

## Ordinance 12-2020

### An Amendment to the City Code or Ordinances

Chapter and Purpose: Subpart B Unified Development Ordinance, Section as noted.

Enacting Clause; The Mayor and City Council of the City of Norcross, Georgia hereby ordains that the adopted Code of Ordinance is hereby amended as more particularly set forth below. It is the intention of the Mayor and City Council, and it is hereby ordained that all following provisions shall become and be made part of the Code of the City of Norcross.

- I. Amendment to edit the language as noted below, to add those items shown as underlined and to delete those items as shown by strikethrough:

Sec. 201-22. - CX community mixed-use.

(g) CX residential density bonus incentive (Available in the I-85 Activity Center Character Area Only).

- (1) Structured parking. A density bonus of 40 percent may be applied to the overall residential component if the applicant submits a structured parking plan (garage) that is approved by the Community Development Department, plus an additional 10 percent density bonus if providing Electric Vehicle charging stations for 5% of the parking spaces are provided, with a minimum of 5 charging stations.
- (2) Green building materials. A density bonus of 25 percent may be applied to the overall residential component if the applicant utilizes a minimum of three green building methods as identified by the Green Building Alliance or LEED, or site components that promote energy efficiency, and which reduce surface water run-off. This would include, but not be limited to:
  - a. Green roof components.
  - b. Roof mounted solar panels.
  - c. Cool roofing materials.
  - d. Energy efficient windows.
  - e. Rain gardens or bio-swales.
  - f. Geothermal.
  - g. Permeable pavement.
  - h. Native planting.
  - i. Stormwater planters.
  - j. Parking lot run-off landscaping.
- (3) Calculation of density bonuses.
  - a. Density bonuses are applied to the maximum residential density.
  - b. A density bonus is rounded up on the half, 0.5, unit or above.
  - c. A structured parking bonus and a green building materials bonus may be combined for a maximum 75 percent increase to the maximum residential density.

## Sec 202-2

(h) *Fences and walls.* Fences and walls shall be permitted in any zoning district and are not subject to setback requirements, except as provided for in this section.

(1) In a residential zoning district, the following provisions shall apply:

- a. No wall or fence shall exceed eight feet in height within a side yard or rear yard.
- b. No wall or fence that extends into the front yard shall exceed four feet in height, except that any gate or gatepost within the wall or fence shall not exceed six feet in height. **However, no fence shall extend into or across the front yard of any residence in the National Historic District or Local Historic District, except that parcels located on the corner of two streets may have a fence in the front yard adjacent to the secondary roadway upon authorization of the Community Development Department.**
- c. No wall or fence constructed of woven wire or metal fabric (e.g., chainlink, hog wire or barbed wire) shall extend into a front yard, except that woven wire or metal fabric fences may extend into a front yard when the property contains a minimum of three acres, **and only where allowed under this ordinance.**
- d. Any wall or fence which extends into the front yard, **where allowed,** on property containing less than three acres shall be ornamental or decorative and may be constructed of brick, stone, wood, stucco, wrought iron or split rail; provided that no wall or fence shall be constructed of exposed concrete block, tires, junk or other discarded materials.

### Sample Images of Decorative Fencing



Wood pickets with gate



Masonry and wrought iron



Wrought iron



Simple wooden fence

Any subdivision entrance wall or fence shall not exceed ten feet in height and shall be subject to the approval of the Community Development Director after the submission of a landscape plan and an architectural elevation.

(2) In a nonresidential district, the following provisions shall apply:

a. Any fence or wall to be located in the HX, historic mixed use district shall be subject to the approval of the Community Development Director.

b. No fence or wall shall be allowed in any front yard.

**c. Chain link fencing or other similar elements are prohibited, except in the side and rear yards of the M-1 or M-2 districts and only when the fencing elements are not visible from the right of way and are screened according to site landscape standards provided in this UDO. Otherwise all fencing shall be decorative in nature as outlined in this UDO.**

**(3) In all districts, the following provisions shall apply:**

**a.**

**A Building Permit is required for retaining walls that are greater than 4 feet in height from the top of the footing. A building permit is also required for retaining walls less than four feet in height when the slope of backfill materials exceeds a 1 foot rise in 3 feet length or when the wall will be required to support a surcharge load. For tiered walls, the wall height is measured from top of lowest wall footing to top of highest wall unless the tier is set back far enough to allow each tier to act independently.**

#### **Sec 202-2(t)**

##### **Motor vehicle related uses.**

(1) No reductions in buffer requirements are allowed when adjacent to a residential use.

(2) Shall have a minimum lot size of ~~one and one-half~~ **two** acres for **all automotive related uses including car wash, auto repair, auto sales and auto rental.**

(3) Indoor auto repair shall be permitted provided:

a. The gross-square-foot area of the business in the building is less than 3,000 square feet.

b. No auto repairs are conducted outside the building.

c. No car sales or auto brokerage except in the CAR zoning district.

d. No outdoor air compressors.

e. No outdoor incidental uses such as carwashes.

f. All work on vehicles to be completed inside the structure.

g. The sides and rear of the business will be screened from view of surrounding properties with an opaque eight-foot fence.

h. Customer and employee parking allowed in the front.

(4) All vehicles in sales lots are always in operating condition.

- (5) Motor vehicles for sale shall be parked in marked, striped spaces only, and only in areas designated for the display of vehicles for sale.
- (6) Motor vehicles for sale or rent cannot be parked in areas reserved for customer or employee parking.

**Sec. 203-11. - Business vehicle parking.**

- (a) In commercial zoning districts, *fleet* delivery/service vehicles and *fleet* vehicles displaying advertising must be parked within the side or rear yard *and appropriately screened from view of the right of way by approved landscaping and fencing materials* and may not be parked within the front yard, except vehicles parked temporarily while making a delivery, providing a service, or purchasing goods or services.
- (b) In all residential districts, the parking of any business vehicle (other than an automobile, pick-up or panel truck used to provide daily transportation to and from work or a business vehicle parked temporarily while making a delivery or providing a service) and any vehicle with a carrying capacity of more than one and one-half tons is prohibited except when the following provisions apply:
- (1) Such vehicle may park within a fully enclosed structure that meets all other criteria of the zoning district and the city development regulations.
  - (2) Such vehicle may park on the side or to the rear of the primary residential structure on the lot provided that the lot is five acres or larger, but in no case may be located closer than 100 feet from any property line.
  - (3) Such vehicle is used for the primary purpose of transporting children to and from state licensed or accredited elementary, middle or high schools provided such vehicle is parked off any public thoroughfare, on an all-weather surface, and in the side or rear yard.

**Sec. 205-4. - Landscaping requirements and tree preservation**

**F. Streetscape standards**

1. *Streetscapes shall be installed along public rights-of-way as specified in the streetscape table below, except as provided in "B" immediately below for an alternative multi-use trail. Streetscapes shall include a sidewalk landscape strip adjacent to the roadway, a sidewalk, and a landscape strip at the back of the sidewalk on private property.*
2. *A multi-use trail may be required instead of a sidewalk landscape strip and sidewalk where identified as a multi-use trail in any plan that has been adopted by the City.*
3. *Sidewalks shall be constructed with an additional 2-foot by 8-foot concrete pad, located outside of the right-of-way, designed to accommodate existing or future pedestrian amenities such as benches, planters, and trash containers, at the following locations:*
  - a. *At intersections of roadways with an arterial, major collector or minor collector identified on the Gwinnett County Long Range Road Classification Map.*
  - b. *At locations along roadways designated for a transit stop or future transit stop by Gwinnett County Department of Transportation.*

- c. At locations along roadways designated for a school bus stop by the Gwinnett County Board of Education.
- d. Such pedestrian amenity sidewalk pads shall not be required closer than 300 feet from another such pad on the same side of the roadway.
4. All amenities required and listed above shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the appropriate review and approval authority. Locations of pedestrian amenity sidewalk pads shall be coordinated to avoid locations of curb inlets, guardrails, and bridges.
5. All new utility lines shall be buried.
6. Streets lights in conformance with this UDO shall be provided.

#### Streetscape Table

Street Type	Sidewalk Landscape Strip	Sidewalk	Landscape Strip	Street Lights
<u>Principal Arterial.</u> <u>Major Arterial.</u> <u>Minor Arterial.</u> <u>Major Collector</u>	<u>Min. 2 ft.</u>	<u>Min. 8 ft.</u>	<u>Min. 10 ft. per Sec.</u> <u>205-4(d)(3)</u>	<u>Required (see Sec.</u> <u>406-3)</u>
<u>Local</u>	<u>Min. 2 ft.</u>	<u>Min. 5 ft.</u>	<u>Min. 10 ft. per Sec.</u> <u>205-4(d)(3)</u>	<u>Required (see Sec.</u> <u>406-3)</u>

#### Sec. 401-2. - Local amendments.

##### G. Pedestrian Access

A walkway shall be provided from all buildings to an adjacent public right-of-way, as follows:

1. Parcels under 2 acres shall provide a walkway with a minimum width of 5 feet, except as specified in "C" immediately below.
2. Parcels 2 acres or larger shall provide a walkway that conforms to Sec. 205-4(d)(6), except as specified in "C" immediately below.
3. Walkways and landscape strips are not required for existing buildings or uses when the applicant demonstrates that their installation would do any of the following:
4. Render the parcel non-conforming with regards to parking; or
5. Result in a 10% or more reduction in the number of parking spaces on the parcel;  
or
6. Require the construction of retaining walls, site grading, site excavation, or site fill; or
7. Is determined by the Director to be infeasible because of topographic or other site-specific constraints.
8. The required or provided walkway surface shall be hardscape but may not be

asphalt.

9. The required or provided landscape strip shall be planted in accordance with the standards of Sec. 205-4.

#### H. Access management

##### Driveways.

1. The maximum number of driveways serving a single project shall not exceed one per 400 feet of property frontage, or fraction thereof per street. This is not meant to be a spacing standard but only an expression of the total number of driveways permitted for a single project.
- I. Inter-parcel access.
  - 1 Inter-parcel access, joint driveways, cross-access drives, and access easements shall be provided, as follows, except where the [Director] determines that they are infeasible because of topographic or other site-specific constraints:
  2. Inter-parcel vehicular connections or provision of a future inter-parcel driveway stub (with appropriate cross-access easements) shall be required between abutting commercial, office, industrial, or attached residential parcels;
  3. Joint driveways and cross-access easements shall be established between abutting commercial, office, industrial, or attached residential parcels;
  4. Driveways providing inter-parcel shall be designed with a design speed of 25 mph and a two-way travel aisle, with a minimum of 20 feet to accommodate automobiles, service vehicles, and loading vehicles; and
  5. Required inter-parcel access shall not be gated or otherwise access controlled.

#### Sec. 401-2.1 - Adopted portions of the Official Code of Georgia (OCGA)

The following article(s) of the Official Code of Georgia (OCGA) are hereby adopted as a general ordinance of the city to the extent that the development regulations are not inconsistent with this UDO or city local amendments under this UDO:

- A. 10.C.G.A. 12-5-6 (2010) Installation and definition of "rain sensor shut-off switch"; penalty for violations

## Sec. 406-3. - Lighting plan

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

### A. Lighting Standards

1. Streetscape Lighting. Required streetscape streets lights shall conform to the following:
  - a. Streetlights shall utilize decorative light poles/fixtures.
  - b. Streetlights shall be staggered, 150 feet on-center, along both sides of the roadway.
  - c. Streetlights shall be subject to review and approval of the appropriate review authority.
  - d. Where applicable, streetlights shall be placed adjacent to required pedestrian amenity sidewalk pads.
  - e. Specifications of light fixtures are provided in Streetscape Light Fixture Requirements Table below, with the exception that street lighting in the Norcross Historic Districts, Downtown Districts as well as areas identified in the Norcross Comprehensive Plan as being in the Town Center Character Area shall conform to the established approved decorative poles and fixtures and are subject to the final approval of the City of Norcross.

### **Streetscape Light Fixture Requirements Table**

<u>Fixture Head</u>	<u>Pole Type (Streetlight)</u>	<u>Max. Pole Height</u>
Box Head	Smooth black	40 t.

2. Commercial and Residential Parking Lot Lighting. Lighting shall be providing throughout all commercial and residential parking areas and shall conform to the following:
  - a. Lighting shall utilize decorative light poles/fixtures.
  - b. Light source shall be Light Emitting Diodes (LED), Metal Halide, or Color Corrected High-pressure Sodium not exceeding an average of 4.5 foot-candles of light output throughout the parking area.
  - c. A single light source type shall be used for any one site. Other than pedestrian light fixtures which shall be less than 14 feet tall, light fixtures shall be hooded.
  - d. Lighting shall be directed to avoid intrusion on adjacent properties and adjacent rights-of-way.
3. Rope lighting. Rope lighting is prohibited, including on the interior of a building when visible from the exterior.

- II. Severability: If the provisions of any section, subsection, paragraph, subdivision or clause of his ordinance shall be judged invalid by a court of competent


jurisdiction, such order of judgement shall not affect or invalidate the remainder of any ordinance, section, subsection, paragraph, subdivision or clause of this ordinance.

- III. Repealer: All ordinances or parts thereof which are in conflict with any provision or any section, subsection, paragraph, subdivision or clause of this ordinance are hereby repealed to the extent of the conflict.

IN WITNESS WHEREOF, I have hereunto set my hand and cause this seal to be affixed this 8 day of December, 2020

  
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Craig Newton, Mayor

ATTEST:

  
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Monique Lang, City Clerk