

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED: Gwinnett County Unified Development Ordinance

READING AND ADOPTION: January 26, 2016

At the regular meeting of the Gwinnett County Board of Commissioners held in the Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

| Name | Present | Vote |
|----------------------------|---------|------|
| Charlotte Nash, Chairman | YES | YES |
| Jace Brooks, District 1 | YES | YES |
| Lynette Howard, District 2 | YES | YES |
| Tommy Hunter, District 3 | YES | YES |
| John Heard, District 4 | YES | YES |

On motion of Commissioner Howard which carried 5-0, the Unified Development Ordinance of Gwinnett County, Title 1: Administration, Title 2: Land Use and Zoning and Title 3: Development and Permitting are hereby amended.

WHEREAS, the Unified Development Ordinance contains regulations governing zoning and land use, development and permitting, landscape requirements and architectural guidelines, as well as procedures for the administration and application of those regulations; and

WHEREAS, by careful review of the rules and requirements contained therein, it has become evident that certain Chapters and Sections of the Unified Development Ordinance could be logically amended; and

WHEREAS, the Gwinnett County Board of Commissioners desires that the Unified Development Ordinance provide appropriate and sound regulation of land use, zoning, development and permitting; and

WHEREAS, the Unified Development Ordinance was adopted by the Gwinnett County Board of Commissioners on February 25, 2014; and

WHEREAS, the Unified Development Ordinance provides that the text, tables and drawings thereof may be amended from time to time by the Board of Commissioners following

submission of certain items to the Municipal-Gwinnett Planning Commission for review and recommendation; and

WHEREAS, the Board of Commissioners finds that the following amendment to the Unified Development Ordinance promotes the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of Gwinnett County;

NOW, THEREFORE, BE IT ORDAINED that the Unified Development Ordinance of Gwinnett County, Title 1: Administration, Title 2: Land Use and Zoning, Title 3: Development and Permitting, and are hereby amended as set forth in **Exhibit A** which is attached hereto.

BE IT FURTHER RESOLVED that all regulations or parts of the same in conflict with this Resolution are hereby rescinded to the extent of said conflict.

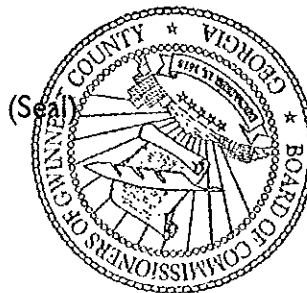
GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 2/1/16

ATTEST:

By: Diane Kemp
Diane Kemp, County Clerk



APPROVED AS TO FORM:

By: Theresa A. Cox
Theresa Cox, Senior Assistant County Attorney

EXHIBIT A

That Title 1, Chapter 110, Subsection 40. General Definitions, is amended by deleting the existing defined term “Animal Quarters” in its entirety, and inserting in lieu thereof the following:

Animal Quarters: Any structure which is used to shelter, care for, house, exercise, train, exhibit, display or show any animals, including but not limited to corrals, stables, barns, pens, coops, chicken houses, and other similar animal quarters. This term shall not include fenced pasture land or paddocks for grazing.

That Title 2, Chapter 230 Standards Applying To All Districts, is amended by inserting a new Section 230-90, as follows:

Section 230-90. Protection of Existing Cemeteries.

230-90.1 Whenever a development site contains or is adjacent to an existing cemetery, the following cemetery protection measures shall be required:

- A. A 25 foot in-depth grassed buffer strip and a minimum four-foot high wrought-iron style fence or brick/stone wall shall be provided around the entire perimeter of the cemetery. Said fence or wall shall be located exterior to the required grassed strip. In instances where a cemetery includes an existing fence or wall, the existing fence or wall may be considered to satisfy this requirement.

That Title 2, Section 230-100, Table 230.4 (Table of Permitted and Special Uses) is amended by alphabetically inserting the use of “Bail Bonding Company” under the Office, Institutional and Cultural Uses Heading, and inserting the notation of “P” (Permitted) for said use in the column for the M-2 zoning district, and inserting the notation of “S” (Special Use Permit) for said use in the columns for the C-2, C-3 and M-1 zoning districts.

That Title 2, Section 230-100, Table 230.4 (Table of Permitted and Special Uses) is amended by deleting the notation of “P” (Permitted) for the use of “Dwelling, Duplex” in the columns for the TND and R-SR zoning districts.

That Title 2, Section 230-100, Table 230.4 (Table of Permitted and Special Uses) is amended by inserting the entry of “Y” (Yes) in the Supplemental Regulations column of the Table for the use of “Pool or Billiards Halls.”

That Title 2, Chapter 230, Subsection 230-130.3 Supplemental Use Standards (per Table of Permitted Uses) is amended by alphabetically inserting the following entry, and renumbering the remaining items as necessary:

Pool or Billiards Halls.

A business having three or more pool tables for patron use shall be considered a Pool or Billiards Hall.

That Title 3, Chapter 610 Buffers, Section 610-20 Standards for Permanent Buffers, is amended by inserting a new Subsection 610-20.10, as follows:

610-20.10. Buffer Reduction.

Buffers may be partially or wholly reduced in width by one of the following four methods, as applicable:

- A. Reductions of buffer width by less than 50 percent may be granted by administrative approval. This procedure may not be used to reduce buffers required as a condition of zoning or Special Use Permit.
- B. Reductions of buffer width by more than 50 percent and reductions in buffer width that do not qualify for or receive administrative approval may only be granted by the Board of Commissioners by filing a "Buffer Reduction Application." This procedure may not be used to reduce buffers required as a condition of zoning or Special Use Permit.
- C. Buffers that are required as a condition of zoning or Special Use Permit may only be granted by the Board of Commissioners by filing a "Change in Conditions Application" (CIC).
- D. Reduction of buffers required under Section 230-130 Supplemental Use Standards may be granted by the Zoning Board of Appeals by filing a "Variance Application."