

ARTICLE V
ZONING DISTRICT DEVELOPMENT AND USE REGULATIONS

SECTION 500. R-140 Residential Single-Family District.

This Zoning District is intended primarily for Single-Family Dwellings and related uses. This section must be read in it's entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. Within the R-140 Zoning District. except where the size or scale of a proposed use falls within the large project category requiring a special use permit, the following uses are permitted:

1. Accessory Buildings, Structures and Uses, provided:
 - a. The building, structure or use complies with Section 604 of this Ordinance.
 - b. A swimming pool is completely enclosed by a fence or wall at least four (4) feet in height, but not over eight (8) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates. Openings in the fence or wall shall not permit the passage of a six (6") inch diameter sphere.
 - c. An accessory building, to include a guest house, an accessory dwelling unit, a garage, a storage building, etc., shall not exceed 800 square feet of gross floor area.
 - d. A relative residence contained within a Single Family Dwelling shall not exceed 800 square feet of gross floor area; the real property owner must live in the Single Family Dwelling; relatives must be by blood, marriage or law; access to the relatives living area shall be required from the interior of the dwelling although secondary access to the exterior of the dwelling is permissible; and, paved off-street parking shall be provided for additional vehicles as needed.
 - e. Any accessory building exceeding two hundred (200) square feet shall have an exterior finish consistent with the primary residence.
2. Cemeteries, Existing.
3. Community Facilities, provided:
 - a. All outdoor lighting shall comply with Section 1501.C.2.
 - b. The lot must be accessed from an arterial or collector as identified in the Comprehensive Plan.
 - c. All buildings shall be located at least 50 feet from all property lines.
 - d. All off-street parking areas shall be located at least 25 feet from all property lines.
 - e. All buildings shall comply with the City's architectural standards for the O-I zoning district.
 - f. Such uses include, but are not limited to, community clubs, community associations, golf courses, country clubs, private parks,

religious institutions, schools and swimming and tennis clubs. (see definition)

4. Community Gardens.
5. Family Day Care Homes.
6. Home Events, provide:
 - a. The events comply with Section 616. Home Occupations.
7. Home Occupations.
8. Industrialized Homes.
9. Livestock - Cows, Goats and Horses., provided:
 - a. The lot is at least 4 acres in size.
 - b. All structures, pens or corrals housing the animals are located at least 50 feet from any property line.
 - c. All structures, pens or corrals housing the animals are located at least 100 feet from an adjoining property's principal dwelling.
 - d. No more than 2 horses or cows per acre shall be kept on the lot.
 - e. No more than 4 goats per acre shall be kept on the lot.
10. Public Buildings or Uses.
11. Single Family Detached Dwellings.
12. Stables, Private, provided:
 - a. The lot is at least 4 acres in size.
 - b. All structures, pens or corrals housing the animals are located at least 50 feet from any property line.
 - c. All structures, pens or corrals housing the animals are located at least 100 feet from an adjoining property's principal dwelling.
 - d. No more than two horses or cows per acre shall be kept on the lot.
 - e. No more than four goats per acre shall be kept on the lot.
13. Subdivision Recreation/Amenity Areas.

B. PERMITTED SPECIAL USES.

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

1. Cemeteries, New
2. Day Care Centers, provided:
 - a. The lot abuts upon a Major or Collector Street or a State Highway.

- b. At least 35 square feet of indoor play area for each child at maximum enrollment is provided.
 - c. At least 100 square feet of outdoor play area for each child at maximum enrollment is provided.
 - d. The outdoor play area is enclosed by a fence at least 4 feet in height but not over 8 feet in height.
 - e. A circular drive for off-street loading.
 - f. If a Special Use Permit is approved, comply with all State Day Care requirements and Health regulations.
3. Farming and Horticulture, General.
4. Group Day Cares, provided:
- a. No more than 12 individuals are kept.
5. Large Development Projects. Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:
- a. Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or
 - b. Any project with a cumulative land disturbance exceeding 5 acres; and/or
 - c. Any development that creates a residential subdivision exceeding 7 lots.
6. Livestock - Cows, Goats and Horses, provided:
- a. The lot is at least 2 acres in size.
 - b. All structures, pens or corrals housing the animals are located at least 50 feet from any property line.
 - c. All structures, pens or corrals housing the animals are located at least 100 feet from an adjoining property's principal dwelling.
 - d. A fenced buffer at least 10 feet wide is provided along all property lines, except abutting a public street. The fence shall not exceed 8 feet in height.
 - e. No more than 2 horses or cows per acre shall be kept on the lot.
 - f. No more than 4 goats per acre shall be kept on the lot.
7. Public Utility Facilities.
If essential to service this Zoning District, power substations and gas regulator stations are permitted, provided:
- a. All structures, except for driveways, are placed 50 feet from any property line.
 - b. All structures, except for driveways, are enclosed by a wall or woven wire fence at least but not greater than 8 feet in height.
 - c. A 10-foot buffer is provided along the side and rear property lines, planted with evergreen trees and shrubs that grow at least 8 feet in height and provide an effective visual screen.
 - d. The lot is suitably landscaped.
 - e. No vehicles or equipment are stored on the premises.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. 30,000 square feet.
 - b. Not less than 50% of the required lot size shall be above the Base Flood elevation.
2. Minimum Lot Width.
 - a. 140 feet, except abutting a cul-de-sac or half cul-de-sac.
 - b. 100 feet abutting cul-de-sacs or half cul-de-sacs.
3. Minimum Road Frontage.
 - a. 40 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 50 feet.
5. Minimum Side Yard.
 - a. 10 feet.
6. Minimum Rear Yard.
 - a. 40 feet.
7. Maximum Height.
 - a. 35 feet.
8. Street Rights-of-Way.
 - a. 50 feet if in the interior of a Subdivision.
 - b. Other streets - as determined by the Thoroughfare Plan.
9. Minimum Floor Area.
 - a. 1,250 square feet.

SECTION 501. R-100 Residential Single Family District.

This Zoning District is intended primarily for Single-Family dwellings and related uses. This section must be read in it's entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

- A. Within the R-100 District except where the size or scale of a proposed use falls within the large project category requiring a special use permit, the following uses are permitted:
 1. Accessory Buildings, Structures and Uses, provided:
 - a. The building, structure or use complies with Section 604 of this Ordinance.

- b. A swimming pool is completely enclosed by a fence or wall at least four (4) feet in height, but not over eight (8) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates. Openings in the fence or wall shall not permit the passage of a six (6") inch diameter sphere.
 - c. An accessory building, to include a guest house, an accessory dwelling unit, a garage, a storage building, etc., shall not exceed 800 square feet of gross floor area.
 - d. A relative residence contained within a Single Family Dwelling shall not exceed 800 square feet of gross floor area; the real property owner must live in the Single Family Dwelling; relatives must be by blood, marriage or law; access to the relatives living area shall be required from the interior of the dwelling although secondary access to the exterior of the dwelling is permissible; and, paved off-street parking shall be provided for additional vehicles as needed.
 - e. Any accessory building exceeding two hundred (200) square feet shall have an exterior finish consistent with the primary residence.
2. Cemeteries, Existing.
3. Community Facilities, provided:
- a. All outdoor lighting shall comply with Section 1501.C.2.
 - b. The lot must be accessed from an arterial or collector as identified in the Comprehensive Plan.
 - c. All buildings shall be located at least 50 feet from all property lines.
 - d. All off-street parking areas shall be located at least 25 feet from all property lines.
 - e. All buildings shall comply with the City's architectural standards for the O-I zoning district.
 - f. Such uses include, but are not limited to, community clubs, community associations, golf courses, country clubs, private parks, religious institutions, schools and swimming and tennis clubs. (see definition)
4. Community Gardens.
5. Family Day Care Homes.
6. Home Events, provide:
- a. The events comply with Section 616. Home Occupations.
7. Home Occupations.
8. Industrialized Homes.
9. Public Buildings or Uses.
10. Single Family Detached Dwellings.

11. Subdivision Recreation/Amenity Areas.

B. PERMITTED SPECIAL USES.

Within the R-100 Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Planning Commission and after a public hearing:

1. Bed and Breakfast Inns.
2. Day Care Centers, provided:
 - a. The lot abuts upon a Major or Collector Street or a State Highway.
 - b. At least 35 square feet of indoor play area for each child at maximum enrollment is provided.
 - c. At least 100 square feet of outdoor play area for each child at maximum enrollment is provided.
 - d. The outdoor play area is enclosed by a fence at least 4 feet in height but not over 8 feet in height.
 - e. A circular drive for off-street loading.
 - f. If a Special Use Permit is approved, comply with all State Day Care requirements and Health regulations.
3. Farming and Horticulture, General.
4. Group Day Cares, provided:
 - a. No more than 12 individuals are kept.
5. Large Developments/Projects. Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:
 - a. Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or
 - b. Any project with a cumulative land disturbance exceeding 5 acres; and/or
 - c. Any development that creates a residential subdivision exceeding 7 lots.
6. Livestock - Cows, Goats and Horses., provided:
 - a. The lot is at least 2 acres in size.
 - b. All structures, pens or corrals housing the animals are located at least 50 feet from any property line.
 - c. All structures, pens or corrals housing the animals are located at least 100 feet from an adjoining property's principal dwelling.
 - d. A fenced buffer at least 10 feet wide is provided along all property lines, except abutting a public street. The fence shall not exceed 8 feet in height.
 - e. No more than 2 horses or cows per acre shall be kept on the lot.
 - f. No more than 4 goats per acre shall be kept on the lot.

7. Public Utility Facilities.

If essential to service this Zoning District, power substations and gas regulator stations are permitted, provided:

- a. All structures, except for driveways, are placed 50 feet from any property line.
- b. All structures, except for driveways, are enclosed by a wall or woven wire fence at least but not greater than 8 feet in height.
- c. A 10-foot buffer is provided along the side and rear property lines, planted with evergreen trees and shrubs that grow at least 8 feet in height and provide an effective visual screen.
- d. The lot is suitably landscaped.
- e. No vehicles or equipment are stored on the premises.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.

- a. 22,000 square feet for a septic tank lot.
- b. 18,500 square feet for a sewer lot.
- c. At least 50% of the required lot area shall be above the Base Flood elevation.

2. Minimum Lot Width.

- a. 100 feet, except abutting a cul-de-sac or half cul-de-sac.
- b. 85 feet abutting cul-de-sacs or half cul-de-sacs.

3. Minimum Road Frontage.

- a. 40 feet.

4. Minimum Yard Abutting a Public Street.

- a. 50 feet except abutting upon a subdivision street.
- b. 35 feet where abutting upon a subdivision street.

5. Minimum Side Yard.

- a. 10 feet.

6. Minimum Rear Yard.

- a. 40 feet.

7. Maximum Height.

- a. 35 feet.

8. Street Rights-of-Way.

- a. 50 feet if in the interior of a Subdivision.
- b. Other streets - as determined by the Thoroughfare Plan.

9. Minimum Floor Area.

- a. 1400 square feet.

10. No Mass Grading will be allowed. Grading shall be limited to street right-of-way, utility crossings, easements and detention facilities.

SECTION 501A. R-85 Residential Single Family District.

A. REPEALER.

The 1987 Zoning Ordinance of the City of Suwanee, Georgia, as amended, is hereby amended by striking in its entirety under Article V, Zoning District Development and Use Regulations, "Section 501A R-85 Residential Single Family District" as approved on July 17, 1990, subject to the conditions set further in Section 2.

B. SAVINGS CLAUSE.

This amendment shall not affect or apply to any R-85 Residential Single Family District existing on the effective date nor prohibit the continuance of the use of any land, building or structure for the purpose for which such land, building or structure is used at the time such amendment takes effect, but the alteration of, or addition to, any existing building or structure which expands upon such zoning is prohibited. If a nonconforming use has been discontinued or if upon such property no development permit, building permit, or certificate of occupancy has been issued on or before July 20, 1994, then such zoning classification shall revert to its pre-existing R-85 zoning classification.

C. Existing R-85 Residential Single District property shall be subject to Large Development/Project requirements for a Special Use Permit as follows:

Large Development/Project. Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:

- a. Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or
- b. Any project with a cumulative land disturbance exceeding 5 acres; and/or
- c. Any development that creates a residential subdivision exceeding 7 lots.

D. Existing R-85 Residential Single Family District property shall not be required to obtain a Special Exception from the Zoning Board of Appeals in order to allow for a Barber Shop or Beauty Salon to operate as a Home Occupation. Said uses shall be subject to the requirements of Section 616 Home Occupations.

SECTION 502. RMD Residential Multi-Family Duplex District.

This Zoning District is intended primarily for duplexes and related uses, provided only one duplex is constructed on each lot of record. This section must be read in its entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. PERMITTED USES.

Within the RMD Zoning District, the following uses are permitted:

1. Accessory Buildings, Structures and Uses, provided: in accordance with the provisions set forth in Section 604 of this Ordinance.
 - a. The building, structure or use complies with Section 604 of this Ordinance.
 - b. A swimming pool is completely enclosed by a fence or wall at least four (4) feet in height, but not over eight (8) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates. Openings in the fence or wall shall not permit the passage of a six (6") inch diameter sphere.
 - c. An accessory building, to include a guest house, an accessory dwelling unit, a garage, a storage building, etc., shall not exceed 800 square feet of gross floor area.
 - d. Any accessory building exceeding two hundred (200) square feet shall have an exterior finish consistent with the primary residence.
2. Cemeteries, Existing.
3. Community Facilities, provided:
 - a. All outdoor lighting shall comply with Section 1501.C.2.
 - b. The lot must be accessed from an arterial or collector as identified in the Comprehensive Plan.
 - c. All buildings shall be located at least 50 feet from all property lines.
 - d. All off-street parking areas shall be located at least 25 feet from all property lines.
 - e. All buildings shall comply with the City's architectural standards for the O-I zoning district.
 - f. Such uses include, but are not limited to, community clubs, community associations, golf courses, country clubs, private parks, religious institutions, schools and swimming and tennis clubs. (see definition)
4. Duplex Dwellings.
5. Home Events, provided:
 - a. The events comply with Section 616. Home Occupations.
6. Home Occupations.
7. Industrialized Homes.
8. Public Buildings or Uses.
9. Single Family Detached Dwellings.
10. Subdivision Recreation/Amenity Areas.

B. PERMITTED SPECIAL USES.

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

1. Public Utility Facilities.

If essential to service this Zoning District, power substations and gas regulator stations are permitted, provided:

- a. All structures, except for driveways, are placed 50 feet from any property line.
- b. All structures, except for driveways, are enclosed by a wall or woven wire fence at least but not greater than 8 feet in height.
- c. A 10-foot buffer is provided along the side and rear property lines, planted with evergreen trees and shrubs that grow at least 8 feet in height and provide an effective visual screen.
- d. The lot is suitably landscaped.
- e. No vehicles or equipment are stored on the premises.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.

- a. Duplex Dwelling - 24,000 square feet.
- b. Single Family Dwelling - 22,000 square feet
- c. Not less than 50% of the required lot size shall be above the Base Flood elevation.

2. Minimum Lot Width.

- a. 100 feet.

3. Minimum Road Frontage.

- a. 40 feet.

4. Minimum Yard Abutting a Public Street.

- a. 50 feet.

5. Minimum Side Yard.

- a. 15 feet.

6. Minimum Rear Yard.

- a. 40 feet.

7. Maximum Height.

- a. 35 feet.

8. Street Rights-of-Way.

- a. 50 feet if in the interior of a Subdivision.
- b. Other streets - as determined by the Thoroughfare Plan.

9. Minimum Floor Area.

- a. Duplex Dwelling - 800 square feet.

- b. Single Family Dwelling - 1000 square feet.
10. Minimum Buffer Area.
- a. 25 feet if abutting or across from an R-140 or R-100 Zoning District in accordance with standards set forth in Article XVI of this Ordinance.

SECTION 502A. R-75 Single-Family Residence District (Formerly known as TRD Transitional Residential Single Family District).

This district is intended to function as an infill residential district between established residential and non-residential areas. The R-75 (Single-Family Residence District) is intended to be utilized for infill development on sites adjacent to developed areas. The purpose of this district is to create the flexibility to develop lots with a minimum of 12,000 square feet, but limit the overall development to 2.5 units to the acre, for a maximum of 40 acres. This section must be read in it's entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

- A. Within the R-75 Zoning District, except where the size or scale of a proposed use falls within the large project category requiring a special use permit, the following uses are permitted:
 - 1. Accessory Buildings, Structures and Uses, provided:
 - a. The building, structure or use complies with Section 604 of this Ordinance.
 - b. A swimming pool is completely enclosed by a fence or wall at least four (4) feet in height, but not over eight (8) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates. Openings in the fence or wall shall not permit the passage of a six (6") inch diameter sphere.
 - c. An accessory building, to include a guest house, an accessory dwelling unit, a garage, a storage building, etc., shall not exceed 800 square feet of gross floor area.
 - d. A relative residence contained within a Single Family Dwelling shall not exceed 800 square feet of gross floor area; the real property owner must live in the Single Family Dwelling; relatives must be by blood, marriage or law; access to the relatives living area shall be required from the interior of the dwelling although secondary access to the exterior of the dwelling is permissible; and, paved off-street parking shall be provided for additional vehicles as needed.
 - e. Any accessory building exceeding two hundred (200) square feet shall have an exterior finish consistent with the primary residence.
 - 2. Cemeteries, Existing.
 - 3. Community Facilities, provided:
 - a. All outdoor lighting shall comply with Section 1501.C.2.

- b. The lot must be accessed from an arterial or collector as identified in the Comprehensive Plan.
 - c. All buildings shall be located at least 50 feet from all property lines.
 - d. All off-street parking areas shall be located at least 25 feet from all property lines.
 - e. All buildings shall comply with the City's architectural standards for the O-I zoning district.
 - f. Such uses include, but are not limited to, community clubs, community associations, golf courses, country clubs, private parks, religious institutions, schools and swimming and tennis clubs. (see definition)
- 4. Family Day Care Homes.
 - 5. Home Events, provided;
 - a. The events comply with Section 616. Home Occupations.
 - 6. Home Occupations.
 - 7. Industrialized Homes.
 - 8. Public Buildings and Uses.
 - 9. Single Family Detached Dwellings.
 - 10. Subdivision Recreation/Amenity Areas.

B. PERMITTED SPECIAL USES.

Within the R-75 Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Inspections and Planning Commission and after a public hearing:

- 1. Day Care Centers, provided:
 - a. The lot abuts upon a Major or Collector Street or a State Highway.
 - b. At least 35 square feet of indoor play area for each child at maximum enrollment is provided.
 - c. At least 100 square feet of outdoor play area for each child at maximum enrollment is provided.
 - d. The outdoor play area is enclosed by a fence at least 4 feet in height but not over 8 feet in height.
 - e. A circular drive for off-street loading.
 - f. If a Special Use Permit is approved, comply with all State Day Care requirements and Health regulations.
- 2. Group Day Care, provided:
 - a. No more than 12 individuals are kept.

3. Large Developments/Projects. Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:
 - a. Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or
 - b. Any project with a cumulative land disturbance exceeding 5 acres; and/or
 - c. Any development that creates a residential subdivision exceeding 7 lots.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. 12,000 square feet (sewered) lot.
 - b. At least 50% of the required lot size shall be above the Base Flood elevation.
2. Minimum Lot Width.
 - a. 70 feet.
3. Minimum Road Frontage.
 - a. 40 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 50 feet except abutting upon a subdivision street.
 - b. 20 feet where abutting upon a subdivision street.
5. Minimum Side Yard.
 - a. 7.5 feet.
6. Minimum Rear Yard.
 - a. 40 feet.
7. Maximum Height.
 - a. 35 feet.
8. Street Rights-of-Way (except as noted below).
 - a. 50 feet if in the interior of a Subdivision.
 - b. Other streets - as determined by the Thoroughfare Plan.
9. Minimum Floor Area per Dwelling.
 - a. 1,400 square feet.
10. Maximum Density.
 - a. 2.5 units per acre.

D. DISTRICT DEVELOPMENT REQUIREMENTS.

1. Provide underground utilities.

2. Along the roadway frontages for all lots, a minimum of one canopy or over-story, minimum 3" caliper, shade tree shall be provided for every 35 feet of road. The purpose of this section is to create tree lined streets. Lot builders or developers shall make efforts to take into account the location and species of trees on adjacent lots.
3. Provide street lights as required by the City of Suwanee Development Regulations.
4. Permanent vegetation must be established prior to issuance of Certificate of Occupancy.
5. No artificial plants, trees, or vegetation shall be installed.
6. Interior streets and right-of-ways, may be reduced to a street width no less than 22-feet back-of-curb to back-of-curb with a 48-foot wide right-of-way, if approved by the City.

SECTION 503. RM-6 Residential Multi-Family Duplex District.

This Zoning District is intended primarily for multi-family dwellings at a maximum density of 6 units per acre. Developments in this Zoning District should be located such that there is convenient access to Arterial or Collector Streets and safe pedestrian facilities that make is possible for residents to walk to shopping centers, schools or employment. It is intended that developments in this District are to be located where central sewerage facilities are available.

The purpose of this Zoning District is to promote better utilization of land and freedom of architectural and engineering design without maximizing density. This section must be read in it's entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. PERMITTED USES.

Within the RM-6 Zoning District, the following uses are permitted:

1. Accessory Buildings, Structures and Uses, provided: in accordance with the provisions set forth in Section 604 of this Ordinance.
 - a. The building, structure or use complies with Section 604 of this Ordinance.
 - b. A swimming pool is completely enclosed by a fence or wall at least four (4) feet in height, but not over eight (8) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates. Openings in the fence or wall shall not permit the passage of a six (6") inch diameter sphere.
 - c. An accessory building, to include a guest house, an accessory dwelling unit, a garage, a storage building, etc., shall not exceed 800 square feet of gross floor area.

- d. Any accessory building exceeding two hundred (200) square feet shall have an exterior finish consistent with the primary residence.
2. Accessory Use Retail and Service Establishments, provided:
 - a. Such permitted accessory uses specifically exclude retail businesses and services that could be construed as principal uses.
 - b. Such uses only include those that are primarily intended for and used by occupants and/or patrons.
 - c. There are no visible signs of the accessory use from any public street.
 3. Cemeteries, Existing.
 4. Community Facilities, provided:
 - a. All outdoor lighting shall comply with Section 1501.C.2.
 - b. The lot must be accessed from an arterial or collector as identified in the Comprehensive Plan.
 - c. All buildings shall be located at least 50 feet from all property lines.
 - d. All off-street parking areas shall be located at least 25 feet from all property lines.
 - e. All buildings shall comply with the City's architectural standards for the O-I zoning district.
 - f. Such uses include, but are not limited to, community clubs, community associations, golf courses, country clubs, private parks, religious institutions, schools and swimming and tennis clubs. (see definition)
 5. Duplex Dwellings.
 6. Home Events, provide:
 - a. The events comply with Section 616. Home Occupations.
 7. Home Occupations.
 8. Multi-Family Dwellings.
 9. Public Buildings or Uses.
 10. Quadruplex Dwellings.
 11. Single Family Attached Dwellings.
 12. Subdivision Recreation/Amenity Areas.
 13. Triplex Dwellings.

B. DISTRICT DEVELOPMENT REGULATIONS.

1. Maximum Density.
 - a. 6 Dwelling Units per acre.

2. Minimum Lot Size.
 - a. Duplex Dwelling - 24,000 square feet.
 - b. Multi-Family Dwelling - None.
 - c. Quadruplex Dwelling - 26,200 square feet.
 - d. Triplex Dwelling - 25,650 square feet.
 - e. Not less than 50% of the required lot size shall be above the Base Flood elevation.

3. Minimum Lot Width.
 - a. 100 feet.

4. Minimum Road Frontage.
 - a. 40 feet.

5. Minimum Yard Abutting a Public Street.
 - a. 50 feet.

6. Minimum Side Yard.
 - a. Duplex Dwelling - 15 feet.
 - b. Multi-Family Dwelling - 20 feet for the first 2 stories plus 4 feet for each additional story.
 - c. Quadruplex Dwelling - 15 feet.
 - d. Triplex Dwelling - 15 square feet.

7. Minimum Rear Yard.
 - a. 40 feet.

8. Setbacks Between Multi-Family Dwellings.
 - a. 40 feet if front face or rear face to front face or rear face.
 - b. 40 feet if front face or rear face to side face.
 - c. 20 feet if side face to side face for the first 2 stories, plus 4 feet for each additional story.

9. Maximum Height.
 - a. 40 feet.

10. Street Rights-of-Way.
 - a. 50 feet if in the interior of a Subdivision.
 - b. Other streets - as determined by the Thoroughfare Plan.

11. Minimum Floor Area.
 - a. Duplex Dwelling - 800 square feet per Dwelling Unit.
 - b. Multi-Family Dwelling - 800 square feet per Dwelling Unit.
 - c. Quadruplex Dwelling - 800 square feet per Dwelling Unit.
 - d. Triplex Dwelling - 800 square feet per Dwelling Unit.

12. Minimum Buffer Area.
 - a. 50 feet if abutting or across from residentially zoned property in accordance with the buffer standards set forth in this Ordinance.

SECTION 504. RM-8 Residential Multi-Family Duplex District

This Zoning District is intended primarily for multi-family dwellings at a maximum density of 8 units per acre. Developments in this Zoning District should be located such that there is convenient access to Arterial or Collector Streets and safe pedestrian facilities that make is possible for residents to walk to shopping centers, schools or employment. It is intended that developments in this District are to be located where central sewerage facilities are available.

The purpose of this Zoning District is to promote better utilization of land and freedom of architectural and engineering design without maximizing density. This section must be read in it's entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. PERMITTED USES.

Within the RM-8 Zoning District, the following uses are permitted:

1. Accessory Buildings, Structures and Uses, provided: in accordance with the provisions set forth in Section 604 of this Ordinance.
 - a. The building, structure or use complies with Section 604 of this Ordinance.
 - b. A swimming pool is completely enclosed by a fence or wall at least four (4) feet in height, but not over eight (8) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates. Openings in the fence or wall shall not permit the passage of a six (6") inch diameter sphere.
 - c. An accessory building, to include a guest house, an accessory dwelling unit, a garage, a storage building, etc., shall not exceed 800 square feet of gross floor area.
 - d. Any accessory building exceeding two hundred (200) square feet shall have an exterior finish consistent with the primary residence.
2. Accessory Use Retail and Service Establishments, provided:
 - a. Such permitted accessory uses specifically exclude retail businesses and services that could be construed as principal uses.
 - b. Such uses only include those that are primarily intended for and used by occupants and/or patrons.
 - c. There are no visible signs of the accessory use from any public street.

3. Cemeteries, Existing.
4. Community Facilities, provided:
 - a. All outdoor lighting shall comply with Section 1501.C.2.
 - b. The lot must be accessed from an arterial or collector as identified in the Comprehensive Plan.
 - c. All buildings shall be located at least 50 feet from all property lines.
 - d. All off-street parking areas shall be located at least 25 feet from all property lines.
 - e. All buildings shall comply with the City's architectural standards for the O-I zoning district.
 - f. Such uses include, but are not limited to, community clubs, community associations, golf courses, country clubs, private parks, religious institutions, schools and swimming and tennis clubs. (see definition)
5. Duplex Dwellings.
6. Home Events, provided:
 - a. The events comply with Section 616. Home Occupations.
7. Home Occupations.
8. Multi-Family Dwellings.
9. Public Buildings or Uses.
10. Quadruplex Dwellings.
11. Single Family Attached Dwellings.
12. Subdivision Recreation/Amenity Areas.
13. Triplex Dwellings.

B. DISTRICT DEVELOPMENT REGULATIONS.

1. Maximum Density.
 - a. 8 Dwelling Units per acre.
2. Minimum Lot Size.
 - a. Duplex Dwelling - 24,000 square feet.
 - b. Multi-Family Dwelling - None.
 - c. Quadruplex Dwelling - 26,200 square feet.
 - d. Triplex Dwelling - 25,650 square feet.
 - e. Not less than 50% of the required lot size shall be above the Base Flood elevation.
3. Minimum Lot Width.

- a. 100 feet.
4. Minimum Road Frontage.
 - a. 40 feet.
5. Minimum Yard Abutting a Public Street.
 - a. 50 feet.
6. Minimum Side Yard.
 - a. Duplex Dwelling - 15 feet.
 - b. Multi-Family Dwelling - 20 feet for the first 2 stories plus 4 feet for each additional story.
 - c. Quadruplex Dwelling - 15 feet.
 - d. Triplex Dwelling - 15 square feet.
7. Minimum Rear Yard.
 - a. 40 feet.
8. Setbacks Between Multi-Family Dwellings.
 - a. 40 feet if front face or rear face to front face or rear face.
 - b. 40 feet if front face or rear face to side face.
 - c. 20 feet if side face to side face for the first 2 stories, plus 4 feet for each additional story.
9. Maximum Height.
 - a. 40 feet.
10. Street Rights-of-Way.
 - a. 50 feet if in the interior of a Subdivision.
 - b. Other streets - as determined by the Thoroughfare Plan.
11. Minimum Floor Area.
 - a. Duplex Dwelling - 800 square feet per Dwelling Unit.
 - b. Multi-Family Dwelling - 800 square feet per Dwelling Unit.
 - c. Quadruplex Dwelling - 800 square feet per Dwelling Unit.
 - d. Triplex Dwelling - 800 square feet per Dwelling Unit.
12. Minimum Buffer Area.
 - a. 50 feet if abutting or across from residentially zoned property in accordance with the buffer standards set forth in this Ordinance.

SECTION 505. C-1 Neighborhood Commercial District.

The C-1 Zoning District provides a location for convenience goods and services for people in nearby residential neighborhoods. Retail uses involving the sale of alcoholic beverages for on-site consumption are not permitted. This section must be read in its entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. Within the C-1 District, except where the size or scale of a proposed use falls within the large project category requiring a special use permit, the following uses are permitted:

1. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.
2. Antique Shops.
3. Apparel Shops.
4. Art and school supply stores.
5. Art and Craft Studios.
6. Automobile Sales Office without on-site storage of vehicles.
7. Bakeries.
8. Barber Shops.
9. Beauty Shops.
10. Bicycle Sales, Rental and Repair Shops.
11. Book, Magazine and Stationary Stores.
12. Commercial Laundry and Dry Cleaning Pick-up Stations, provided:
 - a. No drive-thru service is permitted.
13. Community Clubs or Associations, Private, Public or Non-Profit.
14. Consumer Repair Services.
15. Cultural Facilities.
16. Dance Studios.
17. Day Care Centers.
18. Dental Clinics or Laboratories.
19. Dog Grooming Shops.
20. Eating or Drinking Establishments, without Drive-thru Service.
21. Electronics Sales and Service Establishments.

22. Financial Services/Institutions.
23. Florists.
24. Food Catering Establishments.
25. Food Preparation Facilities, Retail.
26. Food Stores, without the retail sale of beer and wine.
27. Funeral Homes.
28. Hardware Stores.
29. Hobby Shops.
30. Jewelry Stores.
31. Locksmiths.
32. Mail Services.
33. Manufacturing in connection with a retail store or shop, provided:
 - a. Such manufacturing is incidental and accessory to the retail use and accessory to the retail use and all goods manufactured are sold on the premises.
34. Medical Clinics or Laboratories.
35. Music Stores.
36. Musical Instrument Sales and Repair Stores.
37. Office Supply Stores.
38. Offices, Administrative, Business or Professional.
39. Performance Theaters, Indoor.
40. Pet Shops, excluding boarding.
41. Pharmacies.
42. Photocopying/Reproduction Services.
43. Photographic Studios or Supplies.
44. Picture Framing Shops.

45. Public Buildings and Uses.
46. Public Utility Facilities.
47. Recreation Facilities, Indoor,
48. Religious Institutions.
49. Retail and Personal Services.
50. Retail Display of Goods, provided:
 - a. It shall be located between the front yard(s) of the host parcel but outside of the public right-of-way; and
 - b. It shall not interfere with pedestrian or vehicular traffic circulation; and
 - c. It shall not be located on parking spaces used to meet the minimum parking requirements.
51. Schools, Public or Private.
52. Sporting Goods Stores.
53. Tailor Shops.
54. Toy Stores.
55. Veterinary Clinics without Outdoor Boarding.
56. Video Rental Establishments, not including adult entertainment.

B. PERMITTED SPECIAL USES.

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

1. Building Height Increase.
2. Executive Quarters Suites.
3. Large Developments/Projects. Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:
 - a. Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or
 - b. Any project with a cumulative land disturbance exceeding 5 acres.
4. Outdoor Storage.

5. Stand-alone ATMs.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. No minimum.
2. Minimum Lot Width.
 - a. 40 feet.
3. Minimum Road Frontage.
 - a. 40 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 0 feet.
5. Minimum Side Yard.
 - a. 0 feet.
6. Minimum Rear Yard.
 - a. 0 feet.
7. Maximum Height.
 - a. 35 feet.
8. Minimum Buffer Area.
 - a. 50 feet if abutting a residential Zoning District in accordance with standards set forth in this Ordinance.

SECTION 506. C-2 General Commercial District.

The C-2 Zoning District is intended primarily for those commercial uses that require a location accessible to large numbers of people and that serve substantial portions of the community. Retail uses involving the sale of alcoholic beverages for on-site consumption are not permitted. This section must be read in its entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. PERMITTED USES.

Within the C-2 Zoning District, the following uses are permitted:

1. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.
2. Antique Shops.
3. Apparel Shops.

4. Art and school supply stores.
5. Art and Craft Studios.
6. Automobile Accessory and Parts Stores.
7. Automobile Sales Office without on-site storage of vehicles.
8. Bakeries.
9. Barber Shops.
10. Beauty Shops.
11. Bicycle Sales, Rental and Repair Shops.
12. Book, Magazine and Stationary Stores.
13. Building Material or Garden Store Sales.
14. Carpet and Rug Stores.
15. Commercial Laundry and Dry Cleaning Pick-up Stations.
16. Community Clubs or Associations, Private, Public or Non-Profit.
17. Consumer Repair Services.
18. Continuing Education Facilities.
19. Convenience Stores, with or without gasoline pumps. Provided that gasoline service pump islands, if provided, are:
 - a. Located at least 15 feet from an abutting Public Street.
 - b. Located not less than the existing building setback of any Dwelling Unit abutting the lot on either the frontage or side street.
20. Convention Centers.
21. Cultural Facilities.
22. Dance Studios.
23. Day Care Centers.
24. Dental Clinics or Laboratories.
25. Department Stores.

26. Dog Grooming Shops.
27. Eating or Drinking Establishments with or without Drive-thru Service.
28. Electronic sales and service establishments.
29. Emergency Care Facilities.
30. Employment Agencies.
31. Financial Services/Institutions.
32. Floor Covering Stores.
33. Florists.
34. Food Catering Establishments.
35. Food Preparation Facilities, Retail.
36. Food Stores, without the retail sale of beer and wine.
37. Funeral Homes.
38. Furniture Rental and Sales Establishments.
39. General Building Contractors Offices.
40. Hardware Stores.
41. Health Clubs.
42. Hobby Shops.
43. Hotels and Motels, provided:
 - a. Each hotel/motel shall be accessed through a main or central lobby with a lobby at least 1,000 square feet.
 - b. Each guest room shall be accessed through an interior hallway and shall not have access to the exterior of the building (except through the central lobby).
 - c. Each hotel/motel site shall be a minimum of two acres.
 - d. Each hotel/motel must provide staff or management on duty twenty-four (24) hours a day.
 - e. Each guest room shall have a minimum of three hundred (300) square feet.
 - f. Each hotel/motel building shall have a minimum roof pitch of four (4) in twelve (12).

- g. Each hotel/motel shall provide an enclosed heated and air conditioned laundry space with a minimum of three washers and three dryers exclusively available for guest use.
 - h. Outside storage of commercial equipment is prohibited.
 - i. Each hotel/motel shall provide a fitness or recreational center with a minimum of 400 square feet which is available to guests.
 - j. Each hotel/motel must provide a single, enclosed meeting or conference space on the premises of 1,000 square feet or greater or a business center.
 - k. No business license shall be issue for any business operating from any guest room in the facility.
44. Jewelry Stores.
45. Locksmiths.
46. Mail Services.
47. Manufacturing in connection with a retail store or shop, provided:
 - a. Such manufacturing is incidental and accessory to the retail use and all goods manufactured are sold on the premises.
48. Medical Clinics or Laboratories.
49. Monument Retail Sales.
50. Movie Theaters, Indoor.
51. Music Stores.
52. Musical Instrument Sales and Repair Stores.
53. Office Supply Stores.
54. Offices, Administrative, Business or Professional.
55. Orthopedic and Medical Appliance and Supply Stores.
56. Paint and Wallpaper Stores.
57. Parking Lots and Garages, Offstreet, less than 750 parking spaces.
58. Performance Theaters, Indoor.
59. Personal Care Homes.
60. Pet Shops, including boarding in an enclosed building
61. Pharmacies.

62. Photocopying/Reproduction Services.
63. Photographic Studios or Supplies.
64. Picture Framing Shops.
65. Plant Nursery and Commercial Greenhouses.
66. Plumbing, electrical, pool and home building supply showrooms and sales centers.
67. Printing and Publishing Establishments.
68. Public Buildings and Uses.
69. Public Utility Facilities.
70. Radio and Television Studios.
71. Reception Halls and Community Meeting Facilities.
72. Recreation Facilities, Indoor.
73. Recreation Facilities, Outdoor.
74. Religious Institutions.
75. Retail Display of Goods, provided:
 - a. It shall be located between the front yard(s) of the host parcel but outside of the public right-of-way; and
 - b. It shall not interfere with pedestrian or vehicular traffic circulation; and
 - c. It shall not be located on parking spaces used to meet the minimum parking requirements.
76. Schools, Public or Private.
77. Sporting Goods Stores.
78. Tailor Shops.
79. Toy Stores.
80. Veterinary Clinics without Outdoor Boarding.
81. Video Rental Establishments, not including adult entertainment.
82. Wholesale Sales Facilities.

B. PERMITTED SPECIAL USES.

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

1. Animal Daycare Facilities with Boarding and Outdoor Runs.
2. Automobile Repair Services, not including body or paint shop.
3. Automobile Sales Facilities, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
4. Automotive Rentals, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
5. Automotive Restoration Services, not including body or paint shop.
6. Building Height Increase.
7. Car Wash Facilities.
8. Emissions Testing Facilities.
9. Executive Quarters Suites.
10. Manufactured Home Sales, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
11. Movie Theaters, Outdoor, provided:
 - a. Acceleration and deceleration lanes at least 200 feet in length are provided.
12. Outdoor Storage.
13. Parking Lots and Garages, Off-street, exceeding 750 parking spaces.

14. Quick Vehicle Servicing Facilities.
15. Stand-alone ATMs.
16. Taxi Cab and Limousine Service Facilities.
17. Veterinary Clinics with Outdoor Boarding.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. No minimum.
2. Minimum Lot Width.
 - a. 40 feet.
3. Minimum Road Frontage.
 - a. 40 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 50 feet.
5. Minimum Side Yard.
 - a. 10 feet unless abutting a Residential Zoning District.
6. Minimum Rear Yard.
 - a. 15 feet unless abutting a Residential Zoning District.
7. Maximum Height.
 - a. 35 feet.
8. Minimum Buffer Area.
 - a. 50 feet if abutting a residential Zoning District in accordance with standards set forth in this Ordinance.
9. Minimum Separation Between Buildings on Same Lot.
 - a. 20 feet.

SECTION 506.1. C-2A (Special Commercial District - Alcoholic Beverage Sales)

The C-2A Zoning District is intended primarily for those uses that sell alcohol for consumption in a location accessible to large numbers of people and that serve substantial portions of the community. This section must be read in it's entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. PERMITTED USES.

1. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.
2. Antique Shops.
3. Apparel Shops.
4. Art and school supply stores.
5. Art and Craft Studios.
6. Automobile Accessory and Parts Stores.
7. Automotive Sales Office without on-site storage of vehicles.
8. Bakeries.
9. Barber Shops.
10. Establishments serving alcoholic beverages for consumption on premises.
11. Beauty Shops.
12. Bicycle Sales, Rental and Repair Shops.
13. Book, Magazine and Stationary Stores.
14. Building Material or Garden Store Sales.
15. Carpet and Rug Stores.
16. Commercial Laundry and Dry Cleaning Pick-up Stations.
17. Community Clubs or Associations, Private, Public or Non-Profit.
18. Consumer Repair Services.
19. Continuing Education Facilities.
20. Convenience Stores, with or without gasoline pumps: provided that gasoline service pump islands, if provided, are:
 - a. Located at least 15 feet from an abutting Public Street.
 - b. Located not less than the existing building setback of any dwelling unit abutting the lot on either the frontage or side street.
21. Convention Centers.
22. Cultural Facilities.

23. Dance Studios.
24. Day Care Centers.
25. Dental Clinics or Laboratories.
26. Department Stores.
27. Dog Grooming Shops.
28. Eating or Drinking Establishments with or without Drive-thru Service.
29. Electronic sales and service establishments.
30. Emergency Care Facilities.
31. Employment Agencies.
32. Financial Services/Institutions.
33. Floor Covering Stores.
34. Florists.
35. Food Catering Establishments.
36. Food Preparation Facilities, Retail.
37. Food Stores, with or without the retail sale of beer and wine.
38. Funeral Homes.
39. Furniture Rental and Sales Establishments.
40. General Building Contractors Offices.
41. Hardware Stores.
42. Health Clubs.
43. Hobby Shops.
44. Hotels and Motels, provided:
 - a. Each hotel/motel shall be accessed through a main or central lobby with a lobby at least 1,000 square feet.
 - b. Each guest room shall be accessed through an interior hallway and shall not have access to the exterior of the building (except through the central lobby).

- c. Each hotel/motel site shall be a minimum of two acres.
- d. Each hotel/motel must provide staff or management on duty twenty-four (24) hours a day.
- e. Each guest room shall have a minimum of three hundred (300) square feet.
- f. Each hotel/motel building shall have a minimum roof pitch of four (4) in twelve (12).
- g. Each hotel/motel shall provide an enclosed heated and air conditioned laundry space with a minimum of three washers and three dryers exclusively available for guest use.
- h. Outside storage of commercial equipment is prohibited.
- i. Each hotel/motel shall provide a fitness or recreational center with a minimum of 400 square feet which is available to guests.
- j. Each hotel/motel must provide a single, enclosed meeting or conference space on the premises of 1,000 square feet or greater or a business center.
- k. No business license shall be issue for any business operating from any guest room in the facility.

45. Jewelry Stores.

46. Locksmiths.

47. Mail Services.

48. Manufacturing in connection with a retail store of shop, provided:
 a. Such manufacturing is incidental and accessory to the retail use and all goods manufactured are sold on the premises.

49. Medical Clinics or Laboratories.

50. Monument Retail Sales.

51. Movie Theaters, Indoor.

52. Music Stores.

53. Musical Instrument Sales and Repair Stores.

54. Office Supply Stores.

55. Offices, Administrative, Business or Professional.

56. Orthopedic and Medical Appliance and Supply Stores.

57. Paint and Wallpaper Stores.

58. Parking Lots and Garages, Offstreet, less than 750 parking spaces.

59. Performance Theaters, Indoor.
60. Personal Care Homes.
61. Pet Shops, including boarding in an enclosed building.
62. Pharmacies.
63. Photocopying/Reproduction Services.
64. Photographic Studios or Supplies.
65. Picture Framing Shops.
66. Plant Nursery and Commercial Greenhouses.
67. Plumbing, electrical, pool and home building supply showrooms and sales centers.
68. Printing and Publishing Establishments.
69. Public Buildings and Uses.
70. Public Utility Facilities.
71. Radio and Television Studios.
72. Reception Halls and Community Meeting Facilities.
73. Recreation Facilities, Indoor.
74. Recreation Facilities, Outdoor.
75. Religious Institutions.
76. Retail and Personal Services.
77. Retail Display of Goods, provided:
 - a. It shall be located between the front yard(s) of the host parcel but outside of the public right-of-way; and
 - b. It shall not interfere with pedestrian or vehicular traffic circulation; and
 - c. It shall not be located on parking spaces used to meet the minimum parking requirements.
78. Schools, Public or Private.
79. Sporting Goods Stores.

80. Tailor Shops.
81. Toy Stores.
82. Veterinary Clinics without Outdoor Boarding.
83. Video Rental Establishments, not including adult entertainment.
84. Wholesale Sales Facilities.

B. PERMITTED SPECIAL USES.

Within the C-2A Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Inspections and Planning Commission and after a public hearing:

1. Animal Daycare Facilities with Boarding and Outdoor Runs.
2. Automobile Repair Services, not including auto body or paint shop.
3. Automobile Sales Facilities, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
4. Automotive Rental Facilities, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
5. Automotive Restoration Services, not including paint or auto body shop.
6. Building Height Increase.
7. Car Wash Facilities.
8. Emissions Testing Facilities.
9. Executive Quarters Suites.
10. Manufactured Home Sales, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
11. Movie Theaters, Outdoor, provided:

- a. Acceleration and deceleration lanes at least 200 feet in length are provided.
- 12. Outdoor Storage.
- 13. Parking Lots and Garages, Off-street, exceeding 750 parking spaces.
- 14. Quick Vehicle Servicing Facilities.
- 15. Stand-alone ATMs.
- 16. Taxi Cab or Limousine Service Facilities.
- 17. Veterinary Clinics with Outdoor Boarding.

C. SPECIAL CONSIDERATIONS

All uses in the C-2A District serving alcohol must comply with all City Ordinances pertaining to the use and sale of alcoholic beverages, including the acquisition and/or maintenance of all appropriate licenses, permits and approvals.

D. DISTRICT DEVELOPMENT REGULATIONS.

- 1. Minimum Lot Size.
N/A
- 2. Minimum Lot Width.
 - a. N/A
- 3. Minimum Road Frontage.
 - a. 40 feet.
- 4. Minimum Yard Abutting a Public Street.
 - a. 50 feet.
- 5. Minimum Side Yard.
 - a. 10 feet unless abutting a Residential Zoning District.
- 6. Minimum Rear Yard.
 - a. 15 feet unless abutting a Residential Zoning District.
- 7. Maximum Height.
 - a. 35 feet.
- 8. Minimum Buffer Area.
 - a. 50 feet if abutting a residential Zoning District in accordance with standards set forth in this Ordinance.
- 9. Minimum Separation Between Buildings on Same Lot.

- a. 20 feet.

SECTION 507. C-3 Special Commercial District.

The C-3 Zoning District is intended for those commercial uses that require a location accessible to the business and residential community. Within the C-3 Zoning District, outdoor storage yards are prohibited, except for retail display of goods. This section must be read in its entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. PERMITTED USES.

Within the C-3 Zoning District, the following uses shall be permitted.

- 1.. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.
2. Adult Entertainment Facilities, provided¹:
 - a. Said facility meets all requirements set forth by the City of Suwanee Code regulating Adult Entertainment Establishments;
 - b. Said facility shall not be located on a parcel of land that is closer than 1,000 feet of any parcel of land which is either named or used for residential uses or purposes; and
 - c. Said facility shall not be located on parcel of land that is closer than 1,000 feet of any parcel of land upon which a place of worship (eg. church, mosque, synagogue), school, governmental building, library, civic center, public park or playground is located; and
 - d. Said facility shall not be located on a parcel of land that is closer than 1,000 feet from a parcel of land which contains another adult entertainment facility establishment.

¹ *The City of Suwanee finds that the regulation of the location of certain adult establishments is necessary to promote and protect the public health, safety, and general welfare of the City as said establishments, have been shown to exhibit detrimental secondary effects which would yield them inappropriate in certain zoning classifications and adjacent to or near certain institutions.*

The City takes official notice of certain studies which have illustrated harmful secondary negative effects of adult establishments/sexually oriented businesses including increased crime, decreased property values, increased blight, and increased law enforcement expenditures. The City Council has reviewed documentary evidence and studies in other jurisdictions including Gwinnett County, Georgia; Rome, Georgia; and other communities throughout the United States including thirty-two communities set forth in the National Law Center for Children and Families Study and incorporates each study as if fully set forth herein.

The City Council takes particular note of the findings and public hearing process of Gwinnett County, Georgia in that the City of Suwanee is located in said County and exhibits similar demographics. Specifically, the City Council adopts and incorporates by reference the proceedings and testimony of the public hearing on July 17, 2001 before the Gwinnett County Board of Commissioners.

The City also recognizes the right of speech grounded in the Georgia and U. S. Constitution and the manifestation of such through adult/sexually oriented businesses and the products and services they render. The City does not seek to prohibit this protected form of speech. In seeking to protect this right the City finds the regulations set forth herein are the least restrictive means available in balancing this right while furthering the substantial governmental interests set forth above in curtailing the harmful secondary effects of this speech.

- e. Said facility shall not be located on a parcel of land that is closer than 750 feet from a parcel of land which contains a Package Store.
- 3. Animal Daycare Facilities with Boarding and Outdoor Runs.
- 4. Antique Shops.
- 5. Apparel Shops.
- 6. Art and school supply stores.
- 7. Art and Craft Studios.
- 8. Automobile Accessory and Parts Stores.
- 9. Automobile Repair Services, not including auto body or paint shop.
- 10. Automobile Sales Facilities, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
- 11. Automotive Rental Facilities, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
- 12. Bail Bonds Services.
- 13. Bakeries.
- 14. Barber Shops.
- 15. Bars, Nightclubs, Lounges, Taverns and Restaurants, serving alcoholic beverages for consumption on premises.
- 16. Beauty Shops.
- 17. Bicycle Sales, Rental and Repair Shops.
- 18. Book, Magazine and Stationary Stores.
- 19. Building Material or Garden Store Sales.
- 20. Car Wash Facilities.

21. Carpet and Rug Stores.
22. Commercial Blood Plasma Centers.
23. Commercial Laundry and Dry Cleaning Pick-up Stations.
24. Community Clubs or Associations, Private, Public or Non-profit.
25. Consumer Repair Services.
26. Continuing Education Facilities.
27. Convenience Stores, with or without gasoline pumps: provided that gasoline service pump islands, if provided, are:
 - a. Located at least 15 feet from an abutting Public Street.
 - b. Located not less than the existing building setback of any Dwelling Unit abutting the lot on either the frontage or side street.
28. Convention Centers.
29. Cultural Facilities.
30. Dance Studios.
31. Day Care Centers.
32. Dental Clinics or Laboratories.
33. Department Stores.
34. Dog Grooming Shops.
35. Eating or Drinking Establishments, with or without Drive-thru Service.
36. Electronic sales and service establishments.
37. Emergency Care Facilities.
38. Emissions Testing Facilities.
39. Employment Agencies.
40. Financial Services/Institutions.
41. Floor Covering Stores.
42. Florists.
43. Food Catering Establishments.

44. Food Preparation Facilities, Retail.
45. Food Stores, with or without the retail sale of beer and wine.
46. Funeral Homes.
47. Furniture Rental and Sales Establishments.
48. General Building Contractors Offices.
49. Hardware Stores.
50. Health Clubs.
51. Hobby Shops.
52. Hotels and Motels, provided:
 - a. Each hotel/motel shall be accessed through a main or central lobby with a lobby at least 1,000 square feet.
 - b. Each guest room shall be accessed through an interior hallway and shall not have access to the exterior of the building (except through the central lobby).
 - c. Each hotel/motel site shall be a minimum of two acres.
 - d. Each hotel/motel must provide staff or management on duty twenty-four (24) hours a day.
 - e. Each guest room shall have a minimum of three hundred (300) square feet.
 - f. Each hotel/motel building shall have a minimum roof pitch of four (4) in twelve (12).
 - g. Each hotel/motel shall provide an enclosed heated and air conditioned laundry space with a minimum of three washers and three dryers exclusively available for guest use.
 - h. Outside storage of commercial equipment is prohibited.
 - i. Each hotel/motel shall provide a fitness or recreational center with a minimum of 400 square feet which is available to guests.
 - j. Each hotel/motel must provide a single, enclosed meeting or conference space on the premises of 1,000 square feet or greater or a business center.
 - k. No business license shall be issue for any business operating from any guest room in the facility.
53. Jewelry Stores.
54. Locksmiths.
55. Mail Services.
56. Manufacturing in connection with a retail store or shop, provided:

- a. Such manufacturing is incidental and accessory to the retail use and all goods manufactured are sold on the premises.
- 57. Medical Clinics or Laboratories.
 - 58. Monument Retail Sales.
 - 59. Movie Theaters, Indoor.
 - 60. Music Stores.
 - 61. Musical Instrument Sales and Repair Stores.
 - 62. Office Supply Stores.
 - 63. Offices, Administrative, Business or Professional.
 - 64. Orthopedic and Medical Appliance and Supply Stores.
 - 65. Package Stores, provided:
 - a. The lot shall have Road Frontage on a Major Street or State Highway.
 - b. The lot shall have a minimum amount of Road Frontage of 200 feet on a Major Street or State Highway.
 - c. The lot shall be at least one acre in size.
 - d. Distilled liquor shall be sold only in buildings constructed for and devoted to that purpose exclusively.
 - e. Any building in which distilled liquor is sold shall not be more than one story in height and shall have a minimum of 5,000 square feet of space.
 - f. The building shall have only one entrance and one exit, both of which shall be located on the front of the building. No doors or windows shall be located on the sides or rear of the building.
 - g. The front wall of the building shall have a minimum of 150 square feet of plate glass in addition to any glass on entrance or exit doors.
 - 66. Paint and Wallpaper Stores.
 - 67. Parking Lots and Garages, Offstreet, less than 750 parking spaces.
 - 68. Performance Theaters, Indoor.
 - 69. Personal Care Homes.
 - 70. Pet Shops, including boarding in an enclosed building.
 - 71. Pharmacies.
 - 72. Photocopying/Reproduction Services.

73. Photographic Studios or Supplies.
74. Picture Framing Shops.
75. Plant Nursery and Commercial Greenhouses.
76. Plumbing, electrical, pool and home building supply showrooms and sales centers.
77. Printing and Publishing Establishments.
78. Public Buildings and Uses.
79. Public Utility Facilities.
80. Quick Vehicle Servicing Facilities.
81. Radio and Television Studios.
82. Reception Halls and Community Meeting Facilities.
83. Recreation Facilities, Indoor.
84. Recreation Facilities, Outdoor.
85. Religious Institutions.
86. Retail and Personal Services.
87. Retail Display of Goods, provided:
 - a. It shall be located between the front yard(s) of the host parcel but outside of the public right-of-way; and
 - b. It shall not interfere with pedestrian or vehicular traffic circulation; and
 - c. It shall not be located on parking spaces used to meet the minimum parking requirements.
88. Schools, Public or Private.
89. Sporting Goods Stores.
90. Tailor Shops.
91. Toy Stores.
92. Veterinary Clinics with or without outdoor boarding.
93. Video Rental Establishments, not including adult entertainment.

94. Wholesale Sales Facilities.

B. PERMITTED SPECIAL USES.

Within the C-3 Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Inspections and Planning Commission and after a public hearing:

1. Agricultural Sales and Services.
2. Building Height Increase.
3. Bus Terminals.
4. Executive Quarters Suites.
5. General Building Contractors Office. With Outdoor Storage.
6. Manufactured Home Sales, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
7. Movie Theaters, Outdoor, provided:
 - a. Acceleration and deceleration lanes at least 200 feet in length are provided.
8. Outdoor Storage.
9. Parking Lots and Garages, Off-street, exceeding 750 parking spaces.
10. Pawn Shops.
11. Stand-alone ATMs.
12. Tattoo Establishments.
13. Taxi Cab and Limousine Service Facilities.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. 1 acre.
2. Minimum Lot Width.
 - a. 200 feet.

3. Minimum Road Frontage.
 - a. 40 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 50 feet.
5. Minimum Side Yard.
 - a. 10 feet unless abutting a Residential Zoning District.
6. Minimum Rear Yard.
 - a. 15 feet unless abutting a Residential Zoning District.
7. Maximum Height.
 - a. 35 feet.
8. Minimum Buffer Area.
 - a. 50 feet if abutting a residential Zoning District in accordance with standards set forth in this Ordinance.
9. Minimum Separation Between Buildings on Same Lot.
 - a. 20 feet.

SECTION 508. O-I Office-Institutional District.

This Zoning District is established to provide a location for offices, institutions and related limited retail business and service activities in buildings of high character located within attractive surroundings. Within this Zoning District, outdoor storage yards are prohibited. This section must be read in it's entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. PERMITTED USES.

Within the O-I Zoning District, the following uses are permitted:

1. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.
2. Accessory Use Retail and Service Establishments, provided:
 - a. Such permitted accessory uses specifically exclude retail businesses and services that could be construed as principal uses.
 - b. Such uses only include those that are primarily intended for and used by occupants and/or patrons.
3. Assisted Living Facilities.
4. Automotive Sales Office without on-site storage of vehicles.

5. College and University Campuses.
6. Commercial Blood Plasma Centers.
7. Community Clubs or Associations, Private, Public or Non-Profit.
8. Continuing Education Facilities.
9. Convalescent Facilities.
10. Convention Centers.
11. Cultural Facilities.
12. Dance Studios.
13. Day Care Centers.
14. Dental Clinics or Laboratories.
15. Dwelling Units for Watchment.
16. Emergency Care Facilities.
17. Employment Agencies.
18. Financial Services/Institutions.
19. Funeral Homes.
20. General Building Contractor Offices, provide:
 - a. No outdoor storage is permitted.
21. Group Day Cares.
22. Hospitals.
23. Laboratories for Research, Development and Testing, provided:
 - a. Such research, development and testing does not include industrial operations and processes.
24. Locksmiths.
25. Medical Clinics or Laboratories.
26. Offices, Administrative, Business or Professional.
27. Orthopedic and Medical Appliance and Supply Stores.

28. Parking Lots and Garages, Offstreet, less than 750 parking spaces.
29. Personal Care Homes.
30. Public Buildings or Uses.
31. Radio and Television Studios.
32. Reception Halls and Community Meeting Facilities.
33. Religious Institutions
34. Schools, Public or Private.
35. Schools, Technical or Vocational Campuses.
36. Veterinary Clinics, without Outdoor Boarding.

B. PERMITTED SPECIAL USES.

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

1. Animal Daycare Facilities with Boarding and Outdoor Runs.
2. Building Height Increase.
3. Executive Quarters Suites.
4. Light Retail Service
 - a. No outdoor storage or retail displays shall be allowed.
 - b. No outdoor speakers shall be allowed.
 - c. Total square footage of the business establishment shall be limited to 1,250 square feet.
 - d. Hours of operation shall be limited to 8:00 am to 8:00 pm
 - e. Establishment shall have access to an arterial or collector street.
5. Parking Lots and Garages, Off-street, exceeding 750 parking spaces.
6. Veterinary Clinics, with Outdoor Boarding.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. No minimum.
2. Minimum Lot Width.

- a. No minimum.
- 3. Minimum Road Frontage.
 - a. 40 feet.
- 4. Minimum Yard Abutting a Public Street.
 - a. 50 feet.
- 5. Minimum Side Yard.
 - a. 10 feet unless abutting a Residential Zoning District.
- 6. Minimum Rear Yard.
 - a. 15 feet unless abutting a Residential Zoning District.
- 7. Maximum Height.
 - a. 40 feet.
- 8. Minimum Buffer Area.
 - a. 50 feet if abutting or across from a residential Zoning District in accordance with standards set forth in this Ordinance.
- 9. Minimum Separation Between Buildings on Same Lot.
 - a. 20 feet.

SECTION 509. M-1 Light Industry District.

The M-1 Zoning District is comprised of lands that are located on or have ready access to a major street or state highway and are well adapted to industrial development but whose proximity to residential or commercial districts makes it desirable to limit industrial operations and processes to those that are not objectionable by reason of the emission of noise, vibration, smoke, dust, gas, fumes, odors or radiation and that do not create fire or explosion hazards or other objectionable conditions. This section must be read in it's entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. PERMITTED USES.

Within the M-1 Zoning District, the following uses are permitted:

- 1. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.
- 2. Accessory Use Retail and Service Establishments, provided:
 - a. Such permitted accessory uses specifically exclude retail businesses and services that could be construed as principal uses.
 - b. Such uses only include those that are primarily intended for and used by occupants and/or patrons.

3. Agricultural Sales and Services.
4. Automobile Body Shops.
5. Automotive Sales Office without on-site storage of vehicles.
6. Bottling of Beverages.
7. Building Material Storage Yards, provided:
 - a. The storage yard is not located within a required Front Yard.
 - b. The storage yard is setback at least 25 feet from a side or rear property line.
 - c. The storage yard is screened by a solid fence at least 6 feet but not over 8 feet in height.
 - d. The screening fence for the storage yard is setback at least 25 feet from a side or rear property line.
 - e. The storage yard is appropriately landscaped and maintained.
9. Cabinet Shops.
10. Carpentry, Woodworking or Furniture Making Facilities.
11. Carpet and Rug Stores.
12. Cold Storage Plants.
13. Commercial Bakeries.
14. Commercial Laundry and Dry Cleaning with on-site processing.
15. Consumer Repair Services.
16. Cooking Oil Recycling Facilities.
17. Distribution Facilities.
18. Dwelling Units for Watchment.
19. Emissions Testing Facilities.
20. Exterminating Services.
21. Floor Covering Stores.
22. Food Preparation Facilities, Commercial.
23. Forestry Processing and Sort Yard, provided:

24. General Building Contractor Office, with or without Outdoor Storage, provided:
25. Laboratories for Research, Development and Testing.
26. Light Manufacturing Facilities.
27. Locksmiths.
28. Machine Shops.
29. Offices, Administrative, Business or Professional.
30. Outdoor Storage, provided:
 - a. The storage area and screening fence is not located within a required Minimum Yard abutting a Public Street.
 - b. The storage area and screening fence is setback at least 25 feet from a side or rear property line.
 - c. The storage area is screened by a solid fence at least 6 feet but not over 8 feet in height.
 - d. The storage area is appropriately landscaped and maintained.
 - e. If an outdoor storage area is established in connection with a permitted building or use, it shall meet the above requirements.
31. Packaging Plants.
32. Paint and Wallpaper Stores.
33. Printing or Publishing Plant.
34. Product Assembly Plants.
35. Public Buildings or Uses.
36. Public Utility Facility.
37. Radio, Television and Communication Transmission Tower, provided:
 - a. All towers meet the requirements of Article XIII.
38. Recreational Equipment Sales. provided
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
39. Warehousing Facilities.
40. Wholesale Sales Facilities.

B. PERMITTED SPECIAL USES.

Within the M-1 Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Inspections and Planning Commission and after a public hearing:

1. Animal Daycare Facilities with Boarding and Outdoor Runs.
2. Automotive Rental Facilities, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
3. Building Height Increase.
4. Bus Terminals.
5. Community Clubs or Associations, Private, Public or Non-Profit.
6. Daycare Centers.
7. Executive Quarters Suites.
8. Heavy Equipment Rental or Leasing.
9. Landfills.
10. Light Retail Service
 - a. No outdoor storage or retail displays shall be allowed
 - b. No outdoor speakers shall be allowed.
 - c. Total square footage of the business establishment shall be limited to 1,250 square feet.
 - d. Hours of operation shall be limited to 8:00 am to 8:00 pm.
 - e. Establishment shall have access to an arterial or collector street.
11. Quarries.
12. Recycling Facilities.
13. Religious Institutions.
14. Sanitary Landfills.
15. School, Public or Private.
16. Self-Storage Facilities, Mini-warehouses.

17. Taxi Cab and Limousine Service Facilities.
18. Truck Terminals.
19. Veterinary Clinics with or without Outdoor Boarding.
20. Wrecker Service Facilities.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. 1 acre.
2. Minimum Lot Width.
 - a. 40 feet.
3. Minimum Road Frontage.
 - a. 40 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 50 feet.
5. Minimum Side Yard.
 - a. 20 feet unless abutting a Residential Zoning District.
 - b. 50 feet if abutting a Residential Zoning District.
6. Minimum Rear Yard.
 - a. 15 feet unless abutting a Residential Zoning District.
 - b. 50 feet if abutting a Residential Zoning District.
7. Maximum Height.
 - a. 40 feet.
8. Minimum Buffer Area.
 - a. 50 feet if abutting a residential Zoning District in accordance with standards set forth in this Ordinance.
9. Minimum Separation Between Buildings on Same Lot.
 - a. 20 feet.
10. No truck dock or loading doors are to face any required residential buffer unless screened by a fence or wall a minimum of 8 feet in height.

SECTION 510. PMUD Planned Mixed-Use District.

A PURPOSE

The purpose of this district is to provide for appropriate planned development of quality mixed-use projects within the City of Suwanee by allowing greater freedom of design,

by improving the opportunity for flexibility and creativity in the land development process, by undertaking techniques which foster community and pedestrianism, and by limiting the expenditure of public funds in an effort to achieve the objectives and intent of the City's Comprehensive Plan.

Specifically, this district is intended to:

- A. Allow diversification of uses, structures, densities and open spaces when not in conflict with existing and permitted land uses on abutting properties.
- B. Reduce development costs through a more efficient use of land and a smaller network of utilities and streets than is possible through the application of standards contained in conventional land development regulations.
- C. Conserve the natural amenities of the land by encouraging the preservation of environmentally significant, scenic and functional open space.
- D. Provide maximum opportunity for the application of innovative site planning concepts through the creation of aesthetically pleasing environments for living, shopping, and working on properties of adequate size, shape and location.
- E. Insure that development will occur according to the advantages and limitations of land, site design, population density, building coverage, improvement standards, and construction phasing as authorized through the approval of a comprehensive site development plan.
- F. Provide a mechanism to incorporate and implement the goals and intent of the City of Suwanee Comprehensive Plan.
- G. Encourage pedestrianism and transportation alternatives.

This District is not intended to increase overall density or development intensity on a particular property except in relation to an improved design and benefit to the public. The use of open space, public meeting areas, and recreational uses should be included as part of any project. This District is intended to provide a vehicle for improved development through creative design and appropriate mixtures of land uses.

There are two variations of the Planned Mixed-Use District; Mixed-Use Village and Mixed-Use Center. The City's Comprehensive Plan should be consulted to determine when and where each of these variations may be appropriate.

B. MINIMUM DESIGN REQUIREMENTS

A. Consistency with Comprehensive Plan.

All projects must be reasonably consistent with the goals and intents of the City of Suwanee Comprehensive Plan.

B. Variations to Development Standards.

Variations to local development standards (i.e. Development and Zoning Regulations), including variations in lot sizes, widths, building setbacks, densities, parking requirements, right-of-way widths, street widths, buffers, and other components may be approved to improve said project. Any variation to an adopted regulation or requirement must be expressly submitted and reviewed as part of an overall plan. All Variations must be included in a "List of Standards" agreed to and accepted by the City.

The City will not consider Variations to standards or regulations of other regulating jurisdictions, such as erosion control regulations, fire codes, floodplain control, stream buffers, or other similar regulations, without the express written consent and approval of applicable jurisdiction. Furthermore, said consent shall not guarantee nor require the City to waive any or all requirements.

C. Design Requirements.

All projects should incorporate traditional neighborhood design principles. Interconnectivity, pedestrianism, good design, architectural detail, and appropriate scale are essential elements. Where appropriate, separate land uses are encouraged to be integrated both horizontally and vertically.

At a minimum all projects shall include and/or incorporate the following components:

- A. All Planned Mixed-Use development projects must have a minimum of two discrete type of land use (commercial and single-family, industrial and multi-family, etc.).
- B. All projects must have a professionally prepared Master Plan for the entire project. It must be designed and incorporated together to provide a harmonious transition from one use to another. Common architecture, themes, significant natural features, connectivity and other items must be included.
- C. A functional town center, community green, park, or other focal point must be included to create character and identity.
- D. Interconnections to adjoining property, whether developed or undeveloped, should be included and incorporated into the design where appropriate.
- E. All projects should have adequate and appropriate access.
- F. Other standards, as outlined in the City of Suwanee Comprehensive Plan Design Guidelines, which are appropriate for the site's specific location and character area should be included.

When determining the appropriateness and viability of a proposed project, the City shall consult the City of Suwanee Comprehensive Plan. Projects that prove that the use of innovative or creative design will benefit the City may be considered for said district.

C. USES PERMITTED

A. Planned Mixed-Use Village

Planned Mixed-Use Villages shall be primarily residential in character and may include a mixture of single-family and multi-family residential uses. Overall residential density shall be limited to no more than 8 units per acre. Lower densities may be required by the City where appropriate.

Supplemental nonresidential uses (office and limited retail) are permitted when complementary to and compatible with the orderly operation of the residential project, provided that all such uses shall not constitute more than twenty (20) percent of the total project land area or gross floor area, whichever is less, or as otherwise permitted by the City Council.

Residential uses may be attached, semi-attached, detached and/or located within multi-story buildings above non-residential office or commercial development.

Mixed-Use Villages shall be designed using the adopted Comprehensive Plan Design Guidelines adopted by the City of Suwanee. Favorable projects will incorporate most, if not all, of these standards.

All projects shall incorporate good design and engineering principles.

B. Planned Mixed-Use Center

Planned Mixed-Use Centers shall be primarily non-residential in character and may include a mixture of office, commercial and industrial uses.

Supplemental residential uses may also be permitted when complementary to and compatible with the orderly development of the planned project; provided that all such residential uses shall not exceed the net density in excess of what the least restrictive conventional residential zoning would permit or that density outlined by the City's Comprehensive Plan, whichever is greater. Lower residential densities may be required by the City Council if adjacent to lower density residential areas, or where otherwise appropriate.

All projects shall incorporate good design and engineering principles.

D. SITE DEVELOPMENT STANDARDS

A. Minimum Site Area

Five (5) acres of contiguous land area.

B. Perimeter Development Requirements

No housing type, use, setback, height, and coverage requirements are established. However, existing residential development along the perimeter of the planned mixed-use development shall be adequately protected by setbacks, landscaped walls and/or other buffers to be established as part of the site development plan review.

C. Internal Development Requirements

1. No minimum lot sizes or shapes shall be required, except as may be established as part of the site development plan review.
2. No minimum distance between on-site structures shall be required, except as may be established as part of the site development plan review. However, Fire Code requirements shall be met.
3. No minimum yard setbacks shall be required, except as may be established as part of the site development plan review.

D. Off-Street Parking and Loading

Adequate off-street parking and loading areas shall be provided. However, reductions in total parking requirements is strongly encouraged. The sharing of off-street parking areas between uses is allowed and encouraged as well as parallel on-street where appropriate. The use of porous alternative parking areas is allowed and encouraged where appropriate.

E. Landscaping

Landscaping shall meet or exceed all of the minimum requirements of the City's Zoning Ordinance. The preservation of mature trees and tree stands is strongly encouraged.

F. Underground Utilities

All on-site utilities shall be installed underground. Large transformers shall be placed on the ground within pad mounts, enclosures or vaults. The developer shall provide adequate landscaping to screen all above-ground facilities.

G. Accessibility

Every residential unit or permitted use shall have direct access to a public street via a private road, common easement, or other area dedicated or reserved for public use.

H. Architectural Standards

Unless specifically exempted as part of the "List of Standards" adopted by the City, the City of Suwanee's Architectural Standards shall apply to all projects.

I. Common Open Space Requirements

1. All designated common open spaces shall be preserved by one or more of the following methods:
 - a. Public dedication, subject to acceptance by the City Council by formal vote.
 - b. Conveyance to a property owners' association or nonprofit land conservation organization.
 - c. Retention of ownership, control and maintenance by the developer with a permanent conservation easement donated to a nonprofit land conservation organization.
2. All privately-owned common open space shall conform to its intended use and remain as expressed in the approved site development plan through the inclusion in all deeds of appropriate covenants. Said deed restrictions shall run with the land.

J. Environmental Considerations

Protections of wetlands, creeks and streams should be provided where appropriate.

E. APPLICATION PROCEDURES

- A. The following procedures, applications and exhibits shall be required when applying for rezoning to a planned unit development district:
 1. Pre-application conference: Before submitting an application for rezoning to a planned mixed-use development district, the applicant shall confer with the Director to determine the feasibility for the proposed plan and its relationship to the City's Comprehensive Plan.
 2. Professional service requirement: Any plan or exhibit as part of an application for a planned unit development shall certify that the services of two (2) or more of the following professionals were utilized in the design or planning process:
 - a. A planner who is a member of the American Institute of Certified Planners;
 - b. A landscape architect registered by the State of Georgia;
 - c. An architect licensed by the State of Georgia; and/or
 - d. A professional civil engineer registered by the State of Georgia.

3. Application fees required: Fees shall be required at the time of submittal of an application for rezoning to a planned mixed-use development district, in conformance with the City's fee schedule.
4. Review information required site development plan: All applications for rezoning to a planned mixed-use development district shall include the following information on the site development plan and supporting documents:
 - a. A recent (less than three years) boundary survey with north arrow and scale.
 - b. A full legal description of the property with attached copies of any instruments referred to such as deeds, plats, covenants or restrictions.
 - c. The names and addresses of the owners of the property to be rezoned and evidence of unified control of the property.
 - d. The names and addresses of all adjoining property owners.
 - e. The total area of the site in acres and square feet.
 - f. A map indicating the location, arrangement and dimensions of the following existing features within and immediately adjacent to the property: Vegetation including tree preserve areas, state waters, land uses, buildings, structures, utilities, drainage ways, easements, public street rights-of-way, railways, and property lines.
 - g. A statement as to how the proposed project conforms to the City's adopted Comprehensive Plan Design Guidelines.
 - h. Plans showing the location, arrangement and dimensions of all proposed land uses, including the number of floors per building (other than single-family residential); the height of all non-residential and multi-family buildings above finished grade; building setbacks from perimeter boundaries and from public rights-of-way; a proposed traffic circulation plan showing the location and dimensions of all streets, driveways, walkways, bikeways, parking spaces, and loading areas; and all proposed common elements including utilities, open spaces and recreation areas.
 - i. A plan or statement showing the manner of improving common open spaces, together with provisions, restrictions and conditions anticipated for the use, maintenance, and operation of such common elements.
 - j. A statement, in tabular form, of the anticipated gross residential density and overall project density, the total number of dwelling units by type, size and number of bedrooms, and gross floor area devoted to business or other nonresidential uses.

k. Proposals for providing storm water drainage and on-site retention areas and at the City's discretion may include rough calculations, approximate size of retention areas, methods of pollutant removal, location of berms, swales, culverts and sewers, anticipated finished grades, and proposed slopes and grades adjacent to bodies of water.

m. An architectural sketch or sketches of typical proposed structures.

5. Planning Commission: After receiving a staff recommendation from the Director, the Planning Commission shall make a recommendation to the City Council as outlined in the Zoning Ordinance.

6. City Council:

a. Upon receiving the recommendation of the Planning Commission, the City Council shall, at a Public Hearing, review said recommendation and proposed project. The City Council may then either approve, approve subject to conditions, or disapprove the application.

b. Any and all variations to the City's Development Regulations, Zoning Ordinance or other standards shall be outlined in a "List of Standards" and illustrated on the Site Plan adopted by the City.

c. In the event the rezoning is approved by the City Council, the site development plan shall be certified by the City and said certified copy shall be filed as a permanent record. Without exception, the approved plan shall be binding upon all existing and future owners and assigns.

B. Conformance to Approved Site Development Plan

1. After rezoning to a Planned Mixed-Use District, no permits shall be issued and no development shall commence unless in conformance with the approved site development plan, unless a change or deviation is approved by the City.

2. The Director may approve minor changes and deviations from the approved site development plan which are in compliance with the provisions and intent of this article, and which do not depart from the principal concept of the approved site development plan.

3. Should the Director determine that a requested change or deviation from the approved site development plan does not comply with the provisions and intent of this article, or departs from the principles of the Planned Mixed-Use Development, the applicant may apply for approval of such change or deviation to the City Council as a Plan Amendment.

C. Failure to Begin Planned Unit Development

If no construction has been initiated or no use established in the planned unit development within eighteen (18) months from time of rezoning, the approved site development plan shall lapse and become null and void until the plan is resubmitted for approval or a new site plan is approved as a Plan Amendment.

Section 511. CSO Conservation Subdivision Overlay District.

A. Purposes.

The purposes of this overlay district are as follows:

1. To provide a residential zoning district that permits flexibility of subdivision design in order to promote environmentally sensitive and efficient uses of the land. A district that permits clustering of houses and structures on less environmentally sensitive soils that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
2. To encourage the development of residential communities, that are density neutral based on standard zoning and development standards, but designed to preserve and protect environmental resources, scenic vistas, and natural and cultivated landscapes.
3. To enhance land, water, air and tree resources by minimizing the area of land disturbance, reducing impervious surface, optimizing stream buffers, preserving tree cover and encouraging the provision of open space.
4. To reduce infrastructure maintenance costs due to efficient community design.
5. To provide open space and pedestrian linkages and wildlife corridors among residential communities and to encourage recreation opportunities.
6. To preserve significant historical and archeological features.
7. To preserve and protect contiguous undeveloped areas within the development.
8. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodland and wildlife habitat.

B. General Standards.

1. Applicability. This overlay district may be overlaid only upon the City of Suwanee R-100 zoning district utilizing the public sanitary sewer system. The overlay district shall be a use by right for those properties zoned R-100 as of the effective date of the adoption of this overlay district. Applicant shall comply with all other provisions of the Zoning Ordinance and all other applicable laws, except those that are incompatible with the provisions contained herein. Any conditions of zoning contained within the underlying district shall also be observed (except as otherwise allowed herein).

For properties which are submitted for rezoning to R-100, the applicant shall declare the intent to utilize this overlay district at the time of application and the application shall be accompanied by a Yield Plan and Existing Features Site Analysis meeting the requirements of this section. In the absence of a declaration of intent to use the overlay district with a rezoning application, a development permit shall not be issued for a tract of land utilizing these overlay district standards on rezoned property for at least two (2) years from the date of the resolution adopting a zoning change.

2. Density Determination. The maximum number of lots in the Conservation Subdivision shall be determined by the creation of a Yield Plan or calculation.

- a. Yield Plan: A plan that shows the maximum number of lots a tract can support based on a conventional subdivision design plan, prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of lots possible, while meeting all of the standard requirements of the City's normal zoning, development and other applicable standards.
- b. Calculation: The maximum number of lots is determined by dividing the area of the tract of land by the minimum lot size specified in the R-100 zoning district. In making this calculation, the following shall not be included in the total area of the parcel:
 - i. slopes over 25 percent of at least 5,000 square feet contiguous area;
 - ii. the 100-year floodplain;
 - iii. bodies of open water over 5,000 square feet contiguous area;
 - iv. wetlands that meet the definition of the Army Corps of Engineer pursuant to the Clean Water Act; and,
 - v. anticipated right-of-way needs for roads and utilities.

3. Permitted Uses. Those uses permitted in the underlying district are permitted outside the open space areas. Uses permitted within the Open Space include the following:

- a. Conservation of natural, archeological or historical resources;
- b. Meadows, woodlands, wetlands, wildlife corridors, or similar conservation-oriented areas;
- c. Walking or bicycle trails, provided they are constructed of porous paving materials;
- d. Passive recreation areas;
- e. Active recreation areas, up to 10 percent of the total open space (may include impervious surfaces);
- f. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within Primary Conservation Areas;

- g. Easements for drainage, access, and underground utility lines;
- h. Nonstructural stormwater management practices; or
- i. Other conservation-oriented uses compatible with the purposes of this ordinance.

4. Minimum Open Space Requirements. A minimum of 50% of a tract's gross land area must be set aside and protected as open space as defined herein.

5. Development Requirements. Subdivisions in this overlay district shall meet the following requirements unless a Special Use Permit is submitted and approved by the Suwanee City Council:

- a. Minimum Subdivision Size. Each tract proposed to be developed under the City's Conservation Subdivision Overlay District must be a minimum of 10 contiguous acres. The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.
- b. Lot Area. No minimum is established, except that each building lot shall not contain more than 20% of its area within the 100-year floodplain elevation.
- c. Average Lot Width. The average width of all building lots, as defined by the City of Suwanee Zoning Ordinance, shall be at least 60 feet. Exception: Lots that abut non-overlay properties shall meet the standard width requirement of the underlying district; or, open space at least 50 feet wide shall be provided.
- d. Minimum Road Frontage per Lot. 40 feet. Exception: Road frontage may be reduced to 20 feet for lots with frontage upon cul-de-sac or "eyebrow cul-de-sac" turnarounds.
- e. Minimum Yard Areas (Setbacks).
Front Yard: 20 feet. Exception: The front yard setback may be reduced to 5 feet if dwellings are provided side or rear entry garages. To qualify for the reduced setback on a corner lot, side entry garages must be located to the side adjacent to an abutting lot. Rear Yard: 20 feet. Side Yard: 5 feet.
- f. Exterior Project Street Frontage Open Space Strip. An open space strip that is a minimum of 50 feet in width (not part of any building lot) shall be provided along the tract and any external roadways. Landscape entry features such as fences and walls may be allowed in the open space strip.
- g. Maximum Building Height. 35 feet.
- h. Minimum Floor Area. Each dwelling unit shall have a minimum heated finished living area, excluding a basement, attic, carport or garage, as follows:
One Story Building: 1,600 square feet.
Two Story Building: 1,800 square feet.

- i. Sodded Yards. All grassed areas on dwelling lots shall be sodded.
- j. Garages. Dwellings shall have two-car garages.
- k. Street Trees. A minimum of one non-ornamental shade tree with a minimum 3" caliper, shall be provided prior to the issuance of a certificate of occupancy for each lot along all roadways.
- l. Underground Utilities. All utilities shall be located underground.

C. Application Requirements.

1. Yield Plan. At time of development review or when a zoning action is proposed, a Yield Plan, sealed by a registered engineer or landscape architect, must be presented to identify development potential of a tract under the City's typical zoning and development standards. The plan does not have to meet all of the formal requirements for a site design plan, but the design must be capable of being constructed given site features and all applicable regulations. All standard zoning or development regulations must be met (including lot sizes, right-of-way widths, etc.) At a minimum, the plan must account for and depict standard rights-of-ways, lot information (sizes, widths, and setbacks), drainage and detention areas, easements, floodplain, lakes, wetlands, streams, and stream buffers.
2. Existing Features Site Analysis. At time of development review, or if a zoning action is proposed, an Existing Features Site Analysis, sealed by a registered engineer or landscape architect, must be provided to identify areas that are most significant for open space designation.
 - a. Property boundaries.
 - b. Delineation of streams, rivers, lakes, wetlands and other hydrologic features to include the source of this information.
 - c. All primary and secondary conservation areas labeled by type, as described in Section D of this ordinance.
 - d. Topographic contours at intervals no greater than 2 feet. Identification of tree lines, woodlands, open fields or meadows.
 - e. Delineation of vegetation resource areas by type.
 - f. General soil type.
 - g. Delineation of steep slope areas (i.e. greater than 25% and at least 5,000 square feet contiguous area).
 - h. Proposed locations of open space.
 - i. Identification of historical or archeological features.

- j. Identification of existing roads, structures and easements.
 - k. Identification of open space in adjacent developments including potential connection to existing trails and greenspace.
3. Concept Plan. At time of development review or when a zoning action is proposed, an overall Concept Plan showing development of the entire tract shall be submitted by the developer for review and approval in accordance with the requirements and procedures of the Development Regulations. If a zoning action is proposed, the rezoning site plan shall include the following information:
- a. Delineation and specifications of open space including calculations and exclusions, and any “pocket parks,” “greens,” play areas, or trail system to be constructed.
 - b. A typical detail on the plan indicating dwelling size, lot width, building setback lines, off-street parking, street trees, sidewalks, and street pavement and right-of-way width.
 - c. Lot width average, area and percent of floodplain specifications in tabular form; and density calculations (gross and net).
4. Open Space Management Plan. An open space management plan, meeting the Open Space Requirements described herein, shall be prepared and submitted prior to the issuance of a land disturbance permit.

D. Open Space Requirements.

In order to qualify for this overlay district, open space shall meet the following requirements:

- 1. Description. Open Space is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the Open Space are restricted in perpetuity using an approved legal instrument.
- 2. Primary Conservation Areas. These areas are required to be located within Open Space, unless an unusual hardship is demonstrated. The following constitute Primary Conservation Areas.
 - a. The regulatory 100-year floodplain;
 - b. 75 foot stream buffers along all perennial and intermittent streams;
 - c. Slopes above 25 percent of at least 5,000 square feet contiguous area;
 - d. Wetlands as defined by the Army Corp of Engineers;
 - e. Habitat for endangered or threatened species; and,
 - f. Archeological sites, cemeteries and burial grounds.
- 3. Secondary Conservation Areas. These areas should be located within Open Space. The following constitute Secondary Conservation Areas.

- a. Historic sites;
 - b. Healthy, native forests at least 1 acre contiguous area;
 - c. Trees larger than 8 inches caliper (measured along the drip line);
 - d. Natural features such as ridge lines, peaks and rock outcroppings;
 - e. Agricultural Lands of a least 5 acres contiguous area; and,
 - f. Existing trails connecting to neighboring areas
4. Undeveloped and Natural. Open space shall remain undeveloped and natural except for the provision of non-motorized passive recreation opportunities such as running, walking, biking, and similar outdoor activities. Exceptions: “pocket parks,” “greens” and storm water management facilities and practices may be constructed and maintained in open space. A “pocket park” or “green” is a landscaped area larger than 0.33 acres constructed for community gathering or play, or visual enhancement. “Pocket parks” or “greens” shall not exceed 10% of the total open space.
5. Exclusions. Excluded from meeting the minimum amount of open space are the following:
- a. Recreation Area Improvements. Impervious surfaces in recreation areas shall not be credited;
 - b. Easements. Land area within power or gas pipeline easements shall not be credited;
 - c. Other. Land area devoted to public or private streets or any land that has been, or is to be, conveyed to a public agency via a purchase agreement for such uses as parks, schools, or other public facilities shall not be credited;
 - d. Roads, parking lots, and other impervious areas unless specifically authorized in another section of this ordinance;
 - e. Golf courses;
 - f. Agriculture and forestry activities not consistent with Best Management Practices; and,
 - g. Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.
6. Ownership. Open space shall be owned in fee-simple by a mandatory property owner's association; or other entity approved in advance by the City Council during their normal course of business. The developer shall record the deed to the open space prior to, or concurrent with, the recording of the first final subdivision plat. An access easement following the alignment of future public streets is acceptable. However, “pocket parks” or “greens” may be deeded concurrent with the unit or phase of the final subdivision plat of which it is a part.

7. Concentration of Open Space. At least 75 percent of the Open Space shall be in a contiguous tract. The Open Space should adjoin any neighboring areas of Open Space, other protected area, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected Open Space.
8. Accessibility. The Open Space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the Open Space.
9. Property Management Plan for Property Owner's Association.
 - a. The applicant shall submit a Plan for Management of Open Space and Common Facilities. Said Plan shall be recorded in the mandatory property owner's association bylaws or covenants. Said Plan shall be approved in advance by the Suwanee City Council. Said Plan shall address the following:
 - i. Allocates responsibility and guidelines for the maintenance and operation of the Open Space, buffers, recreation areas and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
 - ii. Estimates of the costs and staffing requirements needed for maintenance and operation of, and insurance for, the Open Space and outline the means by which such funding will be obtained or provided;
 - iii. Automatic compulsory membership of all lot purchasers and their successors; and compulsory assessment;
 - iv. Conditions and timing of transferring control of association from the developer to the lot owners;
 - v. Governance of the association by the Georgia Property Owners Association Act (OCGA Section 44-3-220) or a successor to that Act that grants lien rights to the association for maintenance expenses and tax obligations.
 - vi. Provide for the enforcement of the Plan.
 - vii. Any changes to the Plan shall be approved by the City of Suwanee Planning Commission.
 - viii. The association shall not be dissolved without the advance approval of the City of Suwanee.
10. Protection. Open space delineated in the concept plan shall be permanently protected by one of the methods listed below. Whichever instrument for permanent protection is used shall include clear restrictions on the use of Open Space. These restrictions shall include all restrictions contained in this article, as

well as any further restrictions the applicant chooses to place on the use of the Open Space.

- a. The deed conveying the open space pursuant to this paragraph shall be recorded and delivered to the property owner's association within the subdivision prior to the approval of the final plat for the first phase of the subdivision. In addition, the final plat for each phase of the Subdivision shall contain the following statement:

"Open space delineated on this plat is permanently protected and shall remain undeveloped as defined under Georgia law OCGA 36-22-1 et seq., having the following Greenspace goals: protection of streams, floodplains, wetlands, steep slopes, woodlands, open fields and meadows, historical or archeological features, significant wildlife habitats, scenic vistas, passive recreation and connectivity to open spaces. The following uses shall be allowed within said open spaces: passive recreational amenities, such as pervious-surface paths and minimal amounts of parking, picnic facilities and restroom facilities. Constructed facilities shall not exceed 15 percent of the protected property. This covenant is intended to benefit said area to the use of the public, and it shall run in perpetuity as provided by law under OCGA section 44-5-60(c)."

In addition, the deed conveying the open space shall contain the following language:

"The land conveyed herein shall remain permanently protected open space and shall not be cleared or developed except in accordance with OCGA 36-22-1 et seq., having the following Greenspace goals protection of streams, floodplains, wetlands, steep slopes, woodlands, open fields and meadows, historical or archeological features, significant wildlife habitats, scenic vistas, passive recreation and connectivity to open spaces. The following uses shall be allowed within said open spaces: passive recreational amenities, such as pervious-surface paths and minimal amounts of parking, picnic facilities and restroom facilities. Constructed facilities shall not exceed 15 percent of the protected property. This covenant is intended to benefit said area to the use of the public, and it shall run in perpetuity as provided by law under OCGA section 44-5-60(c)."

The developer's deed to the mandatory property owner's association shall contain a statement that the undivided interest conveyed in the deed runs with the land for a similar benefit.

- b. Open space delineated in the Concept Plan, except for "pocket parks" or "greens," or developed recreation areas, shall be permanently protected by the conveyance of (i) a covenant or scenic easement which runs in perpetuity under OCGA Section 44-5-60 in favor of any corporation, trust, or other organization holding land for the use of the public or certain governmental entities; or (ii) a conservation easement running in

perpetuity to a third party "qualified organization" recognized by Federal Treasury Regulation Section 1.170A-14(c)(1). Qualified organizations recognized by this Treasury Regulation include, but may not be limited to, governmental entities, certain publicly supported charities, local and national land trusts, or other conservation groups that are organized or operated primarily or substantially for one of the conservation purposes specified in the Internal Revenue Code. Governmental entities that qualify to be named in covenants under OCGA Section 44-5-60 or to receive conservation easements under the Treasury Regulation referred to above for purposes of this ordinance shall include the Federal government, the State of Georgia, Gwinnett County, City of Suwanee, or authorities of the State of Georgia, Gwinnett County or City of Suwanee. If a covenant or conservation easement is recorded in favor of a governmental entity, the written acceptance of the covenant or conservation easement by the governmental entity shall be obtained prior to the recording of the covenant or easement. The developer shall record the necessary legal instrument to accomplish protection of the open space prior to, or concurrent with, the recording of the final subdivision plat.

- c. An equivalent legal tool that provides permanent protection, if approved by the City of Suwanee.

SECTION 512. Old Town Overlay District (OTOD)

A. PURPOSE AND INTENT.

The City of Suwanee has adopted certain policies covering appropriate uses and development standards for the historic Old Town area of Suwanee. The City finds that the area is suitable for uses and development patterns customarily found in small downtown areas throughout Georgia. Some of these development patterns require different zoning restrictions and uses than typically contained in suburban zoning regulations. In an effort to allow traditional forms and densities, different zoning standards are necessary for this specific area.

The Old Town Overlay District (OTOD) is intended to regulate building and site design in the Old Town area. The regulations are intended to create a comfortable and uniform pedestrian/public space between roadways and buildings providing for a traditional building relationship. The regulations address standards for the pedestrian space, build-to lines for buildings, building massing, site access off of roadways, open space, parking, landscaping and other related elements.

B. DISTRICT ESTABLISHED AND APPLICABILITY.

The Old Town Overlay District is hereby established and shall generally follow the established boundary of the City of Suwanee Downtown Development Authority with the addition of related adjoining property. The map depicting the boundary of the Old Town Overlay District is attached and hereby made a part of this Ordinance and shall be known as "The Official Old Town Overlay District Boundary Map." Where a District boundary line is shown as approximately following a corporate limits line, the center line

of a street, road, creek, or property line, or such lines extended, then such lines shall be construed to be the District boundary lines.

Within the Old Town Overlay District, all new non-residential and mixed-use development and parcels within new subdivisions that exceed five (5) parcels, shall comply with applicable rules and regulations contained herein which shall take precedence to any other conflicting zoning or development standards. The Old Town Overlay District also establishes two zoning districts allowable only within the overlay district boundaries.

C. GRANDFATHERING.

Any project for which a valid and complete application for a Land Disturbance Permit shall have been received prior to the effective date of these Regulations, or shown on a concept plan previously approved by the City of Suwanee City Council, shall be considered "grandfathered" and, at the developer's option, may proceed to completion and building permits may be issued under existing regulations in place prior to the effective date of these Regulations, provided that the Development Permit is or can be issued within 12 months of said effective date and all time frames associated with said permit are observed.

D. ROAD CLASSIFICATION MAP AND STANDARD DRAWINGS.

Every public road within the Old Town Overlay District shall be classified as an access road, commercial street, enhanced old town street, urban parkway, suburban parkway, or local street for the purpose of regulating under this section. The map depicting the road classification is attached and hereby made a part of this Ordinance, and shall be known as "The Official Old Town Overlay District Road Classification Map". The map may be amended from time to time by the Suwanee City Council.

A set of "Standard Sidewalk Area Drawings" shall be created and maintained by the City of Suwanee Planning and Community Development Department. Said standards shall provide a regulatory basis for the composition and dimensions of the sidewalk area and building location based on site conditions. Appeals or deviations from the Standard Drawing shall be made to the Suwanee Zoning Board of Appeals through city variance procedures.

E. DEFINITIONS.

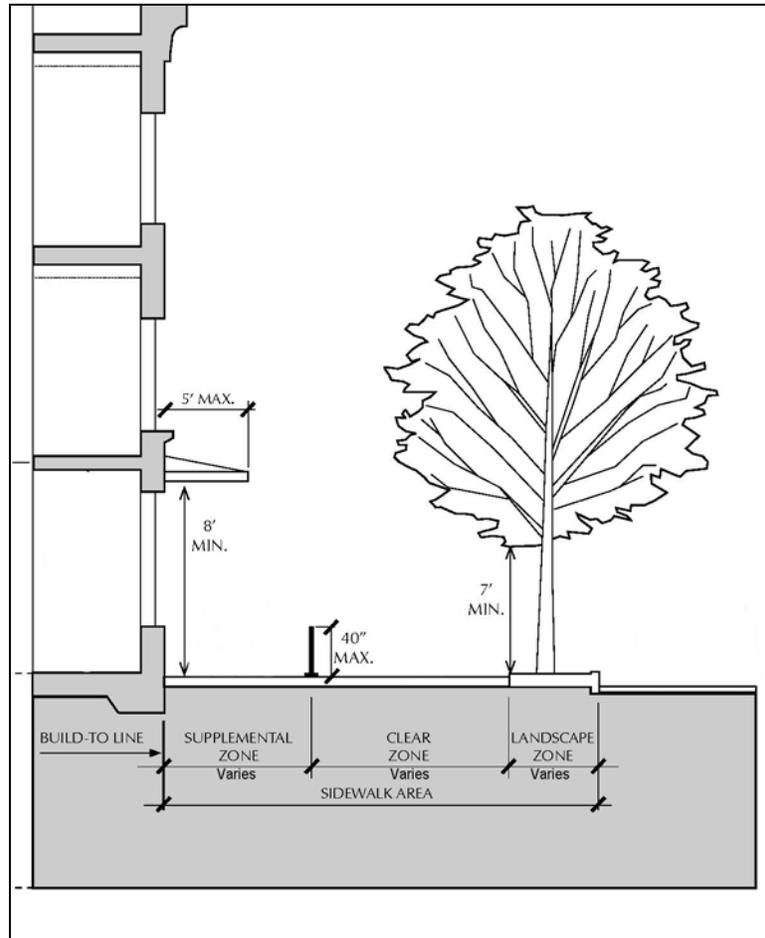
1. Build-to Line. The build-to line is the line along which the building street façade is permitted to be located. The distance between the build-to line and the nearest street curb is equal to the sidewalk area width requirements, except where public or private open space is adjacent to the sidewalk area, the build-to line shall extend around the perimeter of such opens space. Requirements include the minimum street façade frontage of principal structures.
2. Sidewalk Area. The area beginning at the edge of asphalt (or street curb, as appropriate) and consisting of a contiguous landscape zone, clear zone, and supplemental zone including intervening driveways.

3. Landscape Zone. The portion of the Sidewalk Area adjacent to the back of the street curb (or edge of street pavement as appropriate) reserved for placement of trees, groundcover, and allows for pedestrian movement where appropriate. There are two types of landscape zones: a hardscaped landscape zone and a softscaped landscape zone. A hardscaped landscape zone is comprised primarily of concrete, brick pavers, stone, and other hardscape features. Street trees, shrubs, and ornamental grasses shall be placed in tree grates, planting beds, or other similar containers. A softscaped landscape zone is comprised primarily of grass and other landscape materials with the clear zone constructed as a hard surface. Street trees are planted in landscape strips a minimum of 5 feet wide.
4. Clear Zone. The portion of the Sidewalk Area reserved strictly for pedestrian passage and is unobstructed by permanent objects to a height of eight (8) feet. The clear zone is adjacent and between the landscape zone and the supplemental zone and shall have a consistent cross-slope not exceeding two percent.
5. Street Wall. A wall or dense evergreen hedge no less than 75% opaque provided along the build-to line generally parallel to the street often for the purpose of hiding a parking lot from the street. When provided to meet provisions of this Ordinance, street walls shall be a minimum of 3 ½ feet high and constructed of a material matching the adjacent building façade or evergreen hedge.
6. Supplemental Zone. The area between the back of the Clear Zone and the build-to line. Adjacent to storefront treatments, sidewalk supplemental zones may be used for pedestrian amenity elements such as benches, merchandise display, and plants. The width of the supplemental zone shall take into account the uses undertaken in the adjacent buildings. Outdoor dining is permitted when adjacent to eating and drinking establishments. Elements that are prohibited in the supplemental zone include; recreational areas and facilities such as swimming pools, tennis courts; fences and walls greater than forty inches in height; service elements such as dumpsters, loading docks and similar elements; mechanical features and parking. No element shall be attached to the supplemental zone in any way.

F. GENERAL DEVELOPMENT STANDARDS.

1. Buildings Must Be Oriented Toward Public Roads. Except for residential uses on double frontage roadways, all buildings shall face public roads and have public entrances facing all public roads.
2. Off-Street Parking Prohibited In Front Of Buildings. Except for single-family residential uses, neither drive isles nor off-street parking areas shall be located between the building's front façade line and abutting roadway. All off-street parking shall be located to the side(s) and/or rear of buildings.

3. Sidewalk Areas To Be Provided. All development shall provide a sidewalk area transition between the edge of pavement (or back of curb as appropriate) and the building façade. Based on use and road classification, said sidewalk area shall consist of a contiguous landscape zone, clear zone, and supplemental zone. The sidewalk area cross-section details shall be found in the Standard Sidewalk Area Drawings maintained by the City of Suwanee Planning and Inspections Department.



4. Street Façade Frontage. For non-residential and mixed-use developments, a parcel's build-to line shall be developed with a building façade or street wall, driveways, or other pedestrian access points.
5. Bicycle Racks Provided. Each non-residential and mixed-use building shall provide a minimum of one bicycle rack capable of holding five bicycles.
6. Building Setbacks Reduced. Within the Old Town Overlay District front, side and rear yard building setbacks shall be reduced down to 0 feet, but not less than what is necessary to meet sidewalk area requirements or as otherwise specifically noted herein.
7. Residential Buffers Reduced. The City Council is hereby authorized to grant a Residential Buffer Reduction down to 0 feet, upon review and consideration of the potential impacts to neighboring properties and after holding a public hearing

thereon. The City Council shall consider the existing and future use of said adjoining property and proposed use and design of the subject property and may be processed concurrently with a rezoning application.

8. Landscaping Requirements Modified. The desired character of future development within the Old Town Overlay District requires certain modifications to the City's standard Buffer, Landscape and Tree Protection requirements. The alterations outlined below shall apply within said area.
 - a. Street Tree Requirements. All non-exempt development shall provide street trees as required herein. Street trees shall be provided along and/or within all public road frontages within the required landscape zone of the sidewalk area. Street Trees shall be selected from the Overstory Tree List (Table 1700.4), shall be space between 30 and 40 feet on center (depending upon the anticipated canopy size of the tree) and shall be a minimum 3 inch caliper. Residential projects shall provide street trees as indicated above and a minimum of two 2 inch caliper trees per residential lots. Per lot trees may be planted in common areas associated with a residential project.
 - b. Parking Lot Tree Requirements. Parking lot trees shall be provided per Section 1703.3 Off-Street Parking lot Planting Requirements.
 - c. Landscape Strip Requirements. Developments shall be exempt from Section 1703.1.1, Section 1703.1.2, and Section 1703.2 except as may be required by a condition of zoning.
 - d. Tree Density Requirements. Developments shall be exempt from Section 1704.6. Developments are exempt from meeting tree density requirements, except as may be required by a condition of zoning.

G. ROAD CLASSIFICATIONS.

Road classifications are the foundation for regulating the sidewalk area composition and building locations. The applicable cross-section details for each roadway type shall be found in the Standard Sidewalk Area Drawings maintained by the City of Suwanee Planning and Inspection Department.

1. Parkway. A state highway or arterial. On-street parking is not provided. There are two parkway characters: urban and suburban. Parkways generally have wide landscape zones, clear zones and supplemental zones. Urban Parkways have narrower hardscaped landscape zones, buildings located closer to the road, and greater building mass along the build-to line. Suburban parkways may have wider softscaped landscaped zones, buildings located farther from the road and less required building mass along building setback lines.
2. Commercial Street. A local road with a hardscaped sidewalk area. Commercial Streets are intended to accommodate commercial, retail, office, attached residential and mixed-use buildings with required on-street parking. The sidewalk along these roads shall provide adequate clear zone with a supplemental zone that accommodates adjacent uses. When abutting single-family attached buildings, the supplemental zone shall provide adequate width for a stoop, porch, and/or steps. Where adjacent to commercial/retail uses, the

- supplemental zone should provide adequate with outdoor dining, window shopping, outdoor furniture and related accessory elements.
3. Enhanced Old Town Road. A local road with either a hardscaped or softscaped landscape zone. These roads are intended to accommodate commercial, retail, office, attached residential and mixed use buildings. On-street parking is not required due to road character and width, but may be permitted where appropriate.
 4. Local Street. A local road that may have either a hardscape or softscape sidewalk area. These roads are intended to accommodate limited non-residential, residential, and live/work uses. On-street parking is not required due to road character and width, but may be permitted where appropriate.

SECTION 512.1 Old Town Commercial District (OTCD).

The Old Town Commercial District Zoning District provides a location for convenience goods and services for people in nearby neighborhoods. The OTCD Zoning District may only be used within the designated Old Town Overlay District. This section must be read in it's entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. Except where the size or scale of a proposed use falls within the large project category requiring a special use permit, the following uses are permitted:

1. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.
2. Antique Shops.
3. Apparel Shops.
4. Art and school supply stores.
5. Art and Craft Studios.
6. Bakeries.
7. Barber Shops.
8. Bars, Nightclubs, Lounges, Taverns and Restaurants serving alcoholic beverages for consumption on premises.
9. Beauty Shops.
10. Bed and Breakfast Inns.
11. Bicycle Sales, Rental and Repair Shops.
12. Book, Magazine and Stationary Stores.

13. Commercial Laundry and Dry Cleaning Pick-up Station, provided:
 - a. No drive-thru service is permitted.
14. Community Clubs or Associations, Private, Public or Non-Profit.
15. Consumer Repair Services.
16. Cultural Facilities.
17. Dance Studios.
18. Day Care Centers.
19. Dental Clinics or Laboratories.
20. Dog Grooming Shops.
21. Eating or Drinking Establishments, without Drive-thru Service.
22. Electronic sales and service establishments.
23. Financial Services/Institutions.
24. Florists.
25. Food Catering Establishments.
26. Food Preparation Facilities, Retail.
27. Food Stores, with or without the retail sale of beer and wine.
28. Funeral Homes.
29. Furniture Rental and Sales Establishments.
30. Hardware Stores.
31. Health Clubs.
32. Hobby Shops.
33. Jewelry Stores.
34. Locksmiths.
35. Mail Services.
36. Manufacturing in connection with a retail store or shop, provided:

- a. Such manufacturing is incidental and accessory to the retail use and all goods manufactured are sold on the premises.
37. Medical Clinics or Laboratories.
38. Movie Theaters, Indoor.
39. Music Stores.
40. Musical Instrument Sales and Repair Stores.
41. Office Supply Stores.
42. Offices, Administrative, Business or Professional.
43. Orthopedic and Medical Appliance and Supply Stores.
44. Performance Theaters, Indoor.
45. Personal Care Homes.
46. Pet Shops, excluding Boarding.
47. Pharmacies.
48. Photocopying/Reproduction Services.
49. Photographic Studios or Supplies.
50. Picture Framing Shops.
51. Public Buildings and Uses.
52. Public or Private Parks.
53. Public Utility Facilities.
54. Reception Halls and Community Meeting Facilities.
55. Recreation Facilities, Indoor.
56. Religious Institutions.
57. Residential Uses, provided:
 - a. Residential uses shall not be on the first floor of any building.
 - b. Walls and ceilings of ground floor must comply with fire separation and resistance requirements of the Standard Building Code and the Fire Life Safety Code.

- c. Must have a minimum of eight hundred (800) square feet of heated floor area per unit.
- 58. Retail and Personal Services.
- 59. Retail Display of Goods, provided:
 - a. It shall be located between the front yard(s) of the host parcel but outside of the public right-of-way; and
 - b. It shall not interfere with pedestrian or vehicular traffic circulation; and
 - c. It shall not be located on parking spaces used to meet the minimum parking requirements.
- 60. Schools, Public or Private.
- 61. Sporting Goods Stores.
- 62. Tailor Shops.
- 63. Toy Stores.
- 64. Video Rental Establishments, not including adult entertainment.

B. PERMITTED SPECIAL USES.

Within the Old Town Commercial Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Inspections and Planning Commission and after a public hearing:

- 1. Building Height Increase.
- 2. Executive Quarters Suites.
- 3. Large Developments/Projects. Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:
 - a. Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or
 - b. Any project with a cumulative land disturbance exceeding 5 acres; and/or
 - c. Any development that creates a residential subdivision exceeding 7 lots.
- 4. Outdoor Storage.
- 5. Parking Lots and Garages, Offstreet

6. Stand-alone ATMs. – Automated Teller Machines which are not an accessory use to a bank or financial center.
7. Veterinary Clinics, without Outdoor Boarding.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. No minimum.
2. Minimum Lot Width.
 - a. 20 feet.
3. Minimum Road Frontage.
 - a. 20 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 0 feet.
5. Minimum Side Yard.
 - a. 0 feet.
6. Minimum Rear Yard.
 - a. 0 feet.
7. Maximum Building Height.
 - a. 3 Stories.
8. Residential Buffers. The City Council is authorized to grant a Residential Buffer Reduction down to 0 feet, upon review of the potential impacts to neighboring properties and after holding a public hearing thereon. The City Council shall consider the existing and future use of said adjoining property and proposed use and design of the subject property.

SECTION 512.2 Infill Residential District (IRD).

Infill Residential District shall be for infill opportunities in and around Suwanee Old Town. Such uses shall be compatible in intensity and style to the neighboring properties. The Infill Residential Zoning District may only be used within the designated Old Town Overlay District. This section must be read in its entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

The following development standards apply.

- A. Except where the size or scale of a proposed use falls within the large project category requiring a special use permit, the following uses are permitted:
 1. Accessory Buildings, Structures and Uses, provided:

- a. The building, structure or use complies with Section 604 of this Ordinance.
 - b. A swimming pool is completely enclosed by a fence or wall at least four (4) feet in height, but not over eight (8) feet in height. The fence or wall shall be equipped with self-closing and self-latching gates. Openings in the fence or wall shall not permit the passage of a six (6") inch diameter sphere.
 - c. An accessory building, to include a guest house, an accessory dwelling unit, a garage, a storage building, etc., shall not exceed 800 square feet of gross floor area.
 - d. A relative residence contained within a Single Family Dwelling shall not exceed 800 square feet of gross floor area; the real property owner must live in the Single Family Dwelling; relatives must be by blood, marriage or law; access to the relatives living area shall be required from the interior of the dwelling although secondary access to the exterior of the dwelling is permissible; and, paved off-street parking shall be provided for additional vehicles as needed.
 - e. Any accessory building exceeding two hundred (200) square feet shall have an exterior finish consistent with the primary residence.
2. Community Facilities, provided:
- a. All outdoor lighting shall comply with Section 1501.C.2.
 - b. The lot must be accessed from an arterial or collector as identified in the Comprehensive Plan.
 - c. All buildings shall be located at least 50 feet from all property lines.
 - d. All off-street parking areas shall be located at least 25 feet from all property lines.
 - e. All buildings shall comply with the City's architectural standards for the O-I zoning district.
3. Family Day Care Homes.
4. Home Events, provide:
- a. The events comply with Section 616. Home Occupations.
5. Home Occupations.
6. Industrialized Homes.
7. Public Buildings or Uses.
8. Single-Family Detached Dwellings.
9. Subdivision Recreation/Amenity Areas.

B. PERMITTED SPECIAL USES.

Within the Infill Residential Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the

City Council after receiving recommendations from the Planning Commission and after a public hearing:

1. Large Developments/Projects. Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:
 - a. Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or
 - b. Any project with a cumulative land disturbance exceeding 5 acres; and/or
 - c. Any development that creates a residential subdivision exceeding 7 lots.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum lot size.
 - a. 6,500 square feet.
2. Minimum lot width.
 - a. 45 feet with rear accessed garages.
 - b. 55 feet with front entry garages.
3. Minimum Road Frontage.
 - a. 20 feet.
4. Minimum Front Yard.
 - a. 5 feet.
5. Minimum Side Yard.
 - a. 3 feet.
6. Minimum Building Separation.
 - a. 10 feet (from buildings on adjacent lots).
7. Minimum Rear Yard.
 - a. 20 feet.
8. Maximum Height.
 - a. 40 feet
9. Garages.
 - a. All houses shall have a minimum of double car garages. Garage doors, whether attached or detached garages, shall be located behind the rear façade of the primary structure. When accessed from the front, driveways shall not exceed 10 feet in width in front of the house.
10. Street Rights-of-way.
 - a. 48 feet if in the interior of a subdivision.

- b. Other streets – as determined by the Thoroughfare Plan.
11. Minimum Heated Floor Area.
- a. 1,600 square feet.

SECTION 513. Gwinnett County-Annexed (GC-A)

A. ESTABLISHMENT AND APPLICATION.

The Gwinnett County-Annexed (GC-A) zoning district is used for certain properties annexed from unincorporated Gwinnett County into the city limits of the City of Suwanee to maintain regulatory continuity and legal status.

B. REGULATIONS OF LANDS IN THE GC-A ZONING DISTRICT.

Any property zoned Gwinnett County-Annexed (GC-A) as shown on the Official Zoning Map, unless otherwise specifically approved by the Suwanee, shall be subject to the zoning standards and property-specific conditions of zoning or special use approval, or both, adopted by the Gwinnett County Board of Commissioners by resolution which applied to said properties at the time they were zoned, or the special use was permitted, in unincorporated Gwinnett County immediately prior to annexation. Copies of the contents of the official Gwinnett County zoning and special use permit files of properties so annexed shall become official files of the City of Suwanee and shall be maintained by the Director, and said conditions of zoning or special use approval, or both, adopted by the Gwinnett County Board of Commissioners as adopted and applied by the City of Suwanee, shall constitute the zoning regulations governing said properties.

C. Development of Properties in the GC-A Zoning District.

Properties in the GC-A district shall continue to enjoy the use or uses specifically conferred by formal zoning or special use permit action of the Gwinnett County Board of Commissioners immediately prior to annexation. Development of any properties zoned GC-A on the effective date of this zoning ordinance shall comply with the following:

1. The property-specific conditions of zoning adopted by the Gwinnett County Board of Commissioners in a property-specific rezoning action by resolution and which were in effect for said property when in unincorporated Gwinnett County immediately prior to annexation.
2. The property-specific conditions of special use approval adopted by the Gwinnett County Board of Commissioners in a property-specific special use permit action by resolution and which were in effect for said property when in unincorporated Gwinnett County immediately prior to annexation.
3. Any property-specific variances granted by the Gwinnett County Board of Zoning Appeals and which are a part of the official Gwinnett County files for said property on record with the Director.

4. Any property-specific modifications of zoning or special use permit conditions approved by the City of Suwanee through formal action at a regular meeting prior to the effective date of this zoning ordinance, on record with the City Clerk.
5. In reviewing a development proposal for compliance with the zoning regulations of the GC-A zoning district, questions may arise as to what other additional dimensional requirements or use regulations apply. In certain cases the Director may not be able to resolve such questions by relying on the zoning or special use permit conditions and any applicable variances or modifications of said conditions alone. For example, a building on a site plan approved as a condition of zoning or special use permit approval may not be shown with enough specificity to determine the maximum building height or setbacks that apply to the proposed building. Or, questions may arise as to whether the use provisions allow for an accessory building, structure, or use on the subject property that is not shown on the site plan approved as a condition. In such instances where questions about development permissions cannot be resolved by applying the above provisions 1 through 4 of this section, the Director shall apply regulations of the Suwanee zoning district established in Article V of this zoning ordinance which most closely resembles the zoning district of Gwinnett County's Zoning Resolution which applied to the property immediately prior to annexation, as more particularly shown in Table 8.1.1:

Gwinnett County – Suwanee Zoning District Conversion Based on Permitted Uses and Density (each row indicates compatible zoning districts).

Gwinnett County District	Suwanee Zoning District standards which shall apply when questions arise under the terms of this Section as they related to dimensional requirements and accessory buildings, structures, and uses.
RA-200, R-140	R-140
R-100, MHS	R-100
R-75, R60, RL	R-75
R-TH, R-ZT, RM-8, RM-10, RM-13	RM-8
RMD	RMD
RM-6	RM-6
HS	R-100, C-2
NS, C-1	C-1
C-2	C-2
C-3	C-2A
O-I, OBP	O-I
M-1, M-2	M-1
CSO	CSO
MUR	PMUD

D. Remedies for Additional Development Permission

1. In any case where a development is proposed on property zoned GC-A but such development would not be consistent with the provisions of the GC-A zoning district as specified in this Section, there shall be the following possible remedies:
 - a. File an application to rezone the property from GC-A to another zoning district set forth in Article V of this zoning ordinance that lawfully provides for the proposed development, in accordance with applicable zoning procedures and Article XXI of this zoning ordinance.
 - b. The Director may authorize that a variance application be made to the Suwanee Board of Zoning Appeals, in accordance with the provisions of Article XX of this zoning ordinance, but only on an individual, case-by-case basis and only involving a single building that cannot meet the yard area, setbacks, buffers, landscape strips, building coverage, or other dimensional (numeric) requirements of the approved site plan and conditions of zoning. No application for a variance shall be filed, accepted, or processed that contains a request to vary dimensional requirements pertaining to more than one principal building; provided, however, that an applicant may file more than one variance application when more than one building is involved. Such applications, if approved by the Director to be filed, shall be processed in accordance with applications for variances as specified in this zoning ordinance.
 - c. The Chairman of the Zoning Board of Appeals is authorized to grant administrative variances to properties zoned GC-A, pursuant to and as specified in Section 2102 of this zoning ordinance.
2. Minor revisions to an approved site plan or development plan may be administratively approved by the Director if in the Director's judgment such changes: (1) do not involve an increase in density or intensity of the site; and (2) do not alter buffers or setbacks along perimeter boundaries; and (3) do not otherwise result in a change that would be contrary to the public interest or that would be better considered via a public hearing process and a change in zoning or special use approval.

E. Compliance.

Except as this chapter specifically authorizes otherwise, lands annexed into the municipal limits of the City of Suwanee between 1998 and the effective date of this zoning ordinance shall be subject to all applicable procedural and substantive requirements of this zoning ordinance as now or hereafter amended.

F. Assumption of Administrative Functions.

In cases where conditions of Gwinnett County zoning approval applicable to property in the GC-A zoning district require an administrative determination or decision, interpretation, or other administrative action, the Director shall have the authority to make such administrative determination, decision, or interpretation. To this end, the

Director shall assume the authority of all administrative officials referred to in said conditions of zoning approval by Gwinnett County; provided, however, that in cases where engineering considerations are specified, the City Engineer shall have such administrative authority.

SECTION 514. GUD (Governmental Use District).

This Zoning District is established to provide a location for government related uses such as governmental buildings, parks, cemeteries, schools, and religious institutions. This section must be read in its entirety to fully understand where specific land uses are permitted within this zoning district.

A. PERMITTED USES.

Within the GUD Zoning District, the following uses are permitted:

1. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.
2. Cemeteries.
3. Community Facility.
4. Governmental Buildings of Uses.
5. Open Space.
6. Parks, passive or active.
7. Parking Lots and Garages, Offstreet, less than 750 parking spaces.
8. Schools, Public.
9. Schools, Technical or Vocational Campuses.