

**AN ORDINANCE TO AMEND THE CITY OF JOHNS CREEK ZONING ORDINANCE  
BY AMENDING THE COMMUNITY STANDARDS**

- WHEREAS:** The City of Johns Creek Zoning Ordinance became effective on January 5, 2007, and has been amended thereafter from time to time; and
- WHEREAS:** The Mayor and City Council finds that ordinances and regulations governing the City's operations should be continually improved; and
- WHEREAS:** The City of Johns Creek has Community Standards to improve the aesthetics of the City; and
- WHEREAS:** The City of Johns Creek Zoning Ordinance provides that the text and maps thereof may be amended from time to time by the Mayor and City Council following submission to the Planning Commission for review and recommendations; and

**NOW THEREFORE,** in the Council for the City of Johns Creek hereby ordains that the City of Johns Creek Zoning Ordinance, Article XII-E. Community Standards is amended by deleting in its entirety and inserting in lieu thereof, which is hereby adopted and effective immediately, to read as follows:

**ARTICLE XII-E.**

**COMMUNITY STANDARDS**

**Sec. 12E.1. Purpose and Intent.**

The Mayor and City Council of the City of Johns Creek, Georgia hereby declares it to be the purpose and intent of this Ordinance to establish a uniform procedure and regulations for providing for the protection, enhancement, preservation, unity of design, and use of places, sites, buildings, structures, streets, neighborhoods, and landscape features in the City of Johns Creek in accordance with the provisions herein.

This Ordinance is adopted as part of a strategy designed to promote the health, safety, order, prosperity, and general welfare of the citizens of the City of Johns Creek through the regulation of design, aesthetics, location, bulk, size of buildings and structures, and the density and distribution of population.

This Ordinance also seeks to reduce congestion on the streets; to provide safety from fire, flood and other dangers; provide adequate light and open space; protect the natural environment, to provide and protect greenspace and address other public requirements, in order to provide sustainable development that involves the simultaneous pursuit of economic prosperity, environmental protection and social quality.

This Ordinance also seeks, among other things, to promote accepted design principles in areas of new development and redevelopment, to raise the level of community understanding and expectation for quality in the built environment, to protect and enhance local aesthetic and functional qualities, and to stimulate business and promote economic development.

In consideration of the character of the City of Johns Creek, these regulations are to monitor the suitability for certain uses, construction and design, prevent functional and visual disunity, promote desirable conditions for community and commerce and protect property against blight and depreciation.

**Sec. 12E.2. Community Standards Use Regulations.**

The Community Standards applies to all properties (except single-family detached dwelling developments) unless otherwise noted, in the City of Johns Creek. Within the Community Standards, land and structures shall be used and constructed in accordance with the standards of the underlying district. In the case of redeveloping properties or buildings, the Community Standards shall apply to all new construction.

**Sec. 12E.3. Development Standards.**

A. *Landscaping.*

1. A minimum 40-foot wide landscape strip shall be provided along the proposed future rights-of-way of Georgia Highway 141 (a.k.a. Medlock Bridge Road), Highway 120 (including the portion of Kimball Bridge Road and Abbotts Bridge Road), McGinnis Ferry Road and Old Alabama Road.
2. A minimum 30-foot wide landscape strip shall be provided along the proposed future rights-of-way of State Bridge Road, Jones Bridge Road, Haynes Bridge Road, Nesbit Ferry Road, and Kimball Bridge Road (the portion not designated as part of Highway 120).
3. A minimum 25-foot wide landscape strip shall be provided along the proposed future rights-of-way of all other public streets when Article 4 of the Zoning Ordinance otherwise specifies a smaller landscape strip.
4. Standards 1, 2, and 3 of this section also apply to the exterior road frontage of all single-family developments.
5. A minimum 10-foot wide landscape strip on both sides of the property line shall be provided along any interior property line adjacent to a nonresidential zoning and/or uses (this standard shall not preclude inter-parcel access). The Director may adjust the width and location of the landscape strips, provided an equal number of required trees are provided.
6. No utilities should be located within or above the landscape strips, including

retention and water quality ponds. Utilities may cross the landscape strip perpendicularly.

7. Live plant material shall be incorporated on, or directly in front of all buildings.

B. *Screening.*

1. Accessory site features located on the ground shall be screened from view from any public right-of-way, any residential use, or any residential or AG-1 zoning category by one of the following: placement behind the building, 100% opaque fencing, berm or vegetative screen planted to buffer standards.
2. Flat roofs, roof mounted equipment and other accessories shall be screened from view from the public rights-of-way, residential uses or any residential or AG-1 zoning category by a parapet, gable roof, roof screen, an architectural feature. Roof equipment and roof screens shall be finished to match the roof or parapet wall. When the relationship between building roofs and adjoining public streets and/or residential developments make screening of roof equipment impossible (e.g. road higher than roof), a parapet of no less than four feet in height shall be installed.
3. Refuse areas and receptacles shall be placed in the least visible location from public streets and shall be enclosed on 3 sides with opaque walls. The walls shall be made out of exterior building materials allowed in section 12E.4.D.1. The 4th side shall be an opaque gate. Opaque walls shall be a minimum of 12 inches higher than the receptacle. Refuse receptacles shall not be placed within 50 feet of an existing residential or AG-1 (Agricultural) zoning district.
4. Loading areas shall be screened from the public rights-of-way, any residential use, or any residential or AG-1 zoning category by placement behind the main building, and with fencing, vegetation or vegetation and earthen berms that are no less than 5 feet in height at the time of planting.
5. All parking areas shall be screened from view with earthen berms and/or evergreen shrubs planted at a height of no less than 36" as measured from the top of curb of the parking areas.
6. Fencing and wall materials along public streets and side yards are restricted to wood privacy fence, wrought iron, powder coated aluminum, brick, stone, iron, or white wood picket fences, except on AG-1 zoned land used for agricultural purposes, where chain link and barbwire fences are allowed in accordance with Article 4.11.
7. Chain link fencing may be used along golf courses, play fields, other recreational areas and detention/retention facilities. All chain link fencing shall be black or hunter green vinyl coated.

8. Chain link fencing shall be screened from right-of-way and residentially-zoned property with no less than one continuous row of evergreen shrubs with a height of 3 feet at time of planting. Chain link fences on AG-1 zoned land used for agricultural purposes shall be exempt from screening requirements.

9. Retaining walls, if visible from the right-of-way or adjacent residentially-zoned property, must be faced with brick, stone or cast stone. Decorative walls or retaining walls shall be allowed in the landscape strip, provided that they are faced with brick or stacked stone to match the architectural building theme.

C. *Pedestrian and Bicycle Circulation.*

1. Five-foot wide concrete sidewalks are required along all public road frontages.

2. Hard surface multi-purpose paths and greenways, a minimum of 8 feet, may be substituted in lieu of sidewalk. Multi-purpose paths and greenways may be located either within the landscape strip or within the public right-of-way as approved by the Director of Public Works.

3. Pedestrian paths are required from the public sidewalk to the main entrance of the principle use. Truck loading and parking areas of industrial and warehouse-distribution uses are exempted from this requirement.

4. Pedestrian paths shall be indicated on the site plan submitted at the time of application for a Land Disturbance Permit.

5. Street furniture shall be located outside the specified width of any pedestrian path and sidewalk.

6. Pedestrian paths shall be a minimum width of five feet.

7. Pedestrian paths shall be connected to signalized crosswalks where applicable.

8. Pedestrian paths shall be designed to minimize direct auto-pedestrian interaction.

9. Pedestrian paths should be direct and convenient routes between points of origin (such as a bus stop) and destination (such as a shop, bank, etc).

D. *Building Materials and Architectural Treatments.*

1. The exterior building materials of all nonresidential building facades shall consist of a minimum of 75% (per vertical wall plane) of the following: brick, natural or pre-cast stone, or glass. Pre-cast concrete may be used for industrial, multi-story office (3-stories or greater) or hotel development.

2. Smooth, split face and/or rib faced concrete masonry units, aluminum siding, vinyl siding, and corrugated steel are prohibited as exterior building materials (except mechanical penthouses and roof screens) if visible from a public street or adjacent property used or zoned for single-family detached dwellings or AG-1 (Agricultural) zoning district.
3. The exterior building materials of all attached residential building facades shall consist of a minimum of 50% brick or natural or pre-cast stone. The balance of each building elevation may be stucco, wood, wood shake or fiber-cement siding.
4. Burglar bars, steel gates, metal and fiberglass awnings and steel-roll down curtains are prohibited except at the structure's rear. Burglar bars are prohibited on the rear if visible from a public street. Burglar bars are also prohibited on the rear of an outparcel building if visible from the main structure.
5. The principle entry area of a building or if in a shopping center the largest tenant or a central location of a group of buildings shall be articulated and should express greater architectural detail than other portions of the building.
6. Buildings shall include at least one architecture elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, offset walls, clock towers, cupolas and/or courtyards.
7. Permitted colors are as listed in Table 12E.4.D. Glass, natural stones and sign face are excluded from the color requirements. All whites, greys and blacks are allowed.

Table 12E.4.D. Permitted Colors

Base Colors For walls, roof, sign structures and building elements	Accent Colors for accent and decorative elements
400U through 403U 406U through 409U 413U and 414U Browns, Beiges and Tans 462 C to 468 C 4625 C to 4685 C 469 C, 474C, 475 C 4695 C to 4755 C 478 C, 719 C to 724 C 725 C to 731 C 476U to 482U 719U to 725U 726U to 732U Reds 168 C, 181 C 483 C, 484 C 1685C, 4975 C Red-Browns 154 U, 1395 U 1405 U 434U, 435U and 436U Warm Grey 1U through 5U Warm Grey 6U, 7U and 8U Cool Grey 1U through 4U 454U 4545U 467U and 468U 4655U, 4665U, 4675U and 4685U 4735U, 4745U and 4755U 480U, 481U and 482U 4645U, 4655U and 4665U 5855U, 5865U and 5875U 649U and 650U 719U and 720U 726U and 727U 7407U 7499U through 7502U 7506U 7527U, 7528U and 7529U 7534U, 7535U and 7536U	5467C 553C 5535C 5605C 5743C 871C, 872C and 873C 8003C and 8021C 1545U 161U 175U 295U and 296U 343U 349U and 350U Warm Grey 9U, 10U and 11U Black 2U through 7U 4625U 476U, 477U and 478U 5535U 730U and 731U 7483U and 7484U 7503U, 7504U and 7505U 7517U, 7518U and 7519U 7530U, 7531U and 7532U 871U through 875U 8003U and 8021U Grey 429 U to 433 U 443 U to 447 U Warm Grey 6U-11U Cool Grey 6U-11U 5467U to 5527U Grey-Blue 5395U to 5455U 621U to 627U 642U to 644U 647U to 650U 654U to 656U Green-Grey 5605U to 5665U Greens 555U to 559U 560 C 614 C to 616 C 5467 C to 5527 C 5535U to 5595U

8. Service commercial/retail buildings of 10,000 square feet or less shall have a pitched roof. Service commercial/retail buildings greater than 10,000 square feet and/or more than two stories shall provide a pitched roof, mansard roof, cupolas or other varying roof-elements. Office/Institutional buildings of less than three stories shall have a pitched roof, mansard roof, cupolas or other varying roof-elements. Minimum roof pitches shall be 4:12. Nothing in this standard shall discourage the placement of rooftop mechanicals, provided they are screened from right-of-way as per Section 12E.B.2 of this article.

**Sec. 12E.5. Miscellaneous Provisions.**

1. Front and side yards, parking lots, areas immediately adjacent to buildings or any area outside the interior permanent and sheltered portions of a building shall not be used for storage, display or sale of goods except for out of store marketing devices, restaurant/café seating, seasonal holiday trees, pumpkins, open air fairs (provided an Administrative Permit is obtained pursuant to Article 19 of the Zoning Ordinance).

2. Outside storage is prohibited except LP tanks, garden centers and plant nurseries. A maximum of two out of store marketing devices (ie. drink machines, video drop-boxes) may

be permitted, provided they are located adjacent to the building.

3. Storage of shopping carts shall be located adjacent to the building where the carts are utilized. Storage/enclosure shall be made out of masonry to match the exterior building materials. Parking lot corrals are allowed.

4. Parking in excess of the minimum requirements for retail and service commercial centers in excess of 50,000 square feet must be located on a pervious surface.

**Sec. 12E.6. Conflicts with Other Provisions of Zoning Ordinance**

Nothing in this Ordinance shall be construed to exempt property and business owners from complying with other existing City regulations whenever this Article does not apply. This ordinance is an amendment to the Zoning Ordinance and all other provisions of the Zoning Ordinance shall remain in effect unless provisions in the Community Standards conflict with other provisions of the Zoning Ordinance, in which case, the stricter provisions of the Community Standards District shall apply.

**Sec. 12E.7. Interpretation, Violations, Enforcement and Penalty Provisions**

1. Violations. This Article shall be governed by Article XXIX, Section 29.1 of this Ordinance.

2. Enforcement . This Article shall be governed by Section 26.3 of this Ordinance.

**Sec. 12E.8. Severability.**

In the event that any section, subsection, sentence, clause or phrase of this Article shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses or phrases of this Article, which shall remain in full force and effect, as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof.

**Sec. 12E.9. Appeals.**

Any persons aggrieved by a final decision of the Department of Community Development relating to this article may appeal from such final decision to the Board of Zoning Appeals by filing in writing setting forth plainly, fully and distinctly why the final decision is contrary to law. Such appeal shall be filed within 30 days after the final decision of the department is rendered.

**Sec. 12E.10. Adoption and Effective Date.**

Now, Therefore Be It Resolved, the City of Johns Creek Mayor and City Council does hereby ordain, resolve, and enact the foregoing Article XII-E to the Zoning Ordinance of the City of Johns Creek, Georgia.

Applications for building permits, land disturbance permits, and sign permits filed after the day of adoption of this Ordinance shall meet the Community Standards.

**SO ORDAINED**, this 27<sup>th</sup> day of September 2010.

Approved:

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Michael E. Bodker, Mayor

ATTEST:

Approved as to Form and Content:

\_\_\_\_\_  
Joan C. Jones, City Clerk

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William F. Riley, City Attorney

(Seal)