

STATE OF GEORGIA
COUNTY OF FULTON

First Reading: March 13, 2023
Second Reading: March 27, 2023

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE BY
MODIFYING ARTICLE 2, RULES OF INTERPRETATION, SECTION 2.2, RULES
APPLICABLE TO ALL DISTRICTS AND ARTICLES 3, 4, 5, AND 6 REGARDING
LANDSCAPE OPEN SPACE AND ARTICLE 11, STREETS AND PUBLIC
IMPROVEMENTS**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and/or welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, this Unified Development Code (UDC) have been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 2, Rules of Interpretation, Section 2.2, Rules Applicable to all Districts, Article 3, Residential Districts, Article 4, Corridor and Nodes Districts, Article 5, Downtown Historic Districts, Article 6, Employment Districts, and Article 11, Streets and Public Improvements of the Unified Development Code (UDC), which is incorporated hereby reference.

1.

The Mayor and Council hereby modify Section 2.2.6, Landscape Open Space, Letter A as follows:

- A. Landscape open space may include, but is not limited to, natural grass lawns, decorative planting, berms, screening walls and fences, wooded areas and water courses, any or all of which are designed and arranged to produce an aesthetically pleasing effect with the development. A required neighborhood compatibility and/or stream buffer is considered part of this definition. A required state stream buffer is not considered part of this definition. For Townhouse building type a minimum of 50% of the required landscape open space must be contiguous.

2.

The Mayor and Council hereby modify Section 2.2.6, Landscape Open Space to add Letter C, Redevelopment of properties, to read as follows:

- C. Redevelopment that does not meet the minimum landscape open space percent requirements shall meet the greater of their current percent of landscape open space or 15% as the required minimum percent.

3.

The Mayor and Council hereby modify Section 3.2.9, Townhouse, number one, Lot, to change from Lot Parameters, Letter F, Common Open Space (min) percentage 20% to Site Parameters, Letter F, Landscape Open Space (min) percentage 40%.

4.

The Mayor and Council hereby modify Section 3.2.10, Walk-Up Flat, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) percentage to change from 25% to 45%.

5.

The Mayor and Council hereby modify Section 3.2.11, Stacked Flat, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) percentage to change from 25% to 45%.

6.

The Mayor and Council hereby modify Section 4.3.5, Townhouse, number one, Lot, to insert the heading Site Parameters above Letter F, Landscape Open Space (min) and to modify the percentage to change from 20% to 40%.

7.

The Mayor and Council hereby modify Section 4.3.6, Walk-up Flat, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) percentage to change from 25% to 45%.

8.

The Mayor and Council hereby modify Section 4.3.7, Stacked Flat, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 25% to 45%.

9.

The Mayor and Council hereby modify Section 4.3.8, Commercial House, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 10% to 30%.

10.

The Mayor and Council hereby modify Section 4.3.9, Single-Story Shopfront, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 15% to 35%.

11.

The Mayor and Council hereby modify Section 4.3.10, Mixed Use Building, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 15% to 35%.

12.

The Mayor and Council hereby modify Section 4.3.11, General Building, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 15% to 35%.

13.

The Mayor and Council hereby modify Section 4.3.12, Civic Building, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 10% to 30%.

14.

The Mayor and Council hereby modify Section 5.3.7, Townhouse, number one, Lot, to change from Lot Parameters, Letter F, Landscape Open Space (min) percentage 20% to Site Parameters, Letter F. Landscape Open Space (min) percentage 40%.

15.

The Mayor and Council hereby modify Section 5.3.8, Walk-Up Flat, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 10% to 30%.

16.

The Mayor and Council hereby modify Section 5.3.9, Stacked Flat, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 10% to 30%.

17.

The Mayor and Council hereby modify Section 5.3.10, Commercial House, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 10% to 30%.

18.

The Mayor and Council hereby modify Section 5.3.11, Single-Story Shopfront, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 10% to 30%.

19.

The Mayor and Council hereby modify Section 5.3.12, Mixed Use Building, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 10% to 30%.

20.

The Mayor and Council hereby modify Section 5.3.13, General Building, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 10% to 30%.

21,

The Mayor and Council hereby modify Section 5.3.14, Civic Building, number one, Lot, Lot Parameters, Letter C, Landscape Open Space (min) to change from 10% to 30%.

22.

The Mayor and Council hereby modify Section 6.3.2, Townhouse, number one, Lot, to insert the heading Site Parameters above Letter F, Landscape Open Space (min) and to modify the percentage to change from 20% to 40%.

23.

The Mayor and Council hereby modify Section 6.3.3, Walk-Up Flat, number one, Lot, Lot Parameters Letter C, Landscape Open Space (min) to change from 25% to 45%.

24.

The Mayor and Council hereby modify Section 6.3.4, Stacked Flat, number one, Lot, Lot Parameters Letter C, Landscape Open Space (min) to change from 25% to 45%.

25.

The Mayor and Council hereby modify Section 6.3.5, Commercial House, number one, Lot, Lot Parameters Letter C, Landscape Open Space (min) to change from 20% to 40%.

26.

The Mayor and Council hereby modify Section 6.3.6, Single-Story Shopfront, number one, Lot, Lot Parameters Letter C, Landscape Open Space (min) to change from 20% to 40%.

27.

The Mayor and Council hereby modify Section 6.3.7, Mixed Use Building, number one, Lot, Lot Parameters Letter C, Landscape Open Space (min) to change from 10% to 30%.

28.

The Mayor and Council hereby modify Section 6.3.8, General Building, number one, Lot, Lot Parameters Letter C, Landscape Open Space (min) to change from 10% to 30%.

29.

The Mayor and Council hereby modify Section 6.3.9 Civic Building, number one, Lot, Lot Parameters Letter C, Landscape Open Space (min) to change from 20% to 40%.

30.

The Mayor and Council hereby modify Section 11.2.6, Common Open Space, Letter A, Applicability, shall be modified as follows:

Any subdivision of 10 lots or more in the RS-9, RS-6, ~~and RS-4 and R-TH~~ districts platted after the effective date of this UDC must provide Common Open Space as required in Article 3.

31.

Severability. Should any court of competent jurisdiction declare any section or part of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

32.


Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.


33.

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances and Unified Development Code of the City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force upon adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the 27th day of March 2023.


Marlee Press, City Clerk
(Seal)


Kurt M. Wilson, Mayor



- 8. **Approval of a text amendment to the Unified Development Code (UDC) Article 2, Section 2.2.6 to add Redevelopment and to change the percentage of landscape open space in Articles 3, 4, 5 and 6 for the following building types: Townhouse, Walk-Up Flat, Stacked Flat, Commercial House, Single-Story Shopfront, Mixed Use Building, General Building and Civic Building and modifying Article 11, Streets and Public Improvements. (SECOND READING)**

Ordinance No. 2023-03-04

This Second Reading was approved with the changes made from First Reading.

RESULT:	APPROVED ON SECOND READING [5 TO 1]
MOVER:	Mike Palermo, Councilmember
SECONDER:	Peter Vanstrom, Councilmember
IN FAVOR:	Hall, Hills, Morthland, Palermo, Vanstrom
OPPOSED:	Sarah Beeson

- 9. **Approval of a text amendment to the Unified Development Code (UDC) regarding Section 2.2.19, Residential Garage Parking, Letter C, Townhouse, Letter D, Administrative Alternative Finding and Articles 3, 4, 5 and 6 regarding the number of units permitted in a row for townhomes. (SECOND READING)**

Ordinance No. 2023-03-05

RESULT:	APPROVED 2ND READING W/CHANGES [5 TO 1]
MOVER:	Mike Palermo, Councilmember
SECONDER:	Christine Hall, Councilmember
IN FAVOR:	Hall, Hills, Morthland, Palermo, Vanstrom
OPPOSED:	Sarah Beeson

- 10. **Approval of a text amendment to the Unified Development Code (UDC) regarding Section 10.1.9, Alternative Compliance, Section 13.9.2, Who Approves Administrative Variances? and Section 13.11.2, Who Approves Variances? (SECOND READING)**

Ordinance No. 2023-03-06

This Second Reading was approved with the changes made from First Reading.

RESULT:	APPROVED ON SECOND READING [5 TO 1]
MOVER:	Mike Palermo, Councilmember
SECONDER:	Christine Hall, Councilmember
IN FAVOR:	Hall, Hills, Morthland, Palermo, Vanstrom
OPPOSED:	Sarah Beeson