

IMPORTANT NOTICE REGARDING UPDATES TO COUNTY REGULATIONS THAT MAY IMPACT ACTIVE OR PLANNED DEVELOPMENT PROJECTS.

December 13, 2023

The Gwinnett County Board of Commissioners adopted an amendment to the Unified Development Ordinance on Tuesday, September 26. This amended UDO will become effective on January 1, 2024.

Section 100-50 of the amended UDO addresses pending and approved applications and the timing in which they must conform to the amended ordinance. Applicants may elect to proceed under the requirements of the amended UDO at their discretion. This timing is dependent upon the application type, as outlined below:

Section 100-50.4 Pending and Approved Applications for Building Permits. Nothing in this UDO shall be deemed to require a change in the plans, construction, or designated use of any building or structure or land disturbance for which a building permit was lawfully applied for or approved, prior to the effective date of this UDO or amendment thereto, provided:

- A. Such permit has not by its own terms expired prior to such effective date.
- B. Actual building construction is commenced prior to the expiration of such permit.
- C. Actual building construction is carried on pursuant to said permit and limited to and in strict accordance with said permit.
- D. No renewals or extensions of said permit shall be authorized beyond 90 days following the effective date of the UDO amendment.

Note: Building permits expire if authorized work does not commence within 180 days, no passed inspections occur for 180 days, the weather-resistant building envelope is not complete within 360 days for residential uses and commercial buildings four stories or less, or there is a change in permit holder. Permits may be extended for a period of not more than 180 days if justified and approved by the County.

Section 100-50.5 Pending and Approved Applications for Development Permits (and Subdivisions).

- A. Any subdivision or other development activity for which a valid and complete application for a Development Permit has been received prior to the effective date of the amendment may, at the developer's option, proceed to completion and building permits may be issued as though this amendment had not been adopted, provided that the Development Permit is or can be issued within 180 calendar days of the date of adoption and all time frames associated with said permit are observed.
- B. Any subdivision or other development activity for which a Development Permit has been issued prior to the adoption of the amendment may, at the developer's option, proceed to completion and building permits may be issued as though this amendment had not been adopted, provided all time frames associated with said permit are observed.
- C. Any subdivision or other development activity for which only a Clearing, Clearing and Grubbing, or Grading Permit has been issued prior to adoption of the amendment shall be brought into conformance with this UDO. Subsequently, all development permits shall conform to this UDO.

Note: Development permits expire if authorized work is not commenced within 12 months of issuance or no passed inspections occur within 60 days. Permits may be extended for a period of not more than six months and/or renewed if requested within six months of permit expiration.

100-50.6 Applications for Zoning Map Amendment, Special Use Permit, or Variance

- A. Any valid and completed application for a Zoning Map Amendment, Special Use Permit, or Variance accepted by the department prior to the adoption of the amendment may, at the applicant's option, proceed to completion, and development and building permits may be issued as though the UDO had not been adopted, provided that all permits are or can be issued within 180 calendar days of the effective date and all time frames associated with said permit are observed.

Any applications that do not comply with the requirements above must conform to the requirements of the amended UDO.