
Ordinance 09-2025

An Amendment to the City Code of Ordinance

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 Ordinances 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.

1. Amendment to edit the language as noted on the attached, to add those items shown as underlined and highlighted, and delete those items shown as red strikethrough, any items completely deleted are reserved. For purposes of defined items, new definitions are added where they fit alphabetically within the existing defined terms section.

Sec. 103-9. Zoning Board of Appeals (ZBA).

(c) *ZBA rules and standards.*

- (1) Before the ZBA acts upon an application for a variance, it shall hold a public hearing under the rules governing the calling and conducting of meeting are described in section 103-3, general rules of procedure; meetings; minutes, and records.
- (2) The notice of the time and place of such hearing shall be published at least ~~30~~ **45** days prior to the hearing in a newspaper of general circulation within the territorial boundaries of the city. At the hearing any party may appear in person or by agent or attorney.
- (3) In addition, the Community Development Department shall at least ~~30~~ **45** days prior to the hearing erect in a conspicuous place on the property involved a sign which shall contain information as to the variance applied for and the time and place of hearing.
- (4) In reviewing request for variance applications, the ZBA will make decisions based on the standards and factors governing review of proposed variance applications, section 103-11(d).
- (5) In reviewing appeals from decisions made by the Community Development Director or Building Official, the ZBA will be interpreting the provisions of the UDO and the International Building Code (IBC) to determine:
 - a. Whether the decisions made by the Director was based on the true intent of the UDO or IBC; and
 - b. Whether proper procedures for application review were followed.
- (6) All ZBA decisions shall be in writing. Decisions shall be mailed to the applicant and any interested parties who make a written request for a copy of the written decision without unreasonable delay after the close of the hearing.

Sec. 104-3. Decision making responsibilities.

- (a) There are three basic categories of development reviews and actions associated with such reviews pursuant to this UDO:

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

Figure 104-3(b) Legislative Action Approval Processes

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

Note:

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

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

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

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

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

- (d) Permits that may be approved by a UDO Administrator through the administrative review process fall under three different review sub-categories: building review by the city Building Official, engineering review by the City Engineer, and zoning review by the Zoning Administrator. The following table summarizes the different administrative permits that may be granted under this UDO and which UDO Administrator review them.

Figure 104-3(d) Administrative Action Processes

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

Notes:

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

(Ord. No. 08-2019, § I, 6-3-2019; Ord. No. 08-2022, § I, 8-1-2022; Ord. No. 04-2024, § I, 11-4-2024)

Sec. 104-6. Quasi-judicial review (I)(2)

(I) *Decisions of an appellate board.*

- (1) All appeal hearings and decisions shall be made in a public meeting, as mandated under state law, and following the procedures, standards and provisions of chapter 100, article III, review authorities.

- (2) All decisions of an appellate board shall be furnished in writing to the applicant and to the Community Development Director within ~~three~~ **five (5)** days of a final action.
- (3) The Community Development Director shall take immediate action in accordance with the decision of the appellate board.

(Ord. No. 08-2019, § I, 6-3-2019; Ord. No. 08-2022, § I, 8-1-2022; Ord. No. 07-2023, § I, 8-7-2023; Ord. No. 04-2024, § I, 11-4-2024)

Sec. 104-7. Administrative review.

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

(section a.-h.)

- i. **Compact parking spaces**
- j. **Excess parking spaces; in case parking exceeds 25 percent of minimum off-street parking requirement**
- k. **New construction of a new porch or modifications to an existing porch.**
- l. **Roof mounted solar panels located outside the historic district and in compliance with code section 202-3 (f)**

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

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

Lot dimensions	
Minimum lot area	18,000 square feet 15,000 square feet if sewerred
Minimum lot width	100'
Minimum lot frontage	50'
Minimum setbacks	
<i>Principal building</i>	
Front (from right-of-way)	50'
Side	10' one side / 25' total
Rear	40'
<i>Accessory building</i>	
From principal structure	5'
Front	Not allowed
Side	5'
Rear	5'

<u>Accessory Dwelling Unit</u>	<u>See Section 202-3(b) for applicable development standards</u>
Maximum height	
Principal	35'
Accessory	12'
Impervious surface coverage	35%

- (c) *R100 supplemental regulations.*
- (1) Accessory use standards—see chapter 200, article II, supplemental and accessory use standards.
 - (2) Landscape and buffering—see chapter 200, article V, tree conservation, buffers, and landscaping.
 - (3) Parking and loading—see chapter 200, article III, parking and loading requirements.
 - (4) Signs—see chapter 200, article IV, sign regulations.
- (d) *R100 permitted uses.* The following uses shall be permitted as of right in this district. Supplemental regulations for uses are in chapter 200, article II, supplemental use standards, as applicable.
- (1) *Residential.*
 - a. Single family detached dwelling.
 - (2) *Services.*
 - a. Existing cemetery.
 - (3) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Places of public assembly.
 - (4) *Miscellaneous semi-public facilities and uses.*
 - a. Utility transmission and monitoring facilities.
- (e) *R100 special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in chapter 200, article II, supplemental use standards, as applicable.
- (1) *Miscellaneous lodging, rooms for rent situations.*
 - a. Bed and breakfast, but only when in a historic district overlay.
 - (2) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Elementary and secondary private education.
 - b. Nursery schools and kindergartens.
- (f) *R100 accessory uses.* The following uses shall be considered accessory uses in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
- (1) Customary residential accessory buildings.
 - (2) Accessory dwelling units.
 - (3) Home occupations.

(Ord. No. 08-2019, § I, 6-3-2019)

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

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

Lot dimensions	
Minimum lot area	15,000 square feet 12,000 square feet if sewerred
Minimum lot width	75'
Minimum lot frontage	40'
Minimum setbacks	
<i>Principal building</i>	
Front (from right-of-way)	25' if on minor road 50' if on county or state road
Side	10' one side / 25' total
Rear	40'
<i>Accessory building</i>	
From principal structure	5' min
Front	Not allowed
Side	5' min
Rear	5' min
Accessory Dwelling Unit	See Sec 202-3(b) for applicable development standards
Maximum height	
Principal	35'
Accessory	12'
Impervious surface coverage	35%

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

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

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

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

Lot dimensions	
Minimum lot area	7,500 square feet
Minimum lot width	60'
Minimum lot frontage	30'
Minimum setbacks	
<i>Principal building</i>	
Front (from right-of-way)	25'
Side	7½ each side
Rear	25'
<i>Accessory building</i>	
From principal structure	5'
Front	Not allowed
Side	5'
Rear	5'
Accessory Dwelling Unit	See Sec 202-3(b) for applicable development standards
Maximum height	
Principal	35'
Accessory	12'
Impervious surface coverage	45%

- (c) *R60 supplemental regulations.*
 - (1) Accessory use standards—see chapter 200, article II, supplemental and accessory use standards.
 - (2) Landscape and buffering—see chapter 200, article V, tree conservation, buffers, and landscaping.

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- (3) Parking and loading—see chapter 200, article III, parking and loading requirements.
 - (4) Signs—see chapter 200, article IV, sign regulations.
 - (d) *R60 permitted uses.* The following uses shall be permitted as of right in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
 - (1) *Residential.*
 - a. Single family detached dwelling.
 - b. Single family detached dwelling; manufactured or modular home.
 - (2) *Services.*
 - a. Existing cemetery.
 - (3) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Places of public assembly.
 - (4) *Miscellaneous semi-public facilities and uses.*
 - a. Utility transmission and monitoring facilities.
 - (e) *R60 special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
 - (1) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Elementary and secondary private education.
 - (f) *R60 accessory uses.* The following uses shall be considered accessory uses in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
 - (1) Customary residential accessory buildings.
 - (2) Accessory dwelling units.
 - (3) Home occupations.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 202-2. Supplemental use standards.

(aa) Telecommunications antenna and towers

- (3) *Permitted uses.* New towers shall be allowed only in M1, light industry district, and C2, general business district, **CX community mixed use and BH Buford Highway zoning districts** by special use permit under this section including the procedures set forth in subsection (5), special use permit, and as governed by this UDO.
- (4) *Administrative approvals.* The Community Development Department head may administratively approve the installation of an antenna on any existing tower or structure (such as a building, sign, light pole, water tower, or other freestanding nonresidential structure) whether or not the structure or tower is grandfathered so long as the additional structure adds no more than 20 feet to the height of the existing tower or structure. This administrative approval process may include any related equipment structures.
- (5) *Special use permits.*

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- a. *General.* The following provisions shall govern the issuance of special use permits:
 1. Towers are permitted as of right in the M1 district. A special use permit is required for the installation and construction of a tower or antenna in the C2, CX and BH zoning districts.
 2. In granting a special use permit, the Mayor and Council may impose zoning conditions to the extent the Mayor and Council concludes such conditions are necessary to buffer or otherwise minimize any adverse effect of the proposed tower on adjoining properties.
 3. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical shall be certified by a licensed professional engineer.

Sec. 202-3. Accessory uses or structures.

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

- (1) An ADU may be developed in or behind an existing or new main dwelling.
- (2) To keep true to its accessory size, an ADU may not exceed 40 percent of the floor area of the main dwelling.
- (3) An ADU may have up to two bedrooms.
- (4) The owner of the property is required to reside in either the main dwelling or the ADU ~~for at least eight months of the year.~~
- (5) If detached from the main dwelling, an ADU must be located in the rear yard and have a footprint no greater than 30 percent of the rear yard.
- (6) If the ADU is combined with a garage, the total floor area may be in addition to the square footage of the garage.
- (7) The ADU shall meet all rear and side yard setback requirements **of the principal structure and when detached, be at least 5' away from the principal structure.**
- (8) The ADU shall not be higher than the main dwelling.
- (9) No additional parking spaces are required, **however all vehicles must fit in the driveway or garage on site.**
- (10) Only one ADU per lot.**

Sec. 204-5. Signs exempt from having a permit.

The following signs and sign-related activities shall be exempt from the provisions of this article and shall not require a sign permit. All signs in this section, unless otherwise stated below, shall be setback a minimum of ten feet from the right-of-way, easement of access, or edge of pavement, whichever is the greater setback, and five feet from all other property lines.

- (1) *Routine maintenance.* Routine sign maintenance includes cleaning, re-painting, replacing lighting elements, ballasts, and electrical components, and changing of lettering or parts of signs designed to be regularly changed.

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- (2) *Face changes.* Signs shall be allowed sign face changes that are non-structural only. Further modifications may be subject to the provisions of section 204-11, nonconforming or noncomplying signs.
 - (3) *Copy changes.* The change of a message on any changeable copy sign or any variable message sign may occur without a permit.
 - (4) Small non-illuminated temporary freestanding signs (excluding banners, which are regulated under section 204-12). For each residential or nonresidential lot, the quantity of these signs shall be limited to either one sign that is 16 square feet in area or any number of signs whose total combined area totals 16 square feet, such as four signs of four-square feet in area each. These signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of the curb of a public roadway.
 - (5) *Traffic or government signs.* Any signs installed by the city, county, state, federal government or an authorized transit agency.
 - (6) *ADA required signs.* Any signs installed to meet the requirements of the Americans with Disabilities (ADA) Act.

(7) Signs meeting the requirements of section 204.18

(8) For Sale signs- the quantity of these signs shall be limited to either one (1) sign that is 16 square feet in area or any number of signs whose total combined area totals 16 square feet, such as four signs of four-square feet in area each. These signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of the curb of a public roadway.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 204-12. Temporary signs.

- (a) The following types of signs or devices shall be allowed by issue of a temporary sign permit:
 - (1) Flags or banners beyond the limits allowed in section 204-13 (flag section).
 - a. Banners are limited to 32 square feet in size area and may be double sided. **This includes institutional uses in residentially zoned properties such as places of worship and schools.**
 - b. The location and means of mounting must be clearly depicted on the temporary sign permit application.
 - (2) Signs associated with a temporary outdoor activity or temporary outdoor retail sales and display events, as regulated in chapter 8, article IX, of this Code.
- (b) Temporary signage is limited to a period not exceeding 15 consecutive days.
- (c) The ~~15-day~~ **time** limitation on temporary signage associated with a permitted temporary outdoor activity shall be waived to allow temporary signage to run concurrently only with the permitted term and duration of the specific temporary outdoor activity as stipulated in subsection 8-318(g)(1) of this Code, subject to Community Development Director approval.
- (d) A fee as established by the City Council and posted by the Community Development Department shall be charged for each temporary sign.
- (e) The city shall be exempted from temporary sign regulation and fees including, but not limited to: size, placement and duration of display when displaying signs.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 206-8. Exceptions.

(a) *Front yard requirements.*

- (1) The front yard requirements of this chapter shall not apply on any lot where the average depth of the front yards of existing buildings on adjoining lots located wholly or in part within 100 feet on each side of such lot within the same block and zoning district and fronting on the same side of the street is either greater or less than the minimum required front yard depth.
- (2) If the average depth of the front yards is greater than the required minimum front yard depth, the depth of the front yard of such lot shall be the average of the front yards of such buildings but need not be greater than 150 percent of the required front yard depth.
- (3) If the average depth of the front yards is less than the required minimum front yard depth, the depth of the front yard of such lot may be less than the required front yard depth but shall not be less than the average of the front yards of such buildings.

(b) *Permitted encroachments upon required setbacks.* Cornices, eaves, chimneys, landings, porches, bay windows or other similar architectural features may extend into the required front, side or rear yard setbacks, provided such extensions do not exceed three feet into the setback. Unenclosed **and uncovered** decks and patios may extend into the side or rear yard setbacks but no closer than five feet from any property line. Steps and landings may extend into the required setbacks, provided such extensions do not exceed ten feet into the front yard setback. Steps and landings may extend into the rear yard setback, but no closer than five feet from the property line.

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

1. Severability: If the provisions of any section, subsection, paragraph, subdivision or clause of this 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. Except as specifically amended as set forth above, all other provisions of the Unified Development Ordinance shall remain in full force and affect.
2. 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 ____ day of _____, 2025

Craig Newton, Mayor

ATTEST:

(Supp. No. 42)

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Monique Philip, City Clerk