

DATE: July 13, 2017
TO: Planning Commission
FROM: Planning Director
SUBJECT: Zoning Ordinance Amendment Articles 4, 9, and 10 |
Updated Zoning Districts, Dimensional Standards and Overlays.



SUGGESTED ACTION

Conduct public hearing and consider recommending approval as discussion warrants.

DISCUSSION

- This zoning ordinance amendment contemplates broad changes to Articles 4 Zoning Districts & 9 Dimensional Standards. Staff anticipated updates to various overlay provisions but has not proposed any changes to Article 10 at this time.
- The bulk of changes occur in the principal and accessory use matrices with corresponding updates to the restrictions for affected uses and the dimensional standards for the particular zoning classifications reviewed.
- Incorporates recommendations from 2016 Housing Study to diversify housing choices, elevate and maintain visual integrity of neighborhoods as well as incent walkable development patterns.
- Market analysis identifies broad trends which indicate a pent up demand for middle income housing.
- A wide gap exists between the dimensional standards of our highest density multifamily zoning and highest density single family residential zoning.
- Neighborhoods with smaller footprint lots and thoughtfully designed high quality outdoor living spaces and common amenities can serve as transitional development between existing low density residential neighborhoods and commercial or industrial land uses.
- Includes multiple updates to the matrix of permitted uses to clean up various irregularities and outdated restrictions.

ARTICLE 4.

ZONING DISTRICTS & USE PROVISIONS

Section 400. District Designations.

For the purposes of this Ordinance, the City of Sugar Hill, Georgia is divided into zoning districts designated as follows:

AF Agricultural-Forest District provides for agriculture, forestry, very low density residential development, and limited other uses under specific conditions.

RS-200 Low Density Single-Family Residential District provides for twenty thousand (20,000) square foot minimum lot sizes.

RS-175 Low Density Single-Family Residential District provides for seventeen thousand five hundred (17,500) square foot minimum lot sizes.

RS-150 Low Density Single-Family Residential District provides for fifteen thousand (15,000) square foot minimum lot sizes.

The three (3) Low Density Single-Family Residential Districts include existing low density residential areas and vacant or open areas where similar residential development is appropriate. The regulations for these districts are designed to encourage low density one-family residential development, protected from the depreciating effects of small lot development and excessive density.

RS-100 Medium Density Single-Family Residential District provides for ten thousand (10,000) square foot minimum lot sizes. This district includes areas of medium density residential development. The regulations for this district are designed to take advantage of the greater economy and convenience afforded by more intensive development but still retain some of the open aspects of a detached dwelling unit district.

RS-72 Medium Density Single-Family Residential District provides for seven thousand two hundred (7,200) square foot minimum lot sizes. This district includes areas of medium density residential development. The regulations for this district are designed to encourage more compact development in appropriate transitional areas particularly between existing residential and non-residential development.

CSD Conservation Subdivision District encourages development of residential communities that are density neutral, designed to preserve and protect environmental resources, scenic vistas as well as natural and cultivated

3. An adult entertainment establishment shall be located no closer than 1,000 feet from any parcel of land upon which any establishment licensed to sell alcoholic beverages in the City of Sugar Hill.

4. An adult entertainment establishment shall be located on a parcel of land having at least one hundred (100) feet of road frontage.

5. For the purposes of these standards, distance shall be by airline measurement from property line, using the closest property lines of the parcels of land involved. The term "parcel of land" means any quantity of land capable of being described by location and boundary that is designed and used or to be used as a unit.

Agricultural building, Customary.

Includes commercial greenhouses and one and two-family tenant houses, subject to all of the yard requirements of the zoning district.

Agricultural use, Customary.

Includes farm ponds, fishing lakes, forestry, plant nurseries, except the raising of livestock or poultry.

Brew Pub

Subject to all local, state and federal regulations and licensing requirements. No outdoor storage. Shall be limited to restaurants that brew and sell 25% or more of their own beer for on-premise consumption.

[Building material sales with outdoor storage.](#)

[All areas containing outdoor storage shall be subject to the same setback and screening requirements found under the restrictions associated with an "outdoor storage yard".](#)

[Outdoor storage of bulk landscape materials such as mulch, soil, sand, gravel, stone and similar materials shall be prohibited within 1,000 feet of a residential use.](#)

Bulk storage tanks (argon, carbon dioxide, helium and nitrogen).

Up to 12,000 gallons per tank with no more than two (2) tanks on the property. No above ground tanks shall be allowed if the tank is within 500' of any residential use. All facilities shall be permitted and constructed in accordance with all other applicable regulatory requirements.

Bulk storage tanks (including natural gas or fuel).

No above ground tanks shall be allowed if the tank is within 500' of any residential use. All facilities shall be permitted and constructed in accordance with all other applicable regulatory requirements.

**The 2000 Zoning Ordinance
of the City of Sugar Hill, Georgia**

**Article 4
Zoning Districts & Use Provisions**

Church, temple and synagogue, restricted.

1. Shall be located on a site of not less than five (5) acres with 250 feet of road frontage.
2. The buildings shall be located not less than 50 feet from any street and not less than 30 feet from any side or rear property line.
3. If adjacent to residentially-zoned property, a buffer of at least 50 feet wide shall be provided along the property lines adjacent to said zoning, provided, however, that this buffer may be reduced to no less than 20 feet in width adjacent to the sanctuary building or "Sunday School" educational building and parking related to these buildings.
4. A church, temple or synagogue located in a manufactured building may be erected on the property for a period not to exceed three (3) years.

Composting facility, wood chipping and shredding and yard trimmings.

1. Composting materials shall be limited to tree stumps, branches, leaves, and grass clippings or similar putrescent vegetative materials, not including animal products, inorganic materials such as bottles, cans, plastics, metals, or similar materials.
2. The facility shall not be located within 1,000' of any property used or zoned for residential.
3. Along the entire road frontage (except for approved access crossings), provide a three-foot high landscaped earthen berm with a maximum slope of 3 to 1 and/or a minimum six-foot high, 100 percent opaque, solid wooden fence or masonry wall. The landscaped berm shall consist of a staggered double row of evergreen and semi-evergreen trees and shrubs; must not contain more than 30% of a single species and shall provide an effective visual screen of at least 20' at maturity. The fence/wall or berm must be located outside of any public right-of-way and interior to any landscaped strip. The finished side of a fence/wall shall face the exterior property lines.

Crematorium.

The facility shall not be located within 1,000' of any property used or zoned for residential use.

[Dwelling, Attached](#)

[Dwelling, Multiple](#)

[Dwelling, Single Family](#)

[Simple massing is preferred and should be used with stoops, porches, galleries, arcades, roof eaves, and balconies to provide expressive character over excessive articulation of building massing and shape. Roof lines shall not be overly complex and should typically not overlap. The overall length:height ratio on facades shall be simple](#)

Dwelling, Two-Family

proportions 1:1, 2:1, 3:2 or 4:3.

Windows and façade articulations should be placed in a regular pattern and relate to doors, columns, and other façade articulations.

If used, shutters shall be sized exactly half the size of the window. Curved shutters must match the curve of the window. Shutters must be mounted directly to the casing with proper shutter hardware.

The following architectural design conditions are prohibited: Material changes on outside corners. Recessed front porches. More than two principal building materials. Chimneys on outside walls that do not extend completely to the ground.

Attached front entry garage doors shall be recessed from the building line a distance of at least 1/4 the depth of the principal building and shall be no more than 9' in width.

Equipment rental, sales and service
(Commercial & Industrial).

1. Equipment or rental vehicles shall not be parked or stored in the required front yard.
2. The storage area for the vehicles or equipment to be rented shall be screened by an opaque fence at least six (6) feet high.
3. The storage areas shall be located no closer than 100 feet from any side or rear property lines zoned residential and shall be appropriately landscaped and maintained.

Farmer's market or fruit and vegetable stand.

For the sale of products and commodities produced on the premises provided that any structure for such sales shall be located no closer than 35 feet to any property line.

Fruit and vegetable stand, Temporary.

Shall not exceed 3 months.

Fuel pumps.

No closer than 15 feet to the right of way and not closer than the existing setback of any residential structure on abutting lots on either the frontage or a side street.

Fur farm.

Provided that no animal quarters are located closer than 200 feet to any property line.

Growler Shop

Subject to all local, state and federal regulations and licensing requirements. Shall be limited to a business establishment for the sale or refilling of malt beverages, craft beers or hard cider for consumption at a location other

Section 407. Restrictions on accessory uses.

No accessory use or structure shall be taller than or erected on a lot prior to the construction of the principal building(s) or use(s) to which it is accessory. Except driveways, mailboxes or landscaping, no accessory use or structure shall be located within a public right-of-way. All accessory uses and structures shall be set back at least five (5) from any lot line.

Any use shown on Tables 4.2 or 4.3 with the codes “A-R”, “SU-R” or “T-R” shall be subject to the restrictions contained in this section, unless otherwise noted or specifically waived as a condition of zoning. These restrictions shall apply in any zoning district where each particular use is shown as an allowed use with restrictions (A-R), a special use with restrictions (SU-R) or temporary use with restrictions (T-R).

Accessory building, minor.

Shall be less than 240 square feet of floor area and shall be finished to match the exterior of the principal building(s).

Buildings larger than 120 square feet shall be constructed of wood, fiber-cement, brick or stone siding.

Buildings allowed within the front or side yard by special use approval shall be constructed of wood, fiber-cement, brick or stone siding; finished to match the exterior of the principal building(s); shall meet the minimum setback from right-of-way and side yard requirements for the underlying zoning district; and shall be maintained in accordance with all other applicable city ordinances and regulations.

Accessory building, major.

All accessory buildings 240 square feet of floor area or more shall be constructed of wood, fiber-cement, brick or stone siding; finished to match the principal building’s exterior; shall meet the minimum setback from right-of-way and side yard requirements for the underlying zoning district; shall be setback at least ten (10) feet from the rear property line; and shall be maintained in accordance with all other applicable city ordinances and regulations.

[Accessory Dwelling Unit](#)

[1. No more than one accessory dwelling unit per primary dwelling unit.](#)

[2. The primary dwelling unit shall be owner-](#)

occupied.

3. The accessory dwelling unit shall contain at least 400 square feet of heated living space.
4. The height of the building containing the accessory dwelling shall not exceed the height of the principal dwelling.
5. The accessory dwelling shall be constructed with the same or similar and compatible exterior style, materials, roof type and slope, doors, window style and proportions, color, trim and landscaping as the principal dwelling.
6. The windows of an accessory dwelling unit shall not be directly opposite windows of a principal dwelling on an abutting lot unless screened by a fence, wall or hedge, or separated by more than 50 feet.
7. An accessory dwelling unit shall contain a kitchen and at least one, but no more than two, bedrooms and at least one full bathroom.
8. An accessory dwelling unit shall have at least one paved off-street parking space dedicated for the use, in addition to any parking spaces for the primary dwelling unit.
9. An accessory dwelling shall have a separate electrical meter and service panel with main disconnect.
10. An accessory dwelling shall have a backflow preventer and shut-off valve on the potable water service line.

Basketball goal.

Adjacent to driveway.

**The 2000 Zoning Ordinance
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**Article 4
Zoning Districts & Use Provisions**

Convenience retail business.

Shall not occupy more than 50% of the principal use or structure.

Driveway, single family residential parking area.

Not to exceed 30% of the front yard or 20% of the rear yard.

Home occupation, customary.

Refer to Section 607.

Outdoor storage associated with garden supply center, plant nursery and greenhouse.

All areas containing outdoor storage shall be subject to the same setback and screening requirements found under the restrictions associated with an “outdoor storage yard”.

Outdoor storage of bulk landscape materials such as mulch, soil, sand, gravel, stone and similar materials shall be prohibited within 1,000 feet of a residential use.

Recreational facility, residential neighborhood.

1. Public and semipublic playgrounds, parks, lakes, and buildings, operated on a non-profit basis for recreational and public community purposes only.

2. Special use permit shall not be required for such facilities if they are to be located on an area reserved or dedicated for such use on a final recorded subdivision plat.

Recreational vehicle, boat or trailer.

No more than a total of two (2) may be stored outdoors on the property in compliance with all other applicable sections of this Ordinance.

Sales event, temporary outdoor.

Only allowed as an accessory activity in association with a principal use that is an existing lawfully permitted business located on the premises. Shall not exceed 20 days. For example, sidewalk, parking lot or tent sales.

Vegetable garden.

Not to exceed 30% of front yard.

A = Allowed by right. A-R = Allowed with restrictions. SU = Special use permit required. SU-R = Special use permit required and subject to restrictions. T-R = Temporary Use and subject to restrictions.

Principal Uses	AF	RS150, RS175, RS200	RS100	RS72	CSD	RM	MH	OI	HSB	BG	LM	HM1	HM2
Art gallery.								A	A	A	A	A	A
Building material sales with outdoor storage.									SU-R	SU-R	A	A	A
Building material yard including milling operations.												A	A
Building supply, indoor retail store.										A			
Car wash.									SU-R	SU-R	A-R	A-R	A-R
Child care facility.						A-R	A-R	SU-R	A-R	A-R	A-R	A-R	A-R
Christmas tree sales, Temporary	T-R								T-R	T-R	T-R	T-R	T-R
Cultural facility.								A	A	A			
Drug store.									A	A			
<u>Dwelling, Attached (townhouse).</u>				A-R	A-R	A-R							
<u>Dwelling, Multiple (apartment house and condominium).</u>				SU-R		A-R							
<u>Dwelling, Single-Family.</u>	A	A	A	A-R	A-R	A-R	A-R						
<u>Dwelling, Two-Family (Duplex)</u>				A-R	A-R	A-R							
Electronic sales and service.									A	A			
Fitness center, health club, spa.									A	A	A	A	A
Furniture rental or sales establishments.									A	A			
Hardware store.									A	A	A	A	A
 kennel, dog.											A	A	A
Kennel.	A-R										A	A	A
Mini-warehouse, personal storage warehouse.									SU	SU	A	A	A
Multi-family dwelling (E.g. Duplex, apartment, condominium and town house).						A							
Museum.								A	A	A	A	A	A
Newspaper and printing facility.										A	A	A	A
Nursing and convalescent home.								A	!	A			
Park and other similar public and semi-public building and land use.	A	A	A	A	A	A	A	A	A	A	A	A	A
Parking lot and garage.								A SU	A SU	A SU	A SU	A SU	A SU
Public building, office, land use and facility.	A	A	A	A	A	A	A	A	A	A	A	A	A
Recording or rehearsal studio.									A	A	A	A	A
<u>Recreation facility, indoor.</u>									A	A	A	A	A
Recreation facility (indoor, such as bowling alleys, skating rinks, shooting ranges and movie theaters).										A			
Recreation facility, indoor training center (E.g. gymnastics schools, baseball academies).											A	A	A
Rental, passenger vehicles (Cars, trucks and vans).										A	A	A	A
Retail shopping center over 50,000 square feet gross floor area.									A	A	A	A	A
Retirement community (To include nursing home, cafeteria, care facilities and accessory uses).						A		SU	SU	SU			
School, Business college or business school operated as a business enterprise.								A	A	A	A	A	A
School, Educational facility, trade or vocational school.								A		A	A	A	A
School, Educational institution offering general education courses, private.	SU	SU	SU			A		A			SU	SU	
Single family dwelling.	A	A	A		A	A							
Single family residential subdivision.		A	A		A	A							
Small appliance repair shop.									A	A	A	A	A
Veterinary clinic, unrestricted.								SU			A	A	A
Veterinary <u>clinic</u> , office, hospital, and laboratory.								SU	A	A	A	A	A

Table 4.1 - Permitted Uses

A = Allowed by right. A-R = Allowed with restrictions. SU = Special use permit required. SU-R = Special use permit required and subject to restrictions. T-R = Temporary Use and subject to restrictions.

Accessory Uses	AF	RS150, RS175, RS200	RS100	RS72	CSD	RM	MH	OI	HSB	BG	LM	HM1	HM2
Bulk storage tanks, Accessory (Diesel or Bio-diesel).											A-R	A-R	A-R
Bulk storage tanks, Accessory (Liquefied Petroleum and Natural Gas)	A-R	A-R						A-R	A-R	A-R	A-R	A-R	A-R
Café, Accessory								A-R	A	A	A	A	A
Child care facility located in a church.	SU-R	SU-R	SU-R		SU-R	SU-R	SU-R	SU-R	SU-R	SU-R	SU-R	SU-R	SU-R
Child care facility.			SU-R		A-R	A-R		A-R	A-R	A-R	A-R	A-R	A-R
Compressed Natural Gas Refueling Appliance	A-R	A-R	A-R	A-R	A-R	A-R	A-R	A-R	A-R	A-R	A-R	A-R	A-R
Dwelling Unit, Accessory	A-R	A-R	A-R	A-R	A-R	A-R	A-R						
Dwelling Unit, Efficiency			A-R	A-R	A-R	A-R	A-R						
Fitness center, health club, spa,						A		A					
Home occupations, customary.	A-R ⁽²⁾	A-R ⁽²⁾	A-R ⁽²⁾	A-R⁽²⁾	A-R ⁽²⁾	A-R ⁽²⁾	A-R ⁽²⁾						
Parking lot.	A	A	A	A	A	A	A	A	A	A	A	A	A
Pharmacy associated with a medical use.								A	A	A	A	A	A
Recreational facility, residential neighborhood.		A-R	A-R		A-R	A-R	A-R						
Sales event, Temporary Outdoor									T-R	T-R	T-R	T-R	T-R
Service facilities associated with automotive sales lots (new or used).									SU	SU		A	A
Notes:													
(1) Refer to Table 4.3 for restrictions.													
(2) Refer to Section 607 for restrictions.													

Table 4.2 - Accessory Uses

Table 9.1 - Lot and Building Dimensional Standards.

Dist.	Min. Lot Area (Sq. Ft.)	Lot Area Per Dwelling Unit (Sq. Ft.)	Density ⁽⁶⁾ (Units / Acre)	Min Dwelling Unit Size (Sq. Ft.) Single Story / Two Story or more	Min. Lot Width (Ft.)	Setback from Right-of-way (Ft.)			Min. ⁽⁵⁾ Side Yard (Ft.)	Min. ⁽⁵⁾ Rear Yard (Ft.)	Max. Height (Ft.)	Max. % of Lot Coverage ⁽¹⁾
						Major Street	Collector Street					
AF	40,000 ⁽²⁾	40,000	-1.5	2,000 / 2,400	100	60	50	20	35	35	25	
RS-200	20,000 ^(2,3)	20,000	1.8	2,000 / 2,400	100	45	35	10	35	35	25	
RS-175	17,500 ^(2,3)	17,500	2.1	1,900 / 2,200	100	45	35	10	35	35	25	
RS-150	15,000 ^(2,3)	15,000	2.5	1,700 / 2,000	100	45	35	10	35	35	25	
RS-100	10,000 ^(2,3)	10,000	3.7	1,600 / 1,800	70	45	35	10	30	35	25	
<u>RS-72</u>	<u>7,200⁽²⁾</u>	<u>7,200</u>	<u>6</u>	<u>1,600 / 1,800</u>	<u>60</u>	<u>45</u>	<u>35</u>	<u>10</u>	<u>30</u>	<u>35</u>	<u>30</u>	
<u>CSD</u>	<u>10 Acres</u>	<u>5,000</u>	<u>-</u>	<u>1,600 / 1,800</u>	<u>60 Avg.</u>	<u>20</u>	<u>20</u>	<u>5</u>	<u>20</u>	<u>35</u>	<u>-</u>	
RM	8,000 ^(2,3) N/A	5,400	8	1,000 / 2,400	50 N/A	45	35	10 ⁽⁵⁾	20 ⁽⁵⁾	35 ⁽⁴⁾	50	
MH	20 Acres	6,000	-	600	40	30	20	10 ⁽⁵⁾	5 ⁽⁵⁾	35	35	
OI	10,000 ⁽²⁾	-	-	-	50	50	40	10 ⁽⁵⁾	30 ⁽⁵⁾	35	40	
HSB	10,000 ⁽²⁾	-	-	-	70	50	40	10 ⁽⁵⁾	30 ⁽⁵⁾	45	40	
BG	NONE	-	-	-	60	40	30	10 ^(5,7)	30 ^(5,7)	45	75	
LM	43,560 ⁽²⁾	-	-	-	100	50	50	20 ⁽⁵⁾	20 ⁽⁵⁾	50	50	
HM-1	43,560 ⁽²⁾	-	-	-	100	50	40	20 ⁽⁵⁾	20 ⁽⁵⁾	70	75	
HM-2	43,560 ⁽²⁾	-	-	-	100	50	50	20 ⁽⁵⁾	20 ⁽⁵⁾	50	75	

- 1 Includes principal and accessory buildings but not pavement areas.
- 2 No portion of any lot which is flooded by a 100-year recurrence interval storm event may be counted as part of the required minimum lot area.
- 3 No subdivision lot which contains less than fifty percent (50%) of the minimum lot area required by the applicable Zoning District or eight thousand (8,000) square feet, whichever is greater, located above the base flood elevation shall be approved. All area above the flood elevation used to satisfy this requirement shall be contiguous and shall not be separated by any flood area.
- 4 The maximum number of stories is two for any multi-family bldg. ~~(basement floor shall not be used for any separate units).~~
- 5 Buffer zones are required in addition to side and rear yard where an office-institutional, business, ~~or~~ manufacturing or industrial use abuts a residential District and where a multi-family or mobile home use abuts a single-family residential District.
- 6 Density calculations shall ~~not include right of way dedications, power line easements & flood plain, exclude 50% of the land that is within a flood hazard area or within an electrical transmission, natural gas or petroleum pipeline easement.~~
- 7 Side yard required only if abutting a District requiring side yards.
- 8 The minimum setback adjoining ~~a~~ residential Zoning District is one hundred twenty (120) feet.