

**SUMMARY**  
**CITY OF SUGAR HILL**  
**PLANNING COMMISSION MEETING**  
**MONDAY, FEBRUARY 19, 2024 – 7:00 PM**  
**CITY HALL COUNCIL CHAMBERS**  
**5039 WEST BROAD STREET**  
**SUGAR HILL, GA. 30518**  
**OFFICE: 770-945-6734**

**WORK SESSION BEGINS PROMPTLY AT 6:45 PM**

Work Session was opened and closed there was no discussion.

Present were Vice Chairman Julie Adams, Commission Members Phil Olsen, Rosemary Walsh, and Jason Jones. Also present were City Attorney Frank Hartley, Planning Director Kaijo Awana, Planning Technician Kimberly B. Landers, Planner Logan Witter and Planner Claire Weatherly.

**CALL TO ORDER** at 7:00 pm by Vice Chairman Julie Adams.

**PLEDGE OF ALLEGIANCE TO THE FLAG** led by Vice Chairman Julie Adams.

**APPROVAL OF THE AGENDA**

Motion to approve the agenda by reordering the items on new business. Jason Jones, Phil Olsen **APPROVED 4-0**

**APPROVAL OF MINUTES**

Approval of the November 20, 2023, minutes as written.

Motion to approve the minutes as written. Jason Jones, Phil Olsen

**APPROVED 3-0-1**  
(Rosemary Walsh abstained)

**BOARD MEMBER COMMENTS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. Public Hearing – RZ-24-001** Change in conditions of zoning 5952 Cumming Highway.

Motion to approve the change in conditions as recommended by staff.

Phil Olsen, Rosemary Walsh

**APPROVED 4-0**

**2. Public Hearing –** Proposed zoning ordinance amendment to consider revisions to building height restrictions in the R36 and CBD zoning districts.

Motion to approve as recommended by staff. Phil Olsen, Jason Jones

**APPROVED 4-0**

**CITIZENS COMMENTS**

None

**ADJOURNMENT**

Motion to adjourn. Phil Olsen, Jason Jones

**APPROVED 4-0**

**Meeting adjourned 7:23 pm.**

City of Sugar Hill  
Planning Staff Report  
RZ 24-001

DATE: February 16, 2023  
TO: Planning Commission  
FROM: Planning Director  
SUBJECT: Change in Conditions of Zoning RZ 24-001,  
General Business District (BG)  
5952 Cumming Highway 7-339-016

ISSUE The City of Sugar Hill has received an application, dated January 23, 2024, from NWF Acquisitions, LLC, to change the conditions of zoning for 5952 Cumming Highway.

RECOMMENDED ACTION

**Recommend approval of request to change the conditions of zoning:**

**To modify the conditions of zoning for AX-07-010, retaining previously established conditions with a modification to condition 6s to read as follows:**

No intercoms or speakers except for bank branch with a drive-thru and/or a drive-up ATM using an interactive teller machine.

DISCUSSION

- The subject site is part of an assemblage of parcels that was rezoned and annexed into city limits in 2007, pursuant to AX-07-010. A retail strip center was proposed for the site, but never realized. Within recent years, other parcels affected by the subject annexation were developed with a self-storage facility and drive-thru restaurant.
- The retail developments proposed by the applicant are uses permitted by right within the current General Business zoning.
- A condition was placed on the property to disallow loudspeakers on the site. An adjacent property successfully sought to remove this condition for the development of a fast-food restaurant.
- The applicant seeks to modify this condition to allow for a loudspeaker only as it relates to the function and operation of a banking facility.

BACKGROUND

Applicant/Owner: NWF Acquisitions, LLC / Bruce D. Duncan

Existing Zoning: BG

Request(s): Change in Conditions Only.

Purpose: Retail

Property Size: ± 1.29 acres

Location: 5952 Cumming Highway  
Tax parcel: 7-339-016

Public Notice: Letters to adjoining owners via USPS regular mail on 1/31/24  
Sign posted at 5952 Cumming Highway on 2/2/24  
Ad in legal section of Gwinnett Daily Post on 2/4/24

Public Comments: None as of 2/15/2024

FINDINGS OF FACT

Surrounding Land Use and Zoning

Direction	Existing Land Use	Existing Zoning
North	Restaurant in Sugar Hill city limits	BG
South	Vacant property in unincorporated Gwinnett County	R100 (Gwinnett)
East	GDOT ROW, Retail Commercial Center in Sugar Hill city limits	BG
West	Single Family Detached Residences in Sugar Hill city limits	RS150

*City of Sugar Hill: Low Density Single Family Residential (RS150), General Business (BG)  
Gwinnett County: Single Family Residential (R100)*

Conditions of zoning AX-07-010:

1. Provide a 30' inter-parcel access easement interconnecting the subject parcels.
2. All detention facilities except underground detention shall have a chain link fence (dark green or black vinyl coated) and enhanced buffer installed around the perimeter. *Refer to Development Regulations 8.2.7.*
3. Reduced standard zoning buffer to a 40' enhanced buffer except as shown on the attached map drawn by the Planning Director.
4. Enhanced buffer is to consist of at least a staggered double row of evergreen and semi-evergreen trees and shrubs native or adapted to the area. Trees shall be 6' tall at time of planting. Plantings shall be arranged to provide an effective visual screen of at least 20' in height at maturity. Buffer must not contain more than 30% of a single species and must be shown on a landscape plan to be approved by Planning and Development prior to receiving any permits.
5. Lighting shall be designed and maintained to prevent light trespass in excess of .2 foot candles (fc) as measured at a 6' height perpendicular to the ground. Lamps shall have a color

temperature rating between 75 and 100 CRI. All lamps must be shielded to prevent glare from any point along the property line so that no direct light source is visible from a sight line established at a distance between four feet (4') and six feet (6') perpendicular from the ground. The lighting plan must be approved by the City's Planning Director prior to receiving any land disturbance and/or building permit.

6. The following uses shall not be permitted:

- |  |  |
|--|--|
| a. automobile repair shops or tire stores including lubrication or tune up centers   | j. mini-warehouse/personal storage facilities  |
| b. service stations defined as a business with fuel pumps and garage stalls for vehicle maintenance                                | k. moving van or truck rental  |
| c. refueling stations except those businesses that retail alternative fuels such as those defined by the Energy Policy Act of 1992 | l. taxi/limousine service  |
| d. convenience stores defined as a retail establishment selling fuel and sundries for the traveling consumer                       | m. boarding and rooming houses   |
| e. funeral homes and mausoleums  | n. contractors offices   |
| f. mortuaries and crematories  | o. transportation terminals for passengers   |
| g. motels, hotels  | p. facilities engaging in the business, trade, or profession of psychic reading, fortune telling, astrology, phrenology, palmistry, clairvoyance, or related practices |
| h. automotive sales lots and associated service facilities   | q. pawn shops  |
| i. equipment rental  | r. businesses that primarily offer check cashing services for a fee to those who don't have traditional bank accounts  |
|  | s. <del>No intercoms or speakers.</del>  |

7. Dumpster hours are limited to the hours between 7:00 AM and 7:00 PM. Delivery hours are limited to the hours between 7:00 AM and 9:00 PM.

8. Structure located on parcel 7-339-046 shall be removed within 180 days.

9. Any new construction shall match the attached schematic in architectural elevation and design with knee walls and metal roofing.

## ZONING ANALYSIS

### ***1. Will the rezoning requested permit a use that is suitable in view of the use and development of adjacent and nearby property?***

Yes. The proposed development is located within an existing commercial node and is surrounded by established neighborhoods and commercial developments. The property, along with several other adjacent properties was previously annexed and rezoned in 2007 for a retail strip center, which was never developed. In following years, a drive-thru restaurant and self-storage facility was developed on a neighboring site. With proper conditions the development has the potential to be aesthetically cohesive with surrounding developments.

**2. Will the rezoning requested adversely affect the existing use or usability of adjacent or nearby properties?**

No, Commercial development does pose the potential for odor, noise, and other disturbances; however, the proposed development is similar in character to nearby and adjacent commercial development in the node and includes a buffer to lessen disturbances to adjacent residential properties.

**3. Does the property for which the rezoning is requested have a reasonable economic use as currently zoned?**

Yes.

**4. Will the rezoning requested create an overcrowding condition with respect to the existing streets, transportation facilities, or schools?**

No. Schools will not be affected. Project access coordination with Georgia Department of Transportation will be required. Commercial development typically will generate more trips than any other residential use; however, these trips will primarily be those already travelling along Highway 20 to another destination.

**5. Does the rezoning requested conform to the Sugar Hill Land Use Plan?**

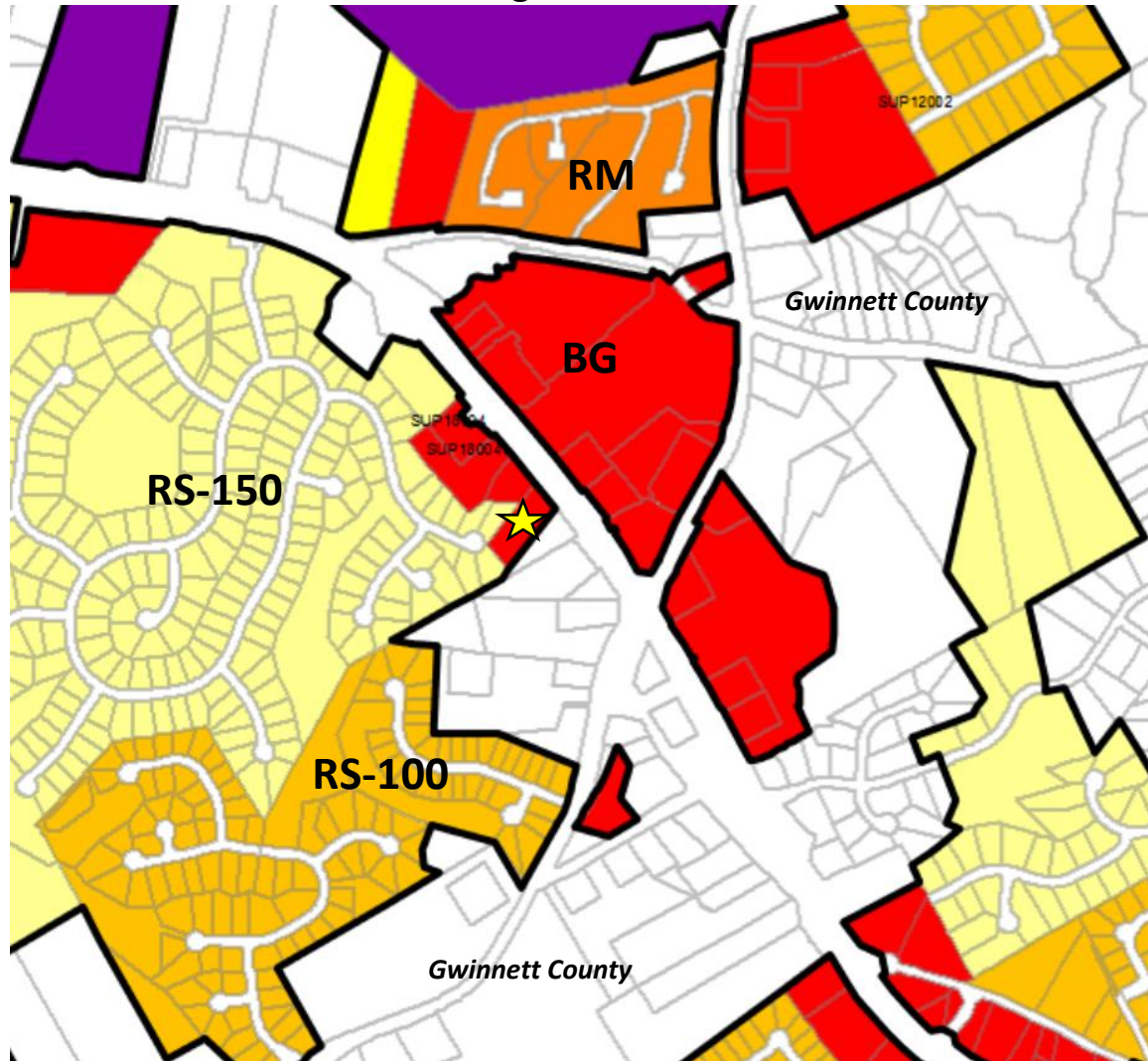
Yes, the property is currently located within an existing commercial node, bounded by established neighborhoods. Conditions were previously placed on the property that further reinforce its appropriateness within this node.

**6. Are there other existing or changing conditions affecting the use and development of the property which would give support to an approval or disapproval of the rezoning request?**

*Excerpts from the Comprehensive Plan (2019):*

Revitalize aging commercial and residential areas through redevelopment and infill strategies. Serves the needs of the residential communities located immediately adjacent to their boundaries.

RZ-24-001  
ADJACENT ZONING MAP  
Change in Conditions







LETTER OF INTENT

Proposed Use: Bank branch

Acreage: 1.29

Zoning shall remain the same

1 dwelling, 1,900 sq ft

Parking spaces: 17

Height: 18 feet

Special Conditions: Request to delete in its entirety Paragraph 6(s) as defined in Exhibit B of Gwinnett County Case # AX-07-010 Ordinance for Annexation dated January 14, 2008, and replace with the following:

s. No intercoms or speakers except for bank branch with a drive-thru and/or a drive-up ATM using an interactive teller machine.



City of Sugar Hill  
Planning Staff Report  
**ZOA 24-001**

DATE: February 16, 2024  
TO: Planning Commission  
FROM: Planning Director  
SUBJECT: Zoning Ordinance Amendment ZOA 24-001  
RS72, R36 & CBD Building Heights

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## RECOMMENDATION

### **Table 9.1 – Lot and Building Dimensional Standards**

- Add three-story maximum to all residential zoning districts (AF, RS200, RS175, RS150, RS100, RS72, and R36)
- Remove building height dimensional requirement from Appendix C Supplemental Use Provisions and Design Guidelines.
- Add 35' maximum height for R36 zoning district.
- Remove footnote for alley access density bonus.
- Clean up footnote references.

### **Central Business District (CBD)**

- Remove maximum building height exception for 130 feet and 84 feet.
- Add building step back requirement over 41' or three stories, whichever is less.

## BACKGROUND

On January 8, 2024, the City Council instructed staff to review and recommend revisions to the maximum building height and density bonuses in RS72, R36 and CBD zoning districts.

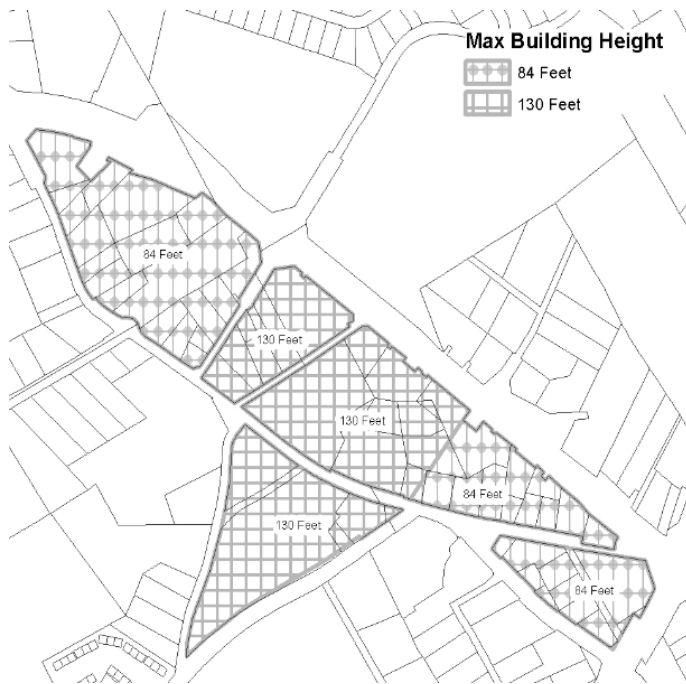
Currently, in the Medium Density Single Family Residential (RS72) and Medium Density Mixed Residential (R36) zoning districts, building height for residential uses is regulated by building type:

- Townhome: max height = 40'
- Stacked Duplex/Triplex: max height = 3 stories and 60'
- Big-house: max height = 50'
- Other, Attached: max height = 50'
- Other, Detached: max height = 35'

This approach is intended to provide a regulatory framework to encourage more options to choose from when looking for a place to live within our community. Most of the housing stock within the city generally falls on one end of the spectrum or the other. By far the largest number of homes in Sugar Hill are single-family detached residences of one to two stories. We also have a growing number of townhomes and mid-rise apartment units, but there are very few options in between. Figure 1 illustrates the range of possibilities for house-scale dwellings in a continuum of building types suitable for transitioning from existing cul-de-sac style subdivisions to traditional pedestrian-oriented neighborhoods.



**Figure 1 - Missing Middle Housing Types**



**Figure 2 - CBD Max Bldg Heights**

Within the downtown area, building height is regulated by proximity to the core. In the Central Business District (CBD), buildings up to 130 feet and 84 feet are allowed at the center as depicted on Figure 2. Otherwise, the maximum height in the CBD is 70 feet. The Town Center Overlay (TCO) permits building heights of up to 50' as a transition from larger downtown mixed-use buildings and the 35' maximum height of a typical single-family detached home. While most properties in the 84' and 130' zones are built out, there are no buildings taller than 70' (*cupolas are excluded – Section 701*).

- Solis – 69' 3"
- The Local – 61' 8"
- City Hall – 58' to top of roof, 84' to top of cupola dome, 97' to top of cupola

Below is a comparative list of nearby municipalities and maximum building heights for downtown-style areas.

Suwanee

PMUD, Planned Mixed-Use Development – No height minimum or maximum.

Duluth

CBD Residential – 4 stories max.  
 CBD Commercial <15,000 sq. ft. – 25' max.  
 CBD Commercial >15,000 sq. ft. – 4 stories max.

Lawrenceville

BGC, Central Business District – 40' max.  
 RM-24, Multifamily Residential – 70' max.

Norcross

Town Center – 72' along Buford Hwy, 24' in historic downtown

Gwinnett County

LRR, Low Rise Residential – 60' max.  
 MRR, Mid-Rise Residential – 75' max.  
 HRR, High-Rise Residential – Min. of 5 stories  
 MU-N, Neighborhood Mixed Use – 60' max.  
 MU-C, Community Mixed Use – 75' max.  
 MU-R, Regional Mixed Use – varies based on bonuses, up to 300' or 25 stories

Table 9.1 – Lot and Building Dimensional Standards

CURRENT 5/10/2021

Dist.	Min. Lot Area (Sq. Ft.)	Max. Density <sup>(6)</sup> (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. <sup>(5)</sup> Side Yard (Ft.)	Min. <sup>(5)</sup> Rear Yard (Ft.)	Max. Height (Ft.)	Max. % of Lot Coverage <sup>(1)</sup>
					Major Street	Collector Street					
AF	40,000 <sup>(2)</sup>	1.5	2,000 / 2,400	100	60	50	20	35	35	30	
RS-200	20,000 <sup>(2,3)</sup>	1.8	2,000 / 2,400	100	45	35	10	35	35	40	
RS-175	17,500 <sup>(2,3)</sup>	2.1	1,900 / 2,200	100	45	35	10	35	35	40	
RS-150	15,000 <sup>(2,3)</sup>	2.5	1,700 / 2,000	100	45	35	10	35	35	40	
RS-100	10,000 <sup>(2,3)</sup>	3.7	1,600 / 1,800	70	45	35	10	30	35	40	
RS-72	7,200 <sup>(2,3)</sup>	6	1,600 / 1,800	55	45	35	10 <sup>(9)</sup>	30	35	80 <sup>(10)</sup>	
R36	Varies, Refer to Appendix C.	8 <sup>(4)</sup>	Varies, Refer to Appendix C.	Varies, Refer to Appendix C.						80 <sup>(10)</sup>	
MH	20 Acres	-	600	40	30	20	10	5	35	35	
OI	10,000 <sup>(2)</sup>	-	-	50	50	40	10	30	35	N/A	
HSB	10,000 <sup>(2)</sup>	-	-	70	50	40	10	30	45	N/A	
BG	NONE	-	-	60	40	30	10 <sup>(7)</sup>	30 <sup>(7)</sup>	45	N/A	
LM	NONE	-	-	100	50	50	20	20	50	N/A	
HM-1	NONE	-	-	100	50	40	20	20	70	N/A	
HM-2	43,560 <sup>(2)</sup>	-	-	100	50	50	20	20	50	N/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.
- 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 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.
- 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.

Table 9.1 – Lot and Building Dimensional Standards

**PROPOSED 2/16/2024**

Dist.	Min. Lot Area (Sq. Ft.)	Max. Density (Units / Acre)	Min Dwelling Unit Size (Sq. Ft.) Single Story / Two Story or more	Min. Lot Width (Ft.)	Setback from				Max. Height (Ft.)	Max. % of Lot Coverage <sup>(1)</sup>
					Right-of-way (Ft.) Major Street	Collector Street	Min. <sup>(4)</sup> Side Yard (Ft.)	Min. <sup>(4)</sup> Rear Yard (Ft.)		
AF	40,000 <sup>(2)</sup>	1.5	2,000 / 2,400	100	60	50	20	35	35	30
RS-200	20,000 <sup>(2,3)</sup>	1.8	2,000 / 2,400	100	45	35	10	35	35	40
RS-175	17,500 <sup>(2,3)</sup>	2.1	1,900 / 2,200	100	45	35	10	35	35	40
RS-150	15,000 <sup>(2,3)</sup>	2.5	1,700 / 2,000	100	45	35	10	35	35	40
RS-100	10,000 <sup>(2,3)</sup>	3.7	1,600 / 1,800	70	45	35	10	30	35	40
RS-72	7,200 <sup>(2,3)</sup>	6	1,600 / 1,800	55	45	35	10 <sup>(6)</sup>	30	35	80 <sup>(7)</sup>
R36	Varies, Refer to Appendix C.	8	Varies, Refer to Appendix C.	Varies, Refer to Appendix C.				35	80 <sup>(7)</sup>	
MH	20 Acres	-	600	40	30	20	10	5	35	35
OI	10,000 <sup>(2)</sup>	-	-	50	50	40	10	30	35	N/A
HSB	10,000 <sup>(2)</sup>	-	-	70	50	40	10	30	45	N/A
BG	NONE	-	-	60	40	30	10 <sup>(5)</sup>	30	45	N/A
LM	NONE	-	-	100	50	50	20	20	50	N/A
HM-1	NONE	-	-	100	50	40	20	20	70	N/A
HM-2	43,560 <sup>(2)</sup>	-	-	100	50	50	20	20	50	N/A

1. 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.
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, 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. 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.
5. Side yard required only if abutting a District requiring side yards.
6. Side yard only required between dwellings which do not share a common wall.
7. 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.

# Appendix C

Supplemental use provisions and design guidelines for selected residential building types.

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City of Sugar Hill,  
Georgia  
September 2020



## Cottage Court

A grouping of small houses which are arranged such that each dwelling enters from a common court. Each entry shall connect to the required public sidewalk via minimum six (6) feet wide sidewalk.

An amenity should be incorporated into each project, which promotes wellness and recreation.

Maximum off-street surface parking is 1.5 spaces per unit.

Landscaping shall be installed in a way to enhance the pedestrian experience. Each development shall provided a minimum of three trees per unit across the site.

### Cottage Court Dimensional Standards

Min. Lot Area	600 sq. ft.
Min. Dwelling Unit Size	600 sq. ft.
Setback from Major Street	45 ft.*
Setback from Collector Street	30 ft.*
Minimum Courtyard Width	20 ft.
Min. Side Yard	5 ft. between buildings
Min. Rear Yard	15 ft.
<b>Max. Height</b>	<b>18 ft. to eave</b>

*\*Setbacks may be reduced by condition of zoning if vehicle parking is not proposed in the front yard to promote alley access.*



## Townhouse



The vertical plane of each dwelling unit's primary front and rear façade shall modulate back and forth a minimum of 2 ft. from the vertical plane of the dwelling unit(s) to either side.

Each dwelling unit shall be provided at least 120 sq. ft. of useable private outdoor space.

Minimum fenestration shall be 30% on all front facades.

Each entry shall connect to the required public sidewalk via minimum six (6) feet wide sidewalk.

Units shall be constructed in such a way to create unique character for each dwelling unit in the same building, with cohesive design elements to unify the buildings into the overall development.

Maximum off-street surface parking is 1.5 spaces per unit.

### Townhouse Dimensional Standards

Min. Lot Area	1,000 sq. ft.
Min. Dwelling Unit Size	1,000 sq. ft.
Setback from Major Street	45 ft. *
Setback from Collector Street	30 ft. *
Min. Side Yard	20 ft. between buildings
Min. Rear Yard	15 ft.
<b>Max. Height</b>	<b>40-ft. to eave</b>

*\*Setbacks may be reduced by condition of zoning if vehicle parking is not proposed in the front yard to promote alley access.*

## Stacked Duplex/Triplex

Dwelling which consists of two/three dwelling units arranged one above the other, each with an entry from the street. May be arranged in a quad style footprint. Each individual unit shall not exceed 1800 square feet.

Units can be multi-story, not to exceed three stories with a maximum building height of 60 feet.

Off-street parking, if provided, shall not obstruct the common courtyard. Maximum off-street surface parking is 1.5 spaces per unit.

All units shall be accessible by a minimum six (6) foot wide sidewalk, which shall provide access to an adjoining public sidewalk system.

Amenities may be incorporated into the courtyard and applied toward the minimum greenspace, if required.



### Stacked Duplex Dimensional Standards

Min. Lot Area	1,000 sq. ft.
Min. Dwelling Unit Size	600 sq. ft.
Setback from Major Street	45 ft. *
Setback from Collector Street	30 ft. *
Minimum Courtyard Width	20 ft. (if provided)
Min. Side Yard	5 ft. / 15 ft. between buildings
Min. Rear Yard	20 ft.
<b>Max. Height</b>	<b>60 ft. to eave</b>

*\*Setbacks may be reduced by condition of zoning if vehicle parking is not proposed in the front yard to promote alley access.*



## Big-house

Big-house units are designed to present differing size units within a single building and resemble a medium to large single-family home. Larger units shall not exceed 1400 square feet. All units must have a minimum of 600 square feet per bedroom for the unit. Buildings may not be less than 2500 square feet total.

Each unit is required to have a separate entrance, with access to a minimum six foot wide sidewalk, which shall connect to the public sidewalk abutting the nearest public road.

Parking if required shall be arranged to the rear or side of each unit.

All lots shall be landscaped with at least two tree density units per building. At least one tree density unit is required in the front yard.

### Big-house Dimensional Standards

Min. Lot Area	6,000 sq. ft.
Min. Dwelling Unit Size	600 sq. ft.
Setback from Major Street	45 ft. *
Setback from Collector Street	30 ft. *
Min. Side Yard	10 ft.
Min. Rear Yard	20 ft.
<b>Max. Height</b>	<b>50 ft. to eave</b>



**Other, Attached**

Buildings with attached dwelling units which do not fall under the cottage court, townhouse, stacked duplex/triplex and big-house categories may contain up to eight (8) dwelling units per building. All units must be a minimum of 600 square feet per bedroom.

Each unit is required to have an internal sidewalk system which shall connect to the public sidewalk abutting the nearest public road.

**Other Dimensional Standards**

- Min. Lot Area 3,600 sq. ft.
- Min. Dwelling Unit Size 600 sq. ft.
- Setback from Major Street 45 ft. \*
- Setback from Collector Street 30 ft. \*
- Min. Side Yard 10 ft.
- Min. Rear Yard 20 ft.
- ~~Max. Height 50 ft. to eave~~







## Other, Detached

Detached dwelling units such as zero lot line single family detached are allowed with the following dimensional standards.

### Other Detached

Min. Lot Area	7,200 sq. ft.
Min. Dwelling Unit Size	1,600 sq. ft.
Setback from Major Street	45 ft. *
Setback from Collector Street	30 ft. *
Min. Side Yard	10 ft.
Min. Rear Yard	20 ft.
<b>Max. Height</b>	<b>35 ft. to eave</b>



**Section 1002. CENTRAL BUSINESS DISTRICT OVERLAY**

The following provisions shall apply to all property inside the Central Business District (CBD) as delineated on the Central Business District Boundary Map, which is attached as Exhibit 2 and incorporated by reference.

The CBD is an overlay zoning district. The land use regulations applicable to the Town Center Overlay District (TCO), the Central Business District (CBD), as well as the underlying zoning remain in full force and effect except where superseded herein. When there is a provision not expressed in the TCO or underlying zone, or where a provision hereof is in conflict with the TCO or underlying zone, the provision of the CBD overlay district shall govern.

**A. Purpose and Intent**

To further the goals of the Downtown Sugar Hill LCI Study and to foster development of the city center that contributes to the function and feel of traditional small town business districts prominent throughout this region during the late 19<sup>th</sup> century to the early 20<sup>th</sup> century. To recreate this feeling by using traditional block patterns characterized by common side walls, building fronts abutting the sidewalk and on street parking; breaking up large blocks; optimizing multi-modal connectivity and incorporating small public gathering spaces.

In order to establish a regulatory framework that creates this traditional small town urban character; promotes compact mixed use growth; supports community development and the need for walkable, pedestrian oriented public and commercial spaces; provides incentives and removes barriers to redevelopment, rehabilitation and revitalization of vacant and underutilized properties in the area this section establishes an overlay zoning district for Sugar Hill that provides for an appropriate mix of uses, establishes standards of development to facilitate urban forms and sets up a design review process for any new construction or material change in appearance to existing structures within the CBD.

**B. Exceptions**

Variances shall be processed in accordance with Article 15 of the City of Sugar Hill Zoning Ordinance.

**C. Severability**

Any requirement set forth herein deemed unconstitutional, vague, illegal and/or otherwise unenforceable in a court of law shall not invalidate the remainder of this Section and all other provisions and requirements of this Section shall remain in full force and effect.

**D. Use Provisions.**

1. Maximum Building Height. Maximum building height shall be a maximum of 70 feet ~~except as shown below:~~



2. Prohibited Uses. Unless otherwise noted, the following uses shall be prohibited within the CBD: Adult entertainment businesses/facilities; automotive sales lots and associated service facilities; automobile repair shops and tire stores including lubrication or tune up centers; truck stops; service stations; boarding and rooming houses; contractors equipment depot; restaurants with drive-through service; equipment rental; facilities engaging in the business, trade, or profession of psychic reading, fortune telling, astrology, phrenology, palmistry, clairvoyance, or related practices; adult novelty retail stores; pawn shops; body art establishment; cannabidiol store; vape store; vehicle or emission inspections; warehousing; mini-warehouse/personal storage facilities; moving van or truck rental and taxi/limousine queue lots. If any of the above listed uses exist within the CBD prior to the adoption of this Ordinance, those uses shall, upon the adoption of this Ordinance become non-conforming uses, shall comply with and be governed by Article 8 of the Zoning Ordinance

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

# Article 10 Overlay Zoning Districts

- viii) Awnings or similar type structures must be constructed of durable, protective and water repellant materials. Plastic or fiberglass awnings are not permitted.
- ix) Awnings must project a minimum of 42" from the building and are limited to segments of eight feet (8') in length.
- x) Awnings may serve as sign panels for businesses provided the total sign area on the awning is included in the calculations for the wall signs on the associated façade.
- xi) Discharge of water along the surface of a walkway is prohibited. e.g. storm water from gutters, condensate from air conditioning units, etc.
- xii) All new or relocated utilities shall be placed underground.
- xiii) Dumpsters shall be screened on all sides by a minimum six-foot high brick or stone wall with access via an opaque metal gate (chain link gates are not permitted).
- xiv) Service and loading areas shall be located to restrict visibility from and otherwise conflict with public streets, sidewalks and neighboring uses.
- xv) Sidewalk displays related to a licensed business shall only be permitted directly in front of the subject business location and shall not project into the sidewalk more than three (3) feet and shall not otherwise obstruct pedestrian or ADA accessible travel ways.
- xvi) Maximum block length = 500'.
- xvii) Buildings or structures shall be required to have a step back in the façade above 41 feet or third story, whichever is less.**

### 3. Design Criteria – Vehicular and Pedestrian Access:

Vehicular access and parking should be adequate while serving to enhance the overall pedestrian experience. Size and location of off street parking lots should be small and limited to the rear of the businesses they serve.

#### Standards:

- i) Sidewalks are required on all streets except for alleys.
- ii) Sidewalks adjacent to Alton Tucker Boulevard and West Broad Street shall be 15 feet in width.
- iii) All other sidewalks shall be at least six (6) feet wide.
- iv) A combination of off-street, on-street (10% Max.) and shared parking (10% Max.) may be used for off-street parking requirements as long as no required parking space is more than 700 feet from an entrance to the building, unit, suite and/or space it serves.
- v) Except parking structures, off street parking areas should not abut the street and/or sidewalk.