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AGENDA FAYETTE COUNTY PLANNING COMMISSION MEETING 140 STONEWALL AVENUE WEST May 5, 2016 7:00 pm

1. Consideration of the Minutes of the Meeting held on April 21, 2016.

PUBLIC HEARING

2. Consideration of amendments to the Land Use Element Text And Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 And Padgett Road
3. Consideration of amendments to the Fayette County Code of Ordinances, Chapter 110., Article I – In General. Sec. 110-3. –Definitions, Article IV. - District Use Requirements, Sec. 110-145. and Sec. 110-146., Article V. - Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards, Sec. 110-169. Conditional Use Approval., Sec. 110-173. - Transportation Corridor Overlay Zone. (3) General State Route Overlay Zone, and Sec. 110-174. – Commercial Development Standards., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.
4. Consideration of the proposed Color Palette for the Starr's Mill Historic Overlay District and Overlay Zone.
5. Consideration of the proposed Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.
6. Consideration of amendments to the Fayette County Code of Ordinances, Chapter 110. Article IV.-District Use Requirements Sec. 110-149 – Planned Unit Development-Planned Retreat and Lodge concerning Solar Farms.

OLD BUSINESS

7. Discussion of A-R Deer Processing, Wedding /Event Facility and Development Regulations
8. Discussion of Hens in Conjunction with Residential Use.

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, LAND USE ELEMENT, FUTURE LAND USE MAP AND NARRATIVE, COMMERCIAL

Limited Commercial (One & Two)

This category designates properties where specifically small scale businesses which do not generate large amounts of traffic, noise or light are to be located. For more descriptive purposes, Limited Commercial land use is subdivided into “Limited Commercial One” and “Limited Commercial Two” categories:

Limited Commercial One: This category identifies properties where the L-C-1 (Limited-Commercial (1) District) is recommended.

Limited Commercial Two: This category identifies property where the L-C-2 (Limited-Commercial (2) District) is recommended.

SR 74, SR 85, & Padgett Road Intersection (Starr’s Mill Historic District): This intersection is in close proximity to historic Starr’s Mill. This area represents a newly developing nonresidential node where the L-C-1 (Limited-Commercial (1) District) and the L-C-2 (Limited-Commercial (2) District) zoning districts are recommended as depicted on the Future Land Use Plan map. The C-C (Community Commercial District) and the C-H (Highway Commercial District) are not designated for this area.

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, LAND USE ELEMENT, FUTURE LAND USE MAP AND NARRATIVE, FUTURE DEVELOPMENT FACTORS

Historic District

Starr’s Mill Historic Overlay District at the SR 74, SR 85, & Padgett Road Intersection:

Starr’s Mill is a significant historic resource and is identified and discussed in the Natural and Historic Resources Element of this Plan. This Overlay District identifies the county’s goals and recommendations for the Starr’s Mill Historic Overlay District at the SR 74, SR 85, & Padgett Road intersection. Both SR 74 and SR 85 are Major Arterials and serve as commuting routes. SR 74 connects to Peachtree City, Tyrone and Interstate 85 to the north. SR 85 runs through Fayetteville to Clayton County and connections to SR 92, SR 314, and SR 279 can be made along this route. The widening of SR 74 from two to four lanes was completed in early 2012. As a result of this project Padgett Road was realigned to alleviate its offset from SR 74. SR 85 is planned to be widened from two to four lanes in the future.

Historic Resources: Starr's Mill is located to the northeast of this intersection on Whitewater Creek. Starr's Mill is one of the most significant historical structures in Fayette County. The mill and surrounding property containing the mill pond is owned by the Fayette County Water System and serves as a water intake location and passive park. The present mill was built in 1888 and was central to the Starr's Mill Community that also contained a post office, stores, a church, a cotton gin, and a saw mill. These facts are discussed in the Natural and Historic Resources Element of the comprehensive plan.

Also located at the intersection in close proximity to Starr's Mill is the Starr's Mill Baptist Church. It is estimated that the church was constructed in 1887 according to the Natural and Historic Resources Element. The church is owned and utilized by New Hope Baptist Church which is located across SR 74.

Existing Development: Properties at this intersection are residentially zoned and the Future Land Use Plan designates these properties as residential. Most lots contain single-family residences with the exception of a lot of approximately eight acres that contains the aforementioned Starr's Mill Baptist Church. Some of the lots are nonconforming and a few are less than one acre in size. A legal nonconforming commercial structure was removed due to the realignment of Padgett Road.

Several single-family residential subdivisions are located in close proximity to the intersection. These subdivisions include Mill Pond Manor (R-45), Southmill (C-S), Starr's Mill Ridge (R-20), and Starr's Mill Estates (R-20). While Starr's Mill Estates is zoned for one acre lots, the lots range in size from four to eight acres.

Future Development: Due to the improvements to this intersection through the SR 74 widening project and the future widening of SR 85, it is anticipated that property owners at this intersection will pursue nonresidential development. The preferred development pattern is for properties closest to the intersection to contain the more intense uses and land use intensity will generally decrease in intensity as it moves away from the intersection. The maintenance of an efficient flow of traffic at this intersection is essential. The historic character of the area should be taken into consideration in the development of this area.

The goals of the Starr's Mill Historic District Overlay at the SR 74, SR 85, & Padgett Road Intersection are: (1) maintain the historic character of the area, (2) control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County, (3) maintain an efficient flow of traffic at the intersection, and (4) protect existing and future residential areas outside of the intersection.

Recommendations: The land use of this area associated with this intersection will be depicted on the Future Land Use Plan and corresponding Overlay Zone requirements for nonresidential development will be added to the Zoning Ordinance. The nonresidential land use designations at this intersection will consist of Limited Commercial One, Limited Commercial Two, and Office. Some fringe areas will have a residential land use designation of Low Density Residential (1 Unit/1 to 2 Acres). The C-C (Community Commercial District) and the C-H (Highway Commercial District) are not designated for this area.

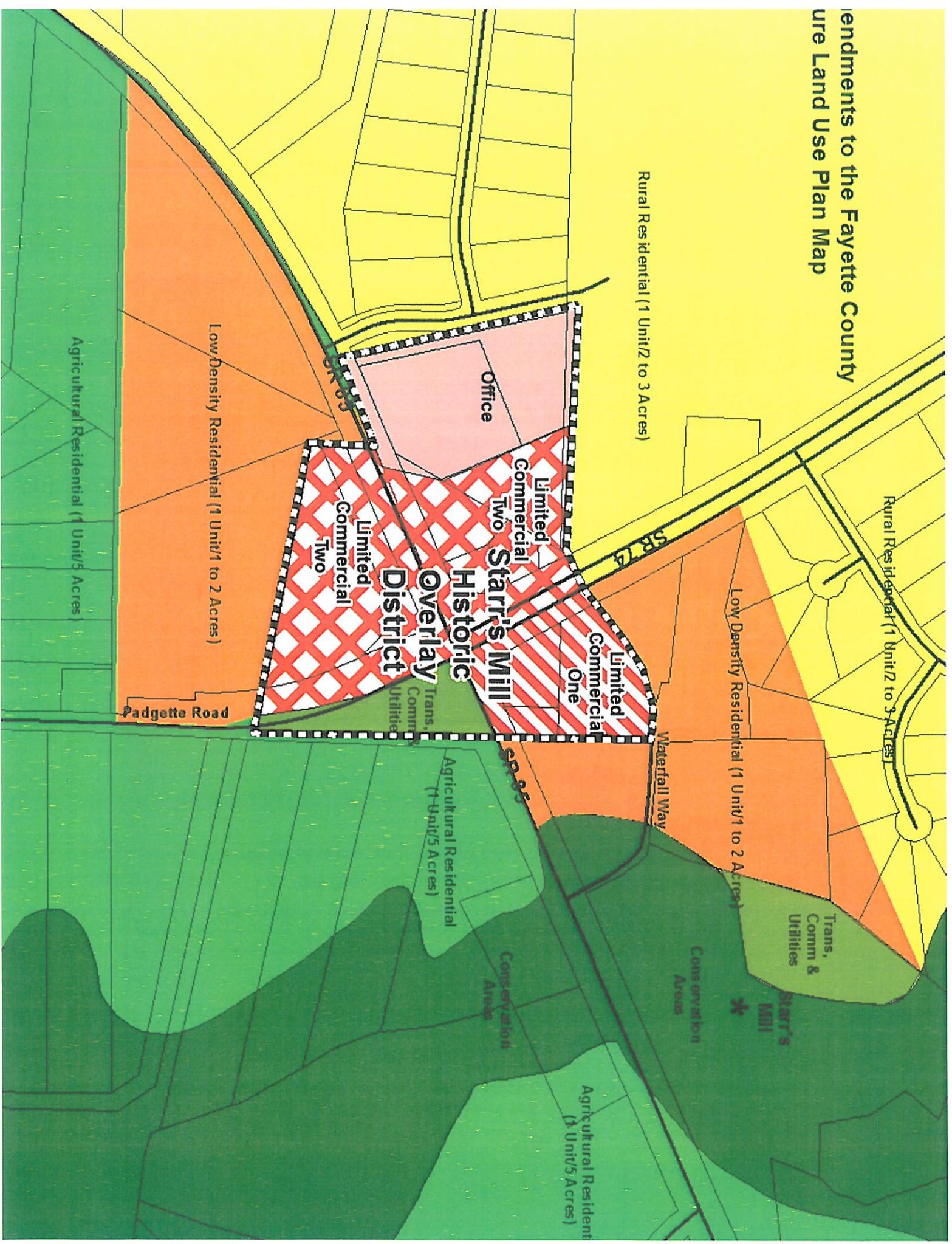
THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, FUTURE LAND USE PLAN MAP

Starr's Mill Historic Overlay District and Overlay Zone

Overlay District (see Fayette County Comprehensive Plan, Land Use Element)

Overlay Zone (see Fayette County Zoning Ordinance, Sec. 110-174 Historic District Overlay Zone)

Amendments to the Fayette County Rural Land Use Plan Map



THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY ZONING ORDINANCE, SEC. 110-3. –DEFINITIONS.

Art and/or crafts studio means an establishment where an artist's works are created and sold, where pieces by various artists are displayed for sale in a gallery, where customers purchase then create their own works (canvas, pottery, glass pieces, sculpture, etc.), a studio with classes and/or an art supply store.

Bakery means an establishment engaged in the preparation and production of baked goods for sale and consumption both on and off the premises.

Card, gift, and/or stationery shop means an establishment which sells products such as greeting cards, wrapping paper, photo albums, picture frames, items that are suitable as gifts or souvenirs, desktop office products, paper, calendars, pencils, pens, brief cases, and art/graphic supplies.

Check cashing means an establishment that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose.

Clapboard siding means a siding with horizontal boards or the appearance of horizontal boards.

Convenience commercial establishment means an establishment that primarily stocks a range of groceries, snack foods, freshly-prepared foods for on and off-site consumption, and beverages, and may also provide household items, toiletries, tobacco products, newspapers, and the sale of fuel.

Copy and/or print shop means an establishment engaged in duplicating and printing services to individuals and businesses.

Cornice means a projecting feature surrounding the upper portion of a structure, dividing it horizontally for compositional purposes.

Drive-up facility means a structure or device designed and intended to provide service to customers who remain in their vehicles.

Mail services store means an establishment that provides packaging and mail services (both U.S. Postal and private service), provides mailboxes for lease and retail sale of office and stationery products.

Mullion means a heavy vertical or horizontal divider between windows and/or doors.

Muntin means a narrow strip that divides or gives the appearance of individual panes of glass in a traditional sash.

Parapet wall means a wall at the edge of a roof.

Pay-day loan agency means an establishment providing loans to individuals in exchange for personal checks as collateral.

Pawn establishment means any business that loans money on deposit of personal property and /or a title of ownership.

Transom means a horizontal opening over a door or window.

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY ZONING ORDINANCE.

Sec. 110-145. - L-C-1, Limited-Commercial (1) District.

- (a) *Intent.* The intent of the L-C-1 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-1 zoning district includes small retail establishments, personal services, and business and professional offices. The L-C-1 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible.
- (b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-1 zoning district:
- (1) Antique shop, vintage store, thrift/second hand store, consignment store;
 - (2) Art and/or crafts studio;
 - (3) Bakery;
 - (4) Bank and/or financial institutions such as a brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments);
 - (6) Book store,
 - (7) Card, gift, and/or stationery shop;
 - (8) Cellular phone sales and service;
 - (8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, sashes, scarves, shawls, socks, and stockings, umbrellas, or watches.
 - (9) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;
 - (10) Florist shop;
 - (11) Gift shop;

- (12) Hardware store;
 - (13) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;
 - (14) Jewelry shop;
 - (15) Mail services store;
 - (16) Medical/dental office (human treatment);
 - (17) Office (business and/or professional);
 - (18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and
 - (19) Restaurant/restaurant takeout and catering.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-1 zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Single-family residence and accessory structures and uses (see article III of this chapter); and
 - (2) Home occupation.
- (d) *Regulations.* The following regulations shall apply to the L-C-1 zoning district in addition to any other applicable regulations.
- (1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:
 - a. A pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot and shall be of a type and construction complementary to the facade. A pitched mansard roof facade with a minimum pitch of 4½ inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta;
 - b. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);
 - c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;
 - d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of

4½ inches in one foot, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

- (2) No outside storage will be permitted.
- (3) The lot shall have direct access to an arterial street.
- (4) No drive-through, drive-in, or drive-up facilities allowed.
- (e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-1 zoning district shall be as follows:
 - (1) Lot area:
 - a. Where public water is available: 43,560 square feet (one acre).
 - b. Where public water is not available: 65,340 square feet (1½ acres).
 - (2) Lot width: 125 feet.
 - (3) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 75 feet.
 2. Collector: 60 feet.
 - b. Minor thoroughfare: 55 feet.
 - (4) Rear yard setback: 15 feet.
 - (5) Side yard setback: 15 feet.
 - (6) Height limit: 35 feet.
 - (7) Floor to area ratio: (gross square footage of site times 0.1 equals square footage of structure). The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5) foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall. (8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).
 - (9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

SEC. 110-145. – LIMITED-COMMERCIAL DISTRICT WILL BE AMENDED AS FOLLOWS IN THE FAYETTE COUNTY ZONING ORDINANCE:

Sec. 110-1465. L-C-2, Limited-Commercial (2) District.

- (a) *Intent.* The intent of the L-C-2 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-2 zoning district includes small retail and convenience commercial establishments, personal services and business and professional offices. The L-C-2 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible. The L-C-2 zoning district would discourage the development of a strip commercial building.
- (b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-2 zoning district:
- (1) Antique shop, vintage store, thrift/second hand store, or consignment store;
 - (2) Art and/or crafts studio;
 - (3) Bakery;
 - (4) Bank and/or financial institutions such as a brokerage firm, credit union, financial planning, insurance company, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments);
 - ~~(5) Barbershop and/or beauty shop;~~
 - (5) Book store,
 - (6) Book Card, gift, and/or stationery shop;
 - (7) Cellular phone sales and service;
 - (8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, sashes, scarves, shawls, socks, stockings, umbrellas, or watches.
 - (9) Copy and/or print shop;
 - (10) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;
 - ~~(8) Dance school and/or studio;~~
 - (11) Florist shop;
 - ~~(10) Gift shop;~~
 - (12) Hardware store;
 - (13) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;
 - (14) Jewelry shop;
 - (15) Laundry and/or dry clean pickup station; Mail services store;

(16) Medical/dental office (human treatment); and

~~(15) Music teaching studio;~~

(17) Office (business and/or professional);

(18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and

~~(17) Photography studio;~~

(19) Restaurant/restaurant takeout and catering ~~(no drive through or drive in allowed).~~

~~(20) Shoe repair.~~

(c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-2 zoning district provided that all conditions specified in article V of this chapter are met:

(1) Convenience commercial establishment;

(2) Single-family residence and accessory structures and uses (see article III of this chapter); and

(3) Home occupation.

(d) *Regulations.* The following regulations shall apply to the L-C-2 zoning district in addition to any other applicable regulations.

(1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. **Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:**

a. A pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot and shall be of a type and construction complementary to the facade. A pitched mansard roof facade with a minimum pitch of 4½ inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta;

b. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);

c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;

d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of 4½ inches in one foot, and shall be constructed of the same materials or materials

which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

- (2) No outside storage will be permitted.
 - (3) The lot shall have direct access to an arterial street.
 - (4) **No drive-through, drive-in, or drive-up facilities allowed.**
- (e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-2 zoning district shall be as follows:
- (1) Lot area:
 - a. Where public water is available: 43,560 square feet (one acre).
 - b. Where public water is not available: 65,340 square feet (1½ acres).
 - (2) Lot width: 125 feet.
 - (3) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 75 feet.
 2. Collector: 60 feet.
 - b. Minor thoroughfare: 55 feet.
 - (4) Rear yard setback: 15 feet.
 - (5) Side yard setback: 15 feet.
 - (6) Height limit: 35 feet.
 - (7) Floor to area ratio: (gross square footage of site times 0.1 equals square footage of structure). **The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5) foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall. ~~The total maximum square footage for all structures combined on the site shall not exceed 8,500 square feet.~~**
 - (8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).
 - (9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.
- (NOTE: all subsequent sections shall be renumbered as applicable.)**

SEC. 110-169. CONDITIONAL USE APPROVAL., Q., WILL BE AMENDED AS FOLLOWS IN THE FAYETTE COUNTY ZONING ORDINANCE:

- q. Convenience commercial establishment. ~~Facility is limited to the sale of prepackaged food products, gasoline, household items, newspapers, magazines, sandwiches, and other freshly prepared foods for off-site consumption.~~ Allowed in the L-C-2 zoning district.
1. Maximum floor area: 3,500 square feet.
 2. Accessory structures, including service area canopies used in conjunction with the sale of gasoline, shall maintain the same architectural character of the principal structure including the pitched roof, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan ~~Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone.~~
 3. Motor vehicle vacuum cleaners shall be located to the side or rear of the principal structure.
 4. Underground storage tanks shall be set back at least 20 feet from all property lines.
 5. The number of gasoline pumps shall be limited to no more than six ~~or~~ with a total of 12 pumping stations.

SEC. 110-173. - TRANSPORTATION CORRIDOR OVERLAY ZONE. (3) GENERAL STATE ROUTE OVERLAY ZONE WILL BE AMENDED AS FOLLOWS IN THE FAYETTE COUNTY ZONING ORDINANCE:

(3) *General state route overlay zone.* All property and/or development which have road frontage and/or access on State routes with nonresidential use or zoning shall be subject to the following regulations, in addition to the zoning district requirements and other development regulations which apply. This overlay zone specifically excludes SR 54 West, SR 85 North, SR 138 and SR 314 North, ~~Starr's Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road Intersection~~ and SR 74 North for which other overlay zones have been established herein. ~~The architectural standards of this overlay zone specifically excludes the L-C zoning district, for which other architectural standards have been established.~~

SEC. 110-174. – COMMERCIAL DEVELOPMENT STANDARDS. WILL BE DELETED IN ITS ENTIRETY AND THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY ZONING ORDINANCE

Sec. 110-174. – Historic district overlay zone

Starr's Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road Intersection.

All property and/or development located at this intersection with nonresidential use or zoning as depicted on the Future Land Use map shall be subject to the following regulations, in addition to

the zoning district requirements, and other development regulations as applicable. The General State Route Overlay Zone shall not apply to this area.

- (1) The purpose of the Starr's Mill Historic Overlay Zone at the SR 74, SR 85, and Padgett Road Intersection is to achieve the following:
 - a. To maintain the historic character of the area;
 - b. To control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County;
 - c. To promote and maintain orderly development for an efficient traffic flow in highway corridors; and
 - d. To protect existing and future residential areas outside of the intersection.
- (2) Access.

Access to each nonresidential property and/or development shall be from SR 74, SR 85, or Padgett Road. All access points shall be required to comply with Georgia Department of Transportation regulations and/or Fayette County Development Regulations, as applicable.
- (3) Dimensional Requirements.
 - a. All parking areas shall be located at least 50 feet from SR 74, SR 85, and Padgett Road right-of-way.
 - b. Front yard setbacks on SR 74, SR 85, and Padgett Road for all structures, including gasoline canopies, shall be 100 feet.
 - c. Berms for nonresidential zoning districts: Berms when required as a condition of zoning, shall be a minimum of four (4) feet in height, and shall be placed to the inside of the applicable buffer.
 - d. If the side yard abuts a nonresidential zoning district, all non-structural improvements, other than approved access, shall be located a minimum of 10 feet from the side property line.
- (4) Architectural Forms and Standards. All new structures shall maintain the historical and aesthetic character of the area. Starr's Mill was built in the late 1800's and is a significant historic resource in Fayette County. Starr's Mill is indicative of turn of the century architectural character common in rural areas and is a building of influence in this area. Other architectural styles such as One-Part Commercial Block and Two-Part Commercial Block associated with this period are acceptable for this overlay. Architectural examples are on file in the Planning and Zoning Department

Architectural Review. An owner/developer may obtain an administrative staff approval for structures by submitting elevation drawings denoting compliance with these architectural forms and standards. Staff review and approval will take place as part of the site plan approval process.

An owner/developer may exercise an architectural option for structures within the overlay zone. The purpose of this option is to allow the owner/developer to present a creative interpretation of the architectural intent of the overlay. Elevation drawings, submitted as part of the site

plan approval process, shall be reviewed and approved by the Board of Commissioners in a public meeting with a recommendation from the Planning Commission and Staff.

- a. Starr's Mill: Starr's Mill is a two story structure with a gable roof. The roof is corrugated metal. The façade is wood clapboard siding and runs in a horizontal pattern. The structure sits on a stacked stone foundation and stacked stone pillars. Windows are wood framed with a grid muntin pattern. Doors are also wood framed. The structure has a covered porch with stairs and a wood picket rail banister. The building is red, the window and door frames are white, the doors are red, the stairs, porch framing and banisters are white, the stair landings and porch decking are grey and the roof and porch covering is a grey corrugated metal.
 1. Roof: Gable roof with a minimum pitch of 4.5 inches in one (1) foot. Roofing material shall be grey corrugated metal.
 2. Façade Material: Clapboard siding running in a horizontal pattern on all walls. Acceptable sidings include wood and fiber-cement siding (i.e., Hardiplank). The foundation shall have the appearance of stacked stone. Façade colors shall match with the color palette on file in the Planning and Zoning Department.
 3. Doors and Windows: Doors and windows shall have a frame and grid muntin pattern as established by Starr's Mill. Door and window frames shall be white with a minimum width of four (4) inches. Large display windows and glass doors shall give the appearance of grid pattern muntins and framing consistent with Starr's Mill. Grid pattern muntins shall be white. Large display or storefront windows shall have a minimum two foot high bulkhead consistent with the Façade Materials above.
 4. Covered Entrance: Covered entrances shall be in character with the Starr's Mill porch consisting of a gray corrugated metal matching the roof of the main structure. A white wood picket rail banister with a minimum height of three (3) feet shall extend the full length of the covered entrance with a maximum entrance space of three (3) feet. All support structures shall be white.
- b. One-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. The one-part commercial block is a simple, one-story box with a flat or shed roof. Common façade materials consist of brick with decorative block, stone, and concrete accents. The focal point of front facade is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels

on which the windows rest) framed by pilasters. Architectural features include a cornice, belt course and parapet wall.

1. Façade Material: Brick/brick veneer shall be utilized on all walls as the primary facade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining 35 percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.
 2. Entrance Doors and Windows: The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two (2) foot high bulkhead consistent with the Façade Materials above shall be required.
 3. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A parapet wall is required along the front and side walls of the structure and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.
- c. Two-Part Commercial Block: A popular commercial design from the mid-19th to the early - 20th century. These buildings have two primary components – first floor storefronts (similar in design to a One-Part Commercial Block) and upper floors which historically were used for residential or office space. The focal point of the first floor is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Upper floors have one or more floors of smaller symmetrically positioned windows. Architectural features include a cornice, belt course and parapet wall. Common façade materials consist of brick with decorative block, stone, and concrete accents.
1. Façade Material: Brick/brick veneer shall be utilized on all

walls as the primary facade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining 35 percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.

2. Entrance Doors and Windows (first floor storefronts): The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two (2) foot high bulkhead consistent with the Façade Materials above shall be required.
 3. Upper Floor Windows: Upper floor windows shall be symmetrically positioned. All window frames shall match with the color palette on file in the Planning and Zoning Department.
 4. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A belt course with a minimum projection of one (1) inch from the main façade shall be required between the first floor and the second floor. A parapet wall is required and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.
- d. Lighting:
1. All wall lighting shall consist of period lantern or goose neck pendant lighting. These restrictions shall not apply to wall lighting required by the Fire Marshal.
 2. All pole lighting shall consist of period post top globe, lantern, or pendant luminaries with rapid-ship posts.
- e. Within the 50 foot front landscape area, a wall or fence is required to run along a minimum of 40 percent of the frontage. The wall or fence shall be a minimum three (3) foot high wall with the appearance of stacked stone or a minimum four (4) foot high fence

with the appearance of wrought iron, picket, split rail or horse rail fence. Fence materials are limited to metal, vinyl/plastic, pre-cast concrete and masonry for columns.

- f. *Gasoline Canopy.* Gasoline canopies shall comply with the following requirements:
 - 1. Gasoline canopies may be attached to the principal structure as an extension of the structure/roof.
 - 2. The vertical clearance under the gasoline canopy shall not exceed a maximum of 18 feet in height. The height of the gasoline canopy shall not be more than four (4) feet above the height of the principal structure.
 - 3. The gasoline canopy and support structure shall match the architectural character, materials, color and roof of the principal structure. Gasoline canopies, in conjunction with a convenience commercial establishment built in the architectural form of Starr's Mill, shall have a minimum roof pitch of three (3) inches in one (1) foot.
 - g. *Color Palette.* Only those colors indicated on the color palette on file in the Planning and Zoning Department shall be allowed for structures. Any changes to the color of structures in this overlay must be submitted to Staff for approval.
 - h. The design of ancillary buildings and sign structures shall be consistent with the architectural style and color inherent in the principal structure on the property.
- (5) *Landscape Requirements.* In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the Overlay Zone:
- a. *Street Frontage.* Landscape area: 50 feet along the right-of-way of SR 74, SR 85, and Padgett Road. The first 25 feet as measured from the right-of-way is for required landscape planting only. The remaining 25 feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the Environmental Health Department and the Environmental Management Department. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.
 - b. *Side Yard Landscape Area:* 10 feet in depth along the side property lines unless adjacent to a residential district where buffer

requirements will apply.

- (6) *Use of Existing Structure:* When property containing legal conforming or legal nonconforming structures, under the current zoning, is rezoned to a nonresidential zoning district the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.
- (7) *Lighting and shielding standards.* Lighting shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.
- (8) *Special Locational and Spatial Requirements.*
 - a. No more than 50 percent of the required parking can be located in the front yard along a State Route as established by the front building line of any structure located on the site. Sites with existing parking are exempt.
 - b. No outside storage allowed.
 - c. All roof-top heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.

ZONING ORDINANCE- SECTION 110-3 DEFINITIONS (the following to be added in its entirety to the list of definitions)

Deer processing facility means a facility where deer is processed into various cuts of venison.

ZONING ORDINANCE- Sec. 110-169. - Conditional use approval. (the following to be added in its entirety to the list of Conditional Uses in A-R)

#. *Deer processing facility.* The facility shall only be utilized for deer processing. The facility shall not be utilized for the processing of livestock or other wild game. Allowed in the A-R zoning district.

1. Minimum lot size: five acres;
2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the County Engineer;
3. Sale of the processed venison to the general public shall be prohibited. This provision shall not prohibit the processing of meat in conjunction with the Department of Natural Resources' "Hunters for the Hungry" program;
4. All deer processing, including the storage of processing waste, shall take place within an enclosed structure. Said structure shall be at least 100 feet from all property lines and to the side or rear of the principal structure, as applicable. The deer processing facility shall comply with regulations for auxiliary structures (see Sec, 110-169, u.);
5. The deer processing facility shall have a current Wildlife Storage Permit from the Georgia Department of Natural Resources, Wildlife Resources Division;
6. The deer processing facility shall have a NPDES Permit, as applicable, from the Environmental Protection Division of the Georgia Department of Natural Resources and said permit shall be filed with the Department of Environmental Management;
7. All deer processing waste, not being routed to a rendering plant or other vendors, shall be disposed of in compliance with the Guidance Document Disposal of Deer Processing Waste from the Georgia Department of Natural Resources, Environmental Protection Division. Deer processing waste shall be treated as "commercial solid waste" and shall only be disposed of in Municipal Solid Waste Landfills (MSWL). The burial of any deer processing waste is prohibited;
8. A vehicle drop-off area shall be provided with a circulation pattern permitting vehicles to re-enter the public street in a forward manner. The parking area shall comply with Article VIII. - Off-Street Parking and Service Requirements of the Development Regulations. Graveled parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations, but shall provide the following:
 - (i) Exterior and interior parking aisles shall be terminated at both ends by a landscape island.
 - (ii) Landscape islands shall be provided for each 150 feet of continuous parking length.
 - (iii) One (1) canopy tree, six (6) feet high at planting, is required per landscape island.

Paved parking areas shall meet the Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.

9. A site plan meeting the full requirements of the Fayette County Development Regulations is not required. A sketch, drawn to scale, on a survey of the lot depicting all buildings utilized for the processing facility, parking area, drop-off area/circulation pattern and any waste containment facilities/structures shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks, as applicable. In the event that 5,000 or more square feet of impervious surface is added in conjunction with a deer processing facility, a site plan compliant with stormwater requirements of the Fayette County Development Regulations shall be required. The site will be exempt from the Nonresidential Development Landscape Requirements and Tree Retention, Protection, and Replacement of the Fayette County Development Regulations. A site located on a State Route shall comply with the applicable Transportation corridor overlay zone (Sec. 110-173) with the exception of the Architectural standards.

ZONING ORDINANCE- Sec. 110-169. - Conditional use approval. (the following to be amended as follows)

- f. *A-R wedding/event facility.* The facility shall be utilized for private and public weddings and events by a third party who provides some form of consideration to the owner or his/her agent. The facility shall not be utilized for concerts, sporting events, or vehicle racing. A horse show, rodeo, carnival, community fair, and/or religious tent meeting shall also be allowed as regulated in this article and this section and the most restrictive conditions shall apply. Allowed in the A-R zoning district.
 1. Minimum lot size: fifteen acres.
 2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer.
 3. Facilities which access an unpaved county-maintained road are limited to 12 weddings/events per calendar year. A wedding/event permit from the planning and zoning department is required prior to holding the wedding/event.
 4. A minimum 100 foot setback shall separate all buildings and areas utilized for weddings and events from any abutting residential zoning district. Otherwise all buildings and areas utilized for weddings and events shall meet the minimum A-R setbacks.
 5. Adequate off-street parking shall be required and a 50-foot setback shall separate parking areas from any abutting residential zoning district. **A prepared surface is not required for the parking areas. However, any parking area with a prepared surface shall comply with Article VIII. - Off-Street Parking and Service Requirements of the Development Regulations and must be depicted on a sketch, drawn to scale on a survey**

of the lot. Grassed and gravel parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations. The following is required for gravel parking areas:

- (i) Exterior and interior parking aisles shall be terminated at both ends by a landscape island.
- (ii) Landscape islands shall be provided for each 150 feet of continuous parking length.
- (iii) One (1) canopy tree, six (6) feet high at planting, is required per landscape island.

Paved parking areas shall meet the Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.

- 6. Hours of operation for weddings and events shall be between the hours of 9:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 11:00 p.m. on weekends. These hours of operation shall not limit the setup and cleanup time before and after the wedding or event.
- 7. All structures utilized for weddings and events shall meet all applicable building and fire codes.
- 8. Sanitation facilities shall be approved by the environmental health department.
- 9. Food service shall meet all state and local requirements.
- 10. Tourist accommodations shall not be allowed in conjunction with an A-R wedding and event facility.
- 11. Tents shall require ~~the county fire marshal~~ approval, as applicable of ~~the county fire marshal~~.
- 12. A site plan meeting the full requirements of the Fayette County Development Regulations is not required. A sketch, drawn to scale on a survey of the lot depicting all existing buildings and specific areas utilized for weddings and events shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks as applicable. In the event that 5,000 or more square feet of impervious surface is added in conjunction with a wedding and event facility, a site plan compliant with stormwater requirements of the Fayette County Development Regulations shall be required. The site will be exempt from the Nonresidential Development Landscape Requirements and Tree Retention, Protection, and Replacement of the Fayette County Development Regulations. A site located on a State Route shall comply with the applicable Transportation corridor overlay zone (Sec. 110-173) with the exception of the Architectural standards.

- **Sec. 110-91. -Recreational vehicles and boats.**

Camping trailers, ~~recreational vehicles~~, travel trailers, camper pick-up coaches, motorized homes, boat trailers and boats shall not be parked on any residential or A-R lot that has not been improved with a dwelling nor any nonresidential lot that has not been improved with a dwelling nor any nonresidential lot that has not been improved with a principal building except in conjunction with the construction of a principal building for which a building permit has been issued. Application for a permit for the parking of such recreational vehicles shall be made to the zoning administrator. Such a permit shall be issued for a period not to exceed six months and shall not be renewable when associated with the construction of a dwelling. This provision shall not be interpreted as precluding the parking of such recreational vehicles for a period not to exceed 14 days. One recreational vehicle, when utilized for temporary occupancy, shall be allowed to be parked in any zoning district on a lot which contains a single-family dwelling or in **A-R or** any residential zoning district. The duration shall not exceed 14 days and said duration shall be allowed two times per year. Recreational vehicles shall include camping trailers and travel trailers in addition to self-propelled vehicles which do not exceed 8½ feet in width, when in travel mode, and 45 feet in length, not including the towing vehicle.

DEVELOPMENT REGULATIONS - ARTICLE II. - NONRESIDENTIAL CONSTRUCTION PERMIT AND COMPLIANCE PROCEDURES

- **Sec. 104-27. - Use and structures.**

Property shall not be used and structures shall not be constructed or modified unless it is shown that a proposed use or storage is in compliance with all county regulations as verified by a certificate of zoning compliance.

(1)

Building permit. Before issuing any type of building permit for the site, the building official must receive a certificate of zoning compliance approved by the zoning administrator.

(2)

Site plan required. Prior to the issuance of the certificate of zoning compliance by the zoning administrator, a site plan must be approved for any new nonresidential structure (including additions), use, and/or a change or expansion of a use, **except as otherwise exempted in the Zoning Ordinance**. Exemption of the requirement for a site plan approval for a new nonessential storage structure or a minor addition to an existing structure shall be granted by the zoning administrator upon determination that it does not affect septic, stormwater, parking, circulation and/or lot coverage requirements. Exemption of the requirement for a site plan approval for a change or expansion of a use shall be granted by the zoning administrator upon determination of compliance with all of the following criteria:

a.

New structures, additions, and/or expansions are not proposed for the new use, except as otherwise provided herein.

b.

The proposed use is a permitted use in the zoning district (conditional uses not exempt, **except as otherwise exempted in the Zoning Ordinance**).

c.

The proposed use is a similar or less intensive use than the last authorized use of the property.

d.

Thresholds for water use, septic systems, etc., are similar or less intensive than the last authorized use of the property.

e.

The site complies with the minimum parking requirements for the proposed use and all other existing uses on site.

f.

The site is in compliance with all conditions of approval, and site standard in effect at the time the previous use was authorized.

Exemption from the site plan approval process for a change of use does not also exempt the requirement for all other necessary permits and inspections.

(Code 1992, § 8-26; Ord. No. 99-08, 6-24-1999; Ord. No. 2001-06, § 1, 6-28-2001; Ord. No. 2012-01, § 1, 3-22-2012)

• **Sec. 104-28. - Site plans.**

(a)

Filing of site plan. The site plan shall be submitted in accordance with the schedule of established application deadlines and meeting dates, a copy of which is available in the planning and zoning department. The site plan shall be deemed filed when it has been submitted to the zoning administrator.

(b)

Site plan distribution. Fifteen copies of a 24 inches by 36 inches site plan shall be submitted to the planning and zoning department for distribution and review by the applicable departments.

(c)

Site plan contents. The site plan shall:

- (1) Be prepared by an engineer or architect registered in the state;
- (2) Include a recorded signed and sealed survey indicating metes and bounds; and
- (3) Contain all applicable information as required on the site plan review checklist, a copy of which is available at the planning and zoning department.

(d) *Department approval.* Upon completion of site plan review by the required departments, each department will return its comments to the planning and zoning department, who will make the appropriate entries on the site plan review checklist and notify applicant of approval, administrative conditions of approval, or additional requirements.

(e) *Fee.* A site plan review and compliance fee as specified in this Code will be collected and a receipt provided at the time of issuance of the certificate of zoning compliance by the zoning administrator and prior to the issuance of a building permit.

(f) *Other plans required.* The following plans if applicable shall be submitted at the time of site plan submittal and shall be approved prior to site plan approval:

(1) *Floodplain management plan.* Reference article IV of this chapter of the development regulations for applicability and plan requirements (two sets).

(2) *Landscape plan.* Reference article V of this chapter for applicability and plan requirements (two sets).

(3) *Tree protection plan.* Reference article VI of this chapter for applicability and plan requirements (two sets).

(4) *Soil erosion, sedimentation and pollution control plan.* Reference article IX of this chapter for applicability and plan requirements (three sets).

(5) *Grading plan.* Required only when a land disturbance permit is not applicable (two sets).

a.

Clearing, grubbing or grading shall not be undertaken until a land disturbance permit has been approved by the ~~stormwater~~ environmental management department. If a land disturbance permit is not required, a grading plan shall be approved prior to any clearing, grubbing, or grading.

b.

No clearing, grubbing or grading involving the use of explosive may be undertaken until a permit has been issued by the fire marshal.

c.

No installation or removal of underground tanks for class I, II, or III flammable liquids shall be undertaken until appropriate permits and inspections have been conducted by the fire marshal.

(6) *Water plan.* If required by the water system (two sets).

(g)

Verification of lot. In addition to an approved site plan, an applicant must provide verification that a plat of subdivision has been approved and recorded if required by article XV of this chapter.

(h)

Approval by zoning administrator. Upon approval of the site plan by all the applicable departments, the zoning administrator may approve the certificate of zoning compliance.

(i)

Certification of building official and fire marshal. The applicant will be notified by the zoning administrator's issuance of the certificate of zoning compliance that the site plan has been approved. A copy of the certificate of zoning compliance will be presented to the building official and fire marshal.

(j)

Building construction plans. Two sets of building construction plans including one set in electronic media format known as a PDF (portable document file) format on a CD/RW shall be submitted to the fire marshal for review and approval by both the fire marshal and building official. Construction plans shall not be submitted to the fire marshal prior to the site plan approval process. Building construction plan documents should include:

(1)

One PDF file on CD/RW with project manual PDF (complete set of construction drawings including site plans). Architect/engineer signed/sealed stamp required.

(2)

Two complete sets of architectural construction drawings with appropriate architect/engineer signed/sealed stamp. Architectural drawings—floor plans; elevations; mechanical plans; plumbing plans; fire protection plans—fire extinguishers; alarm; smoke/heat detection; sprinkler plans. Construction type by International Building Code and building square footage should be noted. In addition to the fire marshal's requirements, the permits and inspection department requirements shall include, but not be limited to the following:

a.

COM check; use and occupancy classification; occupant load; electrical panels and panel schedules; ARC fault current calculations and interrupt ratings for equipment; electrical load calculations; structural load packages; engineered trust/joist packages; framing details; statement of special inspections; footing/foundation specifications; gas line isometric details; ventilation, outside air, and makeup air schedules; specific hazardous area details; energy code details/specifications.

b.

Check with the permits and inspections department for specific details/requirements for the project.

c.

If applicable, two sets of project manuals with specifications.

(k)

Site plan changes. Any deviations from an approved site plan must be shown on a revised site plan and approved by the applicable departments. Changes shall be authorized in writing on the revised site plan by the applicable departments. A copy of the revised site plan will then be given to the building official for inclusion in the project file.

(l)

Fire marshal approval. The fire marshal shall approve all construction plans and submit to the building official a written report of compliance with chapter 12, fire prevention. Prior to any building construction, the applicant must obtain a construction permit through the bureau of fire prevention. This permit will not be in lieu of required permits through the building official.

(m)

Certificate of occupancy. In no case shall a certificate of occupancy be issued by the building official unless an as-built condition is reflected on an approved site plan.

(n)

Expiration of certificate of zoning compliance. If no application is made to obtain a building permit from the building official within 12 months of the date of zoning compliance, then said compliance shall be deemed null and void.

(Code 1992, § 8-27; Ord. No. 1986-13, § 2-1, 7-24-1986; Ord. of 3-24-1988; Ord. No. 1997-08, 4-24-1997; Ord. No. 1998-08; Ord. No. 2001-06, 6-28-2001; Ord. No. 2012-01, § 1, 3-22-2012)

- **Sec. 104-29. - Compliance.**

(a)

~~*Batter board and footing inspection Foundation survey.* A ~~batter board inspection~~ signed and sealed foundation survey by a registered land surveyor shall be required ~~in addition to~~ after the ~~footing inspection~~ foundation is poured. ~~required by the International Building Code.~~ A ~~batter board inspection shall be required by the planning and zoning department and the stormwater environmental management management department who shall be notified by the building official whenever a batter board inspection is requested.~~ The planning and zoning department and the ~~stormwater environmental management~~ environmental management department shall ~~inspect~~ review the project each structure's foundation survey for compliance and/or ~~require a surveyor's certification.~~ The planning and zoning department and ~~stormwater environmental~~ management department shall certify ~~in writing~~ to the ~~building official permits and inspections department~~ that the building location and ~~other and~~ other aspects of the site comply with the approved site plan. ~~Approval of a foundation survey is required prior to a footing inspection by the building official framing of the structure.~~~~

(b)

~~*Final and 80 percent inspections.* The building official shall notify the planning and zoning department and the ~~stormwater environmental~~ management department, and the fire marshal whenever a final inspection is requested. The planning and zoning department, the ~~stormwater environmental~~ management department, and the fire marshal shall inspect the project and shall certify in writing to the building official that the site is in compliance, or that proper surety, as provided for in various county ordinances, has been posted. The building official shall not allow a structure to be occupied nor issue a certificate of occupancy prior to receiving certification of approval in writing from the above named county employees. The fire marshal shall be notified directly by the owner or contractor whenever an 80 percent inspection is due.~~

(c)

~~*Fire marshal inspections.* In addition to requesting an 80 percent inspection directly from the bureau of fire prevention, an applicant shall notify the bureau of fire prevention for other scheduled inspections. The fire marshal shall report in writing to the building official any deficiencies noted during the inspections. Certificates of fire safety compliance issued by the fire marshal shall not grant authority to occupy a building until the appropriate certificates have been issued by the building official.~~

(Code 1992, § 8-27; Ord. No. 2012-01, § 1, 3-22-2012)

DEVELOPMENT REGULATIONS - ARTICLE V. - NONRESIDENTIAL DEVELOPMENT LANDSCAPE REQUIREMENTS

- **Sec. 104-111. - Purpose and intent.**

(a)

The purpose of this article is to establish minimum ~~landscape~~ requirements for ~~landscape area and buffers in the county's~~ nonresidential ~~development zoning districts~~. It is hereby determined that:

(1)

Landscaping preserves the aesthetic character of communities, improves the aesthetic quality of the built environment, and increases property values.

(2)

Trees and landscaping replace vegetative cover lost during land development. Vegetation slows soil erosion, helping to reduce nonpoint source pollution found in stormwater runoff.

(3)

Well-chosen landscaping can improve the compatibility between different types or intensities of land uses by providing a visual buffer.

(4)

Landscaping visually interrupts the barren expanse of large parking lots and provides shade that cools air and surface temperatures helping negate the "heat island" effect of paved parking lots.

(b)

This article seeks to meet that purpose through the following objectives:

(1)

Improve the appearance of the county's nonresidential properties;

(2)

Minimize noise, glare, and erosion;

(3)

Provide a visual separation between incompatible uses;

(4)

Establish measures for water conservation; and

(5)

Reduce the adverse environmental effects of impervious parking areas.

(Code 1992, § 8-156; Ord. No. 2008-08, § II, 9-25-2008)

• **Sec. 104-112. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Arterial road means a major arterial or minor arterial in article III of this chapter.

Caliper means a method of measuring the diameter of a tree trunk to determine size, grading, and/or classification of nursery stock. Caliper measurement of the trunk shall be taken six inches above the ground up to and including four-inch caliper size. If the caliper at six inches above the ground exceeds four inches, the caliper should be measured at 12 inches above the ground.

Canopy (overstory) tree means any tree that, under normal forest conditions, will compose the top layer or canopy of vegetation and generally will reach a mature height of greater than 40 feet.

Collector road is defined as collector road in article III of this chapter.

Deciduous means plants that annually lose their leaves.

Evergreen means plants that retain foliage throughout the year.

Exterior parking aisle means a parking aisle adjoining a property line, required landscape area, and/or zoning buffer along a property line.

Ground cover means a plant with a low-growing, spreading habit, grown specifically to cover the ground, generally not attaining a height of more than two feet.

Interior parking aisle means a parking aisle that does not adjoin a property line, required zoning buffer, or building wall.

Landscape island means a minimum ten by 20-foot island placed in parking lots to guide traffic, preserve vegetation, and increase aesthetic quality.

Landscape plan means a scaled plan that clearly delineates vehicular use areas and displays and describes all landscaping.

Local road means defined as county local or internal local in article III of this chapter.

Native plants means plants indigenous or naturalized to a given area.

Owner means the legal or beneficial owner of a site, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Shrub means a plant with persistent woody stems and a relatively low growth habit, distinguished from a tree by producing several basal stems instead of a single trunk.

Side yard landscape area means the landscape area adjacent to a side lot line.

Street frontage landscape area means the landscape area adjacent to street frontage.

Tree means a self-supporting woody perennial plant that, at maturity, has one or more stems or trunks that attain a diameter of at least three inches; a more or less definitely formed crown of foliage; and a height of ten feet or more.

Zoning buffer is defined in [chapter 110](#), zoning.

(Code 1992, § 8-157; Ord. No. 2008-08, § II, 9-25-2008)

• **Sec. 104-113. - General provisions.**

(a)

Applicability. This article shall be applicable to all nonresidential zoning districts; all nonresidential uses allowed within residential zoning districts; and all existing nonpaved areas that are to be developed into paved parking areas, **except as otherwise exempted in the Zoning Ordinance.**

(b)

Exemptions. Existing parking areas where additional parking spaces are not required.

(c)

Administration of article. The county **stormwater environmental** management department shall administer this article.

(d)

Compatibility with other regulations. This article is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or impose higher protective standards for human health or the environmental shall control.

(e)

Technical standards. Standards for plant selection and installation listed as follows are incorporated by reference:

(1)

"American Standard for Nursery Stock" (ANSI Z60.1-2004);

(2)

"Manual for Woody Landscape Plants" (Michael Dirr, 2009, Stipes);

(3)

"Principles and Practices of Planting Trees and Shrubs" (Watson and Himelick, 1997, ISA).

(Code 1992, § 8-158; Ord. No. 2008-08, § II, 9-25-2008)

• **Sec. 104-114. - Landscape requirements and submittals.**

(a)

Submittals. Unless specifically exempted by this article, any owner or developer proposing any land development activity, shall submit a landscape plan with the grading plan to the **stormwater environmental** management department. The **stormwater environmental** management department shall have a maximum of 14 calendar days from the submittal date, or each resubmittal date, for plan review. If the plan is not approved a deficiency checklist will be submitted back to the applicant.

(1)

Landscape plans shall be prepared by a professional landscape architect, or other licensed professional of similar design discipline.

(2)

Any deviations from the approved landscape plan must be approved by the county **stormwater environmental** management department prior to installation.

(3)

A final inspection and approval by the county **stormwater environmental** management department is required prior to the issuance of a certificate of occupancy.

(4)

Trees shall have minimum caliper requirements of 2½ inches measures at six inches above ground at time of planting.

(5)

Plants with vigorous root systems shall not be planted within the dripline area of said plant next to any nitrification field, sanitary sewer, or public water easement including but not limited to the eastern cottonwood, willow, and Lombardy poplar.

(6)

Allow at least 200 square feet of contiguous soil space per overstory tree. No parking space shall be more than 40 feet from a tree.

(7)

Ground covers, flowers, stones, and mulch shall be utilized as needed to meet vegetative ground cover requirements.

(b)

Landscape plan requirements. The landscape plan shall include:

(1)

Project name, design professional's name, and contact information;

(2)

Property boundary lines, all zoning buffer and landscape areas, and entire septic systems;

(3)

Locations of existing plant materials to be retained and/or new plant materials to be installed, with all details drawn at a scale of one inch to 100 feet or greater;

(4)

Plant material list, that shall include: Common and/or botanical names of all proposed plants;

(5)

- (6) Plant quantities;
- (7) Spacing;
- (8) Remarks, as necessary, for proper plant selection at installation; and
- (9) Caliper, height, and condition of plants.

(Code 1992, § 8-159; Ord. No. 2008-08, § II, 9-25-2008)

- **Sec. 104-115. - Landscape and buffer categories.**

- (a) *Street frontage landscape areas.* Landscape areas fronting on county maintained roads shall be measured from the right-of-way, or from where county maintenances stops on prescriptive easements. Trees/shrubs may be planted in groups provided that the required number of trees/shrubs is distributed along the entire length of the area to be landscaped.
- (b) *Parking lot landscape areas.* Landscape areas shall be provided for every other interior parking aisle. Exterior and interior parking aisles shall be terminated at both ends by a landscape island. Landscape islands shall be provided for each 150 feet of continuous parking length. All trees planted in parking lot landscape areas shall be canopy trees.
- (c) *Side yard landscape areas.* A landscape area shall be established along the side property lines of all lots. A side-yard landscape area may not be substituted when a zoning buffer landscape area is required.
- (d) *Zoning buffer areas.* Zoning buffer areas shall be established and maintained subject to the requirements listed as follows:
 - (1) Zoning buffer areas shall consist of evergreen plant material planted in staggered double rows that will provide a screen for the purpose of visual privacy. If existing vegetation is requested to count toward the zoning buffer area landscape requirements, such information shall be indicated on the landscape plan as required by the ~~stormwater~~ environmental management department.
 - (2) Listed below are suggested evergreen plant combinations characteristic of buffer area plantings. Additional plant choices can be found at the county website under ~~stormwater~~ environmental management.
 - a. Trees, shrubs, groundcovers;
 - b. Virginia pine, abelia, lirioppe;
 - c. Red cedar, Burfordi holly, euonymus;
 - d. Nellie R. Stevens holly, cleyera, wintercreeper;
 - e. Cherry laurel, Asiatic jasmine;
 - f. Cryptomeria, hetzi juniper, evergreen ferns;
 - g.

- h. Lusterleaf holly, leucothoe, creeping raspberry;
 - i. Loblolly pine, loropetalum, vinca, evergreen dogwood, pfitzer juniper, mondo grass;
 - j. Laurel oak, pragense viburnum, asiatic jasmine,
 - k. Chinese evergreen, osmanthus;
 - l. Oak, wax myrtle;
 - m. Leyland cypress, yaupon holly;
 - n. Green giant;
 - o. Arborvitae;
 - p. Southern magnolia; and
- Eastern red cedar.

DEVELOPMENT REGULATIONS - ARTICLE VI. - TREE RETENTION, PROTECTION AND REPLACEMENT

- **Sec. 104-150. - Introduction.**

It is hereby determined that:

(1)

Trees are a valuable asset to the rural/urban environment of the county and can generate such benefits as: the purification of air; moderation of the microclimate; reduction of noise and glare; conservation of energy in terms of heating and cooling; prevention of soil erosion; reduced stormwater management costs; minimization of flood potential; improved water quality; enhancement and stabilization of property values; increased aesthetics; and preservation of the rural character of the unincorporated county.

(2)

Therefore, the county adopts this article to provide requirements to protect the rural and wooded character of unincorporated the county through the preservation and replanting of trees when new development occurs.

(Code 1992, § 8-176; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

- **Sec. 104-151. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Certified arborist means an arborist certified by the international society of arboriculture (ISA).

Clearing means an activity that removes or disturbs the vegetative cover including trees.

Critical root zone (CRZ) means the minimum area beneath a tree which must be left undisturbed. The critical root zone shall be equal to 1½ feet of radial distance for every inch of the tree's DBH, with a minimum of eight feet.

Deciduous tree means any tree which drops its leaves at the end of the growing season or a tree that annually loses leaves.

Diameter-at-breast-height (DBH) means standard measure of existing tree size and is the trunk diameter measured in inches at height of 4½ feet above the ground. If a tree splits into multiple trunks below 4½ feet, then the trunk is measured at its most narrow point beneath the split. A tree that splits into multiple trunk above 4½ feet is measured as a single tree at 4½ feet.

Dripline means a line on the ground established by a vertical plane extending from a tree's outermost branch tips down to the ground; i.e., the line enclosing the area directly beneath the tree's crown from which rainfall would drip.

Erosion, sedimentation and pollution control plan means a plan required by the Erosion, Sedimentation and Pollution Control Act, O.C.G.A. § 12-7-1 et seq., that includes, at a minimum, protections at least as stringent as this article.

Evergreen tree means tree that retains its green foliage throughout the year.

Existing density unit (EDU) means a tree density unit assigned for the preservation of existing trees that will remain on site and protected during construction and where EDU is equivalent to inch of DBH when the DBH is a minimum size of four inches.

Land disturbance permit means authorization to conduct a land disturbing activity under the provisions of article IX of this chapter, soil erosion, sedimentation and pollution control.

Land disturbing activity means any land change which may result in soil erosion from water or wind and the movement of sediment into state water or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting and filling of land, other than federal lands.

Landscape areas means an area set aside for the installation and maintenance of ornamental planting materials.

Landscaping means any additions to the natural features of a plot of ground to restore construction disturbance and to make an area more attractive.

Overstory (canopy) tree means any tree that, under normal forest conditions, will compose the top layer or canopy of vegetation and generally will reach a mature height of greater than 40 feet. Examples include: oak, maple, elm, bald cypress, cryptomeria.

Replacement density unit (RDU) means a tree density unit assigned to a new tree planted to achieve the site density unit (SDU) and is equivalent to the number of inches of trunk diameter measures at six inches above the ground.

Shrub means a plant with persistent woody stems and a relatively low growth habit, distinguished from a tree by producing several basal stems instead of a single trunk.

Site means that portion of a tract of land that will be dedicated to a proposed development, including the land containing trees that will be counted toward satisfying the requirements of these provisions.

Site density unit (SDU) means the minimum number of tree density units which must be achieved on a nonresidential site after development and is equal to existing density units (EDU) plus replacement density units (RDU).

Specimen tree or stand means any tree or grouping of trees that is determined to be of high value and qualifies for special consideration for preservation because of its species, size, or historical significance.

Tree means a self-supporting woody perennial plant that, at maturity, has one or more stems or trunks that attain a diameter of at least three inches; a more or less definitely formed crown of foliage; and a height of ten feet or more.

Tree density units (TDU) means a unit of measurement for tree density based on the diameter of the tree.

Tree protection area means a barrier constructed around trees at construction sites sufficient to prevent damage or injury to tree trunks, limbs, and roots. The tree protection area shall be either the dripline of the tree or the critical root zone of a tree or clusters of trees to be retained, whichever is greater.

Understory tree means a tree that, under normal forest conditions, grows to maturity beneath overstory trees and will generally reach a mature height of at least ten feet, but less than 40 feet. Examples include dogwood, red bud, fringe tree, lusterleaf holly, and red cedar.

Utility means public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems, railroads, or other utilities identified by a local government.

Variance means a grant of relief from the CRZ requirements of this article that permits construction in a manner otherwise prohibited by this article.

(Code 1992, § 8-177; Code 1992, § 8-177; Ord. No. 2000-02, 1-27-2000; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

• **Sec. 104-152. - General provisions.**

(a)

Purpose and intent. The purpose of this article is to establish minimum requirements for tree retention, protection and replacement in the county and to protect the rural and wooded character of the county through the preservation and replanting of trees when new development occurs. It is the intent of this article that all site planning and design for development of land be undertaken with a survey of trees on the property and that the grading, final placement of buildings, structures, and roads, utilities, and other features minimizes the removal of existing trees, and insures aesthetic replacement and distribution.

(b)

Applicability. This article shall apply to any activity that requires a preliminary plat, erosion, sedimentation, and pollution control plan or site plan as defined in article II of this chapter (**except as otherwise exempted in the Zoning Ordinance**). Residential subdivisions without common infrastructure are still required to submit a tree protection plan but are not required to submit tree density units.

(c)

Exemptions.

(1)

Trees determined to be dead, diseased, or infested as determined by the state forestry commission or a certified arborist and approved by the **stormwater environmental** management department.

(2)

Orchards and tree nurseries in active commercial operation.

(3)

Agricultural operation as defined in article IX of this chapter.

(4)

Nonresidential subdivisions development projects without common infrastructure.

- (5) Public roads as exempted in [section 104-266](#).
 - (6) Public utilities, as exempted in [section 104-266](#)(10) and (11), including telecommunication towers.
 - (7) Commercial forestry operations, including timber harvesting.
 - (8) Residential and nonresidential subdivision development projects are exempt from tree density requirements, but are required to submit a TPP.
- (d) *Designation of article administrator.* The county ~~stormwater~~ **environmental** management department shall administer this article.
- (e) *Compatibility with other regulations.* This article is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this article are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or impose higher protective standards for human health or the environmental shall control.
- (f) *Technical standards.* Standards for plant selection and installation listed below are incorporated by reference:
- (1) "American Standard for Nursery Stock" (ANSI Z60.1-2004).
 - (2) "Manual for Woody Landscape Plants" (Michael Dirr, 2009, Stipes)."
 - (3) "Principles and Practices of Planting Trees and Shrubs" (Watson and Himelick, 1997, ISA).
 - (4) "American National Standards for Tree Care Operations" (ANSI A300).
 - (5) University of Georgia Cooperative Extension Service Bulletin No. 625 Landscape Plants for Georgia.

(Code 1992, § 8-178; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

• **Sec. 104-153. - Tree retention, protection and replacement requirements.**

For all sites with three acres or less, all trees used in the SDU calculation shall be individually inventoried. For all sites over three acres industry standard sampling methods may be used to prepare a tree survey when trees are of such density to make individual tree identification impractical. In such cases the tree surveyor shall show tree stands and provide estimates of size and species on the tree protection plan.

- (1) *Site density requirements.* The required tree density for each nonresidential site is referred to as the site density unit (SDU). Each property subject to this article shall have a minimum required SDU based on total number of disturbed acres on the project site.
 - a. The total SDU required equals existing density units (EDU) plus replacement density units (RDU).

- b. Property subject to this article that is greater than or equal to three acres shall have or exceed an average SDU of 100 TDUs per acre.
- c. Property subject to this article that is less than three acres shall have or exceed an average SDU of 50 TDUs per acre.
- d. Credit will be given to trees retained on a property having a DBH of four inches or more.
- e. At least 50 percent of the EDUs per acre must be located outside of any zoning or watershed protection buffers as referenced in articles V and VII of this chapter.
- f. Palm trees are not acceptable for SDU credit.

(2)

Specimen trees.

- a. Criteria for determination of specimen trees or stands are as follows:
 - 1. Any deciduous canopy tree whose DBH equals or exceeds 24 inches.
 - 2. Any evergreen canopy tree whose DBH equals or exceeds 30 inches.
 - 3. Any understory tree whose DBH equals or exceeds ten inches.
 - 4. Any tree which has significant historical value and can be documented through historical records or otherwise.
- b. Removal. Any specimen tree removed without prior approval of the **stormwater environmental** management department will be replaced by trees equaling two times an inch-for inch replacement of the tree removed. Size alone will determine whether a tree was of specimen quality if the tree is removed without approval and there is no evidence of its condition. Such action may result in a stop work order issued by the **stormwater environmental** management department.
- c. Written justification must be given for any specimen tree designated for removal. The county **stormwater environmental** management department may require additional information including, but not limited to, a certified arborist's appraisal of the tree's viability and anticipated life span.
- d. Any specimen tree may be removed if it is shown that at least one of the following conditions is met:
 - 1. The location of the tree prevents the opening of reasonable and necessary vehicular traffic lanes.
 - 2. The location of the tree prevents the construction of utility lines or drainage facilities which may not feasibly be relocated.
 - 3. The location of the tree prevents reasonable access to the property, if no alternate exists.

4. The tree is diseased, dead, or dying to the point that repair or restoration is not practical or the disease may be transmitted to other trees.
5. There is no reasonable assurance that if the tree is saved with proper construction precautions, it will continue to live as an asset to the site.

e. Preservation. All reasonable efforts should be made to preserve specimen trees and incorporate them into the design of the project. Specimen trees saved by a specifically designed feature of the building, hardscape, or utilities shall be given EDU credit of two inches per inch of DBH.

(3)

Replacement tree requirements. All trees selected for replacement density units must meet the following requirements:

- a. Trees must be free of disease, injury, or infestation, and must be ecologically compatible with the specifically intended growing area, and planted in accordance with standards established by the international society of arboriculture.
- b. At a minimum, four species mixture of different trees, with at least three being deciduous hardwoods should be utilized.
- c. No more than 30 percent of replacement trees may be of a single species.
- d. A 50 percent mix of overstory and understory trees shall be maintained.
- e. Trees shall have a minimum caliper requirement of 2½ inches in diameter as measured at six inches above the ground at time of planting.
- f. All trees planted to fulfill the replacement tree requirements shall be in place before a certificate of occupancy is granted. In the event that the requirements of this article cannot be met at the time a certificate of occupancy is otherwise granted, refer to "buffer and landscape areas," section [104-117](#) performance surety, in these development regulations.
- g. All trees planted under the requirements of this article which do not survive for 24 months after issuance of a certificate of occupancy will be replaced as a condition of occupancy. Trees shall be bonded via a maintenance agreement in the amount of 100 percent of their replacement cost. Bonds will be released after the 24-month period has passed, and the health of the trees have been certified and accepted by the county. Refer to [section 104-118](#), pertaining to general maintenance.
- h. See sections [104-115\(d\)\(2\)](#) and [104-116](#) for suggested tree species. For additional tree species, especially understory (small) trees, see University of Georgia Cooperative Extension Service Bulletin No. 625 Landscape Plants for Georgia.

(4)

Tree protection requirements.

- a. A tree protection area shall be maintained around all trees and stands of trees to be retained throughout the duration of construction by tree protection fencing.
- b.

The tree protection area of stand-alone trees and stands of trees shall be marked with standard tree protection fencing (orange), chainlink fencing, stakes, and/or continuous engineering tape and "Tree Protection Area" signs. At least two "Tree Protection Area" signs shall be posted at each individual tree protection area.

c.

All tree protection fencing shall be inspected for proper installation by the **stormwater environmental** management department during the initial erosion and sediment control inspection.

d.

During subdivision street construction, land disturbance allowed by a development permit shall be limited to areas needed for street right-of-way, drainage easements, erosion and sediment control practices and utilities. All other areas shall remain undisturbed for tree protection purposes.

e.

If utilities must run through the tree protection area and the running of those utilities will encroach into the critical root zone CRZ of any trees to be saved, the utility must be tunneled at a depth of 24 inches. When feasible, utilities will run along streets, roadways, driveways, or sidewalks. Reasonable efforts shall be made to save as many trees as possible.

If it is determined that irreparable damage has occurred to a tree or trees within a designated tree protection area, as determined by the county **stormwater environmental** management department, the state forestry commission, or a certified arborist, it shall be the responsibility of the developer/builder to remove and replace the tree or trees and guarantee survival after the issuance of the certificate of occupancy as references in subsection (3)(g) of this section and article V of this chapter.

(5)

Tree protection plan.

a.

Procedures.

1.

The TPP shall be submitted with the preliminary plat, erosion, sedimentation and pollution control plan or the site plan, whichever is the first submittal required by the county planning and zoning department.

2.

The tree protection plan shall be prepared by either a licensed landscape architect or forester, certified arborist, or other licensed professional of similar design discipline licensed in the state.

3.

The **stormwater environmental** management department shall have a maximum of 14 calendar days from the submittal date, or each resubmittal date, for plan review. If the plan is not approved a deficiency checklist will be submitted back to the applicant.

b.

Submittal. The tree protection plan shall be submitted on a scale of no less than one inch to 100 feet and shall include project name, design professional's name and contact information, north arrow, graphic scale, and date. The plan should clearly show and label the following:

1.

Tree save areas noting the location, size, DBH, dripline, CRZ, and species name (common name) of each tree that will be retained to fulfill the SDU requirements. Five or more trees whose dripline and CRZ combine into one tree protection area may be outlined as a group with the exception of specimen trees.

2.

Summary table listing the DBH and species name of each RDU and EDU tree used to obtain the required SDU under "Notes."

3. If a group of trees is outlined on the plan as a tree save area, include a summary table listing the size, DBH and species name of each tree within that group under "Notes."
4. Location of all new replacement trees including species name and DBH that fulfill RDU requirements.
5. Location of any specimen tree designated in a tree protection area including the DBH, CRZ and species name even if contained in a group. If construction is limited to streets, drainage easements and utilities the TPP only needs to show all specimen trees located within 100 feet of the centerline of any right-of-way, or drainage/utility easements.
6. Location of any specimen trees designated for removal during construction including the size, DBH and species name.
7. Location, depth and height of all existing and proposed utility lines.
8. Boundaries of property, buffer and landscaped areas, buildings and structures, vehicle use areas, and other impervious areas.
9. Calculations for meeting all required site density units under "notes." If a scientific method is used to determine the site density units, label all sample areas and provide estimates of trees by size and species as based on sampling method requirements.
10. Under "notes" state the following: "No land disturbance, construction processes, or storage of equipment or materials shall take place within a designated tree protection area in order to prevent direct physical root damage that occurs during site clearing and grading and can cause transport or feeder roots to be cut, torn, or removed; indirect root damage caused from grade changes; and trunk and crown damage caused by direct contact with land clearing machinery or galling of adjacent trees."

(Code 1992, § 8-179; Ord. No. 2000-02, 1-27-2000; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

• **Sec. 104-154. - Appeals and variances.**

(a)

The following variance and appeals procedures shall apply to an applicant who has been denied a permit for a development activity or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of this article:

- (1) Requests for variances shall only be given for a reduction in the critical root zone (CRZ).
- (2) Requests for a variance from the CRZ requirements of this article shall be submitted to the ~~stormwater~~ environmental management department. All such requests shall be heard and decided in accordance with procedures to be published in writing by the ~~stormwater~~ environmental management department.
- (3) Any person adversely affected by any decision of the ~~stormwater~~ environmental management department shall have the right to appeal such decision to the county zoning board of appeals as

established by the county in accordance with article IX of [chapter 110](#), zoning. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.

(4)

Any person aggrieved by the decision of the county zoning board of appeals may appeal such decision to the county state court, as provided in O.C.G.A. § 5-4-1.

(5)

In reviewing such requests, the **stormwater environmental** management department and the county zoning board of appeals shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this article.

(6)

Variances shall only be considered based on the follow criteria:

a.

Disturbance of the CRZ of less than 30 percent;

b.

A reduction in the CRZ based on industry standards less stringent than outlined in this article.

(7)

Conditions for variances:

a.

A variance shall be issued only when all of the following conditions are met:

1.

A finding of good and sufficient cause; and

2.

A determination that failure to grant the variance would result in exceptional hardship.

b.

Any person to whom a variance is granted shall be given written notice specifying the difference between the current CRZs requirements and the CRZs requested in the variance.

c.

The county **stormwater environmental** management department shall maintain the records of all appeal actions.

d.

Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as the county **stormwater environmental** management department and the county zoning board of appeals shall deem necessary to the consideration of the request including, but not limited to, a certified arborist's appraisal of the tree's viability and anticipated life span.

e.

Upon consideration of the factors listed above and the purposes of this chapter, the county **stormwater environmental** management department and the county zoning board of appeals may attach such conditions to the granting of variances as they deem necessary or appropriate, consistent with the purposes of this chapter.

1.

Variances shall not be issued "after the fact."

2.

At a minimum, a variance request shall include the following information:

(i)

A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;

(ii)

A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

(iii)

A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside CRZ. The exact area of the CRZ to be affected shall be accurately and clearly indicated;

(iv)

Documentation of unusual hardship should the CRZ be maintained;

(v)

At least one alternative plan, which does not include CRZ disturbance or reduction, or an explanation of why such a site plan is not possible;

(vi)

A calculation of the total area and length of the proposed intrusion;

(vii)

Proposed mitigation, for the intrusion. If mitigation is not proposed, the request must explain why.

f.

The following factors may be considered in determining whether to issue a variance:

1.

The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

2.

The location and extent of the proposed CRZ intrusion;

3.

Whether alternative designs are possible which require less intrusion or no intrusion;

4.

The long-term impacts of the proposed variance; and

5.

Whether issuance of the variance is at least as protective of natural resources and the environment.

(b)

Any applicant who is aggrieved by any decision of the county **stormwater environmental** management department relating to the application of this article shall have the right to appeal as provided under article IX of [chapter 110](#), zoning.

(Code 1992, § 8-180; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

• **Sec. 104-155. - Violations, enforcement and penalties.**

(a)

Violation of application. Any action or inaction which violates the provisions of this article or the requirements of an approved **stormwater environmental** management application may be subject to the enforcement actions outlined in this section. Any such action or inaction, which is continuous with respect to time, is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described in subsection (c) of this section shall not prevent such equitable relief.

(b)

Notice of violation. If the **stormwater environmental** management department determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an

approved **stormwater environmental** management plan or the provisions of this article, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this article without having first secured a permit, the notice of violation shall be served on the owner of the responsible person in charge of the activity being conducted on the site. The notice of violation shall contain:

- (1) The name and address of the owner or the applicant or the responsible person;
- (2) The address or description of the site upon which the violation is occurring;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the **stormwater environmental** management action plan or this article and the date for the completion of such remedial action; and
- (5) A statement of the penalties that may be assessed against the person to whom the notice of violation is directed.

(c)

Penalties. In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the **stormwater environmental** management department shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24-hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the **stormwater environmental** management department may take one or more of the following action or impose any one or more of the following penalties:

- (1) *Stop work order.* The **stormwater environmental** management department may issue a stop work order that shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
- (2) *Withhold certificate of occupancy.* The **stormwater environmental** management department may recommend that the county permits and inspection department refuse to issue a certificate of occupancy for the building other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- (3) *Suspension, revocation or modification of permit.* The **stormwater environmental** management department may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violations or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the **stormwater environmental** management department may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

(4)

Citations. For intentional and flagrant violations of this article, or in the event the applicant or other responsible person fails to take the remedial measures set forth in previously issued notice of violations or otherwise fails to cure the violations within ten days, the ~~stormwater environmental~~ management department may issue a citation to the applicant or other responsible person, requiring such person to appear in state court of the county to answer charges of such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000.00 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

(Code 1992, § 8-181; Ord. No. 2012-02, § 1, 3-22-2012; Ord. No. 2012-12, § 1, 12-13-2012)

DEVELOPMENT REGULATIONS - ARTICLE VIII. - OFF-STREET PARKING AND SERVICE REQUIREMENTS

- **Sec. 104-211. - Scope of provision.**

Except as provided in this article, no application for a building permit shall be approved unless there is included with the plan for such building, improvements, or use, a plot plan showing the required space reserved for off-street parking and service purposes. Occupancy shall not be allowed unless the required off-street parking and service facilities have been provided in accordance with those shown on the approved plan.

(Code 1992, § 8-215; Ord. No. 98-01, § 1, 1-14-1998)

- ~~Sec. 104-212. - Reduction of parking and maximum lot coverage.~~

~~Off street parking spaces for all nonresidential uses shall not be reduced by more than five percent below the minimum required number for the use or facility to which they are assigned. In addition, lot coverage (impervious surfaces) for conditional uses located in residential or A-R zoning districts shall not exceed 50 percent of the total acreage of the lot.~~ DELETE OR CREATE VARIANCE PROCEDURE – PC OR ZBA

(Code 1992, § 8-216; Ord. No. 98-01, § 1, 1-14-1998; Ord. No. 2000-15, § 1, 10-26-2000; Ord. No. 2001-13, § 1, 10-25-2001)

- **Sec. 104-213. - Street access; curb cuts in other than residential districts.**

Curb cut for service drives, entrances, exits and other similar facilities on public streets in other than residential zoning districts shall not be located within 50 feet of any intersection or within 40 feet of another curb cut. A curb cut shall be no greater than 50 feet in width and no closer than 20 feet to any property line. MOVE TO STREET DESIGN OR SITE PLAN?

(Code 1992, § 8-217; Ord. No. 98-01, § 1, 1-14-1998; Ord. No. 2001-11, § 1, 7-26-2001)

- **Sec. 104-214. - State highway department approval.**

All entrances or exits of any street or drive, public or private, from or to any state highway shall be approved by the state highway department prior to the construction of such street or drive, or the issuance of any development permit for any improvement to be served by such street or drive, but permit approval shall not be held longer than 30 days. MOVE TO STREET DESIGN OR SITE PLAN?

(Code 1992, § 8-218; Ord. No. 98-01, § 1, 1-14-1998)

- **Sec. 104-215. - Corner visibility clearance.**

In order to ensure adequate sight distance at intersections formed by two streets, a driveway and a street, or a street and a railroad track, no fence, structure, sign, planting or other obstruction shall be constructed and maintained adjacent to such an intersection in such a manner as to block the view of oncoming traffic from a driver stopped at or approaching that intersection. The standards for sight distance are set forth in [section 104-54\(b\)](#). MOVE TO STREET DESIGN OR SITE PLAN?

(Code 1992, § 8-219; Ord. No. 98-01, § 1, 1-14-1998)

- **Sec. 104-216. - Off-street automobile parking.**

Off-street automobile parking shall be provided in accordance with all applicable provisions of this article.

(Code 1992, § 8-220; Ord. No. 98-01, § 1, 1-14-1998)

- **Sec. 104-217. - Design standards.**

All parking facilities, including entrances, exits and maneuvering areas, and access drives shall comply with the following provisions, **except as otherwise exempted in the Zoning Ordinance:**

(1)

Have access to a public street. Only single-family residences shall be allowed backward egress from a driveway onto a local street. In all other cases, maneuvering and access aisle areas shall be sufficient to permit vehicles to enter and leave the vehicular use area in a forward motion.

(2)

Be graded and paved, and be curbed when needed for effective drainage control; however, due to their limited hours of operation, parking facilities for churches, charitable or nonprofit organizations and other uses as appropriate, need only be graded and have, at a minimum, an all-weather surface approved by the county engineer, whose approval shall be based on compliance with article IX of this chapter, soil erosion and sedimentation control. Use of pervious types of pavement for required parking spaces and overflow parking areas is encouraged. Pervious types of pavement include but are not limited to pervious concrete, gravel with geo-web reinforcement, brick pavers, etc. All pervious types of pavement are subject to compliance with established specifications for that type of material which will be reviewed and approved by the county engineer. All types of pavement, pervious or impervious, are required to be maintained to the original design by the property owners.

(3)

Have all spaces marked with painted lines, **curbstones curb stops**, or other similar designations.

(4)

Parking area. Parking stalls shall have a minimum width of ten feet and length of 20 feet. For any nonresidential use providing 50 or more spaces, a maximum of ten percent of the required parking spaces may be marked for compact cars, which may be a minimum of nine feet by 18 feet in size. There shall be provided adequate interior driveways to connect each parking space with a public right-of-way. Interior driveways shall be at least 24 feet wide where used with 90-degree angle

parking, at least 18 feet wide where used with 60-degree angle parking, at least 12 feet wide where used with parallel parking, or where there is no parking, interior driveways shall be at least 12 feet wide for one-way traffic movement and at least 24 feet wide for two-way traffic movement.

(5)

Curb return radii shall not exceed 15 feet or be less than ten feet.

(6)

Be drained so as to prevent damage to abutting properties or public streets. Runoff from vehicular use areas shall be controlled and treated on site if possible. The drainage design shall include measures based on stormwater quality best management practices. Recommended methods for drainage and on-site treatment of parking lot stormwater runoff include the use of vegetated open channels, parking lot perimeter infiltration trenches or sand filter strips, bioretention areas, and dry swales. Parking lot drainage is required to be reviewed by the county engineer; and no permit shall be issued until the drainage design is approved by the county engineer. CONFLICT WITH STORMWATER REGULATIONS?

(7)

Be separated from sidewalks and streets by a strip of land at least ten feet wide as measured from the right-of-way, reserved as open space and planted in grass. CONFLICT WITH LANDSCAPING?

(8)

~~If a parking area is established within a residential zoning district for a nonresidential use permitted in a residential zoning district, a continuous visual buffer at least four feet in height between the parking area and the abutting residential zoning district property shall be provided on a strip of land at least ten feet wide adjoining the lot uses for residential purposes.~~

(9)

Adequate lighting shall be provided if the facilities are to be used at night. Such lighting shall be arranged and installed so as not to reflect or cause glare on abutting properties.

(10)

~~No parking or loading areas shall be established within the required front yard of any RMF District, provided, however, that the governing authority may at the time of consideration of the application for rezoning include within the zoning or rezoning ordinance, provisions for parking and loading in the front yard in such districts, upon a finding of fact that such front yard parking or loading would not adversely affect the appearance and aesthetic conditions and values of the particular property and upon a further finding of fact that such front yard parking is necessary. Said governing authority shall have the authority to determine the number of front yard parking or loading areas to be allowed in each particular case based upon the space available and safety and aesthetic conditions, and any other provisions of this article to the contrary notwithstanding.~~

(11)

~~No parking or loading area shall be established in the required front yard of any residential zoning district except for a single family residential use; no more than 35 percent of the required front yard may be used for parking in such case.~~

~~The provisions of subsections (2), (3), (7), (9), and (10) of this section shall not apply to single family residential uses where three or less spaces are required.~~

(Code 1992, § 8-221; Ord. No. 98-01, § 1, 1-14-1998; Ord. No. 2000-15, § 2, 10-26-2000)

• **Sec. 104-218. - Location.**

All parking facilities shall be located in accordance with the following provisions:

(1)

The required space shall be provided on the same plot with the use it serves, except as provided herein;

(2)

If vehicular parking or storage space required cannot be reasonably provided on the same lot on which the principal use is conducted, the zoning board of appeals may permit such space to be provided on other off-street property provided such space lies within 400 feet of the main entrance to such principal use. Such vehicular parking space shall be associated with the permitted use and shall not hereafter be reduced or encroached upon in any manner; and

(3)

The required parking space for any number of separate uses may be combined in one lot but the required space assigned to one may not be assigned to another use at the same time, except that one-half of the parking space required for churches, theaters, or assembly halls whose attendance will be at night or on Sunday may be assigned to a use which will be closed at nights or Sundays.

(Code 1992, § 8-222; Ord. No. 98-01, § 1, 1-14-1998)

• ~~Sec. 104-219. -- Recreational vehicle parking.~~

~~Camping trailers, recreational vehicles, travel trailers, camper pick-up coaches, motorized homes, boat trailers and boats shall not be parked on any residential or A-R lot that has not been improved with a dwelling nor any nonresidential lot that has been improved with a dwelling nor any nonresidential lot that has not been improved with a principal building except in conjunction with the construction of a principal building for which a building permit has been issued. Application for a permit for the parking of such recreational vehicles shall be made to the zoning administrator. Such a permit shall be issued for a period not to exceed six months and shall not be renewable when associated with the construction of a dwelling. This provision shall not be interpreted as precluding the parking of such recreational vehicles for a period not to exceed 14 days. MOVED TO ZONING ORD~~

(Code 1992, § 8-224; Ord. No. 98-01, § 1, 1-14-1998)

• **Sec. 104-220. - Minimum number of loading spaces required.**

Industrial, wholesale and retail operations shall provide loading spaces as follows:

(1)

Spaces appropriate to functions. Off-street loading spaces shall be provided as appropriate to the functions and scope of operation of individual or groups of buildings and uses.

(2)

Design of loading spaces. Off-street loading spaces shall be designed and constructed so that all maneuvering to park and **unpark** vehicles for loading can take place entirely within the property lines of the premises. Loading spaces shall be provided so as not to interfere with the free and normal movement of vehicles and pedestrians on public rights-of-way.

(3)

Ingress and egress. Ingress and egress to off-street loading spaces shall conform to driveway entrance regulations of the county. Along state highways, ingress and egress may be limited in order to provide for safe access to the development and to provide for maintenance of adequate sight distances. Where frontage drives are required, these may be extended to the side property line in order to permit joint use by adjacent properties.

(Code 1992, § 8-226; Ord. No. 98-01, § 1, 1-14-1998)

• **Sec. 104-221. - Number of parking spaces.**

In order to assure a proper and uniform development of public parking areas throughout the area of jurisdiction of this article, to relieve traffic congestion on the streets, and to minimize any detrimental effects on adjacent properties, off-street parking spaces shall be provided and maintained as called for in the following

schedule; the requirements shall be the same as a similar use as mentioned herein. Parking requirements for additions to existing uses shall be based upon the new addition even if the existing use is deficient.

- (1)
Duplex or multi-family dwelling
Three spaces for each dwelling unit, plus any required spaces for recreation areas, sales office, etc. as required by the zoning ordinance.
- (2)
Assembly, public (including auditorium and stage theater):
One space for every 200 square feet in the main assembly room.
- (3)
Athletic field:
One space for every four bleacher seats or 30 spaces per field, whichever is greater.
- (4)
Automobile sales and repairs:
Three spaces for every service area within the garage, or one space for every service employee, whichever is greater.
- (5)
Bowling alley:
Four spaces per alley, plus requirements for any other use associated with the establishment such as a restaurant, etc.
- (6)
Care home:
One space for every four beds, plus one space for every employee.
- (7)
Car wash (principal use):
One space for each employee plus one space for every 250 square feet of gross floor area
- (8)
Church, temple, or place of worship:
One space for every 150 square feet of occupiable floor area.
- (9)
Club or lodge:
One space for every 200 square feet of assembly area.
- (10)
Combined uses:
Parking spaces shall be the total of the spaces required for each separate use established by this schedule.
- (11)
Dance school:
One space for every employee plus one space for every 150 square feet of gross floor area, plus safe and convenient loading and unloading of students.
- (12)
Developed residential recreational/amenity areas:

One space for every 250 square feet of clubhouse, pool house, pavilion, and swimming pool water surface area; and

Two spaces for every other amenity provided (including but not limited to tennis, volleyball, basketball, and playgrounds).

(13)

Dry cleaning/laundry plant:

One space for every 10,000 square feet of gross floor area, plus one space for every employee.

(14)

Entertainment, indoor (except bowling alleys):

One space for every 250 square feet of floor area devoted to patron use.

(15)

Entertainment, outdoor:

~~10~~ Ten spaces for every acre.

(16)

Fraternity or sorority:

One parking space for every two residents and one space for every two employees.

(17)

Funeral parlor:

One space for every three seats in the chapel plus space for each funeral vehicle.

(18)

Furniture, appliance, or carpet sales:

One space for every 500 square feet of showroom, plus one space per 750 square feet of indoor storage space.

(19)

Gas station

No parking spaces are required for gas pump uses. All other uses on the site must meet the requirements for retail, service, and repair etc.

(20)

Gas and fuel, wholesale:

One space for ~~each employee every 250 square feet.~~

(21)

Golf course:

Two spaces for every hole and one space for every two employees, plus requirements for any other use associated with the golf course.

(22)

Greenhouse or nursery, retail:

One space for every 10,000 square feet plus one space for every employee.

(23)

Trade school, college, or university:

One space for every two students, one space for every 300 square feet of administrative and educational office space, plus safe and convenient loading of students, plus additional spaces for stadium, gymnasium, and auditorium uses.

(24)

- Hospital:
One and one-half spaces for every two beds plus one space for every employee.
- (25)
Hotel:
One space for every guest room plus one space for every two employees on the largest shift.
- (26)
Industrial facility, manufacturing or processing establishment:
One space for every 1,000 square feet of gross floor area, plus one space for every employee.
- (27)
Kennel, commercial:
One space for every 300 square feet of cage and retail area.
- (28)
Kindergarten, nursery school, or day care center:
One space for every employee, plus a covered, safe, and convenient transient parking area for the loading/unloading of students.
- (29)
Manufactured home park:
Two spaces for every manufactured home.
- (30)
Medical or dental office:
One space for every employee, plus one space for every examining room.
- (31)
Motel:
One space for every guest room.
- (32)
Movie theater:
One space for every five seats.
- (33)
Moving and storage:
One space for every 10,000 square feet of gross floor area, plus one space for every employee.
- (34)
Museum, art gallery, library, or similar use:
One space for every 400 square feet of gross space to which the public has access.
- (35)
Office, business or professional, bank, or similar use:
One space for every 300 square feet of gross floor area.
- (36)
Personal service establishment:
One space for every 300 square feet of gross floor area, but not less than two spaces for every employee/operator.
- (37)
Printing and copying services:

- One space for every 250 square feet of gross floor area.
- (38) Repair services, limited (small items):
One space for every 250 square feet of gross floor area.
- (39) Restaurant or place dispensing food, drink or refreshments:
One space for every two seats provided for patron use.
- (40) Retail stores of all types not mentioned otherwise:
One space for every 300 square feet of gross floor area
- (41) School, elementary and middle:
One space for every employee, and one space for every classroom, plus safe and convenient area for loading and unloading of students.
- (42) School, high:
One space for every two students, plus one space every employee.
- (43) Self service storage facility:
One space for every 75 storage bays plus one space for every employee, plus two customer spaces.
- (44) Shopping center:
One space for every 300 square feet of gross floor area.
- (45) Stable, commercial:
One space for every 300 square feet within stable, plus one space per three animal stalls.
- (46) Swimming pool, public:
One space for every 200 square feet of water surface area plus requirements for additional uses in association with establishments such as a restaurant, etc.
- (47) Upholstery shop:
One space for every 250 square feet of gross floor area.
- (48) Vehicle sales and rental:
One space for every 500 square feet of enclosed area, plus one space for every 5,000 square feet of outdoor sales, rental, and display area, plus one space for every service bay, plus one space for every employee.
- (49) Veterinarian office or clinic:
One space for every employee plus one space for every 500 square feet of gross floor area.
- (50) Warehouse and bulk storage facility:

One space for every 2,000 square feet of gross floor area, plus one space for every employee.

(51)

Wholesale, or open yard establishment:

One space for each employee, one space for every 2,000 square feet of gross floor area, and one space for every company vehicle to be stored on the site.

(52)

Woodworking or cabinetmaking:

One space for every 250 square feet of gross floor area.

(Ord. No. 2015-01, § 1, 1-22-2015)

(f) *Planned retreat and/or lodge.*

- (1) *Purpose.* The intent of a planned retreat and/or lodge (PRL) is to provide a development exclusively designed to accommodate the assembly of groups or organizations for the purpose of association, education, therapy, or instruction through conferences, seminars, and/or camps. Food and lodging may be furnished for a definite and temporary period.
- (2) *Permitted uses.* The following uses may be proposed in a PRL:
 - a. Assembly/meeting facilities (indoor and outdoor);
 - b. Dining facilities;
 - c. Lodges, dormitories, cabins, and/or tent campsites for temporary occupancy;
 - d. Recreational facilities, including, but not limited to: recreational courts/fields, playgrounds, picnic pavilions, swimming pools;
 - e. Caretaker and/or staff housing: and
 - f. **Solar farm (limited to a net metered facility only).**

In addition, only those uses (permitted and conditional) allowed in the A-R zoning district may be proposed for a PRL. Only those uses approved through the rezoning procedure will be allowed in the PRL.

- **Sec. 110-??.** - **Keeping of hens in conjunction with residential use.**

The number of hens allowed per principal dwelling unit is limited to three (3) in the following zoning districts: EST, C-S, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, RMF, MHP, PUD-PRD, PUD-PRL, PUD-PEF, O-I, C-C, C-H, L-C, M-1, M-2, and BTP. No roosters are allowed. No on-site slaughter is allowed. Hen houses/coops are allowed in side and rear yards only and shall be set back from all property lines a minimum of 50 feet. Hens shall be contained on the lot. The containment area shall be in side and rear yards only and shall be limited to no more than 40 percent of the lot.

EXISTING REGULATIONS

- **Sec. 110-86.** - **Raising and keeping of horses in residential districts.**

The raising and keeping of no more than one horse on a lot consisting of a minimum of three acres and one additional horse for each additional acre shall be allowed on any lot for which single-family residential is a permitted use (EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, PUD-PRD, and C-S). An accessory structure related to the shelter of horses shall be allowed, as long as, such accessory structure complies with this article. The boarding of horses and commercial riding lessons shall be prohibited.

- **Sec. 110-87.** - **Keeping of animals in residential and agricultural-residential districts.**

The number of animals allowed per principal dwelling unit is limited to three in the following zoning districts: EST, C-S, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, RMF, MHP, PUD-PRD, PUD-PRL, PUD-PEF, O-I, C-C, C-H, L-C, M-1, M-2, and BTP. One litter of animals of not more than six months of age shall not count toward this limit. The number of animals allowed in the A-R zoning district kept for personal use or hobby breeding is unlimited. A dog house and dog pen/run as regulated in this article and similar open air animal enclosures are allowed in side and rear yards only and shall meet the setbacks of the applicable zoning district.

- **Sec. 110-88.** - **Beekeeping.**

Beekeeping shall be allowed on any lot for which single-family residence is a Permitted Use (C-S, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and PUD-PRD) under the following conditions:

- (1) All beehives shall meet the setbacks for the applicable zoning district.
- (2) The beekeeper shall have 30 days from the time of a complaint to bring the beehives into compliance.
- (3) The on-premises sale of honey produced on the premises shall be allowed. Approval of a home occupation shall not be required.