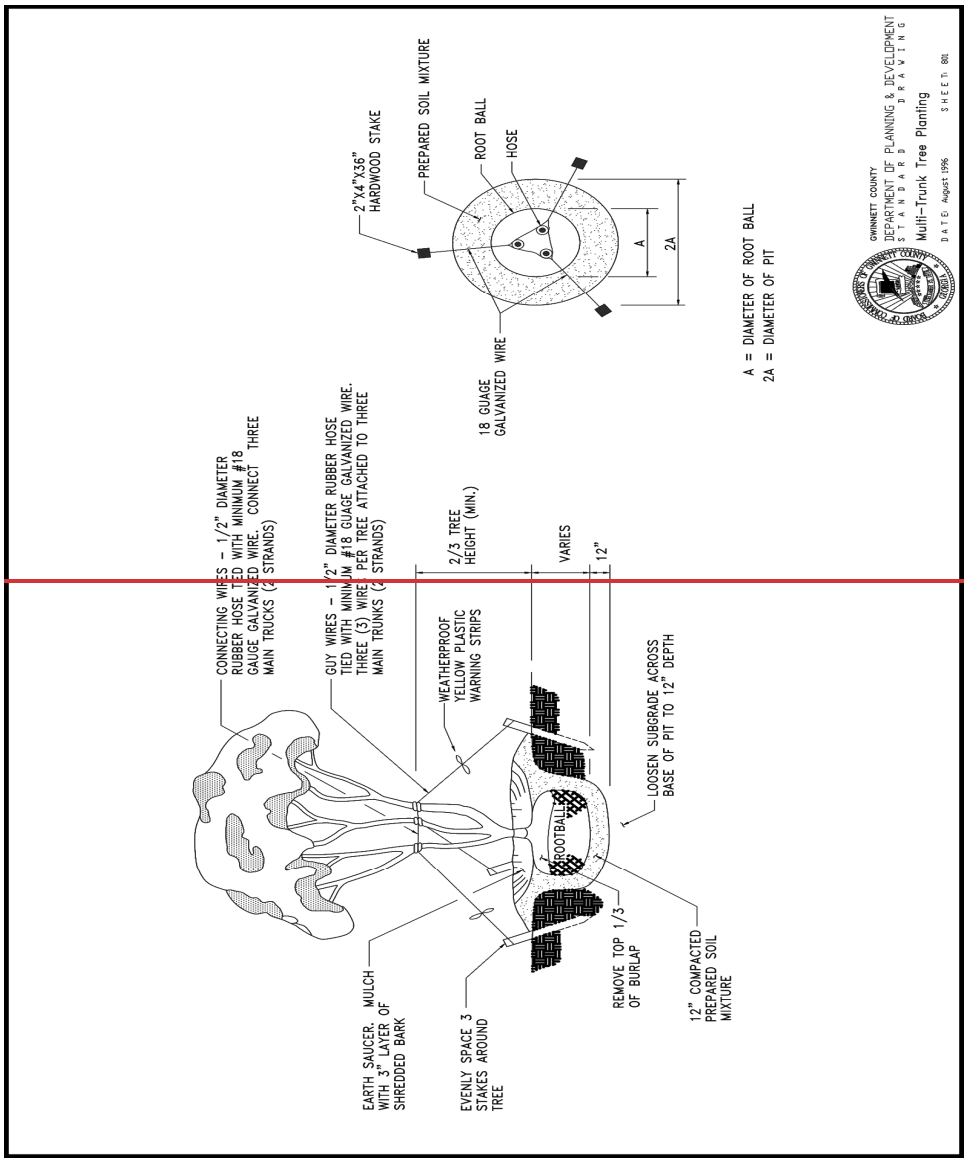

PAVEMENT COMPOSITION
1.25" OF 9.5 MM SUPERPAVE TYPE II
2" OF 19 MM SUPERPAVE
8" GRADED AGGREGATE BASE
VERTICAL CURBING ONLY
SLOPE: 1/2" PER FT.
CROSS-SLOPE
1/4" PER FT
SURFACE COURSE
INTERMEDIATE COURSE
BASE COURSE (G.A.B.)
11.5'
SUBGRADE COMPACTED TO 95% DRY DENSITY
9.0'
10.0'
11.5'
2'
2'
LOCAL OR MINOR COLLECTOR STREETS IN RESIDENTIAL SUBDIVISIONS
(STANDARD RESIDENTIAL SUBDIVISION STREET PER TABLE 900.1)
(SEE UDO FOR WIDTHS WITHIN THE OSC, TND, AND MIXED-USE DISTRICTS)
NOTES:
1. ANY AREAS OF INADEQUATELY COMPACTED FILL OR UNSUITABLE MATERIAL OF ANY NATURE SHALL BE REMOVED AND REPLACED WITH SUITABLE FILL IN WELL COMPACTED LAYERS TO AT LEAST 95% OF MAXIMUM DENSITY (AASHTO T-99), BEFORE ANY TYPE OF PAVING IS APPLIED.
2. NO CONTRACTOR SHALL BEGIN TO APPLY PAVING WITHOUT A RELEASE FROM THE DEPARTMENT, AND WILL BE HELD RESPONSIBLE FOR REPLACING ANY PAVING, BASE, AND SUBGRADE WHICH MAY FAIL BECAUSE OF INADEQUATE SUBGRADE CONDITIONS, AS WELL AS FOR ORDINARY PAVING DEFICIENCIES.
3. VERTICAL CURBING ONLY - TO BE 6"X24"X12".
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Residential Subdivision Streets
DATE: November 2015 SHEET: 402

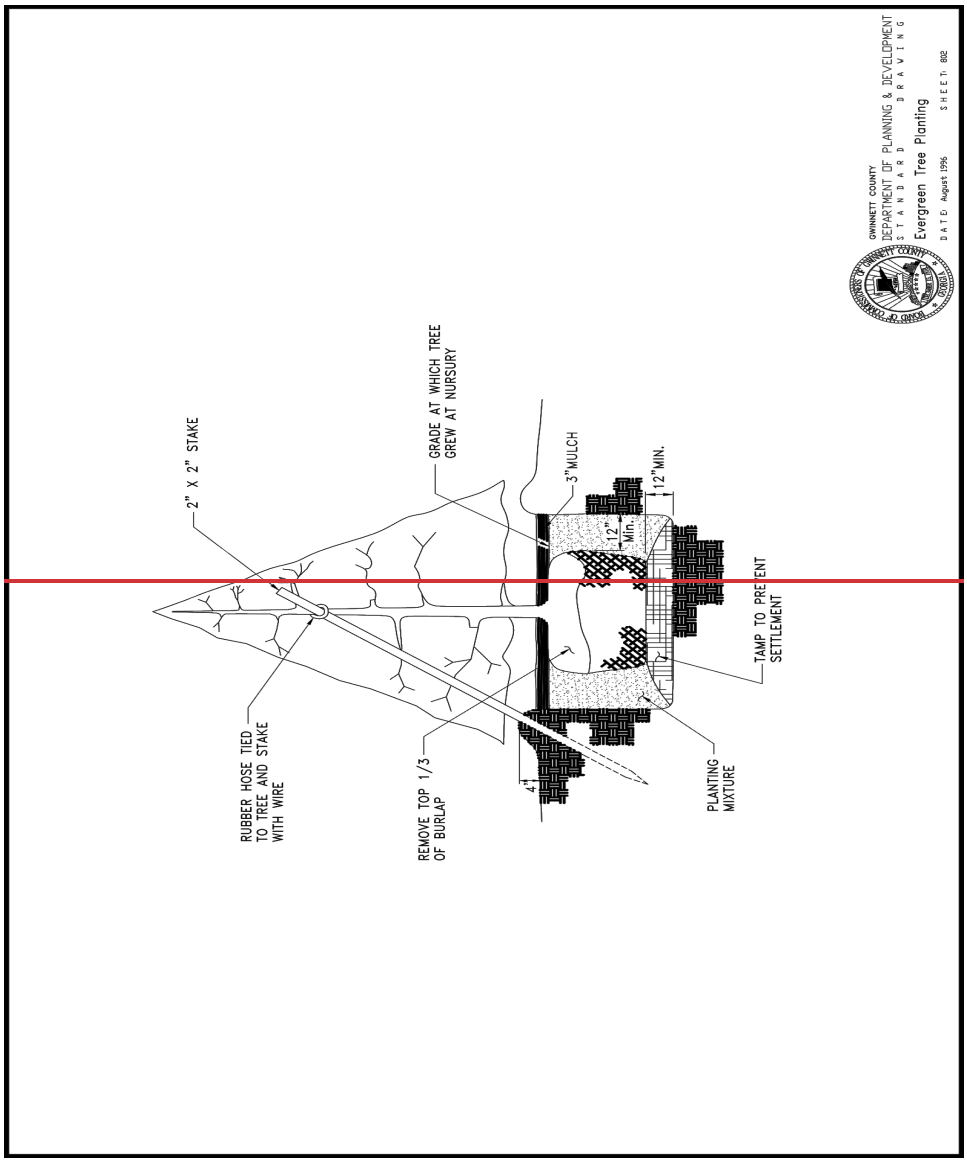

SOUTH OR EAST
NORTH OR WEST
50' OR 60' RIGHT-OF-WAY
R/W
VERTICAL CURB 13.5' OR 16.0' MIN.
11.5' OR 14.0' MIN.
CABLE T.V.
GAS MAIN
POWER CABLE
TELEPHONE
WATER MAIN
SEWER
7.0' MIN.
1.5'
2.5'
3.0'
3.5'
4.0'
6.0'
8.0'
2.0'
NOTES:
1. THIS STANDARD DETAIL IS TO BE USED FOR UTILITY LOCATIONS WITHIN RIGHT-OF-WAY OF SUBDIVISIONS ONLY.
2. BEFORE ANY UTILITY IS INSTALLED, THE ENTIRE WIDTH OF THE RIGHT-OF-WAY SHALL BE ROUGH GRADED. SEE DEVELOPMENT REGULATIONS FOR TIMING OF WATER SYSTEM INSTALLATION.
3. IN GENERAL THE DEEPEST UTILITIES SHOULD BE INSTALLED FIRST TO MINIMIZE ANY POSSIBLE INTERFERENCE WITH LATERALS OR SERVICE LINES.
4. IN CUL-DE-SAC OR EYEBROW TURNAROUNDS, THE DIMENSIONS FROM THE CURB SHALL VARY, HOWEVER, THE STANDARD UTILITY SPACING SHALL BE MAINTAINED.
5. BACKFILL OF ALL UTILITY TRENCHES CONSTRUCTED IN THE ROADWAY SHOULDER SHALL BE RETURNED TO 90% COMPACTION.
6. EACH UTILITY SHALL BE RESPONSIBLE FOR REPAIR OF ANY DAMAGE THEY CREATE TO OTHER UTILITY LINES, OR TO THE STREET IMPROVEMENTS WITHIN THE RIGHT-OF-WAY. NO UTILITY SHALL BE RESPONSIBLE FOR DAMAGES TO ANOTHER UTILITY WHICH IS LOCATED OUTSIDE THEIR ASSIGNED SPACE.
7. ANYONE DIGGING IN THE RIGHT-OF-WAY SHALL CALL THE "ONE CALL CENTER" AT 325-5000 TO HAVE UTILITIES LOCATED.
8. ONCE THE ROAD BASE HAS BEEN PLACED, ALL FURTHER INSTALLATION OF UTILITIES UNDER THE ROADWAY SHALL BE BORED OR OTHERWISE COMPLY WITH THE STREET CUT REQUIREMENTS OF SECTION 7.5 OF THE DEVELOPMENT REGULATIONS.
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Utility Placement in Right-of-Way
DATE: SEPTEMBER 1993
SHEET: 501

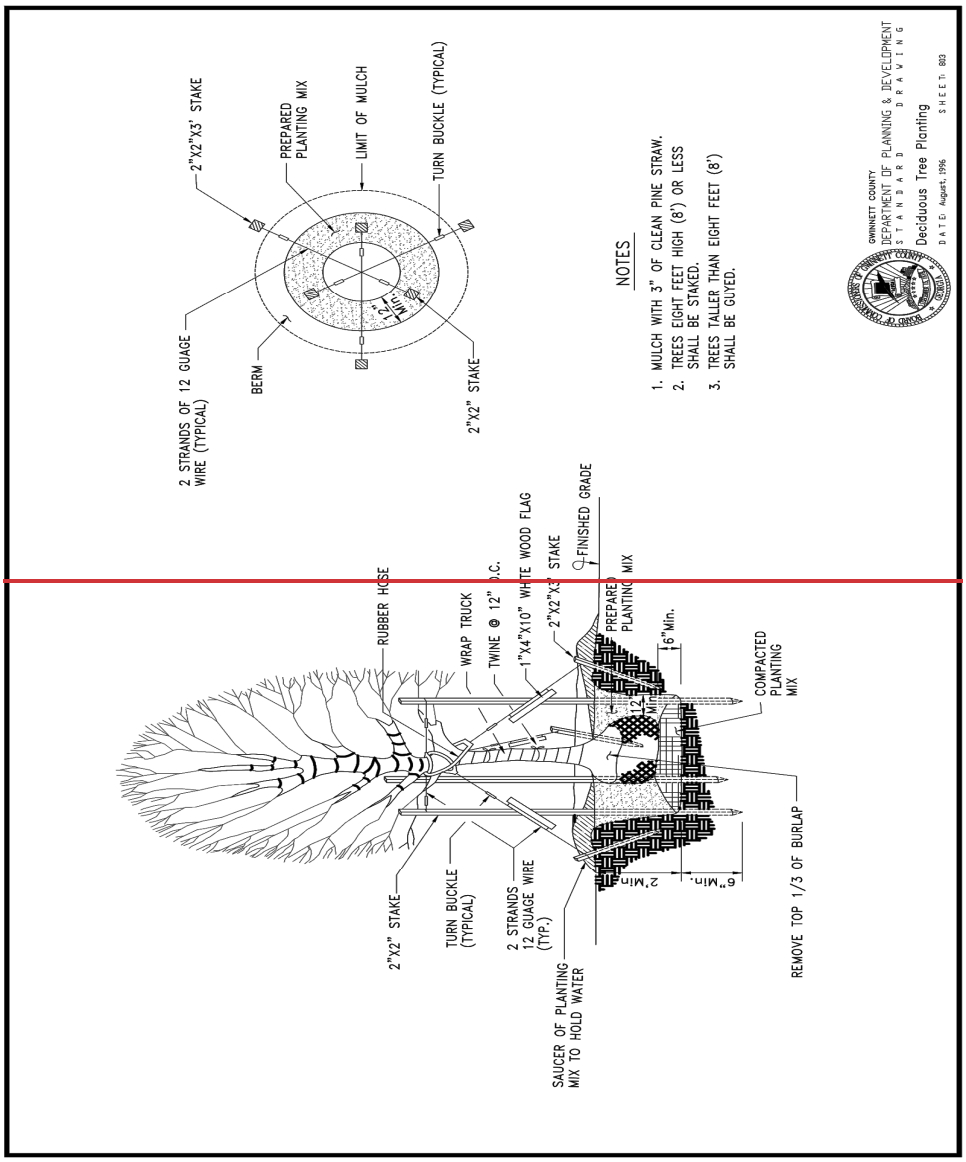

BACKFILLING UTILITY CUTS AND REPLACING PAVEMENT
8" 3500 PSI CONCRETE (HIGH EARLY MIX PERMITTED)
1-1/2" TYPE "E" OR TYPE "F" TOPPING, MINIMUM
CRUSHER RUN 6" MIN. DEPTH
BACKFILL – TAMP IN 6 INCH LIFTS TO 95% DENSITY AT OPTIMUM MOISTURE
BENCH BACK A MINIMUM OF 9 INCHES ON EACH SIDE OF TRENCH
PIPE
NOTES:
1. ALL LATERAL STREET CUTS MUST BE COVERED WITH STEEL PLATES OF SUFFICIENT THICKNESS TO SPAN THE CUT WITHOUT NOTICEABLE DEFLECTION. PLATES TO REMAIN IN PLACE UNTIL THE CONCRETE BASE HAS GAINED SUFFICIENT STRENGTH TO WITHSTAND TRAFFIC LOADS (24 HOUR MINIMUM).
2. ON LONGITUDINAL CUTS EXCEEDING 150 FEET IN LENGTH, THE CONCRETE IN THE TRENCH WILL BE BROUGHT FLUSH WITH THE EXISTING PAVEMENT AND THE ENTIRE WIDTH OF THE ROADWAY RESURFACED WITH A MINIMUM OF 1-1/2" OF TYPE "E" OR "F" ASPHALT TOPPING COURSE.
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Utility Street Cuts and Structure Adjustment
DATE: JANUARY 1988
SHEET: 502
STRUCTURE ADJUSTMENT AFTER RESURFACING
1" TYPE "F" ASPHALT
9"
MIN. ANGLE 30°
NEW PAVEMENT
OLD PAVEMENT
SUB-BASE
USE UP TO 4 COURSES OF BRICKS TO ADJUST TO GRADE.
CONCRETE
NOTE: IF GREATER THAN (3) BRICK USE 1' RISER SECTION
MANHOLE
MIN. ANGLE 30°
1" SURFACE COURSE
OLD PAVEMENT
SUB-BASE
6"
6"
CONCRETE
VALVE
NOTES:
1. STRUCTURES WILL NOT BE ADJUSTED FOR A PERIOD OF AT LEAST 24 HOURS AFTER RESURFACING IS COMPLETED IN THAT AREA.
2. ASPHALT WILL BE CUT SO AS TO MAKE A SMOOTH, EVEN EDGE.
3. STRUCTURE COVER WILL BE ADJUSTED TO FIT FLUSH WITH STREET SURFACE.
4. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI. UNLESS NOTED OTHERWISE.
5. CONCRETE WILL BE USED TO BACKFILL THE ENTIRE WORKING AREA.
6. FINISHING CONCRETE SHALL BE PERFORMED BY USE OF A TROWEL OR FLOAT.
7. SANITARY SEWER MANHOLES MUST BE VENTED IMMEDIATELY AFTER BEING PAVED OVER, THEREFORE WHEN MORE THAN ONE LIFT OF ASPHALT IS TO BE PLACED THE CONTRACTOR MAY ADJUST STRUCTURE PRIOR TO PAVING.

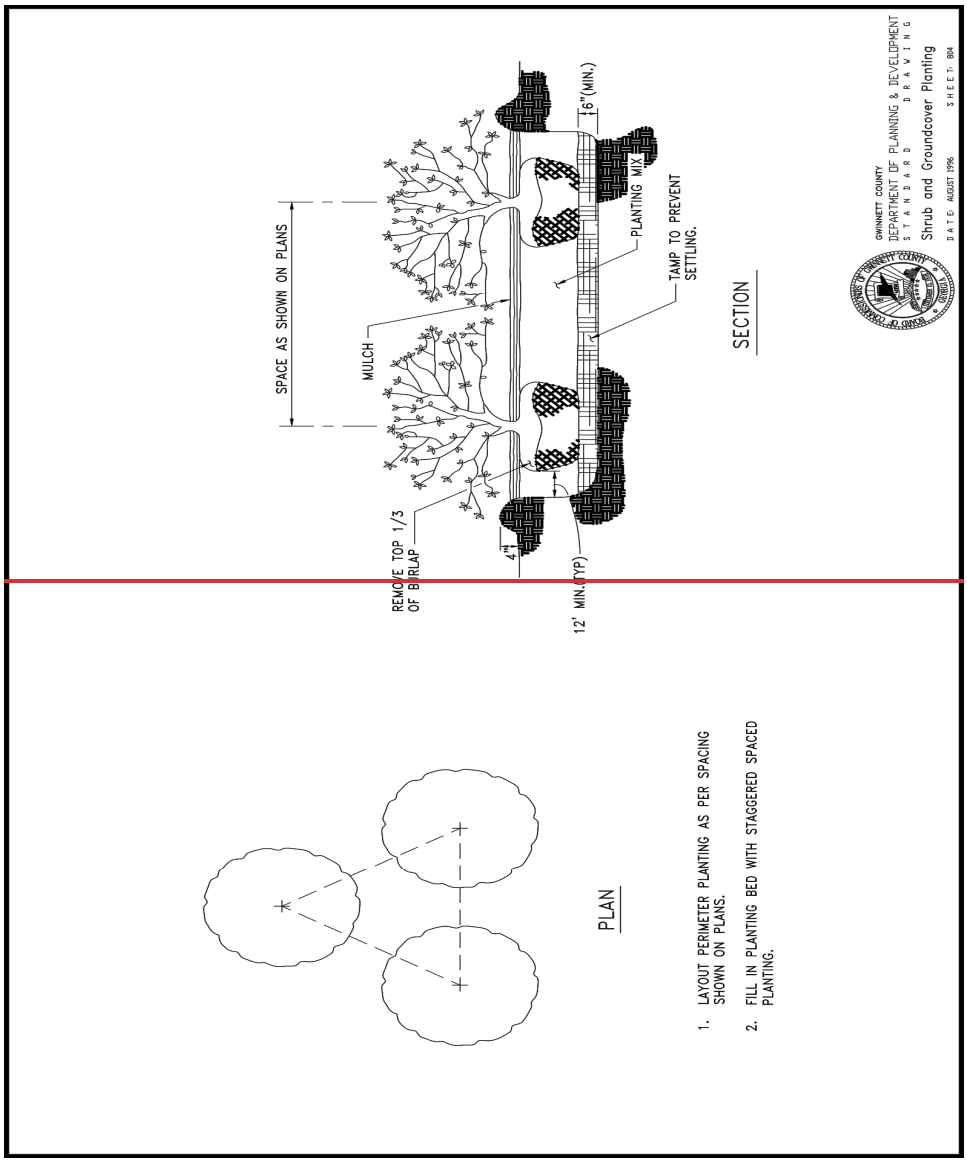

SOUTH OR EAST
NORTH OR WEST
RIGHT-OF-WAY
R/W
11' SHOULDER
4' SIDEWALK
1.5' MIN.
2'
CABLE T.V.
1.5'
0.5'
GAS MAIN
WATER MAIN
POWER CABLE
TELEPHONE
2.5'
3.5'
4.0'
2.0'
7.0' MIN.
SEWER
NTS
NOTES:
1. THIS STANDARD DETAIL IS TO BE USED FOR UTILITY LOCATIONS WITHIN RIGHT-OF-WAY OF RESIDENTIAL SUBDIVISION DISTRICT STREETS.
2. BEFORE ANY UTILITY IS INSTALLED, THE ENTIRE WIDTH OF THE RIGHT-OF-WAY SHALL BE ROUGH GRADED. SEE DEVELOPMENT REGULATIONS FOR TIMING OF WATER SYSTEM INSTALLATION.
3. IN GENERAL, THE DEEPEST UTILITIES SHOULD BE INSTALLED FIRST TO MINIMIZE ANY POSSIBLE INTERFERENCE WITH LATERALS OR SERVICE LINES.
4. IN CUL-DE-SAC OR EYEBROW TURNAROUNDS, THE DIMENSIONS FROM THE CURB SHALL VARY, HOWEVER, THE STANDARD UTILITY SPACING SHALL BE MAINTAINED.
5. BACKFILL OF ALL UTILITY TRENCHES CONSTRUCTED IN THE ROADWAY SHOULDER SHALL BE COMPACTED TO 95% (MIN.) OF MAXIMUM DENSITY.
6. EACH UTILITY SHALL BE RESPONSIBLE FOR REPAIR OF ANY DAMAGE THEY CREATE TO OTHER UTILITY LINES, OR TO THE STREET IMPROVEMENTS WITHIN THE RIGHT-OF-WAY. NO UTILITY SHALL BE RESPONSIBLE FOR DAMAGES TO ANOTHER UTILITY WHICH IS LOCATED OUTSIDE THEIR ASSIGNED SPACE.
7. ANYONE DIGGING IN THE RIGHT-OF-WAY SHALL CALL THE UTILITIES PROTECTION CENTER OF GEORGIA AT 1-800-282-7411 (METRO-ATLANTA AREA: 770-623-7411) TO HAVE EXISTING UTILITIES LOCATED PRIOR TO EXCAVATION.
8. ONCE THE ROAD BASE HAS BEEN PLACED, ALL FURTHER INSTALLATION OF UTILITIES UNDER THE ROADWAY SHALL BE BORED OR OTHERWISE COMPLY WITH THE STREET CUT REQUIREMENTS OF SECTION 7.5 OF THE DEVELOPMENT REGULATIONS.
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Utility Placement in Right-of-Way of Residential Subdivision District Streets
DATE: JANUARY 2014
SHEET: 503

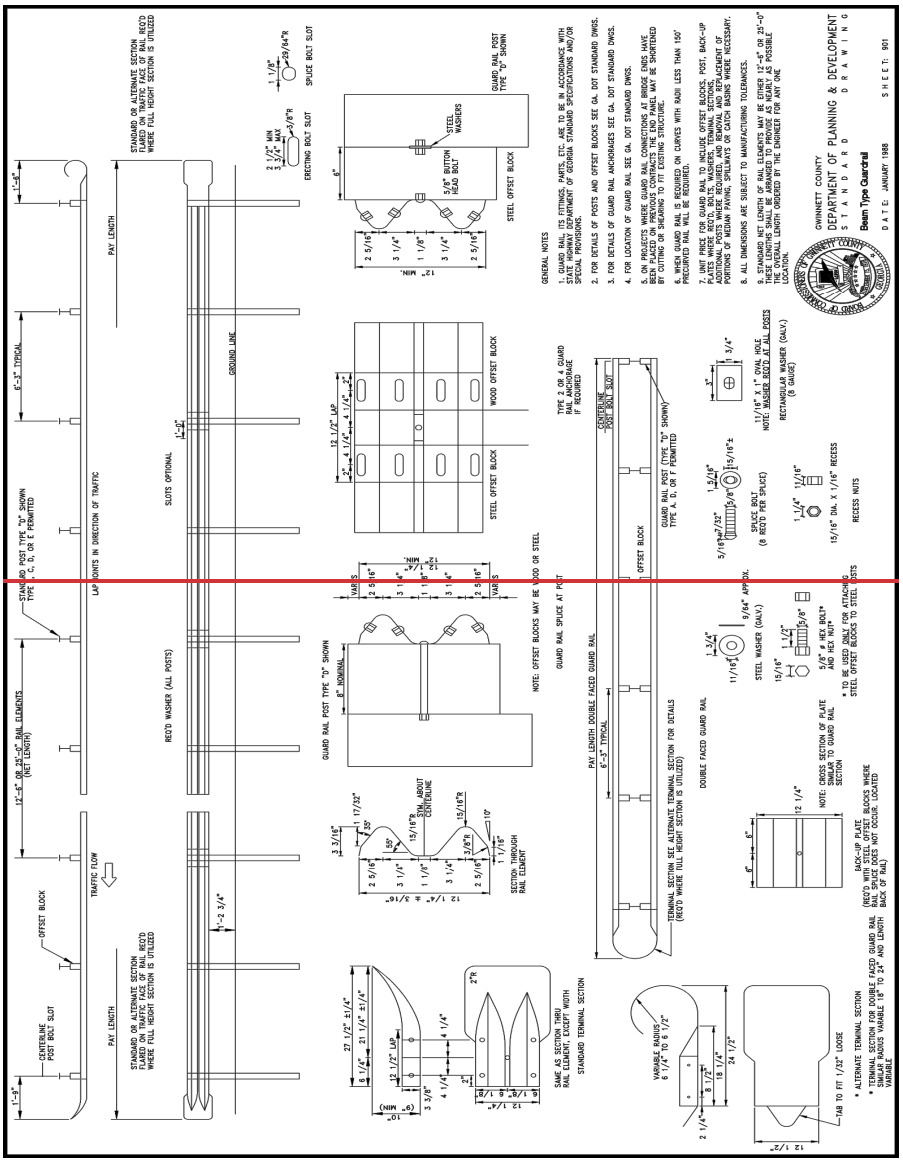

GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Street Tree Placement
DATE: JANUARY 2014
SHEET: 503A
NTS
SOUTH OR EAST
NORTH OR WEST
RIGHT-OF-WAY
R/W
5'
ROOT SYSTEMS ARE TYPICALLY LOCATED WITHIN THE TOP 18" OF SOIL
4' SIDEWALK
11' SHOULDER
2'
1.5' MIN.
3.5'
2.5'
4.0'
2.0'
POWER CABLE
TELEPHONE
GAS MAIN
1.5'
0.5'
CABLE T.V.
7.0' MIN.
SEWER
WATER MAIN


GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Multi-Trunk Tree Planting
DATE: August 1996
SHEET: 881
2"X4"X36" HARDWOOD STAKE
PREPARED SOIL MIXTURE
ROOT BALL
HOSE
A
2A
A = DIAMETER OF ROOT BALL
2A = DIAMETER OF PIT
18 GUAGE GALVANIZED WIRE
CONNECTING WIRES - 1/2" DIAMETER RUBBER HOSE TIED WITH MINIMUM #18 GAUGE GALVANIZED WIRE. CONNECT THREE MAIN TRUCKS (4 STRANDS)
GUY WIRES - 1/2" DIAMETER RUBBER HOSE TIED WITH MINIMUM #18 GUAGE GALVANIZED WIRE. THREE (3) WIRES PER TREE ATTACHED TO THREE MAIN TRUNKS (2 STRANDS)
2/3 TREE HEIGHT (MIN.)
VARIES
12"
WEATHERPROOF YELLOW PLASTIC WARNING STRIPS
LOOSEN SUBGRADE ACROSS BASE OF PIT TO 12" DEPTH
ROOTBALL
EARTH SAUCER. MULCH WITH 3" LAYER OF SHREDDED BARK
EVENLY SPACE 3 STAKES AROUND TREE
REMOVE TOP 1/3 OF BURLAP
12" COMPACTED PREPARED SOIL MIXTURE


GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Evergreen Tree Planting
DATE August 1996
SHEET 802
2" X 2" STAKE
GRADE AT WHICH TREE GREW AT NURSURY
3" MULCH
12" MIN.
12" MIN.
TAMP TO PREVENT SETTLEMENT
RUBBER HOSE TIED TO TREE AND STAKE WITH WIRE
REMOVE TOP 1/3 OF BURLAP
4"
PLANTING MIXTURE


2"X2"X3' STAKE
PREPARED PLANTING MIX
LIMIT OF MULCH
TURN BUCKLE (TYPICAL)
2 STRANDS OF 12 GUAGE WIRE (TYPICAL)
BERM
2"X2" STAKE
NOTES
1. MULCH WITH 3" OF CLEAN PINE STRAW.
2. TREES EIGHT FEET HIGH (8') OR LESS SHALL BE STAKED.
3. TREES TALLER THAN EIGHT FEET (8') SHALL BE GUYED.
GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Deciduous Tree Planting
DATE: August, 1996
SHEET: 803
RUBBER HOSE
WRAP TRUCK
TWINE @ 12" O.C.
1"X4"X10" WHITE WOOD FLAG
2"X2"X3' STAKE
FINISHED GRADE
PREPARED PLANTING MIX
6"Min.
COMPACTED PLANTING MIX
12" Min.
2"Min.
6"Min.
REMOVE TOP 1/3 OF BURLAP
2"X2" STAKE
TURN BUCKLE (TYPICAL)
2 STRANDS 12 GUAGE WIRE (TYP.)
SAUCER OF PLANTING MIX TO HOLD WATER


GWINNETT COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
STANDARD DRAWING
Shrub and Groundcover Planting
DATE: AUGUST 1996
SHEET: 804
SECTION
SPACE AS SHOWN ON PLANS
MULCH
REMOVE TOP 1/3 OF BURLAP
4"
16"(MIN.)
PLANTING MIX
TAMP TO PREVENT SETTLING.
12" MIN.(TYP)
PLAN
1. LAYOUT PERIMETER PLANTING AS PER SPACING SHOWN ON PLANS.
2. FILL IN PLANTING BED WITH STAGGERED SPACED PLANTING.



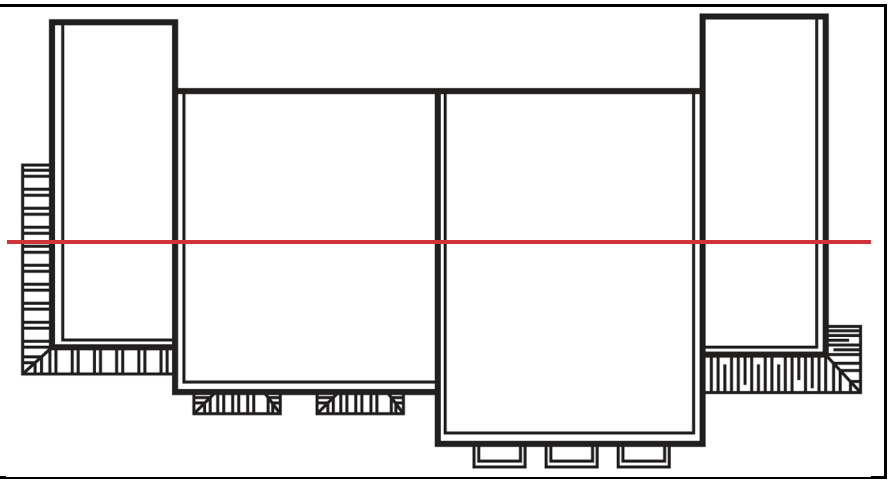
~~(Ord. No. UDOA2023-00002(GCID 2023-0604), Exh. A(§ 52), 9-26-2023)~~

~~Appendix Section 2.0 Design Guidelines~~

~~General Design~~

~~Building Facade Materials and Modulation~~

~~Plan~~

• Modulate building façade setbacks with a variety of dimensions and feature elements such as colonnades.	

Elevation

• Buildings 3 stories or less shall incorporate cornices that project horizontally a minimum of 1 foot and extending across the entire façade. • Changes in building material and color shall be incorporated. • Street level: Articulate façade with large windows and distinctive entrances.	

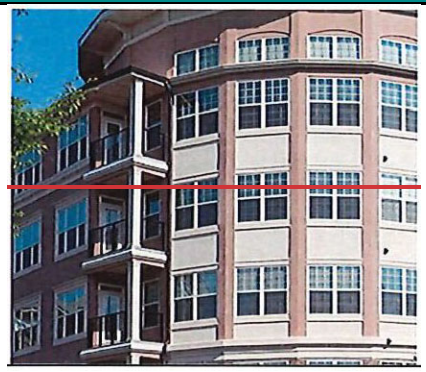
Architectural Design For Multi-Story Buildings

The following design guidelines should be considered when designing multi-story buildings: • Create unique iconic features at building corners such as towers and balconies	

- Building facades shall be varied via offsets and recesses to avoid creating a heavy monolithic appearance.

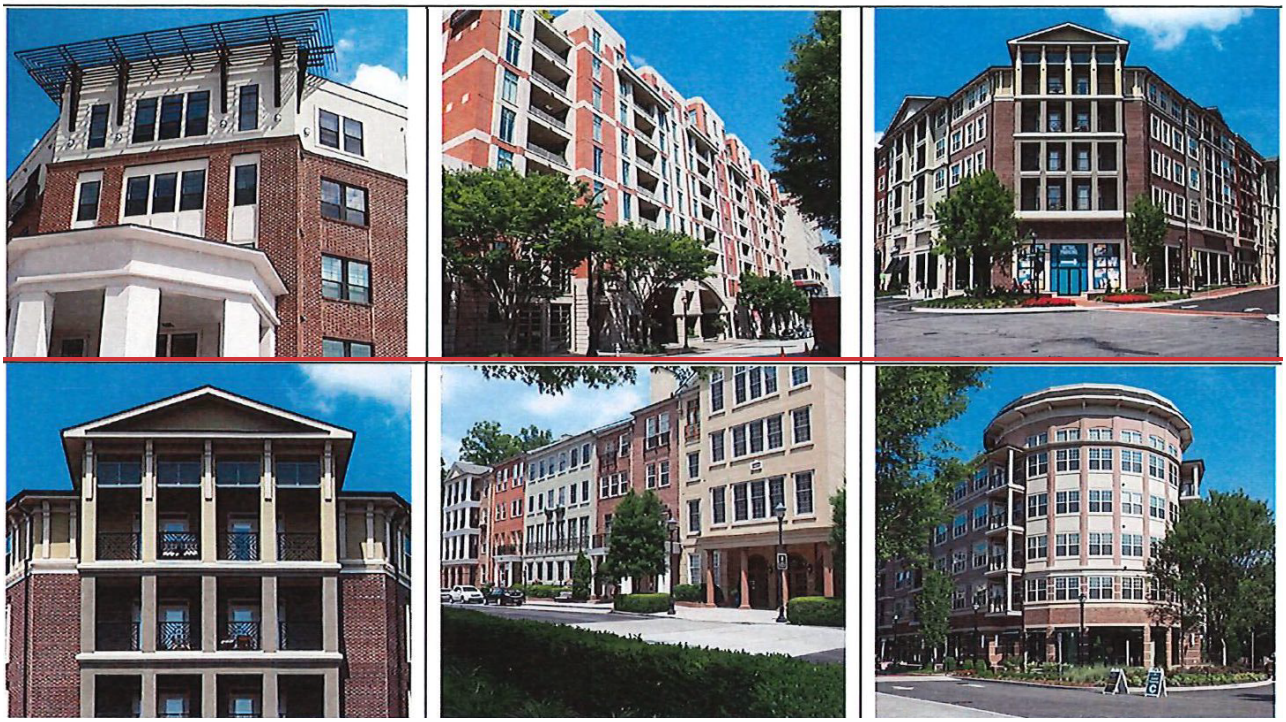


- Ground floors shall be distinguished through façade projections, recesses, and change of materials and color that will differentiate building elevations.

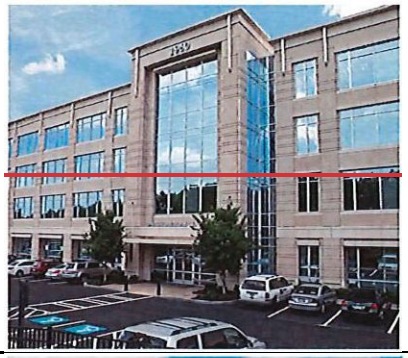
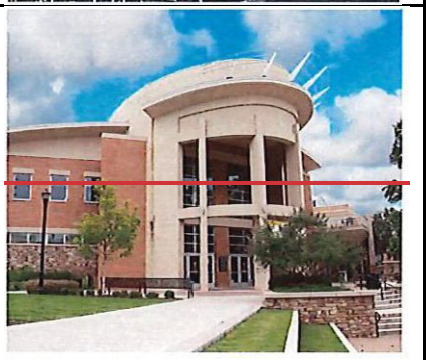




- Ground floors shall incorporate large frequent window articulations.
- Changes in building material, texture, and color shall be incorporated.



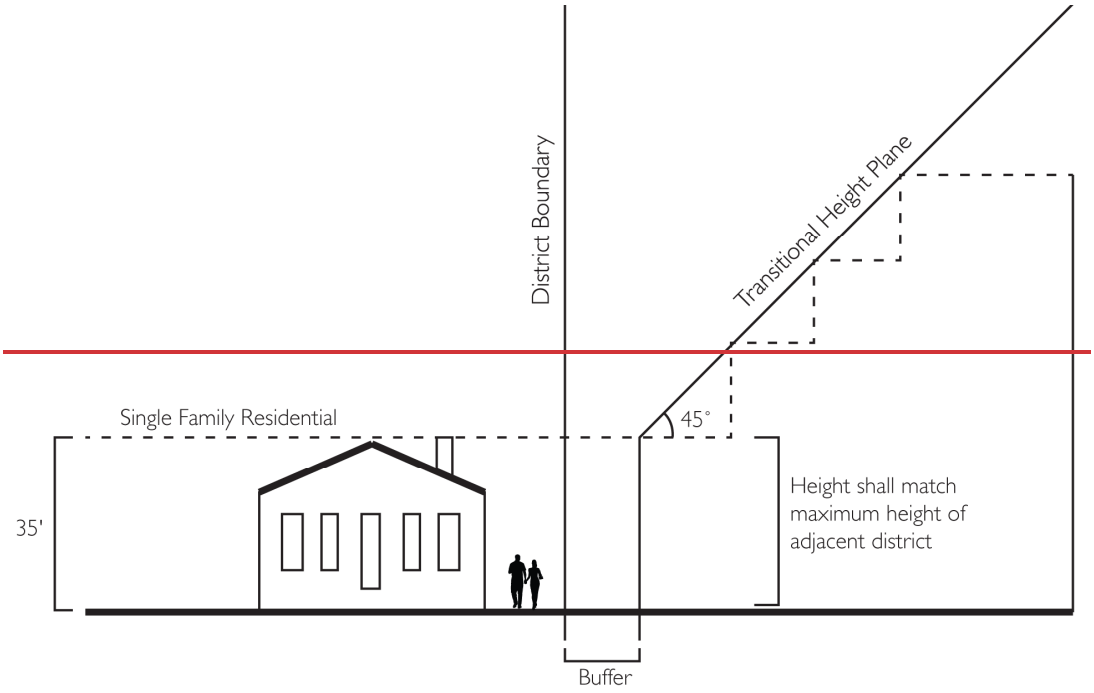
Architectural Entry Features

The following architectural entry features should be considered when designing commercial buildings: • Incorporate height variations to distinguish entry features • Incorporate projections, roof overhangs, canopy structures, and awnings to distinguish entry features	
• Changes in building material, texture, and color to distinguish entry features. • Incorporate unique window and door features to provide entry identity. • Incorporate offsets and recesses to distinguish entry features.	 



Height Transitions

Transitional Height Plane



Internal Height Transitions



Multifamily Residential

The following architectural and site design guidelines are laid out to ensure well-designed and well-constructed multifamily development that enhances the quality of life in the surrounding community and provides a variety of quality housing options to current and future residents.

Typical Multifamily Building Elevation

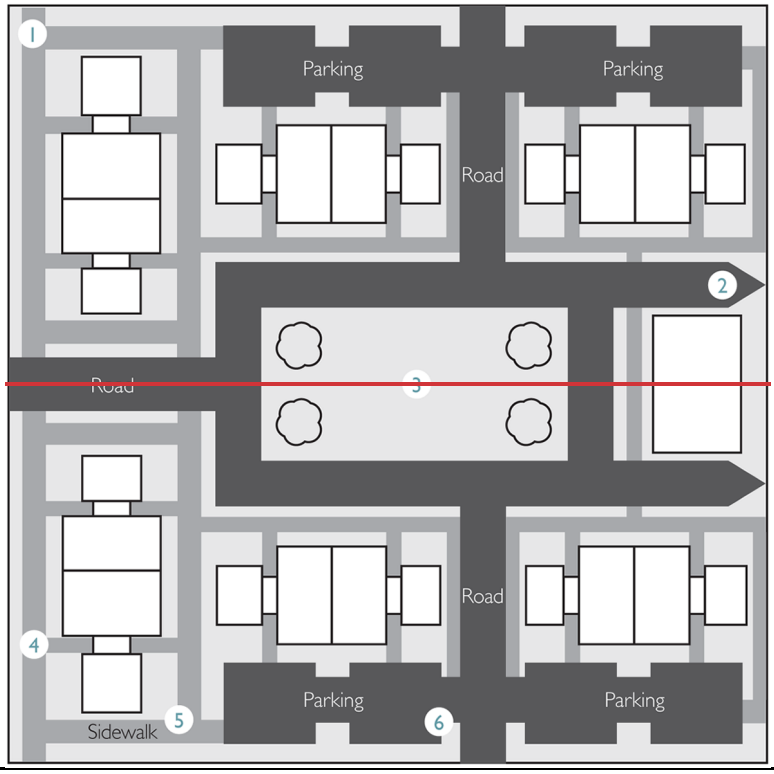
	• Multifamily buildings encouraged to be designed with a pitched roof (see 3.8 for roof guidelines.)



- Common entrances and breezeway entrances shall incorporate a distinctive architectural entrance structure such as a tower element, arched portal or arbor/trellis.
- Front, sides, and rear facades shall be finished with a minimum of 50 percent brick or stone finish on each elevation.

Typical Site Layout For Multifamily Residential

1. Provide pedestrian connections within and beyond the development.
2. Provide potential future connections to adjacent sites or parallel roads.
3. Organize buildings around park to create more park views and provide more natural security.
4. Buildings should be oriented parallel to both external and internal streets, providing a frontage that helps frame the public realm.
5. Buildings should be used to screen the parking areas from view.
6. Break up parking lots to avoid large areas of asphalt.



Attached Single-Family Residential

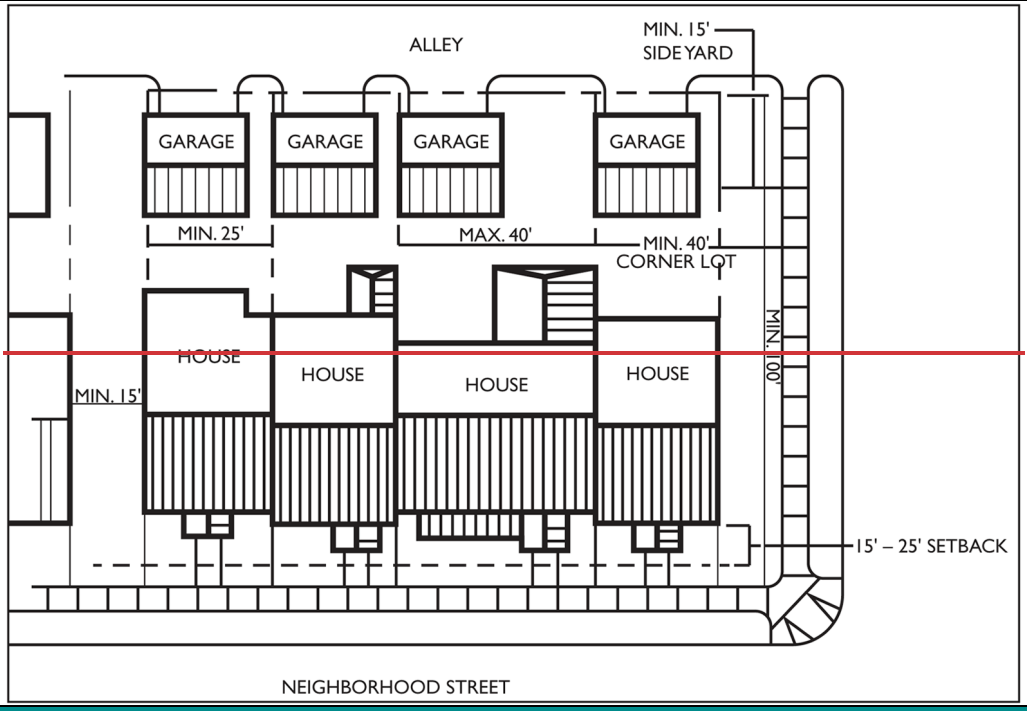
Typical Attached Single-Family Building Elevation

- Buildings shall be designed with a pitched roof (see 3.8 for roof guidelines)



- Front, sides, and rear facades shall be finished with a minimum of 50 percent* brick or stone finish on each elevation
- Required percentage of brick or stone finish varies by zoning district.

Typical Site Layout For Attached Single-Family Residential



- Building front façade changes in setback are encouraged.

Industrial Building Facades

The following design guidelines should be considered when designing industrial buildings:	

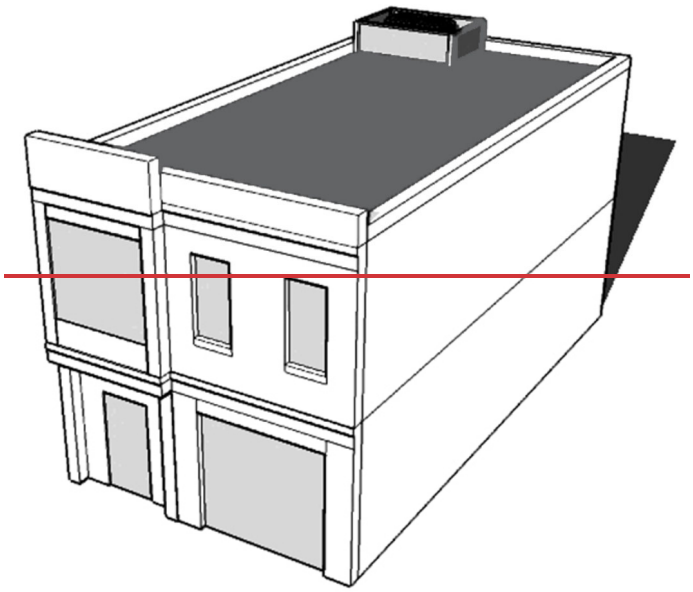
• Articulate facades to provide a consistent visual effect that is consistent with the character and scale of the area.		
• Elevations visible to public view shall reflect the overall design, colors and textures used on the front façade.		
• Design multi-building projects to include consistent design elements throughout the project.		
• Incorporate clearly defined public and employee entrances.		

• Incorporate canopies, porticoes, and peaked roof features.		
• Varied parapet elevation height changes.		
• Entrance framed by outdoor pedestrian features or enhanced landscaping.		
• Incorporate architectural details such as façade articulation that includes changes in color and materials.		

• Incorporate integral planters in the outdoor pedestrian areas.	

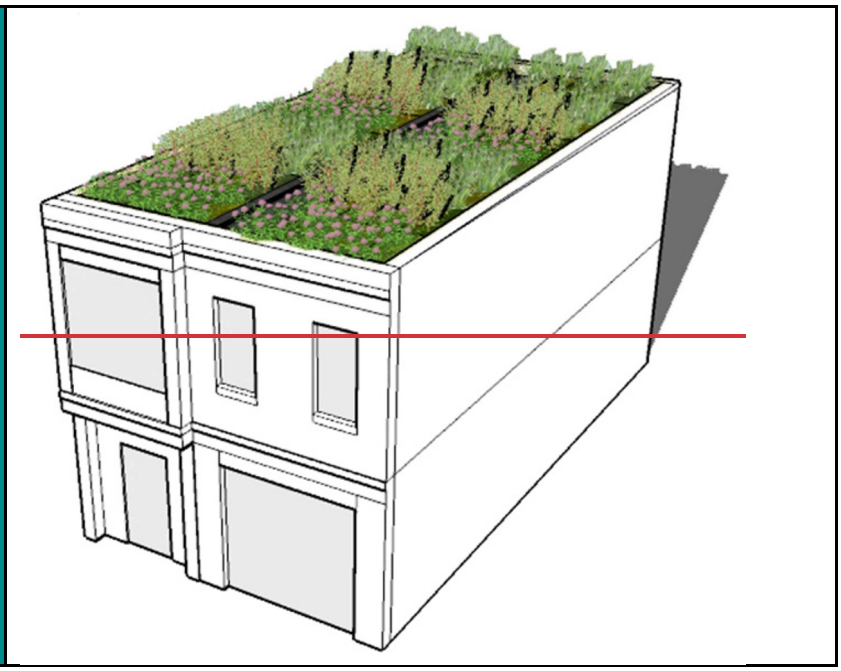
Roof Treatments

Flat Roof

• Flat roof buildings shall incorporate articulated parapets or facade projections every 100 feet. Parapets should be a minimum of 1' in height. Vary building and cornice heights along long facades, but avoid drastic changes - generally no more than 20 feet or two stories.	

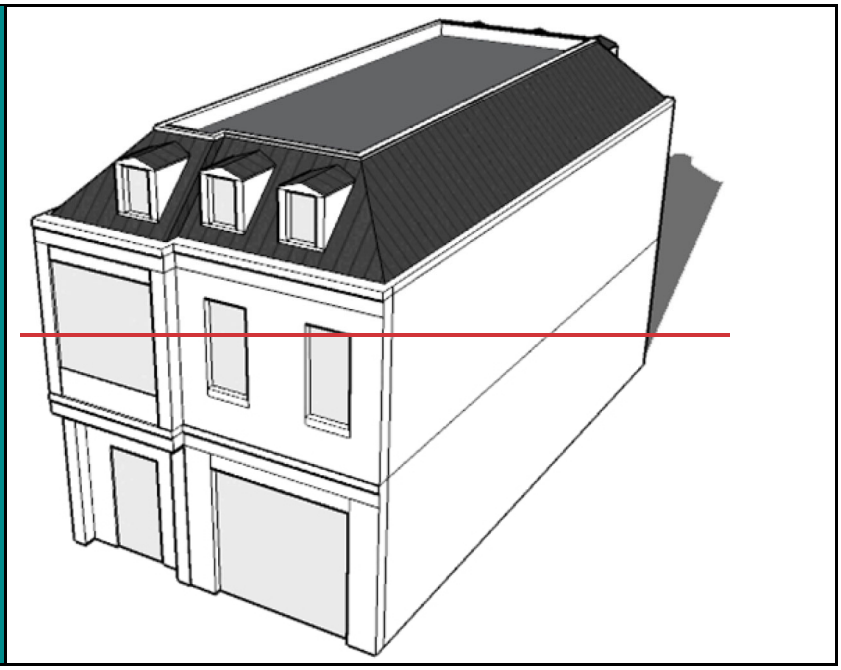
Green Roof

- Flat roofs with live vegetative planting visible from ground views may be substituted for articulated parapets or pitched roofs.

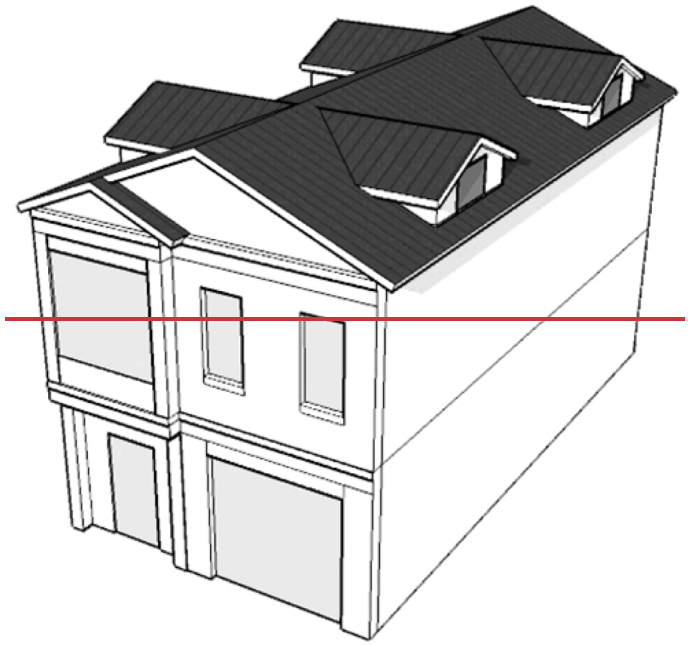


Mansard Roof

- Pitched roofs may have a flat roof well located in the central area of the roof, not to exceed 50 percent of the total roof area. The height of the partial (mansard) roof profile should be equal in ridge height to the design height of a fully pitched roof.

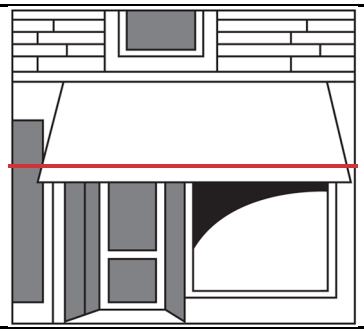
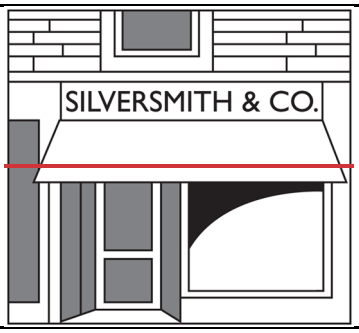


Pitched Roof

• Fully pitched roofs require a minimum slope of 4 feet in every 12 feet. Roof eaves must overhang 1 foot at minimum. Roofing material is limited to seam metal, slate, tile, or architectural shingles. Roof must be articulated every 100 feet. Incorporate features such as roof eave height changes, towers, spires, cupolas, dormers, and/or gables.	

Awning/Canopy Design

Awnings

• The scale of the awning, i.e., height, length, depth, and overall bulk shall be compatible with the building storefront or entry.		
• Awnings shall not be made of shiny, high gloss, or translucent materials.		
• Awnings shall not cover distinctive architectural features of the building façade.	**Discouraged:** higher awnings that cover signage or architectural features	**Encouraged:** awnings that highlight signage and enhance building

Canopies

• Canopies shall be compatible in material, color, and construction to the style of the building.	

• Canopy roof and column material and design shall compliment the main building design.	

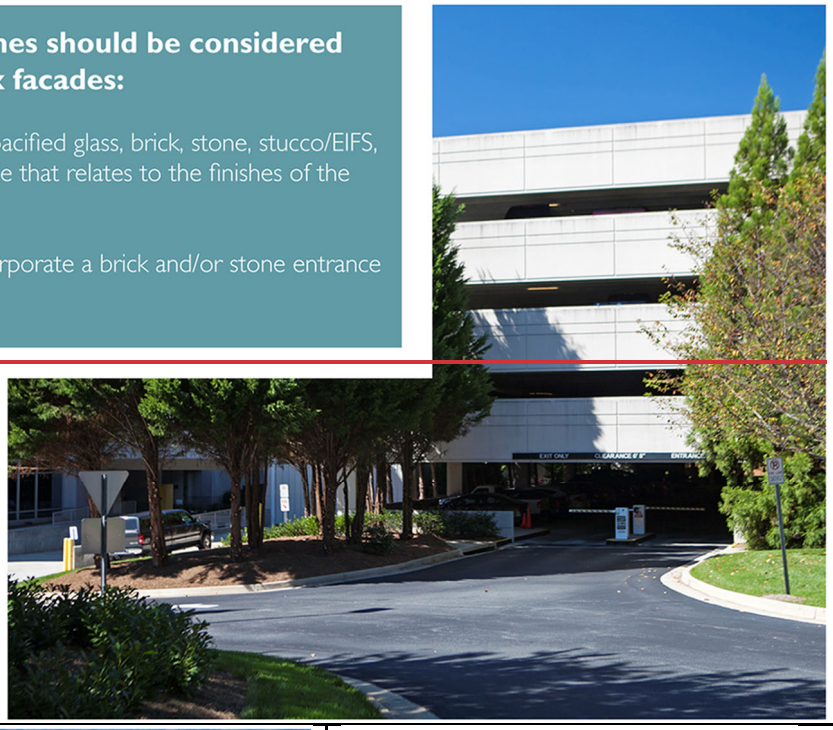




Parking Decks: Architectural Features and Screening

The following design guidelines should be considered when designing parking deck facades:

- Front, sides and rear facades shall opacified glass, brick, stone, stucco/EIFS, and/or architectural pre-cast concrete that relates to the finishes of the adjacent primary building.
- The parking deck entrance shall incorporate a brick and/or stone entrance feature.
- The first level of parking that is adjacent to public or private streets shall incorporate a full-height screen utilizing opacified glass, brick, stone, false windows, decorative grills, and/or dense vegetative screening.
- Facades facing public streets or driveways shall incorporate land-scape areas immediately in the front of the parking structure.







~~Landscape and Plaza Design~~

~~Multifamily Residential~~

• hg:Vary heights, sizes and types of plant materials around the building foundation area. • Create focal cluster groups of plants adjacent to the building entry points. • Incorporate perennials and annuals to add color.	

Commercial/Office

• Screen service areas with large evergreens. • Vary heights, sizes and types of plant materials around the building foundation area. • Create focal cluster groups of plants adjacent to the building entry points. • Incorporate perennials and annuals to add color.	

Ground-Level Utility Equipment and Dumpster Screening

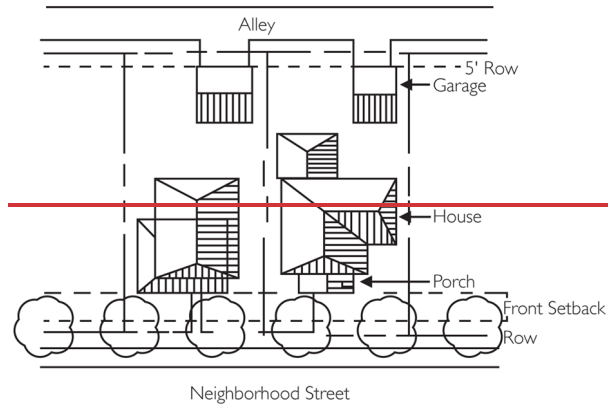
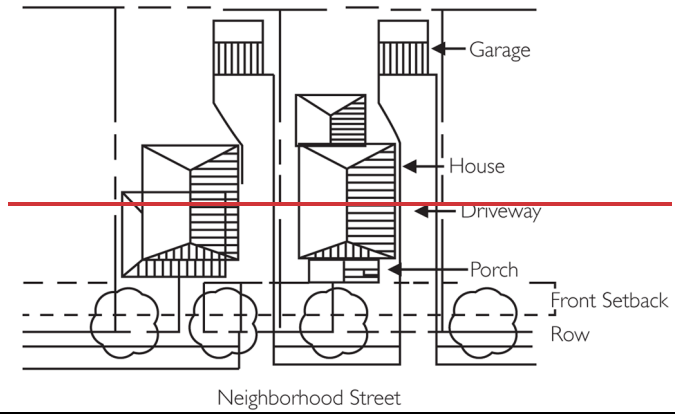
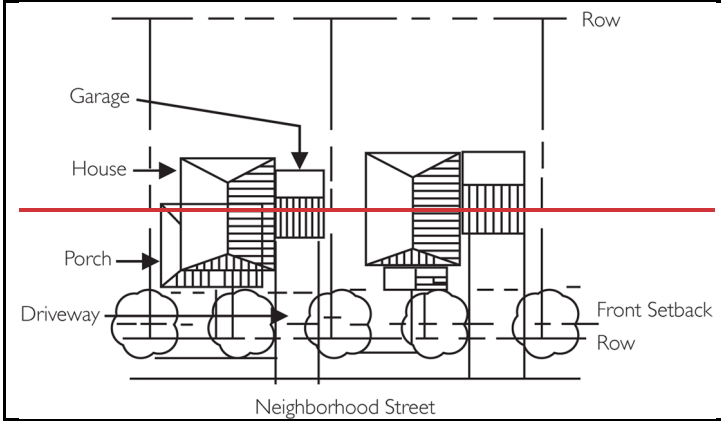
Utility equipment screening

• Utility equipment such as HVAC and other mechanical equipment should be designed and located in a manner to be hidden from public view. • Screens for exterior equipment should exceed the height of the equipment. • Screen structures shall utilize building materials that match the exterior materials of the adjacent building.	
Utility meter and other building mounted equipment screening	
• Utility meters shall screened to best extent possible with evergreen and other plantings. • Utility meters and associated fixtures shall be painted to match the color of the building. • Heating and air cooling units, exhaust hoods, fans, vent piping, satellite dishes, antennae, solar panels, and other appurtenances that are ground or roof mounted shall be screened from public view.	
Dumpster enclosures	
• Dumpster enclosures shall be constructed of materials that match the material and color finishes of the adjacent primary building.	

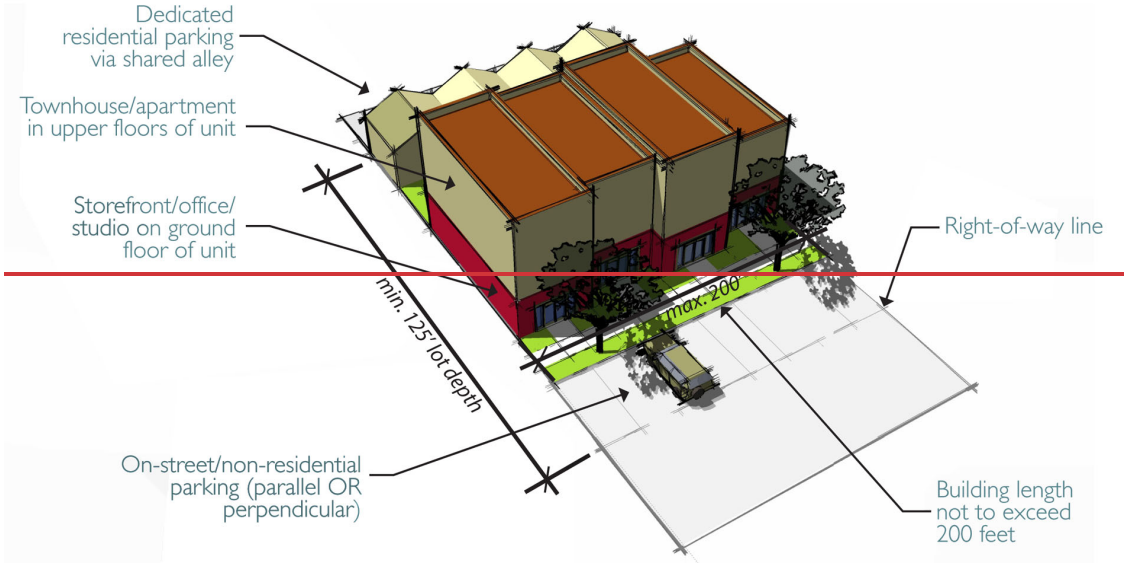
(Ord. No. UDOA2023-00002(GCID 2023-0604), Exh. A(§ 53), 9-26-2023)

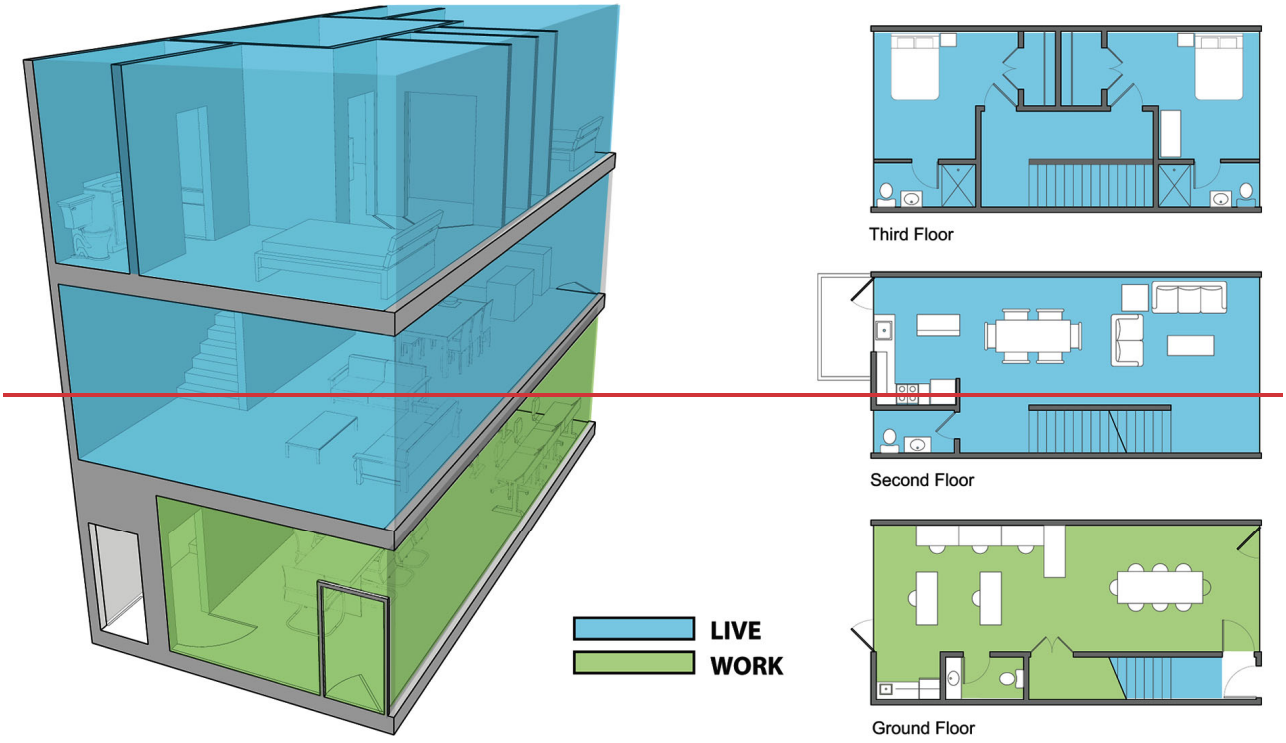
Appendix Section 3.0 Design Guidelines
Traditional Neighborhood Design

Detached Single-Family Residential

	~~Detached Garage With Rear Access~~
	~~Detached Garage With Front Access~~
	~~Attached Garage With Front Access~~

~~Live-Work Units~~





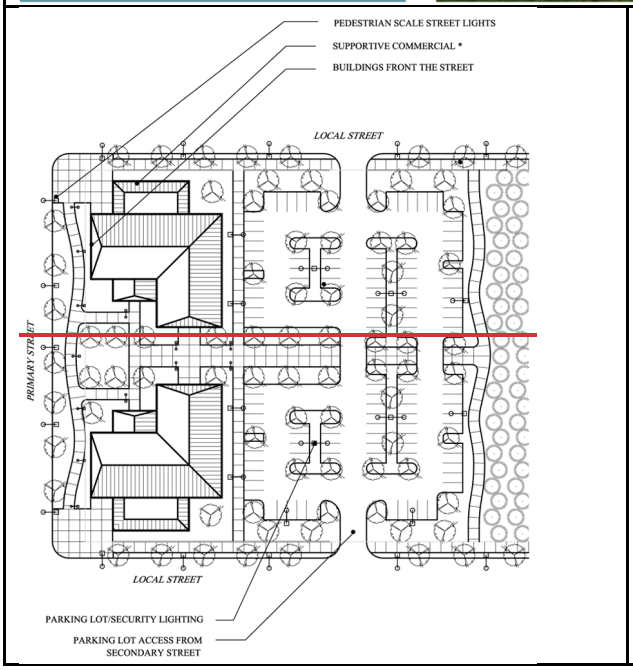
Master's Research Studio: Live/Work 2009
Northeastern University School of Architecture

~~**Civic Uses**~~

The following design guidelines should be considered when designing civic buildings:

- Complement the architectural style of the Traditional Neighborhood.
- Façade design should incorporate covered porches, towers, pilasters, colonnade, cornice, and/or roof eave brackets.
- Incorporate changes in building material, texture, and color.
- Provide roof design elements such as dormers and cupolas, eave brackets.
- Incorporate civic site features such as water features, plazas, arbors, and gazebos.





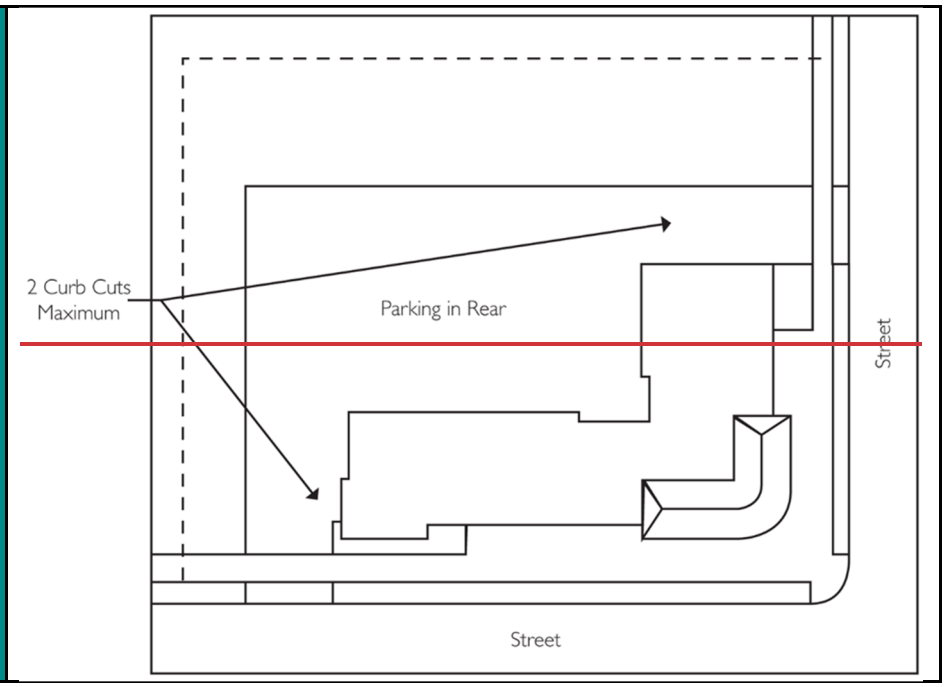


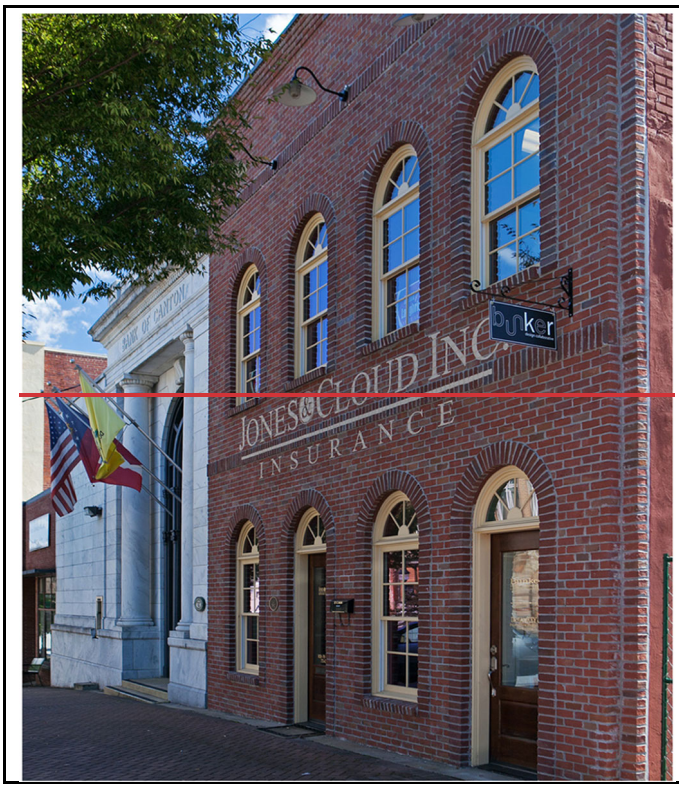
~~Commercial Uses~~

~~Commercial Corner—Typical Site Plan~~

The following design guidelines should be considered when designing commercial neighborhood buildings:

- Commercial Uses are small commercial retail and services within residentially scaled buildings that are located on designated corners within walking distance of adjacent neighborhoods for the convenience of local neighborhood residents.



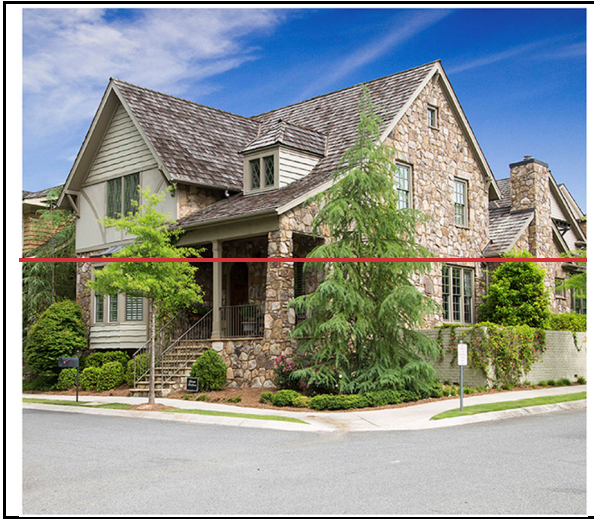




Elements In Residential Design

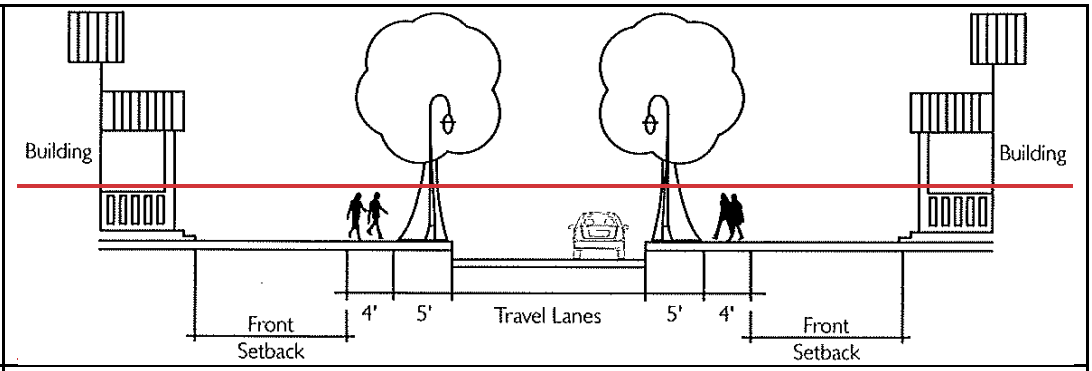
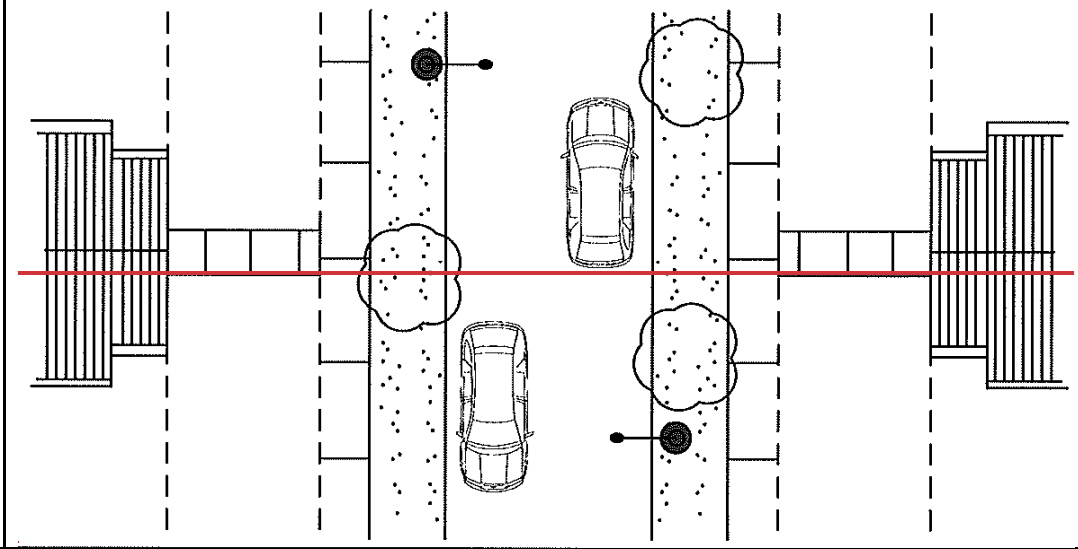
The following design guidelines should be considered when designing detached residential buildings: • Articulate facades with porch elements and bay windows. • Provide unique architectural entrance door surround.	

• Incorporate changes in building material, texture, and color. • Provide design elements such as shutters and roof eave brackets. • Incorporate roof elements such as dormers and gables.	

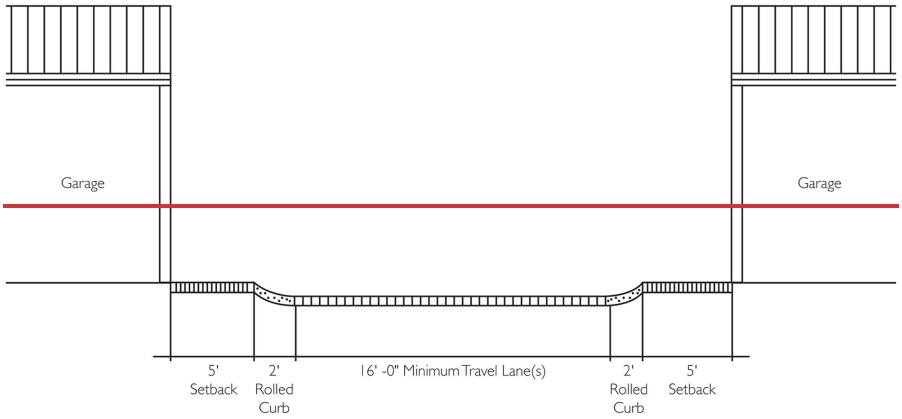




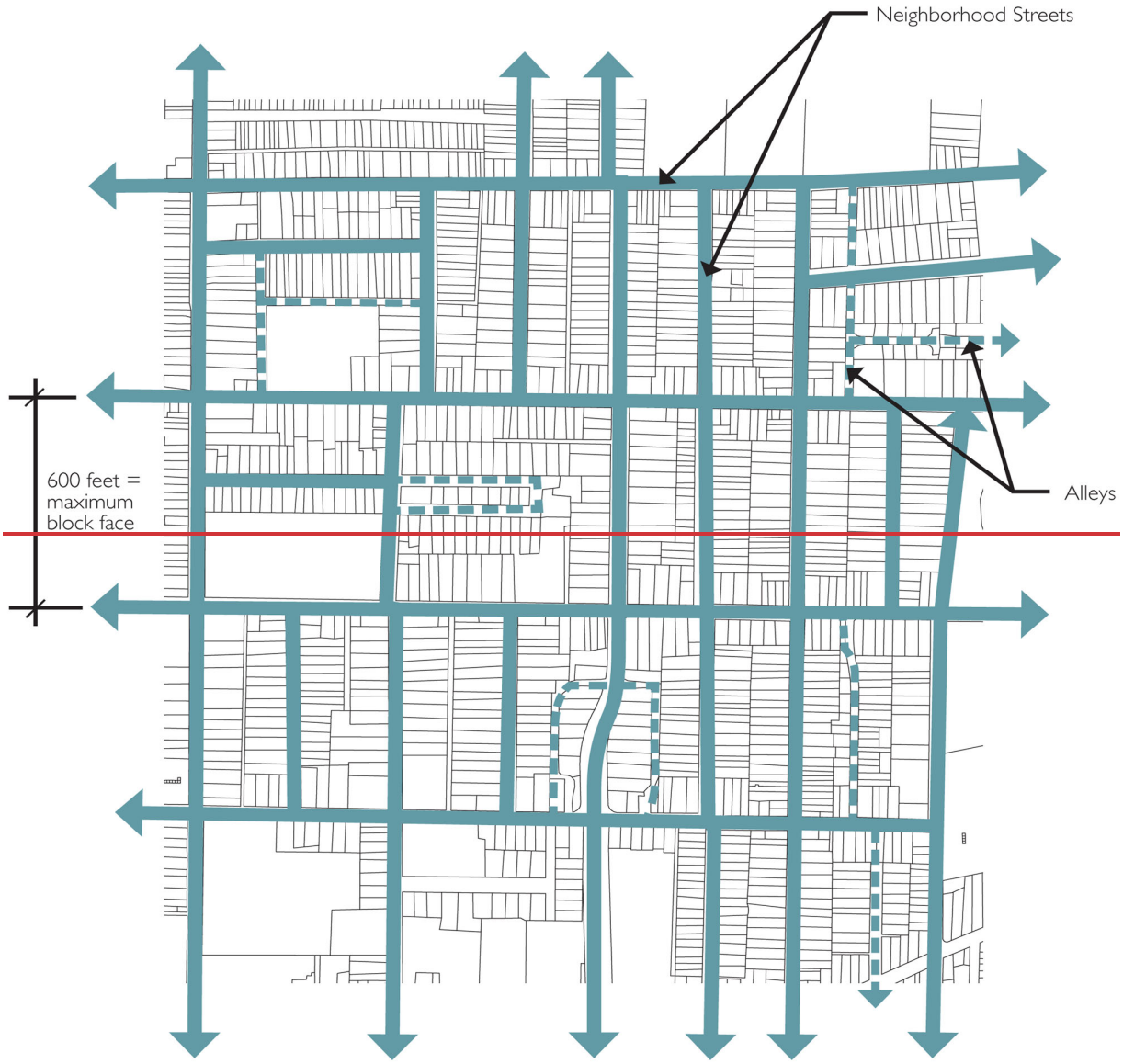
Local Street

Section		
Plan View		
Street Section: Permitted Uses	Single Family (Detached) Single Family (Attached) Live/Work Units Neighborhood Commercial Civic Uses	A. Spacing of street trees and street lights may be adjusted to account for driveways, utility poles, fire hydrants and other obstructions and to provide adequate visual clearance for intersections, driveways and traffic control devices.
Block length	600 feet	B. Underground utility lines are required. Sewer lots only. Septic lots are not permitted.
Streetscape: Landscape strip Sidewalk	5 feet 4 feet	

Alley



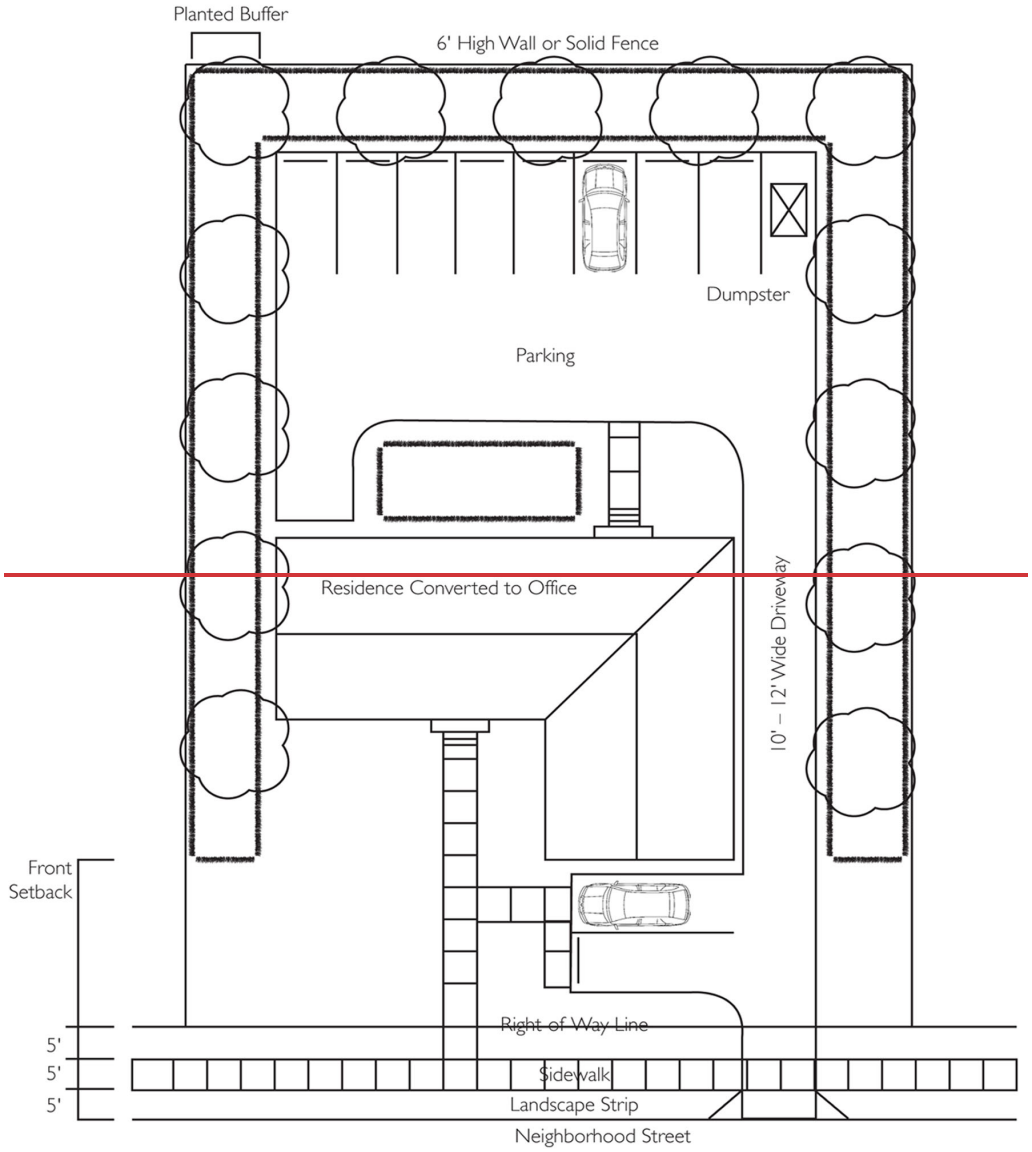
~~**Interconnected Street Grid**~~



Appendix Section 4.0 Design Guidelines Office Residential District[2]

Office Residential Uses

[2]Editor's note(s)—Ord. No. UDOA2023-00002(GCID 2023-0604), Exh. A(§ 53), adopted Sept. 26, 2023 enacted provisions designated as Appendix 2.0, inasmuch as said Appendix already exists, said provisions have been redesignated as Appendix 4.0, at the discretion of the editor. The former Appendix 4.0 has been repealed by § 55 of said ordinance and pertained to Buffers, Landscaping, and Tree Protection.

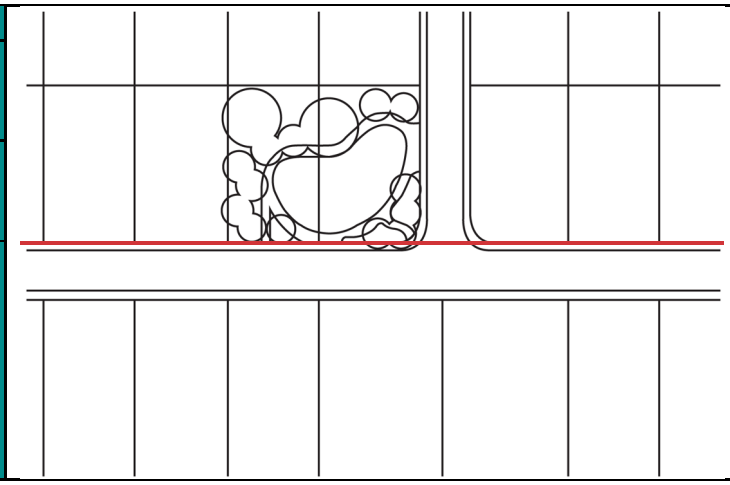


Appendix Section 5.0 Design Guidelines Public Spaces[3]

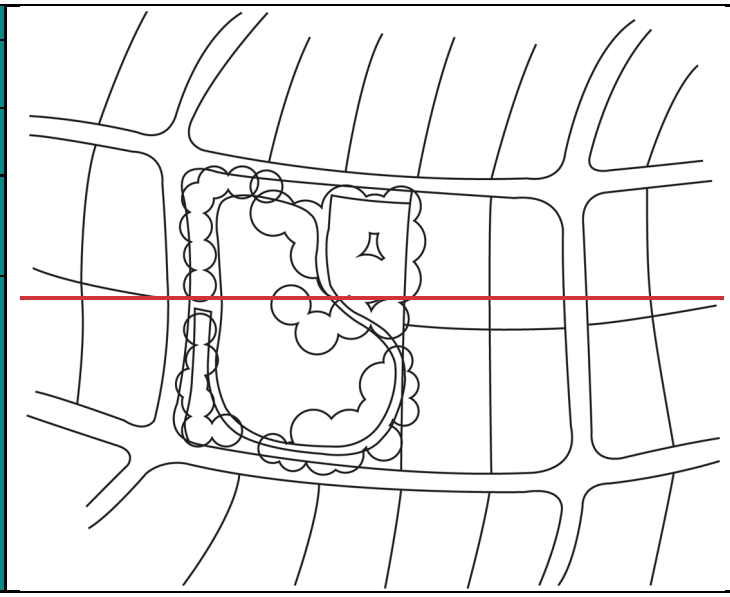
Pocket Parks and Green Spaces

[3]Editor's note(s)—Ord. No. UDOA2023-00002(GCID 2023-0604), Exh. A(§ 53), adopted Sept. 26, 2023 enacted provisions designated as Appendix 3.0, inasmuch as said Appendix already exists, said provisions have been redesignated as Appendix 5.0, at the discretion of the editor. The former Appendix 5.0 has been repealed by § 56 of said ordinance and pertained to Zoning Districts.

A. Pocket Park

Minimum size: 3,000 square feet **Landscaping:** mix of undisturbed natural plantings and/or formal plantings **Outdoor furnishings:** benches, tables, seat walls, planters, play structure, picnic areas/shelter **Maximum impervious cover:** 25 percent.	

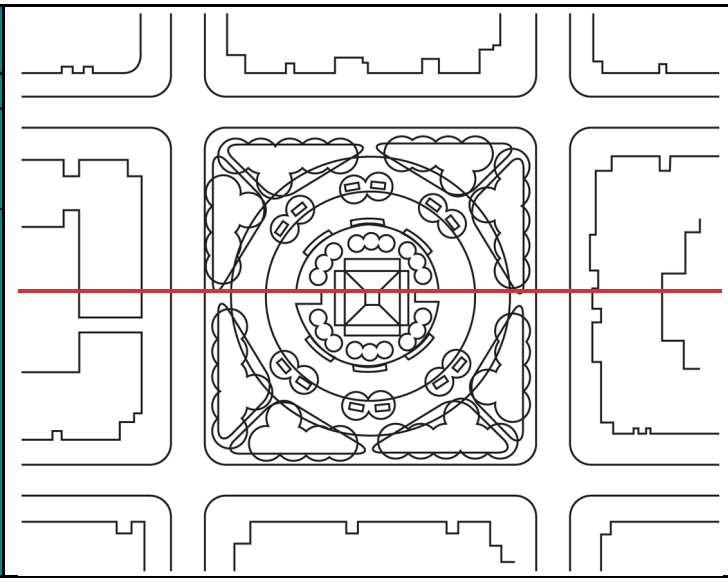
B. Green

Minimum size: 25,000 square feet **Maximum Length to width ratio:** 3 to 1 **Maximum impervious surface:** 20 percent **Landscaping:** mix of undisturbed natural plantings and/or formal plantings **Outdoor furnishings:** benches, picnic shelter, gazebo, water feature, play structure, trellis, wayfinding or interpretive signage	

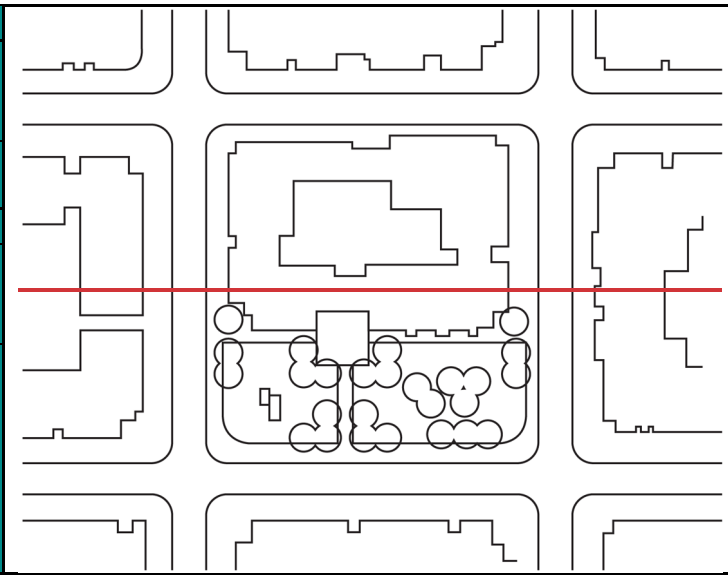
Squares and Plazas

C. Square

Minimum size: 1 acre **Maximum Length to width ratio:** 2 to 1 **Maximum impervious surface:** 60 percent	

Bounded by streets on two or more sides Formal areas of landscaping **Outdoor furnishings:** benches, gazebo, water feature, play structure Outdoor lighting	

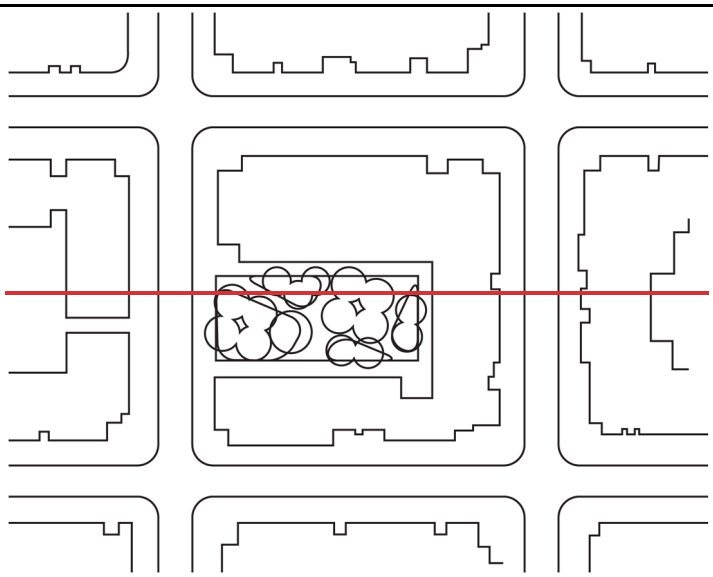
D. Plaza

Minimum size: 10,000 square feet Facing a public street or connected to public street ROW by pedestrian corridor **Maximum impervious surface:** 75 percent Formal areas of landscaping **Outdoor furnishings:** benches, gazebo, water feature, play structure Outdoor lighting	

Courtyards

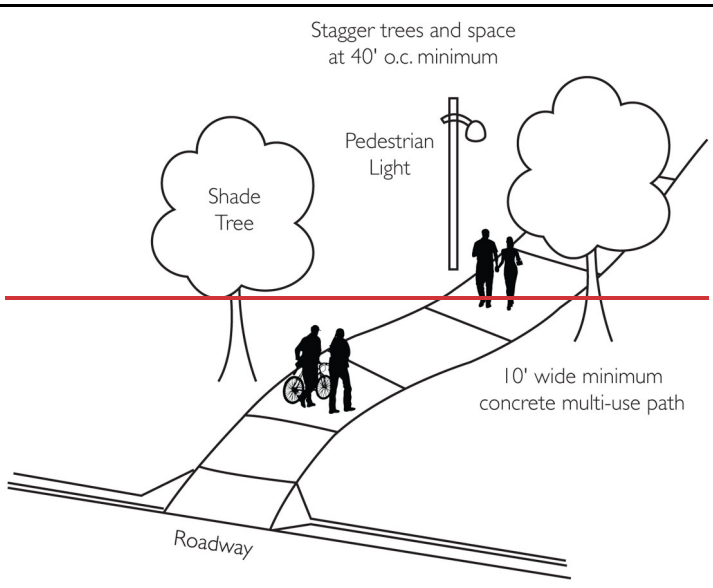
E. Courtyard

Landscaped outdoor public space partially enclosed on two or three sides by buildings or other structures **Minimum area:** 1,000	

Maximum impervious surface: 75 percent Formal planted areas Outdoor furnishings: benches, gazebo, water feature, seating Outdoor lighting	

Paths and Trails

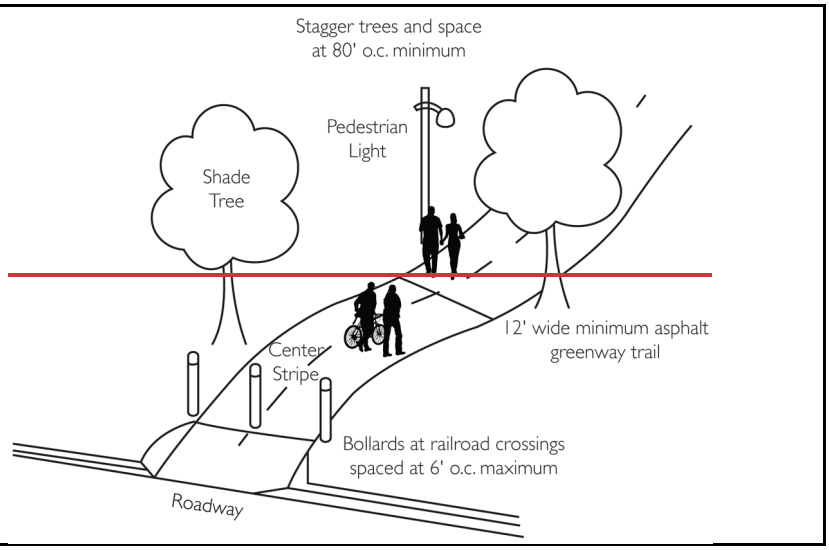
F. Multi-Use Path

Connects two common areas or connects a common area to a sidewalk or trail along a public right of way Trees planted so that trunk is 3 feet maximum from edge of trail/sidewalk and a maximum of 60 feet on center Outdoor lighting optional	

G. Greenway Trail

Linear public space following a stream, lake, utility easement, or street with paved or unpaved improvements designed for	

walking, jogging, or cycling in a natural environment
Trees planted so that trunk is 3 feet maximum from edge of trail/sidewalk and a maximum of 60 feet on center
Outdoor lighting optional



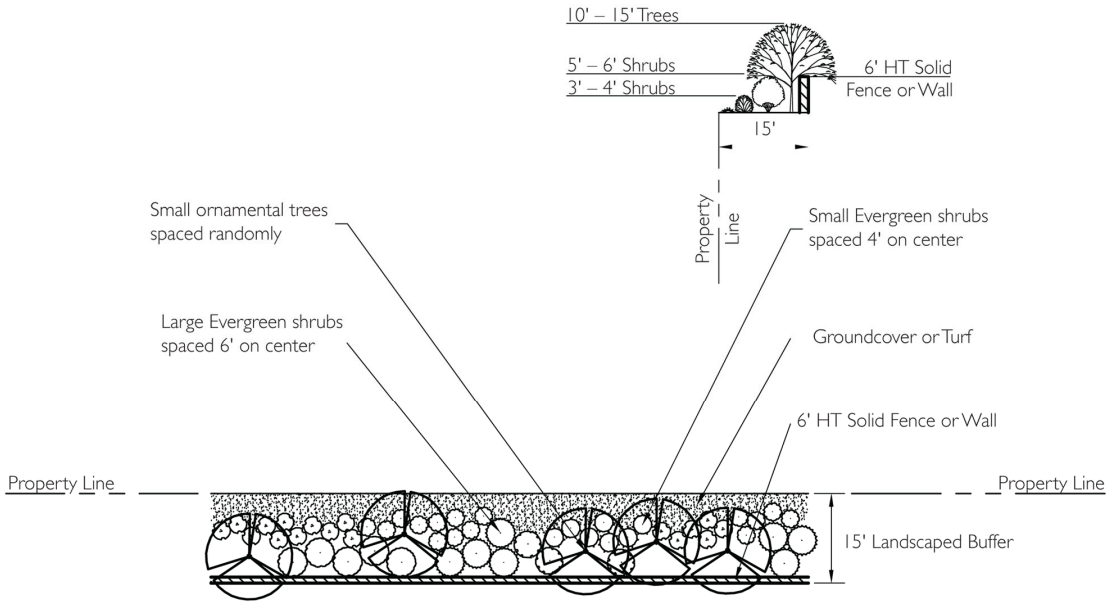
(Ord. No. UDOA2023-00002(GCID 2023-0604), Exh. A(§ 53), 9-26-2023)

Appendix Section 16.0 Buffers, Landscaping, and Tree Protection

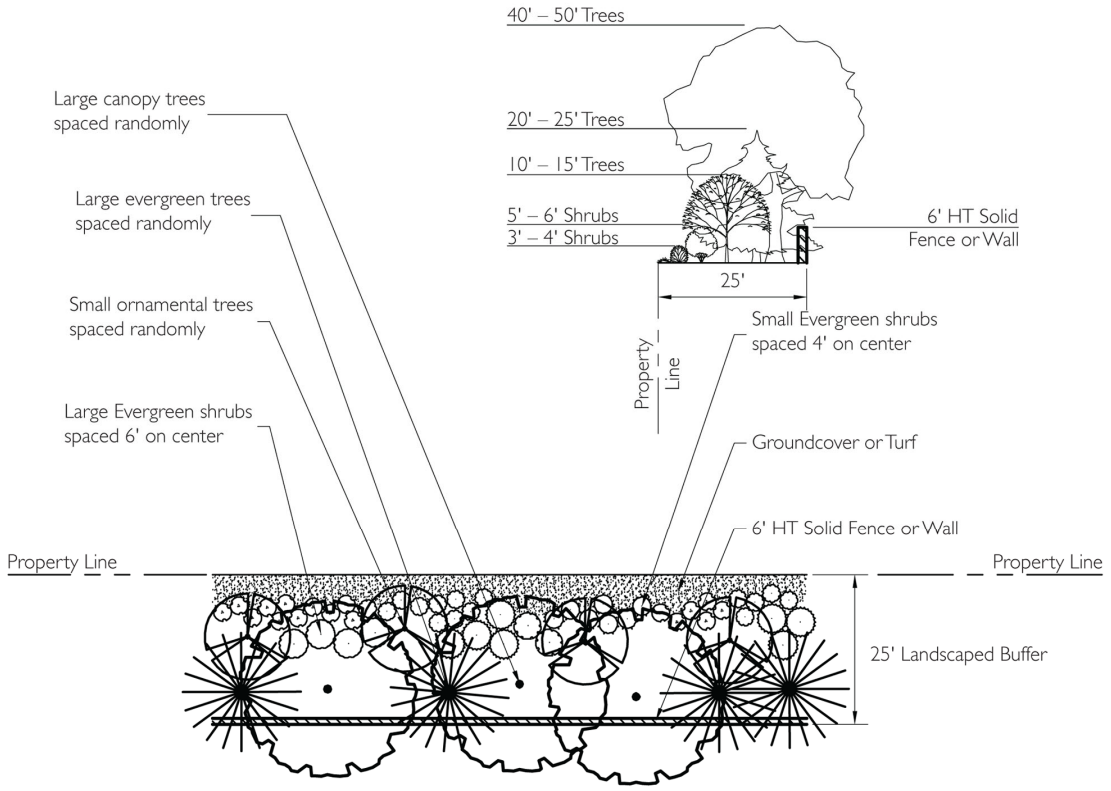
Landscape Buffers[4]

15' Landscaped Buffer with 6' High Fence or Wall

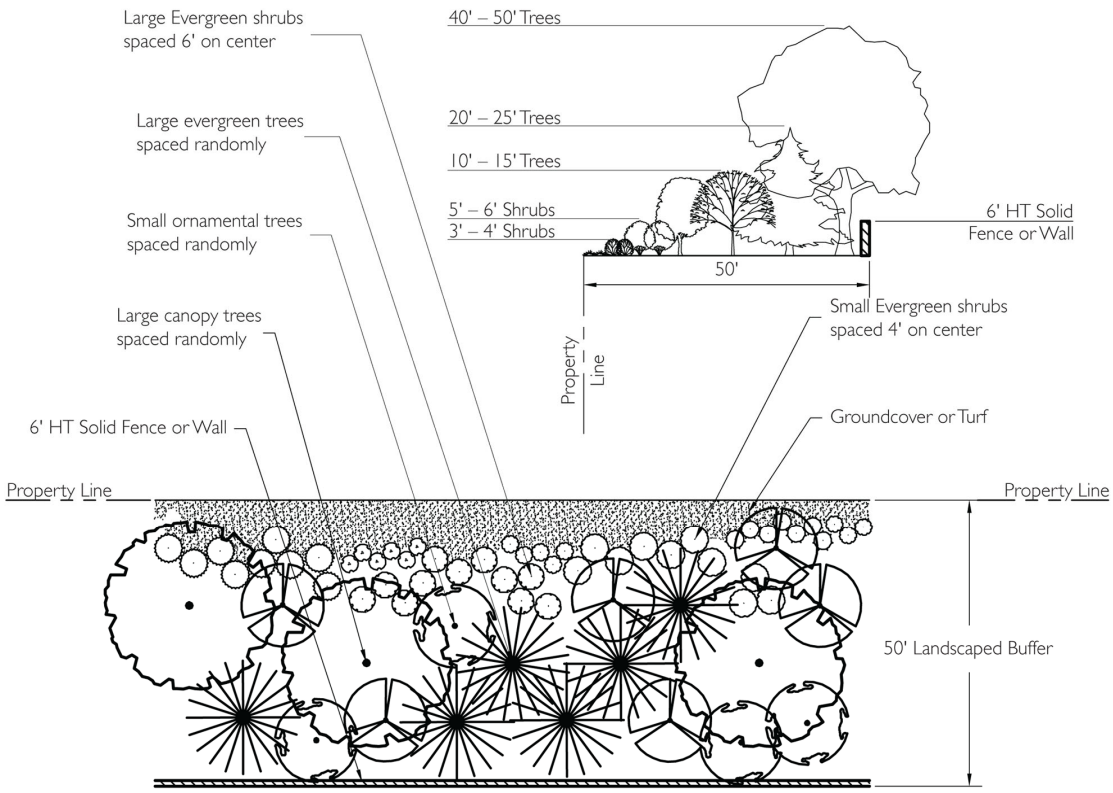
[4]Editor's note(s)—Ord. No. UDOA2023-00002(GCID 2023-0604), Exh. A(§ 54), adopted Sept. 26, 2023 enacted provisions designated as Appendix 3.0, inasmuch as said Appendix already exists, said provisions have been redesignated as Appendix 6.0, at the discretion of the editor.



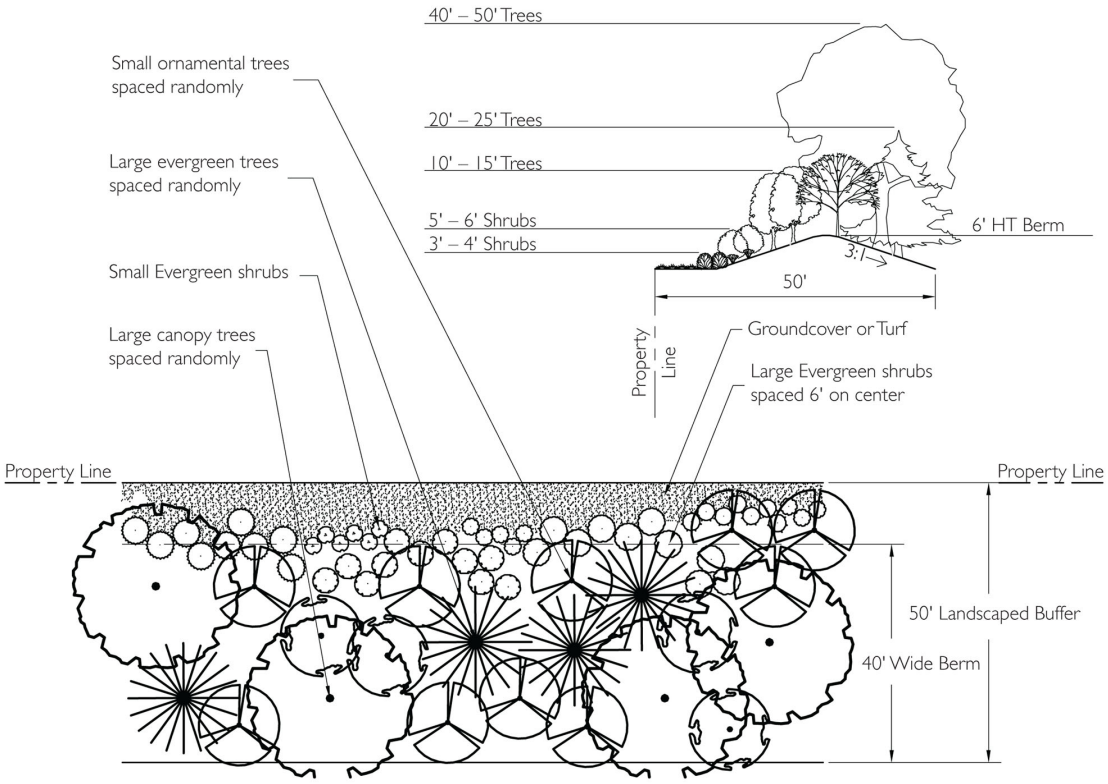
25' Landscaped Buffer with 6' High Fence or Wall



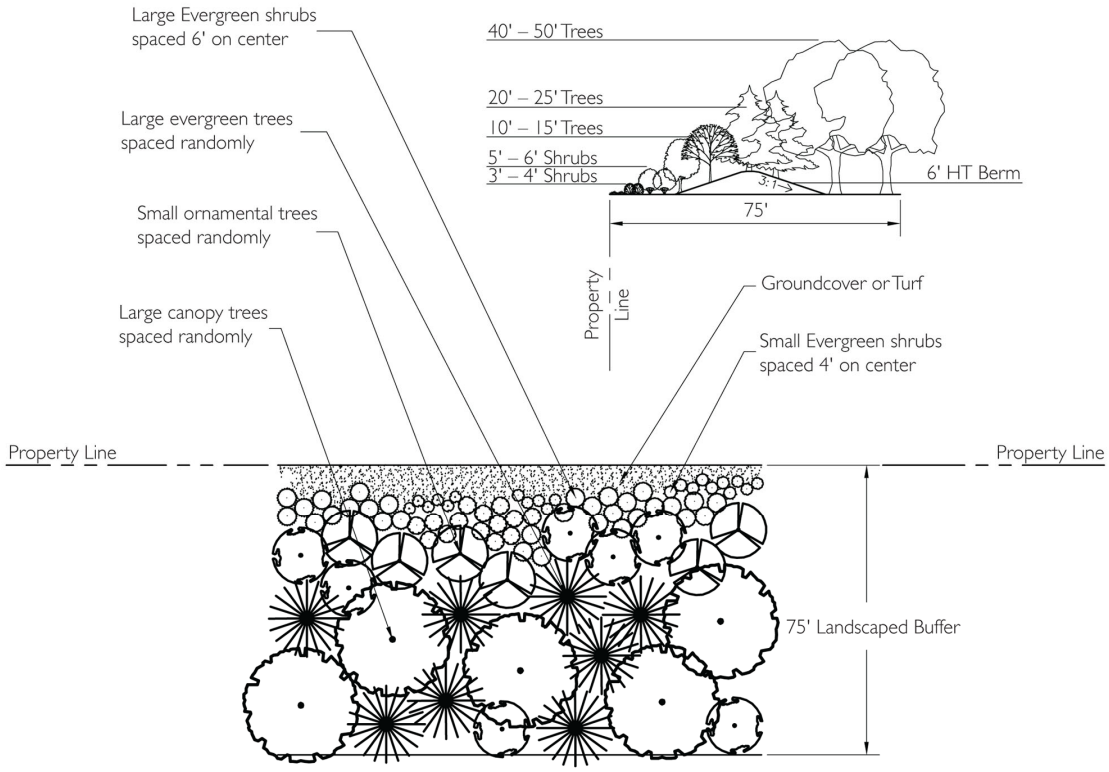
50' Landscaped Buffer with 6' High Fence or Wall



50' Landscaped Buffer with 6' High Berm



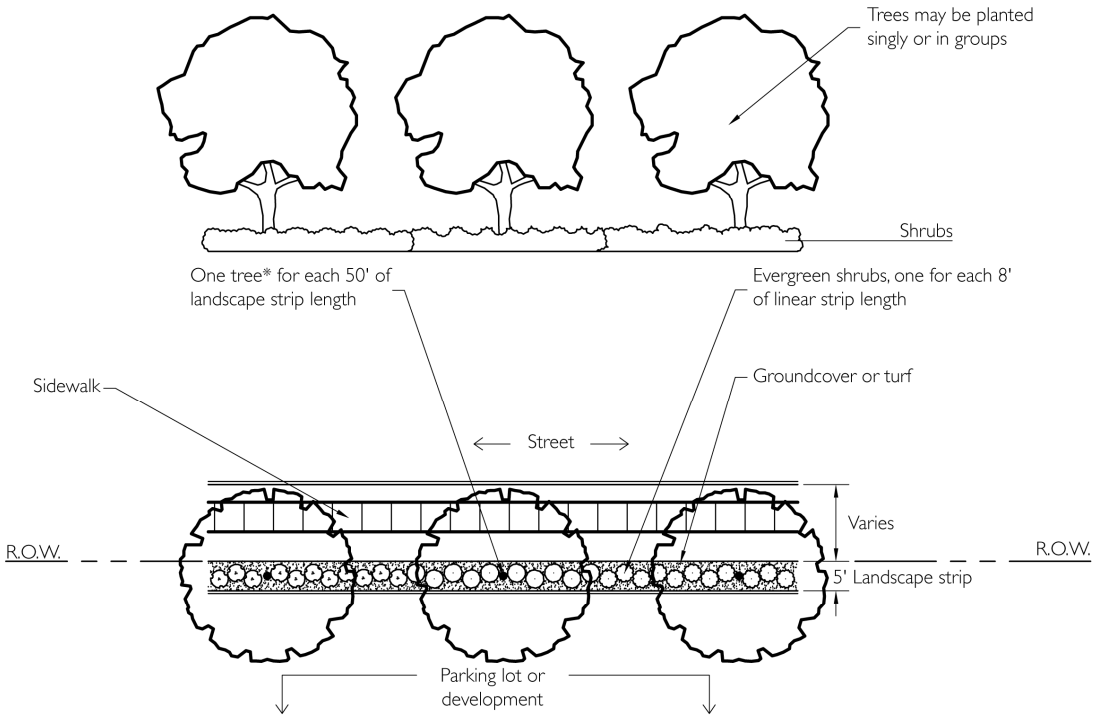
75' Landscaped Buffer with 6' High Berm



Appendix Section 27.0 Buffers, Landscaping, and Tree Protection Landscape Strips[5]

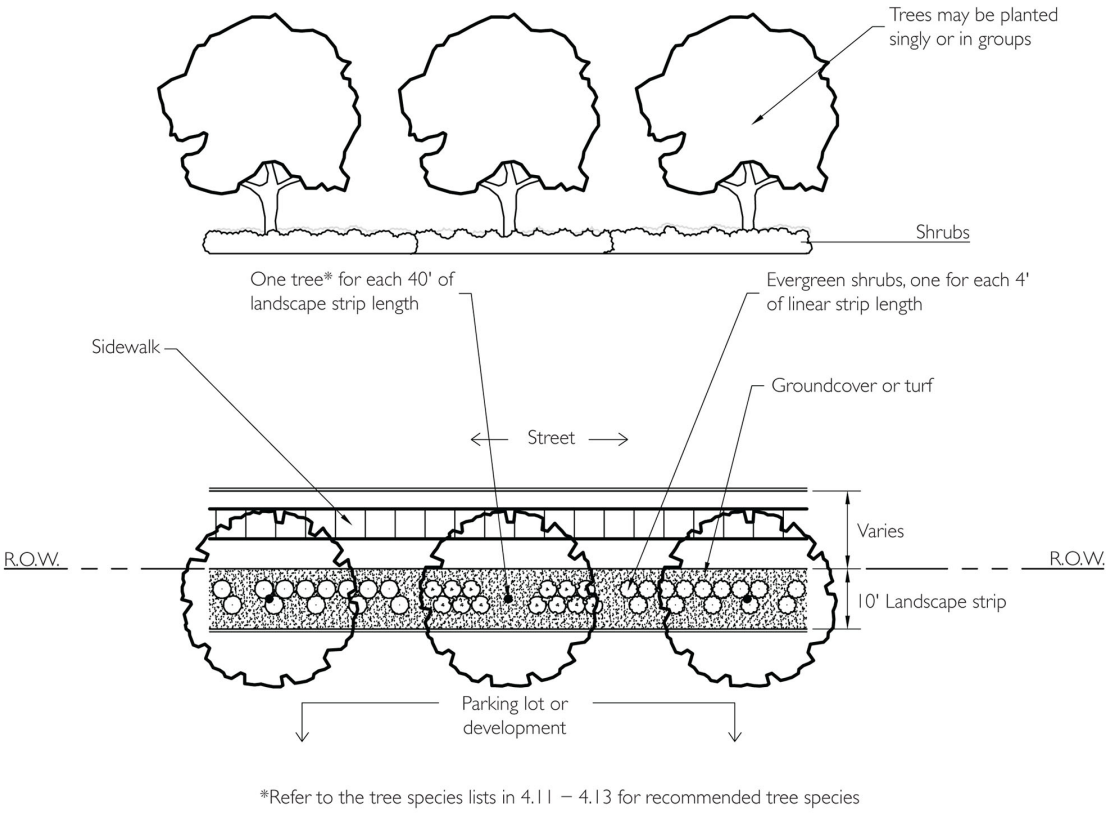
Type 1: 5' Landscape Strip

[5]Editor's note(s)—Ord. No. UDOA2023-00002(GCID 2023-0604), Exh. A(§ 54), adopted Sept. 26, 2023 enacted provisions designated as Appendix 3.0, inasmuch as said Appendix already exists, said provisions have been redesignated as Appendix 7.0, at the discretion of the editor.

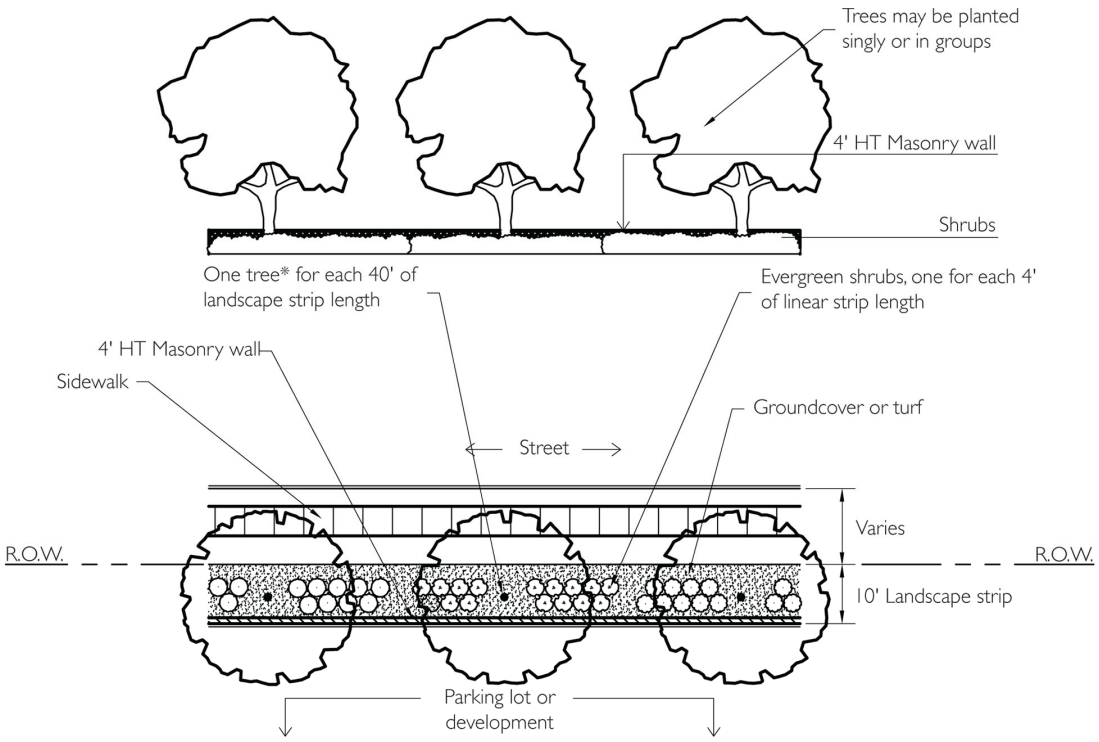


*Refer to the tree species lists in 4.11 – 4.13 for recommended tree species

Type 2: 10' Landscape Strip

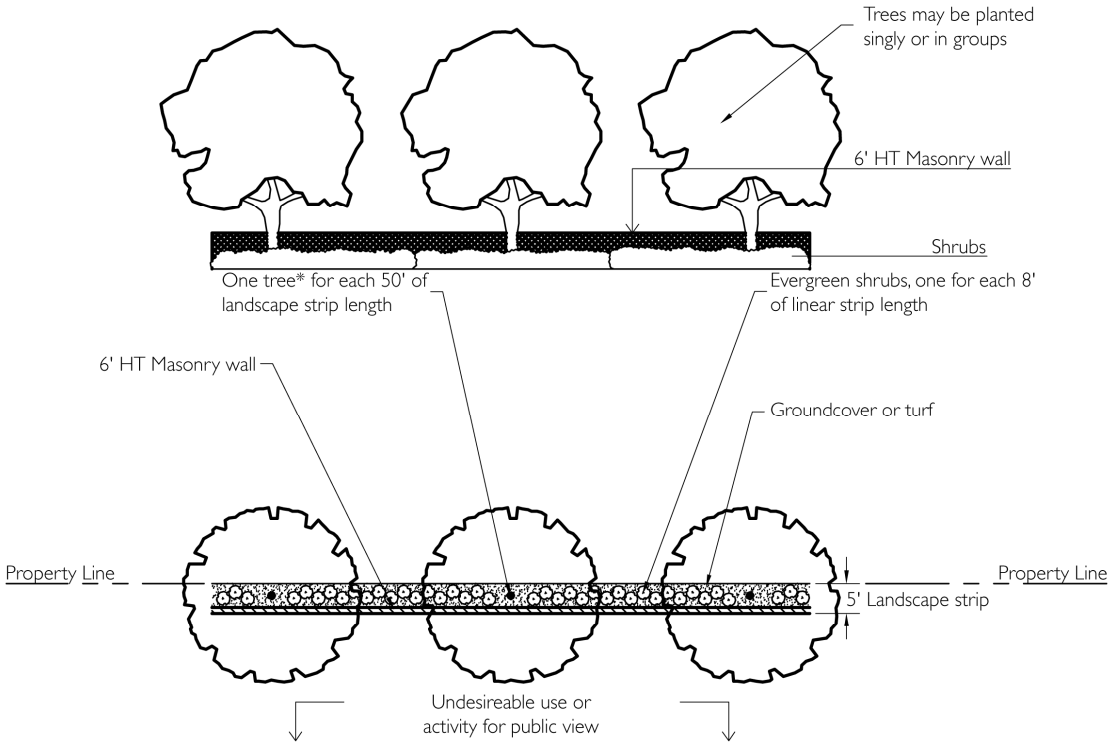


Type 3: 10' Landscape Strip with 4' High Masonry Screening Wall



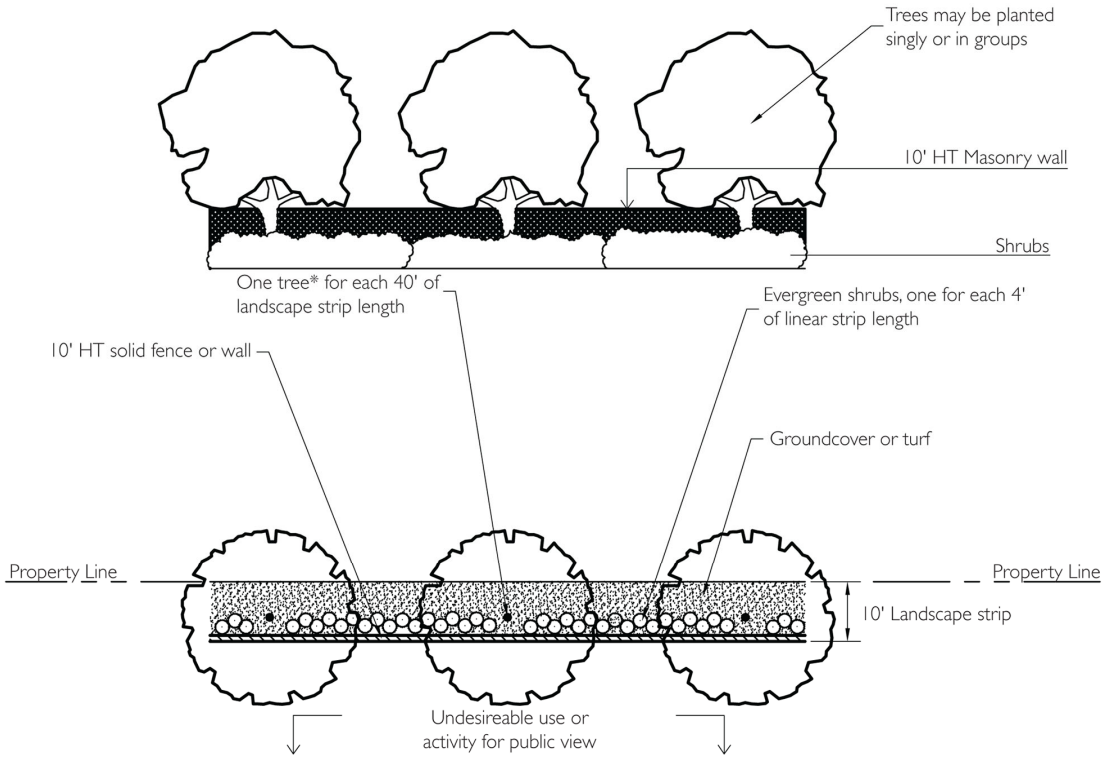
*Refer to the tree species lists in 4.11 – 4.13 for recommended tree species

Type 4: 5' Landscape Strip with 6' High Masonry Screening Wall



*Refer to the tree species lists in 4.11 – 4.13 for recommended tree species

Type 5: 10' Masonry Screening Wall



*Refer to the tree species lists in 4.11 – 4.13 for recommended tree species

Small Tree Species List

Scientific name	Common Name	Native	Evergreen	Street tree	Parking	Max	Spread	Cano
Acer buergerianum	Trident Maple			S		25	20	314
Acer griseum	Paperbak Maple					25	20	314
Acer palmatum var. atropurpureum 'Bloodgood'	Japanese Maple 'Bloodgood'			S		20	20	314
Amelanchier arborea	Downy Serviceberry	N		S		25	20	314
Carpinus caroliniana	Ironwood/American Hornbeam	N				25	25	491
Cercis canadensis 'Pauline Lily'	Pauline Lily Redbud	N		S		25	25	491
Cercis canadensis 'Texensis'	Texas Redbud	N		S		25	25	491
Cercis canadensis 'The Rising Sun'	The Rising Sun Redbud	N		S		25	25	491
Chionanthus virginicus	Fringe Tree	N		S		25	25	491
Cornus alternifolia	Alternate Leaf Dogwood	N		S		20	20	314
Cornus florida	Flowering Dogwood	N		S		20	20	314
Cornus kousa	Chinese/ Kousa Dogwood			S		20	20	314
Cotinus obovatus	American Smoketree	N				20	15	177
Crataegus spathulata	Littlehip Hawthorn					20	20	314

Crataegus viridis 'Winter King'	Green Hawthorne			S		25	25	491
Hamamelis virginiana	Witch-hazel	N				20	15	177
Ilex x attenuata 'Fosteri'	Foster Holly		E			25	10	79
Ilex x attenuata 'Savannah'	Savannah Holly		E			25	10	79
Ilex decidua	Deciduous Holly/Possum Haw	N				15	10	79
Ilex latifolia	Lusterleaf Holly		E			25	20	314
Ilex x 'Nellie R. Stevens'	Nellie R. Stevens Holly		E			30	10	79
Ilex verticillata	Winterberry	N				15	10	79
Ilex vomitoria	Yaupon Holly	N	E			20	10	79
Magnolia stellata	Star Magnolia					20	15	177
Malus angustifolia	Narrow-Leaf Crabapple	N				25	20	314
Myrica cerifera	Wax Myrtle	N	E			25	20	314
Parrotia persica	Persian Parrotia					30	20	314
Prunus 'Accolade'	Accolade Flowering Cherry					20	15	177
Quercus georgiana	Georgia Oak	N		S		20	15	177
Rhamnus alaternus	Italian Buckthorn		E			20	10	79
Rhus glabra or typhina	Smooth or Staghorn Sumac	N				15	10	79
Tilia cordata 'Halka'	Summer Sprite Littleleaf Linden				P	20	10	79
Zelkova serrata 'JFS-KW1'	City Sprite Japanese Zelkova			S	P	25	20	314
Zelkova serrata 'Schmidtlow'	Wireless Japanese Zelkova			S	P	25	35	962

Medium Tree Species List

Scientific name	Common Name	Native	Evergreen	Street	Parking	Max	Spread	Canopy
Acer barbatum	Southern Sugar Maple	N			P	40	30	707
Acer leucoderme	Chalk Maple	N				40	20	314
Acer rubrum, small cultivars	Red Maple, dwarf varieties	N			P	50	35	962
Acer truncatum	Shantung or Painted Maple					35	25	491
Betula nigra 'Dura Heat'	Dura Heat' River Birch	N				40	25	491
Carpinus caroliniana	American Hornbeam	N				40	20	314
Celtis tenuifolia	Georgia Hackberry					35	20	314
Chamaecyparis thyodies	Atlantic Whitecedar	N	E			30	20	314
Cladrastis lutea	American Yellowwood	N		S		50	40	1,256
Fagus sylvatica	Purple Beech					50	40	1,256
Frangula caroliniana	Carolina Buckthorn	N				40	20	314
Gordonia lasianthus	Loblolly Bay	N	E			35	25	875
Halesia carolina/tetraptera	Carolina Silverbell	N				40	30	707
Ilex latifolia	Lusterleaf Holly		E			40	20	314
Ilex opaca	American Holly	N	E			30	15	177
Juniperus virginiana	Eastern Red Cedar	N	E		P	50	10	79

Magnolia grandiflora 'Little Gem'	Little Gem Magnolia		E			35	12	113
Magnolia grandiflora 'Samuel Sommer'	Samuel Sommer Magnolia		E		P	40	20	314
Magnolia x soulangiana (Tree Form)	Saucer Magnolia			S		30	25	491
Nyssa sylvatica 'Red Rage'	Red Rage Black Gum	N			P	50	25	491
Ostrya virginiana	Eastern Hophornbeam	N		S		40	25	491
Oxydendron arboreum	Sourwood	N		S		30	20	314
Pinus nigra	Austrian Pine		E			30	20	314
Platanus x acerifolia	London Planetree			S	P	40	40	1256
Prunus serrulata	Japanese Flowering Cherry			S		30	20	314
Prunus subhirtella 'Atumnalis'	Autumn Cherry			S		30	30	707
Prunus x yedoensis	Yoshino Flowering Cherry			S		50	30	707
Quercus lyrata	Overcup Oak	N			P	45	30	707
Quercus stellata	Post Oak					50	40	1256
Sassafras albidum	Sassafras	N				30	15	177
Styrax japonica	Japanese Snowbell					30	15	177
Thuja occidentalis	Eastern Arborvitae		E			50	10	79
Ulmus parvifolia 'Athena'	Athena Chinese Elm			S	P	30	35	962

Large Tree Species List

Scientific name	Common Name	Native	Evergreen	Street	Parking	Max	Spread	Canopy
Acer barbatum cultivars	Florida Maple	N			P	60	35	962
Acer saccharum cultivars	Sugar Maple 'Legacy'	N			P	50	35	962
Betula nigra cultivars	River Birch 'Dura Heat' or 'Heritage'	N				50	40	1,256
Carya cordiformis	Bitternut Hickory	N			P	100	60	2,826
Carya glabra	Pignut Hickory	N		S	P	100	60	2,826
Carya ovata	Shagbark Hickory	N			P	80	40	1,256
Carya pallida	Sand Hickory	N			P	90	30	707
Carya tormentosa	Mockernut Hickory	N		S	P	100	60	2,826
Cedrus deodara	Deodar Cedar		E			70	30	707
Celtis laevigata	Sugarberry				P	70	50	1,963
Celtis occidentalis	Hackberry			S		50	40	1,256
Celtis sinensis	Chinese Hackberry			S		60	40	1,256
Cercidiphyllum japonicum	Katsura Tree				P	70	45	1,590
Cryptomeria japonica	Japanese Cryptomeria		E			60	20	314
Fagus grandifolia	American Beech	N				70	40	1,256
Fraxinus pennsylvanica	Green Ash	N		S		60	25	491
Ginkgo biloba (male)	Gingko, Maidenhair Tree			S	P	50	30	707
Gleditsia triacanthos inermis	Thornless Honeylocust	N		S	P	70	50	1963

Liquidambar styraciflua 'Rotundiloba'	Seedless Sweetgum	N			P	70	45	1,590
Liriodendron tulipifera	Tulip Poplar	N		S	P	90	40	1,256
Magnolia acuminata	Cucumber Magnolia	N				80	40	1,256
Magnolia grandiflora	Southern Magnolia	N	E			80	40	1,256
Magnolia virginiana	Sweetbay Magnolia	N			P	60	30	707
Metasequoia glyptostroboides	Dawn Redwood					80	25	491
Nyssa aquatica	Swamp Tupelo	N				70	40	1,256
Nyssa sylvatica	Black Gum	N			P	80	45	1,590
Pinus echinata	Shortleaf Pine	N	E		P	100	25	491
Pinus taeda	Loblolly Pine	N	E		P	100	25	491
Pinus virginiana	Virginia Pine		E		P	70	20	314
Platanus occidentalis	American Sycamore	N		S		100	45	1,590
Platanus x acerifolia	London Planetree			S	P	100	80	5,024
Quercus acutissima	Sawtooth Oak				P	60	50	1,963
Quercus alba	White Oak	N				80	60	2,826
Quercus bicolor	Swamp White Oak			S		60	50	1,963
Quercus coccinea	Scarlet Oak	N			P	70	45	1,590
Quercus falcata	Southern Red Oak	N		S	P	80	45	1,590
Quercus hemisphaerica 'Darlington'	Darlington Oak	N			P	90	50	1,963
Quercus laurifolia	Laurel Oak	N			P	80	50	1,963
Quercus macrocarpa	Bur Oak					80	80	5,024
Quercus muehlenbergii 'Engelm'	Chinkapin Oak			S	P	100	50	1,963
Quercus nigra	Water Oak			S	P	80	40	1,256
Quercus nutallii	Nuttal Oak	N		S	P	80	40	1,256
Quercus palustris	Pin Oak	N		S	P	70	40	1,256
Quercus phellos	Willow Oak	N		S	P	60	35	962
Quercus prinus	Chestnut Oak			S		70	50	1,963
Quercus robur	English Oak			S	P	60	50	1,963
Quercus rubra	Northern Red Oak			S	P	75	45	1,590
Quercus shumardii	Shumard Oak	N		S	P	80	60	2,826
Quercus stellata	Post Oak				P	50	40	1,256
Quercus velutina	Black Oak				P	70	45	1,590
Taxodium distichum	Bald Cypress	N		S	P	70	25	491
Thuja plicata	Western Arborvitea		E		P	70	25	491
Tilia americana	Basswood			S	P	80	45	1,590
Tsuga canadensis	Eastern Hemlock	N	E			60	35	962
Ulmus alata	Winged Elm	N			P	80	40	1,256
Ulmus americana 'Princeton'	Princeton American Elm			S	P	60	30	707
Ulmus parvifolia 'Emer II' P.P. #7552	Allée ® Chinese Elm			S	P	60	45	1590

Ulmus rubra	Slippery Elm	N			P	80	40	1,256
Ulmus x 'Morton' (Accolade)	Accolade Hybrid Elm			S	P	60	30	707
Ulmus x 'Pioneer'	"Pioneer' Elm			S	P	60	50	1,963
Zelkova serrata	Japanese Zelkova			S	P	70	50	1,963

Shrub List

Botanical Name	Common Name	Native	Height	Width	Moist	Wet	Drought	Adapt
Abelia x 'Edward Goucher'	Edward Goucher Abelia	X	6	5	X		X	
Abelia x grandiflora 'Kaleidoscope' & 'Canyon Creek'	Kaleidoscope or Canyon Creek Abelia	X	2	3	X		X	
Abelia x grandiflora 'Confetti'	Confetti Abelia		3—4	3—4	X		X	
Abelia x grandiflora 'Rose Creek'	Rose Creek Abelia		2—3	3—4	X		X	
Aesculus parviflora	Bottle brush Buckeye	X	6—12	12	X			
Agarista populifolia	Doghobble, leucothoe	X	8—12	6—8	X	X		
Amelanchier arborea	Serviceberry	X	10	6	X		X	X
Aucuba japonica	Japanese Aucuba		3—10	3—6	X			
Azalea 'Satsuki'	Gumpo Azalea		2	3	X			
Azalea 'Southern indica'	Southern azalea		7—10	6	X			
Azelea Encore	Encore Azaleas		2.5—5	2—5	X			X
Buxus microphylla	Boxwood many varieties		3—20	3—20	X			
Buxus sempervirens	English boxwood		5—8	5	X			
Callicarpa Americana	Beautyberry	X	3—6	3—5	X			
Callicarpa americana	American Beautyberry	X	8	6				
Calycanthus floridus	Sweetshrub, Carolina allspice	X	6—12	6	X		X	X
Camellia	Camelia		3—15	4—8	X			X
Caryopteris × clandonensis 'Worcester Gold'		X	6	3			X	X
Cephalotaxus harringtonii 'Prostrata'	Creeping Japanese Plum Yew		3	4	X		X	
Chamaecyparis obtusa 'Nana Gracilis'	Hinoki False Cypress		12	5	X			
Chamaecyparis pisifera filifera 'Golden Charm'	False Cypress		6	8	X			

Chamaecyparis pisifera filifera 'Golden Mop'	Threadleaf False Cypress		4	3	X			
Chamaecyparis pisifera filifera 'Mops'	Threadleaf False Cypress		5	5	X			
Chamaecyparis pisifera filifera 'Sun Gold'	Threadleaf False Cypress		8	6	X			
Clethra alnifolia 'Hummingbird'	Summersweet	X	3	4		X		X
Clethra alnifolia 'Ruby Spice'	Summersweet	X	8	8		X		X
Clethra alnifolia 'Sixteen Candles'	Summersweet	X	6	6		X		X
Cryptomeria japonica 'Elegans Aurea '	Japanese cedar		15	20				X
Cryptomeria japonica 'Nana Globus'	Japanese cedar		5	5				X
Cryptomeria japonica 'Yoshino'	Japanese cedar		30	25				X
Deutzia gracilis 'nikko'	Dwarf Nikko deutzia		2	5	X			
Distylium 'hybrid' 'Vintage Jade', 'Blue Cascade' and 'Emerald Heights	Evergreen witch hazel		2—5	6		X	X	X
Edgeworthia chrysantha	Paperbush		6	6	X			
Fothergilla	Mountain witch alder	X	4—12	4—6	X			
Fothergilla gardenii		X	2	3	X			
Fothergilla major	American Witch-Alder	X	4	6	X			
Gardenia jasminoides	Common gardenia		4—6	5	X			
Gardenia jasminoides 'radicans'	Creeping dwarf gardenia		3	5	X			
Hamamelis viginiana	Witch Hazel	X	10—12	10—12	X	X		X
Hydrangea	Hydrangea		3—8	3—6	X			
Hypericum calycinum 'Hidcote'	St. John's Wort		4	3			X	X
Ilex cornuta 'Carissa	Carissa Holly		4	4			X	
Ilex cornuta 'Dwarf Burford'	Dwarf Burford holly		15	6—8			X	
Ilex crenata 'Helleri'	Japanese Helleri holly		4	5			X	
Ilex crenata 'Sky Pencil'	Sky Pencil holly		10	3	X			
Ilex crenata 'Soft Touch'	Soft touch		3	3				
Ilex verticillata	Winterberry	X	8	5				

Ilex vomitoria 'Condeaux'	Bordeaux Dwarf Yaupon Holly		3	3			X	
Illicium floridanum, parviflorum	Florida Anise	X	6	6	X	X		
Illicium henryi	Henryi, Star anise		7—15	8	X	X		
Itea virginica	Virginia sweetspire	X	2—4	4—6	X	X		X
Jasmine nudiflorum	Winter jasmine		3—4	3—4	X		X	
Kerria japonica 'Pleniflora'	Japanese Kerria, Japanese rose		5—10	6—10	X	X	X	X
Leucothoe fontanesiana and axillaris	Weeping leucothoe, variegated leucothoe	X	3—6	3—6	X	X		
Lindera benzoin	spicebush	X	6—12	6—12	X	X	X	X
Loropetalum 'Emerald snow'	Emerald Snow Fringe Flower		3—4	3—4	X			
Loropetalum 'Ruby'	Fringe flower		4—6	4—6	X			
Loropetalum chinense 'Chang Nian Hong'	'Ever Red' Fringe Flower		6	6	X			
Loropetalum chinense 'Peack' Weeping	Purple Pixie Fringe Flower		2	4	X			
Loropetalum chinense 'Rubrum'	Crimson fire'		2	3	X			
Loropetalum chinense 'Shang-hi' compact	Purple Diamond Fringe Flower		5	5	X			
Myrica cerifera	Wax Myrtle	X	6—12	6—12	X	X	X	X
Osmanthus fragrans	Fragrant tea olive		10	8	X			X
Osmanthus heterophyllus 'Goshiki'	Goshiki' False Holly		5	4	X			
Osmanthus x fortunei	Fortune's tea olive		20	20	X			X
Philadelphus coronarius x 'Natchez'	Mock Orange		10	6	X		X	
Pieris japonica	Japanese pieris		3—12	3—8	X			
Pinus mugo	Mugo Pine		3—5	3—5	X			
Prunus caroliniana	Cherry laurel	X	12—20	8—10	X		X	
Rhododendron alabamense	Alabama Azalea	X	8	6			X	
Rhododendron canescens	Piedmont Azalea	X	6	5	X		X	
Rhododendron flammeum R. speciosum	Oconee Azalea	X	5	6				
Rosa	Shrub roses		3—6	3—5	X			
Spiraea thunbergii	Spirea - many cultivars		3—8	3—6	X			

Thuja (standish x plicata) 'Green Giant'	Arborvitae	X	30+	10	X			X
Thuja occidentalis 'Emerald'	Arborvitae		15	4	X			X
Thuja occidentalis 'Golden Globe'	Arborvitae		4	4	X			X
Thuja occidentalis 'Pyramidalis'	Arborvitae		20	6	X			X
Vaccinium arboreum	Sparkleberry	X	10	6	X			X
Vaccinium ashei	Blueberry	X	8	6	X			X
Viburnum	many varieties		5—10	5—10	X			
Viburnum prunifolium	Blackhaw Viburnum	X	12	8			X	
Viburnum rufidulum	Rusty Blackhaw	X	8	8			X	
Weigela florida	Weigela		3—20	3—12	X		X	

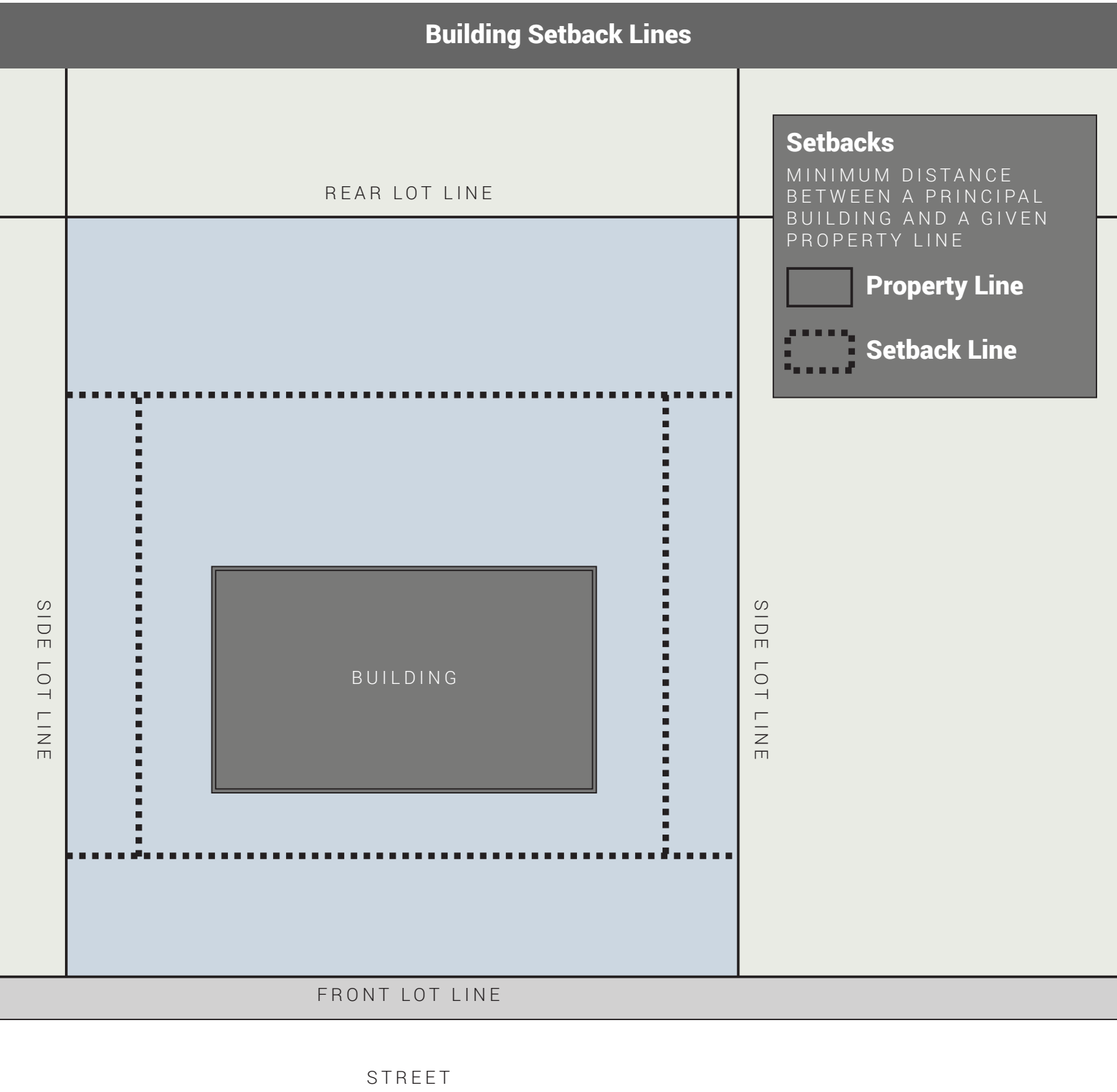
Prohibited Plant List

Georgia Exotic Pest Plant Council (GA-EPPC)		
Botanical Name	**Common Name**	**GA-EPPC Threat Category**
TREE		
Pyrus calleryana	Callery (Bradford) Pear	3
SHRUB		
Berberis thunbergii	Japanese Barberry	3
Celastrus orbiculatus	Oriental Bittersweet	1 Alert
Elaeagnus pungens	Thorny Olive	2
Elaeagnus umbellata	Autumn Olive	1
Lantana camara	Largeleaf Lantana	3
Ligustrum japonicum	Japanese Privet	2
Ligustrum lucidum	Glossy Privet	3
Ligustrum sinense	Chinese Privet	1
Mahonia bealei	Leatherleaf Mahonia	3
Nandina domestica	Nandina or Sacred Bamboo	2
Spiraea japonica	Japnese Spiraea	2
VINE/GROUNDCOVER		
Amelopsis brevipedunculata	Porcelain-berry	3
Hedera helix	English Ivy	1
Vinca major	Big Periwinkle	2
Vinca minor	Common Periwinkle	2
GRASSES		
Miscanthus sinensis	Chinese Silvergrass	2
Eragrostis curvula	Weeping Lovegrass	3
Liriope spicata	Creeping Lily Turf	3

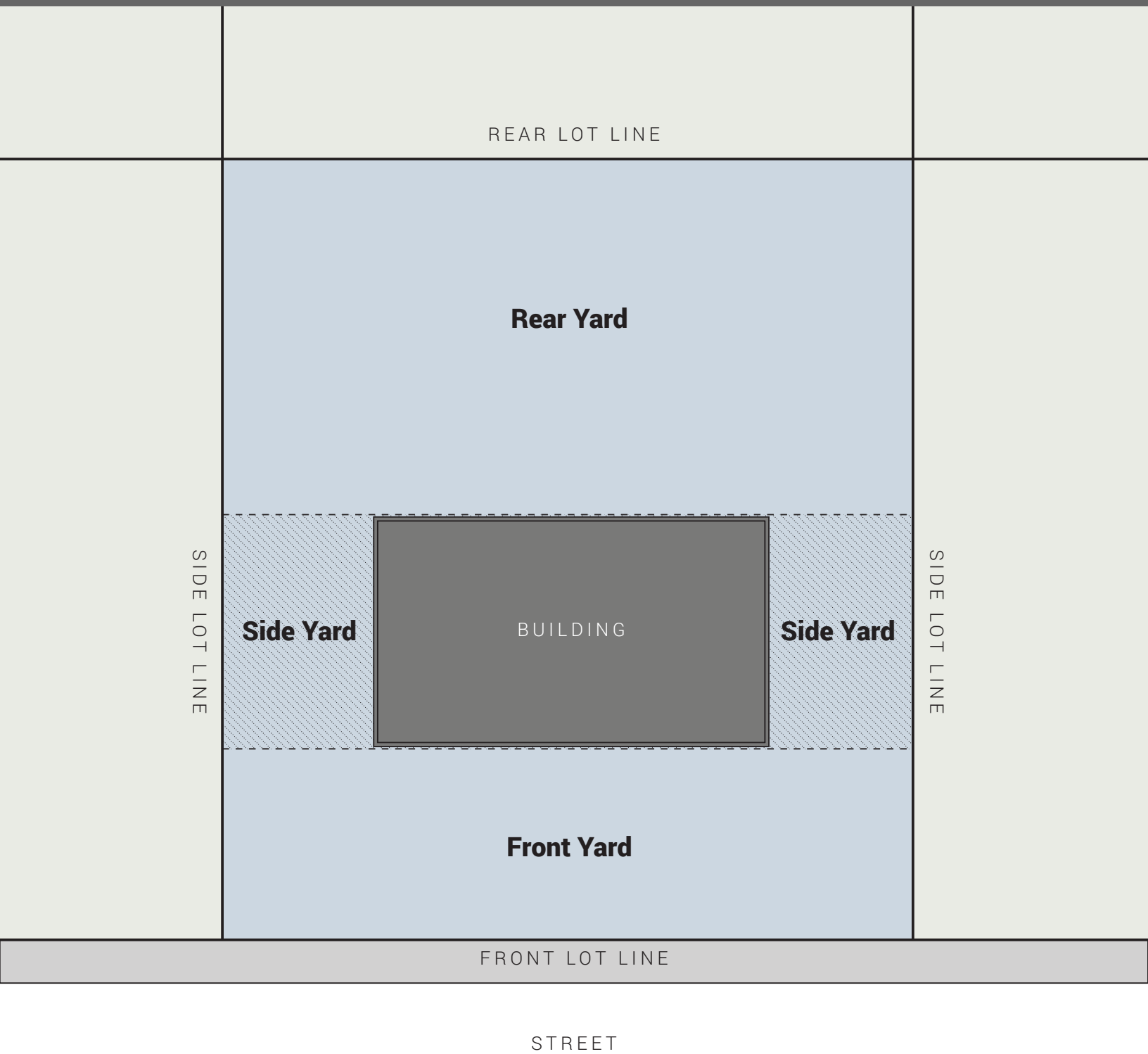
Category 1—Exotic plant that is a serious problem in Georgia natural areas by extensively invading native plant communities and displacing native species.
Category 1 Alert—Exotic plant that is not yet a serious problem in Georgia natural areas, but that has significant potential to become a serious problem.
Category 2—Exotic plant that is a moderate problem in Georgia natural areas through invading native plant communities and displacing native species, but to a lesser degree than Category 1 species.
Category 3—Exotic plant that is a minor problem in Georgia natural areas, or is not yet known to be a problem in Georgia but is known to be a problem in adjacent states.

(Ord. No. UDOA2023-00002(GCID 2023-0604), Exh. A(§ 54), 9-26-2023)

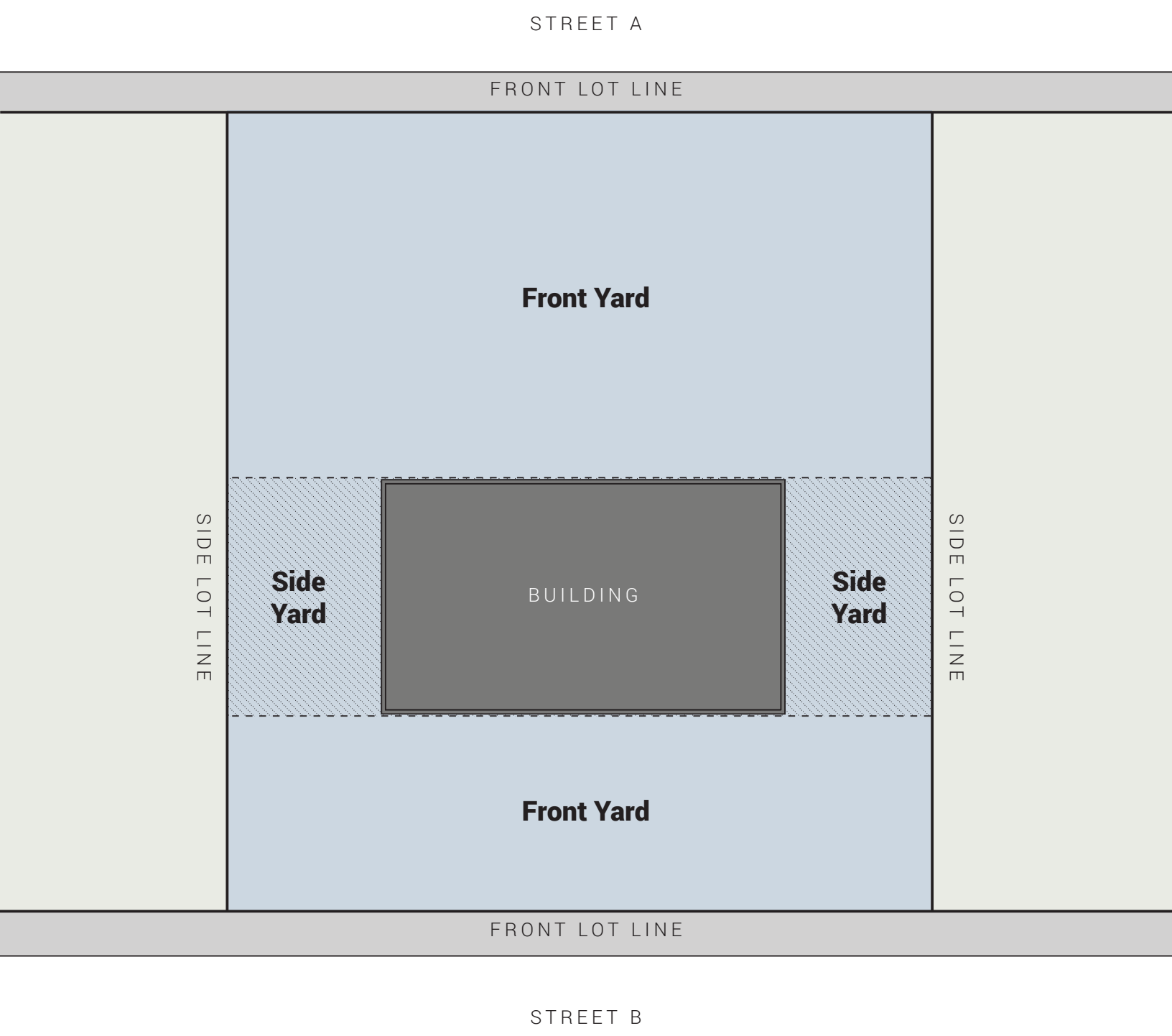
Building Setback Lines



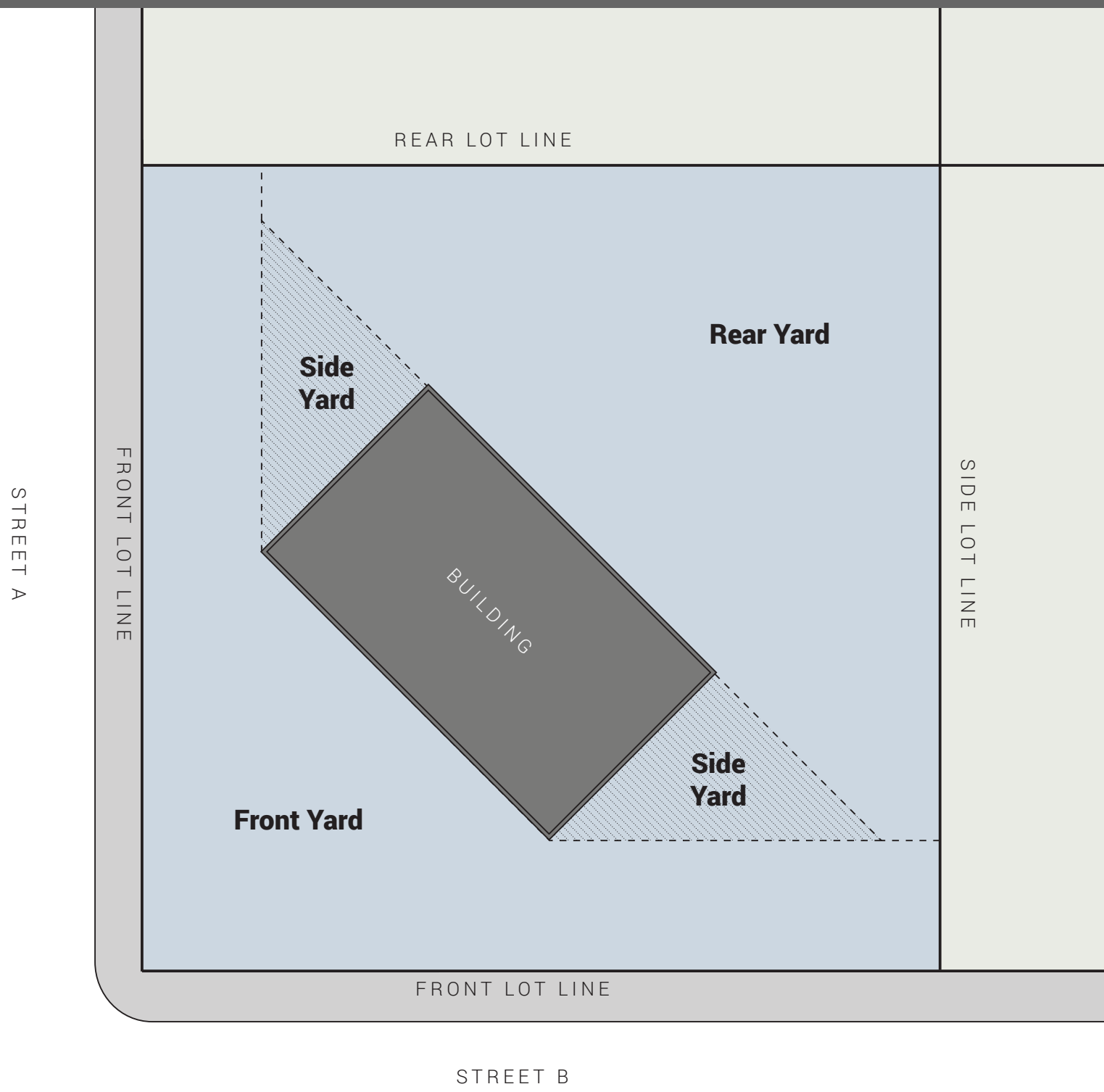
Lot, Interior (Regular)



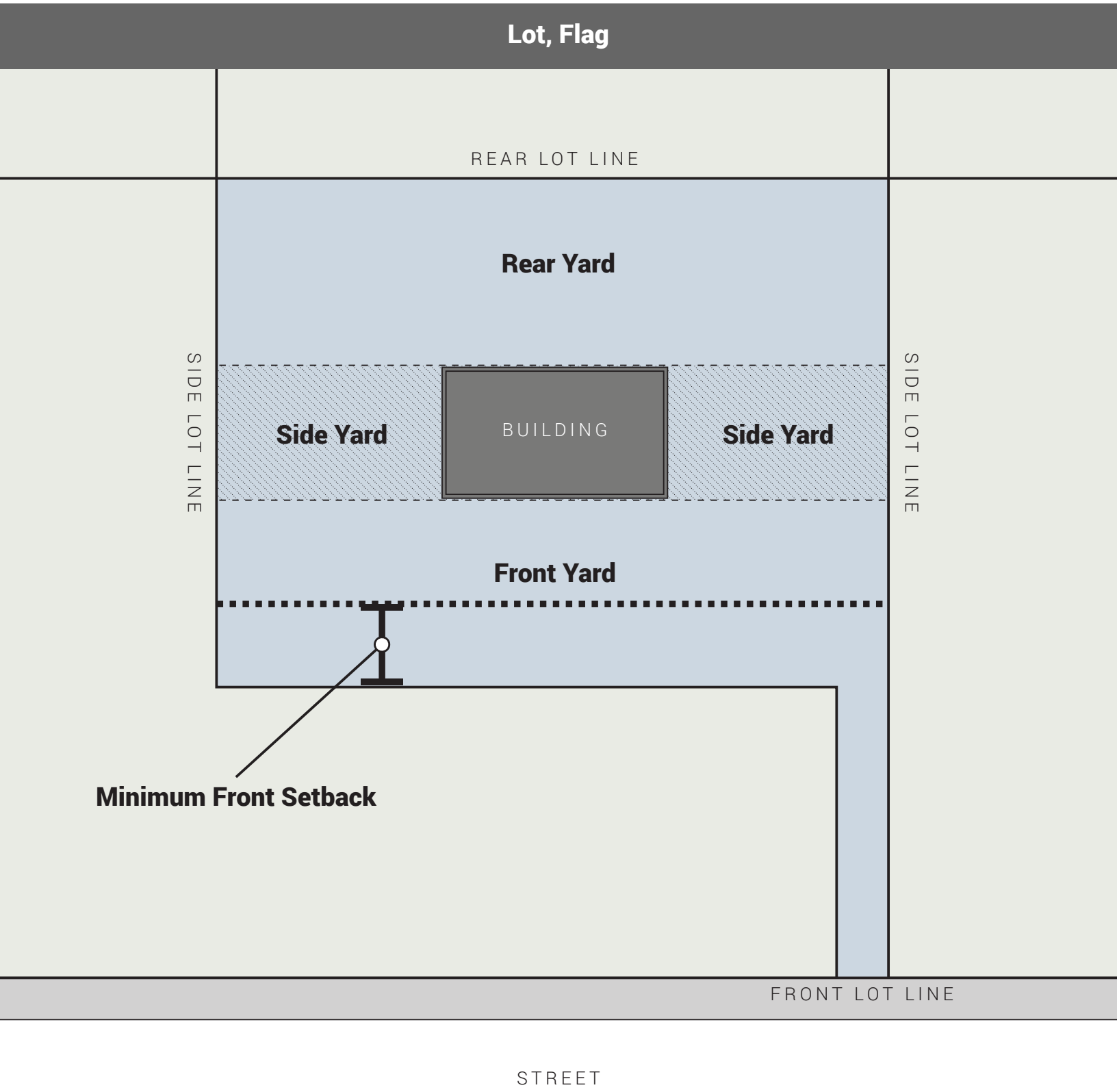
Lot, Double Frontage



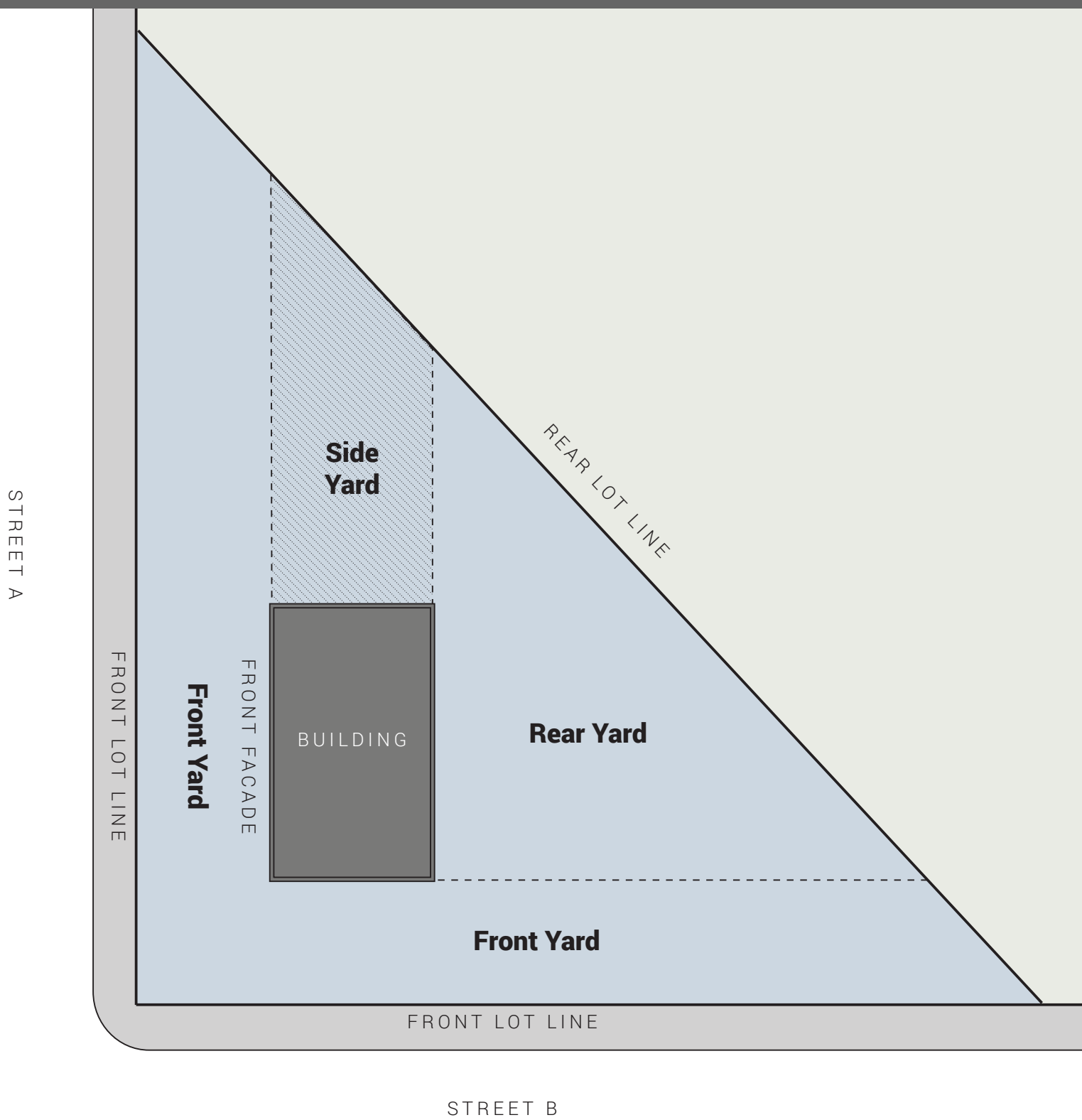
Lot, Corner


REAR LOT LINE
Rear Yard
Side Yard
BUILDING
Side Yard
Front Yard
FRONT LOT LINE
SIDE LOT LINE
STREET A
FRONT LOT LINE
STREET B

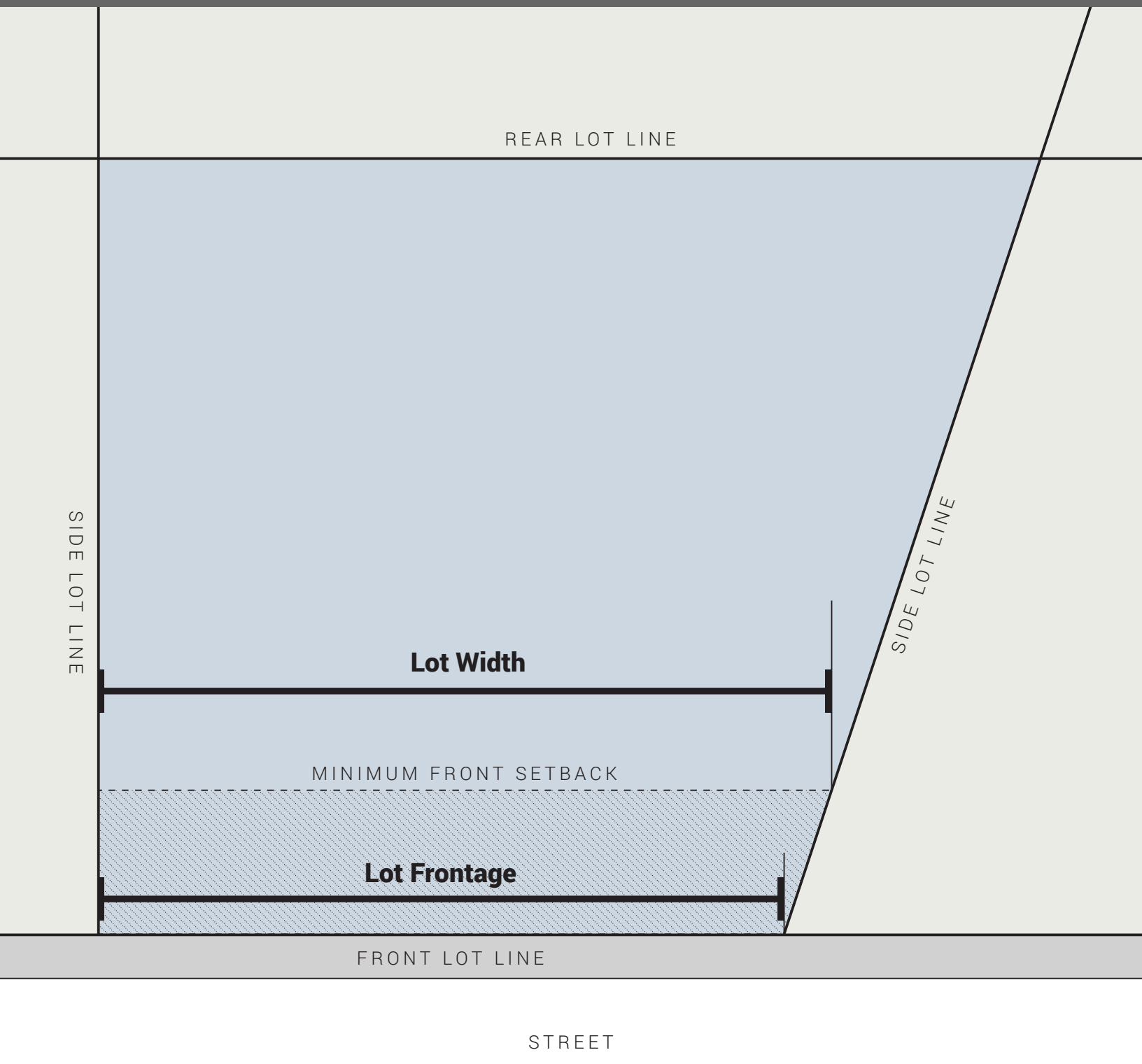
Lot, Flag


REAR LOT LINE
Rear Yard
SIDE LOT LINE
Side Yard
BUILDING
Side Yard
SIDE LOT LINE
Front Yard
Minimum Front Setback
FRONT LOT LINE
STREET

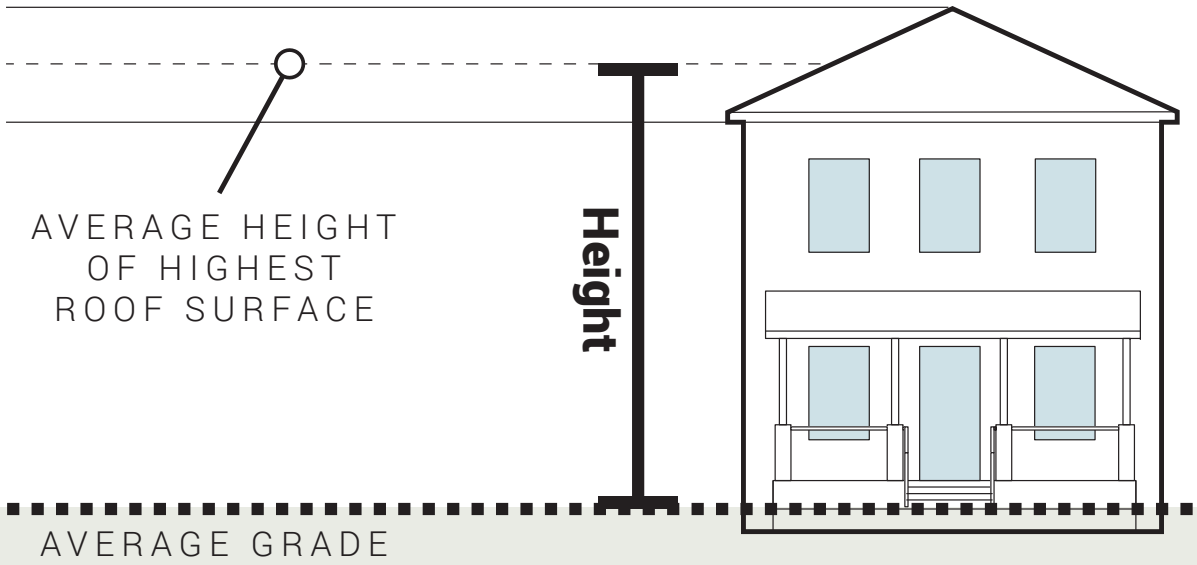
Corner Lot, Triangular



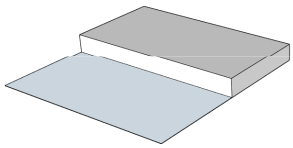
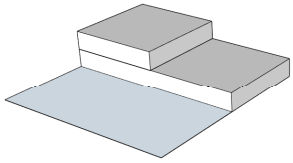
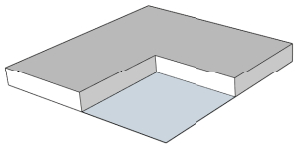
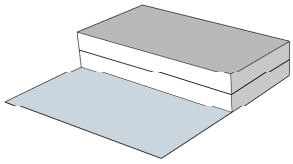
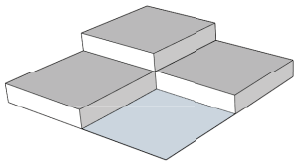
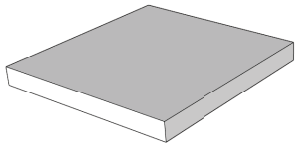
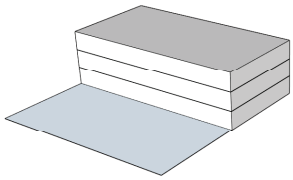
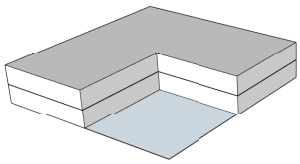
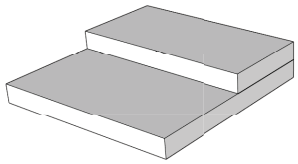
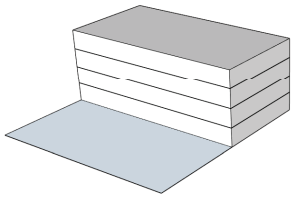
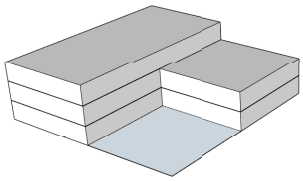
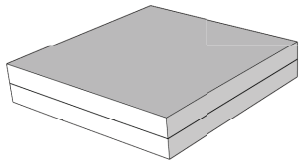
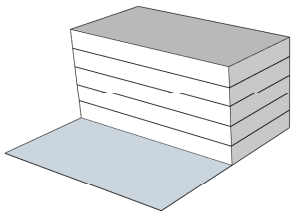
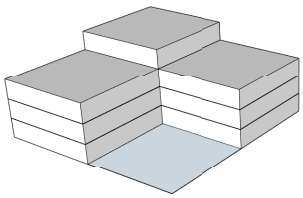
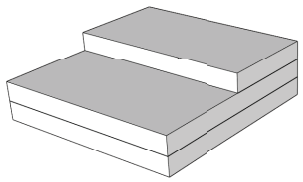
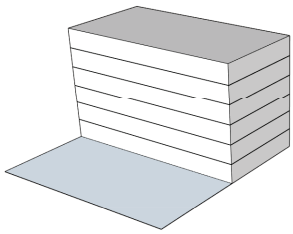
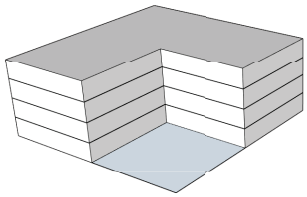
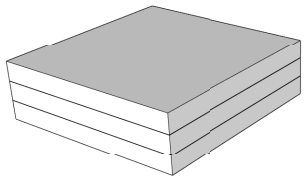
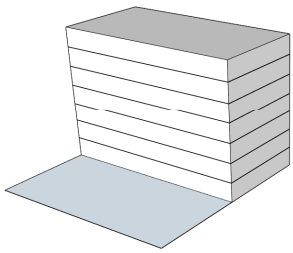
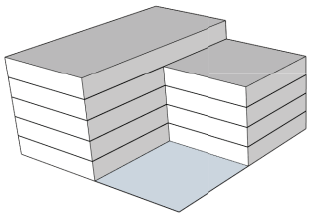
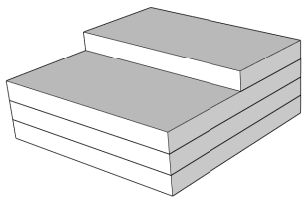
Lot Width and Lot Frontage



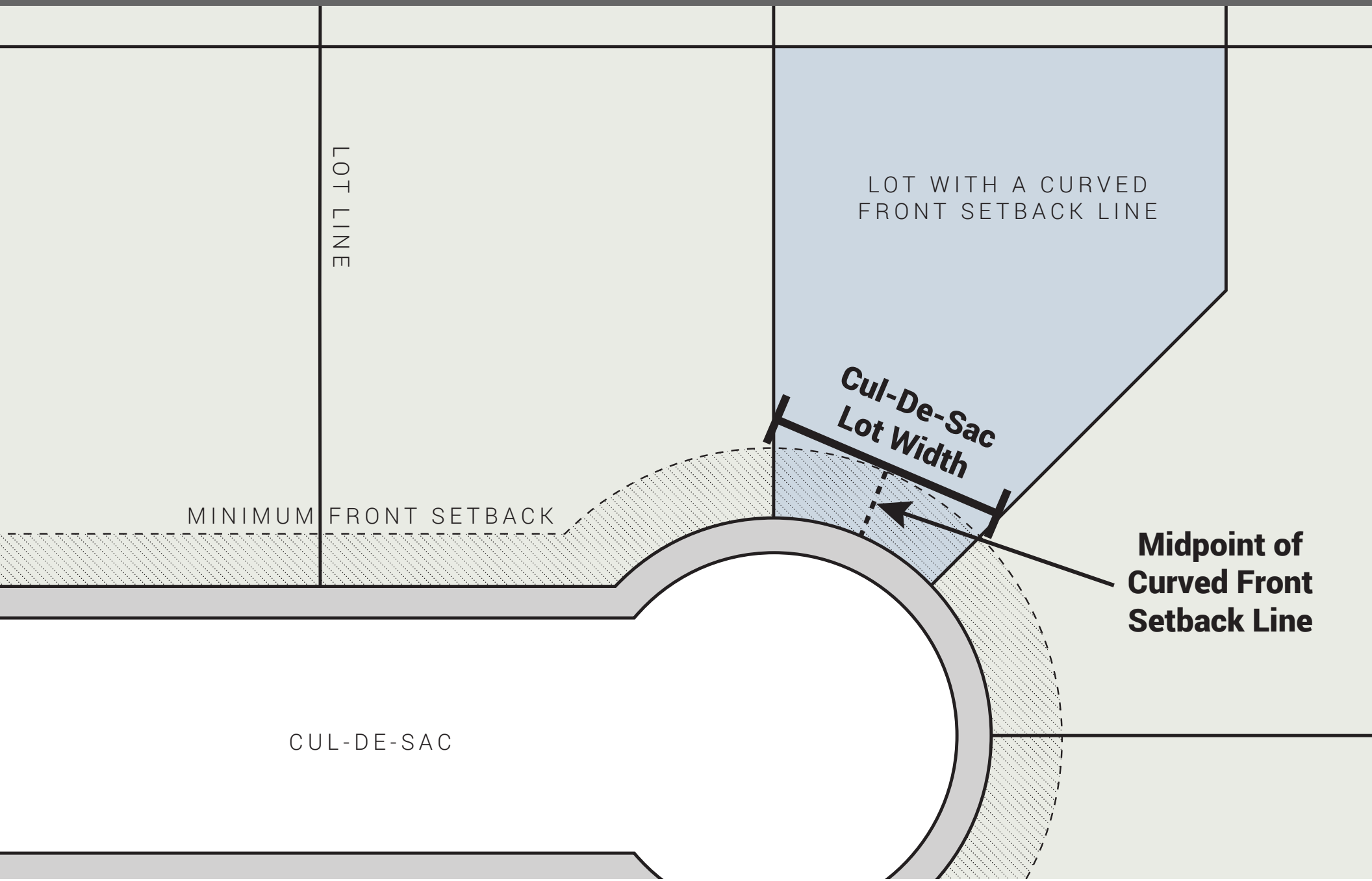
Building Height



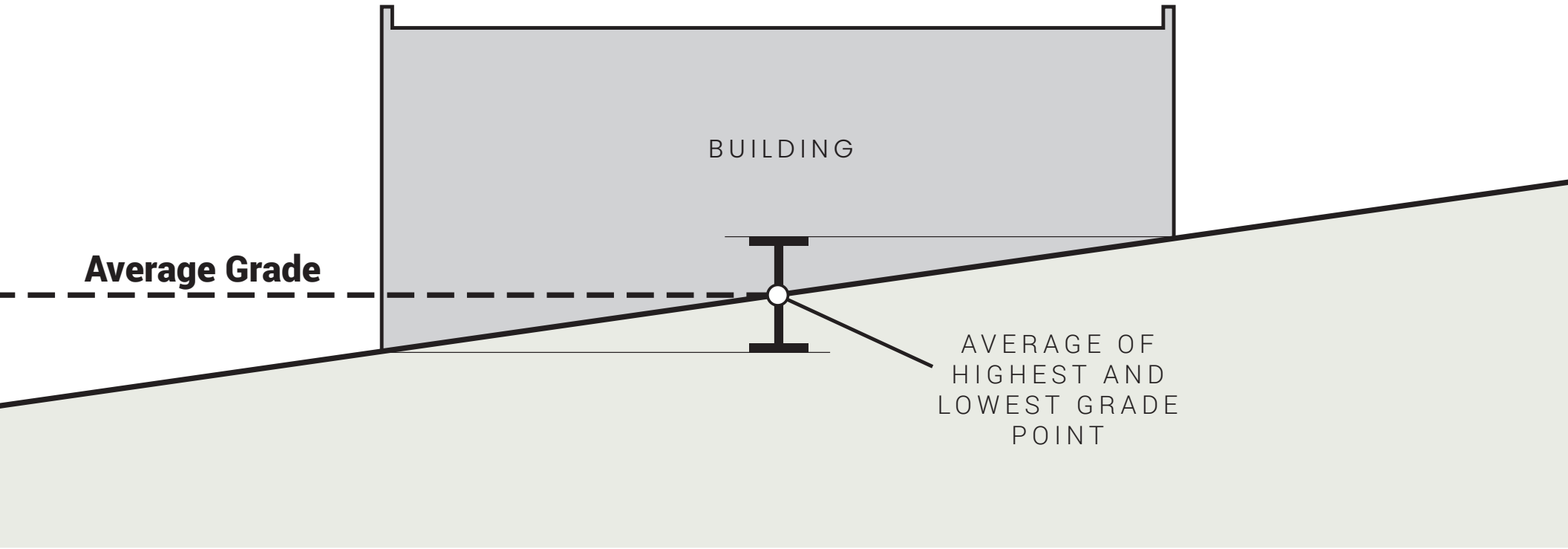
Floor Area Ratio

	50% LOT COVERAGE	75% LOT COVERAGE	100% LOT COVERAGE
0.5 FAR		**N/A**	**N/A**
0.75 FAR			**N/A**
1.0 FAR			
1.5 FAR			
2.0 FAR			
2.5 FAR			
3.0 FAR			
3.5 FAR			

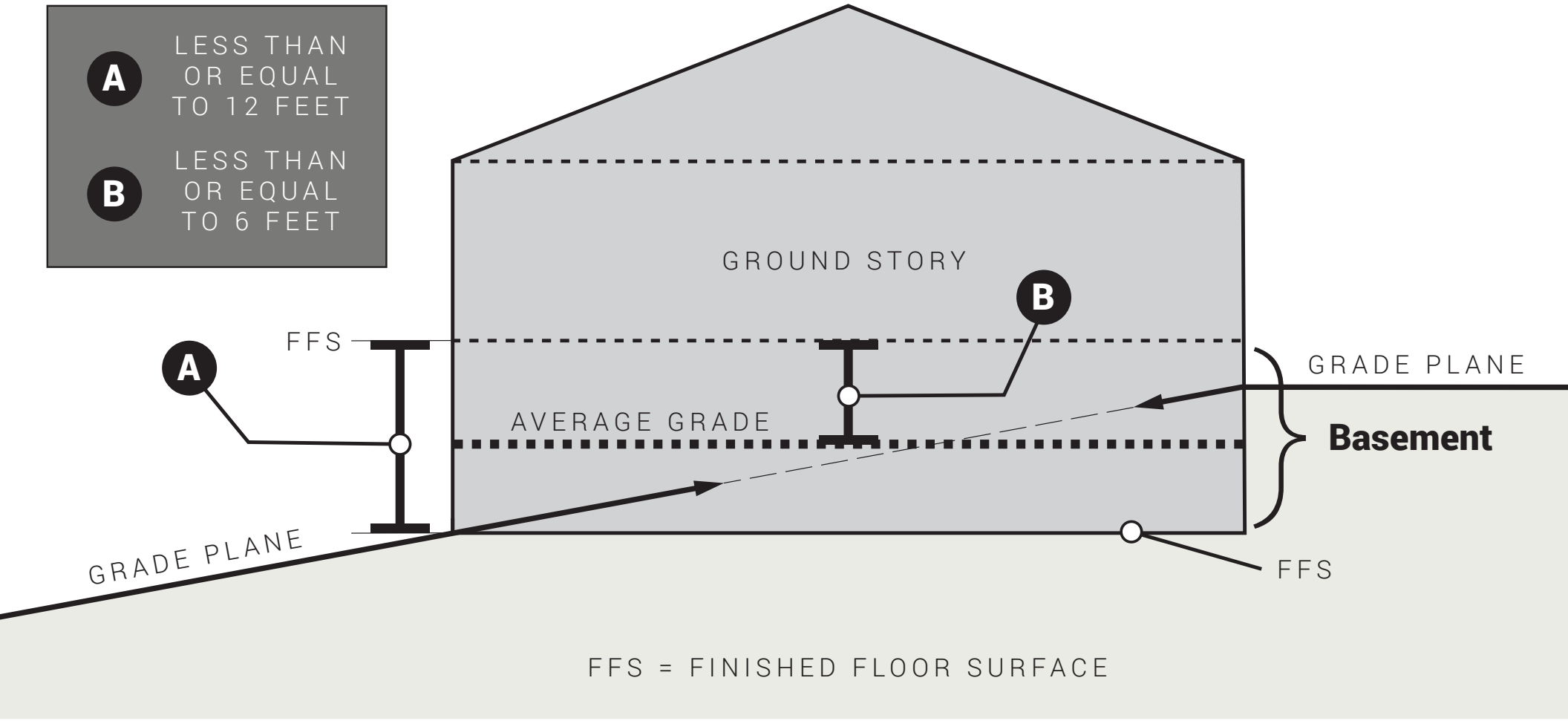
Lot Width, Cul-De-Sac



Grade, Average



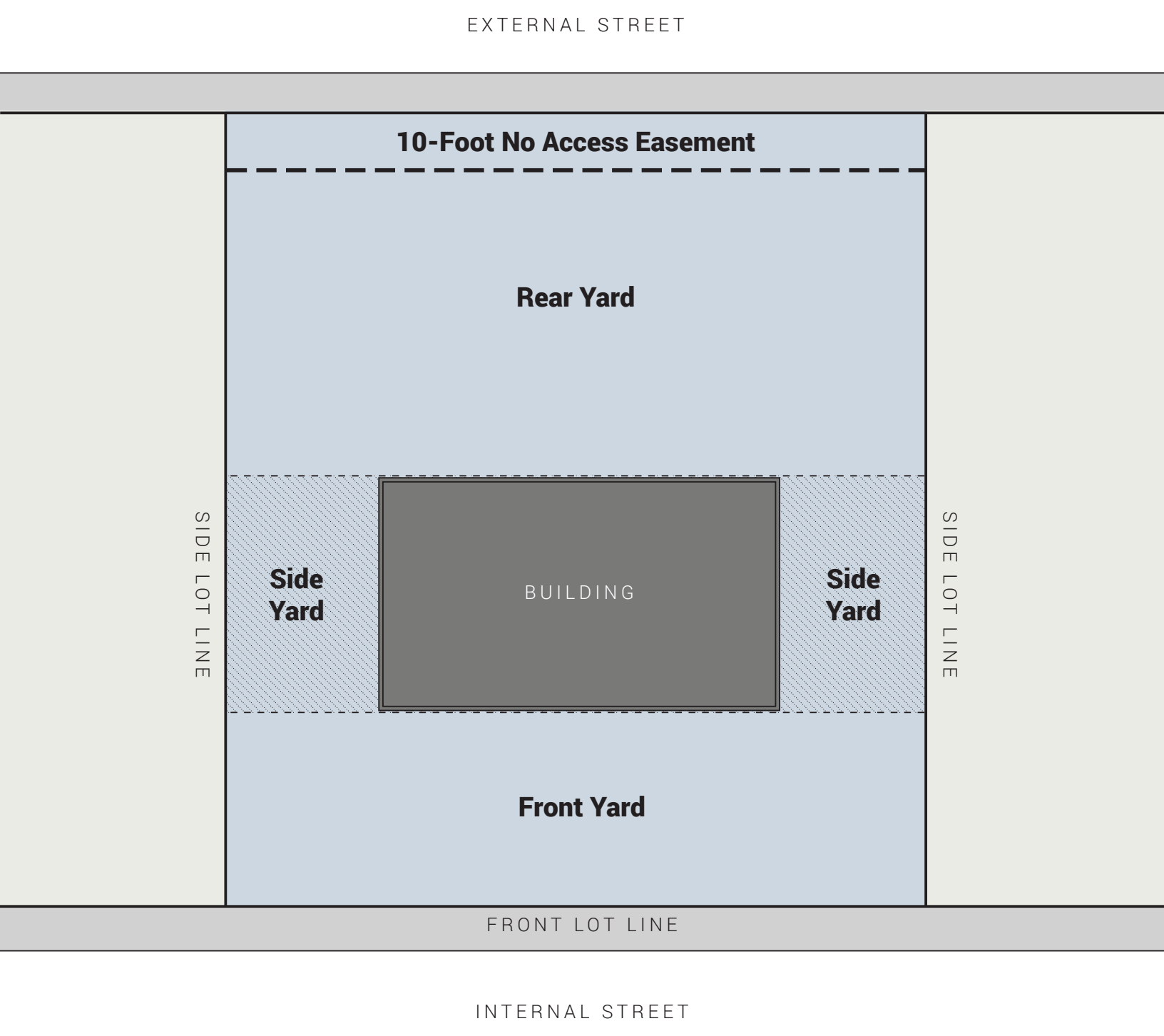
Basement


A
LESS THAN OR EQUAL TO 12 FEET
B
LESS THAN OR EQUAL TO 6 FEET
GROUND STORY
B
FFS
A
GRADE PLANE
AVERAGE GRADE
Basement
GRADE PLANE
FFS
FFS = FINISHED FLOOR SURFACE

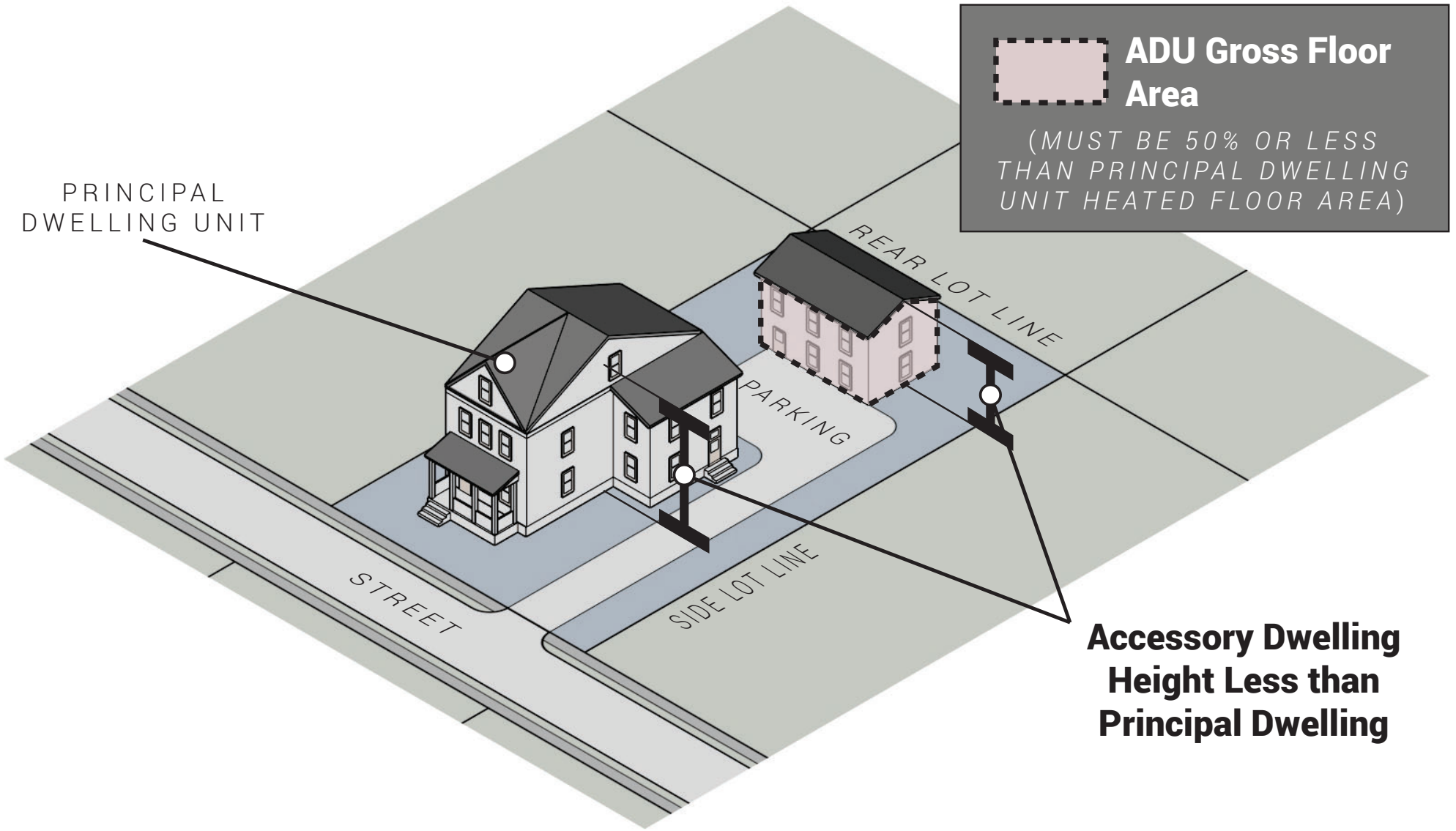
Lot, Corner


REAR LOT LINE
Rear Yard
Front Yard
BUILDING
Side Yard
SIDE LOT LINE
FRONT FACADE
Front Yard
FRONT LOT LINE
STREET A
FRONT LOT LINE
STREET B

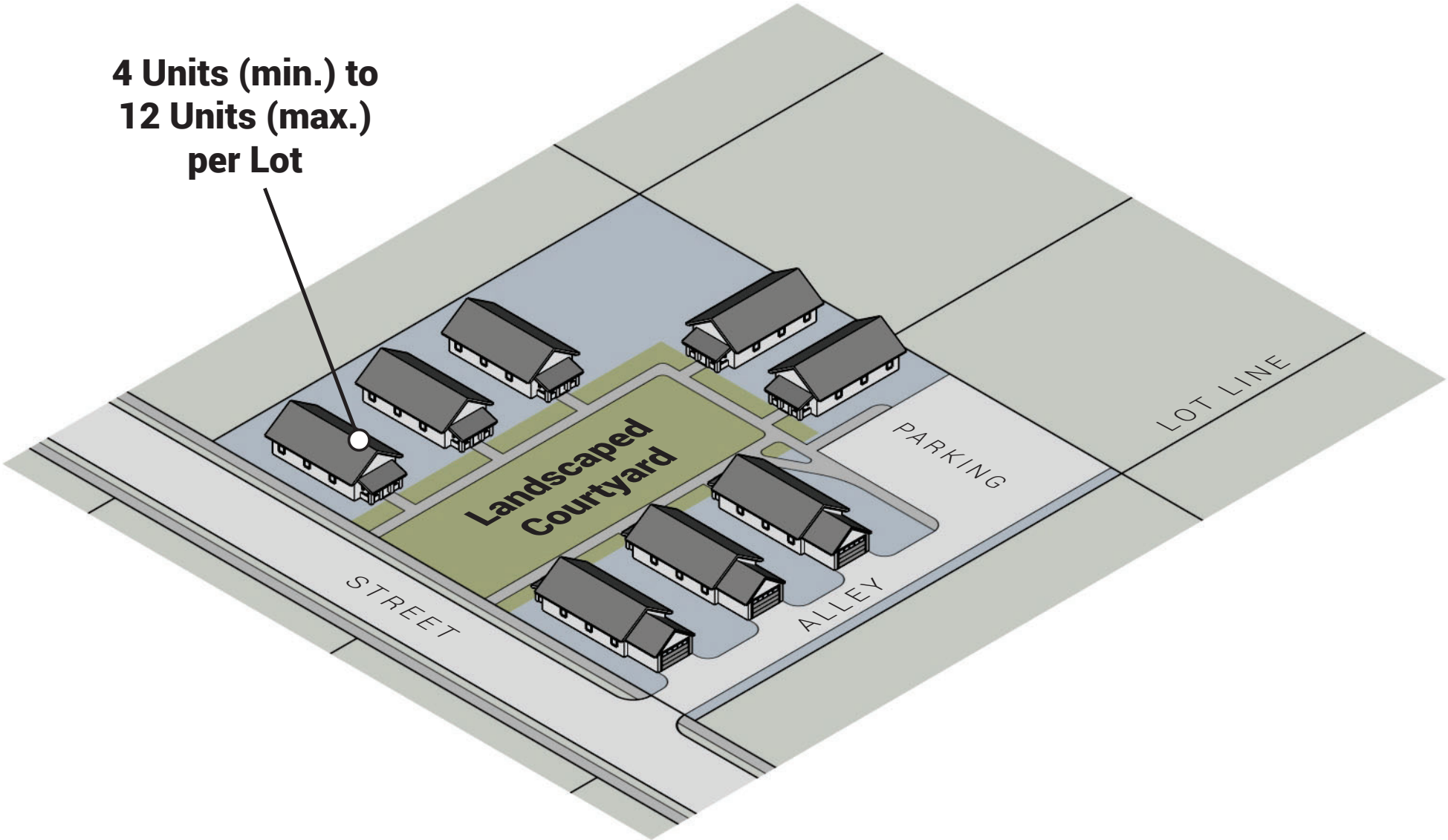
Lot within a Subdivision, Double Frontage



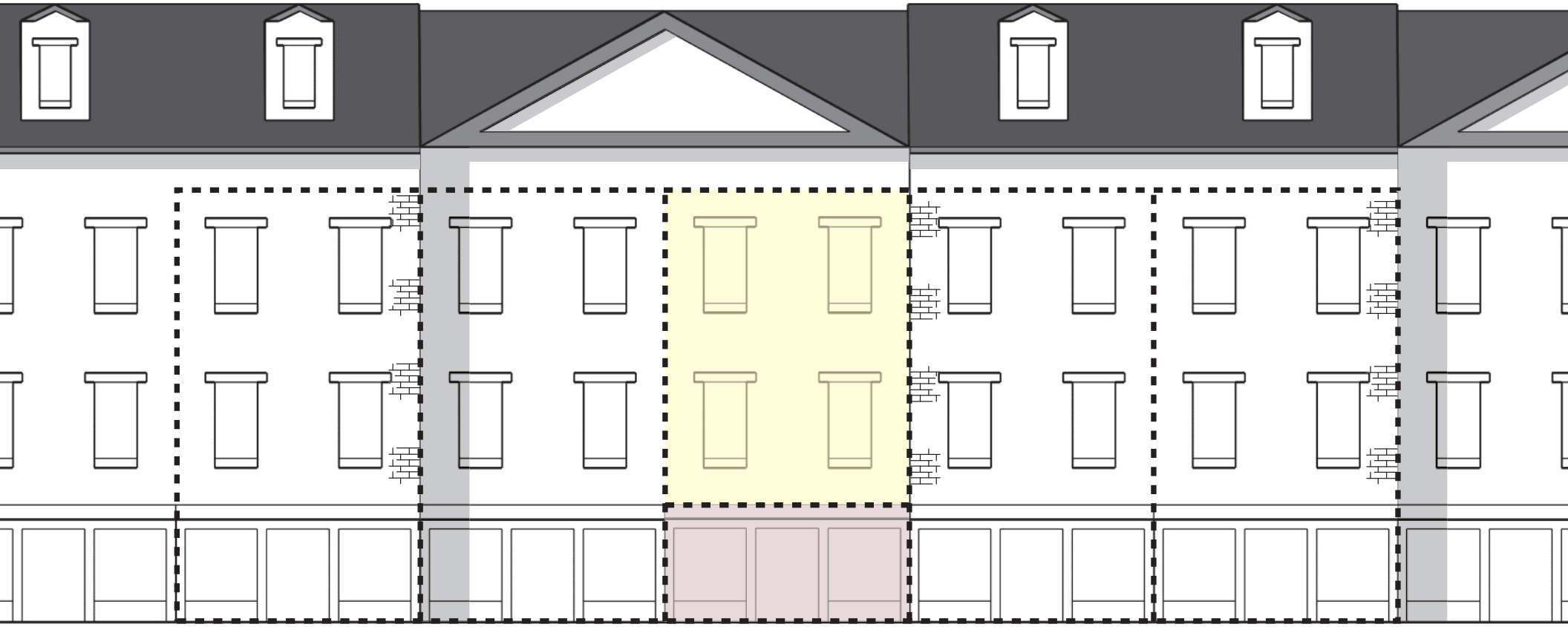
210-140.11 and 212-50.4
Dwelling, Accessory



210-140.12 and 212-50.5
Dwelling, Cottage Court



210-140.15 and 212-50.8
Dwelling, Live/Work

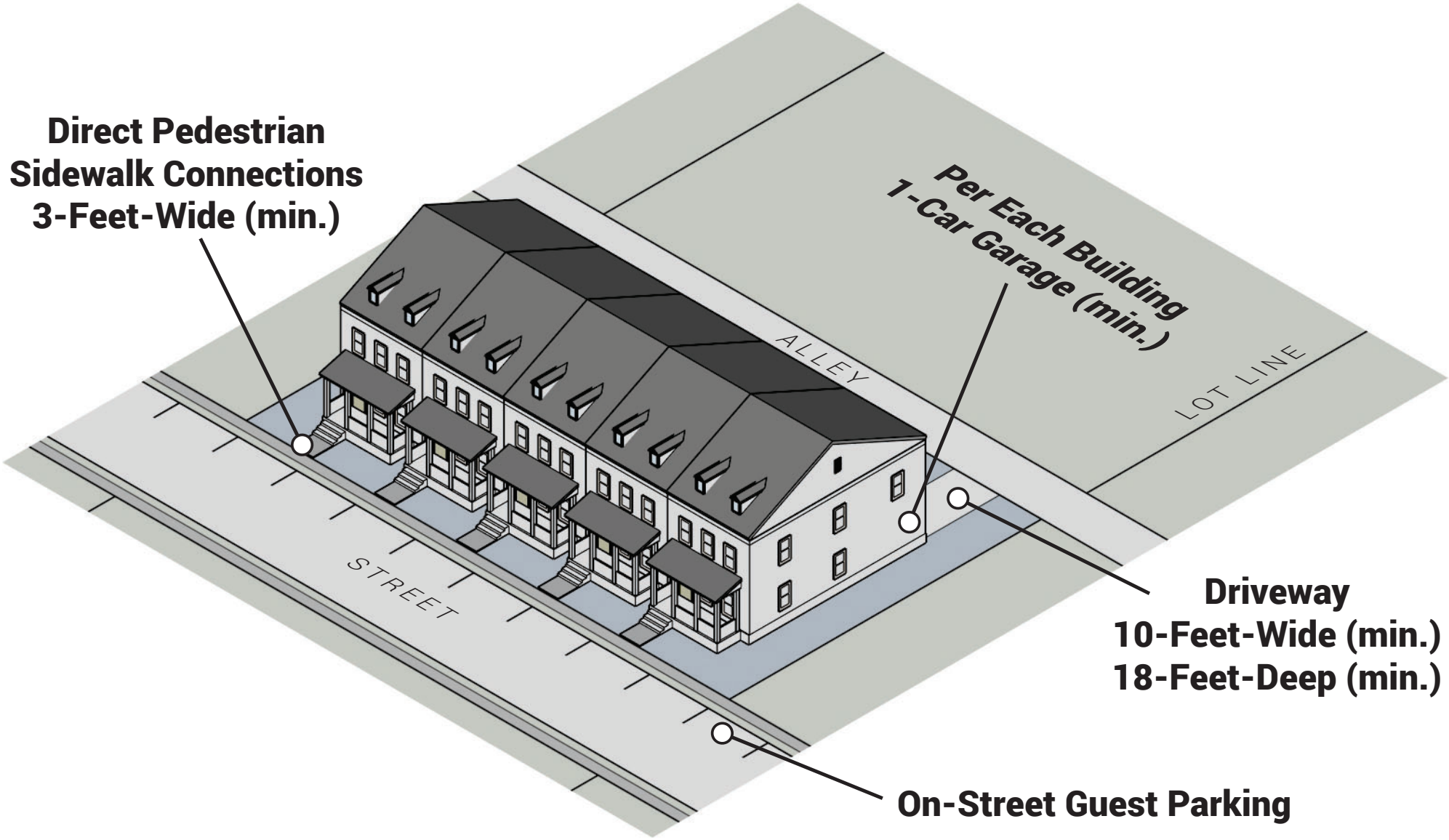


Live Space

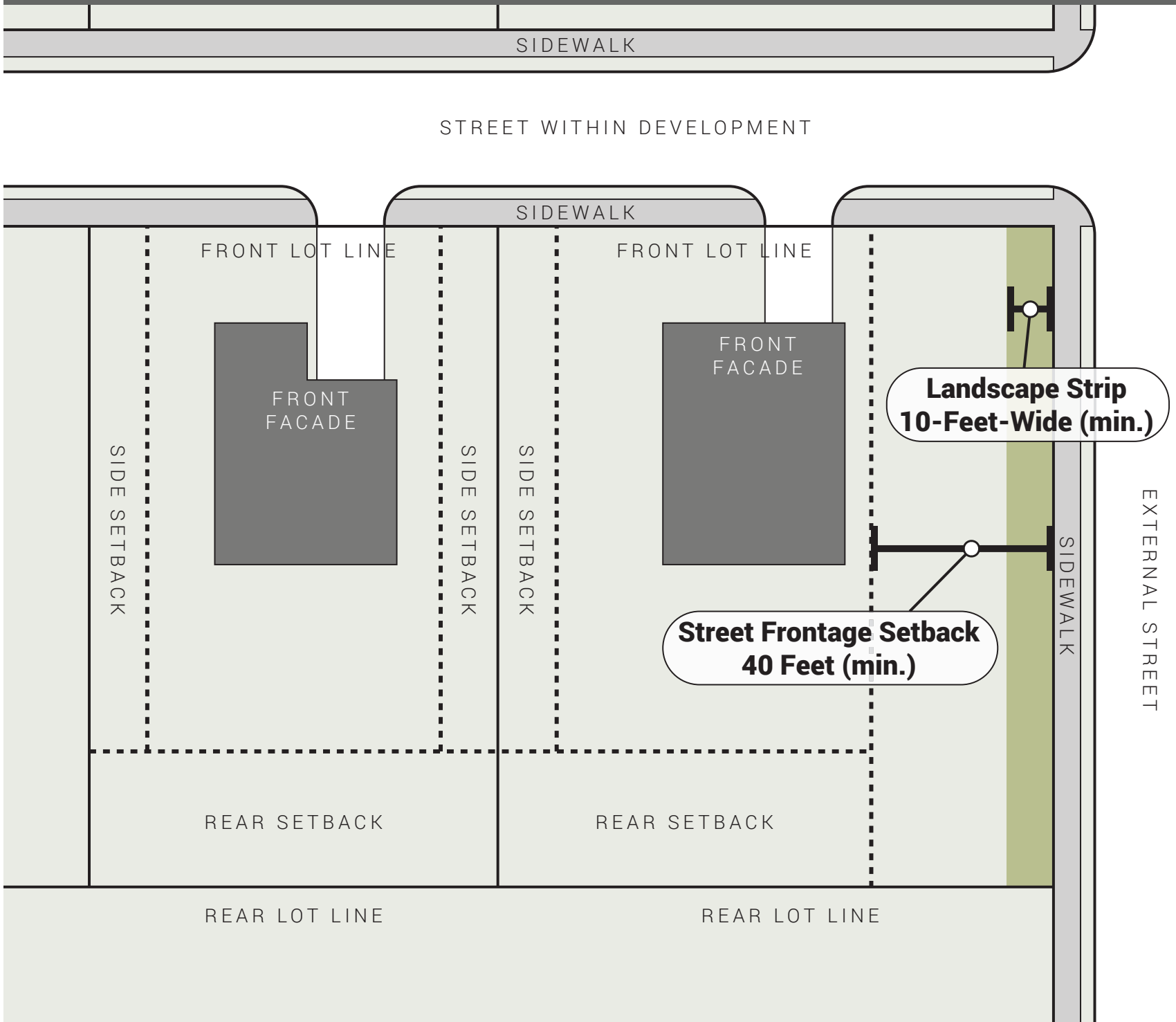
Work Space

NON RESIDENTIAL (WORK): MIN. 500 SQ.FT.; SHALL NOT EXCEED 50% OF UNIT SIZE

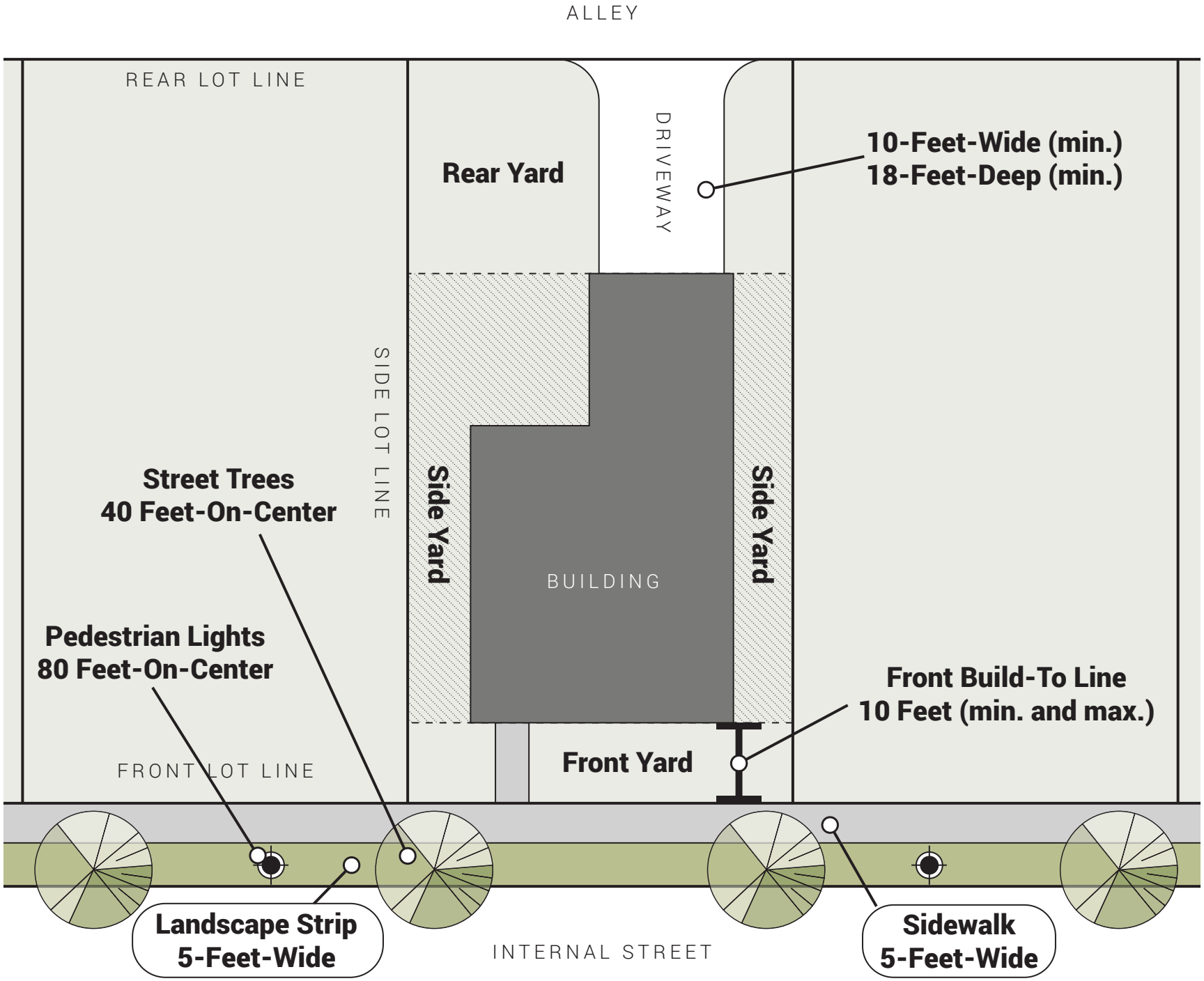
210-140.19 and 212-50.8
Dwelling, Townhouse



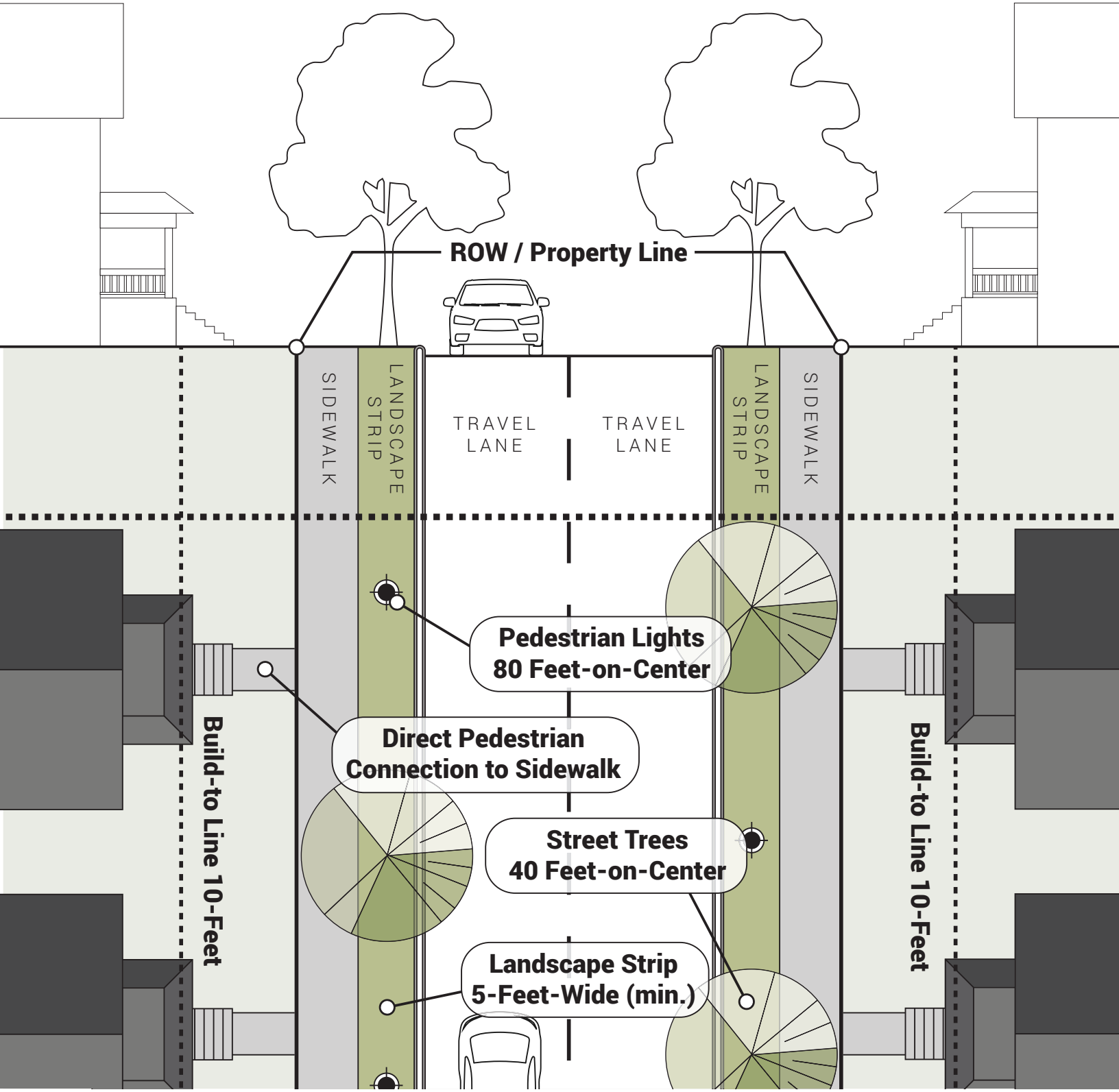
210-120 and 212-30
Street Frontage Setback and Landscape Strip



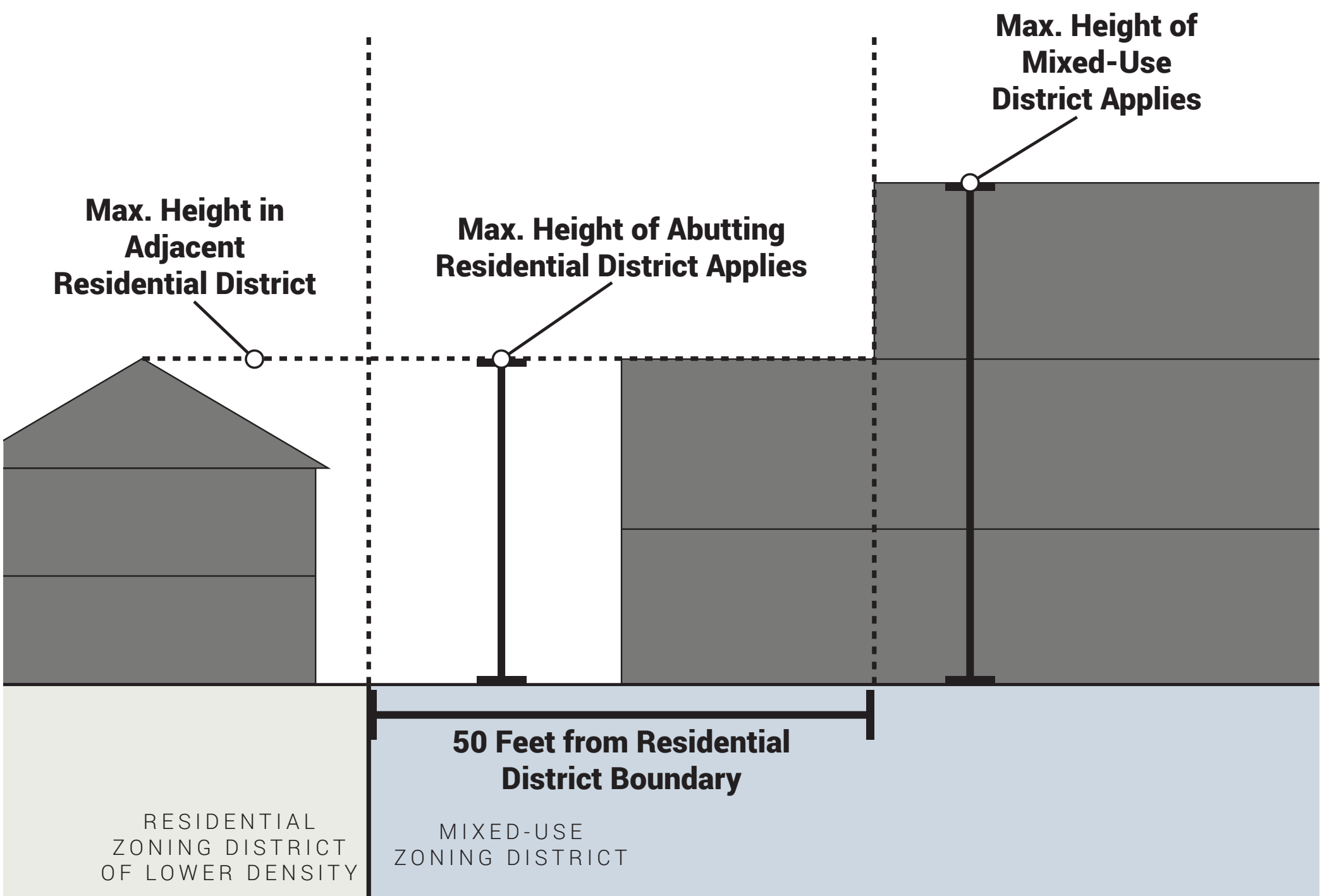
212-80
Lot, Traditional Neighborhood Development (TND)



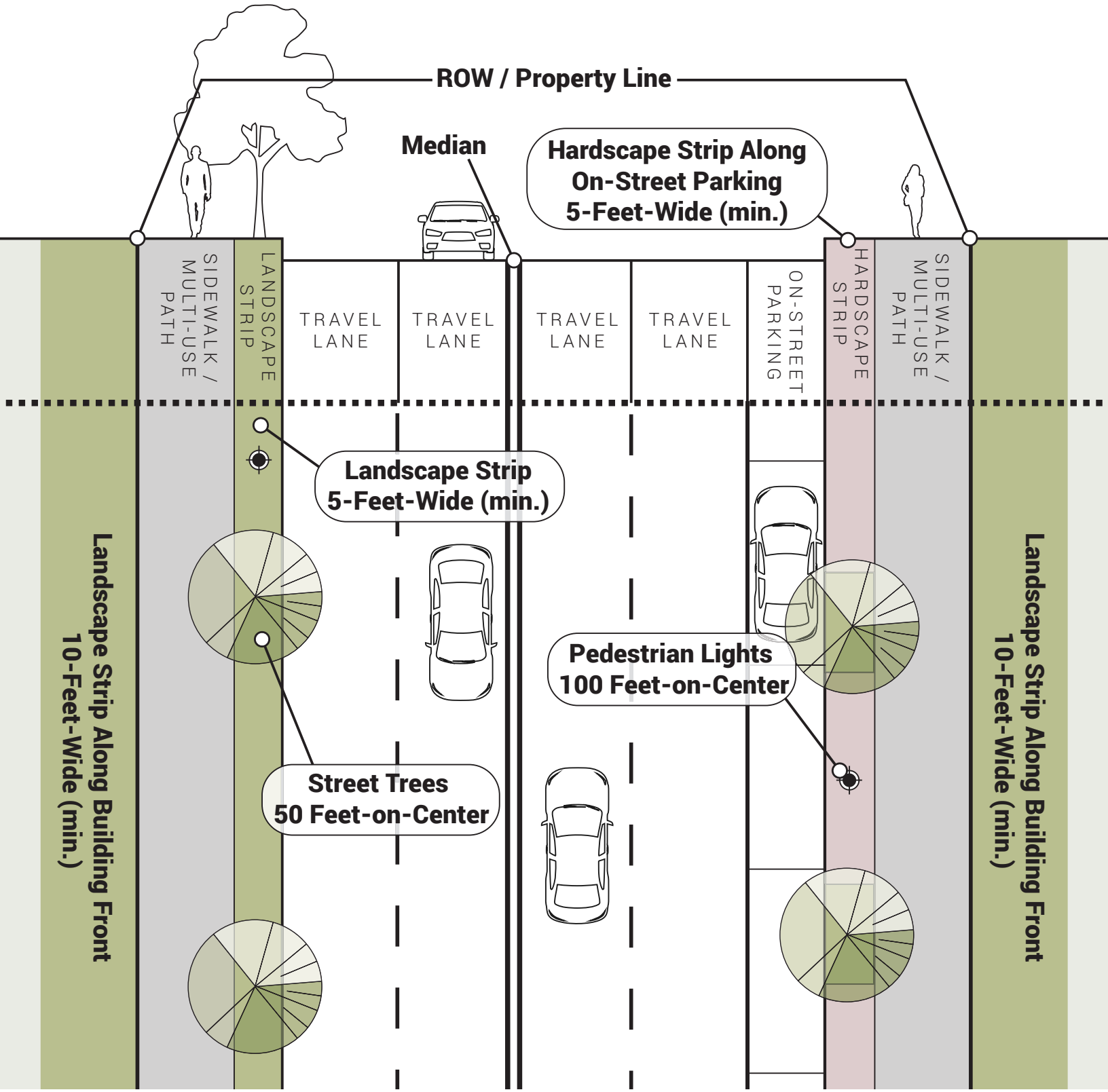
212-80.2 and 212-80.4
TND Front Setback and Streetscape



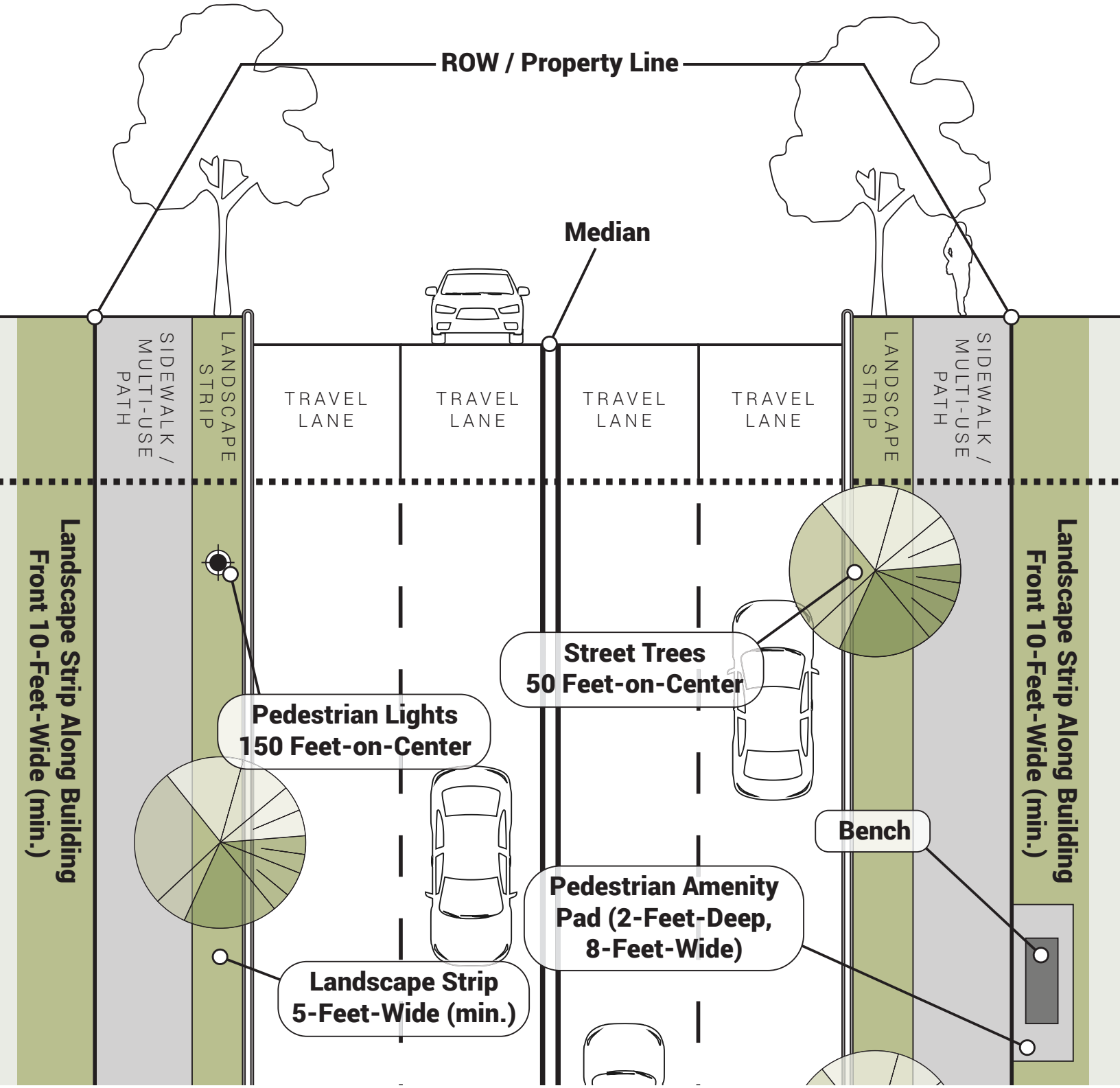
213-80.7
Transition Height Along Exterior Boundaries



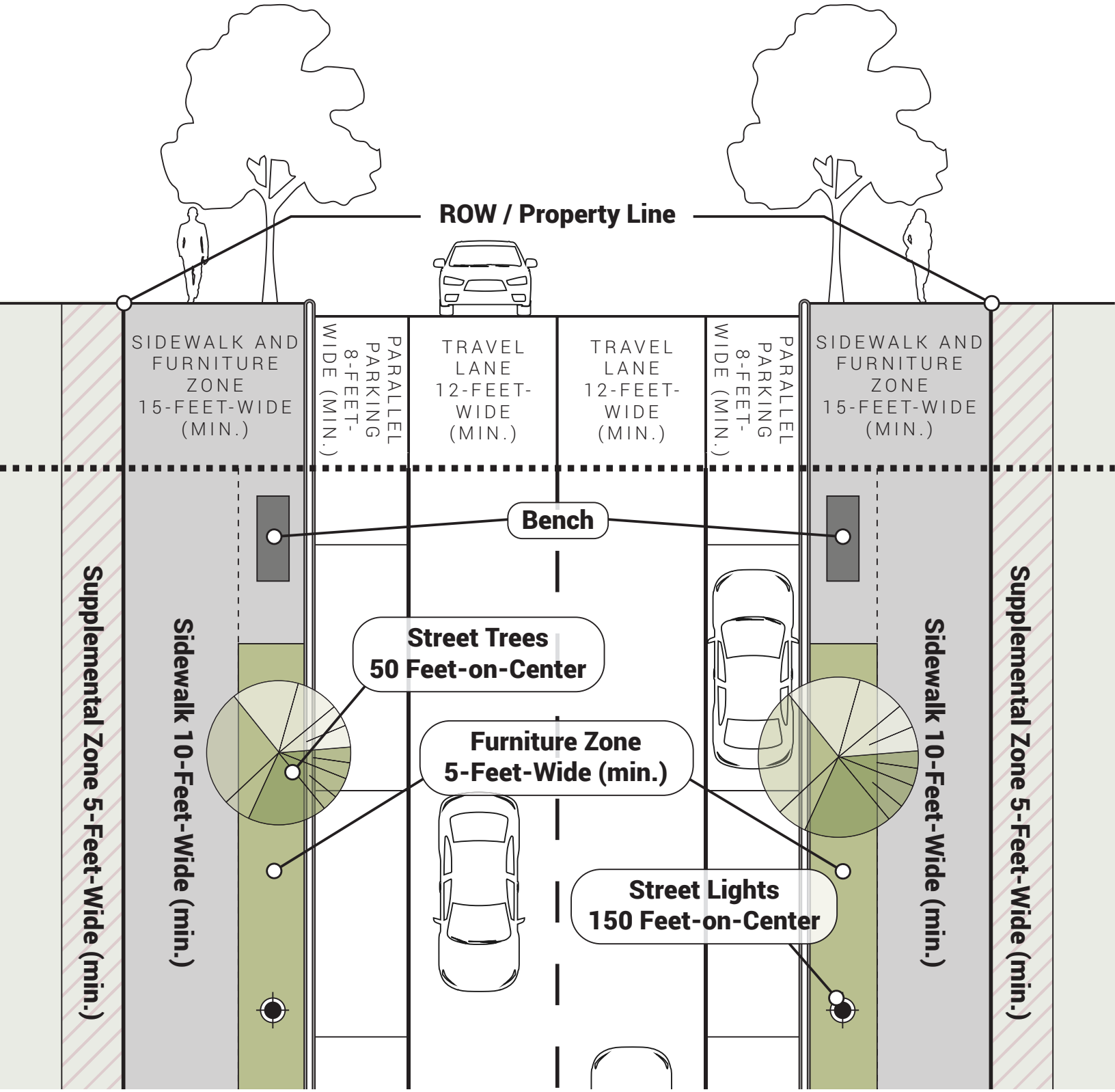
213-80.9
Mixed-Use District Streetscape



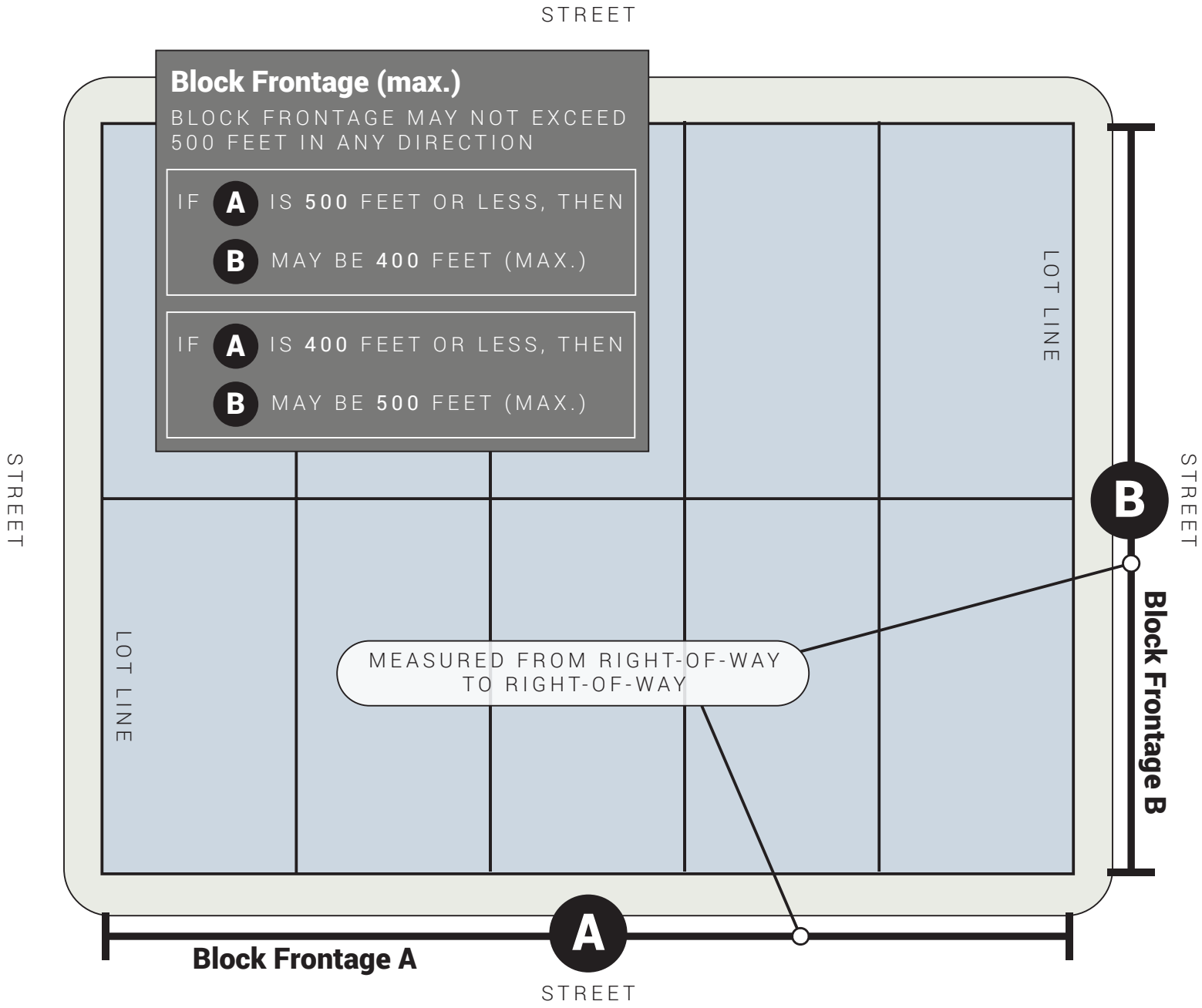
214-20.3
Activity Center/Corridor Overlay Streetscape



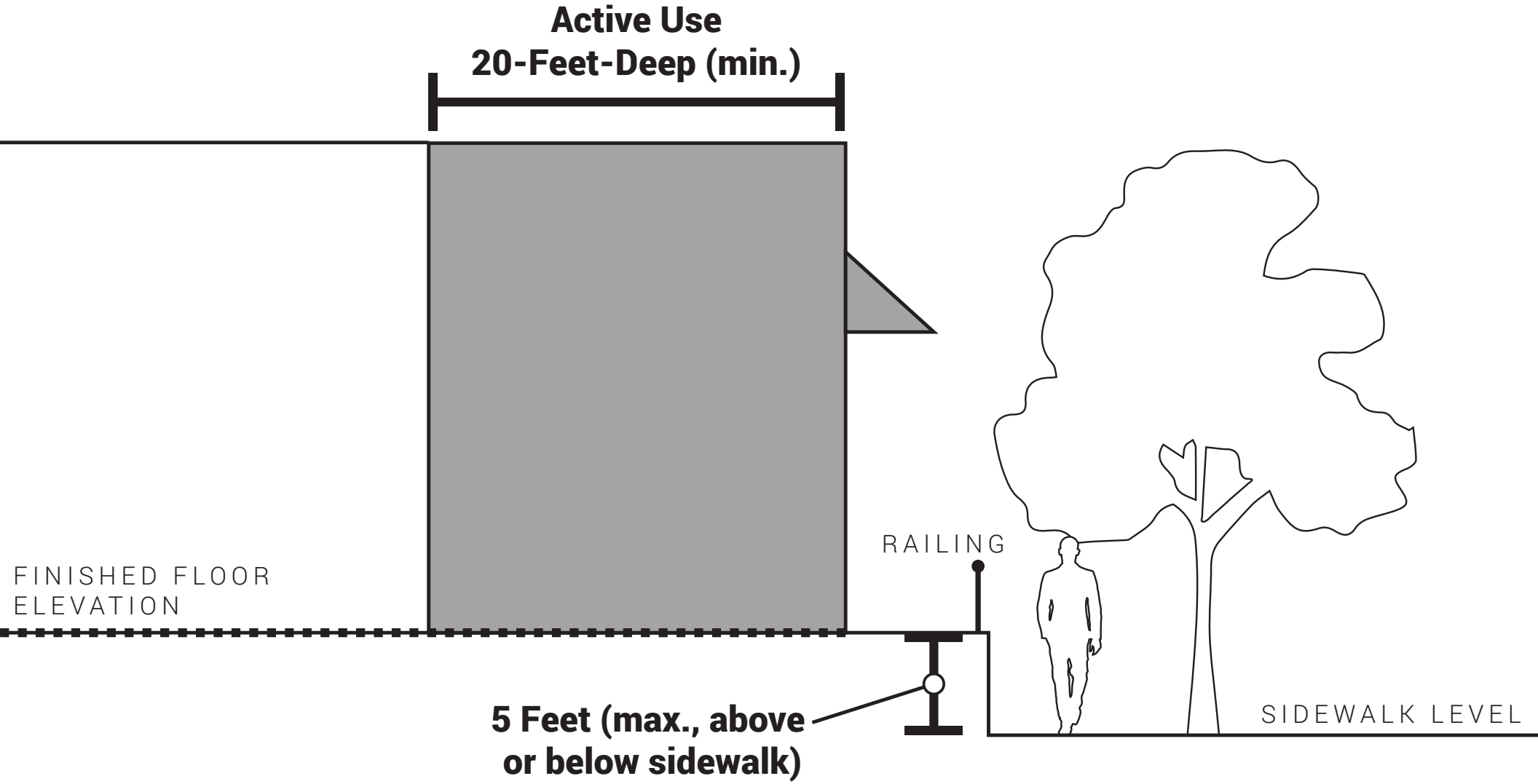
214-30.8
Venture Drive Overlay Streetscape



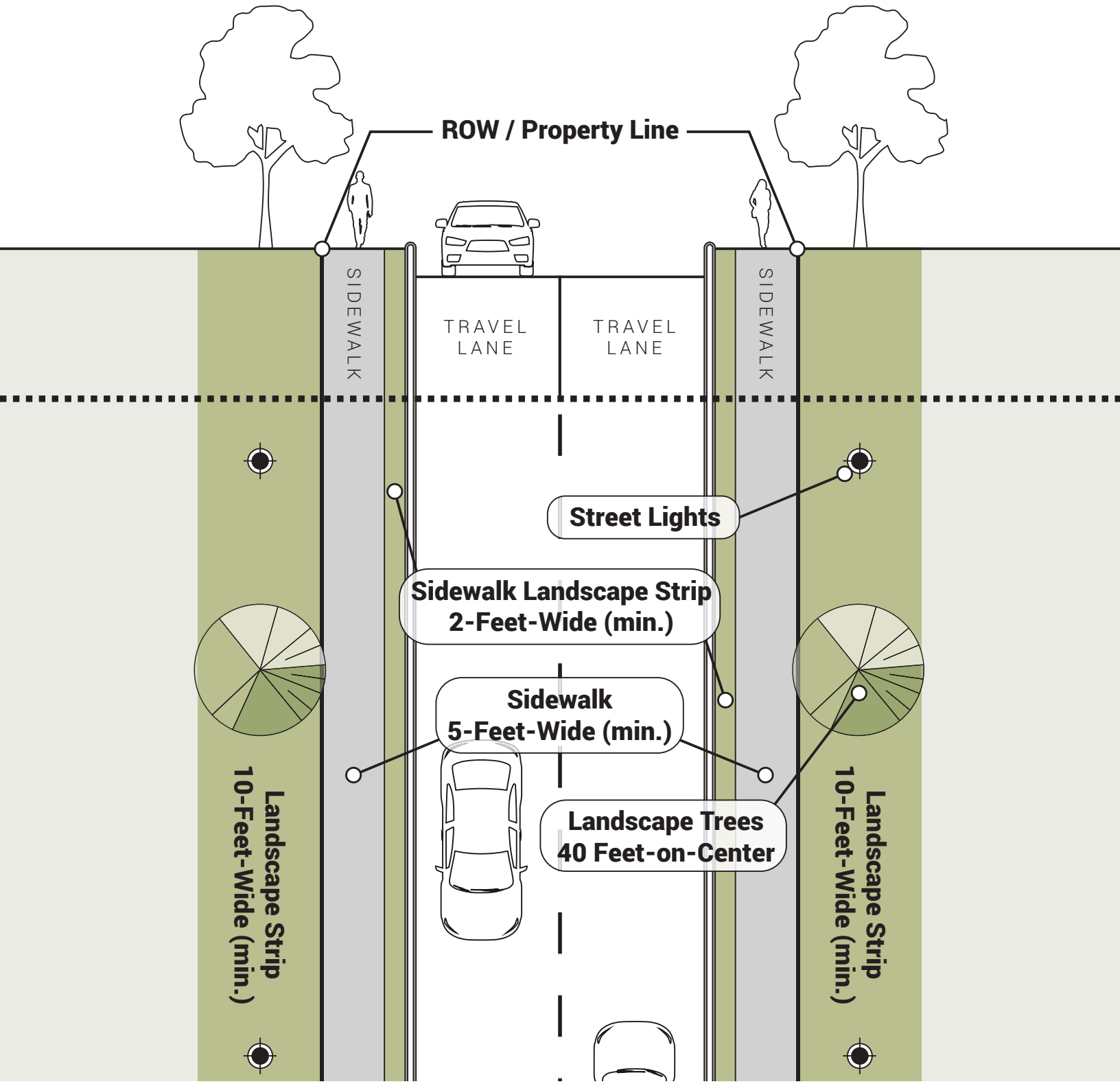
214-30.8
Venture Drive Overlay Block Design



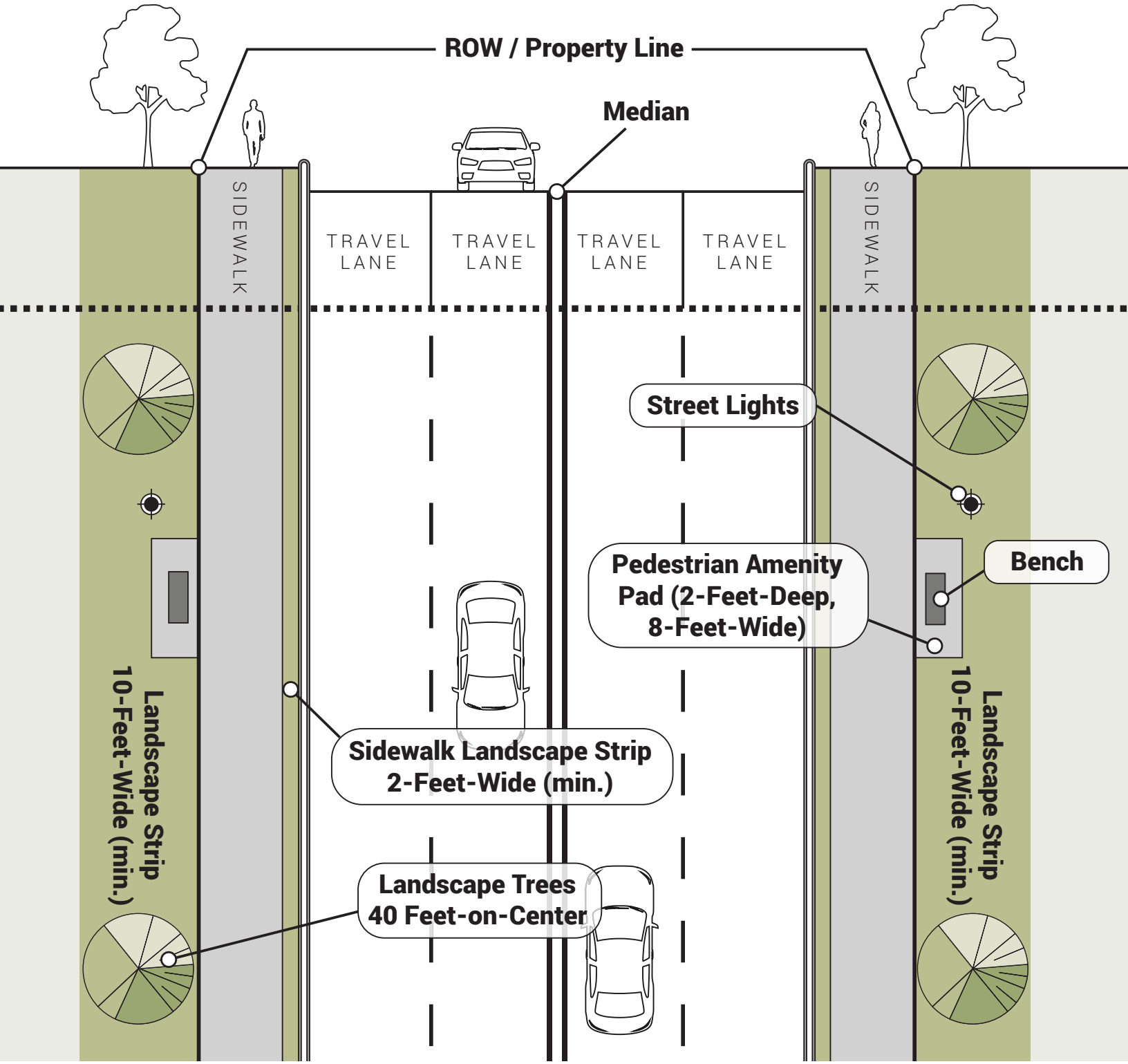
214-30.11.B
Venture Drive Overlay Active Uses



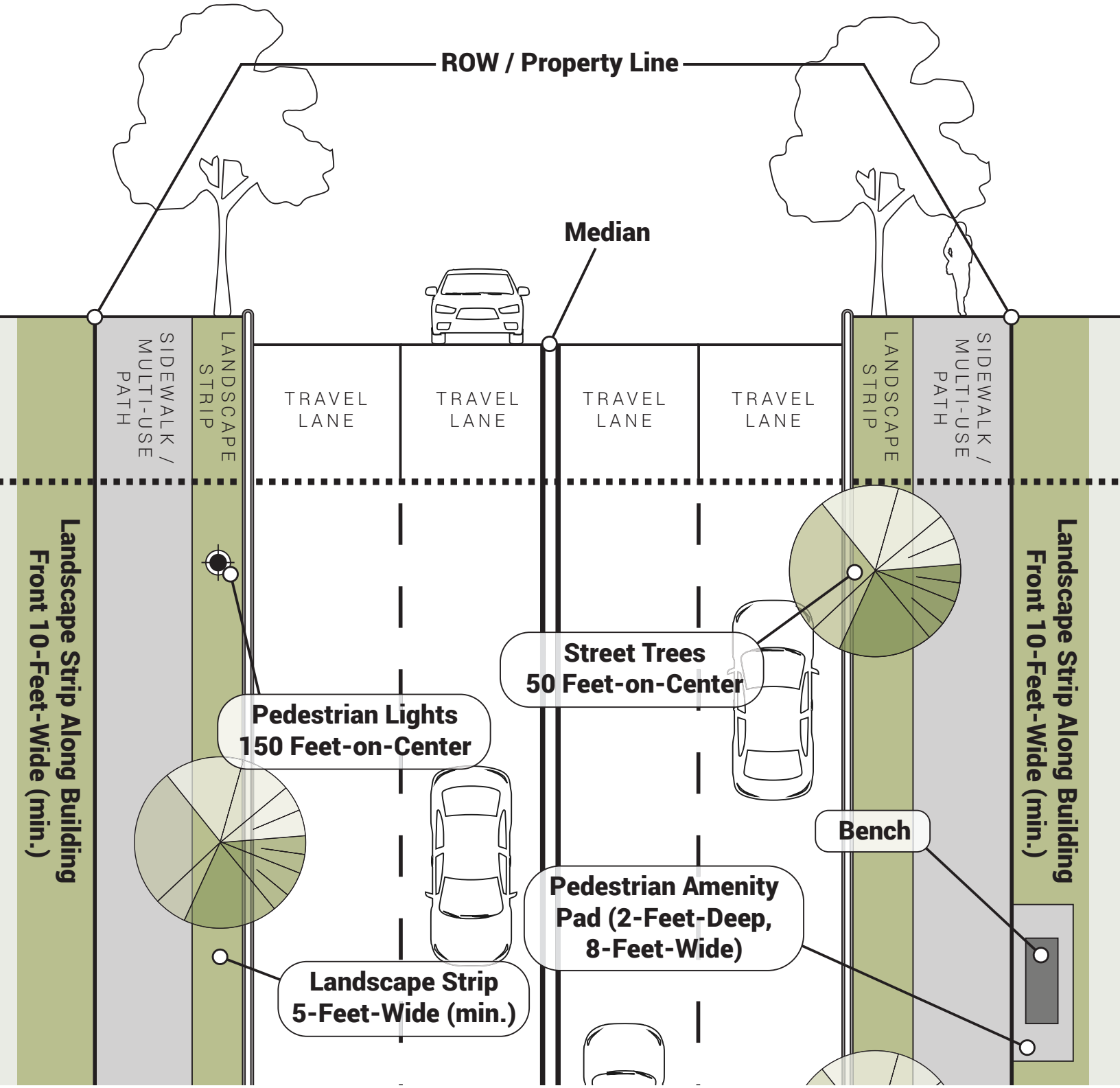
214-40.5
Gateway 85 Overlay Streetscape (Local Streets)



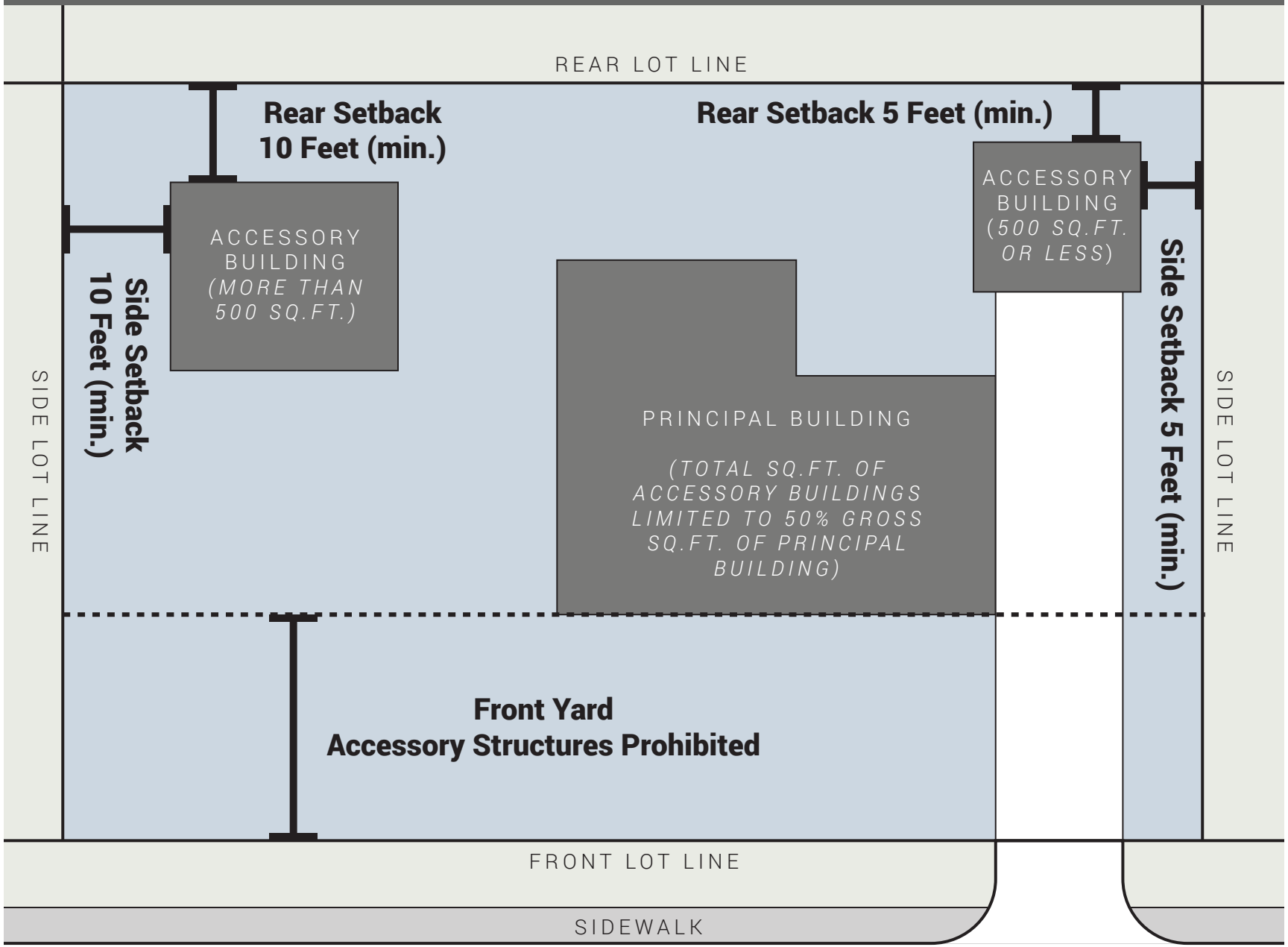
214-40.5
Gateway 85 Overlay Streetscape (Arterial and Major Collector Streets)



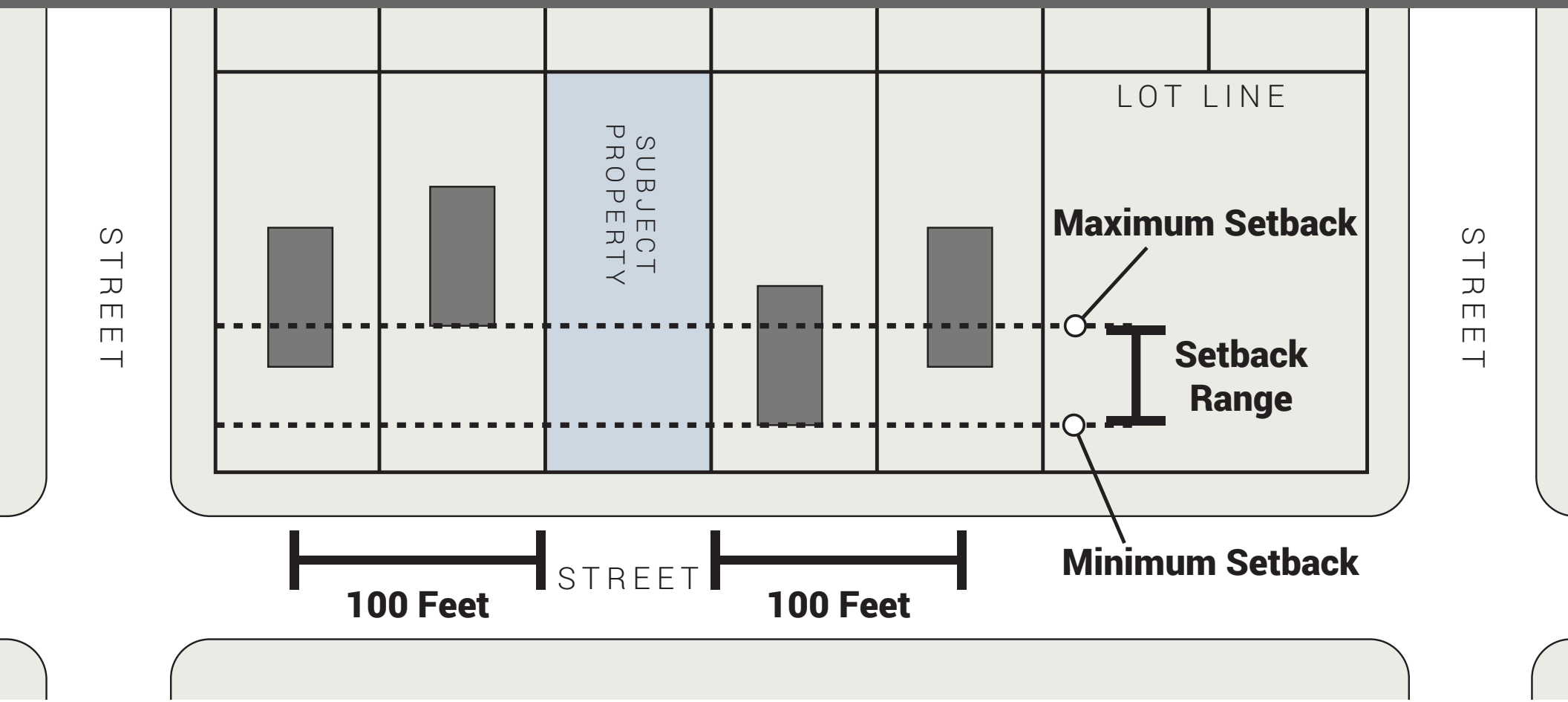
214-70.3
Civic Center Overlay Streetscape



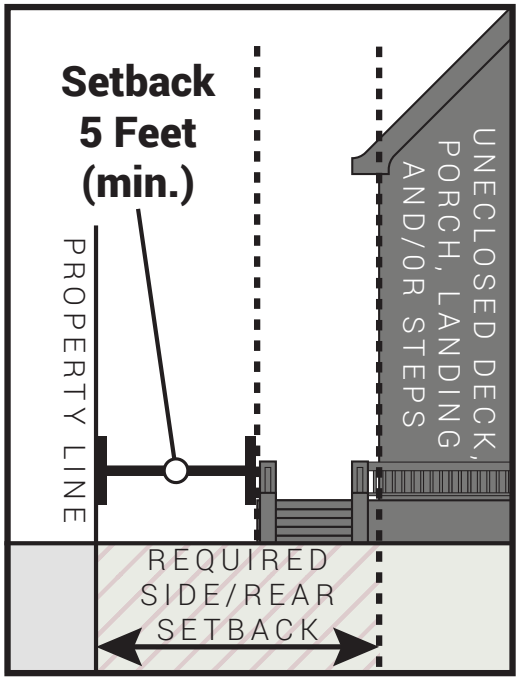
230-30
Accessory Building

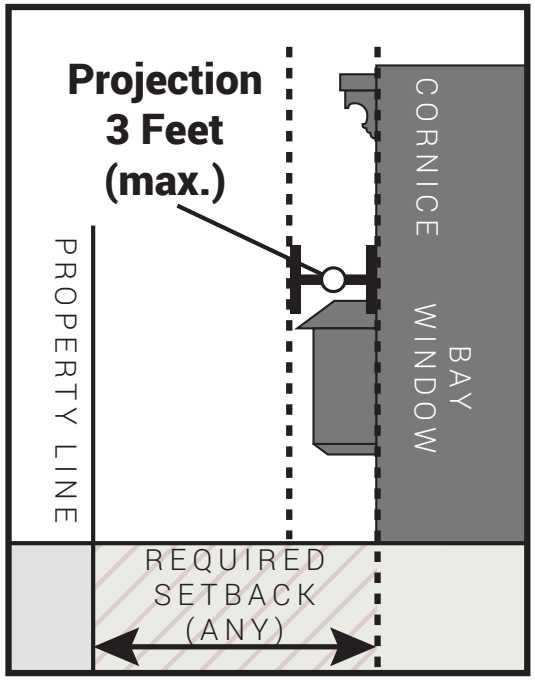


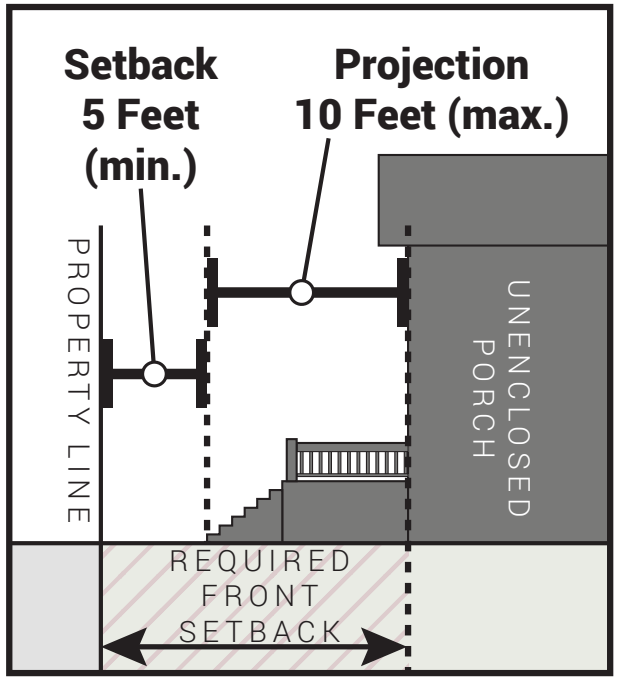
230-40.5
Contextual Front Yard Setback, Single-Family Detached

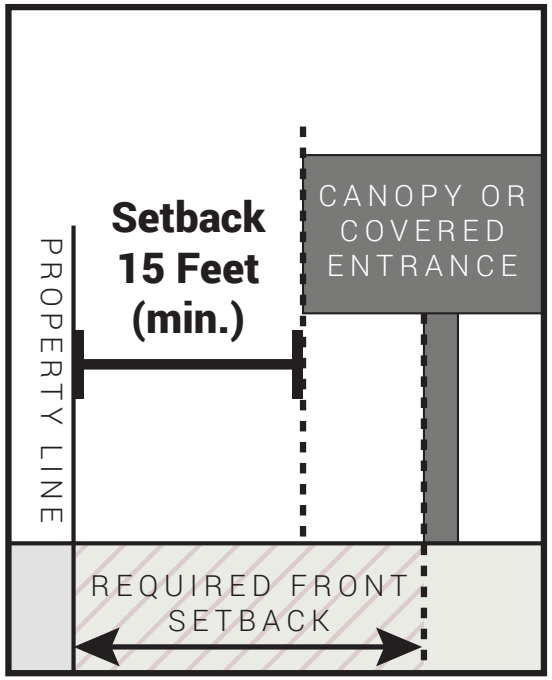


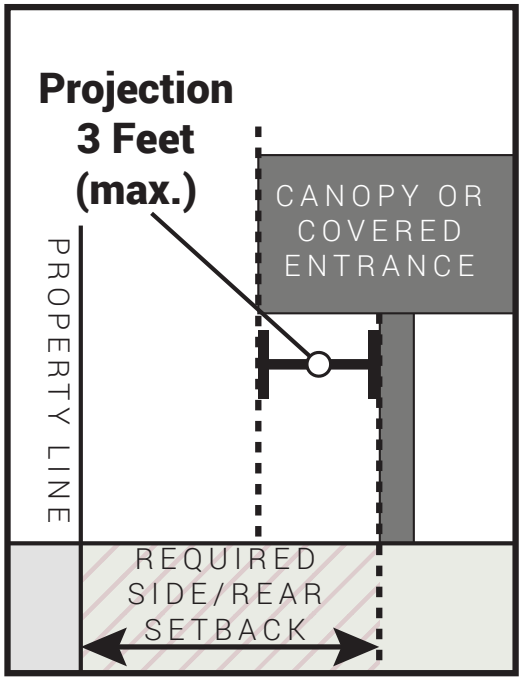
230-60
Permitted Setback Encroachments

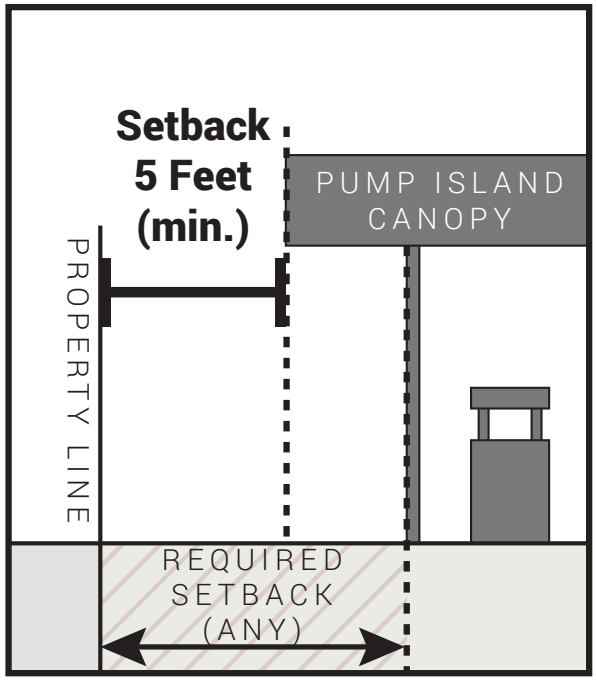




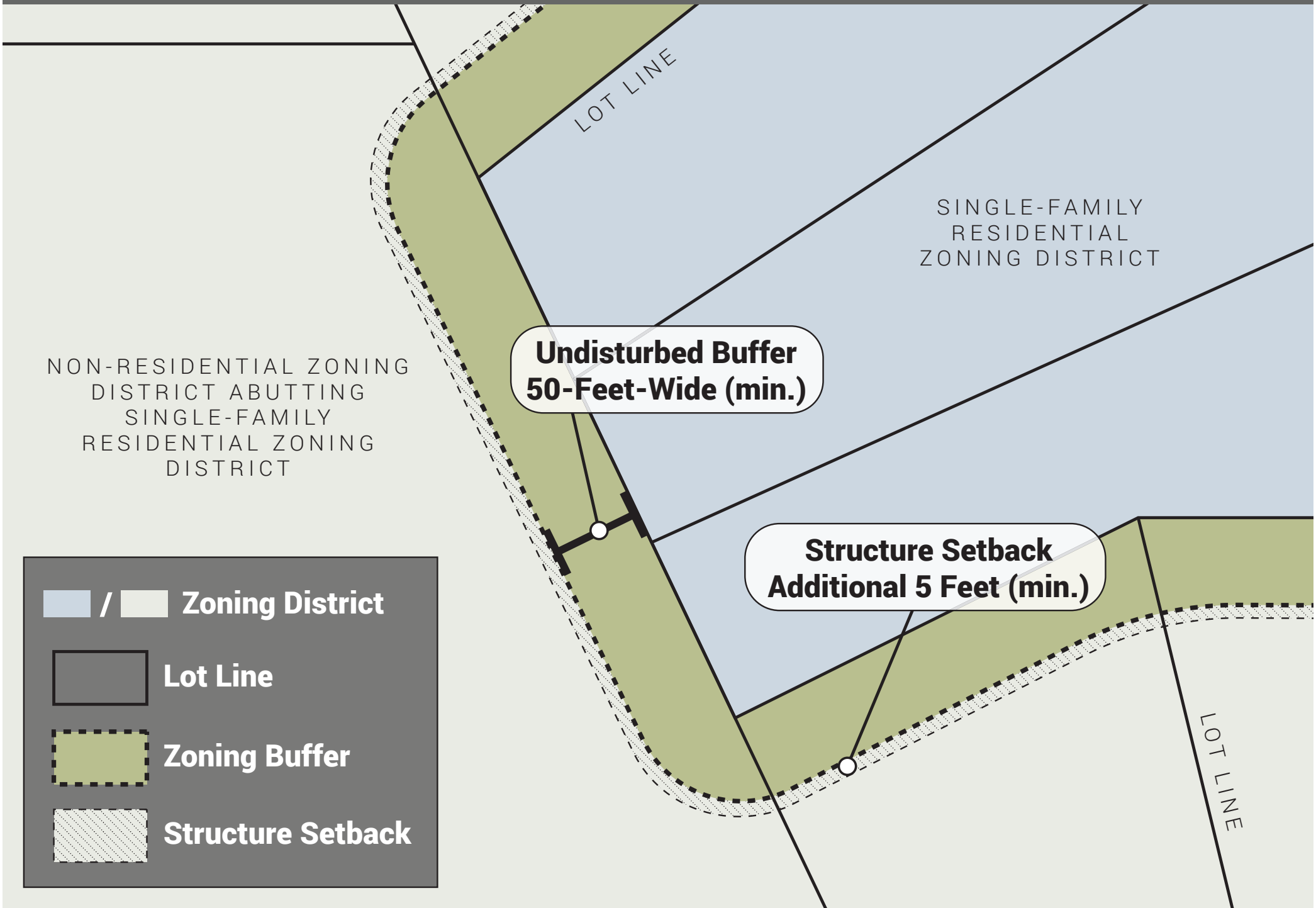




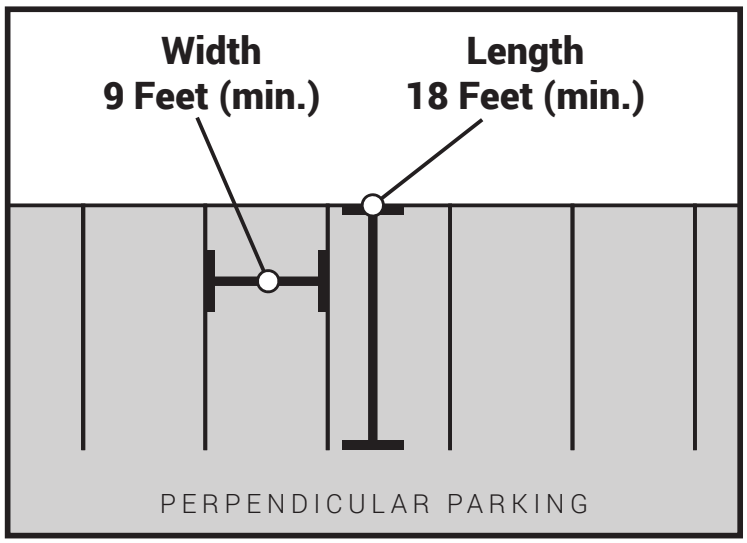


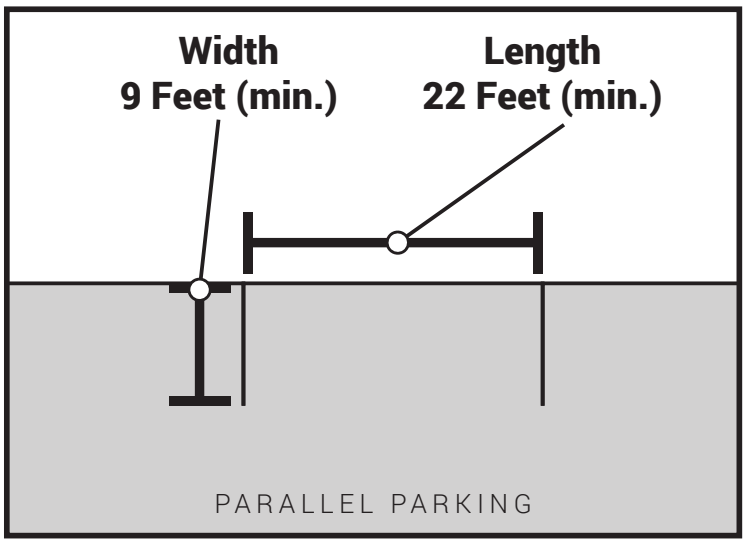


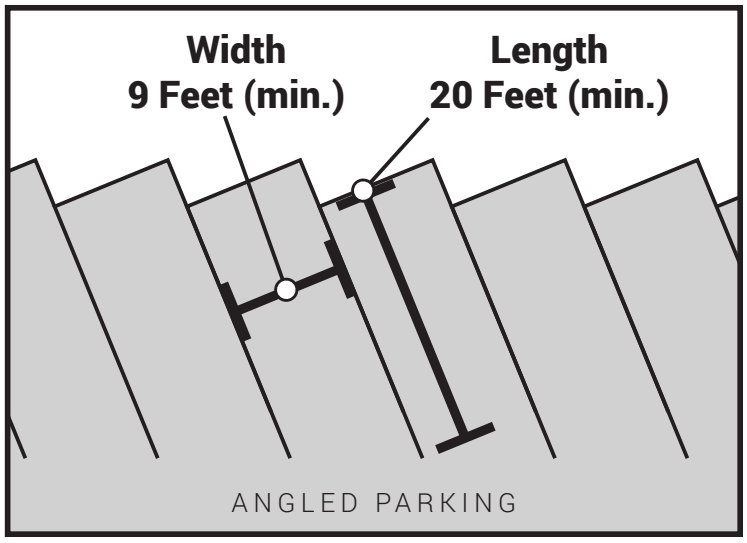
230-100
Standards for Zoning Buffers

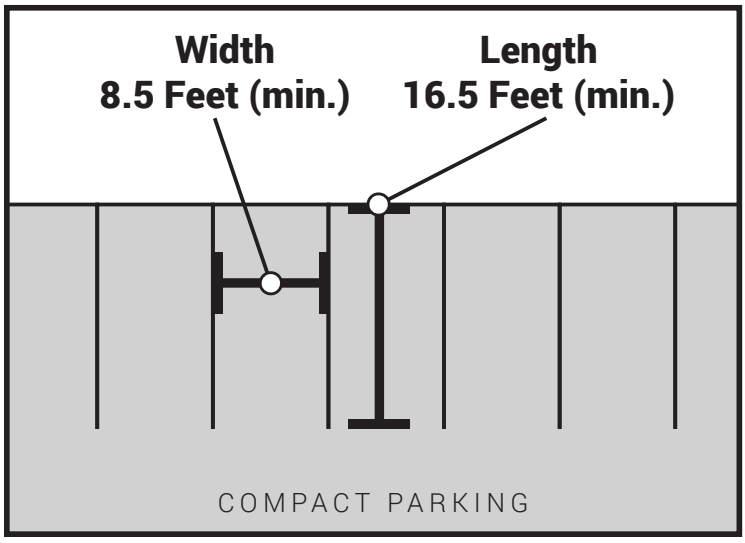


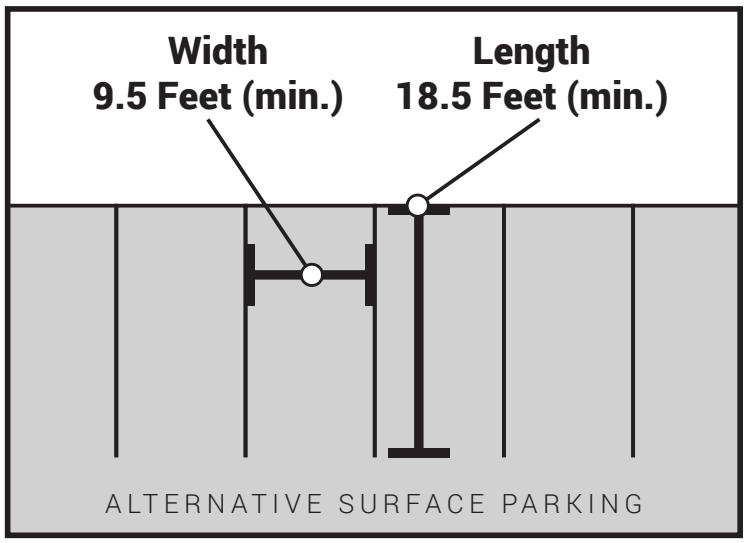
240-20.3
Required Minimum Dimensions for Each Parking Space



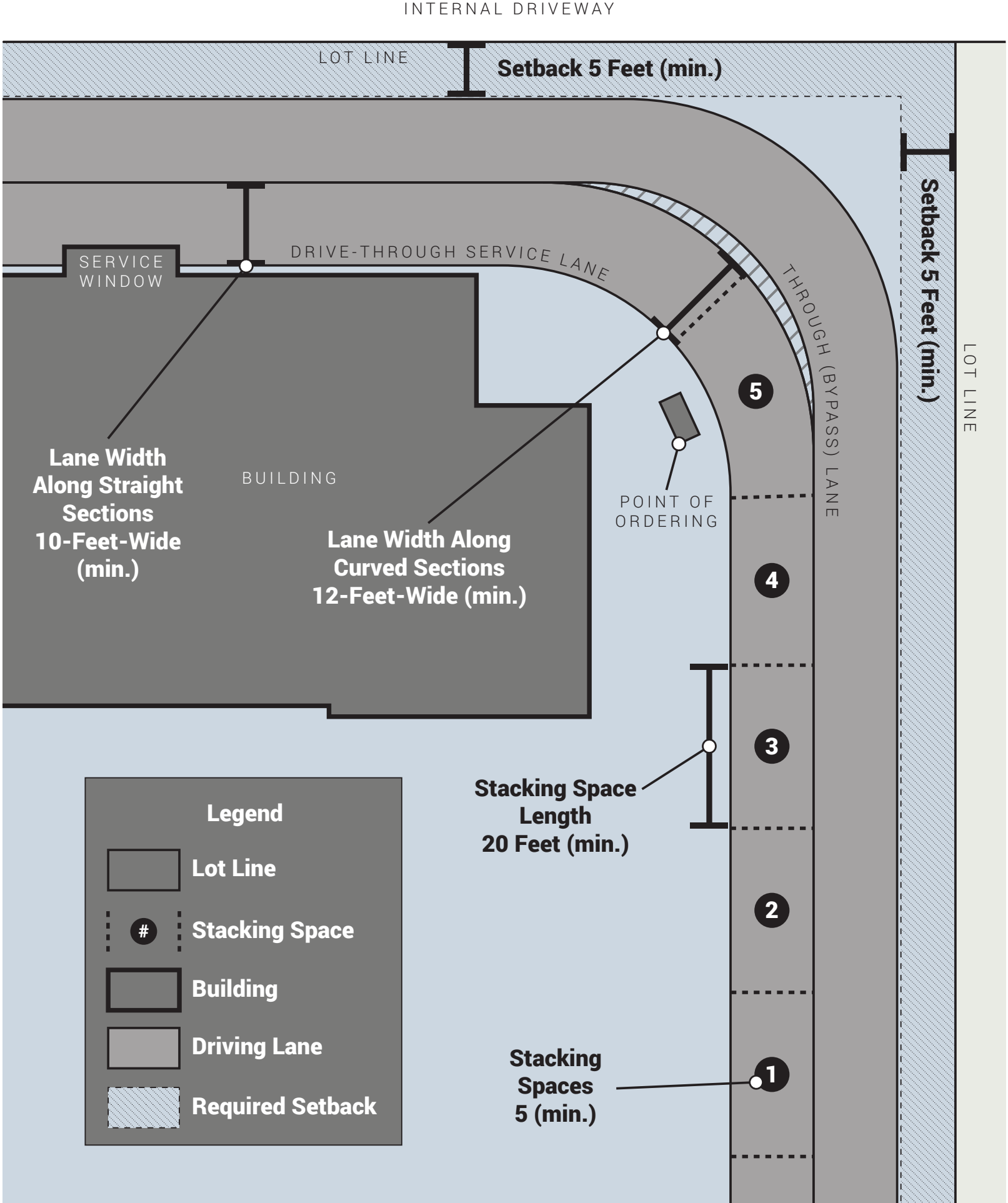




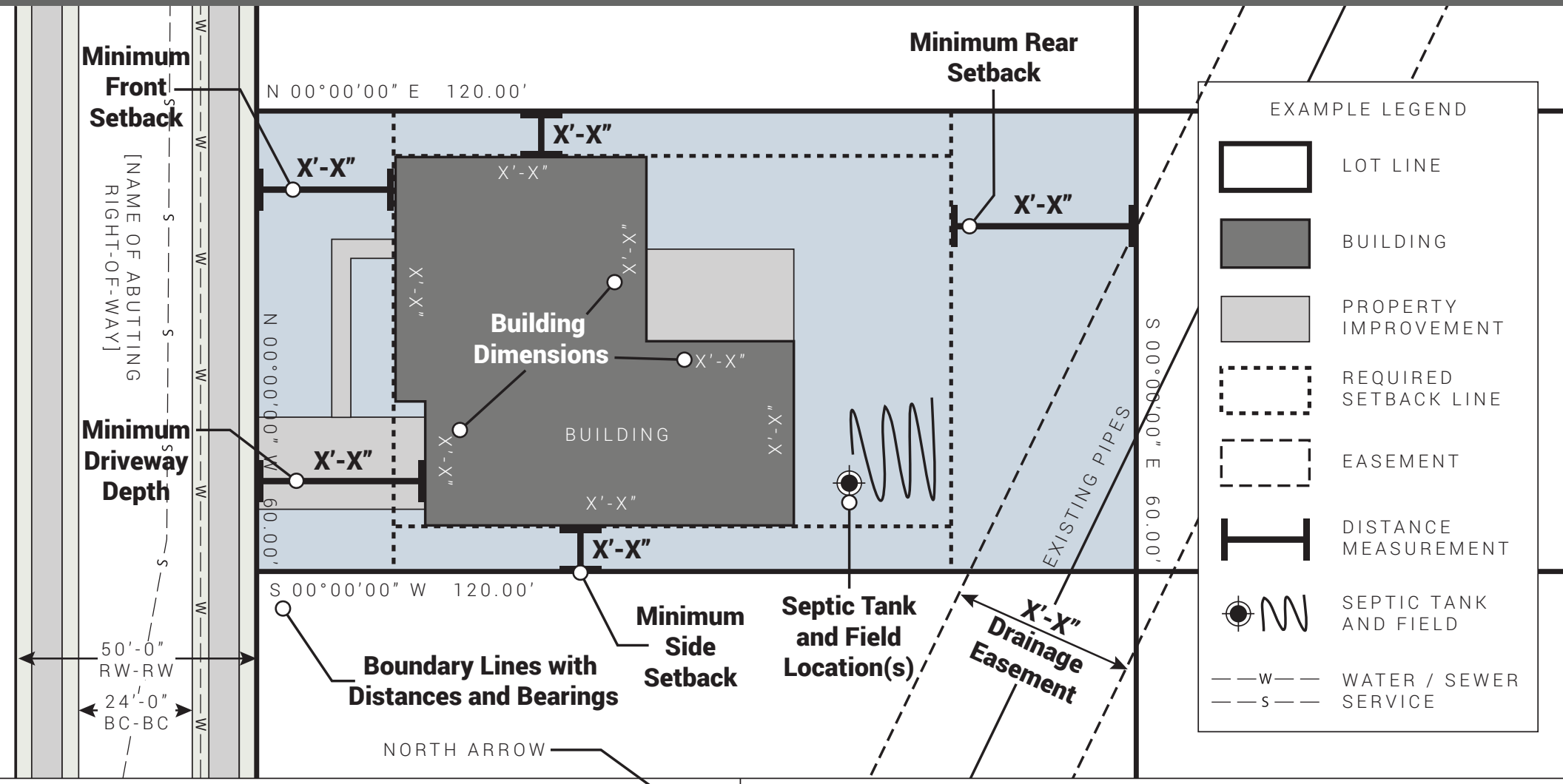




240-80
Stacking Spaces and Drive-Through Lanes



330-140.1
Example House Location Plan (HLP)



[SUBJECT PROPERTY SUBDIVISION NAME]
[SUBJECT PROPERTY LOT DESIGNATION, LAND LOT, DISTRICT, & PARCEL NUMBER]
[SUBJECT PROPERTY STREET ADDRESS]

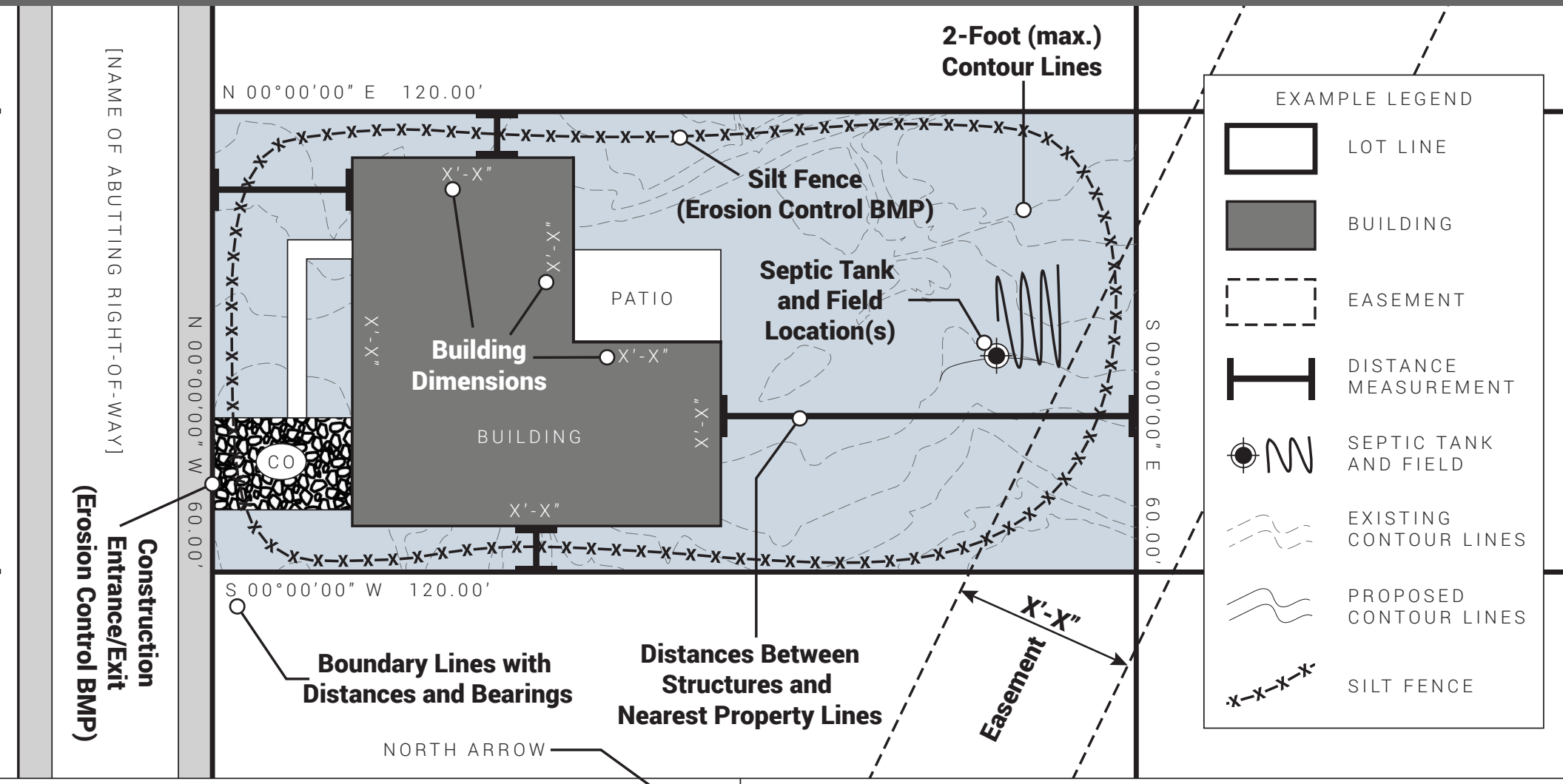
SCALE (ARCHITECT OR ENGINEER)

[DATE PREPARED]

[HLP OWNER/PREPARER OF THE HLP]
[OWNER/PREPARER STREET ADDRESS]
[OWNER/PREPARER EMAIL ADDRESS]
[OWNER/PREPARER TELEPHONE NUMBER]

SEAL, REGISTRATION NO., & EXPIRATION DATE OF PROFESSIONAL LAND SURVEYOR

330-140.2
Example Residential Drainage Plan (RDP)



[SUBJECT PROPERTY SUBDIVISION NAME]
[SUBJECT PROPERTY LOT DESIGNATION, LAND LOT, DISTRICT, & PARCEL NUMBER]
[SUBJECT PROPERTY STREET ADDRESS]

ENGINEER'S SCALE

[DATE PREPARED]

[RDP OWNER/PREPARER OF THE RDP]
[OWNER/PREPARER STREET ADDRESS]
[OWNER/PREPARER EMAIL ADDRESS]
[OWNER/PREPARER TELEPHONE NUMBER]

SEAL, REGISTRATION NO., & EXPIRATION DATE OF REGISTERED PROFESSIONAL

Table 360.1
Min. Right-of-Way and Roadway Widths

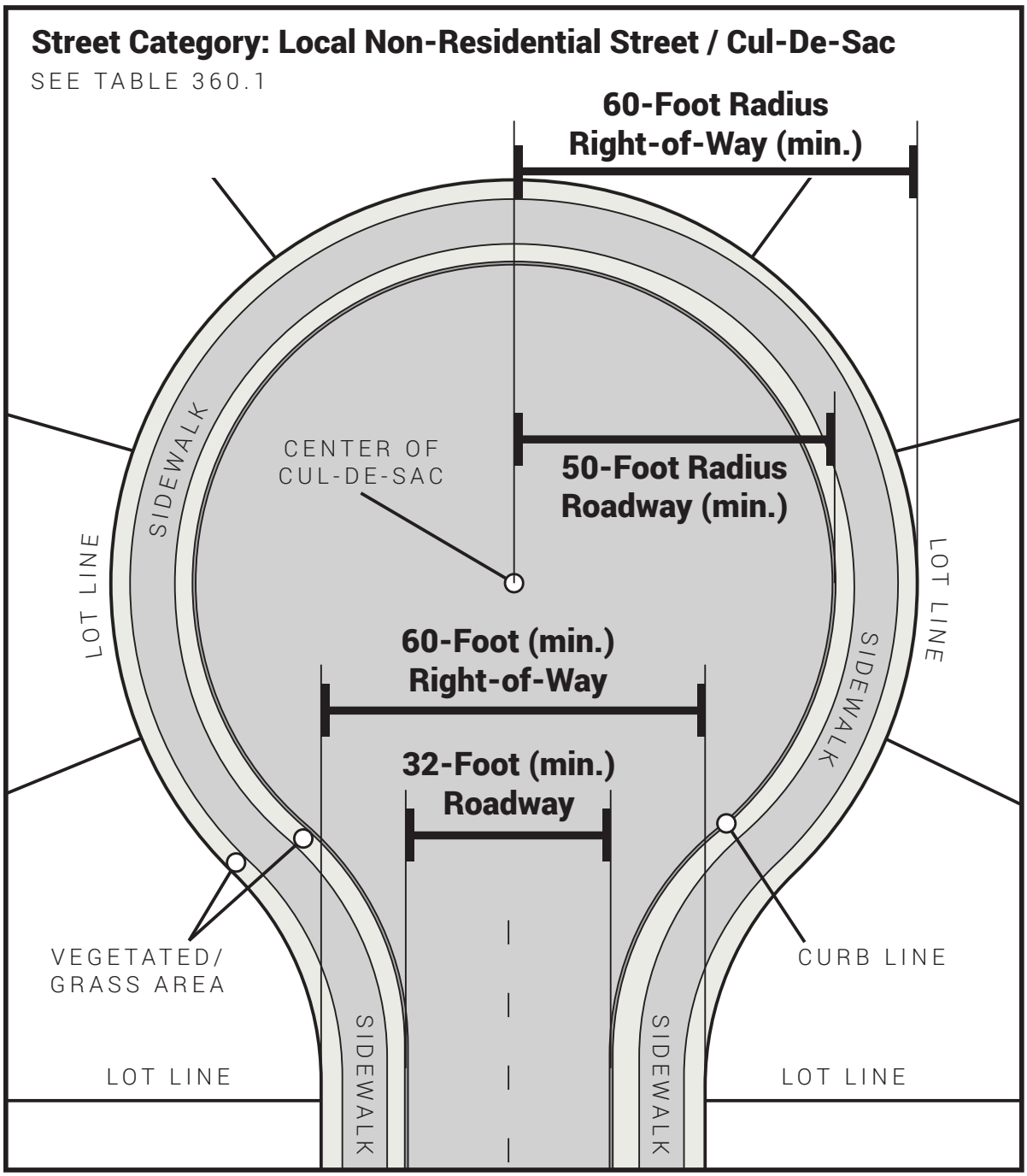


Table 360.1
Min. Right-of-Way and Roadway Widths

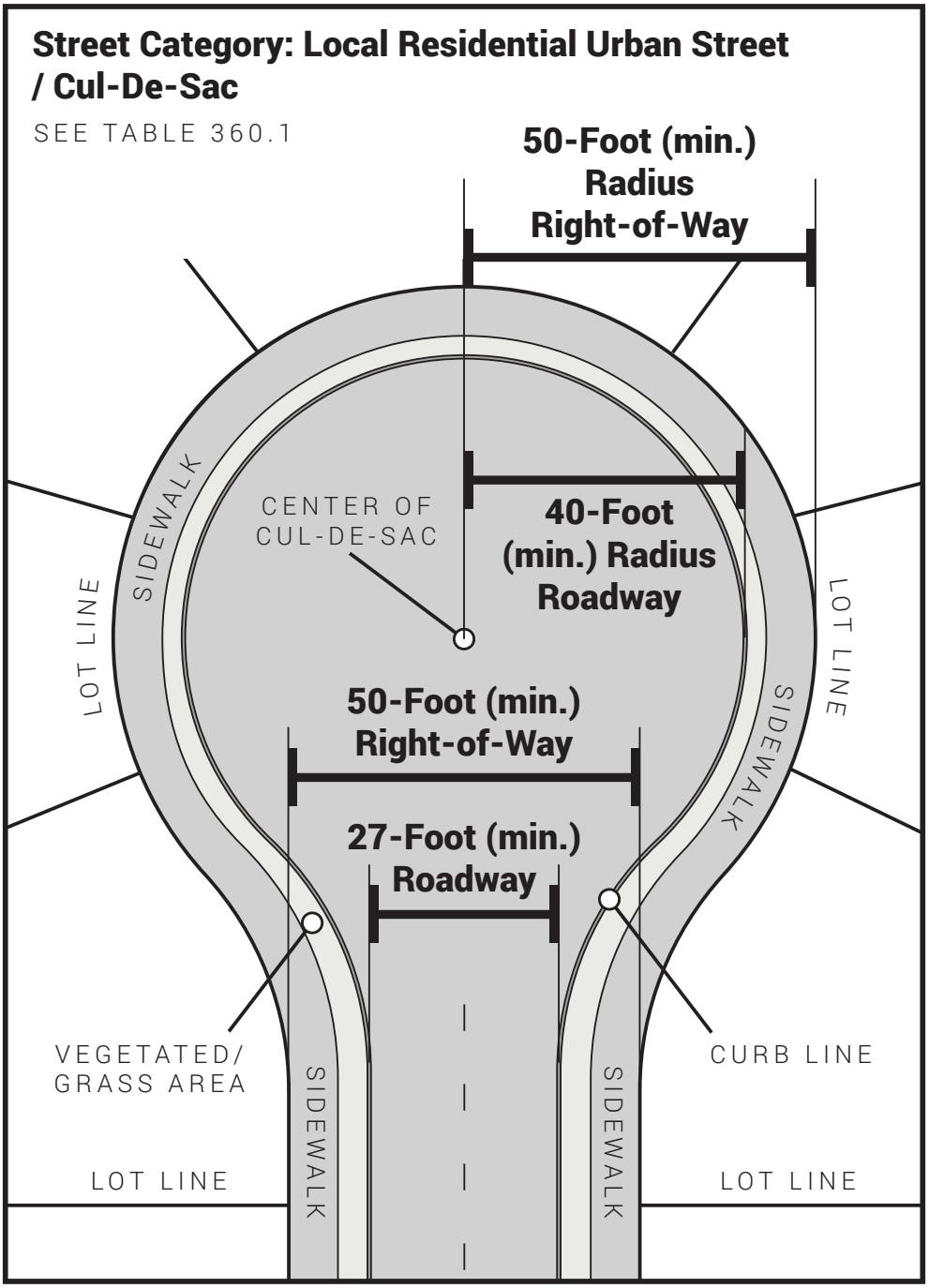
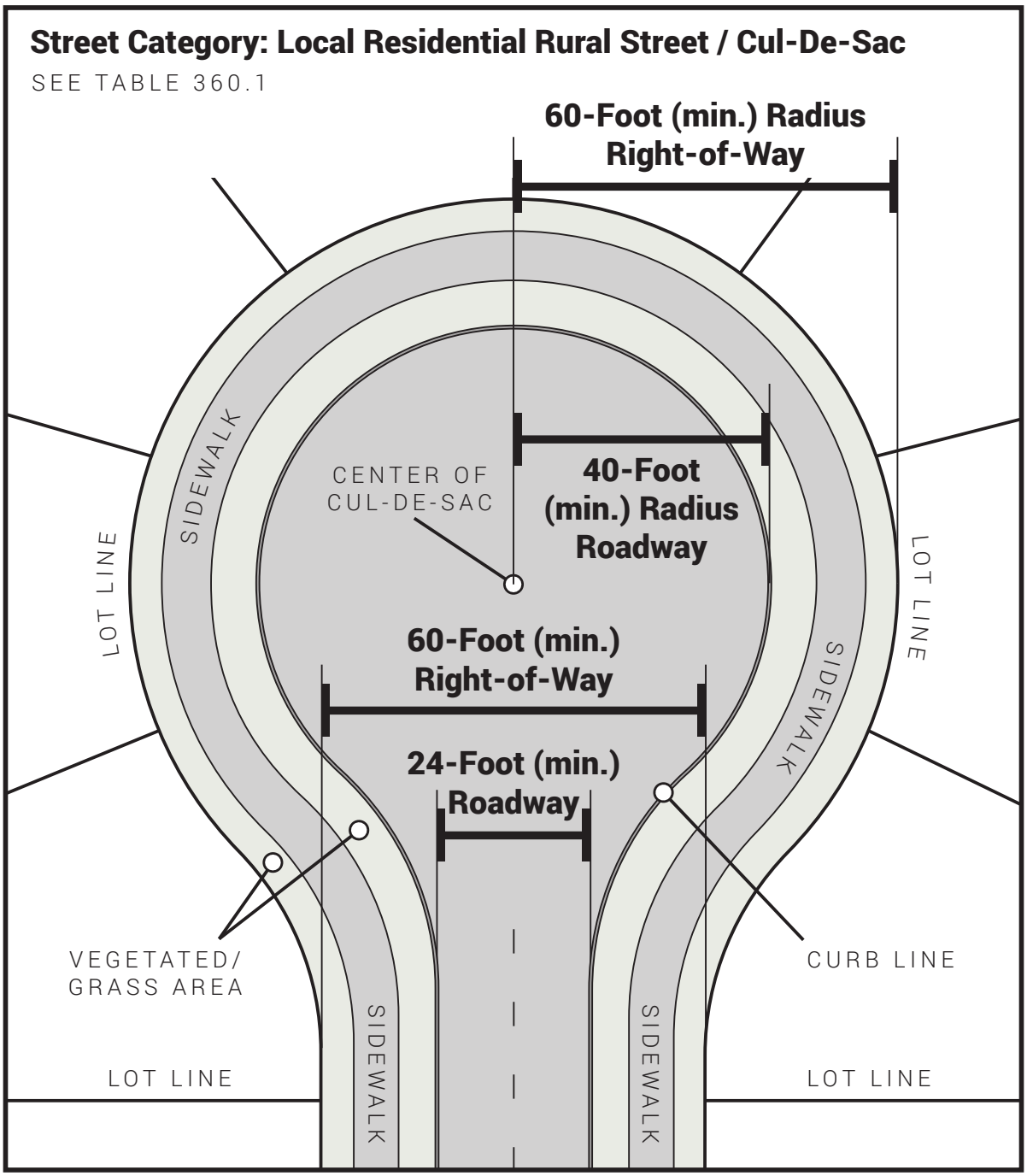
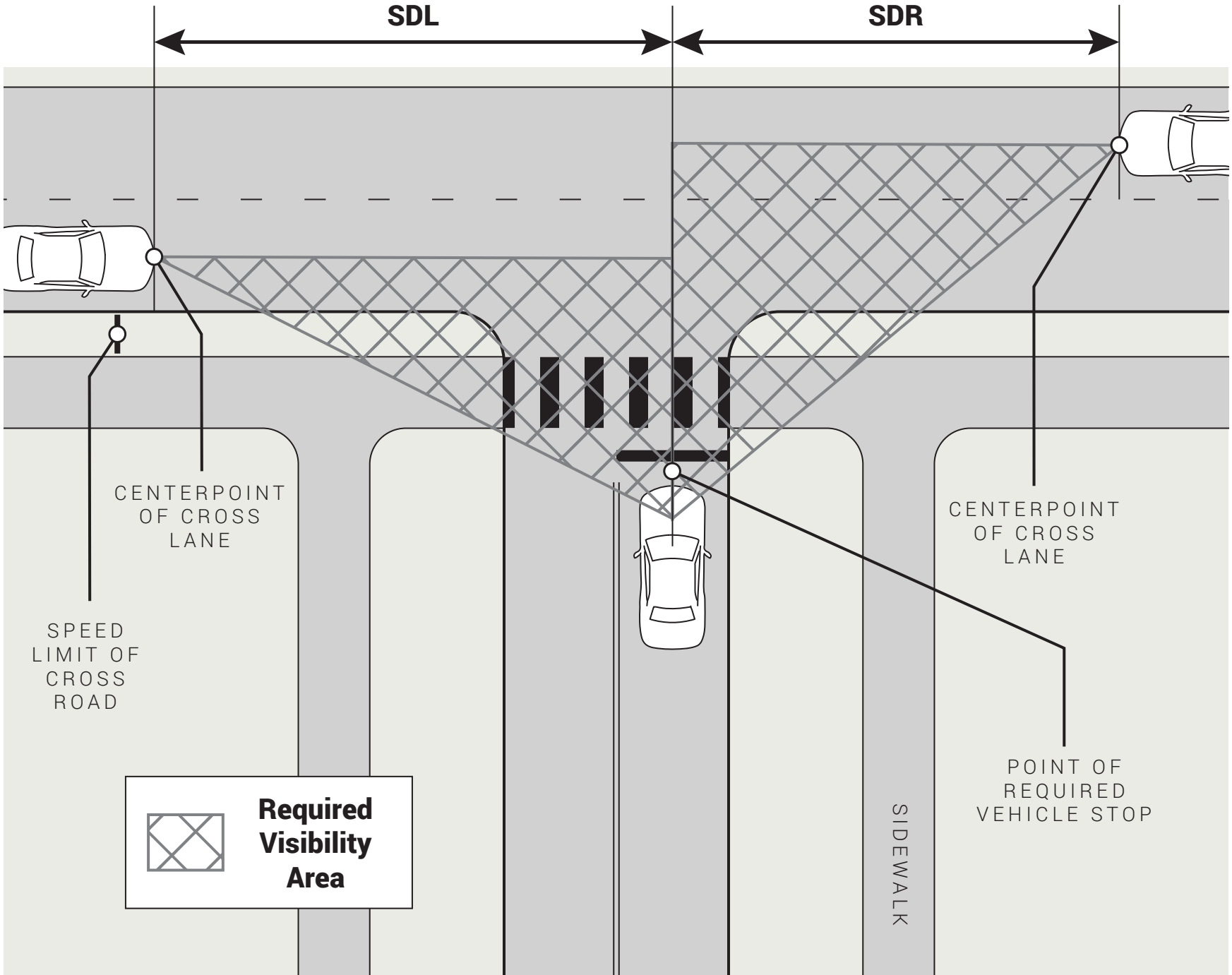


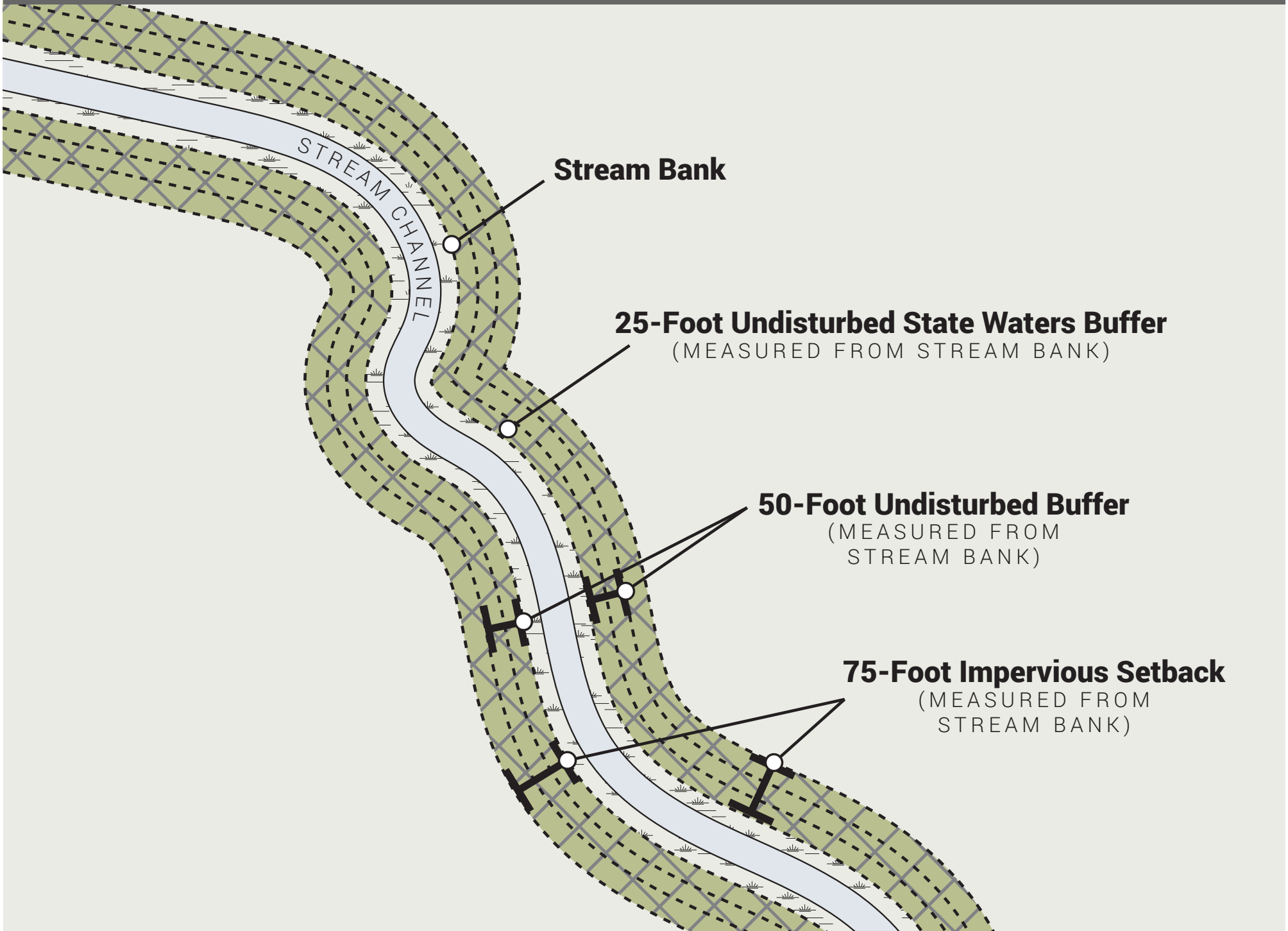
Table 360.1
Min. Right-of-Way and Roadway Widths



360-40.4
Corner Sight Distance

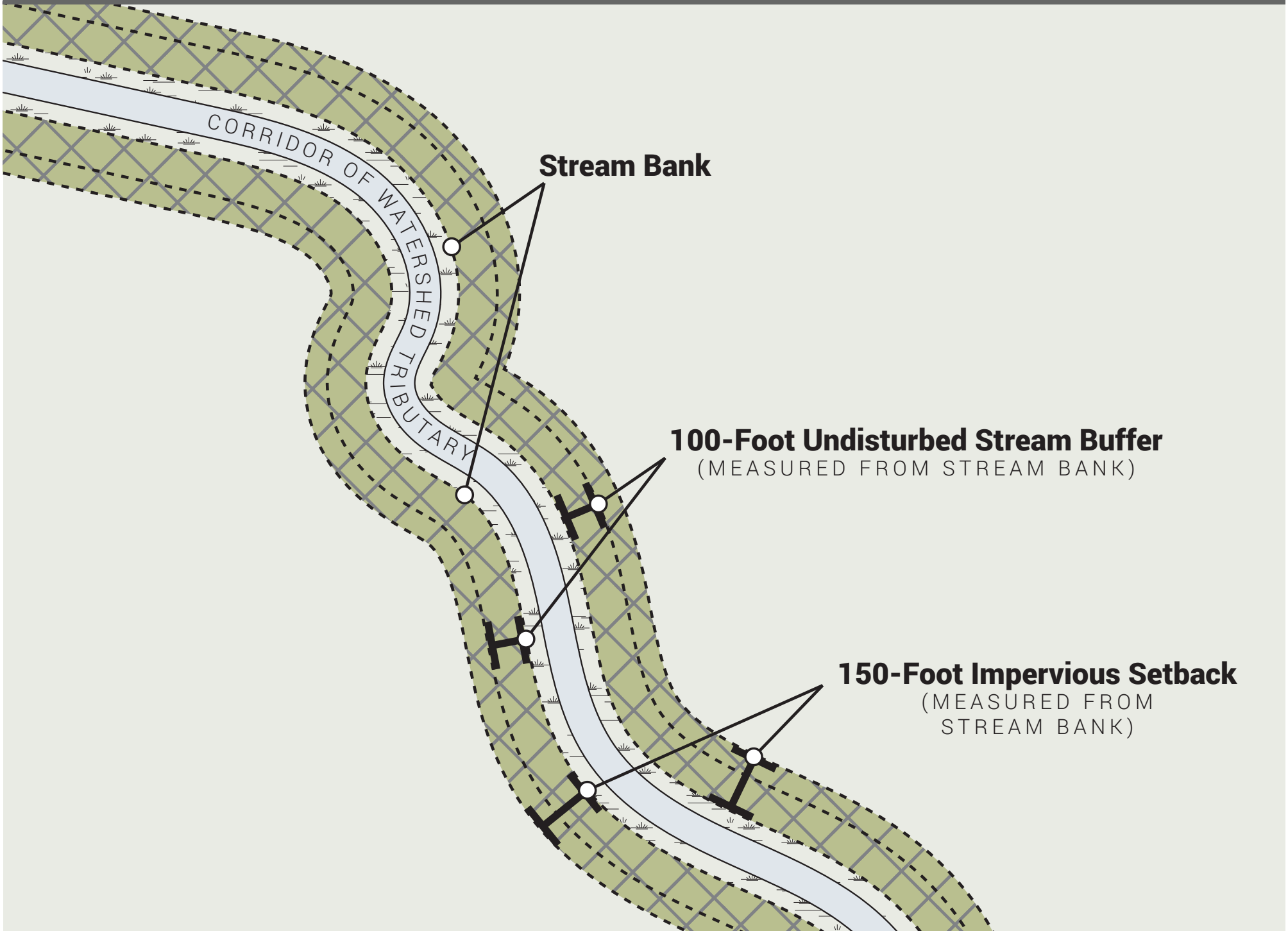


500-10.4
Stream Buffer

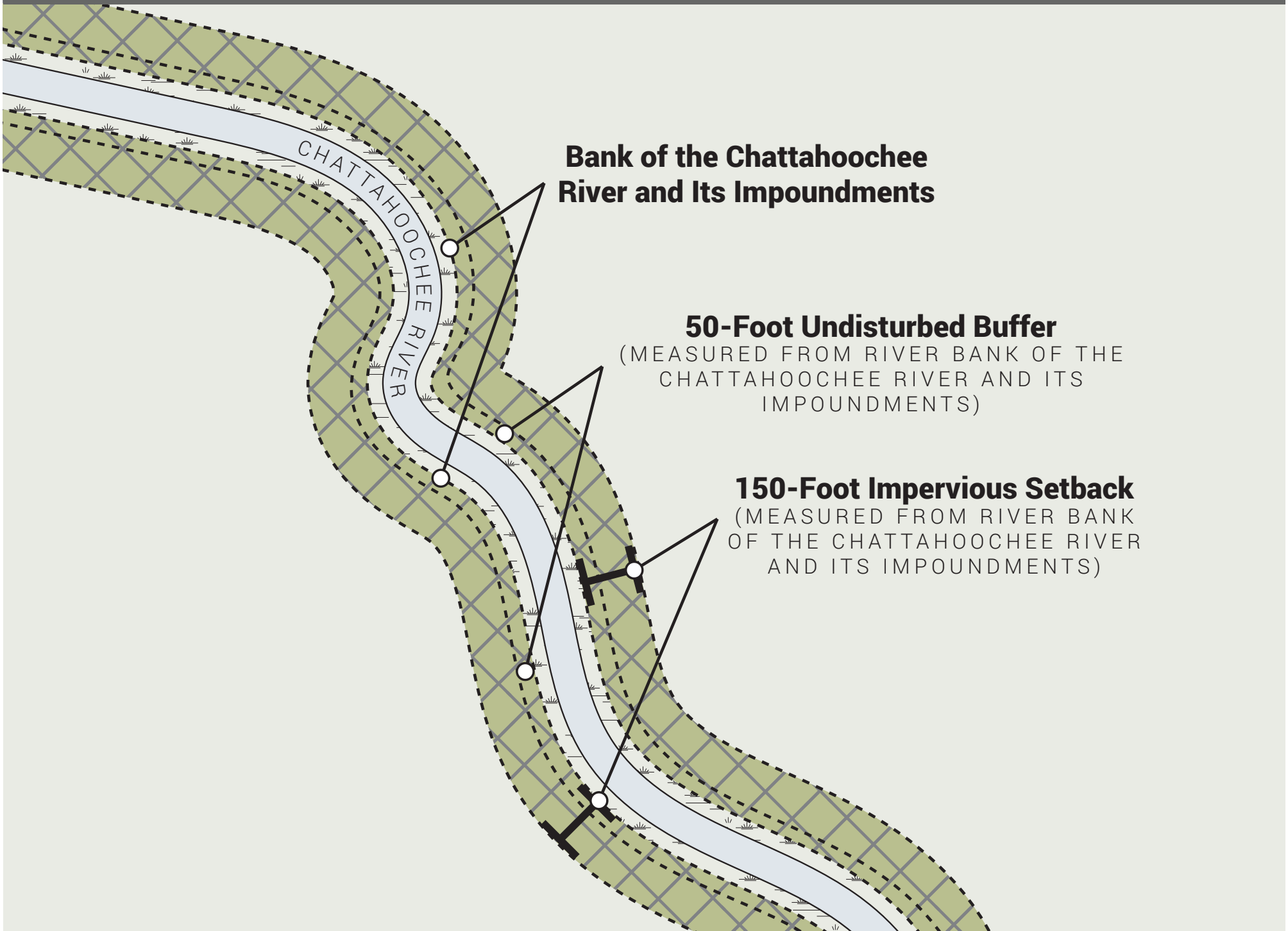


500-10.5.A

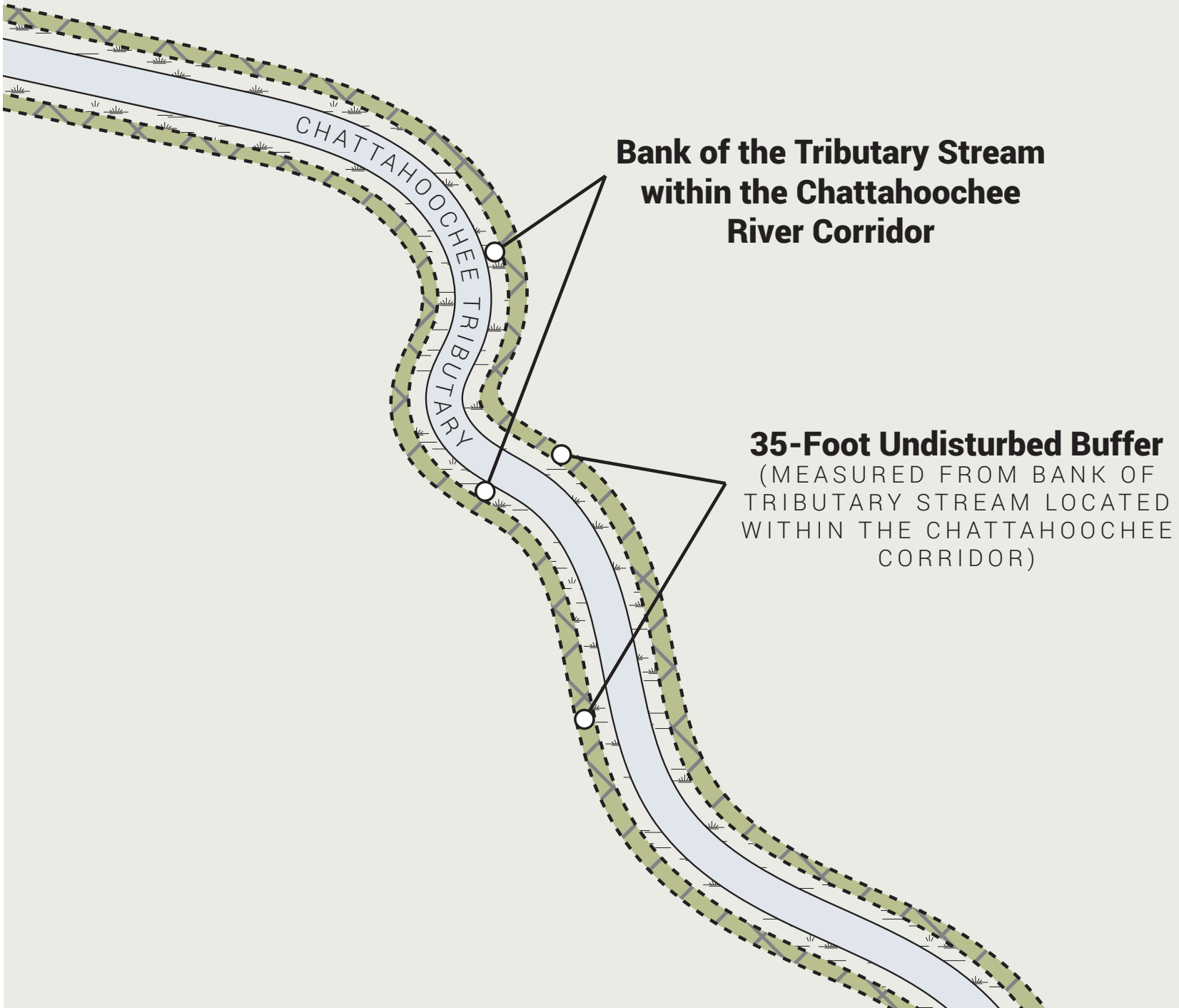
Big Haynes Creek and Alcovy River Watershed



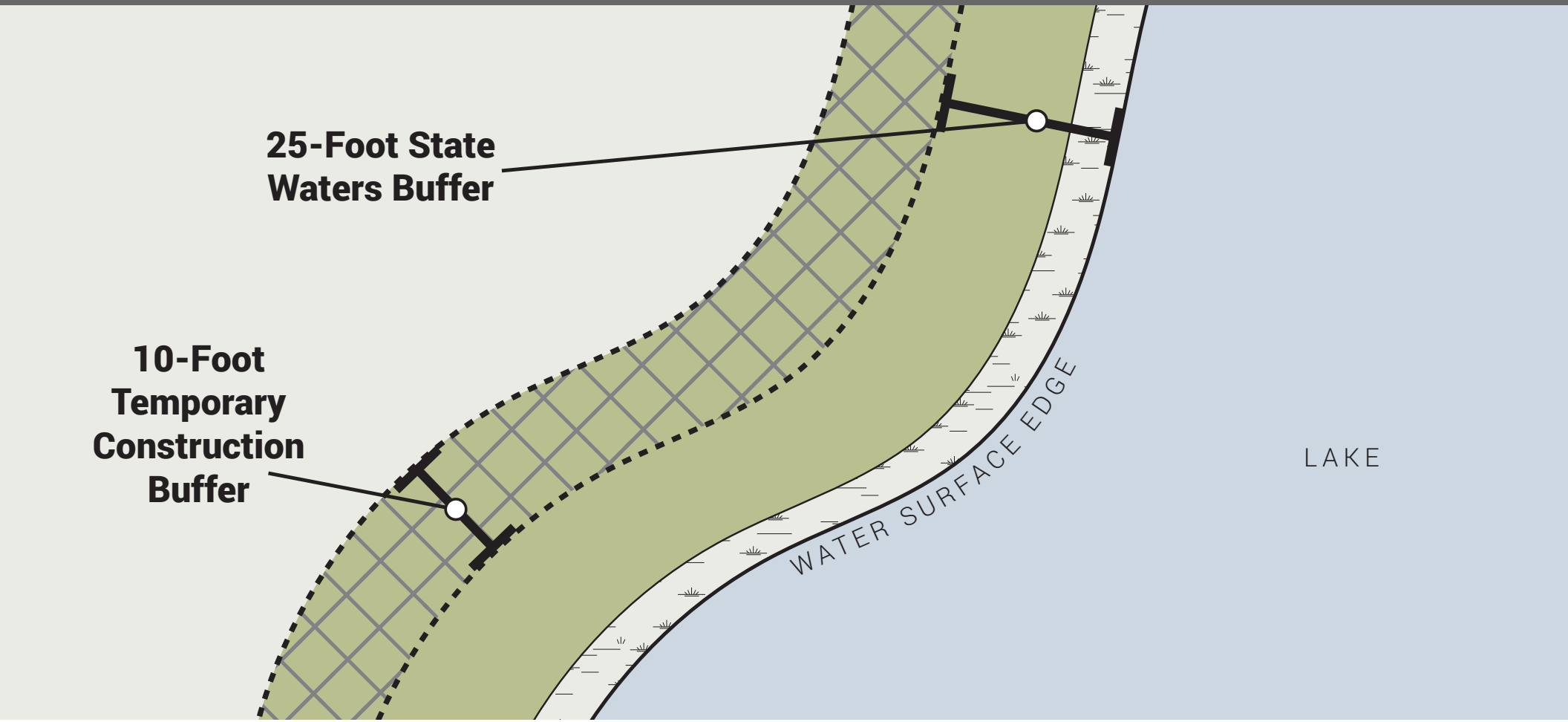
500-10.5.B
Chattahoochee Corridor



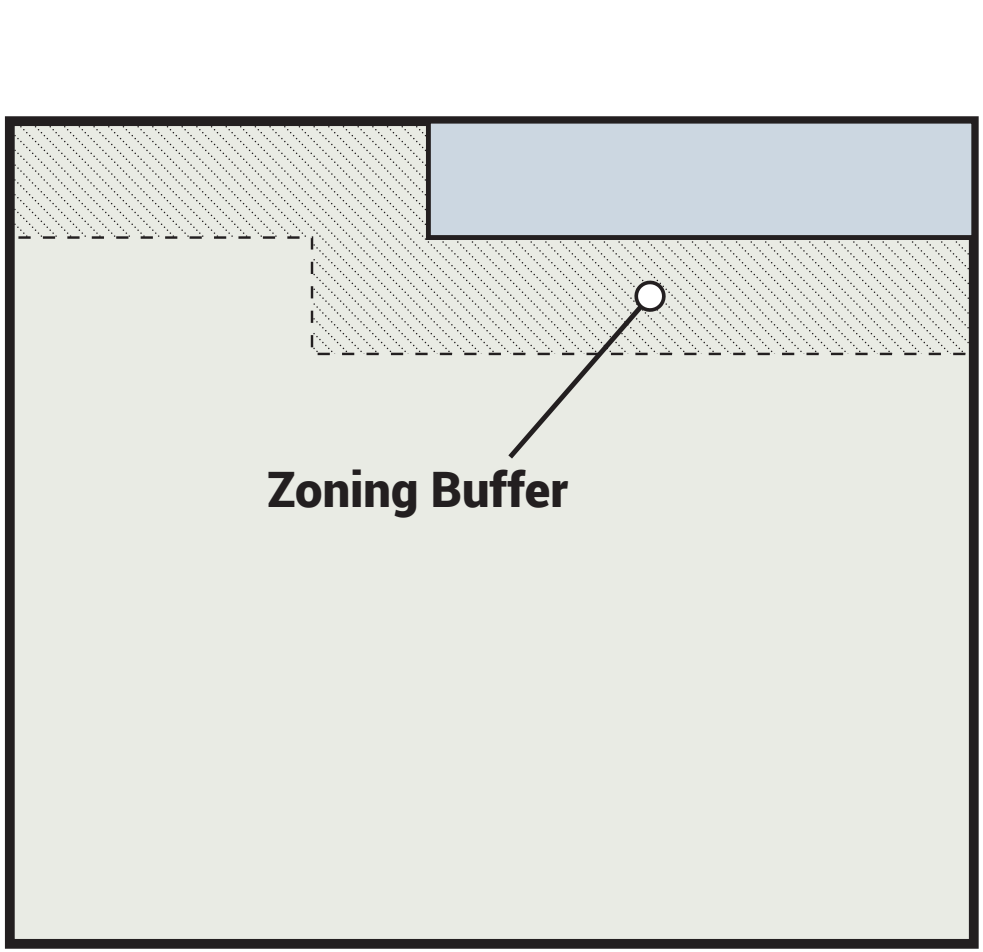
500-10.5.B
Chattahoochee Tributary

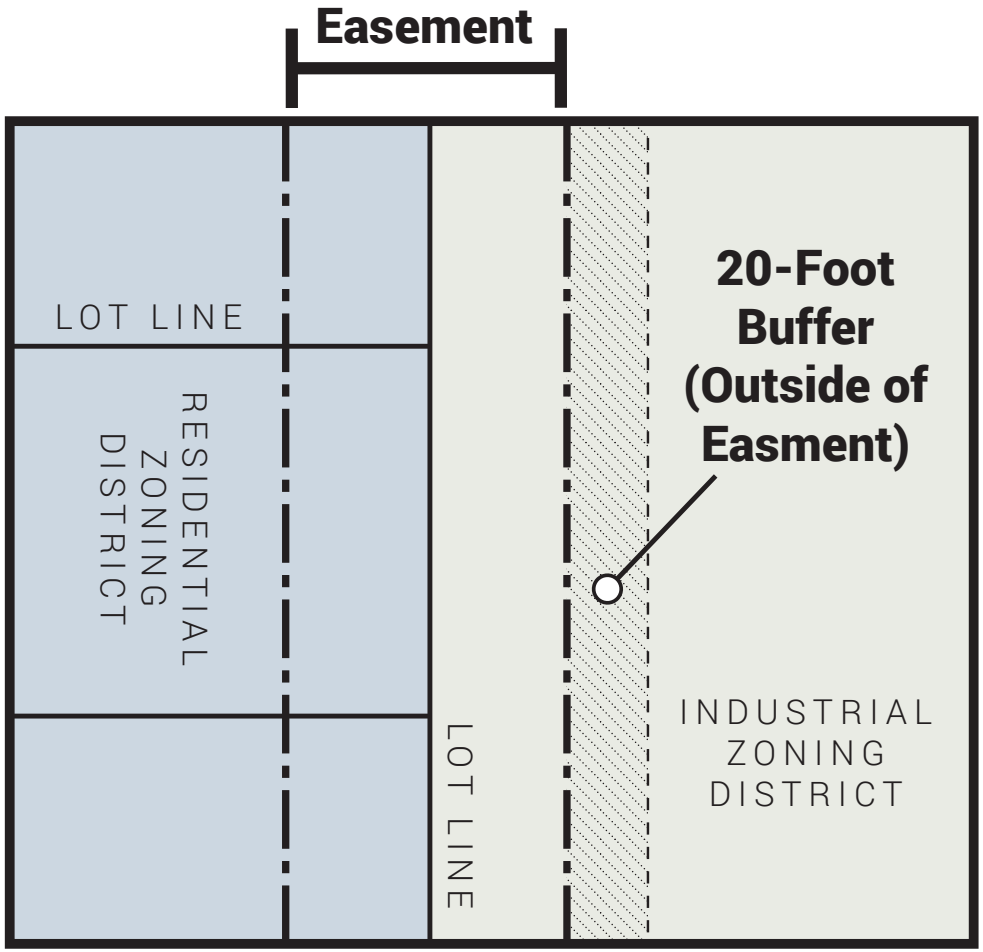


500-20.2
Lakes Buffer

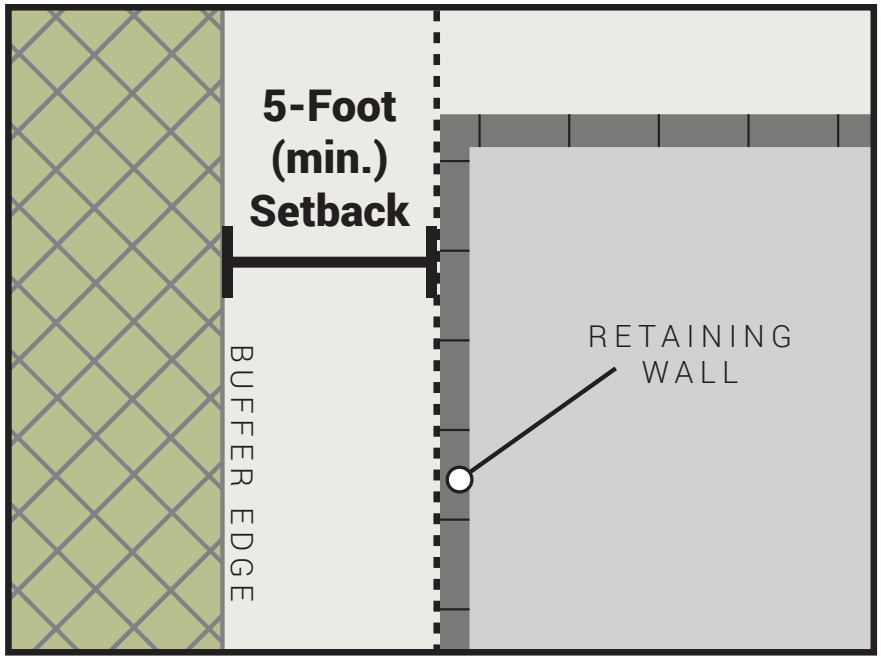


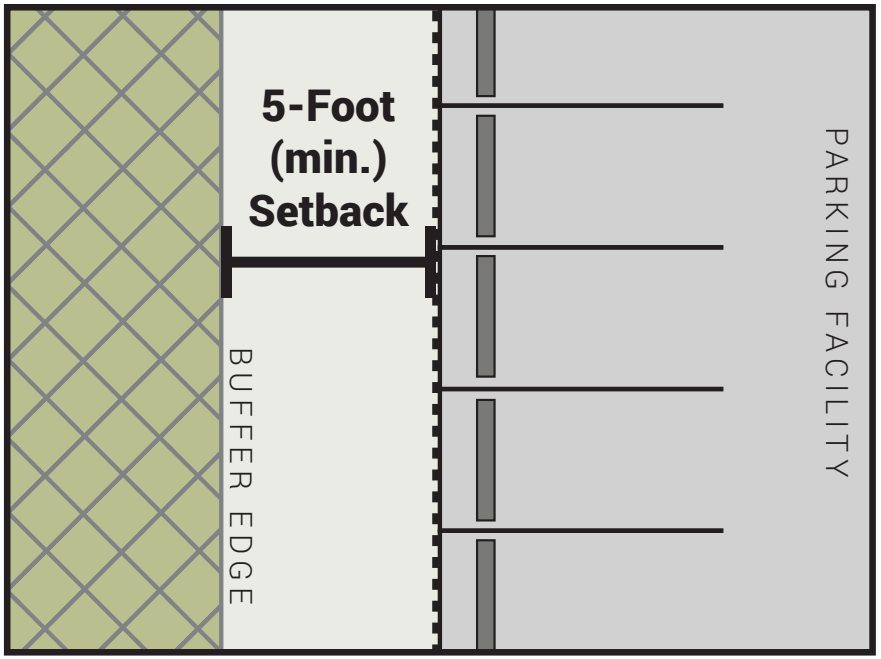
610-20.1
Easement in Buffer

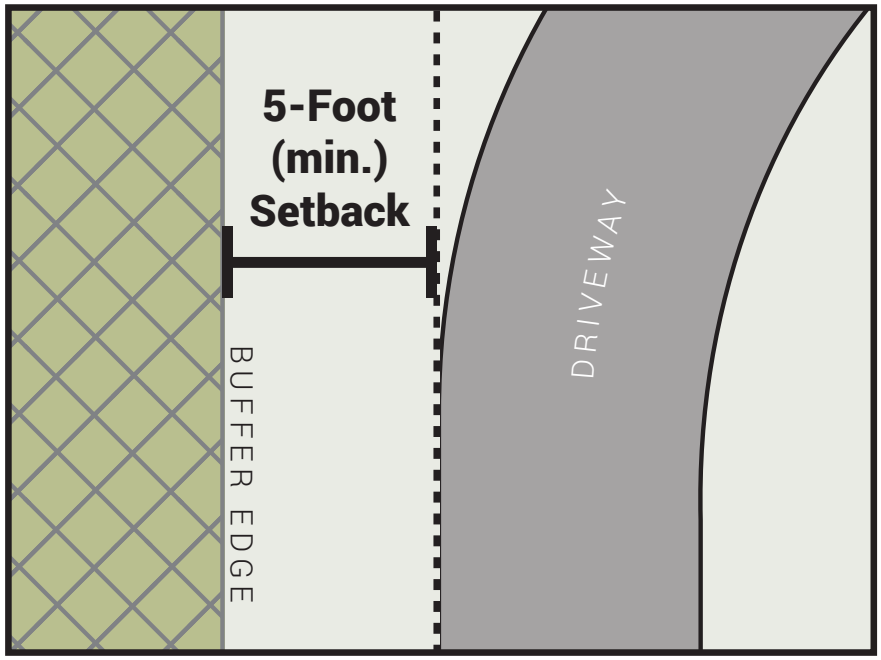


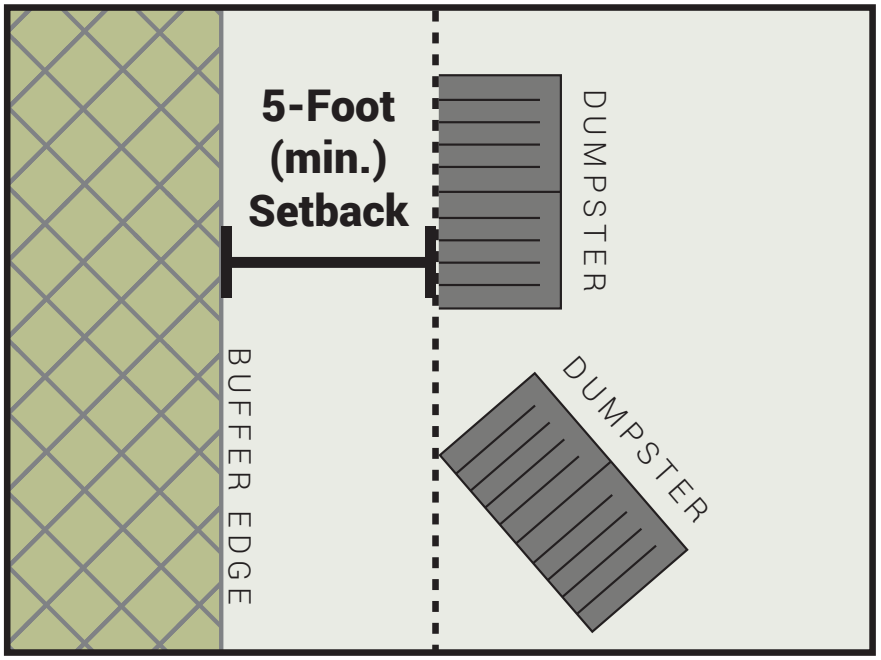


610-20.3
Buffers and Structure Setbacks

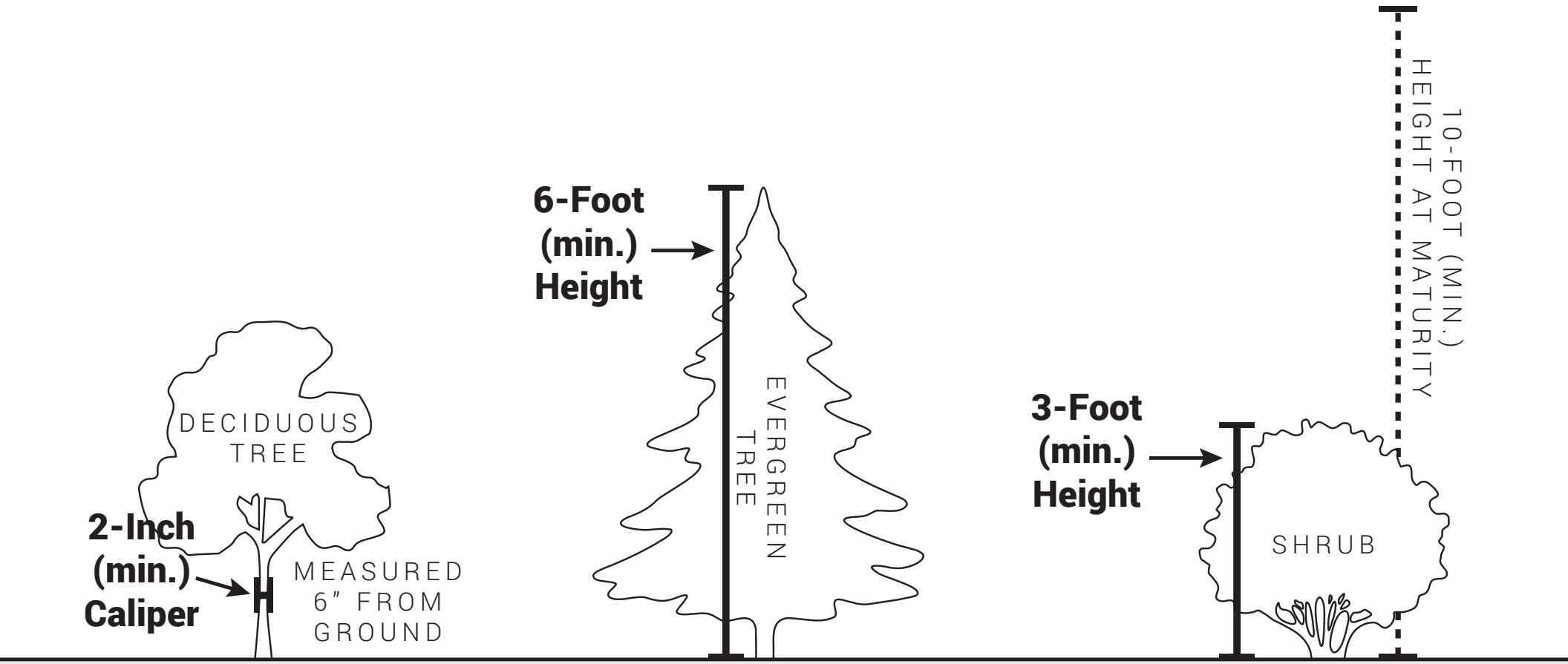






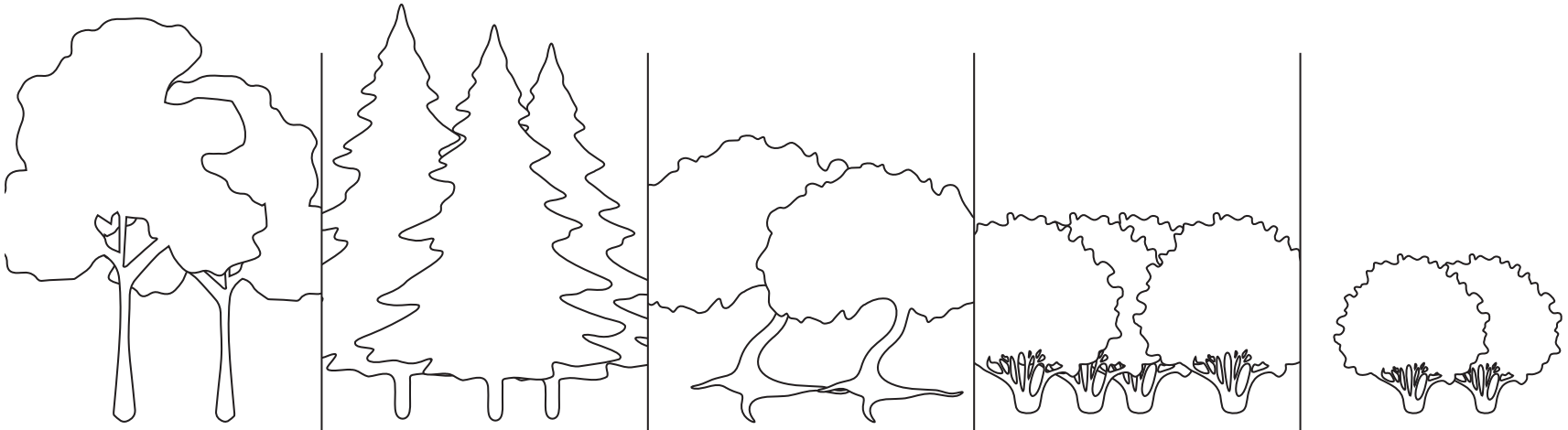


610-20.6
Buffer Planting Requirements At Time of Planting



AS MEASURED AT TIME OF PLANTING

610-20.6
Landscaped Buffer: Planting Quantity Requirements



2 Large Hardwood Trees per

2,000 SQ. FT. OF BUFFER AREA

3 Large Evergreen Trees per

1,000 SQ. FT. OF BUFFER AREA

2 Small or Medium Ornamental Trees per

700 SQ. FT. OF BUFFER AREA

4 Large Evergreen Shrubs per

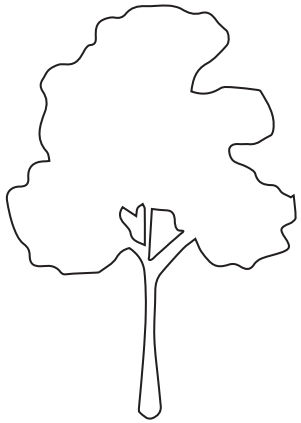
200 SQ. FT. OF BUFFER AREA

2 Medium Deciduous Shrubs per

100 SQ. FT. OF BUFFER AREA

CALCULATION RESULTS ARE ROUNDED UP

610-20.6
Supplementally Planted Buffer: Planting Quantity Requirements



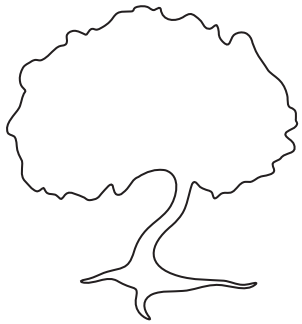
1 Large Hardwood Tree per

2,000 SQ. FT. OF BUFFER AREA



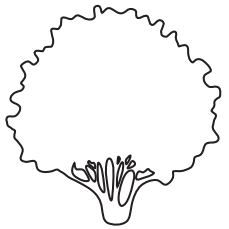
1 Large Evergreen Tree per

1,000 SQ. FT. OF BUFFER AREA



1 Small or Medium Ornamental Tree per

700 SQ. FT. OF BUFFER AREA



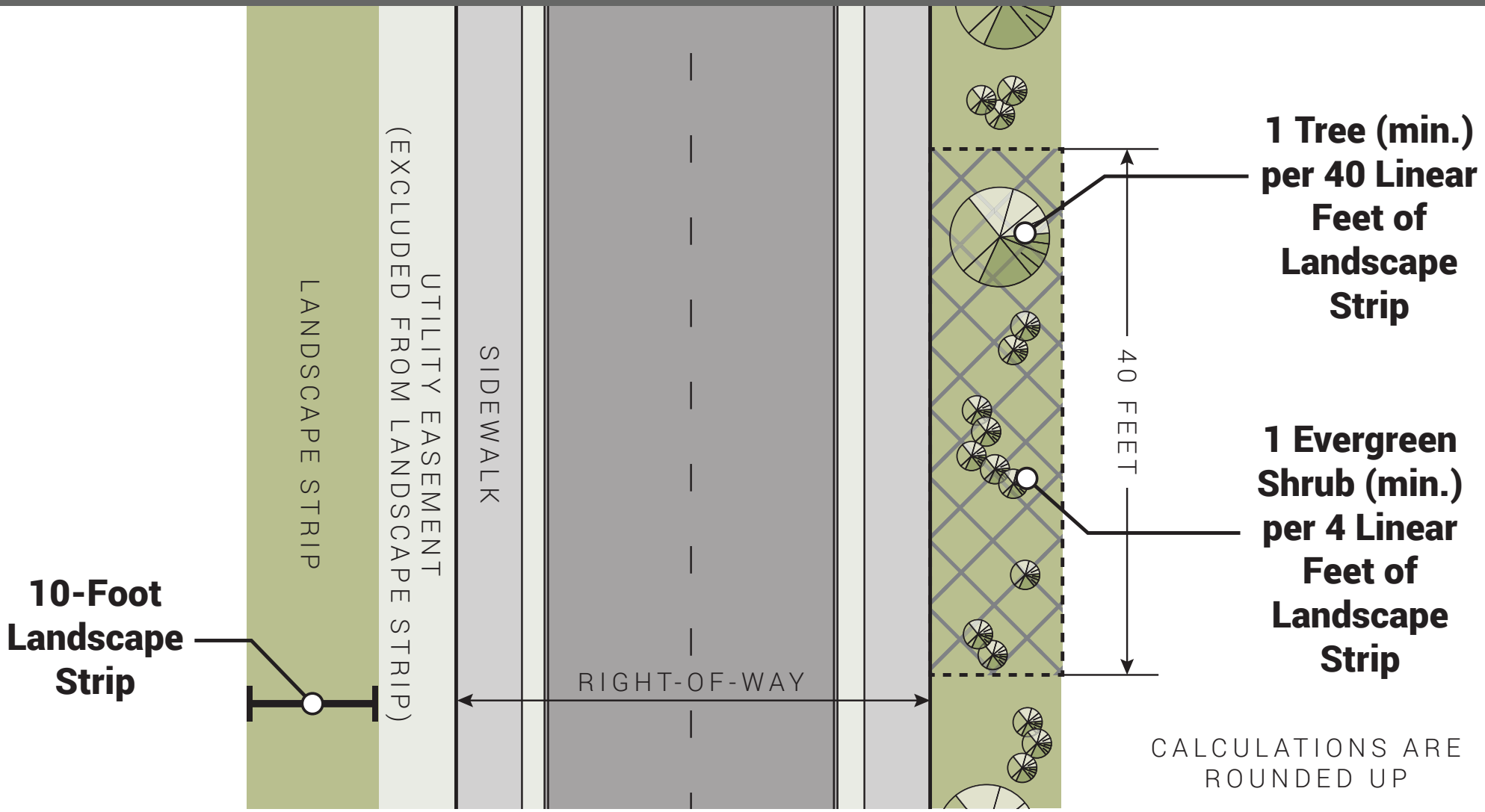
1 Large Evergreen Shrub per

200 SQ. FT.

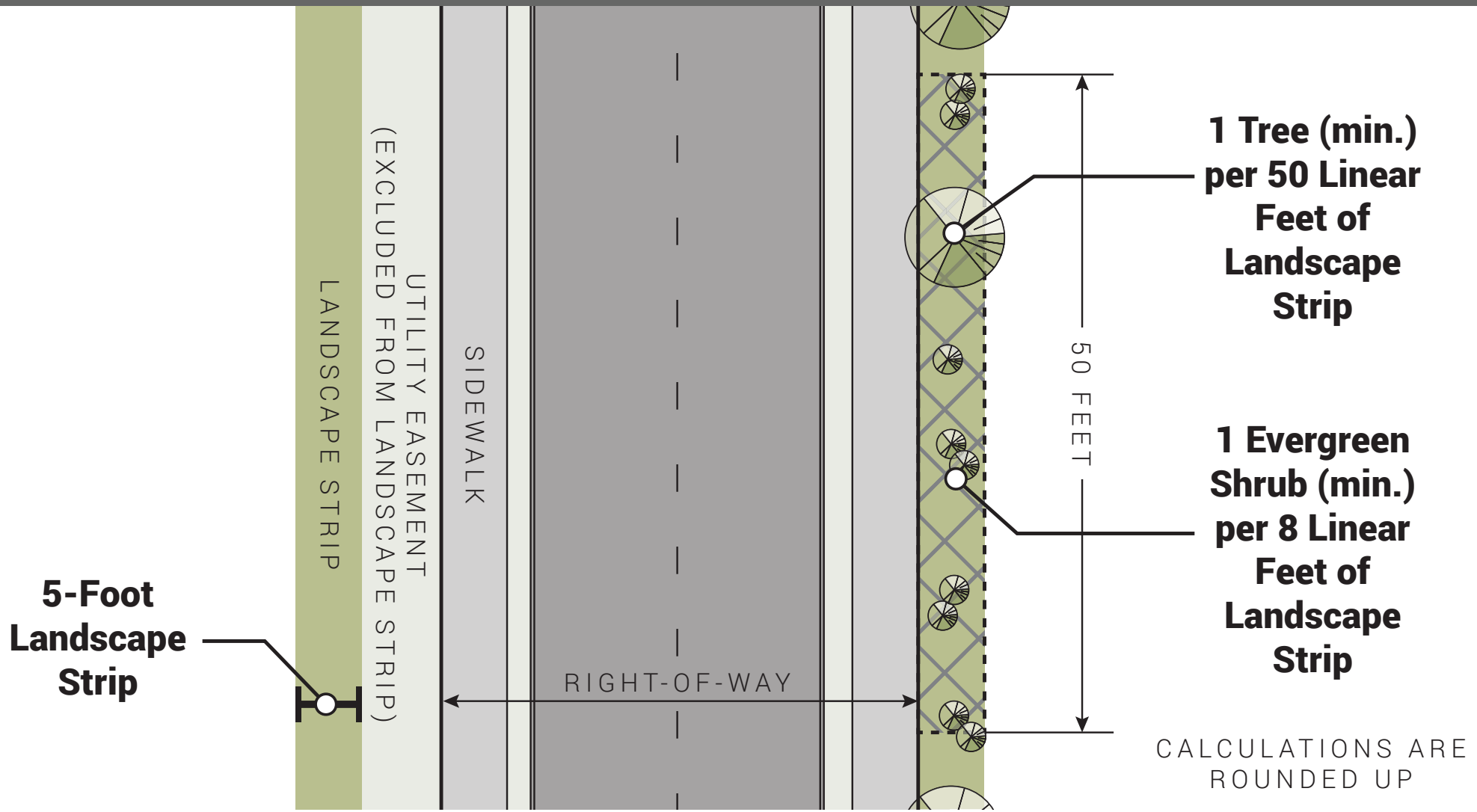
OF BUFFER AREA

CALCULATION RESULTS ARE ROUNDED UP

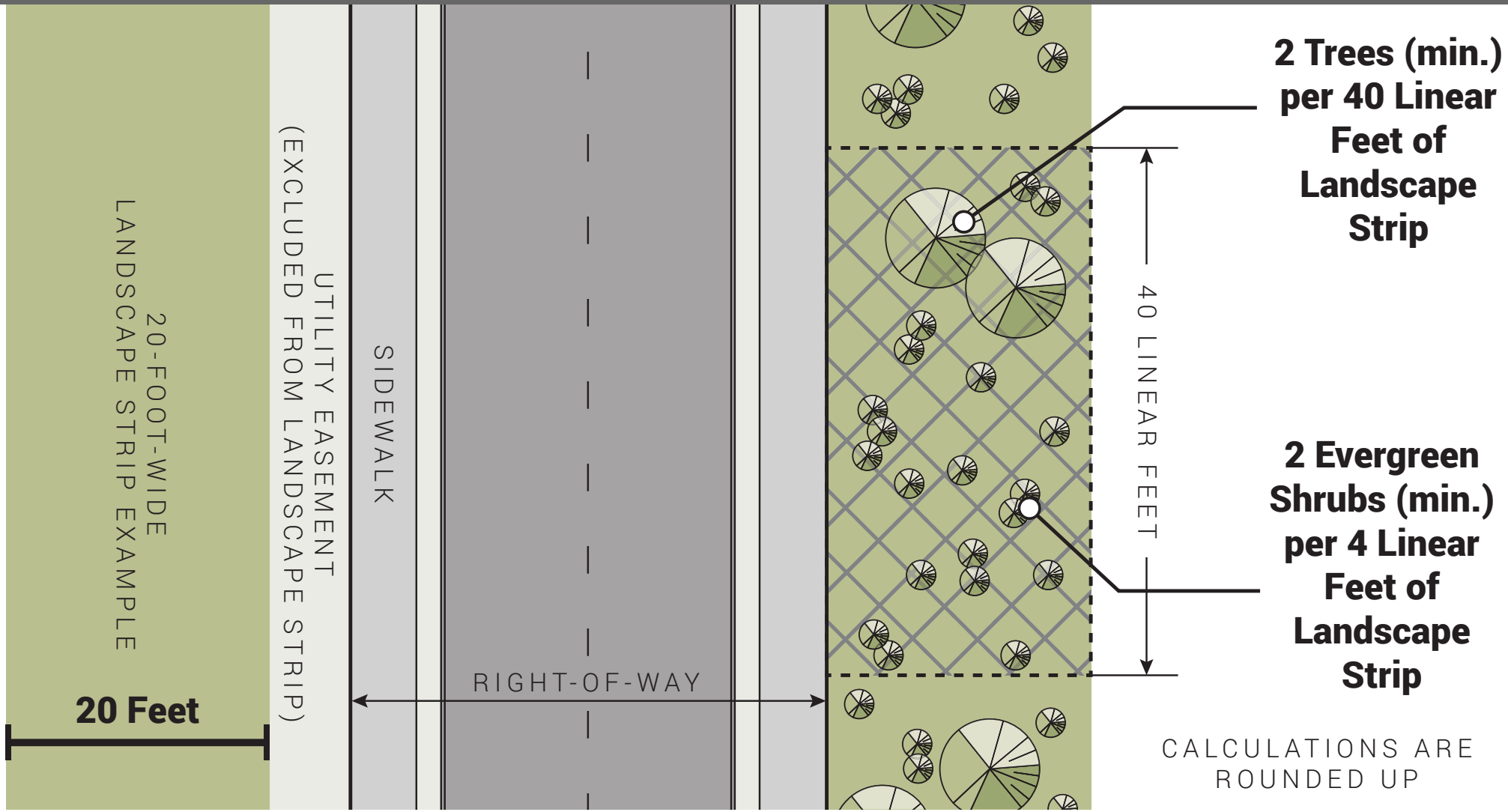
620-20.2
Ten-Foot-Wide Landscape Strips



620-20.3
Five-Foot-Wide Landscape Strips



620-20.4
Landscape Strips Wider than 10 Feet



Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:
20250916	20240841

☐ Grants ☐ Public Hearing

Department:	Financial Services			Date Submitted:	08/29/2025
Working Session:		Business Session:		Public Hearing:	09/23/2025
Submitted By:	Purchasing - Brandi Cantie - SA			Multiple Depts?	Yes
Agenda Type	Approval				

Item of Business: Locked by Purchasing: No

to renew BL089-24, provision of inspection, maintenance, and repair of elevators, escalators, and lifts on an annual contract (October 2, 2025 through October 1, 2026), with Summit Elevator, LLC, base bid $263,780.00.

Attachments	Summary Sheet, Justification Letters
Authorization: Chairwoman's Signature?	No
Staff Recommendation	Approval
BAC Action:	
Department Head	raroyal (9/11/2025)
Attorney	jjkandel (9/11/2025)

Agenda Purpose Only

Financial Action

Budgeted	Fund Name	Current Balance	Requested Allocation	Director's Initials
Yes	Various Operating	*	$173,780	brainey (9/11/2025)
Yes	Water & Sewer R&E	**	$90,000	

Finance Comments	*The current balance in Repairs & Maintenance is checked as services are provided. **Amount available in DWR Central Rehab/Replacement project. For FY2025, $44,740 is allocated. For FY2026, $219,040 is subject to budget approval.	FinDir's Initials: raroyal (9/11/2025)

☐ Budget Adjust ☐ Grand Jury

County Clerk Use Only PH was Held? ☐

Working Session	
Action	New Item
Tabled	
Motion	
2nd by	
Vote	No Action Taken

SUMMARY –BL089-24
Provision of Inspection, Maintenance, and Repair of Elevators, Escalators, and Lifts on an Annual Contract

PURPOSE:	Inspection, maintenance, and repair of elevators, escalators, and lifts in various facilities throughout the County.
LOCATION:	Various locations throughout Gwinnett County
AMOUNT TO BE SPENT:	$263,780.00
PREVIOUS CONTRACT AWARD AMOUNT:	$214,442.60
AMOUNT SPENT PREVIOUS CONTRACT:	$141,052.60
UNIT PRICE INCREASE/DECREASE (CURRENT CONTRACT VS. PREVIOUS CONTRACT):	0%
NUMBER OF BIDS/PROPOSALS DISTRIBUTED:	N/A
NUMBER OF RESPONSES:	N/A
PRE-BID/PROPOSAL CONFERENCE HELD (YES/NO) IF YES, NUMBER OF FIRMS REPRESENTED:	N/A
REASONS FOR LIMITED RESPONSE (IF RELEVANT):	N/A
RENEWAL OPTION NUMBER:	This is renewal option one (1) of four (4).
MARKET PRICES COMPARISON (FOR RENEWALS):	An analysis reveals that market prices have increased by approximately 3.6%. However, the current vendor has agreed to hold pricing firm for the upcoming contract period.
CONTRACT TERM:	October 2, 2025 through October 1, 2026

COMMENTS:

GWINNETT COUNTY
DEPARTMENT OF FIRE AND EMERGENCY SERVICES
408 Hurricane Shoals Road NE | Lawrenceville, GA 30046-4406
O: 678.518.4800 | F: 678.518.4806
GwinnettCounty.com | GwinnettFire.org

MEMORANDUM

TO: Savannah Anderson
Purchasing Associate II

THROUGH: Fred Cephas
Fire Chief

FROM: Michael Williamson
Section Manager

SUBJECT: Recommendation to Renew BL089-24 Provision of Inspection, Maintenance, and Repair of Elevators, Escalators, and Lifts on Annual Contract

DATE: May 27, 2025

REQUESTED ACTION

The Department of Fire and Emergency Services recommends renewal of the above referenced contract with Summit Elevator, LLC, in the amount of $750.00. This is a multi-department contract, and this letter represents the Department of Fire and Emergency Services' portion.

DESCRIPTION

This contract allows the above contractor to provide specified elevator services for various department locations. The service includes inspection, maintenance, and repair of elevators, escalators, and lifts as requested by the department.

FINANCIAL

1. Estimated amount to be spent: $750.00
2. Projected amount to be spent previous contract period: $600.00
3. Do total obligations agree with "Action Requested? Yes X No ___
4. Budgeted: Yes X No ___
5. Contact name: Michael Williamson Contact phone: 678-518-6500

6. Proposed Funding:

Fiscal Year	Fund	Cost Center	GL	Project Award	Project Task	Amount
2026	202	23001	500236			$750.00
					Total	$750.00

Budget Adjustments Required:

Fiscal Year	Fund	Cost Center	GL	Project Award	Project Task	Amount

GWINNETT COUNTY
PARKS AND RECREATION DEPARTMENT
446 West Crogan Street | Lawrenceville, GA 30046
770.822.8840
GwinnettParks.com
Chris Minor, Director

MEMORANDUM

TO: Savannah Anderson
Purchasing Associate II

THROUGH: Chris Minor
Director of Parks and Recreation

FROM: Mikhale Pogue
Program Coordinator

SUBJECT: Recommendation to Renew, BL089-24: Provision of Inspection, Maintenance, and Repair of Elevators, Escalators and Lifts on an Annual Contract

DATE: August 28, 2025

REQUESTED ACTION

The Department of Parks and Recreation recommends renewal of the above referenced contract with Summit Elevator LLC in the amount of $10,000.00.

DESCRIPTION

This contract provides for preventative maintenance and on call repair of elevators, escalators, and lifts at locations throughout the county.

FINANCIAL

1. Estimated amount to be spent: $10,000.00
2. Projected amount to be spent previous contract period: $9,972.60
3. Do total obligations agree with "Action Requested"? Yes __X__ No ____
4. Budgeted: Yes __X__ No ____
5. Contact name: __Mikhale Pogue__ Contact phone:__770-822-8861__

6. Proposed Funding:

Fiscal Year	Fund	Cost Center	GL	Project Award	Project Task	Amount
2025	205	30534	500236			$5,000.00
2026	205	30534	500236			$5,000.00
					Total	$10,000.00

Budget Adjustments Required:

Fiscal Year	Fund	Cost Center	GL	Project Award	Project Task	Amount

GWINNETT COUNTY
POLICE DEPARTMENT

770 Hi-Hope Road | Lawrenceville, GA 30043
P.O. Box 602 | Lawrenceville, GA 30046-0602
770.513.5000
GwinnettCounty.com | GwinnettPolice.com

MEMORANDUM

TO: Savannah Anderson
Purchasing Associate II

THROUGH: J.D. McClure
Chief of Police

FROM: Felicia Kemp
Financial Supervisor

SUBJECT: Recommendation to Renew BL089-24
Provision of Inspection, Maintenance, and Repair of Elevators, Escalators and Lifts on an Annual Contract

DATE: August 28, 2025

REQUESTED ACTION

The Department of Police Services recommends renewal of the above-referenced contract with Summit Elevator, LLC in the amount of $4,550.00.

DESCRIPTION

To provide inspection, maintenance, and repair services for the elevators and lifts at Police headquarters.

FINANCIAL

1. Estimated amount to be spent: $4,550.00
2. Projected amount to be spent previous contract period: $4,550.00
3. Do total obligations agree with "Action Requested"? Yes __X__ No ___
4. Budgeted: Yes __X__ No ___
5. Contact name: Tina Contact phone: 770-513-5064

6. Proposed Funding:

Fiscal Year	Fund	Cost Center	GL	Project Award	Project Task	Amount
2025	206	32021	500229			$1,000.00
2026	206	32021	500229			$3,550.00
					Total	$4,550.00

Budget Adjustments Required:

Fiscal Year	Fund	Cost Center	GL	Project Award	Project Task	Amount

Gwinnett County Sheriff's Office

2900 University Parkway • Lawrenceville, GA 30043 • 770.619.6500
GwinnettCountySheriff.com | Twitter & Facebook @GwinnettSheriff

Sheriff Keybo Taylor **Chief Cleophas Atwater**

MEMORANDUM

TO: Savannah Anderson
Purchasing Associate II

THROUGH: Cleophas Atwater CA
Chief

FROM: Alicia Carmon
Business Manager

SUBJECT: Recommendation to Renew BL089-24 Provision of Inspection, Maintenance, and Repairs of Elevators, Escalators, and Lifts on an Annual Contract

DATE: August 25, 2025

REQUESTED ACTION

The Department of Gwinnett County Sheriff's Office recommends renewal of the above referenced contract with Summit Elevator, LLC. in the amount of $80,000.00.

DESCRIPTION

This contract is for Elevators that are used to transport visitors and staff to multiple floors within the Detention Center and Sheriff's Building.

FINANCIAL

1. Estimated amount to be spent: $80,000.00
2. Projected amount to be spent previous contract period: $38,000.00
3. Do total obligations agree with "Action Requested"? Yes X No ___
4. Budgeted: Yes X No ___
5. Contact name: Glen Fountain Contact phone: 770-619-6406

6. Proposed Funding:

Fiscal Year	Fund	Cost Center	GL	Project Award	Project Task	Amount
2025	101	35002	500229			$20,000.00
2026	101	35002	500229			$60,000.00
					Total	$80,000.00

Budget Adjustments Required:

Fiscal Year	Fund	Cost Center	GL	Project Award	Project Task	Amount

GWINNETT COUNTY
DEPARTMENT OF SUPPORT SERVICES
75 Langley Drive | Lawrenceville, GA 30046-6935
770.822.8020
GwinnettCounty.com

MEMORANDUM

TO: Savannah Anderson
Purchasing Associate II

FROM: Ron Adderley
Director of Support Services

SUBJECT: Recommendation to Renew BL089-24—Provision of Inspection, Maintenance, and Repair of Elevators, Escalators, and Lifts on an Annual Contract

DATE: September 5, 2025

REQUESTED ACTION

The Department of Support Services recommends the renewal of the above-referenced contract with Summit Elevator, LLC, in the amount of $67,920.00.

DESCRIPTION

This is a multi-departmental contract for preventive maintenance and on-call repairs of elevators, escalators, and lifts on an annual contract. This is the first of four renewal options.

FINANCIAL

1. Estimated amount to be spent: $67,920.00
2. Projected amount to be spent previous contract period: $72,000.00 (10/02/2024-10/01/2025)
3. Do total obligations agree with "Action Requested"? Yes X No ___
4. Budgeted: Yes X No ___
5. Contact name: Brian Greene Contact phone: 770.822.8967

6. Proposed Funding:

Fiscal Year	Fund	Cost Center	GL	Project Award	Project Task	Amount
2025	601	38000	800008			$ 15,060.00
2025	101	38500	800008			$ 1,920.00
2026	601	38000	800008			$ 45,180.00
2026	101	38500	800008			$ 5,760.00
					Total	$ 67,920.00

Budget Adjustments Required:

Fiscal Year	Fund	Cost Center	GL	Project Award	Project Task	Amount
2025						N/A
2026						N/A

GWINNETT COUNTY
DEPARTMENT OF WATER RESOURCES
684 Winder Highway | Lawrenceville, GA 30045-5012
678.376.6700
www.gwinnettcounty.com | www.gwinnetth2o.com

MEMORANDUM

TO: Savannah Anderson
Purchasing Associate II

THROUGH: Rebecca Shelton, PE RS
Director, Department of Water Resources

FROM: Sean Meyer SM
Deputy Director, Department of Water Resources

SUBJECT: Recommendation to Renew BL089-24 Provision of Inspection, Maintenance, and Repair of Elevators, Escalators, and Lifts on an Annual Contract

DATE: August 8, 2025

REQUESTED ACTION

The Department of Water Resources recommends renewal of the above referenced contract to Summit Elevator, LLC at a departmental allocation in the amount of $100,560.00.

DESCRIPTION

This contract provides products and services for inspection, maintenance, and repair of elevators at various locations maintained by the Department of Water Resources. This contract is used by multiple departments within Gwinnett County.

FINANCIAL

1. Estimated amount to be spent: $100,560.00
2. Projected amount to be spent previous contract period: $15,930.00
3. Do total obligations agree with "Action Requested"? Yes X No ___
4. Budgeted: Yes X No ___
5. Contact name: Adam Garmon (DWR) Contact phone: 678-376-7181 AG

6. Proposed Funding:

Fiscal Year (FY)	Fund	Cost Center	GL Account	Project Award	Project Task	Amount
2025	501	43002	500229			$160.00
2025	501	43004	500229			$160.00
2025	501	43014	500229			$160.00
2025	501	43015	500229			$320.00
2025	501	43024	500229			$480.00
2025	501	43027	500229			$160.00
2025	501	43028	500229			$160.00
2025	501	43026	500229			$160.00
2026	502	P4301	500570	1010	M01389.1.1.2	$90,000.00
2026	501	43002	500229			$800.00
2026	501	43004	500229			$800.00
2026	501	43014	500229			$800.00
2026	501	43015	500229			$1,600.00
2026	501	43024	500229			$2,400.00
2026	501	43027	500229			$800.00
2026	501	43028	500229			$800.00
2026	501	43026	500229			$800.00
					Totals	$100,560.00

Transfer Required: Yes___ No__X__

Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:
20250918	

☐ Grants ☐ Public Hearing

Department:	Law Department			Date Submitted:	09/02/2025
Working Session:		Business Session:		Public Hearing:	09/23/2025
Submitted By:	dsnightthunder			Multiple Depts?	
Agenda Type	Approval/authorization				

Item of Business: Locked by Purchasing: No

the Chairwoman to execute a Resolution, a Memorandum of Understanding with the State of Georgia, and a Subdivision Participation and Release Form, to participate in the National Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc., Indivior Inc., Viatris Inc ("Mylan"), Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA) Inc. Settlements. Authorization for the Chairwoman to execute any and all documents necessary to effectuate the settlement.

Attachments	Justification Memo, Resolution
Authorization: Chairwoman's Signature?	No
Staff Recommendation	
BAC Action:	
Department Head	mpludwiczak (9/9/2025)
Attorney	srouth (9/17/2025)

Agenda Purpose Only

Financial Action

Budgeted	Fund Name	Current Balance	Requested Allocation	Director's Initials
	*	*	*	brainey (9/17/2025)

Finance Comments	FinDir's Initials
*Adjust revenue and appropriation budgets as necessary upon award of settlement.	raroyal (9/16/2025)

☑ Budget Adjust ☑ Grand Jury

County Clerk Use Only

PH was Held? ☐

Working Session	
Action	New Item
Tabled	
Motion	
2nd by	
Vote	No Action Taken

GWINNETT COUNTY
DEPARTMENT OF LAW

75 Langley Drive | Lawrenceville, GA 30046-6935
(O) 770.822.8700 | (F) 770.822.8790
www.gwinnettcounty.com

MEMORANDUM

TO: Chairwoman
District Commissioners

FROM: Michael P. Ludwiczak
County Attorney

SUBJECT: GCID 2025-0918 - Participation in the National Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc., Indivior Inc., Viatris Inc ("Mylan"), Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA) Inc. Settlements.

DATE: September 8, 2025

ITEM OF BUSINESS

Approval/authorization for the Chairwoman to execute a Resolution, a Memorandum of Understanding with the State of Georgia, and a Subdivision Participation and Release Form, to participate in the National Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc., Indivior Inc., Viatris Inc ("Mylan"), Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA) Inc. Settlements. Authorization for the Chairwoman to execute any and all documents necessary to effectuate the settlement.

BACKGROUND AND DISCUSSION

In 2018, Gwinnett County initiated litigation against certain manufacturers and distributors of prescription opioids in *In re: National Prescription Opiate Litigation*, MDL 2804, to hold them accountable for the opioid epidemic and to seek equitable and monetary relief. Defendants Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc., Indivior Inc., Viatris Inc ("Mylan"), Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA) Inc. have now reached a national settlement totaling $710 million (collectively referred to as the "Third Wave Manufacturer Settlements") with certain states, including the State of Georgia. As part of the proposed Third Wave Manufacturer Settlements, the State of Georgia is positioned to receive up to an additional $20 million to be used for addiction treatment, prevention, and recovery services. Local governments, including Gwinnett County, now have the option to join in the proposed settlement. The amount of funds Gwinnett County will ultimately receive from the Third Wave Manufacturer Settlements has yet to be determined.

The State of Georgia proposes entering into a Memorandum of Understanding (referred to as the "Third Wave MOU") with Gwinnett County regarding the Third Wave Manufacturer Settlements, the purpose of which is to maximize the settlement funds available and to control how settlement funds are allocated

between the State of Georgia and the local governments. This Third Wave MOU is similar in all material respects to agreements that Gwinnett County has previously entered with the State of Georgia regarding settlements with other defendant parties.

If you have any questions, please contact me at 770.822.8715.

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: RESOLUTION TO PARTICIPATE IN THE NATIONAL ALVOGEN, INC., AMNEAL PHARMACEUTICALS LLC, APOTEX CORP., HIKMA PHARMACEUTICALS USA INC., INDIVIOR INC., VIATRIS INC ("MYLAN"), SUN PHARMACEUTICAL INDUSTRIES, INC., AND ZYDUS PHARMACEUTICALS (USA) INC. SETTLEMENTS.

ADOPTION DATE: SEPTEMBER 23, 2025

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

Name	Present	Vote
Nicole L. Hendrickson, Chairwoman		
Kirkland D. Carden, District 1		
Ben Ku, District 2		
Jasper Watkins III, District 3		
Matthew Holtkamp, District 4		

On motion of Commissioner _____, which carried by a _____ vote, the Gwinnett County Board of Commissioners hereby adopts the following Resolution entitled:

A RESOLUTION TO PARTICIPATE IN THE NATIONAL ALVOGEN, INC., AMNEAL PHARMACEUTICALS LLC, APOTEX CORP., HIKMA PHARMACEUTICALS USA INC., INDIVIOR INC., VIATRIS INC ("MYLAN"), SUN PHARMACEUTICAL INDUSTRIES, INC., AND ZYDUS PHARMACEUTICALS (USA) INC. SETTLEMENTS.

WHEREAS, beginning in 2018 Gwinnett County, along with the State of Georgia and other state and local governments around the country, initiated litigation against certain manufacturers and distributors of prescription opioids in *In re: National Prescription Opiate Litigations*, MDL 2804, to hold them accountable for their actions in creating and perpetuating the national opioid epidemic and to seek equitable and monetary relief; and

WHEREAS, Defendants Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc., Indivior Inc., Viatris Inc. ("Mylan"), Sun Pharmaceutical

Industries, Inc., and Zydus Pharmaceuticals (USA) Inc. (collectively referred to as the "Third Wave Manufacturers") have reached national settlements totaling $710 million with certain states, including the State of Georgia (referred to as the "Third Wave Manufacturer Settlements"), and Georgia local governments now have the option to join the settlement; and

WHEREAS, the State of Georgia proposes entering a Memorandum of Understanding (referred to as the "Third Wave MOU") with Gwinnett County regarding the Third Wave Manufacturer Settlements, the purpose of which is to maximize the settlement funds available and to control how settlement funds are allocated between the State of Georgia and the participating local governments; and

WHEREAS, Gwinnett County desires to participate in the Third Wave Manufacturer Settlements and to enter the Third Wave MOU with the State of Georgia.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, as follows:

Section 1. The County Board of Commissioners, as the governing body of the County, hereby agrees to participate in the Third Wave Manufacturer Settlements.

Section 2. The County Board of Commissioners, as the governing body of the County, hereby agrees to be bound by the Third Wave MOU with the State of Georgia regarding the Third Wave Manufacturer Settlements.

Section 3. The County Board of Commissioners hereby appoints NICOLE LOVE HENDRICKSON (CHAIRWOMAN) as the duly-appointed representative of the County for the purposes of participating in the Third Wave Manufacturer Settlements, executing and agreeing to be bound by the terms of the Third Wave MOU regarding the Third Wave Manufacturer Settlements.

Section 4. The County Board of Commissioners directs the Chairwoman to execute any and all documents necessary to demonstrate the County's agreement to be bound by the terms of the Third Wave Manufacturer Settlements, including but not limited to the Third Wave MOU and the Subdivision Participation and Release Form.

Section 5. If any section, paragraph, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. This Resolution shall be in full force and effect from and after its adoption as provided by law.

THIS RESOLUTION is adopted this the _____ day of September, 2025.

GWINNETT COUNTY, GEORGIA

By: _____
Nicole Love Hendrickson, Chairwoman
Gwinnett County Board of Commissioners

ATTEST:

By: _____
Tina King, County Clerk
(Seal)

Approved as to Form:

By: _____
Michael P. Ludwiczak
County Attorney

Docusign Envelope ID: B39B8407-93CC-4717-9CDC-CAC6CD88BFBC

Settlement Document
Binding on State of Georgia When Executed by Georgia AG / Governor

State of Georgia and Local Governments: Memorandum of Understanding Concerning National Settlements with Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc., Indivior Inc., Viatris Inc. ("Mylan"), Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA) Inc.

Foreword

This Memorandum of Understanding between the State of Georgia *ex rel.* Chris Carr, Attorney General (the "State"), and certain Georgia Local Government entities ("LGs") concerns the harms visited upon Georgia's citizens and the State itself by certain manufacturers, distributors, and pharmacies ("Opioid Defendants") of prescription opioids.

To address these harms, the State and certain LGs separately initiated litigation meant to hold Opioid Defendants accountable.

On December 31, 2021, the State entered into settlements with Opioid Defendants McKesson Corporation, AmerisourceBergen Corporation, Cardinal Health, Inc., Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (together, the "National Distributor and J&J Settlements"). The State has since entered into settlements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walmart Inc., CVS Health Corporation and CVS Pharmacy, Inc., Walgreen Co., and The Kroger Co.

Thereafter, the State and participating LGs entered into a Memorandum of Understanding to memorialize an agreement that would enable them to maximize the monetary help received from the National Distributor and J&J Settlements to address harms visited upon Georgia's citizens and the State itself in the opioid crisis (the "2022 MOU"). The State and participating LGs also entered into MOUs regarding the settlements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walmart Inc., CVS Health Corporation and CVS Pharmacy, Inc., Walgreen Co., and The Kroger Co.

On or about April 4, 2025. eight drug manufacturers, including **Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc., Indivior Inc., Viatris Inc. ("Mylan"), Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA) Inc.** (together, "Third Wave Manufacturers") entered into Settlement Agreements with certain Settling States, governmental subdivisions, and other entites ("Third Wave Manufacturer Settlements"). The State of Georgia and LGs are eligible to join the Third Wave Manufacturer Settlements.

During May 2025, the State opted into the Third Wave Manufacturer Settlements. The LGs have until October 8, 2025, to opt in to the Third Wave Manufacturer Settlements.

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This Memorandum of Understanding ("Third Wave Memorandum" or "Third Wave MOU") aims to memorialize an agreement between the State and certain LGs that will enable them to maximize the monetary funds received from the Third Wave Manufacturer Settlements to remediate the harms caused by the opioid crisis. The processes outlined in this Memorandum in large part replicate processes required under the 2022 MOU. Except where the terms are different, the processes used in administration of the 2022 MOU shall be utilized for administration as required under this Memorandum.

I. Definitions

Capitalized terms shall have the same definitions as in the 2022 MOU with the exception of:

a. "Legislative Bar" means O.C.G.A. § 10-13B-1 *et seq*.

b. "Local Government Opioid Funds" means the funds allocated to local governments pursuant to Section II of this Memorandum.

c. "Opioid Funds" means the total monetary amounts obtained through the Third Wave Manufacturer Settlements as defined in this Third Wave MOU which are allocated to Georgia and its Participating Local Governments under the Third Wave Manufacturer Settlements.

d. Third Wave Manufacturer Settlements means the settlement agreements dated April 4, 2025, for each of the Third Wave Manufacturers and available at https://nationalopioidsettlement.com/additional-settlements/.

e. "Parties" shall mean the State and the Participating Local Governments.

f. "Participating Local Governments" shall mean:
(i.) all litigating subdivisions listed on Exhibits "C" of the Third Wave Manufacturer Settlements, and
(ii.) nonlitigating subdivisions listed on Exhibits "G" of the Third Wave Manufacturer Settlementsthat choose to sign on to the Third Wave Manufacturer Settlements and this Memorandum.

g. "Released Entities" means the entities defined as such in the Third Wave Manufacturer Settlements.

h. "State Opioid Funds" means the funds allocated to the State pursuant to Section II of this Memorandum.

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i. "Trust" means the Georgia Opioid Crisis Abatement Trust, approved by the Gwinnett County Superior Court on February 16, 2023.

j. "Trustee" means the Trustee of the Georgia Opioid Crisis Abatement Trust.

II. Allocation between State and Local Governments

a. The Participating Local Governments shall collectively receive 25% of the Opioid Funds as their full allocation of Local Government Opioid Funds for all claims past and future of the Participating Local Governments. Local Government Opioid Funds shall be paid to a Settlement Fund Administrator as defined in the Third Wave Manufacturer Settlements and distributed pursuant to the Third Wave Manufacturer Settlements, with the following additional conditions:

(i) If a county which is a Participating Local Government under this Memorandum has a sheriff who is a Subdivision listed in the Opioid Settlement, at least 9.45% of the Opioid Funds paid to that county under the terms of the Third Wave Manufacturer Settlements in which the sheriff agreed to participate shall be allocated to that county's sheriff to be used for Approved Purposes;

(ii.) If a county which is a Participating Local Government under this Memorandum has a hospital which is a Subdivision listed in the Third Wave Manufacturer Settlements, at least 2% of the Opioid Funds paid to that county under the terms of the Third Wave Manufacturer Settlements in which the hospital agreed to participate shall be allocated to the hospital to be used for Approved Purposes; and

(iii.) If a county which is a Participating Local Government under this Memorandum has a school district which is a Subdivision listed in the Third Wave Manufacturer Settlements, at least 1% of the Opioid Funds paid to that county under the terms of the Third Wave Manufacturer Settlements in which the school district agreed to participate shall be allocated to the school district to be used for Approved Purposes.

b. The State shall receive 75% of the Opioid Funds as its full allocation of State Opioid Funds.

c. Of the State's 75% share, after the payment of litigation fees and costs owed to the State's outside counsel pursuant to the agreement entered into on

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September 10, 2018, or as may be amended, 60% of the remaining funds shall be transferred by the receiving state agency through the Office of Planning and Budget to the State Treasury and spent at the direction of the State Legislature for Approved Purposes by appropriation and in compliance with the terms of the Third Wave Manufacturer Settlements and this Memorandum. The remaining 40% after payment of fees and costs shall be transferred to the Trust by the receiving state agency and shall be expended by the Trustee on a regional basis ("Regional Distribution") as set forth in the Declaration of Trust, the 2022 MOU, and this Third Wave MOU.

(i.) For purposes of the Regional Distribution under the Third Wave Manufacturer Settlements, the Regions shall be the same as established pursuant to the 2022 MOU, including Qualifying Block Grantees.

(ii.) Each Qualifying Block Grantee shall receive its allocation of the Regional Distribution via a direct block grant so long as it certifies that it has sufficient infrastructure to provide opioid abatement services.

(iii.) The Trustee shall use the same allocation model as used under the 2022 MOU for the Regional Distribution.

(iv.) The Regional Advisory Councils established pursuant to the 2022 MOU shall have the same duties and responsibilities in connection with the funds allocated to the Trust pursuant to this Third Wave MOU as under the 2022 MOU, including reporting requirements and making themselves available to consult with the Government Participation Mechanism and with Participating Local Governments to best determine how funds will be spent for opioid remediation within the established Regions. In every instance the Trustee shall retain final authority over Regional Distributions.

III. Funds to be used for Approved Purposes; Clawback and Recoupment

a. With the exception of administrative expenses as allowed under the Third Wave Manufacturer Settlements, funds set aside for attorneys' fees and costs for State of Georgia outside counsel, and funds set aside for attorneys' fees for Local Government outside counsel pursuant to Section VI of this Memorandum, State Opioid Funds and Local Government Opioid Funds shall be used for Approved Purposes.

b. Funds are to primarily (no less than 70 percent) be used for future abatement purposes. Funds used to reimburse the Parties for past abatement expenses

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may not be used to reimburse past Medicaid expenses or any other expense that would be subject to a federal clawback, recoupment, or similar mechanism.

c. The State and Participating Local Governments shall work cooperatively to ensure the funds are spent within the spirit of this Memorandum and the Third Wave Manufacturer Settlements, and shall further work cooperatively to actively defend the funds from federal clawback and/or recoupment, including, but not limited to, actively participating in any administrative procedure or other case or process related to defense of the funds from federal clawback and/or recoupment. In the event the federal government initiates and successfully claws back any Opioid Funds related to the Settlement, such amounts shall first be deducted from the total disbursements to be made to both the State and Local Governments in the calendar year the clawback claim is successfully made and shall thereafter be deducted from the total disbursements to be made in any subsequent calendar year if necessary. After such deduction, the allocation between the State and Participating Local Governments described in Section II of this Memorandum shall be applied to the remaining funds for the current calendar year or any subsequent calendar year if applicable. Deduction of amounts from the total disbursements shall include reimbursement of any amounts paid by the State or withheld from amounts due to the State as the result of a clawback and/or recoupment.

IV. Compliance and Reporting

a. The Trustee shall provide an up-to-date accounting of payments into or out of the Trust and/or its subaccounts upon written request of the State or a Participating Local Government. The State, together with the Trustee, shall provide an annual report detailing: (1) the amounts received by the State and deposited into the State Treasury and the amounts remitted to the Trust; (2) the allocation of any awards approved, listing the recipient, amount awarded, programs funded, and disbursement terms; and (3) the amounts actually disbursed. The State and Trustee shall also include an assessment of how well resources have been used by the State and the Participating Local Governments to abate opioid addiction, overdose deaths, and the other consequences of the opioid crisis. The State shall publish its annual report and all Regional Advisory Council annual reports on its website.

b. Expenses of the Trustee shall be deducted first from interest earned on funds held by the Georgia Opioid Crisis Abatement Trust, and then, if necessary, may be deducted from the corpus of Trust funds. Administrative expenses of

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the State shall be paid from or reimbursed out of State Opioid Funds as allowed under the terms of the Third Wave Manufacturer Settlements.

c. The Trustee and the State shall endeavor to keep such expenses reasonable in order to maximize the funding available for opioid abatement.

d. Each Regional Advisory Council shall provide a report annually to the Trustee and Government Participation Mechanism detailing: (1) the amount received by each local government within the Region; (2) the allocation of any awards approved, listing the recipient, amount awarded, programs funded, and disbursement terms; and (3) the amounts actually disbursed and approved allocations. Each Participating Local Government within each Region shall provide any information necessary to facilitate such reporting to a single regional delegate selected by the Region to provide its annual report.

e. If the State believes that any Participating Local Government has used funds for a non-approved purpose, it may request in writing the documentation underlying such alleged improper use of funds. If any ten (10) Participating Local Governments believe the State has used funds for a non-approved purpose, they may request jointly in writing the documentation underlying such alleged improper use of funds.

f. The State and Participating Local Governments may object in writing to the Trustee to an allocation or expenditure on the basis that the allocation or Trust expenditure is inconsistent with Section III of this Memorandum or violates Section IV.c of this Memorandum regarding reasonable expenses of the Trustee.

g. Any party to this Memorandum who receives a written request sent pursuant to IV.f or IV.e shall have 21 days to respond to such request, which may be extended by mutual consent.

h. A party who makes a written request pursuant to IV.f may file an action in the Superior Court of Gwinnett County within one year of its objection seeking a determination as to the validity of the objection.

i. If, after a written objection made pursuant to IV.e, it appears to the State that a Participating Local Government has spent funds on non-approved purposes, the State may seek and obtain an injunction in the Superior Court of Gwinnett County prohibiting the Participating Local Government from spending further funds on non-approved purposes, and ordering the return of monies spent on non-approved purposes. So long as any such action is

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pending, distribution of any funds to the relevant Participating Local Government shall be suspended and held in trust by the Trustee or national Settlement Fund Administrator and shall only resume after the action is resolved. Once the action is resolved, suspended payments to the Participating Local Government shall resume, less any amounts ordered returned that have not yet been returned as of the date of the resumption of suspended payments.

j. Attorney's fees and costs are not recoverable in actions brought under this Section.

V. Litigation Bar

a. All Parties expressly acknowledge that this Third Wave MOU qualifies under O.C.G.A. § 10-13B-2(a)(4)(E) and that the Third Wave Manufacturer Settlements are state-wide opioid settlements as that term is defined in O.C.G.A. § 10-13B-2(4).

VI. Attorney's Fees; Costs and Expenses

a. Section VII of the 2022 MOU is incorporated by reference as though fully set forth herein.

VII. Future Agreements and Negotiations

a. Nothing in this Memorandum shall bind the Parties concerning any future opioid settlements other than the ones expressly contemplated in (1) this Memorandum or (2) any amendments to this Memorandum made pursuant to Section VIII.b. Other than those Released Entities who are parties to the Third Wave Manufacturer Settlements, the Parties are free to engage in settlement negotiations with any Opioid Defendants without prior consent or participation of any other party to this Memorandum.

b. The Parties shall endeavor, insofar as is reasonably practicable, to keep each other apprised of future negotiations concerning future opioid settlements. Nothing in this provision shall require the parties to violate any duty, obligation, or promise of confidentiality, non-disclosure agreement, common interest agreement, court order concerning non-disclosure, or similar non-disclosure obligation concerning negotiations regarding future opioid settlements. For the avoidance of doubt, LGs shall not be required to disclose, among other things, any information relating to negotiations between groups of local governments and Opioid Defendants, and the State



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shall not be required to disclose, among other things, any information relating to negotiations between states or groups of states and Opioid Defendants.

VIII. Miscellaneous

a. This Memorandum shall be governed by Georgia law.

b. The Parties may make amendments to this Memorandum as necessary. Amendments shall be in writing and shall require the consent of all Parties to this Memorandum. Proposed amendments shall be circulated to all Parties through designated contacts provided in their Acknowledgement, after which Parties shall have 30 days to agree or object to the proposed amendment. Parties who do not respond shall be deemed to have consented to the amendment for purposes of this Section VIII.b.

c. Jurisdiction and venue regarding any disputes between or among the Parties concerning this Memorandum or the interpretation thereof shall lie in the Superior Court of Gwinnett County, Georgia.

d. This Memorandum terminates automatically with respect to the Third Wave Manufacturer Settlements in the event such settlements are terminated by the parties to it.

e. By entering into this Memorandum, a local government agrees to participate in the Third Wave Manufacturer Settlements.

f. If less than 65% of the litigating LGs participate in the Third Wave Manufacturer Settlements, this Memorandum is voidable by the State.

* * * * *

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ATTACHED EXHIBITS:

EXHIBIT 1: ACKNOWLEDGEMENT AND AGREEMENT TO BE BOUND TO MEMORANDUM OF UNDERSTANDING

Docusign Envelope ID: B39B8407-93CC-4717-9CDC-CAC6CD88BFBC

EXHIBIT 1

ACKNOWLEDGEMENT AND AGREEMENT TO BE BOUND BY MEMORANDUM OF UNDERSTANDING

WHEREFORE, the undersigned, as a duly-appointed representative of the below-referenced entity, acknowledges the following:

- Gwinnett County, GA has received the **State of Georgia and Local Governments: Memorandum of Understanding Concerning National Settlement with Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc., Indivior Inc., Viatris Inc. ("Mylan"), Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA) Inc. and other related entities as defined in the Third Wave Manufacturer Settlements**
- The undersigned is a duly-appointed representative of Gwinnett County, GA, and has the authority to execute this document and bind Gwinnett County, GA to the Memorandum.
- Gwinnett County, GA is either represented by legal counsel, or has the ability to obtain advice from legal counsel, concerning the contents and implication of the Memorandum.
- The undersigned, on behalf of Gwinnett County, GA, understands and acknowledges the terms of the Memorandum, and Gwinnett County, GA agrees to be bound by its terms.
- No party is under duress or undue influence.

Signature: _____

Name: Nicole Love Hendrickson

Title: Chairwoman - Board of Commissioners

Date: _____

Entity: Gwinnett County, GA

Designated Contact for Purposes of Section VIII.b:

Name: Caley Conley

Title: Attorney for Gwinnett County

Address: 4200 Northside Parkway, Building 1, Suite 300, Atlanta, Georgia 30327

Email: cale@conleygriggs.com

Docusign Envelope ID: B39B8407-93CC-4717-9CDC-CAC6CD88BFBC

EXHIBIT K

Secondary Manufacturers' Combined Subdivision Participation and Release Form ("Combined Participation Form")

Governmental Entity: Gwinnett County	State: GA
Authorized Official: Nicole Love Hendrickson	
Address 1: 75 Langley Drive	
Address 2:	
City, State, Zip: Lawrenceville, Georgia 30046	
Phone: 770-822-7010	
Email: nicole.hendrickson@gwinnettcounty.com	

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to each of the settlements which are listed in paragraph 1 below (each a "Secondary Manufacturer's Settlement" and collectively, "the Secondary Manufacturers' Settlements"), and acting through the undersigned authorized official, hereby elects to participate in each of the Secondary Manufacturers' Settlements, release all Released Claims against all Released Entities in each of the Secondary Manufacturers' Settlements, and agrees as follows.

1. The Participating Entity hereby elects to participate in each of the following Secondary Manufacturers' Settlements as a Participating Entity:

   a. Settlement Agreement for Alvogen, Inc. dated April 4, 2025.
   b. Settlement Agreement for Apotex Corp. dated April 4, 2025.
   c. Settlement Agreement for Amneal Pharmaceuticals LLC dated April 4, 2025.
   d. Settlement Agreement for Hikma Pharmaceuticals USA Inc. dated April 4, 2025.
   e. Settlement Agreement for Indivior Inc. dated April 4, 2025.
   f. Settlement Agreement for Viatris Inc. ("Mylan") dated April 4, 2025.
   g. Settlement Agreement for Sun Pharmaceutical Industries, Inc. dated April 4, 2025.
   h. Settlement Agreement for Zydus Pharmaceuticals (USA) Inc. dated April 4, 2025.

2. The Governmental Entity is aware of and has reviewed each of the Secondary Manufacturers' Settlements, understands that all capitalized terms not defined in this Combined Participation Form have the meanings defined in each of the Secondary Manufacturers' Settlements, and agrees that by executing this Combined Participation Form, the Governmental Entity elects to participate in each of the Secondary Manufacturers' Settlements and become a Participating Subdivision as provided in each of the Secondary Manufacturers' Settlements.

3. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed against any Released Entity in each of the Secondary Manufacturers' Settlements. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity

Docusign Envelope ID: B39B8407-93CC-4717-9CDC-CAC6CD88BFBC

authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice for each of the manufacturers listed in paragraph 1 above substantially in the form found at *https://nationalopioidsettlement.com/additional-settlements/.*

4. The Governmental Entity agrees to the terms of each of the Secondary Manufacturers' Settlements pertaining to Participating Subdivisions as defined therein.

5. By agreeing to the terms of each of the Secondary Manufacturers' Settlements and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.

6. The Governmental Entity agrees to use any monies it receives through each of the Secondary Manufacturers' Settlements solely for the purposes provided therein.

7. The Governmental Entity submits to the jurisdiction of the court and agrees to follow the process for resolving any disputes related to each Secondary Manufacturer's Settlement as described in each of the Secondary Manufacturers' Settlements.[1]

8. The Governmental Entity has the right to enforce each of the Secondary Manufacturers' Settlements as provided therein.

9. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in each of the Secondary Manufacturers' Settlements, including without limitation all provisions related to release of any claims,[2] and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in his or her official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in each of the Secondary Manufacturers' Settlements in any forum whatsoever. The releases provided for in each of the Secondary Manufacturers' Settlements are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities in each of the Secondary Manufacturers' Settlements the broadest possible bar against any liability relating in any way to Released

[1] *See* Settlement Agreement for Alvogen, Inc. Section VII.F.2; Settlement Agreement for Apotex Corp. Section VII.F.2; Settlement Agreement for Amneal Pharmaceuticals LLC Section VII.F.2; Settlement Agreement for Hikma Pharmaceuticals USA Inc. Section VII.F.2; Settlement Agreement for Indivior Section VI.F.2; Settlement Agreement for Mylan Section VI.F.2; Settlement Agreement for Sun Pharmaceutical Industries, Inc. Section VII.F.2; Settlement Agreement for Zydus Pharmaceuticals (USA) Inc. Section VII.F.2.

[2] *See* Settlement Agreement for Alvogen, Inc. Section XI; Settlement Agreement for Amneal Pharmaceuticals LLC Section X; Settlement Agreement for Apotex Corp. Section XI; Settlement Agreement for Hikma Pharmaceuticals USA Inc. Section XI; Settlement Agreement for Indivior Section X; Settlement Agreement for Mylan Section X; Settlement Agreement for Sun Pharmaceutical Industries, Inc. Section XI; Settlement Agreement for Zydus Pharmaceuticals (USA) Inc. Section XI.

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Claims and extend to the full extent of the power of the Governmental Entity to release claims. Each of the Secondary Manufacturers' Settlements shall be a complete bar to any Released Claim against that manufacturer's Released Entities.

10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in each of the Secondary Manufacturers' Settlements.

11. In connection with the releases provided for in each of the Secondary Manufacturers' Settlements, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

> **General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims in each of the Secondary Manufacturers' Settlements, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in each of the Secondary Manufacturers' Settlements.

12. The Governmental Entity understands and acknowledges that each of the Secondary Manufacturers' Settlements is an independent agreement with its own terms and conditions. Nothing herein is intended to modify in any way the terms of any of the Secondary Manufacturers' Settlements, to which Governmental Entity hereby agrees, aside from the exceptions in paragraph 13 below. To the extent this Combined Participation Form is interpreted differently from any of the Secondary Manufacturers' Settlements in any respect, the individual Secondary Manufacturer's Settlement controls.

13. For the avoidance of doubt, in the event that some but not all of the Secondary Manufacturers' Settlements proceed past their respective Reference Dates, all releases and other commitments or obligations shall become void ***only as to*** those Secondary Manufacturers' Settlements that fail to proceed past their Reference Dates. All releases and other commitments or obligations (including those contained in this Combined Participation Form) shall remain in full effect as to each Secondary Manufacturer's Settlement that proceeds past its Reference Date, and this Combined Participation Form need not be modified, returned, or destroyed as long as any Secondary Manufacturer's Settlement proceeds past its Reference Date.



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I have all necessary power and authorization to execute this Combined Participation Form on behalf of the Governmental Entity.

Signature: _____

Name: Nicole Love Hendrickson

Title: Chairwoman - Board of Commissioners

Date: _____

Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:
20250971	

☐ Grants ☐ Public Hearing

Department:	Law Department			Date Submitted:	09/17/2025
Working Session:		Business Session:		Public Hearing:	09/23/2025
Submitted By:	dsnightthunder			Multiple Depts?	
Agenda Type	Approval/authorization				

Item of Business: Locked by Purchasing: No

for the Chairwoman to execute a Resolution authorizing locality pay and affirming benefit availability for the Judges of the Superior Court of the Gwinnett Judicial Circuit pursuant to House Bill 85 and aligning the effective dates of compensation adjustments for other judges and elected officials whose compensation may be determined as a percentage of the salary of a superior court judge.

Attachments	Justification Memo, Resolution
Authorization: Chairwoman's Signature?	No
Staff Recommendation	
BAC Action:	
Department Head	mpludwiczak (9/19/2025)
Attorney	srouth (9/19/2025)

Agenda Purpose Only

Financial Action

Budgeted	Fund Name	Current Balance	Requested Allocation	Director's Initials
	*	*	*	brainey (9/19/2025)

Finance Comments	*No current budget impact. FY2026 budget requests will be adjusted as necessary upon approval.	FinDir's Initials: raroyal (9/19/2025)

☐ Budget Adjust ☐ Grand Jury

County Clerk Use Only PH was Held? ☐

Working Session	
Action	New Item
Tabled	
Motion	
2nd by	

Vote: No Action Taken

GWINNETT COUNTY
DEPARTMENT OF LAW
75 Langley Drive | Lawrenceville, GA 30046-6935
(O) 770.822.8700 | (F) 770.822.8790
www.gwinnettcounty.com

MEMORANDUM

TO: Chairwoman
District Commissioners

FROM: Michael P. Ludwiczak
County Attorney

SUBJECT: GCID 2025-0971 – Resolution authorizing Superior Court Judges Compensation and aligning the effective dates of compensation adjustments for other judges and elected officials pursuant to House Bill 85.

DATE: September 19, 2025

ITEM OF BUSINESS

Approval/authorization for the Chairwoman to execute a Resolution authorizing locality pay and affirming benefit availability for the Judges of the Superior Court of the Gwinnett Judicial Circuit pursuant to House Bill 85 and aligning the effective dates of compensation adjustments for other judges and elected officials whose compensation may be determined as a percentage of the salary of a superior court judge.

BACKGROUND AND DISCUSSION

Compensation for the Superior Court Judges of the Gwinnett Judicial Circuit is determined in accordance with general state law and applicable local acts. During the 2025 legislative session, the General Assembly passed House Bill 85 ("HB 85"), "The Superior Court Judicial Compensation Reform Act," which became effective on July 1, 2025. Under HB 85, any superior court judge in office on July 1, 2025, has the option to either (1) continue to receive their salary as calculated by laws in effect on June 30, 2025, or (2) make a one-time irrevocable election to receive compensation as outlined in HB 85. For any superior court judge that takes office after July 1, 2025, they will receive compensation as outlined in HB 85.

HB 85 modified several statutes that address compensation for superior court judges. For instance, under O.C.G.A. § 45-7-4, the annual salary of a superior court judge is now set by the General Assembly in the state's annual budget, with an upper limit tied to a percentage of the annual salary of a judge of the United States District Court for the Northern District of Georgia. The 2026 General Appropriations Act set the annual salary for superior court judges at $201,060.00 effective January 1, 2026, for those who elect to receive compensation as outlined in HB 85. Also, any superior court judge who chooses to receive compensation as calculated by HB 85 or who takes office after July 1, 2025, is no longer eligible to receive a county salary supplement. Instead, the Board of Commissioners is now authorized to provide for

"locality pay" for superior court judges. Pursuant to O.C.G.A. § 15-6-29.2, locality pay shall not exceed the lesser of 10 percent of the state annual salary for superior court judges or $20,106.00. Additionally, any increase to the state annual salary for superior court judges will automatically reduce the amount of locality pay by a percentage outlined in O.C.G.A. § 15-6-29.2(b). The statute explicitly provides that the intent is for locality pay to gradually decrease as the state's annual salary for superior court judges increases.

The General Assembly recognized that compensation for many other judges and local elected officials is calculated based on a percentage of the compensation paid to superior court judges and that HB 85 will increase the compensation paid to superior court judges. Recognizing the potential for sudden financial hardship to local governments, HB 85 suspends any increases for other judges and other local elected officials that would result from the increase to superior court judges' compensation. The suspension automatically terminates as of July 1, 2026, for other judges and is indefinite for other local elected officials. However, pursuant to O.C.G.A. § 1-3-12(a)(1), the suspension does not apply to any local law or local ordinance or resolution adopted after July 1, 2025.

The Gwinnett Judicial Circuit is one of the largest and busiest in the State; therefore, it is in the best interest of the County that the superior court judges receive locality pay and continue to participate in county offered fringe benefits and retirement benefits based upon the locality pay. It is also in the best interest of the County that any compensation increases to other judges and to other officials also become effective on January 1, 2026.

If you have any questions, please contact me at 770.822.8715.

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: A RESOLUTION AUTHORIZING LOCALITY PAY AND AFFIRMING BENEFIT AVAILABILITY FOR THE JUDGES OF THE SUPERIOR COURT OF THE GWINNETT JUDICIAL CIRCUIT PURSUANT TO HOUSE BILL 85 AND ALIGNING THE EFFECTIVE DATES OF COMPENSATION ADJUSTMENTS FOR OTHER JUDGES AND ELECTED OFFICIALS WHOSE COMPENSATION MAY BE DETERMINED AS A PERCENTAGE OF THE SALARY OF A SUPERIOR COURT JUDGE

ADOPTION DATE: September 23, 2025

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

Name	Present	Vote
Nicole L. Hendrickson, Chairwoman		
Kirkland D. Carden, District 1		
Ben Ku, District 2		
Jasper Watkins III, District 3		
Matthew Holtkamp, District 4		

On motion of Commissioner_____, which carried by a _-_ vote, the Gwinnett CountyBoard of Commissioners hereby adopts the following Resolution:

A RESOLUTION AUTHORIZING LOCALITY PAY AND AFFIRMING BENEFIT AVAILABILITY FOR THE JUDGES OF THE SUPERIOR COURT OF THE GWINNETT JUDICIAL CIRCUIT PURSUANT TO HOUSE BILL 85 AND ALIGNING THE EFFECTIVE DATES OF COMPENSATION ADJUSTMENTS FOR OTHER JUDGES AND ELECTED OFFICIALS WHOSE COMPENSATION MAY BE DETERMINED AS A PERCENTAGE OF THE SALARY OF A SUPERIOR COURT JUDGE

WHEREAS, Article VI, Section VII, Paragraph V of the Constitution of the State of Georgia provides that a judge shall receive compensation and allowances as provided by law; and

WHEREAS, in 2025, the General Assembly passed House Bill 85, known as the "Superior Court Judicial Compensation Reform Act," which modified statutory provisions related to the compensation received by superior court judges; and

WHEREAS, House Bill 85 amended the provisions of O.C.G.A. § 45-7-4 related to the annual salary received by superior court judges by directly tying the annual salary of a superior court judge to a percentage of the annual salary of a district court judge of the United States District Court for the Northern District of Georgia; and

WHEREAS, the revised compensation procedures outlined in House Bill 85 will be applicable to all superior court judges taking office after July 1, 2025; and

WHEREAS, O.C.G.A. § 15-6-29(b) authorizes a superior court judge in office on July 1, 2025, to continue being paid as prescribed by laws in effect on June 30, 2025, or to make a one-time irrevocable election to receive compensation as calculated by the revised procedures in House Bill 85; and

WHEREAS, O.C.G.A. § 15-6-29.2(a) provides that those superior court judges who were not in office on July 1, 2025, or who opt to receive compensation as calculated pursuant to the new compensation method, are not or are no longer eligible to receive county salary supplements from the County; and

WHEREAS, O.C.G.A. § 15-6-29.2 provides that after July 1, 2025, no county or counties comprising a judicial circuit shall provide county salary supplements to a superior court judge except where the judge has chosen to continue being paid as prescribed by laws in effect on June 30, 2025; and

WHEREAS, in lieu of a county salary supplement, O.C.G.A. § 15-6-29.2 authorizes county governing authorities to implement locality pay for superior court judges; and

WHEREAS, pursuant to O.C.G.A. § 15-6-29.2(b), locality pay may not exceed the lesser of 10 percent of the state annual salary for a superior court judge provided in O.C.G.A. § 45-7-4 or $20,106.00, with the locality pay being automatically reduced if the state annual salary exceeds $201,060.00; and

WHEREAS, O.C.G.A. § 15-6-29.2(f) allows a county or counties comprising a judicial circuit to continue to provide fringe benefits to any judge in the same manner that such benefits were provided on June 30, 2025; and

WHEREAS, O.C.G.A. § 15-6-29.2(g) authorizes a county or counties comprising a judicial circuit to provide retirement benefits based upon the locality pay adopted by said county; and

WHEREAS, the new compensation method outlined in House Bill 85 will result in a salary increase effective January 1, 2026, for those superior court judges who opt to receive the new compensation;

WHEREAS, the compensation of other judges and elected officials within Gwinnett County is determined as a percentage of the compensation of a superior court judge of the Gwinnett Judicial Circuit; and

WHEREAS, should any superior court judge opt to receive compensation pursuant to the new method, the increased compensation will result in a salary increase for the other judges in Gwinnett County and may result in a salary increase for other elected officials whose salary is determined as a percentage of the salary of a superior court judge; and

WHEREAS, O.C.G.A. § 1-3-12(a)(1) provides that as of July 1, 2025, all local laws and local ordinances or resolutions in effect as of such date that provide for a salary, supplement, or other

compensation to be paid to a state, county, or local officer, official, or employee based on a percentage of, total compensation for, or similar mathematical relationship to any superior court judge's salary, supplement, or other compensation shall be suspended as a matter of law with respect to any increase in the salary, supplement, or other compensation paid to a superior court judge; and

WHEREAS, such suspension automatically terminates as of July 1, 2026, with respect to judges and is indefinite with respect to other local officials; and

WHEREAS, according to House Bill 85, the suspension was implemented to delay sudden financial hardship on local governments; and

WHEREAS, the suspension provided for in O.C.G.A. § 1-3-12(a)(1) is not applicable to any local law or local ordinance or resolution adopted after July 1, 2025; and

WHEREAS, the Board of Commissioners desires to implement locality pay for each superior court judge of the Gwinnett Judicial Circuit as prescribed in O.C.G.A. § 15-6-29.2 in the amount of $20,106.00; and

WHEREAS, in accordance with O.C.G.A. § 15-6-29.2(f), the Board of Commissioners desires to affirm that superior court judges within the Gwinnett Judicial Circuit may continue to participate in county offered fringe benefits in the same manner as they were able to participate on June 30, 2025; and

WHEREAS, in accordance with O.C.G.A. § 15-6-29.2(g), the Board of Commissioners further desires to affirm that the superior court judges of the Gwinnett Judicial circuit shall be allowed to participate in the Gwinnett retirement system based upon the locality pay authorized herein in the same manner as employees of Gwinnett County or where a superior court judge does not opt into the new compensation method in the same manner as they were able to participate in the Gwinnett retirement system on June 30, 2025; and

WHEREAS, the Board of Commissioners believes that it is in the best interest of the County that any salary increases for other judges and local officials based upon the new compensation method for superior court judges be aligned to be effective on the same date as the new compensation method is effective for superior court judges; and

WHEREAS, the Board of Commissioners further finds that aligning the effective dates of the new salaries for superior court judges, other judges and local officials would not create a financial hardship for the County and would create consistency in implementation.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners hereby implements locality pay for each superior court judge of the Gwinnett Judicial Circuit as prescribed in O.C.G.A. § 15-6-29.2 in the amount of $20,106.00 to be effective January 1, 2026.

BE IT FURTHER RESOLVED, in accordance with O.C.G.A. § 15-6-29.2(f), the Board of Commissioners hereby affirms that superior court judges within the Gwinnett Judicial circuit may continue to participate in county offered fringe benefits in the same manner as they were able to participate on June 30, 2025.

BE IT FURTHER RESOLVED, in accordance with O.C.G.A. § 15-6-29.2(g), the Board of Commissioners hereby affirms that the superior court judges of the Gwinnett Judicial circuit shall be authorized to continue to participate in the Gwinnett retirement system based upon the locality pay authorized herein in same manner as employees of Gwinnett County or where a superior court judge does not opt into the new compensation method in the same manner as they were able to participate in the Gwinnett retirement system on June 30, 2025.

BE IT FURTHER RESOLVED, that the suspension provided for in House Bill 85 with respect to other judges and elected officials be waived such that the increases, if any, for these judges and elected officials shall be effective on January 1, 2026, consistent with the effective date of the changes to superior court judges.

This Resolution is hereby adopted this 23rd day of September 2025.

GWINNETT COUNTY BOARD OF COMMISSIONERS

BY: _____
NICOLE LOVE HENDRICKSON, CHAIRWOMAN

ATTEST:

BY:_____(SEAL)
TINA KING, COUNTY CLERK

APPROVED AS TO FORM:

BY:_____
MICHAEL P. LUDWICZAK, COUNTY ATTORNEY

Gwinnett County Board of Commissioners Agenda Request

GCID #	Group With GCID #:
20250960	

☐ Grants ☐ Public Hearing

Department:	Planning & Development			Date Submitted:	09/16/2025
Working Session:		Business Session:		Public Hearing:	09/23/2025
Submitted By:	cdwylie			Multiple Depts?	
Agenda Type	Ratification				

Item of Business: Locked by Purchasing: No

of Plat approvals for August 1, through August 31, 2025.

Attachments	Plat Ratification Report and Map

Authorization: Chairwoman's Signature? No

Staff Recommendation	Approval
BAC Action:	
Department Head	jjleitch (9/16/2025)
Attorney	jennyscarter (9/17/2025)

Agenda Purpose Only

Financial Action

Budgeted	Fund Name	Current Balance	Requested Allocation	Director's Initials
	N/A	*	N/A	brainey (9/17/2025)

Finance Comments	*No budget impact	FinDir's Initials: raroyal (9/17/2025)

☐ Budget Adjust ☐ Grand Jury

County Clerk Use Only PH was Held? ☐

Working Session	
Action	New Item
Tabled	
Motion	
2nd by	

Vote: No Action Taken

Gwinnett County
Department of Planning & Development

Plat Ratification Report

From 8/1/2025 to 8/31/2025

Final Plats Approved

CASE NUMBER : PLAT2024-00211 | ADDRESS : PADEN DR (300 BLOCK), LAWRENCEVILLE, GA 30044 | PROJECT : BARRERA, SHIRLEY (XPL)

COMMISSION DIST: 2
PARCEL # : 5017 153
STATUS : Plans Authorized
RECEIVED ON : 5/8/2024
ISSUED ON : 8/15/2025

TOTAL ACRES : 1.16
DENSITY : N/A
NO. OF LOTS : 1

DEVELOPER
SHIRLEY BARRERA
552 DESMOND DRIVE
LAWRENCEVILLE, GA 30044

DESIGNER
JOSH L. LEWIS IV
GEORGIA LAND SURVEYING CO.
155 CLIFTWOOD DRIVE
ATLANTA, GA 30328

PROJECT DESCRIPTION : BARRERA, SHIRLEY (XPL), R-100, 1 LOT, 1.16 ACRES, SEPTIC

CASE NUMBER : PLAT2024-00221 | ADDRESS : SUGARLOAF PKWY (6400 BLOCK), DULUTH, GA 30097 | PROJECT : GBMB HOLDINGS, LLC

COMMISSION DIST: 1
PARCEL # : 7122 005
STATUS : Revision Authorized
RECEIVED ON : 5/14/2024
ISSUED ON : 8/21/2025

TOTAL ACRES : 40.46
DENSITY : N/A
NO. OF LOTS : 8

DEVELOPER
RAJ PATEL
GBMB HOLDINGS LLC
2253 GRADY RIDGE TRAIL
DULUTH, GA 30097

DESIGNER
JOSHUA LEE BURGESS
BLUE LANDWORKS
5019 WEST BROAD STREET, SUITE M230
SUGAR HILL, GA 30518

PROJECT DESCRIPTION : COMMERCIAL PLATTING ONLY, R-100, O-I PER RZC2003-00024 & REZ1985-00121, O-I & C-2 PER REZ1999-00152, 8 LOTS, 40.46 ACRES, SEWER

CASE NUMBER : PLAT2024-00283 | ADDRESS : BUFORD HWY (3600 BLOCK), SUWANEE, GA 30024 | PROJECT : YOUNG CREEK

COMMISSION DIST: 1
PARCEL # : 7197 182
STATUS : Plans Authorized
RECEIVED ON : 7/1/2024
ISSUED ON : 8/19/2025

TOTAL ACRES : 4.26
DENSITY : 4.04
NO. OF LOTS : 17

DEVELOPER
JAMES YOUNG
YOUNG DEVELOPMENT LLC
4261 COMMUNICATIONS DRIVE
NORCROSS, GA 30093

DESIGNER
CHRISTOPHER C. BALDWIN
THOMAS AND HUTTON
5074 BRISTOL INDUSTRIAL WAY, SUITE A
BUFORD, GA 30518

PROJECT DESCRIPTION : SINGLE FAMILY SUBDIVISION, TOWNHOMES, R-TH PER RZM2021-00032, 17 LOTS, 4.26 ACRES, 2.94 ACRES OPEN SPACE, SEWER

CASE NUMBER : PLAT2024-00453 | ADDRESS : ROCKBRIDGE RD (2100 BLOCK), STONE MOUNTAIN, GA 30087 | PROJECT : PARKLAND COMMUNITIES (XPL)

COMMISSION DIST: 2
PARCEL # : 6058 007
STATUS : Plan Review In Progress
RECEIVED ON : 11/7/2024
ISSUED ON : 8/11/2025

TOTAL ACRES : 4.94
DENSITY : N/A
NO. OF LOTS : 2

DEVELOPER
KEVIN CARDINAL
PARKLAND COMMUNITIES
925 NORTH POINT PARKWAY SUITE 320
ALPHARETTA, GA 30005

DESIGNER
M. CHAYCE BELL
LJA SURVERYING INC.
4525 SOUTH LEE STREET
BUFORD, GA 30518

PROJECT DESCRIPTION : PARKLAND COMMUNITIES (XPL), R-100 & R-TH PER RZM2024-00006, 2 LOTS, 4.95 ACRES, SEPTIC

CASE NUMBER : PLAT2024-00460 | ADDRESS : LAKE CARLTON RD (3400 BLOCK), LOGANVILLE, GA 30052 | PROJECT : DARLINGTON (F.K.A. CARLTON CROSSING PHASE II)

COMMISSION DIST: 3
PARCEL # : 5126 025
STATUS : Revision Authorized
RECEIVED ON : 11/15/2024
ISSUED ON : 8/11/2025

TOTAL ACRES : 21.97
DENSITY : 7.56
NO. OF LOTS : 165

DEVELOPER
DUNCAN CORLEY
CKK DEVELOPMENT SERVICES, LLC
270 NORTH CLAYTON STREET
LAWRENCEVILLE, GA 30046

DESIGNER
KEVIN V. RINGO
RINGO, ABERNATHY & ASSOCIATES
257 PINECREST LANE
BRASELTON, GA 30517

PROJECT DESCRIPTION : SINGLE-FAMILY SUBDIVISION, TOWNHOMES, PHASE II, R-TH PER RZM2021-00044, 165 LOTS, 21.97 ACRES, 7.55 ACRES OPEN SPACE, SEWER

CASE NUMBER : PLAT2024-00481 | ADDRESS : LEACH DR (1400 BLOCK), LAWRENCEVILLE, GA 30045 | PROJECT : WATSON RESIDENCE AT MORNING DEW (XPL)

COMMISSION DIST: 3
PARCEL # : 5170 029
STATUS : Plans Authorized
RECEIVED ON : 11/27/2024
ISSUED ON : 8/25/2025

TOTAL ACRES : 8.82
DENSITY : N/A
NO. OF LOTS : 3

DEVELOPER
BASIL WATSON
842 MARTIN FOREST COURT
LAWRENCEVILLE, GA 30045

DESIGNER
PATRICK F. CAREY
KEYSTONE LAND SURVEYING, INC.
262 WEST CROGAN STREET
LAWRENCEVILLE, GA 30046

PROJECT DESCRIPTION : WATSON RESIDENCE AT MORNING DEW (XPL), R-100, 3 LOTS, 8.82 ACRES, SEPTIC

CASE NUMBER : PLAT2024-00502 ADDRESS : OLD PEACHTREE RD (1300 BLOCK), LAWRENCEVILLE, GA 30043 PROJECT : OLD PEACHTREE ESTATES (XPL)

COMMISSION DIST: 4
PARCEL # : 7104 004
STATUS : Plans Authorized
RECEIVED ON : 12/10/2024
ISSUED ON : 8/25/2025
TOTAL ACRES : 13.03
DENSITY : N/A
NO. OF LOTS : 7

DEVELOPER
SCOTT ADAMS
STERLING MANOR HOMES
P.O. BOX 25
HOSCHTON, GA 30548

DESIGNER
LEE JAY JOHNSON
LAND DEVELOPMENT SURVEYORS, INC.
P.O. BOX 2050
DACULA, GA 30019

PROJECT DESCRIPTION : OLD PEACHTREE ESTATES (XPL), R-100, 7 LOTS, 13.03 ACRES, SEPTIC

CASE NUMBER : PLAT2025-00010 ADDRESS : OLD PEACHTREE RD (1600 BLOCK), DULUTH, GA 30097 PROJECT : SUGARLOAF KOREAN BAPTIST CHURCH (XPL)

COMMISSION DIST: 1
PARCEL # : 7165 009
STATUS : Plans Authorized
RECEIVED ON : 1/11/2025
ISSUED ON : 8/25/2025
TOTAL ACRES : 7.10
DENSITY : N/A
NO. OF LOTS : 2

DEVELOPER
CHANGDAE PARK
1664 OLD PEACHTREE ROAD
SUWANEE, GA 30024

DESIGNER
ROGER N. LONDON
LONDON LAND SURVEYING & ASSOCIATES, INC.
167 EAST JARROD STREET
CLEVELAND, GA 30528

PROJECT DESCRIPTION : SUGARLOAF KOREAN BAPTIST CHURCH (XPL), R-100, 2 LOTS, 7.10 ACRES, SEWER

CASE NUMBER : PLAT2025-00040 ADDRESS : SOUTH BOGAN RD (3800 BLOCK), BUFORD, GA 30519 PROJECT : MEREDITH SIMES TRACTS (XPL)

COMMISSION DIST: 4
PARCEL # : 7220 015
STATUS : Plans Authorized
RECEIVED ON : 1/29/2025
ISSUED ON : 8/11/2025
TOTAL ACRES : 5.47
DENSITY : N/A
NO. OF LOTS : 6

DEVELOPER
MERIDITH SIMES
SIMES SIGNATURE PROPERTIES
23 MORGAN STREET
BUFORD, GA 30518

DESIGNER
CHRISTOPHER C. BALDWIN
THOMAS AND HUTTON
5074 BRISTOL INDUSTRIAL WAY, SUITE A
BUFORD, GA 30518

PROJECT DESCRIPTION : MEREDITH SIMES TRACTS (XPL), R-100, 6 LOTS, 5.47 ACRES, SEPTIC

CASE NUMBER : PLAT2025-00055 ADDRESS : WEBB GIN HOUSE RD (2400 BLOCK), SNELLVILLE, GA 30078 PROJECT : CANNON UNITED METHODIST CHURCH (XPL)

COMMISSION DIST: 3 TOTAL ACRES : 18.64

PARCEL # : 5023 015 DENSITY : N/A

STATUS : Plans Authorized NO. OF LOTS : 2

RECEIVED ON : 2/13/2025

ISSUED ON : 8/4/2025

DEVELOPER

JIM TRAVIS
CANNON UNITED METHODIST CHURCH
2424 WEBB GIN HOUSE ROAD
SNELLVILLE, GA 30078

DESIGNER

MICHAEL R. SHEPHERD
GRANT SHEPHERD & ASSOCIATES, INC.
735 LONGLEAF BOULEVARD, SUITE A
LAWRENCEVILLE, GA 30046

PROJECT DESCRIPTION : CANNON UNITED METHODIST CHURCH (XPL), R-100, 2 LOTS, 18.64 ACRES, SEPTIC

CASE NUMBER : PLAT2025-00068 ADDRESS : MOON RD (600 BLOCK), LAWRENCEVILLE, GA 30046 PROJECT : AFGHAN & ARIA PROPERTIES (XPL)

COMMISSION DIST: 3 TOTAL ACRES : 2.35

PARCEL # : 5117 003 DENSITY : N/A

STATUS : Plans Authorized NO. OF LOTS : 3

RECEIVED ON : 2/24/2025

ISSUED ON : 8/25/2025

DEVELOPER

AREAN AFGHAN
YARAAB HOMECARE SERVICES, INC.
630 MOON ROAD
LAWRENCEVILLE, GA 30046

DESIGNER

PATRICK F. CAREY
KEYSTONE LANDSURVEYING, INC.
262 WEST CROGAN STREET
LAWRENCEVILLE, GA 30046

PROJECT DESCRIPTION : AFGHAN & ARIA PROPERTIES (XPL), R-75, 3 LOTS, 2.35 ACRES, SEWER

CASE NUMBER : PLAT2025-00105 ADDRESS : GARRETT RD (6500 BLOCK), BUFORD, GA 30518 PROJECT : CLEMENTS, MARY K. (XPL)

COMMISSION DIST: 4 TOTAL ACRES : 1.75

PARCEL # : 7372 032 DENSITY : N/A

STATUS : Plans Authorized NO. OF LOTS : 3

RECEIVED ON : 3/25/2025

ISSUED ON : 8/21/2025

DEVELOPER

MARY K. CLEMENTS
6602 GARRETT ROAD
BUFORD, GA 30518

DESIGNER

DANIEL W. VENABLE
ON POINT SURVEYING AND MAPPING, INC.
3372 PEACHTREE ROAD, SUITE 115
ATLANTA, GA 30326

PROJECT DESCRIPTION : CLEMENTS, MARY K. (XPL), RL, 3 LOTS, 1.75 ACRES, SEPTIC

CASE NUMBER : PLAT2025-00125 ADDRESS : CENTERVILLE HWY (3800 BLOCK), SNELLVILLE, GA 30039 PROJECT : PARKWAY JAMES

COMMISSION DIST: 2
PARCEL # : 6013 014
STATUS : Plans Authorized
RECEIVED ON : 4/8/2025
ISSUED ON : 8/15/2025

TOTAL ACRES : 6.19
DENSITY : 5.82
NO. OF LOTS : 36

DEVELOPER
WAYNE MOREHEAD
SENIOR DESIGN GROUP
3112 MAIN STREET, SUITE 200
DULUTH, GA 30096

DESIGNER
JERRY D. WOOD
DUSOUTH SURVEYING & ENGINEERING, INC.
22 SOUTH BARNETT SHOALS ROAD
WATKINSVILLE, GA 30677

PROJECT DESCRIPTION : SINGLE-FAMILY SUBDIVISION, R-TH PER RZM2021-00012, 36 LOTS, 6.19 ACRES, 4.10 ACRES OPEN SPACE, SEWER

CASE NUMBER : PLAT2025-00140 ADDRESS : KELLY GLEN CT (3200 BLOCK), DACULA, GA 30019 PROJECT : DOMBROWSKI, RICHARD (XPL)

COMMISSION DIST: 3
PARCEL # : 5325 028
STATUS : Plans Authorized
RECEIVED ON : 4/18/2025
ISSUED ON : 8/11/2025

TOTAL ACRES : 7.32
DENSITY : N/A
NO. OF LOTS : 2

DEVELOPER
RICHARD S. DOMBROWSKI
3280 KELLY GLEN COURT
DACULA, GA 30019

DESIGNER
ZACHARY R. GARRETT
GARRETT LAND SURVEYING, LLC
102 ETHRIDGE WAY
HARTWELL, GA 30643

PROJECT DESCRIPTION : DOMBROWSKI, RICHARD (XPL), RA-200, 2 LOTS, 7.32 ACRES, SEPTIC

CASE NUMBER : PLAT2025-00154 ADDRESS : MCGEE RD (1900 BLOCK), SNELLVILLE, GA 30078 PROJECT : WATSON PARK

COMMISSION DIST: 3
PARCEL # : 5008 001
STATUS : Plans Authorized
RECEIVED ON : 4/30/2025
ISSUED ON : 8/22/2025

TOTAL ACRES : 27.51
DENSITY : 1.47
NO. OF LOTS : 41

DEVELOPER
DUNCAN CORLEY
CKK DEVELOPMENT SERVICES, LLC
270 NORTH CLAYTON STREET
LAWRENCEVILLE, GA 30046

DESIGNER
KEVIN V. RINGO
RINGO ABERNATHY & ASSOCIATES, INC.
257 PINECREST LANE
BRASELTON, GA 30517

PROJECT DESCRIPTION : SINGLE-FAMILY SUBDIVISION, R-100, 41 LOTS, 27.51 ACRES, 8.35 ACRES OPEN SPACE, SEWER

CASE NUMBER : PLAT2025-00167 ADDRESS : OAK RIDGE CIR (1700 BLOCK), STONE MOUNTAIN, GA 30087 PROJECT : ADDENDUM TO STILLWOOD FOREST (XPL)

COMMISSION DIST: 2
PARCEL # : 6075 095
STATUS : Plans Authorized
RECEIVED ON : 5/5/2025
ISSUED ON : 8/15/2025

TOTAL ACRES : 1.27
DENSITY : N/A
NO. OF LOTS : 1

DEVELOPER
MICHAEL GOFF
1706 OAK RIDGE CIRCLE
STONE MOUNTAIN, GA 30087

DESIGNER
PATRICK F. CAREY
KEYSTONE LAND SURVEYING, INC.
262 WEST CROGAN STREET
LAWRENCEVILLE, GA 30046

PROJECT DESCRIPTION : ADDENDUM TO STILLWOOD FOREST (XPL), R-100, 1 LOT, 1.27 ACRES, SEPTIC

CASE NUMBER : PLAT2025-00169 ADDRESS : MCKENDREE CHURCH RD (1600 BLOCK), LAWRENCEVILLE, GA 30043 PROJECT : SAAVEDRA, JESUS (XPL)

COMMISSION DIST: 1
PARCEL # : 7070 007
STATUS : Plans Authorized
RECEIVED ON : 5/6/2025
ISSUED ON : 8/25/2025

TOTAL ACRES : 1.62
DENSITY : N/A
NO. OF LOTS : 2

DEVELOPER
JESUS SAAVEDRA
886 ALMEDA CIRCLE
LAWRENCEVILLE, GA 30043

DESIGNER
PATRICK F. CAREY
KEYSTONE LAND SURVEYING, INC.
262 WEST CROGAN STREET
LAWRENCEVILLE, GA 30046

PROJECT DESCRIPTION : SAAVEDRA, JESUS (XPL), R-100, 2 LOTS, 1.62 ACRES, SEWER

CASE NUMBER : PLAT2025-00170 ADDRESS : SUWANEE DAM RD (6400 BLOCK), BUFORD, GA 30518 PROJECT : PARKVIEW LANDING

COMMISSION DIST: 4
PARCEL # : 7364 068
STATUS : Plans Authorized
RECEIVED ON : 5/7/2025
ISSUED ON : 8/13/2025

TOTAL ACRES : 9.87
DENSITY : 4.45
NO. OF LOTS : 44

DEVELOPER
MICHAEL PHELPS
SOUTHERN HERITAGE HOME BUILDERS, LLC
390 BROGDON ROAD
SUWANEE, GA 30024

DESIGNER
LEE JAY JOHNSON
LAND DEVELOPMENT SURVEYORS, INC.
P.O. BOX 2050
DACULA, GA 30019

PROJECT DESCRIPTION : SINGLE FAMILY SUBDIVISION, TND PER RZM2021-00016, 44 LOTS, 9.87 ACRES, 2.00 ACRES OPEN SPACE, SEWER

CASE NUMBER : PLAT2025-00194 ADDRESS : WILDWOOD RD (3100 BLOCK), SUWANEE, GA 30024 PROJECT : BARTLETT RIDGE

COMMISSION DIST: 1
PARCEL # : 7166 001E
STATUS : Plans Authorized
RECEIVED ON : 5/22/2025
ISSUED ON : 8/1/2025

TOTAL ACRES : 17.44
DENSITY : 4.88
NO. OF LOTS : 85

DEVELOPER
CORBITT WOODS
MHB LENDING, LLC
390 BROGDON ROAD
SUWANEE, GA 30024

DESIGNER
CHRISTOPHER C. BALDWIN
THOMAS & HUTTON
5074 BRISTOL INDUSTRIAL WAY, SUITE A
BUFORD, GA 30518

PROJECT DESCRIPTION : SINGLE-FAMILY SUBDIVISION, R-TH PER RZM2024-00004, 85 LOTS, 17.44 ACRES, 7.65 ACRES OPEN SPACE, SEWER

CASE NUMBER : PLAT2025-00207	ADDRESS : OZORA RD (800 BLOCK), LOGANVILLE, GA 30052	PROJECT : OZORA HEIGHTS PHASE 2

COMMISSION DIST:	3	TOTAL ACRES :	11.68	DEVELOPER JESSE HARP AMH LANDCO OZORA HEIGHTS, LLC 280 PILOT ROAD LAS VEGAS, NV 89119	DESIGNER DONALD EDWARD JAMES PRECISION PLANNING INC. 400 PIKE BOULEVARD LAWRENCEVILLE, GA 30046
PARCEL # :	5196 002	DENSITY :	1.97		
STATUS :	Plans Authorized	NO. OF LOTS :	23		
RECEIVED ON :	5/29/2025				
ISSUED ON :	8/27/2025				

PROJECT DESCRIPTION : OZORA HEIGHTS PHASE 2, TND PER RZR2020-00019, 23 LOTS, 11.68 ACRES, SEWER

CASE NUMBER : PLAT2025-00265	ADDRESS : BRASELTON HWY (3200 BLOCK), DACULA, GA 30019	PROJECT : LEHNER, ANA (XPL)

COMMISSION DIST:	3	TOTAL ACRES :	1.89	DEVELOPER ANA LEHNER 3248 BRASELTON HIGHWAY DACULA, GA 30019	DESIGNER BRIAN R. SUTHERLAND GEORGIA PREMIER LAND SERVICES, INC. 3010 HAMILTON MILL ROAD BUFORD, GA 30519
PARCEL # :	5325 437	DENSITY :	N/A		
STATUS :	Plans Authorized	NO. OF LOTS :	2		
RECEIVED ON :	7/10/2025				
ISSUED ON :	8/25/2025				

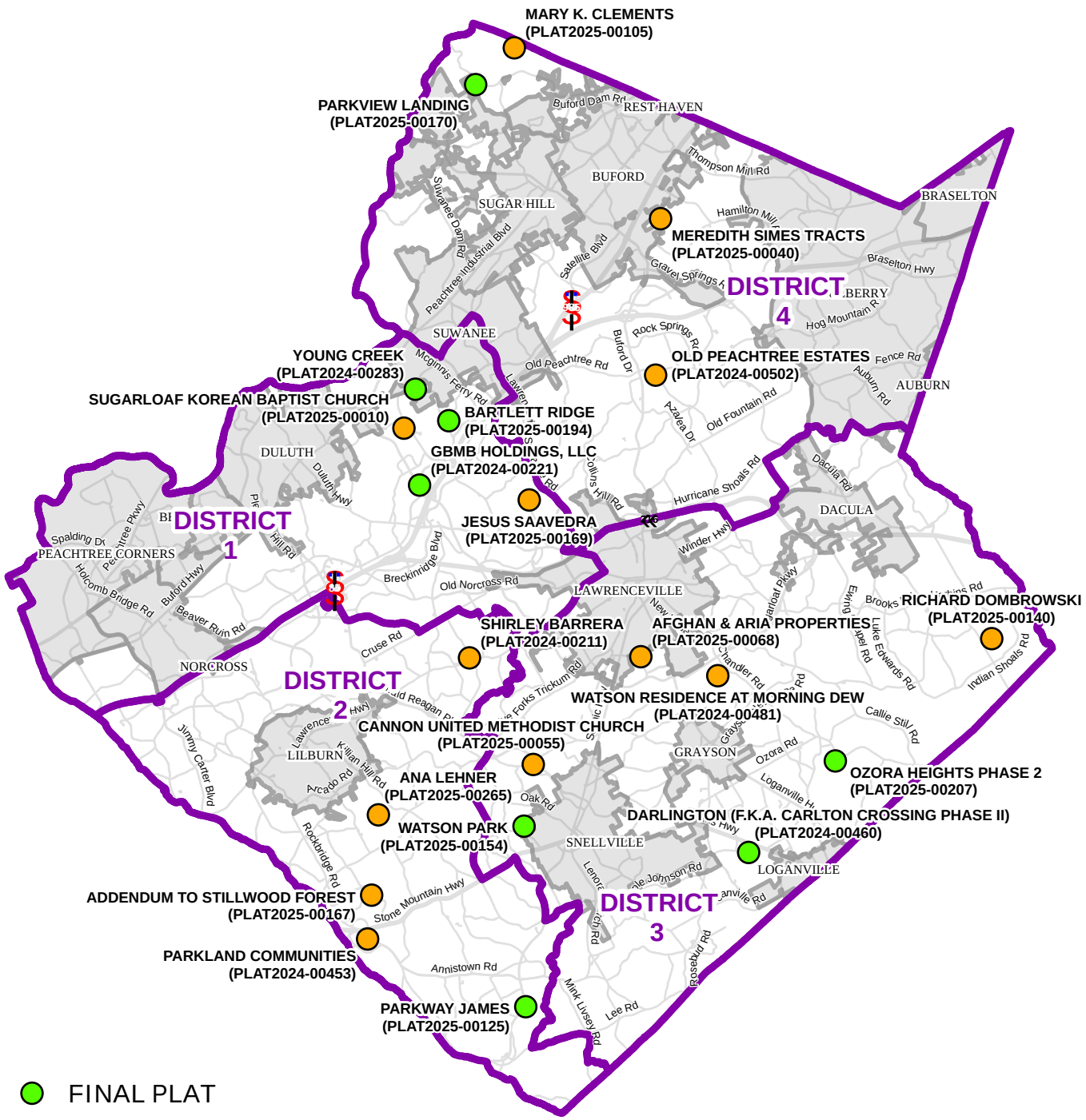
PROJECT DESCRIPTION : LEHNER, ANA (XPL), R-100, 2 LOTS, 1.89 ACRES, SEPTIC

TOTAL FOR : Plat	NO. OF CASES : 21	NO. OF LOTS : 455	TOTAL ACRES : 214.74

GRAND TOTALS	NO. OF CASES : 21	NO. OF LOTS : 455	TOTAL ACRES : 214.74

Gwinnett County Department of Transportation will notify the Georgia Department of Transportation of the additional of all accepted roads systems as required by O.C.G.A. 32-4-41(4).

Final Plats and Exemption Plats
Approved in August 2025
by Planning and Development



Path: Q:\Planning_and_Development\Monthly_Plat_Ratifications\MXDs\2025\Monthly Plat Ratifications 2025\Monthly Plat Ratifications 2025.aprx