

DATE: November 17, 2020; Updated 12/10/2020
TO: Mayor and City Council
FROM: Planning Director
SUBJECT: Zoning Ordinance Amendment
Re-Adopt Zoning Map, Buffers, Dimensional Standards
and Administrative Corrections



SUGGESTED ACTION

Recommend approval of the amendments as discussed.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a scheduled public hearing on November 16, 2020. There were no public comments.

*Planning Commission recommends **APPROVAL** of the amendment as presented on November 16, 2020.
Rosemary Walsh made a motion to recommend approval of the amendments as presented by staff.
Commission Member Phil Olsen made the second. Motion approved 3-0-1 (Jason Jones abstained).*

DISCUSSION

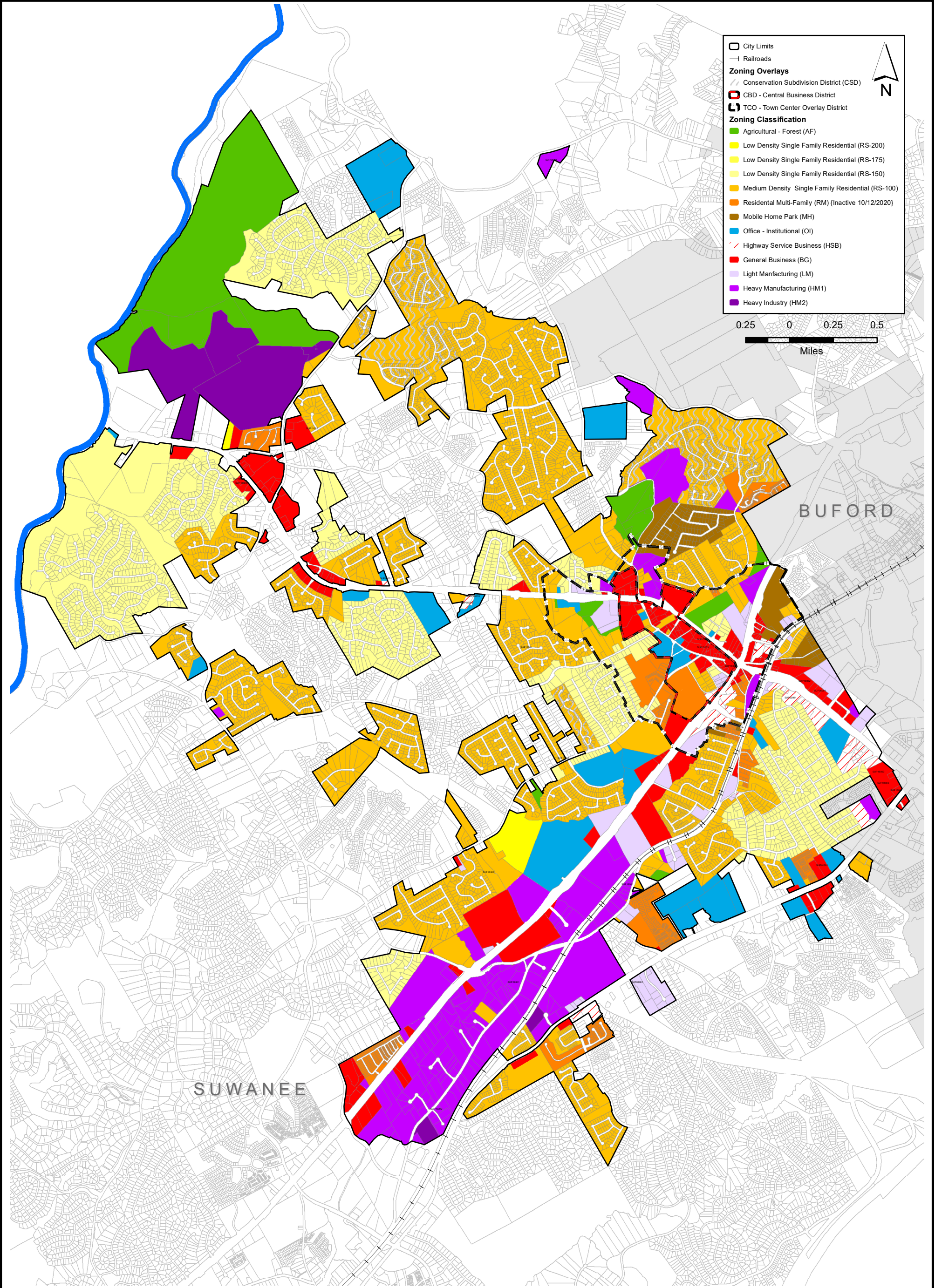
- Updated zoning map with latest parcel boundary data. Includes annexations and rezoning cases through October 12, 2020.
- Ordinance amendments include corrections to Buffer and Dimensional Standards tables for new zoning districts as well as an updated short title.

ATTACHMENTS

Article 2, Article 9 and Article 12 ordinance markup.

Additions have been shown in double underline text.

~~Deletions have been shown in stricken text~~



Zoning Map

City of Sugar Hill, Georgia

December 14, 2020



ZONING MAP AMENDMENTS APPROVED					
DATE	AMENDMENT	APPROVED	DATE	AMENDMENT	APPROVED

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

**Article 1 and 2
Enactment and Short Title**

TITLE

An Ordinance of the City of Sugar Hill, Georgia, Regulating the Location and Use of Buildings, Structures, and Land for Residence, Trade, Industry, and other Purposes: the Height and Size of Buildings, and Other Structures: The Size of Yards: and the Density of Population: Creating Districts for said Purposes and Establishing the Boundaries Thereof: Defining certain Terms Used Herein: Providing for the Method of Administration and Amendment: Providing for a Zoning Board of Appeals and Defining its Powers and Duties: Providing for the Imposition of Penalties for the Violation of Provisions of this Ordinance.

ARTICLE 1.

PREAMBLE AND ENACTMENT CLAUSE

In pursuance of authority conferred by the State of Georgia, and for the purposes of Promoting the health, safety, convenience, order, prosperity, and general welfare of the municipality; lessening congestion in the streets; securing safety from fire, panic, and other dangers; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the adequate provision of transportation, sewerage, schools, parks, and other public requirements; conserving the value of buildings; and encouraging the most appropriate use of land and buildings throughout the municipality; the City Council of the City of Sugar Hill does ordain and enact into law the following Articles and Sections.

ARTICLE 2.

SHORT TITLE

This Ordinance shall be known and may be cited as "The ~~2000~~-Zoning Ordinance of the City of Sugar Hill, Georgia."

ARTICLE 9.

LOT AND BUILDING DIMENSIONAL STANDARDS

Section 900. Purpose.

This section sets out the standards that control lot size, placement of buildings and structures and intensity of development for all lots within the city limits.

Section 901. Lot area and residential density.

All property on which a residential use is to be located shall meet or exceed the lot area and density requirements shown on Table 9.1 for the zoning district in which the property is situated.

Section 902. Lot area and non-residential density.

All property on which a non-residential use is to be located shall meet or exceed the lot area requirements shown on Table 9.1 for the zoning district in which the property is situated.

Section 903. Floor area provisions.

The minimum building floor area required for a dwelling unit within each zoning district is shown on Table 9.1.

Section 904. Minimum lot width.

The minimum lot width for a lot within each zoning district is shown on Table 9.1.

Section 905. Minimum setbacks, principal buildings.

All principal buildings shall be set back from the right of way and all other lot lines no less than the distance shown on Table 9.1.

Section 906. Minimum setbacks, accessory buildings.

For accessory buildings 240 square feet or less, refer to section 600. Accessory buildings having a gross floor area more than 240 square feet shall be subject to the same setbacks required for principal buildings as shown on Table 9.1.

Section 906. Building and structure heights.

The maximum height of all buildings and structures in each zoning district, except as otherwise noted, shall be as shown on Table 9.1.

Section 907. Maximum Lot Coverage.

The maximum lot coverage by principal and accessory buildings is shown as a percentage of the lot area in Table 9.1.

Table 9.1 – Lot and Building Dimensional Standards

Dist.	Min. Lot Area (Sq. Ft.)	Max. 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⁾	1.5	2,000 / 2,400	100	60	50	20	35	35	2530
RS-200	20,000 ^(2,3)	1.8	2,000 / 2,400	100	45	35	10	35	35	2540
RS-175	17,500 ^(2,3)	2.1	1,900 / 2,200	100	45	35	10	35	35	2540
RS-150	15,000 ^(2,3)	2.5	1,700 / 2,000	100	45	35	10	35	35	2540
RS-100	10,000 ^(2,3)	3.7	1,600 / 1,800	70	45	35	10	30	35	2540
RS-72	7,200 ^(2,3)	6	1,600 / 1,800	55	45	35	10 ⁽⁹⁾	30	35	4080 ⁽¹⁰⁾
R36	Varies, Refer to Appendix C.	8 ⁽⁴⁾	Varies, Refer to Appendix C.	Varies, Refer to Appendix C.						5080 ⁽¹⁰⁾
MH	20 Acres	-	600	40	30	20	10	5	35	35
OI	10,000 ⁽²⁾	-	-	50	50	40	10	30	35	40N/A
HSB	10,000 ⁽²⁾	-	-	70	50	40	10	30	45	40N/A
BG	NONE	-	-	60	40	30	10 ⁽⁷⁾	30 ⁽⁷⁾	45	75N/A
LM	NONE 43,560 ⁽²⁾	-	-	100	50	50	20	20	50	50N/A
HM-1	NONE 43,560 ⁽²⁾	-	-	100	50	40	20	20	70	75N/A
HM-2	43,560 ⁽²⁾	-	-	100	50	50	20	20	50	75N/A

Includes principal and accessory buildings but not pavement areas. **Not applicable (N/A) to non-residential zoning categories. Maximum % lot coverage shall be controlled by engineering and site design requirements found in the city's Subdivision Regulations and other applicable land use policies.**

- 1
- 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.
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.
- 3
- 4 Maximum density may be increased to twelve (12) units per acre if the project includes driveways and garages with alley access only and at least one on-street parking for 30% of the total number of units.
- 5 Buffer zones are required in addition to side and rear yard where an office-institutional, business, 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 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.
- 9 Side yard only required between dwellings which do not share a common wall.
- 10 For fee simple lots surrounded by common property outside of the building footprint the maximum lot coverage applies to the gross land area of the project or subdivision.

ARTICLE 12.

BUFFERS AND SCREENING

Section 1200. Buffer Between Dissimilar Districts and Construction Buffers.

A buffer shall be required for the following:

1. Where nonresidential districts are contiguous with residential districts, or where multi-family or mobile home districts are contiguous with single-family residential districts, the parcel of land shall have a buffer along any rear and side property lines abutting a residential district.
2. All residentially zoned property to be developed as single family detached subdivisions shall have a -minimum twenty (20) foot [construction bufferenhanced landscape strip](#) along any rear property lines abutting an existing single family residential zoned parcel.

Section 1201. Plan Requirements.

All buffers shall be designated on the appropriate permit application(s) and indicated on the required site plan or final subdivision plat.

Section 1202. Buffer and Screening Standards.

All buffer areas and screening shall be established in accordance with the following requirements:

1. Buffers [and landscape strips](#) shall be established and maintained along required property lot lines in accordance with the landscaping policies and standards of *The Buffer, Landscape and Tree Ordinance of The City of Sugar Hill* and any additional specifications that may be approved by the City Council. In the event the buffer includes a utility or pipeline easement, a minimum buffer of no less than 20 feet in width will be required outside the easement. In no case will the buffer be less than 20 feet except as may be permitted in Section 1204.
2. Buffers shall meet the minimum width requirements for dissimilar districts as shown in the "Minimum Buffer Requirements" table (Section 1205).
3. Screening shall be established within any buffer along the entire length of the side and rear lot lines. However, this screening requirement may be adjusted in order to observe the sight distance required in the Development Regulations or as a Condition of Zoning, Special Use, or Variance approval or as approved by the City Manager.
4. Screening may be required where a non-residential use abuts a public street across from a residential district. However, this screening requirement may be adjusted in order to observe the sight distance required in the Development Regulations or as a Condition of Zoning, Special Use, or Variance approval or as approved by the City Manager.

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5. Structures, including driveways, parking facilities, or retaining walls shall be located a minimum of five (5) feet from any buffer.

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Section 1203. Other Screening Requirements.

Screening and/or buffers shall be required for purposes of obscuring features such as dumpsters, rear entrances, utility and maintenance structures, and loading facilities.

Section 1204. Administrative Variances to Buffer and Screening Requirements.

A. Administrative Reductions in Required Distances.

The width of buffers as required in Section 1205 may be reduced by no more than 20 percent, as appropriate, by the City Manager, if and only if,

1. It is clearly demonstrated that existing topography and/or vegetation within the reduced area achieve the purpose and intent of this Article; or
2. It is clearly demonstrated that for topographic reasons, a fence, wall and/or other screening device required herein could not possibly screen activities conducted on ground level from view from the normal level of a first story window on any lot in a residential district abutting the use.

B. Administrative Allowance for Disturbance of Buffers.

The natural undisturbed buffers as required in Section 1205 may be disturbed, if approved as appropriate, by the City Manager, if and only if,

1. It is demonstrated the equivalent width of buffer shall be re-established through appropriate plantings and landscaping, and the adjoining residential property is not developed, or
2. The adjoining property owners grant written permission for such disturbance.

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Section 1205. MINIMUM BUFFER REQUIREMENTS.

	<u>AF, RS- 200</u>	<u>RS-175</u>	<u>RS-150</u>	<u>RS-100</u>	<u>RS-72</u>	<u>R-36</u>	<u>MH</u>
<u>AF</u> <u>RS-200</u> <u>RS-175</u> <u>RS-150</u> <u>RS-100</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>RS-72</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>R-36</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>MH</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>OI</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>35'</u>	<u>20'</u>	<u>50'</u>
<u>LM</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>
<u>HM1</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>
<u>HM2</u>	<u>100'</u>	<u>100'</u>	<u>100'</u>	<u>100'</u>	<u>100'</u>	<u>100'</u>	<u>100'</u>
<u>HSB</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>35'</u>	<u>20'</u>	<u>50'</u>
<u>BG</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>50'</u>	<u>35'</u>	<u>75'</u>

<u>AF,</u> <u>RS 200</u>	<u>RS 175</u>	<u>RS 150</u>	<u>RS 100</u>	<u>RM</u>	<u>MH</u>
<u>AF,</u> <u>RS 200,</u> <u>RS 175</u>					
<u>RS 150</u>					
<u>RS 100</u>					
<u>RM</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>20'</u>
<u>MH</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>
<u>OI</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>
<u>LM</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>
<u>HM1</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>
<u>HM2</u>	<u>100'</u>	<u>100'</u>	<u>100'</u>	<u>100'</u>	<u>100'</u>
<u>HSB</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>	<u>50'</u>
<u>BG</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>	<u>75'</u>

Notes:

- (1) The Mayor & Council may establish or increase the minimum buffer as a condition of rezoning or as a condition to a Special Use Permit.
- (2) The Board of Appeals may increase the minimum buffer required as a condition to granting a variance request.
- ~~(3) No structure shall be located less than five feet from any buffer.~~
- ~~(4) Construction Buffers are required between residential developments. See Section 1200.~~