

5/26/16

PC Meeting

City Hall
Auditorium

Members Present: Chairman-Hugh Wilkerson, Vice Chairman-Michelle West Joe Gennusa, Emil Powella.

Members Absent: - AJ Passman **Quorum Present:** Yes.

Staff Members Present: Doug Stacks – Planning & Economic Development Director
Joellen Wilson – City Planner

Work Session: Yes.

- I. **Call to Order:** 7:30 PM by Hugh Wilkerson, Chairman.
- II. **Approval of Agenda:** Motion by Powella. Second by West. All for.
- III. **Approval of Minutes – April 28, 2016:** Motion by Powella. Second by Gennusa. All for.
- IV. **Old Business:**
 - a. **Text Amendments.** Amendments proposed by Department of Planning and Economic Development for additions, deletions, modifications, and clarifications of the Lilburn Zoning Ordinance and Map. Staff distributed synopsis of text and map amendments (attached herein) and discussed several reasons for the updates, including consistency with other codes, development trends, and department interpretation. No public comment was provided.

West motioned to approve the text and map amendments as submitted by staff. After review and discussion of a few additional minor revisions, West motioned to approve the amendments as revised. Powella seconded. All voted for.
Synopsis of text amendments attached herein (subject to additional minor revisions). Map amendments provided via link: <http://www.cityoflilburn.com/DocumentCenter/View/791>.
- V. **New Business:** None
- VI. **Adjournment:** Powella motioned to adjourn. Seconded by West. All voted for. Meeting was adjourned at approximately 8:53 PM.



Hugh Wilkerson

Attached- Synopsis of text amendments

SYNOPSIS OF ZONING ORDINANCE AMENDMENTS 2016

Article 3, General Provisions – Correct list of sections 320-325 to include Classification of Streets.

310. Lot Width Reduction – allow reduction to 35' in TC.

314. Principal Building Setback Adjustments – Clarify measurements for setback reductions – 50% or exact measurement from the minimum. Allows flexibility in design as intended.

322 – correct typo

325 – correct typo – numbering inadvertently not updated in last version

Article 4, Zoning Districts

Added conversion chart from 2011 Gwinnett County Zoning Districts to 2012 Lilburn Districts for referenced.

Table 4.1 - increase max. height to 40' in R1, 80' in MU. Delete max. # stories for all. Reduce side yard to 5' for R-1.

Table 4.2 – Road and Lot Layout – typo -edit verbiage to read “existing development patterns”.

403-4, 404-4, 405-4, Design Principals- add architectural standards set forth in Section 501-10.

Table 4.3 –Delete minimum to rezone to O/I. Delete maximum #stories from all non-residential districts.

Article 5, Overlay Districts – edit title page- reads Overlay “Zoning” Districts

501-1 Purpose and Intent – edit verbiage to allow for expansion of Lawrenceville Highway (U.S. 29) Overlay District and generally refer to it as the “Corridor Overlay District”.

501-2 Boundaries and Map –expand to include commercial corridors illustrated on the proposed zoning map.

501-3 – Clarify permitted uses -not intended to undermine existing zoning.

501-4. 2. and 3. –correct typos

501-7. 3. Delete max. 20% parking on side, remainder in rear requirements

501-7. 5. Clarify max height of light poles (25')

501-7. 6. Delete standard TDU landscaping requirement –redundant

501-9 Landscaping Requirements –Intended to require substantial compliance to existing buildings if property or structures change use.

501-9. 2. Reduce required landscape strip to 10' (from 20')

501-10. 1. – correct typo

501-10. 2 – specify building materials on facades visible from a public street

501-10. 5 – increase contrasting base to 2 feet

501-10. 7 – restrict roofing colors per Director’s approval not limiting materials

Section 502-1 Purpose and Intent – Delete redundancy in requiring compliance, violation for non-compliance and zoning application process in TC Overlay District.

502-2 Boundaries and Map – revise to provide consistency and remove redundancy.

502-3 Permitted Uses -Delete redundancy in “Permitted uses...paragraph from boundaries – already under 502-3 Permitted Uses

502-6 2. Correct typo

Article 6 – Use and Supplemental Conditions

Section 601 – edit text/table(s) to clarify instructions in how to use the table

Section 602 Use Table

Live/Work – no longer permitted in CB or US 29

Private Tennis Court – add permitted in R2, MU, TC

Athletic Fields (with/without lights) –add permitted in TC

Community Center/Gymnasiums, Public Swimming Facilities, Public Tennis Facilities – add permitted in TC. Delete condition that limits operation by City, County or non-profit

Group Home (small) – add condition –No more than 4 adult permitted in R1 & MU. The limit in R1 & MU was inadvertently deleted in last revision.

Institutional Residential Living and Care Facilities – add Conditional in TC

Banquet Halls – add condition: Restricted by licensing requirements for alcohol

Religious Assembly –delete redundant condition

Medical Clinic/Emergency Care – add condition: Pain Mgmt. Clinic subject to licensing requirements – distance restrictions apply

Beauty Salon – deleted – not defined, too often misinterpreted

Dance Fitness/Karate – P in TC

Nail Salon and Other Personal Services – added licensing requirement references

Convenience Store w/Gas – update reference to include Article 7

Music Studio – P in TC and IA, delete limit on sales area.

Pest Control – delete restriction on outdoor storage of equipment and trucks

ATM Bank Machines –add permitted in OI –office/institutional

Contractor’s Office w/outdoor storage – add ref to Section 603 and Article 7

Furniture Stores – delete limit of showroom to 50% of space

Emissions Inspection – add P in US29 with SUP, also allowed as an accessory use

Gas & Service Stations – clarify comment – stand-alone stations with no convenience store

Rental Car Agency – renamed “Car Rental Agency” – Conditional approval in CB/US 29. Added conditions, no service or repair, require designated parking spaces in CB/US 29.

Flea Markets – redefined as outdoor temporary facilities. Was P in CB/IA S in US29, now Conditional approval in CB/US 29 and IA.

Inoperable Vehicle Storage – Deleted – replaced with Salvage Yard as Conditional to allow indoor activities exclusively.

Towing and Wrecker Service – clarified and Permitted with business trucks only on site.

Wrecked Motor Vehicle Compound - Added as use only in IA with Special Use Permit and condition of min. lot size 2 ac. -no dismantling or salvage

Reclaimed Materials – changed from P to S

Parking Lot Deck – Permitted in US29

Yard Sale – edit for clarification – Permitted in association with properties zoned and used for residential. (Development Regs to be updated to match duration/frequency)

Inoperable Vehicle Storage – deleted – replaced with Salvage Yard (see condition above)

Junk Yard – deleted, not permitted

Towing and wrecker service – permitted to park only business trucks and operable vehicles with screening

Reclaimed Materials Processing – requires SUP

Section 603 Supplemental Conditions Table

Residential as component of Mixed-Use .-#5. Delete side/rear yard increase with height above 35'

Auto Service v/s Auto Repair (p. 38) –Heavy Auto Repair not P or SUP in US29 in Table 6, conditions listed apply to service/light repair in US29

Auto and Truck Dealership – change conditions to require SUP in CB, required dedicated parking, min 1 ac site in IA and min. 5 acre site in CB.

Increase screening requirements from 6 to 8 feet for industrial/heavy industrial uses

Expressly Prohibited Salvage Yard

Article 7, Specific Use Provisions - update section #'s to reflect changes – deleted Section 732 – townhouse fee simple

701-3 Exceptions to Accessory Uses/Structure – 3. Covered outdoor eating shelters and play structures permitted to encroach into setbacks with Director approval.

702-7 Detached Garage Provisions - typo

704 Car Wash – Remove excessive wording. 704-7 Added verbiage to require wash water to be recycled.

708 – Day Care Center Facility – restore text inadvertently deleted that helps define type care.

713 Flea Market – Delete excessive wording and clarify occupation tax certificate requirement. Delete special events and temporary use provisions.

714-Grocery Store – Clarify only in MU reduced parking. Delete loading verbiage – same as section 8.3.

715 Group Home – The limit of 4 adults in R1 and MU was inadvertently deleted in last revision.

715-11. Off Street Parking – correct typo.

718 – Inoperable Vehicle or Junked Material – delete excessive/redundant verbiage and be consistent with other sections of zoning – junkyard not permitted.

721. Mobile Vending

721-1 – Delete redundant text, reorder restrictions to reflect text.

721-2 - Clarify operating limitations, accommodate city events and temporary uses, add restriction to private/County property.

721-3 Clarify licensing requirements.

724 - Open Display – Clarify definition by deleting variety of items allowed to be displayed. Delete 6.requirement to show display area on site plans at time of review and restrictions on encroachments into landscaping or parking areas.

726. Religious Assemblies – 727-1. Edit to provide for expansion from CB to R

727 – Retail Package Liquor Store – Delete text for consistency with Table 6.

729 – Service Stations/Convenience Store – Delete redundant text for consistency with US 29 Overlay requirements.

730 – Temporary/Mobile Buildings, Construction Field Office, Portable Storage Units – Clarify text and time periods permitted.

731 – Temporary Uses

731-2 – 7. Un-highlight (inadvertently left on)

731-3 – Delete redundant text, allow events on approved surfaced (not only paved), reference Fire Safety Code for tents and Sign Ordinance for signs, make consistent the duration of events.

731-4 Temporary Outdoor Retail Sales Activities – deleted redundancy. Allowed 4 times per calendar year per property –interpreted as per business

732 – Townhouses Fee Simple – deleted entirely -limits on number of units/bldg., requirements for setbacks and separation, private yards, rear yard access and parking too restrictive - allow flexibility in design with compliance with Development Regulations and Bldg Codes.

733, 734 Renumber

Article 8 – Access, Parking and Loading

811 – Minimum Design Requirements– #2 – Clarify use of gravel – not decorative

Table 8.1

Clarify Places of Assembly – to include places of worship or religious assembly. Edit list to restore alpha order.

Add categories of uses to accommodate different types of residential dwelling units.
 Replace condominium with multifamily as use – condo=ownership, not dwelling type
 Combine 1 and 2 bedroom units as requirements were the same
 Delete max allowable for all single family uses

Use/Off Street Spaces Req.	Min.	Max.
Add Multifamily	1.5/unit (1-2 br) +0.5 per add br +0.1/unit guest	3/unit +0.2/unit guest
Single Family Detached	2/unit	N/A (GC=6)
Single Family Attached (duplex, town house)	1.5/unit	N/A (GC=6)

Article 9 – Nonconformities, Section 903. Nonconforming Use –Edit text to require rebuild/ alteration/ repair to be substantially complete within 1 yr. of damage.

Article 10, Zoning Amendments and Applications -Edit header for this section to match Article name
 Edit contents page to reflect deletion of **Section 1004 – Conditional Uses (SUP’s)**

Section 1001-5. – correct typo

Section 1002. Text Amendments

1002-5 Update PC referral and recommendation process – require public hearing/notice, delete redundancy, renumber. Require ordinance Article number(s) or section of the proposed text amendment must be in the legal ad.

1002-6 Add Planning Commission hearings to notice requirements (15 days public notice – legal ad and sign posting), and delete requirement for written notice to applicant w/in 7 days – record is made public.

Section 1003 – Amendment to Official Zoning Map and Overlay District Map

1003-1 and 1003-2 1003-3 and 1003-4. Expand authority and applications to include amendments to zoning map, amendments to overlay district boundaries, Special Use Permits, and Changes in Conditions of zoning. This allows deletion of redundancy in procedures.

1003-4 Application Requirements – revise 6. *Site plan* requirements – delete wetland and stormwater management requirements – required in later stages of development (construction documents).

1003-5 Update PC referral and recommendation process – require public hearing/notice, delete redundancy, renumber

1003-6 Add Planning Commission hearings to notice requirements (15 days public notice – legal ad and sign posting)

1003-7 correct typo

1003-8 Public Hearing and Action – Clarify wording in 1., If no decision by PC, CC may proceed or “reschedule and re-advertise the public hearing for a day after which the Planning Commission’s recommendation will be available” – change to require City Council to proceed with hearing in the normal course of city business i.e. next month’s Council meeting.

- Add text to 3. including additional option for SUP to expire (from 1004), and
- Revise 4. requirement for written notice w/in 7 days –to state decision is made public record.

1003-9 Withdrawal. Include applications for SUP and CIC

Section 1004 – Conditional Uses (SUP’s) – delete all sub-sections. Included SUP and CIC application and procedure for review/decisions in 1003. Application and review process is almost identical.

Section 1005 – Variances

1005-1 Intent (variances) – add SUP, CIC to concurrent applications

1005-2 3. Clarify - ZBA secretary may be an employee or member of the board (not PC).

1005-2 4. Records of actions shall be a public record.

1005-3 ZBA Powers –delete 2. To hear and decide requests for Special Exceptions of the Zoning Resolution which the ZBA is required to pass. Renumber 3&4.

1005-7 Application must be complete – reduce redundancy

1005-9 correct typo – ZBA hearing. Clarify and combine sign posting requirements

1005-10 ZBA decision – correct para.2 and 3. Delete para. 4. requirement to be notified in writing within 7 days

1005-14 Administrative Variances - Clarify items eligible for AV.

- 2.a.-50% maximum variation from code was inadvertently deleted in last revision.

- 2 e. delete stories. Use height
- 2.f clarify,
- 2.g.clarify landscape variations,
- 2.h. Clarify buffer reduction requirements
- 2.j.(3) Clarify accessory structure in front yard setback –match keeping fowl mins
3. Delete - discontinue ability to exceed variations administratively
4. Delete redundancy

1006-5 ZBA appeal and action- delete 4. requirement to be notified in writing within 7 days.

1007-2 correct typo

Article 11 – Site and Design Review – title should match header “Site and Design Plan Review”

Article 12 – Permits and Certificates - updated to reflect the way city processes permits and issues CO's.

Article 13 – Administration and Enforcement – Considering updates to Building Code to adopt state's recommended Administrative Procedures with exceptions that suit the City of Lilburn.

Article 14 – Definitions

Automobile sales or service establishment –requires SUP and includes rental car facility – edit Table 6 to permit an office in CB/US 29 with Conditional approval to restrict number of cars, have dedicated parking spaces, and prohibit any service/repair of vehicles, without SUP.

Group Home: revise definition to include reference to previously deleted Personal Care Home.