

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

DATE: March 1, 2024  
TO: Mayor and City Council  
FROM: Planning Director  
SUBJECT: Zoning Ordinance Amendment ZOA 24-001  
RS72, R36 & CBD Building Heights

---

## 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.

## PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

*The Planning Commission held a scheduled public hearing on February 19, 2024. There were no public comments. Commission Member Phil Olsen made a motion to approve the zoning ordinance amendment as recommended by staff. Commission Member Jason Jones made the second. Motion approved 4-0.*

## 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:

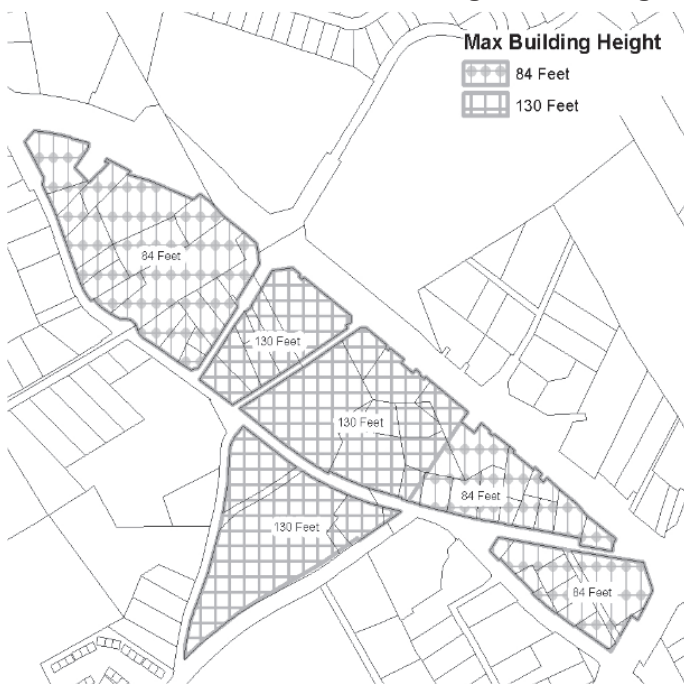
- Townhome: max height = 40'
- Stacked Duplex/Triplex: max height = 3 stories and 60'
- Big-house: max height = 50'
- Other, Attached: max height = 50'
- Other, Detached: max height = 35'

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.)<br>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.)<br>Major Street | Collector Street | Min. <sup>(5)</sup> Side Yard (Ft.) | Min. <sup>(5)</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>(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 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 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.)<br>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.) |                  | Min. <sup>(4)</sup> Side Yard (Ft.) | Min. <sup>(4)</sup> Rear Yard (Ft.) | Max. Height (Ft.) |                   |                                       |
|        |                              |                             |  |                              | 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>(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.

---

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.<br>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.

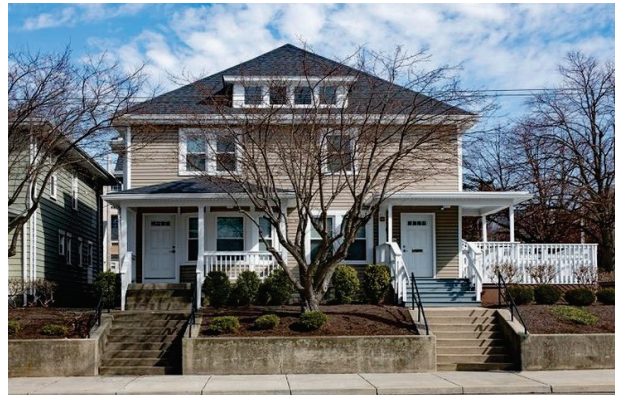
Each unit is required to have a separate entrance, with access to a minimum six foot wide sidewalk, which shall connect to the public sidewalk abutting the nearest public road.

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.