

ARTICLE VI
GENERAL PROVISIONS

Section 600. City Approvals that are Required.

All City, County and State of Georgia approvals that are required for the use of the land and structures and for the location and operation of businesses and industries shall be obtained by the applicant and transmitted by him with his request for a development permit, building permit, or an occupancy certificate. The City Administrator shall provide a list of agency approvals that are required.

Section 601. Code Requirements.

All structures shall meet the requirements of all adopted codes in effect including, but not limited to, Building Codes, Plumbing Code, Electrical Code, Fire Prevention Code, and Housing Code. Where such codes exceed the minimum requirements of this Resolution, the stricter provisions shall apply.

Section 602. Approvals for Residential Subdivision, Business, and Industrial Developments on State Highways.

For all residential subdivision, business and industrial developments fronting on a State Highway, no building or development permits shall be issued until the approval of the Georgia Department of Transportation has been obtained by the applicant on entrances and exits, curb radial, drainage and other matters that are the appropriate concern of the Georgia Department of Transportation.

Section 603. Erosion and Sedimentation Control.

All developments within the City of Dacula, Georgia shall comply with current Erosion and Sedimentation Control Regulations of the City of Dacula, Georgia, and with the rules and regulations of the Environmental Protection Division, Department of Natural Resources, State of Georgia.

Section 604. Uses Not Listed.

For any use not listed in this Resolution, the City Administrator shall determine the proper requirements by classifying the proposed use among the uses which are listed and assigning the use or appropriate zoning districts. It may also be determined that there is not a district which would allow the proposed use, and that such use is not allowed within the City. Such decision may be appealed directly to the Mayor and City Council through a written request.

Section 605. Minimum Floor Area Requirements.

All dwelling units shall have a minimum heated finished living area, excluding a basement, attic, carport or garage, as provided for in Article IX. *Use Provisions* for each residential zoning classification of this Resolution.

Section 606. Area, Yard and Height Requirements.

When developing under any Zoning Classification the requirements of area, yard, and height requirements shall be met.

In all districts, the height requirements must be met unless the applicant is granted a Special Use Permit by the City Council after receiving recommendations from the Planning Commission and after a public hearing. Provided, however, that an increase in height of less than fifteen (15) feet for any structure other than a sign may be requested under the provisions of Article XIII, Section 1300 as an Administrative Variance when no increase is involved in the number of stories which would otherwise be permitted under the applicable zoning district.

Section 607. Only One Principal Building or Use on a Lot.

Within residential districts, only excepting group developments, not more than one (1) principal building or structure or use and its customary accessory buildings and uses shall be permitted on any lot.

In non-residential districts, more than one (1) structure housing a principal permitted use may be erected on a single lot, provided that yard and other requirements of this Resolution shall be met for each structure as though it were on an individual lot.

Section 608. Accessory Uses or Structures.

Accessory structures shall be permitted only in rear yards, except as otherwise provided in this Resolution. In an R (residence) district, accessory uses customarily located within front or side yards of residences may include but shall not be limited to the following: walls and fences as permitted in Section 700, mailboxes, driveways, walkways, lamp posts, landscaping, vegetable gardens, provided they do not exceed 30 percent of the front yard, and basketball goals adjacent to driveways. No accessory uses or structures, except driveways, mailboxes or landscaping shall be located within a public right-of-way.

Accessory uses customarily located within rear yards of residences may include but shall not be limited to the following: storage buildings (not to exceed 550 square feet), patios, swimming pools, dog runs, dog pens and houses, detached garages, tennis courts, playground equipment, fences and walls as permitted in Section 700. Any accessory use or structure, except walls, fences, driveways and landscaping, shall be set back not less than five (5) feet from any lot line.

No accessory structure shall be erected on a lot prior to the time of construction of the principal building to which it is accessory a) on the same lot, or b) on an adjoining lot in joint or common ownership.

Shipping containers shall not be considered an accessory structure.

Section 609. Minimum Lot Size for Residential Septic Tank Use.

The City of Dacula has been found to be located on a Groundwater Recharge Area as designated by the State of Georgia Department of Natural Resources, Environmental Protection Division. The protection of groundwater resources is therefore mandated through this Resolution by establishing minimum lot sizes for lots to be served by an individual septic tank.

In no event shall any single family residence to be served by a septic tank be allowed on a lot containing less square footage than the square footage required by the Board of Health and the minimum lot size requirements for lots with individual septic tank development as stated within this Resolution. Residential developments served by a properly approved and permitted community sewer system shall be required to meet the minimum lot size for lots to be served by such a system.

Section 610. Structures within Flood Hazard.

Except for stormwater retention facilities, no buildings, structures, or obstruction to storm water flow shall be erected within the limits of the maximum flood elevation of 100-year recurrence interval storm.

Section 611. Frontage on Corner Lots.

On lots having frontage on more than one (1) street that intersects in front of the lot, the minimum front yard shall be provided for each street.

Section 612. Street Frontage Requirement.

No building or structure shall hereafter be erected on a lot that does not abut for at least forty (40) feet upon an open street which shall be a publicly dedicated and maintained street.

Section 613. Vision Clearance at Intersection.

In all zoning districts, except the Central Business District and Heavy Commercial District, no fence, wall, structure, shrubbery or other obstruction to vision between the heights of two and one-half (2-1/2) feet and ten (10) feet, except utility poles, light or street sign standards or tree trunks shall be permitted within twenty (20) feet of the intersection of the streets, roads, highways or railroads.

Section 614. Classification of Streets.

For the purpose of this Resolution, all of the streets, roads and highways in the City of Dacula and Gwinnett County are classified as local streets, minor or major collector streets, minor, major, residential or principal arterial streets and freeways. These same streets and roads will also be known as interstate routes, U.S. or State routes, county roads and local street or roads.

The classification of each street in Dacula is shown on the Official Road Classification Map of the City of Dacula, Georgia which shall be kept on file in the City Hall.

Section 615. Right-of-Way Dedication

As a prerequisite for the issuance of a Development Permit, right-of-way shall be dedicated at no cost to the City along all abutting public streets. The amount of required dedication shall be that as established by the Official Road Classification Map of the City of Dacula, Georgia.

Section 616. Metal Building Regulations.

All buildings constructed of metal, where any exterior wall or facade of such building abuts upon any public street, shall have the exterior wall or facade of such building of such construction as to have a minimum of architectural treatment of brick, glass, wood, stucco, stone or mansard. The exterior wall or facade of any metal building abutting upon any public street shall not have the appearance of a metal building.

Section 617. Requirements for Customary Home Occupations.

In addition to the limitations imposed on "Customary Home Occupation" under "Article III, Definitions", the following requirements shall be met:

- A. The home occupation shall be carried on only by a member or members of the family residing in the residence.
- B. To the extent that there is any sale of any item or service related to the home occupation, no sale of that item or service may occur on or adjacent to the premises unless this use has been granted a Special Use Permit by the City Council after receiving recommendations from the Planning Commission and following a public hearing.
- C. The home occupation shall not involve group instruction or group assembly of people on the premises.
- D. There shall be no exterior evidence of the conduct of a home occupation. The home occupation shall be conducted only within the enclosed living area of the home (including basement, if any). There shall be no display or storage of products, materials, or machinery where they may be visible from the exterior of the residence.
- E. The conduct of the home occupation shall neither increase the normal flow of traffic nor shall it increase either on-street or off-street parking.
- F. No equipment may be utilized or stored in the conduct of the home occupation except that which is normally used for purely domestic or household purposes. Said items may only be those produced on the premises or incidental supplies necessary for and consumed in the conduct of the home occupation. Samples, however, may be kept on the premises but neither sold nor distributed from the residence.
- G. There shall be no signs advertising the home occupation.
- H. No more than 25 percent of the dwelling unit may be used for conducting the home occupation.
- I. One business vehicle, (a trailer is considered as a separate vehicle), used exclusively by the resident is permissible. This vehicle must be parked in a carport, garage, side yard, or rear yard. This vehicle shall be no larger in size than a pick-up truck, panel truck, or van, nor have a carrying capacity of more than one and one-half tons.

Section 618. Outdoor Storage.

The outdoor storage of inoperative automobiles, machinery, equipment, used building materials, trash, solid waste, appliances and similar items and materials shall be limited to junk yards and to those commercial enterprises requiring short-term storage of items being repaired.

Outdoor Storage of materials or equipment, sold or used in conjunction with an approved permitted use is permitted in a Zoning District which permits outdoor storage.

Section 619. Junked Automobiles.

Any automobile, truck, vehicle or trailer of any kind or type, without a valid license plate attached thereto, shall not be parked or stand on any private property or public roads and is hereby found to create a condition tending to reduce the value of private property, to promote blight and deterioration, and invite plundering and vandalism, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for rodents and insects, and to be injurious to the health, safety, and general welfare and, when on county streets, to create a traffic hazard and endanger public safety.

This Section shall not be the exclusive regulation of abandoned, wrecked, dismantled, or inoperative vehicles or contrivances within the City Limits of Dacula but shall be supplemental and in addition to the other regulations and regulatory codes, ordinances, statutes, or provisions of law heretofore and hereinafter enacted by City, County, State, or other legal entity or agency having jurisdiction.

A. Conditions describing a Junked Vehicle.

An inoperative or junk condition shall include, but not be limited to any automobile, vehicle, trailer of any kind or type, or contrivance or part thereof, the condition of which is one or more of the following:

1. Wrecked.
2. Dismantled.
3. Partially dismantled.
4. Inoperative.
5. Abandoned.
6. Discarded.
7. One which does not have a valid license plate attached thereto.

B. Junked Automobiles which would be permitted within the City Limits of Dacula.

The following conditions allow the parking or standing of a junked vehicle on any property within the City of Dacula.

1. One or two junked vehicle(s) enclosed within a building on residentially zoned property provided the occupant of the home is in the process of reconditioning the vehicle(s) for his or her personal use.
2. It shall be on the premises of a business enterprise operated in a lawful manner for

Section 619. Junked Automobiles. (Continued)

the purpose of repairing, reconditioning or remodeling of the vehicles in conformance with the requirements for an automobile impoundment yard, an automobile repair garage, or other such similar use. Such vehicles shall not be stored for the purpose of salvage of parts but shall be in continual process of repair or reconditioning.

3. It shall be on the premises of a business enterprise operated in a lawful manner and licensed as a junk yard under the provisions of this Resolution being the Zoning Resolution.

Section 620. Prohibited Uses.

Uses of land and buildings which are incompatible with existing and future development within the City Limits of the City of Dacula and are prohibited in all districts. The Planning Commission, City Administrator, or the City Council do not have the authority to grant variances or special exceptions for these prohibited uses. Prohibited uses are as follows:

- A. Yards for the sale, transfer, or temporary holding of livestock.
- B. Poultry killing, plucking, and dressing.
- C. Meat packing, slaughtering, eviscerating, and skinning.
- D. Rendering of byproducts of slaughtering and killing animals or poultry.
- E. The use of equipment which causes off-site radio or television interference.
- F. Electric and barb wire fences shall be prohibited in residential districts.
- G. Off premise donation drop-off or unattended collection point.