PLANNING COMMISSION AGENDA

February 26, 2016
12:00 PM
CITY HALL

A. Roll Call

B. Approval of February 9, 2016 Minutes

C. Old Business: (None)

D. New Business:

1. **PH 2016-001 Zoning Code. Consideration of amending and adopting the City of Peachtree Corners zoning ordinance and ratifying all prior amendments to same; amending and adopting policies and procedures to be used by the Mayor and Council in calling and conducting hearings as required by O.C.G.A. Sect. 36-66-4; amending and adopting a zoning map for the City of Peachtree Corners, and ratifying all prior amendments to same.**

2. **PH 2016-002 Sign Ordinance. Consideration of and amending and adopting the sign ordinance.**

E. City Business Items: (None)

F. Comments by Staff and Planning Commissioners.

G. Adjournment.

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CITY OF PEACHTREE CORNERS
PLANNING COMMISSION MINUTES
February 9, 2016

The City of Peachtree Corners held a Planning Commission meeting. The meeting was held at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. The following were in attendance:

Planning Commission:	Matt Houser, Chairman, Post D Alan Kaplan, Post A Mark Middleton, Post B Mark Willis, Post C Italia Metts, Post E
Staff:	Diana Wheeler, Community Development Director Kym Chereck, City Clerk

MINUTES:

MOTION TO APPROVE THE MINUTES FROM THE JANUARY 12, 2016 PLANNING COMMISSION MEETING.
By: Alan Kaplan
Seconded by: Mark Willis
Vote: Passed 5-0 (Kaplan, Willis, Houser, Middleton, Metts)

OLD BUSINESS: (None)

NEW BUSINESS:

1. **RZ2016-001/SUP2016-001, South Old Peachtree Rd. Auto Repair Request to rezone and approve a special use permit for an auto repair and storage facility on 6.89 acres at 4285 South Old Peachtree Rd., in District 6, Land Lots 259 and 268, Parcels 016,373 and 374, Peachtree Corners, GA.**

Mrs. Diana Wheeler, Community Development Director, presented the case to the Commission. Mrs. Wheeler provided background information regarding the applicant's request. The applicant is requesting to rezone 6.89 acres located at 4285 South Old Peachtree Road from M-2 (Heavy Industry District) to M-1 (Light Industry District), along with a Special Use Permit, in order to allow for an automobile service/repair shop and outdoor storage of vehicles. Outdoor storage is permitted in M-1, so long as certain conditions are met. An automobile service/repair shop is permitted in M-1 with a Special Use Permit. M-2 allows for outdoor storage and automobile or truck storage lot, but it does not permit automobile service/repair shops. The property was previously used as a diesel engine repair shop. No previous zoning cases are associated with the subject property. After review of the applicant's proposal, Staff recommended approval of the application with the following conditions:

1) Vehicle storage shall not be located within the front yard.

2) Vehicle storage shall be screened by a solid wood fence, masonry wall, or slatted chain-link fence at least eight (8) feet high.

3) Vehicle storage shall be limited to one automobile per parking space. All vehicles must be parked in designated spaces and no 'tandem' or 'valet' parking shall be permitted. A parking plan shall be submitted to Staff for approval.

4) No inoperable (junk/salvage) vehicles shall be stored outdoors.

5) No vehicles shall be located on unpaved surfaces.

6) Vehicles or materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.

7) All vehicle maintenance and mechanical work shall be conducted within an enclosed building.

8) The existing magnolia trees at the front of the property shall be preserved and no new parking spaces shall be constructed between the existing office structure and South Old Peachtree Road.

9) No billboards shall be permitted on the property.

10) Dumpsters shall not be located in front of the existing office structure and shall be screened by an opaque decorative wall, at least six (6) feet in height, which will coordinate with the building architecture.

11) Outdoor lighting shall be contained in cutoff-type luminaries and shall be directed inward toward the property so as not to reflect into adjacent properties or to create a hazard for passing automobile traffic.

12) Permanent freestanding project signage shall be limited to one monument sign to be located at the front of the property.

13) Any outside speakers shall not be audible from adjacent properties.

14) All conditions must be met before a business license can be issued.

Ms. Johanna Monroy represented the applicant. Ms. Monroy stated that the applicant had no issues with Staff's conditions.

Chairman Houser opened the floor for public comment. There was no public comment.

MOTION TO APPROVE RZ2016-001/SUP2016-001 AS PRESENTED WITH STAFF'S RECOMMENDED CONDITIONS.
By: Mark Willis
Seconded: Mark Middleton
Vote: (5-0) (Willis, Middleton, Houser, Kaplan, Metts)

2. **<u>RZ2015-006 / SUP 2015-005/ V2016-002 Twin Lakes</u>, Request to rezone ten parcels in District 6 of Peachtree Corners, Georgia, to allow commercial, multi-family, and trail development and approve a special use permit for a liquor store and associated variances on a total of 38.73 acres, as follows:**

   - **Parcel #1 Rezone from M-1, Light Industry, to TO, Trails and Open Space, an 8.87 acre tract located in LL284, parcel 015 at 3550 Engineering Dr.**
   - **Parcel #2 Rezone from M-1, Light Industry, to C2, Commercial, a 1.9 acre tract LL284, parcel 016 and 018 on Peachtree Parkway at Engineering Dr.**
   - **Parcel #3 Rezone from M-1, Light Industry, to C2, Commercial, and approve a special use permit for a liquor store on a 4.7 acre tract located in LL284, parcel 018 on Peachtree Parkway at Engineering Dr.**
   - **Parcel #4 Rezone from M-1, Light Industry, to C2, Commercial, and TO, Trails and Open Space, a 1.23 acre tract located in LL 285, parcel 056 on Technology Parkway near Westech Dr.**
   - **Parcel #5 Rezone from M-1, Light Industry, to TO, Trails and Open Space, a .73 acre tract located in LL284, parcel 040 on Technology Pkwy. near Westech Dr.**
   - **Parcel #6 Rezone from M-1, Light Industry, to TO, Trails and Open Space, a .35 acre tract located in LL284, parcel 041 on Technology Pkwy. near Westech Dr.**

- **Parcel #7 Rezone from M-1, Light Industry, to TO, Trails and Open Space, a 4.33 acre tract located in LL285, parcel 010 on Technology Pkwy. near Westech Dr.**
- **Parcels #8, #9, #10 Rezone from M-1, Light Industry, to RM-13, Multi-Family Residence, three tracts consisting of 14.03 acres located in LL272, parcels 061, 062, and 064 on Peachtree Industrial Blvd. and 510 and 520 Guthridge Ct.**

The applicant's representative, Mr. Lee Tucker, presented information concerning the case. The applicant is seeking to rezone ten parcels totaling 38.73 acres. The parcels are located along Peachtree Parkway, Peachtree Industrial Boulevard, Technology Parkway, and Guthridge Court. These properties would be contiguous if not for their separation by roadways and natural features. In addition to the rezoning, the applicant is requesting a special use approval for one of the retail buildings to be developed as a liquor store along with variances to certain building heights and setbacks, along with a stream buffer variance in order to allow a portion of a stream to be piped. Parcel descriptions are available in the Staff Report, which can be found on the City's website. The applicant would like to develop a gas station and liquor store along Peachtree Parkway and construct a 295 unit millennial housing project off Peachtree Industrial Boulevard. The retail stores would be located on land that is currently undeveloped. The residential project would replace existing, vacant office buildings in an area surrounded by offices and townhomes. In order to gain the needed density on the residential development site, the applicant proposes to utilize the provisions of the recently adopted T-O, Trails and Open Space Ordinance. The ordinance allows land to be contributed to the Multi-Use Trail system and provides for reimbursement of that contribution with multi-family housing credits. In this case, the existing zoning on the millennial housing site yields 182 units. By contributing 13.55 acres to the Multi-Use Trail system as proposed, the applicant will generate an additional 176 credit units (13.55ac. x 13 units/ac.). Since only 113 additional units are needed for the proposed 295 unit project, the remaining 63 surplus units will be established as a credit. In addition to making a land contribution to the trail system, the applicant also proposes to build that portion of the trail that spans from Parcel #1 to Parcel #7. Therefore, if this application is approved, a significant portion of the first trail segment will be built as a result of this project. The applicant stated that he is okay with Staff's conditions and recommended the two following conditions:

25. Interior features for residential units shall be in general conformity with the pictures presented to the Planning Commission on February 9, 2015 and include: stainless appliances, gourmet kitchens with granite countertops, designer ceramic tile back splashes, wood cabinets, upscale plank or engineered wood flooring, designer lighting, granite countertops and ceramic tile tub surrounds in bath, 9' ceilings, ceiling fans in primary living space, generous closets, connections for full size stackable washer/dryer units, walkout balconies.

26. Community features for millennial housing shall be in general conformity with the pictures presented to the Planning Commission on February 9, 2015 and include, resort-style pool and courtyard with tanning deck, dock with aquatic amenities (i.e. paddle boards and kayaks), expansive clubhouse with cyber café/Wi-Fi and business center, outdoor grilling and entertainment space with fireplace and bocce ball court, state of the art fitness center.

Diana Wheeler, Community Development Director stated that after review of the applicant's proposal and other relevant information, it is recommended that SUP2015-005, RZ2015-006 and V2016-002 be approved subject to the following conditions:

With regard to Parcels #1, 6, and 7 as shown on 'Attachment A', Property Zoning Map, dated 1/2/16:

1. These properties shall be rezoned T-O, Trails and Open Space

2. Prior to the issuance of the first Certificate of Occupancy on Parcels zoned C-2 or RM-13, Parcel #1 shall be deeded to the City of Peachtree Corners Downtown Development Authority and all the other Parcels zoned T-O shall be placed into a conservation easement to benefit the City of Peachtree Corners for public use and access in perpetuity. The conservation easement documents shall be recorded, conveyed to the city and include, but not be limited to, the following provisions in favor of the city:

a) The right to unrestricted public access to the property for purposes consistent with T-O zoning regulations.
b) The right to make improvements to the land consistent with T-O zoning regulations and an adopted Multi-Use Trail plan.
c) The right to limit signage to way-finding, educational, and other signage associated with the Multi-Use trail system.
d) The right to prohibit any earth work, filling, dredging, other changes in topography or drainage, or any other changes to the land that are inconsistent with, or detrimental to, the Multi-Use trail.

The property owner or subsequent developer shall bear the expense of establishing the conservation easement including cost of surveys, title work, appraisals, and legal fees.

3. Pursuant to Ordinance 2015-11-59, Trails and Open Space, the 13.55 acres attributed to the T-O zoned parcels shall be assigned 13 multi-family density unit credits per acre for a total of 176 density units. 113 of the 176 total density units shall be allocated to the multi-family residential development shown on Parcels #8, #9, and #10. The remaining 63 surplus density units shall be credited to an account established for the property owner.

With regard to Parcels #2, 3, 4 and 5 as shown on 'Attachment A', Property Zoning Map, dated 1/2/16:

4. The properties shall be rezoned C-2, commercial and shall be developed in general conformity with the submitted site plan prepared by Planners and Engineers Collaborative dated 11/15/15 (except as noted in condition #9).

5. A Special Use Permit shall be approved on Parcel #2 for a Liquor Store use.

6. The property owner or subsequent developer shall construct that portion of the Multi-Use Trail on its property and/or within the Colonial Gas line easement between Peachtree Parkway and Technology Park Lake (including parcels #6 and #7). The trail shall be consistent with the trail location and configuration shown in the adopted Multi-Use Trail plan and shall include, at a minimum, a 12 ft. wide paved path, lighting, and a small lake dock. The trail shall be completed prior to the issuance of the first Certificate of Occupancy for the first building constructed on the C-2 or RM-13 zoned parcels.

7. If the Multi-Use Trail winds around back of the convenience store, the right-in only driveway shall be designed to accommodate a trail crossing.

8. The property owner or subsequent developer shall be responsible for all traffic and roadway improvements required to construct a new intersection at Engineering Drive and Peachtree Parkway and to extend Engineering Drive to Technology Parkway. These improvements shall include, but not be limited to: traffic light, crosswalks, sidewalks on both sides of the road, bike lane, and, where necessary, deceleration lanes.

9. Development parcels shall be designed to mitigate the amount of impervious surface associated therewith as is reasonably possible in order to retain as much of the existing topography, trees, and stream as reasonably practicable. Retaining walls shall be built to minimize the footprint of the commercial buildings and parking areas. Setback requirements may be reduced if doing so benefits the preservation of trees or stream. However, the landscape strip along Peachtree Parkway required by Overlay Design Standards shall be provided.

10. To retain as many of the natural features at the rear of the properties, surface parking spaces shall be located to the front and sides of the buildings.

11. Architectural elevations for the gas station and liquor store shall be substantially similar to the drawings submitted via letter and dated 1/29/16.

12. Stream setback requirements shall be waived in order to accommodate the developments on C-2 zoned properties. Piping of the stream shall be permitted provided that only the least amount of piping that can be demonstrated to be reasonably necessary is installed.

13. The property owner or subsequent developer shall be responsible for median landscaping (installation and maintenance) in Peachtree Parkway for the length of the median contiguous to the application property. Landscaping plans shall be subject to Staff's approval.

14. Sanitary Sewer line relocation shall be accomplished in the manner that will have the least environmental impact to the site.

15. Detention ponds visible from roadways shall be screened with landscape plantings to be approved by Staff.

<u>With regard to Parcels #8, #9, and #10 as shown on 'Attachment A', Property Zoning Map, dated 1/2/16:</u>

16. The property owner or subsequent developer shall be responsible for all traffic and roadway improvements required at Peachtree Industrial Boulevard and Guthridge Ct. and along Guthridge Ct.

17. The property owner or subsequent developer shall make every reasonable effort to acquire a pedestrian / bicycle access easement between the Guthridge Ct. residential development and Technology Parkway South. The residential development shall include a dedicated pedestrian / bicycle access at the closest point of the easement.

18. Millennial housing development shall not exceed 295 units. The units shall be limited to one and two bedroom floor plans.

19. Site development shall be substantially similar to plans prepared by Planners and Engineers Collaborative dated 11/18/15 except that buildings located along Guthridge Ct. and Peachtree Industrial Boulevard shall maintain a 10 ft. setback from the property line and that 10 ft. strip shall be landscaped with plant material approved by Staff.

20. The owner or subsequent developer shall landscape and maintain the right-of-way immediately in front of the millennial housing project along Peachtree Industrial Boulevard.

21. Site amenities shall include: pedestrian / bike trail; fitness facility, a dog park, an electric car recharge station, and a lake dock; No children's playground equipment shall be permitted.

22. A central mail kiosk and a trash and recycling station shall be designed to match the main buildings and shall be located near Guthridge Ct.

23. Every reasonable effort shall be made to preserve specimen trees near the lakes.

24. Building designs shall incorporate features that are compliant with Peachtree Corners' Green Building Ordinance wherever practical.

Chairman Houser opened the floor to anyone wanting to speak in favor or opposition to the proposal. Mr. Robert Howard of 6290 Forest Hills Drive, presented the Commission with a handout which included an assessment and recommendations for this proposed application. A copy of the handout is available at the City Clerk's office. Mr. Robert Hilburn represented the United Peachtree Corners Civic Association (UPCCA) and stated that the UPCCA is in favor of the proposed application. Mr. Eric Larson of 5649 Knox Court, expressed support for the proposed application.

MOTION TO APPROVE RZ2015-006 / SUP 2015-005/ V2016-002 TWIN LAKES WITH 31 CONDITIONS (AS READ BY ALAN KAPLAN).
By: Alan Kaplan
Seconded: Matt Houser

SUBSTITUTE MOTION TO APPROVE RZ2015-006 / SUP 2015-005/ V2016-002 TWIN LAKES WITH CONDITIONS TO BE VOTED ON INDIVIDUALLY.
By: Mark Middleton
Seconded: Mark Willis
Vote: (0-5) (Middleton, Willis, Houser, Kaplan, Metts opposed)

After discussion it was determined that the first motion, which was by Alan Kaplan, would consist of Staff's recommended conditions voted on as a group, and the remaining motions to be voted on individually.

MOTION TO APPROVE RZ2015-006 / SUP 2015-005/ V2016-002 TWIN LAKES WITH STAFF'S RECOMMENDED CONDITIONS NUMBERING TWENTY-FOUR (24).
By: Alan Kaplan
Seconded: Matt Houser
Vote: (5-0) (Kaplan, Houser, Middleton, Willis, Metts)

MOTION TO APPROVE THE APPLICANT'S CONDITION NUMBER 25 WHICH READS AS FOLLOWS: INTERIOR FEATURES FOR RESIDENTIAL UNITS SHALL BE IN GENERAL CONFORMITY WITH THE PICTURES PRESENTED TO THE PLANNING COMMISSION ON FEBRUARY 9, 2015 AND INCLUDE: STAINLESS APPLIANCES, GOURMET KITCHENS WITH GRANITE COUNTERTOPS, DESIGNER CERAMIC TILE BACK SPLASHES, WOOD CABINETS, UPSCALE PLANK OR ENGINEERED WOOD FLOORING, DESIGNER LIGHTING, GRANITE COUNTERTOPS AND CERAMIC TILE TUB SURROUNDS IN BATH, 9'

CEILINGS, CEILING FANS IN PRIMARY LIVING SPACE, GENEROUS CLOSETS, CONNECTIONS FOR FULL SIZE STACKABLE WASHER/DRYER UNITS, WALKOUT BALCONIES.
By: Alan Kaplan
Seconded: Matt Houser
Vote: (5-0) (Kaplan, Houser, Middleton, Willis, Metts)

MOTION TO APPROVE THE APPLICANT'S CONDITION NUMBER 26 WHICH READS AS FOLLOWS: COMMUNITY FEATURES FOR MILLENNIAL HOUSING SHALL BE IN GENERAL CONFORMITY WITH THE PICTURES PRESENTED TO THE PLANNING COMMISSION ON FEBRUARY 9, 2015 AND INCLUDE, RESORT-STYLE POOL AND COURTYARD WITH TANNING DECK, DOCK WITH AQUATIC AMENITIES (I.E. PADDLE BOARDS AND KAYAKS), EXPANSIVE CLUBHOUSE WITH CYBER CAFÉ/WI-FI AND BUSINESS CENTER, OUTDOOR GRILLING AND ENTERTAINMENT SPACE WITH FIREPLACE AND BOCCE BALL COURT, STATE OF THE ART FITNESS CENTER.
By: Alan Kaplan
Seconded: Matt Houser
Vote: (5-0) (Kaplan, Houser, Middleton, Willis, Metts)

MOTION TO APPROVE CONDITION NUMBER 27, WHICH READS AS FOLLOWS: THE GAS PUMP CANOPY COLUMNS SHALL BE CLAD IN MASONRY AND THE DESIGN AND MATERIAL APPROVED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT.
By: Alan Kaplan
Seconded: Matt Houser
Vote: (4-1) (Kaplan, Houser, Willis, Metts) (Middleton opposed)

MOTION TO APPROVE CONDITION NUMBER 28, WHICH READS AS FOLLOWS: PRIOR TO AN ISSUANCE OF A CO, THE PROPERTY OWNER OR OWNERS OF THE CONVENIENCE STORE GAS STATION AND THE WINE STORE PROPERTIES, SHALL PLANT AN ENHANCED BUFFER ALONG THE ENTIRE FRONTAGE OF THEIR PROPERTY ON PEACHTREE PARKWAY. THIS BUFFER SHALL CONSIST OF, AT A MINIMUM, DOUBLE STAGGERED ROWS OF EVERGREEN PLANTS, TO BE AT LEAST 3 FEET AT MATURITY, SUFFICIENT TO PREVENT, WITHIN ONE YEAR OF PLANTING, THE VIEW OF ALL PAVEMENT SURROUNDING THE GAS PUMPS AND BUILDINGS BY PASSENGERS IN VEHICLES TRAVELING ALONG PEACHTREE PARKWAY. SAID BUFFER SHALL BE APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR AND MAINTAINED FOR THIS PURPOSE AT ALL TIMES BY THE PROPERTY OWNER.
By: Alan Kaplan
Seconded: Matt Houser
Vote: (5-0) (Kaplan, Houser, Middleton, Willis, Metts)

MOTION TO APPROVE CONDITION NUMBER 29, WHICH READS AS FOLLOWS: IF THE MULTI-USE TRAIL EXTENDS ALONG ENGINEERING DRIVE BETWEEN PEACHTREE PARKWAY AND TECHNOLOGY PARKWAY, PRIOR TO THE ISSUANCE OF A CO, THE PROPERTY OWNER OR OWNERS OF THE WINE STORE AND CONVENIENCE STORE GAS STATION PROPERTIES SHALL PLANT ENHANCED LANDSCAPE STRIPS FOR THE DEVELOPED PORTION OF THE PROPERTY FACING THE TRAIL SYSTEM BETWEEN THE TWO BUSINESSES. THIS BUFFER SHALL CONSIST OF, AT A MINIMUM DOUBLE STAGGERED ROWS OF EVERGREEN PLANTS SUFFICIENT TO REDUCE BY AT LEAST 50% WITHIN ONE YEAR OF PLANTING, THE VIEW OF ALL PAVEMENT SURROUNDING THE GAS PUMPS AND BUILDINGS BY PEDESTRIANS AND CYCLISTS USING THE TRAIL. SAID BUFFER SHALL BE APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR AND MAINTAINED AT ALL TIMES BY PROPERTY OWNER FOR THIS PURPOSE.
By: Alan Kaplan
Seconded: Matt Houser
Vote: (4-1) (Kaplan, Houser, Willis, Metts) (Middleton opposed)

MOTION TO APPROVE CONDITION NUMBER 30, WHICH READS AS FOLLOWS: APPLICANT SHALL SUBMIT FINAL DETAILED SITE AND ARCHITECTURAL PLANS TO THE PLANNING COMMISSION FOR APPROVAL FOR THE GAS STATION, WINE STORE AND MILLENNIAL HOUSING PROJECT.
By: Alan Kaplan
Seconded: Matt Houser
Vote: (5-0) (Kaplan, Houser, Middleton, Willis, Metts)

MOTION TO APPROVE CONDITION NUMBER 31, WHICH READS AS FOLLOWS: THE MILLENNIAL HOUSING PROJECT SHALL BE LIMITED TO 30% 2-BEDROOM UNITS, WITH THE REMAINING BEING 1-BEDROOM UNITS.
By: Alan Kaplan
Seconded: Matt Houser
Vote: (3-2) (Kaplan, Houser, Metts) (Middleton and Willis opposed)

3. **V2016-001, Town Center, Request for a stream buffer variance (in conjunction with SUP2015-003 approved 6/9/2015) for a portion of a 19.6 acre property located at Peachtree Parkway near Forum Dr. in District 6, Land Lot 301, Parcel 183, Peachtree Corners, GA**

Diana Wheeler, Community Development Director, informed the Commission that the subject property is a part of a 19.6 acre tract that is planned for the Town Center. The development plans for the property were approved on

6/9/15. Normally, any variances that are needed as part of a planned development are considered at the same time as the Special Use Permit or Rezoning application. However, in this case, the Town Center drawings were not sufficiently developed to determine if any specific site variances would be required by the time of the public hearing last June. As a result, the variances associated with SUP2015-003 are being presented at this time, as follows:

1. Encroachment into the 50 ft. undisturbed buffer to construct a Gabion retaining wall. (A Gabion retaining wall is usually made of stone stacked against the slope that holds up rock wrapped in wire for support and drainage.)
2. Encroachment into the 75 ft. impervious setback to accommodate surface and structured parking, a walkway, and a small portion of building.

A drawing prepared by Hanes Gipson and Associates and labeled 'Stream Buffer Variance Exhibit' depicts the requested encroachments resulting from the development proposed at the periphery of the Town Center.

Staff recommended approval of V2016-001, subject to the following conditions:

1. An encroachment into the 50 ft. undisturbed buffer and 75 ft. impervious stream setback line shall be permitted for the improvements planned along a portion of the southern property line as shown on the submitted Hanes Gipson and Associates drawings dated 1-22-16.

2. The face of the Gabion retaining wall shall be vegetated as shown on the submitted Hanes Gipson and Associates drawings dated 1-22-16.

Chairman Houser opened the floor to anyone wanting to speak in favor or opposition to the proposal. Mr. Robert Howard of 6290 Forest Hills Drive, expressed concern with, among other items, the footprint of the wall and the changes this would have to the ground water flow.

MOTION TO APPROVE V2016-001 AS PRESENTED WITH STAFF'S RECOMMENDED CONDITIONS.
By: Mark Willis
Seconded: Mark Middleton
Vote: (5-0) (Willis, Middleton, Houser, Kaplan, Metts)

CITY BUSINESS:

1. **Multi-Use Trail Study Final Report**

Mr. Marco Ancheita of Lord, Aeck, Sargent gave a presentation on the final report for the Multi-Use Trail Study. A copy of the study is available at the City Clerk's office.

MOTION TO RECOMMEND APPROVAL TO THE MAYOR AND COUNCIL THE MULTI- USE TRAIL STUDY FINAL REPORT AS PRESENTED TONIGHT AT THE PLANNING COMMISSION.
By: Matt Houser
Seconded: Italia Metts
Vote: (5-0) (Houser, Metts, Kaplan, Middleton, Willis)

COMMENTS BY STAFF AND PLANNING COMMISSIONERS:

Mrs. Diana Wheeler, Community Development Director, informed the Commission that there will be a Planning Commission meeting on Friday, February 26, 2016 at 12:00 noon.

The Planning Commission meeting concluded at 9:42 PM.

Approved,

_____

Matt Houser, Chairman

Attest:

_____

Kym Chereck, City Clerk

ZONING ORDINANCE LEAD DOCUMENT

STATE OF GEORGIA
COUNTY OF GWINNETT
CITY OF PEACHTREE CORNERS **ORDINANCE 2016-02-69**

AN ORDINANCE TO AMEND AND ADOPT THE CITY OF PEACHTREE CORNERS, GEORGIA ZONING ORDINANCE AND RATIFYING ALL PRIOR AMENDMENTS TO SAME; TO AMEND AND ADOPT POLICIES AND PROCEDURES TO BE USED BY THE MAYOR AND COUNCIL IN CALLING AND CONDUCTING HEARINGS AS REQUIRED BY O.C.G.A. SECT. 36-66-4; TO AMEND AND ADOPT THE OFFICIAL ZONING MAP AND ZONING FILES FOR THE CITY OF PEACHTREE CORNERS, GEORGIA AND RATIFYING ALL PRIOR AMENDMENTS TO SAME.

WHEREAS: the City of Peachtree Corners is a duly constituted Municipality of the State of Georgia incorporated pursuant to H.B. 396 of the 2011 Session of the Georgia General Assembly; and

WHEREAS: pursuant to its powers under Home Rule, the Mayor and Council intend to adopt the Peachtree Corners, Georgia Zoning Ordinance, attached hereto as Exhibit "A" and incorporated herein by this reference, and as may be further amended by subsequent actions of this Council pursuant to the Zoning Procedures Act, defining the regulations of use of the properties of the City; and

WHEREAS: as part of the adoption of the City's Zoning Ordinance, the Mayor and City Council intend to adopt policies and procedures to be used by the Mayor and Council in calling and conducting hearings as required by O.C.G.A. Sect. 36-66-4, attached hereto as Exhibit "B" and incorporated herein by this reference; and

WHEREAS: as part of the adoption of the City's Zoning Ordinance, the Mayor and City Council intend to adopt the Official Zoning Map for the City of Peachtree Corners as attached hereto as Exhibit "C" and incorporated herein by this reference, and as may be further amended by subsequent actions of this Council pursuant to the Zoning Procedures Act, showing the appropriate use of properties within the City of Peachtree Corners, Georgia; and

WHEREAS: in addition to the Zoning Map, the Mayor and City Council intend to adopt the official Zoning files of Gwinnett County on the properties within the geographic boundaries of the City of Peachtree Corners as they currently exist and as they may have been amended up until the date of this Ordinance and are attached hereto by reference and available in the office of the Gwinnett County Planning and Development Department and the City Clerk; and

WHEREAS: That the Public Hearing on this Ordinance in accordance with the Georgia Zoning Procedures Act was held on February 28, 2016 and was properly advertised.

STATE OF GEORGIA
COUNTY OF GWINNETT
CITY OF PEACHTREE CORNERS **ORDINANCE 2016-02-69**

WHEREAS: This Ordinance shall become effective upon its adoption.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PEACHTREE CORNERS, GEORGIA HEREBY ORDAINS that the Zoning Ordinance for the City of Peachtree Corners, policies and procedures to be used by the Mayor and Council in calling and conducting hearings as required by O.C.G.A. Sect. 36-66-4, the Official Zoning Map for the City of Peachtree Corners and Zoning files are hereby adopted and approved as attached hereto, incorporated and referenced herein. These items shall be spread upon the minutes of this meeting and direction is given that these items shall be accessible and made available to the public.

ORDAINED AND EFFECTIVE this the 28th day of February, 2016.

Approved:

_____

Mike Mason, Mayor

Attest:

_____

Kym Chereck, City Clerk

(Seal)

Approved as to Form and Content:

_____

William F. Riley, City Attorney

ZONING ORDINANCE EXHIBIT A – TEXT

EXHIBIT "A"

Appendix A - ZONING

THE 2012 ZONING RESOLUTION OF CITY OF PEACHTREE CORNERS, GEORGIA

A Resolution of the City of Peachtree Corners, Georgia, regulating the location, height, number of stories and size of buildings and other structures; the density of population; the size of yards and other open spaces; the uses of land, buildings and structures for industry, commerce, agriculture, conservation, recreation, residence, public activities and other purposes; creating districts for said purposes and establishing the boundaries thereof; defining certain terms used herein; providing for the method of administration, amendment and enforcement and for the imposition of penalties for violation; providing for a City of Peachtree Corners Zoning Board of Appeals and defining its powers and duties; and repealing conflicting Resolutions; and other matters.

ARTICLE I. - PURPOSE

Pursuant to the authority conferred by Article 9, Section 2, Paragraph IV, 1983 Constitution of Georgia and for the purposes of promoting the health, safety, morals, convenience, order, prosperity or the general welfare of the present and future inhabitants of City of Peachtree Corners; 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; facilitating the adequate provision of 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 City; securing economy in government expenditures; and for other purposes, all in accordance with a comprehensive plan for the development of the City, originally adopted by the Gwinnett County Board of Commissioners and subsequently approved by reference for City of Peachtree Corners do hereby ordain and enact into law the following Articles and Sections of the 2012 Zoning Resolution of City of Peachtree Corners, Georgia.

ARTICLE II. - SHORT TITLE

This Resolution shall be known and may be cited as "The 2012 Zoning Resolution of City of Peachtree Corners."

ARTICLE III. - DEFINITIONS

Except as specifically defined herein, all words used in this Resolution 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 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.

For the purpose of this Resolution, certain words or terms used herein shall be defined as follows:

Words used in the singular include the plural and words used in the plural include the singular.

Words used in the present tense include the future tense.

The word "erected" includes the words "constructed," "moved," "located" or "relocated."

The word "lot" includes the word "plot" or "parcel."

The word "map" or "zoning map" means the Zoning Map of City of Peachtree Corners, Georgia, previously established by the Gwinnett County Board of Commissioners.

The word "person" includes the words "individuals," "firms," "partnerships," "corporations," "associations," "governmental bodies" and all other legal entities.

The word "shall" is always mandatory and never discretionary.

The words "used" or occupied include the words "intended, arranged or designed to be used or occupied."

Accessory Structure. A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use.

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.

Animal 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 surrounds or is used to shelter, care for, house, feed, exercise, train, exhibit, display or show any animals, other than fenced pasture land for grazing.

Attic. The unfinished space between the ceiling joists of the top story and the roof rafters.

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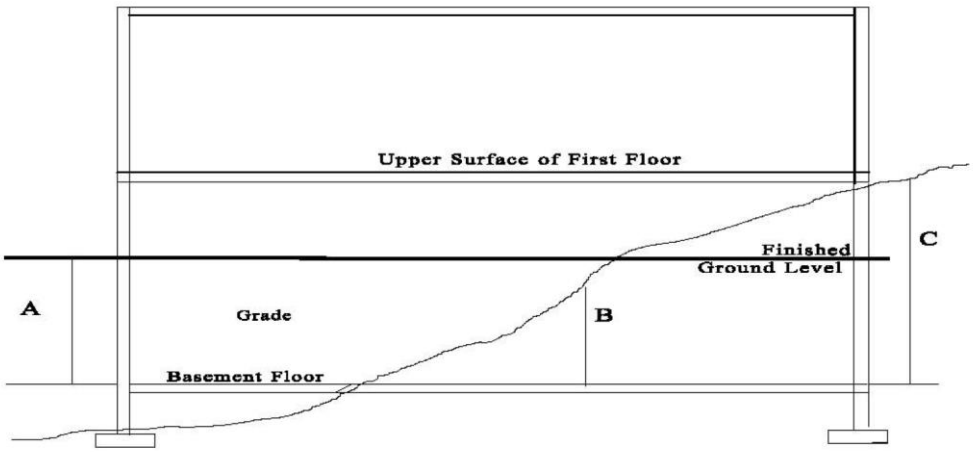
Basement. That portion of any building for which the finished surface of its floor meets any of the following conditions (see figure 1 below):

A. More than six feet below grade;

B. More than six feet below the finished ground level for more than 50 percent of the total building perimeter; or

C. More than 12 feet below the finished ground level at any point.

Figure 1



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Billboard. See Oversized Signs.

Boarding or Rooming House. A dwelling in which meals or lodging or both are furnished for compensation to more than two (2), but not more than ten (10), non-transient persons.

Buffer. Land area used to visibly separate one use from another through screening and distance; to shield or block noise, light, glare, or visual or other conditions; to block physical passage to non-similar areas; or to reduce air pollution, dust, dirt, and litter.

Buffer, Construction. A type of buffer which is temporary and remains in effect during the construction of a project.

Building. Any structure attached to the ground which has a roof and which is designed for the shelter, housing or enclosure of persons, animals, or property of any kind.

Buildings, 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.

Cattery. Any place that regularly breeds, boards, trains, buys, sells, or trades any cat.

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 (4th) degree of civil reckoning from the property owner.

Child Care Institution. See "Group Home."

City. The City of Peachtree Corners, Georgia municipal boundaries.

Common Area (MUO Overlay & MUD District). Land, amenities, accessory structure(s) and improvements within a development, not individually owned and not dedicated for a public use and integral to the development that encourage pedestrian connectivity to adjacent lots or parcels such as arcades, greenways, sidewalks eight (8) feet or greater in width, public spaces that are clearly intended as gathering spaces (including rooftop recreational amenities and gardens in high-rise buildings) or that act as connectors to adjacent buildings, or such land and amenities, that are otherwise designed and intended for the common use or enjoyment of the residents, tenants and guests of the development. Lands dedicated for public park land and public spaces within rights-of-way which are beyond the minimum required and are clearly intended as gathering spaces with amenities such as benches, fountains, etc., may be counted as common area. Required common area shall not include 100-year floodplain or wetlands acreage, areas devoted to public or private streets, required buffers or any land that has been, or is to be conveyed to a public agency via a purchase agreement for such uses as schools or other public facilities.

Community Shelter. 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 non-related individuals for a period of time not to exceed fifteen (15) hours every twenty-four (24) hours.

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.

Comprehensive Plan. A comprehensive plan, which may consist of several maps, data, and other descriptive matter, for the physical development of the City or any portion thereof, including any amendments, extensions or additions thereto recommended by the City of Peachtree Corners Planning Commission, indicating the general location for major streets, parks or other similar information. The Comprehensive Plan shall be based upon and include appropriate studies of the location and extent of

present and anticipated population, social and economic resources and problems, and other useful data. The term "Comprehensive Plan" includes component or functional plans for the City, including, but not limited to, a plan for land use or a plan for transportation facilities. City of Peachtree Corners shall adopt the Gwinnett County Comprehensive Plan by reference on June 31, 2012, as a component of the initiation phase for the new municipality and shall maintain the document as an official Comprehensive Plan for the City, until which time the City has adopted their inaugural Comprehensive Plan, at a date to be determined.

Conditional Use. A use which is not automatically permitted by right, but which may be permitted within a zoning district subject to meeting specific conditions contained in this Resolution or required by the governing body.

Conditional Zoning. The granting or adoption of zoning for a property subject to compliance with restrictions as to use, size, project design or timing of development, stipulated by the City Council to mitigate adverse impacts that could be expected without the imposition of such conditions.

Congregate Personal Care Home. A state-licensed Personal Care Home which offers care to sixteen (16) or more adults aged eighteen (18) or older (See Personal Care Home).

Conservation Space. Permanently protected land and water, including agricultural and forestry land, that is in its undeveloped, 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. Floor 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; and

I. Connection of existing or planned areas contributing to the goals set out in this paragraph.

County. The geographic boundaries of Gwinnett County, Georgia.

Customary Home Occupation. An occupation customarily carried on within a dwelling unit for gain or support involving the sale of only those articles, products, or services produced on the premises, conducted entirely within the dwelling by members of the immediate family residing in the dwelling unit with equipment customarily used for household purposes and involving no display of articles or products.

Day Care Facility. A structure or portion of a structure wherein is provided care and supervision of persons away from their place of residence for less than twenty-four (24) hours per day on a regular basis for compensation. For the purposes of this resolution the term "day care" shall include but not be limited to the terms "nursery school," "early learning center," "pre-kindergarten," "private kindergarten," "play school," "pre-school," "Group Day Care Home," and "Family Day Care Home."

Density. The number of families, individuals, dwelling units or housing structures per unit of land. Gross density includes all the land within the boundaries of the particular area excluding nothing. Net density excludes 50 percent of any land identified as a flood hazard area or within any electricity or gas transmission easement or right-of-way.

Director. The Director of the Department of Planning and Development or his/her designee.

Distribution Facility. An office/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.

Duplex. A dwelling containing two (2) and only two (2) dwelling units.

Dwelling. A building which is designed or used exclusively for residential purposes, including single-family, duplex and multiple family residential buildings, rooming and boarding houses, fraternities, sororities, dormitories, manufactured homes, and industrialized homes but not including hotels and motels.

Dwelling, Attached. See "Townhouse" and "Dwelling, Multifamily."

Dwelling, Multifamily. A dwelling containing three (3) or more dwelling units, including units that are located one over the other. This definition does not include a townhouse.

Dwelling, One-Family. See "Dwelling, Single Family."

Dwelling, Residential/Business. A type of attached dwelling in which a commercial business or office may be operated in the basement or first (1st) floor/story of the structure. The business need not be operated by the resident of the dwelling.

Dwelling, Single Family. A dwelling containing one (1) and only one (1) dwelling unit and used as a residence for a single household on an ongoing basis with no short-term rental use.

Dwelling, Two-Family. See "Duplex."

Dwelling Unit. One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintained household.

Dwelling Unit. One or more rooms designed, occupied, or intended for occupancy as separate living quarters with cooking, sleeping and sanitary facilities provided with the dwelling unit for the ongoing, exclusive use of a single family maintained household and not for use as a short-term rental.

Dwelling Unit, Efficiency. A dwelling unit consisting of not more than one (1) habitable room together with kitchen or kitchenette and sanitary facilities.

Environmental Site Assessment (Phase One). A written report that documents the process by which a person or entity determines if a parcel of real property is subject to recognized environmental conditions. The report itemizes and assesses the environmental and historical features to be identified or delineated on an Existing Features Site Analysis Plan. The assessment and report shall be conducted in a methodical manner and in accordance with accepted practice as contained in the American Society for Testing & Materials Standard ASTM 1527.

Exotic Plant. A plant that does not meet the definition of Native Plant.

Family. One or more persons related by blood, marriage, adoption, or guardianship; or not more than three (3) 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.

Family Day Care Home. A customary home occupation which provides for no more than six (6) persons who are not residents of the premises, care and supervision by the State of Georgia registered resident adult for less than twenty-four (24) hours per day on a regular basis for compensation.

Family Personal Care Home. A state-licensed Personal Care Home that provides a home for individuals in a family-type residence, non-institutional in character, which offers care for up to 8 adults, aged 18 years or older (See Personal Care Home). Such facilities shall be served by public water and sewer service, or an on-site sewage management (septic) system approved by the Gwinnett County Environmental Health Department.

Fence. A structural barrier for enclosure, screening or demarcation, presenting a solid face or having openings amongst or between its constituent members; also, a wall separate from or extending from a building.

Floor Area. The gross heated, finished horizontal area of the several floors of a dwelling unit exclusive of basement, attic, carport, or garage.

Fur Farm. Any place that regularly breeds and raises rabbits, mink, foxes or other fur or hide-bearing animals for the harvesting of their skins.

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.

Grade. A reference plane representing the average of finished ground level adjoining the building at all exterior walls. When 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 between the building and a point of six (6) feet from the building, whichever is closer to the building.

Group Day Care Home. An occupied dwelling in which the owner-occupant is licensed by the State of Georgia to provide care and supervision for more than six (6), but less than nineteen (19), persons who are not residents of the dwelling. Such care shall be provided for less than twenty-four (24) hours a day on a regular basis for compensation.

Group Home. A state-licensed Child Care Institution (for six [6] or more children) or Child Care Institution for Medically Fragile Children (one [1] through twelve [12] children) either residential or institutional in character that provides full-time group home care for children through 18 years of age outside their own homes.

Group Personal Care Home. A state-licensed Personal Care Home for individuals in a residence or other type building, non-institutional in character, which provides care and supervision for seven (7) through fifteen (15) adults aged eighteen (18) or older (See Personal Care Home).

Hard-Surfaced Area or All-Weather Surface. An area which has been packed and covered with gravel and confined by landscaping timbers, railroad cross-ties, brick or rock wall; or an area which has been paved with concrete, asphalt, or similar approved surface.

Hazardous Waste. Solid or liquid waste material resulting from the manufacture or use of pesticides and drugs (other than normal household use); pathological wastes; highly flammable or explosive wastes; toxic wastes; sewage sludges; and other waste material that may be a hazard to the public health, safety or environment, except radioactive waste materials as defined by the State of Georgia.

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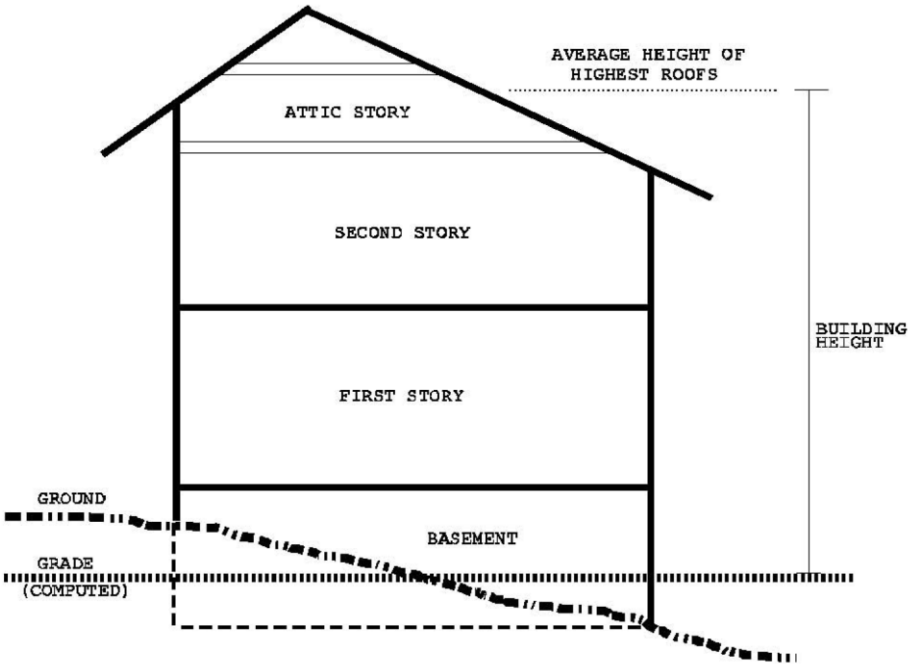
Height of Building. The vertical distance measured from grade to the highest finished roof surface in the case of flat roofs or to a point at the average height of the highest roof having a pitch. (See figure below.)



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Hobby Breeder. An individual who owns any horse, purebred dog or pedigreed cat, any of which is registered with a national registry for the breed, who may intentionally breed the animal to preserve and further the respective breed with regard to physical and temperamental soundness and in conformance with official breed standards. Hobby Breeding shall be deemed to be a Customary Home Occupation only when the animals and/or their offspring are sold directly to retail purchasers and are not bred or sold for commercial resale, research or other purposes.

Hotel/Motel. A facility offering lodging accommodations to the general public on a nightly or long-term basis (weekly or monthly) and may provide additional services, such as restaurants, meeting rooms, entertainment and recreational facilities.

Impervious Surface. Any paved, hardened or structural surface, including, but not limited to, buildings, driveways, walkways, parking areas, patios, decks, streets, swimming pools, dams, tennis courts, and other structures.

Industrialized Home. A factory fabricated transportable building consisting of units designed to be incorporated at a building site on a permanent foundation into a structure to be used for residential purposes. An industrialized home or modular home shall be certified by the manufacturer to meet the approval of the State Building Administration Board (SBAB) to meet the same requirements as an on site-built home within the City of Peachtree Corners.

Invasive Exotic Plant. A plant that is able to proliferate and aggressively alter or displace indigenous biological communities.

Kennel. Any place that regularly breeds, boards, trains, buys, sells, trades or lets for hire any dog.

Lakes, Existing and Proposed. An inland body of water fed by springs, creeks and surrounding runoff which has a surface area in excess of two (2) 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 (2) acres or less measured at outflow structure elevation shall be considered floodplain for the purpose of calculating required open space.

Landfill. A method a 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, Hazardous Waste. A landfill in which hazardous waste is disposed. Hazardous waste means any solid waste which has been defined as a hazardous waste in regulations promulgated by U.S. EPA pursuant to the federal act codified as 40 CFR 261.3 or by the Georgia Hazardous Waste Management Act.

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; and 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, 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. Municipal solid waste means any solid waste derived from households, including garbage, trash and sanitary waste in septic tanks and means solid waste from single-family and multi-family residences, hotels and motels, bunkhouses, campgrounds, picnic grounds, and day-use recreation areas. The term includes yard trimmings and commercial solid waste, but does not include solid waste from mining, agriculture, or silvicultural operations or industrial processes or operations.

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 located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

Livestock. The term "livestock" as used herein shall mean and include cattle, horses, goats, sheep, swine and other hoofed animals; poultry, ducks, geese and other live fowl; and mink, foxes and other fur or hide-bearing animals customarily bred or raised in captivity for the harvesting of their skins; whether owned or kept for pleasure, utility or sale. The term livestock shall not include the purebred Vietnamese pot-bellied pig or rabbits.

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, Stormwater Facility. A lot designed for the principal use of containing a stormwater facility; including extended detention ponds, retention ponds, constructed wetlands, sand filters, infiltration trenches and oil/grit separators.

Lot, Through. A lot having frontage on two (2) streets that are approximately parallel.

Lot Width. The horizontal distance between the side lines of a lot measured at the minimum required front yard (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 the horizontal distance between the side lines of the lot, measured at the minimum required front yard (building setback) line or at a line parallel to said setback line, which is no more than twice the minimum front yard setback distance from the street.

Manufactured Home. A dwelling which does not meet the standards of an "industrialized home" but is certified by the State of Georgia as meeting the National Manufactured Home Construction and Safety Standards and is transportable in one (1) or more sections, which is at least ten (10) feet wide and which is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and has plumbing, heating, air conditioning and electrical systems contained therein. The term "manufactured home" includes the term "mobile home."

Manufactured Home Lot. A parcel of land for the exclusive use of the occupants of a single manufactured home.

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.

Mobile Home. See "Manufactured Home."

Modified Single Family Development. A form of development for single family residential subdivisions that permits a reduction in lot area requirements, provided maximum density does not exceed the limits established in Article XIV-A, Section 1400A.2 and the resultant land area is devoted to open space.

Modular Home. See "Industrialized Home."

Monofill. A method of solid waste disposal that involves the landfilling of one (1) 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.

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).

Non-Conforming Use and Non-Conforming Structure. See Article VIII.

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 Space. 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. Creditable open space shall not include any portion of an overhead power line easement, stormwater detention pond, which is not part of an existing or proposed permanent lake or recreation area required by the City of Peachtree Corners Development Regulations.

Oversized Sign. A ground sign which exceeds 30 feet in sign height and/or 300 square feet of sign surface area.

Parking Lot. A surface parking lot, not including decked parking garages or underground parking structures.

Personal Care Home. A state-licensed facility either residential or institutional in character, that provides housing, food service and personal service(s) for two (2) or more adults aged eighteen (18) or older.

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). Any animal owned or kept for pleasure rather than sale, which is an animal of a species customarily bred and raised to live in the habitat of humans and is dependent upon them for food and shelter; except that livestock and wild animals shall not be deemed pets. Specifically included in the definition of Pet (Household Pet) are rabbits and purebred Vietnamese pot-bellied pigs.

Planning Commission. The City of Peachtree Corners Planning Commission.

Pocket Park or Neighborhood Green. A relatively flat, level and landscaped area, larger than 0.33 acres, and constructed for community gathering or play, or visual enhancement.

Pod. A defined geographic portion of an overall development (designated on a conceptual site plan) indicated for a specific use or group of related uses.

Precious Metals Dealer. Any person, partnership, sole proprietorship, corporation, association, or other entity engaged in the business of purchasing, selling, bartering, or acquiring in trade any precious metals (including, but not limited to, in whole or in part, silver, gold, and platinum) from persons or sources other than manufacturers or licensed dealers for resale in its original form or as changed by melting, reforming, remolding, or for resale as scrap, or in bulk.

Primary Conservation Areas. Areas of Conservation Space are required to be permanently protected and undeveloped with the exception of road crossings and sanitary sewer lines. Wetland and stream bank mitigation projects are permitted. Stormwater drainage systems are allowed except that they shall not be counted toward the minimum required amount of Conservation Space. Because permanently protecting wetlands, riparian areas and floodplains will provide significant long-term benefits ranging from protection of water quality to wildlife habitat to quality of life for individuals resulting from natural spaces available for passive recreation;, these features must be permanently protected. The inclusion of uplands, undeveloped slopes and forested areas in Conservation Space is encouraged.

Principal Use. The primary or predominant purpose for which a lot is occupied and/or used.

Private Deed Restrictions or Covenants. Private deed restrictions or covenants are imposed on land by private land owners. They bind and restrict the land in the hands of present owners and subsequent purchasers. They are enforced only by the land owners involved and not by the City or other public agency.

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.

Recovered Materials Processing Facility, Accessory. Any facility utilized for the purpose of collecting household and commercial materials to be recycled including, but not limited to, plastics, glass, paper, and aluminum materials whenever such use is customarily incidental to a shopping center, church, school, multi-family residential development, waste disposal facility or similar use.

Recovered Materials Processing Facility, Principal. Any facility utilized for the purpose of collecting, sorting, processing, and shipping materials to be recycled including, but not limited to, plastics, glass, paper and aluminum whenever such use is principal to the site.

Residential Shelter. A nonprofit institutional use comprised of a residential building, which provides two or more beds and other facilities or services, including room and food service facilities and not otherwise mandated by State government for related or non-related individuals. Length of stay of the

individuals is presumed to be of a temporary nature. A Shelter must meet the provisions of the Rules for Shelters in City of Peachtree Corners.

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 City of Peachtree Corners for vehicular traffic or over which City of Peachtree Corners may hold a prescriptive easement for public access, and including designated and numbered U.S. and State highways, or a publicly approved private street pursuant to Section 505.

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.

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 Areas. Areas that are desirable to be included in Conservation Space, but which may or may not be suitable to be permanently protected. Examples are "pocket Parks", "Neighborhood Greens" and stormwater management facilities that may revert to a relatively natural state.

Sexually Oriented Business. An "adult bookstore or adult video store," an "adult cabaret," an "adult motion picture theater," a "semi-nude model studio," or a "sexual device shop" as those terms are defined in the Peachtree Corners Sexually Oriented Business Ordinance (Ord. No. O2012-07-57).

Short-term Rental. The use of (or contracting for use of) a dwelling unit for a period of less than thirty-one (31) days. The rental of property for less than thirty-one (31) days shall constitute a hotel/motel use.

Sign. See definition as detailed in the City of Peachtree Corners Sign Ordinance.

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 Exception. A "Special Exception" is a use listed in the 2012 Zoning Resolution as permitted, if it meets stated conditions and is approved by the City of Peachtree Corners Zoning Board of Appeals after a Public Hearing.

Special Use. A "Special Use" is a use listed in the 2012 Zoning Resolution as being permitted, if it meets stated conditions and is approved by the City Council

Story. That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. A residential attic finished as heated living area shall not constitute a story.

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.

Street, Collector. A street shown as such in the City of Peachtree Corners Geographic Information System Map, which is on file in the office of the City of Peachtree Corners 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, Local Nonresidential. A surface street intended primarily to provide local access to adjacent, existing, or planned commercial or industrial development and not 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. A street shown as such in the City of Peachtree Corners Geographic Information Systems Map, which is on file in the office of the City of Peachtree Corners 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 City.

Street, Major Thoroughfare. Any public street, existing or proposed, which is shown in the Gwinnett County Comprehensive Plan as an arterial or major collector.

Street, Minor Arterial. A street shown as such in the City of Peachtree Corners Geographic Information Systems map, which is on file in the office of the City of Peachtree Corners 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 City.

Street, Principal Arterial. A street shown as such in the City of Peachtree Corners Geographic Information Systems Map, which is on file in the office of the City of Peachtree Corners 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 City.

Structure. Anything constructed or erected on the ground or attached to something on the ground.

Surface Treated Area. An area which has been covered with asphalt or concrete.

Surplus Parking. 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.

Townhouse. A one-(1)-family dwelling in a row of at least three (3) attached units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more vertical common fire-resistant walls. A townhouse shall have at least two (2) stories.

Truck Terminal. An area and building where hauling companies load and unload cargo and freight from multiple origins, 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.

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. A one-family dwelling with at least three (3), but no more than four (4), attached units in which each unit has at least two (2) exterior walls and each unit is separated from any other unit by one (1) or more vertical common walls. Villas are exclusively single-story.

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.

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.

Wild Animal. Any living member of the animal kingdom, including those born or raised in captivity; but excluding human beings, livestock, dogs and cats, rodents, hybrid animals that are part wild, captive-bred species of common cage birds and aquarium-kept fish, amphibians and reptiles.

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 line and the front line of the building projected parallel to the street 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.

ARTICLE IV. - ZONING DISTRICTS

Section 400. - Establishment of Zoning Districts.

For the purposes of this Resolution, the incorporated area of City of Peachtree Corners, Georgia, is divided into Zoning Districts designated as follows:

RA-200 Agriculture-Residence District.

R-140 Single Family 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.

HRR High-Rise Residential District.

RM Multi-Family Residence District.

RM-13 Multi-Family Residence District.

RM-10 Multi-Family Residence District.

RM-8 Multi-Family Residence District.

RM-6 Multi-Family Residence District.

RMD Multi-Family Residence District (Duplexes).

RL Lakeside Residence District.

R-ZT Single Family Residence District.

MH Mobile Home Park District.

MHS Manufactured Housing Subdivision District.

HS Hospital Service District.

NS Neighborhood Shopping District.

C-1 Neighborhood Business District.

C-2 General Business District.

C-3 Highway Business District.

O-I Office-Institutional District.

OBP Office-Business Park District.

M-1 Light Industry District.

M-2 Heavy Industry District.

MUD Mixed-Use Development District.

INACTIVE ZONING DISTRICTS - SEE ARTICLE XIX.

R-TH Single-Family Residence Townhouse District.

(Prior to January 2005).

R-ZT Single-Family Residence Zero Lot Line/Townhouse District.

(Prior to January 2005).

Section 401. - Location and Boundaries of Zoning Districts.

The location and boundaries of the Zoning Districts are hereby established as shown on the set of maps entitled "Gwinnett County Zoning Maps" which are hereby made a part of this Resolution and referenced hereto as the official "City of Peachtree Corners Zoning Map," which shall be kept in the office of the City of Peachtree Corners Department of Planning and Development, where it shall be available for public inspection. Amendments to the City of Peachtree Corners Zoning Map shall be separately adopted at the time of any zoning action and said amended maps shall be kept in the Department of Planning and Development of Peachtree Corners.

Section 402. - Interpretation of Zoning District Boundaries.

Where uncertainty exists with respect to the location of the boundaries of any Zoning District in Peachtree Corner, Georgia, the following rules shall apply:

1. 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. If uncertainty exists, any point on a railroad Right-of-Way shall be considered to be in a Zoning District closest to said point.
2. 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. If uncertainty exists, any point on a railroad Right-of-Way shall be considered to be in a Zoning District closest to said point.
3. Where a Zoning District boundary line divides a lot, the location of the line shall be the scaled distance from the parcel 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, except that such extension shall not include any part of a lot that lies more than fifty (50) feet beyond the Zoning District boundary line.
4. In the case of a through lot fronting on two approximately parallel streets, that is divided by a Zoning District boundary line paralleling the streets, the restrictions of the Zoning District in which each frontage of the through lot lies shall apply to that portion of the through lot.

ARTICLE V. - APPLICATION OF REGULATIONS

Section 500. - Use, Occupancy and Erection.

No building or structure, or land shall hereafter be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or altered except in conformity with the regulations of this Resolution.

Section 501. - Height and Density.

No building or structure shall hereafter be erected, constructed, reconstructed or altered to:

1. Exceed the height limits.
2. House a greater number of families per acre or occupy a smaller lot area per family than are herein required.
3. Have narrower or smaller front, rear or side yards than are herein required.

Section 502. - Reduction in Lot Size.

No lot shall be reduced in size so that lot width or depth, size of yards, lot area per family or any other requirement of this Resolution is not maintained. This limitation shall not apply when a portion of a lot is acquired for a public purpose or for unbuildable lots used exclusively for subdivision identification signage or subdivision entrance landscape features or stormwater facilities.

Section 503. - Yards and Other Spaces.

No part of a yard or the off-street parking or loading spaces that are required in connection with any building or use for the purpose of complying with the regulations of this Resolution shall be included as part of the yard or off-street parking or loading spaces required for another building, except as specifically provided herein.

Section 504. - Only One Principal Building or Use on a Lot.

Only one principal building or structure or use and its customary accessory buildings and uses shall be permitted on any lot.

Section 505. - Street Frontage Requirement.

No lot shall be created that does not abut for at least forty (40) feet, except as provided in Section 1302B, upon an open street which shall be either a public street, a publicly approved street or a publicly maintained street, and except for stormwater facility lots which shall abut for a minimum of thirty (30) feet.

Section 506. - Classification of Streets.

For the purpose of this Resolution, all of the streets, roads and highways in City of Peachtree Corners are classified as local streets, minor or major collector streets, minor, major, residential or principal arterial streets and freeways. These same streets and roads will also be known as interstate routes, U.S. or State routes, county roads, and local streets or roads.

The classification of each street in City of Peachtree Corners is shown in the Geographic Information Systems Map, which is on file in the office of the City of Peachtree Corners Department of Planning and Development.

ARTICLE VI. - GENERAL PROVISIONS

Section 600. - Accessory Uses or Structures.

Accessory structures shall be permitted only in rear yards, except as otherwise provided in this Resolution. In an R (residence) district, accessory uses customarily located within front or side yards of residences may include but shall not be limited to the following: walls and fences as permitted in Section 700, mailboxes, driveways, walkways, lamp posts, landscaping, vegetable gardens provided they do not exceed 30 percent of the front yard, signs meeting the standards of the City Sign Ordinance and basketball goals adjacent to driveways. No accessory uses or structures, except driveways, mailboxes or landscaping shall be located within a public right-of-way.

Accessory uses customarily located within rear yards of residences may include but shall not be limited to the following: storage buildings, patios, swimming pools, dog runs, dog pens and houses, detached garages, tennis courts, playground equipment, fences and walls as permitted in Section 700. Any accessory use or structure, except walls, fences, driveways and landscaping, shall be set back not less than five (5) feet from any lot line, except as otherwise provided within the R-TH and R-ZT zoning districts, and except for permitted encroachments as authorized in Section 705.

No accessory structure shall be erected on a lot prior to the time of construction of the principal building to which it is accessory a) on the same lot, or b) on an adjoining lot in joint or common ownership.

Section 601. - Vision Clearance at Intersections.

In all Zoning Districts, no fence, wall, structure, shrubbery, or other obstruction to vision between the heights of three (3) feet and fifteen (15) feet, except utility poles, light or street sign standards or tree trunks shall be permitted within twenty (20) feet of the intersection of the right-of-way lines of streets, roads, highways or railroads.

Section 602. - Approvals for business and Industrial Developments on State Highways.

For all business and industrial developments fronting on a State Highway, no building permit shall be issued until the approval of the Georgia Department of Transportation has been obtained by the applicant on entrances and exits, curb radii, drainage and other matters that are the appropriate concern of the City of Peachtree Corners Department of Planning and Development and Georgia Department of Transportation.

Section 603. - City Approvals that are Required.

All City 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 by him/her with his/her request for a development permit, building permit, or an occupancy certificate.

Section 604. - Minimum Floor Area Requirements.

All dwelling units shall have a minimum heated finished living area, excluding a basement, attic, carport, or garage, as follows:

1.	In the R-LL district	2,000 square feet
2.	In the R-140 and R-100 districts	1,400 square feet
3.	In the R-75 district	1,200 square feet

4.	In the RA-200, R-60, R-ZT, R-TH & RL districts	1,000 square feet
5.	Each three (3) bedroom or larger duplex dwelling unit in the RMD district	1,000 square feet
6.	Each two (2) bedroom or smaller duplex dwelling unit in the RMD district	800 square feet
7.	Each three (3) bedroom or larger attached dwelling unit in the RM, RM-6, RM-8, RM-10 & RM-13 districts	1,000 square feet
8.	Each two (2) bedroom attached dwelling unit in the RM, RM-6, RM-8, RM-10 & RM-13 district	800 square feet
9.	Each one (1) bedroom attached dwelling unit in the RM, RM-6, RM-8, RM-10 & RM-13 districts	600 square feet
10.	Each efficiency or studio apartment in the RM, RM-6, RM-8, RM-10, & RM-13 districts	450 square feet
11.	Each residential dormitory room/suite in the R-TH district:	
	One (1) bed residential dormitory room and one (1) bath	400 square feet
	Two (2) bed residential dormitory room and one (1) bath.	600 square feet
	Three (3) bed residential dormitory room and two (2) baths	800 square feet
	Four (4) or more bed residential dormitory suite and two (2) baths	1,000 square feet

Section 605. - Area, Yard and Height Requirements.

When developing under any Zoning Classification the requirements of Article XIV, Sections 1400 and 1401, must be met.

In all districts, except Single-Family Resident (R-LL, R-100, R-75, R-60 and R-ZT Detached) and Agriculture-Residence (RA-200) districts, the height requirements of Article XIV, Section 1401 must be met unless the applicant is granted a Special Use Permit by the City of Peachtree Corners City Council after receiving recommendations from the Director of Planning and Development and the Planning Commission and after a Public Hearing.

In all Single-Family Residence and Agriculture-Residence districts, the height requirements of Article XIV, Section 1401 must be met unless the applicant is granted a Variance by the Zoning Board of Appeals, after a public hearing.

An increase in height of ten (10) feet or less for any structure other than a sign or fence may be requested under the provisions of Article XVI, Section 1610 as an Administrative Variance, however, when no increase is involved in the number of stories which would otherwise be permitted under the applicable zoning district.

Section 606. - Buffer Between Dissimilar Districts.

Section 606.1 A buffer shall be required for the following:

1. All property zoned for commercial, neighborhood shopping, office-institutional, office business parks or industrial uses shall have a buffer along any rear and side property lines abutting a residential district.
2. All property zoned for R-TH, RMD, R-ZT and all RM uses shall have a buffer along any rear and side property lines abutting a lower density residential use.
3. All property zoned for manufactured homes shall have a buffer along any rear and side property lines abutting any other residential district.

Section 606.2 All buffer areas and screening shall be established in accordance with the following requirements:

1. Buffers shall be established and maintained along required property lot lines in accordance with the landscaping policies and standards of the Buffer, Landscape and Tree Ordinance and any additional specifications that may be established by the Planning and Development Department and approved by the City Council. 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 except as may be permitted in Section 606.4.
2. Buffers shall meet the minimum width requirements for dissimilar districts as shown in the "Minimum Buffer Strip Requirements" table (Section 606.7).
3. Screening shall be established within any buffer along the entire length of the side and rear lot lines. However, this screening requirement may be adjusted in order to observe the sight distance required in the Development Regulations or as a condition of zoning, special use, or variance approval or as approved by the Director.
4. Screening shall be required where a non-residential use abuts a public street across from a residential district. However, this screening requirement may be adjusted in order to observe the sight distance required in the Development Regulations or as a condition of zoning, special use, or variance approval or as approved by the Director of Planning and Development.

Section 606.3 Screening and/or buffers shall be required for purposes of obscuring features such as dumpsters, rear entrances, utility and maintenance structures, and loading facilities.

Section 606.4 The width of buffers as required in Section 606.8 may be reduced by no more than 50 percent, as appropriate, by the Director of Planning and Development, if and only if:

1. It is clearly demonstrated that existing topography and/or vegetation within the reduced area achieve the purpose and intent of this Article; or
2. It is clearly demonstrated that for topographic reasons, a fence, wall and/or other screening device required herein could not possibly screen activities conducted on ground-level from view

from the normal-level of a first (1st) story window on any lot in a residential district abutting the use.

Section 606.5 All buffer shall be designated on the appropriate permit application(s) and indicated on the required site plan or final subdivision plat.

Section 606.6 Structures, including driveways, parking facilities, or retaining walls will be located a minimum of five (5) feet from any buffer.

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MINIMUM BUFFER REQUIREMENTS ABUTTING DISTRICT(S)

	RA200 (feet)	R140, R-LL (feet)	R100 (feet)	R100/C (feet)	R75 (feet)	R75/C (feet)	R60 (feet)	RZT, RTH, RMD, RM-6, RM-8, R-SR (feet)	MH, MHS, RM-10, RM-13 (feet)	All Other
RA-200, R-140, R-LL, R-100, R-100, R-100 CLU/MOD/CSO , R-75, R-75 CLU/MOD/CSO , R-60, R-SR	—-	—-	—-	—-	—-	—-	—-	—-	—-	—-
RTH and RZT up to a maximum 4 units per acre	35	35	30	25	25	20	20	—-	—-	—-
RTH, RMD, RM-6, RM-8, RZT	40	40	35	30	30	25	25	—-	—-	—-
RM, RM-10, RM-13	50	50	50	50	50	50	50	20	—-	—-
HRR	85	85	85	85	85	85	85	50	—-	—-
MH, MHS	75	75	75	75	75	75	75	75	75 except for MH, MHS	—-
O-I/HS	50	50	50	50	50	50	50	50	50	—-

(standard height)										
OBP (standard height)	50	50	50	50	50	50	50	50	50	—-
M-1 (standard height)	50 75**	50 75**	50 75**	50 75**	50 75**	50 75**	50 75**	50 75**	50 75**	—-
M-2 (standard height)	100	100	100	100	100	100	100	100	100	—-
NS	35	35	35	35	35	35	35	35	35	—-
C-1 (standard height)	50	50	50	50	50	50	50	50	50	—-
C-2 (standard height)	75	75	75	75	75	75	75	75	75	—-
C-3 (standard height)	85	85	85	85	85	85	85	85	85	—-
MUD (high-rise buildings)	85	85	85	85	85	85	85	50	—-	—-

For buffer width other than standard height structures the board of commissioners may increase the minimum buffer required as a condition for allowing additional height of development. The [mayor and city council] may also establish or increase the minimum buffer as a condition of rezoning or as a condition to a special use permit.

The zoning board of appeals may increase the minimum buffer required as a condition to granting a variance request.

Modifications in buffer width may be granted by the board of commissioners after receiving recommendation s from the planning and development director and planning commission and after a public hearing.

See section #606.6 - No structure shall be located less than five feet from any buffer.

** Buffers in M-1 zoning shall increase from 50 to 75 feet when located adjacent to truck docks or outdoor storage areas. However, any development with an approved development plan, final plat or concept plan on file with the department of planning and development prior to June 1, 2001, which depicts a different buffer width shall be considered grandfathered.

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Section 607. - Requirements for Customary Home Occupations.

In addition to the limitations imposed on "Customary Home Occupation" under "Article III, Definitions," the following requirements shall be met:

1. The home occupation shall be carried on only by a member or members of the family residing in the residence.
2. To the extent that there is any sale of any item or service related to the home occupation, no sale of that item or service may occur on or adjacent to the premises unless this use has been granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and following a public hearing.
3. The home occupation shall not involve group instruction or group assembly of people on the premises.
4. There shall be no exterior evidence of the conduct of a home occupation. Except for the breeding of horses by a Hobby Breeder, 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.
5. 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.
6. No equipment may be utilized or stored in the conduct of the home occupation except that which is normally used for purely domestic or household purposes. Said items may only be those produced on the premises or incidental supplies necessary for and consumed in the conduct of the home occupation. Samples, however, may be kept on the premises but neither sold nor distributed from the residence.
7. No more than 25 percent of the dwelling unit may be used for conducting the home occupation.
8. One business vehicle used exclusively by the resident is permissible. This vehicle must be parked in a carport, garage, side yard, or rear yard. This vehicle shall be no larger in size than a pick-up truck, panel truck, or van not having a carrying capacity of more than one (1) and one-half (½) tons.

Section 608. - Method of Density Calculation.

For any property for which an application for rezoning is received after June 31, 2012, permitted development shall be calculated on the basis of net density (see definition of "Density").

ARTICLE VII. - EXCEPTIONS AND MODIFICATIONS

Section 700. - Walls and Fences.

Walls or fences shall be permitted in any zoning district and are not subject to setback requirements of this Resolution, except that in a Residential Zoning District:

1. No wall or fence shall exceed eight (8) feet in height within a side yard or rear yard.
2. Any wall or fence which extends into the front yard shall not exceed four (4) feet in height, except fences enclosing stormwater facilities which may not exceed six (6) feet in height.
3. Fences enclosing tennis courts may not exceed twelve (12) feet in height.

4. No wall or fence constructed of woven wire or metal fabric (chain link, hog wire or barbed wire) shall extend into a front yard, except fences enclosing stormwater facilities, which may be vinyl coated chain link. Woven wire or metal fabric fences may extend into a front yard when the property contains a minimum of three (3) acres and any wall or fence shall not be constructed of exposed concrete block, tires, junk or other discarded materials.
5. Any wall or fence which extends into the required front yard on property less than three (3) acres shall be ornamental or decorative and constructed of brick, stone, wood, stucco, wrought iron, split rail, and shall not be constructed of exposed concrete block, tires, junk or other discarded materials.
6. Any subdivision entrance, wall or fence shall not exceed ten (10) feet in height and shall be subject to approval of the Director of Planning and Development after the submission to Development Review of a landscape plan, site plan and architectural elevations.
7. Electric and barb wire fences shall be prohibited in residential districts except on lots which meet or exceed the minimum requirements for the raising and keeping of livestock (3 acres).

Section 701. - Structures Excluded from Height Limitations.

The height limitations of this Resolution shall not apply to church spires, belfries, flag poles, monuments, cupolas, domes, ornamental towers, nor to observation towers not intended for human occupancy, water towers, transmission towers, radio or television towers or aerials, chimneys, smokestacks, conveyors, derricks, nor to necessary mechanical roof appurtenances nor to barns and silos when located on a farm.

The above exclusions from height limits shall not apply in the vicinity of airports.

Section 702. - Substandard Lots of Record.

Any lot of record existing at the time of the adoption or amendment of this Resolution, that has an area or width that is less than is required by this Resolution, may be used, subject to the following exceptions and modifications:

1. Adjoining Lots. When two (2) or more adjoining lots of record with continuous frontage are in one (1) ownership at any time after the adoption or amendment of this Resolution and such lots, individually, have an area or width that is less than is required by this Resolution, 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.
2. Individual Lot Not Meeting Minimum Lot Size Requirements. Except as set forth in Subsection 1 of this Section, in any Zoning District in which one-(1)-family dwellings are permitted, any lot of record existing at the time of adoption or amendment of this Resolution which has an area, width or depth less than that required by this Resolution may be used as a building site for a one-(1)-family dwelling.

In the case of such a lot, when it is not possible to provide the required side yards and at the same time build a minimum width one-(1)-family dwelling, the City of Peachtree Corners Zoning Board of Appeals is hereby authorized to grant a variance reducing the side-yard requirements for such lot the minimum amount necessary for a reasonable dwelling, but in no case shall each of the side yards be less than five (5) feet in width.

Section 703. - Exceptions to Front-yard Requirements.

The front yard requirements of this Resolution shall not apply on any lot where the average depth of the front yards of existing buildings on adjoining lots located wholly or in part 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-yard depth.

If the average depth of the front yards is greater than the required minimum front-yard depth, the depth of the front yard of such lot shall be the average of the front yards of the above-mentioned buildings but need not be greater than 150 percent of the required front-yard depth.

If the average depth of the front yards is less than the required minimum front-yard depth, the depth of the front yard of such lot may be less than the required front-yard depth but shall not be less than the average of the front yards of the aforementioned buildings.

Section 704. - 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.

Section 705. - Permitted Encroachments upon Required Setbacks.

Cornices, eaves, chimneys, landings, porches, bay windows, or other similar architectural features may extend into the required front, side, and rear yard provided such extensions do not exceed three (3) feet. Decks and patios may extend into the side or rear yard but no closer than five (5) feet from any property line. Steps and landings may extend into the required setbacks provided such extensions do not exceed ten (10) feet for the front yard and three (3) feet for side yards. Steps and landings may extend into the rear yard, but no closer than five (5) feet from the property line. Canopies, covered entrances or walkways for non-residential day care facilities, churches, or other similar uses may extend into the required side or rear yard provided such extension does not exceed three (3) feet and may extend into the required front yard provided such extensions do not extend to a point any closer than fifteen (15) feet from the street right-of-way line or future right-of-way line as designated by the Gwinnett County Long-Range Road Classification Map, whichever is greater. However, canopies over pump islands or over sidewalks may extend up to the street right-of-way line or future right-of-way line as designated by the Gwinnett County Long-Range Road Classification Map, whichever is greater.

ARTICLE VIII. - NON-CONFORMING USES

Section 800. - Continuance of Non-Conforming Uses.

The lawful use of any building or structure or land existing at the time of the enactment or amendment of this Resolution may be continued even though such use does not conform with the provisions of this Resolution, 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 Resolution 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 801. - Continuance of a Non-Conforming Building.

A non-conforming building existing at the time of the enactment or amendment of this Resolution 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 Resolution 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 Resolution, provided that such damage occurred as a result of fire, flood, wind, earthquake, or other natural disaster.

ARTICLE X. - OFF-STREET AUTOMOBILE PARKING AND LOADING AND UNLOADING SPACES

Section 1000. - Off-Street Vehicle Parking.

Off-street vehicle parking shall be provided and maintained, as specified in this Resolution.

Any building or use that is subsequently enlarged shall meet the off-street parking space requirements of this Resolution for the addition made.

Section 1001. - Plan and Design Standards for Off-Street Parking.

The following are required plan and design standards for off-street parking.

1. Required area for each parking space.
   a. Each automobile space shall be 9 feet wide and 18 feet deep as measured from face-of-curb, or 9.5 feet wide and 18.5 feet deep as measured from back-of-curb.
   b. Up to 15 percent of the overall parking spaces provided for a non-residential development may be in the form of compact spaces. Compact parking spaces shall be 8 feet in width and 16 feet in depth, as measured from face of curb, or 8.5 feet wide and 16.5 feet deep as measured from back-of-curb, and shall be clearly marked as compact spaces.
2. Interior driveways.
   a. Interior driveways shall connect each parking space with a public right-of-way.
   b. 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. This requirement may be waived by the Director of Planning and Development, only if it is demonstrated that an inter-parcel connection is not feasible, due to traffic safety or topographic concerns.
   c. Interior driveways with no parking shall be 10 to 12 feet for on-way traffic, and 20 to 22 feet for two-way traffic. One-way driveways that are determined to be essential access for fire safety shall be increased to 14 feet.

      Interior driveways shall be at least 22 to 24 feet in wide when used with 90-degree angle parking. Interior driveways shall be 10 to 12 feet wide (one-way), and 20 to 22 feet wide (two-way) when used with 60-degree angle parking.
   d. Interior driveways providing primary access to loading/unloading zones or loading docks for truck traffic may be increased to 14 feet in width per travel lane. Adjustments to geometry may be granted, if it can be shown with turn-radius templates that modifications to the standards are required.
   e. Interior driveways surrounding gasoline pump canopies may be increased to 40 feet in total width (as measured from the base of the gasoline pump islands).
   f. A separate driveway and stacking lane (accommodating at least 2 vehicles per lane) is required for any drive-up window, bank drive-through or pick-up station. These stacking lanes shall be separate and distinct from the required through-lane providing circulation around the building.

3. Improvement of Off-Street Parking Lots. All off-street parking lots shall meet the following standards:

   a. They shall be graded to ensure proper drainage, installed on a minimum 4-inch gravel aggregate base with a minimum 2-inch asphalt topping or other approved surface of, concrete, porous concrete, or porous asphalt. An approved porous concrete, porous asphalt or grassed paving system shall be used for surplus parking. Grassed paving spaces shall be located on the perimeter edge of a parking lot.

   b. Each parking space, except for grassed paving systems, shall be clearly marked by a painted stripe no less than three (3) inches wide running the length of each of the longer sides of the space or by curbing or by other acceptable method which clearly marks and delineates the parking space within the parking lot.

   c. Non-residential parking lots containing 200 spaces or more shall incorporate pedestrian access corridors into their design.

      i) Pedestrian corridors shall include 4-foot wide sidewalks with 2-foot grassed strips along at least one (1) side of primary driveways. The pedestrian corridors shall connect parking areas directly with buildings and adjacent public streets. These corridors shall not apply to auto sales lots.

      ii) Where pedestrian corridors cross a driveway, they may be constructed as a raised, flat hump with a height of 4 inches and a 6-foot wide top with 4-foot wide ramps and marked as a crosswalk; or may be constructed with an approved contrasting paver and marked as a crosswalk.

      iii) Parking spaces shall not be located more than 200 feet from any pedestrian corridor.

4. Maintenance and Appearance of Parking Lots. Parking lots shall be maintained in good condition, free of potholes, weeds, dust, trash and debris. Porous paving and grass paving systems shall be maintained to function as designed.

5. Location and Surface of Parking Areas.

   a. In any non-residential district, the parking of any vehicle on other than a paved surface (or approved porous or grassed paving system) is prohibited.

   b. In any residential district, the parking of any motor vehicle except on a hard-surfaced driveway or in a carport or garage is prohibited. Any recreational vehicle or any non-motor vehicle may only be parked in a carport, enclosed structure, or in the rear yard on a paved surface (or approved porous or grassed paving system). Any vehicles parked in the rear yard not in a carport or an enclosed structure must be parked at least fifteen (15) feet from the property line. Vehicles or equipment used for agricultural purposes on RA-200 or R-100 zoned property with 5 or more acres are exempt from hard surface parking requirements if parked outside the required front yard setback.

      Maximum allowable paved parking or hard surface area in front yards. (Excluding walkways and required sidewalks.)

      A. R-ZT District - Not more than 45 percent.

      B. All other residential districts, excluding R-TH district - Not more than 35 percent.

      C. In the R-TH zoning district, driveways for adjoining units shall be separated by at least a 4-foot wide grassed strip, unless the units are villa-type with connecting driveways.

Section 1002. - Number of off-street parking spaces required.

The following are the minimum and maximum number of off-street parking spaces required. For use not specifically listed, the off-street parking requirements shall be those of the most similar use. Where

spaces are calculated based upon square footage, the gross square footage of the building shall be utilized.

Parking spaces for the physically handicapped shall be as required by Georgia State Law, and shall be included in the calculation of overall parking provided.

USE/DEVELOPMENT CATEGORY	MINIMUM PARKING SPACES	MAXIMUM PARKING SPACES
Adult entertainment establishments	1 per 400 sq. ft.	1 per 25 sq. ft.
Automobile or truck rental	1 per 300 sq. ft. No min. for inventory	1 per 150 sq. ft. No max. for inventory
Automobile sales; used car or new car dealership	1 per 400 sq. ft. No min. for inventory	1 per 150 sq. ft. No max. for inventory
Automobile service center, tire store or lubrication facility	1 per bay	3 per bay
Bank, credit union	1 per 500 sq. ft.	1 per 200 sq. ft.
Billiard or pool hall	1 per 300 sq. ft.	1 per 100 sq. ft.
Bowling alley	1 per 300 sq. ft. or 2 per bowling lane	1 per 100 sq. ft. or 5 per bowling lane
Call center (office)	1 per 300 sq. ft.	1 per 175 sq. ft.
Car wash, full service	1 per 500 sq. ft., plus 4 stacking spaces per lane	1 per 250 sq. ft., plus 10 stacking spaces per lane
Car wash, self service	1 within each wash bay	3 per wash bay
Church, temple, synagogue	1 per 5 seats in main sanctuary	1 per 2 seats in main sanctuary
Convenience store, gasoline stations	1 per 500 sq. ft.	1 per 125 sq. ft.
Daycare center	1 per 400 sq. ft.	1 per 300 sq. ft.
Equipment rental	1 per 500 sq. ft.	1 per 200 sq. ft.

Funeral home	1 per 400 sq. ft.	1 per 200 sq. ft.
Golf course	15 per 9 holes	30 per 9 holes
Golf driving range	1 per tee box	1.5 per tee box
Health club, freestanding	1 per 300 sq. ft.	1 per 150 sq. ft.
Hospital, nursing home, or personal care home	1 per 3 beds	1 per 2 beds
Hotel/motel	1 per unit	2 per unit
Industrial/manufacturing	1 per 2,000 sq. ft.	1 per 1,000 sq. ft.
Laboratory/scientific research center	1 per 1,000 sq. ft.	1 per 300 sq. ft.
Lodges and clubs	1 per 200 sq. ft.	1 per 100 sq. ft.
Mini-warehouses	2 for office, plus 1 per 5,000 sq. ft.	2 for office, plus 1 per 2,000 sq. ft.
Office; business or professional	1 per 500 sq. ft.	1 per 225 sq. ft.
Office, medical	1 per 500 sq. ft.	1 per 150 sq. ft.
Plant nursery	1 per 500 sq. ft.	1 per 200 sq. ft.
Private club/country club	1 per 500 sq. ft. Golf course additional	1 per 300 sq. ft. Golf course additional
Public assembly (with fixed seating)	1 per 4 seats	1 per 2 seats
Public assembly (without fixed seating)	1 per 40 sq. ft. used for seating	1 per 20 sq. ft. used for seating
Recreation area, subdivision	1 per 10 homes	1 per 5 homes
Recreation, indoor	1 per 300 sq. ft.	1 per 100 sq. ft.

Recreation, outdoor (miniature golf)	10 spaces	20 spaces
Recreation, outdoor (water park, amusement park, etc.)	1 space per 3,000 sq. ft. of the gross site area	1 space per 1,000 sq. ft. of the gross site area
Residences (one- and two-family dwellings on individual lots)	2 per dwelling	6 per dwelling
Residences (townhomes)	3 per dwelling	6 per dwelling
Residences (multifamily)	1.5 per dwelling	3 per dwelling
Restaurant, freestanding	1 per 150 sq. ft.	1 per 75 sq. ft.
Retail use, shopping center, or regional shopping mall	1 per 500 sq. ft.	1 per 200 sq. ft.
Rooming/boarding house	1 per 4 beds	1 per 1.5 beds
School, private (elementary and middle, offering general education)	1.5 per classroom	2 per classroom, plus 1 per 50 sq. ft. of largest assembly area
School, private (high school offering general education)	3 per classroom	5 per classroom, plus 1 per 50 sq. ft. of largest assembly area
School, trade, vocational, or college	5 per classroom	10 per classroom, plus 1 per 50 sq. ft. of largest assembly area
Theater	1 per 3 seats	1 per 1.5 seats
Warehouse (including office) (0—100,000 sq. ft.)	1 per 2,500 sq. ft.	1 per 500 sq. ft.
Warehouse (including office) (100,001—250,000 sq. ft.)	1 per 2,500 sq. ft.	1 per 750 sq. ft.
Warehouse (including office) (>250,001 sq. ft.)	1 per 2,500 sq. ft.	1 per 1,000 sq. ft.
Wholesale membership club	1 per 500 sq. ft.	1 per 200 sq. ft.

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Section 1003. - Plan and Design Standards for Off-Street Loading and Unloading Spaces.

If provided, the following are plan and design standards for off-street loading and unloading spaces.

1. Off-street loading and unloading spaces shall have access from an internal driveway or alley. Such spaces shall not be accessed directly from a public street.
2. The off-street loading and unloading space shall be so located that it does not cause interference with the free movement of vehicles and pedestrians over a street, sidewalk, or through-alley.

Restriping or existing, unused portions of loading/unloading areas for vehicle parking shall be permitted. These parking spaces shall not be counted in the calculation of minimum/maximum off-street parking spaces.

Section 1004. - Administrative Variance.

In instances where an applicant shows specific and valid reasons why the requirements of Section 1002 cannot reasonably be met, and where a reduction or increase of not more than 30 percent in such requirements will not adversely affect the spirit or intent of this article, the Director of Planning and Development may administratively grant such a reduction or increase.

Section 1005. - Provision of Surplus Parking.

The maximum parking space allowance may be exceeded by 25 percent if constructed in the form of an approved porous concrete/asphalt or grassed paving system. The maximum parking space allowance may be exceeded in any amount when contained in a parking deck and/or underground parking structure. Parking decks shall have exterior architectural treatments matching the principal building.

Section 1006. - Parking Decks Required.

Non-residential, mixed-use and/or multi-family residential developments exceeding 1,500 overall parking spaces shall be required to provide at least 25 percent of their overall parking total within a decked or underground parking structure. A building height increase of 10 vertical feet is permitted for each 10 vertical feet of parking placed under a building. Single-family residential or townhouse component(s) of mixed-use developments shall not be subject to this requirement.

Section 1007. - Commercial Vehicle Parking.

A. In any commercial or office 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, except vehicles parked temporarily while making a delivery, providing a service, or purchasing goods or services.

B. In all residential zoning districts the parking of the following commercial vehicles are prohibited: limousines, flat-bed trucks, dump trucks, tow trucks, transport wreckers, tandem axle trucks, cab-on-chassis trucks, tractor trailers, wheeled attachments or trailers, buses, earth-moving machinery, semi-trailers, and any vehicle over 20 feet in length, or 7 feet in height, or 7 feet in width. Vehicles or equipment used for agricultural purposes on RA-200 or R-100 zoned property with 5 or more acres are permitted, if parked outside the required front yard setback.

In all residential zoning districts, the parking of the following commercial vehicles is permitted:

1. An automobile, pick-up truck, van, or SUV used to provide daily transportation to and from work.

2. A commercial vehicle that is parked temporarily in conjunction with a commercial service, sale, or delivery.

3. School buses used for the primary purpose of transporting children to and from state licensed or accredited elementary, middle or high schools; provided such vehicle is parked off any public thoroughfare, on a hard-surfaced area, and in the side or rear yard.

Section 1008. - Parking Lot Lighting Standards.

Within non-residential and multifamily developments, except properties subject to Section 1315, Activity Center/Corridor Overlay District, the following lighting standards shall apply:

1. All lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements:

   a. All lighting fixtures (luminaries) shall be cut-off luminaries, whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop Dish Refractors are prohibited. The wattage shall not exceed 420 watts/480V per light fixture. This provision includes lights on mounted poles as well as architectural display and decorative lighting visible from a street or highway. Wall pack lighting shall be cut-off down directional a maximum of 250 watts. Canopy lighting shall be recessed, with a maximum lamp wattage of 400 watts.

   b. Only incandescent, fluorescent, metal halide, mercury vapor, natural gas, or color corrected high-pressure sodium (CRI of 60 or better) light source (lamp) may be used.

   c. Fixtures must be mounted in such a manner that the cone of the light is not directed at any property line of site. The minimum mounting height for a pole is 12 feet. The maximum mounting height for a pole is 25 feet excluding a 3-foot base.

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   d. 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 (1) point meets the following standards:

      1) Average level of illumination is not to exceed the calculated value, and is derived using only the area of the site included to receive illumination.

      2) Points of measure shall not include the area of the building or areas which do not lend themselves to pedestrian traffic.

ILLUMINATION LEVELS
(IN FOOT-CANDLES)

Location or Type of Lighting	Minimum Level	Average Level	Maximum Level
Non-residential Parking Lots	0.6	2.40	10.0
Multifamily Residential Parking Lots	0.2	1.50	10.0
Walkways, Access Drives and Loading/Unloading Areas	0.2	2.00	10.0
Landscaped Areas	0.0	0.50	5.0

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2. Exceptions to site lighting standards.
   a. Lighting activated by motion sensor.
   b. Construction or emergency lighting provided it is temporary and is discontinued immediately upon construction completion or emergency cessation.
3. Site Lighting Plan Requirements.
   a. Site lighting plans shall include:
      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 after using 85 percent depreciation for both metal halide and high pressure sodium of initial output;
      4) Manufacturer's photometric data for each type of light fixture, including initial lumens and mean depreciation values; and
      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 ten-foot grid calculations).

ARTICLE XII. - LANDFILLS

Section 1200. - Zoning Districts in Which Landfills Are Permitted.

A landfill may be permitted in any Zoning District of City of Peachtree Corners by Special Use Permit, after a Public Hearing, provided the following conditions are met:

1. A minimum 200-foot 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 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-(6)-foot high chain link security fence.
5. The landfill shall be located on or have direct private access to a road designated on the Gwinnett County 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.

Section 1201. - Uses Permitted Accessory to Landfills.

The following waste disposal/recycling facilities shall be permitted as accessory uses to landfills meeting the standards of Section 1200:

1. Composting, Municipal Solid Waste.
2. Composting, Yard Trimmings.
3. Gas Recovery/Gas Congestion Plant.
4. Recovered Materials Processing Facility.
5. Solid Waste Transfer Stations.

ARTICLE XIII. - USE PROVISIONS

Section 1300. - RA-200 Agriculture-Residence District.

This district is comprised of land having a predominantly rural character. It is the intent of the regulations of this zoning district to discourage the subdivision of land for urban development requiring such urban services as a public water supply, sanitary sewers and fire protection.

Within the RA-200 Agriculture-Residence District, the following uses are permitted:

1. Single Family Dwellings.
2. Customary Accessory Buildings and Uses.
3. Customary Home Occupations.
4. Customary Agricultural Uses including forestry, commercial greenhouses, plant nurseries and the raising and keeping of livestock, provided that no animal quarters are located closer than 100 feet to any property line.
5. Customary Agricultural Buildings and Uses including farm ponds and fishing lakes and one and two-family tenant houses, subject to all of the yard requirements of the zoning district.
6. Parks and other similar public and semi-public buildings and land uses.
7. Kennel - provided than no animal quarters are located closer than 200 feet to any property line.

   Fur Farm - provided that no animal quarters are located closer than 200 feet to any property line.

   Cattery - provided that no animal quarters are located closer than 100 feet to any property line.

8. Livestock sales pavilions or auction facilities, show rings or other arenas for the display, exhibition, training or sale of livestock, provided that no animal quarters are located closer than 100 feet to any property line. Adequate off-street parking shall be provided for livestock trailers, recreation vehicles, etc., associated with the proposed use in addition to the minimum requirements of the 2012 Zoning Resolution

   If the above uses meet any of the following criteria, a Special Use Permit would be required and all provisions for approval would be established as part of the granting of the Special Use Permit:

   a. The event is held more than three (3) days per month.
   b. Operation of the use beyond 6:00 p.m.
   c. A public address system is provided.
   d. Permanent concession facilities are provided.

e. Portable restroom facilities are provided.

f. Seating facilities for more than 100 people are provided.

g. Parking facilities for more than 50 vehicles are provided.

h. Admission fee is charged.

9. Public, semi-public and private golf and country clubs, golf driving ranges and fishing clubs.

10. Public utilities.

11. Riding stables and academies, including any place that regularly breeds, boards, trains, buys, sells, trades or lets for hire any horse, donkey, burro or mule, provided that no animal quarters are located closer than 100 feet to any property line.

12. Farmers' Markets for the sale of products and commodities produced on the premises provided that any structure for such sales shall be located no closer than 35 feet to any property line.

13. Temporary or portable saw mills provided no machine operation is located closer than 200 feet to any property line.

14. The raising and keeping of household pets.

15. The raising and keeping of wild animals, provided that the owner or custodian of such wild animals has received an appropriate permit and meets all the requirements of the State of Georgia, and further provided that no animal quarters are located closer than 200 feet to any property line.

16. Facilities for use in the conduct of religious services and ceremonies provided:

    a. They are located on a Principal Arterial, Major Arterial, Minor Arterial, Major Collector Street or State Highway on a site of not less than five (5) acres with 250 feet of road frontage.

    b. The buildings are located not less than 50 feet from any street and not less than 30 feet from any side or rear property line.

    c. Parking is not provided in the front yard setback area.

    d. If adjacent to residentially-zoned property, a buffer of at least 50 feet wide shall be provided along the property lines adjacent to said zoning, provided, however, that this buffer may be reduced to no less than 20 feet in width adjacent to the sanctuary building or "Sunday School" educational building and parking related to these buildings.

    e. Facilities for use in the conduct of religious services and ceremonies located in a manufactured building may be erected on the property for a period not to exceed three (3) years.

    Within the RA-200 Agriculture-Residence District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a public hearing:

    1. Private Schools

    2. A cemetery, or family cemetery, provided the following conditions are met:

        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 ten-(10)-foot wide buffer strip and a minimum six (6) foot high decorative fence along all of its exterior property lines not bordering the frontage street and not extending into the required front yard.

The buffer strip shall be planted with evergreen trees or shrubs that grow at least eight (8) feet tall and provide an effective visual screen.

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).

3. Manufactured Homes.

4. Group Day Care Homes.

5. Veterinary Clinic or Hospital provided that no portion of a building, structure, outdoor run or pen used to house or exercise animals is located closer than 200 feet to any property line.

6. Facilities for the conduct of religious services and ceremonies not meeting the minimum requirements for a permitted facility for the conduct of religious services and ceremonies.

7. Residential or community shelters as an accessory use to a facility for the conduct of religious services and ceremonies meeting the minimum requirements for a permitted facility for the conduct of religious services and ceremonies. All shelters must meet the provisions of Rules for Shelters in City of Peachtree Corners.

8. Funeral homes as an accessory use to a new or existing cemetery.

9. Group Homes.

10. Family Personal Care Home (minimum one-(1)-acre lot size).

Section 1300A. - R-140 Single Family Residence District.

This zoning district is intended primarily for one (1) family residences on large lots in areas where topography does not lend the land for small-lot development.

A. Within the R-140 Single Family Residence District, the following uses are permitted:

1. All uses permitted in the R-100 Single Family Residence District, including Special Uses.

B. Minimum specifications for development of the R-140 Single Family Residence District.

1. A maximum of 25 percent of the net acreage exclusive of roads may be used for lots of 1.0 to 1.5 acres.

2. A maximum of 25 percent of the net acreage exclusive of roads may be used for lots of 1.5 to 2.0 acres.

3. The remainder of the property shall consist of lots exceeding 2.0 acres.

4. Upon approval of the Final Plan, a note shall be placed on the plat stating "No lot shall be subdivided, nor shall more than one (1) house be erected on any one (1) lot."

5. Subdivision development shall be considered only on tracts of fifteen (15) acres or more.

C. Within the R-140 Single Family Residence District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a public hearing:

1. The subdivision of land with frontage on private roads with a common easement.

2. Group Homes.

3. Family Personal Care Home (minimum one-(1)-acre lot size).

Section 1300B. - R-LL Single Family Residence-Large Lot District.

This zoning district is intended primarily for one (1) family residences and related uses on large lots.

Within the R-LL District, the following uses are permitted:

1. Single Family Dwellings, except Manufactured Homes.
2. Customary accessory buildings and uses.
3. Customary Home Occupations.
4. Existing Cemeteries.
5. Public buildings and land uses.
6. Electric substations or gas regulator stations, if essential for service to this zoning district, as provided in the R-100 zoning district.
7. The raising and keeping of horses for personal pleasure or utility on a lot which contains the dwelling of the owner, provided the lot is at least three (3) acres in area and that no animal quarters are located closer than 100 feet to any property line.
8. The raising and keeping of household pets. A purebred Vietnamese pot-bellied pig is allowed provided that there is no hobby breeding, and only one (1) pig shall be allowed per lot. The raising and keeping of rabbits shall be allowed provided that the number of rabbits does not exceed eight (8) and any animal quarters are located in the rear yard and set back at least 30 feet from all property lines.
9. Public, semi-public, and private golf and country clubs.

   [Within the R-LL Single Family Residence - Large Lot District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a Public Hearing:]

   1. Family Personal Care Home (minimum one-(1)-acre lot size).

Section 1301. - R-100 Single Family Residence District.

This zoning district is intended primarily for one (1) family residences and related uses.

Within the R-100 Single Family Residence District, the following uses are permitted:

1. Single Family Dwellings, except Manufactured Homes.
2. Customary accessory buildings and uses.
3. Customary Home Occupations.
4. Existing Cemeteries.
5. Public buildings and land uses.
6. Electric substations or gas regulator stations, if essential for service to this zoning district, provided:
   a. The structures are placed not less than 50 feet from any property line.
   b. The structures are enclosed by a woven wire fence at least eight (8) feet high.
   c. The lot is suitably landscaped, including a buffer strip at least 25 feet wide along the side and rear property lines but not extending into the required front yard, planted with

evergreen trees and shrubs that grow at least eight (8) feet tall and provide an effective visual screen.

d. No vehicles or equipment are stored on the premises.

7. The raising and keeping of livestock for personal pleasure or utility on a lot which contains the dwelling of the owner of the livestock, provided that the lot is at least three (3) acres in area and that no animal quarters are located closer than 100 feet to any property line.

8. Lots located on cul-de-sacs or half cul-de-sacs shall have a minimum of eighty-five (85) feet at the building line.

9. The raising and keeping of household pets. A purebred Vietnamese pot-bellied pig is allowed provided that the lot is at least one-half (½) acre in size, no hobby breeding, and only one (1) pig shall be allowed per lot. The raising and keeping of rabbits shall be allowed provided that the number of rabbits does not exceed eight (8) and any animal quarters are located in the rear yard and set back at least 30 feet from all property lines.

10. Facilities for the conduct of religious services and ceremonies provided:

    a. They are 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 are located not less than 50 feet from any street and not less than 30 feet from any side or rear property line.

    c. Parking is not provided in the front yard setback area.

    d. If adjacent to residentially-zoned property, a buffer of at least 50 feet wide shall be provided along the property lines adjacent to said zoning; provided, however, that this buffer may be reduced to no less than 20 feet in width adjacent to the sanctuary building or "Sunday School" educational building and parking related to these buildings.

    e. A facility for the conduct of religious services and ceremonies located in a manufactured building may be erected on the property for a period not to exceed three (3) years.

    Within the R-100 Single Family Residence District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a Public Hearing:

    1. Facilities for the conduct of religious services and ceremonies not meeting the minimum requirements for a permitted facility for the conduct of religious services and ceremonies within the district

    2. Private schools offering general education courses.

    3. A beauty parlor or barber shop in a one (1) family residence.

    4. Single family dwellings with a floor area of 1,000 square feet or greater but less than 1,400 square feet.

    5. Group day care homes.

    6. Day care facilities located in a church.

    7. Private not-for-profit recreation facilities; provided, however, that a Special Use Permit shall not be required for such facilities if they are to be located on an area reserved or dedicated for such use on a final recorded subdivision plat.

    8. The development of equestrian-oriented subdivisions on tracts of 15 acres or more, provided that no lot is less than one (1) acre and that all provisions for community and/or individual lot animal quarters shall be established as part of the approval of granting a Special Use Permit. Such provisions as approved and a restriction

prohibiting the further subdivision of any lots shall be recorded as Protective Covenants for the subdivision.

9. Metal buildings in excess of 550 square feet in size.
10. Group Homes.
11. Family Personal Care Home (minimum one-acre lot size).

Section 1302. - R-75 Single Family Residence District.

This zoning district is intended primarily for moderate-cost, one family residences and related uses on land served by a central sewerage system. The development of lots in this district is permitted with septic tanks, provided lot sizes correspond to the area in square feet in the R-100 district. All septic tank installations are subject to the approval of the Gwinnett County Environmental Health Department.

Within the R-75 Single Family Residence District, the following uses are permitted:

1. All uses permitted in the R-100 Single Family Residence District, including special uses, provided, however, that only those single family dwellings with a floor area of 1,000 square feet or greater but less than 1,200 square feet shall be required to have obtained a Special Use Permit prior to being permitted. Single family dwellings with less than 1,000 square feet in floor area shall not be permitted.

Section 1302A. - R-60 Single Family Residence District.

This zoning district is intended primarily for single family detached residences and accessory uses on land served by a central sewerage system.

A. Within the R-60 Single Family Detached Residence District, the following uses are permitted:
    1. All uses permitted in the R-75 Single Family Residence District, including special uses, except Group Day Care Homes, Family Group or Congregate Personal Care Homes.
    2. Subdivision development provided the following guidelines are met:
        a. Maximum density shall not exceed four (4) units per acre.
        b. The subdivision development shall have a minimum land area of at least five (5) contiguous acres.
        c. Dwellings shall include double-car garages and where garages are front entry, driveways shall be sixteen (16) feet in width. On cul-de-sac lots driveways may taper from 16 feet at the right-of-way line to the street pavement, but a minimum 16' X 35' paved parking pad must be provided.
        d. Provide sidewalks adjacent to interior streets, excluding cul-de-sac turnarounds.
        e. Provide a minimum 40-foot building setback adjacent to exterior streets. The setback may be reduced to 30 feet if a berm, landscaping, fence, or wall is provided adjacent to the exterior street(s).

Section 1302B. - R-TH Single Family Residence Townhouse District.

This zoning district is intended exclusively for townhouse dwelling units, villas, residential dormitories, customary accessory uses and structures for development after January 2005. For developments prior to January 2005, refer to Article XIX: Appendix of Inactive Zoning Districts.

A. Requirements. Within the R-TH Single Family Residence Townhouse District, the following requirements shall be met:
    1. Maximum density: Eight (8) units per acre; Residential dormitories shall be limited to a maximum of 90 beds per acre.

2. Lot Area: No Minimum for townhomes or villas; Minimum 3 acres for residential dormitories.

3. Lot Width: No Minimum for townhomes or villas; Minimum 100 feet for residential dormitories.

4. Internal Road Frontage: No Minimum.

5. External Road Frontage For Overall Development: 50-feet.

6. Minimum unit width: Twenty-two (22) feet for double-car garage townhomes. Eighteen (18) feet for single-car garage townhomes. Forty (40) feet for villas.

7. Maximum height: 35 feet for townhomes or villas; Four (4) stories for residential dormitories.

8. Internal yard requirements: A 20-foot grassed or landscaped strip shall be provided between all buildings and interior driveways/streets.

9. External yard requirements: Front yard: 50-Feet. Side yard: 40-Feet. Rear yard: 40-Feet

10. Provide three (3) or more off-street parking spaces per dwelling unit for townhomes and villas. At least 80 percent of required parking areas for overall development must be located directly in the front or rear of the dwelling units. The balance of the parking spaces may be located in a parking facility separated from the units. All townhome and villas units shall require at least single-car garages.

    Residential Dormitories shall have a minimum of one (1) parking space per bed and a maximum of 1.5 parking spaces per bed. Parking decks shall be allowed for residential dormitories. The maximum parking space allowance may be exceeded in any amount when a parking deck and/or underground parking structure is constructed to accommodate at least 50 percent of the maximum parking allowance. Excess parking may be shared with the adjacent school facilities.

11. All grassed areas shall be sodded.

12. Provide sidewalks adjacent to both sides of interior streets or private driveways. Design shall be per Development Regulations.

13. A minimum of three (3) and maximum of eight (8) dwelling units shall be allowed in each row of townhouses. Villas shall have a minimum of three (3) units and a maximum of four (4) units per building.

14. A minimum of a two-(2)-hour rated firewall shall be required between each attached dwelling unit. A four-(4)-hour rated firewall shall be required between every fourth (4th) attached dwelling unit. The four-(4)-hour firewall may be reduced to a two-(2)-hour firewall, if approved residential sprinkler systems, or similar fire prevention measures as approved by the Fire Marshal, are installed in each unit. Firewalls shall be constructed in accordance with applicable building codes of City of Peachtree Corners.

15. All utilities shall be placed under-ground.

16. A 50-foot wide landscaped setback shall be provided along all exterior street frontages. The landscaped setback may incorporate natural vegetation and shall include a decorative fence/wall and entrance monument. The fence may be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or stacked stone columns (maximum 30-feet on-center).

B. Concept Plan Review.

The purpose of the concept plan review is to encourage logic, imagination, innovation, and variety in the design process and ensure the soundness of the proposed development and its compatibility with the surrounding area. The Director of Planning and Development shall review plans for compliance with concept plan review criteria. The recommendations of both the

Director of Planning and Development and the Planning Commission shall be transmitted to the City Council. Through the rezoning process, the City Council may condition approval of an R-TH request to a specific concept plan, or require a future site plan review by the Planning Commission.

The following exhibits shall be prepared by design professionals, such as planners, engineers, architects, or landscape architects, and submitted to the Department of Planning and Development. No application for an R-TH district shall be accepted for processing without these required exhibits.

1. A location map indicating existing zoning on the site and the adjacent areas.
2. A concept plan drawn no smaller than one (1) inch equals 100 feet, including the following information:
    a. Lot lines and setbacks;
    b. Topography with contour intervals no greater than 20 feet;
    c. Lakes, ponds and floodplains and the sources of floodplain data;
    d. Stormwater detention areas;
    e. Recreation facilities (if applicable);
    f. Location of typical off-street parking.
3. Color elevations of front, sides and rear of all typical units, including proposed building material, and any other structures such as recreation buildings.
4. Information indicating the following:
    a. Gross and net acreage (see definition of net density);
    b. Lot sizes (typical dimensions and square footage);
    c. Amount of common open space in square feet (if applicable).
5. Such other architectural and engineering data as may be required to evaluate the project.

Section 1302C. - R-ZT Single Family Residence District.

This district is intended for single-family detached residences and accessory uses of a medium density on land served by a sanitary sewerage system.

A. Within the R-ZT Single Family Residence District, the following uses are permitted:
    1. Single-family detached dwellings.
    2. Customary Home Occupations (provided the building lot is a minimum of 60 feet in width and 7,200 square feet in area).

B. Within the R-ZT Single Family Residence District, the following requirements shall be met:
    1. Maximum density shall not exceed six (6) units per acre.
    2. Minimum lot area shall be 4,000 square feet.
    3. Minimum lot width - 40-feet.
    4. Minimum front yard depth shall be 20 feet.
    5. Minimum side yard - five (5) foot side yard on each side.
    6. Minimum rear yard depth - When abutting an R-75 or less intense district, the rear yard shall be equal to the required buffer plus an additional five (5) feet. However, the rear yard setback shall not be less than 25 feet.

7. Provide a minimum 40-foot landscaped building setback adjacent to exterior streets. The landscaped setback may incorporate natural vegetation and may be reduced to 30 feet if a berm and landscaping, fence or wall is provided adjacent to the exterior street(s).

Section 1302C.1. - Concept plan review.

The purpose of the concept plan review is to encourage logic, imagination, innovation, and variety in the design process and ensure the soundness of the proposed development and its compatibility with the surrounding area. The Director of Planning and Development shall review plans for compliance with concept plan review criteria. The recommendations of both the Director of Planning and Development and the Planning Commission shall be transmitted to the City Council. Through the rezoning process, the City Council may condition approval of an R-ZT request to a specific concept plan, or require a future site plan review by the Planning Commission.

A. Required Exhibits.

The following exhibits shall be prepared by design professionals, such as planners, engineers, architects or landscape architects, and submitted to the Department of Planning and Development. No application for an R-ZT district shall be accepted for processing without these required exhibits.

1. A location map indicating existing zoning on the site and the adjacent areas.
2. A concept plan drawn no smaller than one (1) inch equals 100 feet, including the following information:
    a. Lot lines and setbacks;
    b. Topography with contour intervals no greater than 20 feet;
    c. Lakes, ponds and floodplains and the sources of floodplain data;
    d. Stormwater detention areas;
    e. Recreation facilities (if applicable);
    f. Location of typical off-street parking.
3. Elevations of all typical units and any other structures such as recreation buildings.
4. Information indicating the following:
    a. Gross and net acreage (see definition of net density);
    b. Lot sizes (typical dimensions and square footage);
    c. Amount of common open space in square feet (if applicable);
    d. Such other architectural and engineering data as may be required to evaluate the project.

Section 1302D. - R-SR Senior Oriented Residence District.

This district is intended for single-family detached and/or villas-style attached residence and accessory uses of a medium density on land served by a sanitary sewerage system. The R-SR district is designed to serve the housing needs of senior residents. It is recommended that this district be located in areas that facilitate pedestrian access to nearby commercial goods and services, and/or amenities/cultural facilities such as public parks or libraries. The R-SR zoning shall not serve as a precedent for medium density zoning in an otherwise low density residential area.

R-SR developments shall be intended and operated for occupancy by persons 55 years of age and older. At least 80 percent of the occupied units shall be occupied by at least one (1) person who is 55 or older.

Permitted Uses:

1. Detached single-family homes.
2. Villas attached residences.

Building Design Standards:

A. Architectural treatments shall be primarily of brick, or stone, with minor treatments of low or no-maintenance siding materials.

B. All dwellings shall have a minimum 1,600 square feet for two bedroom homes, and 1,800 square feet for three (3) or more bedroom homes.

C. All dwellings shall be limited to single-story, however, bonus rooms over garages shall be allowed.

D. All dwellings shall contain double-car garages.

E. All dwellings shall incorporate accessibility standards which 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.

F. Attached villas shall generally have a minimum of three (3) units and a maximum of four (4) units per building. A minimum number of two (2) unit villas may be approved by the Director to address specific topographic issues.

G. Attached villas shall include a minimum two-(2)-hour rated firewall between each attached dwelling unit. Firewalls shall be constructed in accordance with applicable building codes of Gwinnett County.

Site Design Standards for R-SR detached homes.

Within the R-SR Senior Oriented Residence District, the following requirements shall be met:

A. Maximum density: Four (4) units per acre.

B. Minimum lot area: 5,000 square feet.

C. Average lot width: 50 feet.

D. Minimum front yard: 20 feet.

E. Minimum side yard: Five (5) feet.

F. Minimum rear yard: 15 feet.

G. Provide sidewalks adjacent to both sides of interior street.

Site Design Standards for R-SR attached villas:

Within the R-SR Senior Oriented Residence District, the following requirements shall be met:

A. Maximum density: Six (6) units per acre.

B. Lot Area: No Minimum.

C. Lot Width: No Minimum.

D. Internal Road Frontage: No Minimum.

E. External Road Frontage For Overall Development: 50 feet.

F. Minimum unit width: Forty (40) feet.

G. Internal yard requirements: A 20-foot grassed or landscaped strip shall be provided between all buildings; and a 10-foot grassed or landscaped strip shall be provided between all buildings and interior driveways/streets.

H. External yard requirements:

   a. Front yard: 50-Feet.

   b. Side yard: 20-Feet.

   c. Rear yard: 20-Feet.

I. Provide sidewalks adjacent to both sides of interior streets or private driveways. Design shall be per Development Regulations.

Landscape Requirements:

A. A minimum of 50-foot landscaped building setback shall be provided adjacent to abutting exterior streets. The landscaped setback may incorporate natural vegetation and shall be supplemented with either a landscaped berm, wrought-iron style fence with brick or stone columns (30 feet on-center), or a decorative brick wall. Alternate decorative fence materials may be utilized, subject to review and approval of the Director.

B. At least one (1) 3-inch caliper street tree shall be planted at least every 35-feet along both sides of internal street(s).

C. All grassed areas shall be sodded.

Mandatory Homeowner's Association Required.

A mandatory homeowners association shall be incorporated which provides for building and grounds maintenance and repair, insurance and working capital. Said 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. Said association shall also include declarations and bylaws including rules and regulations, which shall at a minimum regulate and control the following:

A. 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.

B. Restrictions on single-family residential use only and leasing of units. No more than ten percent of the total units may be leased by individual owners at any one time.

C. Exterior items such as fences, lawn ornaments and restrictions on removal of landscaped areas and buffers.

D. Exterior fence maintenance shall include a requirement that any graffiti shall be repaired and/or repainted within 72 hours.

E. Except for a central amenity package, prohibit playground equipment, swing sets, trampolines or like fixtures.

F. Maintenance of detention ponds, common areas and entrance features.

Concept Plan Review Required.

The purpose of the concept plan review is to ensure that soundness of the proposed development and its compatibility with the surrounding area. The Department of Planning and Development shall review plans for compliance with concept plan review criteria. The recommendations of both the Department of Planning and Development and the Planning Commission shall be transmitted to the City Council. Through the rezoning process, the City Council may condition approval of an R-SR request to a specific concept plan, or require a future site plan review by the Department of Planning and Development or Planning Commission.

A. Required Exhibits.

The following exhibits shall be prepared by design professionals, such as planners, engineers, architects or landscape architects, and submitted to the Department of Planning and Development. No application for an R-SR district shall be accepted for processing without these required exhibits.

1. A location map indicating existing zoning on the site and the adjacent areas.
2. A concept plan drawn no smaller than one inch equals 100 feet, which includes the following information:
    a. Lot lines and setbacks;
    b. Topography with contour intervals no greater than 20 feet;
    c. Lakes, ponds and floodplains and the source of floodplain data;
    d. Stormwater detention areas;
    e. Recreation facilities (if applicable);
    f. Location of typical off-street parking.
3. Color elevations of front, sides and rear of all typical units, including proposed building materials, and any other structures such as recreation buildings.
4. Information indicating the following:
    a. Gross and net acreage (see definition of net density);
    b. Lot sizes (typical dimensions and square footage);
    c. Amount of common/open space in square feet (if applicable);
    d. Such other architectural and engineering data as may be required to evaluate the project.

Section 1303. - RM Multi-Family Residence District.

The following districts are intended for duplex and multi-family dwellings. These zoning districts are to be located where public water supply and sewerage facilities are available or can be obtained and where there is convenient access to collector streets, major thoroughfares or state or interstate highways. The purpose of the following zoning districts is to promote better utilization of land and freedom of architectural and engineering design without maximizing density. On any tract of land zoned for RMD, RM-6, RM-8, RM-10, RM-13 or RM the entire tract must be developed as the same type of use. No combinations of allowed uses are permitted on any one (1) tract of land. Townhomes are not permitted in these districts.

RMD Multi-Family Residence District (Duplexes).

This zoning district is intended primarily for duplexes provided only one duplex is constructed on each lot of record. Within the RMD Multi-Family Residence District (Duplexes), the following uses are permitted:

1. All uses permitted in the R-75 Single Family Residence District, including special uses, except single family dwellings, group day care homes, personal care homes, group homes, and the raising and keeping of livestock, and pot-bellied pigs.
2. Duplexes.

RM-6 Multi-Family Residence District (Maximum Density Six (6) Units Per Acre).

This zoning district is intended primarily for multi-family dwellings with a maximum density of six (6) units per acre. Within the RM-6 Multi-Family Residence District (maximum density six (6) units per acre) the following uses are permitted:

1. All uses permitted in the RMD Multi-Family Residence District (Duplexes).
2. Multi-family dwellings.
3. A quadraplex apartment development on individual subdivision lots (four [4] units per lot) provided the following conditions are met:
    a. Served by a wastewater treatment facility.
    b. The minimum side yard setback shall be 15 feet on each side; all other setbacks shall apply as required in Article XIV.

Within the RM-6 Multi-Family Residence District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a public hearing:

1. Residential or Community Shelters, subject to the provisions of Rules for Shelters in City of Peachtree Corners.

RM-8 Multi-Family Residence District (Maximum Density Eight (8) Units Per Acre).

This zoning district is intended primarily for two-(2)-family and multi-family dwellings.

[Within the RM-8 Multi-Family Residence District, the following uses are permitted:]

1. All uses permitted in the RM-6 Multi-Family Residence District, including special uses.

RM-10 Multi-Family Residence District (Maximum Density Ten (10) Units Per Acre).

This zoning district is intended primarily for two-(2)-family and multi-family dwellings.

Within the RM-10 Multi-Family Residence District (maximum density ten (10) units per acre), the following uses are permitted:

1. All uses permitted within the RM-8 Multi-Family Residence District, including special uses.
2. Residential and community shelters subject to the provisions of Rules for Shelters in City of Peachtree Corners. If previously developed as a single-family residence detached development, a Special Use Permit shall be required.

RM-13 Multi-Family Residence District (Maximum Density 13 Units Per Acre).

This zoning district is intended primarily for two-(2)-family and multi-family dwellings.

This zoning district includes all old RM districts which have no density designated. Within the RM-13 Multi-Family Residence District (maximum density 13 units per acre), the following uses are permitted:

1. All uses permitted within the RM-10 Multi-Family Residence District.
2. Boarding and rooming houses.
3. Fraternal organizations and clubs not operated for profit.
4. Retirement communities, which may include a nursing home, cafeteria and care facilities and accessory uses.
5. Residential and community shelters subject to the provisions of Rules for Shelters in City of Peachtree Corners. If previously developed as a single-family residence detached development, a Special Use Permit shall be required.

Within the RM-13 Multi-Family Residence District, the following uses may be permitted provided that the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and the Planning Commission and after a Public Hearing:

1. Day Care Facilities

HRR - High-Rise Residential District.

This district may only be permitted within a Major Activity Center as designated in the Gwinnett County Comprehensive Plan, on tracts of land or assemblages of land located adjacent to or having immediate access to major thoroughfares where infrastructure is available to support the intensity of such a use, and with immediate access to major shopping, office or transit connections.

Applications for rezoning not located within a Major Activity Center shall not be accepted for processing by the Department of Planning and Development.

This zoning district is intended to allow for high-rise residential development and associated uses in a mixed-use environment. Therefore, within an approved HRR district, non-residential uses as defined in use category #2 are permitted in up to forty (40) percent of the gross square footage of a high-rise residential structure exclusive of any building area devoted to parking.

1. High-rise residential uses:

    a) Maximum project density: none.

    b) Minimum building height: 5 stories.

    c) Maximum building height: 25 stories, not to exceed 300 feet.

    The City Council shall establish maximum project density on a case-by-case basis at the time of rezoning. The City Council may increase building height on a case-by-case basis by Special Use Permit.

2. Accessory office, retail and service uses (as permitted within the C-2 zoning district) may occupy up to forty (40) percent of the gross square footage of the high-rise structure exclusive of any building area devoted to parking garage. Such uses shall exclude:

    a. Automotive car wash.

    b. Automotive parts stores.

    c. Billboards or Oversized Signs, as provided in the Sign Ordinance of City of Peachtree Corners.

    d. Building, electrical or plumbing contractors.

    e. Drive-in restaurants.

    f. Emission Inspection Stations.

    g. Funeral homes or mausoleums.

    h. Equipment rental.

    i. Garden supply centers.

    j. Hardware stores.

    k. Pest control businesses.

    l. Recovered Materials Processing Facilities.

    m. Taxidermist.

    n. Yard Trimmings Composting Facility.

Required Exhibits.

1. A concept plan drawn no smaller than one (1) inch equals 100 feet, including the following information:

    a. Lot lines and setbacks;

    b. Topography with contour intervals no greater than 20 feet;

c. Lakes, ponds and floodplains and the sources of floodplain data;

d. Stormwater detention areas;

e. Recreation facilities (if applicable);

f. Location of off-street parking.

2. Scaled architectural elevations of the proposed high-rise structure and any proposed accessory structure (i.e., parking garage, recreation buildings, etc).

3. Information indicating the following:

a. Gross and net acreage (see definition of net density);

b. Amount of common open space in square feet (if provided);

c. Such other architectural and engineering data as may be required to evaluate the project.

Section 1304. - RL Lakeside Residence District.

The purpose of the RL Lakeside Residence District, which borders on Lake Lanier or Norris Lake, is to permit one-(1)-family dwellings and recreation cottages on medium-sized lots, and, as a special use, water related recreation areas and facilities.

Within the RL Lakeside Residence District the following uses are permitted:

1. Single family dwellings and recreation cottages, but not including manufactured homes.
2. Customary accessory buildings and uses.
3. Customary home occupations.
4. Public parks.
5. Public utilities.

Within the RL Lakeside Residence District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a Public Hearing:

1. Facilities for the conduct of religious services and ceremonies.
2. Public and private schools offering general education courses.
3. Water-related recreation areas and facilities including commercial and non-commercial boat docks and piers, picnic facilities, convenience goods stores, restaurants and the like.
4. Multi-family rental vacation dwellings.

Section 1305. - MH Mobile Home Park District.

This zoning district is intended exclusively for the placement of mobile homes in an environment that will provide pleasant and otherwise satisfactory living conditions and, at the same time, will not produce adverse effects upon neighboring properties.

Within this district are permitted Mobile Home Parks in which lots are leased.

A Mobile Home District development shall meet the following requirements:

1. Location. A Mobile Home District development shall front for a sufficient distance to provide safe access upon a State Highway, a Major Thoroughfare, a Collector Street or a local access road paralleling an expressway and shall have access and egress only on such road.
2. Street Access Requirements. The entrance road to a Mobile Home District development shall have a minimum right-of-way width of 60 feet with a minimum pavement width of 28 feet. The

entrance road shall have a turning radius from the highway of at least 30 feet and the entrance road shall extend at least 100 feet into the Mobile Home District development.

3. Size. A Mobile Home District development shall have a minimum buildable area of at least 15 contiguous acres.

4. Density. A Mobile Home District development shall have a density of not more than six (6) mobile home lots per buildable acre.

5. Mobile Home Lots. Each mobile home shall be located on a separate mobile home lot in accordance with the Mobile Home Subdivision Regulations of Gwinnett County.

6. Recreation and Other Community Facilities. Not less than eight (8) percent of the gross area of the Mobile Home District development shall be devoted to recreation and other community use facilities. Each recreation space shall have a minimum area of 10,000 square feet.

7. HUD Mobile Home Court Development Guide. The Mobile Home District development shall meet the standards of the "Mobile Home Court Development Guide," as set forth in the above-titled pamphlet, FHA G4200.7, published January, 1970, which is hereby made a part of this Resolution, as well as the requirements of the City of Peachtree Corners Zoning Resolution and the Standard Building Code. If there are any differences in the above two (2) sets of requirements, the most stringent shall apply.

8. No Site Construction Until Preliminary Subdivision Plat Approved. No site construction shall be undertaken and no permits shall be issued until a Preliminary Subdivision Plat that meets the requirements of the Development Regulations of City of Peachtree Corners and the requirements of this Zoning Resolution has been given tentative approval.

9. Certificates of Occupancy. No Certificate of Occupancy for the placing of a mobile home in a Mobile Home District development shall be issued until at least 50 mobile home lots have been developed in accordance with an officially approved and recorded Final Subdivision Plat and are ready for occupancy.

10. Skirting or Underpinning. All mobile homes shall be skirted or similar measures must be provided for on the mobile home.

Section 1305A. - MHS Manufactured Housing Subdivision District.

This zoning district is intended primarily for the placement of manufactured homes on residential lots for one-(1)-family residences and related uses.

Within the MHS Manufactured Housing Subdivision District, the following uses are permitted:

1. One (1)-family dwellings including mobile homes provided the following conditions are met:

   a. Subdivision. The subdivision shall be designed to only allow lot frontage on minor interior streets and shall meet the requirements of a single family subdivision as specified in the Development Regulations of City of Peachtree Corners. All other City regulations regarding the construction of a subdivision shall be followed.

   b. Size. The subdivision development shall have a minimum area of at least 20 contiguous acres.

   c. Minimum area, yard and height requirements. Each lot shall meet the minimum requirements of the R-100 Single Family Residence District.

   d. Enclosure of space beneath the home. The space underneath each manufactured home shall be fully enclosed to protect this space from the elements and to create an aesthetic appearance for each unit. Materials used for this purpose shall be rigidly mounted and shall be acceptable for exterior use.

   e. Tie-downs. Acceptable provisions for tie-downs for each home shall be made in accordance with Appendix H of the Standard Building Code adopted by Gwinnett County.

f. Foundations. All piers shall be placed on footings of solid concrete not less than the following:

1. Single-wide - 20 inches by 20 inches by eight (8) inches.

2. Double-wide - 24 inches by 24 inches by eight (8) inches.

3. Industrialized homes or site-built homes shall meet foundation requirements of the Standard Building Code adopted by Gwinnett County.

All other placement or construction criteria shall meet the building codes adopted by City of Peachtree Corners.

g. Protective Covenants. All manufactured home subdivisions shall have protective covenants as provided for and approved within the City of Peachtree Corners Development Regulations and the requirements of this section.

h. Completion of site preparation. The developer shall be responsible for final site preparation with the exception of those items included in the approved covenants of the subdivision as the homeowners' responsibility.

1. Items which shall be required of the developer include, but are not limited to the following:

(a) Paving of driveways and parking from the curb line of streets to the actual home location site behind the setback line.

(b) Lawns shall be landscaped and seeded by the developer within a reasonable period of time (not to exceed sixty (60) days) after the installation of the manufactured home taking into consideration weather changes and conditions.

(c) All trees shall remain on lots except as their removal is required for installation of driveways and the location of the home on each lot with a reasonable yard area.

(d) Only multi-sectional (double-wide) manufactured homes, industrialized homes or on site-built homes shall be allowed on any exterior lot of the subdivision, except where adjoining the MHS or MH zoning district.

(2) Items which shall be required of the developer or lot owner include, but are not limited to, the following:

(a) A home location plan shall be submitted for approval by the Department of Planning and Development for each lot showing the exact location of the home, driveways, etc., in relation to the parcel lot lines prior to the issuance of a permit for the installation of a home.

(b) Installation of the manufactured home, including tie-downs, skirting or similar enclosure, connection of utilities and other requirements concerning the installation of a home set-forth in this section and specified in the manufacturer's installation instructions.

(c) Entrances and service walkways.

(d) Exterior steps and porches.

The above listed items shall be set-forth within the Protective Covenants approved and recorded with the Final Plat of the subdivision which has been developed.

i. Certificate of Occupancy. A Certificate of Occupancy shall be issued prior to the occupancy of any home allowed within this section. No Certificate of Occupancy shall be issued for any home until the required improvements of Paragraph h. above, have been completed.

j. Eligibility. Only the following types of housing may be placed within an approved manufactured home subdivision:

(1) New manufactured homes (mobile homes) certified to comply with the Federal Manufactured Home Construction and Safety Standards.

(2) Industrialized homes and new site-built homes provided the home meets the minimum floor area requirements of the R-100 District, Section 604 of this resolution.

k. Buffers. A minimum of a twenty-five (25) foot buffer shall be required adjacent to exterior property lines of the development to protect the subdivision from adverse visual, noise or other impact caused by surrounding land usages and to provide a buffer to any residential property immediately adjoining the site.

2. Customary accessory buildings and uses.

3. Customary home occupations.

4. Existing cemeteries.

5. Public buildings and land uses.

6. Electric substations or gas regulator stations, if essential for service to this zoning district, provided:

a. The structures are placed not less than fifty (50) feet from any property line.

b. The structures are enclosed by a woven wire fence at least eight (8) feet high.

c. The lot is suitably landscaped, including a buffer strip at least ten (10) feet wide along the side and rear property lines, but not extending into the required front yard, planted with evergreen trees and shrubs that grow at least eight (8) feet tall and provide an effective visual screen.

d. No vehicles or equipment are stored on the premises.

Within the MHS Manufactured Home Subdivision District, the following uses may be permitted as a Special Use provided the applicant for such use is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a Public Hearing.

1) A beauty parlor or barber shop in a one-(1)-family residence.

2) Group day care homes.

Section 1306. - HS Hospital Service District.

The purpose of the HS Hospital Service District is to provide a location for a hospital and related facilities that serve the hospital or benefit from a location in close proximity to it.

Within the HS Hospital Service District the following uses are permitted.

1. All uses permitted in an R-100 Single Family Residence District, including Special Uses, except Single-Family Dwellings.

2. Hospitals, medical clinics, and doctor's offices.

3. Nursing homes.

4. Dormitories for nurses and interns.

5. Beauty parlors and barber shops.

6. Drug stores.

7. Florist shops.

8. Hotels and Motels provided the minimum standards are met as specified in the C-2 zoning district, Section 1308.

9. Restaurants.

10. Other similar hospital-related uses.

11. Family personal care homes.

Within the HS Hospital Service District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission after a Public Hearing:

1. Group Homes.

2. Group or congregate personal care homes.

3. Residential and community shelters.

Section 1306A. - NS Neighborhood Shopping District.

The NS Neighborhood Shopping District provides a location for convenience goods and services with limited hours of operation for people in nearby residential neighborhoods. Hours of commercial operation in this district shall be limited to between 7:00 a.m. and 9:00 p.m. All sales shall be indoors.

Within the NS Neighborhood Shopping District, the following uses are permitted provided that they do not exceed 3,000 square feet of retail selling space per individual store or 30,000 square feet in a planned center:

1. Professional offices.

2. Drug stores and pharmacies.

3. Flower and gift shops.

4. Food stores.

5. Beauty parlors and barber shops.

6. Other similar retail businesses selling convenience goods and services which serve the local neighborhood, but not including drive-in or drive-through service windows; fuel pumps; or coin or token-operated services.

Within the NS Neighborhood Shopping District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a Public Hearing:

1. Restaurants.

Section 1307. - C-1 Neighborhood Business District.

Purposes.

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 Special Use Permits or Variances to these regulations are reviewed.

Permitted Uses.

Only the following permitted uses shall be allowed in the C-1 Neighborhood Business District and no structures shall be erected, structurally altered or enlarged for any use other than a use permitted

hereunder with the exception of a) uses lawfully established prior to the effective date of this amendment; b) special uses as listed hereunder; c) accessory uses as defined in Article III, Definitions; d) other uses which are clearly similar to and consistent with the purpose of this district.

A. Retail and Service Uses.

1. Antique Shops.
2. Art and school supply stores.
3. Art Galleries.
4. Bakeries.
5. Banks or financial institutions, and automatic teller machines.
6. Barber and beauty shops.
7. Book or stationery stores.
8. Convenience food stores with or without fuel pumps.
9. Custom dressmaking and sewing shops.
10. Dance studios.
11. Day care centers, provided the following conditions are met:
    a. At least 100 square feet of outdoor recreation area per child, and the outdoor play area is enclosed with a six-(6)-foot high fence.
    b. Comply with all State of Georgia Day Care requirements.
    c. Comply with all Gwinnett County and State of Georgia Health Regulations.
12. Drug Stores.
13. Dry cleaning establishments including dry cleaning pick-up and delivery stations, not to exceed 2,500 square feet of total floor area.
14. Florists.
15. Garden supply centers and greenhouses.
16. Gift shops.
17. Group and congregate personal care homes.
18. Hardware stores.
19. Hobby shops.
20. Ice cream shops.
21. Interior decorating shops.
22. Jewelry stores.
23. Museums.
24. Music studios.
25. Photography shops and studios.
26. Radio and television repair shops.
27. Shoe stores and shoe repair shops.
28. Small appliance repair shops.
29. Tailor shops.

30. Toy stores.
31. Travel agencies.
32. Watch and clock repair shops.
33. Weaving apparel shops.

B. Office Uses.

1. Accounting offices.
2. Architecture of engineering offices.
3. Doctor, dentist or chiropractor offices.
4. Insurance offices.
5. Law offices.
6. Other public or professional offices.
7. Real estate offices.

C. Public and Semi-Public Uses.

1. Facilities for the conduct of religious services and ceremonies.
2. Public or semi-public buildings and land uses, parks, playgrounds or community centers.
3. Utility offices.

D. Special Uses.

Within the C-1 Neighborhood Business District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a Public Hearing:

1. Automated car wash as accessory to convenience stores with fuel pumps.
2. Bicycle shops.
3. Camera/photographic supply stores.
4. Clothing sales or apparel shops.
5. Clubs, lodges, fraternal institutions and meeting halls.
6. Electronic equipment sales (TV, VCR, stereo equipment).
7. Food stores/grocery stores.
8. Group Homes.
9. Music stores.
10. Pet shops.
11. Photocopying/reproduction services.
12. Precious Metals Dealers.
13. Record/video sales and rental stores.
14. Residential or community shelter, subject to the provisions of Rules for Shelters in City of Peachtree Corners.
15. Restaurants.
16. Sporting goods stores.

17. Veterinary clinics.
18. Animal hospitals provided they are located not less than 300 feet from any residential zoning district or use as measured from property line to property line.

Other Provisions.

1. Within the C-1 Neighborhood Business District, automobile parking is permitted within the front yard setback provided a minimum ten-(10)-foot landscaped strip and curb is provided adjacent to the right-of-way so that no automobile can back into the bordering street.
2. Within the C-1 Business District, fuel pumps are permitted within the front yard setback provided they are located:
    a. Not closer than 15 feet to the road right-of-way; and
    b. Not closer than the existing setback of any residential structure on abutting lots on either the frontage or a side street.
3. No outdoor storage is permitted within the C-1 Neighborhood Business District.
4. Indoor storage shall not exceed 25 percent of gross floor area.

Section 1308. - C-2 General Business District.

Purposes.

The C-2 General Business District is intended to provide adequate space in appropriate locations along major streets, thoroughfares and at intersections for various types of business use. These uses should include the retailing of major goods and services, general office facilities and public functions that would serve a community area of several neighborhoods. Development of uses in the district characteristically occupies a larger area than in the C-1 Neighborhood Business District, because it is intended to serve a greater population and to offer a wider range of services. Orientation and expansion of this district should occur as an increase in depth at major intersections rather than as a strip-like extension along the street or thoroughfare.

Permitted Uses.

Only the following permitted uses shall be allowed in the C-2 General Business District and no structure shall be erected, structurally altered or enlarged for any use other than a use permitted herein with the exception of a) uses lawfully established prior to the effective date of the amendment; b) special uses as permitted herein; or c) accessory uses defined in Article III, Definitions; or [d)] other uses which are clearly similar to and consistent with the purpose of this District.

A. Retail and Service Uses.
    1. Antique shops.
    2. Animal hospitals or veterinary clinics.
    3. Art and school supply stores.
    4. Art galleries.
    5. Automotive car wash (accessory only).
    6. Automotive parts stores (no on-premises installation).
    7. Bakeries.
    8. Banks or financial institutions. Automatic tellers as accessory or free-standing use.
    9. Barber and beauty shops.
    10. Bicycle shops.

11. Billboards or Oversized Signs, as provided in the Sign Ordinance of City of Peachtree Corners.
12. Blueprinting establishments.
13. Book or stationary stores.
14. Building, electrical or plumbing contractors (provided no equipment or materials are stored outside).
15. Business college or business schools operated as a business enterprise.
16. Clothing sales or rental stores.
17. Convenience food stores with or without fuel pumps.
18. Custom dressmaking and sewing shops.
19. Dance studios.
20. Day Care centers, provided the following conditions are met:
    a. At least 100 square feet of outdoor recreation area per child, and the outdoor play area is enclosed with a six-foot high fence.
    b. Comply with all Gwinnett County and State of Georgia Day Care Center requirements.
    c. Comply with all Gwinnett County Environmental Health Department and State of Georgia Health Department regulations.
21. Department stores.
22. Drive-In restaurants.
23. Drug stores.
24. Dry Cleaning pick-up and delivery stations.
25. Electronic sales and service establishments.
26. Emission Inspection Stations, provided the following design standards are met:
    a. The facility shall be located in a permanent non-combustible structure.
    b. The structure shall include a designated indoor public waiting area (minimum six (6) 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 (4) paved parking spaces. Drive-through facilities shall also provide a paved stacking lane for a minimum of four (4) 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.
27. Fireworks – retail sales of consumer fireworks within a permanent building shall meet the following requirements:
    a. Building must meet overlay design standards, be free-standing, and be at least 2500 sq. ft. in size, but no greater than 10,000 sq. ft. in size.
    b. Must meet Gwinnett County Fire Dept. regulations, be built to ICC H3 building code requirements, and have two functioning fire extinguishers within proximity of where fireworks are stored.

c. Must be located at least 300 feet from a facility that sells, stores, or processes gasoline.

d. No Smoking signs shall be displayed at building entrance.

e. All product storage shall be contained within the building.

28. Florists.
29. Food Catering establishments.
30. Food stores or grocery stores.
31. Funeral homes and mausoleums.
32. Furniture rental or sales establishments.
33. Equipment rental (excluding heavy equipment, bull-dozers, backhoes, forklifts, cranes, etc., and provided there is no outside storage associated with the use).
34. Garden supply centers and greenhouses (including accessory outdoor storage).
35. Gift shops.
36. Group Homes.
37. Group and congregate personal care homes.
38. Hardware stores.
39. Health clubs or spas.
40. Hobby shops.
41. Hotels and Motels provided the following minimum standards are met:

    a. Guest rooms shall be accessed internally to the building with no direct room access to the outside. The lobby shall be a minimum of 700 square feet in size.

    b. Each hotel/motel site shall be a minimum of two (2) acres.

    c. Each hotel/motel must provide management on-duty twenty-four (24) hours a day.

    d. Each guest room shall have a minimum of three hundred (300) square feet and shall be accessed with a magnetic keycard entry-locking device.

    e. For buildings three (3) stories or less or containing no more than 130 rooms, each motel/hotel building shall have a minimum roof pitch of four (4) in twelve (12).

    f. Outside storage of commercial equipment is prohibited.

    g. No business license shall be issued for any business operating from any guestroom of the facility.

    h. Provide a 75-foot natural buffer, enhanced with an additional 25-foot landscaped buffer (total 100 feet) adjacent to residentially zoned property.

42. Ice cream shops.
43. Instruction of fine arts.
44. Interior decorating shops.
45. Jewelry stores.
46. Laundries and dry cleaning establishments, including self-service laundries.
47. Locksmith shops.
48. Mobile Buildings (temporary, while any of the permitted or special uses are under construction, but not to exceed six (6) months).

49. Museums and libraries.
50. Music stores or studios.
51. Office/showroom facilities.
52. Parking lots and garages.
53. Pest control businesses.
54. Pet shops or grooming establishments.
55. Photocopying and reproduction services.
56. Photography shops and studios.
57. Plant nursery sales facilities.
58. Plumbing, electrical, pool and home building supply showrooms and sales centers (provided there is no outdoor storage associated with the use).
59. Precious metals dealers.
60. Radio, recording or television studios and broadcasting stations.
61. Radio and television repair shops.
62. Record/video sales and rental stores.
63. Recreation facilities (indoor, such as bowling alleys, skating rinks, shooting ranges and movie theaters).
64. Recovered Materials Processing Facility, Principal provided the following standards are met:
    a. Activities shall be limited to collection, sorting, compaction and shipping.
    b. Along the entire road frontage (except for approved access crossings), provide a three-(3)-foot high landscaped earthen berm with a maximum slope of 3 to 1 and/or a minimum six-(6)-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.
    c. The facility shall not be located adjacent to or across the street from any property used for or zoned for single family residential use.
    d. Lighting for such facilities shall be placed in such a fashion as to be directed away from any nearby residential areas.
    e. 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.
    f. No outdoor storage of uncontainerized materials shall be allowed.
65. Restaurants and lounges.
66. Shoe stores and shoe repair shops.
67. Small appliance repair shops.
68. Sporting goods stores.
69. Tailor shops.
70. Taxidermist.
71. Toy stores.

72. Travel agencies.

73. Watch and clock repair shops.

74. Weaving apparel shops.

75. Yard Trimmings Composting Facility provided the following conditions are met:

    a. Composting materials shall be limited to tree stumps, branches, leaves, and grass clippings or similar putrescent vegetative materials, not including animal products, inorganic materials such as bottles, cans, plastics, metals, or similar materials.

    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-(6)-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.

B. Office Uses.

1. Accounting offices.

2. Architecture or engineering offices.

3. Doctor, dentist or chiropractor offices.

4. Insurance offices.

5. Law offices.

6. Medical clinics.

7. Other public or professional offices.

8. Real estate offices.

C. Public and Semi-Public Uses.

1. Facilities for the conduct of religious services and ceremonies.

2. Clubs, lodges, fraternal institutions and meeting halls.

3. Government offices.

4. Post offices.

5. Public or semi-public buildings and land uses, parks, playgrounds or community centers.

6. Utility offices.

D. Residential.

1. Caretaker or watchman quarters as an accessory use.

E. Special Uses.

Within the C-2 General Business District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a Public Hearing:

1. Auto body repair shops.

2. Automotive car wash (full service or self service).

3. Auto repair shops or tire stores including lubrication or tune-up centers (full service and self service).

4. Automotive sales lots new or used and associated service facilities. (Minimum lot size 1.5 acres for used.)
5. Automotive service stations, with or without fuel pumps.
6. Building materials sales with outdoor storage.
7. Contractor's offices or the outside storage of equipment or materials.
8. Crematories, as an accessory to a funeral home.
9. Heavy equipment and farm equipment sales and service, and truck rental.
10. Lawn mower repair shops.
11. Liquor stores.
12. Machine or welding shops.
13. Mini-warehouse storage facilities.
14. Mobile home or mobile building leasing or sales lots (new or used).
15. Pawn shops, title loan and check cashing facilities.
16. Pool halls or billiard halls (three or more tables).
17. Recreation facilities (commercial outdoor, such as miniature golf courses, driving ranges, water slides or drive-in theaters).
18. Residential or community shelters, subject to the provisions of the Rules for Shelters in City of Peachtree Corners.
19. Tattoo and body piercing parlors.
20. Taxi cab or limousine services.

F. Other Provisions.

1. No outdoor sales and/or storage except as otherwise provided herein.

Section 1308A. - C-3 Highway Business District

Purpose.

The purpose of the C-3 Highway Business District is intended for business uses which require a location accessible to major highways and arterials that serve significant portions of the community. It is also the intent of this district to provide areas for businesses which, because of their intensity, outside storage area or hours of operations, would have significant negative impacts on adjoining properties. 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 Gwinnett County Long Range Road Classification Map.

Permitted Uses.

Only the following uses shall be permitted in the C-3 Highway Business District and no structure shall be erected, structurally altered or enlarged for any use other than a use permitted herein with the exception of a) uses lawfully established prior to the effective date of this amendment; b) special uses as permitted herein; or c) accessory uses as defined in Article III, Definitions; or d) other uses which are clearly similar to and consistent with the purpose of this district.

A. Retail and Service Uses.

1. Antique shops.
2. Animal hospitals or veterinary clinics.
3. Art and school supply stores.

4. Art galleries.
5. Automotive body repair shops.
6. Automotive car wash (full service or self service).
7. Automotive parts stores.
8. Auto repair shops or tire stores including lubrication or tune-up centers (full service and self service).
9. Automotive sales lots (new or used) and associated service facilities. (Minimum lot size 1.5 acres for used.)
10. Automotive service stations, with or without fuel pumps.
11. Bakeries.
12. Banks or financial institutions. Automatic teller as accessory or free-standing use.
13. Barber and beauty shops.
14. Bicycle shops.
15. Billboards or Oversized Signs, as provided in the Sign Ordinance of City of Peachtree Corners.
16. Blueprinting establishments.
17. Boat sales establishments (new or used).
18. Book or stationery stores.
19. Building supply centers with outdoor lumber yards or storage areas, provided these areas are screened with a six-foot high, 100 percent opaque fence.
20. Business colleges or business schools operated as a business enterprise.
21. Clothing sales or rental stores.
22. Contractor's offices with outdoor storage of equipment or materials, provided the storage or equipment areas are screened with a six-foot high, 100 percent opaque fence.
23. Convenience food stores with or without fuel pumps.
24. Custom dressmaking and sewing shops.
25. Dance studios.
26. Day care centers, provided the following conditions are met:
    a. At least 100 square feet of outdoor recreation area per child, and the outdoor play area is enclosed with a six-foot high fence.
    b. Comply with all State of Georgia Day Care Facility requirements.
    c. Comply with all State of Georgia and Gwinnett County Environmental Health Department regulations.
27. Department stores.
28. Drive-in restaurants.
29. Drug stores.
30. Dry Cleaning pick-up and delivery stations.
31. Electronic sales and service establishments.
32. Emission Inspection Stations, provided the following design standards are met:

a. The facility shall be located in a permanent non-combustible structure.

b. The structure shall include a designated indoor public waiting area (minimum six (6) 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 (4) paved parking spaces. Drive-through facilities shall also provide a paved stacking lane for a minimum of four (4) 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.

33. Florists.
34. Food catering establishments.
35. Food stores or grocery stores.
36. Funeral homes and mausoleums.
37. Furniture rental, sales or service establishments.
38. Equipment rental, sales or service (including heavy equipment, farm equipment, bulldozers, backhoes, forklifts, cranes, etc.).
39. Garden supply centers and greenhouses (including accessory outdoor storage).
40. Gift shops.
41. Group Homes.
42. Group or congregate personal care homes.
43. Hardware stores.
44. Health clubs or spas.
45. Hobby shops.
46. Hotels or Motels provided the minimum standards are met as specified in the C-2 Zoning District, Section 1308.
47. Ice cream shops.
48. Instruction of fine arts.
49. Interior decorating shops.
50. Jewelry stores.
51. Laundries and dry cleaning establishments including self-service laundries.
52. Lawnmower repair shops.
53. Liquor stores.
54. Locksmith shops.
55. Log splitting and storage lots, provided splitting and storage areas are screened with a six-(6)-foot high, 100 percent opaque fence.
56. Machine, welding, radiator or muffler repair shops.
57. Mini-warehouse storage facilities.
58. Mobile buildings (temporary, while any of the permitted or special uses are under construction, but not to exceed six (6) months).

59. Mobile home or mobile building leasing or sales lots (new or used).
60. Museums and libraries.
61. Music stores or studios.
62. Office/showroom facilities.
63. Parking lots and garages.
64. Pest control businesses.
65. Pet shops or grooming establishments.
66. Photocopying and reproduction services.
67. Photography shops and studios.
68. Plant nursery sales facilities.
69. Plumbing, electrical, pool and home building supply showrooms and sales centers.
70. Precious metals dealers.
71. Radio, recording or television studios and broadcasting stations.
72. Radio and television repair shops.
73. Record/video sales and rental stores.
74. Recreation facilities (indoor, such as bowling alleys, skating rinks, and movie theaters and commercial outdoor, such as miniature golf courses, driving ranges, water slides or drive-in theaters).
75. Recovered Materials Processing Facility, Principal provided the following standards are met:
    a. Activities shall be limited to collection, sorting, compaction, and shipping.
    b. Along the entire road frontage (except for approved access crossings), provide a three-(3)-foot high landscape earthen berm with a maximum slope of three (3) to one (1) and/or a minimum six-(6)-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.
    c. No such facility shall be located adjacent to or across the street from any property used for or zoned for residential use.
    d. Lighting for such facilities shall be placed in such a fashion as to be directed away from any nearby residential areas.
    e. All materials collected shall not be visible once 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.
    f. Any outside storage areas shall be screened by a minimum six-(6)-foot high, opaque fence.
76. Restaurants and lounges.
77. Shoe stores and shoe repair shops.
78. Small appliance repair shops.
79. Sporting goods stores.
80. Tailor shops.

81. Taxidermists.
82. Taxi cab or limousine services.
83. Toy shops.
84. Travel agencies.
85. Vehicle rental establishments.
86. Watch and clock repair shops.
87. Weaving apparel shops.
88. Yard Trimmings Composting Facility provided the following conditions are met:
    a. Composting materials shall be limited to tree stumps, branches, leaves, and grass clippings or similar putrescent vegetative materials, not including animal products, inorganic materials such as bottles, cans, plastics, metals, or similar materials.
    b. Along the entire road frontage (except for approved access crossings), and along the side and rear property lines, provide a three-(3)-foot high landscape earthen berm with a maximum slope of three (3) to one (1) and/or a minimum six-(6)-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.

B. Office Uses.
1. Accounting offices.
2. Architecture or engineering offices.
3. Doctor, dentist or chiropractor offices.
4. Insurance offices.
5. Law offices.
6. Medical clinics.
7. Other public or professional offices.
8. Real estate offices.

C. Public and Semi-Public Uses.
1. Facilities for the conduct of religious services and ceremonies.
2. Clubs, lodges, fraternal institutions and meeting halls.
3. Government offices.
4. Post offices.
5. Public or semi-public buildings and land uses, parks, playgrounds or community centers.
6. Utility offices.

D. Residential.

[1.] Caretaker or watchman quarters as an accessory use.

E. Special Uses.

Within the C-3 Highway Business District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director Planning and Development and Planning Commission and after a Public Hearing:

1. Any retail or service establishment not specifically permitted herein, but which is similar to the listed uses, compatible with uses on adjoining property and which meets the intent and purpose of the district.
2. Crematories, as an accessory to a funeral home.
3. Residential or community shelters, subject to the provisions of Rules for Shelters in City of Peachtree Corners.

Section 1309. - O-I Office-Institutional District.

This zoning district is established to provide a location for offices, institutions and limited related retail business and service activities in buildings of high character in attractive surroundings.

1. Permitted Uses. A building or land may be used for the following purposes:
   a. Accessory parking garages and parking lots.
   b. Accessory uses such as retail business and service establishments. In addition to the limitations on "accessory use" imposed under "Article III, Definitions," such permitted accessory uses specifically exclude retail business and service establishments that could be construed as principal uses and include only those uses that are primarily intended for and used by patrons or occupants of the principal use to which said establishment is accessory.
   c. Cultural facilities.
   d. Financial services/institutions without drive-in or drive-through facilities.
   e. Professional and business offices.
   f. Public offices.
   g. Semi-public institutions such as facilities for the conduct of religious services and ceremonies and clubs.
2. Limit on Distributive Functions. Distributive functions such as loading, unloading, storage, packaging and unpackaging shall be limited to ten (10) percent of the total building area and five (5) percent of the total lot area.

Within the O-I Office-Institutional District, the following uses may be permitted provided that the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a public hearing:

1. Animal hospitals provided they are located not less than 300 feet from any residential zoning district or use as measured from property line to property line.
2. Day care facilities.
3. Financial services/institutions with drive-in or drive-through facilities.
4. Group Homes.
5. Group or congregate personal care homes. Personal care homes shall be licensed by the State of Georgia.
6. Hotels and Motels provided the minimum standards are met as specified in the C-2 Zoning District, Section 1308.
7. Residential or community shelters. These shelters must meet the provisions of Rules for Shelters in City of Peachtree Corners.
8. Restaurants, provided the following minimum standards are met:

a. The proposed site shall be located within a recorded concept plan or subdivision plat for a business or office park which:

1. Has an overall area of not less than 50 acres. office/business park.

2. Has existing principal use structures already developed within the office/business park.

3. Has controls in place through protective covenants which will ensure building appearance and landscaping compatible with the remainder of the business or office park and which will ensure compliance with the requirements of this section.

b. No more than 10 percent of the acreage within the recorded concept plan or subdivision plat for the business or office park may be occupied by uses requiring a Special Use Permit.

c. The proposed restaurant:

1. Shall have a minimum of 2,000 square feet of seating area excluding kitchen facilities.

2. Shall have sit-down waiter or waitress service.

3. Shall not have drive-thru or pick-up windows.

4 Shall not be adjacent to or across a public street from residentially zoned property.

d. Restaurant appearance shall blend with campus-type office/warehouse development. Application must include landscape plan, building elevations, and signage plans.

9. Retirement communities.

10. Veterinary clinics.

Section 1309A. - OBP Office-Business Park District.

This district is established to provide a location or offices, institutions, limited related business and service activities and limited industrial operations and processes in buildings of high character in attractive surroundings.

Within the OBP Office-Business Park Zoning District, a building or land may be used for the following purposes:

1. Professional and Business Offices.

2. Public Offices.

3. Cultural Facilities.

4. Clinics, Cafeterias and Employee credit unions for Employees Only.

5. Education and Training Facilities.

6. Electronic Equipment Manufacturing and Assembly Plants that are not objectionable by reason of the emission of noise, vibration, smoke, dust, gas, fumes, odors or radiation and that do not create fire or explosion hazards and that do not require any outdoor storage.

7. Printing, Publishing and Reproduction Services establishments that do not require any outdoor storage.

8. Research, Testing and Laboratory Facilities including the Production of Prototype Products provided they are not objectionable by reason of emission of noise, vibration, smoke, dust, gas, fumes, odors or radiation and that do not create fire or explosion hazards and that do not require any outdoor storage.

9. Wholesaling and Warehousing with Offices, provided that they do not require any outdoor storage, and provided that at least 40 percent of the use be office space.

10. Similar Industries and Uses that meet the standards of this 2012 Zoning Resolution.

11. Accessory Uses Such as Retail Business and Service Establishments. In addition to the limitations on "accessory use" imposed under "Article III, Definitions," such permitted accessory uses specifically exclude retail business and service establishments that could be construed as principal uses and include only those uses that are primarily intended for and used by patrons or occupants of the principal use to which said establishment is accessory.

12. Accessory Parking Garages and Parking Lots.

Within the OBP Office-Business Park District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and the Planning Commission and after a public hearing:

1. Day Care Facilities.

2. Wholesaling and Warehousing with less than 40 percent of the floor area in offices, provided that no outdoor storage is required.

3. Hotels and Motels provided the minimum standards are met as specified in the C-2 Zoning District, Section 1308.

4. Financial Services/Institutions.

5. Restaurants, provided the following minimum standards are met:

   a. The proposed site shall be located within a recorded concept plan or subdivision plat for a business or office park which:

      (1) Has an overall area of not less than 50 acres.

      (2) Has existing principal use structures already developed within the office/business park.

      (3) Has controls in place through protective covenants which will ensure building appearance and landscaping compatible with the remainder of the business or office park and which will ensure compliance with the requirements of this section.

   b. No more than 10 percent of the acreage within the recorded concept plan or subdivision plat for the business or office park may be occupied by uses requiring a Special Use Permit.

   c. The proposed restaurant:

      (1) Shall have a minimum of 2,000 square feet of seating area excluding kitchen facilities.

      (2) Shall have sit-down waiter or waitress service.

      (3) Shall not have drive-thru or pick-up windows.

      (4) Shall not be adjacent to or across a public street from residentially zoned property.

   d. Restaurant appearance shall blend with campus-type office/warehouse development. Application must include landscape plan, building elevations, and signage plans.

Section 1309A.1. - All OBP amendments to be conditional zoning amendments.

All OBP Office-Business Park District Amendments to the Official Zoning Map shall be conditional amendments. In addition to any other conditions that may be imposed by the City Council pursuant to the provision for conditional zoning in this 2012 Zoning Resolution, a concept plan showing the approximate location of all buildings, walls, fences, property lines, landscaping, parking areas, land uses and any other features deemed appropriate by the City Council as a result of the above Concept Plan Review and

Public Hearing shall be included as part of the amendment, and the use of the property for its zoned purposes shall be conditioned to said concept plan.

Section 1309A.2. - Concept plan review.

The purpose of the site plan review is to encourage logic, imagination, innovation, and variety in the design process and ensure the soundness of the proposed development and its compatibility with the surrounding area. The Director of Planning and Development shall review plans for compliance with the zoning regulations and for compliance with Concept Plan Review criteria. The recommendations of both the Director of Planning and Development and the Planning Commission shall be transmitted to the City Council.

Concept Plan.

1. The concept plan shall be prepared by design professionals such as planners, engineers, architects or landscape architects and shall be drawn in accordance with the following basic criteria:
    a. Scale: Generally, one (1) inch equals 100 feet;
    b. Sheet Size: Generally 24 inches by 36 inches with appropriate match lines provided if more than one (1) sheet is necessary;
    c. Vicinity Map: Drawn at a scale of not less than one (1) inch equals 2,000 feet and showing adjoining roads, subdivisions and other landmarks;
    d. Existing Topography: Shown with a maximum contour interval of 20 feet;
    e. Boundary Survey: Shown and described by metes and bounds;
    f. Adjacent Properties: Names of adjacent property owners to be indicated on plan;
    g. Title Block: Indicating the name of the development, the owner, the developer, and the person or firm preparing the plan.
2. The Concept Plan shall include the following information:
    a. A proposed land use plan for the site and including the acreage to be devoted to each land use category;
    b. The proposed location of streets, bikeways, pedestrian ways, parking area, drainage and stormwater detention facilities, utilities, public facilities, parks, recreation areas, tree areas to be retained or added and other open spaces, and including notations as to existing or proposed dimensions, capacities and/or volumes;
    c. Representative architectural sketches or renderings of typical proposed structures, signs, landscaping, screening and/or fencing;
    d. Statistical or technical data as necessary to accurately describe the proposed development including, but not limited to, the following:
        i) total land area;
        ii) amount of land to be used for public or semi-public uses;
        iii) amount of land to be used for recreational or open space purposes;
        iv) amount of land to be occupied by streets and parking areas;
        v) amount of any submerged land within the project boundary;
        vi) the total ground coverage and floor area of all buildings;
        vii) a breakdown of the number and kinds of proposed buildings, including square footage, and the number and range of lot sizes and proposed setback and yard dimensions for typical lots and/or building types.

e. As an attachment, a report setting forth the proposed development schedule, indicating the sequence of development of the various sections thereof, and the approximate time period required for completion of each phase;

f. As an attachment, an outline of the proposed methods for controlling and maintaining any common open space or community facilities;

g. Such other submissions/plans as may be required to evaluate the project.

Section 1310. - M-1 Light Industry District.

Purpose.

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.

Permitted Uses.

Only the following uses shall be permitted within the M-1 Light Industry District and no structure shall be erected, structurally altered or enlarged for any use other than as permitted herein with the exception of a) uses lawfully established prior to the effective date of this amendment; b) special uses as permitted herein; c) accessory uses as defined in Article III, Definitions; or d) other uses which are clearly similar to and consistent with the purpose of this district.

Accessory Uses Such as Retail Business and Service Establishments. In addition to the limitations on "accessory use" imposed under "Article III, Definitions," such permitted accessory uses specifically exclude retail business, office, and service establishments that could be construed as principal uses except as provided herein, and include only those uses that are primarily intended for and used by patrons or occupants of the principal use to which said establishment is accessory.

Animal Hospital or Veterinary Clinic.

Appliance Repair Shop.

Automatic Teller Machine.

Automobile Rental.

Baking Plant.

Bank/Financial Services Institution.

Building Material Sales (wholesale).

Cabinet Shop.

Cafeteria (employee/accessory only).

Catering Service (no retail sales).

Clothing and Apparel Manufacturing.

Cold Storage Plant.

Contractor's Office, with accessory vehicle maintenance. (Subject to screening requirements for Outdoor Storage.)

Convention Facility.

Depot/Passenger Terminal (bus, rail).

Distribution Facility.

Food Processing/Packaging/Canning Plant (other than poultry/meat processing).

Fraternal Club or Lodge.

Funeral Home.

Hospital or Medical Clinic.

Hotel or Motel provided the minimum standards are met as specified in the C-2 Zoning District, Section 1308.

HVAC Equipment Dealer/Contractor.

Ice Manufacturing/Packing Plant.

Laboratory.

Laundry/Dry Cleaning Plant.

Lawn Treatment Service.

Machine Shop (not including on-site automotive/truck repair).

Maintenance Shop (automobile fleet vehicles).

Manufacturing or Assembly Plant, Light (electronic equipment, furniture, small appliances, consumer products, etc.).

Medical/Dental Laboratory.

Mini-Warehouse or Self-Service Storage Facility.

Movie Studio.

Museum.

Office Park.

Offices, professional/business.

Outdoor Storage, other than Junk/Salvage Yards, meeting the following requirements:

a. It shall not be located within a required front yard.
b. It shall be screened by a solid wood fence, masonry wall or slatted chain-link fence at least eight (8) feet high.
c. Materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.

Parking Garage.

Pest Control/Extermination Business.

Pharmaceutical Manufacturing Plant.

Photo Processing Plant.

Plant Nursery (wholesale).

Plastics Extrusion Plant.

Plumbing Equipment Dealer/Contractor.

Printing/Bookbinding/Publishing Plant.

Radio/Television Station.

Recording/Rehearsal Studio.

Recovered Materials Processing Facility, Wood Chipping and Shredding, Yard Trimmings Composting Facility, provided the following conditions are met:

a. Recovered materials processing activities shall be limited to collection, sorting, compaction, and shipping. Composting materials shall be limited to tree stumps, branches, leaves, and grass clippings or similar putrescent vegetative materials, not including animal products, inorganic materials such as bottles, cans, plastics, metals, or similar materials.

b. During the preceding 90 days of operation, the amount of material that is recycled, sold, used, or reused shall equal at least sixty percent (60%) by weight or volume of the material received during that 90 day period and sixty percent (60%) by weight or volume of all material previously received and not recycled, sold, used, or reused and carried forward into that 90 day period.

c. Along the entire road frontage (except for approved access crossings), and along the side and rear property lines, provide a three-(3)-foot high landscaped earthen berm with a maximum slope of three (3) to one (1) and/or a minimum eight (8) 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 or buffer. The finished side of a fence/wall shall face the exterior property lines.

d. No such facility shall be located adjacent to or across the street from any property used for or zoned for 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 once deposited in a bin. 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. Any outside storage areas shall be screened by a minimum eight (8) 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.

Recreation Facility/Training Center, Indoor (gymnastics schools, baseball academies, etc.).

Research and Testing Facility.

Sexually Oriented Businesses, subject to the terms of the Peachtree Corners Sexually Oriented Business Ordinance (Ord. No. O2012-07-57).

Soft Drink Bottling/Distribution Plant.

Textile/Carpeting Factory.

Trade/Vocational School.

Upholstery Shop.

Wholesaling and Warehousing (accessory retail sales are permitted, not to exceed 15 percent of gross floor area).

Public and Semi-Public Uses.

Electrical, Telephone or other Public or Semi-public Utility Station.

Residential Uses.

Caretaker or Watchman Quarters as an accessory use.

Special Uses.

Within the M-1 Light Industry District, the following uses may be permitted as a Special Use, subject to the approval of the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a public hearing, if the conditions, including a site plan, and such other appropriate stipulated conditions that the City Council may require are met:

Aircraft Hanger/Maintenance.

Aircraft Landing Field.

Automobile body repair shops.

Automobile service/repair shops and tire stores (including lubrication and tune-up centers)

Billboards or Oversized Signs, as provided in the Sign Ordinance of City of Peachtree Corners.

Facilities for the conduct of religious services and ceremonies.

Crematories, as an accessory to a funeral home.

Day Care Facility.

Group Homes.

Health Club or Fitness Center.

Nursing Home, Personal Care Home or Assisted Living Facility.

Private School.

Residential or Community Shelter, subject to the provisions of Rules for Shelters in [the] City of Peachtree Corners.

Restaurant, provided the following minimum standards are met:

a. The proposed site shall be located within a recorded concept plan or subdivision plat for a business or office park which:

   (1) Has an overall area of not less than 50 acres.

   (2) Has existing principal use structures already developed within the office/business park.

   (3) Has controls in place through protective covenants which will ensure building appearance and landscaping compatible with the remainder of the business or office park and which will ensure compliance with the requirements of this section.

b. No more than 10 percent of the acreage within the recorded concept plan or subdivision plat for the business or office park may be occupied by uses requiring a Special Use Permit.

c. The proposed restaurant:

(1) Shall have a minimum of 2,000 square feet of seating area excluding kitchen facilities.

(2) Shall have sit-down waiter or waitress service.

(3) Shall not have drive-thru or pick-up windows.

(4) Shall not be adjacent to or across a public street from residentially zoned property.

d. Restaurant appearance shall blend with campus-type office/warehouse development. Application must include landscape plan, building elevations, and signage plans.

Self-Service Ice Manufacturing/Vending Machines (metal buildings shall be prohibited).

Stadium/Concert Hall/Amphitheater.

Taxi/Limousine Service.

Truck Rental or Leasing

Truck Fleet Maintenance Shop, principal use.

Wholesale Membership Club.

Section 1311. - M-2 Heavy Industry District.

Purpose.

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.

Permitted Uses.

Only the following uses shall be permitted within the M-2 Heavy Industry District and no structure shall be erected, structurally altered or enlarged for any use other than a use permitted herein with the exception of a) uses lawfully established prior to the effective date of this amendment; b) special uses as permitted herein; c) accessory uses as defined in Article III, Definitions; or d) other uses which are clearly similar to and consistent with the purpose of this district.

1. Accessory Uses Such as Retail Business and Service Establishments. In addition to the limitations on "accessory use" imposed under "Article III, Definitions," such permitted accessory uses specifically exclude retail business, office, and service establishments that could be construed as principal uses except as provided herein, and include only those uses that are primarily intended for and used by patrons or occupants of the principal use to which said establishment is accessory.

Aircraft Factory.

Aircraft Hanger/Maintenance.

Aircraft Landing Field.

Alcoholic Beverage Plant/Distillery.

Animal Hospital or Veterinary Clinic.

Appliance Repair Shop.

Automatic Teller Machine.

Automobile or Truck Storage Lot, excluding junk or wrecked vehicles (subject to screening requirements for outdoor storage).

Automobile Rental.

Baking Plant.

Bank/Financial Services Institution.

Billboards or Oversized Signs, as provided in the Sign Ordinance of Gwinnett County.

Building Material Sales (wholesale).

Cabinet Shop.

Cafeteria (employee/accessory only).

Catering Service (no retail sales).

Cement, Concrete, Masonry Plant.

Clothing and Apparel Manufacturing.

Cold Storage Plant.

Contractor's Office, with accessory vehicle maintenance. (Subject to screening requirements for Outdoor Storage.)

Convention Facility.

Crematory.

Depot/Passenger Terminal (bus, rail).

Distribution Facility.

Dye Casting Works.

Food Processing/Packaging/Canning Plant (other than poultry/meat processing).

Fraternal Club or Lodge.

Funeral Home and/or Crematory.

Heavy Equipment and Farm Equipment Rental or Sales and Service.

Hospital or Medical Clinic.

Hotel or Motel provided the minimum standards are met as specified in the C-2 Zoning District, Section 1308.

HVAC Equipment Dealer/Contractor.

Ice Manufacturing/Packing Plant.

Laboratory.

Laundry/Dry Cleaning Plant.

Lawn Treatment Service.

Liquid Wastes Treatment/Recycling (paint, oil, grease, etc.).

Machine Shop (not including on-site automotive repair).

Maintenance Shop (automobile or truck fleet vehicles).

Manufacturing or Assembly Plant, General (including outdoor activities subject to screening requirements).

Medical/Dental Laboratory.

Mini-Warehouses or Self-Service Storage Facility.

Movie Studio.

Museum.

Office Park.

Offices, professional/business.

Outdoor Storage, other than Junk/Salvage Yards, meeting the following requirements:

a. It shall not be located within a required front yard.
b. It shall be screened by a solid wood fence, masonry wall or slatted chain-link fence at least eight (8) feet high.
c. Materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.

Parking Garage.

Pest Control/Extermination Business.

Pharmaceutical manufacturing plant.

Photo Processing Plant.

Plant Nursery (wholesale).

Plastics Extrusion Plant.

Plumbing Equipment Dealer/Contractor.

Printing/Bookbinding/Publishing Plant.

Radio/Television Station.

Railroad Repair/Storage Yard.

Recording/Rehearsal Studio.

Recovered Materials Processing Facility, Wood Chipping and Shredding, Yard Trimmings Composting Facility, provided the following conditions are met:

a. Recovered materials processing activities shall be limited to collection, sorting, compaction, and shipping. Composting materials shall be limited to tree stumps,

branches, leaves, and grass clippings or similar putrescent vegetative materials, not including animal products, inorganic materials such as bottles, cans, plastics, metals, or similar materials.

b. During the preceding 90 days of operation, the amount of material that is recycled, sold, used, or reused shall equal at least sixty percent (60%) by weight or volume of the material received during that 90 day period and sixty percent (60%) by weight or volume of all material previously received and not recycled, sold, used, or reused and carried forward into that 90 day period.

c. Along the entire road frontage (except for approved access crossings), and along the side and rear property lines, provide a three-(3)-foot high landscaped earthen berm with a maximum slope of three (3) to one (1) and/or a minimum eight (8) 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 or buffer. The finished side of a fence/wall shall face the exterior property lines.

d. No such facility shall be located adjacent to or across the street from any property used for or zoned for 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 once deposited in a bin. 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. Any outside storage areas shall be screened by a minimum eight (8) 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.

Recreation Facility/Training Center, Indoor (gymnastics schools, baseball academies, etc.).

Research and Testing Facility.

Sexually Oriented Businesses, subject to the terms of the Peachtree Corners Sexually Oriented Business Ordinance (Ord. No. 2012-07-57).

Soft Drink Bottling/Distribution Plant.

Stadium/Concert Hall/Amphitheater.

Taxi/Limousine Service.

Textile/Carpeting Factory.

Trade/Vocational School.

Truck Rental or Leasing.

Truck Fleet Maintenance Shop, principal use.

Truck Terminal.

Upholstery Shop.

Welding Shop.

Wholesaling and Warehousing (accessory retail sales are permitted, not to exceed 15 percent of gross floor area).

Wholesale Membership Club.

[2.] Public and Semi-Public Uses.

Electrical, Telephone or other Public or Semi-public Utility Station.

[3.] Residential Uses.

Caretaker or Watchman Quarters as an accessory use.

[4.] Special Uses.

Within the M-2 Heavy Industry District the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a Public Hearing:

Asphalt Plant.

Bulk Storage Tanks including natural gas, chemical and petroleum and excluding accessory fuel dispensing/storage tanks or stations. No above ground storage facilities may be located closer than 500 feet to a Residential District. All storage is to be subject to approval of the Gwinnett County Fire and Emergency Services Department.

Chemical Plant.

Composting Facility, Municipal Solid Waste.

Day Care Facility.

Explosives Plant/Storage.

Fat and Bone Rendering Plant.

Feed Processing Facility.

Fertilizer Plant.

Group Homes.

Health Club or Fitness Center.

Metal Smelting/Forging Works.

Nursing Home, Personal Care Home or Assisted Living Facility.

Paper/Pulp Mill.

Petroleum Refinery/Processing Plant.

Poultry/Meat Processing Plant.

Private School.

Quarry for the removal of minerals and other natural materials, together with the necessary accessory asphalt plant, buildings, machinery, and appurtenances thereto, provided that:

a. Quarry areas being excavated shall be entirely enclosed within a fence located at least ten (10) feet back from the edge of any excavation and of such construction and

height as to be demonstrably able to exclude children and animals from the quarry area.

b. The operators and owners of the quarry present to the City of Peachtree Corners Planning Commission and to the City of Peachtree Corners City Council an acceptable comprehensive plan for the re-use of the property at the cessation of the quarry operation.

c. In case of an existing quarry, any extension of the quarrying operations beyond the areas being quarried or approved for quarrying at the effective date of this amendment to the Resolution, shall be permitted and shall not be considered a new operation nor require the approval of the City Council as a Special Use Permit, provided that said extension does not extend to within three hundred (300) feet of a residential district boundary line.

Residential or Community Shelter, subject to the provisions of Rules for Shelters in [the] City of Peachtree Corners.

Restaurant, provided the following minimum standards are met:

a. The proposed site shall be located within a recorded concept plan or subdivision plat for a business or office park which:

(1) Has an overall area of not less than 50 acres.

(2) Has existing principal use structures already developed within the office/business park.

(3) Has controls in place through protective covenants which will ensure building appearance and landscaping compatible with the remainder of the business or office park and which will ensure compliance with the requirements of this section.

b. No more than 10 percent of the acreage within the recorded concept plan or subdivision plat for the business or office park may be occupied by uses requiring a Special Use Permit.

c. The proposed restaurant:

(1) Shall have a minimum of 2,000 square feet of seating area excluding kitchen facilities.

(2) Shall have sit-down waiter or waitress service.

(3) Shall not have drive-thru or pick-up windows.

(4) Shall not be adjacent to or across a public street from residentially zoned property.

d. Restaurant appearance shall blend with campus-type office/warehouse development. Application must include landscape plan, building elevations, and signage plans.

Rubber/Tire/Retreading Plant.

Salvage Operation, Junk Yard, Impound Lot (subject to screening requirements for outdoor storage).

Scrap Tire Processing Plant.

Self-Service Ice Manufacturing/Vending Machines (metal buildings shall be prohibited).

Slaughter House.

Solid Waste Transfer Station.

Sugar Refinery.

Tannery/Leather Processing.

Towing/Wrecker Service.

Waste Incineration Facility.

Section 1312. - Floodplain General Provisions.

These regulations pertain only to the use of lands contained within a floodplain as defined by the City of Peachtree Corners Floodplain Management Ordinance. For the purposes of this Section, all terms shall be as defined in ARTICLE 1.1 of the Floodplain Management Ordinance, and as may be defined in the Development Regulations of City of Peachtree Corners, whichever definition is more restrictive.

Section 1312.1. - Use Provisions.

The intent of the regulations within this Section is to limit the use of land contained within a floodplain. Notwithstanding the uses permitted for any applicable zoning district which apply to the property, no building or structure or land shall hereafter be used or occupied other than as herein provided, and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or altered except in conformity with the requirements of this regulation when such lands fall within, or are affected by, a floodplain.

1. Uses permitted in the floodplain. Within a floodplain, the following uses may be permitted subject to the requirements of the Floodplain Management Ordinance and the requirements of the Development Regulations:

    a. Agriculture, including forestry and livestock raising, requiring no structure within the flood way except structures for temporary shelter or accessory buildings not exceeding 550 square feet and including agriculture and forestry access roads.

    b. Dams, provided they are designed and constructed in accordance with specifications of the State of Georgia Safe Dam Act (latest revision) and the City of Peachtree Corners Development Regulations.

    c. Public parks and recreation areas and facilities requiring no structures within the floodplain, except structures for temporary shelter, including, but not limited to, boat ramps, docks, parking areas, and recreation facilities; private and commercial recreation developments and campgrounds.

    d. Bridges, culverts and the roadway fill related to these structures.

    e. Parking areas. All required parking area shall be located at an elevation higher than the calculated five-(5)-year storm, and shall not be located within any floodway.

    f. Outdoor storage; and/or accessory buildings not exceeding 550 square feet.

    g. Fences having sufficient open area to permit the free flow of water and debris.

    h. Public utility poles, towers, pipelines, sewer, and other similar public and semi-public utilities and facilities.

    i. Signs and sign structures, provided they permit the free flow of water and debris.

    j. Swimming pools and tennis courts, provided that fences around such structures have sufficient open area to permit the free flow of water and debris.

2. Lot Area Restrictions. All concept plans, site plans, preliminary plats, and final subdivision plats with all or portions of the land area contained within the floodplain, or contiguous to the floodplain, shall comply with the following requirements, as applicable:

   a. In all residential zoning districts, up to 50 percent of the area located at or below the base flood elevation may be used in computations for meeting the density requirements in accordance with the provisions of this Resolution.

   b. In the RA-200, R-140, R-100 and R-75 zoning districts, no lot shall contain less than 8,000 square feet of land area above the base flood elevation. In the R-60 zoning district, no lot shall contain less than 7,000 square feet of land area above the base flood elevation. Subdivisions zoned R-ZT shall comply with all the requirements of this Resolution; however, each lot within this zoning classification shall have a minimum of 4,000 square feet above the base flood elevation.

   c. No subdivision lot shall be approved which, has less than 50 percent of the minimum lot area required by the applicable zoning district located above the base flood elevation.

   d. Each plat or site plan submitted for rezoning, Special Use Permit or Moved-In-House Permit shall contain a readily identifiable line indicating the limits of the Base Flood Elevation, if any portion of the property lies within the floodplain. This line shall be clearly labeled and the Base Flood Elevation above Mean Sea Level stated. The plat or site plan shall indicate where the Base Flood Elevation has been established by the Federal Emergency Management Agency or where the Base Flood Elevation has been calculated by a registered professional engineer using the best available information.

Section 1313. - Reserved for future use.

[Section 1314. - Reserved for future use.]

Section 1315. - Activity Center/Corridor Overlay District Requirements.

Section 1315.1.1. 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 City of Peachtree Corners as designated by the City Council. 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.

Section 1315.1.2. Applicability.

The requirements of the Overlay District shall apply to all non-residential and attached residential properties within the geographic areas shown on the Peachtree Corners Overlay District Map.

Whenever the requirements of the Overlay District impose a more or less restrictive standard than the provisions of any other statute or covenant, the requirements of the Overlay District shall govern.

Section 1315.2. Design Requirements.

1. Transportation/Infrastructure.

   1.A. Provide inter-parcel vehicle access points between all contiguous commercial, office, industrial or attached residential tracts. This requirement may be waived by the Director of Planning and Development only if it is demonstrated that an inter-parcel connection is not feasible due to traffic safety or topographic concerns.

   1.B. All new utility lines shall be located underground.

   1.C. 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 County or Georgia Department of Transportation. It is encouraged that a minimum three-(3)-foot wide sidewalk connection be provided from public rights-of-way to the entrance(s) of buildings.

1.D. Sidewalks shall be constructed with an additional 2-foot by 8-foot pad approximately every 300 linear feet to accommodate future pedestrian amenities such as benches, planters, and trash containers. All such required amenities shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the Gwinnett County or Georgia Department of Transportation.

1.E. Provide streetlights along all public rights-of-way utilizing decorative light poles/fixtures. Light source shall be high-pressure sodium. Streets lights 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.

Peachtree Corners Overlay District shall utilize Cobrahead light fixture heads. Pole type design is Fluted Black and the maximum pole height is 40'.

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Light fixtures which are utilized shall be as follows:

Overlay District/Corridor	Fixture Head	Pole Type (Street light)	Max. Pole Height
Mall of Georgia	Cobra Head	Fluted (Green)	40 ft.
Civic Center	Cobra Head	Fluted (Black)	40 ft.
U. S. Highway 78	Cobra Head	Fluted (Black)	40 ft.
Grayson/Hwy 20	Cobra Head	Smooth (Black)	40 ft.
Centerville/Hwy 124	Cobra Head	Fluted (Black)	40 ft.
124/324/Hamilton Mill	Cobra Head	Fluted (Black)	40 ft.
Peachtree Corners	Cobra Head	Fluted (Black)	40 ft.

1.F. Provide lighting throughout all parking areas utilizing decorative light poles/fixtures. Light source shall be metal halide, not exceeding an average of 4.5 foot-candles of light output throughout the parking area. Other than pedestrian light fixtures which will be less than 14 feet tall, light fixtures shall be hooded. All lighting will be metal halide. Lighting shall be directed to avoid intrusion on adjacent properties and away from adjacent thoroughfares.

Light fixtures which are utilized shall be as follows:

Overlay District/Corridor	Fixture Head	Pole Type (Parking lot)	Pole Type (Pedestrian)
Mall of Georgia	Box Head	Fluted Green (50' max.)	Fluted Green
Civic Center	Box Head	Smooth Black (50' max.)	Fluted Black
U.S. Highway 78	Box Head	Smooth Black (50' max.)	Fluted Black
Grayson/Hwy 20	Box Head	Smooth Black (35' max.)	Smooth Black
Centerville/Hwy 124	Box Head	Fluted Black (35' max.)	Fluted Black
124/324/Hamilton Mill	Box Head	Fluted Black (35' max.)	Fluted Black
Peachtree Corners	Box Head	Fluted Black (35' max.)	Fluted Black

_____

2. Landscaping Requirements.

2.A. 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 City of Peachtree Corners Buffer, Landscape and Tree Ordinance. At least 50 percent of plantings shall consist of trees 3-inches in caliper (dbh) or greater.

2.B. Provide landscaped islands throughout all surface parking areas as required by the City of Peachtree Corners Buffer, Landscape and Tree Ordinance.

2.C. Provide a minimum ten-foot wide landscaped strip between all road rights-of-way and the back-of-curb of abutting off-street paved parking lots. Landscaped strips between road rights-of-way and the edge of abutting off-street grassed parking areas shall be five-feet in width. At a minimum, landscaped strips shall be planted in accordance with the City of Peachtree Corners Buffer, Landscape and Tree Ordinance.

2.D. Provide non-ornamental shade trees spaced 50-feet on-center or grouped at 120-feet on-center along the right of way on the following roads:

[1.] Peachtree Corners Overlay.

a. Peachtree Industrial Boulevard.

b. Peachtree Parkway.

c. Peachtree Corners Circle.

d. Holcomb Bridge Road.

e. Jimmy Carter Boulevard.

All street trees shall be a minimum 4-inch caliper (dbh) at the time of planting. Street trees shall be planted six-(6)-feet from back-of-curb subject to review and approval of the Georgia Department of Transportation or Gwinnett County Department of Transportation.

Street trees shall be of one (1) or a combination of the following species:

1. Willow Oak.
2. Overcup Oak.
3. Nuttal Oak.
4. Pin Oak.
5. Shumard Oak.
6. Lacebark.
7. Japanese Zelkova.

2.E. Dumpsters which may be seen from adjacent properties or public parking lots shall be screened from view on all four (4) sides. Screening shall consist of three (3) solid walls of brick, stucco or split-face block construction, at least six (6) feet in height, with 100 percent solid metal or wooden gates. Dumpsters shall be placed in the rear yard and may be located 0 feet from the property line, if the adjoining property is zoned non-residential and 0 feet from all applicable buffers, if the adjoining property is zoned residential.

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

3. Parking/Yard, Height & Setback.

3.A. For retail developments exceeding 125,000 square feet of gross floor area, at least ten percent of all required 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.

3.B. Up to 25 percent of the required parking spaces for any development may be reduced in total area, width or depth for designated small vehicle parking. Each small vehicle parking space shall not be less than eight (8) feet in width and 17 feet in depth.

3.C. Freestanding buildings or shopping center developments containing 7,500 gross square feet of space or less shall provide no more than 20 percent of parking areas in the front of building(s) and be limited to no more than one double row of parking. No more than 20 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).

3.D. For developments exceeding 7,500 square feet, building placement is encouraged to be close to, and oriented towards, the public right-of-way with the majority of parking to the sides and rear, where possible.

3.E. Decorative, commercial-quality, bicycle racks, benches and trash receptacles shall be required for all retail and office developments.

4. Signage; Temporary Uses; Peddling.

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

4.B. Oversized Signs or Billboards shall not be permitted.

4.C. 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.D Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.

4.E Peddlers shall be prohibited.

4.F Flexible tube lighting or any form of strip lighting around commercial windows, store fronts, or commercial signage shall be prohibited. Usage of existing tube / strip lighting shall be discontinued (and such lighting shall be removed) by 12/31/16.

5. Architectural Design.

5.A. Architectural design of all non-residential buildings should comply with the following performance guidelines:

(1) Building facades shall be of architectural treatments of glass and/or brick, stone or stucco. Tilt-up or pre-cast concrete or alternate material may be used for industrial, multi-story office (3-stories or greater) or hotel development subject to review and approval of the Director of Planning and Development.

(2) Contrasting accent colors of any wall, awning or other feature (other than dark green or brick red) shall be limited to no more than 15 percent of the total area for any single facade.

(3) Metal sided or portable buildings shall be prohibited.

(4) Buildings shall incorporate live plant material growing immediately in front of or on the building.

(5) Buildings of less than 5,000 square feet of gross floor area shall be designed with pitched roofs, minimum pitch of 4 in 12.

(6) Roofing materials for pitched or mansard roofs shall be limited to the following:

Metal standing seam of red, green or silver in color.

Tile, slate or stone.

Wood shake.

Shingles with a slate, tile or metal appearance.

(7) All mechanical, HVAC and like systems shall be screened from street level view (within 300 feet) on all sides by an opaque wall or fence of brick, stucco, split-faced block or wood.

(8) Any accessories provided such as railings, benches, trash receptacles and/or bicycle racks shall complement the building design and style.

5.B. Architectural design of all commercial/retail buildings should comply with the following additional performance guidelines:

(1) To lend the appearance of multi-tenant occupancy, facades of multi-tenant buildings shall be varied in depth or parapet height.

(2) Within Planned Shopping Centers, distinct architectural entry identity for individual tenants' entrances shall be provided for suites exceeding 10,000 square feet of leasable area.

(3) Walls visible from roadways or parking areas shall incorporate changes in building material/color or varying edifice detail such as trellises, false windows or recessed panels reminiscent of window, door or colonnade openings, landscaping or storefront every 150 linear feet.

(4) Roof parapets shall be articulated to provide visual diversity. Parapets shall include articulations or architectural features at least every 100 linear feet. The minimum height of articulations or features shall be one (1) foot, and may be provided in height offset or facade projections such as porticoes or towers.

(5) Building design shall include minimum one (1) foot deep cornices, extending along the entire front of buildings and the sides of buildings at least (10) ten feet.

(6) Building design shall include a minimum one (1) foot high contrasting base, extending along the entire front of buildings and the sides of buildings at least ten (10) feet.

5.C. Architectural design of all attached residential buildings shall comply with the following performance guidelines:

(1) Architectural treatments of each building elevation shall be a minimum 50 percent brick, stone or stucco. The balance of each building elevation may be wood, wood shake or fiber cement-type siding.

Building plans shall be subject to review and approval of the Director of Planning and Development, or his/her designee, prior to the issuance of a Building Permit. Designs which are inconsistent with these performance guidelines may be denied. Alternate designs which have been denied by the Director, may be submitted for review and approval of the City Council.

Section 1316. - CSO Conservation Subdivision Overlay District.

1. Purposes.

The purposes of this overlay district are as follows:

a. To encourage the development of residential communities, that are density neutral based upon the Comprehensive Plan, designed to preserve and protect environmental resources, scenic vistas, and natural and cultivated landscapes.

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 protection of Conservation Space.

c. To reduce infrastructure maintenance costs as a result of efficient community design.

d. To provide conservation space and pedestrian linkages and wildlife corridors among residential communities and to encourage recreation opportunities.

e. To preserve significant historical and archeological features.

f. To preserve and protect contiguous undeveloped areas within the development.

2. Applicability.

This overlay district may be overlaid only upon the R-100 and R-75 districts utilizing the public sanitary sewer system. The overlay district shall require approval of a Special Use Permit at a public hearing as of the effective date of the adoption of this overlay district. Any conditions of zoning or special use approval of the underlying district shall also be observed (exception: lot area, width or quantity). For properties which are submitted for rezoning to R-100 or R-75, the applicant shall declare the intent to utilize this Overlay District at the time of application and the application shall be accompanied by an Existing Features Site Analysis Plan, and Environmental Site Assessment (Phase One) report, and a Concept Plan meeting the requirements of this section. The Overlay

District shall not be used on property that has been timber harvested within 24 months prior to adoption of a zoning change or approval of a Concept Plan.

3. Permitted Uses.

   Those uses permitted in the underlying district are permitted.

4. Existing Features Site Analysis Plan.

   At time of development, or if a zoning action is proposed, and prior to preparing the Concept Plan, an Existing Features Site Analysis Plan, sealed by a registered engineer or landscape architect, and an Environmental Site Assessment (Phase One) report, shall be prepared and submitted by the applicant or developer.

   a. The purposes of the Site Analysis Plan are to:

      (1) Delineation areas that have been identified as worthy of permanent protection in Conservation Space because of their environmental values. This delineation shall include, but shall not be limited to, the information and steps listed in Paragraph 4.

      (2) Set forth the particulars of the site, including boundary, topographic data (minimum 4-foot contour intervals), existing structures and utility easements.

      (3) Together with the Environmental Site Assessment (Phase One) report, provide the starting point for design of the Conservation Subdivision with built areas being designed as separate from the areas delineated as worthy of permanent protection.

   b. The Existing Features Site Analysis Plan shall include at least the following information:

      (1) Perennial and intermittent streams, FEMA designed 100-Year Flood Hazard Zones and Wetlands. The source of this information shall also be indicated.

      (2) Identification of tree lines, native woodlands, open fields or meadows, peaks or rock outcroppings, and prime agricultural land.

      (3) Delineation of tree resource areas by type such as hardwoods, pines or mixed; and old or new growth.

      (4) Delineation of steep slope areas (25 percent or greater). The designer shall endeavor to preserve slopes greater than 40 percent.

      (5) Identification of historical, archeological or other significant features identified in the Environmental Site Assessment (Phase One) report.

      (6) Identification of scenic vistas as listed in the Comprehensive Plan.

      (7) Identification of Conservation Space, Open Space or common areas adjacent to the project.

      (8) Identification of protected plant species as listed by the Georgia Department of Natural Resources, to be certified by a registered landscape architect, forester, arborist, biologist, botanist or horticulturist.

      (9) The plan also shall include certification that Timber Harvesting activity has not occurred on the property in the previous 24 months prior to the approval of a rezoning application or the approval of a Concept Plan.

5. Concept plan.

   At time of development, a concept plan shall be submitted by the developer for review and approval in accordance with the requirements and procedures of the development regulations. If a zoning action or special use permit is requested, the rezoning sit plan shall include the following information:

a. Delineation and specifications of Conservation Space including calculations and exclusions (see section 1316.6.c.); and any "Pocket Parks," "Neighborhood Greens," play areas, or trail system to be constructed.

b. A typical detail on the plan indicating dwelling size, lot width, building setback lines, off-street parking, street trees, sidewalks, and street pavement and right-of-way width.

c. Lot width average, area and percent of floodplain specifications in tabular form; and density calculations (gross and net).

6. Conservation Space Requirements.

In order to qualify for this overlay district, Conservation Space shall meet the following requirements:

A. Delineation.

Priority shall be given in delineating Conservation Space areas as those areas of significance identified in the Existing Features Site Analysis Plan, around which the built areas are designed.

B. Undeveloped and Natural.

Conservation Space shall remain undeveloped and natural except for the provision of non-motorized passive recreation opportunities such as running, walking, biking, and similar outdoor activities. Wetland and stream bank mitigation projects also are permitted.

Primary Conservation Areas are required to be included in the Conservation Space. These areas shall be covered by a provision for permanent protection and shall include 100-Year floodplains, stream buffer zones, slopes greater than 40 percent, consisting of a contiguous area of at least 5,000 square feet, wetlands, endangered or threatened species or their habitat, archeological sites, cemeteries or burial grounds.

Secondary Conservation Areas are features and areas recommended and desirable for Conservation Space designation and may be covered by the provisions for permanent protection. These include important historic sites, existing healthy, native forests of at least one contiguous acre, scenic viewsheds, peaks and rock outcroppings, prime agriculture lands consisting of at least 5 contiguous acres, and existing trails that connect the tract to neighboring areas. Also considered Secondary Conversation Areas are "Pocket Parks," "Neighborhood Greens" and stormwater management facilities and practices and may be constructed and maintained in Conservation space. However, "Pocket Parks" and "Neighborhood Greens" shall not exceed 20 percent of the total required Conservation Space.

C. Exclusions.

Excluded from meeting the minimum amount of Conservation Space are the following (also, see the definition of Primary Conservation Areas):

(1) Residential yards.

(2) Proposed Permanent Lakes that may be used for wet detention. No more than 50 percent of land area located within a proposed Permanent Lake may be credited.

(3) Recreation Area Improvements. Impervious surfaces in recreation areas shall not be credited.

(4) Easements. Land area within power, gas pipeline easements, sewer line easements or pump stations shall not be credited.

(5) Other. Land area devoted to public or private streets or any land that has been, or is to be, conveyed to a public agency via a purchase agreement for such uses as parks, schools, or other public facilities shall not be credited.

D. Ownership. Conservation space shall be owned in fee-simple by a mandatory property owner's association; or other entity approved in advance by the City Council during their normal course of business. The developer shall record the deed to the Conservation Space prior to, or concurrent with, the recording of the first final subdivision plat. An access easement following the alignment of future public streets is acceptable. However, "Pocket Parks" or "Neighborhood Greens" may be deeded concurrent with the unit or phase of the Final Subdivision Plat of which it is a part.

E. Property Owner's Association.

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

(1) Governance of the association by the Georgia Property Owner's Association Act (OCGA Section 44-3-220 et seq.) or a successor to that Act that grants lien rights to the association for maintenance expenses and tax obligations.

(2) Responsibility for maintenance of the open space.

(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 City Council.

F. Maintenance.

The property owner's association, or other entity approved in advance by the City Council, shall be responsible for the continuous maintenance of buffers, Conservation Space and recreation areas.

G. Conservation Surety.

Conservation Space delineated on the Final Plat and required to be in a Primary Conservation Area shall be permanently protected by either one (1) or both of the following options:

(1) Option 1. Conveyance to the Public and Subdivision Lot Owners.

A deed conveying ownership of the Conservation Space to the mandatory property owner's association shall be recorded and delivered prior to, or concurrent with, the approval of the Final Plat for the first phase of the subdivision. Both the deed and the Final Plat 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 Section 1316.6.b. of the 2012 Zoning Resolution of City of Peachtree Corners and with Georgia Law OCGA 36-22-1 et seq., having the following Greenspace goals: protection of streams, floodplains and wetlands; steep slopes; woodlands, open fields and meadows; historical and archeological features; significant wildlife habitats; scenic vistas; passive recreation and connectivity with nearby open spaces. The following uses may be allowed:

passive recreational amenities, such as pervious-surface paths and minimal parking spaces; picnic and restroom facilities (constructed facilities shall not exceed 15 percent of the Conservation Space). This covenant is intended to benefit said area to the public and the use of same to the subdivision lot owners and residents, and it shall run in perpetuity as provided by Georgia Law OCGA 44-5-60(c)."

(2) Option 2. Conveyance to Other Qualified Organizations or Entities.

Except for "pocket Parks" or "Neighborhood Greens," developed recreation areas or Secondary Conservation Areas not desired for permanent protection, Conservation Space shall be permanently protected by the (i) recording of a covenant or conveyance of an easement which runs in perpetuity under Georgia Law 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 (ii) 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 conversation purposes specified in the Internal Revenue Code. Governmental entities that qualify to be named in covenants under Georgia Law 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. 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. 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. 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.

Secondary Conservation Areas may also be covered by the same permanent protection options.

7. Density.

The Gwinnett County Comprehensive Plan establishes recommended residential density not to exceed 3 units per acre in many areas of the City. Consequently, subdivisions in the Overlay District shall not exceed a maximum net density in the underlying district, and shall provide at least the percent of Conservation Space as stated below:

a. R-100: 2.3 units per acre with 40 percent Conservation Space; or units per acre with 50 percent Conservation Space.

b. R-75: 3.0 units per acre with 40 percent Conservation Space.

8. Development Requirements.

Subdivisions in this Overlay District shall meet the following requirements unless a Special Use Permit is submitted and approved by the City Council:

A. Minimum Subdivision Size: 10 contiguous acres.

B. Lot Area: No minimum.

C. Average Lot Width: The average width of all building lots shall be at least 60 feet. Exception: Any lot located less than 50 feet from adjacent property lines zoned RA-200, R-140, R-100 and R-75 (except modified and cluster subdivisions) shall meet the lot width (for the entire depth of the lot) and the rear setback of the underlying zoning district.

D. Minimum Road Frontage per Lot: 40 feet. Exception: Road frontage may be reduced to 20 feet for lots with frontage upon cul-de-sac or "eyebrow cul-de-sac" turnarounds.

E. Minimum Yard Areas (Setbacks):

Front: 20 feet. Exception: The front yard setback may be reduced to 5 feet, if dwellings are provided side or rear entry garages. To qualify for the reduced setback on a corner lot, side entry garages must be located to the side adjacent to an abutting lot.

Rear: 20 feet.

Side: 5 feet.

F. Street Frontage Buffer: 50 feet in width (not part of any building lot). The street frontage buffer shall remain undisturbed and natural, except for entrance features, necessary street construction activities, right-of-way crossings and corner right-of-way miters or radii. If the required street frontage buffer is void of vegetation, it shall be replanted to provide an effective visual screen, which may include landscaped berms and decorative fences. The street frontage buffer may be counted towards Conservation Space calculations.

G. Maximum Height: 35 feet.

H. Minimum Floor Area: Each dwelling unit shall have a minimum heated finished living area, excluding a basement, attic, carport or garage, as follows:

One Story: 1,600 square feet.

Two Story: 1,800 square feet.

I. [Siding] Homes shall be constructed of brick, stacked stone, cedar shake, stucco, or fiber cement siding on four sides. Soffits may be constructed of vinyl.

J. Sodded Yards: All grassed areas on dwelling lots shall be sodded.

K. Garages: Dwellings shall have two-(2)-car garages.

L. Street Trees: Street trees, in accordance with the requirements of the Buffer, Landscape and Tree Ordinance, shall be provided.

M. Underground Utilities: Utilities shall be located underground.

Section 1317. - Mixed-Use Overlay (MUO) District.

1. Purpose.

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

2. Applicability.

The Mixed-Use Overlay District may only be implemented within specific geographic areas or developed corridors within incorporated City of Peachtree Corners as designated by the City Council.

The MUO District shall be restricted to the redevelopment of existing office, institutional, residential, commercial and/or industrial sites; or to undeveloped or partially developed properties as deemed desirable by the City Council. Mixed-use Overlay sites should be located on major thoroughfare's where infrastructure is available to support such a use.

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

3. Concept Plan (CPL) Required.

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

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

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

MUO projects shall contain a minimum of ten (10) contiguous acres of land area; except that expansion of an existing or approved MUO project may contain less land area. Residential uses may occupy no more than 70 percent of the gross site acreage (exclusive of required common area).

5. Permitted Uses and Structures.

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

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

A. Single-Family Detached Pods (Individual Lots).

(1) Single-Family Detached Dwellings, except Manufactured Homes.

(2) Zero Lot Line Single-Family Detached Dwellings.

B. Single-Family Attached Pods (Individual Lots).

(1) Townhouses.

C. Residential/Business Dwelling Pods.

(1) Residential/Business Dwellings.

(2) Business activities shall be limited to those allowed within the C-1 or O-I Zoning Districts provided:

(a) Only one (1) business may be operated from the residence.

(b) No more than 50 percent of the dwelling unit may be used for conducting the business.

D. Multifamily Residence Pods.

(1) Multifamily Dwellings, Lofts, Condominiums.

E. Commercial/Office/Residential Pods.

(1) All uses permitted in the O-I, Office-Institutional District.

(2) All uses permitted in the C-1, Neighborhood Business District.

(3) All uses permitted in the C-2, General Business District, including temporary uses. Recovered Materials Processing and Yard Trimmings Composting are not permitted.

(4) Mixed-Use Commercial Buildings which include Multifamily Dwellings, Lofts or Condominiums.

(5) Residential/Business Dwellings.

6. Development Requirements.

A. Single-Family Detached on Individual Lots:

(1) Minimum lot area: No minimum, except that each building envelope shall contain at least 1,000 square feet outside the 100-year floodplain elevation.

(2) Minimum lot width: The minimum lot width of all building lots shall be at least 40 feet.

(3) Minimum Road Frontage per lot: 40 feet. Exception: Road frontage may be reduced to 20 feet for lots with frontage upon cul-de-sac turnarounds or "eyebrow" cul-de-sacs.

(4) Minimum front yard (from streets interior to the development): 5 feet.

(5) Minimum side yard: 5 feet per side (single-family detached); or 10 ft. one side/0 ft. opposite side (zero lot-line).

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

(6) Minimum rear yard: 5 feet.

(7) Where adjacent to a required buffer, the minimum required side or rear yard setback(s) shall increase an additional 5-feet for every 10-foot incremental increase in building height above 35-feet.

(8) Sodded yards: All grassed areas shall be sodded.

(9) Minimum Garage Required: Two-(2)-car garage.

(10) The required garage and off-street parking must be located to the rear of at least 50 percent of all dwelling units. Where garages are front entry, the garage façade shall be recessed a minimum of four additional feet from the building line.

(11) All new or relocated utilities shall be placed underground.

B. Single-Family Attached on Individual Lots:

(1) Minimum lot area: None.

(2) Minimum lot width: 18 feet.

(3) Minimum Road Frontage per lot: 0 feet.

(4) Minimum front yard (from streets interior to the development): 0 feet.

(5) Minimum side yard: 5 feet on non-attached side.

(6) Minimum rear yard: 5 feet.

(7) Where adjacent to a required buffer, the minimum required side or rear yard setback(s) shall increase an additional 5-feet for every 10-foot incremental increase in building height above 35-feet.

(8) Sodded yards: All grassed areas shall be sodded.

(9) Minimum garage required: One-(1)-car garage.

(10) The required garage and off-street parking must be located to the rear of at least 50 percent of all dwelling units.

(11) Firewalls: A minimum of a two-(2)-hour rated firewall shall be required between each attached dwelling unit. A four-(4)-hour rated firewall shall be required between every fourth (4th) attached dwelling unit. Firewalls shall be constructed in accordance with applicable building codes of Peachtree Corners.

(12) All new or relocated utilities shall be placed underground.

C. Residential/Business Dwellings:

(1) Minimum lot area: None.

(2) Minimum unit width: 18 feet.

(3) Minimum Road Frontage per lot: 0 feet.

(4) Minimum front yard (from streets interior to the development): 0 feet.

(5) Minimum side yard: 0 feet on non-attached side.

(6) Minimum rear yard: 0 feet.

(7) Where adjacent to a required buffer, the minimum required side or rear yard setback(s) shall increase an additional 5-feet for every 10-foot incremental increase in building height above 35-feet.

(8) Sodded yards: All grassed areas shall be sodded.

(9) Minimum garage required: One-(1)-car garage.

(10) The required garage and off-street parking must be located to the rear of at least 50 percent of all dwelling units.

(11) The businesses shall have direct entry from the street frontage sidewalk.

(12) All new or relocated utilities shall be placed underground.

(13) Dumpsters must be screened on all sides by a minimum six-(6)-foot high brick or masonry wall with access via an opaque metal gate.

D. Multifamily Residences:

(1) Minimum lot area: None.

(2) Minimum lot width: None.

(3) Minimum Road Frontage: 40 feet.

(4) Minimum front yard: 0 feet.

(5) Maximum front yard: 15 feet, except when common area is provided between the street and building.

(6) Minimum side yard: 0 feet.

(7) Minimum rear yard: 0 feet.

(8) Where adjacent to a required buffer, the minimum required side or rear yard setback(s) shall increase an additional 5-feet for every 10-foot incremental increase in building height above 35-feet.

(9) Minimum building height: 2 floors/stories.

(10) Sodded yards: All grassed areas shall be sodded.

(11) Parking shall be provided in designated lots/ decks subject to review and approval of the Director of Planning and Development.

(12) All new or relocated utilities shall be placed underground.

(13) Dumpsters must be screened on all sides by a minimum six-(6)-foot high brick or masonry wall with access via an opaque metal gate.

E. Commercial/Office/Residences:

(1) Minimum lot area: None.

(2) Minimum lot width: None.

(3) Minimum Road Frontage: 40 feet.

(4) Minimum front yard: 0 feet.

(5) Maximum front yard: 15 feet except when common area is provided between the street and building.

(6) Minimum side yard: 0 feet.

(7) Minimum rear yard: 0 feet.

(8) Where adjacent to a required buffer, the minimum required side or rear yard setback(s) shall increase an additional 5-feet for every 10-foot incremental increase in building height above 35-feet.

(9) Sodded yards: All grassed areas shall be sodded.

(10) Dwellings may be constructed on floors/stories above first floor non-residential uses.

(11) All new or relocated utilities shall be placed underground.

(12) Dumpsters must be screened on all sides by a minimum six-(6)-foot high brick or masonry wall with access via an opaque metal gate.

7. Common Area. Common Area shall be provided according to the following standards:

A. At least twenty percent (20%) of the gross project acreage (excluding 100-year floodplain and wetland areas) shall be designated on a recorded plat as Permanent Common Area for the use of the residents and visitors to the development.

B. Sidewalks and associated amenities may be credited toward Common Area calculations, if the sidewalk is constructed at a width of 8-feet or greater and the streetscape is enhanced with decorative, commercial quality street furniture, fountains, planters, public seating and/or similar improvements (subject to review of streetscape design by the Department of Planning and Development).

C. Landscaped strips along internal or external streets may be credited toward common area calculations, if the landscaped strip is constructed at a continuous width of 25-feet or greater.

D. Wetland and floodplain areas shall be preserved in their natural state except for the installation of required detention facilities and stormwater BMP's.

E. Stormwater facilities may be located within common area, if designed and improved as an amenity, subject to review and approval of the Director of Planning and Development.

F. Common areas shall be distributed throughout the project to provide linkages, amenities and visual appeal for the development. Final common area design shall include provision of at least one (1) centrally located public gathering area (with related amenities and improvements) in the form of a town green, amphitheater, landscaped plaza, or similar approved element.

G. Common Area Ownership.

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

H. Property Owner's Association.

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

1. Governance of the association by the Georgia Property Owner's Association Act (O.C.G.A. § 44-3-220 et seq.) or a successor to that Act that grants lien rights to the association for maintenance expenses and tax obligations.
2. Responsibility for maintenance of common areas.
3. Responsibility for insurance and taxes.
4. Automatic compulsory membership of all property owners and subsequent lot purchasers and their successors; and compulsory assessments.
5. Conditions and timing of transferring control of the association from the developer to the property owners.
6. Guarantee that the association will not be dissolved without the advance approval of the City Council.
7. Restrict the time of deliveries to commercial businesses and dumpster pick-up to between 7:00 a.m. and 9:00 p.m.

I. Maintenance.

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

8. Buffer and Landscaping Requirements.

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

B. The development shall comply with the requirements of the Buffer, Landscape and Tree [Ordinance].

(1) Buffers shall not be required between nonresidential uses and residential uses internal to the Mixed-Use Development.

(2) The ten (10) foot wide landscape strip shall only be required on external roadways, and planted with approved understory trees.

(3) All required parking lot trees shall be native straight-trunked hardwood shade trees.

(4) Mixed-Use Overlay projects shall provide, at a minimum, 20 Tree Density Units per acre for the entire development.

(5) Street trees shall be required along both sides of all internal and external streets spaced every 50 feet on center. Each tree shall be a minimum 4-inch caliper (dbh) at time of planting and shall be a native straight-trunked hardwood shade tree species or similar tree suitable to this region.

C. Above-ground planters may not be used to fulfill tree planting or tree density requirements.

9. Parking.

Parking for single-family detached or attached uses shall be on a per lot basis. Parking for both multi-family and non-residential uses may be provided through a combination of on-street parking and off-street parking in surface parking lots and above and/or below ground parking structures.

A. Parking spaces shall be as required by the 2012 Zoning Resolution for each use, per Section 1002.

B. Parking for non-residential or multi-family uses may be granted a 20 percent reduction in required parking, when parking is shared between adjacent uses within the project. An additional ten percent reduction may be administratively approved by the Director. Final parking design plans shall be subject to review and approval by the Director of Planning and Development. and approval of the Development Division.

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

D. Parking structures must be designed so that the only openings at street-level are those to accommodate vehicle entrances and pedestrian access to the structure, as follows:

(1) Any openings for ventilation, service or emergency access located on the first-(1st)-floor level, where the building façade must be decorative and must be an integral part of the overall building design.

(2) The balance of the street frontage of a parking structure must be either occupied retail/office space or designed to screen the parking areas utilizing decorative elements such as grill-work, brick, louvers, or a vegetative screen.

(3) Deck floors located above the first-floor level of a parking structure must be screened from view from the street utilizing decorative elements such as grill-work, brick or louvers (minimum 42" in height). In no instance, will cabling alone be sufficient to meet this screening requirement.

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

10. Signage.

A Unified Signage Plan shall govern all signage within the development. Signs and the amount of signage shall be subject to the requirements of the Sign Ordinance with the following exceptions:

A. Oversized or billboard signs shall be prohibited.

B. Ground signs shall be limited to monument-type signs. Base and sign structure shall be constructed of materials such as brick, stone, stucco, wood or metal consistent with the architecture and exterior treatment of the building.

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

D. Internally illuminated wall signs may not be located within 150-feet of adjacent property developed for single-family residential uses.

11. Street/Pedestrian Lighting and Street Furniture.

A. Streetlights utilizing decorative fixtures and poles shall be provided along all internal streets and along all public rights-of-way. Streetlights shall be staggered, 150 feet on center, along both sides of the street. Pedestrian-scale lighting shall be provided every 50 feet along both sides of the street. The lamps of streetlights shall be directed down and capped. Pedestrian lighting shall utilize fixtures designed to accommodate a shielding plate.

B. Decorative, commercial-quality bike racks, benches, and trash receptacles shall be provided throughout the development in accordance with the approved pedestrian access plan.

12. Architectural Design.

Architectural design of all buildings shall comply with the following:

A. For single-family detached residences: front facades shall have architectural treatments of brick, stone, stucco or wood shake. The balance of each elevation may be wood, wood shake or fiber-cement siding.

B. For attached townhouses and residential/business dwellings: front facades shall have architectural treatments of brick, stone or stucco. The balance of each elevation may be wood, wood shake or fiber-cement siding.

C. For multifamily residential buildings: architectural treatments of each building elevation shall be a minimum 50 percent brick, stone or stucco. The balance of each elevation may be wood, wood shake, or fiber-cement siding.

D. For non-residential and mixed use buildings: architectural treatments shall be of glass and/or brick, stone or stucco. Tilt-up or pre-cast concrete, wood, wood shake, fiber-cement siding or architectural metal may be used subject to review and approval of the Director of Planning and Development.

Additionally:

(1) In order to encourage and complement street-level pedestrian activity, the street-level façade of non-residential buildings facing public or private streets shall incorporate varying edifice details such as trellises, windows or recessed panels suggestive of windows, door or colonnade openings, or storefronts every 20-30 linear feet.

(2) Contrasting accent colors of any wall, awning or other feature (other than a neutral color) shall be limited to no more than 15 percent of the total area for any single facade.

(3) Metal or portable buildings shall be prohibited.

(4) Buildings shall incorporate live plant material growing immediately in front of or on the building.

(5) Non-residential buildings of less than 5,000 square feet of gross floor area shall be designed with pitched roofs, minimum pitch of 4:12. Portions of the roof structure may be flat to accommodate vents, mechanical systems or similar appurtenances, if the adequately screened subject to review and approval of the Director.

(6) Roofing materials for pitched or mansard roofs shall be limited to the following:

Metal standing seam of red, green or silver in color.

Tile, slate or stone.

Wood shake.

Architectural shingles with a slate, tile or metal appearance.

(7) Parapets of flat-roofed buildings shall be articulated to provide visual diversity. Parapets shall include articulations or architectural features at least every 100 linear feet. The minimum height of articulations or features shall be one (1) foot, and may be provided in height offset or facade projections such as porticoes or towers. The rear of parapet articulations visible from street-level view (within 300 feet) shall be finished to match the exterior architectural treatment.

(8) Design of flat-roofed buildings shall include minimum one-(1)-foot deep cornices, extending along the entire front of the building and the sides of the building for a depth of at least ten (10) feet.

(9) Building design shall include a minimum one-(1)-foot high contrasting base, extending along the entire front of buildings and the sides of buildings for a depth of at least ten (10) feet.

(10) All mechanical, HVAC and like systems shall be screened from street level view (within 300 feet) on all sides by an opaque wall or fence of brick, stucco, split-faced block or wood.

(11) Accessories provided such as railings, benches, trash receptacles and/or bicycle racks shall be of commercial quality, and complement the building design and style.

E. Building plans shall be subject to review and approval of the Director of Planning and Development, or his/her designee, prior to the issuance of a Building Permit. Designs which are inconsistent with these performance guidelines may be denied. Alternate designs which have been denied by the Director may be submitted for review and approval of the City Council.

Section 1318. - Mixed-Use Development (MUD) District.

1. Purpose.

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

2. Applicability.

A Mixed-Use Development may only be permitted within a Major Activity Center as designated in the Gwinnett County Comprehensive Plan, on tracts of land or assemblages of land located adjacent to or having immediate access to major thoroughfares, where infrastructure is available to support the intensity of such a use.

Application for such a development is contingent upon being granted rezoning approval by the City Council after receiving a recommendation from the Director of Planning and Development and pursuant to Public Hearings before the Planning Commission and the City Council.

Applications for rezoning not located within a Major Activity Center shall not be accepted for processing by the Department of Planning and Development.

3. Rezoning Site Plan Requirements & Design Criteria.

All MUD projects shall be governed by an approved Concept Plan. The Concept Plan shall be submitted, reviewed and approved in accordance with applicable 2012 Zoning Resolution and Development Regulation requirements. Upon approval of the Concept Plan, individual pods of the development project may be undertaken through the Development Permit and Subdivision Platting process contained in the Development Regulations. MUD projects may be constructed as a single phase, or may be constructed in multiple phases, in accordance with the approved Concept Plan.

Notwithstanding the forgoing, the City Council may require the Concept Plan to be submitted to the City Council for review and approval. Such requirements shall be established at the time of the rezoning.

4. Required Exhibits.

As part of the application for rezoning, the following exhibits shall be prepared by design professionals, such as planners, engineers, architects or landscape architects and submitted to the Department of Planning and Development. No application for a Mixed-Use Development shall be accepted for processing without these required exhibits.

A. A location map indicating the existing zoning on the site and the adjacent areas and the boundary of the Major Activity Center within which it is located.

B. A Concept plan drawn no smaller than one (1) inch equals 100 feet showing the proposed mix of uses, pods and phases of development, and including the following information:

? Lot lines and setbacks;

? Location, shape, size and height of proposed buildings, common areas, plazas, and other amenities;

? Lakes, ponds and floodplains and the source of floodplain data;

? Stormwater detention areas;

? Proposed landscaping;

? Recreation facilities (if applicable);

? Location of off-street parking.

C. A design palette governing, pedestrian amenities, and building architecture.

D. Architectural elevations of proposed buildings, indicating exterior treatments.

E. Information indicating the following:

? Gross and net acreage, and density (see definition of density);

? Lot sizes, if applicable (dimensions and square footage);

? Building heights and stories;

? Amount of common open space in square feet;

? Tree areas to be retained and street trees and landscape features to be added;

? Such other architectural and engineering data as may be required to evaluate the project.

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

   Residential density shall be based upon gross project acreage, and may be developed up to a maximum of 32 units per acre. Maximum building height shall be limited to a maximum of 25 stories, not to exceed 300 feet. The City Council may reduce maximum project density and building height on a case-by-case basis at the time of rezoning. The City Council shall establish maximum project density on a case-by-case basis at the time of rezoning. The City Council may increase maximum building height on a case-by-case basis by Special Use Permit.

   MUD projects shall contain a minimum of five (5) contiguous acres of land area; except that expansion of an existing or approved MUD project may contain less land area. Residential uses may occupy no more than 70 percent of the gross site acreage (exclusive of required Common Area).

6. Permitted Uses and Structures.

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

   MUD requires the mixing of uses horizontally and/or vertically, as specified below.

   A. Single-Family Detached Pods (Individual Lots).

      1. Single-Family Detached Dwellings, except Manufactured Homes.

      2. Zero Lot Line Single-Family Detached Dwellings.

   B. Single-Family Attached Pods.

      1. Townhouses or villas.

   C. Residential/Business Dwelling Pods.

      1. Residential/Business Dwellings. Business activities shall be limited to those allowed within the C-1 or O-I Zoning District provided:

         a) Only one (1) business may be operated from the residence.

         b) No more than 50 percent of the dwelling unit may be used for conducting the business.

   D. Multi-family Residence Pods.

      1. Multi-family Dwellings, Lofts, Condominiums.

   E. Commercial/Office/Residential Pods.

      1. All uses permitted in the O-I, Office-Institutional District.

      2. All uses permitted in the C-1, Neighborhood Business District.

      3. All uses permitted in the C-2, General Business District, including temporary uses. Recovered Materials Processing and Yard Trimmings Composting are not permitted.

      4. Mixed-Use Commercial/Office Buildings, which also include Multi-family Dwellings, Lofts or Condominiums.

      5. Residential/Business Dwellings.

7. Design Criteria.

   A. Single-Family Detached on Individual Lots:

      1. Minimum lot area: No minimum, except that each building envelope shall contain at least 1,000 square feet outside the 100-year floodplain elevation.

      2. Minimum lot width: The minimum lot width of all building lots shall be at least 40 feet.

3. Minimum Road Frontage per lot: 40 feet. Exception: Road frontage may be reduced to 20 feet for lots with frontage upon cul-de-sac turnarounds or "eyebrow" cul-de-sacs.
4. Minimum front yard (from streets interior to the development): 5 feet.
5. Minimum side yard: 5 feet per side (single-family detached); or 10 ft. one side/0 ft. opposite side (zero lot-line).

   Note: (zero lot-line will require 8-ft. access/ maintenance easement on the adjoining lot.)
6. Minimum rear yard: 5 feet.
7. Enhanced setbacks, office, or lower intensity uses shall be used as transitions to single-family neighborhoods or single-family zoning districts.
8. Sodded yards: All grassed areas shall be sodded.
9. Minimum Garage Required: Two-(2)-car garage.
10. The required garage and off-street parking must be located to the rear of at least 50 percent of all dwelling units. Where garages are front entry, the garage façade shall be recessed a minimum of four additional feet from the building line.
11. All new or relocated utilities shall be placed underground.

B. Attached Townhomes or Villas:

1. Minimum lot area: None.
2. Minimum lot width: None.
3. Minimum Road Frontage per lot: 0 feet.
4. Minimum front yard (from streets interior to the development): 0 feet.
5. Minimum side yard: None.
6. Minimum rear yard: None.
7. Enhanced setbacks, office, or lower intensity uses shall be used as transitions to single-family neighborhoods or single-family zoning districts.
8. Sodded yards: All grassed areas shall be sodded.
9. Minimum garage required: Townhomes: One-(1)-car garage. Villas: Two-(2)-car garage.
10. The required garage and off-street parking for townhomes must be located to the rear of at least 50 percent of all dwelling units.
11. Firewalls: A minimum of a two-(2)-hour rated firewall shall be required between each attached dwelling unit. A four-(4)-hour rated firewall shall be required between every fourth (4th) attached dwelling unit. Firewalls shall be constructed in accordance with applicable building codes of Peachtree Corners.
12. All new or relocated utilities shall be placed underground.

C. Residential/Business Dwellings:

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

7. Enhanced setbacks, office, or lower intensity uses shall be used as transitions to single-family neighborhoods or single-family zoning districts.
8. Sodded yards: All grassed areas shall be sodded.
9. Minimum garage required: One-(1)-car garage.
10. The required garage and off-street parking must be located to the rear of at least 50 percent of all dwelling units.
11. The businesses shall have direct entry from the street frontage sidewalk.
12. All new or relocated utilities shall be placed underground.
13. Dumpsters must be screened on all sides by a minimum six-(6)-foot high brick or masonry wall with access via an opaque metal gate.

D. Multi-family Residences:

1. Minimum lot area: None.
2. Minimum lot width: None.
3. Minimum Road Frontage: 40 feet.
4. Minimum front yard: 0 feet.
5. Maximum front yard: 15 feet, except when Common Area is provided between the street and building.
6. Minimum side yard: 0 feet.
7. Minimum rear yard: 0 feet.
8. Enhanced setbacks, office, or lower intensity uses shall be used as transitions to single-family neighborhoods or single-family zoning districts.
9. Minimum building height: 2 floors/stories.
10. Sodded yards: All grassed areas shall be sodded.
11. Parking shall be provided in designated lots/ decks subject to review and approval of the Director of Planning and Development.
12. All new or relocated utilities shall be placed underground.
13. Dumpsters must be screened on all sides by a minimum six-(6)-foot high brick or masonry wall with access via an opaque metal gate.

E. Commercial/Office/Residences:

1. Minimum lot area: None.
2. Minimum lot width: None.
3. Minimum Road Frontage: 40 feet.
4. Minimum front yard: 0 feet.
5. Maximum front yard: 15 feet except when Common Area is provided between the street and building.
6. Minimum side yard: 0 feet.
7. Minimum rear yard: 0 feet.
8. Enhanced setbacks, office, or lower intensity uses shall be used as transitions to single-family neighborhoods or single-family zoning districts.
9. Sodded yards: All grassed areas shall be sodded.

10. Dwellings may be constructed on floors/stories above first (1st) floor non-residential uses.

11. All new or relocated utilities shall be placed underground.

12. Dumpsters must be screened on all sides by a minimum six-(6)-foot high brick or masonry wall with access via an opaque metal gate.

8. Common Area.

Common area shall be provided according to the following standards:

A. At least twenty percent (20%) of the gross project acreage (excluding 100-year floodplain and wetland areas) shall be designated on a recorded plat as Permanent Common Area for the use of the residents and visitors to the development.

B. Sidewalks and associated amenities may be credited toward Common Area calculations, if the sidewalk is constructed at a width of 8-feet or greater and the streetscape is enhanced with decorative, commercial quality street furniture, fountains, planters, public seating, amenities within the project that encourage pedestrian connectivity between uses such as plazas, arcades, greenways and/or similar improvements that are clearly intended as gathering spaces or that act as connectors to adjacent buildings or uses may be counted toward the twenty (20) percent common area requirement (subject to review of streetscape design or other required submittals by the Department of Planning and Development).

C. Landscaped strips along internal or external streets may be credited toward Common Area calculations, if the landscaped strip is constructed at a continuous width of 25 feet or greater.

D. Offsite sidewalks, greenways, bike trails, and similar improvements providing inter-parcel access along with associated landscape strips constructed as part of the Mixed-Use Development may be counted toward the twenty (20) percent Common Area requirement, subject to the filing of appropriate reciprocal access agreements between property owners.

E. Wetland and floodplain areas shall be preserved in their natural state except for the installation of required detention facilities and stormwater BMP's. However, these areas do not count toward the Common Area requirement.

F. Stormwater facilities may be located within Common Area, if designed and improved as an amenity, subject to review and approval of the Director of Planning and Development.

G. Common areas shall be distributed throughout the project to provide linkages, amenities and visual appeal for the development. Final Common Area design shall include provision of at least one (1) centrally located public gathering area (with related amenities and improvements) in the form of a town green, amphitheater, landscaped plaza, or similar approved element.

H. Common Area Ownership.

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

I. Property Owner's Association.

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

1. Governance of the association by the Georgia Property Owner's Association Act (O.C.G.A. § 44-3-220 et seq.) or a successor to that Act that grants lien rights to the association for maintenance expenses and tax obligations.
2. Responsibility for maintenance of common areas.
3. Responsibility for insurance and taxes.
4. Automatic compulsory membership of all property owners and subsequent lot purchasers and their successors; and compulsory assessments.
5. Conditions and timing of transferring control of the association from the developer to the property owners.
6. Guarantee that the association will not be dissolved without the advance approval of the City Council.
7. Restrict the time of deliveries to commercial businesses and dumpster pick-up to between 7:00 a.m. and 9:00 p.m.

J. Maintenance.

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

9. Buffer and Landscaping Requirements.

A. A naturally vegetated, undisturbed buffer, replanted where sparsely vegetated and supplemented by an eight-foot (8') high solid opaque wall or fence along the interior of the buffer, shall be provided adjacent to external residential properties. Where adjacent properties are zoned or developed for single-family residential uses a buffer of 75-feet in width shall be provided, and where adjacent properties are zoned or developed for fee-simple townhouse/condominium uses a buffer of 50-feet in width shall be provided. These minimum buffer widths may be adjusted by the City Council at the time of rezoning. Buffers shall not be required adjacent to adjoining property zoned for or developed as office, institutional, commercial, industrial or multifamily uses.

B. The development shall comply with the requirements of the Buffer, Landscape and Tree Ordinance (BLT) with the following exceptions:

1. Buffers shall not be required between nonresidential uses and residential uses internal to the mixed-use development.
2. The ten (10) foot wide landscape strip shall only be required on external roadways, and planted with approved understory trees.
3. All required parking lot trees shall be native straight-trunked hardwood shade trees.
4. Each phase or Pod within the Mixed-Use District shall provide, at a minimum, 20 Tree Density Units per acre for the entire development.
5. Street trees shall be required along both sides of all internal and external streets spaced every 50 feet on center. Each tree shall be a minimum 4-inch caliper (dbh) at time of planting and shall be a native straight-trunked hardwood shade tree species or similar tree suitable to this region.

C. Above ground planters may not be used to fulfill tree planting or tree density requirements.

10. Parking Structures.

A. Parking structures must be designed so that the only openings at street-level are those to accommodate vehicle entrances and pedestrian access to the structure, as follows:

1. Any openings for ventilation, service or emergency access located on the first (1st) floor-level in the building façade must be decorative and must be an integral part of the overall building design.

2. The balance of the street frontage of a parking structure must be either occupied retail/office space or designed to screen the parking areas utilizing decorative elements such as grill-work, brick, louvers, or a vegetative screen.

3. Deck floors located above the first (1st) floor-level of a parking structure must be screened from view from the street utilizing decorative elements such as grill-work, brick or louvers (minimum 42" in height). In no instance will cabling alone be sufficient to meet this screening requirement.

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

11. Signage.

A Unified Signage Plan shall govern all signage within the development. Signs and the amount of signage shall be subject to the requirements of the Sign Ordinance with the following exceptions:

A. Oversized or billboard signs shall be prohibited.

B. Ground signs shall be limited to monument-type signs. Base and sign structure shall be constructed of materials such as brick, stone, stucco, wood or metal consistent with the architecture and exterior treatment of the building.

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

D. Internally illuminated wall signs may not be located within 150-feet of adjacent property developed for single-family residential uses.

12. Street/Pedestrian Lighting and Street Furniture.

A. Streetlights utilizing decorative fixtures and poles shall be provided along all internal streets and along all public rights-of-way. Streetlights shall be staggered, 150 feet on center, along both sides of the street. Pedestrian scale lighting shall be provided every 50 feet along both sides of the street. The lamps of streetlights shall be directed down and capped. Pedestrian lighting shall utilize fixtures designed to accommodate a shielding plate.

B. Decorative, commercial-quality bike racks, benches, and trash receptacles shall be provided throughout the development, in accordance with the approved Pedestrian Access Plan.

13. Architectural Design.

Architectural design of all buildings shall comply with the following:

A. For single-family detached residences: front facades shall have architectural treatments of brick, stone, stucco or wood shake. The balance of each elevation may be wood, wood shake or fiber-cement siding.

B. For attached townhouses, villas and residential/business dwellings: front facades shall have architectural treatments of brick, stone or stucco. The balance of each elevation may be wood, wood shake or fiber-cement siding.

C. For multifamily residential buildings: architectural treatments of each building elevation shall be a minimum 50 percent brick, stone or stucco. The balance of each elevation may be wood, wood shake, or fiber-cement siding.

D. For Non-Residential and Mixed-Use buildings: architectural treatments shall be of glass and/or brick, stone or stucco. Tilt-up or pre-cast concrete, wood, wood shake, fiber-cement siding or architectural metal may be used subject to review and approval of the Director of Planning and Development.

Additionally:

1. In order to encourage and complement street level pedestrian activity, the street-level façade of non-residential buildings facing public or private streets shall incorporate varying edifice details such as trellises, windows or recessed panels suggestive of windows, door or colonnade openings, or storefronts every 20—30 linear feet.
2. Contrasting accent colors of any wall, awning or other feature (other than a neutral color) shall be limited to no more than 15 percent of the total area for any single facade.
3. Metal or portable buildings shall be prohibited.
4. Buildings shall incorporate live plant material growing immediately in front of or on the building.
5. Non-residential buildings of less than 5,000 square feet of gross floor area shall be designed with pitched roofs, minimum pitch of 4:12. Portions of the roof structure may be flat to accommodate vents, mechanical systems or similar appurtenances, if adequately screened, subject to review and approval of the Director.
6. Roofing materials for pitched or mansard roofs shall be limited to the following:

   Metal standing seam of red, green or silver in color.

   Tile, slate or stone.

   Wood shake.

   Architectural shingles with a slate, tile or metal appearance.
7. Parapets of flat-roofed buildings shall be articulated to provide visual diversity. Parapets shall include articulations or architectural features at least every 100 linear feet. The minimum height of articulations or features shall be one (1) foot, and may be provided in height offset or facade projections such as porticoes or towers. The rear of parapet articulations visible from street level view (within 300 feet) shall be finished to match the exterior architectural treatment.
8. Design of flat-roofed buildings shall include minimum one-(1)-foot deep cornices, extending along the entire front of the building and the sides of the building for a depth of at least ten (10) feet.
9. Building design shall include a minimum one-(1)-foot high contrasting base, extending along the entire front of buildings and the sides of buildings for a depth of at least ten (10) feet.
10. All mechanical, HVAC and like systems shall be screened from street level view (within 300 feet) on all sides by an opaque wall or fence of brick, stucco, split-faced block or wood.
11. Accessories provided such as railings, benches, trash receptacles and/or bicycle racks shall be of commercial quality, and complement the building design and style.

E. Building plans shall be subject to review and approval of the Director of Planning and Development, or his/her designee, prior to the issuance of a Building Permit. Designs which are inconsistent with these performance guidelines may be denied. Alternate designs which have been denied by the Director may be submitted for review and approval of the City Council.

Section 1319. - T-O. Trails and Open Space

1. Purpose: The purpose of the Trails and Open Space, T-O, zoning classification is to accommodate a multi-use trail system through Peachtree Corners along with the development of one or more multi-use trails and associated trail components. T-O lands are intended to serve passive recreational uses and as an alternative transportation corridor. T-O land is not intended to be used for sports facility buildings or athletic fields.

2. Permitted Uses and Facilities:

   A. Paved and soft paths to accommodate pedestrians, bicycles, skateboards, rollerblades and other people-powered vehicles

   B. Trail hubs to accommodate:

      1. Vehicular parking lots at trail access points

      2. Restroom facilities

      3. Fitness related activities

   C. Active Recreation including:

      1. Boating (ramps, docks, etc.)

      2. Disc golf (course baskets)

      3. Exercise course (equipment at stations)

      4. Bicycling (lockers and bike racks)

   D. Passive Recreation including:

      1. Picnic (tables and shelters)

      2. Photography (decks and overlooks)

      3. Nature hikes (boardwalks)

3. Definitions:

   A. Trail Segment - Land located within an adopted multi-use trail system that is rezoned T-O and contributed to that trail system

   B. Density Credit – A development allocation awarded in exchange for land contributed to a trail system

   C. Density Account- a record established to keep track of Density Credits awarded to a specific recipient.

4. Applicability:

   A. Lands located along the Peachtree Corners Beltline and contributed to that multi-use trail will be reimbursed with Density Credits that can be utilized within the boundaries of the Central Business District, (as shown on CBD boundary map, 'Exhibit A' page 128).

   B. Lands located along the Crooked Creek Trail and contributed to that multi-use trail will be reimbursed with Density Credits that can be utilized within the boundaries of the Holcomb Bridge Road Corridor Study area, (as shown on Holcomb Bridge Road Corridor boundary map, 'Exhibit B' page 129).

5. Provisions:

   A. Trail Segments shall be contributed to the trail system through land donation, conservation easement, or other acceptable mechanism that preserves public access to the contributed land in perpetuity.

B. Individuals who contribute Trail Segments shall be reimbursed with Density Credits that can only be used within the boundary of the area associated with that trail.

C. Density Credits shall be granted at the rate of thirteen (13) multi-family units per acre of land contributed to a trail (or prorated portion thereof).

D. The City shall establish a Density Account for each individual that makes a Trail Segment contribution.

E. A Density Account holder may sell, assign, or convey his/her Density Credits in part or in total to one or more properties within the area associated with that trail (i.e. Beltline contribution can be utilized within the Central Business District; Crooked Creek Trail contribution can be utilized within the Holcomb Bridge Road Corridor Study area.)

F. The use of Density Credits shall be approved by the City Council.

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ARTICLE XIV. - MINIMUM AREA, YARD AND HEIGHT REQUIREMENTS

Section 1400. - Minimum area requirements.

	Lot Size		
Zoning District	Area (square feet)/Density	Square feet per Family	Lot Width[3]
RA-200	40,000	40,000	200 feet
R-140	See Section 1300	See Section 1300	See Section 1300
R-LL	32,000	32,000	125 feet
R-100, MHS	15,000 sewer 25,500 septic[2]	15,000	100 feet
R-75	12,000 sewer 25,500 septic[2]	12,000	75 feet
R-60	7,200 sewer	7,200	60 feet
RMD	16,000 sewer 25,500 septic[2]	8,000	100 feet
RL	15,000 sewer	15,000	75 feet

	25,500 septic[2]		
RM	18,000	12,000 first family plus 2,500 each additional family - not to exceed 13 units per acre	100 feet
RM-6	6 units per acre	N/A	100 feet
RM-8	8 units per acre	N/A	100 feet
R-TH	8 units per acre	N/A	See Section 1302
R-ZT	6 units per acre	4,000	40 feet
RM-10	10 units per acre	N/A	100 feet
RM-13	13 units per acre	N/A	100 feet
HRR	No minimum	N/A	40 feet
O-I, OBP	No minimum	N/A	N/A
C-1, C-2, C-3, NS	No minimum	N/A	N/A
M-1, M-2	1 acre	N/A	100 feet
HS	No minimum	N/A	100 feet for residential use

[1] When developing 3-plex, 4-plex subdivision under RM category, lot size is determined as follows: 18,000 square feet plus 550 square feet per unit.

[2] The Gwinnett County Health Department may require larger lots for septic tanks. Approximately 75 percent of Gwinnett County's soils will require a lot size of at least 25,500 square feet.

[3] In all districts, stormwater facility lots shall maintain a minimum lot width of 30 feet at the minimum building setback line.

Section 1401. - Minimum yard and height requirements.

	Front Yard			

Zoning District	Local Street	Major Thoroughfare	Side Yard[1]	Rear Yard[1]	Maximum Height of Stories
RA-200	35 feet from right-of-way	50 feet from right-of-way	1 yard 15 feet 2 yards 35 feet	40 feet	35 feet
R-140	35 feet from right-of-way	65 feet from right-of-way	1 yard 25 feet 2 yards 50 feet	100 feet	35 feet
R-LL	50 feet from right-of-way	50 feet from right-of-way	20 feet	40 feet	35 feet
R-100, MHS	35 feet from right-of-way	50 feet from right-of-way	1 yard 10 feet 2 yards 25 feet	40 feet	35 feet
R-75	35 feet from right-of-way	50 feet from right-of-way	1 yard 10 feet 2 yards 20 feet	40 feet	35 feet
R-60	25 feet from right-of-way	See section 1302A.2(e)	1 yard 5 feet 2 yards 15 feet	30 feet or see section 1302A.2(e)	35 feet
R-ZT	20 feet from right-of-way	See section 1302C(7)	1 yard 5 feet 2 yards 10 feet	25 feet or see section 1302C(6)	35 feet
R-TH	See section 1302	See section 1302	See section 1302	See section 1302	See section 1302
RMD	35 feet from right-of-way sewer 50 feet from right-of-way septic	50 feet from right-of-way	1 yard 15 feet 2 yards 30 feet	40 feet	35 feet
RL	35 feet from right-of-way	50 feet from right-of-way	1 yard 10 feet 2 yards 20 feet	40 feet	40 feet
RM, RM-6, RM-8, RM-10,	50 feet from	50 feet from	20' first two stories plus 4' per	40 feet	40 feet

RM-13	right-of-way	right-of-way	each additional story		
HRR[2]	10 feet from right-of-way	10 feet from right-of-way	0 feet[1]	0 feet[1]	25 stories not to exceed 300 feet.
MUD[2] (high-rise buildings)	10 feet from right-of-way	10 feet from right-of-way	0 feet[1]	0 feet[1]	25 stories not to exceed 300 feet.
O-1, OBP	50 feet from right-of-way	50 feet from right-of-way	10 feet	15' but 40' if abuts residential district[1]	3 stories not to exceed 35 feet
NS	50 feet from right-of-way	50 feet from right-of-way	10' but 20' if abuts residential district	15' but 40' if abuts residential district	1 story not to exceed 20 feet
C-1, C-2, C-3	50 feet from right-of-way	50 feet from right-of-way	10' but 20' if abuts residential district[1]	15' but 40' if abuts residential district[1]	3 stories not to exceed 35 feet
M-1, M-2	50 feet from right-of-way	50 feet from right-of-way	20' but 50' if abuts residential district[1]	15' but 40' if abuts residential district[1]	40 feet
HS	50 feet from right-of-way	50 feet from right-of-way	1 yard 10 feet 2 yards 25 feet	40 feet	3 stories not to exceed 35 feet

[1] Also see Section 606, Buffer Between Dissimilar Districts.

[2] For structures in excess of 5 stories or 60 feet, the setback from any abutting single-family district shall be increased by one foot for every additional one-foot rise in building height, up to a maximum of 200 feet.

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ARTICLE XIV A. - MODIFIED SINGLE-FAMILY DEVELOPMENT

Section 1400A.1. - Purpose.

The purpose of Modified single-family development is to permit a procedure for development which will result in improved living and working environments; which will promote more economic subdivision layout; which will encourage ingenuity and originality in total subdivision and individual site design; and which can preserve open space to serve recreational, scenic, and public service purposes, and other purposes related thereto. To achieve these goals:

1. Variations in lot areas are permitted.
2. Procedures are established to assure adequate maintenance and restricted use of open space areas for the benefit of the inhabitants of the subdivisions.
3. Procedures are established to assure adequate protection of existing and potential developments adjoining the proposed Modified development.

Section 1400A.2. - Special Use Permit Required.

A Modified single-family development may be permitted in an R-100 or R-75 district provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Development and Planning Commission and after a Public Haring. The City Council may reduce the individual lot size that would otherwise be required, up to 30 percent in an R-100 district and up to 25 percent in an R-75 district. Maximum density shall not exceed 2.3 units per acre for the R-100 Modified zoning designation and 3.0 units per acre for the R-75 Modified zoning designation.

Section 1400A.3. - Minimum Size of a Modified Development.

Modified developments shall consist of at least 16 dwelling units, except that Modified developments that are found by the City Council to be a logical extension of an existing or approved Modified development may contain fewer dwelling units.

Section 1400A.4. - Subdivision Approval Required.

No Modified development may be constructed except in accordance with the provisions of the City of Peachtree Corners Development Regulations.

Section 1400A.5. - Modification of Yard and Lot Requirements.

Modification and variation of yard and lot requirements may be permitted subject to the following minimum standards (Table 1400A.5.1.).

The following table indicates the minimum setbacks, lot width and height requirements for modified developments:

Zoning District	Lot Width[1]	Front Yard	Side Yard	Rear Yard	Height
R-100M	80'	25' from right-of-way	1 yard: #5' 2 yards: 15'	30'	35'

R-75M	65'	25' from right-of-way	1 yard: #5' 2 yards: 15'	25'	35'

[1] In all districts, stormwater facility lots shall maintain a minimum lot width of 30 feet at the minimum building setback line.

Section 1400A.6. - Open Space Requirements; Ownership.

In each district allowing Modified development, the lot size may be reduced from the general lot size for that district to a specified minimum lot size for Modified development, in accordance with the percentage reduction limits and Section 1400A.5.1. Minimum Yard and Height Requirements for Modified Development. All such lot reductions shall be compensated for by an equivalent amount of land in open space to be preserved and maintained for its scenic values, recreation or conservation purposes. Up to one-half of such open space may be located in a 100-year floodplain or an existing lake, and up to 100 percent may be located within a permanent proposed lake which does not function solely as a detention facility or within delineated wetlands.

Open space shall not include areas devoted to public or private vehicular streets or any land which has been, or is to be, conveyed to a public agency, via a purchase agreement for such uses as parks, schools, or other public facilities, or which lies within any required recreation area, overhead power easement, or stormwater detention facility.

If open space is not dedicated to public use, it shall be protected by legal arrangements, satisfactory to the City Council, sufficient to assure its maintenance and preservation for whatever purpose it is intended. Covenants or other legal arrangements shall specify ownership of the open space; method of maintenance; responsibility for maintenance; maintenance taxes and insurance; compulsory membership and compulsory assessment provisions; guarantees that any association formed to own and maintain open space will not be dissolved without the consent of the City Council; and any other specifications deemed necessary by the City Council.

Section 1400A.7. - Criteria for Modified Development Concept Plan Review.

A proposal for a Modified development shall provide for a total environment better than that which could be achieved under standard regulations. If, in the opinion of the City Council, the proposed plan could be improved with respect to the criteria listed below by the reasonable modification of the location of open space or buildings or configurations of lots, streets and parking areas, the proposed plan shall be so modified or denied. In acting on a proposed plan, the City Council shall give particular consideration to the following criteria:

Required Exhibits

The following exhibits shall be prepared by design professionals, such as planners, engineers, architects or landscape architects and submitted to the Department of Planning and Development. No application for a Modified single family development shall be accepted for processing without these required exhibits.

A. A location map indicating existing zoning on the site and the adjacent areas.

B. A concept plan drawn no smaller than one (1) inch equals 100 feet, including the following information:

- Lot lines and setbacks;
- Location, shape, size and height of the existing and proposed decorative walls and elements and entrance features;

- Topography with contour intervals no greater than 2 feet;
- Lakes, ponds and floodplains and the source of floodplain data;
- Stormwater detention areas;
- Existing and proposed landscaping;
- Recreation facilities (if applicable);
- Stages of development, if any;
- Location of off-street parking.

C. Floor plans and elevations of all typical units and any other structures such as recreation buildings.

D. Information indicating the following:

- Gross and net acreage (see definition of net density);
- Lot sizes (dimensions and square footage);
- Building heights and stories;
- Building coverage for each lot;
- Amount of common open space in square feet (if applicable);
- All tree areas to be retained or added;
- Parking facilities; and
- Such other architectural and engineering data as may be required to evaluate the project.

Section 1400A.8. - All Modified Amendments to be Conditional Zoning Amendments.

All Modified Single Family zoning amendments to the Official Zoning Map shall be Conditional Amendments. In addition to any other conditions that may be imposed by the City Council pursuant to the provisions for conditional zoning in this Zoning Resolution, a Concept Plan showing the approximate location of all buildings, walls, fences, property lines, front and rear building lines, landscaping, parking areas and uses and any other features deemed appropriate by the City Council as a result of the concept plan review and public hearing shall be included as part of the amendment, and the use of the property for its zoned purposes shall be conditioned on said Concept Plan.

ARTICLE XV. - ADMINISTRATION, ENFORCEMENT, PENALTIES AND REMEDIES

Section 1500. - Zoning Enforcement Officer.

The Director of the Department of Planning and Development or his/her designee is hereby authorized and directed, on behalf of the City Council of City of Peachtree Corners, to administer and enforce this Resolution. Such authority shall include the right to order, in writing, the remedy of any condition found in violation of this Resolution, and the right to bring legal action in all courts of competent jurisdiction to ensure compliance with its provisions, including injunction, mandamus, abatement or other appropriate action or proceeding.

Section 1501. - Building Permit Required.

No building or other structure shall be erected, moved, added to or structurally altered without a Building Permit issued by the Department of Planning and Development Director. No building Permit shall be issued except in conformance with the provisions of this Resolution.

All applications for Building Permits for uses other than one-(1)-family and duplex dwellings shall be accompanied by plans in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon, the sizes and the locations on the lot of any existing buildings or structures, the shape, size, height, use and the location on the lot of the building or structure to be erected, moved, added to or structurally altered and such other information as may be necessary to provide for the enforcement of this Resolution.

Section 1502. - Certificates of Occupancy Required.

A Certificate of Occupancy issued by The Department of Planning and Development Director is required prior to use or occupancy of:

1. Any lot or change in the use thereof.
2. A building hereafter erected or a change in the use of an existing building.
3. A change in any lawful non-conforming use. The Certificate of Occupancy shall state specifically wherein the non-conforming use fails to meet provisions of this Resolution.

No Certificate of Occupancy shall be issued unless the lot or building or structure complies with all the provisions of this Resolution.

A record of all Certificates of Occupancy shall be kept on file in the office of The Department of Planning and Development Director and a copy shall be furnished, on request, to any person having a proprietary or tenancy interest in the building or land involved.

Section 1503. - Penalties for Violation.

Any person, firm or corporation convicted by a court of competent jurisdiction of violating any provision of this Resolution shall be guilty of violating a duly adopted Ordinance of the City of Peachtree Corners, and shall be punished either by a fine of not less than twenty-five ($25) dollars nor more than one thousand ($1,000) dollars, or by confinement in the Gwinnett County jail for a total term not to exceed sixty (60) days, or both.

Section 1504. - Alternative Sentences or Penalties.

The court shall have the power and authority to place any person found guilty of a violation of this Resolution on probation and to suspend or modify any fine or sentence. As a condition of said suspension, the court may require payment of restitution or impose other punishment allowed by law.

ARTICLE XVI. - ZONING BOARD OF APPEALS

Section 1600. - Zoning Board of Appeals Created.

A Zoning Board of Appeals is hereby created.

Section 1601. - Membership and Appointment.

The Zoning Board of Appeals shall consist of five (5) members residing within City of Peachtree Corners, appointed by the City Council. 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 City of Peachtree Corners Government, which is inconsistent with his or her duties on the Zoning Board of Appeals.

Section 1602. - Terms of Office.

The term of office of each member of the Zoning Board of Appeals shall be for one (1) year, or thereafter until his/her successor is appointed. Members may be reappointed. Any vacancy in the

membership shall be filled for the unexpired term, in the same manner as the initial appointment. Members shall be removable for cause by the City Council of City of Peachtree Corners upon written charges and after a Public Hearing.

Any member of the Zoning Board of Appeals shall be disqualified to act upon a matter in which the member has an interest.

Section 1603. - Officers.

The Zoning Board of Appeals shall elect one (1) of its members, other than the member of the Planning Commission, as Chairman and a second one as Vice-Chairman. The Chairman and Vice-Chairman shall serve for one (1) year or until reelected or until successors are elected. The Zoning Board of Appeals shall appoint a Secretary who may be an employee of the City or a member of the Planning Commission.

Section 1604. - Procedure.

The Zoning Board of Appeals shall adopt rules of procedure. Meetings of the Zoning Board of Appeals shall be at the call of the Chairman and at such other times as the members of the Zoning Board of Appeals may determine. The Chairman, or in his/her absence, the Vice-Chairman, may administer oaths and compel the attendance of witnesses by subpoena.

The Zoning Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact. The Zoning Board of Appeals shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Zoning Board of Appeals and shall be a public record.

Section 1605. - Powers of the Zoning Board of Appeals.

The Zoning Board of Appeals shall have the following powers:

1. To hear and decide appeals when it is alleged there is error in any order, requirement, decision or determination made by the Department of Planning and Development Director in the enforcement of this 2012 Zoning Resolution.
2. To hear and decide requests for the Special Exceptions of the Zoning Resolution upon which the Zoning Board of Appeals is required to pass.
3. To authorize, upon appeal in specific cases, such variances from the terms of the Zoning Resolution as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the Zoning Resolution will, in an individual case, result in unnecessary hardship, so that the spirit of the Zoning Resolution shall be observed, public safety and welfare secured and substantial justice done. Such variances may be granted in such individual cases of unnecessary hardship upon a finding by the Zoning Board of Appeals that:
   A. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and
   B. the application of the Resolution to this particular piece of property would create an unnecessary hardship; and
   C. such conditions are peculiar to the particular piece of property involved; and
   D. such conditions are not the result of any actions of the property owner; and
   E. relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this Resolution.

No variance may be granted for a use of land or building or structure that is prohibited by this Resolution or which would result in a greater intensity of development on a property than would otherwise be allowed if no variance were involved.

4. In exercising the above powers, the Zoning Board of Appeals may, in conformity with the provisions of this Resolution, reverse decisions or determinations from which the appeal is taken and, to that end, shall have all the powers of the Director of Planning and Development from whom the appeal is taken and may issue or revoke or direct the issuance or revocation of a Building or other permit.

Section 1605A. - Variances from the Definition of the Term "Family"

The City Council shall have the power to hear and decide requests for variances from the definition of the term "Family" by Special Use Permit when such requests are submitted by groups of more than three (3) persons who are not all related by blood or marriage. Such variances may be granted in cases of unnecessary hardship upon a finding by the City Council that:

A. There are extraordinary or exceptional conditions pertaining to the group in question, and relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this Resolution; and

B. The group consists of between four (4) and eight (8) persons who live together as a single housekeeping unit and who would otherwise find it economically prohibitive to live in a group of three (3) or fewer persons in a single family residential district; and

C. The residential dwelling which forms the subject of the variance request contains at least eighty (80) square feet of bedroom space per occupant; and

D. The residential dwelling which forms the subject of the variance request is served by public water and sewer service or public water and a septic system approved by the Gwinnett County Environmental Health Department for the proposed number of occupants; and

E. The residential dwelling which forms the subject of the variance request is located on a lot having an area of at least one (1) acre; and

F. The residential dwelling lot which forms the subject of the variance request contains a paved parking area of no less than 1,200 square feet.

Section 1606. - Appeals to the Zoning Board of Appeals.

Appeals to the Zoning Board of Appeals may be taken by any person aggrieved or by any official of the City of Peachtree Corners affected by any decision of the Director of Planning and Development. Such appeal shall be taken within fifteen (15) 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 Director of Planning and Development shall forthwith transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed from was taken.

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.

Section 1607. - Required Public Hearings By the Zoning Board of Appeals.

Before the Zoning Board of Appeals acts upon an application for a Variance or a Special Exception, it shall hold a Public Hearing thereon. The notice of the time and place of such hearing shall be published at least 15 but not later than 45 days prior to the hearing in the official organ of the City. At the hearing any party may appear in person or by agent or attorney.

In addition, the City shall erect in a conspicuous place on the property involved, a sign which shall contain information as to the Variance or Special Exception applied for and the time and place of Hearing.

Said sign shall be erected in accordance with the City of Peachtree Corners Public Notification Policies for Rezoning, Special Use Permit, Variance, and Special Exception Applications. Failure to erect and maintain the sign as specified above shall not invalidate the subsequent determination of the Zoning Board of Appeals.

Section 1608. - Reapplication to the Zoning Board of Appeals.

If an application for a Special Exception or Variance is denied by the Zoning Board of Appeals, a reapplication for such Special Exception or Variance may not be made earlier than 12 months from the date of the original application, except as provided in Section 1701.

Section 1609. - Appeals from Decisions of the Zoning Board of Appeals.

Any person or persons severally or jointly aggrieved by any decision of the Zoning Board of Appeals may present an Appeal to the Superior Court. Such an Appeal to the Superior Court shall be by Petition for Writ of Certiorari in accordance with State Law.

On Appeal, the case shall be heard by the Judge of the Gwinnett County Superior Court without a jury unless one (1) of the parties files a written demand for a jury trial within thirty (30) days from the filing of the Appeal.

Section 1610. - Administrative Variances.

The Director of Planning and Development shall have the power to grant variances (except for density and use variances) from the development standards of this ordinance where, in his/her opinion, the intent of the ordinance can be achieved and equal performance obtained by granting a variance. The authority to grant such variances shall be limited to variances from the following requirements:

a. Front yard or yard adjacent to public street - variance not to exceed ten (10) feet.

b. Side yard - variance not to exceed five (5) feet.

c. Rear yard - variance not to exceed ten (10) feet.

d. Height - variance up to but not exceeding ten (10) feet, provided that no increase in the height for a sign or fence may be granted nor may the variance result in an increase in the number of stories than would otherwise be allowed under the applicable zoning district.

e. Buffers - the dimensions or screening treatment of a buffer as required under Section 606 may be reduced by no more than fifty (50) percent where the Gwinnett County Comprehensive Plan recommends a more compatible land use on the neighboring property than that for which said property is actually zoned, or in other situations where the intent of the required buffer can be equally or otherwise achieved; provided, however, that no buffer required as a condition of zoning shall be modified.

f. Demarcation of parking spaces - parking spaces may be left unmarked, provided all the of the following conditions are present:

    1. The parking lot must be designated to serve only a multi-family residential project which is designed and intended for rental occupancy.

    2. The parking lots must be designed in relation to the internal circulation system such that the areas reserved for parking are easily identified and clearly distinct from the interior driveways because of their location, design, orientation, or configuration, such as in parking areas with a single interior driveway having parking spaces located perpendicular to and along the sides of the access driveway, allowing the curbing to delineate the exterior dimension of the single parking bay.

    3. Approval for the elimination of the striping has been obtained by the applicant in writing from the Gwinnett County Traffic Engineering Division of the Engineering Department and the Fire Services Division of the Gwinnett County Public Safety Department.

g. Accessory structures allowed within the front yard - accessory structures may be allowed within the front yard of residential zoning districts provided all the following conditions are met:

1. The residentially-zoned property contains at least three acres.
2. The accessory structures are limited to a swimming pool, garage/carport, barn, storage building, or other similar structures.
3. The accessory structure is setback a minimum of 100 feet from the right-of-way and located no closer than 40 feet to any side property line. (If the accessory use if for animal quarters, this must be a minimum of 100 feet from any property line.)
4. The accessory structure shall be screened with walls, fences, or suitable landscaping so that it is not visible from the street.

h. Reduction in unit width for villas in R-TH Zoning District, not to exceed 10 feet.

The Director of Planning and Development shall have the power to grant variances from the requirements of the amendment to the 2012 Zoning Resolution of City of Peachtree Corners Regarding the Keeping of Livestock and Household Pets Within Residential Zoning Districts, where, in his/her opinion, the intent of the amendment can be achieved and equal performance be obtained by granting a variance. Other than for conditions of zoning which specified a minimum area or distances for animal quarters, the Director of Planning and Development may grant the following variances:

1. For livestock or cattery, a reduction of no more than 25 feet in the minimum distance to any property line.
2. For Kennels and Fur Farms, a reduction of no more than 50 feet in the minimum distance to any property line.
3. The minimum distance to any property line for any animal quarters may be further reduced when a property line abuts a Flood Hazard area, steep slopes, ravines or other features which would provide a separation between the animal quarters and the uses on abutting property equal to or exceeding the minimum requirements of the Zoning Resolution.
4. The reduction of the minimum area required for the keeping of livestock as specified within the R-100 Single Family Residence District up to maximum of ten (10) percent of the minimum area required.
5. Reduction of the minimum distance to any property line for animal quarters for wild animals up to a maximum of 50 feet.

ARTICLE XVII. - AMENDMENTS

Section 1700. - Zoning Resolution and Map Amendment Procedure.

A. This Resolution, including the City of Peachtree Corners Zoning Maps, may be amended from time to time by the City Council of City of Peachtree Corners, but no amendment shall become effective unless it shall have been proposed by or shall have first been submitted to the City of Peachtree Corners Planning Commission for review and recommendation.

B. If the City of Peachtree Corners 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 City of Peachtree Corners Planning Commission and the applicant for an amendment may jointly agree to an extension of the thirty-(30)-day period.

C. Before the City of Peachtree Corners Planning Commission or the City Council of City of Peachtree Corners enact an amendment, they shall each hold a Public Hearing thereon. At least fifteen (15) but

not more than forty-five (45) days prior to the date of each such hearing, the City Council shall cause to be published within a newspaper of general circulation within the territorial boundaries of City of Peachtree Corners, a notice of the Public Hearing. The notice shall state the time, place and purpose of the Public Hearing.

D. If a proposed amendment is for the rezoning of property and involves a change in the zoning classification of 25 or fewer parcels of land, then:

1. The notice, in addition to the requirements of Subsection C. above, shall include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property;

2. A sign containing the information outlined in Subsection D. 1. above, shall be placed in a conspicuous location on the property not less than fifteen (15) days prior to the date of the Public Hearing. The sign shall be placed in accordance with the City of Peachtree Corners Public Notification Policies for Rezoning, Special Use Permit, Variance, and Special Exception Applications.

Section 1701. - Initiation of Amendments.

Applications for amendment of the text or maps of this Resolution may be initiated by resolution of the City Council, or by motion of the Planning Commission, Director of Planning and Development, or by petition of any property owner addressed to the City Council. 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.

Once a map amendment is initiated by the City Council, no application for a clearing, grubbing, grading, septic tank, building, development or other similar permit, or for a Variance or Special Use Permit for the affected property shall be accepted until final action is taken by the City Council on the proposed map amendment. Provided, however, that if the City Council does not take final action on the proposed map amendment within six (6) months from the date of initiation, Permit, Variance 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.

Section 1702. - Standards Governing Exercise of the Zoning Power.

The City Council 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;

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 Land Use Plan; 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.

Section 1703. - Impact Analysis.

A. The initiating party, if a party other than the City Council, 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 1702 above. Such a zoning proposal and analysis shall be a public record.

B. The Department of Planning and Development shall, with respect to each such zoning proposal, investigate and make a recommendation with respect to each of the matters enumerated in Section 1702, above. The Department of Planning and Development shall make a written record of its investigation and recommendations, and this record shall be a public record.

C. The City of Peachtree Corners Planning Commission shall, with respect to each such zoning proposal, investigate and make a recommendation with respect to each of the matters enumerated in Section 1702, above. The Planning Commission shall make a written record of its investigation and recommendations, and this record shall be a public record.

Section 1704. - Action by City Council.

Following its public hearing the City Council may:

A. Adopt the proposed amendment as presented;

B. Adopt the proposed amendment as revised or supplemented by conditions of approval established by the City Council; said revisions may include, if the proposed amendment is for the rezoning of property, rezoning to the proposed zoning district with conditions or rezoning to any other less intense zoning district with or without conditions;

C. Deny the proposed amendment in whole or in part; or

D. Table the proposal.

Section 1705. - Special Use Permit Procedure.

The Special Use Permit Standards of Review are as follows:

A. A Special Use listed under the zoning district is desired for development and a more intensive zoning district which contains that use as a use by right would not be appropriate for the property; or

B. A Special Use listed under the zoning district is desired for development and no zoning district contains that use as a use by right; or

C. A unique use not addressed in any zoning district is desired for development and is not likely to be duplicated within City of Peachtree Corners; or

D. The density of development may be affected by the height of a non-residential or multi-family residential building; or

E. The neighboring properties may be affected by the height of any non-residential or multi-family residential building or structure; and

F. The Special Use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood and would not be in conflict with the overall objective of the Gwinnett County Comprehensive Plan or the City of Peachtree Corners Comprehensive Plan, upon its adoption.

In order to accommodate these special uses, the Special Use Permit allows the City Council 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 below 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 firm development proposals only. The Special Use Permit shall not be used for securing early zoning for conceptual proposals which may not be undertaken for some time. A Special Use Permit application shall be considered only if it is made by the owner of the property or his/her authorized agent. The minimum requirements for a Special Use Permit are:

1. Any uses permitted under a Special Use Permit shall also conform to the requirements of this Resolution and the Development Regulations for the use as found in the zoning district.

2. The application and review process for a Special Use Permit shall be the same as for the zoning district under which the special use is found. 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. In the review process, particular emphasis shall be given to the evaluation of the characteristics of the proposed use in relationship to its immediate neighborhood and the compatibility of the proposed use with its neighborhood.

3. In the approval process for a Special Use Permit application, the City Council shall consider the policies and objectives of the Gwinnett County Comprehensive Plan, or the City of Peachtree Corners Comprehensive Plan if one has been adopted, particularly in relationship to the proposed site and surrounding area, and shall consider the potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

4. 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. Once established, the special use shall be in continuous operation. Upon discovery that the operation of the special use has or had ceased for a period of 90 days or more and the owner of the property has not requested voluntary termination of the Special Use Permit, the Director shall forward a report to the City Council through the Planning Commission, which may recommend that action be taken to remove the Special Use Permit from the property.

5. Changes to a special use, or development of a site for the special use, shall be treated as an amendment to the Special Use Permit and shall be subject to the same application and review process as a new application.

6. The special use for which a Special Use Permit is granted shall commence operations or construction within 12 months of the date of approval by the Board of Commissioners. If, at the end of this 12-month period, the Director determines that active efforts are not proceeding toward operation or construction, a report may be forwarded to the City Council through the Planning Commission which may recommend that action be taken to remove the Special Use Permit from the property.

7. An application for a Special Use Permit in a residential district and which 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 Permit shall be valid for no more than a two-(2)-year period. Upon or before the expiration of a Special Use Permit, the owner shall make application to continue the Special Use Permit, if continuance is desired. However, after the first two-(2)-year period the City Council may waive the two-(2)-year time limitation with the concurrence of the City of Peachtree Corners Planning Commission.

    b. The special use shall operate within the dwelling on the property or, if approved by the City Council, in an accessory structure.

    c. 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 City Council.

    d. The owner of the property shall occupy the property and shall operate any business associated with the special use.

    e. The owner of the property shall submit with the application a signed statement in which he/she agrees that the Special Use Permit, if approved, shall automatically terminate in the event that the property is sold, transferred, or otherwise conveyed to any other party, or the

business which operates the special use is sold, transferred, otherwise conveyed or discontinued. The owner shall also agree to notify the Director in writing upon the occurrence of any of these events.

f. In addition to the information and/or site plans required by this Section, the owner of the property shall submit with the application for a Special Use Permit information regarding the ownership of any business associated with the use, the experience and background qualifications related to the operation of said business, prior similar businesses operated, applicable State of Georgia certifications, licenses and like information.

8. The owner of the property approved for a Special Use Permit, except such property approved for Modified Single Family Subdivisions, may voluntarily request termination of the Special Use Permit by notifying the Director of Planning and Development in writing. The Director shall notify the City Council through the Planning Commission of the voluntary terminations as they occur and shall change the Official Zoning Maps to reflect any voluntary terminations. The approval of a Special Use Permit for a specific use which may be operated by a lessee under a private agreement with a lessor in any non-residential district shall not obligate the City Council to be responsible for or be required to resolve any disputes which may arise out of the voluntary termination of the Special Use Permit by the property owner.

9. The Department of Planning and Development shall have the right to periodically examine the operation of the specific use to determine compliance with the requirements and any conditions. If the Director determines that the requirements and conditions are being violated, a written notice shall be issued to the owner of the property outlining the nature of the violation and giving the owner of the property a maximum of ten (10) days to come into compliance. If after ten (10) days the violations continue to exist, the Director shall forward a report to the City Council through the Planning Commission which may recommend that action be taken to remove the Special Use Permit from the property.

10. Upon approval by the City Council, a Special Use Permit shall be identified on the Official Zoning Maps.

11. Upon approval by the City Council of a Special Use Permit, the owner of the property shall be issued a notice from the Director which states the specific use permitted; the requirements of this Section and any conditions attached to the approval.

12. The Department of Planning and Development 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.

Section 1706. - Withdrawal of Application for Amendment, Variance or Special Use Permit.

Once an application for an amendment to the Official Zoning Map or an application for a Variance or Special Use Permit has been made, the applicant may withdraw such application without prejudice only until such time as the legal advertisement of a public hearing thereon is placed. An application may not be withdrawn by an applicant or property owner under any circumstance after legal advertisement of the Public Hearing has been placed. All applications, having been advertised, shall be considered by the City Council or Zoning Board of Appeals, as appropriate, and shall receive final action.

Section 1707. - Lapse of Time Requirement for an Amendment, Variance or Special Use Permit Reapplication.

The following shall apply to the applicable reapplication:

1. No application or reapplication for any zoning map amendment affecting the same land or any portion thereof shall be acted upon within 12 months from the date of last action by the City Council unless such 12-month period is waived by the City Council, and in no case may such an application or reapplication be reconsidered in less than six (6) months from the date of last action by the City Council.

2. No application or reapplication for the same type of Variance or Special Use Permit affecting the same land or any portion thereof shall be acted upon within twelve (12) months from the date of last action by the City Council, or Zoning Board of Appeals, as appropriate, unless such twelve (12) month period is waived by the City Council or Zoning Board of Appeals as appropriate, and in no case may such an application or reapplication be reconsidered in less than six (6) months from the date of last action by the City Council or Zoning Board of Appeals, as appropriate. Administrative variances shall not be subject to this time lapse requirement as outlined in Article XVI, Section 1610.

Section 1708. - 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 Plan at scale and such other plans, elevations or additional information as the Director of Planning and Development and this Resolution may require, showing the proposed development, and its impact on natural and built systems. Additional information may include without limitation traffic studies, utility studies, and drainage studies.

Section 1709. - Actions to be Taken if Plans of Property Owner are not Implemented Within Specified Time Limits.

For any zoning map amendment for which the City Council 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 City Council may review the zoning district classification of the property and determine whether it shall be continued or initiated for rezoning.

Such properties shall first be reviewed by the Planning Commission, which shall make such findings and recommendations as it deems appropriate.

Section 1710. - Conditional Zoning.

In adopting an amendment to the zoning map, or approving a Special Use Permit or a Variance, the City Council 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 that Comprehensive Plan. Such conditions may consist of: setback requirements from any lot line; specified or prohibited locations for buildings, parking, loading or storage areas or other land uses; driveway curb cut restrictions; restrictions as to what land uses or activities shall be permitted; maximum building heights or other dimensions; special drainage or erosion provisions; landscaping or planted area which may include the location, type and maintenance of plant materials; fences, walls, berms, or other buffering provisions or protective measures; preservation of existing trees or other vegetation; special measures to alleviate undesirable views, light, glare, noise, dust or odor; permitted hours of operation; architectural style; a requirement that the existing building(s) be retained; a requirement that developers must build according to the site plans as adopted; a limitation on exterior modifications of existing buildings; or any other requirement that the City Council may deem appropriate and necessary as a condition of rezoning or issuance of a variance or Special Use Permit.

Such conditions:

1. Shall only be valid if they are included in the motion approving the amendment for adoption;
2. Shall be required of the property owner and all subsequent owners as a condition of their use of the property; and
3. Shall be interpreted and continually enforced by the Director of Planning and Development in the same manner as any other provision of this Resolution.
4. A building permit shall not be issued until after the presentation and approval by the Planning Commission and/or the City Council of final site, architecture and development plans required by such conditions.

ARTICLE XVIII. - LEGAL STATUS PROVISIONS

Section 1800. - Conflict with Other Laws.

Whenever the regulations of this Resolution require a greater lot width or depth of size of yard or impose other more restrictive standards than are required in or under any other statute or covenants, the requirements of this Resolution shall govern. Whenever the provisions of any other statute or covenants require more restrictive standards than those of this Resolution, the provisions of such statutes or covenants shall govern.

Section 1801. - Severability.

In the event any article, section, subsection, sentence, clause or phrase of this Resolution shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other articles, sections, subsections, sentences, clauses or phrases of this Resolution, which shall remain in full force and effect, as if the article, section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof. The City Council hereby declares that it would have adopted the remaining parts of the Resolution, if it had known that such part or parts thereof would be declared or adjudged invalid or unconstitutional.

Section 1802. - Repeal of Conflicting Resolutions.

All Resolutions and part of Resolutions in conflict with this Resolution are hereby repealed.

ARTICLE XIX. - APPENDIX OF INACTIVE ZONING DISTRICTS

Section 1900. - Purpose.

This appendix is provided as a reference for projects developed under prior to adoption of current regulations. No new zoning applications will be accepted for the following zoning districts.

Section 1901. - R-TH Single Family Residence Townhouse District.

(Prior to January 2005). This zoning district is intended primarily for rowhouse or townhouse attached or detached single-family dwelling units. Such dwelling units may be held in the condominium form of ownership, or in fee simple. It is not the intention of City of Peachtree Corners or of this ordinance to determine or dictate which form of ownership is most desirable.

Within the R-TH Single Family Residence Townhouse District, the following requirements shall be met:

a. All dedicated street rights-of-way shall be a minimum of fifty (50) feet.

b. Front and rear yard setbacks shall total a minimum of 75 feet with a minimum of 20 feet for a yard which faces on an interior street. If the subject property abuts property zoned R-60, R-75, R-100, or property developed as same, the rear yard setback shall be 40 feet at the point of abutment.

c. Side yards shall be a minimum of 20 feet to any exterior property line. Side yards between individual units, groups of units or rows of units shall be determined based upon individual site plan review.

d. Densities shall not exceed eight (8) units per gross acre.

A minimum of two (2) off-street parking spaces per unit shall be provided.

e. A minimum of a two-(2)-hour rated firewall shall be required between each attached dwelling unit. A four-(4)-hour rated firewall shall be required between every fourth attached dwelling unit. Firewalls shall be constructed in accordance with applicable building codes of City of Peachtree Corners.

The specific requirements set forth above are not necessarily exhaustive of all requirements or conditions which the City Council may require prior to approval of any rezoning application under this district. This enactment specifically reserves, in the favor of the City Council, the discretion to deny any individual rezoning application submitted hereunder, if after review of the site plan and other materials submitted therewith and a careful consideration of all of the facts and circumstances relating to the proposed development, the City Council deems the proposed development not to be in the best interest of the health, safety and welfare of the present and future citizens of Peachtree Corners.

Section 1902. - R-ZT Single Family Residence Zero Lot Line/Townhouse District.

(Prior to January 2005). This district is intended to provide areas for the development of moderate density residential uses and structures in moderately spacious surroundings. It is intended that these districts be located in the urban and suburban portions of City of Peachtree Corners where a protected environment suitable for moderate-density residential use can be provided, as well as in established moderate-density residential areas as a means to ensure their continuance. The use of this district is also appropriate on a smaller scale in the suburban portions of the City as a transitional zone between low-density residential districts and commercial districts, industrial districts, or major transportation arteries, or other uses that are not compatible with a low-density residential environment. In fulfilling the intent of this district, the townhouse or rowhouse concept may be used which permits the construction of single-family dwellings immediately adjacent to one another without side yards between the individual units and which units may or may not be structurally connected. The intent of this district may also be fulfilled by the use of the Zero Lot Line concept, which permits the construction of detached single-family dwellings on lots without a side yard requirement on one side of the lot. This concept permits better use of the entire lot by compacting the usual front, rear and side yards into one or more internal gardens which may be completely walled in or screened.

A. Within the R-ZT Single Family Residence Zero Lot Line/Townhouse District, the following uses are permitted:

1. Zero Lot Line Single Family Detached Dwellings.
2. Townhouses.
3. Single Family Detached Dwellings.
4. Customary Home Occupations (provided the building lot is a minimum of 60 feet in width and 7,200 square feet in area).

B. Within the R-ZT Single Family Residence Zero Lot Lot/Townhouse District, the following requirements shall be met:

1. Maximum density shall not exceed eight (8) units per acre for attached dwelling units and six (6) units per acre for detached dwelling units.
2. Minimum lot width for Zero Lot Line or single family detached units - 40 feet. Minimum lot width for townhouse attached units - 22 feet. Zero Lot Line or single family detached lots shall maintain a minimum road frontage of 20 feet. Townhouse lots shall maintain a minimum road frontage of 15 feet.
3. Minimum front yard depth shall be 20 feet.
4. Minimum side yard depth - None for townhouses except that on corner lots the minimum side yard of the corner side shall be 20 feet. Zero lot line lots shall have a zero (0) foot side yard on one (1) side and a minimum of ten (10) feet on the opposite side. Single family detached units shall have a minimum five (5) foot side yard on each side.

5. Minimum rear yard depth - When abutting an R-75 or R-100 district, the rear yard shall be equal to the required buffer plus an additional five (5) feet. However, the rear yard setback shall not be less than 25 feet.

6. Maximum height - 35 feet or two and one-half (2½)stories.

7. Provide two (2) or more off-street parking spaces per dwelling unit.

8. Provide sidewalks adjacent to interior streets, excluding cul-de-sac turnarounds.

9. Provide a minimum 40-foot building setback adjacent to exterior streets. The setback may be reduced to 30 feet if a berm, landscaping, fence or wall is provided adjacent to the exterior street(s).

10. A maximum of eight (8) dwelling units shall be allowed in each row of townhouses. When an end unit of a townhouse row does not side on a street, an open space or court of at least twenty (20) feet in width shall be provided between it and the adjacent row of townhouses, and this open space shall be divided between the two (2) immediately adjacent townhouse lots as to property or lot lines.

11. Where townhouse lots and dwelling units are designed to face upon an open or common access court rather than upon a street, this open court shall be a minimum of forty (40) feet in width and said court shall not include vehicular drives or parking areas.

12. Townhouses shall be constructed up to side lot lines without side yards, and no windows, doors, or other opening shall face a side lot line except that that the outside wall of end units may contain such openings.

13. Zero Lot Line dwellings shall be constructed against the lot line on one (1) side of a lot, and no windows, doors, or other openings shall be permitted on this side. The access for exterior maintenance shall be assured through a perpetual wall maintenance easement of five (5) feet in width, as necessary.

14. A minimum of a two-(2)-hour rated firewall shall be required between each attached dwelling unit. A four-(4)-hour rated firewall shall be required between every fourth attached dwelling unit. Firewalls shall be constructed in accordance with applicable building codes of City of Peachtree Corners.

Section 1902.1. - All R-ZT Amendments to be Conditional Zoning Amendments.

All R-ZT Single Family Residence Zero Lot Line/Townhouse amendments to the Official Zoning Map shall be conditional amendments. In addition to any other conditions that may be imposed by the City Council pursuant to the provisions for conditional zoning in this 2012 Zoning Resolution, a Concept Plan showing the approximate location of all buildings, walls, fences, property lines, landscaping, parking areas and uses and any other features deemed appropriate by the City Council as a result of the above concept plan review and public hearing, shall be included as part of the amendment, and the use of the property for its zoned purposes shall be conditioned on said concept plan.

Section 1902.2. - Concept Plan Review.

The purpose of the concept plan review is to encourage logic, imagination, innovation and variety in the design process and ensure the soundness of the proposed development and its compatibility with the surrounding area. The Director of Planning and Development shall review plans for compliance with concept plan review criteria. The recommendations of both the Director of Planning and Development and the Planning Commission shall be transmitted to the City Council.

A. Required Exhibits.

The following exhibits shall be prepared by design professionals, such as planners, engineers, architects or landscape architects and submitted to the Department of Planning and Development. No application for an R-ZT district shall be accepted for processing without these required exhibits.

1. A location map indicating existing zoning on the site and the adjacent areas.
2. A concept plan drawn no smaller than one (1) inch equals 100 feet, including the following information:
    a. Lot lines and setbacks;
    b. Location, shape, size and height of existing and proposed buildings, decorative walls and elements and entrance features;
    c. Topography with contour intervals no greater than 20 feet;
    d. Lakes, ponds and floodplains and the sources of floodplain data;
    e. Stormwater detention areas;
    f. Existing and proposed landscaping;
    g. Recreation facilities (if applicable);
    h. Stages of development, if any;
    i. Location of off-street parking.
3. Floor plans and elevations of all typical units and any other structures such as recreation buildings.
4. Information indicating the following:
    a. Gross and net acreage (see definition of net density);
    b. Lot sizes (dimensions and square footage);
    c. Building heights and stories;
    d. Building coverage for each lot;
    e. Amount of common open space in square feet (if applicable);
    f. All tree areas to be retained or added;
    g. Parking facilities;
    h. Other architectural and engineering data as may be required to evaluate the project.

[Section 1903. - Reserved for future use.]

Section 1904. - Chattahoochee River Tributary Protection: Stream Buffer Zones Required.

This section of the Zoning Resolution is adopted pursuant to the requirements of O.C.G.A. § 12-5-453.

Section 1904.1. - Findings and Purposes.

The City of Peachtree Corners City Council finds that:

1. The Chattahoochee River provides multiple benefits, which include use of the river as the primary water supply for metropolitan Atlanta.
2. The water quality of the Chattahoochee River depends upon the water quality of the flowing streams tributary to the river.
3. Sediment and other polluting materials and conditions, including, but not limited to, pesticides, nutrients such as nitrogen and phosphorus, toxic materials, and elevations in water temperatures, are harmful to the water quality of the river and its tributaries.
4. The riparian vegetation along these watercourses helps preserve water quality. Dense tree growth helps to prevent stream bank erosion and streamside vegetation reduces the amount of

sediment and other polluting materials that would otherwise wash into streams. Riparian trees, by shading, help maintain cooler water temperatures and thus enhance water quality.

Purposes are:

1. Promote health, safety and general welfare; to minimize public and private losses due to erosion siltation and water pollution.
2. Create vegetation buffer areas adjacent to tributary streams in the drainage basin of the Chattahoochee River.

Section 1904.2. - Stream Buffer Zone.

This protection area means the stream channel and the land area extending outward thirty-five (35) horizontal feet from the banks on either side of all flowing streams in the drainage basins of all tributaries of the Chattahoochee River located in [the] City of Peachtree Corners. A flowing stream is defined for the purpose of this section as any stream that is portrayed on the most current United States Geological Survey 7.5 minute quadrangle as a perennial stream Fifteen (15) feet adjacent to the stream bank of said area will be left as a natural buffer and 35-foot minimum will be left as an accessory building setback. (This is not a change in the minimum rear yard setback nor permission to build in the floodplain.) Stream buffer zone (i.e., 15 feet from bank) must be shown on final subdivision plats, commercial and industrial site plans and multi-family residential site plans.

Section 1904.3. - Permit Required.

No person shall engage in any land disturbing activity within the area without having obtained a development permit or building permit from the Department of Planning and Development.

No permit will be issued for any land disturbing activity within the protection area unless the land disturbing activity is for the purpose of constructing one (1) of the following:

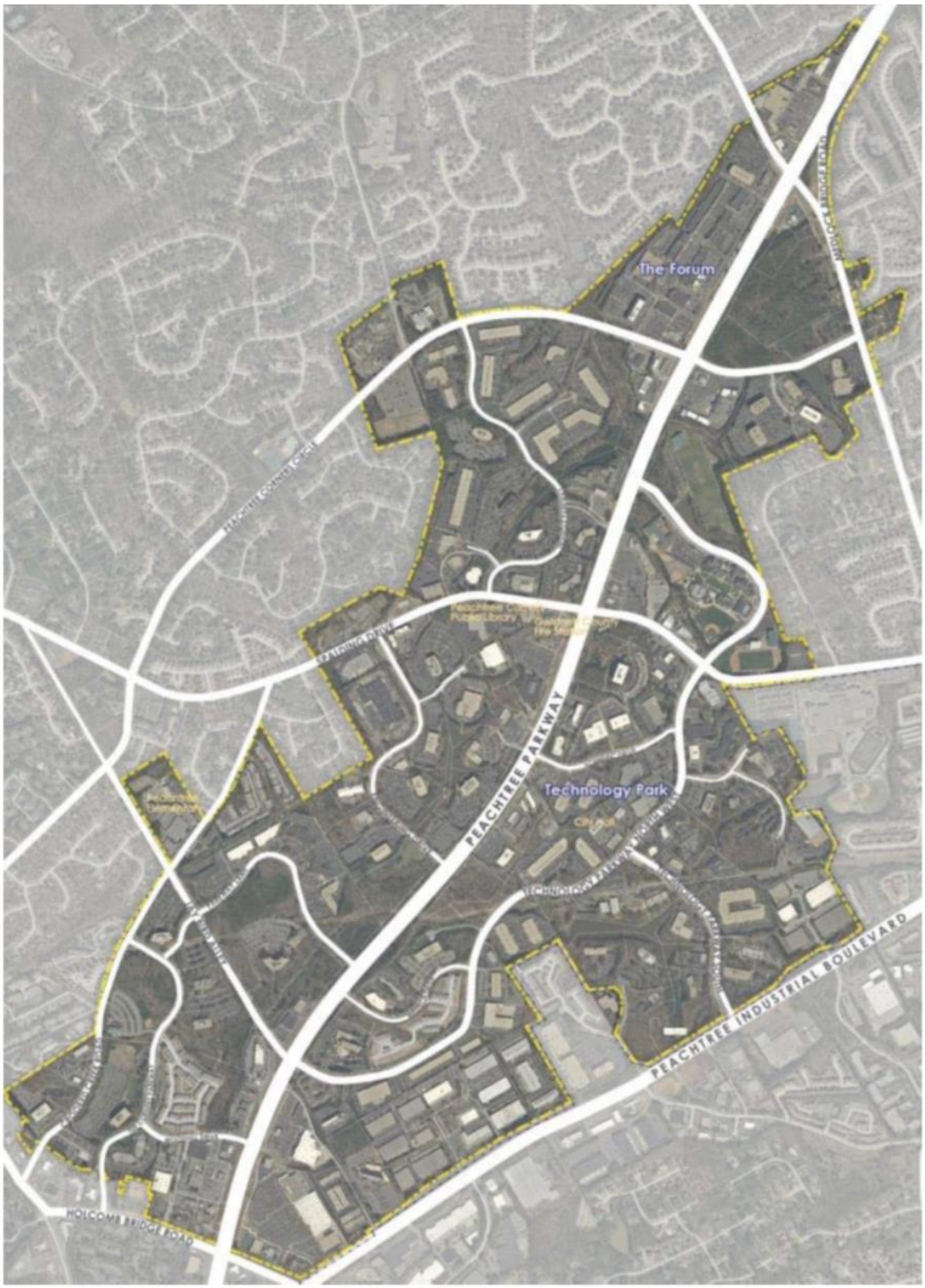
1. A stream crossing by a driveway, transportation route, or a public utility including sanitary sewer lines.
2. The construction of public utilities including sanitary sewer lines.
3. A dam and/or impoundment, a detention, retention, or sediment control pond or facility.

Section 1904.4. - Exception.

The provisions of this section shall not apply to:

1. Any public agency or its contractor.
2. Any person performing work within a right-of-way of any public agency pursuant to a permit issued by such public agency.
3. Emergency work necessary to preserve life or property provided a written factual report is presented to the Director of Planning and Development within ten (10) days.
4. Any development which has received a development permit prior to the adoption of this Section.
5. Any work consisting of the operation, repair or maintenance of any lawful use of land existing on the date of adoption of this Section.

Exhibit ‘A’



Central Business District boundary map

Exhibit 'B'

Holcomb Bridge Road Corridor boundary map

ZONING ORDINANCE EXHIBIT B – POLICIES AND PROCEDURES

STATE OF GEORGIA
CITY OF PEACHTREE CORNERS **ORDINANCE 2016-02-69**

EXHIBIT B

MAYOR AND CITY COUNCIL ZONING HEARING POLICIES AND PROCEDURES FOR THE CITY OF PEACHTREE CORNERS CONSISTENT WITH THE ZONING PROCEDURES ACT OF THE STATE OF GEORGIA

WHEREAS, the City of Peachtree Corners' Mayor and City Council Zoning Hearing Policies and Procedures are attached hereto and incorporated herein and shall govern the procedures for conducting public hearings on zoning matters; and

WHEREAS, the first reading of this Ordinance was held on February 16, 2016 and the second reading and Public Hearing pursuant to O.C.G.A. § 36-66-5 were held on February 28, 2016; and

WHEREAS, this Ordinance shall become effective upon adoption.

BE IT ORDAINED by the City of Peachtree Corners, GA while in special called meeting on February 28, 2016, that the Mayor and City Council Zoning Hearing Rules and Procedures, as attached hereto and incorporated herein, are hereby adopted and approved as follows:

SECTION 1. That before adopting any change to the Zoning Map or Zoning Decisions as defined in OCGA §36-66-3, the Mayor and City Council shall hold a public hearing following the public hearing by the Planning Commission where a recommendation was made on the petition.

SECTION 2. That notice of the Planning Commission and the Mayor and City Council hearings shall be given simultaneously at least 15 days but not more than 45 days prior to the date of the Mayor and City Council's public hearing and shall be published in a newspaper of general circulation. Re-notification is not required when a petition is deferred by the Mayor and City Council.

SECTION 3. That the applicant or agent shall post a free standing sign, not attached to any tree or utility pole, as issued by Planning and Zoning Division in a conspicuous location on each public street frontage of the subject property not later than the 15th day prior to the Planning Commission hearing.

SECTION 4. That the sign shall be mounted and posted as specified by Planning and Zoning Division. Property that is not posted on the 15th day before the scheduled first hearing date will be administratively removed from the agenda.

SECTION 5. That when the Planning Commission or the Mayor and City Council defers a petition, the applicant is required to post an updated sign with new hearing dates 15 days prior to the next scheduled hearing date. When a petition is deferred by the Mayor and City Council for less than 15 days, posting an updated sign is not required.

SECTION 6. That the Planning and Zoning Division shall give notice by regular mail to all property owners within 300 feet of the boundaries of the subject property who appear on the tax records of Gwinnett County as retrieved by the City's Geographic Information System. The notices shall be mailed a minimum of 15 days prior to the hearing date. Re-notification by mail is not required when a petition is deferred by the Mayor and City Council.

SECTION 7. That the published and mailed notices shall contain the time, place, and purpose of the hearing, the location of the property, and the present and proposed zoning classifications and/or requested use permit. The posted sign shall include the public hearing number and the date, time, and location of the public hearing. Notice shall not be considered inadequate if the mail is not delivered.

SECTION 8. That the First Reading of this ordinance was on February 16, 2016.

SECTION 9. That the conduct of zoning hearings in Peachtree Corners shall follow the script as set out below:

MAYOR AND CITY COUNCIL ZONING HEARING POLICY AND PROCEDURES SCRIPT

The Mayor and City council have previously adopted procedures for holding public hearings. Additionally, you will find a copy of the standards of review available at the sign-in table. The City Clerk will call cases on the agenda for public hearing. The Community Development Department will provide a summary of the application and present any recommendations or result of an investigation. The Community Development Director shall make a presentation of the case, after which Mayor and Council may ask questions of the Community Development Director or other city representative providing the report or recommendations.

After presentation by Community Development Director, the Mayor shall then ask for public comment in support of the zoning request which may include, but is not limited to, the applicant. Those speaking in favor of the zoning request shall be provided a time period of ten (10) minutes to present data, evidence and opinions in support of the zoning request. Those wishing to speak in support of the zoning request may divide their time as they see fit, and the applicant may reserve time for the ten (10) minute allotment for rebuttal. Any member of the Council, upon recognition by the Mayor, may ask questions of the applicant or agent of the application. The period of questions from council shall not be deducted from the applicant's ten (10) minute period.

At the conclusion of the presentation of data, evidence and opinions in support of the zoning request, those who wish to speak in opposition to the zoning request shall be provided a time period of ten (10) minutes to present data, evidence and opinions in opposition to the zoning request. Those wishing to speak in opposition to the zoning request may divide their time as they see fit. The city shall not be obligated to provide the full ten (10) minute period to the opponents if they elect not to use that much time. Any member of the Council, upon recognition by the

Mayor, may ask questions of any person giving public comment. The period of questions from council shall not be deducted from the ten (10) minute period. .

At the conclusion of the public comment from opposition, the applicant shall be permitted to utilize any time reserved from the initial ten (10) minutes for rebuttal.

After completion of this procedure, the Mayor will indicate that the public hearing is closed. Upon closing of the public hearing, there shall be no more addressing of the Mayor or Council by either the applicant or opposition.

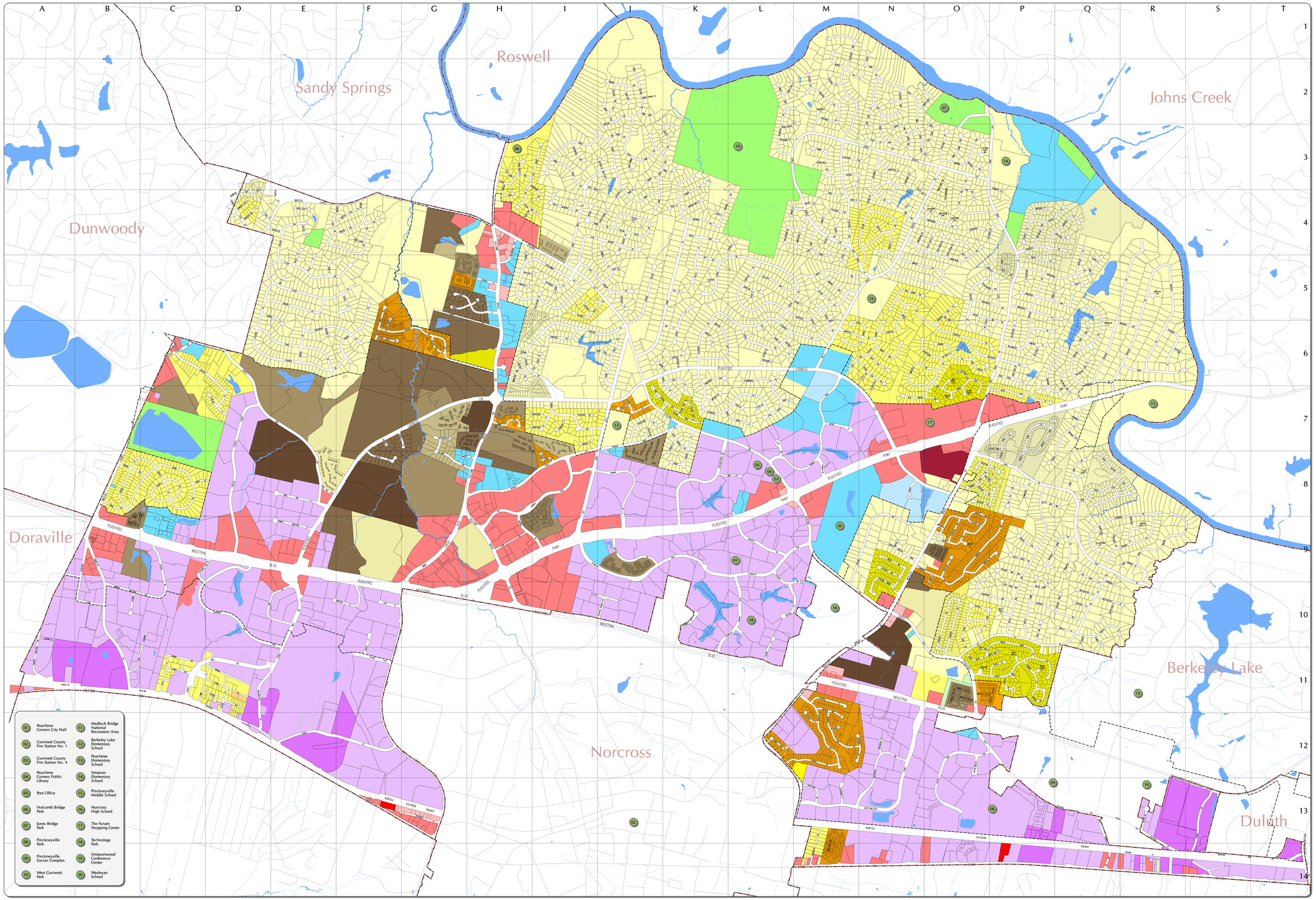
ZONING ORDINANCE EXHIBIT C – MAP

Exhibit "C"

Official Zoning Map for the City of Peachtree Corners

Dated, February 2014

As Adopted February 28, 2016



City of Peachtree Corners
Innovative & Remarkable

City of Peachtree Corners

Zoning Map

February, 2014

City Council

Mayor:	Mike Mason
Post 1:	Phil Sadd
Post 2:	James Lowe III
Post 3:	Alex Wright
Post 4:	Jeanne Aulbach
Post 5	Lorri Christopher
Post 6:	Weare Gratwick

Legend

City Limits
Lakes / Ponds
Parcels
Streams
Overlay District

Zoning Districts

Commercial Zoning
- C-1: Neighborhood Business
- C-2: General Business
- C-3: Highway Business

Industrial Zoning
- M-1: Light Industry
- M-2: Heavy Industry

Office Zoning
- OBP: Office - Business Park
- O-I: Office - Institutional

Residential Zoning Multi-Family
- RM: Multi - Family Residence
- RM-6: Multi - Family Residence
- RM-8: Multi - Family Residence
- RM-10: Multi - Family Residence
- RM-13: Multi - Family Residence

Residential Zoning Rural / Suburban / Neighborhoods
- RA-200: Agriculture Residence
- R-100: Single Family Residence
- R-100 CLU: Single Family Residence
- R-100 CSO: Conservation Subdivision Overlay Single Family Residence
- R-100 MOD: Modified Single Family Residence
- R-75: Single Family Residence
- R-75 MOD: Modified Single Family Residence
- R-65: Single Family Residence
- R-60: Single Family Residence
- R-ZT: Single Family Residence

Residential Zoning Townhouses
- R-TH: Single Family Residence Townhouse

Mobile Home / Manufactured Housing Residences
- MH: Mobile Home Park

Mixed Use Development
- MUD: Mixed Use Development

LEGAL NOTIFICATION:
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Graphic Scale: 1" = 600'
600 300 0 600 1200
450 150 300 900
(1:7200)

Map Edition:
Version 2014.02.27

Map Publication Date:
February 27, 2014

Map Sheet:
1
Sheet 1 of 1

SIGN ORDINANCE LEAD DOCUMENT

STATE OF GEORGIA
COUNTY OF GWINNETT
CITY OF PEACHTREE CORNERS **ORDINANCE 2016-02-70**

AN ORDINANCE TO AMEND AND ADOPT THE CITY OF PEACHTREE CORNERS, GEORGIA SIGN ORDINANCE AND RATIFYING ALL PRIOR AMENDMENTS TO SAME.

WHEREAS: the City of Peachtree Corners is a duly constituted Municipality of the State of Georgia incorporated pursuant to H.B. 396 of the 2011 Session of the Georgia General Assembly; and

WHEREAS: pursuant to its powers under Home Rule, the Mayor and City Council intend to adopt the Sign Ordinance as attached hereto and incorporated herein by this reference, and as may be further amended by subsequent actions of this Council, showing the regulations governing signs within the City of Peachtree Corners, Georgia; and

WHEREAS: That the Public Hearing on this Ordinance in accordance with the Georgia Zoning Procedures Act was held on February 28, 2016 and was properly advertised.

WHEREAS: This Ordinance shall become effective upon its adoption.
.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PEACHTREE CORNERS, GEORGIA HEREBY ORDAINS that the Sign Ordinance for the City of Peachtree Corners is hereby adopted and approved as attached hereto, incorporated and referenced herein. These items shall be spread upon the minutes of this meeting and direction is given that these items shall be accessible and made available to the public.

ORDAINED AND EFFECTIVE this the 28th day of February, 2016.

Approved:

_____

Mike Mason, Mayor

Attest:

_____

Kym Chereck, City Clerk (Seal)

Approved as to Form and Content:

_____

William F. Riley, City Attorney

SIGN ORDINANCE EXHIBIT A - TEXT

Chapter 54 - SIGNS

Sec. 54-1. - Findings and purpose.

The city council finds that signs provide an important medium through which persons may convey a variety of noncommercial and commercial messages. However, left completely unregulated, signs can become a threat to public safety as a traffic hazard, a detriment to property values, to the city's general public welfare, as well as create an aesthetic nuisance. Some signage has a single targeted function and identification of such signage by description is impossible without referring to its function. For instance, address numerals are used for the sole purpose of providing addresses, which is of benefit to persons looking for those addresses and is essential to public safety personnel responding to emergencies. Signs at the entrances to subdivisions or major developments favor a similar purpose in enabling both the traveling public and emergency personnel to quickly located entrances for the purpose of either visitation or responding to emergency calls. While such signage is referenced based upon the function it serves within the context of this chapter, the provisions of this chapter are unrelated to the content of the speech provided and allow maximum expressive potential to sign owners. Holiday decorations, such as strings of light, are not signs, but rather seasonal ornamentation not controlled by this chapter. By enacting the ordinance from which this chapter is derived, the city council intends to:

(1) Balance the rights of persons to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs;

(2) Protect the public health, safety, and welfare of the citizens and others within the city;

(3) Reduce traffic hazards, pedestrian hazards, and other hazards;

(4) Promote and maintain the aesthetic qualities of the city;

(5) Protect property values by minimizing the possible adverse effects and visual blight caused by signs;

(6) Promote economic development;

(7) Ensure the fair and consistent enforcement of sign regulations.

(Ord. of 7-1-2012, § 86-100; Ord. No. 2012-07-62, § 1, 7-24-2012)

Sec. 54-2. - Definitions.

Except as specifically defined herein, all words used in this chapter 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 text shall be construed to have the meaning given by common and ordinary use, and shall be interpreted within the context of the sentence and section in which they occur. For the purpose of this chapter, certain words or terms used herein shall be defined as follows: The word "erected" includes the word "constructed," "moved," "located" or "relocated"; The term "lot" includes the word "plot" or "parcel."

Accessory ground sign means a permanently affixed sign which is wholly independent of a building for support, and which is accessory and subordinate to a primary ground sign.

Accessory structure means a structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use.

Accessory use means 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.

Aggregate sign area means the combined sign surface area of all signs on a lot, excluding the area of one face of all double-faced signs.

Animated sign means any sign or portion thereof involving motion, flashing, blinking, scrolling rotation or varying light intensity.

Banner means a piece of fabric or similar material, intended to be temporary in nature, that is attached to a pole, enclosed in a frame, or mounted in some manner as a temporary sign. Flags meeting the definition of this chapter are excluded from the definition of the term "banner."

Billboard. See Oversized signs.

Building means any structure attached to the ground which has a roof and which is designed for the shelter, housing or enclosure of persons, animals, or property of any kind.

Building space, gross, means the sum of the gross horizontal areas of the several floors of a building from the exterior face of the exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor to ceiling height is less than six feet.

Changeable copy sign means a sign that is capable of changing the position or format of word messages or other displays on the sign face or change the visible display of words, numbers, symbols, and graphics by the use of a matrix of electric lamps, movable discs, movable panels, light apertures or other methods, provided these changes are actuated by either a control mechanism or manually on the face of the sign. Tri-vision signs and LED signs are specifically excluded from the definition of changeable copy sign.

City means the geographic boundaries of the City of Peachtree Corners, Georgia.

County means Gwinnett County, Georgia.

Department means the city department of planning and development, and any associated subordinate divisions, sections, and units thereof.

Director means the director of the department of planning and development, who may act through designees.

Double-faced sign means a sign which has two display areas against each other or where the interior angle formed by the display areas is 60 degrees or less, where one face is designed to be seen from one direction and the other face from another direction.

Entrance sign means a permanent sign located at the public street or private driveway entrance to a residential development, residential subdivision development or nonresidential subdivision development.

Flag means a piece of fabric or other flexible material solely containing distinctive colors, patterns, standards, words or emblems used as the symbol of an organization or entity.

Flashing sign. See Animated sign.

Ground sign means a permanently affixed sign which is wholly independent of a building for support.

Ground sign height means the distance in vertical feet from the elevation of the adjacent dedicated public street, edge of pavement, to the highest point of the sign structure. For property with an elevation higher than the adjacent public street, the height shall be measured from ground level at base of sign to the highest point of the sign structure. The ground shall not be altered for the sole purpose of providing additional sign height.

Indirectly illuminated sign means a sign illuminated by an external light source directed primarily toward such sign.

Interior project directional sign means a sign located no closer than 100 feet from the exterior public street entrance of a nonresidential project, at a street intersection of private streets, or along a private driveway within the project. The purpose of this sign is to provide more definitive directional information concerning the whereabouts of the tenants.

Internally illuminated sign means a sign illuminated by an internal light source.

Landscape strip means land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

LED sign means any sign or portion thereof that uses light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind, whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind, whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro polymer (OEL), or any other similar technology. For purposes of this chapter, an LED sign is not considered a form of changeable copy sign.

Lot means 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.

Map or zoning map means the zoning map of the city.

Monument-type sign means a permanent ground sign designed so that the base of the sign face is flush with the supporting base, and the supporting base is flush with the ground and extends the full width of the sign face.

Multi-faced sign means a sign structure with more than two sign faces situated so that each sign face is facing a different direction.

Nonconforming sign means any sign lawfully existing on the effective date of the ordinance from which this chapter is derived, or any amendment thereto, but that would not be permitted under the terms of this chapter or any subsequent amendment.

Oversized signs means a ground sign which exceeds 30 feet in sign height and/or 300 square feet of sign surface area.

Parkway means a divided or undivided classified roadway, including Peachtree Parkway (Ga. Hwy. 141).

Person includes the terms "individual," "firm," "partnership," "corporation," "association," and all other legal entities except governmental bodies.

Planned commercial/office/industrial development means 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).

Portable sign means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, signs posted on the roofs or truck beds of vehicles, signs converted to "A" or "T" frames, umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operation of the business for purposes other than signage.

Primary ground sign means a permanently affixed sign which is wholly independent of a building for support.

Principal use means the primary or predominant purpose for which a lot is occupied and/or used.

Projecting sign means a sign projecting more than six inches from the outside wall or walls of any building upon which it is located.

Road frontage means the distance on which a parcel of land adjoins a public street or public road right-of-way dedicated to and accepted by the city or its predecessor Gwinnett County for vehicular traffic or over which the city or county may hold a prescriptive easement for public access, and including designated and numbered U.S. and state highways.

Roof sign means a sign erected and constructed wholly on or over the roof of a building, supported by the roof structure, or extending vertically above the highest portion of the roof.

Sidewalk (sandwich) sign means a moveable sign not secured or attached to the ground or surface upon which it is located.

Sign means an object, device, display, or structure, or part thereof, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

Sign face means the area or display surface of a sign which is used for the message and is part of the sign surface area.

Sign, off-premises, means a real estate sign which advertises or directs attention to property other than on the premises on which the sign is located.

Sign structure means poles, beams, columns, posts, foundations, or other means providing structural support for the sign surface area to which the sign is affixed.

Sign surface area means the smallest square, rectangle, triangle, circle or combination thereof, which encompasses the entire sign inclusive of any border and trim, but excluding the base, apron, supports, and other structural members.

Special use permit means a use listed in the zoning resolution as being permitted, if it meets stated conditions and is approved by the city council of city.

Standard informational sign means a sign with an area not greater than 4.5 square feet, with a sign face for short-term use, containing no reflective elements, flags, or projections, and which, when erected, stands at a height no greater than 2.5 feet, and is mounted on a wooden stake or metal frame with a thickness or diameter not greater than 1.5 inches.

Streamer means any long, narrow flag, banner, tinsel or roping which is hung or strung from any structure to another structure or the ground.

Structure means anything constructed or erected on the ground or attached to something on the ground.

Subdivision directional sign means an off-premises sign which provides directions to property. Subdivision directional signs are placed at intersections, directing traffic to a specific project.

Temporary sign means a sign of a non-permanent nature, including portable signs, weekend directional signs and sidewalk (sandwich) signs, as defined by this section.

Trailer sign means any sign which is mounted on wheels and which may be moved from one location to another.

Tri-vision sign means a sign designed with a series of triangular slats that mechanically rotate in sequence with one another to show three different sign messages in rotation. For purposes of this chapter, a tri-vision sign is not a changeable copy sign.

Used or occupied includes the term "intended, arranged or designed to be used or occupied."

Wall sign means a sign applied to or mounted to the wall or surface of a building or structure, the display surface which does not project more than six inches from the outside wall of such a building or structure.

Weekend directional sign means an off-premises sign which provides directions to property.

Window sign means a sign installed flush with the interior or exterior of a window and intended to be viewed from the outside.

Yard, front, means 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 line and the front line of the building

projected parallel to the street to the side lines of the lot. Corner lots shall be considered to have two front yards.

Yard, rear, means 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, means 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.

Zoning board of appeals means the zoning board of appeals of the city.

(Ord. of 7-1-2012, § 86-101; Ord. No. 2012-07-62, § 2, 7-24-2012)

Sec. 54-3. - General provisions.

It shall be unlawful for any person to post, display, alter the structure, or erect a sign without a sign location permit or temporary sign permit. A change in the copy of a sign or advertising device shall not constitute an alteration.

(Ord. of 7-1-2012, § 86-102; Ord. No. 2012-07-62, § 3, 7-24-2012)

Sec. 54-4. - Sign permit application.

Applications for sign permits shall be submitted by the sign owner or his agent upon official forms furnished by the department. Applications shall be complete and shall include the following:

(1) The type of sign, and cost of sign construction.

(2) The street address of the property upon which subject sign is to be located. In the absence of a street address, a method of location acceptable to the department shall be used.

(3) For ground signs: A site plans drawn to scale, showing the proposed location of all primary and accessory ground signs on subject property. The site plan includes, at a minimum, a closed boundary survey of the property, gross acreage, the proposed sign location, street right-of-way lines, public or private easements, driveway locations and parking spaces.

(4) Sign details, including a scaled elevation of the size and height and of the proposed sign from ground level and adjacent street level.

(5) The square foot area per sign and the aggregate square foot area, if there is more than one sign face.

(6) The gross building space of all buildings on the property.

(7) The names and addresses of the owners of the real property upon which the sign is to be located.

(8) Written consent of the property owner, or his agent, granting permission for the placement and/or maintenance of subject sign. The signature of consent may be electronic subject to the requirements of state law.

(9) The name, address and phone number of the sign contractor.

(10) Where other signs are already in existence on the property, the application must state the locations, dimensions and height of said existing signs, as well as the type or nature of the signs.

(Ord. of 7-1-2012, § 86-103; Ord. No. 2012-07-62, § 4, 7-24-2012)

Sec. 54-5. - Expiration date.

A sign location permit shall expire if the sign for which the permit was issued has not been erected, installed and completed within six months after the date of permit issuance; provided, however, that one six-month extension of the permit shall be granted if an additional permit extension fee has been paid prior to the expiration date of the initial permit.

(Ord. of 7-1-2012, § 86-104; Ord. No. 2012-07-62, § 5, 7-24-2012)

Sec. 54-6. - Sign permit fees.

A sign location permit or temporary sign permit shall not be issued until the appropriate application has been submitted, the fees have been paid, as established by resolution of the city council, and a review is conducted by the city within the timeframe dictated by this chapter and it is determined that the application and sign comply with the appropriate provisions of this chapter.

(Ord. of 7-1-2012, § 86-105; Ord. No. 2012-07-62, § 6, 7-24-2012)

Sec. 54-7. - Labels required on signs.

(a) For each wall or ground sign, other than temporary signs, an official sticker bearing the same number as the permit will be issued. It shall be the duty of the permit holder or his agent to affix the sticker to the sign so it will be easily read from ground level. The absence of an official sticker shall be prima facie evidence that the sign has been, or is being, erected or installed in violation of the provisions of this chapter.

(b) For each temporary sign permit, the permit holder or permit holder's agent shall keep the official permit on file at the premises as evidence of permit issuance. The absence of an official permit shall be prima facie evidence that the sign has been, or is being, displayed in violation of this chapter.

(Ord. of 7-1-2012, § 86-106; Ord. No. 2012-07-62, § 7, 7-24-2012)

Sec. 54-8. - Permit approval, denial or revocation.

(a) Procedure.

(1) An action by the department to approve or deny a sign permit shall be taken within 30 days of receipt of a complete sign permit application.

(2) The director shall deny permit applications for signs that do not comply with the provisions of this chapter, incomplete applications, and applications containing any false material statements. A violation of any provision of this chapter and any other applicable state laws or city ordinances will be grounds for revoking a permit granted by the county or city for the erection of a sign. Should it be determined that a sign permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this chapter, the director shall revoke the permit. Should the director deny or revoke a permit, the reasons for the denial or revocation are to be stated in writing and mailed by certified mail, return receipt requested, to the address on the permit application, postmarked on or before the 30th business day after the director's receipt of the application, or by hand delivery to the applicant at time of denial. Any application denied and later resubmitted shall be deemed to have been submitted on the date of resubmission, not the date of the original submission. A permit shall not be denied or revoked except for due cause, being the violation of the provisions of this chapter, other applicable ordinances, state or federal law, or

the submission of an incomplete application or an application containing false material statements.

(b) Appeal. A person whose permit application has been denied or a permittee whose permit has been revoked may appeal the decision of the director of planning and development to the zoning board of appeals within 20 days of the receipt of the letter of denial. Notice upon receipt of the appeal, the board of zoning appeals shall hear the appeal application within 30 days of the receipt of the appeal, unless the appellant otherwise requests, and shall make its decision to affirm or reverse the denial within 45 days of the date of the hearing. Notice of the ZBA hearing shall be given to the appellant in writing no later than ten days prior to the hearing and a sign identifying said appeal hearing shall be placed on each of the property frontages facing a public roadway. The signs shall be the size and color as determined by the director of planning and development and shall be placed on the property no later than ten days prior to the hearing and shall be at the expense of the appellant.

(c) Certiorari. In the event a person whose permit has been denied or revoked is dissatisfied with the decision of the city zoning board of appeals, they may petition for writ of certiorari to the superior court of the county, as provided by law.

(Ord. of 7-1-2012, § 86-119; Ord. No. 2012-07-62, § 8, 7-24-2012)

Sec. 54-9. - Nonconforming signs.

(a) The lawful use of a permanent sign existing at the time of the adoption of this chapter may be continued in nonconformance with the requirements of this chapter, except that the nonconforming sign shall not be enlarged, altered, modified, improved or rebuilt. A nonconforming sign may be repaired to the extent necessary to maintain it in a safe condition and neat and orderly appearance. A change in the advertising message on the sign shall not constitute an alteration or modification of the sign.

(b) No structural repair or change in shape, size or design shall be permitted except to make a nonconforming sign comply with all requirements of this chapter. Routine maintenance and changing of copy shall be permitted as long as such maintenance or changing of copy does not result in or change the shape, size, or design. However, if a nonconforming sign is rendered structurally unsound due to an act of God, such as tornadoes, hurricanes, floods, etc., the owner of said sign may repair the sign without bringing said sign into compliance with the Code, so long as the owner does not expand or change the nonconformity in any way.

(c) A nonconforming sign structure may not be replaced by another nonconforming sign structure, except where changed conditions beyond the control of the owner warrant the signs repair.

(Ord. of 7-1-2012, § 86-107; Ord. No. 2012-07-62, § 9, 7-24-2012)

Sec. 54-10. - Prohibited signs.

(a) The following types of signs or advertising devices are prohibited in all zoning districts of the city:

(1) Roof signs.

(2) Streamers.

(3) Portable signs.

(4) Multi-faced signs.

(5) Animated signs.

(6) Signs placed within public rights-of-way, except publicly owned, authorized or maintained signs which serve an official public purpose.

(7) Signs erected by nailing, fastening or affixing the sign in any manner to any tree, rock, post, curb, utility pole, natural feature, official street sign or marker, traffic control sign or device, or other structure, except as may be set forth herein.

(8) Any sign placed or erected on property without the permission of the owner.

(9) Individual or aggregate window signs exceeding 20 percent of the window area per building elevation.

(10) Signs which contain words, pictures, or statements which are obscene, as defined by O.C.G.A. § 16-12-80.

(11) Signs which simulate an official traffic control device, warning sign, or regulatory sign or which hide from view any traffic control device, signal or public service sign.

(12) Signs which emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing abilities.

(13) Signs which interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic or which otherwise pose a hazard to traffic due to structural deficiencies in the structure of such signs.

(14) Signs which advertise any activity, service, or product prohibited by the laws or regulations of the United States. This section shall not prohibit signs promoting the legalization of any matter presently prohibited by federal, state, or local law.

(15) Signs which obstruct any fire escape, any means of egress or ventilation, or shall prevent free passage from one part of a roof to any other part thereof, as well as signs attached to any fire escape.

(16) Signs which do not conform to applicable building and electrical codes.

(17) Signs for which a permit is required that do not display the sign permit number and the name and address of the person responsible for erecting and maintaining the sign.

(18) Signs which are in violation of the rules and regulations of any zoning overlay district presently existing or as may later be created.

(19) Any sign constructed of non-durable material, including, but not limited to, paper, cardboard or flexible plastic that has been displayed for more than 60 days. Nothing herein shall prohibit such a sign from being replaced by an identical sign. This provision does not apply to temporary signs as governed by this chapter.

(20) Signs located on any substandard lot created after the enactment of the ordinance from which this chapter is derived, which is created solely for its utilization for signage purposes and is not otherwise a permitted lot, by right or by permit, exception or variance by the zoning ordinance, unless the substandard lot is created as the result of governmental action.

(21) Abandoned commercial signs. Commercial signs, including sign structures, shall be deemed abandoned if the business, service or commercial transaction to which it relates has been discontinued for 90 days. The sign face on said abandoned signs must be replaced with either a blank face, if the sign is capable of said substitution, or rendered in a non-message format until a new tenant is available. If the abandoned sign is composed of more than just the sign face, this provision shall not be construed as requiring the removal of the remaining structure of the sign.

(22) Any sign that is structurally unsound, or is a hazard to traffic or pedestrians.

(23) Dilapidated or neglected signs. A sign (including sign structure) will be dilapidated or neglected if it does not present a neat and orderly appearance, which may be manifested by the following: rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy.

(Ord. of 7-1-2012, § 86-108; Ord. No. 2012-07-62, § 10, 7-24-2012)

Sec. 54-11. - Temporary signs.

(a) The following types of signs or advertising devices shall be permitted only by issuance of a temporary sign permit allowing use of this type advertising for a period of 21 consecutive days. A temporary sign permit may not be issued for the same premises at less than three-month intervals. In no case shall the same premises be allowed a temporary sign permit more than four times in a 12-month period. A fee, as established by the city council, shall be paid for each temporary sign permit. Upon expiration of the temporary sign permit, the permittee shall remove the air or gas filled device, searchlight, or banner, including any temporary supporting structure.

(1) Air or gas filled devices not exceeding:

a. 20 feet in height and 150 square feet of area in a nonresidential zoning district.

b. Four feet in height and 16 square feet of area in a residential zoning district.

(2) Except as exempted under section 54-12, banners which display a message, logo, statement, or commercial message shall be regulated as follows:

a. Each banner shall not exceed 16 square feet.

b. Each banner must be individually attached to a pole, mast, arm, or other structure.

c. For any lot, banners shall be limited to one banner per public street frontage.

d. Banners must be maintained in good condition.

e. Noncommercial banners are excluded from determination of aggregate sign area.

(3) Search lights and similar devices.

(b) Signs on single-family residential parcels. All signs erected on single-family residential parcels in the city shall comply with the following provisions:

(1) The aggregate sign area of all signs on a single-family residential parcel shall not exceed 16 square feet; provided that during the period of time commencing with opening of qualifying for elections and concluding with the final determination of all contests and issues resolved by that election, an unlimited number of standard informational signs may be erected on residential parcels.

(2) No sign shall be erected to a height greater than four feet.

(3) Freestanding signs are allowed subject to the limitation of one per parcel.

(4) Parcels may contain standard informational signs, subject to the aggregate sign area allowance, without a permit or fee, placed so that they are located entirely on private property.

(5) In addition to any other signs authorized by this section, if such property is located at the entrance to any residential subdivision, then such property may contain no more than one permanent sign per entrance. Such signs may be lighted by single-flood, indirect lighting only, which may not be directed onto the street or vehicular traffic.

(6) All signs erected shall be supported by independent means by use of a wooden stake or metal frame inserted directly into the ground.

(7) Window signs are allowed subject to the limitation of one per single-family residential parcel, covering no more than 50 percent of the window. Window signs shall be included in the aggregate sign area for any property designed for residential use.

(8) No sign erected on a single-family residential parcel may be illuminated except as allowed under subsection (b)(5) of this section.

(Ord. of 7-1-2012, § 86-109; Ord. No. 2012-07-62, § 11, 7-24-2012)

Sec. 54-12. - Flags.

(a) All flags shall be displayed on purpose-built, professionally fabricated flagpoles, which may be vertical or mast-arm flagpoles. In nonresidential districts, flagpoles shall not exceed the allowed height provided for a structure or building in the applicable zoning district, or 50 feet, whichever is less. Flagpoles in residential districts shall not exceed 25 feet in height or the height of the primary structure on the lot, whichever is less.

(b) The maximum dimensions of any flag shall be proportional to the flagpole height. The hoist side of the flag shall not exceed 20 percent of the vertical height of the flagpole. In addition, flags are subject to the following limitations:

Pole Height	Maximum Flag Size (total square feet)
Up to 30 feet	30 square feet
30 to 50 feet	60 square feet
50 feet or greater	150 square feet

(c) Each lot or parcel shall be allowed a maximum of one flagpole.

(d) A maximum of two flags shall be allowed per flagpole.

(e) Flags displaying a logo, message, statement, or commercial message and banners not meeting the definition of a flag contained herein shall conform to all applicable ordinances pertaining to signs.

(f) A vertical flagpole must be set back from all property boundaries a distance which is at least equal to the height of the flagpole.

(g) Flags and flagpoles shall be maintained in good repair, and to the extent applicable shall be in compliance with the building code. Flagpoles with broken halyards shall not be used and flags which are torn or frayed shall not be displayed.

(h) This section shall not be construed to restrict the right to display eligible flags as banners or noncommercial signage as provided elsewhere in this chapter.

(i) A sign permit is not required for flags.

(j) Noncommercial flags are excluded from the determination of aggregate sign area.

(Ord. of 7-1-2012, § 86-110; Ord. No. 2012-07-62, § 12, 7-24-2012)

Sec. 54-13. - Signs exempt from specified provisions of this chapter.

The following types of signs are exempt from the requirements of this chapter unless otherwise expressly prohibited under section 54-9. However, all of these signs shall abide by the height and setback requirements as specified in section 54-16 (Sign Table).

(1) Non-illuminated temporary freestanding signs (excluding banners which are regulated in accordance with section 54-11). For each residential or nonresidential lot, the quantity of these signs shall be limited to either one sign that is 16 square feet in area or up to four signs, the aggregate of which may not exceed 16 square feet. In addition, each sign shall not be greater than three feet above ground level. These signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of curb of a public roadway.

(2) Signs for the sole purpose of displaying street numbers as may be required by other ordinances and other signs required by law. Such signs shall be no more than four inches per numeral in residential districts and 12 inches per numeral in commercial and industrial districts.

(3) Signs erected by, or on the order of, a public officer in the performance of his duties.

(4) Signs on private property prohibiting trespassing in accordance with state law.

(5) Any sign not visible from public thoroughfares.

(6) Window signs not exceeding 20 percent of the available window space per building elevation.

(7) One official sign per road frontage, as required by the state, identifying vehicle emissions inspection stations licensed by the state, not to exceed four square feet.

(8) Swinging or projecting signs not exceeding three square feet or projecting more than four feet and attached under the eave or awning of a building above a business entrance.

(9) Signage on courtesy benches, trash receptacles, newspaper boxes, automated teller kiosks and phone booths, not exceeding eight square feet of sign area and not located within the required front yard setback for the zoning district. Limited to one bench sign and one trash receptacle sign per lot.

(10) Signage on coin-operated beverage dispensers, limited to three per lot and not located within the required front yard setback for the zoning district.

(Ord. of 7-1-2012, § 86-111; Ord. No. 2012-07-62, § 13, 7-24-2012)

Sec. 54-14. - Maintenance and appearance of signs.

(a) All signs shall be maintained in good condition, so as to present a neat and orderly appearance. Neglected or dilapidated signs shall be manifested by the following: rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy. The director may require the sign be removed after due notice for any sign which shows gross neglect or becomes dilapidated.

(b) The department shall give the owner a minimum of ten but not more than 30 days written notice to correct the deficiencies or to remove the sign. If the owner refuses to correct the deficiencies or remove the sign, the department may have the sign removed at the expense of the owner.

(Ord. of 7-1-2012, § 86-112; Ord. No. 2012-07-62, § 14, 7-24-2012)

Sec. 54-15. - Illumination of signs.

(a) No sign shall give off light which glares, blinds or has any other such adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways. No illuminated sign shall be constructed or maintained within 75 feet of the property line of any single-family residential lot.

(b) No sign shall have blinking, flashing, or fluctuating lights or other illuminating devices which have a changing light intensity, brightness or color.

(c) Colored lights shall not be used at any location or in any manner so as to be confused with or construed as traffic control devices. Neither direct nor reflected light from primary light sources shall create a hazard to operators of motor vehicles.

(d) Illumination of signs in residential districts shall be prohibited with the exception of project identification signs and nonresidential uses, including, but not limited to, institutional or commercial use. Illuminated signs located within any residential district may only be indirectly illuminated.

(e) LED signs shall be prohibited.

(Ord. of 7-1-2012, § 86-113; Ord. No. 2012-07-62, § 15, 7-24-2012)

Sec. 54-16. - Maximum heights, maximum sizes, setback requirements and quantity of signs permitted.

Signs incorporated in the city shall be permitted and regulated in accordance with the following sign table, unless otherwise regulated, prohibited or exempted herein:

SIGN TABLE

Type of Sign Purpose or Use		Maximum Height	Setback from Right-of-Way (1)	Maximum Size per Sign Allowed		Quantity and Type Permitted
1.	Primary signs for an individual establishment on an individual nonresidential lot.	5 Ft. 10 Ft. 20 Ft.	0 - 5 Ft. > 5 Ft. or < 20 Ft. 20 Ft. or >	Ground Signs Gross Building Space Sign Size	Max.	Ground Signs
				0 - 10,000	75 Sq. Ft.	One sign structure per road frontage not to exceed maximum allowable square footage.*
				10,001 - 50,000	100 Sq. Ft	
				50,001 - 100,000	150 Sq. Ft.	
				100,001 - >	200 Sq. Ft.	

				Wall Signs Gross Building Space		Wall Signs
				Max Sign Size Per Elevation		Signs may not exceed 33% of the total permitted square footage on any building elevation. The total of all signs on all elevations shall not exceed the total square footage lists.
				Agg. Total All Elevations		
				0 - 2,500 36 Sq. Ft. 72 Sq. Ft.		
				2,501 - 15,000 60 Sq. Ft. 120 Sq. Ft.		
				15,001 - 50,000 100 Sq. Ft. 200 Sq. Ft.		
				50,001 - > 200 Sq. Ft. 400 Sq. Ft.		
2.	Accessory ground signs for an individual establishment on an individual nonresidential lot.	3 Ft.	0 - 5 Ft.	Ground Signs Gross Building Space Sign Size	Max.	Ground Signs
				0 - 10,000	3 Sq. Ft.	Two sign structures per entrance.
				10,001 - 50,000	4 Sq. Ft.	

				50,001 - 100,000	5 Sq. Ft	
				100,001 - >	6 Sq. Ft.	
3.	Primary signs for an individual building on an individual building residential lot.	5 ft.	0 Ft.	Ground Signs Lot Acreage	Max. Sign Size	Ground Signs
				0 - 3 acres	12 Sq. Ft.	One sign structure per road frontage not to exceed maximum allowable square footage.
				3 - 5 acres	24 Sq. Ft.	
				5 or greater	48 Sq. Ft.	
				Wall Signs Lot Acreage	Max. Sign Size	Wall Signs
				0 - 3 acres	3 Sq. Ft.	Signs may not exceed one placed on the front elevation.
				3 - 5 acres	9 Sq. Ft.	
				5 or >	18 Sq. Ft.	
4.	Accessory ground signs for an individual building on an individual residential lot.	3 Ft.	0 Ft.	Ground Sign Lot Acreage	Max. Sign Size	Ground Signs
				0 - 3 acres	12 Sq. Ft.	Two sign structures

					per entrance.
			3 - 5 acres	4 Sq. Ft	
			5 or >	6 Sq. Ft	
5.	Signs for individual establishments, shops, etc., within a planned commercial center.	Not greater than height of wall	N/A	Wall Signs	Ground Signs
			Gross Building Space Elevation	Max. Sign Size Per Bldg.	Not allowed.
			0 - 2,500	36 Sq. Ft.	Wall Signs
			2,501-15,000	60 Sq. Ft.	Signs may not exceed 50% of the total permitted square footage of any building elevation. The total of all wall signs on all elevations shall not exceed the total square footage listed.
			15,001—50,000	100 Sq. Ft.	
			50,001- >	200 Sq. Ft.	
			Gross Building Space	Aggregate Total of All Wall Signs	

				0 -2,500	72 Sq. Ft.	
				2,501-15,000	120 Sq. Ft.	
				15,001-50,000	200 Sq. Ft.	
				50,001- >	400 Sq. Ft.	
6.	Signs for individual offices, etc., within a planned office or industrial center.	not greater than height of wall	N/A	20 Sq. Ft. or 5 percent of the wall areas, whichever is greater		Ground Signs Not allowed. Wall Signs One per building elevation per tenant.
7.	Primary ground sign for planned office, commercial, industrial or retail center.	5 Ft. 10 Ft. 20 Ft.	0 5 Ft. > 5 or > 20 Ft. 20 Ft. or >	Ground Signs		
				Gross Building Space	Max. Sign Size	Ground Signs
				0 - 10,	75 Sq. Ft.	One sign structure per road frontage not to exceed maximum allowable square footage.
				10,001-50,000	100 Sq. Ft.	
				50,001-100,000	150 Sq. Ft.	
				100,001 - >	200 Sq. Ft.	

8.	Accessory ground sign for planned office, commercial, industrial or retail center.	3 Ft.	0 - 5 Ft.	Ground Signs		
				Gross Building Space	Max. Sign Size	Ground Signs
				0 - 10,000	3 Sq. Ft.	Two sign structures per entrance.
				10,001 - 50,000	4 Sq. Ft.	
				50,000 - 100,000	5 Sq. Ft.	
				100,001 - >	6 Sq. Ft.	
9.	Permanent entrance sign for a nonresidential subdivision.	8 Ft. (excluding embellishments which shall not exceed 2 Ft. above the maximum height of the sign structure)	0 Ft.	50 Sq. Ft.		Two sign structures per entrance.
10.	Permanent entrance sign for a residential development or subdivision.	8 Ft. (excluding embellishments which shall not exceed 2 Ft. above the maximum height of the sign structure)	0 Ft.	32 Sq. Ft. per sign (sign structure must be constructed of brick, stone, masonry or equal architectural material).		Two sign structures per entrance.
11.	Interior project direction sign (see section 54-19).	4 Ft.	0 Ft.	32 Sq. Ft.		One per internal intersection.

12.	Permanent sign for a subdivision recreation area.	5 Ft.	0 Ft.	Ground Signs - 24 Sq. Ft.	Ground Signs
				Wall Signs - 9 Sq. Ft.	One sign structure per road frontage not to exceed the maximum allowable square footage.
			>		Wall signs
					Wall signs shall not exceed one placed on the front elevation.

(1) No sign shall be located closer than 10 feet to the back-of-curb of a public roadway.

* Properties with multiple road frontages may transfer a maximum of 50 percent of the allowable square footage from one road frontage to the other.

(Ord. of 7-1-2012, § 86-114; Ord. No. 2012-07-62, § 16, 7-24-2012)

Sec. 54-17. - Oversized signs.

Oversized signs shall be permitted subject to the following restrictions:

(1) Oversized signs may be permitted as an allowed use within the C2, C-3, and M-2 districts, or by special use permit within the M-1 district, if located on properties that are adjacent to principal arterials, major arterials or state or national highways. Oversized signs shall be prohibited along parkways or roads designated as residential arterials as shown in the city comprehensive plan, as adopted and amended. If the city has not yet adopted a comprehensive plan, the currently existing county comprehensive plan shall control for the purposes of this section.

(2) Oversized signs shall not be placed within 500 feet of a dwelling, residential zoning district, city or county building, church, school, day care, park, cemetery, or right-of-way of a parkway.

(3) Oversized signs shall not be less than 1,250 feet from the limits of any overlay zoning district where they are prohibited, or from any other oversized sign in any direction, on either side of the same right-of-way or along another right-of-way.

(4) Oversized signs shall be completely independent of any building or other structure, excluding the sign structure.

(5) Oversized signs shall meet the area, public street frontage, side yard, and rear yard requirements of the zoning district in which located.

(6) The maximum sign area of all display surfaces shall not exceed 672 square feet per sign structure. For double-faced signs, these maximum sign areas shall apply to each side of the sign structure.

(7) No oversized sign shall contain more than one face per side, nor more than two sides.

(8) The maximum height and minimum front yard setback from the street right-of-way for oversized signs are:

Sign Face in One Direction	Maximum Height	Minimum Front Yard Setback
350 square feet or greater	40 feet	75 feet
300-349 square feet	30 feet	50 feet

(Ord. of 7-1-2012, § 86-115; Ord. No. 2012-07-62, § 17, 7-24-2012)

Sec. 54-18. - Convenience stores and service stations with pump islands.

Convenience stores and service stations with pump islands may have additional signage subject to the following limitations:

(1) Two signs per canopy face with a maximum of eight square feet per sign.

(2) Spreader bars (signs located under canopy over pumps islands) shall be limited to no more than two signs per spreader bar, not to exceed four square feet per sign. However, total square footage for all spreader bars shall not exceed 24 square feet.

(3) For an accessory car wash, if a separate drive-through car wash building is on site, two additional wall signs may be allowed not to exceed eight square feet each.

(Ord. of 7-1-2012, § 86-117; Ord. No. 2012-07-62, § 18, 7-24-2012)

Sec. 54-19. - Interior project directional sign.

Interior project directional signs are authorized in all developments or planned subdivisions of land within any nonresidential zoning district subject to the following:

(1) May not be located within 100 feet of an entrance to a project.

(2) Maximum sign area shall not exceed 32 square feet.

(3) Maximum sign height shall not exceed four feet.

(4) Setback from right-of-way may be zero feet.

(5) Only one such sign may be located at each internal intersection of private driveways or public streets within the project.

(6) The purpose of the sign is to provide more definitive directional information concerning the whereabouts of tenants within the development.

(Ord. of 7-1-2012, § 86-118; Ord. No. 2012-07-62, § 19, 7-24-2012)

Sec. 54-20. - Variances.

(a) Where a literal application of this article, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted by the zoning board of appeals pursuant to procedures set forth including, but not limited to:

(1) Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area.

(2) The applicant would be deprived of rights that are commonly enjoyed by others similarly situated.

(3) Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated.

(4) The exceptional circumstances are not the result of action by the applicant.

(5) The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated.

(6) Granting of the variance would not violate more than one standard of this article.

(7) Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.

(b) Variances shall be limited to the minimum relief necessary to overcome the hardship. No variances shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist. No variance shall transfer to a new owner or occupant of the property.

(c) The staff or community development department shall conduct a site inspection of, and shall prepare an analysis of, each application for variance applying the criteria and standards set forth in this section. Said staff shall present its findings and recommendations in written form to the board at least seven days prior to the public hearing thereon.

(d) Relief from the application of the provisions of this chapter by use of variances granted by the board shall be granted only upon a finding of hardship as previously defined. Hearing on such variances shall be noticed and a final decision rendered by the board using the same time frames and notice requirements as for appeals under this chapter.

(e) In the event of dissatisfaction with the decision of the zoning board of appeals, a person may petition for a writ of certiorari to the superior court of the county as provided by law.

(Ord. of 7-1-2012, § 86-120; Ord. No. 2012-07-62, § 20, 7-24-2012)

Sec. 54-21. - Enforcement and penalties.

The provisions of this chapter shall be administered and enforced by the director of planning and development.

(1) The director or designee may issue a citation for violation of this chapter by any person, including, if applicable, the owner, manager or tenant of the lot on which a sign is located; for a sign erected, altered, maintained, converted, or used in violation of this chapter; or in violation of any other applicable ordinance, including, but not limited to, building or electrical codes.

(2) Any person violating any provision of this chapter shall be guilty of an offense, and, upon conviction by a court of competent jurisdiction, shall be subject to a penalty of not less than $25.00 nor more than $1,000.00, or by confinement in jail for a total time not to exceed 180 days, or both, and may not be stayed or suspended.

(3) The city may seek affirmative equitable relief in a court of competent jurisdiction to cause the removal or repair of any sign in violation of this chapter or other city ordinances.

(4) The director or his designee may remove any sign or structure illegally placed upon a public right-of-way without any notice and may dispose of said sign or structure by taking it to any landfill. Such removal and disposal of illegally placed signs shall not preclude the prosecution of any person for illegally placing such signs in the public right-of-way.

(Ord. of 7-1-2012, § 86-121; Ord. No. 2012-07-62, § 21, 7-24-2012)

Sec. 54-22. - Severability.

In the event any section, subsection, sentence, or word of this chapter is declared and adjudged to be invalidated or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this chapter, which shall remain in full force and effect as if such portion so declared or adjudged unconstitutional were not originally part of this chapter, even if the surviving parts of the ordinance result in greater restrictions after any unconstitutional provisions are stricken. The city council declares that it would have enacted the remaining parts of this chapter if it had known that such portion thereof would be declared or adjudged invalid or unconstitutional. The city council declares its intent that should this chapter be declared invalid, in part or in whole, signs are to be subject to regulations applicable to structures contained in other ordinances, including the zoning ordinance.

(Ord. No. 2012-07-62, § 22, 7-24-2012)

Sec. 54-23. - Subdivision directional signs.

Subdivision directional signs shall be permitted within any zoning district, provided they serve a temporary purpose, are maintained in an attractive and sound manner, and are removed at the owner's expense. They are intended to encourage parties involved in subdivision development projects in proximity to one another to work together and place directional information for multiple projects on one sign or sign structure. Subdivision directional signs may be allowed for a period of time from the beginning of the project until ten days following the sale of the final property. Subdivision directional signs shall be subject to the following requirements:

(1) Shall not be located within ten feet of the pavement of any street and shall not be permitted on any public right-of-way.

(2) Shall not be illuminated or affixed in any manner to trees, street or light poles, utility poles, other signs or sign structures.

(3) Shall be made of wood.

(4) Shall include the name, address and phone number of the owner or party responsible for the removal and maintenance of the sign. This information must be written in weatherproof ink or paint on at least one face of the sign in letters not exceeding one-half-inch in height.

(5) Shall be located no greater than two miles or two intersections as shown on the long range road classification map, whichever is greater, from the project or property to which they refer, as measured along existing streets.

(6) Signs prohibited under this chapter shall not be used as a subdivision directional sign.

(7) Subdivision directional signs shall not exceed 24 square feet in total sign area per face with no one project allowed more than four total square feet per face (four projects per face) and shall not exceed eight feet in height, excluding embellishments which shall not exceed two feet above the maximum height of the sign structure.

(8) Subdivision directional signs shall be limited to four per intersection with no more than one per corner.

(9) Subdivision directional signs shall be located within 200 feet of an intersection but no closer than 20 feet from the intersection.

(10) These signs require a sign permit.

(Ord. of 7-1-2012, § 86-116)