

City of Norcross

65 Lawrenceville Street
Norcross, GA 30071



Meeting Agenda

Wednesday, July 2, 2025
6:30 PM

2nd Floor Conference Room

Planning and Zoning

Walter Bell, Vice Chair

Antonio Henson

Marlene Janos

David Grayson

Tom Doherty

- I. **Call to Order**
PLEASE SILENCE ALL CELL PHONES AND ELECTRONIC DEVICES
- II. **Presentation of previous meeting minutes for acceptance and acceptance of the agenda as presented for the scheduled meeting.**
 - A. **Approval of Previous Meeting Minutes**

[Planning and Zoning - Planning and Zoning - May 7, 2025, 6:30 PM](#)

III. **Old Business**

IV. **New Business**

1. [25-7370](#) **Text2025-001 Proposed Unified Development Ordinance Amendments**

Review for recommendation, several proposed changes to the UDO.

[Agenda Report Template- 20250702 Ordinance Changes](#)

[New Chapter 400 Items](#)

[Chapter 100 Edits](#)

[Chapter 200 Edits](#)

[Chapter 400 Edits](#)

[Appendix A Norcross CAD Details](#)

V. **ADDITIONAL INPUT AND/OR DISCUSSION NOT OTHERWISE ADDRESSED BY THIS AGENDA**

VI. **Adjourn**

City of Norcross

65 Lawrenceville Street
Norcross, GA 30071



Meeting Minutes

Wednesday, May 7, 2025
6:30 PM

2nd Floor Conference Room
Planning and Zoning

James Poteete, Chair
Antonio Henson
Marlene Janos
Walter Bell
David Grayson

Minutes Acceptance: Minutes of May 7, 2025 6:30 PM (Approval of Previous Meeting Minutes)

I. Call to Order

Planning and Zoning was called to order at 6:30 PM by Chair James Poteete

Attendee Name	Title	Status	Arrived
James Poteete	Chair	Present	
Antonio Henson	Board Member	Present	
Marlene Janos	Board Member	Present	
Walter Bell	Board Member	Present	
David Grayson	Board Member	Present	

II. Presentation of previous meeting minutes for acceptance and acceptance of the agenda as presented for scheduled meeting.

A. Approval of Previous Meeting Minutes

Planning and Zoning - Planning and Zoning - Apr 2, 2025, 6:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	David Grayson, Board Member
SECONDER:	Marlene Janos, Board Member
AYES:	Poteete, Henson, Janos, Bell, Grayson

III. Old Business

None

IV. New Business

1. 25-7314: SUP2025-002 3150 Holcomb Bridge Road

The applicant, Robert Baffour, seeks to utilize Suite 102 within an existing office building located at 3150 Holcomb Bridge Road for a 4350 square-foot event hall and associated offices on a 4.04-acre lot. According to the summary of intent, the space will be used for events such as corporate meetings and dinners, wedding receptions, parties and celebrations, town hall meetings, business meetings, fundraising venues for charity events, and similar activities. The suite itself does not have its own bathrooms, but bathrooms are provided on the first floor of the building. The applicant has not provided details on the number of stalls provided. The floor plan does not show the proposed offices.

The subject parcel has 226 parking spaces and although there are some other businesses on the subject parcel, the hours for the proposed event hall will likely be after the other businesses are closed for the day, creating a shared parking system that could be sufficient for an event hall. Per Article 3, code section 203-9, places of public assembly require one (1) parking space per 150 square feet of gross floor area, so the applicant would need a total of 29 parking spaces.

The applicant's Impact Analysis letter included with their application states that the events will be held mostly in the evenings and on weekends, but the space will also be available for rent Monday through Friday. The applicant states that events may not end until 2am. Although final occupancy loads will be determined by the Gwinnett County Fire Marshal,

Minutes Acceptance: Minutes of May 7, 2025 6:30 PM (Approval of Previous Meeting Minutes)

the applicant does not specify how many people may attend the events. This may prove problematic following Fire Marshal review as the suite is not sprinkled, which would potentially fail the inspection. The applicant’s target community is the indigenous African population in Norcross.

According to the applicant, 80 percent of the events held at the subject property will not serve alcohol. The event facility will operate with its own alcohol license, which will only be used for events that opt to serve alcohol. Event facility renters are expected to provide their own caterers, and all caterers are vetted to make sure they have the required licenses to operate. To mitigate any safety concerns, the applicant intends to hire an officer for events. Review and input from the public safety department may indicate the need for two security personnel.

The applicant’s previous request for a special use permit for an event facility at 3150 Holcomb Bridge Road Suite 102 (SUP2024-002) was denied by Mayor and Council at their October 7th, 2024 meeting. Minutes of the meeting do not provide the rationale for the denial.

Discussion

The applicant’s request was presented by staff and discussion included concerns regarding safety and whether an event facility would be appropriate for the existing office building. The applicant’s wife and daughter spoke about the request briefly. Staff further explained the reasons for recommending denial of the request and the disproportional proliferation of event facilities in the one-mile radius.

After discussion, the chair called for denial as presented by staff:

RESULT:	RECOMMEND FOR DENIAL [UNANIMOUS]
TO:	Next: 5/19/2025 6:30 PM Policy Work Session
MOVER:	David Grayson, Board Member
SECONDER:	Antonio Henson, Board Member
AYES:	Poteete, Henson, Janos, Bell, Grayson

V. ADDITIONAL INPUT AND/OR DISCUSSION NOT OTHERWISE ADDRESSED BY THIS AGENDA

VI. Adjourn

Board member David Grayson motioned to adjourn the meeting at 7:25 PM, seconded by Board member Marlene Janos. The vote was unanimously approved.

Signed by _____, James Poteete, Chair

Signed by _____, LeDarius Scott, Senior Planner

Minutes Acceptance: Minutes of May 7, 2025 6:30 PM (Approval of Previous Meeting Minutes)



Department of Community Development

TO: Planning and Zoning
FROM: Tracy Rye and Deborah Rogoff-Ezra
DATE: July 2, 2025
SUBJECT: Text2025-001 Proposed Unified Development Ordinance Amendments
CC:

Please review attached Staff Reports and supporting documents for submitted application.

Review for recommendation, several proposed changes to the UDO.

[Agenda Report Template- 20250702 Ordinance Changes](#)

[New Chapter 400 Items](#)

[Chapter 100 Edits](#)

[Chapter 200 Edits](#)

[Chapter 400 Edits](#)



Mayor: Craig Newton • Mayor Pro Tem: Marshall Cheek • Councilmember: Andrew Hixson • Councilmember: Bruce Gaynor
 Councilmember: Matt Myers • Councilmember: Josh Bare • City Manager: Eric Johnson • City Clerk: Monique Philip

Agenda Report

To: Planning and Zoning Board

From: Community Development

Meeting Date: July 2, 2025

Item No.: **25-7370**

Title: Changes to the Unified Development Ordinance

CC: Eric Johnson, City Manager

Recommendation

Provide a recommendation for approval for several proposed changes to the Unified Development Ordinance (items to be removed are in red strikethrough, items to be added are in bold, underlined italics and highlighted in yellow on the attached documents).

Background

City Staff (Assistant City Manager, Public Works Director, Community Development Director, and City Engineer) have worked with the City's Legal Department to develop updates to the City's Unified Development Ordinance in response to a moratorium on the creation of new private streets within the City. The city has historically adopted Gwinnett County's ordinances with respect to infrastructure standards, development conformance, sureties, maintenance and inspections and development design.

City staff propose to import those sections of the Gwinnett County ordinance directly into the city ordinance, with modifications specific to Norcross, and to include an appendix of Norcross Standard Details. This allows the city to have direct control over those sections of ordinance and respond as necessary when updates and changes may be needed relative to ongoing development within the city.

In addition, Staff have identified a number of sections of the existing UDO that need updates or modification to language to make requirements more clear.

New Sections of the UDO:***Chapter 400 Land Development*****Article I Division 6 Infrastructure, Streets, and Sidewalks (Sec 401-38 et seq)**

New Article adopted in its' entirety from Gwinnett County, with changes, to include street rights of way minimums, and design standards. Includes a new 40' minimum ROW for dead-end or non-through local streets shorter than 500' and serving 10 or fewer single-family homes.

Division 7, Development Conformance, Sureties, and Maintenance (Sec 401-50 et seq)

New Article adopted in its' entirety from Gwinnett County, with changes, to include the Certificate of Development Conformance (CDC) packet, bonds and sureties and maintenance responsibilities in general prior to project completion/close out.

Division 8 Inspections and Division 9 Development Design Standards (Sec 401-53 et seq)

Two new articles, adopted in their entirety from Gwinnett County, with changes to include the incorporation, again, of new Appendix A, Norcross Standard Drawings for streets, intersections, cul-de-sacs, etc., design of lots, access, and rights-of-ways.

Edited Sections of the UDO***Chapter 100 General and Administrative Provisions*****Article II Definitions/Defined Terms (Sec 102-2)**

Edits the definitions section to include new definitions for new additions to the UDO and edits definitions for clarity.

Article IV Procedures/Decision making responsibilities (Sec 104-3) and Administrative Review (Sec 104-7)

Edits the procedures for the initial approval of or revisions to Preliminary and Final Plats to include a review and recommendation from the Planning and Zoning Board, followed by a final public meeting and approval by the Mayor and Council before final staff approval is granted, removing the once sole administrative action for preliminary plats.

Also revises administrative processes for administrative variances to limit the staff administrative process to 10% of the standard in the UDO for things such as setbacks, building height. Also replaces the requirement for a notarized letter of consent from adjoining property owners with a letter sent by staff to the adjoining property owner of record advising of the request for an administrative variance with a window for that property owner to provide comments to staff prior to the Community Development Director taking final action on a request for an administrative variance. Negative comments would not limit the Director from approving a request

Article V Plan Submittal Specifications (Sec 105-3)

Edits the plan submittal specifications to add a line for the date of Mayor and Council review and action on a preliminary plat.

Chapter 200 Land Use and Zoning/Article I Zoning Districts and Use Provisions

Division 2 Single Family Residential Districts (Sec 201-5, 201-6 and 201-7)

Modifies diagram on how to interpret the standards within the section and establishes interior and exterior side setbacks for corner lots adjacent to streets and establishes visual representation for distance between primary and accessory structures for R-100, R75, and R-60 lots.

Increases setbacks from property lines for accessory structures and clarifies where to find maximum height for accessory dwelling units in the R-100, R-75, and R-60 zoning districts

Chapter 200 Land Use and Zoning/Article II Supplemental and Accessory Use Standards (Sec 202-3)

More fully defines what accessory uses and structures are, defining when an accessory structure is part of a main structure, establishing standards for detached accessory structures and the distance to a principal structure.

As it relates to Accessory Dwelling Units, provides for additional definitions of types of ADUs, limits ADUs to one per lot and requires the property owner to reside either in the principal dwelling or the ADU as his/her primary residence and subject to homestead as well as provides provisions for how attached, detached and modified ADUs are created.

Chapter 400, Article I Land Development Standards/Division 1 In General (Sec 401)

Edits the adopted sections of the Gwinnett UDO by removing references to sections that Norcross is now fully adopting into its UDO and editing the reference numbers to sections that have recently been amended by Gwinnett for purposes of consistency as well as clearly stating how relief is pursued, if requested, from these remaining sections.

Chapter 400, Article III Site and Subdivision Regulations

Preliminary Plats (Sec 403-5)

Adds in language that the Planning and Zoning Board and Mayor and Council will now review all preliminary plats and that the Community Development Director can forward those plats for consideration by Mayor and Council and choose to include or not include specific conditions associated with his/her recommendation for approval and reemphasizing that Staff approval is dependent on Mayor and Council approval.

Minor subdivision, expedited approval (Sec 403-6)

Removes this from the UDO all together

Final Plats (Sec 403-8)

Adds in language that final plats are reviewed by the Planning and Zoning Board prior to being reviewed by the Mayor and Council

Exemption Plats (Sec 403-10)

Edits the section to include a change to Section 403-10 that provides that no lot previously divided through an exemption plat (two-lot split) can be further subdivided unless following the provisions for both a preliminary plat and a final plat.

Chapter 400, Article VI, Outdoor Lighting

Edits the section to include a new Section 406-7.5 regarding Street Lighting for New Subdivisions, modified from the original Gwinnett County UDO.

Financial Impact: N/A

Consistent with Comprehensive Plan?

Yes

1. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment

Attachments**Next Steps**

Update

NEW CHAPTER 400 Changes

Division 6. - Infrastructure, Streets, and Sidewalks

Sec 401-38. Street Classification and Right-of-Way Requirements.

(a) Street Classifications.

(1) Dedication of Street Right-of-Way. Right-of-way for all existing and proposed public streets within a project shall be dedicated in accordance with the street classifications as shown on the officially adopted Long Range Road Classification Map in Norcross Comprehensive Plan or as required by Director or Designee of City of Norcross.

(2) Street Improvements. All streets and project access improvements shall be constructed or improved to the standards as established in the UDO. Roadway improvements shall be made in accordance with the street classifications as shown on the officially adopted Long Range Road Classification Map.

(b) Minimum Right-of-Way and Street Improvements.

(1) Right-of-Way and Pavement Widths. Minimum widths of street right-of-way and roadway pavement shall be as shown on Table 401-38(b) unless a modification is granted by the Director,

Table 401-38(b). Minimum Right-of-Way and Roadway Widths for New Streets and Project Access Improvements.

Street Category	Minimum Right-Of-Way ¹	Minimum Roadway ²
Major Collector	80'	52'
Minor Collector	60' TO 80'	28'
Local Street	60' ³	32'
Non-residential Non-residential Cul-De-Sac	60' radius	50' radius
Local Street Residential — Urban Residential — Urban Cul-de-sac	50' ⁴ 50' radius	28' 40' radius

¹ The greater right-of-way width shall apply under circumstances as described in Section 401-38(b).

² Roadway width dimensions are back-of-curb to back-of-curb except where noted.

³ Utility easement shall be provided in a location and size as required by the Gwinnett County Department of Water Resources.

⁴ The minimum right-of-way may be reduced to 40 feet for a dead-end local street that is shorter than 500 feet and serves 10 or fewer single-family homes.

(2) Street Rights-of-Way.

a. The minimum width of street right-of-way shall be dedicated based upon the street classification as shown on the officially adopted Long Range Road Classification Map and as contained in the UDO.

b. Additional street right-of-way width shall be required to be dedicated at intersections or other locations to accommodate required traffic safety improvements (e.g., deceleration lanes, turning lanes, storage lanes, medians, or realignments), future projects identified in official planning documents, or within 500 feet of a major intersection and minimum right-of-way standards would be inadequate to accommodate the improvements.

c. If a new street or thoroughfare is proposed by the officially adopted Long Range Road Classification Map or the State of Georgia to adjoin or traverse the property, permits shall not

be issued until the Community Development Department has submitted the project to the Mayor and Council for review in order to seek a determination if the City of Norcross should acquire the right-of-way or if a study of alternate routes should be undertaken.

Sec 401-39. Requirements for New Streets and Roadways.

(a) Construction Standards. Streets, whether public or private, shall be constructed or improved at least to the standards contained in this UDO in accordance with the category of said streets or as otherwise required by the Mayor and Council.

(b) General Layout Requirements.

(1) Conformance. The arrangement, character, extent, width, grade, and location of all streets shall conform at a minimum to the officially adopted Long Range Road Classification Map and this UDO.

(2) Local Streets and Minor Collectors.

a. Local streets shall be laid out so that their use by through traffic will be discouraged. Minor collectors shall be provided to channel through traffic movements within a development, where appropriate to the design and a major thoroughfare is not proposed by the officially adopted Long Range Road Classification Map. Minor collectors also may be provided as central routes within large residential subdivisions, where appropriate to the design, based on project traffic demands exceeding 2,000 trips per day (ADT). Traffic calming measures for new local streets are required to encourage and maintain maximum vehicle operating speeds of 25 mph. In order to achieve this objective, the maximum length of roadway section between speed control points shall be 500 feet. Such design and construction should be in substantial conformance with the City of Norcross Traffic Calming Design Guide for traffic calming measures and requirements.

(3) Cul-de-sac Streets.

a. Dead end streets designed to have one end permanently closed shall provide a cul-de-sac or other approved turnaround and may be no more than 600 feet in length. Additional length necessitated by topography or property configuration may be approved by the City Engineer.

b. The length of a cul-de-sac street shall be measured from the center of the cul-de-sac or other approved turnaround to the center of the intersection with another street, whether a through street or another cul-de-sac or dead-end street.

c. Eyebrow cul-de-sac (half cul-de-sacs) will be allowed only at "right-angled" intersections having an interior angle between 80 degrees and 100 degrees.

d. Cul-de-sacs shall conform to the layout and dimensional requirements as shown in the Standard Drawings in Appendix A

(4) Substandard Streets. In the event that a development has access to a substandard street (i.e., a dirt or gravel road), the following project access improvements shall be required:

a. If the abutting substandard street provides access to the development and is dirt or gravel, the street shall be upgraded by the developer to a paved roadway from the project entrance to the nearest standard paved road along the route of access.

b. Off-site project access improvements required under Subsection 401-39(b)(4)(a), above, and Chapter 400 shall at a minimum, result in a full-section roadway meeting the requirements of a local residential roadway. Responsibilities shall be as follows:

1. The Developer shall design the road and provide the labor, equipment, and materials required for roadway improvements and necessary drainage improvements.
 2. If the City desires the roadway to be improved to a standard greater than that for a local residential roadway, the City shall provide or pay the cost of the additional materials and labor.
 3. All right-of-way required for these off-site improvements shall be acquired by the developer at no expense to the City.
 4. In the event that access to a new development is through an existing local City maintained Road, the Developer and/or Builder is responsible for any and all damages to the existing road. Developer and/or Builder may be required to document existing conditions of this access road prior to any construction, may be required to post a bond or some form of guarantee and make necessary repairs as deemed appropriate per the Public Works Director.
- c. Half Streets. Half-streets (new boundary streets having one-half of the minimum required right-of-way or pavement width) shall not be allowed nor access to same be permitted should it exist.
- (5). Improvements along State Highways or Gwinnett County roadways. For any development which abuts a state highway or Gwinnett County roadway, or other right-of-way controlled by the State of Georgia, improvements to the roadway and the location and design of any street or driveway providing access from the state highway or county roadway shall comply with the standards and requirements of the Georgia Department of Transportation or the Gwinnett County Department of Transportation. A permit for the proposed access or improvements shall be required to have been approved by the Georgia Department of Transportation or the Gwinnett County Department of Transportation and incorporated into the construction drawings for the project prior to issuance of a development permit by the Department.
- (6). Dead End Streets.
- a. A dead-end street shall be provided to the boundary of a subdivision where necessary to provide access to a land-locked abutting property, for planned continuity of future circulation, for improved access for public safety vehicles, or for the extension of public water or other utilities to neighboring lands. Such dead-end streets shall be designed so as to allow their reasonable extension and shall be located so as to be reasonably incorporated into a street design for the neighboring property. The stub street requirement may be waived by the Community development director.
 - b. Dead end streets on abutting property shall be extended into a proposed subdivision and incorporated into the street design of the development. This requirement may be modified by the Community development director. in cases of serious topographical hardship or dissimilar zoning which would create unacceptable land use conflicts between the two developments. This modification may be conditioned on the provision of easements necessary for the extension of public utilities, the provision of cul-de-sac or other permanent turnaround on the dead-end street, or the removal of the dead-end street back to its nearest intersection.
 - c. Where a dead-end street (other than a cul-de-sac) serves more than three lots, the developer shall be required to provide a temporary vehicular turnaround within the right-of-way. This requirement may be waived if extension of the dead-end street is approved and under construction prior to its inclusion in a Final Plat.
 - d. Where a street dead ends at the property boundary and the street exceeds 600 feet in length, a permanent cul-de-sac or other approved turnaround shall be required. In this situation, right-

of-way to the property boundary shall be required, but the pavement shall not be extended to the property boundary beyond the edge of the paved cul-de-sac or other approved turnaround. In no case shall a dead-end street exceed 2000 feet in length unless approved by the Community development director due to unusual topographic conditions or property configuration.

e. Connections for future extension of all public utilities shall be constructed as part of the subdivision. Curb returns shall be constructed as part of the subdivision. Curb returns shall be provided to the future "stub" street roadway location, and curb and gutter shall be installed across the roadway stub at the right-of-way line (extended).

f. The right-of-way for the "stub" street shall be dedicated as part of the Final Plat. Slope easements or construction easements, if required by the street design, shall be shown on the Final Plat.

(7). Service Roads. Where a development borders on or contains a railroad right-of-way, or limited access highway right-of-way or major thoroughfare, a public street may be required to be constructed and dedicated within the development approximately parallel to and on each side of such right-of-way.

(c) Reserve Strips. Land in private ownership adjacent to public rights-of-way which could control or are intended to control access to streets, alleys, or public lands shall not be permitted unless their control is given to the City under ownership, dedication, or easement conditions approved by the City Attorney or acceptable to the Public Works Director. No development shall be designed so as to deny access to abutting properties.

(d) Street Jogs.

(1). Street jogs shall either directly align or have offsets as shown in Table 401-41(h), as measured between centerlines of said streets.

(2). All Major Thoroughfares shall provide offsets as required by the Community Development Department, where alignment is not desirable or feasible, but in no case be spaced less than 600 feet apart as measured between centerlines of said streets.

Sec 401-40. Project Access Improvements.

(a) Project access improvements for single-family detached, single-family attached, and duplex residential subdivisions.

(1). When property that abuts upon an existing or proposed City road is to be developed or redeveloped as a single-family detached, attached, or duplex subdivision and the City street will provide access to the property, project access improvements to the City road (deceleration lanes, turn lanes, etc.) shall be provided by the developer as required herein. Two remote entrances shall be required for developments with more than 120 dwelling units unless an administrative modification is granted by the Community Development Director and an administrative variance is granted by the Gwinnett County Fire Marshall.

(2). A deceleration lane shall be required to be provided at each project driveway or subdivision street entrance that is provided street access to a Minor Collector Street or Major Thoroughfare. In the event a street has an existing or proposed median, and the developer desires to construct a median break to serve the subdivision, a left turn lane leading to the median break shall be required to be provided by the developer if approved by the Community Development Department and shall meet the standards contained herein. The preferred spacing for median breaks shall be 2,000 feet between the centerlines of the openings, and the minimum spacing for median breaks shall be 1,000 feet between centerlines of the openings. Other factors will also be considered, such as distance to other median openings, adjacent land use, expected traffic volumes, and the resulting volume of U-turns

that are likely to occur without the median opening. Meeting the spacing criteria is not, in itself, an indication that median openings will be allowed.

(3). Deceleration lanes shall have a length of 200 feet, with an additional 50-foot taper length, a pavement width of 12 feet (exclusive of curb and gutter) and shall be provided with curb and gutter. Additional right-of-way to accommodate the deceleration lane and an 11-foot shoulder measured from back of curb shall be dedicated by the developer to the city at no cost. Associated stormwater infrastructure as deemed necessary by the construction of the deceleration lane shall also be required.

(4). A left turn lane shall be provided into each project driveway or subdivision street that accesses a Minor Collector or Major Thoroughfare in accordance with the Georgia Department of Transportation.

(5). Other project access improvements may be required by the Community Development Department in order to ensure adequate site access, pedestrian access, convenience and safety to the motoring public.

(6). The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure, as may be occasioned by the required Project Access Improvements.

(b) Project Access Improvements for Multifamily and Non-residential Developments.

(1). When property that abuts upon an existing or proposed City road is to be developed or redeveloped for multifamily or non-residential uses and the City road will provide access to the property, project access improvements to the City road (deceleration lanes, turn lanes, etc.) shall be provided by the developer.

(2). A deceleration lane shall be required to be provided at each project driveway or subdivision street entrance, as applicable, that is provided street access to a Minor Collector Street or Major Thoroughfare. In the event a street has an existing or proposed median, and the developer desires to construct a median break to serve the project, a left turn lane leading to the median break shall be required to be provided by the developer if approved by the Community Development Department and shall meet the standards contained herein. The preferred spacing for median breaks shall be 2000 feet between the centerlines of the openings, and the minimum spacing for median breaks shall be 1000 feet between centerlines of the openings. Other factors will also be considered, such as distance to other median openings, adjacent land use, expected traffic volumes, and the resulting volume of U-turns that are likely to occur without the median opening. Meeting the spacing criteria is not, in itself, an indication that median opening will be allowed.

(3). Deceleration lanes shall have a length of 200 feet, with an additional 50-foot taper length, pavement width of 12 feet (exclusive of curb and gutter) and shall be provided with curb and gutter. Additional right-of-way to accommodate the deceleration lane and an 11-foot shoulder shall be dedicated by the developer to City at no cost. Associated drainage improvements as deemed necessary by the construction of the deceleration lane shall also be required.

(4). A left turn lane shall be provided into each project driveway or subdivision street that accesses a Minor Collector or Major Thoroughfare in accordance with the Georgia Department of Transportation.

(5). Other project access improvements may be required by the Community Development Department upon the recommendation of the Public Works Department in order to ensure adequate site access, pedestrian access, convenience and safety to the motoring public.

(6). The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure, as may be occasioned by the required Project Access Improvements.

Sec 401-41. Driveway Design Standards.

- (a) **Angle and Improvements.** *Driveways shall generally intersect streets at right angles. The portion of a driveway located within a public right-of-way shall be paved.*
- (b) **Driveway Design Standards.** *Driveways serving single-family detached or duplex residences may be no less than 10 feet wide at the right-of-way line and shall provide a radius to the back of curb or edge of pavement of the roadway of no less than 5 feet. Driveways shall provide a parking area of at least 18 feet deep measured from the edge of the sidewalk or curb if a sidewalk is not present or required. All other driveway curb cuts on public streets shall conform to the standards shown on the driveway details contained in Appendix A.*
- (1). **Driveway Detail 1 (32-foot Width, 25-foot Radius) for:**
- a. **Commercial and Retail Uses (over 80,000 Square Feet).**
 - b. **Office/Institutional/Cultural Uses (Over 100,000 Square Feet).**
 - c. **Multifamily Residential Developments (Over 200 Units).**
 - d. **Mobile or Manufactured Home Developments (Over 200 Lots).**
 - e. **Service Stations.**
- (2). **Driveway Detail 2 (28-foot Width, 25-foot Radius) for:**
- a. **Commercial and Retail Use Sites (80,000 Square Feet or Less).**
 - b. **Office/Institutional/Cultural Use Complexes (100,000 Square Feet or Less).**
 - c. **Multifamily Residential Developments (200 Units or Fewer).**
 - d. **Mobile or Manufactured Home Developments (200 Lots or Fewer).**
- (3). **Driveway Detail 3 (32-foot Width, 40-foot Radius) for:**
- a. **Industrial Sites.**
- (4). **Driveway Detail 4 (Optional Design with Island) for:**
- a. **Private Commercial/Office Street Entrances.**
 - b. **Private Entrances to Multifamily Residential Developments (Over 200 Units).**
 - c. **Private Entrances to Mobile or Manufactured Home Developments (Over 200 Lots).**
 - d. **All driveways and driveway curb cuts on State highways or Gwinnett County roadways shall conform to Georgia Department of Transportation standards or Gwinnett County Standard.**
- (c) **Driveway curb cuts:** *Driveways shall be located no closer than 45 feet. Spacing shall be measured from centerline to centerline of driveways, public roads, or side streets. This requirement may be modified by the City Engineer in cases of topographical hardship or property configuration.*
- (d) **Driveways on collector or higher-classification roads** *Driveways shall be configured to enable vehicles to turn around on-site, eliminating the need to back onto the roadway.*
- (e) **Maximum Number of Driveways.** *Developments shall be limited to one driveway access on City maintained roadways. Additional driveways may be permitted subject to the review and approval of the Public Works Department.*

(f) **Auxiliary Lanes.** Along any Major Thoroughfare, a deceleration lane, acceleration lane, larger turning radius, traffic islands, or other devices or designs may be required to avoid specific traffic hazards which would otherwise be created by the proposed driveway location.

(g) **Corner Sight Distance.** All driveways approaching a Minor Collector or Major Thoroughfare shall provide adequate corner sight distance, and shall meet or exceed the following design standards:

(1). The sight distance criteria are based on the time required for a vehicle to make a left turn from a stop-controlled approach to the Highway (AASHTO Case B1). The time to execute the maneuver is based on recommendations contained in NCHRP Report 383, Intersection Sight Distance. The sight distances, for a two-lane road, are the distances traveled at the arterial speed during 7.5 seconds. The time is increased by 0.5 seconds for each additional lane to be crossed.

(2). The sight distances given in Table 401-41(g) are for undivided highways and streets. If the highway or street is divided, the effect of the median should be considered in determining the required sight distance. Based on the conditions, it may be feasible for the crossing maneuver to be done in two stages with a stop in the median. However, the intersection should only be treated in this manner if the signing and marking is accordingly provided. Otherwise, the sight distance requirements should be increased to account for the additional width that must be crossed. See AASHTO Green Book, Chapter 9 Intersections, for adjustments due to grades greater than 3 percent and design vehicles other than passenger cars.

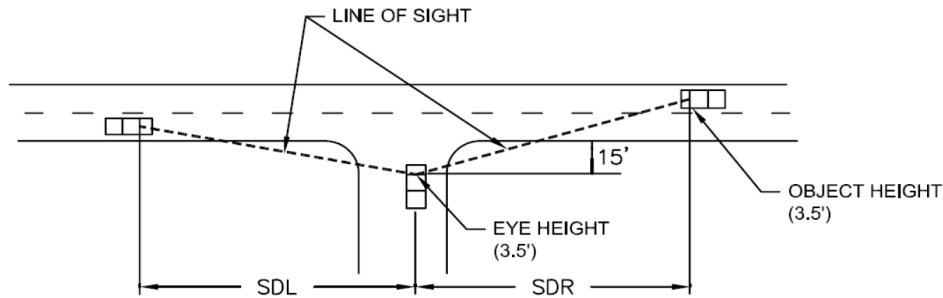


Table 401-41(g). Sight Distance.

SIGHT DISTANCE (FEET)							
SPEED, MPH	2 Lane		3 Lanes		4 Lanes		5 Lanes
	SDL=SDR	SDL	SDR	SDL	SDR	SDL	SDR
25	280	280	295	280	310	295	335
30	335	335	355	335	375	355	400
35	390	390	415	390	440	415	465
40	445	445	475	445	500	475	530
45	500	500	530	500	565	530	600

(h) Separation and Spacing. All driveways except those serving residential units on individual lots shall meet the following criteria:

(1). Minimum separation for driveways, public roads, and side streets:

Table 401-41(h). Minimum Separation for Driveways, Public Roads, and Side Streets.

Posted Speed	Minimum
MPH	Driveway Spacing
25	125
30	219
35	244
40	294
45	369

(2). Driveway Spacing. Spacing shall be measured from centerline to centerline of driveways, public roads, or side streets. Where there is an arterial or major collector intersecting with a side street, the measurement may be taken from the edge of pavement or back of curb, as opposed to the centerline of the arterial/major collector. Greater separation may be required for safe operation of intersections and right or left turning lanes. Whenever possible, proposed driveways along one side of a street shall coincide with existing or proposed driveways on the opposite side of such street. If offset driveways cannot be avoided, the same driveway spacing criteria as given in Table 401-41(h) should be provided. Spacing shall be measured from centerline to centerline. If the Highway involved is a divided facility and the driveways do not align with a median crossover, the driveway spacing would only apply to the adjacent driveway on the same side of the Highway as provided in Table 401-41(h).

(3). Interior Driveways. The placement of the first interior drive which intersects the driveway from a city-maintained roadway should be as far as possible from the road for safe, more efficient operation. The distance between the roadway traffic and the first internal movement shall be a minimum of 200 feet as referenced in the Georgia Department of Transportation Regulations for Driveway Encroachment Control Manual, Figure 3-1.2. Lots less than 500 deep should maintain, a minimum distance of 100 feet. The distance required should be maintained or increased so as to avoid interference with the mainline traffic flow for large sites with high volumes, heavy truck traffic, and on high volume roadways. If no other design alternatives exist and interior drives are proposed which do not meet minimum spacing, the left turning movement should be restricted with a raised barrier. Site planning should be done such that Interior Driveways accommodate the right of way at least 100 feet of storage.

Sec 401-42. Street Intersections.

(a) Angle of Intersection. Intersections shall generally be at right angles and shall not be at an angle of less than 85 degrees, unless approved by the Public Works Department, nor less than 80 degrees

unless the intersection is signalized, in which case the angle of the intersection may be reduced subject to the review and approval of the Public Works Department.

(b) Maximum Grade. Street intersections should be designed with a flat grade wherever possible, but in no case should the grade exceed 2 percent in normal situations (or 4 percent in topographical hardship situations on local streets).

(c) Intersection Approaches: Horizontal Alignment.

(1). New local streets which approach an intersection with a street in a category higher than itself on a horizontal curve having a centerline radius less than 240 feet shall provide a tangent section of roadway at least 30 feet long. Minor Collectors approaching an intersection with a Major Thoroughfare on a horizontal curve having a centerline radius of less than 550 feet shall also provide the 30-foot tangent section. The tangent length shall be measured along the centerline of the street, from the right-of-way line of the intersecting street, extended, to the point of tangency with the centerline of the curve section.

(2). New Major Thoroughfares shall provide tangent sections at intersections with streets in equal or higher categories as needed to provide adequate stopping distances at their design speeds.

(d) Intersection Approaches: Vertical Alignment.

(1). For intersections with local or minor collector streets, a leveling of the street at a grade not exceeding 2 percent shall be provided but no level approach distance is required for streets approaching at less than 7 percent, and a minimum 25-foot level approach distance shall be provided for streets approaching at a grade of 7 percent or more.

(2). As a street approaches an intersection with a major thoroughfare, there shall be a suitable leveling of the street at a grade not exceeding two percent and for a distance not less than the following minimums, as set forth in Table 401-42(d) below:

Table 401-42(d). Approach Distances at Major Intersections.

Approaching Street Category	Minimum Approach Distance
Major Collector	75 Feet
Minor Collector	75 Feet
Local	50 Feet

*** Distance of the approach is measured from edge of pavement of the intersecting street to the point of curvature in the approaching street.**

(e) Intersection Radii. Intersection radii for roadways measured at back of curb and for the right-of-way lines shall be as set forth in Table 401-42(e) below. For intersecting streets of different classifications, the larger radii shall be provided. In all cases, adequate right-of-way shall be provided to maintain minimum of 11 feet from back-of-curb. Larger radii may be required for streets intersecting at angles less than 90 degrees.

Table 401-42(e). Intersection Radii.

Street Category	Roadway Radii	R/W Radii
Major Collector	40 Feet	20 Feet
Minor Collector-Residential	25 Feet	9 Feet
Minor Collector-Non-residential	40 Feet	20 Feet
Local Residential	20 Feet	9 Feet

Local-Commercial or Office	25 Feet	11 Feet
Local-Industrial	40 Feet	25 Feet

* **Intersecting right-of-way lines may be joined by an arc having the minimum radius shown, or by a miter which cuts across the right-of-way lines connecting the points where the required radius would have otherwise been tangent.**

(f) Islands. Islands in street intersections shall conform to the design requirements of the Standard Drawings in the Appendix A of the UDO. In no case shall anything in an island extend more than three feet above the street grade within the right-of-way, except traffic regulatory devices and other infrastructure erected or approved by the Public Works Department. No island shall be approved which contains less than 100 square feet.

(g) Intersection Corner Sight Distance.

(1). Intersections shall be designed with adequate corner sight distance for each street which approaches a street in an equal or higher street category (except an intersection of two local streets). Where necessary, backslopes shall be flattened and horizontal or vertical curves lengthened to provide the minimum required sight distance.

(2). The minimum corner sight distance shall meet the standards as shown in Table 401-41(g) Sight Distance.

(3). The sight distance criteria are based on the time required for a vehicle to make a left turn from a stop-controlled approach to the Highway (AASHTO Case B1). The time to execute the maneuver is based on recommendations contained in NCHRP Report 383, Intersection Sight Distance. The sight distances, for a two-lane road, are the distances traveled at the arterial speed during 7.5 seconds. The time is increased by 0.5 seconds for each additional lane to be crossed. The sight distances given in Table 401-41(g) are for undivided highways. If the highway is divided, the effect of the median should be considered in determining the required sight distance. Based on the conditions, it may be feasible for the crossing maneuver to be done in two stages with a stop in the median. However, the intersection should only be treated in this manner if the signing and marking is accordingly provided. Otherwise, the sight distance requirements should be increased to account for the additional width that must be crossed. See AASHTO Green Book, Chapter 9 Intersections, for adjustments due to grades greater than 3 percent and design vehicles other than passenger cars.

(h) Obstructing Visibility at Intersections. In all zoning districts, no fence, wall, structure, shrubbery, or other obstruction to vision between the heights of 3 feet and 15 feet, except utility poles, light or street sign standards or tree trunks shall be permitted within 20 feet of the intersection of the right-of-way lines of streets, roads, highways, or railroads.

(i) Turning Lanes at Intersections. Right turning lanes may be required to meet traffic demands or safety concerns. When provided, turning lanes shall meet the following criteria:

(1). Storage length — A minimum of 150 feet of storage length for turning lanes on any arterial roadway shall be used. A minimum of 100 feet of storage length for turning lanes on all collectors shall be used.

(2). Taper Length — The minimum taper length shall be 50 feet.

(3). Left turning lanes from arterial roads shall be subject to longer storage lengths and tapers and as determined on a case-by-case basis.

Sec 401-43. Street Design Standards.

(a) Street Grades and Design Speeds.

- (1). Minimum grade for all Local and Minor Collector Streets shall be 1.5 percent. Minimum grades for all major collector and arterial streets shall conform to Georgia Department of Transportation standards and regulations.**
- (2). Minimum grade of less than 1.5 percent on a local street may be approved by the Public Works Department, based on adequate engineering designs, where at least 1.5 percent cannot reasonably be achieved due to topographical limitations imposed by the land. In such cases, a Record Drawing, and such computations as necessary shall be provided after construction to establish that the street will drain in accordance with this UDO. Street sections where unacceptable pooling, excessive spread at catch basins, or other hazardous conditions occur shall be reconstructed or otherwise improved to eliminate such conditions.**
- (3). Minimum vehicle design speeds and maximum grades allowable in the City of Norcross by street classification shall be as shown in Table 401-43(a). This requirement may be modified by the Mayor and Council in cases of topographical hardship or property configuration.**
- (4). Maximum grade on any cul-de-sac turnaround shall be 6 percent.**

Table 401-43(a). Minimum Design Speeds and Maximum Grades.

Street Category	Maximum Grade	Design Speed
Major Collector	10%	40 MPH
Minor Collector	10%	30 MPH
Local	15%*	25 MPH

*** Grades between 11 percent and 15 percent shall not exceed a length of 150 feet and shall require an "as graded" survey prior to the installation of the curb or utilities. The distance shall be measured as the tangent length between points of curvature.**

(b) Vertical Street Alignment.

- (1). All changes in street profile grades having algebraic difference greater than one percent shall be connected by a parabolic curve having a minimum length (L) equal to the product of the algebraic difference between the grades in percent (A) and the design constant (K) assigned to the street according to its category (i.e., L=KA).**
- (2). Constant (K) values are shown in the Table 401-43(b) for both desirable and minimum acceptable ("hardship") conditions. In all cases, the "desirable" value shall be used, unless it cannot be achieved due to topographic conditions beyond the developer's control. In such hardship situations, the Department may approve a lesser value to the extent required by the hardship situation, but in no event less than the value shown in Table 401-43(b) as "minimum."**

Table 401-43(b). Constant (K) Values for Vertical Curves.

Street Category	Crest Curves		Sag Curves	
	Minimum	Desirable	Minimum	Desirable
Major Collector	44	80	64	70
Minor Collector	19	30	37	37
Local	12	20	26	26

(c) Horizontal Street Alignment.

(1). All new streets shall adhere to the standards governing horizontal curvature and superelevation as set forth in Table 401-43(c)(1) below:

Table 401-43(c)(1). Horizontal Curves.

Street Category	Minimum Radio (Ft.)	Maximum Superelevation
Major Collector	560	0.04
Minor Collector	300	0.04*
Local	181	0.00

*** No superelevation will be allowed on Minor Collectors internal to residential subdivisions**

(2). Superelevation for horizontal curves shall be calculated utilizing the following formula:

R = minimum radius curve

v = vehicle design speed (MPH)

e = rate of superelevation (decimal of a foot rise per foot roadway)

f = side friction factor

Vehicle Design Speed (v) 30 40 50

Side Friction Factor (f) .16 .15 .14

(3). Widening section along existing streets shall be designed reflecting existing curvature and superelevation, if any, unless the existing street has been included in a specific design by the Gwinnett County Department of Transportation or Georgia Department of Transportation which calls for different standards, in which case the project will be coordinated with the overall design.

(4). Superelevation runoff. Roadway edge curves shall be provided for tangent runout (bringing edge from a normal crown to centerline elevation) and superelevation runoff (from the end of tangent runout to the point of design superelevation) in accordance with design standards of the Georgia Department of Transportation or other professional engineering standards.

(5). Tangents and compound curves. Between reverse horizontal curves there shall be not less than the minimum centerline tangents shown in Table 401-43(c)(5) unless otherwise specified by the Georgia Department of Transportation. Compound radii curves are prohibited. At least the "desirable" length shall be provided unless hardship conditions of topography or property configuration will not allow lengths greater than those shown as "minimum." For compound circular curves, the ratio of the flatter radius to the sharper radius shall not exceed 1.5 to 1.

Table 401-43(c)(5). Tangents.

Street Category	Minimum Tangent Length	Desirable Tangent Length
Major Collector	100	120 Feet
Minor Collector	75	90 Feet
Local	50	60 Feet

Note: Minimum tangents are based on the distance traveled in 1.7 seconds at the design speed for each category of street. Desirable length is based on distance traveled in 2.0 seconds.

(d) Horizontal and Vertical Clearances.

(1). Horizontal clearances.

a. A shoulder of no less than 11 feet from the back of curb or edge of pavement, appropriately graded and having gentle slopes of not more than 0.5 inch per foot and rounded cross-sectional

design shall be maintained along all streets. Beyond the shoulder but within the right-of-way, slopes shall not exceed 1 foot of rise for each 2 feet of horizontal distance on a cut slope, and 1 foot of fall for each 3 feet of horizontal distance on a fill slope.

b. Along all public streets, a clear zone shall be provided per current AASHTO standards wherein nothing may be located above ground level except traffic/street signs, public utility structures, driveways, and mailboxes.

c. At selected locations, such as the outside of a sharp curve, a wider clear zone with greater horizontal clearances provided to any roadside obstruction may be required.

d. The Department of Transportation, in accordance with O.C.G.A. § 32-6-51, is authorized to remove or direct the removal of any sign, signal, device, or other structure erected, placed, or maintained on the right-of-way of a public road which because of its nature, construction, or operation constitutes a danger to or interferes with the vision of drivers of motor vehicles.

(2). Vertical clearances. Vertical clearance at underpasses shall be at least 14.5 feet over the entire roadway width.

Sec 401-44. Street Construction Standards and Specifications.

(a) Specifications. Unless otherwise specifically set forth herein, all of the materials, methods of construction, and workmanship for the work covered in reference to street construction shall conform to the latest specifications of the Georgia Department of Transportation.

(b) Subgrade Preparation for All Streets.

(1). Subgrade preparation shall be in accordance with Georgia Department of Transportation specifications.

(2). Removal of unsuitable material. If any sections of the subgrade are composed of topsoil, organic, or other unsuitable or unstable material, such material shall be removed and replaced with suitable material and then thoroughly compacted as specified for fill or stabilized.

(3). Compaction. Fill shall be placed in uniform, horizontal layers not more than 8 inch thick (loose measurement). Moisture content shall be adjusted as necessary to compact material to 95 percent of maximum dry density except for the top 12 inches which shall be compacted to 98 percent of maximum dry density.

(4). Brought to line and grade. After the earthwork has been completed, all storm drainage, water, and sanitary sewer utilities have been installed within the right-of-way as appropriate, and the backfill in all such ditches thoroughly compacted, the subgrade shall be brought to the lines, grades, and typical roadway section shown on the plans.

(5). Utility trenches to be compacted. All utility crossings within the right-of-way must be installed prior to subgrade approval. All manhole covers must be flush with top of intermediate course if there is a delay in applying the final surface course for new roadway pavement. Manhole covers will be required to be adjusted flush when final surface course is installed. Utility trenches cut in the subgrade shall be backfilled as specified herein. Compaction tests at the rate of 1 per 150 feet of trench shall be provided to verify compaction.

(6). Roll testing required. The subgrade must pass roll testing prior to placement of the base material. The roll test of the subgrade and base material shall be observed and approved by a Department Development Inspector prior to paving.

(7). Temporary traffic surface. When the street is to be used for construction traffic before the paving work is completed, a layer of stone (except crusher run) shall be laid as a traffic surface. This material

shall not be used as a part of the base material. It may be worked into the subgrade, or it shall be removed before the base course is set up for paving.

- (8).** *Provisions to drain low points. Provisions shall be made to drain low points in the road construction when the final paving is delayed. A break in the berm section is required when the curbing has not been constructed. Drainage under the curb to side slopes after installation is required, using minimum four-inch diameter pipe sections. Vegetated or stabilized swales should be considered for managing road construction runoff. Swales shall be constructed in accordance with the Georgia Stormwater Management Manual.*

(c) Project Access Improvement Standards.

- (1).** *Sections wider than 4 feet in width. For sections 4 feet or greater in width, the section shall comply with the construction standards for new streets, in accordance with the street's category as shown on the officially adopted -Long Range Road Classification Map. The base course must pass all testing prior to paving. If a delay is expected, then the base must be sealed and retested prior to paving.*

- (2).** *Sections less than 4 feet in width. For sections less than 4 feet in width, a minimum of 8 inches of Graded Aggregate Base shall be provided below the widening section. 6 inches of class "B" concrete shall be poured until 1.5" below the adjacent pavement surface. The final asphaltic surface course of 1.5 inches of 9.5 mm Superpave Type II for local roads and 1.5 inches of 12.5 mm Superpave Type II for collector roads shall be applied flush with the adjacent pavement surface.*

(d) New Local and Minor Collector Streets. *At the minimum the following standards shall apply to new local and minor collector streets in residential subdivision and non-residential projects.*

- a.** *The base course shall consist of at least 8 inches of graded aggregate base. After being thoroughly compacted and brought to proper section, an intermediate course of 2 inches of 19 mm Superpave shall be applied.*
- b.** *The final asphaltic surface course of 1.5 inches of 9.5 mm Superpave Type II shall be applied.*
- c.** *If a delay in paving is anticipated, then the base course shall be primed the same day it is compacted and cured in accordance to Georgia DOT standards.*
- d.** *Upon the final acceptance of the final surface course, a maintenance bond for a period not to exceed 18 months following the date of approval of Development Conformance shall be required.*

(e) New Major Collector. *At the minimum the following standards and GDOT specification shall apply to new major collector streets*

- a.** *The base course shall consist of at least 10 inches of graded aggregate base. After being thoroughly compacted and brought to proper section, an intermediate course of 4 inches of 19 mm Superpave shall be applied.*
- b.** *The final asphaltic surface course of 1.5 inches of 9.5mm Type II Superpave (volumes less than 10,000 ADT), OR 1.5 inches of 12.5mm Superpave (volumes greater than 10,000 ADT).*
- c.** *If a delay in paving is anticipated, then the base course shall be primed the same day it is compacted and cured in accordance to Georgia DOT standards.*
- d.** *Upon the final acceptance of the final surface course, a maintenance bond for a period not to exceed 18 months following the date of approval of Development Conformance shall be required.*

Sec 401-45. Curbs and Gutters.

(a) Curb and Gutter Required. All new streets and Project Access Improvements shall be provided with curb and gutter. All gutters shall drain smoothly with no areas of ponding.

(b) Residential Curbing. Residential curbing shall meet the following requirements:

(1). Concrete shall be Class "B" (as defined by Georgia Department of Transportation) and have a minimum strength of 3,000 PSI at 28 days.

(2). Typical minimum section shall be 6" x 24" x 12".

(3). Vertical curbing only. Rollback curbing may be specified in townhouse on the garage side the townhouse street.

(c) Industrial or Commercial Curbing. Industrial or commercial curbing shall meet the following requirements:

(1). Concrete shall be Class "B" (as defined by Georgia Department of Transportation) and have a minimum strength of 3,000 PSI at 28 days.

(2). Typical minimum section shall be 8" x 24" x 14".

(3). Vertical curbing only.

(d) Collector Curbing. Collector curbing shall meet the following requirements:

(1). Concrete shall be Class "B" (as defined by Georgia Department of Transportation) and have a minimum strength of 3,000 PSI at 28 days.

(2). Typical minimum section shall be 8" x 30" x 14".

(3). Vertical curbing only.

(e) Construction Methods.

(1). Curb and gutter shall be set true to line and grade, be field staked, and finished to the section shown on the plans.

(2). Line and grade shall be field staked for grades less than two percent and grades over 10 percent, and within 100 feet in both directions from all low points.

(3). One-half inch expansion joints or pre-molded bituminous expansion joint material shall be provided at all structures and radius points and at intervals not to exceed 250 feet in the remainder of the curb and gutter.

(4). Inferior workmanship or unprofessional construction methods resulting in unacceptable curb and gutter will be cause for rejection of the finished work.

(5). Disturbed areas along all curbing shall be backfilled, stabilized, and grassed.

Sec 401-46. Sidewalk Requirements.

(a) Sidewalks. Sidewalks and curb ramps shall be constructed in all new development or redevelopment along all abutting or internal streets, existing or new, private, or public. Whenever a discrepancy occurs between the design and construction standards of this UDO and any state or federal regulation, then the most restrictive shall apply.

(b) Sidewalk and curb ramp installation and timing. Sidewalks and curb ramps shall be installed as follows:

- (1). Developers shall connect proposed sidewalks on developed property to the adjacent property's sidewalks.
- (2). Residential subdivision projects. Sidewalks and curb ramps, where required, shall be installed on new internal streets (both sides including "eyebrow" turnarounds and cul-de-sacs) and on abutting external streets (abutting side).
- (3). Residential subdivision developer's responsibility. Developers shall install sidewalks and curb ramps on abutting external streets, "passive" recreation areas, common area and open space prior to the approval of the Final Plat. Sidewalks on "active" recreation area lots shall be installed prior to issuance of a Certificate of Occupancy.
- (4). Homebuilder responsibility. Homebuilders shall install sidewalks, and curb ramps not required to be installed by developers, on residential lots prior to release of the Certificate of Occupancy for a home.
- (5). Non-residential and non-subdivision projects. Sidewalks shall be installed on new internal streets (both sides including cul-de-sac and "eyebrow" turnarounds) and on abutting external streets (abutting side) by the lot owner or developer prior to the issuance of a Certificate of Occupancy.
- (6). Performance surety. Performance surety for sidewalks and ramps not yet installed must be approved by the Public Works Director. The surety shall be in an amount acceptable to the City.
- (7). Escrow alternative. The cost of sidewalk installation may be set aside in escrow with the Public Works Department if proposed road improvements by the City may impact the location of a sidewalk or if the sidewalk cannot be constructed due to topographic or utility constraints. Costs shall be set by the City and are subject to include construction, acquisition, and engineering costs for sidewalk projects within the City.

(c) Sidewalk design and construction standards. Sidewalks shall be constructed in accordance with the requirements of this section. The Public Works Director is authorized to grant Modifications upon specific application due to topographic or drainage difficulty

- (1). Width. Sidewalks shall be at least 5 feet wide on new internal subdivision streets and on abutting external streets.
- (2). Setback. Sidewalks shall be located at least 2 feet from the back of curb. The area between the curb and the sidewalk shall consist of grass or landscaping and shall be consistent with the requirements of this UDO. Where no curb exists, or if road improvements are proposed for installation by the City, sidewalks, including appropriate storm-water infrastructure, shall be constructed in a location acceptable to the City.
- (3). Cross slope. Sidewalks shall be constructed with a cross slope of 0.25 inch per foot. Sidewalks shall maintain this cross slope at driveway crossings or transition the sidewalk to a driveway with ramps and detectable warnings.
- (4). Material. Class "B" concrete (as defined by Georgia Department of Transportation) with a minimum strength of 2,200 PSI at 28 days.
- (5). Final stabilization. Disturbed areas resulting from sidewalk construction shall be backfilled, stabilized, and grassed or landscaped.
- (6). Georgia Department of Transportation or Gwinnett County controlled roads. Sidewalks located in the right-of-way of roads under the jurisdiction of the Georgia Department of Transportation shall be constructed in accordance with Georgia Department of Transportation or Gwinnett County design and construction standards.
- (7). Sidewalk curb ramp design and construction standards. Intersection radius curb ramps shall be provided at street intersections. Straight ramps may be provided at intersections of curbed driveways

and at streets without sidewalks. Curb ramps shall meet the requirements of the Americans with Disabilities Act.

- (8). Damage repair. Damage to roads, sidewalks, curbs, and ramps caused by construction or development activity shall be repaired at no cost to the City within 30 days or prior to issuance of a Certificate of Occupancy, whichever is earlier.

Sec 401-47. Traffic Control Devices.

- (a) Traffic Control Signs. Street signs, traffic control signs, and devices such as striping and signalization, shall be provided through payment of fees to the Public Works Department for the installation thereof.
- (b) Street Name Signs. Public street name signs shall have a green background with white legends mounted on channelized posts. Private street name signs shall have a blue background with white legends mounted on channelized posts. Alternate post material is required in the City's Historic Districts. Alternate post material shall be subject to the review and approval of the Public Works Department. The posts and signs will be furnished and installed by the city at all street intersections. The developer (or homeowners association in the event an alternate signpost is chosen at a later date) shall pay the City costs.
- (c) Traffic Signals and Signs. All traffic signals and signs shall conform to the Manual on Uniform Traffic Control Devices (no decorative traffic control devices will be allowed).
- (d) Striping Requirements. All newly constructed streets having four or more lanes (including auxiliary lanes) and existing streets being widened with one or more additional lanes shall be striped or the payment of said striping costs shall be required from the Developer by the Public Works Department prior to the Approval of Development Conformance for the project. Striping shall be accomplished with paint meeting Georgia Department of Transportation standards conforming to the Manual on Uniform Traffic Control Devices.
- (e) Payment of Fees. Payment for materials and installation of street name and traffic control signs in new developments shall be required by the Public Works Department prior to the approval of the Final Plat for new subdivision streets and the Approval of the Development Conformance for all other developments.

Sec 401-48. Traffic Calming Devices.

- (a) Subdivision streets shall be designed in accordance with the City of Norcross Traffic Calming Guide.
- (b) The traffic-calming plan is subject to review and approval by the Public Works Department. The Public Works Director may grant modifications.

Sec 401-49. Private Streets and Alleys.

(a) Private Streets and Alleys Permitted.

- (1). Application for approval of private streets shall be considered by the City Council during the rezoning or special use permit process, if necessary. Otherwise, the City Council shall take up the use of private streets and alleys during the preliminary plat process and before a land disturbance permit is issued. Notwithstanding other provisions of the UDO, the City Council may impose conditions on the approval of private streets to ensure the health, safety, and welfare of the general public and to mitigate potential problems with private streets.
- (2). Alleys intended to serve as private access route in the rear of buildings shall be permitted, constructed, and maintained as private driveways, and in substantial conformance with the UDO

Design Guidelines. Application for approval of such private alleys shall be considered by the Mayor and Council in the same method as approval of private streets in Sec 401-49(a)(1).

(b) General Provisions.

(1). It shall be unlawful for any person, firm, or corporation to construct a new private street or alley, or alter an existing private street or alley, or to cause the same to be done without first obtaining a development permit, for such construction or alteration, from the Department.

a. All private streets shall be constructed to the roadway construction standards for public streets as required by the UDO and contained herein. All alleys shall be designed and constructed as private driveways as required by the UDO. No permit for a private street or alley shall be issued unless the proposed roadway improvements are in conformity with the standards and requirements for public streets and the applicable provisions of the UDO.

b. For setback purposes, front setbacks shall be measured as if the streets were public streets, or as approved by individual variances. Rear setbacks of lots adjacent to alleys shall be a minimum of 5 feet measured from the rear property line of such lot.

c. The subdivider/developer shall comply with the Department of Fire and Emergency Services general order for security gate access if a gated development is proposed.

d. All provisions of the UDO regarding roadways, water lines, sewer lines, stormwater facilities and their appurtenance, including the design, submittal of plans, required improvements, etc., shall apply to all developments with private streets or alleys approved pursuant to this section.

e. The subdivider/developer shall comply with the standards and requirements of the Gwinnett County's Department of Water Resources for the installation of water and sanitary sewer mains within private developments/subdivisions.

f. The subdivider/developer shall establish a mandatory property owners association, with bylaws and/or covenants which shall include the following:

1. Mandatory membership of all purchasers of lots therein and their successors

2. Responsibility for maintenance, insurance, and taxes

3. Equitable sharing of the cost of maintenance

4. Authority to place liens on the real property of members who fail to pay their dues or assessments

7. No Final Plat or development permit involving any private street shall be approved unless said Final Plat or development permit conforms to the requirements of this section.

(c) Street Names and Address Assignments for Private Streets.

(1). Proposed names for private streets shall follow the same rules as for public streets.

a. The subdivider of land involving a private street shall install street signs with the street name and designation "private," as approved by the Public Works Department.

b. Address assignments will be in accordance with this UDO.

(d) Easements for Private Streets or Alleys.

(1). Easements for private streets shall be designated on Preliminary and Final Plats as general purpose public access and utility easements, along with the name of said street. Said easement shall at minimum be of the same width as that required for the right-of-way of a public street as shown on

the Long Range Road Classification Map for the type of public street (local, collector, etc.) most closely resembling the proposed private street.

(2). In cases where alleys are intended to serve as private service or access route, either with or without utility easement, for more than two properties, then the alleys shall have a minimum easement width of 20 feet and shall be designated on Final Plats as private access and utility easement, as applicable, and on its own discrete parcel to be dedicated to a private property association.

a. Easements for private streets and alleys shall not be included in any calculation of minimum lot size as established by this UDO.

b. In the cases of private streets where roadway improvements are not required (i.e., exemption plat, minor subdivision), the general purpose public access and utility easement for the private street shall be shown in a manner on the plat such that each lot fronting the private street extends to the centerline of the private street. No lot shall be permitted to be divided by the general purpose public access and utility easement required and established for a private street.

c. In the cases of private streets where roadway improvements are required, the general purpose public access and utility easement for a private street shall be drawn as its own discrete parcel to be dedicated to a private homeowners association (i.e., not shown to be a part of any lot).

(e)Maintenance.

(1). City of Norcross shall not maintain, repair, resurface, rebuild, or otherwise improve streets, signs, drainage improvements, or any other appurtenances within general purpose public access and utility easements established for private streets or alleys.

a. Gwinnett County assumes full responsibility for the repair and maintenance of the water and/or sanitary sewer mains and appurtenances, and any areas disturbed by repair or maintenance efforts will be restored to as near to its original condition as is feasible. Permanent repairs to the streets shall be made by the homeowners associations or other entity having maintenance responsibility for the development. Driveways and sidewalks will be repaved, sodded or landscape areas will be graded, smoothed, reseeded or resodded where appropriate. Maintenance responsibility by Gwinnett County for individual sanitary sewer stubs shall extend to the end of the standard six-inch stub, and to the water meter for individual water lines.

b. A private maintenance covenant recorded with the Clerk of the Gwinnett County Superior Court shall be required for any private street, alley and other improvements within general purpose public access and utility easements established for private streets and alleys. The covenant shall set out the distribution of expenses, remedies for non-compliance with the terms of the agreement, rights to the use of easements, and other pertinent considerations. The covenant shall specifically include the following terms:

1. The covenant shall establish minimum annual assessments in an amount adequate to defray costs of ordinary maintenance and procedures for approval of additional needed assessments. The covenant shall also specify that the funds from such assessments will be held by a homeowners or property owners association in cases of a subdivision fronting on a private street or containing a private alley.

2. The covenant shall specify that the property owners association shall be responsible for the maintenance and repair of the stormwater drainage system and all common areas within the development.

3. The covenant shall include a periodic maintenance schedule.
4. The covenant for maintenance shall be enforceable by any property owner served by the private street or alley.
5. The covenant shall establish a formula for assessing maintenance and repair costs equitably to property owners served by the private street or alley.
6. The covenant shall run with the land.

c. The City Council may, at its discretion, as a condition of approving private streets, require a performance bond and/or maintenance bond be submitted by the subdivider and held by a homeowners or property owners association, or the Council may require that the subdivider pay an amount of money as recommended by the Public Works Director into an escrow account or other suitable account for the construction, maintenance and repair of private streets and stormwater management improvements, to be drawn from by the homeowners or property owners association as the need may arise.

(f) Specifications for Final Plats Involving Private Streets. No Final Plat involving a private street shall be approved by the Community Development Department for recording unless and until Mayor and Council have approved the use of private streets and it shall contain the following on the face of the plat:

(1). Deed book and page reference to the recorded covenant required in Section 401-49(e) Maintenance, as listed above.

a. "City of Norcross has no responsibility to build, improve, maintain, or otherwise service the private streets, drainage improvements, and other appurtenances contained within the general public purpose access and utility easement or easements for private streets shown on this plat."

b. "Grant of Easement. The general purpose public access and utility easement(s) shown on this plat for private street(s) is hereby granted and said grant of rights shall be liberally construed to provide all necessary authority to the City, and to public or private utility companies serving the subdivision, for the installation and maintenance of utilities, including, but not limited to electric lines, gas lines, telephone lines, water lines, sewer lines, cable television lines, and fiber optic cables, together with the right to trim interfering trees and brush, together with a perpetual right of ingress and egress for installation, maintenance, and replacement of such lines.

Signature of Property Owner Date "

c. "Certificate of Dedication." All water and sewer lines installed within the general purpose public access and utility easement(s) shown on this plat for private street(s) are hereby dedicated to Gwinnett County."

(g) Requirement for Purchaser's Acknowledgement of Responsibilities for Private Street and/or Alley.

(1). Prior to the sale or as a condition of the closing of a real estate transaction involving any lot served by a private street or alley in the City, the purchaser of said lot shall execute a notarized Purchaser's Acknowledgement of Private Street and/or Alley Construction and Drainage Maintenance Responsibilities set forth below. A copy of the purchaser's acknowledgement shall be retained by the subdivider or seller and shall be required to be submitted as a condition of a Building Permit for a principal building on said lot:

"Purchaser's Acknowledgement of Private Street and/or Alley and Drainage Maintenance Responsibility."

(I) (We) have read the Declaration of Covenant which pertains to the lot that is the subject of this real estate transaction (insert address or attach legal description). (I) (We) understand that the Declaration of Covenant applies to the lot that (I am) (we are) purchasing and requires (me) (us) to provide a specified percentage or amount of the financing for the construction and maintenance of any private street (and/or alleys) and drainage facilities serving the lot which (I am) (we are) purchasing, and that owners of other lots in this plat may sue and recover for those costs which this covenant requires (me) (us) to pay, plus their damages resulting from (my) (our) refusal to contribute, plus reasonable attorney's fees. (I) (we) further understand that the County has no obligation to assist with the maintenance and improvement of the private street or alley, drainage facilities, and other appurtenances within the general purpose public access and utility easement for the private road serving the lot in question. (I) (we) understand that a copy of this purchaser's acknowledgement shall be required as a condition of the issuance of a building permit for a principal building on the lot (I am) (we are) purchasing.

<u>Purchaser</u>	<u>Date</u>	<u>Purchaser</u>	<u>Date</u>
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Division 7. Development Conformance, Sureties, and Maintenance¹

Sec 401-50. Development Conformance, Sureties and Maintenance, in General.

(a) Prerequisite to Final Plat, Certificate of Completion, or Certificate of Occupancy. The submittal and acceptance of a Certificate of Development Conformance shall be a prerequisite to the approval of a Final Plat or issuance of a Certificate of Occupancy or Certificate of Completion for any project, or portion thereof, included in a Land Disturbance Permit, except for single-family and two-family structures. The approval shall reflect the certification by the owner, being the subdivider or developer, that all site work and construction has been accomplished according to the terms of the approved plans and permits, and that all improvements intended for maintenance, supervision and/or dedication to the public are in compliance with appropriate standards, regulations, codes, and ordinances. Such approval shall be revoked in cases of fraud or whenever unauthorized changes are made to the site without the benefit of required permits.

(b) Submission Requirements. Upon completion of the project as authorized for construction by the land disturbance permit, the subdivider/developer, shall file the following items with the City Engineer:

- (1). A Certificate of Development Conformance in a form as required by the City Engineer, accompanied by an executed Development Performance and Maintenance Agreement and related surety bonds, or other surety forms, as appropriate and acceptable to the Director.**
- (2). Record drawings of all stormwater management facilities.**
- (3). Modifications to the limits of the 100-year floodplain (if any).**
- (4). An "as-built" hydrology study for the project with the actual parameters from the record drawing of the stormwater management facilities.**
- (5). A record drawing of the sanitary sewer facilities shall also be prepared and submitted to Gwinnett County for review and approval. If the owner is a corporation, the documents shall be executed by the President, or Vice-President, be affixed by a corporate seal, and either the corporate secretary shall attest to the signature and affix the corporate seal, or a Certificate of Corporate Resolution shall also be submitted.**

(c) Certificate of Development Conformance Approval Process.

- (1). Following final inspection and approval of all record drawings, the City Engineer shall require an executed Certificate of Development Conformance from the subdivider/developer.**
- (2). Final approval by the City Engineer shall not be shown on the Certificate of Development Conformance until all requirements of these and other applicable regulations have been met.**
- (3). Once the City Engineer has approved the Certificate of Development Conformance and after all maintenance and performance bonds are released, the Community Development Director or designee shall certify by signature on the original of the Certificate of Development Conformance that all of the requirements of this UDO and the conditions of zoning approval have been met, and that all other affected departments have approved the development or Final Plat.**
- (4). For developments with private streets, all required improvements and installations must be completed in accordance to the applicable rules and regulations of the City of Norcross.**

(d) Project Closeout and Continuing Maintenance.

(1). Development Performance and Maintenance Agreement. Based on the approved Certificate of Development Conformance, the owner shall file a Development Performance and Maintenance Agreement with the Department, along with any required Certificate of Corporate Resolution and performance or maintenance surety, as a prerequisite to the approval of a Final Plat or issuance of a Certificate of Occupancy for any part of a project included in the development permit, except for single-family and two-family residential structures. The Development Performance and Maintenance Agreement shall be in a form as required by the City Engineer, and shall include the following:

- a. Maintenance surety shall be filed to warrant to the City that all newly completed street improvements including but not limited to street pavement, curbing, sidewalks, water and sewer lines, appurtenances, stormwater facilities, wall(s), berms, and required landscaping within the right-of-way shall be maintained in compliance with the standards and rules and regulations of the City of Norcross. Such surety shall:**
- b. Be conditioned upon the faithful maintenance by the principal, being the subdivider, owner or developer of the public streets and drainage facilities within public streets or easements, in compliance with this UDO and all other applicable rules and regulations within a specified time, not less than 18 months;**
- c. Be payable to, and for the indemnification of the City;**
- d. Be an amount equal to 50 percent of the cost of construction of the work required, as calculated based on yearly contract prices or City contracts, where applicable;**
- e. Be with a surety company entered and licensed to do business in the State of Georgia; and**
- f. Be in a form acceptable to the City Engineer or to the City Attorney.**

(2). A Performance surety shall be filed to warrant to the City that all improvements and installations required for the Land Disturbance Permit or Final Plat approval, but not yet completed, shall:

- a. Be conditioned upon the faithful performance by the principal, being the subdivider, owner or developer of all work required to complete all improvements and installation for the development, or approved portion thereof, in compliance with this UDO and all other rules and regulations within a specified time, not to exceed 12 months, unless an extension for additional time is granted;**
- b. Be payable to, and for the indemnification of, the City;**
- c. Be in an amount equal to the cost of construction of the work required plus an additional 50 percent of said costs, as calculated based on the yearly contract prices or City contracts, where available;**
- d. Be with surety by a company entered and licensed to do business in the State of Georgia; and,**
- e. Be in a form acceptable to the City Engineer or the City Attorney.**

(3). Continuing Maintenance. The surety principal, being the subdivider, owner, or developer, shall be responsible for maintaining the public streets and drainage facilities within public rights-of-way or easements for the surety period after the date of approval of the Certificate of Development Conformance. Repairs shall be made for any deficiencies identified within the surety period or the bonds shall be called to complete same.

(4). Indemnification. Indemnification of the City against any and all liability for damages arising as a result of errors or omissions in the design or construction of the development for a period of ten

years. If liability is subsequently assigned or transferred to a successor in title or other person, a copy of such legal instrument shall be filed with the Clerk to Superior Court.

- (5). Transfer of Land Ownership during the Maintenance and/or Performance Agreement Time Period.**
No person, firm, partnership, association, corporation, estate, trust, developer, subdivider or any other owner or agent shall transfer title of any property by reference to, exhibition of, or any other use of any map or plat illustrating the subdivision of land of which there are active maintenance or performance bonds without first providing to the City of Norcross, as beneficiary, a newly executed Development Performance and Maintenance Agreement from the new owner or developer. All required performance or maintenance sureties acceptable to the City of Norcross shall accompany the new Agreement as deemed necessary.

(e)Maintenance and Performance Surety.

- (1). The maintenance surety and the performance surety, required from the subdivider, owner/developer or the contractor employed by the owner/developer, may be in the form of cash deposited with the City, or a surety bond, or letter of credit from a bank or other financial institution in a form acceptable to the City Engineer or City Attorney.**

a. The surety bond shall be issued by a surety company authorized by law to do business in the State of Georgia pursuant to a current certificate of authority to transact surety business by the Commissioner of Insurance.

b. The letter of credit shall be an irrevocable letter of credit issued by a bank or savings and loan association, as defined in O.C.G.A Code Section 7-1-4.

c. The cash escrow shall be in the form of cashier's check issued to the City of Norcross by a bank or savings and loan, as defined in O.C.G.A Code Section 7-1-4

- (2). The performance surety and maintenance surety shall, in all cases, be provided in an amount as required in Section 401-50 (Gwinnett referenced a section of code that I couldn't find in their UDO) as applicable. All cost estimates which form the basis of the bond value shall be as prepared by or acceptable to the City Engineer.**

- (3). The Maintenance Bond period shall not be less than 18 months from the date of approval of the Certificate of Development Conformance for the installation of the public streets and drainage facilities improvements within the right-of-way unless an extension for an additional 12 months is requested by the subdivider or developer and granted by the City Engineer. The Performance Bond period of application shall not exceed 12 months unless an extension of an additional 12 calendar months has been requested by the subdivider or developer and granted by the City Engineer.**

- (4). If a period of 18 months elapses from the commencement of the maintenance period for any subdivision and defects, noncompliance, or violations still exist to the extent that the subdivision has not been accepted by the City, the City is authorized to withhold issuance of any and all permits or to refuse inspections to any subdivider/person on the project in dispute or any other project in which the subdivider/person may have a financial interest, or both, who violates or fails to comply with this UDO.**

(f)Maintenance Agreement for Water and Sanitary Sewer Installation. An Owner and Developer Agreement required from the subdivider, owner/developer or the contractor employed by the owner/developer, for sanitary sewer installation and water main installation is required by the Department of Water Resources. The Owner and/or developer agree that they or their contractor will maintain the installation for a period of one year from the date of final approval by correcting all defects or deficiencies in material and workmanship. The Owner and/or Developer further agree that the warranty period shall be extended an additional four years

when the defects are a direct result of the installation of non-specified materials or the application of non-specified construction practices or methods.

Sec 401-51. Warranty, Surety and Maintenance for Trees and Landscape Materials.

(a) Upon final installation of new trees, shrubs or other landscape material planted to meet the requirements of this UDO, and following acceptance by the City Arborist in accordance with the procedures set forth herein, the owner shall either provide proof of warranty or post a Maintenance Bond or other acceptable surety, warranting the new trees, shrubs, or landscape material for a period of no less than one year. This section shall not apply to individual residential lot trees or street trees.

(b) Inspection.

(1). The City Arborist shall perform an inspection of the plantings and landscape materials required by this UDO prior to expiration of the one-year warranty or maintenance period. The owner shall be notified of any replacements or restoration that must be made to maintain compliance with this UDO.

(2). Required landscape material found to be dead or near death shall be replaced prior to release by the City Arborist of the warranty or maintenance surety. In no case shall replacement be delayed greater than 30 days from notification unless a performance bond is posted with the City.

(c) Performance Surety.

(1). Compliance Prior to Certificate of Occupancy or Final Plat Approval. In the event that new trees proposed to be planted to achieve the Tree Density Standard as set forth in the Tree Regulations contained herein Section 205, or other trees or landscape material required to be planted as set forth in this Chapter, are not installed upon application for a Certificate of Occupancy or Final Plat approval as appropriate to the project, then a Performance Bond or other acceptable surety shall be posted with the City in accordance with the performance bonding requirements and provisions of this UDO.

(d) Compliance upon Permit Completion or Expiration. Properties where a permit is issued to conduct land-disturbing activities that do not require the issuance of a Certificate of Occupancy or the approval of a Final Plat, or said activities as authorized are completed or the permit expires, shall comply with the Tree Density Standard of Section 205, and as follows:

(1). Clearing, Clearing and Grubbing, or Grading Only Permits

a. Replacement trees proposed to be planted to achieve the Tree Density Standard of Section 205 which are not planted upon completion or prior to expiration of a clearing, clearing, and grubbing, or grading permit, shall be planted within 30 days of the completion or expiration of said permit unless a performance bond is posted with the Department.

(2). Development Permits

a. Replacement trees proposed to be planted to achieve the Tree Density Standard of Section 205 which are not planted upon expiration, as opposed to completion, of a development permit shall be planted within 30 days of expiration of said permit unless a performance bond is posted with the Department.

Sec 401-52. Additional Requirements for Stormwater Facilities.

(a) Prior to or concurrent with the recording of a Final Plat for a subdivision, or issuance of a Certificate of Occupancy for a non-subdivision project, the developer, shall provide acceptable surety such as a bond or letter of credit, as determined by the City Engineer, providing for the stormwater management facility(ies) for a period of not less than 18 months. At the end of 18 months, the City may require the surety to be renewed due to anticipated improvements caused by such concerns as future construction activity within the project limits in the drainage basin. A renewed surety may be required up to a total maximum of 10 years. The surety for a facility shall be renewed during the ten-year period until:

- (1). The surface water drainage area within the project has undergone final stabilization and all planned site construction activity has been completed.**
- (2). All stormwater runoff in the surface water drainage area within the project is coming from undisturbed or stabilized areas.**
- (3). All stormwater facilities and infrastructure construction have been completed and permanent vegetation is established.**
- (4). If a temporary stormwater management facility is still in use at the end of the site construction, then the surety shall remain in place until the accumulation of acreage of undeveloped lots, lots with no completed permanent structure and no final stabilization, within the surface water drainage area within the project is less than 10 percent of the total area of the common development draining to the facility.**
- (5). Two months prior to surety release, the permanent stormwater management facility shall be installed and cleaned out, as necessary. A new record survey, drawing and certification showing that the volume of the facility is equal to or greater than the volume shown in the record survey, drawing and certification when the facility was approved shall be submitted. Documentation demonstrating the required testing outlined in the Gwinnett County Stormwater Management Manual for the proposed stormwater BMP shall also be provided. As an alternative, a new record survey, drawing and certification showing that the facility complies with this UDO as specified in Section 800-20.7. shall be submitted. If deficiencies are found, the developer shall be required to update the stormwater BMP to comply with the approved development plans.**

Division 8. Inspections

Section 401-53. Initiation of Development Activities.

(a) Initial Activities Required.

- (1). Following the issuance of any permit authorizing clearing, grubbing, grading or development of a site, a preconstruction conference shall be mandatory for all phases of construction and conducted before erosion and sediment control installation or any land disturbance takes place. Utility construction permits and retaining wall permits shall be issued prior to scheduling a pre-construction conference.**
- (2). The development and ES&PC inspectors shall be contacted no less than 2 business days prior to scheduled start of construction to schedule the mandatory pre-construction conference. Attendees to include owner's representative, engineer, site work contractors, and utility contractors.**
- (3). Site development related activities prior to this required pre-construction conference shall be a violation of the permitted scope of work. A Notice of Violation and a Stop Work Order may be issued on site and all work must stop until the pre-construction conference has been completed and all work prior to the pre-construction conference inspected for compliance with the rules, appropriate standards, regulations, codes, and ordinances, then, if warranted corrections to illegal work completed before the work associated with the approved permit can proceed.**

(b) Erosion and Sediment Control Measures. Required preliminary erosion and sediment control measures must be installed in the field per the developer's authorized plans and inspected by the ES&PC inspector prior to actual grading or removal of vegetation. All erosion and sediment control measures shall be in place per State and City regulations as soon as or in conjunction with the commencement of activities and in continual coordination with the progress of the project and as per the authorized Erosion, Sedimentation and Pollution Control Plan.

- (1). Preliminary erosion and sedimentation control measures must be installed and operational prior to major grading operations.**
- (2). Buffer areas required to be undisturbed per this UDO, conditions of zoning approval, per the Metropolitan River Protection Act, or any other applicable ordinance, or regulation shall be designated by approved protective tree fencing and shall be inspected by the ES&PC inspector prior to the commencement of any clearing, grubbing, grading, or development activities.**

(c) Tree Protection Areas. Prior to the initiation of land-disturbing activities and throughout the clearing, grubbing and grading process the following must be accomplished for a designated tree protection area in accordance with any approved Buffer and Landscape Plan or Tree Protection Plan for the property, as set forth in this UDO:

- (1). For trees which are not to be disturbed or removed, required protective fencing, and tree protection area signage shall be established and maintained in place. These barriers must be maintained throughout the land disturbance process and shall not be removed until the final landscaping phase has begun.**
- (2). The tree protection areas shall not be encroached for any reason or be used for storage of earth and other materials resulting from or used during the development process.**
- (3). Construction site activities such as parking, materials storage, concrete washout, burning, etc., shall be arranged to prevent disturbance or damage within or to the tree protection areas.**

(c) Stabilization for Erosion Control. If for any reason a lapse of 14 days occurs after initial land clearing, grubbing, and grading, or development activities have commenced, the developer and/or builder shall be responsible for re-establishing temporary vegetation cover of the site. If the lapse in construction activity

extends beyond 30 days, permanent vegetative measures are required by Manual for Erosion and Sediment Control in Georgia and under the direction of the ES&PC inspector.

Section 401-54. Development Inspections.

(a)Development Inspections. The developer or contractor shall request all inspections at least 2 business days prior to commencement of any development or construction activity for each of the phases below as authorized by any permit for site work or development. Inspections shall be made by the development inspector and passed prior to authorization for continuation of further activity or proceeding into new phases. Newly installed underground infrastructure including but not limited to; stormwater pipes and water and sewer lines must be installed per design standards and inspected prior to cover up of any portion.

The following items refer to construction activities that require approval before the next phase of construction occurs:

- (1). Development of the site. Clearing, grubbing, grading or development of the site or any portion included under the permit.*
- (2). Grading. Installation of slope and grade stakes, erosion controls and detention facilities.*
- (3). Road Construction. The grading of areas for placement of the new roadway(s) shall be staked by the proper responsible parties as per the authorized plan.*
- (4). Installation of storm drainage pipe, detention, or other storm water facilities. Installation of storm drainage pipe, detention, or other stormwater management facilities require a pre-construction conference before commencement.*
- (5). Installation of sanitary sewer and appurtenances and/or water main extensions and appurtenances. Notification shall be made by the authorized utility contractor after obtaining a utility construction permit from Gwinnett County.*
- (6). Curbing of roadways. Inspection shall be requested before the forms have been set (if used). Roadway width will be spot checked by string line between curb stakes. The developer or representative must be present for all "string line" related field inspections.*
- (7). Sub-base or subgrade of streets. After compaction, the subgrade shall be string-lined for depth and crown. The subgrade shall pass a roll test with no defects, to the satisfaction of the development inspector.*
- (8). Street base. The base will be string-lined for depth and crown and shall pass a roll test with no movement to the satisfaction of the development inspector.*
- (9). Paving. A development inspector shall be on site during the paving process to check consistency, depth, and workmanship, as applicable. For asphalt paving, the temperature of the material will be spot-checked, and evidence provided of quantity, thickness, and mix of installation.*
- (10). Water Line. Shall install curb and gutter prior to installing the water lines.*

(b)Responsibility for Quality and Design. The completion of inspections by the City of Norcross officials or employees and authorization for work continuation shall not transfer responsibility for the quality of the work performed or materials used from the contractor or developer, nor imply or transfer acceptance of responsibility for project design or engineering from the professional corporation or individual under whose hand or supervision the plans were prepared.

Division 9. Development Design Standards

Section 401-55. Incorporation of Standard Drawings.

(a) Department to Maintain Standard Drawings on File. The Public Works Department shall maintain on file for consultation and distribution a set of Standard Drawings, which may be updated administratively from time to time, illustrating details of construction and design of streets, stormwater management facilities, site improvements and other elements related to the development of land in accordance with this UDO and under the jurisdiction of the Public Works Department.

(b) Standard Drawings to Illustrate Standards. The Standard Drawings shall illustrate minimum acceptable standards for land development activities authorized under this UDO but shall not supersede more restrictive prudent design requirements or good engineering practices as applied to specific situations on a case-by-case basis.

(c) Standard Drawings Incorporated as Part of the Unified Development Ordinance. The Standard Drawings shall be treated as though a part of this UDO for application to the minimum standards for design and construction of improvements required herein and subject to the modification and waiver provisions of this UDO.

Section 401-56. Incorporation of the Norcross Parks, Greenspaces and Trails Master Plan.

(a) All developments shall be reviewed for compliance with the guidelines and policies of the Norcross Parks, Greenspaces and Trails Master Plan.

(b) The Norcross Parks, Greenspaces and Trails Master Plan shall be treated as though a part of these regulations for application to the minimum standards for design, construction of improvements, and/or dedication of easements required herein and subject to the Procedures article of Section 104.

(c) Where conflicts exist between the Norcross Parks, Greenspaces and Trails Master Plan and this UDO, the recommendations within the Master Plan shall prevail.

Section 401-57. Design of Lots.

(a) Building Setback Conformity. Building setback lines shall conform to the minimum setback requirements of Chapter 200 of this UDO except where a greater distance is required by another jurisdiction.

(b) Lots.

(1). Lots to conform to the Chapter 200 of this UDO. Lots shall conform to requirements of this UDO. No lot shall be created that is of a lesser dimension than that required to meet the standards established in Chapter 200 of this UDO, unless a variance is granted. However, this provision shall not apply when a conforming lot is made non-conforming as a result of public acquisition.

(2). Subdivisions shall be designed to minimize direct lot access to major thoroughfares.

a. Double frontage and reverse frontage lots shall be required for subdivisions along major thoroughfares where internal access can be provided. A no-access easement of at least ten feet in width, across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery. When located along a major thoroughfare, the no-access easement shall be planted and/or screened as required by Chapter 200 of this UDO, when the backs of homes are oriented toward the street.

b. No-access easement planting or other screening treatments which are required by the UDO, or as a condition of zoning, shall be installed by the developer at no cost to the City of Norcross.

- (3). **Flag lots prohibited. No plat shall be approved on which is shown a flag lot, as defined in this UDO.**
- (4). **Side Lot Lines. Side lot lines generally should be at right angles (90 degrees) to straight street lines or radial to curved street lines as much as practical. Side lot lines should be radial to the radius points of all cul-de-sacs. Variations of more than 10 degrees shall require modification approval from the Community Development Department and shall be approved when appropriate to the reasonable design pattern of the subdivision and efficient use of the land relative to topographic conditions.**
- (5). **The City Engineer may require notation that a House Location Plan (HLP) is required to be approved prior to issuance of a Building Permit on certain lots when particular care in locating the house or other improvements will be necessary. Such lots include, but are not limited to:**
- a. **A lot which presents particular or unusual difficulties for a builder to meet minimum required building setbacks;**
 - b. **A lot upon which is located an easement of unusual configuration;**
 - c. **A lot containing floodplain;**
 - d. **A lot upon which is located all or a part of a stormwater management facility;**
 - e. **A lot upon which is located a buffer which was required by Chapter 200 of this UDO or as a condition of zoning approval;**
 - f. **All duplex lots; and**
 - g. **All lots within, or partially within, the Chattahoochee River Corridor, or containing a River Corridor Tributary Buffer Zone.**
- (6). **The City Engineer may require notation that a Residential Drainage Plan (RDP) is required to be approved prior to issuance of a Building Permit on certain lots where additional (site specific) engineering will be necessary to properly grade the lot or locate the building or other improvements. Such lots include, but are not limited to:**
- a. **A lot containing floodplain where fill or other encroachment into the floodplain is planned or reasonably expected;**
 - b. **A lot containing severe topographic features intersecting the building site;**
 - c. **A lot containing a drainage easement with a pipe discharge or other facilities, or flow characteristics which may adversely affect the location of a building or other site improvement.**
- (7). **The City Engineer may require notation that a Residential Drainage Study (RDS) is required to be approved prior to issuance of a Building Permit on certain lots where particular attention to site grading will be necessary, but formal engineering is not needed. Such an RDS is conducted in the field where the effect of the site grading must be accomplished with adequate care so as not to create a drainage problem on neighboring property.**

Section 401-58. Exceptions to Design of Lots.

(a) Signage and Landscape Features. The creation of an unbuildable lot in a proposed subdivision for the exclusive purpose of subdivision identification signage or subdivision entrance landscape features is authorized only under the following circumstances (modification applications from the circumstances of this exception shall not be accepted):

- (1). **The lot shall be located at an entrance to the subdivision as an "island" in the right-of-way of a local or minor collector street; and,**
- (2). **A mandatory property owner's association shall be required for the subdivision for ownership and maintenance of the lot as common area; and,**

(3). Right-of-way of a minimum width of 6 feet from back of curb shall be provided adjacent to the perimeter of the lot; and,

(4). Landscape plantings within the right-of-way shall not extend more than 2.5 feet above the street grade.

(b)Stormwater Management and Utility Facilities. The creation of an unbuildable lot for the exclusive purpose of providing and maintaining a stormwater management or utility facility is authorized, provided that such a lot meets all applicable requirements set forth in this UDO and under the jurisdiction of the City of Norcross.

(c)Open Space. The creation of an unbuildable lot for the exclusive purpose of providing and maintaining open space or conservation space for the enjoyment of the community is authorized.

Section 401-59. Access and Right-of-Way.

(a)Project Access Improvements.

(1). Every developer of land shall provide the project access improvements included in this UDO as shall be appropriate to serve the project, in accordance with these regulations and other pertinent Codes, Ordinances, and regulations of the City of Norcross. Said improvements and associated lands shall be provided at no cost to the City of Norcross, and shall be dedicated or otherwise transferred, as required, to the public in perpetuity and without covenant or reservation, except as otherwise provided herein.

(2). For all business and industrial developments fronting a state highway, no land disturbance or building permits shall be issued until the approval of the Georgia Department of Transportation (DOT) has been obtained by the applicant on the entrances and exits, curb radii, drainage and other matters that are the appropriate concern of Georgia DOT.

(b)Access.

(1). Large parcels to provide future street access. When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged and designed so as to allow for the opening of future streets and to provide access to those areas not presently served by streets.

(2). Landlocking of adjacent property prohibited. No development shall be designed so as to completely eliminate street access to adjoining parcels of land. Every development shall be designed to facilitate access to adjoining properties which are developed or anticipated to be developed in a manner substantially similar to the subject property. Locations of inter-parcel access shall be as required by and subject to the approval of the Department.

(3). Private streets to be constructed pursuant to roadway construction standards. Private streets as may be approved under the provisions of this UDO shall be constructed to the street construction standards of the City of Norcross, as contained in this UDO.

(c)Vehicular Access Easements. Vehicular access easements may be provided from a public street indirectly via easement subject to the following:

(1). The easement shall be in a location and the access driveway shall have a width and alignment acceptable to the Public Works Department and the Gwinnett County Department of Fire and Emergency Services.

(2). The access easement serves a single-family residence on a lot which is otherwise a buildable lot of record, and which is sharing a common driveway with more than one other single-family residence.

(3). The sharing of a common driveway (or alley) by multiple residences.

(4). The access easement was lawfully established as such under the code, ordinances, or regulations of the City of Norcross prior to the adoption of this UDO.

(5). The access easement coincides with a private roadway or alley approved under the code, ordinances, or regulations of the City of Norcross.

(d)Dedication of Street Right-of-Way. Right-of-Way for all public streets, existing and proposed, shall be dedicated in accordance with the street classifications as shown on the officially adopted City of Norcross Long Range Road Classification Map or as required by Public Works Director or Designee of the City of Norcross.

(e)Greenway Access Dedication of Easement and Construction Requirements. Access, dedication of easement and/or construction of greenway trails shall be provided in accordance with the prioritized greenway network map of the most currently approved Norcross Parks, Greenspaces and Trails Master Plan, as follows:

(1). Greenway Access. Unless a waiver is granted by the City Council or an exception is provided below, all developments that adjoin designated greenways as shown on the prioritized greenway network map of the Norcross Parks, Greenspaces and Trails Master Plan shall provide at least one multi-use path to the programmed or existing greenway. The multi-use path shall be paved or constructed with materials approved by Gwinnett County, and the route segment shall be a minimum of 10 feet in width. Multi-use path locations shall be reviewed and approved by the Department of Community Services.

(2). Greenway Construction and Easement Dedication.

a. Within flood plains and stream buffers, greenway easements shall be dedicated and constructed to provide public access to trails as shown on the prioritized greenway network map of the Norcross Parks, Greenspaces and Trails Master Plan. Greenways shall be located so that the route is feasible for both construction and long-term maintenance. The specific location of the greenway shall be verified on the ground before approval and project release of the development. The amount of land required for greenway construction shall not exceed 5 percent of the land within the development excluding greenways located within a standard street right-of-way.

b. For all other locations, as established by the prioritized greenway network map of the Norcross Parks, Greenspaces and Trails Master Plan, dedication of easement shall be required for greenways lying outside of any floodplain or stream buffer or shall be reserved either for public access greenway easement, dedication and construction, or other terms negotiated with the County.

c. In coordination with the Public Works Department and Community Development and Planning Department, greenways with public access may be allowed to substitute for required sidewalks if the greenway alignment coincides with locations intended to be served by sidewalks.

(3). Limitations.

a. Single-family residential zoning districts. The dedication or construction of greenways in single-family residential zoning districts is required for subdivisions that involve the creation of a new street. Existing single-family lots are exempt from greenway easement dedication and construction.

b. All other zoning districts. Construction of the greenway is required in the following situations:

1. Whenever there is new development; or

2. Whenever alterations to existing development are 25 percent or greater of the total improvements on the site; or

3. Whenever new streets are constructed.

- (4). The construction and dedication of greenways shall be in accordance with the approved Norcross Parks, Greenspaces and Trails Master Plan design standards. Any deviation or modification of the construction standards contained herein shall be subject to the Procedures section of Section 104.

Section 401-60. Design of Blocks.

(a) Length, Width, and Shape. The lengths, widths, and shapes of blocks shall be determined with regard to:

- (1). Provision of adequate building sites suitable to the special needs of the type of use contemplated;**
- (2). Applicable zoning requirements as to maximum length of street, lot size and dimensions;**
- (3). Needs for convenient access, circulation, control, and safety of street traffic; and**
- (4). Limitations and opportunities of topography.**

(b) Pedestrian Access. In blocks over 500 feet long, an alley, sidewalks, pedestrian way, or pedestrian access easement, shall be provided through the block to other streets within the development.

Section 401-61. Residential Amenities, Open Space.

(a) Residential Amenities and Common Areas.

- (1). In subdivisions where land is required for open space use in accordance with this UDO, such land shall be deeded to a qualified Property Owners or Homeowner's Association, or other legal entity incorporated under the laws of Georgia upon the approval of the Final Plat containing said land. Said land shall be deeded with a restriction that the land shall be used exclusively for recreational purposes and shall be made available to all residents of the subdivision project on an equal basis. The qualified Property Association shall provide for the mandatory membership of all of the owners within the subdivision, and shall be responsible for the perpetuation, maintenance and function of the recreation areas and uses or facilities therein. The association shall have the authority and duty to assess its members for such maintenance and improvements as set forth in the instrument creating the association. All covenants shall be recorded simultaneously with the final subdivision plat.**
- (2). In multifamily rental or condominium projects, land provided for open space in accordance with these requirements shall be held in the ownership of the owner of the project.**
- (3). The City of Norcross may lease or sell land reserved for public parks to a qualified Property Owners Association with a deed restriction that the land be used exclusively for open space, common area or public recreational purposes in perpetuity. The organization of a qualified Property Owners Association and its adequate financing for the discharge of its responsibilities shall be assured through acceptable private deed covenants running with the land or other such documents as approved by the Mayor and Council of the City of Norcross.**
- (4). In a residential development, where usable open space is to be developed, permits for any amenities must be issued prior to 25 percent of the proposed residential units receiving a certificate of occupancy. All amenity areas must be completed prior to 75 percent of the proposed residential units receiving a certificate of occupancy.**

CHAPTER 100 Changes

Section 102-2 Defined terms

Accessory ~~building~~ (also *outbuilding*) **structure** or use means a building or use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building. **May be attached or detached. Examples include: gazebos, pavilions, cabanas, storage sheds, garages, carports, pergolas, playhouses, garden structures, greenhouses, pergolas, breezeways, pool houses, pools, accessory dwelling units, and home workshops.**

Accessory dwelling unit (ADU) means a secondary residential unit that shares a building lot with a larger primary home. ADUs often provide additional living space for family members or generate rental income, but they cannot be bought or sold separately from the primary home. A common example is an in-law suite, a basement apartment, a stand-alone garden cottage, a garage converted into living space, or a detached garage with an apartment above. It must be “conditioned” with temperature control systems and include space for living, sleeping, cooking and bathrooms independent of the primary residence. While the ADU may or may not include access to the primary residence, it must be accessible without going through the primary residence and there must be some expectation of privacy from the home.

Conditioned space means an area inside a building envelope where temperature and humidity are controlled. This includes the active and living spaces found in both residential and commercial buildings. Ductwork, plumbing, and similar elements need to be installed inside the controlled spaces of the structure.

Height of building means the vertical distance measured from the average grade plane to the highest finished roof surface. ~~in the case of flat roofs, or to a point at the average height of the highest roof in the case of a roof having a pitch~~ **A steeple or belltower included on a place of worship is exempt from the height standards of the district in which it is located**

Non-conditioned space means any space inside a building envelope with no means of regulating temperature or humidity – areas like garages, attics, sheds, covered porches or patios, gazebos, workshops, and crawl spaces.

Outdoor storage means the keeping within an unroofed area of any goods, material, **and** merchandise **which is incidental to the primary use**, ~~or vehicles~~ in the same place for more than 24 hours for the primary purpose of storage. **Excludes the storage of vehicles with more than 4 axles which are not ancillary to a primary use on the site with an active business license.**

Plat, combination means the joining of two **or more** recorded parcels into one.

Plat, exemption means the division of one lot into two separately recorded lots where the property owner does not have to go through the subdivision process of this UDO. The parcels of land subdivided that resulted in the exemption plat shall not be further

subdivided **unless done so under the regulations for preliminary plats and final plats for two calendar years after the initial subdivision.**

Plat, final means a plat of all or part of a subdivision in substantial conformance with the revised preliminary plat, prepared by a civil engineer or a land surveyor, and submitted for dedication of public improvements in accordance with this UDO.

Plat, preliminary means a tentative plat, including supporting data, indicating a proposed subdivision design, prepared by a professional engineer, land surveyor or landscape architect professionally familiar with land development and project construction activities.

Street: means a thoroughfare that affords the principal means of access to abutting property. This includes streets, roads, highways, avenues, alleys, sidewalks and other public places or ways.

Street, Arterial: A Principal Arterial, Major Arterial, or Minor Arterial street as defined and designated in the Long Range Road Classification Map as adopted in the city comprehensive plan.

Street, Collector: A street shown as such in the Long Range Road Classification Map as adopted in the city comprehensive plan. The primary purpose of a Collector Street is to collect and distribute traffic between the Local Streets and the Major and Minor Arterial Streets and to provide access to adjacent properties.

Street, Cul-de-Sac: A street having one end open to traffic and being permanently terminated within the development by a vehicular turnaround. For the purpose of designation, a cul-de-sac street shall be interpreted to begin at the intersection of two or more streets nearest to the vehicular turnaround.

Street, Local Non-Residential: A surface street intended primarily to provide local access to adjacent existing or planned commercial or industrial development and not for through traffic.

Street, Local Residential: A surface street intended primarily to provide local access to adjacent residential development and not for through traffic.

Street, Major Arterial: A street shown as such in the Long Range Road Classification Map as adopted in the city comprehensive plan. 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 and adjoining regions.

Street, Major Intersection: The intersection of two or more public streets in which at least one of the streets is an arterial or major collector as designated by the Long Range Road Classification Map as adopted in the city comprehensive plan.

Street, Marginal Access: A local street which is parallel to and adjacent to a major thoroughfare and which provides access to adjacent properties and protection from through traffic.

Street, Minor Arterial: A street shown as such in the Long Range Road Classification Map as adopted in the city comprehensive plan. 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, Minor Collector: A through street having the primary function of connecting subdivisions or other areas to Major Collector streets or other major thoroughfares or functioning as a central route within a subdivision channeling traffic from the local streets to an abutting major thoroughfare or another Minor Collector street. For the purposes of this ordinance, a central but non-through route within a subdivision or other project will be considered as a Minor Collector, if the Average Daily Traffic generated by the development on the route will exceed 2000 trips.

Street, Principal Arterial: A street shown as such in the Long Range Road Classification Map as adopted in the city comprehensive plan. 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 and the adjoining region.

Street, Private: An access way similar to and having the same function as a public street, providing access to more than one property, but held in private ownership (as distinct from a "driveway").

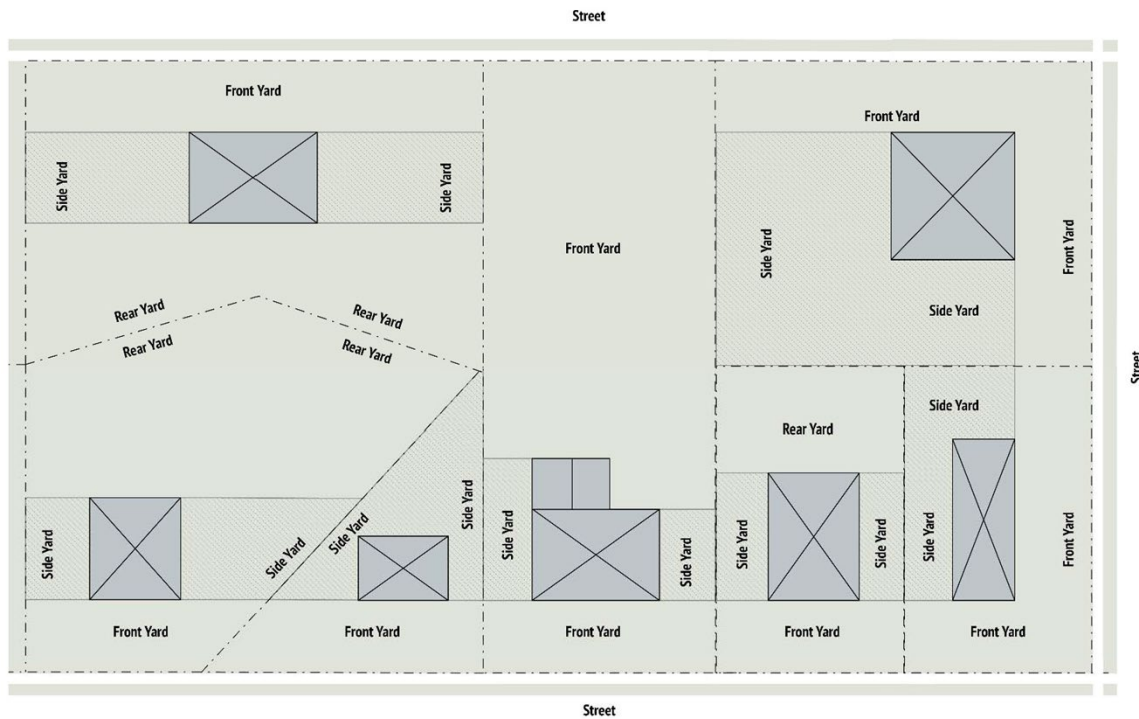
Street, Public: A right-of-way dedicated to and accepted by the City of Norcross for vehicular traffic or over which the City of Norcross may hold a prescriptive easement for public access and including designated and numbered U. S. and State Highways. For the purposes of this ordinance, the term "public street" shall be limited to those which afford or could afford a direct means of vehicular access to abutting property and exclude limited access roadways which abut a property but from which direct access may not be allowed under any circumstances.

Street Jog: The alignment or offset of roads intersecting the same street.

Subdivision means the division of a tract or parcel of land resulting in two or more newly defined lots or building sites for the purpose, whether immediately or in the

future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Subdivision, minor means more than two lots, but less than four lots, in which no public improvements, such as streets, stormwater drainage facilities or public utilities, are to be made:



In the yard diagram above, corner lots have a front yard and an exterior side yard in accordance with the yard, side definition explained below

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. ***In the case of an interior side, it is a yard that shares a common property line with an adjacent property. In the case of an exterior side, it is a yard that does not share a common property line with an adjacent property, but shares a line with a street as commonly seen with a corner lot.***

Sec. 104-3. Decision making responsibilities.

- (a) There are three basic categories of development reviews and actions associated with such reviews pursuant to this UDO:
 - (1) Legislative actions involve a change in land use policy or any final legislative action detailed in O.C.G.A. § 36-66-3(4). A public hearing is required, and final approval must be made by the Mayor and City Council. Examples include, but are not limited to, rezoning decisions, special use permits and comprehensive plan amendments.
 - (2) Quasi-judicial actions involve the application of discretionary standards required by this UDO to an application other than a zoning decision as defined in O.C.G.A. § 36-66-3(4). It requires a public hearing, and procedural due process. Examples include variances, special use permits and appeals of administrative decisions, as well as design reviews that require interpretation of a set of design guidelines.
 - (3) Administrative actions involve the application of the standards of the UDO to an application by a UDO Administrator (section 103-4, UDO Administrators). A public hearing is not required. An administrative approval typically occurs late in the development process. Examples include building permits, sign permits, and certificates of occupancy.
- (b) The following table summarizes the review and approval authority of various review bodies involved in Legislative reviews, for each associated approval processes.

Figure 104-3(b) Legislative Action Approval Processes

Approval Process KEY: R = Review & Recommendation D = Final Decision A = Appeal PH = Public Hearing PM = Public Meeting	Cross-reference	Review and Approval Authority				
		UDO Administrator	Architectural Review Board	Historic Preservation Commission	Planning and Zoning Board	Mayor and City Council
Annexations	Sec. 104-5K	R			R-PH	D-PH
Concept plan approval submitted with a rezoning application ¹	Sec. 403-4	R/D			R-PH	D-PH
Concurrent variance request	Sec. 104-5	R			R-PH	D-PH
Planned development approval submitted with a rezoning to a PRD district ²	Sec. 104-5	R	R		R-PH	D-PH
Special exceptions	Sec. 104-5	R				D-PH
Special use permit	Sec. 104-6G	R			R-PH	D-PH
Telecommunications permit	Sec. 104-5	R			R-PH	D-PH
Text amendment (comprehensive plan or UDO)	Sec. 104-5	R			R-PH	D-PH
Zoning map amendment (rezoning)	Sec. 104-5	R			R-PH	D-PH

Note:

1 Sketch plans not requiring rezoning or special use permit approval can be approved by the Community Development Director as part of the preliminary plat review process. Whereas sketch plans submitted as part of a required rezoning will be reviewed as part of that rezoning.

2 Rezoning to or within the PRD district require an approved concept plan and architectural renderings of proposed buildings reviewed first by the Architectural Review Board, before the application is submitted to the Planning and Zoning Board.

- (c) The following table summarizes the review and approval authority of various review bodies involved in Quasi-Judicial reviews, for each associated approval processes.

Figure 104-3(c) Quasi-Judicial Action Approval Processes

Approval Process	Cross-reference	Review and Approval Authority						
		UDO Administrator	Architectural Review Board	Historic Preservation	Tree Preservation Board	Zoning Board of Appeals	Planning and Zoning Board	Mayor and City Council
<i>Design Review</i>								
Minor Design Plan*	Sec. 104-6D	D						
Major Design Plan*	Sec. 104-6D	R	D					
Preliminary Plat	Sec 405-3	R					R	R-PM
Final major subdivision plat approval and revisions	Sec. 403-8	R					R	D- PH
Preliminary Plat Amendments		R					R	R-PM
Major Design Plan in Local Historic District	Sec. 104-6E	R		D				
Historic Review—Cert. of Appropriateness in National Historic District	Sec. 104-6F	R	D					
Historic Review—Cert. of Appropriateness in Local Historic District	Sec. 104-6E	R		D				
Demolition permit in national historic district	Sec. 104-5	R	R					D-PH
Demolition permit in local historic district	Sec. 104-5	R		R				D-PH
<i>Variances, Exceptions, and Appeals</i>								
Variance	Sec. 104-6K	R					D-PH	
Appeals of Administrative Decision other than Tree Removal	Sec. 104-6C	R					A	
Appeal of Administrative Decision regarding Tree Removal	Sec. 104-6C	R			A			
Appeals of decisions by the ARB, HPC, or TPB	Sec. 104-6C	R						A
Stream buffer variance	Sec. 104-5	R						D-PH

- (d) Permits that may be approved by a UDO Administrator through the administrative review process fall under three different review sub-categories: building review by the city Building Official, engineering review by the

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City Engineer, and zoning review by the Zoning Administrator. The following table summarizes the different administrative permits that may be granted under this UDO and which UDO Administrator review them.

Figure 104-3(d) Administrative Action Processes

Approval Process	Cross-reference	Review and Approval Authority		
		Building Official	City Engineer	Zoning Administrator
Administrative Variance	Sec. 104-7A		■	■
Building Permit ¹	Sec. 104-7B	■	■	
Certificate of Appropriateness	Sec. 104-7C			■
Certificate of Completion	Sec. 104-7D	■		
Certificate of Occupancy	Sec. 104-7E	■		
Change of Occupancy certificate	Sec. 104-7F	■		
Commercial Filming Permit	Sec. 104-7G		■	
Demolition Permit ²	Sec. 104-7H	■		■ ³
Development Permit	Sec. 104-7I	■	■	■
Exemption Plat	Sec. 403-10	■	■	■
Land Disturbance Permit	Sec. 104-7J	■	■	
Plat Amendments		■	■	■
Preliminary Plat	Sec. 403-5		■	■
Parking Waiver	Sec. 104-7K			■
Sign Permits ⁴	Sec. 104-7L	■		■
Temporary Outdoor Activities Permit	Sec. 104-7M	■	■	■
Temporary Outdoor Retail Display Permit	Sec. 104-7N	■	■	■
Trade Permits, both commercial and residential ⁵	Sec. 104.7P	■		
Tree Removal, both commercial and residential	Sec. 104-7O		■	■
Utility Permits	Sec. 104-7Q		■	
Zoning verification letter	Sec. 104-7R			■

Notes:

- 1 Building Permits fall under the following categories: Single- family townhome; Single-family Detached Home; Duplex; Residential 4-plex; Condominium; New commercial construction; Residential remodel; and Residential Storage
- 2 Demolition Permits fall under the following categories: Residential demolition outside of the historic district; Residential demolition inside the historic district; Residential interior or limited demolition; Commercial interior or limited demolition; and Commercial demolition removal of entire building or section
- 3 Zoning Administrator reviews demolition permits inside the historic district only
- 4 Sign Permits fall under the following categories: Temporary sign; New monument sign; Building sign
- 5 Trade permits are first classified as being either residential or commercial, and then may be for electrical repairs and upgrades, gas line repairs and upgrades, HVAC repairs and upgrades, low voltage repairs and upgrades, plumbing repairs and upgrades, or re-roof

(Ord. No. 08-2019, § I, 6-3-2019; Ord. No. 08-2022, § I, 8-1-2022)

Sec. 104-7. Administrative review.

The following requirements apply to all applications that can be approved by a UDO administrator. Unless specified elsewhere in this section, the procedures for initiation, application, and review of an administrative review are included in the provisions of subsection 104-4(b), common application requirements.

(a) *Administrative variances.*

- (1) *Power to grant administrative variances.* The Director shall have the power to grant administrative variances (except for density and use variances) from the development standards as established in the UDO where, in his/her opinion, the intent of the UDO can be achieved, and equal performance obtained by granting an administrative variance.
- (2) *Limitations on administrative variances.* The authority to grant administrative variances shall be limited to variances from the following requirements:
 - a. Front yard or yard adjacent to public street—~~variance not to exceed ten feet.~~ **up to 10% of the standard required in this UDO**
 - b. Side yard—~~variance not to exceed five feet.~~ **up to 10% of the standard required in this UDO**
 - c. Rear yard—~~variance not to exceed ten feet.~~ **up to 10% of the standard required in this UDO**
 - d. Accessory structure placement for lots without a rear yard.
 - e. Height—~~variance up to but not exceeding ten feet~~ **up to 10% of the standard required in this UDO**, 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.
 - f. Buffers—the dimensions or screening treatment of a buffer as required by the UDO may be reduced by no more than 50 percent where the 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 a rezoning or of a grant of a special use permit shall be modified.
 - g. Reduction in parking spaces—as per the provisions of section 203-10, off-street automobile parking and loading.
 - ~~h. Demarcation of parking spaces—parking spaces may be left unmarked, provided all 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 City Engineer.~~~~

(3) *Application procedures.*

- a. *Application form and documentation.* The application for an administrative variance shall be in such a form and contain such information and documentation as shall be prescribed by the Community Development Department, but shall contain at least the following:
1. Name and address of the applicant.
 2. Legal description of the subject property.
 3. Size of the subject property.
 4. A statement of the hardship imposed on the applicant by the zoning ordinance and a statement of why the administrative variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located.
 5. ~~A notarized letter of consent for proposed administrative variance from adjoining property owners.~~
 6. A non-refundable application fee shall accompany the application, as established from time to time by the Mayor and City Council, to defray the actual cost of processing the application.
 7. A site plan drawn to the requirements of chapter 100, article V, plan submittal requirements.
- b. *Standards for issuance of administrative variances.* In deciding whether to grant an application for an administrative variance, the Director of the Community Development Department shall consider all of the applicable standards provided in the UDO **and after the Director or his/her designee has sent written notice via US Mail to the property owner of record based on Gwinnett County Tax Records for all properties immediately adjacent to or directly across the street from the subject property and allowing those property owners to provide comment to the Director within 10 calendar days of notice.**
- It is the duty of the Director to review such facts, **comments**, and evidence in light of the general spirit and intent of the UDO to balance the public health, safety, morality, aesthetics, and general welfare of the city and its citizens against the injury to a specific applicant that would result from the strict application of the provisions of the code on the applicant's property, and to determine whether the request conforms to the standards of the review in the UDO.
- (i) *Development permit.*
- (1) *Development activities authorized.* A development permit shall be required to authorize all activities associated with development activity regulated by this UDO, including, but not limited to, clearing and grubbing, grading and the construction of such improvements as streets, surface parking areas and drives, storm water drainage facilities, sidewalks, or other structures permanently placed on or in the property except for buildings, signs, or other structures requiring the issuance of a building permit.
 - (2) *Responsibility for development actions.*
 - a. No person shall conduct any of the land-disturbing activities identified in this subsection, including grading, clearing and grubbing, tree clearance, land development or project construction (as used in this subsection, "development") without first obtaining a development permit from the Community Development Department to perform such activity.
 - b. Any person proposing development shall first submit to the Community Development Department an application for a development permit, including all construction plans required by this UDO. The application must be authorized by the property owner.

- c. The Community Development Department is responsible for administering the review and approval process for issuance of development permits. The Community Development Department shall forward a copy of the development permit application, including the construction plans for the project, to other city and county departments, the Soil and Water Conservation Commission District, the Georgia Department of Transportation or others as appropriate, for their review and comment. The Community Development Department shall provide all comments to the applicant for resolution and shall issue the development permit when all requirements of this UDO are met.
- d. Approval of development plans by the appropriate department or agency shall not imply or transfer acceptance of responsibility for the application of the principles of engineering, architecture, landscape architecture or any other profession, from the professional, corporation or individual under whose hand or supervision the development plans were prepared.
- e. The completion of inspections of a development and authorization for work continuation shall not transfer responsibility for the quality of the work performed or materials used from the owner, nor imply or transfer acceptance of responsibility for project design or engineering from the professional, corporation or individual under whose hand or supervision the development plans were prepared.
- f. No development permit shall be interpreted to relieve any owner of the responsibility of maintaining full compliance with all applicable codes, ordinances and other regulations. Any development permit issued in error or in contradiction to the provisions of this UDO shall be considered to have been null and void upon its issuance.
- g. Liability.
1. The approval of an erosion and sedimentation control plan or other plans under the provisions of this UDO, the issuance of a development permit, or the compliance with any other provisions of this UDO shall not relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the City Council for damage to any person or property.
 2. The fact that any activity for which a development permit has been issued results in injury to the property of another shall neither constitute proof of, nor create a presumption of, a violation of the standards provided for in this UDO or the terms of the development permit.
- (3) *Development permit application requirements.*
- a. The application for a development permit shall be submitted to the Community Development Department in a digital format (unless otherwise required by the city) and must include the following:
1. Application on the form furnished by the Community Development Department, requesting review for issuance of a development permit.
 2. Three copies of:
 - i. The preliminary plat or site plan requesting or reflecting project approval by the Community Development Department **following review and recommendation by the Planning and Zoning Board, followed by approval of the Mayor and Council.**
 - ii. The construction plans prepared in conformance with the specifications and standards in this UDO, section 105-4.

3. Two copies of the hydrology study.
 4. One copy of the soil tests (if applicable).
 5. Payment of any development permit fee.
- b. The application will be checked for completeness within five business days of its submission. Incomplete applications will be returned to the applicant.
- c. Upon acceptance of a development permit application, the UDO administrator shall:
1. Refer the soil erosion and sedimentation control plan to the county Department of Water Resources and the Soil and Water Conservation District for their review and approval or disapproval concerning the adequacy of the erosion and sedimentation control plan. No development permit will be issued unless the plan has been approved by the District and the county Department of Water Resources, and any variances and bonding, if required, have been obtained.
 2. Refer the stormwater management plan and the floodplain management/flood damage prevention plan (if any) to the county Department of Water Resources for its review and approval or disapproval. No development permit will be issued unless the plans have been approved by the county Department of Water Resources.
- d. The applicant may be required by the UDO administrator to secure development approval from other agencies if they are affected by the development. Development approval may be required from but not limited to:
1. Fire Marshal.
 2. County Health Department.
 3. Georgia Department of Transportation.
 4. Georgia Department of Natural Resources.
 5. U.S. Army Corps of Engineers.
 6. U.S. Environmental Protection Agency.
- e. The applicant will be responsible for compliance with all codes, regulations and zoning requirements and for the satisfaction of all the comments received. The owner will also be responsible for obtaining approval from all other agencies affected by the project.
- f. No development permit will be issued unless the applicant provides a statement by the county Tax Commissioner's office certifying that all ad valorem taxes levied against the property and due and owing have been paid.
- (4) *Issuance of development permit.*
- a. Following satisfaction of all comments, receipt of approvals from all affected agencies and receipt of all required bonds, the Community Development Department shall obtain signatures from all involved agencies on three sets of plans and return the signed sets of plans to the engineer/surveyor. The engineer/surveyor shall then provide the Community Development Department with a digital copy of the plans including a scanned image of the cover sheet with all signatures. The image files shall be in a .TIF format unless otherwise specified by the Community Development Director. After obtaining the digital copy, the Community Development Department shall issue a development permit authorizing development activity to begin based on the approved construction plans.

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- b. Permits shall be issued or denied as soon as practicable, but in any event not later than 60 days after receipt by the city of a complete application, providing variances and bonding are obtained, where necessary.
 - c. If the tract is to be developed in phases, then a separate permit shall be required for each phase.
- (5) *Expiration of development permit.*
- a. A development permit shall expire if the development activity described in the permit is not begun within six months from the date of issuance. Any such expired permit may be renewed by the Community Development Department within six months of development expiration, subject to permit renewal approval by the county Department of Water Resources. If a development permit has expired for more than 6 months, the applicant shall be required to apply for a new development permit under the development permit approval process of this UDO.
 - b. Every permit or renewal thereof shall be valid for a period of one year, if not sooner renewed, terminated, revoked, or surrendered. Permits shall be eligible for renewal within 60 days prior to expiration. The city may refuse renewal based on materially changed land conditions or based on any ground that would be the basis for revocation of the active permit.
 - c. Any change or amendment of design and construction plans for the project that may materially impact or negate the permit based on original approval of the plan shall require a permit amendment. All amendments shall be applied for in writing and follow the same procedure for approval as original applications for a development permit.

Sec. 105-3. Preliminary plat specifications.

(a) *Preliminary plat general specifications.*

- (1) A preliminary plat shall be prepared by a registered professional civil engineer, a registered land surveyor or landscape architect professionally familiar with land development and project construction activities. All such registered professionals must be currently registered and licensed with the state.
- (2) The proposed name of the development and proposed street names shall not duplicate or too closely approximate, phonetically, the name of any other development or street in the city or in the county. If shown to the contrary, the Community Development Department may refuse to accept such development or street names. The development may use letter designations in place of proposed street names at the option of the applicant.
- (3) The preliminary plat shall be prepared on a boundary survey of the entire tract to be subdivided or developed showing the location of the boundaries and dimensions of the tract to be developed.
- (4) The preliminary subdivision plat shall be clearly and legibly drawn at a scale of not less than 100 feet to one inch. The recommended maximum dimensions of the sheet size are 36 inches by 42 inches and the minimum dimensions of 17 inches by 22 inches; however, the Director may approve other sheet sizes and graphic scales as appropriate.

(b) *Preliminary plat requirements.* Each preliminary plat application shall contain the following:

(1) *Caption.*

- a. Proposed name of the development and its acreage (or square footage if less than an acre).
- b. Name, address, telephone and email address of the property owner and subdivider or developer.
- c. Name, address, telephone and email address of the applicant.
- d. Name, address, telephone and email address of the individual or company responsible for the design of the subdivision. The name, registration number and seal of the professional under whom the preliminary plat was prepared shall be stamped and signed on the plat.
- e. Date of the survey, north arrow, and graphic scale.
- f. Date of preliminary plat drawing, and revision dates, as appropriate.

(2) *Development information.*

- a. Proposed use of the property, including a statistical summary of development factors such as density, nonresidential floor area, number of lots or dwelling units, and minimum unit sizes, as may be pertinent to the type of project.
- b. Location (land district and land lot) and size of the property in acres.
- c. Location map of the property in relation to the surrounding area with regard to well known landmarks such as arterial streets, railroads or others. Location maps may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than one inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location map.
- d. Name and boundaries of former approved subdivisions if any or all of the land in the preliminary subdivision plat that has been previously subdivided, showing boundaries of the lots to be re-subdivided.

- e. Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries as appropriate.
 - f. Rezoning or special use application number, date of approval, and stipulations (conditions of approval), as applicable to the subject property(ies).
 - g. Variances obtained on the property by application number, date of approval, and stipulations (conditions of approval), as applicable to the subject property(ies).
 - h. Recorded deed names of adjoining property owners.
- (3) *Development design.*
- a. Ground elevations on the tract based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic information shall be shown. Mean sea level contour lines shall be drawn at intervals of not more than two feet. If the tract is to be developed on a public or community sewerage or subdivided into lots having a minimum area of one acre, a contour interval of five feet shall be acceptable. In such cases, contour lines shall be based on a datum plane as approved by the health department.
 - b. Natural features within the property, including:
 - 1. Drainage channels, bodies of water, wooded areas and other significant natural features such as rock outcroppings and specimen trees.
 - 2. On all watercourses leaving the tract, the direction of flow shall be indicated, and for all watercourses entering the tract the direction and acreage of the drainage area above the point of entry shall be noted. Floodplains shall be outlined, and the source of floodplain information shall be shown. If applicable, the applicant must provide a copy of the wetland delineation that has been approved by the US Army Corps of Engineers, or at a minimum a delineation prepared by a qualified wetland scientist.
 - 3. Wildlife and priority habitats as identified by the Georgia Department of Natural Resources, other significant natural features, and notations designating any federal, state or local regulatory agency permits or approvals that are or may be required relative to development of or around such features.
 - c. Boundary lines of the overall property perimeter showing bearings in degrees, minute and seconds and distances in feet and hundredths of a foot along all lines and the bearings and distances to an existing street intersection or other recognized permanent landmark. The source of boundary information shall be shown.
 - d. Existing man-made features within and adjacent to the property, including street rights-of-way and pavement widths, names of existing streets, all easements, city and county political boundary lines, and other significant information such as location and dimensions of bridges, utility lines and structures, existing buildings to remain, culverts, all known existing or previous landfills, and other man-made features.
 - e. Accurate locations of all cultural features, such as all existing historic resources, public recreational facilities, and cemeteries.
 - f. The proposed project layout including:
 - 1. For subdivisions, lot lines, lot numbers, block letters, and street right-of-way lines (with proposed street names and right-of-way widths), along with the front building setback line and the dimension of its length on each lot (i.e., the lot width) and land to be reserved for public uses.

2. For multi-family and nonresidential development site plans, the outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, zoning buffers, parking areas, driveways, curb cuts, and designated fire lanes.
 3. The proposed phasing of the subdivision if it is proposed to be developed in sections.
- g. Water and sewer facilities.
1. Location and size of existing water lines and sewer lines, and proposed placement of water lines, sewer lines and fire hydrants.
 2. A statement as to the source of domestic water supply.
 3. A statement as to the provision for sanitary sewage disposal. For those properties that will not be served by a public or community sanitary sewerage system, location and results of percolation tests as required and approved by the county Health Department are to be shown.
 4. Location, site plan, and other information as may be required by the county Health Department for all community sewage disposal plants.
 5. The location of proposed storm water facilities, as part of a stormwater management plan.
- h. Proposed streetlight layout and design standards/drawings.
- i. Such additional information as may be reasonably required to permit an adequate evaluation of the development activity proposed in the application.
- (c) *Preliminary plat statement and certifications.* Each preliminary plat is to include the following signed statements and certifications, including certification by the owner or his authorized agent, and the registered professional civil engineer, registered land surveyor or landscape architect responsible for the project design.
- (1) *Preliminary plat, owner's statement.* The following statement from the owner shall appear in the preliminary plat application package, and shall be signed by the owner or the owner's authorized agent:
- I hereby submit this Preliminary Plat as the owner, or his/her/its authorized agent, of all property shown thereon.

Signature of Owner or Authorized Agent Date

Signature of Owner or Authorized Agent Date

- (2) Preliminary plat, designer's statements and certification. The following statement from the design professional of record shall appear in the preliminary plat application package:

I hereby certify that the plans for the proposed subdivision shown on this Preliminary Plat were prepared by me or under my supervision

Signature of Designer Date

Registered Landscape Architect No. _____; or

Registered Land Surveyor No. _____; or

Registered Civil Engineer No. _____; or

- (3) Preliminary plat, conformance with concept plan certification. The following statement shall appear in the approved Preliminary Plat Application package:

I hereby certify that this Preliminary Plat conforms to the approved Concept Plan and the requirements of the UDO:

Community Development Director Date

City Engineer Date

- (4) Preliminary plat approval certification. The following certification statement shall appear in the approved preliminary plat application package:

The undersigned hereby certifies that this Preliminary Plat has been reviewed and approved by the city in accordance with the city's Unified Development Ordinance **and was reviewed by the Mayor and Council on this date**. This approval expires in one year from this date if the owner/developer fails to secure Final Plat approval by that time.

Community Development Director Date

Owner/Developer Date

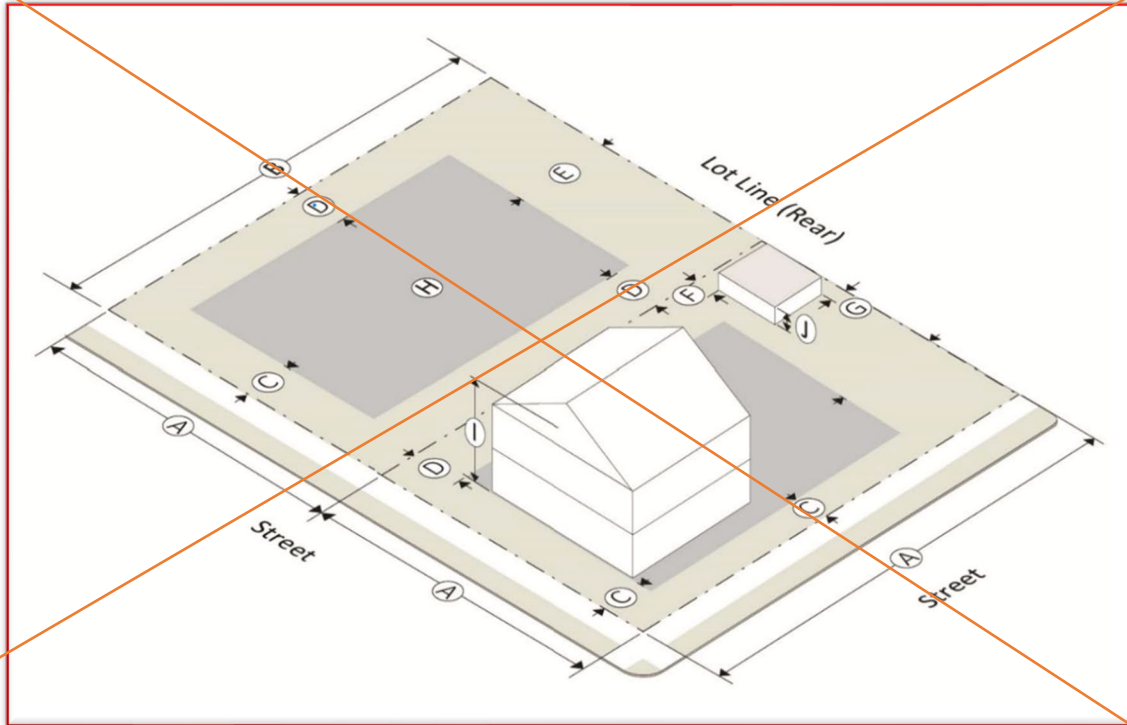
Attachment: Chapter 100 Edits (25-7370 : Text\2025-001 Proposed Unified Development Ordinance Amendments)

CHAPTER 200 Changes

Sec. 201-4. Single-family residential districts, general provisions.

The intent of the single-family residential districts is to protect established residential neighborhoods with detached and attached one-family dwelling units as well as promote well designed and properly located similar future residential developments. The district provisions discourage any use that would substantially interfere with the residential nature of the districts. Compatible park, open space, utility and civic uses are permitted in these districts as identified in this article.

(Ord. No. 08-2019, § I, 6-3-2019)

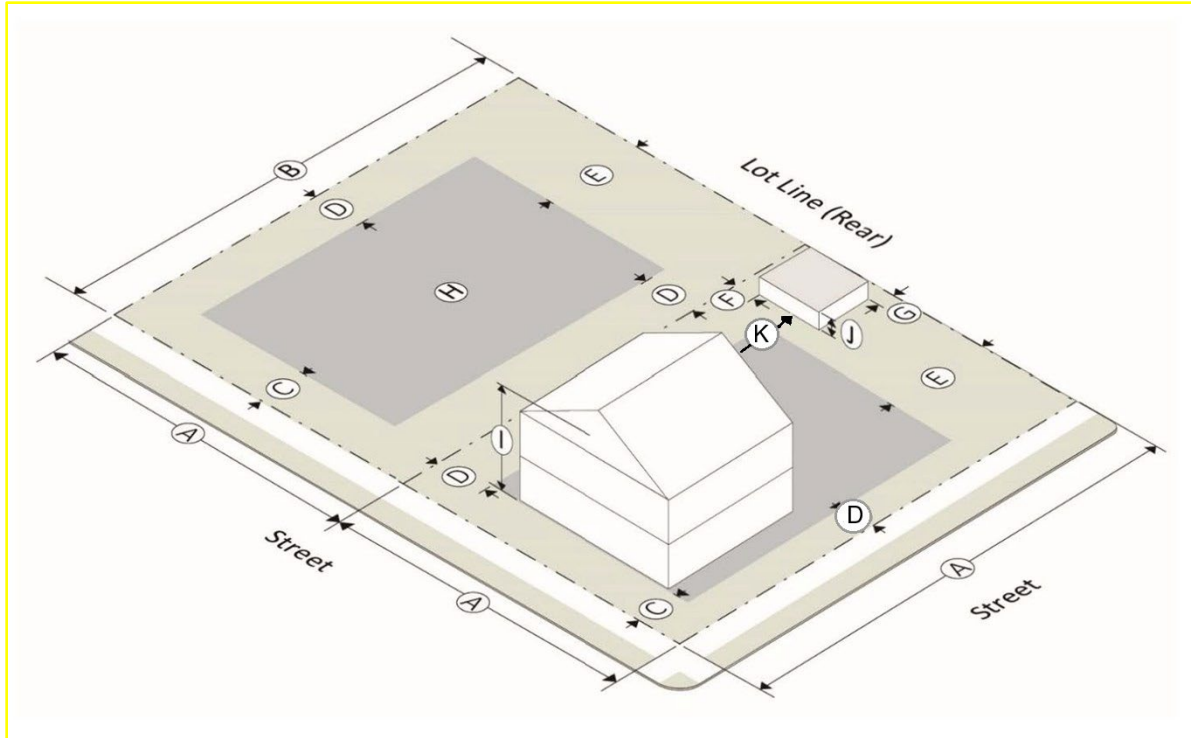


Sec. 201-5. Interpretation of lot development standards for single-family residential districts.

The following table and graphics depict the interpretation of lot development standards for residential districts. The official definitions for these terms can be found in chapter 100, article II, definitions.

Ⓐ Lot width	Ⓔ Accessory side yard setback
Ⓑ Lot depth (interior or through lot only)	Ⓞ Accessory rear yard setback
Ⓒ Principal building front yard setback	Ⓢ Buildable area
Ⓓ Principal building side yard setback/ <u>interior or exterior¹</u>	Ⓣ Principal building maximum height
Ⓔ Principal building rear yard setback <u>or in the case of a corner lot, and interior side setback</u>	Ⓤ Accessory building maximum height
	Ⓚ <u>Distance between primary and accessory building</u>

Attachment: Chapter 200 Edits (25-7370 : Text2025-001 Proposed Unified Development Ordinance Amendments)



1. **Determination of Side Yard Setback Distances.** *In the determination of side yard setback distances, lots whose side yard shares a common property line with those of adjacent properties shall observe the setback distance required under "interior side" of the development standards of each zoning classification in Section 201 with respect to residential districts. Interior lots shall be considered to have two interior side yards. Lots whose side yard does not share common property lines with those of adjacent lots (i.e., street side) shall observe the side yard setback distance required under "exterior side" of the lot development standards of each zoning classification in Section 201. Corner lots shall be considered to have one exterior side yard and one interior side yard.*

Sec. 201-6. R100 single-family residence.

- (a) *R100 purpose.* The R100 single-family residence zoning district is intended primarily for single family residences and related uses on large sized lots in the city.
- (b) *R100 lot development standards.*

Lot dimensions	
Minimum lot area	18,000 square feet 15,000 square feet if sewerred
Minimum lot width	100'
Minimum lot frontage	50'
Minimum setbacks	
<i>Principal building</i>	
Front (from right-of-way)	50'
Side - Interior Lots	10' one side interior / 25' total interior sides
Side - Corner Lots	10' interior side / minimum 25' for exterior side
Rear	40'
<i>Accessory building</i>	
From principal structure	5' 10'
Front	Not allowed
Side	5' 10'
Rear	5' 10'
Maximum height	
Principal	35'
Accessory	12' See Section 202-3 for accessory structure height requirements
Impervious surface coverage	35%

- (c) *R100 supplemental regulations.*
- (1) Accessory use standards—see chapter 200, article II, supplemental and accessory use standards.
 - (2) Landscape and buffering—see chapter 200, article V, tree conservation, buffers, and landscaping.
 - (3) Parking and loading—see chapter 200, article III, parking and loading requirements.
 - (4) Signs—see chapter 200, article IV, sign regulations.
- (d) *R100 permitted uses.* The following uses shall be permitted as of right in this district. Supplemental regulations for uses are in chapter 200, article II, supplemental use standards, as applicable.
- (1) *Residential.*
 - a. Single family detached dwelling.
 - (2) *Services.*
 - a. Existing cemetery.
 - (3) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Places of public assembly.

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- (4) *Miscellaneous semi-public facilities and uses.*
- a. Utility transmission and monitoring facilities.
- (e) *R100 special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in chapter 200, article II, supplemental use standards, as applicable.
- (1) *Miscellaneous lodging, rooms for rent situations.*
 - a. Bed and breakfast, but only when in a historic district overlay.
 - (2) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Elementary and secondary private education.
 - b. Nursery schools and kindergartens.
- (f) *R100 accessory uses.* The following uses shall be considered accessory uses in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
- (1) Customary residential accessory buildings. ***(non-conditioned spaces)***
 - (2) Accessory dwelling units. ***(conditioned spaces)***
 - (3) Home occupations.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 201-7. R75 single-family residence.

- (a) *R75 purpose.* The R75 single-family residence zoning district is intended primarily for single-family residences and related uses on medium sized lots in the city.
- (b) *R75 lot development standards.*

Lot dimensions	
Minimum lot area	15,000 square feet 12,000 square feet if sewerred
Minimum lot width	75'
Minimum lot frontage	40'
Minimum setbacks	
<i>Principal building</i>	
Front (from right-of-way)	25' if on minor road 50' if on county or state road
Side - Interior Lots Side - Corner Lots	10' one side interior / 25' total interior sides 10' interior side / minimum 25' for exterior side
Rear	40'
<i>Accessory building</i>	
From principal structure	5' 10' min
Front	Not allowed
Side	5' 10'
Rear	5' 10'
Maximum height	
Principal	35'
Accessory	12' See Section 202-3 for accessory structure height requirements
Impervious surface coverage	
	35%

- (c) *R75 supplemental regulations.*
- (1) Accessory use standards—see chapter 200, article II, supplemental and accessory use standards.
 - (2) Landscape and buffering—see chapter 200, article V, tree conservation, buffers, and landscaping.
 - (3) Parking and loading—see chapter 200, article III, parking and loading requirements.
 - (4) Signs—see chapter 200, article IV, sign regulations.
- (d) *R75 permitted uses.* The following uses shall be permitted as of right in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
- (1) *Residential.*
 - a. Single family detached dwelling.
 - (2) *Services.*
 - a. Existing cemetery.
 - (3) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Places of public assembly.
 - (4) *Miscellaneous semi-public facilities and uses.*

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- a. Utility transmission and monitoring facilities.
- (e) *R75 special permit uses*. The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in chapter 200, article II, supplemental use standards, as applicable.
- (1) Educational, cultural, religious, philanthropic, social or fraternal.
- a. Elementary and secondary private education.
- (f) *R75 accessory uses*. The following uses shall be considered accessory uses in this district. Supplemental regulations for uses are in chapter 200, article II, supplemental use standards, as applicable.
- (1) Customary residential accessory buildings. ***(non-conditioned spaces)***
- (2) Accessory dwelling units. ***(conditioned spaces)***
- (3) Home occupations.
- (Ord. No. 08-2019, § I, 6-3-2019)

Sec. 201-8. R60 single-family residence.

- (a) *R60 purpose.* The R60 single-family residence zoning district is intended primarily for single family residences and related uses on small sized lots in the city.
- (b) *R60 lot development standards.*

Lot dimensions	
Minimum lot area	7,500 square feet
Minimum lot width	60'
Minimum lot frontage	30'
Minimum setbacks	
<i>Principal building</i>	
Front (from right-of-way)	25'
Side - Interior Lots	7½' each side interior
Side - Corner Lots	7 ½' interior side / minimum 15' for exterior side
Rear	25'
<i>Accessory building</i>	
From principal structure	5' 10' min
Front	Not allowed
Side	5' must meet same setbacks as principal building
Rear	5' must meet same setbacks as principal building
Maximum height	
Principal	35'
Accessory	12' See Section 202-3 for accessory structure height requirements
Impervious surface coverage	45%

- (c) *R60 supplemental regulations.*
- (1) Accessory use standards—see chapter 200, article II, supplemental and accessory use standards.
 - (2) Landscape and buffering—see chapter 200, article V, tree conservation, buffers, and landscaping.
 - (3) Parking and loading—see chapter 200, article III, parking and loading requirements.
 - (4) Signs—see chapter 200, article IV, sign regulations.
- (d) *R60 permitted uses.* The following uses shall be permitted as of right in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
- (1) *Residential.*
 - a. Single family detached dwelling.
 - b. Single family detached dwelling; manufactured or modular home.
 - (2) *Services.*
 - a. Existing cemetery.
 - (3) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Places of public assembly.
 - (4) *Miscellaneous semi-public facilities and uses.*

- a. Utility transmission and monitoring facilities.
- (e) *R60 special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
 - (1) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Elementary and secondary private education.
- (f) *R60 accessory uses.* The following uses shall be considered accessory uses in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
 - (1) Customary residential accessory buildings. ***(non-conditioned spaces)***
 - (2) Accessory dwelling units. ***(conditioned spaces)***
 - (3) Home occupations.

Sec. 202-3. Accessory uses or structures

(a) Accessory structures. An accessory building or structure shall be clearly subordinate to the primary structure in all dimensional aspects. There are two types of accessory structures: non-conditioned (non-inhabitable) structures – attached or detached carports; attached or detached garages; storage sheds; office/workshops and similar; and conditioned (inhabitable) – attached accessory dwelling and detached garden cottages.

(1) No accessory building shall be erected on a lot prior to the time of construction of the principal building to which it is an accessory.

(a) If an accessory building exceeds 500 square feet, it shall be sided in wood, stucco or brick. Metal or vinyl siding is not permitted.

(b) Accessory structures over 32 square feet shall require a building permit.

(2) Accessory structures attached to the principal building by conditioned spaces are considered part of the primary structure and are subject to the lot and building setback regulations that apply to the principal building

(a) Attached garage and carport accessory structures may be located in the side or rear yard. All other non-conditioned accessory structures must be located in the rear yard.

(b) Accessory structures attached by breezeways, passageways, or similar non-conditioned means are not considered part of the primary structure and are subject to accessory building and structure regulations

(c) Conditioned detached accessory structures shall be located only in the rear yard

(3) In residential districts, the maximum square footage of all accessory structures in combination shall not exceed 50% of the total conditioned space of the gross square footage of the principal building.

(4) Detached accessory buildings standards.

(a) Detached accessory structures shall be separated by a minimum distance of ten (10) feet from the principal building on the lot,

(b) Structures less than thirty (30) inches in height are not subject to building separation requirements

(c) Detached accessory structures and those attached by breezeways and similar non-conditioned means shall be set back as defined in the lot development standards of each district.

(d) On corner lots, detached accessory structures and those attached by breezeways and similar non-conditioned means over 32 square feet in size shall be set back as defined in the lot development standards of each district.

(e) Single story accessory structures may not exceed 12-feet in height from base of structure to top of roof peak.

(e) Two-story accessory structures may not exceed 24-feet in height from base of structure to top of roof peak. Under no circumstance shall the accessory structure exceed the height of the primary building.

(b) Accessory dwelling unit/garden cottages (ADUs)

(1) Definition. An accessory dwelling unit is a smaller, secondary home on the same lot as a primary, single-family detached dwelling only. ADUs are independently habitable and provide the basic requirements of shelter, heating, cooking, and sanitation. There are two (2) types of ADUs:

(a) Garden cottages. A self-contained detached structure for use as a complete, independent living facility, with provisions for cooking, sanitation and sleeping which is located on the same lot as the detached primary home yet physically separated. Includes converted garages, second story garage apartments, and one or two-story new construction.

(b). Attached Accessory Units. Portions of structures or buildings attached to or part of the primary dwelling. Examples include converted living space, attached garages, basements or attics; new additions; or a combination thereof.

(2) Eligibility. An ADU may be added to any R-100, R-75 or R-60-zoned lot which meet the requirements of this section and Chapter 200, Article 1, Division 2, Secs. 201-6, 201-7, 201-8; and in the HX district subject to the requirements of Chapter 200, Article 1, Division 2, Sec. 201-19.

(a) ADUs shall comply with all accessory structure regulations section 202-3.(a) accessory buildings and structures in addition to those dedicated specifically to ADUs in this section.

(b) An ADU may be created through new construction, conversion of an existing structure, or addition to an existing structure.

(c) One (1) ADU is permitted per single-family detached residentially zoned lot or dwelling. Where an attached accessory apartment is proposed or currently exists, a new separate garden cottage, addition to an existing garage, or conversion of an existing accessory structure to an ADU is prohibited.

(d) ADUs are prohibited in the RD, RTH, and PRD districts on duplex, townhome and multifamily lots. ADUS may only be constructed on a single family detached lot.

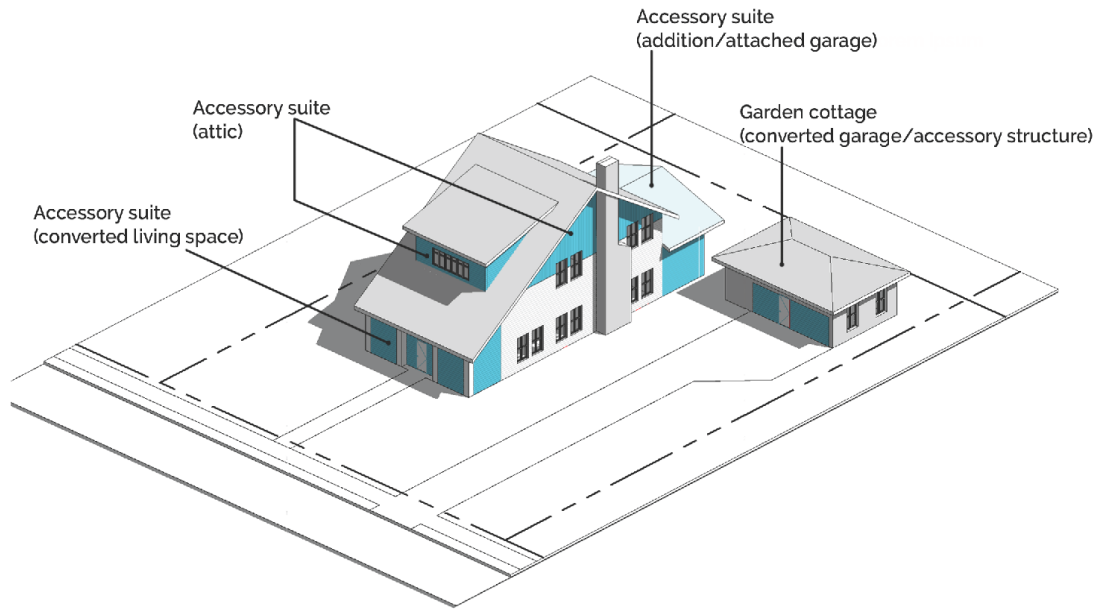
(3) Occupancy Terms. Occupancy and use standards for an ADU shall be the same as those applicable to a primary dwelling on the same site.

(a) The owner of the property is required to reside in either the main dwelling or the ADU and maintain the same as his/her/their primary residence and homestead.

(b) No additional parking is required for an ADU. Existing required parking for the primary dwelling shall be maintained or replaced on-site.

(4) Design. Design standards for ADUs are stated in this section. If not addressed in this section, base zoning district standards apply. All ADUs (attached accessory dwelling units and garden cottages) shall meet the following requirements and be subject to the approval of the Architectural Review Board or Historic Preservation Commission as applicable:

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- (a) An ADU shall be no more than fifty (50%) percent the size of the primary dwelling, whichever is less, and shall comply with applicable impervious surface coverage standards for each residential district. This includes a stand-alone detached garden cottage; an ADU over a garage (new construction or existing); attached accessory dwelling unit; or conversion of an existing non-conditioned accessory structure to an ADU.
- (b) The maximum height allowed for a detached garden cottage or garage/ADU combination is the lesser of twenty-four (24) feet and shall not exceed the height of the primary dwelling.
- (c) Exterior finish materials shall visually match in type, size, and placement of the exterior finish materials of the primary dwelling.
- (d) The roof pitch shall match the predominant roof pitch of the primary dwelling.
- (e) If the street-facing façade of the ADU is visible from the street, its windows shall match, in proportion and orientation, the windows of the primary dwelling.
- (5) Attached accessory units shall meet the following additional requirements:
- (a) The entrance to an attached accessory unit may not be located on the façade of the primary dwelling facing the street, unless the primary dwelling contained additional entrances before the accessory suite was created.
- (b) Exterior stairs for access to an upper-level attached accessory dwelling shall not be located on the front of the primary dwelling and shall be setback a minimum of five (5) feet from the front building façade.
- (6) Administrative variances for setbacks and height per Chapter 100, Article IV, Section 104-7 are not applicable to accessory dwelling units.
- (a) Garden cottages proposed as an addition to an existing detached accessory structure constructed prior to adoption of these standards which is sited at five (5) feet from the interior side and rear property lines, or five (5) from the primary structure shall be subject to application for a variance for distance and setbacks.
- (b) New construction or additions to an existing structure exceeding the 24-foot height standard shall require a variance.
-



Accessory Dwelling Units

Sec. 202-3. Accessory uses or structures.

(a) ~~General.~~ In general, unless otherwise permitted by this section:

- (1) ~~Accessory uses or structures shall be permitted only in rear yards.~~
- (2) ~~An accessory use or structure shall be set back **according to the standards for each zoning district** not less than five feet from any lot line.~~
- (3) ~~No accessory building shall be erected on a lot prior to the time of construction of the principal building to which it is an accessory.~~
- (4) ~~In residential districts the total square footage of accessory structures shall not exceed one-half the size of the principal structure.~~
- (5) ~~If an accessory building exceeds 500 square feet, it shall be sided in wood, stucco or brick. Metal or vinyl siding is not permitted.~~
- (6) ~~Accessory structures over 32 square feet shall require a building permit.~~

(b) ~~Accessory dwelling unit (ADU).~~

- (1) ~~An ADU may be developed in or behind an existing or new main dwelling.~~
- (2) ~~To keep true to its accessory size, an ADU may not exceed 40 percent of the floor area of the main dwelling.~~
- (3) ~~An ADU may have up to two bedrooms.~~
- (4) ~~The owner of the property is required to reside in either the main dwelling or the ADU and maintain the same as his/her/their primary residence and homestead. for at least eight months of the year.~~
- (5) ~~If detached from the main dwelling, an ADU must be located in the rear yard and have a footprint no greater than 30 percent of the rear yard.~~

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- ~~(6) If the ADU is combined with a garage, the total floor area may be in addition to the square footage of the garage.~~
 - ~~(7) The ADU shall meet all rear and side yard setback requirements.~~
 - ~~(8) The ADU shall not be higher than the main dwelling.~~
 - ~~(9) No additional parking spaces are required.~~

CHAPTER 400 Changes

Sec. 401-1. Adopted portions of the Gwinnett County Unified Development Ordinance.

The following chapters of the land development standards of the county unified development ordinance, as described in title 3, development and permitting, or as amended, are hereby adopted as a general ordinance of the city to the extent that the development regulations are not inconsistent with this UDO or city local amendments under section 401-2:

- ~~(1) Chapter 330-10—330-20—chapter 340-90, development conformance, performance surety, maintenance surety and continuing maintenance.~~
- ~~(2) Chapter 350, inspections.~~
- ~~(3) Chapter 360, development design standards.~~
- (4) Chapter 800, stormwater management.
- (5) Chapter 810, stormwater conveyance systems.
- ~~(6) Chapter 900, infrastructure, streets, sidewalks, multi-use paths, greenways.~~
- ~~(7) Chapter 910, street lighting.~~
- (8) Chapter **380** ~~1000~~, public utilities installation.

A copy of the current Gwinnett County Unified Development Ordinance and any additions, deletions or local amendments thereto shall be maintained in the office of the Community Development Department and be available for inspection by the public.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 401-2. Local amendments.

For the purposes of applying portions of the Gwinnett County Unified Development Ordinance, the following sections and chapters of the Gwinnett County Unified Development Ordinance are amended as follows:

- (1) Section 110-40. Definitions.
 - a. *Board of commissioners*, read Mayor and City Council.
 - b. *Comprehensive plan*, read City of Norcross Comprehensive Plan as amended.
 - c. *County*, read city.
 - d. *Department*, read Community Development Department.
 - e. *Engineering department*, read Community Development Department and/or **consulting city** engineer as applicable.
 - f. *Erosion control regulations*, read Norcross UDO, Chapter 400, Article II, Erosion, Sediment and Pollution Control.
 - g. *Planning commission*, read city Planning and Zoning Board.
 - h. *Zoning resolution*, read Norcross UDO, Chapter 200 as amended.
- ~~(2) Section 360-10. Incorporation of Standard Drawings.~~

~~*Section 360-10.3 Standard drawings.* Add under drawings sheet #106 the following: Retaining walls over two feet high constructed of railroad ties treated with oil-based preserving processes (creosote) shall be prohibited except on single-family owner-occupied lots.~~

- ~~(3) Section 360-70. Access and right-of-way requirements; and street improvement and construction requirements.~~

~~Section 360-70.1(D) The creation of private streets must be heard and approved by Council at a public meeting. The Council shall consider whether the creation of a private street is in the best interest of the citizens of the city, the impact to interconnectivity within the city road network, and the creation of future maintenance issues. Should the Council approve the use of a private street, the street and privately owned utility area shall be constructed to the roadway construction standards of the City of Norcross, as contained herein. All private streets shall be owned in common by a home owners association within a development and shall be recorded as a common area parcel. All private streets shall have a street sign stating, "Private Street" or "Private Road" installed in a prominent location prior to the recording of a final plat.~~

- (4) *Section 810-10 General Requirements.* Add to the text of Section 810-10 the following:

Section 810-10.4 Surface drainage. All drainage in right-of-way or proposed right-of-way shall be piped using reinforced concrete pipe. Also, road culverts, even if private roads, shall be reinforced concrete pipe. **Any modifications to these requirements shall follow the provision for Quasi-judicial relief as outline in Section 104-6 of the City of Norcross UDO.**

- ~~(5) Section 900-90. Sidewalks.~~

~~Section 900-90.1. Delete the text of Section 900-90.1 and replace with the following: Sidewalks shall be required in all new developments requiring a development permit excluding minor development permits.~~

~~Section 900-90.2.G. Delete the text of sub-section 900-90.2.G. and replace with the following: Escrow alternative. The cost of sidewalk installation along city maintained roads may be set aside in escrow with the City if proposed road improvements by the City may impact the location of a sidewalk, or if the sidewalk cannot be constructed due to topographic or utility constraints. Costs shall be set at a linear rate by the City Engineer and are subject to include construction, acquisition, and engineering costs for sidewalk projects within the City.~~

~~Section 900-90.3. Delete the text of Section 900-90.3.A. and replace with the following: "Sidewalks shall be constructed to as per the requirements of Sec. 205-4, and shall be required on both sides of the right-of-way."~~

- (6) Section **380.10 Placement of Utilities** ~~1000-70. Underground facilities.~~ Add to the text of **new** Section ~~1000-70~~ **380.10.3** the following:

Section **380.10.3** ~~1000-70.5.~~ In residential subdivisions all electrical utilities shall be under ground.

- ~~(7) Section 900-150 Walkways. A walkway shall be provided from all buildings to an adjacent public right-of-way, as follows:~~

- ~~a. Parcels under two acres shall provide a walkway with a minimum width of five feet, except as specified in "exceptions" below.~~
- ~~b. Parcels two acres or larger shall provide a walkway that conforms to subsection 205-4(d)6), except as specified in "exceptions" below.~~
- ~~c. Exceptions. Walkways and landscape strips are not required for existing buildings or uses when the applicant demonstrates that their installation would do any of the following:

 - ~~1. Render the parcel non-conforming with regards to parking; or~~
 - ~~2. Result in a ten percent or more reductions in the number of parking spaces on the parcel;~~
 or~~

-
- 3. ~~Require the construction of retaining walls, site grading, site excavation, or site fill; or~~
 - 4. ~~Is determined by the Director to be infeasible because of topographic or other site-specific constraints.~~
 - d. ~~The required or provided walkway surface shall be hardscape but may not be asphalt.~~
 - e. ~~The required or provided landscape strip shall be planted in accordance with the standards of section 205-4.~~
- ~~(8) Section 900-160 Inter-parcel access.~~
- a. ~~Inter-parcel access, joint driveways, cross-access drives, and access easements shall be provided as follows, except where the Director determines that they are infeasible because of topographic or other site-specific constraints;~~
 - b. ~~Inter-parcel vehicular connections or provision of a future inter-parcel driveway stub (with appropriate cross-access easements) shall be required between abutting commercial, office, industrial or attached residential parcels;~~
 - c. ~~Joint driveways and cross-section easements shall be established between abutting commercial, office, industrial or attached residential parcels;~~
 - d. ~~Driveways providing inter-parcel access shall be designed with a design speed of 25 mph and a two-way travel aisle with a minimum of 20 feet to accommodate automobiles, service vehicles, and loading vehicles; and~~
 - e. ~~Required inter-parcel access shall not be gated or otherwise access controlled.~~

Sec. 403-5. Preliminary plat.

(a) *Requirement for preliminary plat.*

- (1) The purpose of a preliminary plat is to provide a review of a proposed subdivision at an intermediate point between the concept plan and a full set of construction plans. It is intended that this review will help ensure that the plans which are being prepared are in accordance with the UDO and with any conditions set forth in the approval of the concept plan.
- (2) The specifications for preliminary plat preparation are defined in chapter 100, article V, section 105-3.
- (3) The Community Development Department must first approve a preliminary plat for a **major** subdivision **after the review by the Planning and Zoning Board and Mayor and Council** prior to the issuance of a development permit or initiation of any land disturbing or construction activities.
- (4) Minor subdivisions, as defined in chapter 100, article II of this UDO, follow the procedures under section 104-7(i), development permit plan review, and can be performed in conjunction with preliminary plat review, however, this in no way constitutes approval of the preliminary plat and is only done as a convenience to the owner/developer.

(b) *Preliminary plat, supplemental information.* The following supplemental information shall be required for each submittal of a preliminary plat application:

- (1) A written summary of the proposed subdivision giving information as to the overall development plan including, as appropriate, the type and square footage of structures, number of housing units, types of land uses, anticipated traffic generation, and other pertinent information.
- (2) Description of the anticipated utility systems required to serve the proposed subdivision including projected average and peak demands or flows for potable water (water availability report), fire protection, sanitary sewerage, and electrical power.
- (3) Description of proposed stormwater management practices for the subdivision including the ownership and proper maintenance provisions of all stormwater detention facilities within the subdivision.
- (4) Such additional information as may be reasonably required to obtain an adequate understanding of the subdivision.

(c) *Preliminary plat review process.*

- (1) *Step 1:* The developer of a proposed subdivision shall meet with the UDO Administrator to discuss what is required for preliminary plat approval in terms of documents, fees, and schedules.
- (2) *Step 2:* The developer shall submit to the Community Development Department complete sets of the preliminary plat application package, in a number of copies as established by the UDO Administrator, drawn to the specifications of section 105-3. The application shall include:
 - a. Existing and proposed covenants and restrictions.
 - b. A copy of the deed to the property.
 - c. Proof that taxes on the property have been paid.
 - d. Payment of the applicable application and review fees.
- (3) *Step 3:* The preliminary plat application package shall be carefully checked by the UDO Administrator to determine whether it is complete. If it is incomplete, it will be returned to the developer with an

- explanation of why it is incomplete and what must be done to make it complete. The developer will then begin the process again with step 2, and no additional fee will be required.
- (4) *Step 4:* If the preliminary plat application package is complete, it will be accepted by the UDO Administrator, and the date of acceptance will be noted. For every submittal, the Community Development Department shall have at least 20 working days for new applications, and 10 working days for re-submittals. for review of the preliminary plat, and preparation of review comments. The City Engineer will review the documents and identify any problems or corrections necessary before preliminary approval is granted. These reviews in step 4 will address the effect of the proposed subdivision or development project on the environment surrounding the property and anticipated problems with public utilities and facilities.
 - (5) *Step 5:* After the preliminary plat has been accepted by the Community Development Department, the subdivider shall deliver a complete copy of the submittal to the county Water Resources Department. No subdivision will be approved until an impact analysis from the county Water Resources Department is completed.
 - (6) *Step 6:* If the subdivision includes or abuts a U.S. or state numbered highway, or if the proposed subdivision requires access to the state highway system, review by the Georgia Department of Transportation (GDOT) is required under O.C.G.A. § 32-6-151. The subdivider must respond to the recommendations of the GDOT prior to project approval by the city. If the written recommendations of the GDOT are not made within 30 days of receipt of the plat by GDOT, approval of GDOT shall be assumed as provided under state law. If the plat is recommended for rejection by GDOT, the reasons for rejection and requirements for approval shall be given in writing by GDOT to the Community Development Department. Such rejection by GDOT shall be binding on the Community Development Department unless the Community Development Department, by official action, overrules such department action.
 - (7) *Step 7:* Following review of the application, the Community Development Director may:
 - a. **Forward to the Planning and Zoning Board and Mayor and Council for review prior to granting** project approval;
 - b. **Forward to the Planning and Zoning Board and Mayor and Council for review prior to granting** project approval subject to further conditions; or
 - c. Deny the request due to noncompliance with the requirements, intent or purposes of this UDO.
 - (8) *Step 8:* The UDO Administrator shall assemble all comments and conditions related to compliance with this UDO and forward them to the applicant.
 - a. If the preliminary plat request is denied, the preliminary plat shall be returned to the applicant with an explanation of why it was found to be not acceptable, and with instructions as to what needs to be done to make it acceptable. The developer will then begin the process again at step 2 and new plat review fee will be required.
 - b. If the preliminary plat request is approved, the Community Development Director will sign the preliminary plat certification **following review by the Mayor and Council**, and the applicant will be authorized to proceed with the preparation of construction plans.
- (d) *Preliminary plat approval standards.*
- (1) *Applicant responsibilities.* The applicant is responsible for compliance with all codes, regulations and zoning requirements and for the satisfaction of all the noted and written comments.
 - (2) *Limits on administrative approval.* The Community Development Director may not administratively approve any preliminary plat that contains a lot or other feature that would clearly require a variance

in order to be reasonably usable, whether due to the presence of an unusual configuration, zoning compliance, lack of public utilities, or for any other reason.

- (3) *Project approval binding for 12 months.* The preliminary plat approval will remain in effect for a period of 12 consecutive months after which time it will become null and void, unless an extension of time request has been submitted to the Community Development Department for approval by the Mayor and City Council. Only one extension for another period not to exceed 12 months may be approved by the Mayor and City Council. The development must satisfy any changes to the UDO that may have been instituted since the first date of approval.
- (4) *Effect on status of dedication.* The approval of a preliminary plat by the Community Development Department shall not be deemed to constitute or affect an acceptance by the city of any street or other ground shown upon the plat.
- (5) *Improvements authorized.* Notwithstanding project approval or conditional project approval, no improvements are authorized before approval of construction plans by the Community Development Department as set forth in this article. Improvements must be installed according to construction plans as approved.
- (6) *Requests for appeals and variances.* Appeals of denials and appeals from conditions recommended by the Community Development Director shall be made to the Zoning Board of Appeals in accordance with the provisions for quasi-judicial review.

(Ord. No. 08-2019, § I, 6-3-2019)

~~Sec. 403-6. Minor subdivision expedited review procedure.~~

- ~~(a) Provisions for minor subdivision approval. In the case of a minor subdivision as defined in chapter 100, article II, the subdivider may apply for final plat approval, without submitting a preliminary plat, provided:~~
- ~~(1) The lots shall meet all zoning and other requirements of this UDO;~~
 - ~~(2) The subdivision shall provide all applicable improvements for a minor subdivision required in chapter 400, article I, land development standards; and~~
 - ~~(3) The property to be subdivided is not all or a portion of any property previously subdivided as part of a minor or major subdivision except in the case of a recombination or re-subdivision request under the provisions for minor subdivisions under sections 403-9, combination plat, and 403-10, exemption plat.~~
- ~~(b) Consultation with the Community Development Department necessary. A subdivider intending to proceed in accordance with the minor subdivision procedure shall first consult with the Community Development Department, supplying sufficient information to show that the specified conditions in subsection (a) above will be met.~~
- ~~(c) Preparation of final minor subdivision plat. After consulting with the Community Development Department, the subdivider shall submit a final minor subdivision plat meeting the applicable standards and containing the applicable statements and certifications of as specified for a final plat in section 403-8, final plat.~~
- ~~(d) Review and recordation of minor subdivision plat. Review, approval and recordation of the minor subdivision plat shall follow the same procedures for final subdivision plats.~~

~~(Ord. No. 08-2019, § I, 6-3-2019)~~

(Ord. No. 08-2019, § I, 6-3-2019)

(Supp. No. 41)

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Sec. 403-8. Final plat.

- (a) *Purpose.* The purpose of the final plat of a subdivision is to present an accurate depiction of the layout of the subdivision that has been constructed so that it can be properly recorded and then used as a permanent reference for the sale of the property included within the subdivision.
- (b) *General requirements for final plat approval.*
- (1) Application for final plat approval. Prior to submission of an application for final subdivision plat approval, either:
 - a. All public improvements shall have been properly installed and completed in accordance with all requirements and standards of this UDO (other than traffic signs, street name signs, street striping, and signalization) and as-built surveys of the improvements shall have been approved by the Community Development Director as required in final plat requirements in section 105-5; or,
 - b. A guarantee in lieu of completed improvements shall have been received by the Community Development Department and approved by the Community Development Director as provided under the final plat requirements in section 105-5.
 - (2) An application for a final subdivision plat approval shall be made to the Community Development Department. The application shall include all documents, forms, certifications and other information required by O.C.G.A. § 15-6-67, and:
 - a. *Application.* A properly completed application form, as furnished by the UDO Administrator, requesting final subdivision plat review.
 - b. *Copy.* An electronic copy of the final subdivision plat package prepared in conformance with the final plat requirements in section 105-5.
 - c. *Surveys.* The as-built surveys of the improvements as required in the subsection 105-5(c) if the surveys have not been previously received and approved.
 - d. *Dedication deeds.* Executed deeds for the dedication of all street rights-of-way, easements and other public properties natural resource easements and conservation easements (as applicable).
 - e. *Affidavit from developer.* At the time the final plat is submitted to the Community Development Department, the subdivider must also submit an affidavit signed by the developer certifying that the streets, drainage structures and any other design features have been constructed according to the development construction drawings approved by the Community Development Department. This will include street grades, drainage structures, drainage pipe size and profiles, street paving specifications, utility locations, dam construction and any other facilities that have been incorporated into the development. This affidavit is clarified under adopted county UDO chapter 340-90.
 - f. *Letter of acceptance of water and sewer lines.* At the time the final plat is submitted to the Community Development Department, the subdivider must also submit a letter to the department from the county Water Resources Department. The letter shall verify the county Water Resources Department's acceptance of the subdivision's water and sewer lines.
 - g. *Protective covenants.* Protective covenants shall be required for all subdivisions in which five or more lots are created. At a minimum, the protective covenants shall create a homeowners' association for the subdivision with mandatory membership of all property owners and mandatory dues and shall be recorded with the final plat.

- h. *Proof of bonds.* Upon submission of the final plat, the subdivider must provide proof in writing on forms supplied by the Community Development Department that a maintenance bond, performance bond, letter of credit which shall be irrevocable and collateralized, or escrow account made payable to the city.
- i. *Proof of payment.* The subdivider shall provide proof of payment for materials and for installation of traffic signs and street name signs to the Community Development Department. Payment of the cost of street striping or signalization, if required and not completed by the owner, shall also be included in the application.
- j. *Streetlights.* All subdivision developers shall provide streetlights in accordance with the outdoor lighting standards of this UDO, chapter 400, article VI. Proof of payment for the construction and installation of the streetlights, an executed agreement with the appropriate utility company, and payment for the streetlights fund shall be provided to the UDO Administrator at the time the final plat is submitted.
- k. *Fees.* The subdivider shall pay all applicable final subdivision plat filing and recording fees, as established by the City Council from time to time.
- l. *Special certificate required to record any plat.* No plat, regardless of whether it is a plat or a random conveyance, a final plat or a revised final plat shall be recorded in the records of the Clerk of the county Superior Court of unless the plat conforms to these regulations and is stamped in red with a certificate which states that the plat has been approved according to the subdivision procedures of the city and that the Clerk of the county Superior Court of is authorized to record it and unless said certificate is signed and dated in red ink by either the Community Development Director or his or her designee.
- (c) *Review and approval process.*
- (1) *Step 1:* The developer of a proposed subdivision shall meet with the UDO Administrator to discuss what is required for final plat approval in terms of documents, fees, and schedules.
 - (2) *Step 2:* The developer shall submit two complete final plat application packages. If the subdivision includes or abuts a U.S. or state numbered highway, unless all of the lots in the subdivision contain five acres or more and no new street is involved, review by the Georgia Department of Transportation (GDOT) is required under O.C.G.A. § 32-6-151. If the subdivision is an exempt or minor subdivision or otherwise was not submitted for review as a preliminary plat, two additional copies of the final plat must be submitted to the UDO Administrator for forwarding to GDOT. The applicant must respond to the recommendations of the GDOT prior to final plat recording. If the written recommendations of the GDOT are not made within 30 days of receipt of the plat by GDOT, their approval shall be assumed as provided under state law.
 - (3) *Step 3:* An UDO Administrator shall review the application for completeness within five working days of submission. An incomplete application will be returned to the applicant with an explanation of why it is incomplete and what must be done to make it complete. The applicant will begin the process again with step 2 and no additional fee will be required.
 - (4) *Step 4:* If the final plat application is complete, it will be accepted by the UDO Administrator, and the date of acceptance will be noted. For every submittal, the Community Development Department shall have 20 working days to review and identify any problems or corrections necessary before final approval is granted.
 - (5) *Step 5:* If the UDO Administrator concludes the final plat is not acceptable, the final plat will be returned to the applicant with an explanation of why it was found to not be acceptable, and with instructions as to what needs to be done to make it acceptable. The applicant will then begin the process again at step 2 and new plat review fee will be required.

- (6) *Step 6:* If the UDO Administrator concludes that the final plat is acceptable and meet the various requirements set forth in the UDO, it shall be considered by the **Planning and Zoning Board** and Mayor and City Council at a regularly scheduled meeting not later than 45 days following the recommendation of the Department. The Community Development Director shall forward the dedication deeds to the Mayor and City Council for acceptance as part of this review.
- (7) *Step 7:* Following acceptance and approval by the Mayor and City Council, the final plat will be recorded.
- a. The applicant shall deliver to the Community Development Department a print of the final plat that is stamped in red with a certificate that states that the plat has been approved according to the subdivision procedures of the city.
 - b. After the plans of the subdivision have been approved and stamped and signed by the Community Development Director and signed by the City Manager or his/her designee, and the Director of Public Works for sidewalk and trail improvements, the UDO Administrator will reserve a plat book and page number, if necessary, for the subdivision for recording with the Clerk of Superior Court.
 - c. It shall be the applicant's responsibility to record the final plat.
 - d. Subsequent to the recording of the final plat, the original signed copy with all certificates endorsed thereon, and one digital copy, positioned correctly in Georgia NAD83 State Plane Coordinates (in U.S. survey feet to the hundredth of a foot) and compatible with the city GIS System, shall be filed with the records of the Community Development Department. The map book, volume and page numbers where the plat is recorded shall also be indicated on the copies.
- (d) *Acceptance of public improvements.*
- (1) If construction of any required public improvements was deferred at the time of final plat approval, said work must be completed and revised as-built surveys submitted to the Community Development Department within 24 months of the date of final plat recordation.
 - (2) The developer shall maintain the improvements in the development throughout the maintenance period. The maintenance period shall begin upon recordation of the final subdivision plat and shall extend from said date or from the date of completion of all deferred improvements, whichever occurs later. The maintenance period shall extend without interruption for a period of no less than 24 months or until 75 percent of all dwelling units authorized by the final plat have been issued certificates of occupancy, whichever occurs later. In no case, however, shall the maintenance period extend for more than 36 months from the date of completion of all deferred improvements.
 - (3) Prior to expiration of the maintenance period, a final acceptance inspection of the public improvements shall be conducted by the Community Development Department and the county Water Resources Department.
 - (4) The subdivider must correct all defects or deficiencies in materials and workmanship and make such repairs as necessary to approximate the as-built condition of the improvements. The subdivider shall execute such documents as required by the Community Development Director to ensure that the city is held harmless and indemnified from any claims arising from non-performance by the subdivider, including attorney's fees and costs incurred by the city in enforcing the requirements of the UDO, as may be amended.
 - (5) Upon certification by the Community Development Director that the public improvements depicted on the as-built surveys are in conformance with the specifications of this UDO and are in good repair, the Community Development Director shall release the maintenance bond and accept the public improvements into perpetual maintenance on behalf of the city.

- (6) Notwithstanding anything herein to the contrary, dedication of proposed public rights-of-way, easements and improvements shall not be accepted without public approval by the Mayor and City Council of dedication deeds.
- (7) In the case of private roads, any improvement must meet the pavement design standards established by the county and materials testing reports must be submitted to and approved by the City Engineer prior to acceptance of any paved public improvement.
- (8) If stormwater detention is involved with private streets, the city cannot accept the street as a public street.

Sec. 403-10. Exemption plat.

The division of a buildable lot of record into two lots, provided:

- (1) Each proposed lot complies with all requirements of this UDO and is limited to single-family detached residential use.
- (2) Each proposed lot abuts upon and derives access from an existing public street.
- (3) All project related slope and utility easements as well as necessary street right-of-way shall be provided at no cost to the city as determined by the Community Development Department based upon the officially adopted road classification map comprehensive plan.
- (4) Each lot created may not be re-subdivided unless it complies with the provisions described herein for a **preliminary plat and a final plat** ~~period of at least two calendar years~~
- (5) Each proposed lot shall comply with any water and sewer requirements, as appropriate, whose approval shall be required prior to approval of the exemption plat by the Community Development Department.

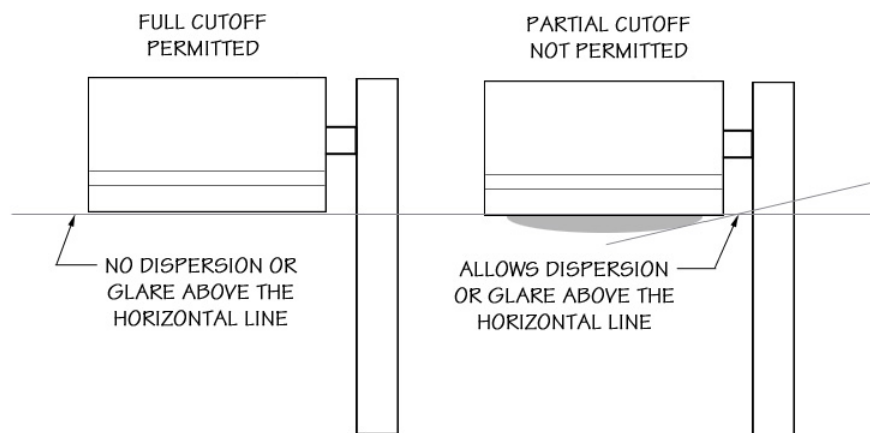
Sec. 406-1. Purpose.

- (a) These provisions are intended to control the use of outdoor artificial illuminating devices emitting rays into the night sky which have a detrimental effect on astronomical observations. It is the intention of this article to encourage good lighting practices such that lighting systems are designed to reduce or eliminate light pollution, conserve energy and money, while increasing nighttime safety, utility, security and productivity.
- (b) All areas containing outdoor lighting, including but not limited to floodlighting, security lighting, event lighting or the lighting of off-street parking and loading areas shall comply with the requirements of this article.
- (c) Furthermore, it is the intent of the regulations of this article to establish lighting levels for various permitted uses that promote visual surveillance, reduce the potential for criminal activity and prevent the unnecessary glare of light on adjacent properties.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 406-2. Lighting standards, configuration and timing.

- (a) All exterior lighting shall be of full cutoff design and directed downward and away from adjoining property, with luminaries shielded to prevent unnecessary glare as identified below.



- (b) Trees and shrubs shall not interfere with the distribution of exterior lighting necessary for security purposes as required by this article.
- (c) Security lighting above building entrances, parking lots, off-street loading areas and service entrances shall be metal halide, unless permitted otherwise during plan review, and incorporated in exterior areas going to and from the building(s) or use(s) within the site.
- (d) All exterior fixtures, when used for security purposes, except for parking lot lighting, shall be illuminated from dusk until dawn, unless otherwise specifically designated on the site plan and as approved through the site plan process. All other exterior lighting that is not necessary for security purposes shall be turned off one hour after the close of business.
- (e) Any exterior lighting device designed for security lighting shall be protected by weather and vandal-resistant covering, a managed light source for controlling the times of illumination and fully shielded and directed down to minimize glare and intrusiveness on adjacent properties or rights-of-way.

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- (f) Lighting in multi-level parking ramps shall be evaluated on a case-by-case basis to maximize safety and to minimize unnecessary glare to adjacent or nearby residential areas.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 406-3. Lighting plan.

A lighting plan is required of any site plan review application, as identified in subsection 105-6(j). No building permit shall be issued without first obtaining approval of a required lighting plan.

(1) *Lighting standards.*

- a. *Streetscape lighting.* Required streetscape street lights shall conform to the following:
1. Streetlights shall utilize decorative light poles/fixtures.
 2. Streetlights shall be staggered, 150 feet on-center, along both sides of the roadway.
 3. Streetlights shall be subject to review and approval of the appropriate review authority.
 4. Where applicable, streetlights shall be placed adjacent to required pedestrian amenity sidewalk pads.
 5. Specifications of light fixtures are provided in the streetscape light fixture requirements table below, with the exception that street lighting in the city historic districts, downtown districts as well as areas identified in the city comprehensive plan as being in the Town Center Character Area shall conform to the established approved decorative poles and fixtures and are subject to the final approval of the city.

Streetscape Light Fixture Requirements Table

Fixture head	Pole type (streetlight)	Max. pole height
Box head	Smooth black	40 feet

- b. *Commercial and residential parking lot lighting.* Lighting shall be providing throughout all commercial and residential parking areas and shall conform to the following:
1. Lighting shall utilize decorative light poles/fixtures.
 2. Light source shall be light emitting diodes (LED), metal halide, or color corrected high-pressure sodium not exceeding an average of 4.5 foot-candles of light output throughout the parking area.
 3. A single light source type shall be used for any one site. Other than pedestrian light fixtures which shall be less than 14 feet tall, light fixtures shall be hooded.
 4. Lighting shall be directed to avoid intrusion on adjacent properties and adjacent rights-of-way.
- c. *Rope lighting.* Rope lighting is prohibited, including on the interior of a building when visible from the exterior.

(Ord. No. 08-2019, § I, 6-3-2019; Ord. No. 12-2020, § I, 12-7-2020)

Sec. 406-4. Minimum illumination guidelines for security purposes.

All minimum illumination guidelines for security lighting listed in this article shall be maintained from ground level to a height of six feet. The minimum to maximum uniformity ratio may range up to 6:1 in acceptable layouts. In some circumstances, customer convenience, closed-circuit surveillance, and commercial entertainment uses may require a higher level of lighting.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 406-5. Outdoor lighting intensity standards.

When outdoor lighting is proposed or required, the following standards in the table on the following page shall apply and the "activities" as described in the table shall be assigned and evaluated by the city Police Department and Community Development Department based on the type of use, the hours of operation and the area in which the use is located.

Outdoor Lighting Intensity and Uniformity Standards.

Light use	Minimum horizontal footcandles	Maximum horizontal footcandles	Additional regulations
Parking lot	0.5	5	(1) Areas used for parking or vehicle storage shall be illuminated in accordance with the requirements for parking lot lighting. (2) Parking lot lighting shall be metal halide.
Outdoor display and sales	-	5	-
Walkways, sidewalks, bike paths	-	5	(1) Lighting fixtures shall be designed to direct light downward, and the initial output of light sources shall not exceed one thousand (1,000) lumens. (2) Lighting shall be metal halide.
Parks and playgrounds	-	0.5	Lighting fixtures shall be designed to direct light downward, and the initial output of light sources shall not exceed one thousand (1,000) lumens.
Canopies and drive through facilities	5	20	(1) Light fixtures mounted on or under canopy ceilings shall be full cutoff, unless indirect lighting is be used whereby light is directed upward and then

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			<p>reflected down from the ceiling of the structure. In this case, light fixtures must be shielded so that direct illumination is focused exclusively on the ceiling of the structure.</p> <p>(2) Lights shall not be mounted on the top or sides of a canopy and the sides of a canopy shall not be illuminated.</p> <p>(3) Lighting for drive-through facilities must be fully shielded.</p> <p>(4) Canopy and bay lighting shall be metal halide.</p>
Outdoor activity facility	All outdoor entertainment or recreational/ sports facility lighting will be reviewed for compliance with minimum site lighting criteria and light trespass criteria and with regard to the intent of these exterior lighting standards to minimize the impact of light trespass and glare on all surrounding properties and public rights-of-way.		
High risk activity (e.g. bank deposit night drop or ATM)	4	5	Lighting shall be metal halide.
Medium risk activity (e.g. convenience store open 24 hours)	2	4	Lighting shall be metal halide.
Low risk activity (e.g. place of worship, office)	0.5	2	Lighting shall be metal halide.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 406-6. Light trespass.

All areas containing outdoor lighting (except public street lighting) shall limit light trespass onto adjacent property, when measured at any point along a property line, to the requirements set forth below. Compliance shall be achieved by utilizing fixture shielding, directional control designed into fixtures, fixture location, height, or aim, or a combination of these or other factors.

<i>District Adjoining Subject Property</i>	<i>Maximum Light Spillage to Adjoining Lots Measured in Footcandles</i>
R100, R75, R60, RD, RTH, PRD	0.20
C1, C2, CX, HX, NX, M1, M2, OI, BH, CAR, P	0.50

(Ord. No. 08-2019, § I, 6-3-2019)

(Supp. No. 41)

Created: 2025-01-23 10:06:45 [EST]

Sec. 406-7. Exterior illumination of buildings and other vertical structures.

When buildings or other structures are illuminated, the design for the illumination shall be in accordance with the following:

- (1) The illumination of buildings shall be limited to security lighting or highlighting unique architectural features.
- (2) Lighting fixtures shall be located and/or aimed such that light is directed only onto the building surface. All fixtures used to illuminate buildings shall be fully shielded.
- (3) For statues, monuments, fountains, or other objects for which it may not be possible to illuminate with downward lighting, upward lighting may be used only in the form of spotlights which confine the illumination to the object of interest.
- (4) If upward lighting is used to illuminate flags, only spotlights shall be used; floodlights directed above the horizontal shall not be used to illuminate a flag.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec 406-7.5. Street Lights for New Subdivisions.

(a) Street lights shall be provided by the developer in new subdivisions which propose the construction of a new street to be dedicated to the City or which propose lot access to existing City streets.

(b) Prior to the approval of a Final Plat, the developer shall submit a copy of the approved Subdivision Development Plan to the City Engineer. The City Engineer shall prepare a street light design drawn on the Subdivision Development Plan based upon the requirements of this Section. The design shall be forwarded to the appropriate power provider and the developer shall pay the power provider the appropriate cost for materials and installation. Proof of payment to the power provider shall be required.

(c) All fixtures and poles shall meet the requirements of the City and all maintenance shall be the responsibility of the power provider. Fixtures shall be mounted a minimum of 16 feet above the ground. For subdivisions with street trees, fixtures shall be mounted a maximum of 14 feet above the ground. The City, in addition to other requirements, may require a light to be located at street intersections within the development.

(d) Upon acceptance of the street light installation by the City, the power provider shall submit monthly bills to Public Works for payment which will be assessed to the individual lots.

Sec. 406-8. Neon lighting.

Light sources consisting of glass tubes filled with neon, argon, krypton, or other similar gas (hereafter referred to as "neon lighting") are excluded from shielding and line-of-sight requirements; however, lighting shall be included in the light trespass requirements of section 406-6. Furthermore, neon lighting shall not be considered as security lighting.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 406-9. Enforcement.

Failure to adhere to the requirements of this article or an approved lighting plan shall be deemed a violation of this UDO.

(Supp. No. 41)

Created: 2025-01-23 10:06:45 [EST]

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 406-10. Exceptions.

- (a) The temporary use of low wattage or low voltage lighting for festivals, celebrations, and the observance of holidays are exempt from this article except where they create a hazard or nuisance from glare.
- (b) Consideration to light trespass requirements shall be demonstrated prior to commencing the use of the temporary lighting.
- (c) Emergency lighting and traffic control lighting shall be exempt from the requirements of this article.

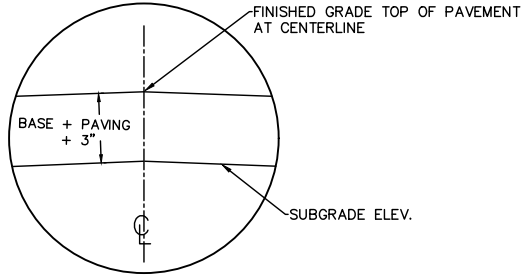
(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 406-11. Lights not conforming to this article.

- (a) *Authority to continue.* Any lawful lighting fixtures located within the city at the effective date of this article or which shall come to be located in city as a result of annexation after the effective date of this article, which does not conform to the provisions of this article, may continue provided the lighting remains in conformance with the provisions of this section.
- (b) *Ordinary maintenance and repair.* Nothing in this section shall relieve the owner or beneficial user of legal nonconforming lighting, or the owner of the property on which the legal nonconforming lighting is located, from the provisions of this article regarding safety, maintenance, and repair. Normal maintenance, including replacing light bulbs, cleaning, or routine repair of legal nonconforming light fixtures, shall not be deemed to be a condition which triggers a loss of lawful status described below, unless such maintenance increases the nonconforming aspects of the lighting.
- (c) *Loss of lawful status.*
 - (1) Legal nonconforming status shall terminate under the following conditions:
 - a. If a light fixture is no longer used for a period of 12 months or longer it shall be deemed abandoned and shall not thereafter be reestablished;
 - b. If a lighting fixture is structurally altered such that its nonconforming aspects increase; or
 - c. If a lighting fixture is relocated, replaced, or moved in any way; or the lighting fixture is damaged and the cost of repair exceeds 50 percent of its replacement value.
 - (2) Upon the event of any of the aforementioned, the lighting fixture(s) shall be immediately brought into compliance with this article, or the lighting fixture(s) shall be removed.
- (d) *Removal pursuant to public order.* Lighting found by a governmental agency to create public hazard can be ordered removed or altered at any time.

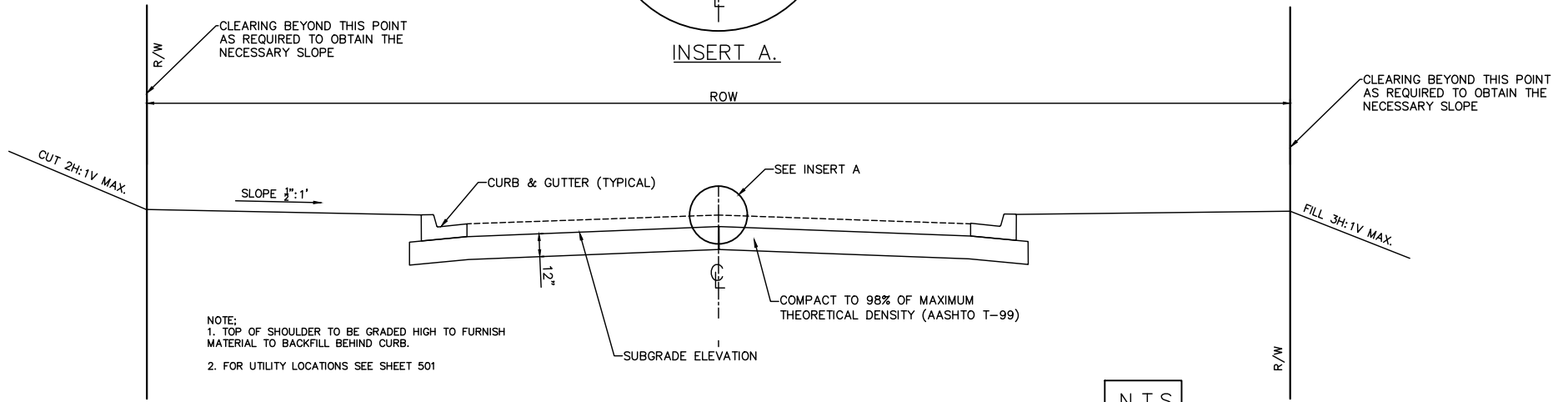
(Ord. No. 08-2019, § I, 6-3-2019)

APPENDIX A NORCROSS CAD DETAILS
STANDARD DRAWINGS



INSERT A.

ROW



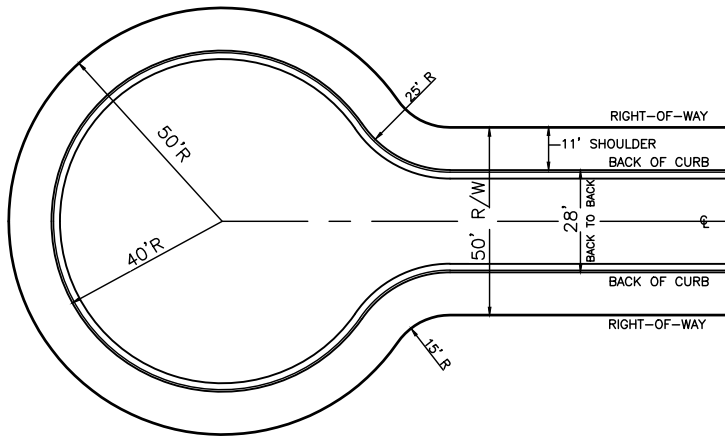
NOTE:
 1. TOP OF SHOULDER TO BE GRADED HIGH TO FURNISH MATERIAL TO BACKFILL BEHIND CURB.
 2. FOR UTILITY LOCATIONS SEE SHEET 501

N.T.S.



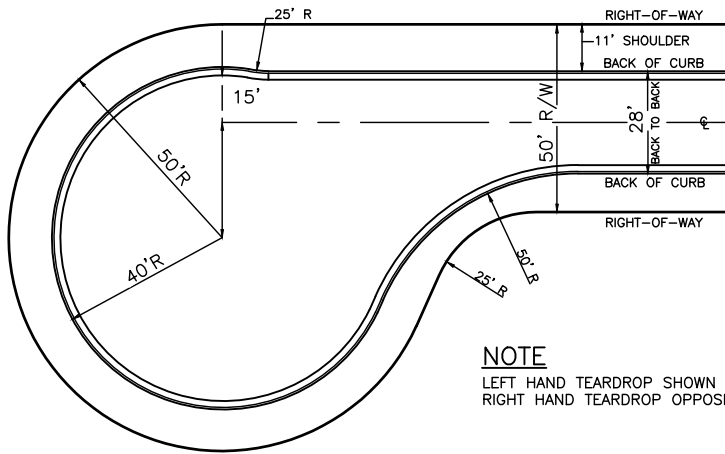
CITY OF NORCROSS
 65 LAWRENCEVILLE ST.
 NW, NORCROSS, GA 30071

STANDARD DETAILS
STREET GRADING LOCAL
OR MINOR COLLECTOR STREET



"CENTERED" CUL-DE-SAC TURN-AROUND

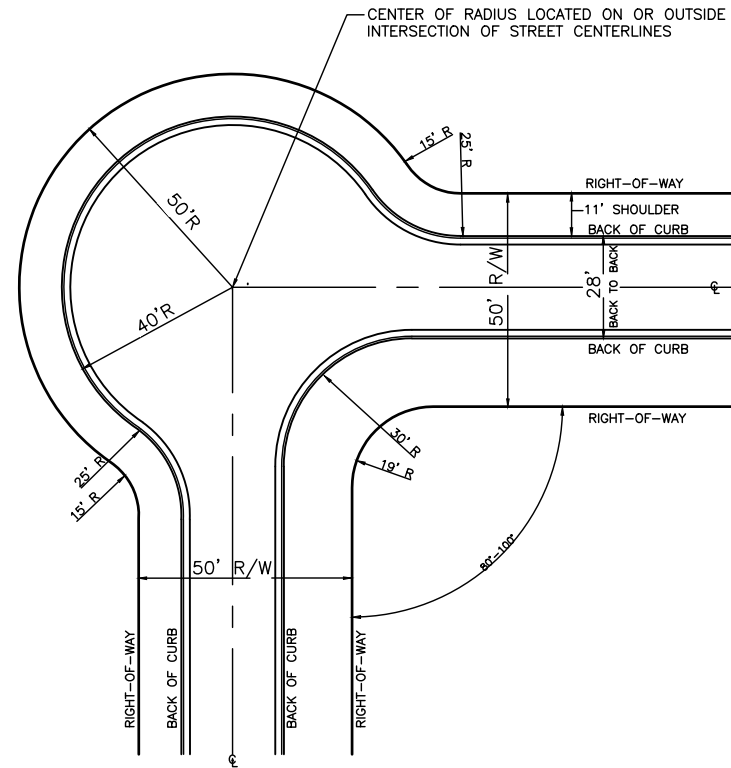
N.T.S.



"TEARDROP" CUL-DE-SAC TURN-AROUND

N.T.S.

NOTE
LEFT HAND TEARDROP SHOWN
RIGHT HAND TEARDROP OPPOSITE



"EYEBROW" TURN-AROUND

LOCAL RESIDENTIAL STREETS ONLY
N.T.S.



CITY OF NORCROSS

65 LAWRENCEVILLE ST.
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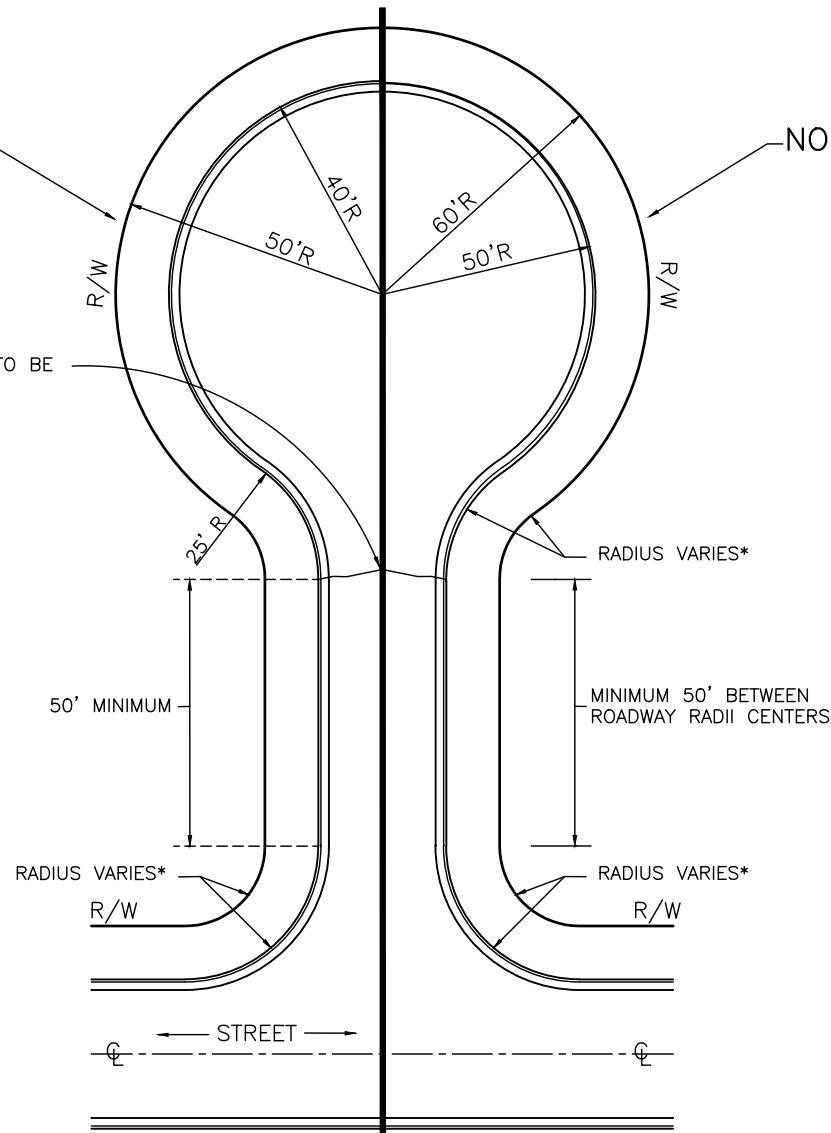
STANDARD DETAILS

**STANDARD RESIDENTIAL
TURN-AROUNDS**

LOCAL RESIDENTIAL STREET

LOCAL NONRESIDENTIAL STREET

STANDARD MINIMUM ROADWAY WIDTH TO BE ACHIEVED AT RETURN TANGENT



*SEE MINIMUM INTERSECTION RADII REQUIREMENTS IN UNIFIED DEVELOPMENT ORDINANCE

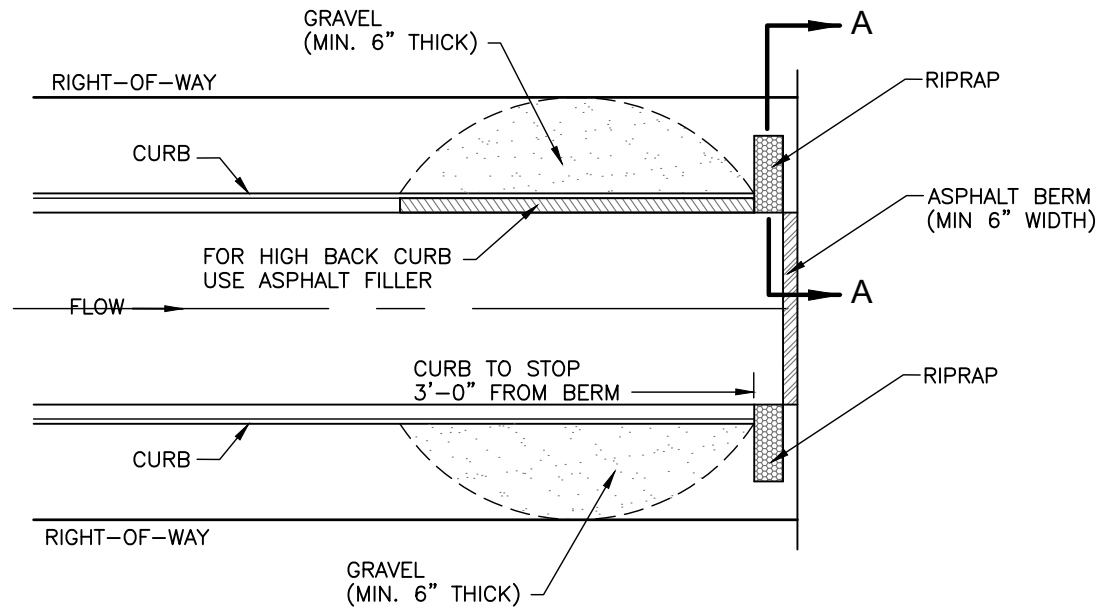


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65 LAWRENCEVILLE ST.
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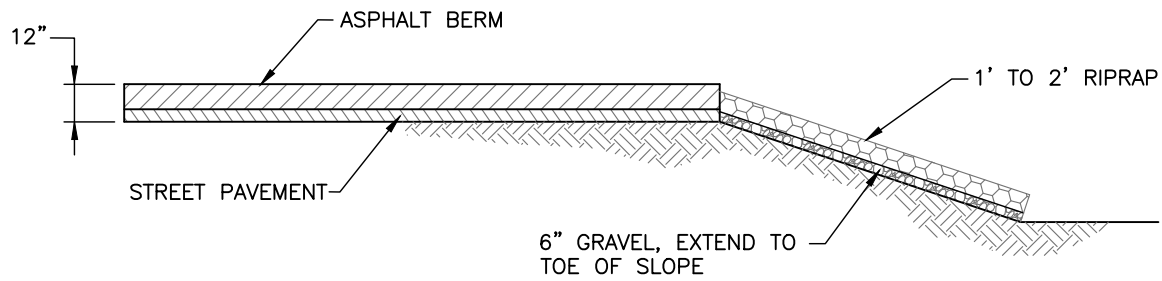
STANDARD DETAILS

CUL-DE-SAC
MINIMUM LENGTHS



PLAN

N.T.S.



SECTION A-A

N.T.S.



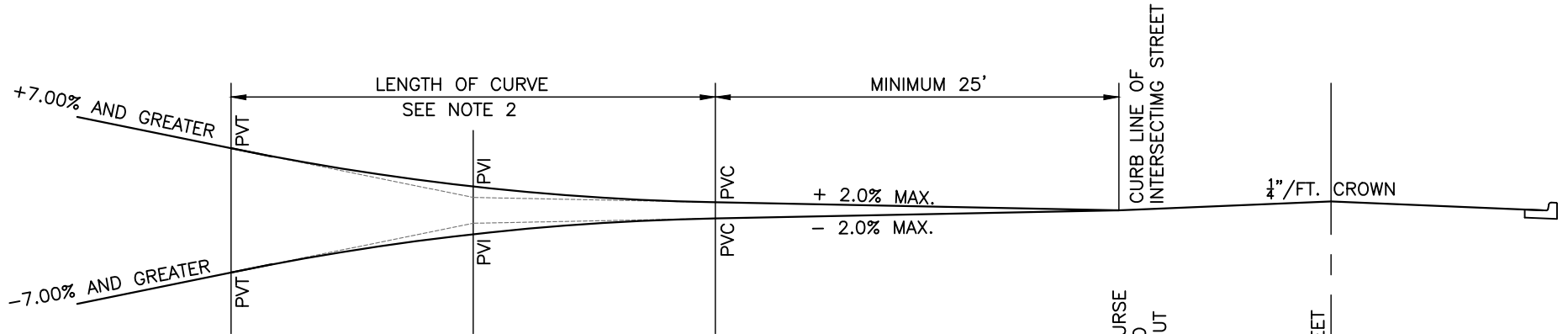
CITY OF NORCROSS

65 LAWRENCEVILLE ST.
NW, NORCROSS, GA 30071

STANDARD DETAILS

**TEMPORARY VEHICULAR
TURNAROUND**

INTERSECTION OF LOCAL OR MINOR COLLECTOR STREETS

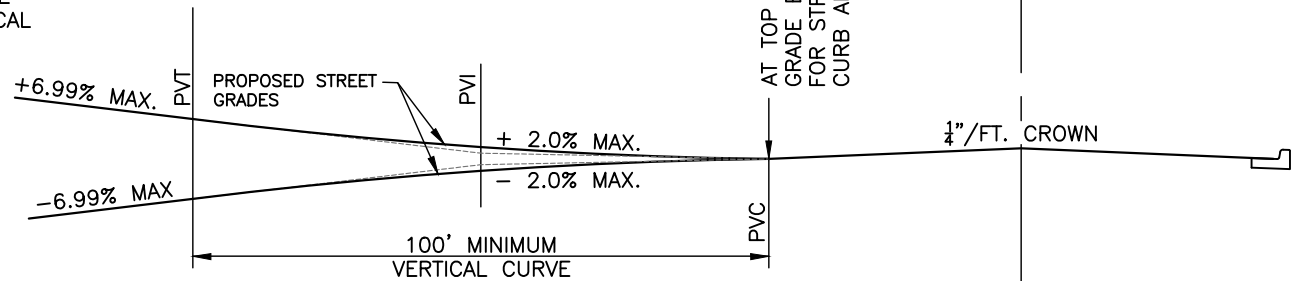


GRADES 7.00% AND GREATER N.T.S.

NOTES:

1) THIS STANDARD IS INTENDED TO BE A MINIMUM DESIGN STANDARD FOR CONTROL OF GRADES OF STREETS APPROACHING AN INTERSECTION WITH A LOCAL OR MINOR COLLECTOR STREET. FOR INTERSECTION WITH MAJOR THOROUGHFARES, SEE UNIFIED DEVELOPMENT ORDINANCE.

2) REFER TO UNIFIED DEVELOPMENT ORDINANCE TABLE 401-43(b) FOR "K" VALUES FOR VERTICAL CURVES.



GRADES LESS THAN 7.00% N.T.S.



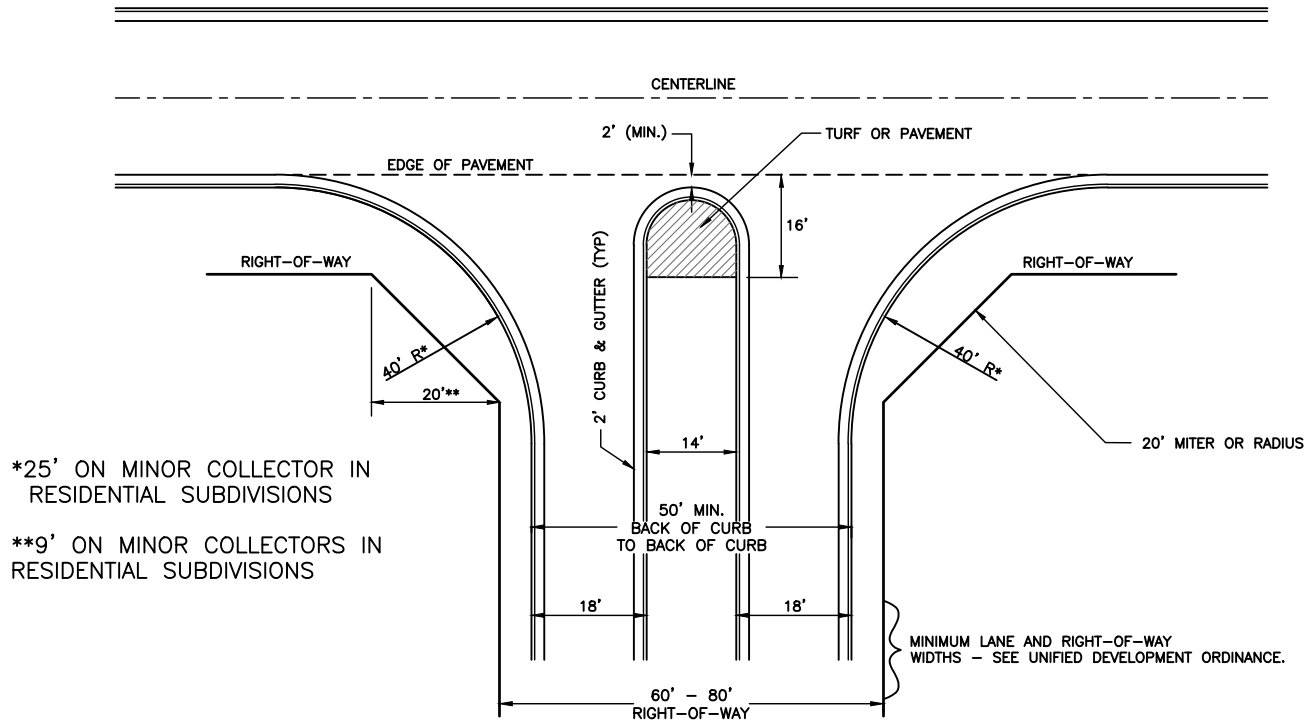
CITY OF NORCROSS

65 LAWRENCEVILLE ST.
NW, NORCROSS, GA 30071

STANDARD DETAILS

VERTICAL ALIGNMENT AT INTERSECTION WITH LOCAL OR MINOR COLLECTOR STREET

INTERSECTION DETAIL NO. 1



NOTES:

1. INSIDE OF ISLANDS ARE TO BE BACKFILL WITH PORTLAND CEMENT CONCRETE, OR GRASSED, OR PLANTED WITH VEGETATION NOT EXCEEDING TWENTY-FOUR INCHES IN HEIGHT.
2. DEVELOPER TO MAINTAIN GRASSED OR PLANTED ISLAND.
3. LARGER RADII FOR RIGHT-OF-WAY OR ROADWAY CONNECTIONS MAY BE REQUIRED FOR STREETS INTERSECTING AT ANGLES LESS THAN 90 DEGREES.



CITY OF NORCROSS

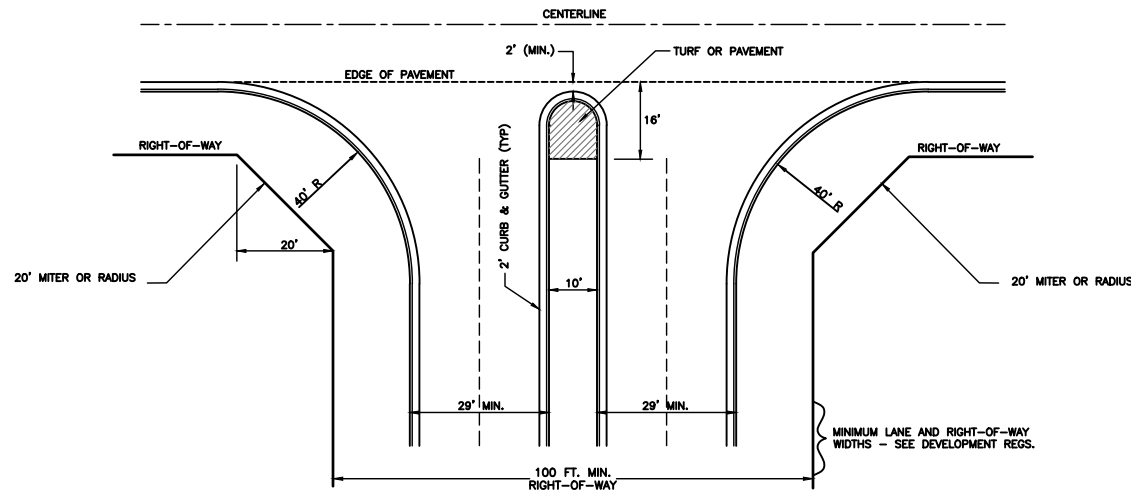
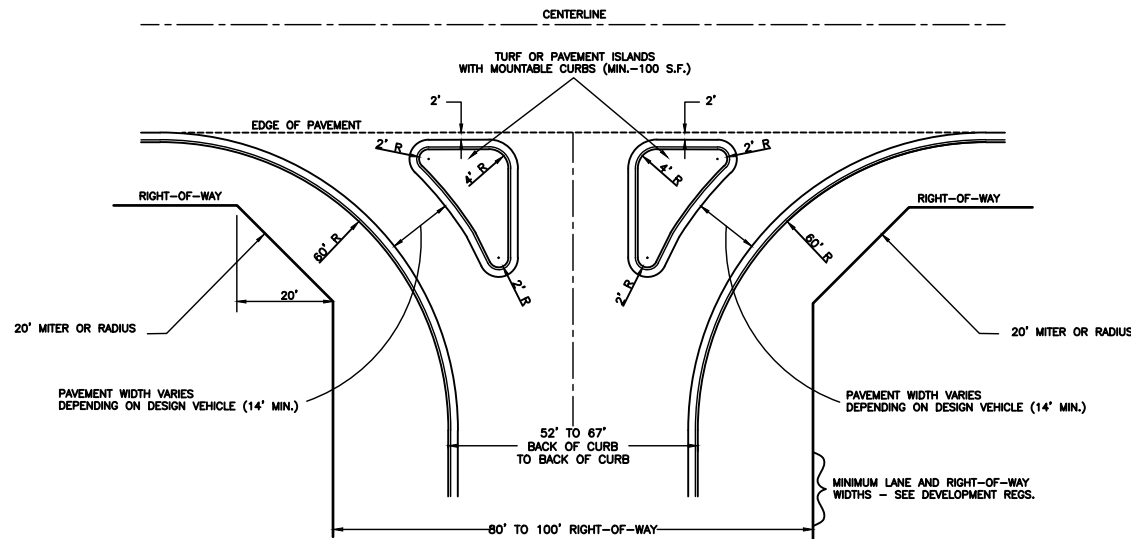
65 LAWRENCEVILLE ST.
NW, NORCROSS, GA 30071

STANDARD DETAILS

**T-INTERSECTION ONLY - MINOR OR MAJOR
COLLECTOR STREET CLASSIFICATION**

305

INTERSECTION DETAIL NO. 2



NOTES:

1. A COMBINATION OF THESE TWO DESIGNS MAY BE USED.
2. INSIDE OF ISLANDS ARE TO BE BACKFILL WITH PORTLAND CEMENT CONCRETE, OR GRASSED, OR PLANTED WITH VEGETATION NOT EXCEEDING TWENTY-FOUR INCHES IN HEIGHT.
3. DEVELOPER TO MAINTAIN GRASSED OR PLANTED ISLAND.
4. LARGER RADII FOR RIGHT-OF-WAY OR ROADWAY CONNECTIONS MAY BE REQUIRED FOR STREETS INTERSECTING AT ANGLES LESS THAN 90 DEGREES.
5. ISLANDS AT INTERSECTION ARE AT THE OPTION OF THE DEVELOPER, EXCEPT FOR GEORGIA D.O.T. CONTROLLED ROUTES



CITY OF NORCROSS

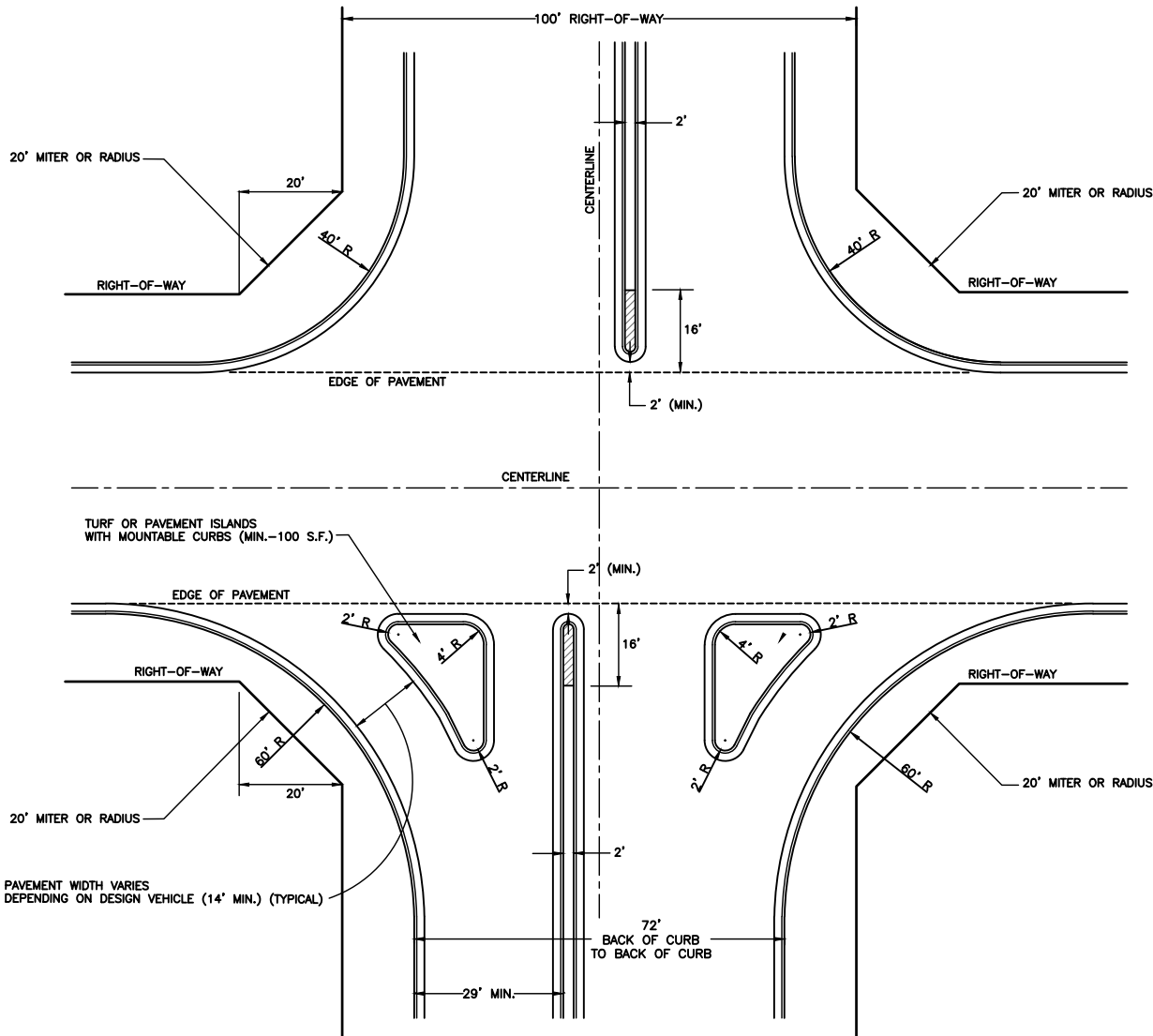
65 LAWRENCEVILLE ST.
NW, NORCROSS, GA 30071

STANDARD DETAILS

**T-INTERSECTION ONLY - ARTERIAL OR MAJOR
COLLECTOR STREET CLASSIFICATION**

306

INTERSECTION DETAIL NO. 3



NOTES:

1. A COMBINATION OF THESE TWO DESIGNS MAY BE USED.
2. INSIDE OF ISLANDS ARE TO BE BACKFILL WITH PORTLAND CEMENT CONCRETE, OR GRASSED, OR PLANTED WITH VEGETATION NOT EXCEEDING TWENTY-FOUR INCHES IN HEIGHT.
3. DEVELOPER TO MAINTAIN GRASSED OR PLANTED ISLAND.
4. LARGER RADII FOR RIGHT-OF-WAY OR ROADWAY CONNECTIONS MAY BE REQUIRED FOR STREETS INTERSECTING AT ANGLES LESS THAN 90 DEGREES.
5. ISLANDS AT INTERSECTION ARE AT THE OPTION OF THE DEVELOPER, EXCEPT FOR GEORGIA D.O.T. CONTROLLED ROUTES

UNDIVIDED

- 80' - 100' RIGHT-OF-WAY *
- 52' - 66' OR 67' ROADWAY *

MINIMUM LANE AND RIGHT-OF-WAY WIDTHS - SEE DEVELOPMENT REGS.



CITY OF NORCROSS

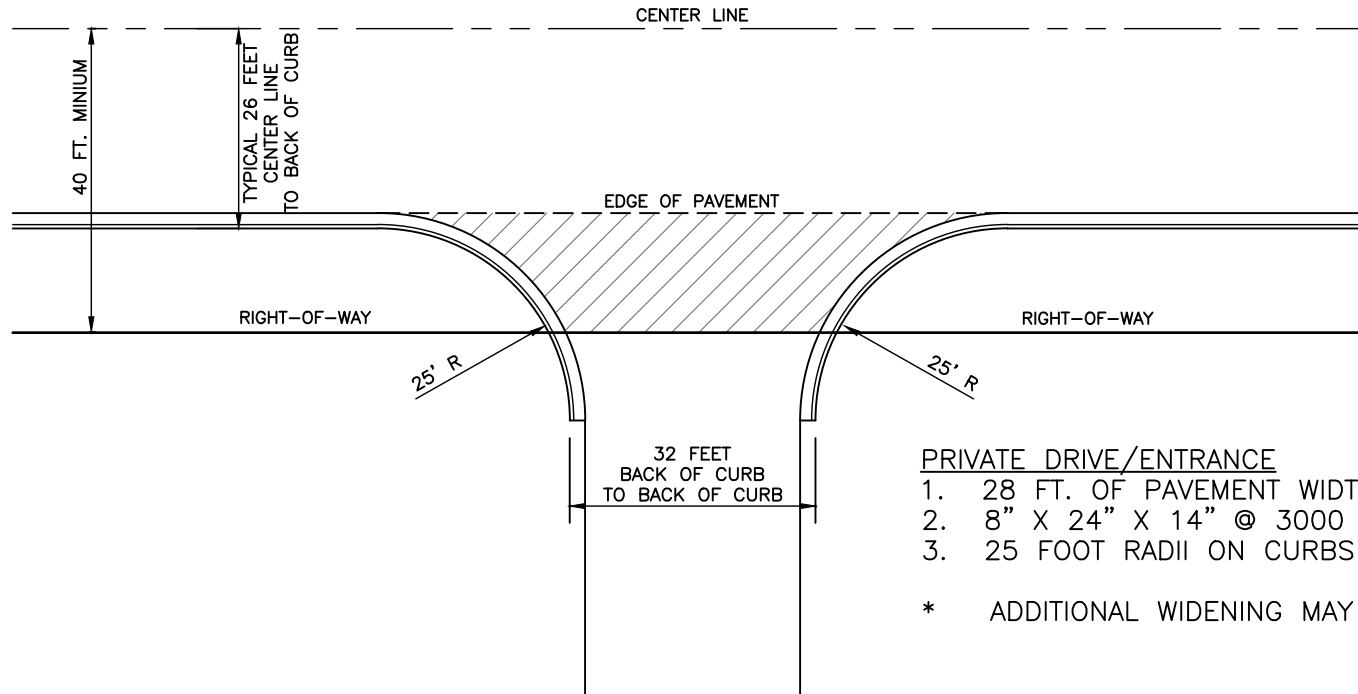
65 LAWRENCEVILLE ST.
NW, NORCROSS, GA 30071

STANDARD DETAILS

INTERSECTION DETAIL ARTERIAL OR MAJOR COLLECTOR STREET CLASSIFICATION

DRIVEWAY DETAIL NO.1 – 32 FT. WIDTH 25 FT. RADIUS

AUTOMOBILE SERVICE STATION/GASOLINE CONVENIENCE STORES
 COMMERCIAL SITES (OVER 80,000 SQ. FT.)
 OFFICE INSTITUTIONAL COMPLEXES (OVER 100,000 SQ. FT.)
 APARTMENT/CONDO COMPLEXES (OVER 200 UNITS)
 MOBILE HOME COMPLEXES (OVER 200 LOTS)



PRIVATE DRIVE/ENTRANCE

1. 28 FT. OF PAVEMENT WIDTH
2. 8" X 24" X 14" @ 3000 PSI CURB AND GUTTER
3. 25 FOOT RADII ON CURBS

* ADDITIONAL WIDENING MAY BE REQUIRED



CITY OF NORCROSS

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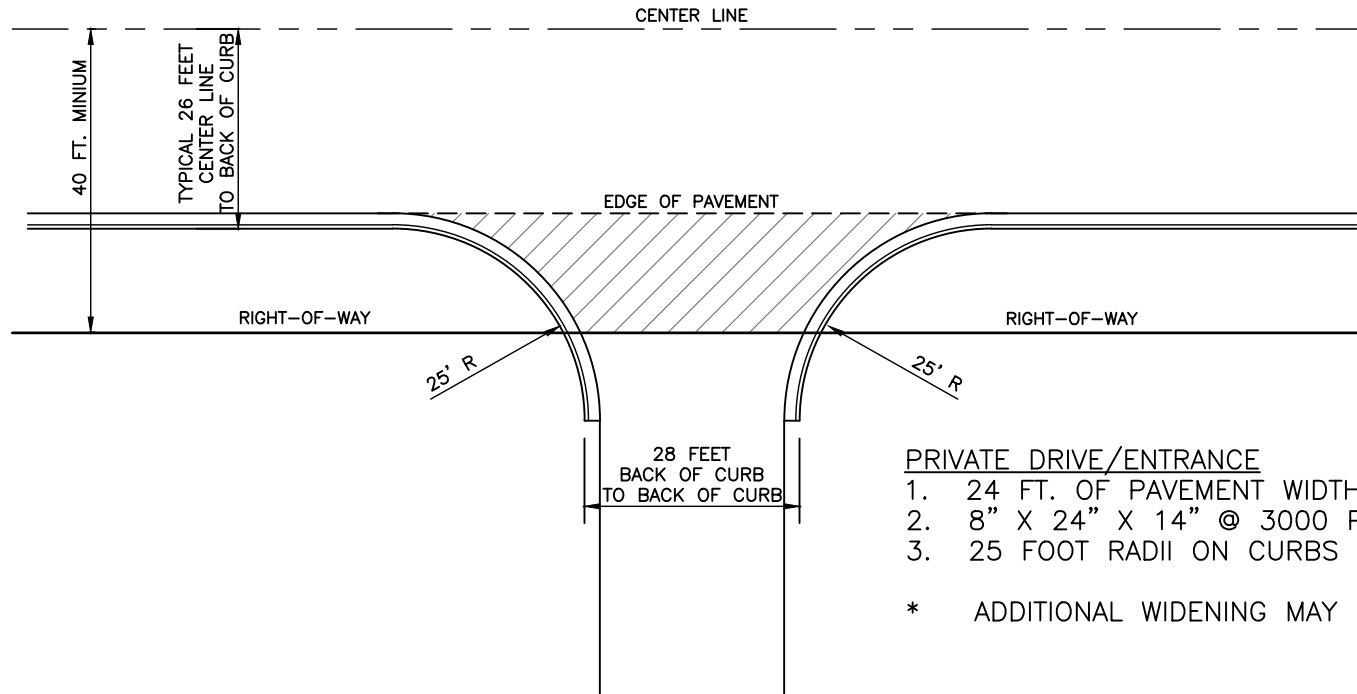
STANDARD DETAILS

DRIVEWAY DETAIL NO.1

308

DRIVEWAY DETAIL NO.2 – 28 FT. WIDTH 25 FT. RADIUS

COMMERCIAL SITES (80,000 SQ. FT. OR LESS)
 OFFICE INSTITUTIONAL COMPLEXES (100,000 SQ. FT. OR LESS)
 APARTMENT/CONDO COMPLEXES (200 UNITS OR LESS)
 MOBILE HOME COMPLEXES (200 LOTS OR LESS)



PRIVATE DRIVE/ENTRANCE

1. 24 FT. OF PAVEMENT WIDTH
2. 8" X 24" X 14" @ 3000 PSI CURB AND GUTTER
3. 25 FOOT RADII ON CURBS

* ADDITIONAL WIDENING MAY BE REQUIRED



CITY OF NORCROSS

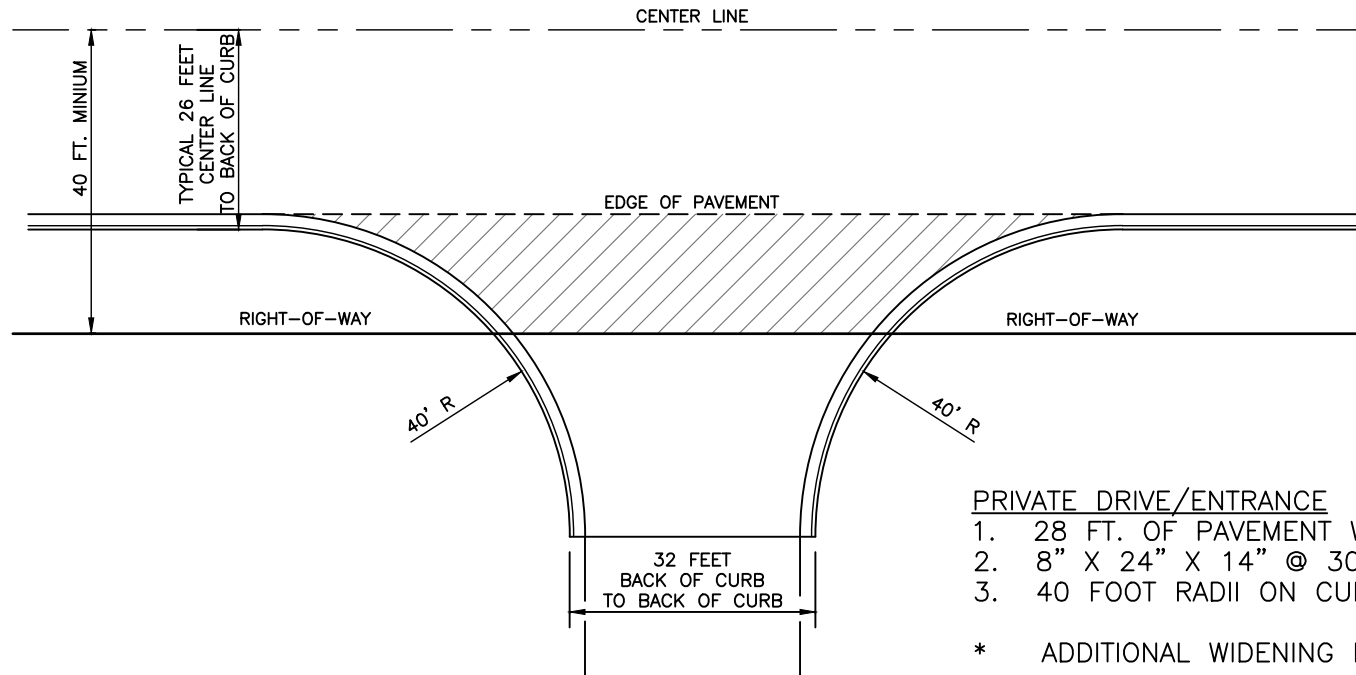
65 LAWRENCEVILLE ST.
 NW, NORCROSS, GA 30071

STANDARD DETAILS

DRIVEWAY DETAIL NO.2

309

DRIVEWAY DETAIL NO.3 – 32 FT. WIDTH 40 FT. RADIUS



INDUSTRIAL SITES



CITY OF NORCROSS

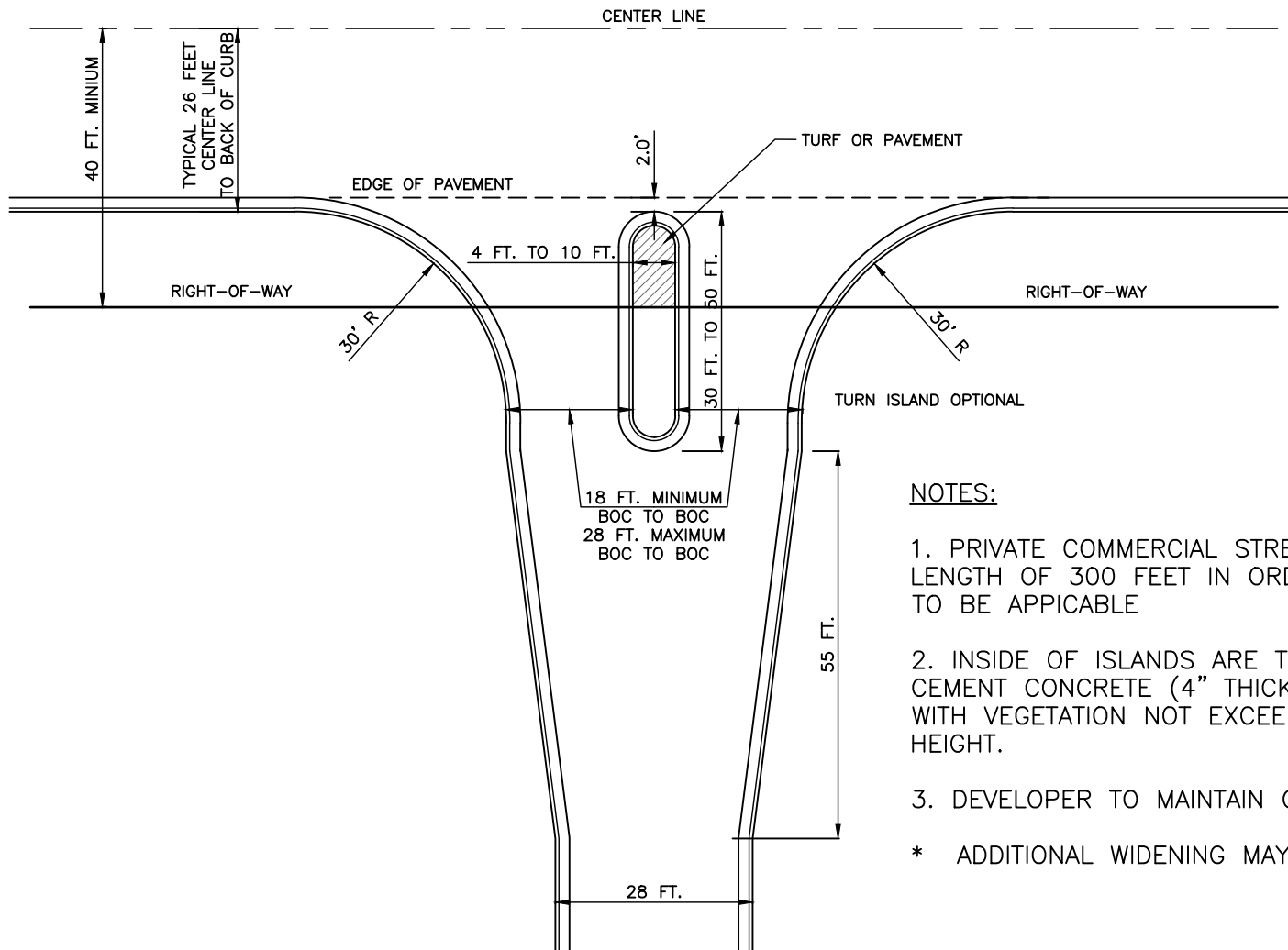
65 LAWRENCEVILLE ST.
NW, NORCROSS, GA 30071

STANDARD DETAILS

DRIVEWAY DETAIL NO.3

310

DRIVEWAY DETAIL NO.4 – (OPTIONAL)



NOTES:

1. PRIVATE COMMERCIAL STREET MUST HAVE A MINIMUM LENGTH OF 300 FEET IN ORDER FOR THIS DRIVEWAY DETAIL TO BE APPLICABLE
 2. INSIDE OF ISLANDS ARE TO BE BACKFILL WITH PORTLAND CEMENT CONCRETE (4" THICK), OR GRASSED, OR PLANTED WITH VEGETATION NOT EXCEEDING TWENTY-FOUR INCHES IN HEIGHT.
 3. DEVELOPER TO MAINTAIN GRASSED OR PLANTED ISLAND.
- * ADDITIONAL WIDENING MAY BE REQUIRED.



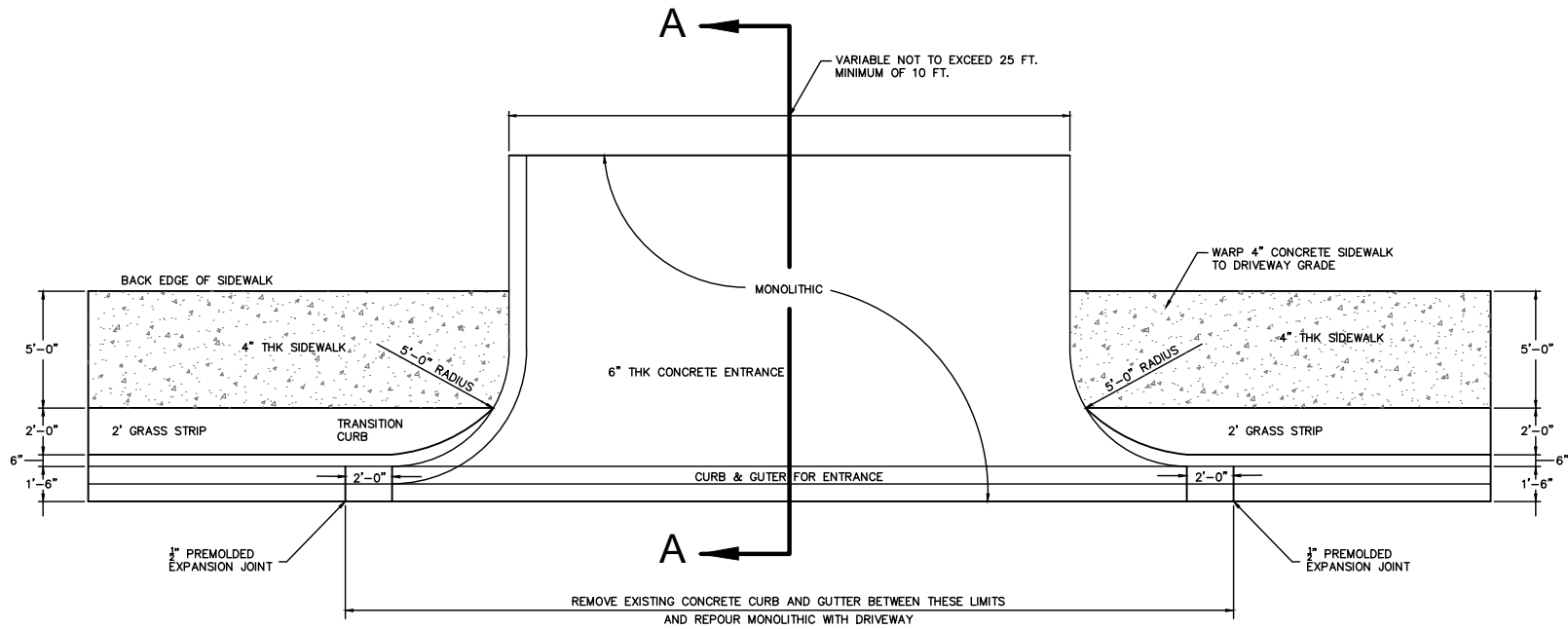
CITY OF NORCROSS

65 LAWRENCEVILLE ST.
NW, NORCROSS, GA 30071

STANDARD DETAILS

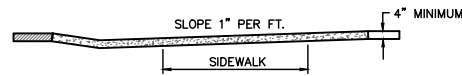
DRIVEWAY DETAIL NO.4

311



ALL CONCRETE SHALL BE 3000 PSI

PLAN



SECTION A-A



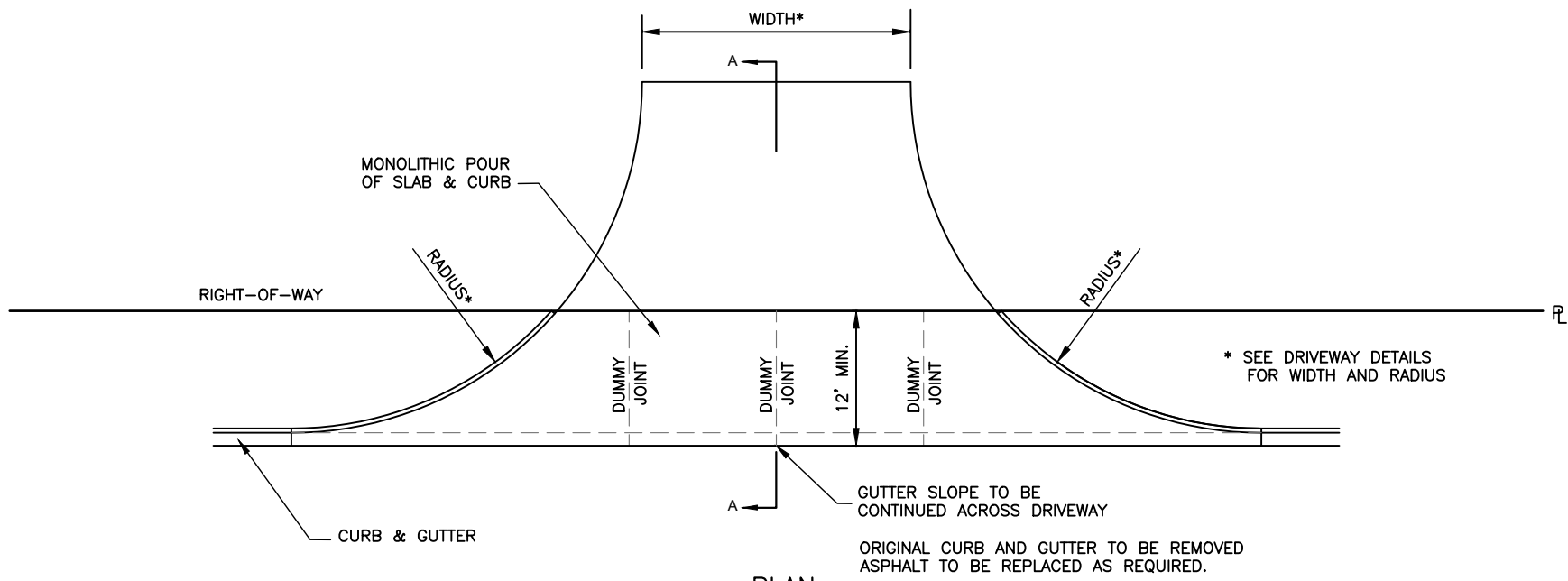
CITY OF NORCROSS

65 LAWRENCEVILLE ST.
NW, NORCROSS, GA 30071

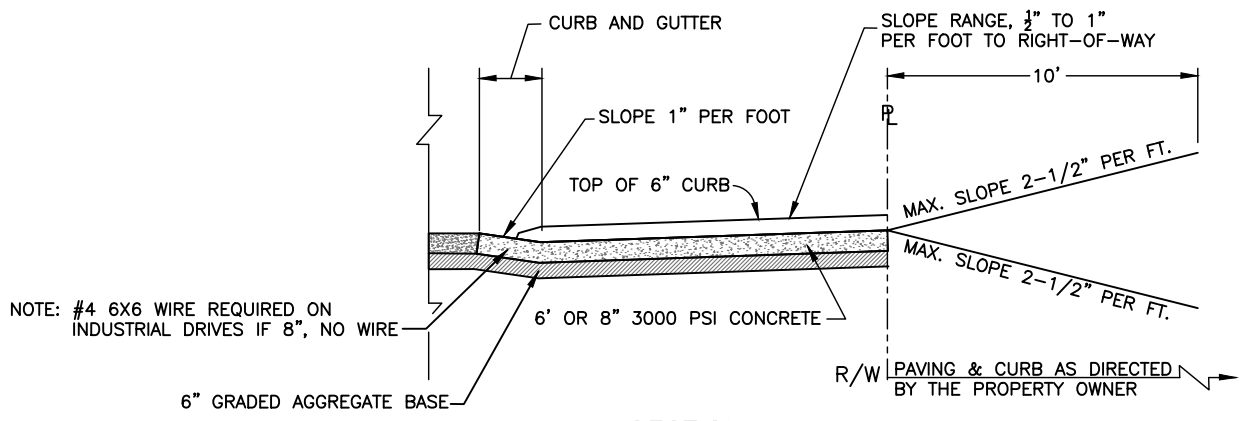
STANDARD DETAILS

**RESIDENTIAL DRIVEWAY ENTRANCE
WITH SIDEWALK**

312



PLAN

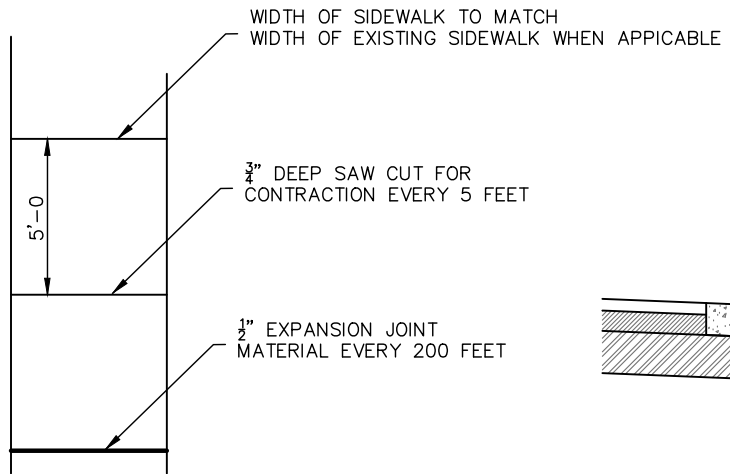


SECTION A-A

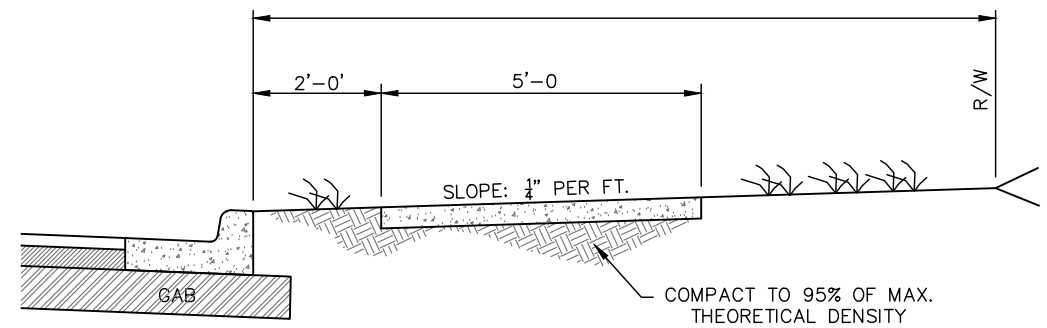


CITY OF NORCROSS
 65 LAWRENCEVILLE ST.
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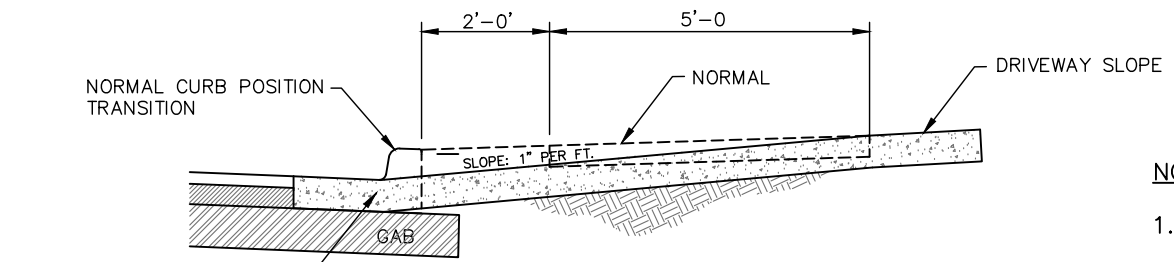
STANDARD DETAILS
COMMERCIAL AND INDUSTRIAL
DRIVEWAYS



PLAN
N.T.S.



TYPICAL SECTION OF 5'-0" SIDEWALK
N.T.S.



POUR GUTTER MONOLITHIC
WITH DRIVEWAY

SIDEWALK SECTION AT DRIVEWAY
N.T.S.

NOTES:

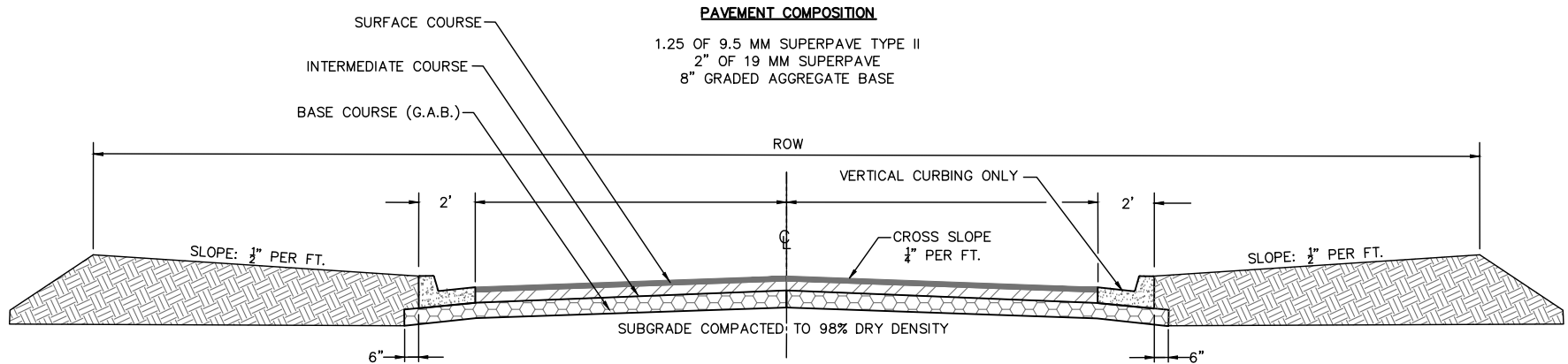
1. SIDEWALK TO BE CONSTRUCTED OF 3000 PSI CONCRETE AT 28 DAYS.
2. SIDEWALK TO BE 4 INCHES (4") THICK.
3. 1/2" PREMOLDED EXPANSION JOINT REQUIRED AT ALL DRIVEWAYS, CURB, ETC.



CITY OF NORCROSS
65 LAWRENCEVILLE ST.
NW, NORCROSS, GA 30071

STANDARD DETAILS

**TYPICAL SIDEWALK
SECTION**



PAVEMENT COMPOSITION

1.25" OF 9.5 MM SUPERPAVE TYPE II
 2" OF 19 MM SUPERPAVE
 8" GRADED AGGREGATE BASE

ROW

VERTICAL CURBING ONLY

CROSS SLOPE
 1/4" PER FT.

SUBGRADE COMPACTED TO 98% DRY DENSITY

N.T.S.

LOCAL OR MINOR COLLECTOR STREETS IN RESIDENTIAL SUBDIVISIONS

(STANDARD RESIDENTIAL SUBDIVISION STREET, SEE UDO FOR WIDTHS WITHIN
 OSC, TND, AND MIXED-USE DISTRICTS)

NOTES:

1. ANY AREAS OF INADEQUATELY COMPACTED FILL OR UNSUITABLE MATERIAL OF ANY NATURE SHALL BE REMOVED AND REPLACED WITH SUITABLE FILL IN WELL COMPACTED LAYERS TO AT LEAST 98% OF MAXIMUM DENSITY (AASHTO T-99), BEFORE ANY TYPE OF PAVING IS APPLIED.
2. NO CONTRACTOR SHALL BEGIN TO APPLY PAVING WITHOUT A RELEASE FROM THE DEPARTMENT, AND WILL BE HELD RESPONSIBLE FOR REPLACING ANY PAVING, BASE AND SUBGRADE WHICH MAY FAIL BECAUSE OF INADEQUATE SUBGRADE CONDITIONS, AS WELL AS FOR ORDINARY PAVING DEFICIENCIES.
3. VERTICAL CURBING ONLY - TO BE 6"x24"x12"



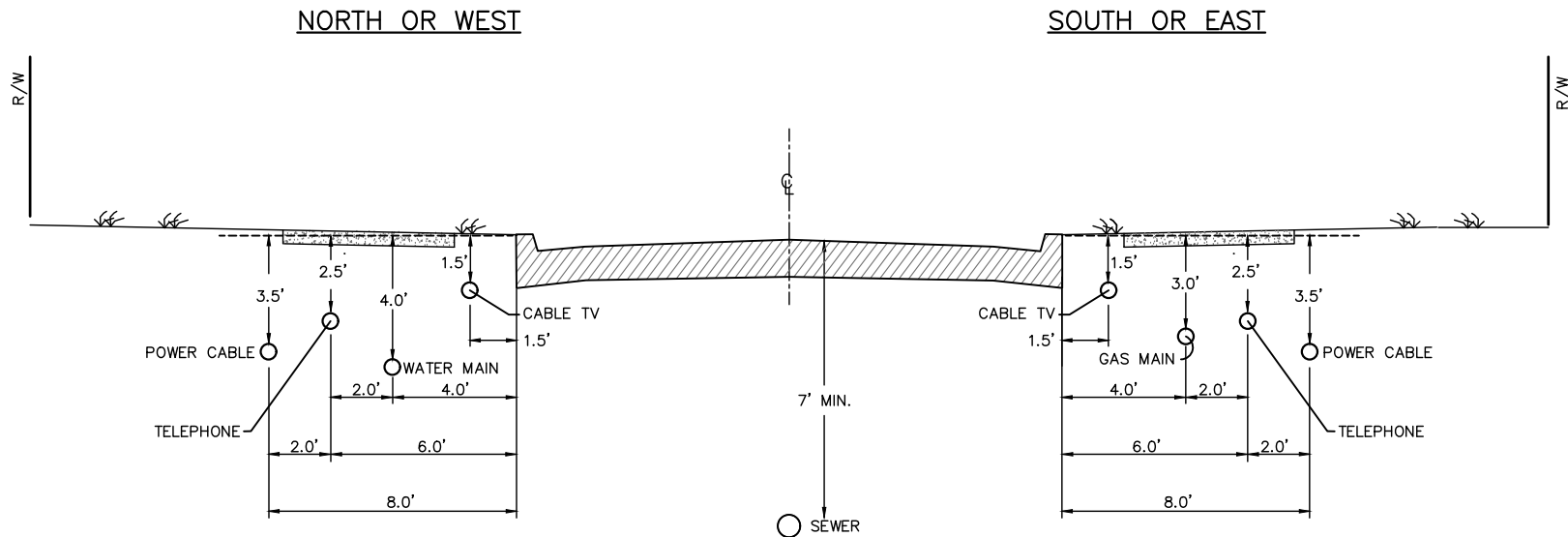
CITY OF NORCROSS

65 LAWRENCEVILLE ST.
 NW, NORCROSS, GA 30071

STANDARD DETAILS

**RESIDENTIAL SUBDIVISION
 STREET**

402



NOTES:

1. THIS STANDARD DETAIL IS TO BE USED FOR UTILITY LOCATIONS WITHIN THE RIGHT-OF-WAY OF SUBDIVISIONS ONLY.
2. BEFORE ANY UTILITY IS INSTALLED, THE ENTIRE WIDTH OF THE RIGHT-OF-WAY SHALL BE ROUGH GRADED. SEE DEVELOPMENT REGULATIONS FOR TIMING OF WATER SYSTEM INSTALLATION.
3. IN GENERAL, THE DEEPEST UTILITIES SHOULD BE INSTALLED FIRST TO MINIMIZE ANY POSSIBLE INTERFERENCE WITH LATERALS OR SERVICES LINES.
4. IN CUL-DE-SAC OR EYEBROW TURNAROUNDS, THE DIMENSIONS FROM THE CURB SHALL VARY. HOWEVER, THE STANDARD UTILITY SPACING SHALL BE MAINTAINED.
5. BACKFILL OF ALL UTILITY TRENCHES CONSTRUCTED IN THE ROADWAY SHOULDER SHALL BE RETURNED TO 95% COMPACTION.

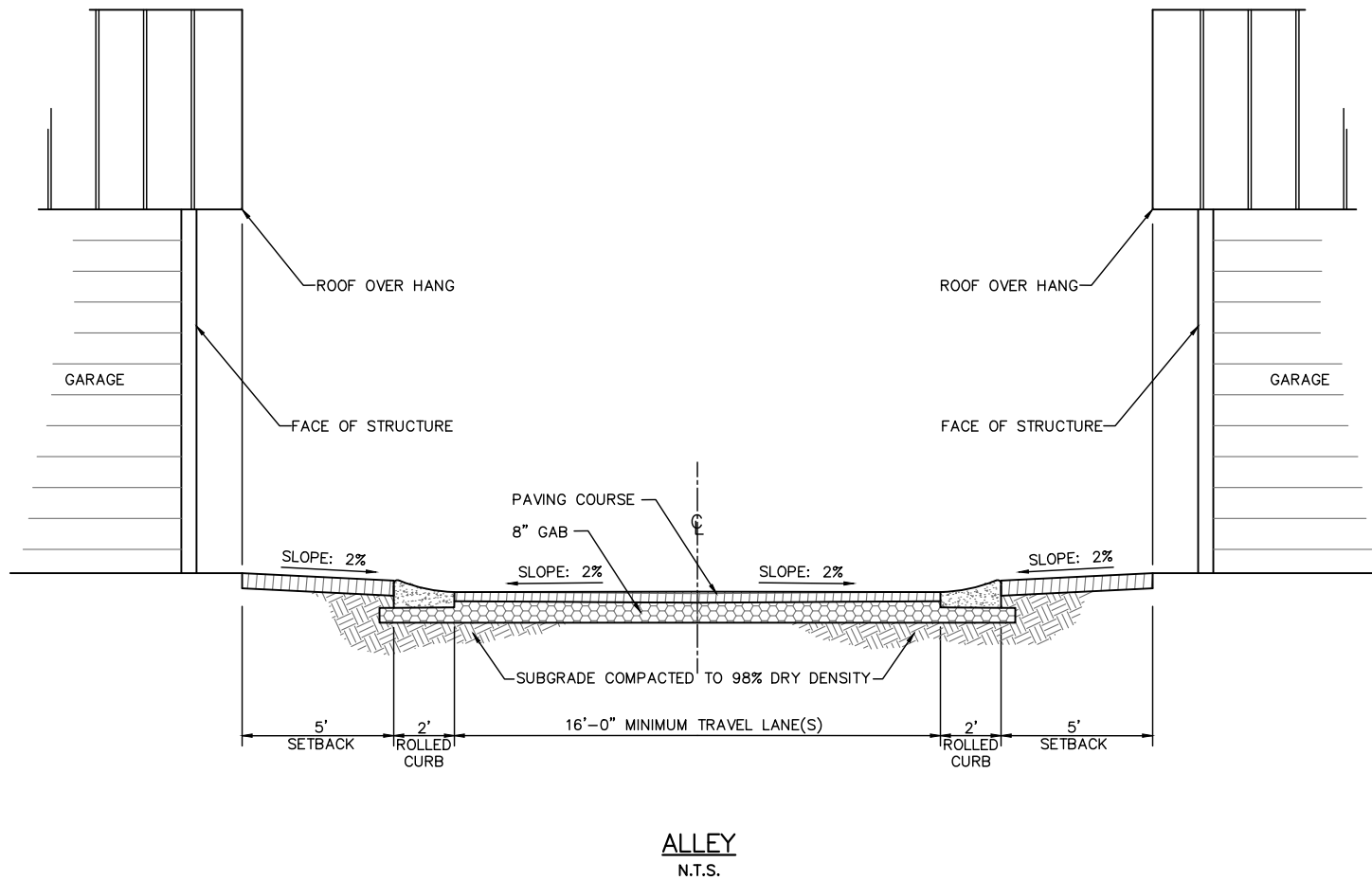
6. EACH UTILITY SHALL BE RESPONSIBLE FOR REPAIR OF ANY DAMAGE THEY CREATE TO OTHER UTILITY LINES, OR TO THE STREET IMPROVEMENTS WITHIN THE RIGHT-OF-WAY. NO UTILITY SHALL BE RESPONSIBLE FOR DAMAGES TO ANOTHER UTILITY WHICH IS LOCATED OUTSIDE THEIR ASSIGNED SPACE.
7. ANYONE DIGGING IN THE RIGHT-OF-WAY SHALL CALL 811 TO HAVE UTILITIES LOCATED.
8. THIS DETAIL IS FOR GENERAL GUIDANCE ONLY. THE CONTRACTOR SHALL COORDINATE WITH EACH UTILITY PROVIDER AND OBTAIN THEIR APPROVAL.



CITY OF NORCROSS
 65 LAWRENCEVILLE ST.
 NW, NORCROSS, GA 30071

STANDARD DETAILS
UTILITY PLACEMENT
IN RIGHT-OF-WAY

501



CITY OF NORCROSS

65 LAWRENCEVILLE ST.
NW, NORCROSS, GA 30071

STANDARD DETAILS

**ALLEY WAY
TRAVEL LANE**

A01