

Ordinance 14-2019

An Amendment to the City Code or Ordinances

Chapter and Purpose: Appendix, Norcross Unified Development Ordinance, Various sections 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 delete those items shown as strikethrough and to add those items shown as underlined to provide for corrections to typographical errors and omissions:

Sec 104-4 C Common Review Provisions:

3. There are ~~four~~ three basic types of public notice:

- a. **Published Notice.** Where published notice is required, notice of the public hearing must be published by the Community Development Director at least once in a newspaper of general circulation within the City at least 15 calendar days, but not more than 45 calendar days, prior to the date of the public hearing, or meeting.
- b. **Mailed Notice.** Where a mailed notice is required, the City will notify by United States mail all owners of property included in the proposed application and all owners of abutting properties unless otherwise required elsewhere in the UDO, as shown on the Gwinnett County tax records. Notice must be mailed at least 15 calendar days, but not more than 45 calendar days, prior to the date of the public hearing or meeting.
- c. **Posted Notice (Signage).** Where posted notice is required, a sign must be placed in a conspicuous location on the property. In the case of multiple parcels, sufficient signs must be posted to provide reasonable notice to interested persons. Signs must be posted by the Community Development Department as per specifications approved by the City Council at least 15 calendar days prior to the date of the public hearing, or meeting, and will be removed by the Community Development Department within three days of the date of final action by the City Council. By filing an application for a review process that requires placement of a sign, the property owner and applicant are deemed to have given the Community Development Department license to enter onto the subject properties for the placement, replacement, maintenance and removal of all necessary signs.

Table 104-4. C.

Type of Public Hearing	Published	Mail	Posted (Sign)
Amendments to the Comprehensive Plan or the text of the UDO	Yes	No	No
Appeals to Administrative Decision or Zoning	Yes	No	No
Building Permit or Land Disturbance Permit	No	No	No
Commercial Filming Permit ²	No	No	Yes
Final Plat, Major	No	No	No
Rezoning < 25 Parcels	Yes	No	Yes
Rezoning 25 or More Parcels	Yes	No	Yes
Special Use Permit	Yes	No	Yes
Stream Buffer Variance	Yes	No	No <u>Yes</u>
<u>Historic</u> Structure Removal or Demolition ³	Yes	Yes	Yes
<u>Zoning Variance</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>

Notes:

1. Includes Board of Appeals hearings
2. Commercial filming permit - A minimum notice of three days must be delivered to all businesses and residences in the within 300 feet of the subject property boundary of the proposed filming site. The notice may be given by mobile illuminated signs, leaflets, mailed notice, by temporary signage in the public right-of-way or any other means designed to effectuate the notice requirements of this subsection. The method of giving such notice shall be subject to the approval of the Community Development Director.
3. Includes Architectural Review Board and/or Historic Preservation Commission hearings, if appropriate.

Sec 104-7 C Certificate of Appropriateness decision for minor architectural modifications

Certificate of Appropriateness decisions for minor architectural modifications

1. The Community Development Director shall have the authority to grant administrative Certificate of Appropriateness approval for minor architectural modifications. The following types of changes and activities shall be considered minor and shall require administrative approval from the Director:

- a. Repainting of an existing building to a similar color.
- b. Revisions of window or door placement.
- c. The replacement of awnings or installation of new awnings when utilizing two colors or less.
- d. New construction of a new deck or modifications to an existing deck.
- e. Paint colors for existing and infill residential properties in the Norcross Architectural and Site Design Standards Manual.

2. The basis for approval or denial of a request for the granting of an administrative Certificate of Appropriateness approval for minor architectural modifications shall be whether the requested changes:

- a. Meet, or fail to meet, the requirements of the UDO;

- b. Are consistent, or inconsistent, with applicable design guidelines;
- c. Are consistent, or inconsistent, with the intents or purposes of this UDO; or
- d. Would result in a development that is architecturally appropriate.

In deciding to approve or deny such an application, the Community Development Director shall consult the minutes of the ARB or HPC at which prior approval took place, if applicable. If the application is denied, the reasons for denial shall be provided in writing to the applicant along with a notice that the applicant may file an application for a Certificate of Appropriateness to the ARB or HPC, as appropriate, to accomplish the requested action if found otherwise to be in compliance with the UDO.

Sec 201-9 RTH Townhouse Residence

B. RTH Lot Development Standards

Lot Dimensions	Single Family Detached	<u>Townhomes</u>
Minimum Lot Area	5,445 SQUARE FEET	<u>None; Max 8 du/acre</u>
Minimum Lot Width	40'	<u>20'</u>
Minimum Lot Frontage	20'	<u>20'</u>
Minimum Setbacks		
<i>Principal Building</i>		
Front (from right-of-way)	10'	
Side	5' side yard end unit	<u>0' interior unit/ 5' side yard end unit</u>
Rear	40'	
<i>Accessory Building</i>		
From Principal Structure	5'	
Front	Not Allowed	
Side	5'	
Rear	5'	
Maximum Height		
Principal	See the appropriate Comprehensive Plan Character Area narrative; unless otherwise stated in the Comprehensive Plan 45' maximum	
Accessory	12'	
Impervious Surface Coverage	70%	

Sec 202-2 Supplemental Use Standards new item EE. Designation of street numbers

EE. Designation of street numbers.

1. **Each one- and two-family dwelling unit shall have posted and maintained in a conspicuous place on the property, visible from the street providing general public access, the address of such dwelling unit in figures at least three inches high on a contrasting background that will allow 24-hour visibility.**
2. **Each multifamily dwelling shall have posted and maintained in a conspicuous place on the building, visible from the parking lot or street providing general public access, the address or number of the building in figures at least six inches high on a contrasting background, and each individual apartment/unit within the building shall be marked on or about its main entrance with individual apartment/unit number and/or address in figures at least three inches high on a contrasting background that will allow 24-hour visibility. In addition to the above, where a multifamily building has more than one exterior entrance, each such entrance shall be marked, in figures at least three inches high on contrasting background, with the number and/or address of each and every individual apartment/unit to which access is provided through that common entrance.**
3. **Each business or other nonresidential building shall have posted and maintained in a conspicuous place on the property, visible from the street providing public access, the address of such building in figures at least four inches high on a contrasting background that will allow 24-hour visibility. If the numbers are not placed within 15 feet of the back of the street curbing or edge of the street surface, then such figures shall be at least six inches high. In cases where there is a loading deck in the rear of a warehouse building, the numbers must be displayed in the same manner as described above.**
4. **A quadrant designation will be posted as part of the address in figures at least two inches high on a contrasting background of a material that will allow 24-hour visibility and be placed with the number designation.**

Sec 202-2 D 10. Chickens

10. All enclosed yards and pens permitted herein are "accessory structures" as set forth in section 445-38 202-2 and shall comply with that code section in addition to the requirements set forth above;

Sec 202-2 T 3.c Motor Vehicle Related Uses

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

Sec 204-3 B Building signs

3. Projecting signs

A building sign whose nearest point ~~which~~ projects no more than eighteen (18) inches from, and is supported by, a wall of a building

Sec. 204-4. Signs requiring a permit.

B. Existing signs which conform to the provisions of this Article that would be required to obtain a permit under the regulations of this Ordinance must register with the city within 90 days of the effective date of this Ordinance. The information provided for registration will be the same information required in a permit application under Section ~~415-189~~ 204-7. No permit fee will be required for the registration of existing signs.

Sec. 205-8. Tree Conservation, Buffers, and Landscaping Compliance

A. Tree Removal. An application for a tree removal permit when land disturbing activity is not involved shall follow the requirements of Sec. 104-7. M. Tree Removal Permit.

Table 205-5 (1): Tree Units for Existing Trees

Tree Diameter (DBH) in inches	Tree Units	Tree Diameter (DBH) in inches ¹	Tree Units
<u>Seedlings</u>	<u>0.0</u>	<u>19</u>	<u>4.4</u>
<u>1</u>	<u>0.0</u>	<u>20</u>	<u>4.6</u>
2	0.0	21	4.8
3	0.0	22	5.0
4	0.6	23	5.2
5	0.8	24	5.4
6	1.0	25	5.6
7	1.2	26	5.8
8	1.3	27	6.0
9	1.5	28	6.2
10	1.7	29	6.4
11	1.9	30	6.6
12	2.1	31	7.2
13	2.3	32	7.8

14	3.0	33	8.4
15	3.3	34	9.0
<u>16</u>	<u>3.6</u>	<u>35</u>	<u>10.0</u>
<u>17</u>	<u>4.0</u>	<u>36</u>	<u>11.0</u>
18	4.2	37 or greater	12.0 + 1.0 for each inch in diameter greater than 37

Notes

1. Minimum DBH to receive credit in tree units for an existing tree is 4 inches.

Sec 307-6 F Area denominated as the National Historic District

7. Within 90 days of the filing date of the application, the Mayor and Council shall hold a public hearing to consider said application filed under this subsection, provided that the demolition application has been reviewed by the Architectural Review Board ~~if reuse, reconstruction or replacement for the existing building is proposed~~, and is not part of a rezoning or planned development approval, in which case the historic demolition application will be reviewed within the timeframe of the rezoning or planned development approval process.

Sec 307-6 G Area denominated as the local Historic District

7. Within 90 days of the filing date of the application, the Mayor and Council shall hold a public hearing to consider said application filed under this subsection, provided that the demolition application has been reviewed by the ~~Architectural Review Board~~ **Historic Preservation Commission** ~~if reuse, reconstruction or replacement for the existing building is proposed~~, and is not part of a rezoning or planned development approval, in which case the historic demolition application will be reviewed within the timeframe of the rezoning or planned development approval process.

Sec 403-8 C Review and approval process (final plat)

Step 7: Following acceptance and approval by the Mayor and City Council, the final plat will be recorded.

- 1) The applicant shall deliver to the Community Development Department a print of the final plat that is stamped in red with a certificate that states that the plat has been approved according to the subdivision procedures of the City of Norcross.
- 2) After the plans of the subdivision have been approved and stamped and signed by the Community Development Director and signed by the City Manager or his/her designee, and the Director of Public Works for sidewalk and trail improvements, the UDO Administrator will ~~obtain~~ **reserve** a plat book and page number, **if necessary**, for the subdivision for recording with the Clerk of Superior Court.
- 3) It shall be the ~~UDO Administrator's~~ **applicant's** responsibility to record the final plat.

- 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 2nd day of December, 2019


Craig Newton, Mayor

ATTEST:


Monique Lang, City Clerk