

CITY OF SOUTH FULTON ZONING ORDINANCE

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Article 1. General Provisions

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Article 1. General Provisions

Sec. 101. Title and Authority.

101.01 Purpose of Article 1.

This Article provides for the adoption of the Zoning Ordinance, sets out its purpose and intent, describes the lands and development to which the Ordinance applies, shelters approved permits from changes in the regulations, provides for the continuation of preexisting uses, structures, lots and signs that are not in conformity with the provisions of this Ordinance, and sets out the structure for administering the Ordinance.

101.02 Short Title.

This ordinance, as it may be amended from time to time, shall be formally known and referred to as the "City of South Fulton Zoning Ordinance" or, for brevity, "The Zoning Ordinance" or "this Ordinance."

101.03 Authority.

The Zoning Ordinance is adopted pursuant to the authority conferred by the Constitution of the State of Georgia and applicable state laws.

Sec. 102. Adoption.

102.01 Adoption of the Zoning Ordinance.

Under the authority and for the purposes stated herein, the City Council of South Fulton does hereby enact as law the articles and sections contained in this Ordinance.

102.02 Components of the Zoning Ordinance.

This Zoning Ordinance and the official zoning map of the City on file and maintained in the Department of Community Development and Regulatory Affairs shall together constitute the Zoning Ordinance of the City of South Fulton, Georgia.

102.03 Conflict with Other Regulations.

- (a) In accordance with Section Sec. 5-1011. - *Conflict with other laws* in the City Code of Ordinances, where there is conflict between the regulations of this Ordinance and those in any other regulation, the more restrictive regulation shall govern. In addition, this ordinance shall abrogate any other regulations previously adopted or issued that are in conflict with any of the provisions of this Ordinance relating to the use of buildings or land in conflict with this Ordinance.
- (b) The Zoning Ordinance shall not annul any easements, covenants or other agreements between parties; provided, however, that whenever this Ordinance imposes a greater restriction upon the use of buildings or land than are imposed by such easements, covenants or agreements, the provisions of the Zoning Ordinance shall control.
- (c) In no case shall the City of South Fulton be required to enforce private easements, covenants, or other private agreements or legal relationships, whether they are more restrictive than the requirements of the Zoning Ordinance or they apply a standard that is not addressed in this Ordinance.
- (d) All ordinances and parts of ordinances of the City of South Fulton, Georgia, heretofore adopted that are in conflict with this Zoning Ordinance, other than ordinances

Sec. 104 Applicability.

approving the rezoning of land or approving use permits and special uses, are hereby repealed to the extent of such conflict.

102.04 Validity.

Should any article, section, subsection or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Zoning Ordinance as a whole or any part thereof other than the part so declared to be invalid.

102.05 Effective Date.

The Zoning Ordinance shall take effect and be in force from and after December 8, 2020. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 103. Purpose.

103.01 Zoning Ordinance.

This Ordinance is entered for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and general welfare of the city; for facilitating the development of the city in harmony with the comprehensive plan of the city; and, for other purposes described in Sec. 5-1006. - *Grant of power* in the City Code of Ordinances.

103.02 Comprehensive Plan.

The City of South Fulton Comprehensive Plan is intended for the following purposes, among others:

- (a) To guide and direct growth and development in the city;
- (b) To protect, preserve and enhance the city's historic, natural, economic and social resources;
- (c) To identify current land uses in order to assist the City in making budgetary, utility and other resource allocations;
- (d) To enable the City to predict future land uses for planning purposes;
- (e) To assist the City in fulfilling its statutory and other legal obligations; and
- (f) To provide a public document that will serve as a means of general information on land use and development for the citizens of South Fulton and other interested parties.

Sec. 104. Applicability.

104.01 General Applicability.

This Ordinance shall apply to every lot, parcel, property, use and structure in South Fulton except as excluded in the Nonconformities Section (Sec. 105) of this Article.

104.02 Jurisdiction.

This Ordinance shall govern the development of land and shall apply to the buildings, structures, and uses on all lands within the incorporated City of South Fulton.

104.03 Applicability to Subject Matter Covered by This and Other Ordinances.

- (a) This Ordinance shall apply to all subject matter that is regulated both by this and other codes and ordinances including, but not limited to, ordinances for the development and maintenance of land, and such other ordinances are hereby amended to reflect

Sec. 104 Applicability.

this. The City Council may attach statements to such other ordinances to the effect that compliance with this Zoning Ordinance is required by such other ordinances.

- (b) Compliance with this Ordinance shall not substitute for compliance with federal and state laws nor for other South Fulton ordinances and Ordinances.

104.04 Application of the Regulations.

- (a) All buildings and structures erected hereafter, all uses of land, buildings or structures established hereafter, all structural alterations or relocations of existing buildings occurring hereafter, and all enlargements of, additions to, changes in and relocations of existing uses occurring hereafter shall be subject to all regulations of this Zoning Ordinance which are applicable to the zoning district and, if applicable, the overlay district in which such buildings, structures, uses or land are located.
- (b) Existing buildings, structures and uses that comply with the regulations of this Zoning Ordinance shall likewise be subject to all regulations of this Ordinance. Existing buildings, structures and uses that do not comply with the regulations of this Ordinance shall be authorized to continue subject to the provisions of Sec. 105 - Nonconformities.
- (c) All subdivisions, planned unit developments and land development projects proposed for approval and permitting hereafter shall be subject to all regulations of this Zoning Ordinance.

104.05 Exemptions.

- (a) Government properties.

The provisions herein shall not apply to properties and structures owned, operated and/or leased for use by South Fulton for public purposes. The use of said property for a nonconforming use does not establish a precedent for other nonpublic (governmental) uses. Should the public use cease to exist, the provisions herein shall apply.

- (b) Permits in effect.

Nothing herein shall require any change in the plans, construction, size or designated use of any land, building, structure or part thereof for which a building permit or land disturbance permit was issued prior to the effective date of this Ordinance or amendment thereto.

- (c) Previously submitted applications.

Any valid and complete application accepted by the City prior to adoption of the Zoning Ordinance for the use of land shall be processed and issued under the applicable City regulations in effect prior to adoption of this Ordinance.

- (d) Conditions of approval.

Nothing herein shall be construed as repealing or modifying the conditions of approval associated with any zoning, use permit, special use, or variance approved prior to the effective date of this Ordinance.

- (e) Effect of ordinance on exempt properties.

To the extent that exemption under this Article results in nonconformity with the provisions of this Ordinance, such properties shall be governed by the requirements of Sec. 105 below.

104.06 General Prohibitions.

No building or structure; and no use of any building, structure, land, or property; and no lot of record, now or hereafter existing, shall hereafter be established, constructed, expanded, altered, moved, diminished, divided, eliminated or maintained in any manner except in conformity with the provisions of this Zoning Ordinance.

Sec. 105. Nonconformities.

105.01 Nonconforming Development; in General.

Within the zoning districts established by this Ordinance there may exist lots, structures, uses of both land and structures, and signs which were lawful before this Ordinance was adopted or subsequently amended, but which would be prohibited, regulated, or restricted under the terms of this Ordinance as adopted or subsequently amended. Nonconforming lots, uses, structures and signs may continue in their nonconforming status with the following limitations and/or requirements.

105.02 Nonconforming Lots.

- (a) A single, lawful lot-of-record which does not meet the requirements of this Ordinance for area or dimensions, or both, may be used for the buildings and accessory buildings necessary to carry out permitted uses subject to the following provisions:
 - (1) Parking space requirements as provided for in Article VI are met; and
 - (2) Such lot does not adjoin another vacant lot(s) or portion of a lot in the same ownership.
- (b) If two or more adjoining lots or portions of lots in single ownership do not meet the requirements established for lot width, frontage or area, the property involved shall be treated as one lot, and no portion of said lot shall be used or sold in a manner which diminishes compliance with this Ordinance. This paragraph shall not apply to nonconforming lots when 50% or more of adjoining lots on the same street are the same size or smaller.

105.03 Nonconforming Use of Land.

When a use of land is nonconforming pursuant to the provisions of this Ordinance, such use may continue as long as it remains otherwise lawful and complies with the following provisions:

- (a) No nonconforming use shall be enlarged, increased or extended, either on the same or adjoining property;
- (b) No nonconforming use shall be moved, in whole or in part, to any other portion of the lot not occupied by such use at the time the use became nonconforming or to an adjoining property;
- (c) If any nonconforming use of land ceases for a period of more than 6 months, any subsequent use of such land shall comply with this Ordinance; and
- (d) No nonconforming use shall be changed to another nonconforming use.

105.04 Nonconforming Use of Structures.

If a lawful use of a structure, or of a structure and lot in combination, exists at the effective date of adoption of this Ordinance or its subsequent amendment that would not be allowed under provisions of this Ordinance as adopted or amended, the use may be continued so long as it complies with other regulations, subject to the following conditions:

Sec. 105 Nonconformities.

- (a) No existing structure devoted to a use not allowed by this Ordinance shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to an allowed use;
- (b) Any nonconforming use may be extended throughout any part of a building which was arranged or designed for such use at the time the use became nonconforming, but no such use shall be extended to occupy any land outside such building;
- (c) If no structural alterations are made, any nonconforming use of a structure or structure and land may be changed to another nonconforming use of the same or more restrictive nature;
- (d) When a nonconforming use of a structure, or of a structure and land in combination, is replaced with a conforming use, such structure or land may not later revert to a nonconforming use;
- (e) When a nonconforming use of a structure, or of a structure and land in combination, is discontinued or abandoned for 6 months, the structure or structure and land in combination shall not thereafter be used except in conformance with the regulations of the zoning district in which it is located; and
- (f) A nonconforming use of a structure and/or a nonconforming use of land shall not be extended or enlarged by attachment, to a building or land, of additional signs which can be seen from off the land, or by the addition of other uses of a nature which would be generally prohibited in the zoning district.

105.05 Nonconforming Structures.

When a structure exists on the effective date of adoption of this Ordinance or its amendments that could not be built under the terms of this Ordinance because of restrictions on building area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may remain as long as it complies with all other zoning regulations, subject to the following conditions:

- (a) No structure may be enlarged or altered in a way which increases its nonconformity, with the exception that the structure may be repaired to the extent necessary to maintain it in a safe and sanitary condition upon order of the Director of Community Development and Regulatory Affairs;
- (b) Destruction, by any means, of more than 50% of the gross square footage of a structure shall require that the structure be reconstructed in conformity with the provisions of this Ordinance; and
- (c) Any structure which is moved, for any reason and for any distance whatever, shall conform to the regulations for the zoning district in which it is located.

105.06 Nonconforming Signs.

The following provisions are intended to restrict the continued existence of abandoned or nonconforming signs unless in compliance with the terms of this Section and to eliminate, over time, all nonconforming signs.

- (a) Maintained.

A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of poster panels, painted boards, or dismountable material on principal nonconforming signs shall be permitted. All nonconforming signs shall be maintained in good repair.

- (b) Repairs; material change.

Sec. 106 Administration, Interpretation and Enforcement.

Minor repairs and maintenance of nonconforming signs shall be permitted, provided, however, that no structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this Ordinance. To the extent that any sign allowable hereunder is damaged or destroyed by act of God or by other circumstances beyond control of the sign owner of sign then such sign may be repaired without regard to the restrictions of this paragraph.

(c) Grandfathering.

(1) Nonconforming principal signs may stay in place until one of the following conditions occurs:

- a. There exists an abandoned sign, as defined in this Ordinance for a period of more than 30 days;
- b. The deterioration of the sign or damage to the sign makes it a hazard or renders it dilapidated, unsightly, or unkempt; or
- c. The sign has been damaged to such extent that more than minor repairs or a material change is required to restore the sign. No structural repairs or change in shape or size shall be permitted except to make the sign comply with all standards of this Ordinance. To the extent that any sign allowable hereunder is damaged or destroyed by act of God or by other circumstances beyond control of owner of sign then such sign may be repaired without regard to the restrictions of this paragraph.

(2) Nonconforming temporary signs are prohibited and shall not stay in place nor be conferred "grandfathered" status.

105.07 Rezoning Which Results in Nonconforming Structures.

When a property containing lawful structures is rezoned, the following shall apply:

- (a) The approval of the rezoning by the City Council shall automatically adjust minimum and/or maximum yards to the extent necessary for existing structures to comply;
- (b) All new construction, expansions or additions shall comply with the minimum yard requirements of the new district; and
- (c) Buffers and landscape areas shall be established by conditions of zoning which shall have precedence over the district standards contained in Article 4.

105.08 Exemptions Due to State or City Action.

- (a) Whenever a lot becomes nonconforming as a result of land acquisition by the City or state, building permits shall be granted for new construction provided the proposed structure complies with all but lot area requirements, and setback requirements shall be reduced without requirement for a variance to the extent of the width of the acquired property.
- (b) Whenever a structure becomes nonconforming as a result of City or state action other than an amendment to this Ordinance, the use of the structure may continue and the structure may be replaced as though no nonconformity exists if, subsequent to such action, the structure is destroyed.

Sec. 106. Administration, Interpretation and Enforcement.

106.01 Administration.

This section identifies the appointed individuals and entities responsible for the administration of the Zoning Ordinance.

Sec. 107 Violation and Penalties.

(a) Community Development and Regulatory Affairs (CDRA) Director.

- (1) It shall be the duty of the CDRA Director who is hereby given the authority to administer the provisions of this Zoning Ordinance.
- (2) The CDRA Director may, in his or her discretion and administrative authority, delegate duties and responsibilities to designated employees of the Community Development and Regulatory Affairs Department as needed and appropriate for the administration and enforcement of the Zoning Ordinance.

(b) Planning Commission.

See Title 5, Chapter 5 – *Planning Commission* in the City Code of Ordinances.

(c) Zoning Board of Appeals.

See Title 5, Chapter 6 – *Appeals* in the City Code of Ordinances.

106.02 Interpretation.

The Community Development and Regulatory Affairs (CDRA) Director shall interpret the provisions to this Ordinance and may utilize opinions of the City attorney and others in arriving at interpretations. Appeals from an interpretation of the CDRA Director shall be in accordance with the provisions of Article 8.

106.03 Enforcement.

See Title 5, Chapter 1, Sec. 5-1010. - *Enforcement of this chapter and remedies* in the City Code of Ordinances.

Sec. 107. Violation and Penalties.

See Title 5, Chapter 1, Sec. 5-1005. - *Violation of chapter* in the City Code of Ordinances.

Article 2. Use of Land

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Article 2. Use of Land

Sec. 201. Purpose of Article 2.

This Article defines the zoning districts in the city and identifies the specific uses to which land and structures may be put in the various zoning districts, including certain uses or structures for which special approval is required in order to be allowed. In addition, this Article identifies specific uses within each zoning district to which restrictions may apply, which are presented in Article 3 of this Ordinance.

Sec. 202. Zoning Districts; Established.

For the purposes of these regulations, the incorporated area of South Fulton, Georgia is divided into the following zoning districts, overlay zoning districts (“overlay districts”), and inactive zoning districts:

202.01 Residential Zoning Districts.

- (a) **R-1** Single-Family Dwelling District
- (b) **R-2** Single-Family Dwelling District
- (c) **R-2A** Single-Family Dwelling District
- (d) **R-3** Single-Family Dwelling District
- (e) **R-3A** Single-Family Dwelling District
- (f) **R-4** Single-Family Dwelling District
- (g) **R-4A** Single-Family Dwelling District
- (h) **R-5** Single-Family Dwelling District
- (i) **R-5A** Single-Family Dwelling District
- (j) **R-6** Two-Family Dwelling District
- (k) **TR** Townhouse Residential District
- (l) **A** Medium Density Apartment District
- (m) **A-L** Apartment Limited Dwelling District
- (n) **MHP** Manufactured Home Park District
- (o) **SH** Senior Housing District
- (p) **NUP** Neighborhood Unit Plan District
- (q) **CUP** Community Unit Plan District

202.02 Agricultural Zoning Districts.

- (a) **AG-1** Agricultural District

202.03 Commercial Zoning Districts.

- (a) **C-1** Limited Commercial District
- (b) **C-2** General Commercial District
- (c) **O-I** Office and Institutional District

202.04 Mixed Use Zoning Districts.

- (a) **MIX** Mixed Use District

Sec. 204 Conformity with Zoning District Regulations.

- 202.05 Industrial Zoning Districts.
 - (a) **M-1** Light Industrial District
 - (b) **M-2** Heavy Industrial District
- 202.06 Overlay Districts.
 - (a) **Cascade Corridor** (Cascade) Overlay District
 - (b) **Cedar Grove** Overlay District
 - (c) **Cedar Grove Agricultural Overlay** District
 - (d) **Clifftondale** Overlay District
 - (e) **Fulton Industrial Business District** Overlay District
 - (f) **Old National Highway Overlay** District
 - (g) **Sandtown** Overlay District
 - (h) **South Fulton Parkway Overlay** District
- 202.07 Inactive Zoning Districts.
 - (a) **Suburban A** Single-Family Dwelling District
 - (b) **Suburban C** Single-Family Dwelling District
 - (c) **TR (old)** Townhouse Residential District
 - (d) **A-1** Apartment Dwelling District
 - (e) **CUP-CGA** Community Unit Plan – Cedar Grove Agricultural District
 - (f) **MIX-CGA** Mixed Use District – Cedar Grove Agricultural District

Sec. 203. Conversion of Previous Zoning Districts.

Zoning districts as were established under the previous zoning ordinance of South Fulton are hereby renamed to the following zoning district names and designations under this Zoning Ordinance. All regulations, requirements and provisions of this Zoning Ordinance applicable to a zoning district established under this section shall apply to the previously named zoning district as now named.

Table 2-1 Conversion of Previous Zoning Districts

Previous Zoning District	Designation Zoning District Designation under this Zoning Ordinance
MHP Mobile Home Park District	MHP Manufactured Home Park District
C-1 Community Business District	C-1 Limited Commercial District
C-2 Community Business District	C-2 General Commercial District
M-1A Industrial Park District	M-1 Light Industrial District

Sec. 204. Conformity with Zoning District Regulations.

Except for individual nonconformities addressed in Article 1 of the Zoning Ordinance, no property shall be used except in accordance with its zoning designation on the Official Zoning Map, conditions of zoning approval for the property, and all applicable provisions of this Ordinance. In addition, any change of use, including a change of a single use within a multiple use structure, shall comply with the requirements of this Ordinance and any condition of zoning.

Sec. 205. Official Zoning Map.

The incorporated area of the City of South Fulton is hereby divided into zoning districts, as shown upon the Official Zoning Map of the City of South Fulton, Georgia. The Official Zoning Map and all information contained thereon is part of this Zoning Ordinance and have the same force and effect as if fully set forth and/or described herein.

205.01 Official Zoning Map Adopted by Reference.

- (a) The Official Zoning Map of the City of South Fulton, Georgia is hereby adopted and identified as that map or series of maps, adopted by the City Council, that show the precise location and boundaries of the zoning districts and that is certified by the Mayor and City Clerk of South Fulton, Georgia.
- (b) A certified copy of the Official Zoning Map shall be kept in the Department of Community Development and Regulatory Affairs, where it shall be available for public inspection.
- (c) The Official Zoning Map may be amended from time to time pursuant to the provisions of this Ordinance.

205.02 Amendments to the Official Zoning Map.

- (a) No changes of any nature shall be made to the Official Zoning Map except in conformity with amendments to the map approved by the City Council and in conformity with the procedures set forth in this Ordinance or by adoption of a new Official Zoning Map. Such amendments shall be spread upon the minutes of the City Council and shall be available for public inspection.
- (b) The Official Zoning Map as amended from time to time by the City Council may be kept in an electronic format from which printed copies can be produced.

205.03 Boundaries.

The boundaries of the several zoning districts are shown on the Official Zoning Map. Street rights-of-way shall serve as district boundaries adjoining property lines, and all such rights-of-way shall not be zoned. Inconsistencies between legal boundary descriptions submitted at the time of rezoning and lot lines identified from more recent surveys shall be interpreted to attach the zoning to the legal lot.

- (a) Interpretation of boundaries.

Where uncertainty exists as to boundaries of any zoning district shown on the Official Zoning Map, the following rules shall apply:

- (1) Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow centerlines of rights-of-way or prescriptive easements.
- (2) Whenever any street, alley, or other public way is abandoned by South Fulton or by the State of Georgia, the zoning district adjoining such street, alley or public way shall be extended to the center of such public way.
- (3) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- (4) Boundaries indicated as approximately following corporate limit lines shall be construed as following such limits.
- (5) Boundaries indicated as approximately following railroad lines shall be construed to be midway in the right-of-way.

Sec. 206 Zoning Districts.

- (6) Boundaries indicated as approximately following shorelines of bodies of water shall be construed to follow such shorelines. Boundaries indicated as approximately following the centerlines of creeks, streams, rivers, or other predominantly linear bodies of water shall be construed to follow such centerlines.
- (7) Where a district boundary divides a lot, the zone classification of the greater portion shall prevail throughout the lot.
- (8) Where areas appear to be unclassified on the Official Zoning Map, and classification cannot be established by the above rules, such areas shall be considered to be classified as the least intensive zoning district assigned to abutting properties, until action is taken by the City Council to amend the Official Zoning Map.
- (9) All unincorporated territory which may be annexed to South Fulton shall be classified in the R-1, Single Family Dwelling District until, as applicable, the territory may be more appropriately zoned by the City Council based upon a Staff recommendation with consideration given to the suggestion of the Comprehensive Plan Land Use Map and/or zonings of adjacent properties in South Fulton.
- (10) Where uncertainties continue to exist or further interpretation is required beyond that provided for in the above paragraphs, the question shall be presented by the Community Development and Regulatory Affairs Director to the City Council to enact a clarifying resolution and said action shall be recorded on the Official Zoning Map as is provided herein.

205.04 Special Conditions of Previous Zoning Approvals Retained.

All special conditions and special stipulations imposed as conditions of zoning approval of property prior to adoption of the Official Zoning Map are hereby retained and reaffirmed, and shall continue in full force and effect until such time as the property is rezoned or the prior zoning action of the City Council is amended through the zoning approval process established by this Zoning Ordinance.

Sec. 206. Zoning Districts.

206.01 Districts, Uses, and Development Standards; Generally.

(a) Zoning districts.

All lands in the incorporated area of the City of South Fulton, Georgia are included in one or another of the zoning districts established by this Zoning Ordinance and listed in this Section 206.

(b) Overlay districts.

Overlay districts, which provide additional requirements or restrictions on the portions of these zoning districts over which they are established, are found under Article 5 of this Ordinance.

(c) Inactive zoning districts.

Inactive districts, which have use and development standards that apply to existing parcels zoned in these classifications, are addressed in Article 10 of this Ordinance. No additional parcels will be rezoned to any inactive district classification.

Sec. 206 Zoning Districts.

(d) Allowed uses.

See Sec. 207 for allowed principal uses, accessory uses, temporary uses and restrictions that apply to particular uses, unless otherwise specified in this Sec. 206.

(e) Lot and building standards.

Unless otherwise specified in this Zoning Ordinance, principal uses and lots shall conform to the requirements in Article 4.

206.02 Residential Zoning Districts; Purpose.

(a) R-1 Single-Family Dwelling District.

The R-1 District is intended to encompass lands devoted to very low density (2 acre minimum lot size) residential use and single-family subdivisions.

(b) R-2 Single-Family Dwelling District.

The R-2 District is intended to provide land areas devoted to low density (1 acre minimum lot size) residential uses and single-family subdivisions.

(c) R-2A Single-Family Dwelling District.

The R-2A District is intended to provide land areas devoted to lower density (27,000 square feet minimum lot size) residential uses and single-family subdivisions.

(d) R-3 Single-Family Dwelling District.

The R-3 District is intended to provide land areas devoted to lower density (18,000 square feet minimum lot size) residential uses and single-family subdivisions.

(e) R-3A Single-Family Dwelling District.

The R-3A District is intended to provide land areas devoted to lower density (18,000 square feet minimum lot size) residential uses and single-family subdivisions, with the option for larger house sizes.

(f) R-4 Single-Family Dwelling District.

The R-4 District is intended to provide land areas devoted to moderate density (9,000 square feet minimum lot size) residential uses and single-family subdivisions.

(g) R-4A Single-Family Dwelling District.

The R-4A District is intended to provide land areas devoted to moderate density (12,000 square feet minimum lot size) residential uses and single-family subdivisions, with the option for larger house sizes.

(h) R-5 Single-Family Dwelling District.

The R-5 District is intended to provide land areas devoted to higher density (7,500 square feet minimum lot size) residential uses that provide a transition between moderate density dwelling areas and higher density residential areas or nonresidential areas.

(i) R-5A Single-Family Dwelling District.

The R-5A District is intended to provide land areas devoted to high density (4,000 square feet minimum lot size), single-family dwellings, including patio homes, and provide a transition between low- and high-density dwelling areas or between residential areas and nonresidential areas.

Sec. 206 Zoning Districts.

(j) R-6 Two-Family Dwelling District.

The R-6 District is intended to provide land areas devoted to two-family dwellings and medium density, single-family dwellings. Land areas zoned R-6 are further intended to provide a transition between low- and high-density dwelling areas or between low density dwelling areas and nonresidential areas.

(k) TR Townhouse Residential District.

The TR District is intended to provide land areas devoted to medium density uses consisting of townhouse and multi-family dwellings. Land areas zoned TR are further intended to provide a transition between low-density and higher density residential areas or between low-density residential and nonresidential areas. The TR District is further intended to:

- (1) Encourage the provision of usable open space and recreation areas as part of a living environment.
- (2) Be located primarily in areas near or adjacent to single-family areas.
- (3) Be located so as to provide a transition between single family areas and nonresidential areas.
- (4) Be located near retail shopping and major thoroughfares.
- (5) Encourage home ownership.

(l) A Medium Density Apartment District.

The A District is intended to provide land areas for medium-density apartment dwellings which will:

- (1) Encourage attractive apartment developments.
- (2) Encourage the provision of recreation areas and facilities, and
- (3) Be located in areas of moderate to intense development near retail shopping, schools and major thoroughfares.
- (4) Be located so as to provide a transition between moderate density residential areas and high-density residential areas or between moderate density residential areas and nonresidential areas.

(m) A-L Apartment Limited Dwelling District.

The A-L District is intended to provide land areas for high to very high-density apartment dwellings which will:

- (1) Encourage attractive apartment living opportunities;
- (2) Encourage the provision of recreation areas and facilities;
- (3) Be located in areas of intense development near retail shopping, schools and major thoroughfares; and
- (4) Be located so as to provide a transition between medium density residential areas and nonresidential areas.

(n) MHP Manufactured Home Park District.

The MHP District is provides minimum design standards for mobile home parks. The MHP District is intended to:

- (1) Provide a desirable living environment;

Sec. 206 Zoning Districts.

- (2) Require the provision of usable open space and recreational areas;
 - (3) Be located in areas which are served by public sanitary sewer or be located in a drainage basin which is identified for sanitary sewer within two years;
 - (4) Be located on sites which have a high potential for tree retention and utilization of natural terrain; and
 - (5) Have access to an arterial street.
- (o) SH Senior Housing District.

The SH District is intended to provide land area devoted to senior housing consisting of single family and multi-family dwellings. The SH District is further intended to:

- (1) Encourage senior housing opportunities throughout the City of South Fulton except in industrial areas;
 - (2) Allow seniors the ability remain in their community; and
 - (3) Provide standards whereby senior housing is compatible with the surrounding area.
- (p) NUP Neighborhood Unit Plan District.

The NUP District is intended to provide land areas devoted to low to medium density single-family detached residential uses of five or fewer units per acre consistent with the densities ranges suggested on the Comprehensive Plan Future Land Use Map. The NUP is further intended to:

- (1) Encourage the development of medium sized tracts of land as planned neighborhoods or the development of vacant parcels of land with transitional densities in built-up areas;
 - (2) Encourage the preservation of trees and vegetation;
 - (3) Encourage innovative site planning;
 - (4) Be developed at a density that is consistent with the Comprehensive Plan and surrounding properties; and
 - (5) Protect neighboring properties by requiring peripheral setbacks and development standards compatible with adjacent developments as required by the district standards and the conditions of zoning.
- (q) CUP Community Unit Plan District.

The CUP District identifies land areas for a variety of housing types, including single-family and multi-family uses, within a planned community setting. The CUP District is intended to:

- (1) Encourage the development of large tracts of land as planned communities;
- (2) Encourage flexible and creative concepts in site planning;
- (3) Preserve the natural amenities of the land by encouraging scenic and functional open areas;
- (4) Provide for an efficient use of land;
- (5) Provide a stable residential environment compatible with surrounding residential areas; and
- (6) Protect neighboring properties by requiring larger peripheral lots adjacent to larger lot developments.

206.03 Agricultural Zoning Districts; Purpose.

AG-1 Agricultural District.

The AG-1 District is intended to encompass lands devoted to agricultural uses and low-density residential use, single-family subdivisions and conservation subdivisions.

206.04 Commercial Zoning Districts; Purpose.

(a) C-1 Limited Commercial District.

The C-1 District is intended to provide locations in which neighborhood and community-oriented retail and service activities conclude a transition, or land areas which compliment a transition into a more intense activity area. Complimentary noncommercial uses are also permitted.

(b) C-2 General Commercial District.

The C-2 District is intended to provide locations in which community and regionally oriented retail and service activities conclude a transition, or locations which compliment a transition into a more intense activity area. Complimentary noncommercial uses are also permitted.

(c) O-I Office and Institutional District.

The O-I District is intended to provide land areas for office and institutional uses where proximity to residential, public, commercial and other land uses, and existing and projected traffic patterns make it desirable to locate office and institutional uses.

206.05 Mixed Use Zoning Districts; Purpose.

(a) MIX Mixed Use District.

(1) Intent.

The MIX District is intended to encourage flexible, innovative and creative concepts in site planning and efficient use of land and to provide a stable multiple use environment compatible with surrounding uses. The MIX District is particularly encouraged in areas designated by the Comprehensive Plan Future Land Use Map as suitable for commercial (including retail, service commercial and office) uses and in Live-Work corridors.

(2) Allowed uses.

See Table 2-4 of this Article for allowed Principal Uses and restrictions that apply to particular uses. The MIX District also mandates a residential component of single-family dwellings, duplexes, triplexes, quadruplexes, townhouses, multifamily dwellings or any combination thereof along with at least two of the following: commercial, office or institutional uses.

206.06 Industrial Zoning Districts; Purpose

(a) M-1 Light Industrial District.

The M-1 District is intended to provide locations for light industrial uses and industrial parks which meet the needs for processing, manufacturing, fabricating, warehousing, distributing, research, flex office-warehouse uses, and office uses associated with industrial uses . The M-1 District is further intended to be compatible with surrounding areas by prohibiting activities which are offensive or hazardous to the workers in the area, or produce smoke, odor, noises, fumes, vibrations or other objectionable elements or emanations that may be detrimental to the health and safety of the

Sec. 207 Uses Allowed in Each Zoning District.

citizens of South Fulton. To this end, accepted smoke and odor abatement practices shall be followed to eliminate objectionable smoke and odor, in so far as possible.

(b) M-2 Heavy Industrial District.

The M-2 District is intended to provide locations for a full range of manufacturing, fabricating, processing, distributing, research, office associated with industrial use, extraction, and terminal and warehousing uses.

Sec. 207. Uses Allowed in Each Zoning District.

207.01 Principal Uses.

- (a) A principal use is the specific, primary purpose for which land or a building is used.
- (b) Principal uses that are allowed by right or by approval as a special use in residential zoning districts are shown on the following Table 2-2.
- (c) Principal uses that are allowed by right by approval as a special use in non-residential zoning districts are shown on the following Table 2-4.
- (d) In CUP-CGA and MIX-CGA Districts, uses that are allowed are established through approval of the rezoning application. See Article 4 of this Ordinance for details.

207.02 Accessory and Temporary Uses.

- (a) An accessory use is a use that is allowed on a property in conjunction with a principal use. An accessory use is incidental to the principal use and would not exist independent of the principal use.
- (b) A temporary use is a use having a specific duration or the end of which is related to a specific action, usually lasting for only a few days or months at a time.
- (c) Accessory uses and temporary uses that are allowed in conjunction with a principal use in residential zoning districts are shown on Table 2-3.
- (d) Accessory uses and temporary uses that are allowed in conjunction with a principal use in non-residential zoning districts are shown on Table 2-5.

207.03 Restrictions on Particular Uses.

- (a) Restrictions that apply to certain allowed uses or Special Uses are listed in the Restrictions on Particular Uses Article of this Ordinance (Article 3).
- (b) For those uses that have specific restrictions associated with them, a reference is given on the use table to the pertinent section in Article 3.
- (c) Any provisions in Article 3 that apply to development in general, however, are not indicated on the use tables.

207.04 Prohibited Uses.

- (a) Any principal use not shown on the following Table 2-2 and Table 2-4 as allowed in a zoning district, whether by right or with approval as a special use, is specifically prohibited.
- (b) Any accessory use or temporary use not shown on the following Table 2-3 and Table 2-5 as allowed in a zoning district, is specifically prohibited.

207.05 Interpretation of Uses.

Some degree of interpretation by the Community Development and Regulatory Affairs Director will occasionally be required, consistent with the authority conferred to the CDRA

Sec. 207 Uses Allowed in Each Zoning District.

Director in Article 1 of this Ordinance. It is not possible to list each and every variation or name of a given use.

- (a) In addition to Merriam-Webster's Collegiate Dictionary (eleventh edition or later edition) and other generally accepted references and resources, the North American Industrial Classification System (NAICS), published by the U.S. Department of Commerce (2017 edition or later edition), may be referred to in order to interpret the definition of uses listed on the following use tables and to identify similar uses that may be allowed along with each listed use.
 - (1) The NAICS classification number is shown on the use tables for each applicable use for reference and interpretation only; the NAICS is not adopted as part of this Zoning Ordinance.
 - (2) If no NAICS classification number is shown on the tables, there is no corresponding category to the land use listed. The use may be residential in nature (there are no NAICS categories for residences) or may be a land use activity not generally recognized as a business activity or industry type.
- (b) In all cases of uncertainty, the determination of whether or not a particular use is allowed in a particular zoning district shall reflect the intent of the zoning district as stated in this Article, both the common and dictionary definitions of the use, and the array of listed uses that are allowed in the district as to their character and intensity.

207.06 Use Tables.

The following tables list the uses allowed in each zoning district, as described herein:

- (a) An "A" means that the use is allowed in the zoning district without any qualifications, except wherever such qualifications may be indicated in this Ordinance. Such indication will also be noted in the righthand column of the table of uses.
- (b) An "S" means that the use is allowed only by approval as a special use. A listed special use is one which may be granted by City Council only when certain conditions are met in accordance with the special use process described in Article 8 of this Ordinance. Additional restrictions may also apply, as noted in the righthand column of the table of uses.
- (c) A blank space indicates that the use is not allowed in any district and is specifically prohibited.

Table 2-2 Principal Use Table: Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH	For Restrictions See Sec:			
			<i>A = Allowed</i>									<i>S = Allowed if Approved as a Special Use</i>									<i>Blank = Prohibited</i>		
	RESIDENTIAL USES		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH				
	Dwellings		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH				
	Single-Family Detached: Site-Built or Modular Home		A	A	A	A	A	A	A	A	A	A				A	A		A				
	Single-Family Detached: Manufactured Home																	A					
	Two-Family Dwelling: Duplex											A				A			A				
	Three-Family Dwelling: Triplex												A			A			A				
	Four-Family Dwelling: Quadruplex												A			A			A				
	Townhouses												A			A			A				
	Multi-Family: Apartments													A	A	A			A				
	Manufactured Home Park																	A					
	Apartment Units in Mixed-Use Building																						
	Conservation Subdivision		A	A	A	A	A	A	A	A	A									Subdivision Ord.			
623	Residential Care and Nursing Facilities		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH				
623110	Hospice, Inpatient Facility											S	S	A	A					302.19			
623110	Nursing Home											S	S	A	A					302.19			
623110	Assisted Living Facility											S	S	A	A					302.27			
623311	Continuing Care Retirement Community															A	A		A				
623990	Personal Care Home											S	S	A	A					302.27			
623990	Group Residence for Adults											S	S	A	A					302.17			
623990	Group Residence for Children, 6 to 9 children		S	S	S	S	S	S	S	S	S	S	S			S	S			302.18			
623990	Group Residence for Children, 10 to 16 children											S	S			S	S			302.18			
	INSTITUTIONAL USES		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH				
611	Academic Schools		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH				
611110	Private Schools: Elementary, Middle, and High Schools		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	302.37			

Table 2-2 Principal Use Table: Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH	For Restrictions See Sec:		
			<i>A = Allowed</i>										<i>S = Allowed if Approved as a Special Use</i>					<i>Blank = Prohibited</i>				
611210	Private Schools: Junior Colleges		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	302.37		
611310	Private Schools: Colleges and Universities		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	302.37		
611699	Special Schools		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	302.37		
624	Child Day Care		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH			
624410	Day Care Facility											S	S	S	S					302.12		
81	Religious Facilities		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH			
8131	Churches and Other Facilities for Religious Organizations Worship		S	S	S	S	S	S	S	S	S	S	S	S	S	A	S	S	S	302.08		
812220	Cemeteries and Mausoleums (human or pet)		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	302.07		
	RECREATION USES		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH			
713910	Golf Courses and Country Clubs		S	S	S	S	S	S	S	S	S	S				A	S		S	302.16		
713990	Recreational or Youth Sports Teams Fields		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	302.31		
713990	Stadium (offsite) associated with a private school		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	302.46		
	COMMERCIAL SERVICES & RETAIL TRADE		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH			
	Temporary Lodging		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH			
721191	Bed and Breakfast Inn											S	S							302.06		
721199	Medical Related Lodging											S	S	A	A					302.25		
	COMMUNICATIONS		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH			
	Communications		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH			
5179	Telecommunication Support Structures (includes cell towers), excluding Alternative Telecommunication Support Structures, Co-locations, and Small-Cell Infrastructure		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	City Code of Ordinances		

Table 2-3 Accessory and Temporary Use Table: Residential Districts

Uses ↓	Zoning Districts →	R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH	For Restrictions See Sec:
		A = Allowed										Blank = Prohibited							
ACCESSORY USES		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH	
Agricultural Uses		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH	
Horse Stables, Private		A	A	A	A	A	A	A	A	A									303.12
Residential Uses		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH	
Accessory Structures Customary to a Dwelling		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	303.02
Guest House		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	303.09
Home Occupation, excluding Family Day Care Home (see under Institutional Uses)		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	303.11
Outside Storage, accessory		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	303.13
Recreational Courts, Private		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	303.15
Short Term Rental		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Title 12, Chapter 3 of City Code of Ordinances
Swimming Pool, Private		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	303.17
Institutional Uses		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH	
Accessory Uses Customary to a Church or Other Religious Facility		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	303.03
Accessory Uses Customary to a School (private or special)		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	303.04
Day Care Facility																	A		302.12
Day Care Facility, accessory to and located in a multi-family building															A				
Family Day Care Home		A	A	A	A	A	A	A	A	A	A				A	A	A		303.08
Retail Trade and Commercial Services		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH	
Accessory Uses Customary to a Golf Course and Country Club															A				302.16
Display or Sale of Manufactured Homes																	A		303.16
Grocery Store																	A		303.10

Table 2-3 Accessory and Temporary Use Table: Residential Districts

Uses ↓	Zoning Districts →	R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH	For Restrictions See Sec:	
A = Allowed										Blank = Prohibited										
Communications		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH		
Amateur Radio Antenna		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	City Code of Ordinances
Alternative Telecommunication Support Structure		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Co-locations		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Small-Cell Infrastructure		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
TEMPORARY USES		R-1	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5	R-5A	R-6	TR	A	A-L	CUP	NUP	MHP	SH		
Food Truck Events		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	304.03
Model Homes		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	304.05
Party House		A	A																	304.04
Seasonal Business Use		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	304.08
Special Event, Indoor/Outdoor		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	304.01
Temporary Classroom		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	304.09
Temporary Structures in Association with Permitted Construction or Special Events		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	304.10
Use of Existing Dwelling while residence is being built		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	304.11
Use of Manufactured Home while residence is being built		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A		304.12
Yard Sale		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	304.13

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-1	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
	AGRICULTURAL USES		AG-1	C-1	C-2	O-1	MIX	M-1	M-2	
111	Crop Production, including Greenhouses & Plant Nurseries (non-retail), and Floriculture Production		A							
112	Animal Production and Aquaculture (except for Animal Slaughtering and Processing)		A							302.04
316110	Equine Garment Fabrication		S							302.15
312130	Farm Winery		A							Title 16, City Code of Ordinances
444220	Farm Supply Store (e.g. Feed and Seed Store)		S	A	A					
445230	Farmers Market, Permanent		S		S					
713990	Riding Stables		A							302.36
	Agricultural-Related Recreation Activities:									
721214	<i>Dude Ranch</i>		S							302.02
713990	<i>Educational Tours</i>		S							302.02
713990	<i>Pay Fishing</i>		S							302.02
712130	<i>Petting Zoo</i>		S							302.02
712190	<i>Picnicking</i>		S							302.02
	<i>For Retreats, Lodges and Camping see under Amusements and Recreation, with Lodging</i>									
	RESIDENTIAL USES		AG-1	C-1	C-2	O-1	MIX	M-1	M-2	
	Dwellings		AG-1	C-1	C-2	O-1	MIX	M-1	M-2	
	Single-Family Detached: Site-Built or Modular Home		A				A			
	Two-Family Dwelling: Duplex						A			
	Three-Family Dwelling: Triplex						A			
	Four-Family Dwelling: Quadruplex						A			
	Townhouses						A			
	Multi-Family Dwelling: Apartments						A			
	Apartment Units in Mixed-Use Building			A	A		A			

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →			AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		A = Allowed			S = Allowed if Approved as a Special Use			Blank = Prohibited				
623	Residential Care and Nursing Facilities				AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
623110	Hospice, Inpatient Facility							A	S			302.19
623110	Nursing Home							A	S			302.19
623110	Assisted Living Facility							A	S			302.27
623990	Personal Care Home							A	S			302.27
623990	Group Residence for Adults							A	S			302.17
623990	Group Residence for Children, 6 to 9 children											302.18
623990	Group Residence for Children, 10 to 16 children											302.18
	INSTITUTIONAL USES				AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
611	Academic Schools				AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
611110	Private Schools: Elementary, Middle, and High Schools				S	S	S	S	S	S	S	302.37
611210	Private Schools: Junior Colleges				S	S	S	A	A	S	S	302.37
611310	Private Schools: Colleges and Universities				S	S	S	A	A	S	S	302.37
611699	Special Schools				S	S	S	S	S	S	S	302.37
	<i>For non-academic schools and for educational support services, see Commercial Services, beginning under NAICS Ref. # 6114</i>											
62	Outpatient Medical Care and Hospitals				AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
6214	Clinics, with the exception of Urgent Care Facilities					A	A	A	A			
621493	Urgent Care Facilities					A	A	A	A			
622	Hospitals							A	A			
624	Social Assistance				AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
6241	Individual and Family Services, non-residential (Child and Youth Services, Services for the Elderly and Persons with Disabilities, and Counseling Services for Individuals and Families), excluding Adult Day Care					A	A	A	A			
624120	Adult Day Center					A	A	A	A			
624210	Food Banks and Meal Delivery Programs					S	A			A	A	
62422	Community Housing Services: Construction or Repair of Low-cost Housing						A			A	A	

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
6242	Temporary or Emergency Shelters			S	A	A	A	A	A	
624310	Job Counseling and Job Training Services			A	A	A	A	A	A	
624	Child Day Care	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
624410	Day Care Facility		A	A	A	A				302.12
81	Religious Facilities	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
8131	Churches and Other Facilities for Religious Organizations Worship	S	A	A	A	A	S	S		302.08
812220	Cemeteries and Mausoleums (human or pet)	S	S	S	S	S	S	S		302.07
812220	Crematory (not combined with a Funeral Home)							S		
813	Civic, Professional, & Similar Organizations	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
8132	Grantmaking and Giving Services, including Charitable Organization Offices		A	A	A	A				
8133	Social Advocacy Organizations		A	A	A	A				
8134	Clubs, Non-profit: Fraternal Lodges, Veterans Membership Organizations, and Other Private Civic and Social Organizations (for Private Clubs and Nightclubs, see under Arts, Recreation and Entertainment)	A	A	A	A	A	A	A		302.10
8139	Business, Professional, Labor, Political and Similar Organizations		A	A	A	A				
	RETAIL TRADE	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
441	Motor Vehicle and Parts Dealers	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
441110	New Car Dealers (for automobiles and light trucks)			A						
441110	Auto Broker (no vehicles stored or for sale on site), office only		A	A						
441120	Used Car Dealers (for automobiles and light trucks)			A						
441210	RV (Recreational Vehicle) Dealers						S			
441222	Boat Dealers						S			
441228	Motorcycle, ATV, and All Other Motor Vehicle Dealers (excludes medium- and heavy-duty trucks, buses and other motor vehicles; see under Manufacturing, Wholesaling and Warehousing: NAICS Ref. 423110, Automobile and Other Motor Vehicle Merchant Wholesalers)			A						
441310	Automotive Parts and Accessories Stores		A	A						

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
441320	Tire Dealers			A	A					
442	Furniture and Home Furnishings Stores	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
442	Furniture and Home Furnishing Stores, except Wood or Ceramic Tile Flooring Stores & Antique and Used Furniture Stores; see under NAICS Ref. 444		A	A						
443	Electronics and Appliance Stores	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
443141	Household Appliance Stores		A	A		A				
443142	Cellular Telephone Accessories Stores (accessories only; no phone sales)		A	A	S	A				
51731	Retailing New Cellular Phone Telephones and Communication Service Plans (with or without repair) services		A	A	S	A				
443142	Music Stores (e.g. new records and compact discs)		A	A		A				
443142	Electronics Stores		A	A		A				
444	Building Material and Garden Equipment and Supplies Dealers	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
444110	Home Centers		A	A						
444120	Paint and Wallpaper Stores		A	A						
444130	Hardware Stores		A	A		A				
444190	Wood or Ceramic Tile Flooring Stores		A	A						
444190	Plumbing Supply Stores			A						
444190	Lumber Yards, retail			A						
444210	Outdoor Power Equipment Stores			A						
444220	Landscape Supply Business, Plant Nurseries and Garden Centers (with indoor retail component)	S	A	A						302.23
445	Food and Beverage Stores	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
445110	Supermarkets and Other Grocery (except Convenience) Stores		A	A						
4452	Specialty Food Stores, not for immediate consumption and not made on the premises (including Vegetable and Fruit Markets, Meat Markets, Fish and Seafood Markets, Confectionary and Nut Stores, and Miscellaneous Specialty Foods)		A	A						
445310	Beer, Wine and Liquor Stores			S						

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
311811	Retail Bakeries			A	A					
	<i>For Convenience Stores, see under Gas Stations</i>									
446	Health and Personal Care Stores	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
446110	Pharmacies and Drug Stores		A	A	S	A				
446120	Cosmetics, Beauty Supplies and Perfume Stores		A	A		A				
446130	Optical Goods Stores		A	A	S	A				
446191	Food (Health) Supplement Stores		A	A		A				
446199	All Other Health and Personal Care Stores (such as hearing aids and convalescent supplies)		A	A	S	A				
447	Gas Stations	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
447110	Gasoline Stations located on Fulton Industrial Boulevard			S			A			302.15
447110	Gasoline Stations not located on Fulton Industrial Boulevard			S			S			
447190	Truck Stops						S	S		
448	Clothing and Clothing Accessories Stores <i>(for used merchandise stores, see under NAICS Ref. 453)</i>	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
4481	Clothing Stores		A	A		A				
448150	Hat Shop		A	A		A				
448210	Shoe Stores		A	A		A				
448310	Jewelry Stores		A	A		A				
448320	Luggage and Leather Goods Stores		A	A		A				
451	Sports, Hobby, Music Instrument & Book Stores <i>(for used merchandise stores, see under NAICS Ref. 453)</i>	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
451110	Sporting Goods Stores		A	A		A				
451120	Hobby, Toy, and Game Stores		A	A		A				
451130	Sewing, Needlework and Piece Goods Stores		A	A		A				
451140	Musical Instrument and Supply Stores		A	A		A				
451211	Book Stores		A	A		A				
451212	News Dealers and Newsstands		A	A	S	A				

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
452	General Merchandise Stores <i>(for used merchandise stores, see under NAICS Ref. 453)</i>		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
452210	Department Stores				A					
452311	Warehouse Clubs and Supercenters				A					
452319	Small Box Discount Store			S	A					302.41
453	Miscellaneous Store Retailers		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
453110	Florists			A	A		A			
453210	Office Supplies and Stationary Stores			A	A		A			
453220	Gift and Souvenir Stores			A	A		A			
453310	Used Merchandise Stores (including Antiques, Used Books, Second-Hand Clothing, and Thrift Shops), not including Pawnshops and Flea Markets			A	A					
453310	Flea Market, Indoor				S					
453310	Pawnshops				S					
453910	Pet and Pet Supply Stores			A	A					
453920	Art Dealers (includes commercial studios and galleries); see also under Manufacturing, Artisan for Artisans and Craftsmen			A	A	A	A			
453930	Manufactured Home Dealers							A		
453991	Cigar and Tobacco Shops (excludes Cigar Lounge and Hookah Lounge - see under Arts, Entertainment and Recreation; and, excludes Vape Shops)				S					
453991	Vape Shops									
453998	Art Supply Stores			A	A		A			
453998	Swimming Pool and Pool Supply Stores				A					
453998	Auction House							A		
454	Non-store Retailers <i>(excluding portable stalls and mobile vendors)</i>		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
454110	Electronic Shopping and Mail-Order Houses							A	A	
454210	Vending Machine Operators							A	A	
454310	Fuel Dealers							S	A	

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
454390	Other Direct Selling Establishments (except fuel and food for immediate consumption)							A	A	
	COMMERCIAL SERVICES	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
236	Building Construction Services	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
2361	Residential Construction & Remodeling Contractors, Builders and Developers (office only; no outdoor storage or display)		A	A	A	A				
2361	Residential Construction & Remodeling Contractors, Builders and Developers, with outdoor storage						A	A		
2362	Non-Residential Construction Contractors, Builders and Developers, office only (office only; no outdoor storage or display)		A	A	A	A				
2362	Non-Residential Construction & Remodeling Contractors, Builders and Developers, with outdoor storage						A	A		
238	Building Services: Specialty Trade Contractors	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
238	Specialty Trade Contractors (including: Foundation, Structure, and Building Exterior Contractors; Building Equipment Contractors; and, Building Finishing Contractors)						A	A		
52	Financial and Insurance Services	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
5221	Banks, Credit Unions and Savings Institutions		A	A	A	A				
522291	Consumer Lending Services		A	A	A	A				
522390	Check Cashing Services			S						
522298	Car Title Lending Services			S						
5242	Insurance Agencies, Brokerages, Actuarial Services, and Claims Adjusting		A	A	A					
	Pawnshops – see under Retail Trade, Ref. 453 Miscellaneous Store Retailers									
532	Rental and Leasing Services	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
531120	Conference and Training Center		A	A	A					
531120	Assembly / Banquet Hall or Event Center, no onsite catering		A	A	A	A				
722320	Assembly / Banquet Hall or Event Center, with onsite catering		A	A	A	A				
531130	Self-Storage, Mini		S	S						302.38
531130	Self-Storage, Multi		S	S		S				302.39

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
532111	Passenger Car Rental				A					
532120	Truck, Utility Trailer, and RV Rental and Leasing				A					
532210	Consumer Electronics and Appliances Rental				A					
532281	Formal Wear and Costume Rental			A	A					
532283	Home Health Equipment Rental				A					
532284	Recreational Goods Rental				A					
532289	Furniture Rental Center				A					
532289	Party Rental Supply Centers				A					
532310	General Rental Centers				A					
532411	Construction Equipment Rental and Leasing							A	A	
532420	Office Equipment and Machinery Rental and Leasing				A					
532490	Farm Implement Rental		S					A	A	
5613	Employment Support Services		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
56131	Employment Placement Agencies & Executive Search Services			A	A	A	A			
561320	Temporary Help Services				A	A				
561330	Professional Employer Organizations			A	A	A	A			
5614	Business Support Services		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
561410	Document Preparation Services			A	A	A	A			
56142	Telephone Call Centers (including Telephone Answering Services and Telemarketing Bureaus)			A	A					
56143	Business Service Centers (including Copy Shops)			A	A	S	A			
561440	Collection Agencies					A				
561450	Credit Bureaus			A	A	A	A			
561491	Repossession Services					A				
561492	Court Reporting and Stenotype Services			A	A	A	A			
Other Business Support Services			AG-1	C-1	C-2	O-I	MIX	M-1	M-2	

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
561910	Packaging and Labeling Services							A		
561110	Office Administrative Services			A	A	A	A			
541380	Testing Laboratories (includes physical, chemical, and other analytical testing; excludes medical and veterinary testing)							A	A	
5418	Advertising Agencies and Public Relations Agencies			A	A	A	A			
541910	Marketing Research and Public Opinion Polling			A	A	A	A			
541922	Commercial Photography			A	A	A	A			
	<i>For Portrait Studios see under Other Personal Services</i>									
541930	Translation and Interpretation Services			A	A	A	A			
<i>See also under Administrative and Professional Offices for additional specialized and technical services</i>										
5615	Travel Services		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
561510	Travel Agencies			A	A	A	A			
561520	Tour Operators				A					
561591	Convention and Visitors Bureaus			A	A	A	A			
5616	Investigation and Security Services		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
56161	Investigation, Guard, and Armored Car Services							A		
561621	Security System Services				A			A		
561622	Locksmiths			A	A					
5617	Services to Buildings and Dwellings		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
561710	Exterminating and Pest Control Services							A	A	
561720	Janitorial Services							A	A	
561730	Landscaping and Lawn Services							A		
	<i>For Landscape Supply Business, see under Retail Trade - Building Material and Garden Equipment and Supplies Dealers</i>									
561740	Carpet and Upholstery Cleaning Services							A	A	
6114	Job Training: Business Schools and Computer and Management Training		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
611410	Business and Secretarial Schools			A	A	A	A			
611420	Computer Training			A	A	A	A			
611430	Professional and Management Development Training			A	A	A	A			
6115	Job Training: Technical and Trade Schools	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
611511	Cosmetology and Barber Schools			A	A	A	A			
611512	Flight Training					A		A		
611513	Apprenticeship Training					A		A		
611519	Truck and Bus Driving Instruction							A	A	
611519	Other Technical and Trade Schools (Bartending Schools, Modeling Schools, Broadcasting Schools, Real Estate Schools, and Computer Repair Training)			A	A	A				
6116	Other Non-Academic Schools and Instruction	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
611610	Fine Arts Schools			A	A	A	A			
611620	Sports and Recreation Instruction			A	A	A	A			
611630	Language Schools			A	A	A	A			
611691	Exam Preparation and Tutoring			A	A	A	A			
611692	Automobile Driving Schools			A	A	A	A			
6117	Educational Support Services	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
6117	Educational Counseling, Testing and Other Non-Instructional Support Services			A	A	A	A			
721	Accommodation Services (Temporary Lodging)	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
721110	Hotel			A	A	A	A			
721110	Extended Stay Hotel					S				Title 5, Chapter 8 in City Code of Ordinances
721110	Motel			A	A	A				
721191	Bed and Breakfast Inn		S							302.06
721191	Country Inn		S							302.11

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		A = Allowed	S = Allowed if Approved as a Special Use			Blank = Prohibited				
	<i>RV Parks and Campgrounds – see under Arts, Entertainment and Recreation</i>									
722	Food Services and Drinking Places		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
722320	Catering Services			A	A		A			
722330	Mobile Food Services (permanent facilities, such as Food Truck Courts)							A		
722511	Restaurants, Full-Service (excluding Brewpubs)			A	A		A			
722511	Brewpubs			A	A		A			Title 16, City Code of Ordinances
722513	Delicatessens			A	A		A			
722513	Restaurants, Limited-Service, including Fast Food and Take-Out, with drive-through windows			A	A					
722513	Restaurants, Limited-Service, including Fast Food and Take-Out, without drive-through windows			A	A		A			
722513	Restaurants, Drive-In			A	A					
722514	Cafeterias, Grill Buffets, and Buffets			A	A		A			
722213	Specialty Snack Shops and Non-Alcoholic Beverage Bars, including Coffee Shops, Donut Shops, Bagel Shops, and Ice Cream Parlors			A	A		A			
7224	Bars, Taverns and Other Drinking Places (Alcoholic Beverages)			A	A		A			
8111	Automotive Repair and Maintenance Services		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
811111	General Automotive Repair (includes Automotive Repair Garages)				A					302.05
811112	Automotive Exhaust System Repair				A					302.05
811113	Automotive Transmission Repair				A					302.05
811118	Automotive Brake Repair				A					302.05
811121	Automotive Body, Paint, and Interior Repair and Maintenance (includes Window Tinting)				A			A	A	302.05
811122	Automotive Glass Replacement Shops							A	A	302.05
811191	Automotive Oil Change and Lubrication Shops				A					302.05
811192	Car Washes and Detailing Services				A					302.05
811198	Automotive Air-Conditioning Repair Shops, Tire Repair (except retreading; see under Manufacturing, Traditional) Shops, and Automotive Rustproofing and Undercoating Shops				A			A	A	302.05

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		A = Allowed	S = Allowed if Approved as a Special Use			Blank = Prohibited				
811198	Auto Emission Testing Center				A					302.05
<i>For automotive accessory sales and/or installation, see under Retail Trade, NAICS Ref. 441 Motor Vehicle and Parts Dealers</i>										
8112	Electronic and Precision Equipment Repair and Maintenance Services (repair only; see under Retail Sales for equipment sales with or without repair and additional notes below)	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
811211	Electronic and Precision Equipment Repair and Maintenance		A	A						
811212	Computer and Office Machine Repair and Maintenance		A	A						
811213	Communication Equipment Repair and Maintenance		A	A						
8113	Commercial and Industrial Machinery and Equipment Repair and Maintenance Services (repair only; no manufacturing on site)	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
811310	Garage, Truck and Heavy Equipment Repair						A	A		
8114	Personal and Household Good Repair and Maintenance Services (repair only; no manufacturing on site)	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
811411	Home and Garden Equipment Repair and Maintenance		A	A						
811412	Appliance Repair and Maintenance		A	A						
811420	Reupholstery and Furniture Repair		A	A						
811430	Shoe and Leather Goods Repair		A	A						
81149	Boat Repair and Maintenance						S			
81149	Motorcycle Repair and Maintenance			A						
81149	Other Personal and Household Good Repair and Maintenance: Garments, Watches, Jewelry, Musical Instruments, and Bicycles		A	A						
8121	Personal Care Services	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
812111	Barber Shops		S	S		S				
812112	Beauty Salons		S	S		S				
812113	Nail Salons		S	S		S				
812191	Diet and Weight Reducing Centers		A	A		A				
812199	Massage Therapy			S						302.24
812119	Tattoo and Body Piercing Studios			S						

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
	<i>For Fitness Centers, Health Clubs and Recreation Centers, see under Arts, Entertainment and Recreation</i>									
8123	Dry-cleaning and Laundry Services		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
812310	Coin-Operated Laundries and Drycleaners			A	A					
812320	Dry-Cleaning and Laundry Services (except Coin-Operated)			A	A					
812331	Linen and Uniform Supply				A					
812332	Industrial Launderer							A	A	
	Other Personal Services, Animal Care		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
541940	Animal Hospitals and Veterinary Clinics		A	A	A	A	A	A	A	302.46
812910	Animal Shelters		S		S			S	S	
812910	Pet Grooming Shops			A	A					
812910	Kennels, enclosed		A	A	A	A	A	A	A	302.20
812910	Kennels, outdoor		S		S			S	S	302.21
	Other Personal Services		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
315210	Tailors and Dressmakers			A	A		A			
541921	Photography Studios, Portrait (including still, video, digital, and passports)			A	A		A			
81292	Photofinishing Services							A	A	
621991	Blood and Organ Banks					A				
812210	Funeral Homes			A	A	A				
812220	Crematories								A	
812990	Bail Bonding or Bondsperson Services					A				
812990	Dating Services				A	A				
812990	Wedding Planning Services			A	A	A	A			
812990	Personal Shopping, Organizer, Fitness Training, and Chef Services			A	A	A	A			
812990	Astrology Services				A	A				

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
	PROFESSIONAL AND ADMINISTRATIVE OFFICES		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
51	Publishing Offices (For printing of materials, see under Manufacturing, Wholesaling and Warehousing)		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
5111	Newspaper, Periodical, Book and Directory Publishers			A	A	A	A			
5112	Software Publishers (includes software design and development)			A	A	A	A			
512230	Music Publishers			A	A	A	A			
519130	Internet Publishing and Broadcasting and Web Search Portals			A	A	A	A			
52	Financial Offices		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
5222	Credit Card Issuing and Sales Financing			A	A	A	A			
52231	Mortgage and Non-mortgage Loan Brokers			A	A	A	A			
52232	Financial Transactions Processing, Reserve and Clearinghouse Activities			A	A	A	A			
523	Financial Investments and Related Activities, such as: Portfolio Management and Investment Advice; Securities and Commodity Brokerages; and Trust, Fiduciary, and Custody Activities			A	A	A	A			
541	Professional Offices		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
531	Real Estate Office			A	A	A	A			
5411	Lawyers, Notaries and Other Legal Services			A	A	A	A			
5412	Accounting, Tax Preparation, Bookkeeping and Payroll Services			A	A	A	A			
5413	Architectural, Engineering, Surveying and Related Services (except Testing Laboratories; see under Commercial Services, Other Business Support Services, NAICS Ref. 541380)			A	A	A	A			
5414	Interior Design, Graphic Design and other Specialized Design Services			A	A	A	A			
5415	Computer Systems Design and Related Services			A	A	A	A			
5416	Management, Scientific and Technical Consulting Services, including Executive Search and Management Consulting			A	A	A	A			
5417	Scientific Research and Development Services			A	A	A	A			
541990	Business Incubator			A	A	A	A			
541990	Coworking Space			A	A	A	A			

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
541990	Maker Space				A			A	A	
55	Corporate Management Offices			A	A	A	A			
621	Medical Offices	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
6211	Offices of Physicians (including Physicians that are Mental Health Specialists)		A	A	A	A				
6212	Offices of Dentists		A	A	A	A				
6213	Offices of Optometrists, Chiropractors, Mental Health Practitioners (not Physicians), Therapists (Physical, Occupational and Speech), Podiatrists and Other Health Specialists		A	A	A	A				
6215	Medical and Diagnostic Laboratories		A	A	A	A				
	ARTS, ENTERTAINMENT AND RECREATION	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
711	Performing Arts and Spectator Sports	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
711	Agents, Managers, and Promoters (offices only)		A	A	A	A				
7111	Performing Arts Theater: Drama, Dance, Music, Comedy (excludes outdoor amphitheatres)		A	A		A				
7111	Outdoor Amphitheater / Music Park	S	S	S	S	S	S	S	S	302.03
711310	Arena, Stadium, or Other Facility for Presenting Sporting Events			S		S				
711310	Stadium (offsite) associated with a private school			S						
711310	Fairgrounds	S	S	S	S	S	S	S	S	302.09
711510	Taxidermists						A	A		
712	Museums, Historical Sites, and Similar Institutions	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
7121	Museums and Commercial Historical Sites, including non-retail Art Galleries		A	A	A	A				
7121	Botanical Gardens and Nature Parks	S								
713	Amusements and Recreation, Indoor	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
713110	Amusement and Fun Parks, Indoor		A	A						
713120	Arcades and Game Rooms		A	A						
713940	Fitness Centers, Health Clubs, Gymnasiums, and Recreation Centers (includes Non-Profit facilities, e.g. YMCA)		A	A	A	A				

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
713940	Skating Rink				A					
713950	Bowling Centers				A					
713990	Batting Cage Facilities				A			S	S	
713990	Archery or Shooting Ranges, Indoor							S		
713990	Billiard and Pool Halls		A	A						
713990	Nightclubs and Private Clubs		S	S		S				302.26
713990	Cigar Lounges (with or without retail component)				S					
713990	Hookah Lounges				S					
713990	Sexually Oriented Businesses								A	City Code of Ordinances, Title 12
713	Amusements and Recreation, Outdoor	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
713110	Amusement and Theme Parks			S			S	S		302.09
713110	Bungee Jumping Parks			S			S	S		302.09
713910	Golf Courses, with or without a Country Club	S		A		S				302.16
713940	Swimming Pools, Public		A	A		A	A	A		302.43
713990	Skateboard Park			S			S	S		302.09
713990	Tennis Courts			S			S	S		302.09
713990	Batting Cage Facilities, Outdoor			S			S	S		302.09
713990	Recreational or Youth Sports Teams Fields	S	S	S		S				302.31
713990	Miniature Golf Course			S			S	S		302.09
713990	Golf Driving Range, not associated with a Golf Course	S	S	S		S	S			302.13
713990	Paintball Competition Courses	S		S			S	S		302.09
713990	Recreational Day Camps	S								302.09
713990	Archery or Shooting Ranges, Outdoor	S								302.09
713990	Dirt Bike and ATV (All-Terrain Vehicle) Track	S								302.09
721	Amusements and Recreation, with Lodging	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
721211	RV (Recreational Vehicle) Parks		S					S	S	
721211	Campgrounds (tents and RVs)		S							
721214	Recreational and Vacation Camps, including Lodges and Retreats (with lodging and food service)		S							302.30
Other Arts, Entertainment and Recreation Uses			AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
512131	Motion Picture Theaters (except Drive-Ins)				A		A			
512132	Motion Picture Theaters, Drive-In				S			S	S	302.09
519120	Libraries			A	A	A	A			
MANUFACTURING, WHOLESALING AND WAREHOUSING			AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
Manufacturing, Artisan (enclosed facilities and storage; with or without retail sales)			AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
32711	Pottery and Ceramics Artisans/Craftsmen Studios			A	A			A	A	
32721	Blown Glass Artisans/Craftsmen Studios				S			A	A	
33232	Ornamental and Architectural Metal Work Artists/Craftsmen Studios				S			A	A	
331410	Tinsmith Shop				S			A	A	
337110	Custom Cabinet Shop				S			A	A	
337212	Custom Architectural Woodwork and Millwork Craftsmen Studios				S			A	A	
33991	Jewelry Artisan/Craftsmen Studios			A	S			A	A	
312	Manufacturing, Alcoholic Beverages (with or without tasting rooms and tours)		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
312120	Brewery				S			A	A	Title 16, City Code of Ordinances
312140	Distillery				S			A	A	
	<i>See also Farm Winery under Agricultural Uses</i>									
Manufacturing, Industrial (excluding processes using smelting, blast furnaces, and boiler works)			AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
311	Food Manufacturing, excluding Animal Slaughtering and Processing; Fat Rendering; Bone Distillation; Oil Refining and Processing; Yeast Manufacturing; and Retail Bakeries (<i>Retail Bakeries are addressed under Retail Trade</i>)							A	A	

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-1	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
311999	Yeast Manufacturing								A	
313	Textile Mills, excluding Oilcloth Manufacturing							A	A	
314	Textile Product Mills (such as carpet, rug, curtain and linen mills)							A	A	
315	Apparel Manufacturing, excluding Tailors and Dressmakers (see under Commercial Services: Other Personal Services)							A	A	
316	Leather and Allied Product Manufacturing, excluding Equine Garment Manufacturing (see under Agricultural Uses); and, Leather and High Tanning and Finishing							A	A	
316110	Leather and Hide Tanning and Finishing								A	
321	Wood Product Manufacturing and Sawmills								A	
322	Paper and Pulp Manufacturing									
3231	Books Printing and Related Support Activities, including Book Binding							A	A	
3231	Commercial Printing, Book and Newspaper							A	A	
3231	Commercial Printing, Screen				A			A	A	
324	Petroleum and Coal Products Manufacturing									
325	Basic Chemical Manufacturing (including Acetylene Gas, Ammonia, Chlorine Gas, Bleaching Powder, Mineral Dye, Paint, Shellac, Turpentine, and Varnish), excluding the manufacture of Acid, Adhesives/Glue, Explosives, and Fertilizer								A	
326	Plastics and Rubber Product Manufacturing (includes Tire Retreading)								A	
327	Non-Metallic Mineral Product Manufacturing (including Brick, Pottery, Terra Cotta, and Tile), excluding the manufacture of Cement, Gypsum Board and Plaster of Paris								A	
331	Primary Metal Manufacturing									
332	Fabricated Metal Manufacturing								A	
334	Computer and Electronic Product Manufacturing							A	A	
335	Electrical Equipment, Appliance, and Component Manufacturing							A	A	
336	Transportation Equipment Manufacturing							A	A	
337	Furniture and Related Products Manufacturing							A	A	

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
3391	Medical Equipment and Supplies Manufacturing							A	A	
3399	Miscellaneous Manufacturing: Sporting Goods; Toys and Games; Non-Paper Office Supplies; Musical Instruments, Brooms, Brushes, and Mops; Fasteners, Buttons, Needles, and Pins; Gasket, Packing, and Sealing Devices, and Burial Caskets							A	A	
339950	Sign Manufacturing			S	A			A	A	
	Wholesale Trade	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
42	Wholesaler with a Retail Outlet or Customer Showrooms							A		
42	Wholesale Trade, no Showrooms							A	A	
423110	Medium- and Heavy-Duty Trucks, Bus, and Similar Motor Vehicle Dealer							A	A	
423820	Farm Machinery Sales							A	A	
	Warehousing and Storage (excluding storage of explosives and animal hides)	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
493	Distribution Center							A	A	
49311	General Warehousing and Indoor Storage							A	A	
493120	Refrigerated Warehousing (Cold Storage)							A	A	
493130	Farm Product Warehousing and Storage							A	A	
493190	Document Storage and Warehousing							A	A	
493190	Lumber Storage Terminals							A	A	
512240	Sound Recording Studios, with soundproofing					A	A	A	A	
512110	Motion Picture and Video Production (including sound stages)							A	A	
51219	Motion Picture and Video Postproduction Services							A	A	
562920	Recycling Center, Collection			S				A	A	
	Warehousing and Storage, Solid Waste	AG-1	C-1	C-2	O-I	MIX	M-1	M-2		
562920	Recycling Center, Reprocessing			S				S		302.33
562111	Transfer Station, Solid Waste								S	302.44
562	Incinerators									

Table 2-4 Principal Use Table: Non-Residential Districts

NAICS Ref.	Principal Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
		<i>A = Allowed</i>	<i>S = Allowed if Approved as a Special Use</i>			<i>Blank = Prohibited</i>				
	TRANSPORTATION AND COMMUNICATIONS		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
	Transportation		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
4853	Taxi and Limousine Service							A	A	
485510	Charter Bus Terminal								A	
485991	Special Needs Transportation							A	A	
485999	Shuttle Services, Vanpools and Other Ground Passenger Transportation							A	A	
488410	Motor Vehicle Towing and Wrecker Services								A	
488999	Stockyards, Transportation									
492110	Courier and Express Delivery Services (FedEx, UPS), sorting and forwarding ("UPS Store" would be classified under Commercial Services, NAICS Ref. 56143 Business Service Centers)							A	A	
492210	Local Messengers and Local Delivery Services (includes grocery and restaurant meal services, independent of a grocery store or restaurant)							A	A	
621910	Ambulance Services							A	A	
812930	Parking Lots (for passenger vehicles)				S		S			
812930	Parking Garages				S		S			
	<i>For Truck Stops, see under Retail Trade – Gas Stations</i>									
	<i>For Impound Lots, see Salvage/ Storage/Junk Facility under Warehousing and Storage</i>									
	Communications		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
5151	Radio and Television Broadcasting Stations				S			A	A	
5152	Cable and Other Subscription Distribution				S					
51731	Wireless Telecommunication Carriers (excluding Retailing New Cellular Phone Telephones and Communication Service Plans; see under Retail Trade)				S			A	A	
5179	Telecommunication Support Structures (includes cell towers), excluding Alternative Telecommunication Support Structures, Co-locations, and Small-Cell Infrastructure		S	A	A	A	S	A	A	City Code of Ordinances

Table 2-5 Accessory and Temporary Use Table: Non-Residential Districts

Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-I	MIX	M-1	M-2	For Restrictions See Sec:
<i>A = Allowed</i>		<i>Blank = Prohibited</i>							
ACCESSORY USES		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
Accessory Uses Customary to a Church or Other Religious Facility		A	A	A	A	A	A	A	303.03
Accessory Uses Customary to a Golf Course and Country Club		A		A		A			302.16
Accessory Uses Customary to an Office Building					A				303.05
Accessory Uses Customary to a School (private or special)		A	A	A	A	A	A	A	303.04
Car Wash accessory to a gas station				A			A		303.06
Guest House accessory to a single-family dwelling		A				A			303.09
Emissions Testing Station accessory to a gas station or auto repair				A			A		303.07
Outside Accessory Display		A	A	A	A	A	A	A	303.13
Outside Storage, accessory		A	A	A	A	A	A	A	303.13
Short Term Rental		A				A			Title 12, Chapter 3 in City Code of Ordinances
Alternative Telecommunication Support Structure		A	A	A	A	A	A	A	City Code of Ordinances
Amateur Radio Antenna		A	A	A	A	A	A	A	
Co-location		A	A	A	A	A	A	A	
Small-Cell Infrastructure		A	A	A	A	A	A	A	
TEMPORARY USES		AG-1	C-1	C-2	O-I	MIX	M-1	M-2	
Festivals, Outdoor/Indoor		A	A	A	A	A	A	A	304.02
Food Trucks		A							304.03
Revival Tent		A	A	A	A	A	A	A	304.06
Roadside Produce Stand		A	A	A			A	A	304.07
Roadside Vending			A	A			A	A	304.07
Seasonal Business Use		A	A	A	A	A	A	A	304.08
Special Event, Indoor/Outdoor		A	A	A	A	A	A	A	304.01
Temporary Classroom		A	A	A	A	A	A	A	304.09
Temporary Structures in Association with Permitted Construction or Special Events		A	A	A	A	A	A	A	304.10
Use of Manufactured Home while residence is being built		A				A			304.12

Table 2-5 Accessory and Temporary Use Table: Non-Residential Districts

Uses ↓	Zoning Districts →	AG-1	C-1	C-2	O-1	MIX	M-1	M-2	<i>For Restrictions See Sec:</i>
<i>A = Allowed</i>		<i>Blank = Prohibited</i>							
Use of Existing Dwelling while residence is being built	A					A			304.11

Article 3. Restrictions on Particular Uses

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Article 3. Restrictions on Particular Uses

Sec. 301. Purpose of Article 3.

The purpose of Article 3 is to provide land use and development regulations applicable to specific land uses that are otherwise allowed. Unless otherwise noted, these standards are intended to be applied within all zoning districts where the particular uses are allowed, whether by right or through Special Use approval.

Sec. 302. Restrictions on Principal Uses.

- (a) Sec. 302 identifies restrictions and requirements that apply to specific principal uses.
- (b) Where a use in this Section is required to have an Administrative Permit, see Article 8 for related procedural requirements.
- (c) See also Article 4 for development standards that apply to all lots and principal structures by zoning district. Where this a conflict between Article 4 and Article 3, the requirements in this Article shall apply, with the exception that standards for Large Scale Development in Article 4 shall apply where there are conflicts with this Article.
- (d) See also Article 5 for development standards that apply within overlay districts. Where this a conflict between Article 5 and this Article, the requirements in Article 5 shall apply.

302.02 Agricultural-Related Recreation Activities.

- (a) It is the intent of this Sec. 302.02 to allow certain agricultural-related activities upon approval as a Special Use and in compliance with the development standards below to preserve the nature of agricultural areas. Such uses shall include, but not be limited to, petting zoo, educational tours, dude ranches, picnicking, and pay fishing.
- (b) The following requirements shall apply to agricultural-related activities:
 - (1) Minimum lot size shall be 5 acres.
 - (2) Food services may be provided.
 - (3) A minimum of 100-foot setback is required from all property lines for activity areas, including parking.
 - (4) All structures housing animals shall be set back a minimum of 100 feet from all property lines.
 - (5) All parking and access areas must be of an all-weather surface per Sec. 304.01 Event, Special Indoor/Outdoor.

302.03 Amphitheater.

- (a) Lot area shall be a minimum of 10 acres.
- (b) The stage shall be located a minimum of 600 feet from adjacent properties zoned for residential use and/or AG-1 districts.
- (c) Permitted curb cut access shall be only from an arterial street.
- (d) A minimum 100-foot buffer and 10-foot improvement setback shall be provided adjacent to residential districts, property zoned for residential use zoning or development or AG-1 districts.

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- (e) A minimum 50-foot buffer and 10-foot improvement setback shall be provided adjacent to non-residential districts zoning or development.
- (f) A maximum continuous sound level of 60 dBA and a maximum peak sound level of 75 dBA shall not be exceeded at the property lines of adjacent residential districts and/or AG-1 districts.
- (g) A minimum of 8-foot high fencing shall be provided adjacent to properties zoned for residential use or AG-1 districts.
- (h) The hours of operation of the facility shall be limited to 8:00 a.m. to 11:00 p.m. when adjacent to properties zoned for residential use and/or AG-1 districts.
- (i) Facilities must be served by public sewer.
- (j) Provide per the following chart a minimum distance separation between the nearest property line of the proposed amphitheater and the nearest property line of an amphitheater with frontage on the same road(s) as the proposed facility:

Road Functional Class*	Distance Between Uses
Urban Principal Arterial	None
Urban Minor Arterial	1,000 feet
Urban Collector Street	½ mile
Urban Local Street	½ mile

*Source: Georgia Department of Transportation Division of Planning

302.04 Animal Production.

Buildings used for housing animals must be at least 100 feet from all property lines.

302.05 Automotive Repair and Maintenance Services.

- (a) Vehicles must be serviced and stored within the footprint of the building or at the rear of the structure but outside of any minimum yard. Vehicles must be totally screened from all property lines by a 100% opaque fence or wall together with landscape strips and buffers as specified by Article 4.
- (b) The outside storage of unlicensed and unregistered vehicles is prohibited.

302.06 Bed and Breakfast.

- (a) A minimum of two guest rooms and a maximum of five guest rooms are allowed.
- (b) No parking shall be allowed in the minimum front yard.
- (c) The bed and breakfast shall be owner occupied.
- (d) Breakfast shall be the only meal served and shall be included in the charge for the room.
- (e) Permitted curb cut access shall not be from a local street.
- (f) Parking requirements shall be the same as hotel/motel as specified in Article 6.
- (g) Exterior signs shall be limited to 4 square feet in surface area and 4 feet in height.

302.07 Cemetery and/or Mausoleum (human or pet).

- (a) Permitted curb cut access shall be only from a major thoroughfare, unless in conjunction with a place of worship.
- (b) No building shall be located within 50 feet of a residential district and/or AG-1 district.

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- (c) All structures, including graves, shall meet the minimum yard setbacks or 10 feet, whichever is greater.
- (d) If located adjacent to a single-family dwelling district and/or AG-1 district, the minimum buffers and landscape strips required for the O-I district as specified in Article 4 of this Ordinance shall be required.

302.08 Church.

- (a) All buildings and use areas/structures other than parking and pedestrian walkways shall be located at least 100 feet from any adjoining residential district and/or AG-1 district.
- (b) Any associated day care centers, private schools, recreational fields, minister's and caretaker's residences, and others uses that are subject to requirements in this Article shall meet said requirements, unless modified under conditions approved with a Special Use approval for the church.
- (c) No parking shall be located within the minimum front yard setback.
- (d) The minimum buffers and landscape strips required for the O-I zoning district as specified in Article 4 of this Ordinance shall be required.
- (e) Facilities must be served by public sewer.

302.09 Commercial Amusements, Outdoor.

- (a) Outdoor commercial amusements include, but are not limited to: amusement parks, bungee jumping parks, skateboard parks, batting cages, miniature golf, and drive-in theaters. See Sec. 302.13 for driving ranges.
- (b) Permitted curb cut access shall be derived only from arterial streets.
- (c) A minimum 100-foot buffer and 10-foot improvement setback shall be provided adjacent to residential districts and/or AG-1 districts.
- (d) A minimum 50-foot buffer and 10-foot improvement setback shall be provided adjacent to non-residential zoning or development districts.
- (e) All buildings and structures associated with an amusement park shall be set back not less than 200 feet from any property line.
- (f) A maximum continuous sound level of 60 dBA and a maximum peak sound level of 75 dBA shall not be exceeded at property lines of adjacent residential districts and/or AG-1.
- (g) Fencing that is 8 feet in height shall be provided adjacent to any residential district and/or AG-1 district and interior to any required landscape strips or buffers.
- (h) The hours of operation of the facility shall be limited to 8:00 a.m. to 11:00 p.m. adjacent to residential districts and/or AG-1.
- (i) All recreational structures and activities shall maintain a minimum setback of 100 feet from any public right-of-way.
- (j) The height limits of the zoning district shall apply to all recreational structures unless a variance to exceed the height is granted.
- (k) Central loudspeakers shall be prohibited unless allowed under conditions Special Use approval by City Council.
- (l) See also Article 4 of this Zoning Ordinance for applicable lighting standards.

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- (m) Facilities must be served by public sewer.
- (n) Provide per the following chart a minimum distance separation between the nearest property line of the proposed outdoor commercial amusement and the nearest property line of an outdoor commercial amusement with frontage on the same road(s) as the proposed facility:

Road Functional Class*	Distance Between Uses
Urban Principal Arterial	None
Urban Minor Arterial	1,000 feet
Urban Collector Street	½ mile
Urban Local Street	½ mile

*Source: Georgia Department of Transportation Division of Planning

302.10 Club, Non-Profit.

- (a) A non-profit entity organized for a social, educational or recreational use normally involving community centers, public swimming pools and/or public recreational courts, civic clubhouses, lodge halls, fraternal organizations, country clubs and similar facilities is herein defined as a club. A club shall not be considered a nightclub, private club or bar.
- (b) All buildings and accessory uses other than parking shall be located at least 50 feet from all property lines of any residential district and/or AG-1 district used for single-family.
- (c) Permitted curb cut access shall not be from a local street.
- (d) Outdoor facilities within 200 feet of any residential district or dwelling shall limit the hours of operation from 8:00 a.m. to 11:00 p.m.
- (e) Outdoor recreational facilities shall be set back a minimum of 100 feet from all property lines of any residential district and/or AG-1 district, except as otherwise permitted with an Administrative Permit for recreational court or swimming pool.

302.11 Country Inn.

- (a) Lot area shall be a minimum of 5 acres.
- (b) A minimum of six guest rooms and a maximum of 30 rooms are permitted. (See Sec.302.05, Bed and Breakfast, for less than six guest rooms).
- (c) The country inn shall be owner occupied.
- (d) Permitted curb cut access shall be from a minor collector or higher road classification.
- (e) The establishment may provide meal services to guests.
- (f) Parking shall not be allowed within the minimum front yard setback.
- (g) The minimum landscape strip and buffer requirements for the O-I zoning district as specified in Article 4 of this Ordinance shall be required.
- (h) Exterior signs shall be limited to one sign of not more than 9 square feet and no more than 4feet in height.
- (i) Parking requirements shall be the same as hotel/motel as specified in Article 6.

302.12 Day Care Facility.

- (a) Facility shall be for seven or more children, excluding staff.

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- (b) Minimum landscape strips, buffers and improvement setbacks shall be provided as specified for the O-I zoning district in Article 4 of this Ordinance.
- (c) A minimum 6-foot high opaque fence interior to any required landscape strips and/or buffers around the periphery of the yard used for the play area shall be installed.
- (d) Play areas shall be located within the rear or side yards.
- (e) The hours of operation shall be limited to Monday through Friday from 6:00 a.m. to 7:00 p.m.
- (f) No parking shall be allowed in the minimum front yard setback.
- (g) Driveway design shall permit vehicles to exit the property in a forward direction.
- (h) In accordance with Article 8, submit a Noise Study Report as required.
- (i) Facilities must be served by public sewer.
- (j) A day care facility in the MHP zoning district may be allowed as an accessory use if part of an approved development plan (see also Article 4 for requirements).
- (k) Provide per the following chart a minimum distance separation between the nearest property line of the proposed day care and the nearest property line of a day care with frontage on the same road(s) as the proposed facility:

Road Functional Class*	Distance Between Uses
Urban Principal Arterial	None
Urban Minor Arterial	1,000 feet
Urban Collector Street	½ mile
Urban Local Street	½ mile

*Source: Georgia Department of Transportation, Division of Planning.

302.13 Driving Range (not associated with a golf course).

- (a) Lot area shall be a minimum of 10 acres.
- (b) Permitted curb cut access shall be from a major collector or arterial.
- (c) Loudspeakers/paging systems are prohibited unless allowed under conditions of Special Use approval by City Council.
- (d) The hours of operation shall be limited to the time period of 8:00 a.m. to 11:00 p.m. adjacent to residential zoning districts and/or AG-1 zoning districts.
- (e) Central loudspeakers shall be prohibited unless allowed under conditions of Special Use approval by City Council.
- (f) See also Article 4 of this Zoning Ordinance for applicable lighting standards.

302.14 Equine Garment Fabrication.

- (a) The use shall be limited to the fabrication and wholesale distribution of blankets, saddles, halters, and other similar garments.
- (b) All fabrication and storage associated with the allowed use shall occur entirely within a completely enclosed building.

302.15 Gas Station.

When located on Fulton Industrial Boulevard, a gas station shall have frontage on the roadway.

302.16 Golf Course, with or without Country Club.

- (a) A minimum 100-foot setback for all buildings and parking areas shall be provided adjacent to any residential zoning district and/or AG-1 zoning district.
- (b) Driving range, tees, greens and fairways shall be required to have a 100-foot setback from minor, arterial, and major collector roads.
- (c) Permitted curb cut access shall be from a major thoroughfare unless shown on the approved preliminary plat of a single-family subdivision.
- (d) When located outside a golf course/subdivision development, a minimum 50-foot wide buffer and a 10-foot improvement setback shall be provided adjacent to all buildings and parking areas when said facilities are located adjacent to any residential zoning district and/or AG-1 zoning district.
- (e) A minimum 25-foot buffer and a 10-foot improvement setback shall be provided adjoining any residential zoning district and/or AG-1 zoning district located outside the golf course development or any associated development.
- (f) When located adjacent to any residential zoning district and/or AG-1 zoning district, the hours of operation shall be limited to 8:00 a.m. to 11:00 p.m.
- (g) Accessory uses allowed in association with a golf course include a pro shop, driving range, and a country club or club house that may include swimming pools, tennis and other recreational courts, and food service and personal services for members.

302.17 Group Residence for Adults.

- (a) Facilities shall be for five persons or more.
- (b) Permitted curb cut access shall not be allowed from a local street.
- (c) The minimum landscape strips and buffers required for the O-I zoning district as specified in Article 4 of this Ordinance shall be provided.
- (d) Parking shall not be allowed within the minimum front yard.
- (e) Facility shall comply with applicable local, state, and federal regulations and provide Department of Community Development and Regulatory Affairs with the applicable permit prior to the issuance of a certificate of occupancy.
- (f) Facility shall not be located closer than 1 mile to the nearest property line of another group residence.
- (g) Facilities must be served by public sewer.
- (h) A "family qualified group residence", as defined in Article 9 of this Ordinance, shall comply with applicable federal, state and local licensing requirements and shall not be located closer than 1/8th of a mile to the nearest property line of another family qualified group residence or of a group residence for adults or children.

302.18 Group Residence for Children.

- (a) Parking shall comply with the requirements of Article 6 for single-family dwellings or applicable conditions of Special Use approval.
- (b) Copies of applicable local, state, and federal permits shall be provided to the Department of Community Development prior to the issuance of a certificate of occupancy.
- (c) Facility shall not be located closer than 1 mile to the nearest property line of another group residence.

(d) Facilities must be served by public sewer.

302.19 Hospice, In-Patient and Nursing Home.

- (a) Facilities shall be for 5 persons or more.
- (b) Permitted curb cut access shall be from an arterial or a major collector.
- (c) Provide the minimum landscape strips and buffers as required for the O-I zoning district as specified in Article 4 of this Ordinance.
- (d) Provide a 50-foot building setback from all single-family zoning districts or AG-1 zoning districts.
- (e) No parking allowed within the minimum front yard setback.
- (f) Rooms or suites of rooms may be designed with separate kitchen facilities.
- (g) Facility shall comply with applicable local, state, and federal regulations.
- (h) In accordance with Article 8, submit a Noise Study Report as required.
- (i) Facilities must be served by public sewer.
- (j) Provide per the following chart a minimum distance separation between the nearest property line of the proposed hospice/nursing home and the nearest property line of a hospice/nursing home with frontage on the same road(s) as the proposed facility:

Road Functional Class*	Distance Between Uses
Urban Principal Arterial	None
Urban Minor Arterial	1,000 feet
Urban Collector Street	½ mile
Urban Local Street	½ mile

*Source: Georgia Department of Transportation, Division of Planning

302.20 Kennel, Enclosed.

- (a) In the AG-1 zoning district, the following restrictions shall apply:
 - (1) Kennels shall be fully enclosed and at least 100 feet from all property lines; and
 - (2) Pens, runs, etc. which are not located in a fully enclosed building shall be at least 200 feet from all property lines.
- (b) In the O-I, MIX, C-1, C-2, M-1, and M-2 zoning districts, an Administrative Permit is required, and all of the activities directly associated with animal treatment shall occur entirely within a completely enclosed soundproof structure.

302.21 Kennel, Outdoor (and other outside animal facilities).

- (a) Minimum 1-acre lot size is required.
- (b) Buildings and runs, sun areas, exercise yards, patios or facilities other than parking shall be located at least 100 feet from all property lines and 200 feet from any single-family zoning district and/or AG-1 zoning district.

302.22 Landfill, Inert or Solid Waste Disposal.

The following requirements apply to existing landfills:

- (a) No access shall be allowed from local streets.

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- (b) Access streets shall be paved and shall be able to withstand maximum load limits established by the State of Georgia as approved by the Director of Public Works.
- (c) The waste disposal boundary of a landfill shall be located at least 500 feet from all property lines except adjacent to the M-1 and M-2 zoning districts.
- (d) A minimum 200-foot buffer and 10-foot improvement setback shall be required along all property lines except public rights-of-way.
- (e) A minimum 50-foot buffer and 10-foot improvement setback shall be required along all public rights-of-way.
- (f) A minimum 6-foot high solid fence or wall shall be located on property lines or interior to the required buffers and improvement setbacks.
- (g) Hours of operation shall be limited to 6:00 a.m. to 6:00 p.m., Monday through Saturday.
- (h) The owner shall provide the Director of the Community Development and Regulatory Affairs Department a current copy of all applicable permits from the Georgia Department of Natural Resources upon application for a land disturbance permit.
- (i) Vehicles shall be allowed into a landfill site only if waste is covered to prevent blowing of material from the vehicle.
- (j) The landfill shall be operated in accordance with the Rules of Georgia, Department of Natural Resources, Environmental Protection Division, Chapter 391-3-4 Solid Waste Management, Official Code of Georgia Annotated 12-8-20 Georgia Comprehensive Solid Waste Management Plan, and 40 CFR Part 258 (Subtitle D of RCRA).

302.23 Landscape Supply Business, Plant Nursery and Garden Center (with indoor retail component).

The following standards shall apply in the AG-1 zoning district:

- (a) No access shall be allowed from local streets.
- (b) No parking is allowed in the minimum front yard.
- (c) All use areas/structures other than parking and pedestrian walkways shall be located at least 100 feet from any adjoining residential zoning district or AG-1 zoning district.
- (d) Hours of operation shall be limited to 6:00 a.m. to 8:00 p.m.
- (e) The minimum buffers and landscape strips required for the O-I (Office-Institutional) zoning district as specified in Article 4 of this Ordinance shall be required.
- (f) Structure(s) for retail sales shall be limited to 1,000 total gross square feet.

302.24 Massage Therapy.

Massage therapy, as defined in Article 9 of this Zoning Ordinance, shall require a City of South Fulton Application for Massage Therapist License.

302.25 Medical Related Lodging.

- (a) Total number of bedrooms or units shall not exceed 20, including staff facilities.
- (b) Rooms or suites of rooms may be designed with separate kitchen facilities.
- (c) Lodging facility shall be located within 1 mile of a hospital or inpatient clinic.

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- (d) Facilities locating in a TR zoning district must have frontage on streets with classifications higher than local streets.
- (e) If located adjacent to a single-family zoning district and/or an AG-1 zoning district, the minimum buffers and landscape strips required for the O-I zoning district as specified in Article 4 shall be required.
- (f) Off-street parking requirements shall be one per living unit plus one per nonresident employee. Parking is not allowed in the front yard setback.
- (g) Exterior signs shall not exceed 4 square feet in area and 4 feet in height.
- (h) Facilities must be served by public sewer.
- (i) Provide per the following chart a minimum distance separation between the nearest property line of the proposed medical related housing and the nearest property line of medical related housing with frontage on the same road(s) as the proposed facility:

Road Functional Class*	Distance Between Uses
Urban Principal Arterial	None
Urban Minor Arterial	1,000 feet
Urban Collector Street	½ mile
Urban Local Street	½ mile

*Source: Georgia Department of Transportation, Division of Planning

302.26 Nightclub and Private Club.

- (a) Permitted curb cut access shall be derived only from arterial streets.
- (b) The hours of operation shall be subject to the City Code of Ordinances and any conditions adopted by City Council as part of the Special Use approval.
- (c) All facilities must close and clear their premises, including all exterior and parking lot areas, of patrons within 30 minutes after the set ending time for alcohol sales.
- (d) All music and entertainment activities associated with the use shall occur entirely within a completely enclosed soundproof structure.
- (e) A sound level of 65 dBA shall not be exceeded at the property line of any adjacent residential zoning or use.
- (f) Outdoor gathering areas for patrons other than parking shall be limited to 15% of the gross floor area of the venue. No outdoor gathering area for patrons' use other than parking shall be allowed if the property is adjacent to a residential zoning or use.
- (g) Alcoholic and non-alcoholic beverages shall not be "for sale" outside the interior (heated and/or cooled) areas of the nightclub/private club.
- (h) Entertainment, DJ booths, outdoor loudspeakers and dancing are prohibited in all outdoor areas.
- (i) All parking for the venue shall be provided onsite and meet the minimum standard of 10 parking spaces per 1,000 gross square feet of building area.
- (j) Shared and/or offsite parking are prohibited.
- (k) Parking shall be setback a minimum of 50 feet from a property line adjacent to a residential zoning or use.
- (l) Facilities must be served by public sewer.

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- (m) Provide a minimum distance separation of 600 feet as measured from each property line of a daycare use.
- (n) Provide per the following chart a minimum distance separation as measured from each property line of a nightclub/private club.

Road Functional Class*	Distance Between Uses
Urban Principal Arterial	500 feet
Urban Minor Arterial	1,000 feet

**Source: Georgia Department of Transportation, Division of Planning*

302.27 Personal Care Home and Assisted Living Facility.

The following requirements shall apply in residential zoning districts:

- (a) Curb cut access shall be from an arterial or a major collector with the exception that curb cut access may be allowed from a minor collector if within 1,000 feet of the property line of an institutional use.
- (b) A 50-foot building setback from single-family zoning districts and/or AG-1 zoning districts shall be provided.
- (c) No parking shall be allowed in the minimum front yard setback.
- (d) The minimum parking spaces provided shall be in conformance with health care facilities per Article 6.
- (e) Provide landscape strips and buffers as required in the O-I zoning district as specified in Article 4.
- (f) Rooms or suites of rooms may be designed with separate kitchen facilities.
- (g) Facility shall comply with all applicable local, state, and federal regulations, and provide applicable permits to the Department of Community Development and Regulatory Affairs prior to the issuance of a Certificate of Occupancy.
- (h) In accordance with Article 8, submit a Noise Study Report as required.
- (i) Facilities must be served by public sewer.
- (j) Provide a minimum distance separation of 1 mile between the nearest property line of the proposed personal care home/assisted living facility and the nearest property line of an existing personal care home/assisted living facility with frontage on the same road(s) as the proposed facility

302.28 Private Correctional Facility/Prison.

The following requirements shall apply to existing facilities:

- (a) A minimum 200-foot wide buffer and ten-foot improvement setback shall be provided adjacent to any property zoned other than M-1 and M-2 and from any property used for residential purposes.
- (b) A minimum 100-foot wide buffer and ten-foot improvement setback shall be provided adjacent to property zoned M-1 and/or M-2.
- (c) Permitted curb cut access shall be from a major thoroughfare.
- (d) Fencing shall be in accordance with American Correction Institute standards and located interior to required buffers and improvement setbacks.

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- (e) Lighting shall be in accordance with American Correction Institute standards and the lighting standards set forth in this Zoning Ordinance. The more restrictive standards shall apply.
- (f) Facility shall comply with all applicable local, state, and federal regulations.

302.29 Quarries and Surface Mines.

The following requirements shall apply to existing facilities:

- (a) There shall not include any expanded use within the parcel boundaries of an existing site or location.
- (b) All activities of a quarry and/or surface mining shall be in compliance with the Georgia Blasting Standards Act of 1978, the 1968 Georgia Surface Mining Act and the U.S. Bureau of Mines RI 8507, or latest effective laws and regulations.

302.30 Recreational and Vacation Camps.

Lodges, retreats and/or campground facilities to include lodging and food service for social, educational and/or recreational purposes shall meet the following requirements:

- (a) Minimum lot size shall be 10 acres.
- (b) Permitted curb cut access shall not be derived from a local street.
- (c) A minimum 100-foot wide buffer and 10-foot improvement setback are required adjacent to residential zoning districts, AG-1 zoning districts, and adjoining a public street.
- (d) A minimum 50-foot wide buffer and 10-foot improvement setback are required adjacent to all other non-residential zoning districts.
- (e) Length of the stay for all but permanent staff shall not exceed 30 consecutive days.
- (f) Sanitary facilities or trash receptacles shall be located a minimum of 200 feet from any residential zoning district and/or AG-1 zoning district.
- (g) A maximum continuous sound level of 60 dBA and a maximum peak sound level of 75 dBA shall not be exceeded at property lines of adjacent residential zoning districts and/or AG-1 zoning districts.
- (h) Recreational facilities associated with the use shall be for staff and guests only.
- (i) One parking space per lodging unit or five per 1,000 square feet of floor area, whichever is greater.
- (j) Facilities must be served by public sewer.
- (k) Provide per the following chart a minimum distance separation between the nearest property line of the proposed lodge, retreat or campground and the nearest property line of a lodge, retreat or campground with frontage on the same road(s) as the proposed facility:

Road Functional Class*	Distance Between Uses
Urban Principal Arterial	None
Urban Minor Arterial	1,000 feet
Urban Collector Street	½ mile
Urban Local Street	½ mile

*Source: Georgia Department of Transportation, Division of Planning

302.31 Recreational Fields and Youth Sport Team Fields.

- (a) Curb cut access shall not be from a local street.
- (b) A minimum 50-foot buffer and 10-foot improvement setback shall be provided adjacent to residential zoning districts and/or AG-1 zoning districts.
- (c) Loudspeakers/paging systems are prohibited adjacent to residentially used property, residential zoning districts, and AG-1 zoning districts.
- (d) The hours of operation shall be limited to daylight hours when said facility is located adjacent to residential zoning districts and/or AG-1 zoning districts.
- (e) Concession stands, storage buildings, restrooms, seating areas, parking and other accessory structures shall be located a minimum of 100 feet from any residential zoning district and/or AG-1 zoning district.

302.32 Recreational Court, Public.

The following requirements shall apply to existing courts:

- (a) Recreational courts, accessory structures, fencing, and parking shall be located a minimum of 100 feet from all property lines which abut single-family residential uses. Adjacent to all other zonings and uses, the zoning district setback requirements shall apply.
- (b) Sources of exterior illumination shall be directed away from adjoining residences and shall not exceed 1.2-foot candles along an adjoining residential property line. Outdoor lighting of recreation facilities in or adjoining residential zoning districts or uses shall be used only between dusk and 11:00 p.m.
- (c) A maximum continuous sound level of 60 dBA and a maximum peak sound level of 75 dBA shall not be exceeded at property lines of adjacent residential zoning districts and/or AG-1 zoning districts used for single family.

302.33 Recycling Center, Reprocessing.

- (a) Hours of operation shall be limited to a period from 7:00 a.m. to 8:00 p.m., Monday through Saturday.
- (b) No portion of a new recycling facility shall be located within a 3-mile radius of the property lines of an existing recycling facility.
- (c) A minimum 200-foot buffer and 10-foot improvement setback shall be required along all property lines except public rights-of-way.
- (d) A minimum 50-foot buffer and 10-foot improvement setback shall be required along all public rights-of-way.
- (e) All recyclable materials shall be stored in containers with no stockpiling outside the containers.
- (f) Collection, storage containers, or receptacles shall not be allowed in minimum yards.
- (g) Storage shall be screened with a 6-foot high, solid wall or fence, including access gates.
- (h) The processing of recyclable materials must be done within an enclosed building.
- (i) Driveways shall be designed so vehicles will exit the facility in a forward direction.

- (j) A maximum continuous sound level of 65 dBA and a maximum peak sound level of 75 dBA shall not be exceeded at property lines of adjacent residential zoning districts and/or AG-1 zoning districts.
- (k) The recycling center shall comply with regulations administered by the Fulton County Board of Health.
- (l) In accordance with Article 8, submit an Environmental Impact Report (EIR) as required.

302.34 Relocated Residential Structure.

- (a) Relocated residential structures require an Administrative Permit.
- (b) The applicant shall include the following with the application for the Administrative Permit:
 - (1) The address from which the structure is being relocated.
 - (2) A photograph of the structure prior to its relocation.
 - (3) The total heated floor area of both the existing structure and the renovated structure.
 - (4) A copy of the Oversize Permit approved by the Georgia Department of Public Safety and any other permits required by the Georgia Department of Transportation.
 - (5) Information that may be required by local utilities and city departments, including but not limited to the South Fulton Public Works Department.
- (c) The location of the structure and the heated floor area of the structure shall be in compliance with the minimum standards of the zoning district and/or conditions of zoning.
- (d) The residential structure shall be affixed to a permanent foundation within 6 months of the date of the house moving permit, and the certificate of occupancy shall not be issued until such improvements are completed.
- (e) A building permit for the repair and construction of said structure shall be obtained within 30 days of this Administrative Permit issuance.
- (f) The exterior of the structure shall be brought into compliance with the International Building Code within 6 months of the issuance of this Administrative Permit.
- (g) Prior to occupancy, a certificate of occupancy must be obtained from the Department of Community Development and Regulatory Affairs.

302.35 Residential Uses in Proximity of Landfills, Transfer Stations, Prisons, Quarries, and/or Surface Mining Sites.

- (a) No portion of a property proposed to be zoned to a residential zoning district shall be located within a 1-mile radius of the property lines of an existing active landfill.
- (b) No portion of a property proposed to be zoned to a residential zoning district shall be located within a 1-mile radius of the property lines of an existing active transfer station.
- (c) No portion of a property proposed to be zoned to a residential zoning district shall be located within a 1-mile radius of the property lines of an existing active prison or correctional facility.
- (d) No portion of a property proposed to be zoned to a residential zoning district shall be located within a 1.5-mile radius of the property lines of an existing active quarry.

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- (e) No portion of a property proposed to be zoned to a residential zoning district shall be located within a 500-foot radius of the property lines of an existing active surface mining site. Surface mining is defined as specified in O.C.G.A 12-4-72.
- (f) Any existing legal residential lot of record located within the radius requirements of Sec. 302.35(a), (b), (d) and (e) above that does not change use or zoning classification is exempt from the requirements of this Section.
- (g) Any owner of property located within a 1-mile radius of the property lines of an existing active landfill or existing active transfer station or within a 1.5 mile radius of the property line of an existing active quarry, shall, prior to the sale or transfer of said property, notify and disclose in writing the existence of the landfill, transfer station, or quarry to the potential owner or transferee.

302.36 Riding Stable.

- (a) Riding stables shall be at least 100 feet from all property lines.
- (b) The lot on which a riding stable is located shall not be less than 10 acres in size.

302.37 School, Private or Special.

- (a) Minimum lot area shall be 1 acre.
- (b) If located adjacent to a single-family zoning district and/or AG-1 zoning district, the minimum landscape strips, buffers, and improvement setbacks required for the O-1 zoning district as specified in Article 4 shall be required.
- (c) Buildings, and refuse areas shall not be located within 100 feet of a residential zoning district and/or AG-1 zoning district.
- (d) Active outdoor recreation areas shall not be located within 100 feet of an adjoining residential zoning district or use. The requirements of Sec. 302.31 Recreational Fields and Youth Sport Team Fields. shall also apply, unless modified under conditions approved with the Special Use approval for the school.
- (e) Day care facilities in association with the school shall meet the requirements of Sec. 302.12 Day Care Facility.
- (f) Parking areas shall not be located within 50 feet of any residential zoning district and/or AG-1.
- (g) Student drop-off and vehicular turn-around facilities shall be provided on the site so that vehicles may re-enter the public street in a forward manner.
- (h) Permitted curb cut access shall not be from a local street.
- (i) In accordance with Article 8, submit a Noise Study Report as required.
- (j) Facilities must be served by public sewer.
- (k) Provide a 600-foot distance separation measured by the most direct route of travel on the ground between the property line of a school and any business that is licensed for the sale or consumption of liquor, wine and malt beverages; a 300-foot distance separation from those businesses that are licensed for consumption or wholesale/retail sales of wine and malt beverages only.
- (l) Provide per the following chart a minimum distance separation between the nearest property line of the proposed private or special school facility and the nearest property line of an existing private or special school facility with frontage on the same road(s) as the proposed facility.

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Road Functional Class*	Distance Between Uses
Urban Principal Arterial	None
Urban Minor Arterial	1,000 feet
Urban Collector Street	½ mile
Urban Local Street	½ mile

*Source: Georgia Department of Transportation, Division of Planning

302.38 Self-Storage, Mini.

- (a) The storage facility shall be climate-controlled.
- (b) At least 75% of the total on-site storage space shall be contained in individual enclosed stalls containing no more than 500 square feet each and being no more than 10 feet high.
- (c) No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are allowed. Prohibited uses include but are not limited to miscellaneous sales; fabrication or repair of vehicles, equipment or other goods; transfer-storage business based on site; residential uses (other than the resident manager's apartment), or any use which creates a nuisance due to noise, odor, dust, light or electrical interference.
- (d) An on-site manager or resident manager shall be required and shall be responsible for the operation of the facility in conformance with conditions of approval. A resident manager's apartment will be authorized upon Special Use approval for the self-storage facility.
- (e) Provide a minimum 6-foot high, 100% opaque solid wooden fence or masonry wall along the entire length (except for approved access crossings) of all property lines. Said fence/wall shall be located outside of any public right-of-way and interior to any required landscape strips or buffers.
- (f) A new or expanded self-storage facility shall be located a minimum of 1,500 feet from the boundary of any other self-storage facility (mini or multi).

302.39 Self-Storage, Multi.

- (a) The storage facility shall be climate-controlled.
- (b) No outside storage shall be allowed, including vehicle leasing.
- (c) All buildings shall have windows or architectural treatments that appear as windows.
- (d) No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are allowed. Prohibited uses include but are not limited to miscellaneous sales; fabrication or repair of vehicles, equipment or other goods; transfer-storage business based on site; residential uses (other than the resident manager's apartment), or any use which creates a nuisance due to noise, odor, dust, light or electrical interference.
- (e) Curb cut access shall not be from a local street.
- (f) A new or expanded self-storage facility shall be located a minimum of 1,500 feet from the boundary of any other self-storage facility (mini or multi).

302.40 Sexually Oriented Businesses.

Sexually oriented businesses, as defined in Title 12, Chapter 1 *Sexually Oriented Businesses* in the City Code of Ordinances, shall meet the following requirements:

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- (a) Businesses shall be located in accordance with Sec. 12-1018 *Spacing Requirements* of Title 12, Chapter 1 of the City Code of Ordinances.
- (b) Permitted curb cut access shall be from a major thoroughfare.
- (c) The minimum landscape areas required for the O-I zoning district as specified in Article 4 shall be required. Where buffers are required, the underlying zoning district buffer standards shall apply.
- (d) Building shall be located a minimum of 50 feet from all property lines.
- (e) Parking spaces at a ratio of 10 per 1,000 gross square feet of floor space shall be provided, with the exception that parking spaces at a ratio of 5 per 1,000 gross square feet of floor area shall be provided for adult bookstores and adult video stores.
- (f) Signs displaying words, characters, and/or illustrations of an obscene, indecent or immoral nature as defined by the City Code of Ordinances or as defined by the State of Georgia at O.C.G.A. Section 16-12-80(b), or displaying nudity as defined by the State of Georgia at O.C.G.A. Section 16-12-81(b)(1), shall be prohibited.
- (g) No business activity shall be visible from outside the structure.
- (h) No final land disturbance permit, building permit, or certificate of occupancy may be issued until the approved South Fulton Sexually Oriented Business License is filed with the Director of Community Development and Regulatory Affairs.

302.41 Small Box Discount Store

The nearest property line of a proposed small box discount store, as defined in Article 9 of this Ordinance, shall be separated a minimum distance of 1 mile from the nearest property line of an existing small box discount store.

302.42 Stadium (offsite, associated with a private school).

- (a) Vehicular access is prohibited from a local street.
- (b) A minimum 200-foot buffer and 10-foot improvement setback shall be provided along all property lines adjacent to residential and AG-1 zoned properties.
- (c) The hours of operation shall be limited to 8:00 a.m. to 11:00 p.m. adjacent to residential and AG-1 zoned properties.
- (d) A 100-foot setback along any public right-of-way is required for all structures and activities.
- (e) The height limit of the zoning district shall apply to all structures unless a variance to exceed zoning district maximum height is granted.

302.43 Swimming Pool, Public.

- (a) Pools operated as a club (except clubs serving residential developments) or pools operated as a business are defined herein as public pools.
- (b) Public swimming pools shall require a Swimming Pool Permit from the Department of Community Development and Regulatory Affairs.
- (c) Pools, pool equipment, decks, and parking shall be located a minimum of 100 feet from all property lines which abut single family residential uses.
- (d) Sources of exterior illumination shall be directed away from adjoining residences and shall not exceed 1.2-foot candles along an adjoining residential property line. Outdoor lighting of recreation facilities in or adjoining residential zoning districts or uses shall be allowed only between dusk and 11:00 p.m.

- (e) A maximum continuous sound level of 60 dBA and a maximum peak sound level of 75 dBA shall not be exceeded at property lines adjacent to single family residential uses.

302.44 Transfer Station, Solid Waste.

- (a) No access shall be allowed from local streets.
- (b) Access streets shall be paved and shall be able to withstand maximum load limits established by the State of Georgia as approved by the Director of Public Works.
- (c) No portion of a new transfer station shall be located within a 3-mile radius of the property lines of an existing transfer station.
- (d) A minimum 200-foot buffer and 10-foot improvement setback shall be required along all property lines except public rights-of-way.
- (e) A minimum 50-foot buffer and ten-foot improvement setback shall be required along all public rights-of-way.
- (f) A minimum 6-foot high solid fence or wall shall be located on property lines or interior to the required buffers and improvement setbacks.
- (g) Limit hours of operation from 6:00 a.m. to 6:00 p.m., Monday through Saturday.
- (h) The owner shall provide the director of the environment and community development department a current copy of all applicable permits from the State of Georgia upon application for a land disturbance permit.
- (i) In accordance with Article 8, submit an Environmental Impact Report as required.
- (j) No portion of a new or expanded solid waste transfer station shall be located within a 1-mile radius of the property lines of a residentially zoned or used property. An expanded solid waste transfer station shall not include any expanded use within the parcel boundaries of an existing site or location.
- (k) Transfer stations shall be sited and operated in accordance with State Regulations 3891-3-4.06 Permit by Rule for Collection, Transportation, Processing, and Disposal, Official Code of Georgia Annotated 12-8-20 Georgia Comprehensive Solid Waste Management Act, South Fulton Solid Waste Management Plan, and Waste Transfer Stations: A Manual for Decision-Making (EPA 530-R-02-002, June 2002).

302.45 Utility Substation.

- (a) Utility substations (telephone, electric, or gas, etc.) require an Administrative Permit.
- (b) Utility substations measuring less than 35 square feet and less than 5 feet in height from finished grade are exempt from these regulations.
- (c) All substation structures shall be contained within the boundaries of the subject parcel and meet the minimum development standards of the zoning district unless otherwise required in this article section.
- (d) Minimum setback of all utility structures from a residential structure shall be:
 - (1) Electric — 200 feet.
 - (2) Gas and telephone — the applicable minimum setback for the zoning district in which located.
- (e) A minimum 10-foot wide landscape strip planted to buffer standards shall be required around the perimeter of all utility sites except along lines where buffers are required.

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- (f) For electric substations, a minimum 50-foot wide replanted or natural buffer shall be provided adjacent to the property lines of any residential zoning district and/or AG-1 zoning district.
- (g) Interior to landscape strips or buffers that do not accomplish 100% visual screening as defined in the tree preservation ordinance, provide an 8-foot high opaque fence or, masonry wall, a minimum 4-foot high landscaped earthen berm, a vegetative screen or some combination thereof, subject to the approval of the Department of Community Development and Regulatory Affairs.
- (h) Structures shall be enclosed by a security fence at least 8 feet high.

302.46 Veterinary Clinic or Animal Hospital.

- (a) In the AG-1 zoning district, the following restrictions shall apply:
 - (1) Buildings housing animals shall be fully enclosed and at least 100 feet from all property lines.
 - (2) Pens, runs, etc. which are not located in a fully enclosed building are at least 200 feet from all property lines.
- (b) In the O-I, MIX, C-1, C-2, M-1, and M-2 zoning districts, an Administrative Permit is required, and all of the activities directly associated with animal treatment shall occur entirely within a completely enclosed soundproof structure.

Sec. 303. Restrictions on Accessory Uses and Structures.

- (a) The following Sec. 303 identifies restrictions that apply to specific accessory uses and structures.
- (b) Except as specifically regulated under this Section, Article 4 establishes setback and height restrictions for accessory buildings and structures.

303.02 Accessory Structures Customary to a Dwelling.

- (a) Accessory structures customary to a single-family dwelling include outbuildings such as tool sheds, woodsheds, workshops, outdoor kitchens, pool houses, gazebos, storage sheds, detached garages, detached carports, and play equipment.
- (b) A greenhouse accessory to a residential use shall be limited in size to one-third (1/3) of the floor area of the principal dwelling.
- (c) See Article 4 for setback restrictions.

303.03 Accessory Uses Customary to a Church and Other Facilities for Religious Organizations Worship.

See Sec. 302.08(b).

303.04 Accessory Uses Customary to a School (private or special).

See Sec. 302.37(d) and Sec. 302.37(e).

303.05 Accessory Uses Customary to an Office Building.

- (a) Accessory retail and service uses shall be located within a building with a majority of the floor area designed for office uses.
- (b) Accessory uses shall be located wholly within the principal buildings, shall be accessed from a lobby, hallway, or other interior portion of the primary use structure,

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and shall have no outdoor signs nor signs that are visible from the exterior of the building.

- (c) Accessory retail and service uses shall be limited to employee convenience, business-oriented retail, and service establishments such as office supply stores, reproduction and delivery services, snack bars, coffee shops, and the following uses:

- (1) Drug store or pharmacy.

Only drugs, prescription medicines, medicinal supplies and pharmaceutical products shall be sold in the accessory use.

- (2) Car wash and detailing services.

Car cleaning services may be located inside a parking garage as long as such uses are not visible from the exterior of the parking garage.

- (3) Restaurant.

a. Restaurants are an allowed accessory use when the floor area of the principal building is at least 100,000 square feet.

b. Restaurants shall be located wholly within the principal building. Drive-through windows are prohibited.

c. Fast food restaurants shall be limited to no more than 10% of the total floor area devoted to allowed accessory uses and shall not occupy more than 10% of any floor in a building.

d. The majority of the floor area in the principal building shall be designed for office uses.

- (4) Storage.

No more than 25% of the total floor area of a building may be devoted to storage.

303.06 Car Wash.

Car washes accessory to gasoline stations are allowed, provided the car wash is located within an enclosed building that complies with the building setbacks for a principal building.

303.07 Emissions Testing Station.

(a) An auto emission testing station may be an accessory use to an automotive repair facility or gas station, provided that it is contained within a fully enclosed structure that complies with the setback requirements for a principal building.

(b) The testing station may be a metal building if constructed with a minimum 3-foot high masonry base. No fabric structures may be used.

303.08 Family Day Care Home (Family Child Care Learning Home).

(a) Family day care homes are prohibited within multifamily dwelling units.

(b) Family day care homes shall provide outdoor play areas as required by Georgia law, but such areas shall be limited to side or rear yards outside the minimum yard area and shall not occupy any yard adjoining a street.

(c) Family day care home shall be located at least 1,000 feet in all directions from any other such use operated as a home occupation.

(d) Family day care home hours of operation shall be limited to Monday through Saturday from 6:00 a.m. to 7:00 p.m.

Sec. 303 Restrictions on Accessory Uses and Structures.

- (e) Family day care home operators shall have a current, certified copy of the operator's Georgia Department of Early Care and Learning's license for a Family Child Care Learning Home, which shall be filed with the business license application and renewals.

303.09 Guest House.

- (a) No more than one guest house structure per lot may be used for occupancy by relatives, guest(s) or employees that work on the property without payment for rent.
- (b) A separate kitchen facility shall be allowed.
- (c) Heated floor area shall be a minimum of 650 square feet and a maximum of 1500 square feet, with the exception that a guest house may be allowed to be constructed as a 400 square foot maximum Tiny House, as defined in this Ordinance and in accordance with current State Minimum Standard Residential Code(s) with Georgia State Amendments.
- (d) Principal building setbacks shall apply.
- (e) The location shall be limited to the rear yard.

303.10 Grocery Store.

A grocery store may be allowed if part of an approved development plan for the MHP zoning district.

303.11 Home Occupations.

- (a) A home occupation's operation and employees are limited to members of the resident family only.
- (b) The smaller of 25% or 750 square feet of the gross floor area of a dwelling unit may be used for activities devoted to the home occupation.
- (c) Accessory buildings and structures may not be used for the home occupation.
- (d) See Article 7 for sign requirements in residential zoning districts.
- (e) There shall be no storage, display or activity associated with the home occupation visible outside the structure.
- (f) The following uses are prohibited: auto repair or similar operations, restaurants, keeping of animals, funeral homes, retail or wholesale shops, motel type establishments, taxi services, or any other occupation found incompatible with the intent of this Ordinance.
- (g) Resident participants in a home occupation must have the appropriate occupational licensing, including business licenses.
- (h) No home occupation shall generate traffic, sound, smell, vibration, light, or dust that is offensive.
- (i) No more than two clients or patrons are allowed on the premises at the same time in conjunction with the home occupation (except for persons in care at a family day care homes, where no more than six clients are allowed).
- (j) Vehicles kept on site in association with the home occupation shall be used by residents only.
- (k) The transporting of goods by truck is prohibited. Incoming vehicles related to the home occupation shall be parked off-street within the confines of the residential driveway or other on-site permitted parking.

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- (l) Home occupations must exclude the use of instruments, machinery or equipment that emit sounds (i.e. musical instruments, sewing machines, saws, drills) that are detectable beyond the unit.
- (m) No home occupation shall be operated so as to create or cause a nuisance.
- (n) See Sec. 303.06 for Family Day Care Home requirements.

303.12 Horse Stables, Private.

This section shall apply to animals other than animals associated with farming as a principal or accessory use, or with riding stables as a principal use.

- (a) One horse or other member of the horse (equine) family per fenced acre shall be allowed in association with a single-family dwelling or in single-family dwelling zoning districts.
- (b) All structures for the shelter of horses shall be:
 - (1) At least 100 feet from the lot line of any residentially zoned or used property; and
 - (2) Located within the rear yard, with the exception that stables located on properties having a minimum size of 10 acres in the AG-1 zoning district may be placed in any yard upon meeting the minimum building setback requirements of the AG-1 district.

303.13 Outside Storage and Displays.

- (a) Outside storage.
 - (1) Residential uses or zoning districts including AG-1 used for residential purposes only.
 - a. Storage is allowed in side and rear yards only, and must be screened from adjoining residential uses and from streets with an opaque fence or a vegetative screen which complies with Appendix G of the Tree Preservation Ordinance.
 - b. Any storage not normally associated with residential use shall be prohibited.
 - (2) Outside storage associated with industrial uses or zoning districts.
 - a. Outside storage is allowed in rear and side yards only in the M-1 District and in all yards in the M-2 District.
 - b. Outside storage shall be located at least 25 feet from any residential property line.
 - c. Such storage must be screened, in accordance with Appendix G of the Tree Preservation Ordinance, from neighboring residential uses in all industrial districts and from streets in the M-1 District.
 - (3) Outside storage associated with institutional, office and/or commercial uses or districts.
 - a. Outside storage is allowed only within rear yards and shall be located at least 25 feet from any residential property line.
 - b. Such storage must be screened from neighboring residential uses and streets with an opaque fence or a vegetative screen which complies with Appendix G of the Tree Preservation Ordinance.
- (b) Outside accessory displays.

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- (1) Accessory displays for merchandise which is being offered for sale on-premise shall be allowed in the commercial and zoning industrial districts only.
- (2) Such displays may be located in any yard as long as it is not located in a minimum yard.
- (3) Vehicle and similar displays may be located in minimum front yards but may not encroach upon minimum landscape areas.

303.14 Parking, Off-Site and Shared.

Whenever parking as required in Article 6 cannot be accomplished in the O-I, C-1, C-2, MIX, M-1, and M-2 zoning districts, shared parking in accordance with this Section may be approved via an Administrative Permit provided:

- (a) If the off-site parking is committed for a specified period of time, the duration of the Administrative Permit shall be limited to the period of time stipulated therein.
- (b) No more than 20% of the total parking requirement may be provided off-site via this Administrative Permit.
- (c) The property must be located no more than 300 feet from the principal use with pedestrian access provided between the sites as may be required by the Community Development and Regulatory Affairs Department.

303.15 Recreational Court, Private.

- (a) Private recreational courts not approved as a condition of zoning require an Administrative Permit.
- (b) Detached or duplex dwellings: Recreational courts shall be located in the side or rear yards but shall not be located within a minimum yard.
- (c) Multi-family dwellings: Recreational courts, accessory structures, and fencing shall be located a minimum of 100 feet from any residential building, adjoining property line or street.
- (d) Neighborhood: Recreational courts serving a neighborhood must be located within the limits of the underlying zoning and shall meet the following requirements:
 - (1) Use of the recreational courts shall be limited to residents and guests of the neighborhood in which they are located.
 - (2) Recreational courts, accessory structures, fencing, and parking shall be located a minimum of 100 feet from all adjoining property lines that are not created through associated subdivision of property in the neighborhood.
 - (3) Sources of exterior illumination shall be directed away from adjoining residences and shall not exceed 1.2-foot candles along an adjoining residential property line. Outdoor lighting of recreation facilities in or adjoining residential zoning districts or uses shall be allowed only between dusk and 11:00 p.m.
 - (4) A maximum continuous sound level of 60 dBA and a maximum peak sound level of 75 dBA shall not be exceeded at property lines adjacent to single family residential uses.

303.16 Sale or Display of Manufactured Homes.

The sale or display of manufactured homes shall be an allowed accessory use in the MHP District as long as each manufactured home offered for sale is located on its individual lot and connected to all utilities.

Sec. 304 Restrictions on Temporary Uses and Structures.

303.17 Swimming Pool, Private.

- (a) Swimming pools shall require a Swimming Pool Permit from the Department of Community Development and Regulatory Affairs.
- (b) Swimming pool enclosure required.
 - (1) All swimming pools shall be completely surrounded by an enclosure.
 - (2) Such enclosure shall be a fence, wall, or building, to prevent access to the pool by unsupervised children and/or animals.
 - (3) The enclosure shall be an effective fence or wall not less than 5 feet high with self-closing, positive-latching gates provided on the outer side of the deck area.
 - (4) The enclosure entrance shall be locked when the pool is not open for use and all surrounding objects or structures must have a separation of 5 feet from the enclosure to provide an unclimbable space.
 - (5) The enclosure shall be in place prior to pool completion. Materials and construction shall comply with the regulations administered by the Fulton County Board of Health.
- (c) Detached Dwellings.
 - (1) Swimming pools shall be allowed in side and rear yards of single family dwellings in any district and may also be allowed at the back of the house on a double frontage single family residential lot as approved by the Fulton County Board of Health.
 - (2) Pools, pool equipment, and their decks must be a minimum of 10 feet from all property lines, except that when perimeter setbacks are required, for example in NUP and TR zoned districts, pools, pool equipment, and decks cannot be located in perimeter setbacks.
- (d) Neighborhood. Swimming pools serving a neighborhood must be located within the limits of the underlying zoning district.
 - (1) Use of swimming pools shall be limited to residents and guests of the neighborhood in which they are located.
 - (2) Pools, pool equipment, and decks must be located at least 100 feet from all adjoining property lines that are not created through associated subdivision of property in the neighborhood.
 - (3) Landscape strips and buffer requirements shall be as specified by Article 4.
 - (4) Sources of exterior illumination shall be directed away from adjoining residences and shall not exceed 1.2-foot candles along an adjoining residential property line. Outdoor lighting of recreation facilities in or adjoining residential districts or uses shall be allowed only between dusk and 11:00 p.m.
 - (5) A maximum continuous sound level of 60 dBA and a maximum peak sound level of 75 dBA shall not be exceeded at property lines adjacent to single family residential uses.
- (e) Multi-family. Swimming pools, pool equipment, accessory structures, and fencing shall be located a minimum of 100 feet from any adjoining property line or street.

Sec. 304. Restrictions on Temporary Uses and Structures.

304.01 Event, Special Indoor/Outdoor.

Sec. 304 Restrictions on Temporary Uses and Structures.

Special events in non-residential districts and in residential districts in conjunction with an institutional use, such as a place of worship or a school, or for the benefit of charity such as tours of homes, show houses and the like that are local in nature, marketed only to the local community, and are expected to attract less than 250 attendees at any one time shall meet the following requirements:

- (a) Council approval is required for a proposed special event.
- (b) No more than two Administrative Permits shall be granted per year and no permit shall be effective for more than 14 consecutive days for a single event on the same property. Said permit must be posted on site such that it is visible from the street.
- (c) The hours of operation shall be 8:00 a.m. to 8:00 p.m., Sunday through Thursday and 8:00 a.m. to 10:00 p.m., Friday through Saturday.
- (d) Two copies of a drawing, no larger in size than 11" x 17", with dimensions (distances in feet) of the activity's location from the site's property lines and other minimum distance requirements as specified by this Section shall be submitted to the Department of Community Development and Regulatory Affairs for approval. Said drawing shall also depict north arrow, curb cuts and traffic patterns.
- (e) The applicant shall provide a notarized written permission statement of the property owner or lease holder of the subject site to the Department of Community Development and Regulatory Affairs. A 24-hour contact number of the property owner or lease holder shall be provided along with permit application.
- (f) The entire property shall comply with the zoning district's setback requirements.
- (g) No temporary sanitary facility or trash receptacle may be located within 100 feet of a property line of any residential use.
- (h) No tent, table or other temporary structure shall be located within 250 feet of a residential structure.
- (i) Sales from vehicles are prohibited, with the exception that sales from food trucks may be allowed if they are made in accordance with Sec. 304.03 Food Trucks.
- (j) The entire property shall comply with the parking requirements in Article 6 of this Ordinance.
- (k) No equipment, vehicle, display or sales activity shall block access to a public facility such as a telephone booth, mailbox, parking meter, fire hydrant, fire alarm box, traffic control box, driveway or other access point.
- (l) A sound level of 65 dBA shall not be exceeded at adjacent property lines of any residential use.
- (m) Signage shall be in accordance with Article 7 of this Ordinance.
- (n) As applicable, special events are subject to the requirements of other local departments, such as the South Fulton Police Department, the South Fulton Fire and Rescue department, and the Fulton County Board of Health, in order to address Emergency Medical Services Plans, Emergency Planning and Preparedness Plans, tent permits, pyrotechnics permits, food service permits, etc.
- (o) See Sec. 304.02 below for requirements for events that are intended to draw population from outside of the community.

304.02 Festivals or Events, Outdoor/Indoor.

Outdoor and indoor festivals including, but not limited to, horse shows, carnivals, dog shows, arts and crafts shows and music festivals that are marketed to populations outside

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the local community and expect 250 attendees or more at any one time require a Special Event Permit and shall meet the following requirements:

- (a) City Council approval shall be required.
- (b) Permitted curb cut access shall be from local streets.
- (c) Eight-foot high 100% opaque fencing shall be provided adjacent to residential districts and/or AG-1 districts used for single-family.
- (d) Hours of operation shall be between 8:00 a.m. and 11:00 p.m. when adjacent to residential districts and/or AG-1 districts used for single-family.
- (e) A minimum of two parking spaces per 1,000 sq. ft. of ground area identified for festivals and music festivals related seating shall be required.
- (f) Activity areas, including parking, shall be at least 100 feet from a residential district and/or AG-1 districts used for single-family.
- (g) The parking surface shall be gravel or paved. Grass pavers may be allowed upon approval by the City Engineer.
- (h) A maximum continuous sound level of 60 dBA and a maximum peak sound level of 75 dBA shall not be exceeded at property lines of adjacent to land which is used for residential districts and/or AG-1 districts used for single family purposes.
- (i) The festival or event shall be limited to a 3-year period from the date of the City Council approval not to exceed a total of 180 consecutive days in a calendar year.
- (a) As applicable, festivals and events are subject to the requirements of other local departments, such as the South Fulton Police Department, the South Fulton Fire and Rescue department, and the Fulton County Board of Health, in order to address Emergency Medical Services Plans, Emergency Planning and Preparedness Plans, tent permits, pyrotechnics permits, food service permits, etc.
- (b) See Sec. 304.01 for requirements for smaller, locally oriented special events.

304.03 Food Trucks.

- (a) All food trucks require an Administrative Permit to operate inside the city.
- (b) A food truck festival, as defined in Article 9 of this Ordinance, shall also require Council approval.
- (c) Food trucks may operate in the following zoning districts upon review and approval of an Administrative Permit by the Community Development and Regulatory Affairs Department:
 - (1) Single-family residential zoning districts;
 - (2) Non-residential zoning districts; and
 - (3) Any other zoning district in conjunction with an institutional use, such as a place of worship or a school, with the exception that food trucks in the CUP, NUP and SH zoning districts that are not operating in conjunction with an institutional use, require review by City Council in accordance with requirements for special events (see Section 304.01 and 304.01.)
- (d) Food trucks shall not conduct business or operate under this Section in the public right-of-way.

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- (e) The allowable dimensions of a food truck (including all attachments, except hinged canopies that open to reveal food serving areas) shall be up to 18.5 feet long, 10.5 feet tall, and 8 feet wide.
- (f) The Food Truck Permit shall be valid for a period of 1-year after issuance and applicable to the approved site only.
- (g) The Food Truck Permit shall be limited to no more than 4 days per week (Monday to Sunday) at the approved site.
- (h) Operation hours shall be 7:00 a.m. to 8:30 p.m.
- (i) Hours of Sales. No person shall dispense any item, including food, from an ice cream truck on a street during the following hours: From 7:30 a.m. to 8:30 p.m. during the months of April through October and from 7:30 a.m. to 5:30 p.m. during the months of November through March.
- (j) Food Trucks shall not operate on any private property without the prior consent of the property owner(s). The applicant shall provide a notarized written permission statement of the property owner(s) as they appear on the current tax records of Fulton County as retrieved by the County's Geographic Information System (GIS). If the current ownership has recently changed and does not match the GIS record the applicant may provide a copy of the new deed as proof of ownership. A 24-hour contact number of the property owner(s) shall be provided along with permit application.
- (k) All food trucks shall be located a minimum of 200 feet from any eating establishment and 100 feet from any retail store that sell food unless both the property owner(s) (as they appear on the current tax records of Fulton County as retrieved by the County's Geographic Information System (GIS) or if the current ownership has recently changed and does not match the GIS record the applicant may provide a copy of the new deed as proof of ownership) and lease holder(s) of said eating establishment/retail store grant written notarized permission for the Food Truck to be located closer than this minimum setback.
- (l) Food truck vendors shall not be located within 25 feet of any right-of-way, entryway, curb-cut or driveway.
- (m) Food trucks shall provide a minimum of 6 parking spaces adjacent to the vending area for the exclusive use of the food truck and shall not occupy the minimum required parking spaces for any other use on site.
- (n) Food trucks shall be required to park on all-weather surfaces.
- (o) After hours parking of the food truck shall comply with acceptable locations for off street parking in Article 6 of this Ordinance.
- (p) Two copies of a drawing, no larger in size than 11" x 17", with dimensions (distances in feet) of the food truck's location from the site's property lines and other minimum distance requirements as specified by this Article shall be submitted to the Department of Planning for approval. Said drawing shall also depict north arrow, parking area, table/chair/canopy areas as applicable, curb-cuts and traffic patterns.
- (q) Food trucks shall not emit sounds, outcry, speaker, amplifier or announcements while traveling on the public right-of-way or when stationary.
- (r) Food trucks shall maintain all City, Fulton County, State of Georgia, and Federal licenses and shall follow all laws of the State and the Fulton County Board of Health, or any other applicable laws.

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- (s) The permit under which a food truck is operating shall be firmly attached and visible on the Food Truck at all times.
- (t) Any condition of zoning or provision of this Ordinance that prohibits a food truck use on a property shall supersede this Section.
- (u) Food trucks and any accessory items shall not be left unattended or stored for any period of time on the permitted site when vending is not taking place or during restricted hours of operation.
- (v) Food trucks are responsible for the proper disposal of waste and trash associated with the operation.
- (w) Food trucks shall remove all generated waste and trash from their approved location at the end of each day or as needed to maintain the public health and safety. No liquid waste or grease is to be disposed of in tree pits, storm drains or onto the sidewalks, streets or other public or private space.
- (x) Food trucks must have an adequate supply of fresh water (through the means of an on-truck freshwater tank) to maintain the operation of the food service in a safe and sanitary manner.
- (y) Food Trucks must encompass all mobile food service units with the exception of pushcarts.
- (z) A copy of the approved permit and inspection certificate for the base of operation issued by the Fulton County Public Health Department, Georgia Department of Agriculture, and Federal licenses shall be submitted with the business license application.
- (aa) The owner shall follow all laws of the State and County Health Departments, or any other applicable laws.
- (bb) The applicant shall submit the corporate and, where applicable, trade name of the base of operations associated with the mobile food service unit, together with a copy of the base of operation's City of South Fulton Tax Certificate. Where the base of operation is located outside the City limits, the applicant shall provide evidence of licensing in the base of operation's home jurisdiction.
- (cc) Information identifying the mobile service unit including, its make, model and license plate number, together with a photograph of the mobile food service unit shall also be submitted.
- (dd) Sales near Schools. No person shall dispense any item, at any time, including food, from an ice cream truck parked or stopped within 500 feet of the property line of a school between 7:30 a.m. and 4:00 p.m. on regular school days.

304.04 Party House.

- (a) A single-family residential property may only be utilized as a "Party House" by Special Administrative Permit on lots with at least 300 feet of frontage on a public street and a primary structure no less than 4,000 square feet in area.
- (b) An event defined as a "Party House" by this Zoning Ordinance may only be conducted inside the primary structure and/or in a completely fenced back yard.
- (c) With exception of traditional internal lighting and porch lights, no other illumination may be utilized during a "Party House" event, including, but not limited to, strobe lighting, disco-ball light, spotlight or any other light used to draw attention to the structure.

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- (d) Any music utilized for the "Party House" event must be contained solely inside the primary structure and shall be subject to the applicable provisions of the City's Noise Ordinance contained in Title 3, Chapter 6 of the City Code.
- (e) In addition to an Administrative Permit, the owner of each "Party House" cannot have such an event at the residence without acquiring an occupation tax certificate from the City.
- (f) An Administrative Permit and Occupation Tax Certificate for a "Party House" may only be granted to the owner of the property.
- (g) Event guests at a "Party House" must park only on the designated driveway or on the public street directly in front of the residential lot on which the event is taking place, on the same side of the street, and only for the length of the street frontage directly abutting the property.
- (h) A qualifying event at a "Party House" may not continue past 11p.m. on Sunday – Thursday, or midnight on Friday- Saturday or any Federal Holiday.
- (i) Neither an Administrative Permit nor an Occupation Tax Certificate may be granted to any property for a "Party House" that is located within 2000 feet of any City or County park facility, senior housing or public or private school, or be within 1,000 feet of more than 2 other residential lots.
- (j) No alcohol may be sold during a qualifying event of a "Party House" and no more than one drink may be included as part of a cover charge for said event. For purposes of this provision, one drink shall be either a 12 oz. malt beverage, 12 oz. glass of wine or an alcoholic drink featuring no more than 1.5 oz. of any distilled spirit.
- (k) An Administrative Permit and Occupation Tax Certificate for a "Party House" shall authorize the owner of the property no more than 10 such qualifying events in any calendar year.

304.05 Model Homes.

Dwelling units may be utilized for sales offices and/or model homes.

304.06 Revival Tent.

A revival tent requires an Administrative Permit and shall meet the following requirements:

- (a) In an AG-1 zoning district or a residential zoning district, a revival tent may be placed only on property occupied by an existing building used as a place of worship.
- (b) An Administrative Permit may be granted a maximum of 14 days in a calendar year.
- (c) The revival tent or any area used for assembly shall be located at least 200 feet from a property line of any residential district and/or AG-1 district used for single-family.
- (d) No temporary, sanitary facility or trash receptacle may be located within 200 feet of an existing dwelling, and no tent shall be located within 250 feet of an existing dwelling.
- (e) One parking space per four seats shall be provided.
- (f) Parking shall be paved or gravel. Grass pavers shall be allowed upon approval by the City Engineer.
- (g) A drawing to scale shall accompany the application and shall accurately depict the number of seats and the standards of this section.
- (h) The hours of operation shall be no earlier than 8:00 a.m. nor later than 11:00 p.m.

304.07 Roadside Produce Stands and Roadside Vending.

(a) Administrative Permit required.

(1) Exemptions.

An administrative permit is not required for the sale of agricultural products and commodities produced on the premises as an accessory use to a farm in the AG-1 District. Such sales shall be conducted in accordance with Sec. 304.07(b), subsections (5) through (12) below.

(2) Roadside produce stands.

No more than four Administrative Permits shall be granted per year and no single permit shall be effective for more than 30 consecutive days; however, 2 or more permits, not to exceed 4, may be combined for a duration of 60 days, 90 days or a maximum of 120 days. An application for said permit(s) shall be made no less than 14 days prior to the event. Said permit must be posted on site such that it is visible from the street.

(3) Roadside vending.

No more than two Administrative Permits shall be granted per year and no permit shall be effective for more than 9 consecutive days. An application for said permit shall be made no less than 14 days prior to the event. Said permit must be posted on site such that it is visible from the street.

(b) Operating Requirements.

(1) The hours of operation shall be 8:00 a.m. to 8:00 p.m.

(2) Two copies of a drawing, no larger in size than 11" x 17", with dimensions (distances in feet) of the activity's location from the site's property lines and other minimum distance requirements as specified by this Section shall be submitted to the Department of Community Development and Regulatory Affairs for approval. Said drawing shall also depict north arrow, curb cuts and traffic patterns.

(3) The applicant shall provide a notarized written permission statement of the property owner or lease holder of the subject site to the CDRA Department. A 24-hour contact number of the property owner or lease holder shall be provided along with permit application.

(4) The property on which the roadside vendor is permitted must be located at least 1,500 feet from a permanent business or another vendor which offers the same or similar merchandise as that of the vendor. Vendor shall provide names of all established businesses which sell similar or the same merchandise within 1,500 feet of the proposed vendor site.

(5) Any activity, structure or vending displays shall maintain a minimum 20-foot setback from the right-of-way and not be located within a required landscape strip or buffer. Said activity, structure or vending displays shall also maintain a minimum setback of 10 feet from any internal drive or permitted curb cut.

(6) A minimum of six parking spaces shall be provided for the exclusive use of the roadside produce stand or roadside vending and shall not occupy the minimum required parking spaces for any other use on site. An additional five spaces per 1,000 square feet of ground area may be required for roadside produce stands depending on the size of the proposed operation.

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- (7) No temporary sanitary facility or trash receptacle may be located within 100 feet of a property line of a residential use.
- (8) For roadside produce stands, no tent, table or other temporary structure shall be located within 100 feet of a residential structure.
- (9) For roadside vending, no table or cart shall be located within 250 feet of a residential structure. Tents and tarps are prohibited. Sales from vehicles are prohibited.
- (10) No equipment, vehicle, display or sales activity shall block access to a public facility such as a, mailbox, parking meter, fire hydrant, fire alarm box, traffic control box, driveway or other access point.
- (11) A sound level of 65 dBA shall not be exceeded at adjacent property lines of any residential use.
- (12) One sign no greater than 12 square feet shall be allowed.

304.08 Seasonal Business Use.

- (a) Administrative Permit required.

An Administrative Permit shall not be issued for the same seasonal business use more than once in any calendar year. Said seasonal business use must correlate to a calendar holiday or event. Said permit shall not exceed a total of 30 consecutive days for each use. Said permit must be posted on site such that it is visible from the street. An application for said permit shall be made no less than 14 days prior to the event. Example: One permit may be issued for the sale of Christmas trees for a maximum of 30 consecutive days. A second permit may be issued for the sale of pumpkins for a maximum of 30 consecutive days.

- (b) Allowed zoning districts.

Seasonal business uses are allowed in the following zoning districts: CUP (with a commercial component); MIX (with a commercial component); C-1, C-2, M-1, and M-2; and AG-1 and residentially zoned districts only when the property is occupied by a place of worship, school, lodge/retreat, farm, plant nursery, etc., existing as a conforming or a lawful non-conforming nonresidential use. The issuance of an Administrative Permit does not constitute an expansion or extension of a non-conforming use.

- (c) Operating requirements.

- (1) The hours of operation shall be 8:00 a.m. to 8:00 p.m., Sunday through Thursday and 8:00 a.m. to 10:00 p.m., Friday through Saturday.
- (2) With the exception of the hours of operation, the operating requirements for roadside produce stands in Sec. 304.07 above shall apply.

304.09 Temporary Classroom.

A structure proposed to be used as a temporary classroom requires an Administrative Permit and shall meet the following requirements:

- (a) The structure must be constructed for use as a temporary classroom and certified as such by the Community Development and Regulatory Affairs Department.
- (b) The principal use must exist prior to the issuance of the Administrative Permit.
- (c) The temporary classroom shall not be used to increase the capacity or enrollment as conditioned by zoning, or as limited by other use permit conditions.

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- (d) An Administrative Permit for a temporary classroom shall expire 3 years from the date of approval at which time the structure shall be removed unless a new administrative permit is obtained within 30 days of the expiration date.
- (e) The structure shall not be located within any principal building setbacks or within any required landscape strips or buffers.
- (f) Two copies of a drawing showing dimensions shall accompany the application and shall accurately depict the proposed location of temporary structures, the traffic patterns and curb cuts and compliance with this section and all other applicable standards of this Ordinance.

304.10 Temporary Structures in Association with Permitted Construction or Special Events.

- (a) An Administrative Permit is required for temporary structures (whether tents, site-built, mobile or manufactured structures) utilized for construction offices, ticket booths, security guard shelters, storage structures in association with construction, portable toilets and other similar uses, as determined by the Community Development and Regulatory Affairs Director.
- (b) Temporary structures shall be located outside of any required buffers and landscape areas and shall maintain the principal building setback of the zoning district, except portable toilets must maintain a 200-foot setback from existing dwelling(s).
- (c) Temporary structures must be removed prior to the issuance of a Certificate of Occupancy or within 5 days of completion of the temporary event or activity for which the structure was approved.
- (d) Temporary structures used in conjunction with previously issued Administrative Permits and approved Special Uses shall not be required to obtain a separate Administrative Permit.
- (e) An Administrative Permit for a temporary structure shall expire 3 years from the date of approval at which time the structure shall be removed unless a new administrative permit is obtained within 30 days of the expiration date.
- (f) Temporary storage units, as defined in Article 9 of this Ordinance, shall not be used as dwelling units.

304.11 Temporary Use of Existing Dwelling While Residence is Being Built.

- (a) The Building Permit for the new principal structure shall be issued concurrently with an Administrative Permit.
- (b) The Administrative Permit shall expire 90 days after issuance of a Certificate of Occupancy for the new principal structure or one year after issuance of a Building Permit, whichever occurs first.

304.12 Temporary Use of Manufactured Home While Residence is Being Built.

- (a) The Building Permit for the principal structure must have been issued and remain valid during the period that the manufactured home is on the property.
- (b) An Administrative Permit is required and shall expire 12 months after issuance or upon occupancy of the principal structure, whichever occurs first. Only one renewal for a 1-year period may be issued.
- (c) The manufactured home must be located on the same parcel as the principal structure being constructed and comply with all district setbacks.

Sec. 305 Prohibited Uses.

- (d) The manufactured home must be occupied by the owner of the principal residence under construction.

304.13 Yard Sale.

- (a) Community-wide yard sales shall follow the requirements of Sec. 304.01 Event, Special Indoor/Outdoor.
- (b) Yard sales conducted on a single residential property by the owner of the property do not require an Administrative Permit but are limited to no more than two sales per calendar year on the same property.

Sec. 305. Prohibited Uses.

Any principal use that is not shown on the Principal Use Tables in Article 2 of this Zoning Ordinance is specifically prohibited. This Section is not intended to list every prohibited use in the city but to ensure certain uses are prohibited in the event there is any question when interpreting the Principal Use Tables.

305.01 Designated Uses.

The following specific uses are not allowed in any zoning district in the City of South Fulton:

- (a) Landfills.
- (b) Prisons and correctional facilities.
- (c) Quarries and/or surface mining sites.

305.02 Environmentally Adverse Uses.

The following uses in Table 3-1 are prohibited in the City of South Fulton.

Table 3-1 Environmentally Adverse Uses	
Use	Description of Use/Industry
Ammunition production includes explosives and fireworks	Manufacture of ammunition, explosives and fireworks
Animal feed manufacturing	Manufacture of animal feed from grain and other food products
Concrete manufacturing; Concrete batching plant or manufacturing cement products (bricks)	Concrete is mixed, prepared or treated - up to 5,000 tons per year
Concrete manufacturing; Concrete batching plant or manufacturing cement products (bricks)	Greater than 5,000 tons per year
Cement or lime manufacturing works - use of furnace or kiln	Production of cement clinker or lime or cement clinker, clay, limestone or similar is ground or milled
Ceramic goods manufacturing	Premises on which ceramic kitchen or table ware or other non-refractory ceramic products are made
Chemical blending or mixing	Chemicals or chemical products are blended, mixed or packaged
Chemical fertilizers	Manufacture of artificial fertilizers
Chemical manufacturing	Chemical products are manufactured by a chemical process
Chemicals - Sodium cyanide manufacturing	Production of sodium cyanide
Chemicals - Sodium silicate manufacturing	Production of sodium silicate
Chemicals - Sulphuric acid	Production of sulphuric acid

Sec. 305 Prohibited Uses.

Table 3-1 Environmentally Adverse Uses

Use	Description of Use/Industry
Chemicals - Titanium dioxide pigment plant	Production of titanium dioxide (Cl ₂)
Chemicals storage (minor)	Non-bulk storage of chemicals
Chemicals storage (bulk/major)	Bulk storage of acids, alkalis or chemicals
Chlor-alkali works	Manufacture of caustic soda and chlorine
Clay bricks or ceramic/refractory products works	Premises on which fired-clay bricks, tiles, pipes or pottery are manufactured
Composting facility	Outdoor uncovered, regularly turned windrows
Composting facility	Outdoor covered, turned windrows
Composting facility	Outdoor covered windrows with continuous aeration
Composting facility	Enclosed windrows with odor control
Composting facility	In-vessel composting with odor control
Crematorium	Reduction of human or animal remains to ashes by incineration
Crushing of building materials	Crushing or cleaning of waste building or demolition material
Fiberglass reinforced plastic manufacturing	Using Low Styrene Emissions (LSE) resins
Formaldehyde	Formaldehyde production
Glass or glass fiber works	Premises on which glass or glass fiber is produced
Incineration	For biomedical, chemical or organic waste
Incineration	For plastic or rubber waste
Incineration	For waste wood
Industrial gases	Production, processing, refining or storage of industrial gases
Industrial gases	Commercial/retail outlets
Joinery & wood working premises	Production of wooden furniture household items such as doors, kitchen fittings, flooring & mouldings
Pressurized Gas retailing with above ground tanks	Pressurized gas storage & handling at retail outlets
Pressurized Gas retailing with underground tanks	Pressurized gas storage & handling at retail outlets
Livestock sale yard or holding pen	Holding of live animals pending sale, shipment or slaughter
Metal coating	Metal products are powder-coated or enameled
Metal coating - industrial spray painting	Site of which spray-painting is conducted inside a spray booth
Metal coating - industrial spray painting	Work is conducted in the open (no spray booth)
Metal fabrication	Sheet metal, structural metal and iron and steel products - up to 50,000 tons per year
Metal finishing	Galvanizing
Metals - Foundries (metal melting or casting)	Ferrous metals (alloys)
Metals - Iron ore smelting	Production of iron from iron ore
Metal smelting, refining, fusing, roasting, recycling scrap metal, or processing works	Where metal, metal ores, concentrates or wastes are treated to produce metal (other than iron & aluminum); scrap metal is fragmented or melted to recover metal (including lead battery reprocessing)
Paints and Inks	Blending and mixing
Paints and Inks	Manufacturing
Pesticides Manufacturing	Herbicide, insecticide or pesticide manufacture by a chemical process
Pharmaceuticals	Production including veterinary products

Sec. 305 Prohibited Uses.

Table 3-1 Environmentally Adverse Uses

Use	Description of Use/Industry
Plaster manufacturing	Plaster, plasterboard, gyprock or other products comprised wholly or mostly of gypsum are made
Pulp, paper or paperboard manufacturing	Manufacture of paper pulp, wood pulp, kraft paper, kraft paperboard, cardboard paper or paperboard
Straw pulp and paper mill	Processing cereal straw and mixing with wastepaper to produce container board
Recycling - chemicals or oil (includes bio- and petro- based oil)	Waste liquid hydrocarbons or chemicals are refined, purified, reformed, separated or processed
Recycling - scrap metal	See "Metal smelting"
Recycling - Used tire storage and recycling	Premises on which used tires are crumbled, granulated or shredded
Rendering works	Animal matter is processed or extracted for use as fertilizer, stock food or other purposes
Resins, manufacturing	Polyester resins manufacture
Resins manufacturing	Rubber & synthetic resins manufacture
Rubber products manufacturing	Using either organic solvents or carbon black
Slaughterhouse	Killing of animals for human consumption
Tannery	Treatment and drying of animal skins, leather and artificial leather - using sulphide process
Tannery	Treatment and drying of animal skins, leather and artificial leather - small premises, non-sulphide
Textile production - artificial & synthetic fiber manufacturing or treatment	Cellulose nitrate, viscose fiber, cellophane, artificial rubber or other man-made textiles manufacture
Textile production - carpet making & other forms of manufacturing, milling or production of natural fibers	Manufacture, bleaching, dyeing or finishing of cotton, linen, woolen yarns & other natural textiles
Textile operations - chemical or physical processes	Using carbon disulphide (CS ₂) as a solvent
Textile operations - chemical or physical processes	Using other substances
Timber preserving premises	Timber preservation by chemical means, including chromated copper arsenate (CCA)
Used tire storage	Premises on which used tires are stored, no retail operation
Truck Terminal	Buses, trucks and other heavy vehicles depot
Wood-board manufacturing (including MDF plants)	Premises on which particleboard or chipboard is fabricated or manufactured

Article 4. Lot and Building Standards

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Article 4. Lot and Building Standards

Sec. 401. Purpose of Article 4.

This Article sets out the standards that control the size of lots, the placement of buildings and structures on a lot, and the bulk and intensity of development on a lot in each district. In addition, this Article identifies special standards that apply to the design of certain structures and developments.

Sec. 402. General Requirements.

402.01 Conformance with Regulations.

- (a) Structures shall be erected and uses shall be established only upon a single lot which meets or exceeds the requirements of this Zoning Ordinance or conditions of zoning, whichever is more restrictive.
- (b) Structures shall be erected, and sites shall be developed in accordance with other applicable local regulations, including Title 14. *Environment* in the City Code of Ordinances.

402.02 Minimum Buildable Area Required.

Regardless of the minimum requirements of individual zoning districts, a plat shall not be approved until the buildable area (including the buildable area(s) that must be outside a floodplain in accordance with local floodplain management regulations) of every lot is determined to be sufficient to accommodate a square configured from the minimum building area required by the zoning district.

402.03 Division of Conditionally Zoned Parcels.

All lots of a proposed subdivision must be in keeping with unit and density allocations, and other conditions of zoning as well as this Zoning Ordinance and the Subdivision Regulations. If each proposed parcel does not conform to such conditions, the proposed division shall require a zoning modification in accordance with the requirements in Article 8 to accomplish the desired modification of conditions.

402.04 Outparcel Development.

Outparcel development permitted as a condition of zoning approval and identified on a site plan shall comply with the following standards.

- (a) The total floor area for outparcels shall be included in the total floor area allowed for the larger parcel.
- (b) Access for outparcels shall be from internal drives with no direct access to public roads.
- (c) Each outparcel abutting a public right-of-way shall have a minimum of 200 feet of frontage on that public right-of-way.
- (d) Internal entrance drives shall be located at least 100 feet from any publicly dedicated right-of-way.

402.05 Number of Principal Buildings.

Only one principal building and its customary accessory buildings may hereinafter be erected on any lot of record.

402.06 Accessory Structure Construction Relative to Principal Building.

Accessory structures shall be constructed concurrently with or subsequent to a principal building.

Sec. 403. Dimensional Requirements.

403.01 Area Regulations for Lots and Principal Buildings.

Provisions relating to the minimum area, width and frontage, the maximum height of a building, minimum setbacks for front, side and rear yards, and other dimensional requirements as they relate to a principal building are included in Table 4-1 Area Regulations for Lots and Principal Buildings and in this Sec. 403. Setback provisions for accessory structures are contained in Sec. 403.03(f).

403.02 Lots.

(a) Minimum lot size requirements.

- (1) See Table 4-1 for minimum lot size requirements by zoning district.
- (2) Lots created within a development project to accommodate detention and retention facilities which are incidental, related, appropriate, and clearly subordinate to the main use in the project are exempt from the minimum lot size requirements in all zoning districts. No other construction/building shall be permitted on such lots. An access easement is required in accordance with the Subdivision Regulations.
- (3) When a lot or property is reduced in size, all resulting divisions and all structures shall meet the minimum requirements of the applicable provisions of this Ordinance; except that if a lot or property is reduced in area to less than the zoning district minimum lot size as a result of government action, the lot shall be deemed nonconforming.
- (4) Lots utilizing both a well and a septic tank shall be not less than one acre in size unless a larger size is required by the Fulton County Board of Health.
- (5) Any lot proposed to be served by either a well or a septic tank/drain field shall comply with the larger of the minimum lot area required by the Fulton County Board of Health or the minimum required for the district in which the lot is located.

(b) Multiple frontage lots.

Lots adjoining more than one public street shall provide a minimum front yard along each right-of-way except corner lots. The setbacks for the street-adjointing side yards of corner lots shall be as specified in the district regulations. In situations where a multiple frontage lot has equal distance on street frontages, the Director of Community Development and Regulatory Affairs shall determine the legal lot frontage.

(c) Flag lots.

Minimum yards shall not be identified within the stem portion of a flag lot unless such portion, independent of the flag portion, can meet the requirements of Sections 4.2.2. Measurements for a front yard setback shall begin at the point of intersection of the stem and the flag portion of a flag lot running along the property line the most perpendicular to the stem. A flag lot stem shall not be less than 15 feet in width.

(d) Interpretation by Community Development and Regulatory Affairs Director.

Sec. 403 Dimensional Requirements.

The Director of Community Development and Regulatory Affairs shall make the final determination of front, side, and rear lot lines when in dispute or undefined by the definitions in Article 9 of this Zoning Ordinance.

403.03 Setbacks.

- (a) See Table 4-1 for minimum setback requirements for principal buildings by zoning district.
- (b) When there is more than one building on a lot, minimum interior setbacks (building separations) shall be as specified by the International Building Code and International Residential Code.
- (c) Staggered setbacks.

Staggered front setbacks of 5 feet (minimum) for detached single-family dwellings are required in certain single-family residential zoning districts as indicated on Table 4-1, with the exception that reductions in this requirements may apply on cul-de-sacs and curved streets at the discretion of the City Engineer.

- (d) Uses and structures allowed in required setbacks (yards).
 - (1) Yards may be used for driveways, signs, at-grade parking, loading areas, fountains, flag poles, yard ornaments not to exceed 2 feet in height, walls, fences, walkways, lawns, buffers, landscape areas, underground utilities, well houses, stormwater management facilities, tree preservation areas, and recreation amenities such as swing sets and private swimming pools. No part of any yard or use made thereof shall serve the requirements for any other lot or structure.
 - (2) See Article 3 for limitations on the location of outside storage and accessory displays.
- (e) Allowed encroachments into yards.

The following encroachments shall be allowed to the extent specified below:

- (1) All zoning districts.

Architectural features such as cornices, eaves, steps, gutters, fire chases, chimneys which are a part of an exterior wall of the primary structure, and fire escapes may not encroach or project over more than 36 inches into any minimum yard.
- (2) Non-residential.
 - a. Canopies shall be allowed over walkways or driveways to within 12 feet of the street right-of-way or the right-of-way based on the street's functional classification, whichever is farther from the street's centerline.
 - b. Fuel pumps and pump islands shall be set back as stated above for canopies.
- (3) Single-family residential and townhouses on individual lots of record.
 - a. Porches, decks or patios attached to the main dwelling may extend no more than 10 feet into a minimum front or rear yard.
 - b. Outdoor fireplaces and outdoor uncovered kitchens, whether stand-alone or constructed as a part of a patio, retaining wall or other structure, may only be located in the rear yard and may extend no more than 10 feet into the

Sec. 403 Dimensional Requirements.

minimum rear yard. In no case shall an outdoor fireplace be located closer than 10 feet to a property line.

c. Awnings may project to within 5 feet of a side lot line.

(4) Adjoining railroads.

For those uses which utilize a rail siding for loading and unloading, there shall be no minimum rear yard requirement adjoining the siding.

(f) Placement of accessory structures.

In addition to requirements in Articles 2 and 3 regarding types of allowed accessory uses by zoning district and associated restrictions, the following shall also apply.

- (1) In agricultural and residential zoning districts, except as noted in this Section, accessory structures may be located in rear or side yards but shall not be located within a minimum yard.
- (2) On AG-1 zoned properties that are a minimum of 10 acres in sizes, structures that are accessory to a principal agricultural use may be located in any yard, but shall not be located within a minimum yard,
- (3) In the R-5A and NUP zoning districts, accessory structures may be located in rear or side yards, but shall not be located within a minimum rear yard except that detached garages may locate along a rear lot line at between 0 and 7 feet with an encroachment and maintenance easement allowing a minimum of 7 feet of access to the garage.
- (4) In the TR zoning district, accessory structures may be located in the rear and side yards only but shall not be located within a minimum yard. Townhouse accessory structures may be located within the side or rear yards only, but not within minimum perimeter setbacks or minimum yards.
- (5) In the A zoning district, accessory structures may be located in the rear yard only but shall not be located within a minimum yard.
- (6) In the A-L zoning district, accessory structures shall not be located in the minimum front yard.
- (7) In the MIX zoning district, single-family, duplex and townhouse accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard. Multi-family accessory structures shall not be located in the minimum front yard.
- (8) In the C-1, C-2, M-1, and M-2 zoning districts, accessory structures shall not be located in the minimum front yard.
- (9) In the CUP and SH zoning districts, accessory structures to single-family and two-family uses shall be located within the side or rear yards but shall not be located within a minimum yard and are subject to perimeter and minimum yard setback requirements. Multi-family accessory structures may be located in the rear yard only but shall not be located within a minimum yard.

403.04 Height Limits.

- (a) See Table 4-1 for maximum building height by zoning district.
- (b) The zoning districts' maximum height limitations for structures shall not apply to the following:
 - (1) Spires, belfries, cupolas and domes.

Sec. 403 Dimensional Requirements.

- (2) Water storage tanks.
 - (3) Cooling towers.
 - (4) Chimneys.
 - (5) Mechanical penthouses located on roofs.
 - (6) Smokestacks.
 - (7) Flag poles.
 - (8) Silos and grain elevators.
 - (9) Fire towers.
 - (10) Private and special schools, which may be erected to 60 feet in height.
 - (11) Churches, temples, and other places of worship may be erected to 75 feet in height.
- (c) For each foot that schools and places of worship exceed the height regulations of the zoning district in which they are located, as allowed in Sections 403.04(b)(10) and 403.04(b)(11) above, an additional foot of side and rear yard setbacks shall be required.

Sec. 403 Dimensional Requirements.

Table 4-1 Area Regulations for Lots and Principal Buildings

Zoning District ↓	Lot Area (minimum acres or square feet)	Setbacks (minimum feet)			Lot Width (minimum feet)	Lot Frontage (minimum feet)	Development Frontage (minimum feet)	Height (maximum feet)	Heated Floor Area (minimum square feet) (g.f. = ground floor)	Density (maximum dwelling units per gross acre)	Lot Coverage (maximum percent)	
		Front ¹		Side								Rear
		To lot line	Staggered									
R-1	2 acres	60'	N/A	25' to interior lot line 40' to street	50'	200'	35'	N/A	40'	< 2 story: 1,800 sq.ft. on g.f. ≥ 2 story: 2,000 sq.ft. with 1,200 sq.ft. on g.f.	N/A	N/A
R-2	1 acre	60'	N/A	15' to interior lot line 30' to street	40'	150'	35'	N/A	40'	< 2 story: 1,600 sq.ft. on g.f. ≥ 2 story: 1,800 sq.ft. with 1,050 sq.ft. on g.f.	N/A	N/A
R-2A	27,000 sq.ft.	60'	N/A	15' to interior lot line 30' to street	40'	120'	35'	N/A	40'	< 2 story: 1,700 sq.ft. on g.f. ≥ 2 story: 1,800 sq.ft. with 1,050 sq.ft. on g.f.	N/A	N/A
R-3	18,000 sq.ft.	50'	N/A	10' to interior lot line 20' to street	35'	100'	35'	N/A	40'	< 2 story: 1,200 sq.ft. on g.f. ≥ 2 story: 1,320 sq.ft. with 900 sq.ft. on g.f.	N/A	N/A
R-3A	18,000 sq.ft.	50'	N/A	10' to interior lot line 20' to street	35'	100'	35'	N/A	40'	< 2 story: 1,600 sq.ft. on g.f. ≥ 2 story: 1,800 sq.ft. with 1,050 sq.ft. on g.f.	N/A	N/A
R-4	9,000 sq.ft.	35'	Yes, see Sec. 403.03(c)	7' to interior lot line 20' to street	25'	70'	35'	N/A	40'	< 2 story: 1,000 sq.ft. on g.f. ≥ 2 story: 1,100 sq.ft. with 800 sq.ft. on g.f.	N/A	N/A
R-4A	12,000 sq.ft.	35'	Yes, see Sec. 403.03(c)	7' to interior lot line 20' to street	25'	85'	35'	N/A	40'	< 2 story: 1,200 sq.ft. on g.f. ≥ 2 story: 1,320 sq.ft. with 900 sq.ft. on g.f.	N/A	N/A
R-5	7,500 sq.ft.	20'	Yes, see Sec. 403.03(c)	5' to interior lot line 15' to street	20'	60'	35'	N/A	40'	650 sf	N/A	N/A
R-5A	4,000 sq.ft.	20'	Yes, see Sec. 403.03(c)	0'-7': conditions apply ² 14' between dwellings 20' to street	20'	N/A unless specified in conditions of zoning	35'	N/A	40'	850 sf	N/A	N/A

¹ Distance from the principal building to the lot line, unless otherwise noted in the table. Staggered front yard setbacks only apply to single-family residential districts as indicated in this table; see Sec. 403.03(c).

² To place a building in the R-5A zoning district along an interior side lot line at between 0 and 7 feet shall require an encroachment and maintenance easement allowing a minimum of 7 feet of access to such buildings. A minimum building separation of 14 feet shall be maintained.

Sec. 403 Dimensional Requirements.

Table 4-1 Area Regulations for Lots and Principal Buildings

Zoning District ↓	Lot Area (minimum acres or square feet)	Setbacks (minimum feet)			Lot Width (minimum feet)	Lot Frontage (minimum feet)	Development Frontage (minimum feet)	Height (maximum feet)	Heated Floor Area (minimum square feet) (g.f. = ground floor)	Density (maximum dwelling units per gross acre)	Lot Coverage (maximum percent)	
		Front ¹		Side								Rear
		To lot line	Staggered									
R-6	9,000 sq.ft.	25'	Yes, see Sec. 403.03(c)	7' to interior lot line 20' to street	20'	70'	35'	N/A	40'	Single-family dwelling: < 2 story: 1,000 sq.ft. on g.f. ≥ 2 story: 1,100 sq.ft. with 800 sq.ft. on g.f.	N/A	N/A
TR ³	2,000 sq.ft.	40'	N/A	30' to interior lot line 40' to street	35'	20'	20' ⁴	35'	40'	1,100 sq. ft.	9 du/ac	50%
		20' to ROW ⁵		0'-7': conditions apply ⁶ 15' to street	25'							
A	2,000 sq. ft. (land area or lot size per unit)	40' to ROW	N/A	25' to interior lot line 40' to street	25'	200' ⁷	35'	N/A	45' or 3 stories, whichever is higher	Efficiency: 450 sq.ft. Other Multi-family: 700 sq.ft.	14 du/ac	40%
A-L	None	40'	N/A	25' to interior lot line 40' to street	20'	None	35'	N/A	60' or 4 stories, whichever is higher	3-bedroom unit: 700 sq.ft. 2-bedroom unit: 600 sq.ft. 1-bedroom unit: 500 sq.ft.	N/A	70%
AG-1	1 acre with frontage on paved road 3 acres with frontage on unpaved road	60'	N/A	25' to interior lot line 40' to street	50'	100'	35'	N/A	40'	N/A	N/A	N/A

³ For the TR setback requirements, the standards in the top line are the minimum perimeter setbacks for the entire development, and the standards in the bottom line are the minimum interior setbacks when there is one building on a lot.

⁴ For townhouse developments, this minimum distance requirement shall apply to each dwelling unit. In addition, for all developments, up to 35 feet in frontage may be required whenever the Director of Public Works requires the extra width to protect catch basins.

⁵ When access to a lot is not from a public right-of-way, the setback shall be 25 feet measured from back of curb if the driveway and garage are in the front; if vehicular access is to the rear of the townhome unit, the distance from the back of curb shall be 12.5 feet.

⁶ Zero setback if units are attached (for example, townhomes on separate lots of record); and, 7 feet when units are not attached, except that a 7-foot encroachment and maintenance easement may be provided on adjacent parcels, in combination with or in lieu of a side yard, such that a minimum building separation of 14 feet is maintained.

⁷ This minimum width is required throughout the lot depth, from the front to rear lot line.

Sec. 403 Dimensional Requirements.

Table 4-1 Area Regulations for Lots and Principal Buildings

Zoning District ↓	Lot Area (minimum acres or square feet)	Setbacks (minimum feet)			Lot Width (minimum feet)	Lot Frontage (minimum feet)	Development Frontage (minimum feet)	Height (maximum feet)	Heated Floor Area (minimum square feet) (g.f. = ground floor)	Density (maximum dwelling units per gross acre)	Lot Coverage (maximum percent)
		Front ¹		Side							
		To lot line	Staggered								
CUP	As specified in the approved development plan, with the exception that the minimum area for a CUP development is 10 contiguous acres				20'	35'	40' ⁸	As specified in the approved development plan	Single-family: 5 du/ac Multi-family: 9 du/ac	N/A	
NUP	4,000 sq.ft./unit	Interior setbacks: As specified in the approved development plan ⁹			None ¹⁰	20'	35'	40'	Single-family detached dwelling: 1,000 sq. ft.	5 du/ac	N/A
	4 acres for development ¹¹	Perimeter setbacks: 40-feet around the periphery of the development including access drives serving more than one lot, all structures, and swimming pools if the development is adjacent to a single-family use or zoning district or to the AG-1 zoning district									
MHP	4,000 sq.ft./unit	Minimum perimeter setbacks for MHP:			44' per unit and not less than 400' throughout	N/A	200' on arterial or a road within 600' of an arterial	35' or 2.5 stories, whichever is higher	N/A	5.5 du/ac ¹²	N/A
	20 contiguous acres for development	100'	50'	50'							
SH	As specified in conditions	Minimum perimeter setbacks for development: ¹³			20'	20' ¹⁴	35'	40'	See Table 4-3	See Table 4-2	N/A
		40'	30' to interior lot line 40' to street	35'							

⁸ No single-family residential dwellings or accessory structures shall exceed 40 feet in height. The height of all other structures is as approved per the approved CUP development plan/conditions of zoning.

⁹ To place a building along an interior side lot line at between 0 and 7 feet shall require an encroachment and maintenance easement allowing a minimum of 7 feet of access to such buildings. A minimum building separation of 14 feet shall be maintained.

¹⁰ Unless a minimum lot width is specified in the approved development plan.

¹¹ The maximum allowed size for a NUP development is 12 acres.

¹² See Sec. 404.08(c) for density bonuses (and see Sec. 404.08(d) additional requirements for individual dwelling unit dimensions that are not addressed in the table)

¹³ A 50' principal perimeter building setback shall be provided for the entire development when adjacent to single-family residential and/or AG-1 zoning districts. In addition, see Sec. 404.07(d) for minimum interior setback requirements when there is one building per lot.

¹⁴ Up to 35 feet may be required whenever the Director of Public Works requires the extra width to protect catch basins.

Sec. 403 Dimensional Requirements.

Table 4-1 Area Regulations for Lots and Principal Buildings

Zoning District ↓	Lot Area (minimum acres or square feet)	Setbacks (minimum feet)			Lot Width (minimum feet)	Lot Frontage (minimum feet)	Development Frontage (minimum feet)	Height (maximum feet)	Heated Floor Area (minimum square feet) (g.f. = ground floor)	Density (maximum dwelling units per gross acre)	Lot Coverage (maximum percent)
		Front ¹		Side							
		To lot line	Staggered								
MIX ¹⁵	As specified in conditions	As specified in conditions			None, unless specified in conditions	20' for single-family, duplex and townhouse ¹⁶	35'	60'	As specified in conditions	None, unless specified in conditions	None, unless specified in conditions
O-I	N/A	40'		20' to interior lot line 40' to street	25'	N/A	100'	60' or 4 stories, whichever is higher	N/A	N/A	70%
C-1	2,500 sq.f.t for buildings with a dwelling unit above or behind a commercial use; 0 sq.ft. for all other buildings	40'		0' to interior lot line ¹⁷ 40' to street	0' ¹⁸	N/A	35'	N/A	60' or 4 stories, whichever is higher	N/A	N/A
C-2											
M-1	N/A	40'		None. ¹⁹ See Sec. 405 for landscape strip and buffer requirements.	N/A	35'	N/A	100' or 8 stories, whichever is higher	N/A	N/A	N/A
M-2											

¹⁵ See also Sec. 404.05 for additional requirements.

¹⁶ Requirement applies to each dwelling unit.

¹⁷ See Sec. 405 for landscape strip and buffer requirements.

¹⁸ See Sec. 405 for landscape strip and buffer requirements.

¹⁹ Exception: Structures shall be set back at least 12 additional feet for each foot of building height in excess of 50 feet when adjacent to a residential district.

Sec. 404. Requirements Specific to Certain Zoning Districts.

In addition to the requirements in this Article, including those contained in Table 4-1 and other applicable regulations in this Ordinance, the following shall apply to certain zoning districts as described herein.

404.01 R-5 Single-Family District.

R-5A zoned developments shall have a minimum perimeter setback of 40 feet.

404.02 TR Townhouse Residential District.

- (a) Townhouse developments shall contain no more than 8 dwellings per single building.
- (b) Townhouse developments shall vary setbacks and roof lines by at least 2 feet so that no more than three adjoining dwellings within a single building shall have the same front setback or roof line.

404.03 CUP Community Unit Plan District.

(a) Development plan.

- (1) The development plan shall be the zoning control document for features depicted graphically.
- (2) The site plan requirement applicable to rezoning requests, as outlined in Article 8, shall be adhered to for CUP rezoning requests. Administrative guidelines for preparing site plans are available from the Director of Community Development and Regulatory Affairs.
- (3) A site plan shall become the development plan if the request to rezone is approved without changes or additions. If the approval by the City Council differs, in any way, from what is depicted on the site plan submitted for the purpose of seeking rezoning, a revised plan must be certified by the Department of Community Development and Regulatory Affairs before development related permits may be issued.
- (4) A site plan or development plan shall not substitute for plans which are required as a prerequisite for applying for development related permits.
- (5) The location of all use areas shall be shown on the development plan, and location on the ground shall be as shown on the development plan.

(b) Other minimum standards.

- (1) Setbacks and roof lines shall be varied by at least 2 feet so that no more than three adjoining dwelling units within a single building shall have the same front setback or roof line.
- (2) Common outdoor area consisting of not less than 550 square feet per unit shall be provided for recreation in all developments of 20 or more acres.
- (3) Land area proposed for open space or recreation shall be allocated among the use areas in proportion to the ratio of a neighborhood population to the total CUP population so that acreage devoted to open space is reasonably accessible to all residents.
- (4) Multi-family uses shall not be located along the perimeter except adjacent to or across a street from an existing multifamily or more intense use.

Sec. 404 Requirements Specific to Certain Zoning Districts.

- (5) Agreements, covenants, declarations and other contracts which govern the use, maintenance, and protection of a CUP development among its owners' areas shall be part of the official zoning file.
- (6) Multi-family units shall not exceed 25% of the total number of dwelling units in a CUP.

404.04 NUP Neighborhood Unit Plan District.

The requirements for a development plan in Sec. 404.03(a) above shall apply to the NUP zoning district.

404.05 MIX Mixed Use District.

- (a) A minimum of 20% of the total site area shall be common outdoor area and shall be maintained by the property owner(s).
- (b) All components are required to be interconnected with pedestrian paths constructed of either colored/textured materials or conventional sidewalk materials and clearly identified.
- (c) Off-street parking as required by Article 6 may be reduced, and shared parking among uses may be allowed upon approval by City Council in the conditions of zoning.
- (d) No more than 25% of the total floor area of a building may be devoted to storage.

404.06 A-L Apartment Limited Dwelling District.

An outdoor area consisting of not less than 10% of the gross land area shall be provided for recreation.

404.07 SH Senior Housing District.

- (a) Development plan.

The requirements for a development plan in Sec. 404.03(a) above shall apply to the SH zoning district.

- (b) Maximum density. See table below for requirements.

Table 4-2 SH Maximum Allowed Densities

Comprehensive Plan Suggested Densities	SH Zoning District Maximum Density (units per acre)
Agricultural, forestry and mining	3
Residential - 1 unit/acre or less	3
Residential - 1 to 2 units per acre	4
Residential - 2 to 3 units per acre	5
Residential - 3 to 5 units per acre	7
Residential - 5 to 8 units per acre	10
Residential - 8 to 12 units per acre	14
Residential - 12 to 20 units per acre	20
Retail service and commercial	7
Office	7
Live work—Neighborhood (residential up to 5 units per acre)	7
Live work—Community (residential up to 9 units per acre)	11

Table 4-2 SH Maximum Allowed Densities

Comprehensive Plan Suggested Densities	SH Zoning District Maximum Density (units per acre)
Live work—Regional (residential plus 9 units per acre)	11
Community facilities	7
Institutional uses	7

(c) Minimum heated floor area. See table below for requirements.

Table 4-3 SH Minimum Heated Floor Area Requirements

Dwelling Unit Type	Minimum Heated Floor Area (square feet)
Single-family detached	1,100
Two-family	900
Triplex	900
Quadraplex	900
Townhouse	900
Multi-family (efficiency or studio)	600
Multi-family (1 or 2 bedrooms)	750

(d) Minimum interior setbacks when one building per lot.

(1) Minimum front yard: 20 feet from right-of-way.

(2) Minimum side yard:

a. 7 feet adjacent to interior lot line, except that up to a 7-foot encroachment and maintenance easement may be provided on adjacent parcels, in combination with or in lieu of a side yard, such that a minimum building separation of 14 feet is maintained.

b. 0 feet if units are attached, for example, townhouses on separate lots of record.

c. 15 feet adjacent to street.

(3) Minimum rear yard: 25 feet.

(e) Other minimum standards.

(1) Setbacks and roof lines shall be varied by at least 2 feet so that no more than three adjoining dwelling units within a single building shall have the same front setback or roof line.

(2) Common outdoor area consisting of not less than 150 square feet per unit shall be provided for recreation in all developments.

(3) Land area proposed for open space or recreation shall be allocated among the use areas in proportion to the ratio of a neighborhood's population to the total SH population so that acreage devoted to open space is reasonably accessible to all residents.

Sec. 404 Requirements Specific to Certain Zoning Districts.

- (4) A minimum 600 square foot heated and cooled community center with kitchen and media center facilities shall be provided. If there is a management office associated with the development, the community center may be located within the confines of that office.
- (5) Senior housing shall be 100% occupied by persons who are 62 years of age or older which shall be verified per Housing and Urban Development (HUD) regulations regarding verification of occupancy.
- (6) Agreements, covenants, declarations and other contracts which govern the use, maintenance, and protection of a SH development among its owners' areas shall be part of the official zoning file, and changes thereto shall have no force and effect until a copy has been provided to the Director of Community Development and Regulatory Affairs. All SH developments shall have a mandatory agreement, covenant or contractual requirement that all sales or transfers of the property to subsequent owners shall be subject to the 100% occupancy requirement by residents aged 62 or older.
- (7) Parking spaces shall be calculated as 1.4 spaces per dwelling unit.
- (8) No parking shall be allowed in the minimum front yard setback.
- (9) SH developments must be served by public water and sewer.
- (10) All SH developments shall provide a minimum 25-foot wide natural, undisturbed buffer with a 10-foot improvement setback or a minimum 6-foot high earthen berm planted to landscape strip standards, with a maximum slope of 3 to 1 or combination thereof around the perimeter of the property. Said buffer and improvement setback or berm shall not be part of any residentially platted lot.
- (11) All areas which are not part of an individual lot and are held in common shall be accessible via dedicated roadways, easements, sidewalks, etc. and shall be maintained by a mandatory homeowners association, whose proposed documents of incorporation shall be submitted to the Director of Community Development and Regulatory Affairs for review and approval prior to the recording of the first final plat.
- (12) Facility shall comply with all applicable local, state, and federal regulations and copies of any applicable permits shall be provided to the Department of Community Development and Regulatory Affairs prior to the issuance of a certificate of occupancy.
- (13) Projects are required to incorporate Easy Living and applicable accessibility standards (as administered and copyrighted by a coalition of Georgia citizens including AARP of Georgia, Atlanta Regional Commission, Concrete Change, Georgia Department of Community Affairs, Governor's Council on Developmental Disabilities, Home Builders Association of Georgia, Shepherd Center and the Statewide Independent Living Council of Georgia).

404.08 MHP Manufactured Home Park District.

(a) Application.

Applications for rezoning to MHP shall, in addition to the required submittal routinely required by the Community Development and Regulatory Affairs Department, be supported by:

- (1) A copy of the rules and regulations of the proposed manufactured home park.
- (2) A copy of any proposed covenants.

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- (3) A proposed maintenance plan for lawns, shrubbery, trees, recreation areas, and other natural areas.
- (b) Development plan.
- (1) The development plan shall be the zoning control document for features depicted graphically.
 - (2) The site plan requirement applicable to rezoning requests shall be adhered to for MHP rezoning requests. Administrative guidelines for preparing site plans are available from the Director of Community Development.
 - (3) A site plan shall become the development plan if the request to rezone is approved without changes or additions. If the approval by City Council differs, in any way, from what is depicted on the site plan submitted for the purpose of seeking rezoning, a revised plan must be certified by the Department of Community Development and Regulatory Affairs before development related permits may be issued.
 - (4) A site plan or development plan shall not substitute for plans which are required as a prerequisite for applying for development related permits.
 - (5) The location of all proposed structures (excluding manufactured homes) shall be as shown on the development plan, adopted at the time of zoning approval, and actual location on the ground shall be as shown on the development plan.
- (c) Maximum density.
- The maximum density shall be 5.5 units per gross acre plus an additional 0.2 units per acre for each of the following features: day care center, community building and/or tornado shelter, and unit carports or garages.
- (d) Requirements for individual unit locations.
- Each manufactured home shall be located on a separate site which shall be identified by a marker at each corner. It is not required that individual sites be surveyed. Minimum requirements for individual sites, in addition to those listed in Table 4-1, are as follows:
- (1) Minimum all-weather patio: 300 square feet.
 - (2) Minimum enclosed storage: 125 cubic feet.
 - (3) Minimum interior street setback: 15 feet from pavement.
 - (4) Minimum unit separation: 20 feet.
- (e) Minimum improvements required.
- (1) Within 30 days of being located in a manufactured home park, the undercarriage shall be screened from view.
 - (2) Each manufactured home park shall have a minimum of two primary access streets which shall be paved to a minimum width of 30 feet. Other streets within a manufactured home park shall be paved to a minimum width of 24 feet.
 - (3) Streets and drainage structures shall be constructed in accordance with the minimum standards available from the South Fulton Department of Public Works.
 - (4) All-weather pedestrian walks shall be provided throughout a manufactured home park to the South Fulton Subdivision Regulations specifications.

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- (5) Streets and walkways shall be lighted.
 - (6) All utilities shall be placed underground. A central television antenna system shall be provided.
 - (7) Each unit shall be served by public water and sanitary sewer.
 - (8) At a minimum, 10% of the gross acreage of a manufactured home park shall be provided for common open space and recreation for the residents of the manufactured home park.
 - (9) At least 400 square feet of common storage area shall be provided per unit for the storage of boats, travel trailers and other vehicles. This common storage area shall be enclosed by a fence and screened from view from all units and streets.
 - (10) Each manufactured home site shall be provided with water-tight and rodent proof refuse container(s) having a capacity of at least 50 gallons.
 - (11) Dumpsters or similar common refuse collection devices shall be provided for every 30 units or fraction thereof in excess of 15. Such central collection facilities shall be screened from view and shall not be located more than 400 feet from any manufactured home served.
 - (12) Central laundry facilities shall be provided at the rate of one standard-size washing machine and dryer for each 25 units or fraction in excess of 11 units. Laundry facilities shall be located not more than 800 feet from the units served.
 - (13) Fire hydrants shall be located throughout the park in accordance with standards of the Fire Marshal. Each unit shall be equipped with a fire extinguisher type approved by the Fire Marshal of South Fulton.
 - (14) Each manufactured home park shall be landscaped with shade trees, shrubs and grass. Landscaping shall be in accordance with a landscaping plan which has been approved by the Department of Community Development and Regulatory Affairs.
- (f) MHP district subdivision.
- Individually divided lots are not allowed in the MHP District. All other divisions shall comply with the Subdivision Regulations of South Fulton.

404.09 C-1 Limited Commercial District.

Not more than 45% of the floor area of a building or land may be devoted to storage incidental to primary uses.

404.10 M-1 Light Industrial Zoning District.

- (a) Exterior building walls.
 - (1) No wood siding shall be allowed.
 - (2) Exposed exterior walls visible from a street shall be composed of the following maximum and minimum percentages of materials in each classification. The percentages apply to the siding on each exposed exterior wall of each building.

Sec. 405 Landscape Strip and Zoning Buffer Requirements.

Materials	Maximum	Minimum
Type A	100%	40%
Type B	60%	0%
Type C	25%	0%
Type D	10%	0%

- (b) Types of materials.
 - (1) Type A materials consist of brick; stone with weathered, polished or fluted face; marble aggregate masonry block with fluted, split-face, or broken-face finish; tilt-up, poured-in-place or precast concrete either fluted or with exposed aggregate finish; insulated window wall panels of stainless steel, porcelain treated steel, anodized or other permanently finished aluminum, and stucco or synthetic stucco.
 - (2) Type B materials consist of metal panels with baked-on enamel or acrylic finish.
 - (3) Type C materials consist of plain reinforced concrete slabs.
 - (4) Type D materials consist of corrugated steel and aluminum, wood, and composite board.
- (c) Materials not listed in this Section may be presented to the Director of Community Development and Regulatory Affairs for classification.
- (d) Buildings having walls over 25 feet high may be given special material percentages by the Director of Community Development and Regulatory Affairs.

Sec. 405. Landscape Strip and Zoning Buffer Requirements.

- (a) Landscape strips.
 - (1) Landscape strips shall be provided along all lot lines, as specified in Table 4-4 Minimum Landscape Strip and Buffer Requirements, except when zoning buffers are required.
 - (2) TR, A and A-L zoned districts shall provide landscape strips adjacent to TR, A, and A-L zoned districts, as specified in Table 4-5, unless adjacent properties are developed with single-family residential uses. If adjacent properties are developed with single-family residential uses, zoning buffers are required as specified in Table 4-5. (See Illustration 4.23.1.)
- (b) Zoning buffers.
 - (1) Zoning buffers shall be provided along all lot lines, as specified in Table 4-4, adjacent to differently zoned properties, including those zoned AG-1, R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-5, R-5A, R-6, TR, A, A-L, NUP, CUP and MIX with residential components, and adjacent to all existing single-family residential uses in all zoning districts. (See Illustration 4.23.1.)
 - (2) A 100-foot zoning buffer shall be provided for all new residential developments along property boundaries adjacent to or within a municipal jurisdiction adjacent to the City of South Fulton. To the extent possible, the zoning buffer from an adjacent jurisdiction shall remain undisturbed. If it is determined by the City Engineer that preservation of a completely undisturbed zoning buffer is not feasible in a location due to topography, drainage or other factors, a landscape buffer plan (in accordance with the buffer design standards in this Zoning

Ordinance) shall be provided and executed following review and approval by the City Engineer and Director of Community Development and Regulatory Affairs.

- (3) A zoning buffer is achieved with natural vegetation and must be replanted subject to the approval of the City Arborist or the Director of Community Development and Regulatory Affairs or his/her designated agent(s) when sparsely vegetated.
 - (4) Zoning buffers shall be undisturbed except for approved access and utility crossings, approved project entrance signs, and replantings as required by the City Arborist or the Director of Community Development and Regulatory Affairs or his/her designated agent(s).
 - (5) Clearing of undergrowth from a buffer is prohibited except when accomplished under the supervision of the City Arborist or the Director of Community Development and Regulatory Affairs or his/her designated agent(s).
 - (6) See also Article 3 for separation distance requirements between industrial uses and Environmentally Adverse Uses.
- (c) Improvement setbacks.
- (1) An additional setback of 10 feet shall be interior to all zoning buffers as specified in Table 4-4.
 - (2) No improvements and/or structures shall be constructed in the improvement setback.
 - (3) No reduction of the 10-foot improvement setback is allowed nor shall any grading, land disturbance, tree clearing, stump removal or grinding, or other development activity be allowed within this improvement setback unless permission is obtained from the Director of Community Development and Regulatory Affairs through an Administrative Variance pursuant to Article 8. Said approval shall include a site visit report and recommendation by the City Arborist.
- (d) Fence and wall placement.
- Fences and/or walls shall be located interior to any required buffers and/or improvement setbacks except that when zoning buffers are required between properties zoned for single-family residences or developed with single-family residences, fences may be constructed along side and rear lot lines.
- (e) Additional requirements.
- (1) Unless otherwise specified, lots developed with single-family detached dwelling units that are not in a single-family development, as defined in this Ordinance, are not required to provide landscape areas strips or zoning buffers. Individual lots created for single-family detached dwellings within a new single-family development are required to provide landscape strips or zoning buffers only to the extent such requirements are applied to the entire parcel being developed and subdivided.
 - (2) When minimum landscape strips or zoning buffers for uses in existing structures do not meet the requirements herein, conditions of zoning shall apply when approval is sought for substantial modifications to existing structures.
 - (3) Whenever deemed necessary to protect adjoining or nearby properties or to otherwise promote the public health, safety or welfare, the City Council may specify conditions which require increased landscape strips and/or buffers, setbacks, berms, or other treatments to protect surrounding and nearby properties.

- (4) Landscape areas or strips required pursuant to this section shall be maintained in accordance with the requirements of the Tree Preservation Ordinance.

Zoning District ↓	Landscape Strips (minimum width in feet)				Buffers (minimum width in feet)			Improvement Setbacks (minimum width in feet)
	Front	Side Corner	Rear	Interior	Side	Rear	All Road Frontages	
AG-1*	40	20	10	10	25	50	0	10
R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-5, R-5A, R-6, NUP, CUP*	40	20	10	10	25	50	0	10
TR	40	30	10	10	25	40	0	10
A	40	40	10	10	25	50	0	10
A-L	40	20	10	10	25	50	0	10
MHP	Landscaping Plan Required for Entire Development				50	50	100	10
MIX	20	10	10	5/10**	25	50	0	10
O-I	20	10	10	10	25	50	0	10
C-1	10	10	5/10**	5/10**	25	50	0	10
C-2	10	10	5/10**	5/10**	35	75	0	10
M-1, M-2	10	10	0/5**	0/5**	50	100	0	10

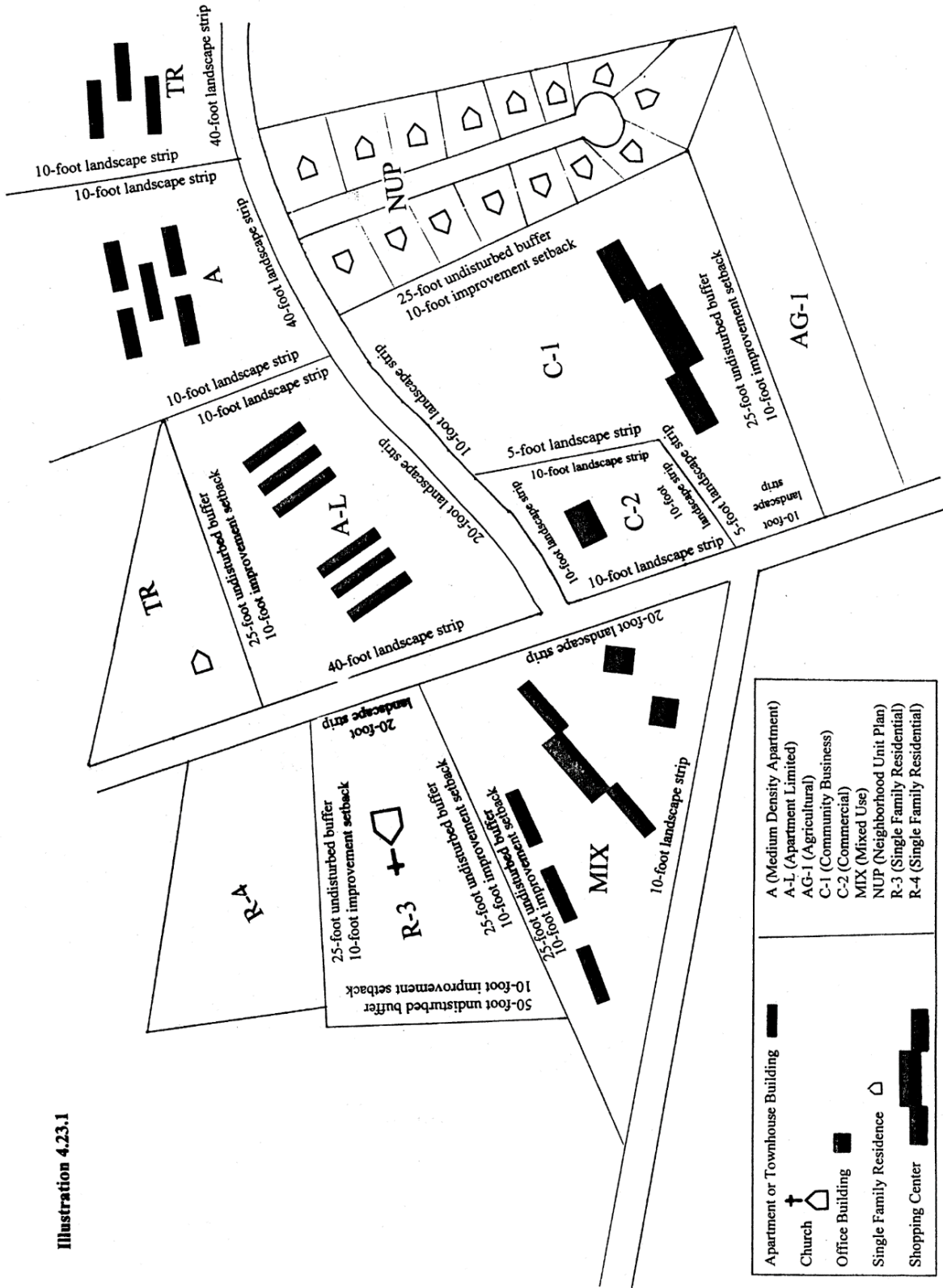
*Nonresidential uses only.
 **The second number applies when a lot line adjoins a less intense non-residential (except AG-1) district.

405.02 Parking Lot Landscaping.

- (a) At-grade, non-single-family parking lots shall provide landscaped islands with a minimum of 200 square feet of contiguous soil space.
- (b) Required landscaped islands shall be located at both ends of a parking bay, and also after every five parking spaces. A parking bay is a module consisting of one row of parking spaces and the aisle from which motor vehicles enter and leave the spaces.
- (c) Such landscaped islands shall include minimum 2-inch caliper diameter at breast height (DBH) shade trees from the list of recommended shade trees for parking lots in Appendix K of the South Fulton Tree Preservation Ordinance.
- (d) No parking space shall be more than 40 feet from a tree
- (e) Landscaping in these islands should preserve and maintain adequate sight lines from the minor lane to the major lane. Alternate methods of landscaping parking lots may be approved whenever the Director of Community Development and Regulatory Affairs determines that the alternate method equals or exceeds this standard.
- (f) See also the South Fulton Tree Preservation Ordinance, Appendix J.

405.03 Tree Preservation Ordinance and Administrative Guidelines.

Standards for tree preservation are as set forth by the South Fulton Tree Preservation Ordinance and Administrative Guidelines.



Sec. 406. Building and Site Features.

406.01 Exterior Finishes on Principal Buildings.

(a) Residential Buildings.

Vinyl siding, aluminum siding and synthetic stucco are prohibited materials on all residential buildings and mixed-use buildings with residential uses.

(b) Non-Residential Buildings.

(1) Reflective and mirrored glass is prohibited on non-residential buildings.

(2) Whenever visible from a public street in all except the AG-1 and industrial districts, and whenever adjoining a residential zoning district in all districts, the exterior of all common aggregate blocks shall be provided with an architectural treatment such as stucco, stone, brick, wood or an alternate treatment approved by the Director of Community Development. Split rib and marble aggregate block shall not be deemed to be common aggregate block.

406.02 Fences and Walls.

Fences and walls which conform to the provisions stated herein shall be permitted by the Department of Community Development and Regulatory Affairs. Fences erected for agricultural purposes in the AG-1 District shall be exempt from permit requirements.

(a) Visibility triangle.

Fences, walls and vegetative materials used in association therewith must not obstruct the minimum sight distance requirements which are specified in South Fulton Subdivision Regulations.

(b) Gates.

No part of a gate shall be located within 20 feet of a public right-of-way, nor shall any gate or vehicle in any way obstruct a public right-of-way or the minimum sight distance specified in the Subdivision Regulations regardless of whether open, closed or in an intermediate position.

(c) Fence and wall materials.

Where the Zoning Ordinance or zoning conditions require fences and walls to be solid/opaque, the visual density of the fence shall be such that it cannot be seen through. The following standards shall apply to fences and walls:

(1) Adjoining right-of-way.

a. In all zoning districts except AG-1, M-1, and M-2, wire and plastic fencing materials, including chain-link fencing with plastic or wooden inserts shall not be used adjoining a street right-of-way.

b. The architectural treatment of poured concrete, common aggregate block or concrete block walls shall be approved by the Director of Community Development and Regulatory Affairs.

c. The requirements of this section shall not preclude the use of chain link fencing as a security fence around stormwater facilities.

(2) Fences along all property lines.

Walls and fences constructed along all property lines shall be constructed with a finished side toward the neighboring property.

(3) Barbed wire—Agricultural.

Barbed wire may be used in the AG-1 District as long as its use is associated with a legitimate agricultural pursuit. Barbed wire use shall meet the following:

- a. Barbed wire shall not be allowed on any single-family dwelling lots including such lots which are located in the AG-1 zoning district;
- b. Barbed wire use adjacent to the public right-of-way shall be installed in a straight strand manner, coiled/concertina style installation shall be prohibited; and
- c. Razor wire is prohibited.

(4) Barbed wire, razor wire, chain link—Commercial and Industrial.

Barbed wire/razor wire/chain link may be used in all Commercial and Industrial Districts as follows:

- a. All chain link fence shall be green or black vinyl coated;
- b. All chain link fences shall be constructed with a top rail to ensure fence stability; and
- c. Barbed wire/razor wire use adjacent to the public right-of-way shall be installed in a straight strand manner (coiled/concertina style installation shall be prohibited).

(5) Use of fabric as fence or screen.

The use of fabric as a fence or screen is prohibited except as a windscreen around recreational courts.

(6) Minimum landscape requirements.

A minimum 3-foot landscape strip shall be provided between a fence or wall and a public right-of-way.

(7) Height.

- a. Fences and walls shall not exceed a height of 8 feet from grade in residential districts, except as regulated under section b) below.
- b. Fences and walls placed in the front yard in residential districts shall not exceed a height of 4 feet from grade.

(8) Setback.

Fences and walls shall be set back a minimum of 3 feet from a public right-of-way.

(9) Retaining Walls.

- a. Permit not required.

Retaining walls that are monolithically placed and structurally tied to a house or building foundation wall do not require a separate wall permit if said walls are shown on the plans for which a building permit was issued.

- b. Permit required.

1. All other retaining walls over 4 feet high require a permit if they were not shown and permitted on a Land Disturbance Permit.

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2. Walls 4 feet to 6 feet high can be permitted upon execution of an Owner Certification/Indemnification form for retaining walls 4 feet to 6 feet high.
3. All walls over 6 feet high and any walls 4 feet to 6 feet high for which an owner is not prepared to execute the Owner Certification/Indemnification form shall require execution of an Engineer Certification/Indemnification form for Retaining Walls permit. Please note that the latter form requires both an engineer's certification and an Owner's Certification/Indemnification.
4. A Checklist for Retaining Wall Permit Drawing shall be completed by the applicant to verify the adequacy of the submittal for issuance of the permit. A separate permit form and fee is required for each wall.

406.03 Skywalks.

The following requirements shall apply to proposed skywalks in non-residential zoning districts.

- (a) A minimum vertical clearance of 16 feet above all streets, and a minimum vertical clearance of 16 feet above the walkway shall be provided.
- (b) Ample space for the free flow of pedestrians with a 12-foot minimum walkway width shall be provided.
- (c) Prior to issuance of a building permit, a bridge agreement shall be filed with the Community Development and Regulatory Affairs Department as a condition of approval. The CDRA Department shall be responsible for the interpretation and application of the conditions set forth above and no building permit shall be issued by the Department except upon written approval of the Department of Public Works.

406.04 Accessory Site Features.

Refuse areas shall be identified on site plans for lots improved with structures other than single family dwellings, and such areas shall be screened to 100% opacity with fences or walls, or a vegetative screen which complies with the screening requirements of the Tree Protection Ordinance. The refuse containers located therein shall not be visible from streets or adjoining properties. Vegetative screens must comply with the provisions of Sec. 405. Refuse areas shall not be located in required landscape areas, required buffers, required parking areas, or required loading areas.

406.05 Streetscape Features.

When not otherwise regulated by overlay district requirements (see Article 5), streetscape features including lighting, signage, benches, recycling bins, trash receptacles, drinking fountains, and other street furniture shall be compatible in material, color, finish and architectural style of the surrounding area.

Sec. 407. Large-Scale Retail Requirements.

407.01 Purpose and Intent.

- (a) "Large-scale retail" refers to any retail/service establishment that is 75,000 square feet or greater. This size threshold refers to an individual establishment and its associated areas used for display and storage. A "large-scale retail development" has no more than four such establishments whether freestanding or combined.
- (b) The purpose of establishing requirements for large-scale retail structures and developments is to apply design standards and additional conditions to large

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developments proposed in the city in order to ensure the development of appropriate, functional, well-planned, aesthetically pleasing retail/service commercial developments that stimulate economic and social growth, are integrated with surrounding areas, positively contribute to the changing community character, with facilities that have functional reuse potential in the future.

- (c) As such, these regulations intend to promote high quality materials and design, promote pedestrian-friendly environments, encourage infrastructure concurrency, encourage responsible storm-water management practices, and promote environmental planning policies.
- (d) The regulations are to be used in conjunction with the development criteria of this Ordinance, including overlay district standards, and all other adopted development standards and criteria.

407.02 Number, Size and Location Criteria.

- (a) No more than four large-scale retail establishments are allowed in a single development.
- (b) Developments may include additional smaller retail structures as part of the overall development; however, the number of retail establishments 75,000 square feet or larger is limited to four, and such developments are subject to the regulations outlined in this Section.
- (c) Large-scale retail establishments or developments cannot be accessed solely via collector or local roads, as defined by South Fulton guidelines and depicted on the Georgia DOT Road Functional Classification maps. They are solely permitted on sites with at least one frontage on an arterial road. However, the CDRA Director may waive the road classification criteria if the developer can demonstrate that the proposed road improvements, with identified funding sources, will accommodate projected traffic volume to be generated by the proposed development to the degree that the current level of service (LOS) or better is maintained for the affected road segment.
- (d) Developments are encouraged to create a cluster effect in order to achieve a village and/or town center effect. These regulations promote an appropriate mix of large- and small-scale retail with smaller retail buildings located closer to streets in order to reduce the visual scale of the development, encourage pedestrian traffic, and promote the use of architectural details.
- (e) This Sec. 407 also recognizes the varied types of developments in the city and promotes the use of screening and buffers in areas with a more rural aesthetic.
- (f) As used in Sec. 407, "suburban development" means any large-scale retail establishment or development in a predominantly residential area zoned for single-family and/or agricultural uses. "Infill/urban development" means any large-scale retail establishment or development in a predominantly commercial and higher density residential area. The Community Development and Regulatory Affairs Director shall assign either classification to a proposed large-scale retail establishment or development upon review of surrounding land uses, zoning and densities, as well as the Comprehensive Plan.

407.03 Site Design Guidelines and Requirements.

- (a) General site guidelines.
 - (1) To the extent feasible, on site creeks should be integrated into the site as amenities.

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- (2) New construction shall conform to the existing topography as much as possible subject to approval by the Director of Community Development.
 - (3) Buildings shall be discouraged on sites with existing slopes greater than 33%. This condition may be amended as approved by the Director of Community Development.
 - (4) Where retaining walls are required, they must be faced with stone, brick or decorative concrete modular block. Use of landscape timber as exterior treatment in retaining walls is prohibited. Retaining walls above 5 feet shall have evergreen plantings in front or as approved by the Director of Community Development.
 - (5) Detention facilities are encouraged to be designed pursuant to the Alternative Design Standards described in the South Fulton Subdivision Regulations.
 - (6) To the greatest extent practicable, design of a traditional detention facility shall follow the natural landforms around the perimeter of the basin.
- (b) Open space.
- (1) A minimum of 10% of the site shall be landscaped open space.
 - (2) Each retail development shall contribute to the establishment or enhancement of the community and public spaces by providing at least two community amenities such as patio/seating area, water feature, clock tower, and pedestrian plazas or benches. Such features shall be constructed of materials that are the same or similar to those used for the principal buildings and landscape.
 - (3) Square footage of community areas can be counted towards the minimum open space requirement.
- (c) Screening and fencing.
- (1) Landscaping and fencing materials should be used to minimize visual and noise impact of parking, loading areas and accessory site features.
 - (2) All loading areas shall be located to the rear or side of the building. Location should be restricted, however, to whichever location does not abut a residentially zoned property, if applicable. Loading areas shall be screened from view of any public street by a 5-foot berm, a continuous row of evergreen hedges 5-foot in height at the time of planting, or architectural treatment.
 - (3) Refuse areas and receptacles shall be placed in the least visible location from public streets and shall be enclosed on three sides with opaque walls. The fourth side shall be a self-closing gate with an architectural finish. Opaque walls shall be a minimum of 12 inches higher than the receptacle. Wall materials shall be noncombustible brick, stone, or split-faced concrete masonry.
 - (4) Accessory site features, as defined in this Ordinance, shall be placed in the least visible location from public streets, and shall be screened from view of any right-of-way and/or any property zoned, used, or developed for residential uses, including the AG-1 zoning district, by one of the following means:
 - a. Placement behind the building;
 - b. 100% opaque fencing which must be constructed of the same type of exterior material used for the building; or

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- c. By a berm or vegetative screening. The screening shall consist of evergreen shrubs, be 3½ to 4 feet at time of planting, and reach a height of 6 feet within 2 years or planting.
- (5) Fencing materials along public streets and side yards are restricted to brick, stone, iron, decorative wrought iron, and treated wood, and or combinations of the above not resulting in an opaque fence.
- (6) Fences adjacent to a public street shall not exceed 55 inches from finished grade.
- (7) Chain link fencing, except as required along detention/retention ponds, is prohibited from public view. All chain link fencing shall be black vinyl clad.
- (8) Suburban Developments: All parking areas shall be screened from view of any public street by:
 - a. A 25-foot wide landscape strip planted to buffer standards; or
 - b. A berm planted with a continuous hedge or evergreen shrubs. Plants shall be a minimum height of 3 1 / 2 to 4 feet at time of planting, and such plants (or in the case of the landscape strip option above, the berm and the planting combined) shall be capable of reaching a height of 6 feet within 2 years of planting.
- (d) Outdoor storage and display.
 - (1) Display or sale of goods outside the permanent portions of a building is prohibited. Garden centers, and other similar areas, with permanent walls/fencing on the outside are considered permanent structures. Exceptions: seasonal holiday trees, pumpkins, and open-air fairs, provided an Administrative Permit is obtained, pursuant to Article 3.
 - (2) Vending machines, paper stands, and other similar devices must be located interior to the building structure.
- (e) Buffer standards.
 - (1) Suburban developments.
 - a. All developments shall provide a minimum 25-foot wide landscape strip along all public streets, if buildings within the development do not front the street.
 - b. A minimum 100-foot wide natural, undisturbed buffer with a 10-foot improvement setback shall be provided along any interior property line adjacent to a residential zoning and/or use. This buffer shall be augmented with plantings if it does not achieve the intended visual screening.
 - c. To ensure that a visual buffer is achieved (for developments adjacent to a residential zoning and/or use), the City may require the installation of a 4-foot high earthen berm with plantings per Sec. 405. The City Arborist will make the determination of a berm requirement based upon a review of the Landscape Plan and existing topography and vegetation.
 - d. A minimum 15-foot wide landscape strip shall be provided along any interior property line adjacent to a nonresidential zoning and/or use.
 - (2) Infill/urban developments.
 - a. Developments are encouraged to place small retail storefronts on the public street.

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- b. If buildings do not front a public street, all properties shall provide a minimum 15-foot wide landscape strip along all public streets. This landscape strip shall be planted with minimum 2-inch caliper diameter at breast height (DBH) hardwood over-story trees every 30 feet.
 - c. A minimum 10-foot wide landscape strip shall be provided along any interior property line adjacent to a nonresidential zoning and/or use. This provision does not apply to individual lots within an overall development.
 - d. A minimum 25-foot wide natural, undisturbed buffer with a 10-foot improvement setback shall be provided along any interior property line adjacent to a residential zoning and/or use. This buffer shall be augmented with plantings if it does not achieve the intended visual screening.
- (f) Landscaping.
- (1) Specimen trees should be preserved to the extent possible.
 - (2) Large overstory street trees in the landscape strips shall be planted in asymmetrical groupings at a minimum density of one tree per 30 feet of street frontage.
 - (3) Street trees shall be a minimum of 2-inch caliper diameter at breast height (DBH).
 - (4) Street trees shall be selected from the list provided in Appendix E of the South Fulton Tree Preservation Ordinance and Administrative Guidelines or as may be approved by the South Fulton Arborist.
 - (5) Street trees may be counted towards the required tree density for a site as approved by the South Fulton Arborist.
- (g) Parking lot landscaping islands.
Parking lot landscaping shall follow the standards in Sec. 405.02.
- (h) Landscape installation and maintenance.
- (1) Landscaping must be installed, or a landscape installation guaranty must be provided prior to the release of Certificate of Occupancy (CO), unless appropriate provisions are made to guarantee the installation of landscaping after such certificate is issued, such as approval by the CDRA Department of a bond for landscaping. The guaranty shall be stamped and signed by a registered landscape architect certifying that landscaping meets the standards of the Tree Preservation Ordinance.
 - (2) Landscape plantings must be replaced if damaged or dead.
- (i) Sidewalks and pedestrian circulation.
- (1) Sidewalks or pedestrian paths are required along all public and private road frontages and may meander around existing trees subject to the approval of the City Arborist.
 - (2) Pedestrian paths may be installed instead of sidewalks as approved by the CDRA Director.
 - (3) Sidewalks shall be a minimum width of 5 feet.
 - (4) Pedestrian paths shall be a minimum of 5 feet wide. They shall be made out of a hard surface material such as concrete, brick or pavers. Paths may be gravel or gravel dust as approved by the CDRA Director.

Sec. 407 Large-Scale Retail Requirements.

- (5) Sidewalks for all new projects should connect with existing walks, where applicable.
 - (6) Pedestrian access should be provided to all entrances including access from rear parking areas.
 - (7) Inter-parcel connectivity shall be required for multiuse, pedestrian paths and sidewalks.
 - (8) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of color and durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
- (j) Parking.
- (1) Parking lots should be distributed around large buildings along not less than two facades (front, rear or sides) in order to shorten the distance to other buildings and public sidewalks.
 - (2) A minimum of 50% of the required surface parking for out-parcels shall be located at the rear of the out-parcel building, interior to the overall development or facing the large retail parking lot.
 - (3) No parking or loading area shall be used for the sale, repair, dismantling or servicing or storing of any vehicle, equipment, materials or supplies.
 - (4) All developments must provide space for parking bicycles. This area may be within the parking lot or courtyard. A bike rack, permanently attached to the ground accommodating a bicycle lock or chain
 - (5) Suburban Developments: Where feasible, no more than 50% of the off-street parking area for the lot, tract or area of land devoted to the large retail establishment should be located along the property fronting a public road and between the front facade and the road.
 - (6) Urban/Infill Developments: On-street parking is allowed subject to the approval of the CDRA Director and the City Engineer.
- (k) Architectural standards.
- (1) The design and lay-out of a development should build upon and complement the design of the surrounding community. The size, orientation, setback and scale of buildings are integral elements of communities. A building's orientation and placement should complement and relate to adjacent buildings, structures and properties.
 - (2) The location of a building should take into consideration its surrounding and take advantage of opportunities to maintain open views and spaces. Buildings should be in proportion, in scale and characteristic to their natural setting. The building design and material should contribute to the style and surrounding areas. Building design that is based on a standardized formula associated with a business or franchise shall be modified to meet the provisions of this section.
 - (3) Buildings shall include architecture elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, recesses/projections, clock towers, cupolas and/or courtyards.

Sec. 407 Large-Scale Retail Requirements.

(l) Orientation.

- (1) All buildings shall be oriented to a public street. An entrance to a building should be located on the side of the building facing a public street.
- (2) Small retail stores as part of an overall development should be oriented to a public street, with the larger retail buildings in the rear.
- (3) Principal buildings should have articulated building entryways with greater architectural details, to include a minimum of two of the following seven elements: Decorative columns or posts, pediments, arches, brackets, transoms over doorways, sidelights, and porticos.

(m) Height.

- (1) There shall be a maximum height limit of 2 stories with the maximum height 35 feet from average-finished grade to the bottom of the roof eave.
- (2) Urban/Infill Developments: 3- story buildings with a height limit of 50 feet from average-finished grade to the bottom of the roof eave are allowed.

(n) Scale.

For every 100 feet of building length on a single face, visible from the public street, there shall be variation in the exterior. This exterior variation shall be accomplished through the following means:

- (1) For each 100 feet of building exterior wall, the building exterior and roof shall be offset.
- (2) For each 100 feet of building exterior wall, there shall be a change in details, or patterns or materials.

(o) Building material.

- (1) The exterior wall materials of all buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, stone, stucco, EIFS, solid plank, cementitious plank, or horizontal clapboard siding.
- (2) Accent wall materials on buildings shall consist of glass, architecturally treated concrete masonry, stone, EIFS, or stucco and shall not exceed 40% per vertical wall plane.
- (3) Prohibited exterior building facade materials are: metal panel systems, precast, smooth concrete masonry or plain, reinforced concrete slabs, aluminum or vinyl siding, plywood, mirrored glass, press-wood or corrugated steel (exceptions: mechanical penthouses & roof screens).
- (4) To the extent any rear or side of any building is adjacent to a public street or single-family residence, architectural treatment shall continue through the rear or side.

(p) Colors.

- (1) Permitted colors for exterior walls, building components, sign structures, accent and decorative elements shall be as specified by the appropriate overlay district.
- (2) If a large-scale retail establishment or development is not located in an overlay district, all aspects of a development should use colors common in the area and in nature. Earth-toned, subtle and muted colors provide for a development that incorporates sensitivity to its natural surroundings. High intensity colors shall be avoided.

Sec. 408 Outdoor Lighting Standards.

(q) Roof.

- (1) Permissible roofs types are flat, gable, pyramidal, and hip. Shed roofs are permitted over porches, additions, and accessory structures.
- (2) Roof pitches shall be in the range of 4 over 12 to 12 over 12.
- (3) Roof pitch material shall be made out of the following materials: asphalt shingle, wood shingle, wood shake, standing seam metal, or materials designed to give the appearance of the above-mentioned materials.
- (4) A decorative parapet or cornice shall be constructed along all roof lines with a lower pitch than specified in above.
- (5) Flat roofs and roof-mounted equipment shall be screened from the view of public and private streets by a parapet. No parapet shall be required to be greater than 4 feet above roof.

(r) Additional requirements.

- (1) Burglar bars, steel gates, metal awnings and steel roll-down curtains are prohibited on the exterior and interior of the structure except at the structure's rear. Steel roll down curtains may be located in other areas if not visible from the front of a building or from a public street.
- (2) Neon lights outlining and/or detailing building features are prohibited.
- (3) Where additional stores will be located in a large retail establishment, each such store that is 5,000 square feet and greater shall have at least one exterior customer entrance, which shall conform to the above requirements.

407.04 Adaptive Reuse of Properties and Store Closure.

If an establishment remains empty for a period of 12 consecutive months the owner and/or lessee must work with South Fulton Economic Development Department to create a plan for the removal or adaptive reuse of the principal structure.

407.05 Vacancy Maintenance Requirements.

- (a) Owner shall provide security patrols on the site to deter vandalism or other illegal activities on the property.
- (b) Retail establishments that have been closed should be maintained at the standard of the occupied store, prior to store closure, this includes all parking lot surfaces and landscaping.
- (c) Building fenestration, including doors and windows cannot be boarded.

Sec. 408. Outdoor Lighting Standards.

408.01 Purpose and Intent.

The purpose and intent of this Section is to provide a regulatory strategy for outdoor lighting that will allow reasonable uses of outdoor lighting for nighttime safety, utility, security, productivity, enjoyment and commerce; curtail and reverse the degradation of the nighttime visual environment and the night sky; preserve the dark night sky for astronomy; minimize glare, obtrusive light and artificial sky glow by limiting outdoor lighting that is misdirected, excessive or unnecessary; conserve energy and resources to the greatest extent possible; and help to protect the natural environment from the damaging effects of night lighting from man-made sources.

408.02 Conformance with Applicable Codes.

All outdoor illuminating devices shall be installed in conformance with the provisions of this ordinance, the International Building Code and the National Electrical Code as applicable and under appropriate permit and inspection. Where there is conflict between the provisions of this ordinance and other regulations, the most restrictive provision shall prevail.

408.03 Applicability.

- (a) For all land uses, developments and buildings that require a permit, all outdoor lighting fixtures shall meet the requirements of this Sec. 408, with the exception that outdoor lighting fixtures in the City's overlay districts shall meet the requirements in Article 5 where there are conflicts with this Section.
- (b) All building additions or modifications of 25% or more in terms of additional dwelling units, gross floor area, or parking spaces, either with a single addition or with cumulative additions subsequent to the effective date of this Zoning Ordinance, shall invoke the requirements of this Sec. 408 for the entire property, including previously installed and any new outdoor lighting.
- (c) Cumulative modification or replacement of outdoor lighting constituting 60% or more of the permitted lumens for the parcel, no matter the actual amount of lighting already on a non-conforming site, shall constitute a major addition for purposes of this section.
- (d) Minor additions.

Additions or modifications of less than 25% to existing uses, as described in Sec. 408.03(b), and that require a permit, shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting on the site shall meet the requirements of this ordinance with regard to shielding and lamp type.

408.04 Exempt Lighting.

The following luminaries and lighting systems are exempt from requirements of Sec. 408:

- (a) Lighting for pools used at night.
- (b) Underwater lighting used for the illumination of swimming pools and fountains.
- (c) Temporary holiday lighting.
- (d) Lighting required and regulated by the Federal Aviation Administration, or other federal, state or local agency.
- (e) Emergency lighting used by police, fire, or medical personnel, or at their direction.
- (f) All outdoor light fixtures producing light directly from the combustion of fossil fuels, such as kerosene and gasoline.
- (g) Security lighting controlled and activated by a motion sensor device for a duration of 10 minutes or less.

408.05 Prohibited Outdoor Lighting.

- (a) Aerial lasers.
- (b) Searchlight style lights.
- (c) Other very intense lighting, defined as having a light source exceeding 200,000 lumens or intensity in any direction of 2 million candelas or more.

Sec. 408 Outdoor Lighting Standards.

- (d) Mercury vapor lamps.
- (e) Neon lighting.

408.06 Outdoor Lighting Standards.

All nonexempt outdoor lighting fixtures shall meet the following criteria:

- (a) Shall be full cutoff placed so as to allow no light above the horizontal as measured at the luminaire, except as herein noted in this ordinance (as in the case of period fixtures, cutoff fixtures may be used).
- (b) Shall be located, aimed or shielded so as to minimize glare and stray light trespassing across property boundaries and into the public right of way in accordance with the following standards:

At Property Lines Including Rights-of-Way	Maximum Foot-candles
At property line abutting a residential or an agricultural use	1.0
At property line abutting an office or institutional use	1.5
At property line abutting a commercial or industrial use	1.5

Off-Street Parking Lots	Minimum Foot-candles	Average Foot-candles	Maximum Foot-candles
Residential areas	0.5	2.0	4.0
Office-professional areas	1.0	3.0	6.0
Commercial areas	2.0	6.0	12.0
Light industrial areas	1.0	4.0	8.0

- (c) Flood or spot lamps must be positioned no higher than 45 degrees above straight down (half-way between the vertical and the horizontal) when the source is visible from any off-site residential property or public roadway.
- (d) All light fixtures that are required to be shielded shall be installed and maintained in such a manner that the shielding is effective as described herein for fully shielded fixtures.
- (e) Multi use development lighting must conform to the standards of its respective use.
- (f) Illumination levels are measured from any height and orientation of the measuring device at any location along the property line, except the lighting of parking lots shall be measured at grade with the meter sensor held horizontally on the surface.

408.07 Standards for Designated Uses or Lighting Types.

All lighting not directly associated with the uses or lighting types designated below shall conform to the lighting standards described in this Ordinance, with the exception that this Sec. 408.07 shall not be construed to overrule any standards established in any Overlay District or as established in Article 3.

- (a) Outdoor sports, recreation fields, or performance areas.

Sec. 408 Outdoor Lighting Standards.

Lighting of outdoor recreational facilities (public or private), such as, but not limited to, outdoor athletic fields, courts, tracks, special event or show areas shall meet the requirements of this Section.

- (1) Facilities designed for municipal leagues, elementary to high school levels of play and training fields for recreational or social levels of play, college play, semi-professional, professional or national levels of play shall utilize luminaries with minimal uplight consistent with the illumination constraints of the design. Where fully shielded fixtures are not utilized, acceptable luminaries shall include those which:
 - a. Are provided with internal and/or external glare control louvers or lenses, and are installed so as to minimize uplight and offsite light trespass and glare; and
 - b. Are installed and maintained so as to avoid aiming no more than 2.5 times the mounting height.
- (2) Illuminance.

All lighting installations shall be designed to achieve the illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA RP-6).
- (3) Off-site spill.

The installation shall also limit off-site spill (off the parcel containing the sports facility) to the maximum extent possible consistent with the illumination constraints of the design. For all recreational or social levels of play and training fields, as well as, performance areas, illumination levels shall not exceed 1.5 foot-candles at any location along any non-residential property line, and 0.5 foot-candles at any location along any residential property line.
- (4) Curfew.

All events shall be scheduled so as to complete all activity no later than 10:30 p.m. Illumination of the playing field, court or track shall be permitted after the curfew only to conclude a scheduled event that was unable to conclude before the curfew due to unusual circumstances. Field lighting for these facilities shall be turned off within 30 minutes after the last event of the night.
- (5) Setback.

All light poles shall be set back the greater of 50 feet or 1 foot for every foot in height from any residential property line or right-of-way.
- (b) Service station canopies and parking structures.
 - (1) All luminaries mounted on or recessed into the lower surface of service station canopies and parking structures shall be fully shielded and utilize flat lenses.
 - (2) The total light output of luminaries mounted on the lower surface, or recessed into the lower surface of the canopy, and any lighting within signage or illuminated panels over the pumps, shall not exceed 50 foot-candles.
 - (3) The total light output of illuminated areas of a service station other than as detailed in Sec. 408.07(b)(2) above shall not exceed 15 foot-candles.
 - (4) Illuminance levels for the interior of parking structures, where interior lighting is visible from outside the structure, shall conform to the IESNA recommendation (RP-20).

Sec. 408 Outdoor Lighting Standards.

- (5) Lights shall not be mounted on the top or sides of a canopy and the sides of a canopy shall not be illuminated.
- (c) Security lighting.
 - (1) Security lighting shall be directed toward the targeted area.
 - (2) Sensor activated lighting must be located in such a manner as to prevent direct glare and lighting into properties of others or into a public right-of-way, and the light shall not be triggered by activity off the property.
 - (d) Pedestrian path lighting.

Lighting post shall not exceed 16 feet from the finished grade.
 - (e) Architectural accent lighting.
 - (1) Fixtures used to accent architectural features, materials, colors, style of buildings, landscaping, or art shall be located, aimed and shielded so that light is directed only on those features. Such fixtures shall be aimed or shielded to minimize light spill into the dark night sky in conformance with the luminaire standards.
 - (2) Lighting fixtures shall not generate glare, or direct light beyond the facade onto a neighboring property, streets or into the night sky.
 - (f) Temporary lighting permits.
 - (1) Permits for temporary lighting will be granted by the CDRA Department if the total output from the luminaries does not exceed 50 foot-candles and the following conditions apply:
 - a. The purpose for which the lighting is proposed can be completed within 30 days, except that the permit for a major construction project may extend to completion.
 - b. The proposed lighting is designed in such a manner as to minimize light trespass and glare.
 - c. Permits issued for temporary recreational lighting shall be extinguished by 10:30 p.m.
 - (2) The application for the Temporary Lighting Permit shall include, but not be limited to, the following information:
 - a. Name and address of applicant and property owner;
 - b. Location of proposed luminaire(s);
 - c. Date and times for the lighting;
 - d. Type, wattage and lumen output of lamp(s);
 - e. Type and shielding of proposed luminaires;
 - f. Intended use of the lighting;
 - g. Duration of time for requested exemption;
 - h. The nature of the exemption; and
 - i. The means to minimize light trespass and glare.

Sec. 408 Outdoor Lighting Standards.

(g) Commercial parking areas.

- (1) All lighting fixtures servicing parking lots, except floodlights, shall be cutoff fixtures, directed downward and not toward buildings or other areas.
- (2) The minimum illumination level for a parking lot shall be 0.4 foot-candles at grade level and the ratio of the average illumination to the minimum illumination shall not exceed 4:1.
- (3) Floodlights should be aimed or shielded to minimize uplight.
- (4) Light poles used in parking lots shall not exceed 35 feet in height.

(h) Streetlights.

All streetlight fixtures new, repaired (outside of normal maintenance) or replaced fixtures shall be cutoff.

408.08 Variances.

- (a) Any person may submit an application to the Department of Community Affairs and Regulatory Affairs for a variance from the provisions of this Sec. 408, in accordance with the Appeals section in Article 8 and the requirements in this Section.
- (b) The application should include, but not be limited to, evidence about the following:
 - (1) How the proposed design and appearance of the luminaire are superior;
 - (2) How light trespass and glare will be limited;
 - (3) How the proposed solution will provide a benefit without negative impact on the health, safety, or welfare of the community.
- (c) The application may include the recommended practices of the Illuminating Engineering Society of North America, a professional engineer, or other authority on outdoor lighting.

408.09 Submission of Plans and Evidence of Compliance.

- (a) The applicant for any permit required by any provision of the laws of the City of South Fulton in connection with proposed work involving outdoor lighting fixtures shall submit, as part of the application for permit, evidence that the proposed work will comply with the Outdoor Lighting Standards requirements in this Article.
- (b) Even should no permit be required, the installation or modification, except for routine servicing and same-type lamp replacement of any exterior lighting, shall require submission of the information described below.
- (c) Said submission shall contain but shall not necessarily be limited to the following, all or part of which may be part or in addition to the information required elsewhere in the laws of the City of South Fulton upon application for the required permit:
 - (1) Plans indicating the location on the premises of each illuminating device, both proposed and any already existing on the site.
 - (2) Description of all illuminating devices, fixtures, lamps, supports, reflectors, both proposed and existing. The description may include, but is not limited to, catalog cuts and illustrations by manufacturers.
 - (3) Photometric data, such as that furnished by manufacturers or similar, showing the angle of cutoff of light emissions.

Sec. 409 Site Acceptability Noise Standards.

(d) Additional submission.

- (1) The above required plans, descriptions and data shall be sufficiently complete to enable the CDRA Department to readily determine whether compliance with the applicable requirements of this Article will be secured.
- (2) If such plans, descriptions and data cannot enable this ready determination, the applicant shall additionally submit as evidence of compliance to enable such determination such certified reports of tests as will do so provided that these tests shall have been performed and certified by a recognized testing laboratory.

(e) Subdivision plats.

All new subdivided properties shall submit information as described herein for installed streetlights and other common or public area outdoor lighting.

(f) Certification.

For all projects, certification that the lighting as installed, conforms to the approved plans shall be provided by an illumination engineer/professional before the Certificate of Occupancy is issued. Until this certification is submitted, approval for use by the issuance of the Certificate of Occupancy shall not be issued.

Sec. 409. Site Acceptability Noise Standards.

409.01 Requirements.

- (a) New residential development proposed within 5 miles of the Hartsfield-Jackson International Airport boundary shall be in compliance with the requirements of the Site Acceptability Noise Standards table below.
- (b) No residential dwelling shall be occupied if the interior day-night average sound level is 50 dBA or higher.
- (c) Any existing legal residential lot of record that does not change use or zoning classification is exempt from the requirements of this Section.
- (d) The requirements in the Site Acceptability Noise Standards table shall apply to all new proposed residential uses.

Table 4-5 South Fulton Site Acceptability Noise Standards

Noise Classification	Day-Night Average Sound Levels (in Decibels)	Requirements and Restrictions
Acceptable	Not exceeding 65 dBA	1. Noise Study Report per Article 28.4.6. No Restrictions.
Normally Unacceptable	Above 65 dBA but not exceeding 75 dBA	1. Noise Study Report per Article 28.4.6. 2. Sound Attenuation Plan.
Unacceptable	Above 75 dBA	1. Noise Study Report per Article 28.4.6. 2. Residentially zoned/used developments are prohibited.

Reference: Title 24, Housing & Urban Development, Part 51 — Environmental Criteria and Standards, Subpart B — Noise Abatement and Control, Section 51.103 Criteria and Standards (c) Exterior standards.

Sec. 410. Encroachment on Public Rights-of-Way.

- (a) No privately owned structures other than driveways, access walkways, and mailboxes shall be allowed within a publicly owned right-of-way.
- (b) Mailbox support structures shall be allowed within the City owned right-of-way provided that the mailbox support structure or appurtenance conforms to the following conditions.
 - (1) Mailbox support structures or appurtenances shall not be constructed of masonry, concrete or stone unless the support design has been shown to be safe by crash tests and is approved by the Director of Community Development and Regulatory Affairs.
 - (2) With the exceptions noted in subsection 1. above, the mailbox support structure shall be a single 4-inch x 4-inch or 4-inch circumference wooden or metal post with strength no greater than a 2-inch diameter standard steel hollow pipe and embedded not more than 24 inches in to the ground.
 - (3) A mailbox support structure containing a metal post shall not be fitted with an anchor plate, but it may have an anti-twist device that extends no more than ten inches below the ground surface.
- (c) Mailbox structures along roadways with posted speed limits of 35 miles per hour or less within platted subdivisions of the City shall be exempt from this provision.
- (d) Landscaping shall be allowed within the public right-of-way with permission of the Georgia Department of Transportation or the Director of Community Development and Regulatory Affairs, or as specified in the Tree Preservation Ordinance, as applicable.

Signs and other structures belonging to the City, the State of Georgia, or a railroad or utility are exempt from this Section.

Article 5. Overlay Districts

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Article 5. Overlay Districts

Sec. 501. Overlay District Authority.

501.01 Declaration of Purpose, Scope, Intent and Public Policy.

- (a) The South Fulton City Council finds that as a matter of public policy that the aesthetic, economic and functional qualities of the City of South Fulton are worthy of enhancement and preservation and are essential to the promotion of the health, prosperity, safety and general welfare of the existing and future residents of South Fulton. Therefore, the City Council authorizes each planning area to propose overlay districts and regulations, and, if desired, to request that City Council appoint a design review board. The purpose of the overlay district regulations shall be:
 - (1) To foster civic pride,
 - (2) To promote attention to accepted design principles in areas of new development and redevelopment,
 - (3) To raise the level of community understanding and expectation for quality in the built environment,
 - (4) To implement the City of South Fulton Comprehensive Plan,
 - (5) To provide for the designation, protection, rehabilitation and redevelopment of properties within overlay districts and to participate in federal and state programs designed to do the same,
 - (6) To protect and enhance local aesthetic and functional qualities and to stimulate business, and
 - (7) To enhance the opportunities for federal, state and local tax benefits under relevant federal, state and local laws.
- (b) The City Council further finds that the timely exercise of judgement in the public interest by a public body of proposed new development or redevelopment is desirable. Accordingly, the public policy objectives of this Article are to guide certain aspects of development, such as:
 - (1) The spatial relationships of structures and open spaces to each other, and
 - (2) The appearance of buildings and open spaces as they contribute to the attractiveness, function, economy and character of an area.
- (c) Planning area design standards are intended to be uniformly applied to evaluate the appropriateness of proposed changes to an overlay district in order to:
 - (1) Protect and enhance the visual qualities and character of the district,
 - (2) Provide guidance to design professionals, property and business owners undertaking construction in the district,
 - (3) Recommend appropriate design approaches, and
 - (4) Provide an objective basis for review, assuring consistency and fairness.

Sec. 502. Definitions.

Sec. 502 Definitions.

The words "shall" and "must" are mandatory, and the words "may" and "should" are permissive. As used in this Article, the following terms shall be defined as follows:

- (a) *Appearance*. The outward aspect that is visible to the public.
- (b) *Appropriate*. Fitting to the context of a site, neighborhood or community.
- (c) *Architectural concept*. The basic aesthetic idea of a structure, or group of structures, including the site, signs, buildings and landscape development that produces the architectural character.
- (d) *Architectural feature*. A significant element of a structure or site.
- (e) *Attractive*. Having qualities that arouse satisfaction and pleasure in numerous, but not necessarily all, observers.
- (f) *Building*. A building is a structure created to shelter any form of human activity, including but not limited to, a house, store, barn, church, hotel.
- (g) *Certificate of endorsement (COE)*. A document evidencing support of a material change in the appearance of a property located within an overlay district by the person or board designated within an overlay district.
- (h) *Cohesiveness*. Unity of composition among elements of a structure or among structures, and their landscape development.
- (i) *Compatibility*. Harmony in appearance of architectural features in the same vicinity.
- (j) *Design review board (DRB)*. A panel which, when appointed by the City Council, consists of eight members appointed to consider applications within a specific overlay district.
- (k) *Designation or designated*. A decision by the City Council of South Fulton, Georgia, wherein a property or district is declared an overlay district.
- (l) *External design feature*. The general arrangement of any portion of structures or landscaping, including the type, and texture of the materials, the type of roof, windows, doors, lights, signs, and fixtures of portions which are open to the public view.
- (m) *Exterior architectural features*. The architectural style, general design and general arrangement of the exterior of a structure and site, including but not limited to the kind or texture of the building material and the type and style of all windows, doors, signs, facade, landscaping and other architectural fixtures, features, details, or elements relative thereto.
- (n) *Geographic area*. Land area subject to overlay district regulations.
- (o) *Harmony*. A quality that represents an attractive arrangement of parts, as in an arrangement of various architectural elements.
- (p) *Landscape*. Plant materials, topography and other physical elements combined in relation to one another and to structures including pavement.
- (q) *Logic of design*. Widely accepted principles and criteria in the solution of design problems.
- (r) *Material change in appearance*. A change in a structure or a parking lot within an overlay district that exceeds ordinary maintenance or repair (defined below), and requires either a sign permit, building permit or land disturbance permit such as, but not limited to:

Sec. 503 Certificates of Endorsement.

- (1) The erection, alteration, restoration, addition or removal of any structure (including signs) or parking lot;
 - (2) Relocation of a sign or building;
 - (3) Commencement of excavation; or
 - (4) A change in the location of signage visible from the public right-of-way.
- (s) *Ordinary maintenance or repair.* Exempt from inclusion in "Material Change in Appearance" defined above. Ordinary maintenance or repair of any exterior of any structure, parking lot or sign in or on an overlay district property to correct deterioration, decay or damage, or to sustain the existing form, and that does not involve a material change in outer design, material, or appearance thereof. Painting, reroofing, resurfacing, replacement of a broken sign face and other similar types of ordinary maintenance shall be deemed ordinary maintenance and repair.
- (t) *Overlay district.* A geographically definable area, possessing a significant concentration or linkage of sites, buildings, structures, objects or landscapes, including the adjacent area necessary for the proper treatment thereof, united by plan and/or physical development. An overlay district shall further mean an area designated by the South Fulton City Council as such.
- (u) *Overlay property.* An individual site, structure, object or landscape, including the adjacent area necessary for the proper continuity thereof, contained within an overlay district.
- (v) *Proportion.* Balanced relationship of parts of a building, signs and other structures, and landscape to each other and to the whole.
- (w) *Scale.* Proportional relationships of the size of parts to one another and to humans.
- (x) *Street hardware.* Objects other than buildings that are part of the streetscape. Examples are: street light fixtures, utility poles, traffic lights and their fixtures, benches, litter containers, planting containers, fire hydrants, etc.
- (y) *Streetscape.* The appearance and organization along a street of buildings, paving, plantings, street hardware and miscellaneous structures.

Sec. 503. Certificates of Endorsement.

503.01 Approval of Alterations or New Construction.

Applicants for a South Fulton land disturbance permit, sign permit or building permit shall obtain a certificate of endorsement (COE) for applicable properties.

503.02 Issuance of a Certificate of Endorsement.

- (a) A COE may be issued when the proposed material change(s) in the appearance or arrangement of the elements of the project is consistent with the overlay district provisions.
- (b) A copy of each final COE shall be maintained in the Department of Community Development.

503.03 Submission of Plans.

An application for a COE shall be accompanied by such drawings, photographs, material samples or plans as may be required pursuant to the overlay district provisions.

Sec. 505 Maintenance of Properties.

503.04 Interior Alterations.

Review of applications for endorsement shall not consider interiors or exterior features which are not visible from a public street.

503.05 Exceptions.

- (a) When, by reason of unusual circumstances, the strict application of any provision of this Article would result in the exceptional practical difficulty or undue hardship due to the circumstances unique to the particular property in question, the Zoning Board of Appeals, shall consider a variance from said provisions so as to relieve such difficulty or hardship provided such variances shall remain in harmony with the general purpose and intent of said provisions, so that the integrity or character of the property, shall be conserved and substantial justice done. A hardship shall not qualify as an undue hardship if it is of a person's own making.
- (b) The process for considering a variance request shall follow the requirements for a hardship variance in Article 8 of this Ordinance.
- (c) In granting such variances, the Zoning Board of Appeals may impose such reasonable and additional stipulations and conditions as will, in its judgement, best fulfill the purpose of this Article.

503.06 Deadline for Consideration of Application for COE.

The DRB shall consider a completed application for a COE within 15 days after the filing thereof by the owner or occupant of an overlay district property. If the application has not been acted upon within 15 days, then the application shall be considered to be approved as submitted.

Sec. 504. Relationship of this Article to Other Zoning Provisions.

504.01 Designation on Official Zoning Map(s).

Designation of a zoning overlay district provides additional requirements or restrictions on the portions of zoning districts over which they are established. Adopted overlay districts shall be shown as such on the official zoning maps of South Fulton, Georgia.

504.02 Affirmation of Zoning Ordinance and Other Regulations.

- (a) Nothing in this Article shall be construed to exempt property and business owners from complying with other provisions in this Zoning Ordinance and with other existing City regulations whenever this Article does not apply.
- (b) Within each overlay zoning district, land and structures shall be used in accordance with the standards of the underlying zoning district.

504.03 Conflicts.

All other provisions of the Zoning Ordinance shall remain in effect unless provisions in the overlay district conflict with other provisions of this Ordinance, in which case, the stricter provisions of the overlay district shall apply.

Sec. 505. Maintenance of Properties.

505.01 Ordinary Maintenance or Repair.

Ordinary maintenance or repair of any exterior feature visible from a public street in or on an overlay district property to correct deterioration, decay or damage, or to sustain the

Sec. 505 Maintenance of Properties.

existing form, and that does not involve a material change in design, material, or outer appearance thereof, does not require a building, sign, or land disturbance permit.

505.02 Failure to Provide Ordinary Maintenance or Repair.

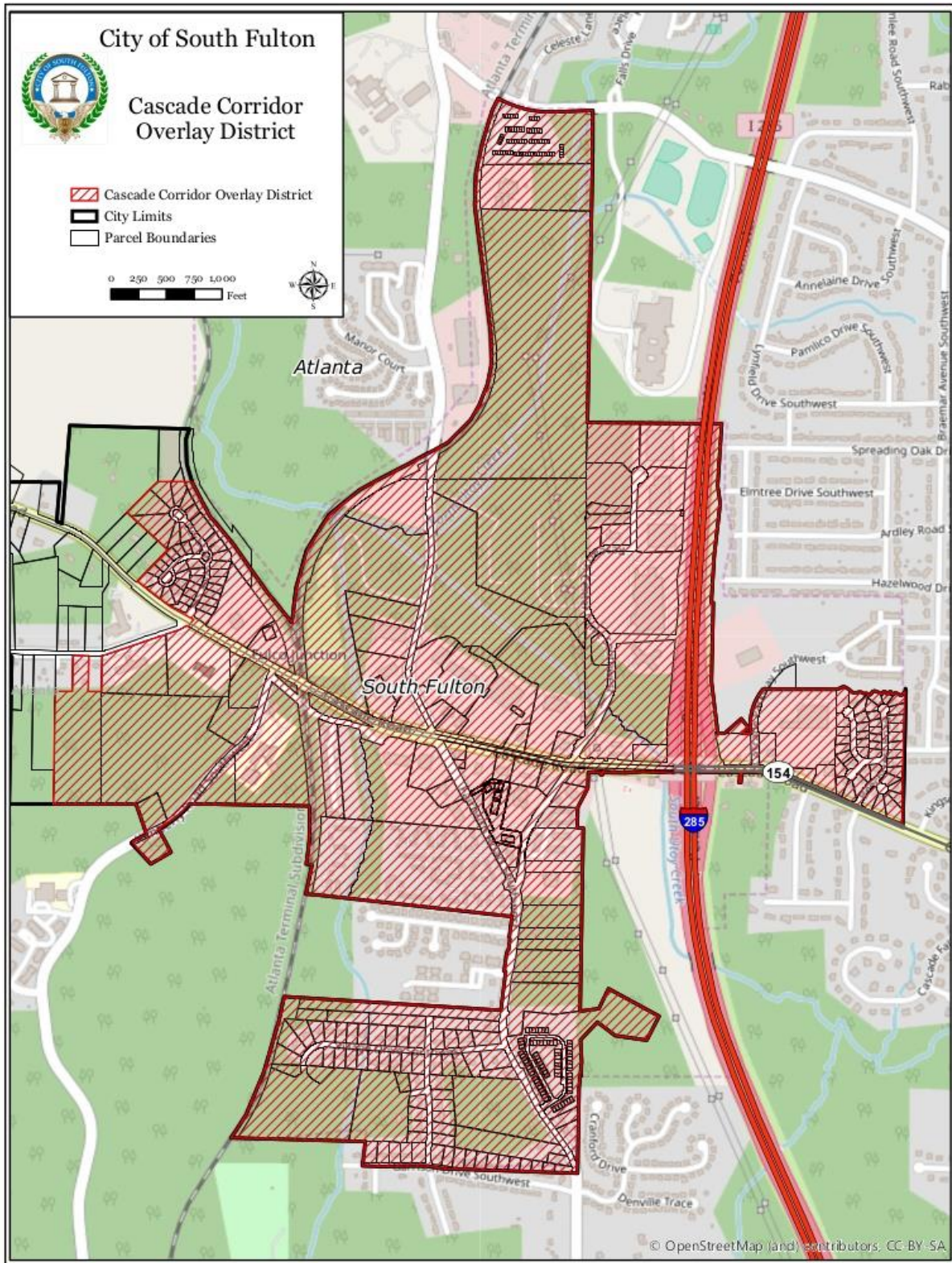
The owner or owners, or the owner's agent, of each designated overlay district property or site, shall keep in good repair all of the exterior portions of such property and site and all interior portions thereof which, if not maintained, may cause or tend to cause the exterior portion of such property or site to deteriorate, decay or become damaged or otherwise to fall into a state of disrepair. The Director of Community Development and Regulatory Affairs shall be responsible for the enforcement of the ordinary maintenance or repair provisions contained within this Article.

505.03 Affirmation of Existing Building Codes.

Nothing in this Article shall be construed to exempt property and business owners from complying with Georgia State Minimum Standard Codes and locally adopted building codes.

Sec. 506. Cascade Corridor (Cascade) Overlay District.

506.01 Boundary Map.



506.02 Purpose and Intent.

- (a) The City Council of South Fulton, Georgia hereby declares it to be the purpose and intent of this Cascade Corridor Overlay District (District) to establish a uniform procedure for providing for the protection, enhancement, preservation, unity of design, and use of places, sites, buildings, structures, streets, neighborhoods, and landscape features in the Cascade Corridor District in accordance with the provisions herein.
- (b) The Cascade Corridor Overlay District is adopted as part of a strategy designed to promote the health, safety, order, prosperity, and general welfare of the citizens of South Fulton through the regulation of design, aesthetics, location, bulk, size of buildings and structures, and the density and distribution of population.
- (c) This District also seeks to reduce congestion on the streets; to provide safety from fire, flood and other dangers; provide adequate light and open space; protect the natural environment and address other public requirements, in order to provide sustainable development that involves the simultaneous pursuit of economic prosperity, environmental protection and social quality.
- (d) This District also seeks, among other things, to promote accepted design principles in areas of new development and redevelopment, to raise the level of community understanding and expectation for quality in the built environment, to protect and enhance local aesthetic and functional qualities, and to stimulate business and promote economic development.
- (e) In consideration of the character of the Cascade Corridor Overlay District, the regulations in this Sec. 506 are intended to monitor the suitability for certain uses, construction and design, prevent functional and visual disunity, promote desirable conditions for community and commerce and protect property against blight and depreciation.

506.03 Applicability.

- (a) The Cascade Corridor Overlay District and the regulations of this Section 506 apply to all properties zoned or developed for nonresidential and residential uses (except as indicated in Sec.506.03(b) below) within 3,500 feet of the center line of Cascade Road in South Fulton between the Atlanta City limits and Danforth Road (see attached map under Sec. 506.01 above).
- (b) Single-family detached dwellings are exempt from the District requirements, with the exception that the exterior finish prohibitions in Sec. 506.10(c) shall apply.

506.04 Architectural Review Process.

- (a) Prior to the issuance of a building permit, the applicant shall submit plans which include details of exterior materials, colors, design and architectural elements of proposed building(s) as specified by this Sec. 506.
- (b) South Fulton staff will review all requests for land disturbance, building (excluding interior renovations), and sign permits for compliance with this Section. Upon determination of compliance, a Certificate of Endorsement (COE) will be provided in the form of signing the formally submitted plans and drawings.
- (c) Prior to the issuance of a building permit, the community will be allowed 10 working days to review and comment. In no event shall a proposal which otherwise conforms to applicable codes and regulations be delayed issuance of a building permit for more than 10 working days due to this review and comment process.

506.05 Landscaping Requirements.

A 15-foot wide landscape strip along any public street shall be required when Article 4 of the Zoning Ordinance otherwise specifies a smaller landscape strip, in accordance with the following requirements:

- (a) The landscape strip may be as specified by the South Fulton Tree Preservation Ordinance, or may be a combination of hardscape elements (plazas, planters, benches, fountains and tables, etc.), ground cover, shrubs, and the required number of hardwood trees as specified by the Tree Preservation Ordinance.
- (b) Shrubs shall be a minimum height of 3 feet at time of planting.
- (c) A minimum of one 2-inch caliper diameter at breast height (DBH) hardwood shade tree is required for every 30 linear feet of landscape strip.
- (d) A 10-foot wide landscape strip shall be provided along any interior property line adjacent to a nonresidential zoning and/or use.

506.06 Accessory Site Features; Placement and Screening.

- (a) Accessory site features are prohibited in the front yard of any property.
- (b) Accessory site features located on the ground shall be screened from view from any public right-of-way, any residential use, or any residential or AG-1 zoning category by one of the following: placement behind the building, 100% opaque fencing, berm or vegetative screen planted to buffer standards.
- (c) Accessory site features on a roof shall be screened by a parapet or other architectural feature or as approved by the Director Community Development and Regulatory Affairs.
- (d) Roof-mounted equipment and flat roofs shall be screened from the view of public and private streets by a parapet. No parapet shall be required to be greater than 4 feet above roof.
- (e) Refuse areas and receptacles.
 - (1) Refuse areas and receptacles shall be placed in the least visible location from public streets and shall be enclosed on three sides with opaque walls. The fourth side shall be a self-closing gate made from noncombustible materials. Opaque walls shall be a minimum of 12 inches higher than the receptacle. Wall materials shall be noncombustible brick.
 - (2) Refuse receptacles shall not be placed within 50 feet of an existing residential or AG-1 (Agricultural) zoning district.

506.07 Fencing and Wall Requirements.

- (a) Chain link fencing is only allowed along golf courses, play fields, and other recreational areas. All chain link fencing shall be black or hunter green vinyl coated. Fences should not be visible from the street.
- (b) When required, fencing material around detention/retention facilities shall be black or hunter green vinyl coated chain link fence.
- (c) Retaining walls shall be faced with or constructed of stone, brick, or decorative concrete modular block only.
- (d) Screening walls shall be screened with a hedge of evergreen shrubbery, a minimum of 2 feet in height at planting.

- (e) Fencing materials along public streets and side yards are restricted to brick, stone, iron, decorative wrought iron, and treated wood.

506.08 Pedestrian Paths.

- (a) Sidewalks are required along all public and private road frontages.
- (b) Internal walkways (paths) are required from the public sidewalk to the main entrance of the principal use of the property and shall meet applicable Americans with Disabilities Act (ADA) standards for slope, width, texture, level differences, and ramps.
- (c) Pedestrian paths may be constructed of either colored/textured materials or conventional sidewalk materials and shall be clearly identified.
- (d) Pedestrian paths shall be illustrated on the site plan submitted at the time of application for a land disturbance permit.
- (e) Paths shall be designed to minimize direct auto-pedestrian interaction.
- (f) Paths shall be connected to signalized crosswalks where applicable.
- (g) Paths shall be direct and convenient routes between points of origin (such as a bus stop) and destination (such as a shop, bank, etc.).
- (h) Street furniture shall be located outside the specified width of any pedestrian path.
- (i) If a business is open after dark, the path shall be well-lit by a minimum of 0.9 foot-candles with an average to minimum uniformity ratio of 4:1. The lighting plan for pedestrian paths shall be included on the site plan submitted at the time of application for a land disturbance permit.

506.09 Building Design.

- (a) Developments shall include architecture elements, including:
 - (1) Trim to include eaves, corner boards, gable and eave boards, pediments, friezes, lintels, sills, quoins, belt courses, balustrades;
 - (2) Gables, dormers, pillars, posts, porches, recessed windows and doors, cupolas, bay windows;
 - (3) Half-rounded or quarter-rounded roof gutters and down spouts integrated with trim;
 - (4) Glass storefronts, transom windows, building wall offsets, projections, recesses, floor level changes, roof-line offsets.
- (b) Architectural treatments of front facades shall continue major features around all visibly exposed sides of a building.
- (c) The principal entry area of a building shall be articulated and express greater architectural detail than other portions of the building.
- (d) To the extent any rear or side of any building is visible from any public street or single-family residence, architectural treatment shall continue through the rear or side.
- (e) Flat roofs are prohibited unless screened by a parapet in accordance with Sec. 506.06(d) above.
- (f) Neon lights outlining and/or detailing building features are prohibited.

- (g) Restaurants with outdoor seating should allow for ease of pedestrian circulation, adequate shade through the use of extended awnings, canopies, or large umbrellas, provide outdoor trash receptacles, and maintain clean and litter-free premises.

506.10 Building Materials.

- (a) The exterior finish of all principal buildings shall be at least 51% brick per vertical wall plane.
- (b) Accent building materials on principal buildings shall be nonreflective glass, natural stone, precast concrete, stucco, stucco-like material, glass block, Hardi-plank and/or tile (or an equivalent alternative treatment approved by the Director Community Development and Regulatory Affairs) and shall not exceed 49% per vertical wall plane.
- (c) Exposed concrete masonry unit (CMU) block, corrugated steel, aluminum siding, vinyl siding, wood siding, synthetic stucco, prefabricated metal, exposed plywood, reflective glass, and exposed pressboard are prohibited as exterior finishes, with the exception that wood siding is allowed on single-family detached dwellings.
- (d) Exterior finishes for accessory structures shall be consistent with the principal structure.

506.11 Building Colors.

- (a) Roof colors shall be black, gray, brown, or green. Reflective and metallic colors are prohibited.
- (b) Colors for exterior walls, building components, sign structures, accent and decorative elements must be chosen from the tones and shades specified in the color chart below (from the Pantone Formula Color Guide) or as approved by the Director of Community Development and Regulatory Affairs if a proposed color is not listed in the color chart but approximates one of the approved colors.

Sec. 506 Cascade Corridor (Cascade) Overlay District.

Yellow



Orange



Brown



Blue



Green



Black



Tan



The code number under each color refers to the Pantone Matching System, an International Color Matching System. An online color search tool can be accessed here: <https://www.pantone.com/color-finder?from=topNav>. To search for a color, type the code number code into the search box. Include a space between the number and letters.

506.12 Security Devices.

(a) Burglar bars.

- (1) Burglar bars, steel gates, metal awnings and steel-roll down curtains are prohibited on the exterior of a structure except at the structure's rear.
- (2) Burglar bars are prohibited on the rear of a structure if visible from a public street.
- (3) Burglar bars are also prohibited on the rear of an outparcel building if visible from the main structure.

(b) Roll-down security devices.

- (1) Roll-down security devices that allow visibility into the store when they are deployed, such as security shutters, are allowed if installed interior to the structure.
- (2) Said interior security devices shall give the overall appearance of a uniform horizontal pattern and shall be placed so that the pattern is at a uniform height across the entire business front and shall match or compliment the color of the surrounding window frame.
- (3) The interior security device shall be rolled up (out of sight) during business operating hours and if business has vacated.
- (4) Extraneous items shall not be attached to the security device.
- (5) The preferred security device is QMI, Vision Profile Security Shutters, Style 51.

(c) Letter of Appropriateness required.

- (1) Prior to the installation of all security devices the owner/leasee shall obtain a Letter of Appropriateness from the Director of Community Development and Regulatory Affairs.
- (2) In order to obtain the Letter of Appropriateness, the owner/leasee shall provide a signed and notarized letter with attachments describing:
 - a. Building address where devices are to be installed.
 - b. Detailed information including site plan and elevation drawing showing location of security device in relation to building façade, windows, doors, etc.
 - c. Name of security product (provide manufacturer information).
 - d. Detailed information on the security product (color, material etc.).
 - e. Other information as may be requested to assure compliance with the security device standard.
 - f. Notarized letter from installer certifying that product shall be installed to manufacturer's specifications.
- (3) CDRA Staff will review the information for compliance with the security device standard and upon determination of compliance will provide a Letter of Appropriateness.

506.13 Outdoor Vending and Storage.

- (a) Vending machines, paper stands, and other similar devices must be located interior to the building structure.

Sec. 506 Cascade Corridor (Cascade) Overlay District.

- (b) Except as provided for in Article 3, the storage and/or sale of goods is prohibited in parking lots and other areas outside of the interior or permanently sheltered portions of a building.
- (c) Storage of shopping carts is allowed without a permit, but is subject to the requirements of Title 6, Chapter 5 *Abandoned Shopping Carts* of the City Codes of Ordinances.

506.14 Sign Standards.

- (a) The base and framework of monument signs shall be made of the same brick as the principal structure.
- (b) The architecture color standards of the overlay district apply only to the sign structure, not to the sign face.
- (c) Window signs along the corridor are prohibited.
- (d) Wall signs shall be internally illuminated.

506.15 Utility Placement.

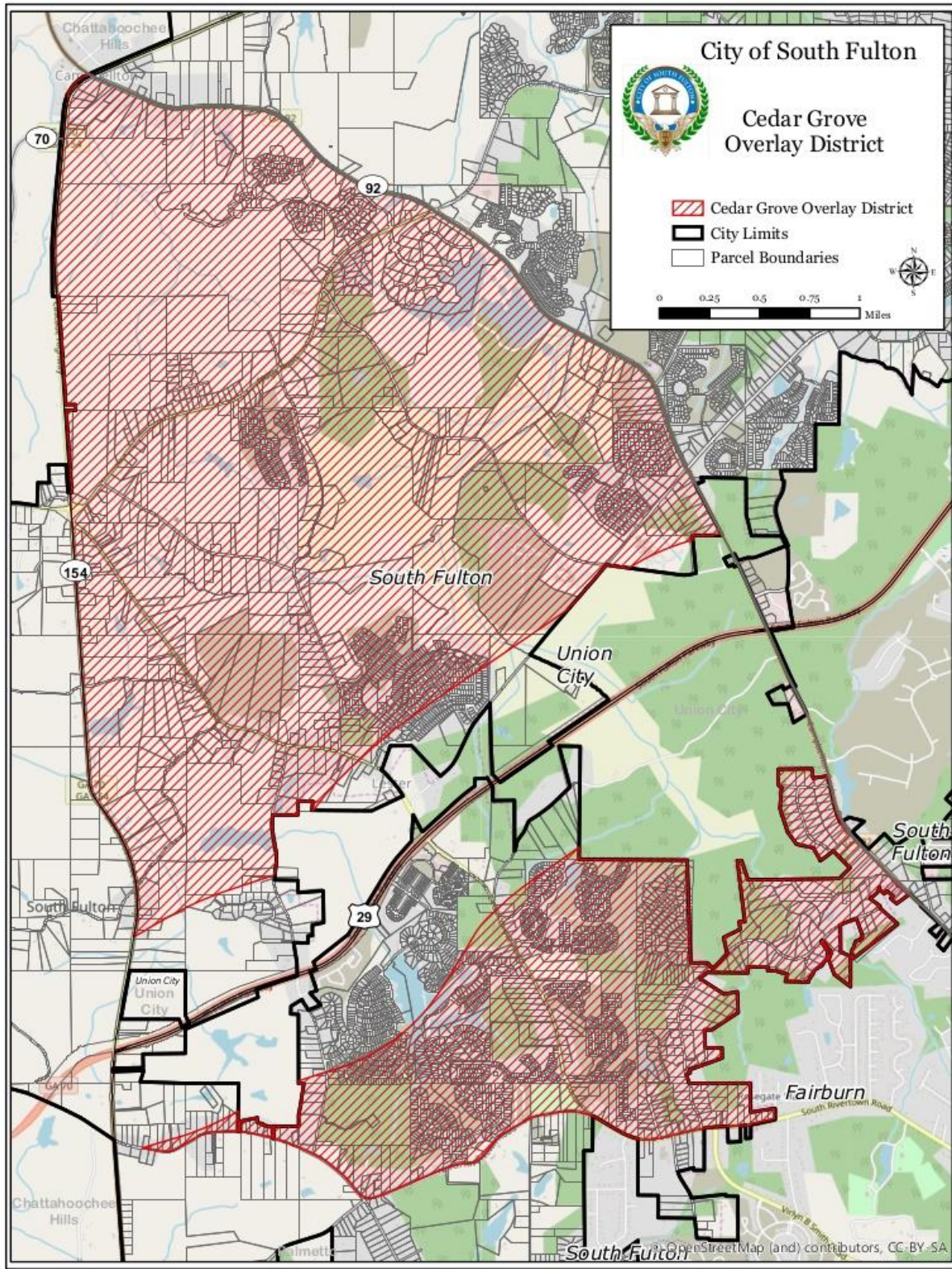
All utilities shall be located underground.

506.16 Stormwater Management Facilities.

All required detention/retention facilities shall be designed to meet the South Fulton alternative design standards that have the intent of making such facilities an attractive amenity or focal point for the subdivision per current South Fulton Subdivision Regulations.

Sec. 507. Cedar Grove Overlay District.

507.01 Boundary Map.



507.02 Purpose and Intent.

- (a) The City Council of South Fulton, Georgia hereby declares it to be the purpose and intent of the Cedar Grove Overlay District (District) to establish a uniform procedure for providing for the protection, enhancement, preservation, unity of design, and use of places, sites, buildings, structures, streets, neighborhoods, and landscape features in the Cedar Grove Overlay District in accordance with the provisions herein.
- (b) The Cedar Grove Overlay District is adopted as part of a strategy designed to promote the health, safety, order, prosperity, and general welfare of the citizens of South Fulton through the regulation of design, aesthetics, location, bulk, size of buildings and structures, and the density and distribution of population.
- (c) This District also seeks to reduce congestion on the streets; to provide safety from fire, flood and other dangers; provide adequate light and open space; protect the natural environment and address other public requirements, in order to provide sustainable development that involves the simultaneous pursuit of economic prosperity, environmental protection and social quality.
- (d) This District also seeks, among other things, to promote accepted design principles in areas of new development and redevelopment, to raise the level of community understanding and expectation for quality in the built environment, to protect and enhance local aesthetic and functional qualities, and to stimulate business and promote economic development.
- (e) In consideration of the rural character of the Cedar Grove Overlay District, the regulations in this Sec. 507 are intended to define and monitor the suitability for certain uses, construction and design, prevent functional and visual disunity, promote desirable conditions for community and commerce and protect property against blight and depreciation.

507.03 Applicability.

- (a) The Cedar Grove Overlay District and the regulations of this Section 507 apply to all properties zoned or developed for nonresidential and residential uses (except as indicated in Sec. 507.03(b) below), within the area illustrated on the attached map (excluding the South Fulton Parkway Overlay District) under Sec. 507.01 above.
- (b) Single-family detached dwellings are exempt from the Cedar Grove Overlay District requirements, with the exception that the exterior finish prohibitions in Sec. 507.12(b) shall apply.
- (c) The District also recognizes the Cedar Grove Crossroads as designated in the South Fulton Comprehensive Plan.

507.04 Architectural Review Process.

- (a) Prior to issuance of a land disturbance permit (LDP) or a building permit, the applicant shall submit details of exterior materials, colors, landscape strips, buffers, signage, lighting, parking, streets and paths, entrances design and architectural features of the proposed site and building which demonstrate compliance with the design standards set forth herein.
- (b) All building plans submitted as an application for a building permit shall clearly indicate all of the proposed building materials and colors for each facade in accordance with Sec. 507.12 and Sec. 507.13. The plans should clearly show the location and calculate the amount/percentage of all building materials per facade.

- (c) Prior to the issuance of an LDP or building permit, the community will be allowed 10 working days to review the application. An application which otherwise conforms to applicable codes and regulations shall not be delayed issuance of an LDP or building permit for more than 10 working days due to this review and comment process.
- (d) South Fulton staff will review all applications for land disturbance permits, building permits and sign permits for compliance with the standards of this Overlay District and upon determination of compliance will provide a Certificate of Endorsement (COE) in the form of signing the formally submitted plans and drawings.

507.05 Buffers and Landscaping Requirements.

- (a) All AG-1 and residentially zoned developments shall provide a minimum 50-foot wide natural, undisturbed buffer with a 10-foot improvement setback along all public streets.
- (b) All non-residentially (except AG-1) zoned developments shall provide a minimum 50-foot wide landscape strip along all public streets.
- (c) A minimum 15-foot wide landscape strip shall be provided along any interior property line adjacent to a nonresidential zoning and/or use.
- (d) Large, overstory trees shall be planted 40 to 60 feet on center and shall be located along both sides of all public streets (except residential streets).
- (e) Small, understory trees shall be planted 10 to 30 feet on center and shall be located along both sides of residential streets.
- (f) Street trees shall be a minimum 2-inch caliper diameter at breast height (DBH).
- (g) Street trees shall be selected from Appendix E of the South Fulton Tree Preservation Ordinance and Administrative Guidelines or as may be approved by the South Fulton Arborist.

507.06 Accessory Site Features; Placement and Screening.

- (a) Accessory site features are prohibited in the front yard of any property.
- (b) Accessory site features located on the ground shall be screened from view from any public right-of-way, any residential use, or any residential or AG-1 zoning district by one of the following: placement behind the building, 100% opaque fencing, berm or vegetative screen planted to buffer standards.
- (c) Accessory site features on a roof shall be screened by a parapet or other architectural feature or as approved by the CDRA Director.
- (d) Refuse areas and receptacles.
 - (1) Refuse areas and receptacles shall be placed in the least visible location from public streets and shall be enclosed on three sides with opaque walls. The fourth side shall be a self-closing gate made from noncombustible materials. Opaque walls shall be a minimum of 12 inches higher than the receptacle. Wall materials shall be noncombustible brick, stone, or split-faced concrete masonry block.
 - (2) Refuse receptacles shall not be placed within 100 feet of an existing residential or AG-1 zoning district.

507.07 Fencing and Wall Requirements.

- (a) Screening walls shall be screened with a hedge of evergreen shrubbery, a minimum of 2 feet in height at planting.

- (b) Fencing materials along public streets and side yards are restricted to brick, stone, iron, decorative wrought iron, and treated wood.
- (c) Chain link fencing may be used only along golf courses, play fields, and other recreational areas. All chain link fencing shall be black or hunter green vinyl coated.
- (d) When required, fencing material around detention/retention facilities shall be black or hunter green vinyl coated chain link fence.
- (e) Retaining walls shall be faced with or constructed of stone, brick, or decorative concrete modular block only.

507.08 Sidewalks/Pedestrian Paths.

- (a) Sidewalks are required along all public and private road frontages (except alleys) and shall meet all applicable Americans with Disabilities Act (ADA) standards.
- (b) Sidewalks and other paths (multi-purpose or pedestrian) shall be illustrated on the site plan submitted at the time of application for a land disturbance permit.
- (c) Sidewalks shall be a minimum width of 5 feet.
- (d) Pedestrian paths may be constructed of either colored/textured materials or conventional sidewalk materials and shall be clearly identified.
- (e) Multi-use paths for bicycles and pedestrians may be substituted for the required sidewalks as approved by the CDRA Director and the Public Works Director when the path is part of an approved transportation plan.
- (f) Multi-use paths designed for use by bicyclists and pedestrians shall be 12 feet wide.
- (g) Multi-use paths designed with separate paths for bicyclists and pedestrians shall be 15 feet wide, 10 feet for bicycles and 5 feet for pedestrians.
- (h) Street furniture shall be located outside the specified width of any path.
- (i) Sidewalks and paths shall be connected to signalized crosswalks where applicable.
- (j) Sidewalks and paths shall be designed to minimize direct auto-pedestrian interaction.
- (k) Sidewalks and paths should be direct and convenient routes between points of origin (such as a bus stop) and destination (such as a shop, bank, etc.).
- (l) Pedestrian access should be provided to all entrances including access from rear parking areas.
- (m) Inter-parcel connectivity shall be required for multiuse, pedestrian paths and sidewalks.

507.09 Lighting.

- (a) A lighting plan for open parking lots and pedestrian paths shall be submitted for approval prior to the issuance of a land disturbance permit.
- (b) Street lights shall be installed on all interior streets within community crossroads, as identified in the South Fulton Comprehensive Plan.
- (c) Open parking lots and walkways providing access thereto shall be lighted at a minimum of 2-foot candles measured at grade level.
- (d) The maximum to minimum foot candle level shall not exceed a 12:1 ratio.
- (e) Non-LED shoebox fixtures, cobra lighting fixtures, and neon lighting are prohibited.

- (f) Any luminaire with a lamp or lamps rated at a total of more than 1,800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of more than 900 lumens, shall not emit any direct light above a horizontal plane through the lowest direct-light-emitting part of the luminaire.
- (g) Any luminaire with a lamp or lamps rated at a total of more than 1,800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of more than 900 lumens, shall be mounted at a height equal to or less than the value $3 + (D/3)$, where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire may not exceed 20 feet.
- (h) Any luminaire with a lamp or lamps rated at a total of 1,800 lumens or less, and all flood or spot luminaires with a lamp or lamps rated at 900 lumens or less, may be used without restriction to light distribution or mounting height, except that if any spot of flood luminaire rated 900 lumens or less is aimed, directed, or focused such as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to persons operating motor vehicles on public ways, the luminaire shall be redirected or its light output controlled as necessary to eliminate such conditions.
- (i) Luminaires used for public-roadway illumination may be installed at a maximum height of 25 feet and may be positioned at that height up to the edge of any bordering property.
- (j) All temporary emergency lighting needed by police, fire or other emergency services, as well as all emergency vehicular luminaires, shall be exempt from the requirements of this Section.
- (k) All hazard warning luminaires required by federal regulatory agencies are exempt from the requirements of this Section, except that all luminaries used must be red and must be shown to be as close as possible to the federally required minimum lumen output requirement for the specific task.
- (l) Luminaires used primarily for sign illumination may be mounted at any height to a maximum of 25 feet, regardless of lumen rating.
- (m) Lighting fixtures used to illuminate a billboard shall be mounted on the top of the sign structure. All such fixtures shall use a type of shielding to direct lighting downward. Bottom-mounted sign lighting is prohibited.
- (n) The use of laser source light or any similar high intensity light used outdoors is prohibited.
- (o) The operation of searchlights is prohibited.
- (p) Permanent mounted exterior neon lights are prohibited.
- (q) Back-lit awnings and roof mounted lights are prohibited.

507.10 Building Design.

- (a) Developments shall include architectural elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, offset walls, clock towers, cupolas and/or courtyards.
- (b) The principal entry area of a building shall be articulated and express greater architectural detail than other portions of the building.
- (c) Shopfront buildings shall utilize a parapet at all street frontages.

- (d) For large commercial/retail buildings variations in facade, roofline and depth shall be provided to lend the appearance of multi-tenant occupancy.
- (e) Buildings are limited to 35 feet in height.
- (f) Permissible roofs are gable, pyramidal, hip or decorative parapets. No parapet shall be required to be greater than 4 feet above the roof line. Shed roofs are permitted over porches, additions, and accessory structures.

507.11 Building Orientation.

- (a) All buildings shall be oriented to face a street or a courtyard.
- (b) All primary entrances shall face the street or courtyard.
- (c) All primary entrances which face a street shall be at street level.
- (d) Fuel pumps, canopies and associated gasoline station service areas shall be located at the rear of the structure, not between the building and the street, to allow the building to be the spatial edge of the streetscape.

507.12 Building Materials.

- (a) The exterior wall materials of nonresidential buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, stone or clapboard (or an equivalent alternative treatment approved by the Director of Community Development and Regulatory Affairs). Reflective glass is prohibited.
- (b) The exterior wall materials of residential buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, stone, cement stucco, split-faced block natural treated wood and/or cement based artificial wood siding, solid plank, cementitious plank, or horizontal clapboard siding (or an equivalent alternative treatment approved by the Director of Community Development and Regulatory Affairs). Synthetic stucco, vinyl siding and aluminum siding are prohibited.
- (c) Any nonresidential building facade shall have a minimum of 25% fenestration or as may be approved by the CDRA Director. Black glass, tinted glass and/or reflective glass is prohibited.
- (d) Accent wall materials on residential and nonresidential buildings shall consist of non-reflective or non-tinted glass, architecturally treated concrete masonry, precast stone, or stucco (or an equivalent alternative treatment approved by the Director of Community Development and Regulatory Affairs) and shall not exceed 40% per vertical wall plane.
- (e) To the extent any rear or side of any building is visible from any public street or single-family residence, architectural treatment shall continue through the rear or side.
- (f) Exterior finishes for accessory structures shall be consistent with the principal structure.
- (g) Allowable roof materials for pitched roofs are asphalt shingles, composition shingles, natural wood shingles, wood shake, slate, terra cotta, or as may be approved by the CDRA Director.

507.13 Building Colors.

- (a) Roof colors shall be gray, brown, terra-cotta or green. Reflective and metallic colors are allowed only when not visible from a street.

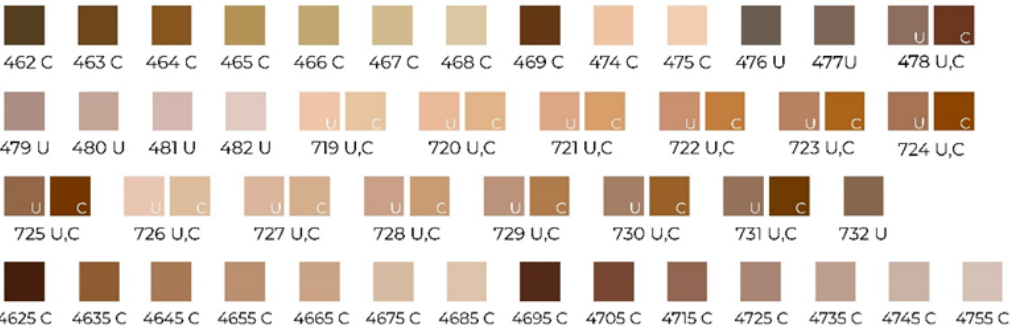
Sec. 507 Cedar Grove Overlay District.

- (b) Colors for exterior walls, building components, sign structures, accent and decorative elements must be chosen from the tones and shades specified in the color chart below (from the Pantone Formula Color Guide) or as approved by the CDRA Director.

Sec. 507 Cedar Grove Overlay District.

The following colors apply to exterior building walls, building components, sign structure, accent and decorative elements.

Browns, Beiges, Tans



Reds



Reds-Browns

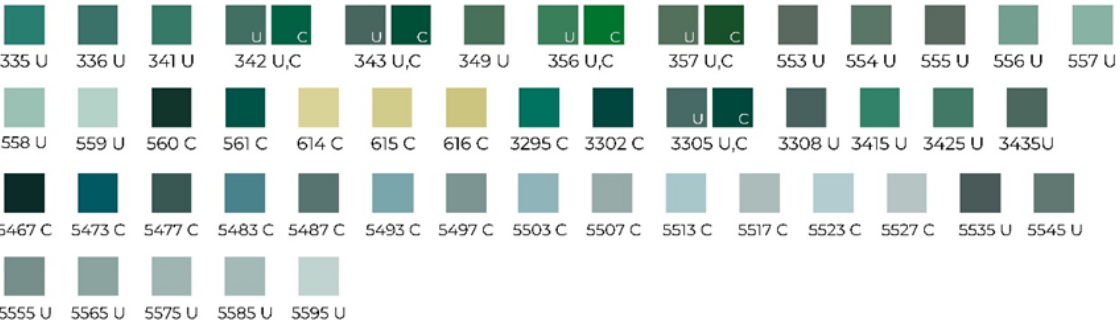


All Whites*

*Refer to the Pantone Formula Color Guide

The following colors apply to accent and decorative elements only.

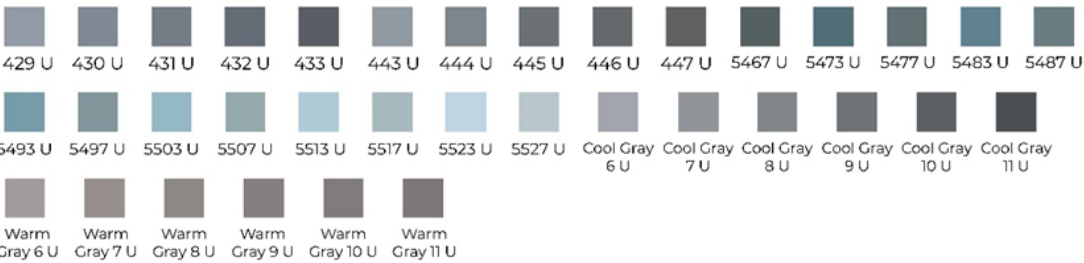
Greens



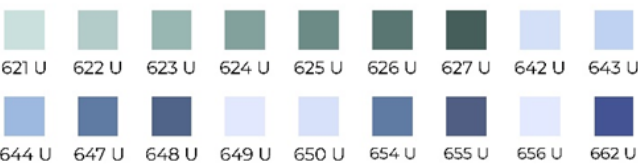
Green-Grays



Grays



Gray-Blues



All Whites*

*Refer to the Pantone Formula Color Guide

All Blacks*

*Refer to the Pantone Formula Color Guide

The code number under each color refers to the Pantone Matching System, an International Color Matching System. An online color search tool can be accessed here: <https://www.pantone.com/color-finder?from=topNav>. To search for a color, type the code number code into the search box. Include a space between the number and letters.

507.14 Parking.

- (a) All off-street parking for townhouses and multi-family buildings shall be located to the side, rear or enclosed.
- (b) A minimum of 50% of the required surface parking for out-parcels shall be located at the rear of the building.
- (c) On-street parking is allowed subject to the approval of the CDRA Director.
- (d) No parking or loading area shall be used for the sale, repair, dismantling or servicing or storing of any vehicle, equipment, materials or supplies.
- (e) All developments must provide space for parking bicycles. This area may be within the parking lot or courtyard. A bike rack shall be permanently attached to the ground accommodating a bicycle lock or chain.
- (f) All parking and loading areas shall be screened from public streets by either a minimum 4-foot high berm and/or a continuous hedge of evergreen shrubs.

507.15 Utility Placement.

All utilities shall be located underground.

507.16 Signs.

- (a) The architectural color standards of the overlay district apply to the sign structure and not the sign face.
- (b) Sign structures and faces constructed of wood or canvas materials are prohibited.
- (c) Window signs are prohibited.
- (d) Roof mounted flagpoles are prohibited.

507.17 Stormwater Management Facilities.

All required detention/retention facilities shall be designed to meet the South Fulton alternative design standards that have the intent of making such facilities an attractive amenity or focal point for the subdivision per current South Fulton Subdivision Regulations.

507.18 Design Guidelines for the Cedar Grove Community.

The purpose of these design guidelines is to help preserve the rural nature of the Cedar Grove Community, the night sky, green space, vistas, the "country" feel, and open space. These guidelines are encouraged but are not standards. Therefore, noncompliance does not necessitate variances.

- (a) Site design.
 - (1) All design strategies shall minimize changes to the existing topography and loss of mature vegetation and water features.
 - (2) Minimize level grading. New developments should step with landforms and maximize preservation of existing vegetation and trees. Level grading of entire lots is to be avoided.
 - (3) Transitions at property lines should seem natural for the surrounding terrain. Where the existing terrain is generally level, avoid newly graded slopes greater than 1:3 at property lines.
 - (4) Cut and fill slopes should be rounded where they meet natural grade to blend with natural slope.

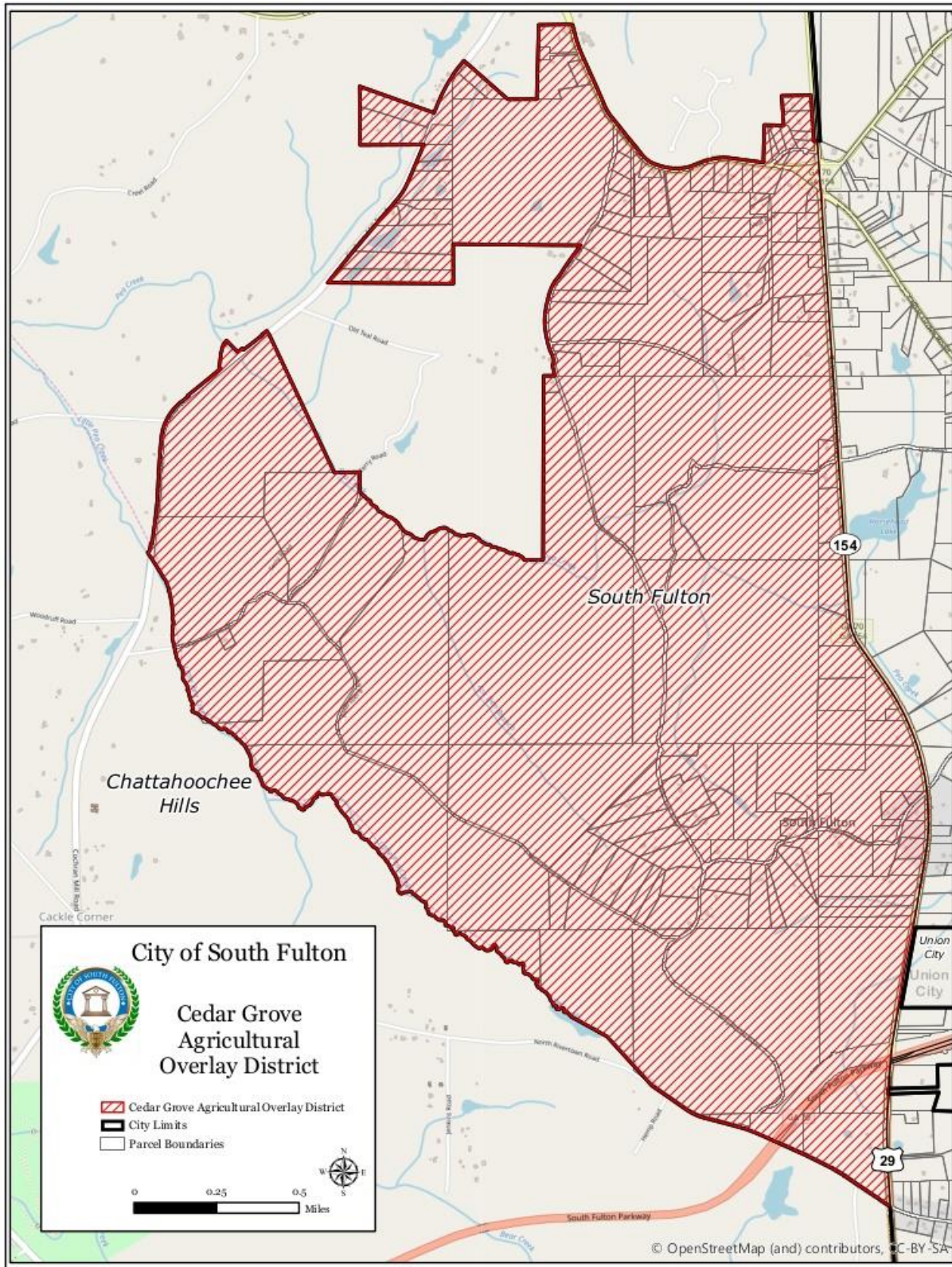
- (5) Natural contouring and re-vegetation are encouraged. Retaining walls should be faced with indigenous rock, brick and/or constructed to blend with adjacent surroundings.
 - (6) Storm water retention for multiple sites should be combined into a lake as opposed to individual drainage ponds.
 - (7) Permanent conservation easements should be established to protect water sheds, view sheds, and rare habitats.
- (b) Buildings and courtyards.
- (1) Buildings should be oriented to avoid summer overheating.
 - (2) Locate courtyards for optimum southern exposure in winter and provide for shading in the summer.
 - (3) Locate buildings so that solar heat is naturally reduced on hot summer days by landscape strips and trees.
 - (4) Coordinate corner buildings with adjacent developments. Generally, the primary mass of a building on a corner should not be placed at an angle to the corner. Angled or sculpted building corners and open plazas should not be precluded from corners. Vertical focal points to visually anchor corners are encouraged.
 - (5) Courtyards should include such features as sculptures or fountains as focal points, moveable seating and tables, sunny and shaded areas, several entrances into courtyards, variety of textures and colors for visual interest, landscaping, covered and uncovered outdoor passageways.
- (c) Street standards.
- (1) Culs-de-sac are prohibited unless approved by the CDRA Director.
 - (2) The following street standards shall also apply:

<i>Design Element</i>	Community Boulevard <small>(major thoroughfare)</small>	Community Avenue <small>(collector)</small>	Community Street <small>(minor street)</small>	Community Lane <small>(service drive, access)</small>	Private Alley
Minimum right-of-way (feet)	60'	60'	54'	18'	16'
Maximum right-of-way (feet)	74'	74'	59'	22'	20'
Number of lanes	2—4	2—4	2	2-1	2-1
Travel lane width (feet)	11—12'	11'	10—11'	10'	8—10'
On-street parking allowed	Yes	Yes	Yes	No	No
Minimum parking lane width (feet)	8'	8'	8'	-	-
Minimum sidewalk width (feet)	10'	8'	5'	-	-
Bicycle lane allowed	Yes	Yes	Yes	-	-
Minimum bicycle lane width (feet)	5'	5'	5'	-	-
Planting area allowed	Yes	Yes	Yes	-	-
Median allowed	Yes	Yes	No	-	-

- (d) Parking.
 - (1) On-street parking (parallel, diagonal, and head-in) is encouraged.
 - (2) All developments shall provide connectivity to adjacent developments to link buildings and open spaces together to minimize vehicular traffic and other impacts.
- (e) Architectural features/enhancements are as follows:
 - (1) Trim to include eaves, corner boards, gable and eave boards, pediments, friezes, lintels, sills, quoins, belt courses, balustrades;
 - (2) Gables, dormers, pillars, posts, porches, recessed windows and doors, cupolas, bay windows;
 - (3) Half-rounded or quarter-rounded roof gutters and down spouts integrated with trim;
 - (4) Glass storefronts, transom windows, building wall offsets, projections, recesses, floor level changes, roof-line offsets;
 - (5) Architectural treatments of front facades shall continue major features around all visibly exposed sides of a building.
 - (6) Restaurants with outdoor seating should allow for ease of pedestrian circulation, adequate shade through the use of extended awnings, canopies, or large umbrellas, provide outdoor trash receptacles, and maintain clean and litter-free premises.
- (f) Viewsheds.
 - (1) All development proposals should arrange buildings to preserve views from adjacent properties and streets.
 - (2) Locate courtyards, surface parking, and open spaces to align with view sheds from adjacent properties.
 - (3) Locate drives, parking, and open spaces on high points. Avoid placing buildings except churches or public buildings of high architectural quality on ridge lines.
 - (4) All new developments will be reviewed with respect to topography and existing landforms, existing vegetation and trees, soil properties and bed rock depth, existing watercourses, floodway and flood plain areas, drainage patterns, climatic factors and view sheds.
 - (5) All new developments will be reviewed for land use and site organization in relation to building form, character, and scale of existing and proposed development, sensitivity and nature of adjoining land uses, location of adjacent roads, rights-of-way, driveways, off-street vehicular connections, pedestrian ways, access points, easements, existing structures and other built improvements, prehistoric and historic sites, structures and routes, and any other features that may be impacted or impact the proposed new development.

Sec. 508. Cedar Grove Agricultural Overlay District

508.01 Boundary Map.



508.02 Purpose and Intent.

- (a) The purpose and intent of the Cedar Grove Agricultural Overlay District (District) is to protect the natural areas and ensure responsibly planned economic and social growth.
- (b) Within the Cedar Grove Agricultural Overlay District, the Mixed Use – Cedar Grove Agricultural zoning district (MIX-CGA) and the Community Unit Plan – Cedar Grove Agricultural zoning district (CUP-CGA) allow for developments with a mix of uses for residents to live, work and relax.
- (c) To further protect the rural land and natural resources of the area, standards have been established to provide for green space and open space throughout the District.
- (d) Agriculturally zoned properties and rural services will remain prevalent throughout the area.
- (e) The Cedar Grove Agricultural District will ensure that mixed-use future growth occurs and that many types of housing for all incomes and ages will be provided. The developments will provide connectivity for pedestrians, bicyclists and motorists.

508.03 Applicability.

The Cedar Grove Agricultural Overlay District and the regulations of this Section 508 apply to all properties located in that portion of South Fulton bordered to the west by the Chattahoochee River, to the south by Coweta County, and to the east by Cascade-Palmetto Highway (SR 154) that are not within the municipal limits of the City of Chattahoochee Hill Country except as noted in Sec. 508.06 below. See Sec 508.01 above for a boundary map.

508.04 Architectural Review Process.

- (a) Prior to issuance of a land disturbance permit (LDP) or a building permit, the applicant shall submit details of exterior materials, colors, landscape strips, buffers, signage, lighting, parking, streets and paths, entrances, design and architectural features of the proposed site and building which demonstrate compliance with the design standards set forth herein.
- (b) Prior to the issuance of an LDP or building permit, the community will be allowed 10 working days to review the application. An application which otherwise conforms to applicable codes and regulations shall not be delayed issuance of an LDP or building permit for more than 10 working days due to this review and comment process.
- (c) South Fulton staff will review all applications for land disturbance permits, building permits and sign permits for compliance with the standards of this overlay district and upon determination of compliance will provide a certificate of endorsement (COE) in the form of signing the formally submitted plans and drawings.

508.05 MIX-CGA and CUP-CGA Districts; Requirements.

See Article 4 for allowed uses and development standards.

508.06 Area Wide Development Standards.

- (a) The area wide development standards apply to all properties zoned or developed for nonresidential and residential uses including all single-family platted subdivisions but excluding all properties zoned for MIX-CGA and CUP-CGA as well as the scenarios described in Sec. 508.06(b) below.

- (b) Stand-alone single-family detached dwelling units and minor subdivisions are excluded from these area wide standards with the exception of the South Fulton Parkway buffer and setback requirements, and the building materials standards in Sec. 508.06 (f) below.
- (c) See Article 4 for requirements that pertain to buildings and lots in the MIX-CGA and CUP-CGA zoning districts.
- (d) Streetscape features.

Lighting, signage, benches, recycling bins, trash receptacles, drinking fountains, and other street furniture shall be compatible in material, color, finish and architectural style of the surrounding area.
- (e) Lighting.
 - (1) Cobra light fixtures, non-LED shoebox light fixtures, and neon lighting are prohibited.
 - (2) Light fixtures shall be designed and located to minimize spillage onto adjoining properties.
 - (3) Lighting shall use a type of shielding to direct lighting downward.
- (f) Building materials.
 - (1) Vinyl siding, aluminum siding and synthetic stucco are prohibited materials on all dwelling types.
 - (2) Reflective and mirrored glass is prohibited on non-residential buildings.
- (g) Wireless telecommunications .
 - (1) Telecommunications switchboards, power generators, and other telecommunication relay equipment rooms or floors housing such uses are limited to the following areas of a building:
 - a. Subterranean levels;
 - b. First and second floors which are set back a minimum of 50 feet from the street; or
 - c. Third and fourth floors.
 - (2) Cellular towers.
 - a. Alternative antenna support structures are required for all cell towers. Man-made trees are allowable.
 - b. Height of towers shall not exceed 199 feet.
 - c. The wireless communications facility shall be disassembled and removed from the site within 90 days of the date its use for wireless telecommunications is discontinued.
- (h) Water towers.
 - (1) Towers shall be constructed of natural materials or if metal painted to blend with the landscape.
 - (2) Except for safety purposes, water tower lighting shall be allowed only during maintenance periods. Each outdoor light that is not required for safety shall be fully shielded. The safety lighting shall use a type of shielding to provide lighting downward.

- (i) Signage.
 - (1) General provisions for all signs.
 - a. Internal illumination is not allowed. If illumination is used, the sign shall be externally illuminated. External lighting is limited to either top mounted fixtures where the fixture is mounted on the top of the sign structure and the light directed downward or ground mounted fixtures where the light fixture is screened from view with landscaping.
 - b. Freestanding and walls signs including both the sign structure and the sign face shall be made out of wood, material designed to have the appearance of natural wood, or metal. Plastic inserts are not allowed.
 - c. Project entrance pillar sign standards.
 - 1. Pillar signs shall be designed to have the appearance of a four-sided column and shall be constructed of natural stone, wood or materials designed to have the appearance of natural wood. Brick is a prohibited material.
 - 2. Pillar sign faces shall be constructed of natural stone, metal, wood or materials designed to have the appearance of natural wood. Plastic inserts are not allowed. Brick is a prohibited material.
 - (2) Non-residential uses.
 - a. All freestanding signs shall be of shingle design.
 - b. The maximum size of the sign face shall be 9 square feet. Sign copy is allowed on both sides of the sign face.
 - c. Wall signs shall be a maximum of 3% of the applicable wall area.
 - d. Window signs are prohibited.
 - (3) Residential uses.
 - a. One identification pillar sign or one freestanding sign is allowed per entrance.
 - b. The maximum size of an identification pillar sign structure is 8 feet in height and 3 feet in width per side.
 - c. The maximum size of the sign face on identification pillar signs is 9 square feet for each side.
 - d. The sign face shall be directly mounted on or in the identification pillar sign structure or can be mounted to hang perpendicular to the identification pillar sign structure in the manner of a shingle sign.
 - e. Freestanding signs shall not exceed 10 feet in height.
 - f. The maximum size of the sign face on freestanding signs shall be 9 square feet. Sign copy is allowed on both sides of the sign face.
- (j) Landscaping, buffers and setbacks.
 - (1) Acceptable evergreen plant material and deciduous trees for undisturbed buffers within the bounds of the CGA Overlay District are limited to the following: Cherry Laurel, Eastern Red Cedar, Canadian Hemlock, Deodar Cedar, American Holly, Nellie R. Stevens Holly (cross between Chinese & English Hollies), Southern Magnolia, Virginia Pine, Red Maple, River Birch, American Hornbeam, Hickories,

Sugar Hackberry, American Beech, Sweet Gum, Poplar, Black Gum, Oaks and Linden/Basswood.

- (2) Along the entire frontage of the South Fulton Parkway, a 100-foot natural, undisturbed buffer is required along the right-of-way with an additional 10-foot setback interior to the buffer (except for approved access and utility crossings, improvements and replantings where sparsely vegetated subject to the approval of the South Fulton Arborist). Only existing AG-1 (Agricultural) uses and pedestrian and bicycle paths are permitted in the setback. This standard applies to all properties with frontage on the South Fulton Parkway and along the rights-of-way of public roads which intersect the parkway for a distance of 300 feet measured from the intersection with the parkway, including stand-alone single family-detached dwelling units and minor subdivisions. When the undisturbed buffer is grassed or pasture, the applicant shall plant to City buffer standards or as approved by the Director Community Development and Regulatory Affairs using materials listed in Sec. 508.06(j)(1) above.
 - (3) Along the entire frontage of the South Fulton Scenic Byways, a 100-foot natural, undisturbed buffer is required along the right-of-way with an additional 10-foot setback interior to the buffer (except for approved access and utility crossings, improvements and replantings where sparsely vegetated subject to the approval of the South Fulton Arborist). Only existing AG-1 (Agricultural) uses and pedestrian and bicycle paths are permitted in the setback. This standard applies to all properties with frontage on a South Fulton Scenic Byway and along the rights-of-way of public roads which intersect a South Fulton Scenic Byway for a distance of 300 feet measured from the intersection with the South Fulton Scenic Byway. When the undisturbed buffer is grassed or pasture, the applicant shall plant to City buffer standards or as approved by the Director of Community Development and Regulatory Affairs using materials listed in Sec. 508.06(j)(1) above.
 - (4) All residential uses except stand-alone single family detached dwelling units and minor subdivisions shall provide a minimum 100-foot wide natural undisturbed buffer along all property lines with an additional 10-foot setback interior to the buffer (except for approved access and utility crossings and replantings where sparsely vegetated). When the undisturbed buffer is grassed or pasture, the applicant shall plant to City buffer standards or as approved by the CDRA Director using plant materials listed in Sec. 508.06(j)(1) above.
- (k) Fences and walls.
- (1) Fence standards.
 - a. Opaque fences along any road right-of-way are prohibited.
 - b. Chain link fences along any road right-of-way are prohibited except when constructed as part of recreational courts or recreational fields.
 - c. Allowable fence materials: wood, wire or materials designed to have the appearance of natural wood.
 - d. Allowable fencing types: split rail, 3-4 horizontal rail, crossbuck and horse wire or combination thereof.
 - (2) Wall standards.
 - a. Walls are limited to 2 feet in height.

- b. Allowable wall materials: wood, stone or materials designed to have the appearance of natural wood.
- (l) Street standards.
 - (1) All newly created lots shall derive access from internal subdivision streets.
 - (2) All streets should follow existing contour with a minimum of cut and fill and shall be designed for interparcel pedestrian and vehicular access.
- (m) Amenity areas.

Amenity areas and recreational facilities shall be located interior to the subdivision.
- (n) Stormwater management facilities.

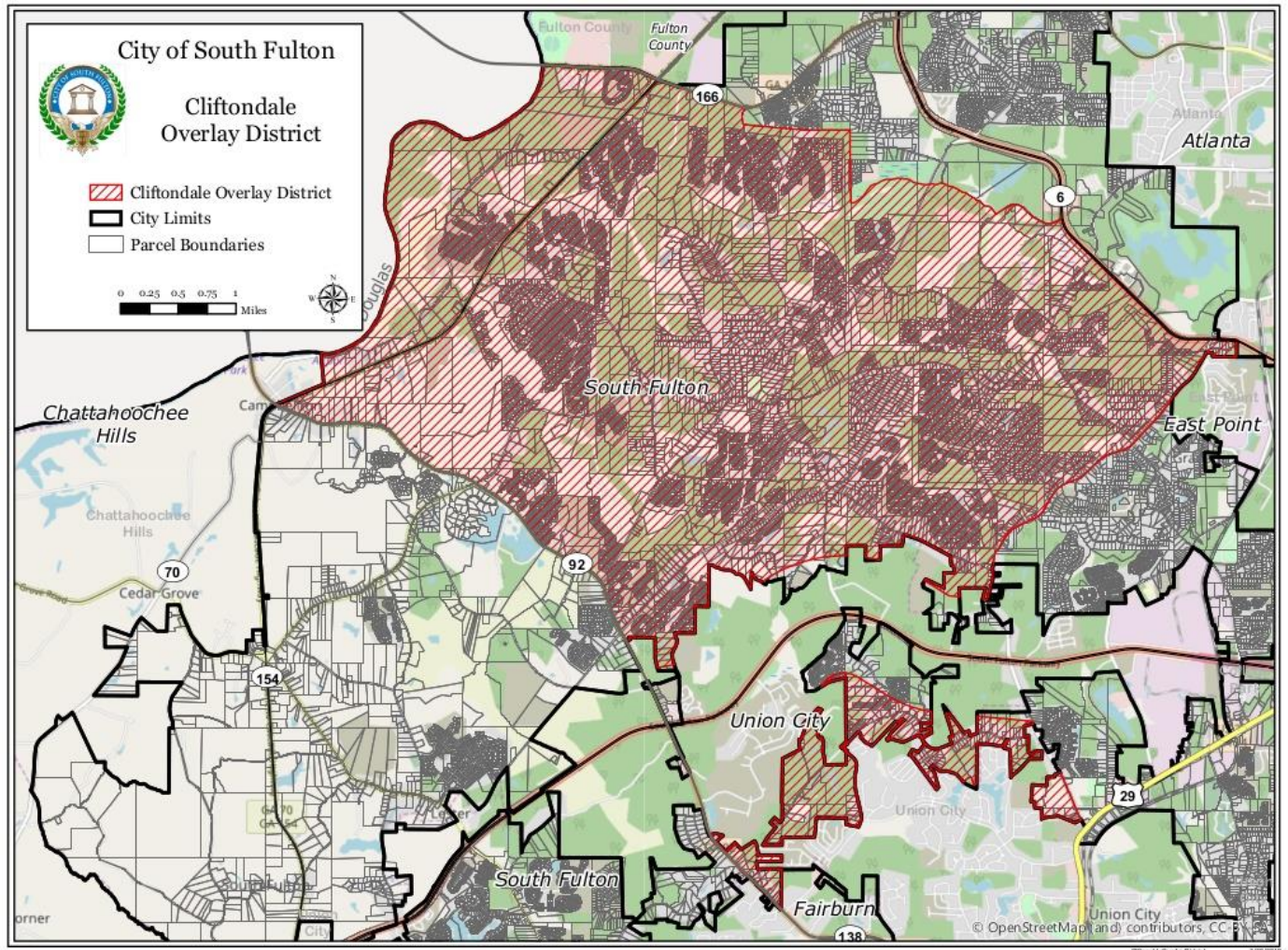
All required detention/retention facilities shall be designed to meet the South Fulton alternative design standards that have the intent of making such facilities an attractive amenity or focal point for the subdivision per current South Fulton Subdivision Regulations.
- (o) Accessory site features.

Loading areas, dumpster areas, service yards, mechanical and electrical equipment and other utilities, including roof top equipment, shall be screened with evergreen plant material, opaque fences, or structural screens of materials matching the exterior building facade.
- (p) Utility Placement.

All utilities shall be located underground.

Sec. 509. Cliftdale Overlay District.

509.01 Boundary Map



509.02 Purpose and Intent.

- (a) The City Council of South Fulton, Georgia hereby declares it to be the purpose and intent of this Sec. 509.
- (b) Cliftdale Overlay District (District) to establish a uniform procedure for providing for the protection, enhancement, preservation, unity of design, and use of sites, buildings, structures, streets, neighborhoods, and landscape features in the District in accordance with the provisions herein.
- (c) This Cliftdale Overlay District is adopted as part of a strategy designed to promote the health, safety, order, prosperity, and general welfare of the citizens of South Fulton through the regulation of design, aesthetics, location, bulk, size of buildings and structures, and the density and distribution of population.
- (d) This District seeks to reduce congestion on the streets; to provide safety from fire, flood and other dangers; provide adequate light and open space; protect the natural environment and address other public requirements, in order to provide sustainable

development that involves the simultaneous pursuit of economic prosperity, environmental protection and social quality.

- (e) This District also seeks to promote accepted design principles in areas of new development and redevelopment, to raise the level of community understanding and expectation for quality in the built environment, to protect and enhance local aesthetic and functional qualities, to stimulate business and promote economic development.
- (f) In consideration of the character of the District, the regulations in this Sec. 509 are intended to monitor the suitability for certain uses, construction and design, prevent functional and visual disunity, promote desirable conditions for community and commerce and protect property against blight and depreciation.

509.03 Applicability.

- (a) The District and the regulations of this Section 509 apply to all properties zoned or developed for nonresidential and residential uses (except as indicated in Sec. 509.03(b) below) and structures within the area illustrated on the map in Sec. 509.01.
- (b) Single-family detached dwellings are exempt from the District requirements, with the exception that the building material prohibitions in Sec 507.12(b)509.12(b) shall apply.
- (c) If any portion of a parcel and/or development is located in the defined boundary area, the entire parcel and/or development shall comply with the standards herein.
- (d) The District also recognizes the Clifftondale Crossroads as designated in the South Fulton Comprehensive Plan.

509.04 Architectural Review Process.

- (a) Prior to issuance of a building permit, the applicant shall submit details of exterior materials, colors, design and architectural features of the proposed building which demonstrate compliance with the design standards set forth in this ordinance.
- (b) South Fulton staff will review all applications for land disturbance permits, building permits and sign permits for compliance with the standards of this overlay district and upon determination of compliance will provide a Certificate of Endorsement (COE) in the form of signing the formally submitted plans and drawings.
- (c) Prior to the issuance of a building permit, the community will be allowed 10 working days to review and comment. An application which otherwise conforms to applicable codes and regulations shall not be delayed issuance of a building permit for more than 10 working days due to this review and comment process.
- (d) All building plans submitted as an application for a building permit should clearly indicate all of the proposed building materials and colors for each facade in accordance with Sec. 509.12 and Sec. 509.13. The plans should clearly show the location and calculate the amount/percentages of all building materials per facade.

509.05 Landscaping, Buffers and Street Tree Requirements.

- (a) All AG-1 and residentially zoned developments shall provide a minimum 50-foot wide natural, undisturbed buffer with a 10-foot improvement setback along all public streets.
- (b) All non-residentially (except AG-1) zoned developments shall provide a minimum 50-foot wide landscape strip along all public streets.

- (c) A minimum 50-foot wide natural, undisturbed buffer with a 10-foot improvement setback shall be provided along any interior property line adjacent to a residential zoning and/or use.
- (d) A minimum 15-foot wide landscape strip shall be provided along any interior property line adjacent to a nonresidential zoning and/or use.
- (e) Large, overstory trees shall be planted 40 to 60 feet on center and are allowed along residential and commercial streets.
- (f) Small, understory trees shall be planted 10 to 30 feet on center along residential streets.
- (g) Street trees shall be a minimum of 2-inch caliper diameter at breast height (DBH).
- (h) Street trees shall be selected from Appendix E of the South Fulton Tree Preservation Ordinance and Administrative Guidelines or as may be approved by the South Fulton Arborist.

509.06 Accessory Site Features.

- (a) Accessory site features are prohibited in the front yard of any property.
- (b) Accessory site features located on the ground shall be screened from view from any public right-of-way, any residential use, or any residential or AG-1 zoning district by one of the following: placement behind the building, 100% opaque fencing, berm or vegetative screen planted to buffer standards.
- (c) Accessory site features on a roof shall be screened by a parapet or other architectural feature or as approved by the director.

509.07 Refuse Areas and Receptacles.

- (a) Refuse areas and receptacles shall be placed in the least visible location from public streets and shall be enclosed on three sides with opaque walls. The fourth side shall be a self-closing gate made from noncombustible materials.
- (b) Required opaque walls shall be a minimum of 12 inches higher than the receptacle. Wall materials shall be noncombustible brick, stone, or split-faced concrete masonry block.
- (c) Refuse receptacles shall not be placed within 50 feet of an existing residential or AG-1 zoning district.

509.08 Fencing and Walls.

- (a) Fencing materials along public streets and side yards, golf courses, play fields and other recreational areas are restricted to decorative stone, iron, wrought iron, treated wood, white picket, and/or minimum three-rail horse fencing with posts.
- (b) Opaque fences are prohibited adjacent to public streets.
- (c) When required, fencing material around detention/retention facilities shall be constructed in accordance with the South Fulton Subdivision Regulations or as approved by the CDRA Director. Vegetation shall be planted in accordance with Article 4 of this Ordinance.
- (d) Retaining walls shall be faced with or constructed of stone, brick, or decorative concrete modular block only.

509.09 Sidewalks/Pedestrian Paths.

- (a) Sidewalks are required along all public and private road frontages (except alleys) and shall meet all applicable Americans with Disabilities Act (ADA) standards.
- (b) Sidewalks and other paths (multi-purpose or pedestrian) shall be illustrated on the site plan submitted at the time of application for a Land Disturbance Permit.
- (c) Meandering sidewalks are permissible upon approval by the CDRA Director.
- (d) Pedestrian paths shall be a minimum width of 5 feet.
- (e) Pedestrian paths may be constructed of either colored/textured materials or conventional sidewalk materials and shall be clearly identified.
- (f) Multi-use paths for bicycles and pedestrians may be substituted for the required sidewalks as approved by the director when the path is part of the South Fulton Bicycle and Pedestrian Plan.
- (g) Multi-use paths designed for use by bicyclists and pedestrians shall be a minimum of 15 feet wide; 5 feet for the pedestrian sidewalk and 10 feet for the bicyclists.
- (h) Street furniture shall be located outside the specified width of any path.
- (i) Paths shall be connected to signalized crosswalks where applicable.
- (j) Paths shall be designed to minimize direct auto-pedestrian interaction.
- (k) Paths should be direct and convenient routes between points of origin (such as a bus stop) and destination (such as a shop, bank, etc.).
- (l) Pedestrian access should be provided to all entrances including access from rear parking areas.

509.10 Lighting.

- (a) A lighting plan for open parking lots and pedestrian paths shall be submitted for approval prior to the issuance of a land disturbance permit.
- (b) Open parking lots and walkways providing access thereto shall be provided with a maintained minimum 2-foot candles (a measure of illumination) of light measured at grade level.
- (c) The maximum to minimum foot candle level shall not exceed a 12:1 ratio.
- (d) Non-LED shoebox lighting fixtures, cobra lighting fixtures, and neon lighting are prohibited.
- (e) Any luminaire with a lamp or lamps rated at a total of MORE than 1,800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of MORE than 900 lumens, shall not emit any direct light above a horizontal plane through the lowest direct-light-emitting part of the luminaire.
- (f) Any luminaire with a lamp or lamps rate at a total of MORE than 1,800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of MORE than 900 lumens, shall be mounted at a height equal to or less than the value $3 + (D/3)$, where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire may not exceed 25 feet.
- (g) Any luminaire with a lamp or lamps rated at a total of 1800 lumens or LESS, and all flood or spot luminaires with a lamp or lamps rated at 900 lumens or LESS, may be used without restriction to light distribution or mounting height, except that if any spot of flood luminaire rated 900 lumens or LESS is aimed, directed, or focused such as

to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to persons operating motor vehicles on public ways, the luminaire shall be redirected or its light output controlled as necessary to eliminate such conditions.

- (h) Luminaires used for public-roadway illumination may be installed at a maximum height of 25 feet and may be positioned at that height up to the edge of any bordering property.
- (i) All temporary emergency lighting needed by the police or fire departments or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this article.
- (j) All hazard warning luminaires required by Federal regulatory agencies are exempt from the requirements of this article, except that all luminaries used must be red and must be shown to be as close as possible to the Federally required minimum lumen output requirement for the specific task.
- (k) Luminaires used primarily for sign illumination may be mounted at any height to a maximum of 25 feet, regardless of lumen rating.
- (l) Lighting fixtures used to illuminate a billboard shall be mounted on the top of the sign structure. All such fixtures shall use a type of shielding to direct lighting downward. Bottom-mounted sign lighting shall not be used.
- (m) The use of laser source light or any similar high intensity light, searchlights, permanent mounted exterior neon lights, back-lit awnings, and roof mounted lights are prohibited.

509.11 Building Design.

- (a) Buildings shall include architecture elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, offset walls, clock towers, cupolas and/or courtyards.
- (b) All buildings shall be oriented to face a street or a courtyard.
- (c) The principal entry area of a building shall be articulated and express greater architectural detail than other portions of the building.
- (d) All primary entrances which face a street shall be at street level.
- (e) Buildings are limited to 35 feet in height.
- (f) To the extent any rear or side of any building is visible from any public street or single-family residence, architectural treatment shall continue through the rear or side.
- (g) For large commercial/retail buildings, variations in facade, roofline and depth should be provided to lend the appearance of multi-tenant occupancy.
- (h) Fuel pumps, canopies and associated gasoline station service areas should be located at the rear of the structure, not between the building and the street, to allow the building to be the spatial edge of the streetscape.
- (i) Permissible roofs are gable, pyramidal, and hip. Shed roofs are permitted over porches, additions, and accessory structures. Roof pitches shall be 5/12 to 12/12.
- (j) Roof mounted flagpoles are prohibited.

509.12 Building Materials.

- (a) The exterior wall materials of all nonresidential buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, stone, or clapboard (or an equivalent alternative treatment approved by the Director of Community Development and Regulatory Affairs). Reflective glass is prohibited.
- (b) The exterior wall materials of all residential buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, stone, stucco, solid plank, cementitious plank, or horizontal clapboard siding (or an equivalent alternative treatment approved by the Director of Community Development and Regulatory Affairs). Vinyl siding, aluminum siding and synthetic stucco is prohibited.
- (c) Any nonresidential building facade shall have a minimum of 25% fenestration or as may be approved by the CDRA Director. Black glass, tinted glass, and/or mirrored glass is prohibited.
- (d) Accent wall materials on residential and nonresidential buildings shall consist of glass, architecturally treated concrete masonry, precast stone, or traditional stucco (or an equivalent alternative treatment approved by the Director of Community Development and Regulatory Affairs) and shall not exceed 40% per vertical wall plane.
- (e) Exterior finishes for accessory structures shall be consistent with the principal structure.
- (f) Allowable roof materials for pitched roofs are asphalt shingles, composition shingles, wood shingles, wood shake, slate, terra cotta or as may be approved by the CDRA Director.

509.13 Building Colors.

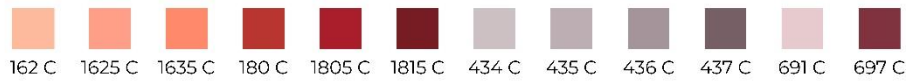
- (a) Roof colors shall be black, gray, brown, or green. Reflective and metallic colors are prohibited.
- (b) Colors for exterior walls, building components, sign structures, accent and decorative elements must be chosen from the tones and shades specified in the color chart below (from the Pantone Formula Color Guide) or as approved by the CDRA Director.

Sec. 509 Clifftondale Overlay District.

Browns



Reds



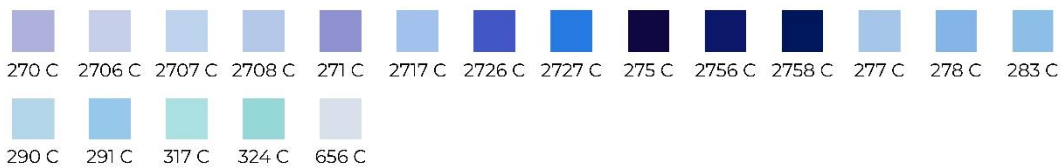
Yellows



Greens



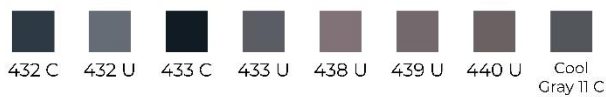
Blues



Grays



Blacks



The code number under each color refers to the Pantone Matching System, an international Color Matching System. An online color search tool can be accessed here: <https://www.pantone.com/color-finder?from=topNav>. To search for a color, type the code number code into the search box. Include a space between the number and letters.

509.14 Parking.

- (a) Off-street parking shall be located to the rear or side of the building.
- (b) Parallel and angle-in on-street parking is allowed subject to the approval of the CDRA Director.
- (c) For commercial and multi-family uses only, no more than 50% of the required parking spaces shall be located in the front and side of a building.
- (d) Shared parking within a multi-tenant development is required and shall be in accordance with the provisions of Article 6 of the Zoning Ordinance.
- (e) No parking or loading area shall be used for the sale, repair, dismantling or servicing or storing of any vehicle, equipment, materials or supplies.
- (f) Bicycle parking areas shall be provided for each nonresidential development.
- (g) All parking and loading areas shall be screened from public streets by either a minimum 4-foot high berm and/or a continuous hedge of evergreen shrubs.

509.15 Wireless Telecommunications.

- (a) Stealth design is required for all cell towers.
- (b) Height of cell towers shall not exceed 199 feet.
- (c) Wireless communications facilities shall be disassembled and removed from the site within 90 days of the date its use for wireless telecommunications is discontinued.
- (d) Vending machines, paper stands, and other similar devices must be located inside a building.

509.16 Utility Placement.

Utilities shall be installed underground.

509.17 Stormwater Management Facilities.

Retention/detention shall comply with the requirements of the South Fulton Subdivision Regulations.

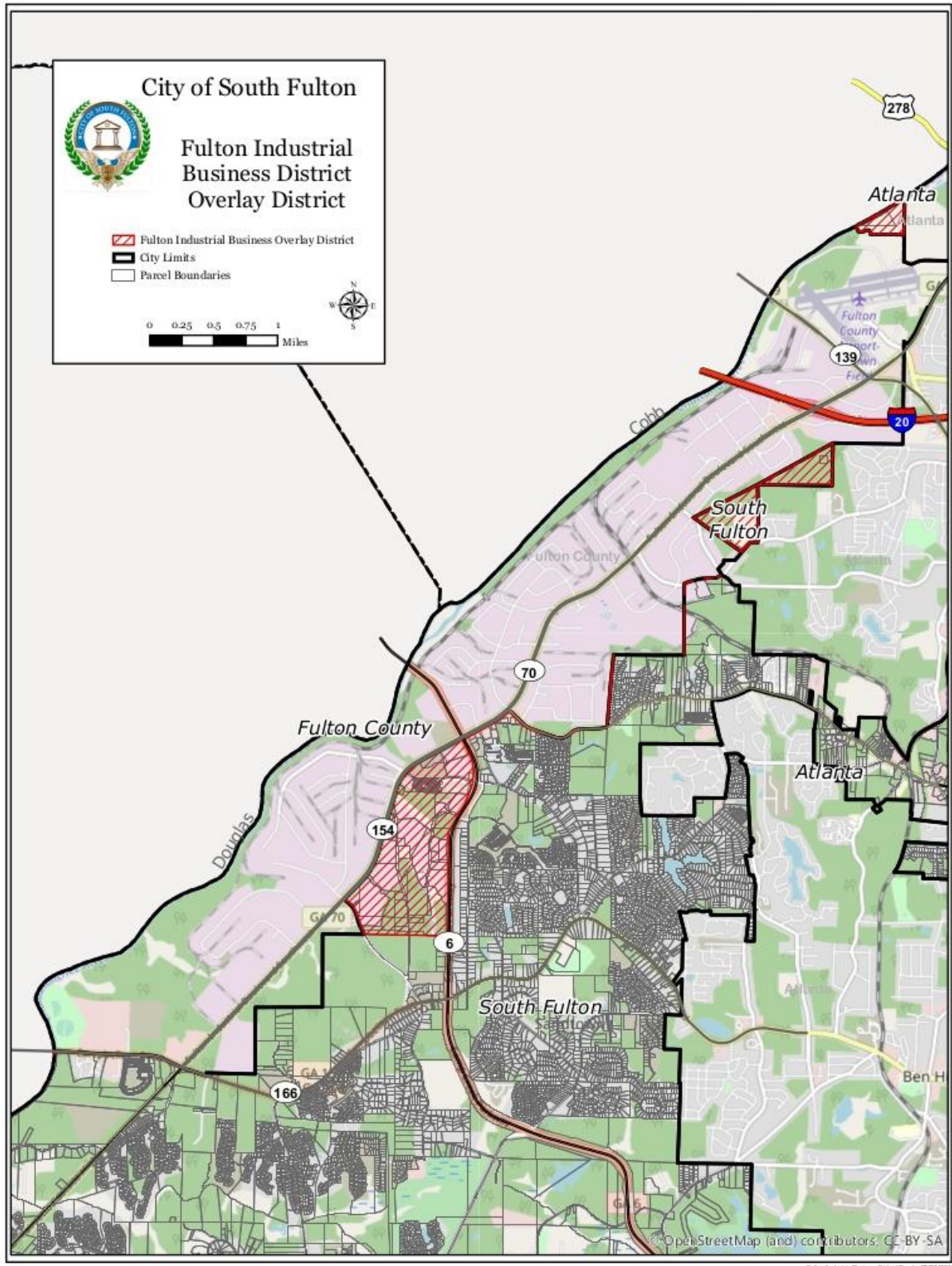
509.18 Signs.

- (a) Building color standards shall apply to the sign structure and not the sign face.
- (b) Sign structures and faces constructed of wood or canvas materials are prohibited.
- (c) Door signs are allowed up to a maximum of 25% of the door area.
- (d) Window signs.

Up to three window signs, each no greater than 4 square feet, are allowed on a principal building. The window sign(s) shall not cover more than 10% of the area of each window in which the sign is placed.

Sec. 510. Fulton Industrial Business District Overlay District

510.01 Boundary Map.



510.02 Purpose and Intent.

- (a) The City Council of South Fulton Georgia hereby declares it to be the purpose and intent of this Sec. 510 Fulton Industrial Business District Overlay District (District) to establish a uniform procedure for providing for the protection, enhancement, preservation, unity of design, and use of places, sites, buildings, structures, streets, and landscape features in the Fulton Industrial Business District in accordance with the provisions herein.
- (b) This District is adopted as part of a strategy designed to promote the health, safety, order, prosperity, and general welfare of the citizens of South Fulton through the regulation of design, aesthetics, location, bulk, size of buildings and structure.
- (c) This District also seeks to reduce congestion on the streets; to provide safety from fire, flood and other dangers; provide adequate light and open space; protect the natural environment and address other public requirements, in order to provide sustainable development that involves the simultaneous pursuit of economic prosperity, environmental protection and social quality.
- (d) This District also seeks, among other things, to promote accepted design principles in areas of new development and redevelopment, to raise the level of community understanding and expectation for quality in the built environment, to protect and enhance local aesthetic and functional qualities, and to stimulate business and promote economic development.
- (e) In consideration of the character of the Fulton Industrial Business District, the regulations in this Sec. 510 are intended to monitor the suitability for certain uses, construction and design, prevent functional and visual disunity, promote desirable conditions for community and commerce and protect property against blight and depreciation.

510.03 Applicability.

- (a) The Fulton Industrial Business District Overlay District and the regulations of this Section 510 apply to all properties zoned or developed for nonresidential uses and residential uses except as indicated in Sec. 510.03(b) below. See map in Sec 510.01 above for boundaries of the District.
- (b) Single-family detached dwelling units are exempt from the District requirements, with the exception that the building material prohibitions in Sec. 510.05(d)(6) shall apply.
- (c) For any parcel in which there is a question as to applicability of the overlay district standards, a final determination will be made by the Director of Community Development and Regulatory Affairs.

510.04 Architectural Review Process.

- (a) Prior to the issuance of a land disturbance permit (LDP) or a building permit, the applicant shall submit details of exterior materials, colors, landscape strips, buffers, signage, lighting, parking, streets and paths, entrances, design and architectural features of the proposed site and building which demonstrate compliance with the design standards set forth herein.
- (b) Prior to the issuance of an LDP or building permit, the community will be allowed ten working days to review the application. An application which otherwise conforms to applicable codes and regulations shall not be delayed issuance of an LDP or building permit for more than 10 working days due to this review and comment process.

- (c) CDRA staff will review all applications for land disturbance permits, building permits and sign permits for compliance with the standards of this Overlay District and upon determination of compliance will provide a Certificate of Endorsement (COE) in the form of signing the formally submitted plans and drawings.

510.05 Development Standards That Apply to All Properties within the Fulton Industrial Business District.

(a) Refuse areas and receptacles.

- (1) Refuse areas and receptacles shall be identified on site plans.
- (2) Refuse areas and receptacles shall be placed in the least visible location from the public right-of-way.
- (3) Refuse areas and receptacles shall not be placed within 50 feet of existing residential zoning or use.
- (4) Refuse areas shall be enclosed on three sides with opaque walls. The fourth side shall be a self-closing gate made of non-combustible materials.
- (5) Opaque walls shall be 12 inches higher than the receptacles.
- (6) Opaque walls shall be constructed of same materials and colors as that of the primary building. If primary building material is not a masonry material, the opaque walls shall be constructed of non-combustible brick, stone, split concrete masonry block or other similar material as approved by the Director of Community Development and Regulatory Affairs.

(b) Retaining walls.

Retaining walls, when visible from a public right-of-way, are to be faced with or constructed of stone, brick, decorative concrete modular block or other similar material as approved by the Director of Community Development and Regulatory Affairs.

(c) Sidewalks.

- (1) Sidewalks shall be connected to signalized crosswalks and bus stops where applicable.
- (2) Street furniture shall be located outside the specified width of any sidewalk.

(d) Building materials and architectural treatments.

- (1) Variations shall be incorporated into all facades visible from the public right-of-way and shall include architecture elements such as columns, arcades, covered entry-walkways, arches, façade offsets, windows, balconies, offset walls, clock towers, cupolas and/or courtyards.
- (2) The principal entry area of a building shall be articulated and express greater architectural detail than other portions of the building.
- (3) The office portion of industrial buildings shall be located in the front portion of buildings, facing the public right-of-way.
- (4) The office portion of industrial buildings shall be designed with a minimum of 40% of their exterior facade as windows.
- (5) Accessory structures/buildings, when visible from a public right-of-way, shall have architectural features consistent with the principal buildings.
- (6) Vinyl siding and synthetic stucco are prohibited on residential uses.

(e) Sign materials.

Sign structures and faces constructed of wood or canvas materials are prohibited on all permanent signs.

(f) Utility Placement.

All utilities shall be located underground.

(g) Stormwater Management Facilities.

All required detention/retention facilities shall be designed to meet the South Fulton alternative design standards that have the intent of making such facilities an attractive amenity or focal point for the subdivision per current South Fulton Subdivision Regulations.

510.06 Additional Standards for all Properties Designated as Industrial on the Future Development Map with Frontage on Fulton Industrial Boulevard.

(a) Buffers and landscaping.

A minimum 15-foot wide landscape strip is required along all frontages on Fulton Industrial Boulevard.

(b) Outside storage and display.

- (1) All outside storage is to be screened when visible from Fulton Industrial Boulevard.
- (2) Screening shall be accomplished by a wall or fence of at least 50% opacity in the same colors of the primary building or by a 10-foot landscape strip planted to buffer standards. Lattice style screening and fences and walls constructed out of wood are prohibited.

(c) Nonresidential building materials.

All exterior walls visible from Fulton Industrial Boulevard shall meet the following standards.

- (1) No wood siding or reflective glass shall be permitted.
- (2) Exposed exterior walls visible from a street shall be composed of the following maximum and minimum percentages of materials in each classification. The percentages apply to the siding on each exposed exterior wall of each building.

	Maximum	Minimum
Type A—Materials	100%	40%
Type B—Materials	60%	0%
Type C—Materials	25%	0%
Type D—Materials	10%	0%

- (3) Type A materials consist of brick; stone with weathered, polished or fluted face; marble aggregate masonry block with fluted, split-face, or broken-face finish; tilt-up, poured-in-place or precast concrete either fluted or with exposed aggregate finish; insulated window wall panels of stainless steel, porcelain treated steel, anodized or other permanently finished aluminum, and stucco or synthetic stucco.

- (4) Type B materials consist of metal panels with baked-on enamel or acrylic finish.
 - (5) Type C materials consist of plain reinforced concrete slabs.
 - (6) Type D materials consist of corrugated steel and aluminum, wood, and composite board.
 - (7) Materials not listed above may be presented to the Director of Community Development and Regulatory Affairs and the Director of Public Works for classification.
 - (8) Buildings having walls over 25 feet high may be given special material percentages by the Director of Community Development and Regulatory Affairs and the Director of Public Works.
- (d) Fence materials.
Wood fencing is prohibited.
- (e) Sign materials.
- (1) Free-standing sign structures shall be constructed of brick, granite, stone, marble or other material used in the primary building and be in the same colors as the primary building.
 - (2) If primary building materials are non-conforming, the free standing signs shall be constructed of materials prescribed by Sec. 510.06(c) above or other material as approved by the Director of Community Development and Regulatory Affairs.

510.07 All Properties Designated as Industrial Marketplace on the Future Development Map within the Fulton Industrial Business District.

- (a) Accessory site features: other (See Sec. 510.05(a) for refuse areas and receptacles).
- (1) Accessory site features are prohibited in the front yard.
 - (2) Accessory site features located on the ground shall be screened from view from any street, and any residential zoning or use by one of the following: placement behind the building, 100% opaque fence or wall, berm or vegetative screen planted to buffer standards.
 - (3) Accessory site features on a roof shall be screened by a parapet or other architectural feature or as approved by the Director of Planning and Community Services.
 - (4) Except for provided for in Article 3, the storage and/or sale of goods is prohibited in parking lots and other outside areas outside of the interior or permanently sheltered portions of a building. This standard does not apply to fuel pumps and ATMs.
- (b) Nonresidential building materials.
- (1) Industrially zoned buildings: All exterior walls visible from the public right-of-way shall consist of the following: stucco, stone, brick, or other similar alternative building material approved by the Director of Community Development and Regulatory Affairs.
 - (2) Commercially zoned and/or commercially used buildings: All exterior walls shall consist of a minimum of 60% (per vertical plane) of the following: stucco, brick, or stone. Accent wall materials shall consist of non-reflective glass, architecturally treated concrete masonry or precast stone. Alternative treatments

and building materials may be approved by the Director of Community Development and Regulatory Affairs.

- (c) Security devices.
 - (1) Burglar bars, steel gates, and steel roll down curtains are prohibited on the exterior and interior of the structure except at the structures rear.
 - (2) Security grilles are allowed if installed interior to the place of business.
 - (3) Grilles should be of a grid or brick pattern and placed so that the grid is at a uniform height across the business front.
- (d) Fence materials.

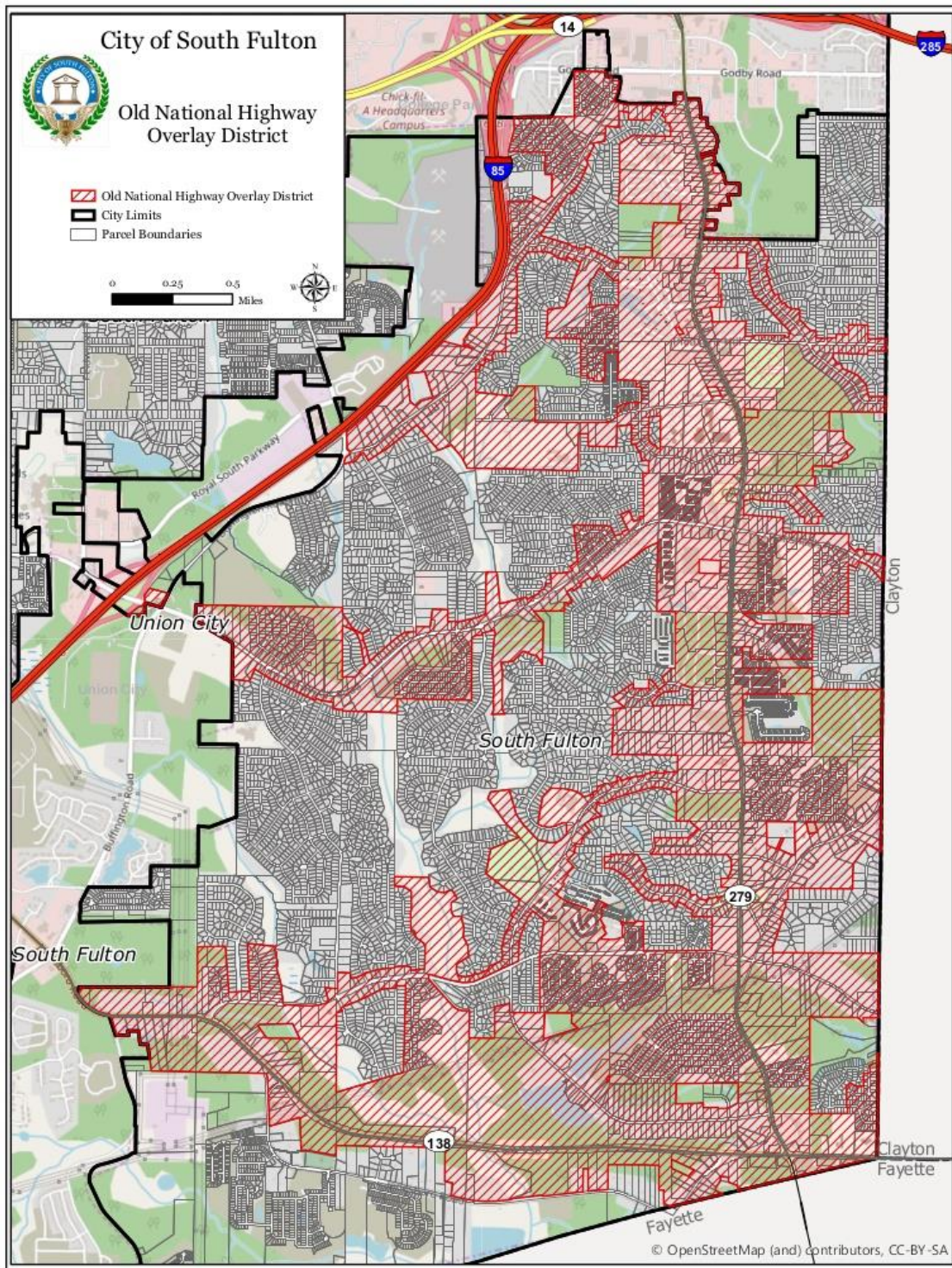
Wood privacy fencing is prohibited.
- (e) Sign standards.
 - (1) Window signs are prohibited.
 - (2) Free-standing sign structures shall be constructed of brick, granite, stone, marble or other material used in the primary building and be in the same colors as the primary building. If primary building materials are non-conforming, the free-standing signs shall be constructed of materials prescribed by Sec. 510.06(c) above or other material as approved by the Director of Planning and Community Services.
- (f) Sidewalks and pedestrian paths.
 - (1) Sidewalks.
 - a. All sidewalks are to be a minimum 8 feet wide, of which 2 feet shall be a stamped brick pattern adjacent to the back of the curb.
 - b. All handicap ramps shall be constructed per GDOT and South Fulton standards.
 - (2) Pedestrian paths.

Pedestrian paths shall be designed to minimize direct auto-pedestrian interaction by such means as striping, elevated walkways and signs.

Sec. 511 Old National Highway Overlay District.

Sec. 511. Old National Highway Overlay District.

511.01 Boundary Map.



511.02 Purpose and Intent.

- (a) The City Council of South Fulton, Georgia hereby declares it to be the purpose and intent of the Old National Highway Overlay District (District) to establish a uniform procedure for providing for the protection, enhancement, preservation, unity of design, and use of places, sites, buildings, structures, streets, neighborhoods, and landscape features in the Old National Highway District in accordance with the provisions herein.
- (b) The Old National Highway Overlay District is adopted as part of a strategy designed to promote the health, safety, order, prosperity, and general welfare of the citizens of South Fulton through the regulation of design, aesthetics, location, bulk, size of buildings and structures, and the density and distribution of population.
- (c) This District also seeks to reduce congestion on the streets; to provide safety from fire, flood and other dangers; provide adequate light and open space; protect the natural environment and address other public requirements, in order to provide sustainable development that involves the simultaneous pursuit of economic prosperity, environmental protection and social quality.
- (d) This District also seeks, among other things, to promote accepted design principles in areas of new development and redevelopment, to raise the level of community understanding and expectation for quality in the built environment, to protect and enhance local aesthetic and functional qualities, and to stimulate business and promote economic development.
- (e) In consideration of the character of the Old National Highway District, the regulations in this Sec. 511 are intended to monitor the suitability for certain uses, construction and design, prevent functional and visual disunity, promote desirable conditions for community and commerce and protect property against blight and depreciation.

511.03 Applicability.

- (a) The Old National Highway Overlay District and the regulations of this Section 511 apply to all properties zoned or developed for nonresidential and residential uses (except as indicated in Sec.511.03(b) below) which have frontage on Old National Highway or have direct access to Old National Highway, or are located on streets that intersect Old National Highway in South Fulton between the City of College Park limits, Union City limits, and Fayette County (see map in Sec. 511.01 above).
- (b) Single-family detached dwellings are exempt from the District requirements, with the exception that the prohibitions on certain exterior finishes in Sec. 507.12(b)511.10(e) and Sec. 511.10(f) shall apply.

511.04 Architectural Review Process.

- (a) At the time of application for rezoning and/or use permit, a land disturbance permit or a building permit, the applicant will be directed to the community for a review of Old National Overlay Design Standards. The community will be allowed 10 working days to review and comment. An application which otherwise conforms to applicable codes and regulations shall not be delayed issuance of a permit for more than 10 working days due to this review and comment period.
- (b) Prior to the issuance of a building permit, the applicant shall submit samples of exterior materials, colors, design and architectural details of proposed building(s) and demonstrate compliance with the architectural design standards set forth in this Sec. 511.

- (c) CDRA staff will review land disturbance, exterior building and sign permit applications for compliance with the Old National Highway Overlay District. Upon determination of compliance, a Certificate of Endorsement (COE) will be provided in the form of signing the formally submitted plans and drawings.

511.05 Landscaping Requirements.

- (a) A 15-foot wide landscape strip shall be required along any property line adjacent to a public street when Article 4 of this Ordinance otherwise specifies a smaller landscape strip.
 - (1) The landscape strip may be as specified by the South Fulton Tree Preservation Ordinance, or may be a combination of hardscape elements (plazas, planters, benches, fountains and tables, etc.), ground cover, shrubs, and the required number of hardwood trees as specified by the Tree Preservation Ordinance.
 - (2) Shrubs shall be a minimum height of 3 feet at time of planting.
 - (3) A minimum of one 2-inch caliper diameter at breast height (DBH) hardwood shade tree is required for every 30 linear feet of landscape strip.
- (b) A 10-foot wide landscape strip shall be provided along any interior property line adjacent to a nonresidential zoning and/or use.
- (c) All landscaped areas shall be maintained by the property owner(s).
- (d) Landscape treatments shall not obscure street addresses.

511.06 Accessory Site Features.

- (a) Accessory site features are prohibited in the front yard of any property.
- (b) Accessory site features located on the ground shall be screened from view from any public right-of-way, any residential use, or any residential or AG-1 zoning category by one of the following: placement behind the building, 100% opaque fencing, berm or vegetative screen planted to buffer standards.
- (c) Accessory site features on a roof shall be screened by a parapet or other architectural feature or as approved by the Director of Community Development and Regulatory Affairs.
- (d) Except as provided for in Article 3, the storage and/or sale of goods is prohibited in parking lots and other areas outside of the interior or permanently sheltered portions of a building.
- (e) Vending machines, paper stands, and other similar devices must be located inside a building.
- (f) Shopping carts shall be stored inside the structure or in parking lot receptacles and shall be subject to the requirements of Title 6, Chapter 5 *Abandoned Shopping Carts* of the City Codes of Ordinances.

511.07 Screening Requirements and Materials.

- (a) Refuse areas shall be enclosed on four sides with opaque fencing, 12 inches higher than the receptacle, and constructed of the same material as the building structure. One side shall be a self-closing gate. Refuse receptacles shall not be placed within 50 feet of an existing residential or AG-1 zoning district.
- (b) When required, fencing material around detention/retention facilities shall be black or hunter green vinyl coated chain link fence.

Sec. 511 Old National Highway Overlay District.

- (c) Retaining walls shall be faced with or constructed of stone, brick, or decorative concrete modular block only.
- (d) Loading docks shall be screened by a continuous hedge of evergreen shrubs. Shrubbery shall be a minimum height of 5 feet at time of planting. Shrubbery must be cared for under a continuous maintenance program.
- (e) Chain link fencing is prohibited except in retention/detention areas. All chain link fencing must be black or green vinyl clad.

511.08 Pedestrian Paths.

- (a) Sidewalks are required along all public and private road frontages.
- (b) Internal walkways (paths) are required from the public sidewalk to the main entrance of the principal use of the property and shall meet applicable Americans with Disabilities Act (ADA) standards for slope, width, texture, level differences, and ramps.
- (c) Pedestrian paths may be constructed of either colored/textured materials or conventional sidewalk materials and shall be clearly identified.
- (d) Pedestrian paths shall be illustrated on the site plan submitted at the time of application for a land disturbance permit.
- (e) Paths shall be designed to minimize direct auto-pedestrian interaction.
- (f) Paths shall be connected to signalized crosswalks where applicable.
- (g) Paths shall be direct and convenient routes between points of origin (such as a bus stop) and destination (such as a shop, bank, etc.).
- (h) Street furniture shall be located outside the specified width of any pedestrian path.

511.09 Building Design.

- (a) Developments shall include architecture elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, offset walls, clock towers, cupolas and/or courtyards.
- (b) The principal entry area of a building shall be articulated and express greater architectural detail than other portions of the building.
- (c) Neon lights outlining and/or detailing building features are prohibited.
- (d) Flat roofs and roof-mounted equipment shall be screened from the view of public and private streets by a parapet. No parapet shall be required to be greater than 4 feet above the roof.
- (e) Burglar bars, steel gates, metal awnings and steel-roll down curtains are prohibited on the exterior and interior of the structure except at the structure's rear.

511.10 Building Materials.

- (a) All buildings shall be brick, precast concrete, natural stone, cementitious stucco, tinted glass or horizontal clapboard siding (or an equivalent alternative treatment approved by the Director of Community Development and Regulatory Affairs). Exterior metal siding is allowed in industrially zoned districts but only on non-street-facing façades.
- (b) The exterior wall materials of all structures except industrial buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: horizontal clapboard

Sec. 511 Old National Highway Overlay District.

siding, brick or stone (or an equivalent alternative treatment approved by the Director of Community Development and Regulatory Affairs).

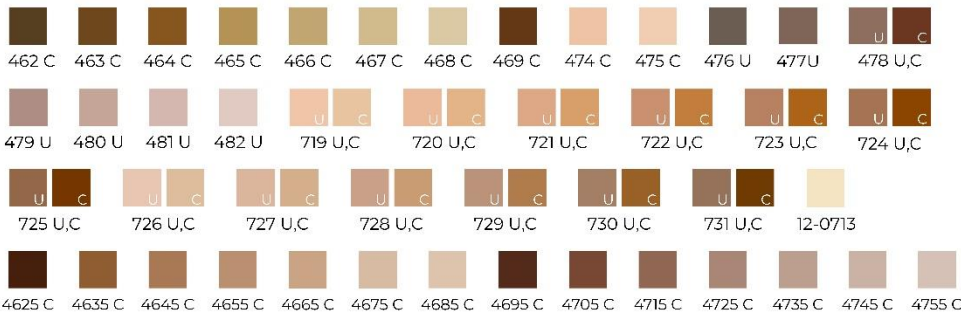
- (c) Accent wall materials of non-reflective glass, architecturally treated concrete masonry, precast stone, or stucco (or an equivalent alternative treatment approved by the Director of Community Development and Regulatory Affairs) shall not exceed 40% per vertical wall plane.
- (d) Exterior finishes for accessory structures shall be consistent with the principal structure.
- (e) Cinder block, corrugated steel, wood siding, reflective glass, exposed plywood and exposed pressboard are prohibited as exterior finishes.
- (f) In addition to the prohibited materials listed in Sec. 511.10(e) above, synthetic stucco, vinyl siding and aluminum siding shall be prohibited as exterior finishes on residential uses.

511.11 Building Colors.

- (a) Roof colors shall be black, gray, brown, or green. Reflective and metallic colors are prohibited.
- (b) Colors for exterior walls, building components, sign structures, accent and decorative elements must be chosen from the tones and shades specified by the color chart below (from the Pantone Formula Color Guide) or as approved by the Director of Community Development and Regulatory Affairs.

Sec. 511 Old National Highway Overlay District.

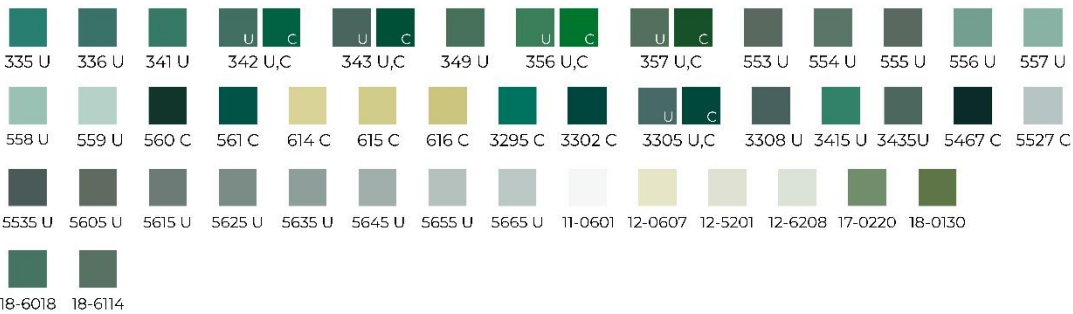
Browns, Beiges, Tans



Reds



Greens



Whites



Grays



The following colors apply to accent and decorative elements only.

Oranges / Yellows



Reds



Browns / Blacks



Greens



The code number under each color refers to the Pantone Matching System, an International Color Matching System. An online color search tool can be accessed here: <https://www.pantone.com/color-finder?from=topNav>. To search for a color, type the code number code into the search box. Include a space between the number and letters.

511.12 Vacant Lots and Abandoned Structures.

- (a) Previously disturbed vacant lots shall not be paved unless it is a pre-existing condition.
- (b) Vacant lots shall not be overgrown (vegetative cover exceeding 6 inches in height) and must be maintained. The lot must remain free of trash and debris.
- (c) All openings of abandoned structures shall be secured from unauthorized entry.
- (d) All fabricated boards used to board up all openings of abandoned structures shall be painted on the exterior surface the same color as the building.
- (e) All garbage, trash, and other debris shall be removed from the interior and exterior of vacant premises.
- (f) A deadbolt shall be installed on the front exterior door above the existing lock of an abandoned structure.

511.13 Signs.

- (a) The architectural color standards of the overlay district apply to the sign structure and not the sign face.
- (b) Sign structures and faces constructed of wood or canvas materials are prohibited.
- (c) Window signs along the Old National Highway Corridor are prohibited.

511.14 Streetscape Standards.

- (a) Lighting.
 - (1) A single decorative style light fixture and pole shall be used along the entire length of Old National highway and for a distance of 500 feet along the north and south sides of Flat Shoals Road where it intersects with Old National Highway.
 - (2) The preferred light fixture is Cooper Lighting "Traditionaire" Post Top Fixture. Lighting source shall be LED or the most energy efficient approved light source at the time of installation.
 - (3) Preferred streetlight pole is the Hapco manufacturing "Grand Series/Granville" decorative pole. This pole is FHWA approved as a 'breakaway' pole.
 - (4) Pole shall include banner arms as well as GFCI outlets as required.
 - (5) Lighting shall be installed behind the sidewalk at 80- to 100-foot intervals.
- (b) Sidewalks.
 - (1) All sidewalks along Old National Highway shall be a minimum of 8 feet wide. The sidewalk shall include two feet of brick pavers laid in a running bond course pattern adjacent to the back of the curb.
 - (2) All handicapped ramps shall be constructed per GDOT and South Fulton standards with a brick paver band installed.

511.15 Utility Placement.

All utilities shall be located underground.

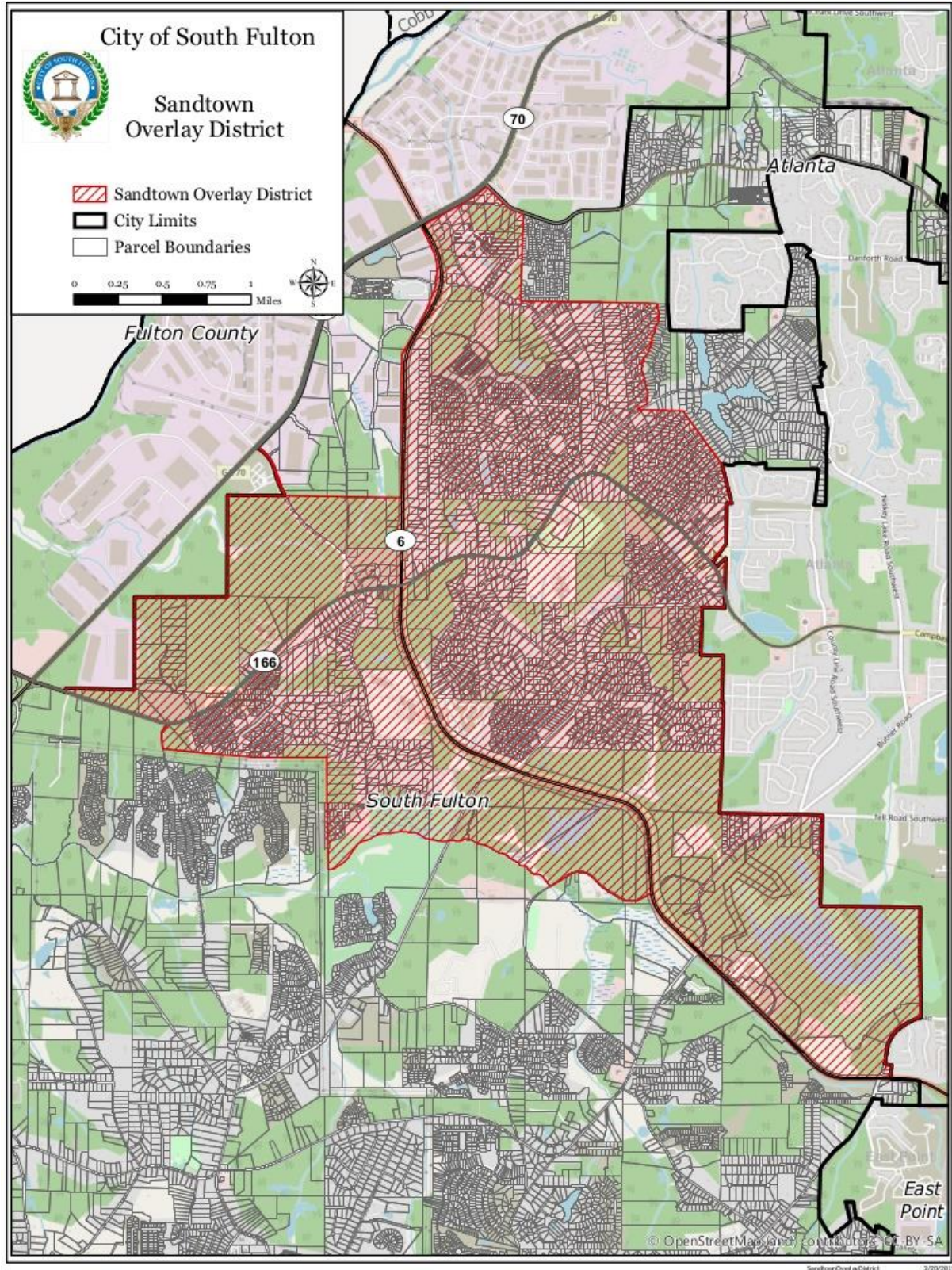
511.16 Stormwater Management Facilities.

Sec. 511 Old National Highway Overlay District.

All required detention/retention facilities shall be designed to meet the South Fulton alternative design standards that have the intent of making such facilities an attractive amenity or focal point for the subdivision per current South Fulton Subdivision Regulations.

Sec. 512. Sandtown Overlay District.

512.01 Boundary Map.



512.02 Purpose and Intent.

- (a) The City Council of South Fulton, Georgia hereby declares it to be the purpose and intent of the Sandtown Overlay District (District) to establish a uniform procedure for providing for the protection, enhancement, preservation, unity of design, and use of places, sites, buildings, structures, streets, neighborhoods, and landscape features in the Sandtown District in accordance with the provisions herein.
- (b) The Sandtown Overlay District is adopted as part of a strategy designed to promote the health, safety, order, prosperity, and general welfare of the citizens of South Fulton through the regulation of design, aesthetics, location, bulk, size of buildings and structures, and the density and distribution of population.
- (c) This District also seeks to reduce congestion on the streets; to provide safety from fire, flood and other dangers; provide adequate light and open space; protect the natural environment and address other public requirements, in order to provide sustainable development that involves the simultaneous pursuit of economic prosperity, environmental protection and social quality.
- (d) This District also seeks, among other things, to promote accepted design principles in areas of new development and redevelopment, to raise the level of community understanding and expectation for quality in the built environment, to protect and enhance local aesthetic and functional qualities, and to stimulate business and promote economic development.
- (e) In consideration of the character of the Sandtown District, the regulations in this Sec. 512 are intended to monitor the suitability for certain uses, construction and design, prevent functional and visual disunity, promote desirable conditions for community and commerce and protect property against blight and depreciation.

512.03 Applicability.

- (a) The Sandtown Overlay District and the regulations of this Sec. 512 apply to all properties zoned or developed for nonresidential and residential uses as illustrated on the map in Sec. 512.01 above. Single-family developments are exempted except for compliance with Section 512.05 (Buffers and Landscaping) and the exterior finish prohibitions in Sec. 512.11(f).
- (b) Single-family dwelling units not part of a subdivision are exempt from the requirements of this District, with the exception that compliance with Sec. 512.11(f) is required.

512.04 Architectural Review Process.

- (a) Prior to the issuance of a land disturbance permit (LDP) or a building permit, the applicant shall submit details of exterior materials, colors, landscape strips, buffers, signage, lighting, parking, streets and paths, entrances, design and architectural features of the proposed site and building which demonstrate compliance with the design standards set forth herein.
- (b) Prior to the issuance of an LDP or building permit, the community will be allowed 10 working days to review the application. An application which otherwise conforms to applicable codes and regulations shall not be delayed issuance of an LDP or building permit for more than 10 working days due to this review and comment process.
- (c) CDRA staff will review all applications for land disturbance permits, building permits and sign permits for compliance with the standards of this Overlay District and upon determination of compliance will provide a Certificate of Endorsement (COE) in the form of signing the formally submitted plans and drawings.

512.05 Buffers and Landscaping Requirements.

- (a) A 40-foot wide natural, undisturbed buffer (except for approved access and utility crossings, improvements, and replantings where sparsely vegetated subject to the approval of the South Fulton Arborist) , with a 10-foot improvement setback or as may be approved by the Director of Community Development and Regulatory Affairs shall be provided along Camp Creek Parkway.
- (b) All AG-1 zoning district and residential zoning districts or uses shall provide a minimum 25-foot wide natural undisturbed buffer with a 10-foot improvement setback or provide a minimum 6-foot high earthen berm planted to landscape strip standards, with a maximum slope of 3 to 1 or combination thereof along all public streets.
- (c) All nonresidential (except AG-1) zoning districts or uses shall provide a minimum 25-foot wide landscape strip along all public streets.
- (d) A 15-foot wide landscape strip shall be provided along any interior property line adjacent to a nonresidential zoning and/or use.

512.06 Accessory Site Features.

- (a) Accessory site features are prohibited in the front yard of any property.
- (b) Accessory site features located on the ground shall be screened from view from any public right-of-way, any residential use, or any residential or AG-1 zoning district by one of the following: placement behind the building, 100% opaque fencing, berm or vegetative screen planted to buffer standards.
- (c) Accessory site features on a roof shall be screened by a parapet or other architectural feature or as approved by the Director Community Development and Regulatory Affairs.
- (d) Except as provided for in Article 3, the storage and/or sale of goods is prohibited in parking lots and other areas outside of the interior or permanently sheltered portions of a building.
- (e) Vending machines, paper stands, and other similar devices must be located inside a building.
- (f) Storage of shopping carts is allowed without a permit, but is subject to the requirements of Title 6, Chapter 5 *Abandoned Shopping Carts* of the City Codes of Ordinances.

512.07 Screening.

- (a) Refuse areas and receptacles.
 - (1) Refuse areas and receptacles shall be placed in the least visible location from public streets and shall be enclosed on three sides with opaque walls. The fourth side shall be a self-closing gate made from noncombustible materials.
 - (2) Required opaque walls shall be a minimum of 12 inches higher than the receptacle.
 - (3) Wall materials shall be noncombustible brick, stone, or split-faced concrete masonry block. Refuse receptacles shall not be placed within 50 feet of an existing residential or AG-1 zoning district.
- (b) Fencing and walls; placement and materials.
 - (1) Opaque fences are prohibited adjacent to public streets.

- (2) Fencing materials along public streets and side yards are restricted to stone, wrought iron, material designed to have the appearance of wrought iron, treated wood, or material designed to have the appearance of natural wood.
 - (3) Chain link fencing may be used along golf courses, play fields, and other recreational areas. All chain link fencing shall be black or hunter green vinyl coated.
 - (4) When required, fencing material around detention/retention facilities shall be black or hunter green vinyl coated chain link fence.
 - (5) Retaining walls shall be faced with or constructed of stone, brick, or decorative concrete modular block only.
- (c) Parking and loading areas.

All parking and loading areas shall be screened from public streets by either a minimum 4-foot high berm and/or a continuous hedge of evergreen shrubs.

512.08 Pedestrian Paths.

- (a) Sidewalks are required along all public and private road frontages, on both sides.
- (b) Except in truck loading and parking areas of industrial and warehouse-distribution uses, internal walkways (paths) are required from the public sidewalk to the main entrance of the principal use of the property and shall meet applicable Americans with Disabilities Act (ADA) standards for slope, width, texture, level differences, and ramps.
- (c) Pedestrian paths may be constructed of either colored/textured materials or conventional sidewalk materials and shall be clearly identified.
- (d) Pedestrian paths shall be illustrated on the site plan submitted at the time of application for a land disturbance permit.
- (e) Paths shall be designed to minimize direct auto-pedestrian interaction.
- (f) Paths shall be connected to signalized crosswalks where applicable.
- (g) Paths shall be direct and convenient routes between points of origin (such as a bus stop) and destination (such as a shop, bank, etc.).
- (h) Street furniture shall be located outside the specified width of any pedestrian path.

512.09 Lighting.

- (a) A lighting plan for open parking lots and pedestrian paths shall be submitted for approval prior to the issuance of a land disturbance permit.
- (b) Any lighting fixture shall be a cutoff luminary whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop dish refractors are prohibited. The wattage shall not exceed 420 watts/480 V per light fixture. This provision includes lights on mounted poles as well as architectural display and decorative lighting visible from a street or highway. Wall pack lighting shall be cut-off down directional a maximum of 250 watts. Canopy lighting shall be cut-off down directional a maximum of 250 watts. Canopy lighting shall be cut-off luminaries with a maximum lamp wattage of 400 watts.
- (c) Light sources (lamps) shall be incandescent, fluorescent, LED lighting, metal halide, mercury vapor, natural gas, or color corrected high-pressure sodium (CRI of 60 or better). The same type must be used for the same or similar type of lighting on any one site.

Sec. 512 Sandtown Overlay District.

- (d) Mounting fixtures must be modified in such a manner that the cone of the light is not directed at any property line. The minimum mounting height for a pole is 12 feet. The maximum mounting for a pole is 35 feet. Any fixture and pole located within 20 feet of a residential zoning shall be a type four or forward throw distribution.
- (e) Lights shall be architecturally decorative with a historic style (includes shepherds crook, pole top, and bollard) or a style that complements the architecture of the principal building. The same type of design must be used along pedestrian pathways and/or common areas.
- (f) Non-LED shoebox lighting fixtures, cobra lighting fixtures, and neon lighting are prohibited.
- (g) All site lighting shall be designed so that the illumination as measured in foot-candles at any one point meets the following standards: Minimum and maximum levels are measured at any one point. Average level is not to exceed the calculated value and is derived using only the area of the site included to receive illumination. Points of measure shall not include the area of the building or areas which do not lend themselves to pedestrian traffic. Also, if the major portion of the lighting design is to be in the front of a building, the average level should not be affected by adding a light or two in the back of the same building, which would raise the average of the intended area for lighting.
- (h) Future renovations, upgrades, or additions to existing facilities prior to the effective date of this Ordinance shall not exceed existing illumination levels below. The entire site must be brought into conformance with this Sec. 512 should a renovation, upgrade, or addition occur that would require a land disturbance permit.

At Property Lines Including Rights-of-Way	Maximum Foot-candles
At property line abutting a residential or an agricultural use	1.0
At property line abutting an office or institutional use	1.5
At property line abutting a commercial or industrial use	1.5

Off-Street Parking Lots	Minimum Foot-candles	Average Foot-candles	Maximum Foot-candles
Residential areas	0.5	2.0	4.0
Office-professional areas	1.0	3.0	6.0
Commercial areas	2.0	6.0	12.0
Light industrial areas	1.0	4.0	8.0

512.10 Building Design.

- (a) Nonresidential buildings are limited to 35 feet in height. Residential buildings and mixed-use buildings that contain a residential component are limited to 3 stories.
- (b) Developments shall include architecture elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, offset walls, clock towers, cupolas and/or courtyards.

- (c) Any nonresidential building facade shall have a minimum of 25% fenestration or as may be approved by the CDRA Director.
- (d) The principal entry area of a building shall be articulated and express greater architectural detail than other portions of the building.
- (e) To the extent any rear or side of any building is visible from any public street or single-family residence, architectural treatment shall continue through the rear or side.
- (f) Permissible roofs are gable, pyramidal, and hip. Shed roofs are permitted over porches, additions, and accessory structures. Roof pitches shall be 5/12 to 12/12.
- (g) Flat roofs and roof-mounted equipment shall be screened from the view of public and private streets by a parapet. No parapet shall be required to be greater than four feet above roof.
- (h) Burglar bars, steel gates, and steel-roll down curtains are prohibited on the exterior and interior of the structure except at the structure's rear. Security grilles are allowed if installed interior to the place of business. Grilles shall be of a grid or brick pattern and placed so that the grid or brick pattern is at a uniform height across the entire business front.
- (i) Neon lights outlining and/or detailing building features are prohibited.

512.11 Building Materials.

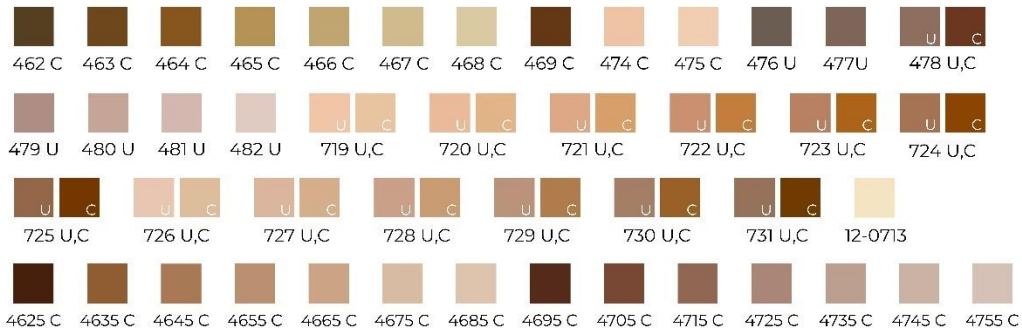
- (a) The exterior of all industrial building facades shall be provided with an architectural treatment such as stucco, stone, brick, wood or an alternative treatment approved by the Director Community Development and Regulatory Affairs.
- (b) The exterior wall materials of all nonresidential buildings except industrial buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: solid wood siding, cementations siding, stucco, brick, stone or an alternative treatment approved by the Director Community Development and Regulatory Affairs.
- (c) The exterior wall materials of all residential buildings, excluding single-family detached dwellings and developments, shall consist of a minimum of 60% (per vertical wall plane) of the following: traditional stucco, cementitious siding, solid wood siding, brick, stone or an alternative treatment approved by the Director Community Development and Regulatory Affairs.
- (d) Accent wall materials on residential (excluding single-family detached dwellings and developments) and nonresidential buildings shall consist of glass, architecturally treated concrete masonry, precast stone, stucco, material designed to have the appearance of stucco if installed a minimum of 4 feet above grade or combination thereof and shall not exceed 40% per vertical wall plane.
- (e) Exterior finishes for accessory structures shall be consistent with the principal structure.
- (f) Prohibited building materials for exterior walls and accents on all residential and nonresidential buildings: metal panel systems, vinyl siding, site-cast smooth concrete masonry or plain reinforced concrete slabs, aluminum siding, pressed-wood panels, plywood panels, mirrored glass, and corrugated steel (exceptions: mechanical penthouse and roof screens). In addition, synthetic stucco and aluminum siding is prohibited on all residential buildings.
- (g) Allowable roof materials for pitched roofs are asphalt shingles, composition shingles, wood shingles, wood shake, slate, terra cotta or as may be approved by the Director of Community Development and Regulatory Affairs.

512.12 Building Colors.

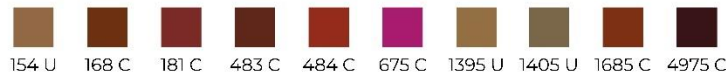
- (a) Roof colors shall be black, gray, brown, or green. Reflective and metallic colors are prohibited.
- (b) Colors for exterior walls, building components, sign structures, accent and decorative elements must be chosen from the tones and shades specified in the color chart below (from the Pantone Formula Color Guide) or as approved by the Director of Community Development and Regulatory Affairs.

Sec. 512 Sandtown Overlay District.

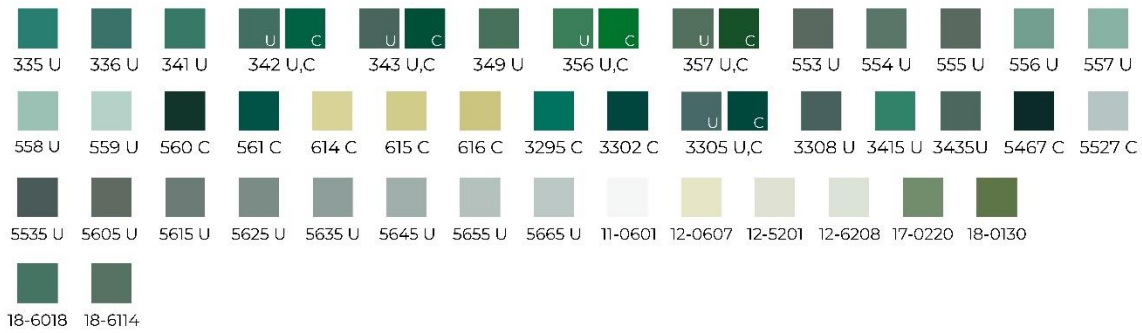
Browns, Beiges, Tans



Reds



Greens



Whites

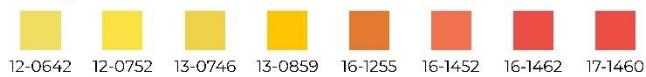


Grays



The following colors apply to accent and decorative elements only.

Oranges / Yellows



Reds



Browns / Blacks



Greens



The code number under each color refers to the Pantone Matching System, an International Color Matching System. An online color search tool can be accessed here: <https://www.pantone.com/color-finder?from=topNav>. To search for a color, type the code number code into the search box. Include a space between the number and letters.

512.13 Sign Requirements.

- (a) Monument signs (except for the sign face) shall be constructed of brick, granite, stone, marble or other material used in the principal building(s) on site.
- (b) Monument signs (except for the sign face and/or logo or trade name) shall be earth tones not primary colors.
- (c) Changeable copy and reader board configurations are prohibited unless approved as a marquee sign.
- (d) Wall signs shall be internally illuminated only.
- (e) Door signs are allowed up to a maximum of 25% of the door area.
- (f) Window signs.

Up to three window signs, each no greater than 4 square feet, are allowed on a principal building. The window sign(s) shall not cover more than 10% of the area of each window in which the sign is placed.

512.14 Utility Placement.

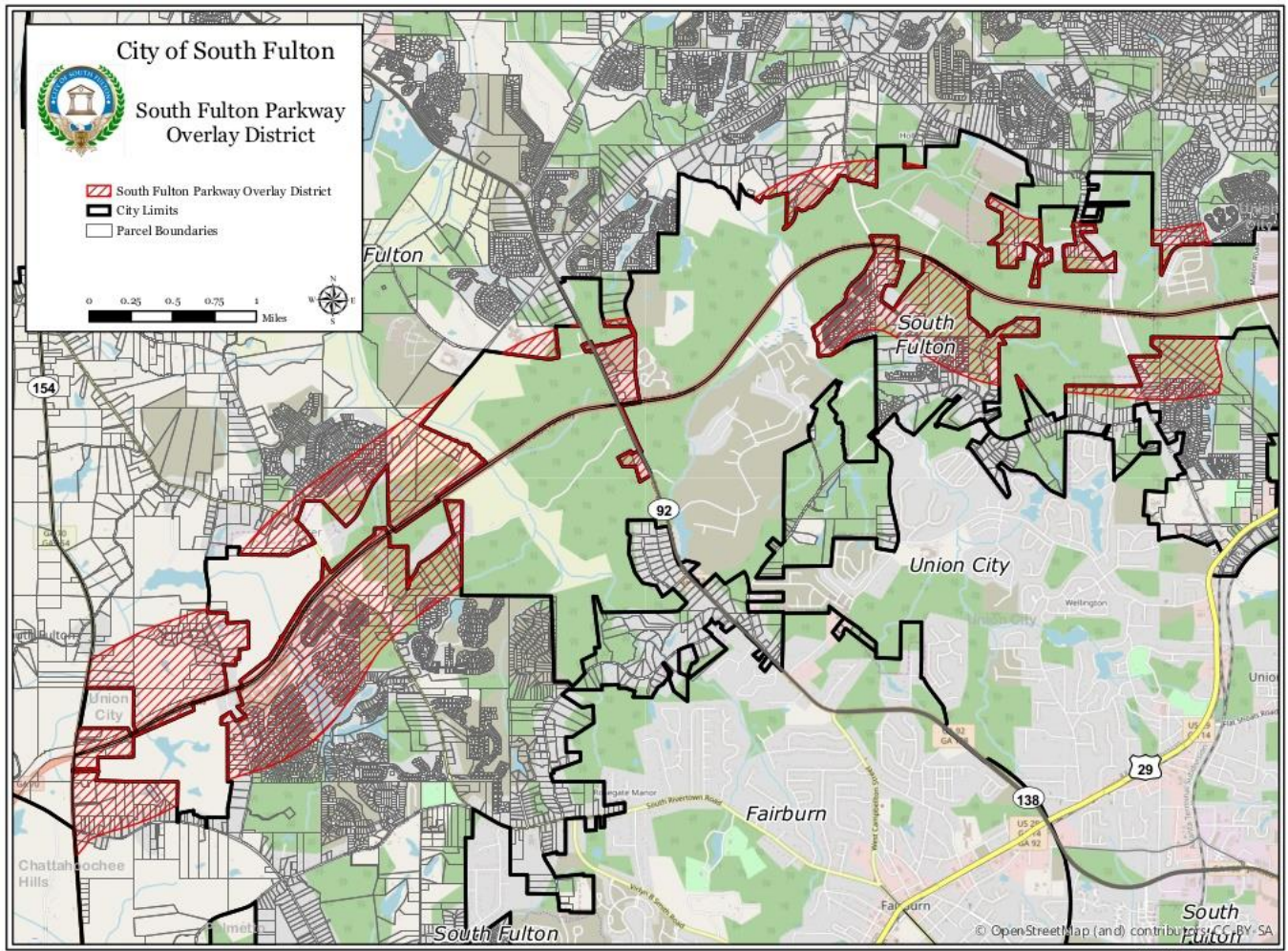
All utilities shall be located underground.

512.15 Stormwater Management Facilities.

All required detention/retention facilities shall be designed to meet the South Fulton alternative design standards that have the intent of making such facilities an attractive amenity or focal point for the subdivision per current South Fulton Subdivision Regulations.

Sec. 513. South Fulton Parkway Overlay District.

513.01 Boundary Map.



513.02 Purpose and Intent.

- (a) The City Council of South Fulton, Georgia hereby declares it to be the purpose and intent of the South Fulton Parkway Overlay District (District) to establish a uniform procedure for providing for the protection, enhancement, preservation, unity of design, and use of places, sites, buildings, structures, streets, neighborhoods, and landscape features in the South Fulton Parkway District in accordance with the provisions herein.
- (b) This District is adopted as part of a strategy designed to promote the health, safety, order, prosperity, and general welfare of the citizens of South Fulton through the regulation of design, aesthetics, location, bulk, size of buildings and structures, and the density and distribution of population.
- (c) This District also seeks to reduce congestion on the streets; to provide safety from fire, flood and other dangers; provide adequate light and open space; protect the natural environment and address other public requirements, in order to provide

sustainable development that involves the simultaneous pursuit of economic prosperity, environmental protection and social quality.

- (d) This District also seeks, among other things, to promote accepted design principles in areas of new development and redevelopment, to raise the level of community understanding and expectation for quality in the built environment, to protect and enhance local aesthetic and functional qualities, and to stimulate business and promote economic development.
- (e) In consideration of the character of the South Fulton Parkway District, the regulations in this Sec. 513 are intended to monitor the suitability for certain uses, construction and design, prevent functional and visual disunity, promote desirable conditions for community and commerce and protect property against blight and depreciation.

513.03 Applicability.

- (a) Except as noted in Sec. 513.03 (b) below, the South Fulton Parkway Overlay District and the regulations of this Section 513 apply to all properties zoned or developed for nonresidential and residential uses, within 2,640 feet of the centerline of the South Fulton Parkway from its easterly origin beginning at Wolf Creek to Cascade-Palmetto Highway (SR 154). These boundaries are depicted in the map in 513.01 above.
- (b) Single-family detached dwelling units in the boundaries of this District are exempt from the regulations herein, with the exception that Sec. 513.05(a) and Sec. 513.09(d) shall apply.
- (c) If any portion of a parcel and/or development is located in the defined boundary area, the entire parcel and/or development shall comply with the standards herein.

513.04 Architectural Review Process.

- (a) Prior to the issuance of a land disturbance permit (LDP) or a building permit, the applicant shall submit details of exterior materials, colors, landscape strips, buffers, signage, lighting, parking, streets and paths, entrances, design and architectural features of the proposed site and building which demonstrate compliance with the design standards set forth herein.
- (b) Prior to the issuance of an LDP or building permit, the community will be allowed ten working days to review the application. An application which otherwise conforms to applicable codes and regulations shall not be delayed issuance of an LDP or building permit for more than 10 working days due to this review and comment process.
- (c) CDRA staff will review all applications for land disturbance permits, building permits and sign permits for compliance with the standards of this Overlay District and upon determination of compliance will provide a Certificate of Endorsement (COE) in the form of signing the formally submitted plans and drawings.

513.05 Buffers and Landscaping.

- (a) All developments to include single-family detached residential subdivisions shall provide a minimum 100-foot wide natural, undisturbed buffer (except for approved access and utility crossings, improvements, and replantings where sparsely vegetated subject to the approval of the South Fulton Arborist), with an additional 10-foot setback interior to the buffer, along the South Fulton Parkway and along the rights-of-way of public roads which intersect the Parkway for a distance of 300 feet measured from the intersection with the South Fulton Parkway.

- (b) A minimum 15-foot wide landscape strip along all public and private streets, except as noted in Sec. 513.05(a) above, when Article 4 of the Zoning Ordinance otherwise specifies a smaller landscape strip.
- (c) Subject to the approval of the CDRA Director, street trees may be placed in public rights-of-way.
- (d) A minimum 10-foot wide landscape strip along any interior property line adjacent to a nonresidential zoning and/or use.
- (e) Hardwood shade trees, e.g., maples and oaks, a minimum of 2-inch caliper diameter at breast height (DBH), shall be planted in all landscape strips and minimally spaced as specified by the Tree Preservation Ordinance.

513.06 Accessory Site Features.

- (a) Accessory site features located on the ground shall be screened from view from any public right-of-way and/or any residence, residential zoning category, or AG-1 zoning category by one of the following: placement behind the building, 100% opaque fencing, berm or vegetative screen planted to buffer standards.
- (b) Accessory structures on a roof shall be located to the rear of the roof and shall be screened by a parapet or other architectural feature as approved by the CDRA Director.
- (c) Loading docks and bay doors fronting the South Fulton Parkway are prohibited.
- (d) Loading docks shall be screened by a continuous hedge of evergreen shrubs. Shrubbery shall be a minimum height of five feet at time of planting.
- (e) Vending machines, paper stands, and other similar devices shall be located inside a building or screened from the view of all public streets and residentially or AG-1 zoned or developed properties.
- (f) Except as provided for in Article 3, the storage and/or sale of goods is prohibited in parking lots and other areas outside of the interior or permanently sheltered portions of a building.
- (g) Storage of shopping carts is allowed without a permit, but is subject to the requirements of Title 6, Chapter 5 *Abandoned Shopping Carts* of the City Codes of Ordinances.
- (h) Refuse areas and receptacles.
 - (1) Refuse areas and receptacles shall be placed in the least visible location from public streets and shall be enclosed on three sides with opaque walls.
 - (2) The fourth side shall be a self-closing gate made from non-combustible materials.
 - (3) Required opaque walls shall be a minimum of 12 inches higher than the receptacle.
 - (4) Wall materials shall be non-combustible brick, stone, or split concrete masonry block. Refuse receptacles shall not be placed within 50 feet of an existing residential or AG-1 zoning district.

513.07 Retaining Walls.

Retaining walls shall be faced with or constructed of stone, brick, or decorative concrete modular block only.

513.08 Building Design.

- (a) Developments shall include architecture elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, offset walls, clock towers, cupolas and/or courtyards.
- (b) To the extent the rear and/or side of a building is visible from a public street or an adjacent agriculturally or residentially zoned or developed property, architectural treatments shall continue through the rear and sides of the building.
- (c) The principal entry area of a building shall be articulated and express greater architectural detail than other portions of the building.
- (d) Outparcel buildings shall have architectural features consistent with the principal buildings.
- (e) Flat roofs and roof-mounted equipment shall be screened by a parapet or other architectural feature as approved by the CDRA Director from the view of public and private streets and adjacent agriculturally and residentially zoned and/or developed properties.
- (f) Sloped roofs shall be standing seam, metal, slate and concrete roof tiles and composition shingles.
- (g) Building components such as burglar bars, steel gates, metal awnings and steel roll-down curtains are prohibited if visible from a public street.

513.09 Building Materials.

- (a) The exterior wall materials of all nonresidential buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, precast concrete, natural or precast stone, or tinted, non-reflective glass (or an equivalent alternative treatment approved by the Director of Community Development and Regulatory Affairs).
- (b) The exterior wall materials of all residential buildings (excluding single-family detached dwellings) shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, stone, traditional stucco, Hardi-plank siding, solid plank, or cementitious plank (or an equivalent alternative treatment approved by the Director of Community Development and Regulatory Affairs).
- (c) Accent wall materials on residential and nonresidential buildings shall not exceed 40% per vertical wall plane.
- (d) Prohibited exterior finishes on all buildings (except on mechanical penthouses and roof screens) are highly reflective, shiny, or mirror-like materials, exposed unfinished foundations, exposed plywood or particle board, unplastered, corrugated steel, exposed standard concrete masonry block, vinyl and aluminum siding. In addition, prohibited exterior finishes on residential buildings are synthetic stucco, vinyl siding and aluminum siding.

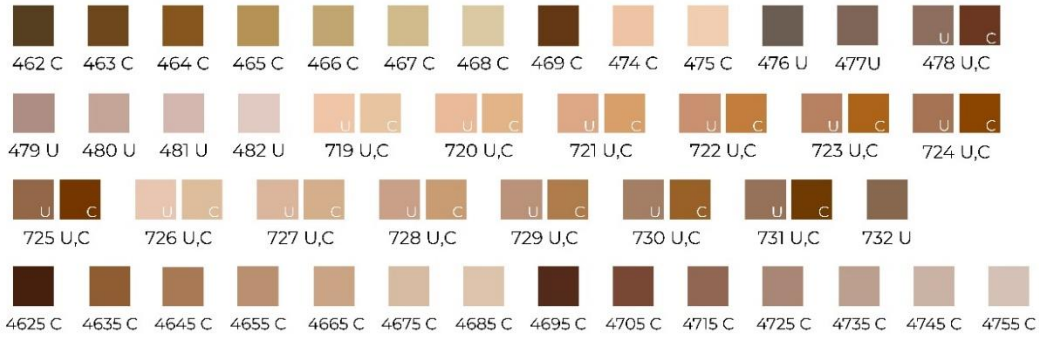
513.10 Building Colors.

Colors for exterior walls, building components, sign structures, accent and decorative elements must be chosen from the tones and shades indicated in the color chart below (from the Pantone Formula Color Guide) or as approved by the CDRA Director.

Sec. 513 South Fulton Parkway Overlay District.

The following colors apply to exterior building walls, building components, sign structure, accent and decorative elements.

Browns, Beiges, Tans



Reds

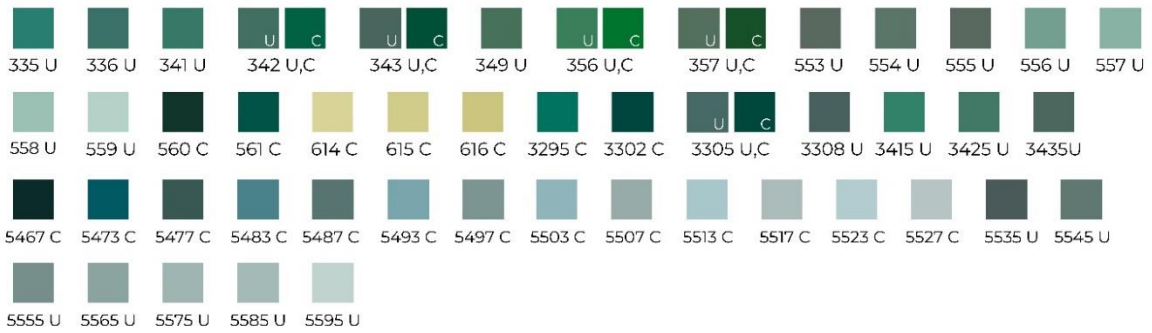


Reds-Browns



The following colors apply to accent and decorative elements only.

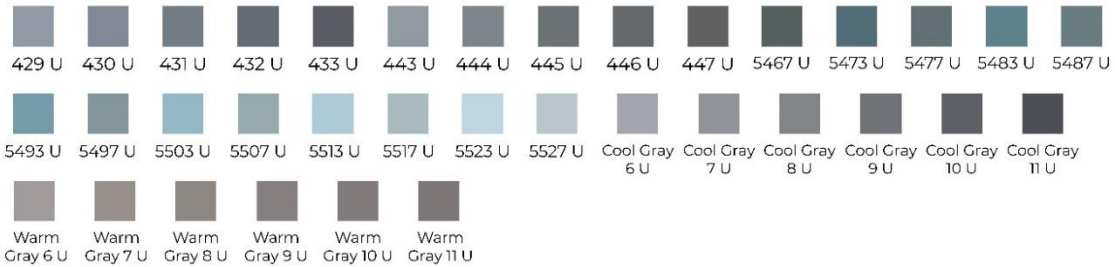
Greens



Green-Grays



Grays



Grey-Blues



The code number under each color refers to the Pantone Matching System, an International Color Matching System. An online color search tool can be accessed here: <https://www.pantone.com/color-finder?from=topNav>. To search for a color, type the code number code into the search box. Include a space between the number and letters.

513.11 Pedestrian Paths.

- (a) Sidewalks are required along all public and private road frontages.
- (b) Pedestrian paths shall be illustrated on the site plan submitted at the time of application for a land disturbance permit.
- (c) Except in truck loading and parking areas of industrial and warehouse-distribution uses, internal walkways (paths) are required from the public sidewalk to the main entrance of the principal use of the property and to adjacent buildings within the same development.
- (d) All sidewalks and pedestrian walkways (paths) shall meet applicable Americans with Disabilities Act (ADA) standards.
- (e) Pedestrian paths may be constructed of either colored/textured materials or conventional sidewalk materials and shall be clearly identified.
- (f) Paths shall be designed to minimize direct auto-pedestrian interaction by such means as sidewalks, striping, and signs.
- (g) Paths shall be connected to crosswalks at intersections where applicable.
- (h) Street furniture shall be located outside the specified width of any pedestrian path.
- (i) Paths and sidewalks shall be connected to green space and open space and connectivity shall be illustrated on the site plan submitted at the time of application for a land disturbance permit.
- (j) Pedestrian paths shall be a minimum width of 5 feet.
- (k) Multi-use paths for bicycles and pedestrians may be substituted for the required sidewalks as approved by the CDRA Director and the Public Works Director when the path is part of the South Fulton Bicycle and Pedestrian Plan or other approved transportation plan.
- (l) Multi-use paths designed for use by bicyclists and pedestrians shall be 12 feet wide.
- (m) Multi-use paths designed with separate paths for bicyclists and pedestrians shall be 15 feet wide, 10 feet for bicycles and 5 feet for pedestrians.
- (n) Paths should be direct and convenient routes between points of origin (such as a bus stop) and destination (such as a shop, bank, etc.).
- (o) Paths not visible from a public street shall be illuminated.

513.12 Lighting.

- (a) A photometric plan for open parking lots and paths shall be submitted at the time of application for a land disturbance permit.
- (b) Any lighting fixture shall be a cutoff luminary whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop dish refractors are prohibited. The wattage shall not exceed 420 watts/480 V per light fixture. This provision includes lights on mounted poles as well as architectural display and decorative lighting visible from a street or highway. Wall pack lighting shall be cut-off down directional a maximum of 250 watts. Canopy lighting shall be cut-off down directional a maximum of 250 watts. Canopy lighting shall be cut-off luminaries with a maximum lamp wattage of 400 watts.
- (c) Light sources (lamps) shall be incandescent, fluorescent, LED lighting, metal halide, mercury vapor, natural gas, or color corrected high-pressure sodium (CRI of 60 or

better). The same type must be used for the same or similar type of lighting on any one site.

- (d) Blue-white colors of florescent, mercury vapor lamps, metal halide, high-pressure sodium with CRI of less than 60 are prohibited.
- (e) Ground level, low wattage/voltage up-lights to accent features in landscape strips are permitted.
- (f) Low intensity, downward shielded lighting along pedestrian paths and in parking lots is required.
- (g) All site lighting shall be architecturally compatible with the buildings on a site. Lights shall be architecturally decorative with a historical style (includes shepherds crooks, pole top, and bollard).
- (h) Exterior wall-mounted lights shall be directed downward fully shielded to prevent spillage. The bottom of wall-mounted light fixtures shall be no higher than 7 feet above grade.
- (i) Soffit mounted light fixtures shall be recessed into the soffit or otherwise fully shielded.
- (j) Ground mounted or other upward directional lighting is allowed to accent architectural features.
- (k) Unshielded floodlights, wall packs, NEMA head style fixtures, sag/convex lens mounted on non-LED shoebox fixtures, cobra, neon and dome lights are prohibited.
- (l) Mounting fixtures must be modified in such a manner that the cone of the light is not directed at any property line. The minimum mounting height for a pole is 12 feet. The maximum mounting for a pole is 35 feet. Any fixture and pole located within 20 feet of a residential zoning shall be a type four or forward throw distribution.
- (m) All site lighting shall be designed so that the illumination as measured in foot-candles at any one point meets the following standards: Minimum and maximum levels are measured at any one point. Average level is not to exceed the calculated value and is derived using only the area of the site included to receive illumination. Points of measure shall not include the area of the building or areas which do not lend themselves to pedestrian traffic. Also, if the major portion of the lighting design is to be in the front of a building, the average level should not be affected by adding a light or two in the back of the same building, which would raise the average of the intended area for lighting.
- (n) Future renovations, upgrades, or additions to existing facilities prior to the effective date of this Ordinance shall not exceed existing illumination levels below. The entire site must be brought into conformance with this Sec. 513 should a renovation, upgrade, or addition occur that would require a land disturbance permit.

At Property Lines Including Rights-of-Way	Maximum Foot-candles
At property line abutting a residential or an agricultural use	1.0
At property line abutting an office or institutional use	1.5
At property line abutting a commercial or industrial use	1.5

Off-Street Parking Lots	Minimum Foot-candles	Average Foot-candles	Maximum Foot-candles
Residential areas	0.5	2.0	4.0
Office-professional areas	1.0	3.0	6.0
Commercial areas	2.0	6.0	12.0
Light industrial areas	1.0	4.0	8.0

513.13 Streetscape Features.

- (a) Benches, trash receptacles, drinking fountains, and other street furniture shall be compatible in material, color, finish and architectural style of the development.
- (b) The use of streetscape features as signage prohibited.

513.14 Parking.

- (a) All off-street parking for townhouses and multi-family buildings shall be located to the side, rear or enclosed.
- (b) A minimum of 50% of the required surface parking for out-parcels shall be located at the rear of the building.
- (c) The required number of off-street parking spaces may be reduced as approved by the director.
- (d) Shared parking shall be permitted as approved by the CDRA Director.
- (e) Non-residential developments shall provide parking for bicycles.
- (f) Loading areas shall be located in the rear or side yards.

513.15 Signs.

See Article 7.

513.16 Wireless Telecommunications and Water Towers.

- (a) Telecommunications switchboards, power generators, and other telecommunication relay equipment rooms or floors housing such uses are limited to the following areas of a building:
 - (1) Subterranean levels,
 - (2) First and second floors which are set back a minimum of 50 feet from the street, or
 - (3) Third and fourth floors.
- (b) Stealth design is required for all cell towers.
- (c) Height of towers shall not exceed 199 feet.
- (d) A wireless communications facility shall be disassembled and removed from the site within 90 days of the date its use for wireless telecommunications is discontinued.
- (e) Water towers shall be painted to blend with the landscape.
- (f) Except for safety purposes, water tower lighting shall be allowed only during maintenance periods. Each outdoor light that is not required for safety shall be fully

shielded. The safety lighting shall use a type of shielding with a 10 degree cut-off to provide lighting downward.

513.17 Utility Placement.

All utilities shall be underground.

513.18 Stormwater Management Facilities.

All required detention/retention facilities shall be designed to meet the South Fulton alternative design standards that have the intent of making such facilities an attractive amenity or focal point for the subdivision per current South Fulton Subdivision Regulations.

513.19 Design Guidelines for the South Fulton Parkway.

The purpose of these design guidelines is to help preserve the buffers along the South Fulton Parkway, the night sky, green space, vistas, the "Parkway" feel, and open space. These guidelines are encouraged but are not standards. Therefore, noncompliance does not necessitate variances.

(a) Site design.

- (1) All design strategies shall minimize changes to the existing topography and loss of mature vegetation and water features.
- (2) Minimize level grading. New developments should step with landforms and maximize preservation of existing vegetation and trees. Level grading of entire lots is to be avoided.
- (3) Transitions at property lines should seem natural for the surrounding terrain. Where the existing terrain is generally level, avoid newly graded slopes greater than 1:3 at property lines.
- (4) Cut and fill slopes should be rounded where they meet natural grade to blend with natural slope.
- (5) Natural contouring and re-vegetation are encouraged. Retaining walls should be faced with indigenous rock, brick and/or constructed to blend with adjacent surroundings.
- (6) Storm water retention for multiple sites should be combined into a lake as opposed to individual drainage ponds.
- (7) Permanent conservation easements should be established to protect water sheds, view sheds, and rare habitats.

(b) Buildings, courtyards.

- (1) Buildings should be oriented to avoid summer overheating.
- (2) Locate courtyards for optimum southern exposure in winter and provide for shading in the summer.
- (3) Locate buildings such that solar heat is naturally reduced on hot summer days by landscape strips and trees.
- (4) Coordinate corner buildings with adjacent developments. Generally, the primary mass of a building on a corner should not be placed at an angle to the corner. Angled or sculpted building corners and open plazas should not be precluded from corners.
- (5) Vertical focal points to visually anchor corners are encouraged.

Sec. 513 South Fulton Parkway Overlay District.

(c) Street standards.

Design Element	Community Boulevard (major thoroughfare)	Community Avenue (collector)	Community Street (minor street)	Community Lane (service drive, access)	Private Alley
Minimum right-of-way (feet)	60'	60'	54'	18'	16'
Maximum right-of-way (feet)	74'	74'	59'	22'	20'
Number of lanes	2—4	2—4	2	2-1	2-1
Travel lane width (feet)	11—12'	11'	10—11'	10'	8—10'
On-street parking allowed	Yes	Yes	Yes	No	No
Minimum parking lane width (feet)	8'	8'	8'	-	-
Minimum sidewalk width (feet)	10'	8'	5'	-	-
Bicycle lane allowed	Yes	Yes	Yes	-	-
Minimum bicycle lane width (feet)	5'	5'	5'	-	-
Planting area allowed	Yes	Yes	Yes	-	-
Median allowed	Yes	Yes	No	-	-
Culs-de-sac are prohibited unless approved by the CDRA Director or City Engineer.					

(d) Parking.

- (1) On-street parking (parallel, diagonal, and head-in) is encouraged.
- (2) All developments shall provide connectivity to adjacent developments to link buildings and open spaces together to minimize vehicular traffic and other impacts.
- (3) Courtyards should include such features as sculptures or fountains as focal points, moveable seating and tables, sunny and shaded areas, several entrances into courtyards, variety of textures and colors for visual interest, landscaping, covered and uncovered outdoor passageways.

(e) Architectural features/enhancements.

- (1) Trim to include eaves, corner boards, gable and eave boards, pediments, friezes, lintels, sills, quoins, belt courses, balustrades;
- (2) Gables, dormers, pillars, posts, porches, recessed windows and doors, cupolas, bay windows;
- (3) Half-rounded or quarter-rounded roof gutters and down spouts integrated with trim;
- (4) Glass storefronts, transom windows, building wall offsets, projections, recesses, floor level changes, roof-line offsets;
- (5) Architectural treatments of front facades shall continue major features around all visibly exposed sides of a building.

- (6) Restaurants with outdoor seating should allow for ease of pedestrian circulation, adequate shade through the use of extended awnings, canopies, or large umbrellas, provide outdoor trash receptacles, and maintain clean and litter-free premises.
- (f) View sheds.
- (1) All development proposals should arrange buildings to preserve views from adjacent properties and streets.
 - (2) Locate courtyards, surface parking, and open spaces to align with view sheds from adjacent properties.
 - (3) Locate drives, parking, and open spaces on high points. Avoid placing buildings except churches or public buildings of high architectural quality on ridge lines.
 - (4) All new developments will be reviewed with respect to topography and existing landforms, existing vegetation and trees, soil properties and bed rock depth, existing watercourses, floodway and flood plain areas, drainage patterns, climatic factors, view sheds.
 - (5) All new developments will be reviewed for land use and site organization in relation to building form, character, and scale of existing and proposed development, sensitivity and nature of adjoining land uses, location of adjacent roads, rights-of-way, driveways, off-street vehicular connections, pedestrian ways, access points, and easements, existing structures and other built improvements, prehistoric and historic sites, structures and routes, and any other features that may be impacted or impact the proposed new development.

Article 6. Parking and Loading Requirements

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Article 6. Parking and Loading Requirements

Sec. 601. Purpose of Article 6.

The purpose of this Article is to regulate the location, design and quantity of off-street parking and loading facilities for every use located in the City of South Fulton.

Sec. 602. Off-Street Parking Spaces Required.

602.01 Basic Off-Street Parking Requirements.

- (a) Every use shall be served by off-street parking spaces as specified in this Article in order to:
 - (1) Accommodate the use's occupants, employees, visitors, or patrons;
 - (2) Relieve traffic congestion in the streets;
 - (3) Minimize any detrimental effects of off-street parking areas on adjacent properties; and
 - (4) Ensure the proper and uniform development of parking areas throughout the city.
- (b) Parking spaces shall serve only the designated use and shall be located on the same lot as the use unless another location is authorized in accordance with other provisions of this Zoning Ordinance.
- (c) All required parking spaces must be located on an all-weather surface as defined in this Ordinance.
- (d) Dedicated parking spaces shall be used for the parking of motor vehicles only unless otherwise specified in this Ordinance.
- (e) Areas designated for temporary occupancy of vehicles while maneuvering on a site, such as queuing lanes for a drive-in window, are not considered parking spaces.
- (f) No required parking shall be allowed in any required landscape area or buffer.

602.02 Off-Street Parking Table.

- (a) The minimum number of required off-street parking spaces for principal uses required shall be determined by Table 6-1.
- (b) Calculation of parking spaces.
 - (1) Parking requirements shall be calculated based on the proportion that each use contributes to the total.
 - (2) All areas are expressed in gross square feet of building area unless ground area or some other measure is specified.
 - (3) Any fraction of one-half or larger shall constitute a whole.
 - (4) A bench seat shall consist of 18 inches.
- (c) For uses not specifically mentioned in Table 6-1, the requirements for off-street parking and loading facilities shall be determined by the Director of Community Development and Regulatory Affairs.
- (d) See also Article 3 for parking requirements pertaining to certain temporary uses.

Table 6-1 Minimum Off-Street Parking Spaces Required by Principal Use

Principal Use Group (in alphabetical order)	Example of Types of Use	Minimum Number of Parking Spaces Required
Assembly places with fixed seating (includes churches)	stadiums auditoriums theaters amphitheaters churches and other places of worship	1 per 3.5 fixed seats
Assembly places without fixed seating	meeting halls libraries	1 per 30 sq. ft. in largest assembly room
Boarding houses, see under "Dormitories and related"		
Auto dealerships, sales & service	new car sales used car sales service and parts	6.5 per 1,000 sq. ft.
Bowling alley		5 per alley
Child care	day care centers pre-school	1.7 per 1,000 sq. ft. + 1 per 4 employees on the largest shift, or more if required by State licensing requirements
Clubs and lodges, excluding nightclubs and private clubs	country clubs fraternal organizations non-profit clubs	5 per 1,000 sq. ft.
County club with golf course		50 per 9 holes + 1 per 1,000 sq. ft.
Commercial, amusement, outdoor	amusement parks skateboard parks batting cages	1 per 4 fixed seats or 1 per 35 sq. ft. of floor area used for moveable seats; plus 10 per 1,000 sq. ft. of ground area identified for recreation and assembly
Correctional facility	prison (private)	1 per four beds + 1 per 3 employees
Dormitories and related	dormitories fraternity houses sorority houses boarding houses rooming houses	1 per bedroom + 5 per 1,000 sq. ft. of common area
Financial institutions	banks credit unions brokerage houses	5 per 1,000 sq. ft.
Funeral homes		1 per 3 fixed seats + 1 for each 25 sq. ft. in the largest assembly room
Golf course, public and private, without club facilities		50 spaces per 9 holes

Table 6-1 Minimum Off-Street Parking Spaces Required by Principal Use

Principal Use Group (in alphabetical order)	Example of Types of Use	Minimum Number of Parking Spaces Required
Health care facilities	hospitals out-patient clinics nursing home assisted living facility personal care home	1 per four beds + 1 per 3 employees
Hotels and motels, no restaurants	hotels motels	1 per room
Hotels and motels, with restaurants	bed and breakfast inn	1.25 per room
Laboratories, scientific and related	experimental labs testing laboratories diagnostic laboratories	2.5 per 1,000 sq. ft.
Manufacturing and industrial uses	assembly plants fabrication plants factories	1 per 1,000 sq. ft.
Medical offices Related facilities (Hospitals addressed under "Health care facilities")	dental offices doctor's offices veterinary offices clinics	4 per 1,000 sq. ft.
Medical related lodging		See Article 3
Mini-warehouses		1 per employee + 1 per 5,000 sq. ft.
Nightclub and private club (Non-profit clubs addressed under "Clubs and lodges")	dance clubs music clubs nightclubs	See Article 3
Offices, general	freestanding offices office towers office parks offices associated with other uses	3 per 1,000 sq. ft. to 250,000 sq. ft.; 2.8 per 1,000 sq. ft. all exceeding 250,000 sq. ft.
Personal service establishments	barber shops beauty parlors laundromats dry cleaners	5 per 1,000 sq. ft.
Racetrack		1 per 4 fixed seats or 1 per 35 sq. ft. of floor area used for moveable seats, + 10 per 1,000 sq. ft. of other spectator area.
Recreational camp, lodges, and retreats		See Article 3
Recreational facilities, indoor	billiard parlors game rooms arcades skating rinks	5 per 1,000 sq. ft.

Table 6-1 Minimum Off-Street Parking Spaces Required by Principal Use

Principal Use Group (in alphabetical order)	Example of Types of Use	Minimum Number of Parking Spaces Required
	fitness centers museums	
Recreation, private:		
Single-family or mixed residential use, association or club	tennis court basketball court swimming pool	3 per court 4 per court 6 per adult swimming pool + 1 per 15 dwelling units beyond 60 served
Multifamily residential		included in basic parking requirement
Recreation, public	basketball court playing fields tennis courts driving range miniature golf swimming pool	4 per court 50 per field 3 per court 2 per tee 20 per 18 holes 20 + 1 per 50 sq. ft. of pool area
Recycling centers		1.5 spaces per 1,000 sq. ft. of building floor area and 2 spaces per outdoor recycling collection container; plus loading spaces as specified in this Article
Residential, multi-family (fewer than 40 units/acre)	1 bedroom or efficiency unit 2 bedroom unit 3 bedroom unit	1.4 per unit 2.0 per unit 2.25 per unit
Residential multi-family high rise (40 + units/acre)	1 bedroom or efficiency unit 2 bedroom unit 3 bedroom unit	1.25 per unit 1.75 per unit 2.00 per unit
Residential, single-family and duplexes	detached dwelling duplexes manufactured homes	2 per dwelling unit
Residential, retirement home	senior housing community retirement village	1.25 per dwelling unit
Residential, townhouse	townhouse rowhouse	2 per dwelling unit
Residential, triplex	triplex	1.4 per dwelling unit
Residential, quadplex	quadplex	1.4 per dwelling unit
Restaurants and taverns (including outdoor seating) See also "Nightclubs and private clubs"	cafeterias bars restaurants bistros	10 per 1,000 sq. ft.
Retail establishments	boutiques shops	5 per 1,000 sq. ft.

Table 6-1 Minimum Off-Street Parking Spaces Required by Principal Use

Principal Use Group (in alphabetical order)	Example of Types of Use	Minimum Number of Parking Spaces Required
	stores rental services art galleries food stores	
Salvage, storage and/or junk facility		1 per employee plus 4 per acre
Sexually oriented businesses		See Article 3
Schools	junior high elementary middle	larger of 2 per classroom or 1 per 35 sq. ft. in largest assembly area
	secondary	larger of 10 per classroom or 1 per 35 sq. ft. in largest assembly area
	colleges business colleges universities trade conservatories vo-tech	5 per 1,000 sq. ft.
Service and repair establishments	appliance repair shops bicycle repair shops shoe repair shops general repair centers	5 per 1,000 sq. ft.
Service stations and automotive repair centers	automotive garages paint and body shops tire centers service stations car care centers	5 per 1,000 sq. ft.
Warehousing and storage	commercial storage distribution centers	1 per 2,000 sq. ft.

602.03 Administrative Reduction of Spaces.

The Director of Community Development and Regulatory Affairs may authorize a reduction in the total number of parking spaces constructed on a site to no less than 90% of the basic requirement when all of following conditions are met:

- (a) The request for reduction in parking shall show that the reduction is justified on the basis of characteristics unique to the specific proposed use of the property in contrast to the characteristics of other uses within the same category.
- (b) Adequate land area for meeting the basic parking requirement is located on and designed for the site whether at grade or in parking decks. The unconstructed portion of the parking shall be clearly delineated and labeled "Future Parking" on the site plan.

Sec. 603 Shared Parking.

- (c) Prior to granting the reduction in total parking spaces constructed, the CDRA Director shall conclude that the reduction is justified, and shall approve, in whole or in part, or deny the request stating the reasons therefore in the report.
- (d) If the CDRA Director finds that the parking reduction is no longer justified, the Director shall notify the owner to construct the number of parking spaces necessary to meet the required level.
- (e) Prior to any change in ownership or use, the owner must apply to the CDRA Director for an evaluation and confirmation of the reduction.

602.04 Electric Vehicle Parking Required.

- (a) New commercial, mixed use, multi-family, and industrial developments which exceed nine off-street parking spaces shall provide dedicated parking spaces for electric vehicles as follows:
 - (1) At least one parking space for electric vehicles shall be provided in parking lots having 10-25 parking spaces; and
 - (2) At least one parking space for electric vehicles shall be provided for each additional 25 parking spaces.
- (b) Commercial, mixed use, multi-family, and industrial redevelopments which exceed nine off-street parking spaces shall provide dedicated parking spaces for electric vehicles spaces in accordance with the requirements under subsection (a) above. Compliance with this subsection (b) is required for redevelopment projects where site work and/or repaving of existing parking areas and driveways (greater than nine parking spaces) exceeds 50% of the existing impervious surface area.
- (c) Electric vehicle parking spaces may be counted toward satisfying minimum off-street parking space requirements of Table 6-1 Minimum Off-Street Parking Spaces Required by Principal Use.
- (d) See Sec. 605.05 below for electric vehicle parking space design requirements.

Sec. 603. Shared Parking.

The conditions of zoning or Administrative Permit, as applicable and as described in this Section, establish the limits of shared parking requirements among uses and properties, and the City shall not require any contractual relationship among property owners.

603.01 Approval with Rezoning.

The standards for shared parking in this Section may be utilized for any of the combinations of uses shown under Sec. 603.03 below on any number of mixed-use or multi-tenant properties when approval is reflected in the conditions of zoning for each such property.

603.02 Approval with Administrative Permit.

- (a) Provisions are provided for shared parking requirements in Article 3 to address with an Administrative Permit those circumstances where shared parking was not approved concurrently with the rezoning.
- (b) An Administrative Permit for locating required parking off-site may also be considered in accordance with the provisions of Article 3.

603.03 Shared Parking Calculations.

- (a) The standards for determining shared parking requirements are:
 - (1) Determine the minimum amount of parking required for each separate use.

Sec. 604 Off-Site Parking.

- (2) Multiply each parking requirement by the corresponding percentage for each of the time periods given below.
- (3) Calculate the column total parking requirement for each time period.
- (4) The largest column total is the shared parking requirement.

Use	Weekdays		Weekends		Nighttime
	6am—5pm	5pm—1am	6am—5pm	5pm—1am	1am—6am
Office	100%	10%	10%	5%	5%
Retail	60%	90%	100%	70%	5%
Hotel	75%	100%	75%	100%	75%
Restaurant	50%	100%	100%	100%	10%
Entertainment/ Recreational	40%	100%	80%	100%	10%
Place of Worship	50%	50%	100%	100%	10%

(b) Example.

- (1) Properties proposed for individual uses would require the following number of parking spaces:
 - a. Office = 300 spaces
 - b. Retail = 280 spaces
 - c. Entertainment = 100 spaces
 - d. Total = 680 spaces
- (2) Properties proposed for multiple uses under the provisions for shared parking would require the following number of parking spaces:

Use	Weekdays		Weekends		Nighttime
	6am—5pm	5pm—1am	6am—5pm	5pm—1am	1am—6am
Office	300	30		15	--
Retail	168	252	280	196	14
Hotel	--	--	--	--	--
Restaurant	--	--	--	--	--
Entertainment/ Recreational	40	100	80	100	10
Place of Worship	--	--	--	--	--
Total	508	382	390	311	39

- (3) Thus, 508 spaces would be needed for this development, a reduction of 172 spaces or 25%.

Sec. 604. Off-Site Parking.

See Sec. 603.02(b) above.

Sec. 605. Off-Street Parking Design Requirements.

605.01 Angled or Parallel Parking.

- (a) Aisles serving off-street parking shall be no fewer than 22 feet in width, except that aisles designed for one-way circulation systems shall be no fewer than 14 feet in width for zero-to-45-degree parking, 18 feet in width for 46-to-60-degree parking and 22 feet in width for 61-to-90-degree parking.
- (b) A standard parking space shall measure no fewer than 153 square feet and shall be no fewer than 8.5 feet wide.
- (c) Twenty percent of the total parking spaces may be designated as compact car spaces. A compact space shall measure a minimum of 120 square feet with a minimum width of 8 feet. Each compact space shall be clearly marked.
- (d) No part of a vehicle shall overhang into a landscaped portion of a required landscape area.

605.02 Handicapped Parking.

Parking spaces designed for handicap persons shall be provided in accordance with Georgia and Federal law.

605.03 Landscaped Islands.

Landscaped islands shall be provided throughout parking lots in accordance with the requirements of Article 4 of this Ordinance.

605.04 Shared Driveways.

Driveways may be shared in all districts.

605.05 Electric Vehicle Parking Design.

- (a) Electric vehicle parking spaces shall be delineated by green parking lot markings and shall be maintained at the lot owner's expense.
- (b) The following requirements shall apply to electric vehicle parking spaces that have a charging station:
 - (1) One sign for each electric vehicle parking space shall be erected and maintained at the lot owner's expense. The sign shall be designed in accordance with United States Department of Transportation, Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD) for electric vehicle charging stations to ensure parking in the space is limited to electric vehicles that are being charged.
 - (2) Electrical vehicle supply equipment (EVSE) shall be designed and located so as to not impede pedestrian, bicycle or wheelchair movement or create trip or other safety hazards.
 - (3) Wheel stops, bollards, or similar devices shall be installed to separate vehicles from EVSE.
 - (4) The installation of EVSE should not reduce the electric vehicle charging station's length to below the size and standards required under Section 605.01.
 - (5) Installation of EVSE shall meet National Electric Code requirements.
 - (6) Electrical vehicle supply equipment shall be maintained in all respects, including the functioning of the equipment.

Sec. 606. Acceptable Locations for Off-Street Parking by Zoning District.

Note: The minimums required in this Section may be less than the requirements necessary to accommodate a landscape area or buffer requirement of Article 4.

606.01 Single-Family Districts.

- (a) Within single-family dwelling districts and the AG-1 zoning district when utilized for a single-family dwelling, the parking or storage of vehicles shall be prohibited except on parking spaces as defined in this Ordinance.
 - (1) Off-site location of required parking spaces is prohibited.
 - (2) Unenclosed parking spaces may occupy a side yard, and no more than 50% of a required rear yard.
 - (3) A maximum of two spaces may be allowed adjoining the entrance to a front entry garage or carport, or adjoining the end of a driveway whenever no garage or carport exists.
 - (4) Garage and carport spaces may count toward the minimum required spaces in single-family districts, with the exception that no more than two such spaces may offset the minimum parking requirements in a single-family residential zoning district.
- (b) Within the AG-1 zoning district and single-family residential zoning districts when utilized for other than a single-family dwelling, the parking or storage of vehicles shall be located in accordance with the O-I District requirements stated in Sec. 606.05 below.

606.02 TR, Townhouse Residential District.

- (a) Individually subdivided parcels shall adhere to single-family district standards except that no off-street parking or driveways shall be located within 10 feet of any perimeter lot line.
- (b) Garage carport spaces count toward the minimum required spaces in the TR District.

606.03 A, Apartment Dwelling District.

- (a) No off-street parking shall be allowed within the required setback for the front yard and the side corner yard.
- (b) Driveways shall not be located nearer than 10 feet to any side or rear property line.
- (c) No off-street parking space shall be located within 25 feet of any side or rear property line adjacent to a single-family dwelling district or use, nor within 10 feet of any other property line.
- (d) TR District requirements shall apply to single family detached units constructed within the A District.

606.04 A-L, Apartment Limited Dwelling District.

- (a) No off-street parking shall be allowed within the required setback for the front yard and the side corner yard.
- (b) Driveways shall not be located nearer than 10 feet to any side or rear property line.
- (c) No off-street parking space shall be located within 25 feet of any side or rear property line adjacent to a single-family dwelling district or use, nor within 10 feet of any other property line.

Sec. 607 Prohibited Off-Street Parking and Storage.

606.05 O-I, Office/Institutional Districts.

- (a) No off-street parking shall be allowed within the required setback for the front yard and the side corner yard.
- (b) No off-street parking shall be allowed within 25 feet of any property line which adjoins a single-family residential district or use.
- (c) Off-street loading areas shall be provided in the rear or interior side yards.

606.06 C-1 and C-2, Commercial Districts.

- (a) The off-street parking location regulations for dwellings, schools, institutions and similar uses are the same as for those uses in the A District.
- (b) Uses allowed in commercial districts other than those devoted to dwellings, schools, institutions, and similar uses shall provide no off-street parking within 25 feet of any property line that adjoins a residential district or use.
- (c) Off-street loading areas shall be provided in the rear or interior side yards. Minimums required in this subsection may be less than the requirements necessary to accommodate a landscape area or buffer required in Article 4.

606.07 M-1 and M-2, Industrial Districts.

- (a) The off-street parking location regulations for dwellings, schools, institutions and similar uses are the same as for those uses in the A District.
- (b) Uses devoted to manufacturing, warehousing, commercial and other uses allowed in industrial districts shall provide no off-street parking within 25 feet of any property line which adjoins a residential use or district.

Sec. 607. Prohibited Off-Street Parking and Storage.

607.01 Residential and Agricultural Zoning Districts.

- (a) The visible storage or parking of more than four vehicles at a single-family residence shall be unlawful.
- (b) Parking or storage of a junk or salvage vehicle shall constitute an unlawful use except that no more than two such vehicles shall be allowed if parked or stored in a garage or carport not visible from a street or adjacent residential property, or as regulated by the International Property Maintenance Code if said code is more restrictive.
- (c) Except for trucks used in farming the property on which they are located, or trucks used in conjunction with an allowed use, commercial trucks and heavy vehicles (including medium- and heavy-duty trucks, semi-trucks, tractor trail flatbed trucks, tow trucks, box trucks, and delivery trucks and vans) and/or trailers shall not be stored or parked in any agricultural or residential zoning district unless engaged in moving household goods or making deliveries.
- (d) Other specialized vehicles such as recreational vehicles, campers, buses (including school buses), trailers, mobile home coaches, boats, boat trailers, and limousines used for commercial purposes may be parked or stored in all residential districts under the following conditions:
 - (1) Such vehicles are not used as living quarters.
 - (2) The location of the parking or storage area shall be in the buildable area of the lot and shall not be in front of the principal structure.

Sec. 608 Off-Street Loading.

607.02 Non-Residential Zoning Districts.

- (a) The storage of merchandise or materials, or the repair of motor vehicles, or any kind of equipment, except for the temporary storage of construction material and equipment while work is taking place on the structure where the off-street parking is located and in accordance with the requirements for temporary structures in Article 3, is prohibited in all off-street parking spaces, including required and non-required spaces.
- (b) Vehicles at automotive repair and specialty shops must be serviced and stored within the footprint of the building or at the rear of the structure but outside of any minimum yard. Vehicles must be totally screened from all property lines by a 100% opaque fence or wall together with landscape strips and buffers as specified in Article 4.
- (c) Every business that stores vehicles owned by the business on site overnight (such as a company fleet), or maintains a stock of vehicles as part of its business activities (such as a car sales lot, car rental agency, etc.), shall provide for adequate parking or storage for the vehicles such that no parking occurs in a public right-of-way or in an area that has not been improved as a parking lot or storage yard. Such parking spaces shall be in addition to those required for employees and customers.

607.03 All Zoning Districts.

Specialized vehicles such as earth moving equipment, tractors or other heavy construction vehicles are only to be parked or stored in residential, agricultural, and non-residential zoning districts except M-1 and M-2 industrial zoning districts during construction under an active building permit and/or land disturbance permit.

Sec. 608. Off-Street Loading.

608.01 Loading Spaces Required.

Off-street loading spaces shall be provided as follows:

Type of Use	Gross Floor Area (square feet)	Loading Spaces Required
Single retail establishment services	0 to 19,999	None
	20,000 to 49,999	One
	50,000 to 250,000	Two
	Over 250,000	Three
Shopping centers	0 to 19,999	None
	20,000 to 49,999	One
	50,000 to 100,000	Two
	Each additional 100,000	One
Office buildings, apartment building over four stories, hospitals, health care establishments, hotels and motels	0 to 999,999	None
	1,000,000 to 2,000,000	One
	More than 2,000,000	Two
Manufacturing, warehousing, wholesaling, etc.	Up to 14,999	One
	15,000 to 39,999	Two
	40,000 to 65,000	Three
	Each additional 80,000	One
Recycling centers		2 loading spaces measuring no less than 12 feet by 35 feet and having 14 feet of vertical clearance

608.02 Design and Arrangement of Off-Street Loading Areas.

The following standards shall apply to off-street loading areas:

- (a) A loading space shall measure no less than 12 feet by 35 feet and have 14 feet of vertical clearance.
- (b) For any use required to furnish three or more loading spaces, at least one in every three shall measure no less than 12 feet by 55 feet.
- (c) Maneuvering space shall not include required parking spaces or any portion of a public right-of-way.

608.03 Off-Street Loading Location Limitations.

Off-street loading spaces and maneuvering areas shall be located only in those portions of a lot where off-street parking areas are allowed with the following additional limitations:

- (a) Industrial zoning districts: If the loading and maneuvering areas are across from, or adjacent to, any nonindustrial zoning district, a 50-foot landscaped strip shall be established, behind which the maneuvering and berth space may be located.
- (b) Nonindustrial zoning districts: In the event that spaces and maneuvering areas are to be located in a yard adjacent to any established residential use, a 50-foot landscaped strip shall be established behind which the berths and maneuvering spaces may be located.

Article 7. Sign Regulations

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Article 7. Sign Regulations

Sec. 701. Findings, Purpose and Intent.

701.01 Statement of Legislative Purpose.

- (a) The City Council recognizes that signs provide an important medium through which individuals, businesses, and government may convey a variety of messages. However, left unregulated, signs can become a threat to the public health and safety as a traffic hazard, as a detriment to property values, and as an aesthetic nuisance affecting the overall economic growth of the City of South Fulton. Numerous professional studies have been prepared that examine and establish the effect of signs on traffic safety, aesthetics and economic prosperity, including the following:
- (1) Klauer, S.G., T.A. Dingus, V.L. Neale, J.D. Sudweeks, D.J. Ramsey. "The Impact of Driver Inattention on Near-Crash/Crash Risk: An Analysis Using the 100-Car Naturalistic Driving Study Data." National Highway Traffic Safety Administration. DOT HS 810 594. April 2006.
 - (2) Snyder, Jonathan, Samuel S. Fels Fund. "Beyond Aesthetics: How Billboards Affect Economic Prosperity." December 2011.
 - (3) Wachtel, J., 2009. "Safety Impacts of the Emerging Digital Display Technologies for Outdoor Advertising Signs." Prepared for AASHTO and the Standing Committee on Re-search of the National Cooperative Highway Research Program (NCHRP), April 2009. The Veridian Group, Inc., Berkeley, California.
 - (4) Weitz, Jerry, Ph.D.,AICP. "The Public Purpose of Roswell's Sign Ordinance and the Implications of Doing Without It: A Position Paper." December 7, 1999.
- (b) Based on a review of the cited materials and the studies referenced therein as well as other related studies, the City Council find that unregulated signs:
- (1) Can be a safety hazard to drivers and pedestrians;
 - (2) Can be a detriment to the public health;
 - (3) Can hamper economic growth;
 - (4) Can lower property values;
 - (5) Can adversely impact public investments;
 - (6) Can degrade the utility of public safety signs; and
 - (7) Can adversely impact the aesthetic quality of the community and surrounding environment.

701.02 Findings of Fact.

The City Council finds that:

- (a) Signs are a proper use of private property, are a means of personal free expression and a necessary component of a commercial environment. As such, signs are entitled to the protection of the law. In the absence of regulation, however, the number of such signs tends to proliferate, with property owners' desiring ever increasing numbers and sizes of signs, leading to cluttered and aesthetically blighted thoroughfares. In addition, the competition among competing sign owners for visibility of their signs contributes to safety hazards for both vehicles and pedestrians and undermines the

Sec. 702 Definitions.

sign owners' original purpose of presenting a clear message of its idea or identification of its premises.

- (b) The City further finds that the regulation of the size, height, number and spacing of signs is necessary to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the City, to protect the public investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically appealing environment, and to provide for the orderly and reasonable display of signs for the benefit of all the City's citizens.

701.03 Purpose and Intent.

The purpose and intent of these sign regulations are:

- (a) To protect the rights of individuals and businesses to convey their messages through signs;
- (b) To encourage the effective use of signs as a means of communication;
- (c) To promote economic development;
- (d) To improve traffic and pedestrian safety as it may be affected by distracting signs;
- (e) To prevent the destruction of the natural beauty and environment of the City;
- (f) To protect the public health, safety, and general welfare;
- (g) To restrict the continued existence of abandoned or nonconforming signs unless in compliance with the terms of this Article and to eliminate, over time, all nonconforming signs;
- (h) To ensure the fair and consistent enforcement of sign standards; and
- (i) To make it easy, quick and economically efficient to apply for a sign permit.

701.04 Intent in Interpretation.

- (a) In interpreting the provisions of this Article, nothing shall be construed as intent to regulate the content of the message displayed on any sign except to address a compelling public safety concern or to comply with state law.
- (b) It is the intent of this Article to regulate only the number, type, size, height, timing, appearance, construction materials, location and portability of signs to accomplish the purposes set forth in 701.03 above, except as otherwise provided herein.

Sec. 702. Definitions.

Definitions related to signs, as used in this Article, are provided in this Section.

- (a) Abandoned sign. Any sign that is located on property which becomes vacant and /or unoccupied or a sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, or unkempt, and for which no person accepts maintenance responsibility.
- (b) Animated sign. Any sign that has moving parts or includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including signs using electronic ink, signs set in motion by movement of the atmosphere, or made up of a series of sections that turn, including any type of screen using animated or scrolling displays such as an LED (Light Emitting Diode) screen or any other type of video display, even if the message is stationary..

Sec. 702 Definitions.

- (c) Audible sign. Any sign which emits an audible sound or emits a signal that can be converted into audible sounds, whether by radio or other means.
- (d) Awning/canopy sign. Any sign that is a part of, or attached to, an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
- (e) Banner. A sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, vinyl, plastic or fabric that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.
- (f) Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.
- (g) Billboard. A sign with an area of more than 72 square feet but not more than 672 square feet.
- (h) Changeable copy sign. An animated sign that incorporates changing lettering or images to form a message or messages, whether such changes are accomplished electronically or manually.
 - (1) Manual changeable copy sign. Any sign that has a reader board format serving as background for letters/messages that are manually changeable.
 - (2) Electronic changeable copy sign. Any sign that uses changing lights or other methods to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.
- (i) Fall zone. An area equal to 133% of the height of the structure in every direction.
- (j) Flag. Any fabric or bunting containing colors, patterns, or symbols used as a symbol of a government or other entity or organization.
- (k) Feather Flag Sign - A free-standing temporary sign typically constructed of a single plastic or metal shaft driven in the ground with an attached pennant that is vertically elongated and attached to the shaft. A feather flag sign is a type of animated sign.
- (l) Flashing sign. An animated sign, the illumination of which is not kept constant in intensity at all times when in use and which exhibits marked changes in lighting effects.
- (m) Freestanding sign. A permanently affixed sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
- (n) Illuminated sign, external. A sign illuminated by an external light source. Such source cannot be a device that changes color, flashes or alternates.
- (o) Illuminated sign, internal. A sign illuminated by an internal light source. Such source cannot be a device that changes color, flashes, or alternates.
- (p) Incidental door sign. A small sign, emblem or decal no larger than 1 square foot in area that is located on a door and is generally not readily visible or legible from public rights-of-way.
- (q) Internal development signs. Free-standing signs not visible from a public right-of-way and located adjacent to internal road(s) serving a development.

Sec. 702 Definitions.

- (r) LED sign. Any sign or portion thereof that uses light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind, whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro polymer (OEL), or any other similar technology. An LED sign is considered to be a form of electronic changeable copy sign.
- (s) Marquee. Any permanent canopy structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.
- (t) Marquee sign. Any sign attached flat against or upon a permanent marquee of a building.
- (u) Pennant, streamer. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.
- (v) Permanent sign. Any sign which, when installed, is intended for permanent use. A permanent freestanding sign shall be of a type and construction as not to be easily or readily removed from the lot on which it has been erected.
- (w) Portable sign. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs mounted upon a trailer, bench, wheeled carrier or other non-motorized mobile structure with or without wheels; signs converted T- frames; sandwich board, A-frame, and sidewalk signs; balloons; umbrellas; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.
- (x) Project entrance sign. A permanent freestanding sign located at an entrance designed and permitted for vehicular access into a multi-family development, or into a development containing multiple lots, such as but not limited to a particular single-family residential subdivision, a townhouse subdivision, or a commercial subdivision such as an office park or industrial park.
- (y) Projecting sign. Any sign which is suspended or projected from the wall, eave, or soffit of the building in such a manner that its leading edge extends more than six 6 inches beyond the surface of such building or wall.
- (z) Public sign. Any sign erected by a governmental entity.
- (aa) Principal sign. The main, most prominent or largest freestanding or building sign on a property's street frontage or principal building, other than a project entrance sign as defined in this Article. Such signs are of permanent construction and not placed as temporary signage.
- (bb) Roof sign. Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.
- (cc) Sandwich board, sidewalk and A-frame signs. A portable sign the support structure of which is not imbedded in the ground. Such signs are constructed in such a manner that they stand on their own but are not permanently installed. This includes a sign displayed on an easel.

Sec. 703 Permit Required.

- (dd) Sign face. That part of a sign that is or can be used for advertising purposes.
- (ee) Sign. Any structure, device, object, design or display that is used or intended to be used to attract the attention of or to convey information to the public, and that is placed in such a way, whether out of doors or inside or near a window, as to be in the view of the general public from the exterior of any building on the property.
- (ff) Small temporary sign. A sign with an area of not greater than 4 square feet, with a sign face made for short-term use (90 days or less), containing no reflecting elements, flags, or projections and which, when erect, stands at a height not greater than 3 feet and is mounted on a stake or metal frame with a thickness or diameter not greater than 1½ inches.
- (gg) Temporary sign. Any sign that is not permanently mounted.
- (hh) Vehicular sign. Any sign placed, mounted, painted on or affixed to a motor vehicle or to a freight, flat-bed or storage trailer or other conveyance, whether motorized or drawn, that is parked in such a manner as to be viewed or intended to be viewed from a public right-of-way and is not being used in the normal course of business for which the vehicle is intended.
- (ii) Wall sign. Any sign attached parallel to a wall, painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one sign surface.
- (jj) Window sign. Any sign that is applied, painted or placed on, behind or inside a window or upon the windowpanes or glass, and intended to be viewed from outside the building.

Sec. 703. Permit Required.

703.01 Procedures.

- (a) Except where specifically not required by the standards of this Article, it shall be unlawful for any person to post, display, materially change, or erect a permanent or temporary sign in the city without first having obtained a sign permit. Notwithstanding the foregoing, signs which are not visible from a public right-of-way, private drive, or from neighboring properties shall not be subject to the standards of this Article.
- (b) Applications for sign permits required by this Article shall be filed in the Community Development and Regulatory Affairs Department upon forms furnished by that office.
- (c) No sign permit shall be issued until the appropriate application has been filed with the Community Development and Regulatory Affairs Department and fees, as set from time to time by resolution of the City Council, have been paid.
- (d) All applicants for signs that incorporate electricity must also obtain an electrical permit.

703.02 Compliance with Zoning Overlay District Requirements.

The applicant shall comply with any additional or varied standards that may apply in the City's overlay districts. See Article 5.

703.03 Application Review Process.

- (a) Processing time.
 - (1) Permanent Signs.

Sec. 703 Permit Required.

- a. The Community Development and Regulatory Affairs Department shall process all complete and accurate sign permit applications within 30 business days of the Department's actual receipt of a complete and accurate application and upon remittance of the appropriate sign permit fee.
 - b. The Community Development and Regulatory Affairs Director shall give notice to the applicant of his/her decision by hand delivery, electronic communication (email), or by mailing such notice by certified mail, return receipt requested, to the address on the permit application on or before the 30th business day.
- (2) Temporary Signs.
- a. The City Community Development and Regulatory Affairs Department shall process all complete and accurate sign permit applications within 10 business days of the Department's actual receipt of a complete and accurate application and upon remittance of the appropriate sign permit fee.
 - b. The Community Development and Regulatory Affairs Director shall give notice to the applicant of his/her decision by hand delivery, electronic communication (email), or by mailing such notice by certified mail, return receipt requested, to the address on the permit application on or before the 10th business day.
- (b) Decision and Notice.
- (1) Any application meeting the standards of this Article shall be granted.
 - (2) Any application not meeting the standards of this Article, or that contains false material statements or omissions, shall be denied. If the decision of the CDRA Director is to deny the application, the decision shall state in writing the grounds upon which the denial is based.
 - (3) Failure of the CDRA Department to act within the 30-day period for a permanent sign or within the 10-day period for a temporary sign shall be deemed an approval of the permit. In the case of a permit which would have been issued in error, a de facto out of time approval shall not vest the sign owner with any rights simply due to the permit being granted due to the City's failure to timely act.
 - (4) If notice is mailed in conformity with this section, notice shall be deemed to have been given upon the date of mailing.
- (c) Resubmission.
- A rejected application later resubmitted in conformity with this Article shall be deemed to have been submitted on the date of resubmission, instead of the original submission date. An application which is resubmitted shall meet all the standards for an original application.

703.04 Identification Labels; Inspection.

(a) Identification labels.

With each sign permit, the CDRA Director shall issue a sticker bearing a number sufficient to reference a valid permit for which the permit is issued. It shall be the duty of the permittee or his agent to affix such sticker to the sign in the lower right-hand area so it is easily seen. The absence of a proper sticker shall be prima facie evidence that the sign has been, or is being, erected or operated in violation of the standards of this Article.

Sec. 704 Signs Which Require No Permit.

(b) Inspection.

The CDRA Director or his/her designee shall inspect all existing signs in the city to determine if such signs conform to the standards of this Article. Identification stickers shall be provided for all signs in order to identify existing conforming and nonconforming signs.

703.05 Expiration Date.

- (a) A sign permit shall become null and void if the sign for which the permit was issued has not been installed and completed within 3 months after the date of issuance; provided, however, that where an applicant can demonstrate that an entity was timely engaged to construct the permitted sign, but the fabrication has not yet been completed, one 90-day extension may be granted by the CDRA Director.
- (b) No refunds shall be made for a permit after the permit is issued unless issued in error.
- (c) If later an individual desires to erect a sign at the same location, a new application for the sign must be processed and another fee paid in accordance with the fee schedule applicable at such time.

703.06 Permit Revocation.

- (a) Should it be determined that a sign permit was issued pursuant to an application containing a false material statement or omission, the CDRA Director shall revoke said permit and the subject sign shall be immediately removed.
- (b) The permit for any sign not meeting the standards of this Article shall be revoked.

703.07 Appeal from Decisions.

A sign permit rejection, denial, or revocation pursuant to this Section shall be appealable pursuant to the procedures for appeals from an administrative decision as outlined in Article 8.

703.08 Variance.

The Zoning Board of Appeals shall be allowed to grant variances where a hardship has been demonstrated pursuant to the procedures in Article 8. Said variance or variances may only be granted as to number, set back, building material, height, and size or sign style.

Sec. 704. Signs Which Require No Permit.

The following shall not count toward the total amount of signage allowed and no permit is required so long as all standards in this Article are met, including those set forth below:

- (a) Property address numerals, not to exceed 8 inches in height or as required by the applicable building code, are required by the City and are considered "official governmental signs" and are exempt.
- (b) Flags.
- (c) Not more than one incidental door sign.
- (d) Small temporary signs in all districts.
- (e) Temporary signs during building construction.

Sec. 705. Prohibited Signs.

The following types of signs are prohibited:

- (a) All signs, other than legal non-conforming signs, which are not in compliance with this Article are prohibited and illegal and shall not be erected or maintained.
- (b) Any sign placed or erected on a property without the permission of the property owner.
- (c) Balloons, streamers or air or gas filled figures.
- (d) String lights: Signs consisting in whole or in part of a series, line, or row of lights, whether supported by cables or other physical means, within 150 feet of a street right-of-way and visible there from. Notwithstanding the foregoing, holiday lights and decorations displayed not more than 30 days before or after a calendar holiday on property by the owner or with the owner's permission shall be exempted from this Section.
- (e) Promotional beacons, search lights or laser lights or images.
- (f) Audible signs.
- (g) Signs in a public right-of-way, other than official City signs or those belonging to a government, public service agency, or railroad.
- (h) Signs mounted or located on a tree, utility or light pole, retaining wall, fence, rock, or other similar structure.
- (i) Roof signs and signs which extend vertically above any portion of a roof or parapet of the applicable wall. Exception: Signs that are painted on, or otherwise attached flat, to a flat roof structure so as to not be visible from ground level and do not extend vertically from the roof structure more than 24 inches, do not add load to the roof structure and allow access to all roof areas shall be permitted. Flat roof signs shall not be illuminated animated or contain mechanical movements. There is no maximum square footage limit to the sign area.
- (j) Portable signs.
- (k) Signs which depict obscene material as defined by local or state law.
- (l) Signs not in good repair, in violation of codes, or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures, or missing letters.
- (m) Abandoned signs.
- (n) Animated signs, with the exception of electronic changeable copy signs and feather flag signs as may be regulated by this Article.
- (o) Flashing signs.
- (p) Changeable copy signs which change more than once per 24 hours within 150 feet of a road right-of-way.
- (q) Signs that are a threat to public safety are not allowed, such as:
 - (1) Signs containing or imitating an official traffic sign or signal or contain the words "stop," "go," "slow," "caution," "warning," "danger," or similar words in such a manner as to resemble official traffic control signs.
 - (2) Signs that display intermittent or blinking lights resembling the flashing lights customarily used in traffic signals or on police, fire, ambulance or rescue vehicles.

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- (3) Signs located so as to obscure, or otherwise interfere with the effectiveness of any official traffic sign, signal or device.
- (4) Signs located so as to obscure, or otherwise interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic.
- (r) Signs which are erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape.
- (s) Vehicular signs.

Sec. 706. General Requirements Applying to Signs.

706.01 Sign Location.

- (a) No sign or any part thereof, except authorized traffic signs, shall be located in any government right-of-way.
- (b) No sign may be located any closer than 20 feet to an intersection as measured from the intersection of the two rights-of-way.
- (c) Setback.
 - (1) Unless a more restrictive setback is specified in conditions of zoning or otherwise in this Article, all signs shall set back at least 10 feet from the right-of-way or 20 feet from the edge of pavement if a private street.
 - (2) No sign shall project over the right-of-way, except that small temporary signs shall be allowed to be placed on private property up to the edge of the publicly dedicated right-of-way or 10 feet off the edge of pavement on a private road with no dedicated right-of-way.
 - (3) Freestanding signs shall be a minimum of 25 feet from an intersection as measured from the intersection of the two rights-of-way and shall be a minimum of 35 feet from any other freestanding signs.

706.02 Measurement of Sign Area.

- (a) Area.
 - (1) The area of a sign shall be computed as the area within the smallest continuous polygon comprised of not more than eight straight lines enclosing the limits of a sign face, together with any sign face cabinet or frame or material, texture, or color forming an integral part of the sign face used to differentiate the sign face from the structure upon which it is placed.
 - (2) If polygons established around wall signs located on the same street-oriented wall are within 24 inches or less of one another, then the area of the sign shall be measured within one continuous polygon.
 - (3) The computation of the area of a sign face shall not include the structure, supports, or uprights on which the sign face is placed, other than those parts contained within the polygon that delineates the sign face.
- (b) Changeable copy signs.

For manual or electronic changeable copy signs, the sign face area shall include the entire area within which any words, letters, figures, symbols, logos, fixtures, colors, or other design elements may be placed, together with any frame or material, texture or coloring forming the integral part of the sign face or used to differentiate the sign face from the structure upon which it is placed.

(c) Multi-faced signs.

For multi-faced signs, when the sign face surfaces are parallel and are back to back, or where the interior angle formed by the faces is 45 degrees or less, the area of the sign shall be taken as the areas on the largest side. For all other multi-faced signs, the area of the sign shall be the total area on all sides that can be viewed at one time from any angle.

706.03 Measurement of Sign Height.

- (a) The height of a sign shall be computed as the distance from the base of the sign structure at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:
- (1) existing grade prior to construction or
 - (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.
- (b) In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoned lot, whichever is greater (surveyor's certificate required).
- (c) Where the normal grade is below the normal grade of a public street, the sign base can be raised to the elevation of the normal grade of the street before the height limitations are applied (surveyor's certificate required). At no time shall any sign's overall height exceed the zoning district's height limitations.

706.04 Construction Standards.

(a) Building and safety codes.

All signs permitted under this Article shall be constructed and maintained in accordance with the applicable City building and safety codes. The City may remove, after due notice, any sign which shows neglect or becomes dilapidated.

(b) Sign faces.

- (1) The face of sign shall be flat, with protrusions of no more than 2 inches to allow for the texture of the sign and words, letters, figures, symbols, logos, fixtures, colors, or other design elements.
- (2) No sign shall be constructed so as to have nails, tacks, or wires protruding there from.

(c) Illumination.

- (1) Signs, when illumination is permitted and except as otherwise set forth, may be illuminated internally or externally.
- (2) Freestanding signs with external illumination shall have light directed downward.
- (3) Externally illuminated signs shall not exceed 55 foot-candles.
- (4) Electronic changeable copy signs.

Electronic changeable copy signs, as defined in this Article, regardless of the technology employed, must conform to the following standards:

- a. All electronic changeable copy signs viewable from a public street or sidewalk shall present only static displays (still pictures and printing). Such

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signs not viewable from a public street or sidewalk may display movies, animation or video containing motion.

- b. Each static image shall be maintained for a duration of at least 10 seconds. The change time between each static image shall be perceived as instantaneous within the capability of the technology employed (generally about 1/10th of a second).
 - c. For signs viewable from a public street or sidewalk, no flashing, scrolling, or other variation in the static image that gives an illusion of movement or variation in light intensity during the display of a single image is allowed.
 - d. LED signs. In addition to all other requirements of this Article, LED signs must comply with the following:
 1. All such signs shall be “tri-color” signs or better, in which each pixel consists of a group of at least one red, green and blue LED or similar light emitting device.
 2. Maximum distances between pixels shall be as follows for freestanding signs (including billboards): no more than 16 mm between pixels, measured center-to-center both horizontally and vertically.
 3. All such signs shall be certified by a Nationally Recognized Testing Laboratory (NRTL) recognized by the US Occupational Safety & Health Administration (OSHA) in accordance with 29 C.F.R. 1910.7.
 - e. Maximum brightness.
 1. The sign must employ a light sensing device that adjusts the brightness as ambient light conditions change.
 2. The sign shall not operate at a brightness level of more than 0.30 foot candles above ambient light levels measured at 100 feet from the sign (150 feet for sign faces greater than 100 square feet in area), as certified under paragraph (6) below.
- (5) A fail-safe device shall be installed that, in the event of a failure of the light sensing device, drops the brightness level to the lowest night-time level allowed, regardless of the time of day.
 - (6) As part of an application for a sign permit, the sign owner must provide the City with a written statement from the installer that the sign will comply with the City’s brightness requirements and all other requirements of this Section and shall certify to such compliance within 30 days after installation of the sign.
 - (7) Operation of an electronic changeable copy sign in violation of any provision of this Section, including overriding the sign’s light-sensing or fail-safe devices, may result in the disconnection of the electrical power supply to the sign at the owner’s expense, under the procedures of this Article.
- (d) Landscaping.

Landscaping, weeds, and grass shall be kept cut in front of, behind, underneath, and around the base of freestanding signs.
 - (e) Materials and color.
 - (1) Freestanding sign structure/base materials shall match the principal building material.

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- (2) Any architectural color standards of an applicable overlay district apply only to the sign structure not to the sign face.

706.05 Standards for Wall Signs.

- (a) Wall signs may be allowed to extend up to 15 inches from any wall, building or structure when a raceway is utilized. Raceways shall be painted to match the color of the exterior walls to which they are attached.
- (b) Wall signs shall not cover architectural features or details, and not extend beyond the horizontal roof line or vertical edges of the building.
- (c) Except for principal anchor stores, wall signs shall be uniform in alignment and height in developments in which multiple businesses share a building.

706.06 Additional Standards for Temporary Signs.

In addition to applicable requirements in this Section 706 and Article, the following apply to specific temporary signs:

- (1) Temporary signs shall not be internally illuminated.
- (2) The allowed duration of temporary sign placement, including banners, is indicated in the tables under Sec. 707, with the exception that political signs are not subject to time limits in accordance with O.C.G.A § 16-7-58.
- (3) Banners.
No banner shall be mounted so as to extend above the horizontal plane of the roof where the building wall and roof meet or shall not extend more than 5 feet above grade when on the ground.
- (4) Feather flag signs.
Feather flag signs must be located outside of the public right-of-way and any clear vision triangle.

706.07 Standards for Billboards.

Billboards shall be located according to the following standards:

- (a) Along, and oriented toward, state numbered primary routes or national highways only;
- (b) At least 500 feet from all residential or AG-1 zoning districts;
- (c) Minimum 100-foot setback from right-of-way;
- (d) Minimum of 1,500 feet from any other billboards;
- (e) The lot on which the billboard is located shall have sufficient area to accommodate the fall zone, and excepting the sign, no buildings, structures, or appurtenances shall be contained in the fall zone;
- (f) Be in compliance with applicable height standards for the district in which located; and
- (g) Conform to state law.

Any billboard located or to be located within 660 feet of the nearest edge of the right-of-way of a U.S. or State-numbered highway, or located or to be located beyond 660 feet of such highway but visible and intended to be read from such highway, must comply with the following:

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- (1) Such sign shall comply with all applicable requirements of the Georgia Outdoor Advertising Act, O.C.G.A. 32-6-70 et seq.
- (2) In the case of a conflict between the Georgia Outdoor Advertising Act and this Article, the billboard must comply with the most restrictive requirements with respect to each and every item of regulation.
- (3) A permit issued by the State of Georgia for the billboard is required as a prerequisite for issuance of a building permit by the City.

706.08 Language and Legibility.

- (a) Every principal freestanding sign, or wall or window sign if there is no freestanding sign, shall contain the street number of a size equivalent to the predominant size of the letters and numbers on the sign.
- (b) Nothing in this section shall prohibit information on the sign from being written in a language other than English, provided that an English translation of the sign is included with the application for a sign permit.

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If not otherwise stated, any sign not specifically allowed in a zoning district as provided under this Section shall be prohibited in that district, except as otherwise provided for under this Article. The following standards govern signs within specific zoning districts.

707.01 Residential Zoning Districts.

See Table 7-1 Allowed Signs in Agricultural and Residential Zoning Districts for requirements.

Sec. 707 Sign Restrictions Based on Location.

Table 7-1 Allowed Signs in Agricultural and Residential Zoning Districts

Allowed Sign Type	Permit Required	AG-1 Zoning District	Single-Family Residential Zoning Districts *	Townhome, Apartment and Manufactured Home Residential Zoning Districts **
		Maximum Number and Maximum Size of Sign by Zoning District Note: sq.ft. = square feet; ' = feet or foot; > = greater than; < = less than		
Principal Signs				
Freestanding Signs	Yes	1, no > 6' high and 32 sq.ft. in size, per institutional or business use for each street on which the lot has frontage	1, no > 6' high and 32 sq.ft. in size, per institutional use for each street on which the lot has frontage	1, no > 6' high and 32 sq.ft. in size, for each street on which the lot has frontage
<i>Characteristics of Freestanding Signs:</i>				
Externally illuminated		Allowed	Allowed	Allowed
Changeable copy		Allowed for institutional uses		Not allowed
Window Signs	Yes	3 per lot, each sign be no > than 4 sq.ft. or cover > 25% of the area of each window in which a sign is placed, whichever is less		
<i>Characteristics of Window Signs:</i>				
Internally illuminated		Not allowed	Not allowed	Not allowed
Temporary Signs (see also Sec. 706.06 for additional requirements that apply to all temporary signs)				
Banners	Yes	1, no > 24 sq.ft. per lot, per period not exceeding 14 days with no more than 3 such 14-day periods being allowed per calendar year per lot. Time periods may be consecutive. The banner shall be removed no later than the end of the duration stated on the approved temporary sign permit.		
Small Temporary Signs	No	2 per lot, except that during a political election there shall be no limit on the number of signs, in accordance with O.C.G.A § 16-7-58		
Signs During Construction	No	1 per lot, no > 12 sq.ft and 5' high, shall be allowed during construction of the principal building on the lot and shall be removed within 5 days of issuance of the Certificate of Occupancy		
Other Signs				
Internal Development Signs	Yes	No maximum number. Signs shall be no > 10 sq.ft. and 4' high.		
Project Entrance Signs	Yes	1 max. 32 sq.ft. sign or 2 single signs no > 16 sq.ft. each, at the entrance of a platted single-family subdivision entrance. Signs shall be no > 6' high and shall not have changeable copy. Signs may be externally illuminated.		
Flag	No	1 flag and/or flagpole per lot. Flag shall be no > 20 sq.ft. and flagpole no > 20' high.		
Awning/Canopy Sign	Yes	1 sign allowed in multi-family developments; sign area shall not exceed 10% of the area of the awning or canopy.		
* R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-5, R-5A, CUP, NUP, SUB A, and SUB C zoning districts				
** R-6, TR, A, A-L, MHP and A-1 zoning districts				

Sec. 707 Sign Restrictions Based on Location.

707.02 Office, Commercial, and Mixed Use Districts.

See Table 7-2 Allowed Signs in Office, Commercial and Mixed Use Zoning Districts for requirements.

Table 7-2 Allowed Signs in Office, Commercial and Mixed Use Zoning Districts

Allowed Sign Type	Permit Required	O-I Zoning District	Commercial and Mixed Use Zoning Districts *
		Maximum Number and Maximum Size of Sign by Zoning District Note: sq.ft. = square feet; ' = feet or foot; > = greater than; < = less than	
Principal Signs			
Freestanding Signs	Yes	1, no > 32 sq.ft. and 10' high, for each street on which the lot has less than 500 feet of frontage.	1, no > 32 sq.ft. and 6' high, per lot containing < 3 acres.
		1, no > 64 sq.ft. and 10' high, for each street on which the lot has 500 or more linear feet of frontage. If the lot has two or more entrances on a street on which it has frontage, the sign may be substituted by 2 single-faced freestanding signs no > 32 square feet each. No more than two signs shall be allowed per frontage over 500 feet.	1, no > 44 sq.ft. and 8' high, per lot containing 3 to 15 acres. 1, no > 64 sq. ft. and 8' high, per street on which a >15 acre-lot has primary frontage and 1 (no > 32 sq.ft. and 6' high) per street on which the 15+-acre lot has secondary frontage. If the primary frontage of the lot is 500 linear feet or more and if the lot has 2 or more entrances on the street on which it has primary frontage, the larger allowed sign may be substituted with 2 single-faced freestanding signs no > 32 sq.ft. and 6' high. No more than 2 signs shall be allowed per development unless there is a secondary frontage.
<i>Characteristics of Freestanding Signs:</i>			
Externally illuminated		Allowed	Allowed
Internally illuminated		Not allowed	Allowed
Changeable copy		Not allowed	Not allowed, except in association with gas stations
Panels		Up to 4 on 32 sq.ft. or less signs; up to 6 on signs > 32 sq. ft.	
Window Signs	Yes	3 per unit, each sign shall be no > 4 sq.ft. and shall not cover > 25% of the area of each window in which a sign is placed, whichever is less. Window signs shall not be counted toward the wall sign total square footage.	
<i>Characteristics of Window Signs:</i>			
Internally illuminated		1 sign may be illuminated	1 sign may be illuminated
Wall Signs	Yes	2 per place of business; each sign on a different wall. Signs are allowed on street-facing and/or pedestrian/parking areas. Businesses without a street on which there is frontage, but which have exterior entrances to the building, may have 1 wall sign on the exterior wall of the business where the primary entrance is located. Wall sign(s) shall not exceed the smaller of 5% of the applicable wall area or 100 sq.ft, confined to the upper 30' of the façade.	Same requirements as O-I zoning district, with the exception that: 1. Signs are not required to be confined to the upper 30' of the façade, and 2. For a tenant that has over 50,000 sq.ft. of gross floor space and has independent leased space within a shopping center, wall signs no > 5% of the applicable wall area or 300 sq.ft., whichever is smaller, are allowed.
		<i>Characteristics of Wall Signs:</i>	
Changeable copy		No, unless approved as a marquee sign	No, unless approved as a marquee sign or in association with gas stations

Sec. 707 Sign Restrictions Based on Location.

Table 7-2 Allowed Signs in Office, Commercial and Mixed Use Zoning Districts

Allowed Sign Type	Permit Required	O-I Zoning District	Commercial and Mixed Use Zoning Districts *
		Maximum Number and Maximum Size of Sign by Zoning District Note: sq.ft. = square feet; ' = feet or foot; > = greater than; < = less than	
Awning/Canopy Signs	Yes	Sign area shall be no > 10% of the area of the awning or canopy and shall be deducted from allocated wall sign area.	
Temporary Signs (see also Sec. 706.06 for additional requirements that apply to all temporary signs)			
Banners	Yes	1, no > 32 sq.ft. per lot, per period not exceeding 14 days with no more than 3 such 14-day periods being allowed per calendar year per lot. Time periods may be consecutive. The banner shall be removed no later than the end of the duration stated on the approved temporary sign permit.	
Feather Flag Sign	Yes	1, no > 32 sq.ft., per every 40 linear feet of road frontage along the roadway where the principal sign is installed, for a period not exceeding 14 days per calendar year. In the case of lots which contain multiple businesses, each business shall be allowed a feather flag sign in accordance with the duration limits described above.	
Small Temporary Signs	No	2 per lot, except that during a political election there shall be no limit on the number of signs, in accordance with O.C.G.A § 16-7-58.	2 per lot, and up to 4 if the lot has more than one business. During a political election there shall be no limit on the number of signs, in accordance with O.C.G.A § 16-7-58.
Signs During Construction	No	1 non-internally illuminated sign per lot on which a principal building is under construction, no > maximum allowable principal freestanding sign height. The sign shall be removed within 5 days of issuance of the Certificate of Occupancy	
Other Signs			
Projecting Signs	Yes	1 non-illuminated sign per entrance in a multi-tenant office or commercial building (as allowed by zoning district), suspended from the eave or soffit. Sign shall be no > 3 sq.ft. with no < 7' clearance between the bottom of the sign and the walkway below. Sign shall be uniform in size, material, color and shape and shall be placed in an equivalent location to other such signs located on the same building.	
Internal Development Signs	Yes	1, no > 20 sq.ft. and 6' high, that is not legible by the traveling public from a public right-of-way. Additional signs are allowed, each no > 10 sq.ft. and 4' high, with the exception that hospitals and emergency care facilities are allowed internal development signs up to 20 sq.ft.	
Flag	No	3 flags and/or flagpoles per lot. Flag shall be no > 20 sq.ft. and flagpole no > 20' high.	
Signs for drive-thru and drive-in uses	Yes	N/A	1 sign no > 6' high and 32 sq.ft. in size shall be allowed per drive-through lane
Project Entrance Signs	Yes	N/A	1 max. 32 sq.ft. sign or 2 single signs no > 16 sq.ft. each, at the entrance of a platted single-family subdivision entrance in the MIX zoning district. Signs shall be no > 6' high.
* C-1, C-2, and MIX zoning districts			

707.03 Industrial Districts.

See Table 7-3 Allowed Signs in Industrial Zoning Districts for requirements.

Table 7-3 Allowed Signs in Industrial Zoning Districts

Allowed Sign Type	Permit Required	M-1 and M-2 Zoning Districts	
		Maximum Number and Maximum Size of Sign by Zoning District Note: sq.ft. = square feet; ' = feet or foot; > = greater than; < = less than	
Principal Signs			
Freestanding Signs	Yes	1, no > 32 sq.ft. and 20' high, for each street on which the lot has up to and including 500' of frontage. 1, no > 64 sq.ft. and 20' high, for each street on which the lot has > 500 linear feet of frontage and up to 1,000 linear feet of frontage. 1, no > 72 sq.ft. and 20' high, for each street on which the lot has more than 1,000 linear feet of frontage (excludes spin sites and out-parcels). 1, no > 32 sq.ft. and 8' high, per sign site or out-parcel which is identified on a site plan approved pursuant to a single zoning case.	
<i>Characteristics of Freestanding Signs:</i>			
Externally illuminated		Allowed	
Internally illuminated		Allowed	
Changeable copy		Not allowed, except in association with gas stations.	
Panels		Up to 4 on 32 sq.ft. or less signs; up to 6 on signs > 32 sq. ft.	
Window Signs	No	Shall not occupy in the aggregate more than 25% of the window area. Window signs shall not be counted towards the wall sign total square footage.	
<i>Characteristics of Window Signs:</i>			
Internally illuminated		1 sign may be illuminated	1 sign may be illuminated
Wall Signs	Yes	2 per place of business; each sign on a different wall. Signs are allowed on street-facing and/or pedestrian/parking areas. Businesses without a street on which there is frontage, but which have exterior entrances to the building, may have 1 wall sign on the exterior wall of the business where the primary entrance is located. Wall sign(s) shall not exceed the smaller of 5% of the applicable wall area or 180 sq.ft. Notwithstanding the foregoing, an anchor tenant with >50,000 square feet of gross floor space within a shopping center shall be allowed wall signs not to exceed 5% of the applicable wall area or 300 sq.ft., whichever is smaller	
<i>Characteristics of Wall Signs:</i>			
Changeable copy		No, unless approved as a marquee sign	No, unless approved as a marquee sign or in association with gas stations
Awning/Canopy Signs	Yes	Sign area shall be no > 10% of the area of the awning or canopy and shall be deducted from allocated wall sign area.	
Temporary Signs (see also Sec. 706.06 for additional requirements that apply to all temporary signs)			
Banners	Yes	1, no > 32 sq.ft. per lot, per period not exceeding 14 days with no more than 3 such 14-day periods being allowed per calendar year per lot. Time periods may be consecutive. The banner shall be removed no later than the end of the duration stated on the approved temporary sign permit.	
Feather Flag Sign	Yes	1, no > 32 sq.ft., per every 40 linear feet of road frontage along the roadway where the principal sign is installed, for a period not exceeding 14 days per calendar year. In the case of lots which contain multiple businesses, each business shall be allowed a feather flag sign in accordance with the duration limits described above.	
Small Temporary Signs	No	4 per lot, except that during a political election there shall be no limit on the number of signs, in accordance with O.C.G.A § 16-7-58.	

Sec. 709 Removal of Unlawful or Dangerous Signs.

Table 7-3 Allowed Signs in Industrial Zoning Districts

Allowed Sign Type	Permit Required	M-1 and M-2 Zoning Districts
		Maximum Number and Maximum Size of Sign by Zoning District Note: sq.ft. = square feet; ' = feet or foot; > = greater than; < = less than
Signs During Construction	No	1 non-internally illuminated sign per lot on which a principal building is under construction, no > principal freestanding sign height. The sign shall be removed within 5 days of issuance of the Certificate of Occupancy
Other Signs		
Projecting Signs	Yes	1 non-illuminated sign per entrance in a multi-tenant building, suspended from the eave or soffit. Sign shall be no > 3 sq.ft. with no < 7' clearance between the bottom of the sign and the walkway below. Sign shall be uniform in size, material, color and shape and shall be placed in an equivalent location to other such signs located on the same building.
Internal Development Signs	Yes	1, no > 20 sq.ft. and 6' high, that is not legible by the traveling public from a public right-of-way. Additional signs are allowed, each no > 10 sq.ft. and 4' high.
Flag	No	3 flags and/or flagpoles per lot. Flag shall be no > 20 sq.ft. and flagpole no > 20' high.
Signs for drive-thru and drive-in uses	Yes	1 sign no > 6' high and 32 sq.ft. in size shall be allowed per drive-through lane
Billboards	Yes	See Sec. 706.07

Sec. 708. Nonconforming Signs.

See Article 1.

Sec. 709. Removal of Unlawful or Dangerous Signs.

709.01 Removal.

- (a) The City may order the removal of any sign in violation of this Article by written notice to the permit holder and/or property owner if there is no permit holder of record; or if there is no permit holder, then to the owner of the sign; or if the sign owner cannot be found or cannot be determined, then to the sign erector and any party that procured the erection of the sign. If a permit has been issued, such notice shall operate to revoke the permit.
- (b) The written notice shall recite the language of the violated section of this Article.

709.02 Procedure Following Removal Order.

If the sign is not removed within the time allowable pursuant to Sec. 710.05 below, the City shall remove or cause to be removed the sign and collect the costs thereof as provided below.

709.03 Removal Without Notice.

The City shall have removed any sign in violation of this Article, without giving notice to any party, if:

- (a) Said sign is upon the public right-of-way or upon other public property or upon the pavement of a private street or drive; or
- (b) Said sign poses an immediate safety threat to the life or health of any members of the public.

709.04 Removal after Court Determination.

Other than signs located in a public right-of-way, a sign shall be removed by the City after a final determination by a court that the sign is unlawful and should be removed. If the permittee or property owner fails to remove the sign, the sign may be immediately removed and disposed of by the City with all costs to be paid by the permittee or property owner. If permittee or property owner fails to pay within 30 days a lien shall be filed on said property for the incurred expenses.

Sec. 710. Violations; Penalties.

710.01 Noncompliance.

No person shall erect on any premises owned or controlled by that person any sign which does not comply with the standards of this Article.

710.02 Dangerous or Defective.

No person shall maintain or permit to be maintained on any premises owned or controlled by that person any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the permittee of the sign, the owner of the premises, or as otherwise provided for in this Article.

710.03 Separate Violation.

Each sign installed, created, erected or maintained in violation of this Article shall be considered a separate violation when applying the penalty portions herein.

710.04 Public Nuisance.

Any sign erected or maintained in violation of this Article is hereby declared to be a public nuisance.

710.05 Notice.

- (a) The CDRA Director shall give the permittee or sign owner 24 hours to 30 days written notice, based on the practical considerations of completing measures to comport with the standards of this Article, to correct the deficiencies or to remove the sign(s) which is in violation of this Article.
- (b) The written notice shall recite the language of the violated section of this Article.
- (c) If the permittee or sign owner refuses to correct the deficiencies or remove the sign, the CDRA Director will have the sign removed at the expense of the permittee or sign owner.

710.06 Citations.

- (a) If any sign or other device covered by this Article is, or is proposed to be, erected, constructed, altered, converted or used in violation of any provision of this Article, the CDRA Director or his/her designee shall issue a citation.
- (b) Additionally, the City may seek an injunction for a continuing violation or take other appropriate action to prevent such unlawful erection, construction, alteration, conversion or use to correct or abate such violation.
- (c) Any violation of this Article shall be an offense, and the violator shall be subject to a fine of up to \$1,000.00 per day, per citation, imprisonment for up to 60 days, or both.

Article 8. Procedures and Permits

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Article 8. Procedures and Permits

Sec. 801. Purpose.

Article 8 describes the process through which a rezoning or special use may be approved on a property as well as the approval process for amendments to this Ordinance. This Article also describes the processes for variances and appeals that are intended to address unusual situations or unique problems that may arise from the strict interpretation or enforcement of the Zoning Ordinance. In addition, this Article addresses the approval processes for administrative permits and other permits required by this Ordinance.

Sec. 802. Amendment or Adoption of the Zoning Ordinance.

802.01 Initiation of Amendment.

- (a) Changes made to standards contained within the Zoning Ordinance are referred to in this Article as text amendments. These changes include amendments to this Ordinance or adoption of a new Zoning Ordinance.
- (b) Text amendments may be initiated only by the South Fulton City Council or the Department of Community Development and Regulatory Affairs.

802.02 Public Hearing and Notice Requirements.

- (a) Before adopting any change to the text of the Zoning Ordinance, the City Council shall conduct a public hearing in accordance with Sec. 804. Prior to the City Council public hearing the text amendment shall be presented for public comment at a Community Zoning Information Meeting (CZIM) and a Planning Commission (PC) meeting.
- (b) Notice of the Planning Commission meeting (both for public comment and public hearing) and City Council hearing shall be given simultaneously at least 15 days but no more than 45 days prior to the City Council public hearing and shall be published as required by state law.
- (c) No posting of signs or mailing of notification letters is required.
- (d) When the Planning Commission or the City Council defers a decision on a text amendment, renotification is not required.

Sec. 803. Zoning Changes (Rezoning or Special Use Approval).

803.01 Initiation of Rezoning or Special Use.

- (a) An application to rezone property or request special use approval may be initiated by the property owner or the City Council on forms available from the Community Development and Regulatory Affairs Department.
- (b) Special use requests shall require a separate application when included with a petition for rezoning. Each requested use for which special use approval is required shall be charged a standard special use fee and assigned a special use number which will be listed on the application for rezoning.
- (c) No final action shall be taken on a rezoning or special use application affecting the same parcel more often than once every 12 months when the application is initiated by the property owner.
- (d) At any time, the City Council may initiate an application for rezoning or special use approval on property which was previously rezoned.

Sec. 803 Zoning Changes (Rezoning or Special Use Approval).

- (e) A 6-month waiting period from the date of final City Council action is required when a rezoning, and/or special use application was previously denied.
- (f) If an application for rezoning or special use approval was previously denied, the owner must demonstrate that the proposed application is significantly different from the previous denial to the satisfaction of the City Council before it can be considered for a reinitiation. A significant difference includes, but is not limited to, a change in zoning district, use, density, height, buffers or other methods of screening, or other items which were discussed at a public hearing.

803.02 Pre-Application Meeting.

Prior to the filing of a rezoning or special use application, the owner or his/her representative is required to schedule a Pre-Application Conference with the Community Development Department Staff to review applicable regulations that apply to the proposal and to discuss potential issues. The date of the pre-application meeting shall be noted on the application for rezoning or special use.

803.03 Filing Deadlines.

- (a) A complete rezoning or special use application shall be submitted in accordance with the advertised filing deadlines.
- (b) The Community Development and Regulatory Affairs Director may extend the filing deadline by two days with a letter of explanation from the applicant justifying the delay of submittal.
- (c) An incomplete petition will not be accepted.

803.04 Withdrawal of Rezoning or Special Use Application.

- (a) Withdrawal prior to advertising.

If an application has not been advertised for public hearing, a written request for withdrawal with the reason for the request shall be made to and accepted by the Community Development and Regulatory Affairs Director. No refunds of petition fees will be made.

- (b) Withdrawal after advertising.

After an application has been advertised for public hearing, it may only be withdrawn by the City Council at the public hearing. A withdrawal shall not be deemed final action and shall not bar submission of a new application. A written request for withdrawal with the reason for the request shall be made to the Community Development and Regulatory Affairs Director.

803.05 Public Hearing and Notice Requirements.

- (a) Before adopting any rezoning or special use, the City Council shall hold a public hearing. Prior to the City Council public hearing, the rezoning and/or special use application shall be presented for public comment at a Community Zoning Information Meeting (CZIM) and a Planning Commission meeting. All public hearings shall be conducted in accordance with Sec. 804.
- (b) Notice of the Planning Commission and City Council hearings shall be given simultaneously at least 15 days but not more than 45 days prior to the date of the City Council public hearing and shall be published as required by State law. Renotification is not required when a petition is deferred by the City Council.

Sec. 803 Zoning Changes (Rezoning or Special Use Approval).

- (c) The applicant or agent shall post a sign as issued by the City in a conspicuous location on each public street frontage of the subject property not later than 8:30 a.m. on the 20th day prior to the Planning Commission Hearing.
- (d) The sign shall be mounted and posted as specified by the City. Property that is not posted on the 20th day before the scheduled first hearing date will be administratively removed from the agenda.
- (e) When the Planning Commission or the City Council defers a petition, the applicant is required to post an updated sign with new hearing dates 20 days prior to the next scheduled hearing date. When a petition is deferred by the City Council for less than 20 days, posting an updated sign is not required.
- (f) The Community Development and Regulatory Affairs Department shall give notice by regular mail to all property owners within 1,320 feet of the boundaries of the subject property who appear on the tax records of the City of South Fulton as retrieved through the City's Geographic Information System. The notices shall be mailed a minimum of 15 days prior to the hearing date. Renotification by mail is not required when a petition is deferred by the City Council.
- (g) The published and mailed notices shall contain the time, place, and purpose of the hearing, the location of the property, and the present and proposed zoning classifications and/or requested special use approval. The posted sign shall include all of the items required in the published notice except the location of the property. Notice shall not be considered inadequate if the mail is not delivered.

803.06 Standards for Review of a Proposed Rezoning or Special Use.

Any proposed rezoning or special use must be reviewed by both the Planning Commission and the City Council. For any such proposed zoning change, the City Council shall have the Planning Commission prepare an evaluation of each such proposal considering each of the factors in this Section, upon which findings of fact shall be based.

- (a) Standards for review of proposed rezonings.
 - (1) The existing land uses and zoning classification of nearby property;
 - (2) The suitability of the subject property for the zoned purposes;
 - (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;
 - (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;
 - (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
 - (6) The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property;
 - (7) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
 - (8) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
 - (9) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

Sec. 803 Zoning Changes (Rezoning or Special Use Approval).

- (10) Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;
 - (11) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;
 - (12) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; and
 - (13) Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of South Fulton.
- (b) Standards for review of proposed special uses.
- (1) Is the proposed use consistent or inconsistent with the Comprehensive Plan?
 - (2) Is the proposed use consistent with supplemental plans adopted by the City Council, such as/or revitalization or economic development plans?
 - (3) Is the proposed use compatible with adjacent land uses and zoning districts?
 - (4) Does the proposed use violate local, state and/or federal statutes, ordinances or regulations governing land development?
 - (5) What is the effect of the proposed use on vehicular and pedestrian traffic flow and safety, along adjoining streets?
 - (6) Is the open space adequate to preserve the character of the area and reduce environmental impacts?
 - (7) Is the screening adequate to protect adjacent uses from any negative impacts of the proposed use?
 - (8) Can outdoor lighting be used so as not to interfere with surrounding uses?
 - (9) Are the hours and manner of operation of the proposed use compatible with surrounding uses?
 - (10) Does ingress and egress to the property reduce negative impacts of the proposed use or enhance safety?
 - (11) Will the number, size and type of signs proposed for the site have any negative impact on traffic or surrounding property uses?
 - (12) Are off-street parking spaces adequate? Will they be properly located to reduce any negative impact on surrounding property uses?
 - (13) Does the use have sufficient space to operate its activities?
 - (14) Are there any negative environmental impacts which should be considered, for example, topography, special geological features, soil, water runoff, air pollution, water pollution or contamination, wetlands, etc.?

803.07 Application Requirements; Generally.

- (a) All rezoning and special use applications filed by a property owner shall include the following items listed in this Section with the required number of copies of each as prescribed by the Community Development and Regulatory Affairs Director.
- (b) Specific requirements for certain items that are listed below follow this Section.

Sec. 803 Zoning Changes (Rezoning or Special Use Approval).

- (1) Pre-application review form;
- (2) Signed and notarized petition with original signatures;
- (3) Legal description;
- (4) Letter of intent;
- (5) Political contribution disclosure form;
- (6) Site plan which meets the requirements specified in Sec. 803.08;
- (7) Site plan checklist which indicates compliance with site plan requirements specified in Sec. 803.08;
- (8) Zoning Impact Analysis for rezoning petitions;
- (9) Public Participation Plan;
- (10) Public Participation Report;
- (11) Environmental Site Analysis;
- (12) Environmental Impact Report, if applicable;
- (13) Noise Study Report, if applicable;
- (14) Traffic study, if applicable;
- (15) Metropolitan River Protection Act pre-review letter, if applicable;
- (16) Development of Regional Impact review form, if applicable;
- (17) Other documents as identified in the pre-application review;
- (18) Copy of deed(s); and
- (19) Non-fundable filing fee.

803.08 Site Plan Requirements.

- (a) Site plans must be folded, drawn to scale, no larger than 30" x 42", and shall, at a minimum, include the following information
 - (1) Key and/or legend and site location map with North arrow;
 - (2) Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning;
 - (3) Acreage of subject property;
 - (4) Location of land lot lines and identification of land lots;
 - (5) Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property;
 - (6) Proposed streets on the subject site;
 - (7) Posted speed limits on all adjoining roads;
 - (8) Current zoning of the subject site and adjoining properties;
 - (9) Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property;

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- (10) Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on adjacent properties within 400 feet of the subject site based on the City's aerial photography or an acceptable substitute as approved by the CDRA Director;
 - (11) Location of proposed buildings (except single family residential lots) with total square footage;
 - (12) Layout and minimum lot size of proposed single family residential lots;
 - (13) Topography (surveyed or City) on subject site and adjacent property within 200 feet as required to assess runoff effects;
 - (14) Location of overhead and underground electrical and pipeline transmission/conveyance lines;
 - (15) Required and/or proposed setbacks;
 - (16) 100-year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps;
 - (17) Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed;
 - (18) Required and proposed parking spaces;
 - (19) Loading and unloading facilities;
 - (20) Lakes, streams, and waters on the state and associated buffers;
 - (21) Proposed stormwater management facilities;
 - (22) Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access;
 - (23) Availability of water system and sanitary sewer system;
 - (24) Tree lines, woodlands and open fields on subject site;
 - (25) Entrance site distance profile assuming the driver's eye at a height of 3.5 feet (See South Fulton Subdivision Regulations);
 - (26) Wetlands shown on the City's GIS maps or survey; and
 - (27) Airport noise contours on those properties within the FAR Part 150 Airport Noise Contour Map.
- (b) A request for relief from any of the site plan requirements above may be submitted in writing to the Director of Community Development and Regulatory Affairs for approval prior to the filing deadline. The request should clearly state the reasons for the request. Projects subject to DRI reviews and other large projects that will be phased shall be required to revise the site plan for each phase of the development to comply with the above standards through a zoning modification in accordance with Sec. 804.05 .

803.09 Zoning Impact Analysis Requirements.

A written documented analysis of the impact of the proposed zoning or special use with respect to each of the matters enumerated in Sec. 803.06 is required at the time of filing the application for rezoning or special use approval.

803.10 Public Participation Plan and Report Requirements.

(a) Purpose.

The purpose of the Public Participation Plan is to ensure that applicants pursue early and effective public participation in conjunction with their rezoning, special use, and zoning modification applications ensure that the citizens of South Fulton have an adequate opportunity to learn about applications that may affect them, and to ensure ongoing communication between applicants, adjoining property owners, environmentally stressed communities, community associations and other organizations, elected officials and City staff.

(b) General requirements.

- (1) Applicants are required to submit a Public Participation Plan for meeting with interested citizens to advise of pending rezoning, special use, and zoning modification applications and to allow citizens the opportunity to discuss concerns and provide input about project design or development.
- (2) An applicant's responsibilities are to inform the public, solicit input, and provide a summary of these activities in the form of a written report (Public Participation Report).
- (3) A target area for public participation should be determined by the applicant and the Community Development and Regulatory Affairs Director at the time of the pre-application review.
- (4) Public Participation Plans must be filed simultaneously with rezoning and/or special use or zoning modification applications.
- (5) The requirement for a Public Participation Plan does not give communities decision making powers or force a consensus on issues. Applicants shall be open to concessions or changes based upon input from citizens. A refusal by the community to meet with applicants does not mean that the applicants fail to meet the requirements of the Public Participation Plan.
- (6) Dialogue should occur between applicants and communities before the Planning Commission hearing, with the exception that for zoning modifications the dialogue should occur before the City Council hearing.

(c) The minimum requirements for Public Participation Plans shall contain the following information:

- (1) Identification of all property owners within a 1,320 feet of the site and area homeowners' associations, environmentally stressed communities, political jurisdictions, and any other public agencies or organizations which may be affected by an application as determined by the applicant and the Community Development and Regulatory Affairs Director at the time of the pre-application review.
- (2) Explanation of how interested parties will be informed of rezoning, special use, or zoning modification applications.
- (3) Methods for providing opportunities for discussion with interested parties before public hearings are held.
- (4) Identification of meeting(s) location. Applicants are required to schedule at least one meeting at a location approved by the Community Development and Regulatory Affairs Director. A list of public participation meeting sites in each Council district shall be made available to applicants. The applicant shall notify all interested parties, as identified in 1. above, of the purpose, place and time of the meeting.

- (5) Applicant's schedule for completion of the Public Participation Plan.
- (d) Public Participation Reports are required in accordance with the following:
 - (1) Participation Plan Reports are required to be submitted to the Community Development and Regulatory Affairs Department before the scheduled Planning Commission hearing in accordance with the schedule presented by CDRA Staff at the time of application, with the exception that for zoning modifications, the Report is required to be submitted prior to the City Council hearing. If the report is not submitted as required, the Planning Commission or City Council, as applicable, may defer an application.
 - (2) This report shall be made a part of the official file and a summary will be provided to the Planning Commission and City Council.
 - (3) The applicant shall provide the following information in a Participation Plan Report:
 - a. A list of all parties that were contacted, the methods of notification that were used, and copies of all notification letters.
 - b. Dates and locations of all community and/or other meetings that were attended by the applicant to discuss an application. (attach meeting notices, letters, etc.)
 - c. The number of people who participated in meetings held to discuss an application. (attach sign-in sheets with name, address and contact information for attendees)
 - d. A summary of concerns and issues expressed by interested parties.
 - e. A summary of the applicant's response to concerns and issues.

803.11 Environmental Reports Requirements.

An Environmental Site Analysis and/or an Environmental Impact Report shall be filed with the rezoning or special use application per the following.

(a) Environmental Site Analysis (ESA).

All rezoning and/or special use applications shall include an Environmental Site Analysis to identify environmental conditions on the site to determine if the proposed use may be considered environmentally adverse. The ESA shall detail the following:

- (1) The presence or absence of the following and does the project encroach or adversely affect any of the following:
 - a. Wetlands;
 - b. Floodplains;
 - c. Streams/stream buffers;
 - d. Slopes exceeding 25% over a 10-foot rise in elevation;
 - e. Vegetation (including endangered species; areas of confirmed Georgia Department of Natural Resources listed endangered species shall comply with the Federal Endangered Species Act);
 - f. Wildlife species (including fish and endangered species; areas of confirmed Georgia Department of Natural Resources listed endangered species shall comply with the Federal Endangered Species Act); and

- g. Archeological/historical sites.
- (2) How the project implements the following:
- a. Protection of environmentally sensitive areas (floodplains, slopes exceeding 25%, river corridors);
 - b. Protection of water quality;
 - c. Minimization of negative impacts on existing infrastructure;
 - d. Minimization of negative impacts on archeological/historically significant areas;
 - e. Minimization of negative impacts on Environmentally Stressed Communities;
 - f. Creation and preservation of green space and open space;
 - g. Protection of citizens from the negative impacts of noise and lighting;
 - h. Protection of parks and recreational green space; and
 - i. Minimization of impacts to wildlife habitats.
- (b) Environmental Impact Report (EIR).
- (1) Any application for an industrial rezoning and/or special use shall include an Environmental Impact Report (EIR) to determine if the proposed use is environmentally adverse. The EIR shall detail the following:
- a. Does the Environmentally Adverse Uses section in Article 3 apply to the proposed use? If yes, does the use comply with the prescribed acceptable separation distance?
 - b. Impacts on noise levels of the surrounding area;
 - c. Impacts on air quality of the surrounding area;
 - d. Impacts on water quality/resources including surface water, ground water, flood plains, and wetlands;
 - e. Impacts on vegetation, fish, and wildlife species and habitats;
 - f. Impacts of thermal and explosive hazards on the surrounding area;
 - g. Impacts of hazardous wastes on the surrounding area;
 - h. The report shall cite all uses and quantities of any agents listed on the Federal Environmental Protection Agency Lists of Hazardous Wastes;
 - i. Minimization of negative impacts on Environmentally Stressed Communities.
- (2) The Environmental Impact Report shall detail strategies to mitigate or avoid impacts listed above as applicable.
- (c) Review criteria for ESA and/or EIR.
- (1) Environmental Site Analysis and/or Environmental Impact Reports shall be reviewed based upon the following:
- a. Whether the petition is consistent with the requirements of the, Environmentally Adverse Uses section in Article 3; and

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- b. The detail provided for ESAs and EIRs as outlined in Sections 803.11(a) and 803.11(b).
- (2) The Community Development and Regulatory Department shall review the ESAs and EIRs submitted with petitions for rezoning and/or special use applications and make recommendations to the City Council with respect to the proposed use. The anticipated impact of the proposed use on an Environmentally Stressed Community will be included in the CDRA Department's recommendation.
- (3) As determined by the Community Development and Regulatory Affairs Director, Environmental Impact Reports may also be required with applications for land disturbance permits, building permits, temporary or permanent certificates of occupancy, or any other permits issued by the Department of Community Development and Regulatory Affairs.

803.12 Traffic Impact Study Requirements.

- (1) A Traffic Impact Study is required when a rezoning or special use application equals or exceeds the thresholds indicated by the Community Development and Regulatory Affairs Department.
- (2) The study shall be prepared by a certified traffic engineer or transportation planner in accordance with professional practices and must be submitted at the time of the filing of the rezoning or special use application.

803.13 Development of Regional Impact Study (DRI) Requirements.

A Development of Regional Impact review is required when an application for rezoning or special use approval meets or exceeds the thresholds indicated in the Rules of Georgia Department of Community Affairs Chapter 110-12-7, Developments of Regional Impact: Alternative Requirements-Atlanta Regional Commission (ARC DRI Rules). See Sec. 805.

803.14 Noise Study Report Requirements.

- (1) A noise study shall be performed by a state registered professional engineer or noise professional if a proposed site is located within 1,000 feet of an expressway, within 3,000 feet of an active rail line, or within 5 miles of the Hartsfield-Jackson International Airport boundary. An expressway is defined as a highway facility usually having two or more lanes for the exclusive use of traffic in each direction and partial control of access (i.e. I-85, I-285 and GA-400).
- (2) The noise study shall include an analysis of the proposed use with respect to existing ambient noise, that is, business and industry noise, aircraft noise, roadway noise, and construction noise.
- (3) If the noise study results in a day-night average sound level greater than 65 dBA, the applicant shall provide a sound attenuation plan specifying the type of noise buffering measures/materials to be employed during construction that will reduce the interior residential noise levels to 50 dBA or less.
- (4) The sound level readings shall be measured at a distance from the site to the noise source. The measurement should be from the source to the nearest points on the site where structures having noise sensitive uses are located. These points shall be labeled as the NAL (noise assessment locations). The measurement location for structures is a point 6.5 feet from the facade. In the event that the location of the structures has not yet been specified at the time of the noise study, then the distance used in the noise study should be measured as 6.5 feet less than the distance from the structure setback line to the major

source(s) of noise. (Reference: Title 24, Housing & Urban Development, Part 51 — Environmental Criteria and Standards, Subpart B — Noise Abatement and Control, Section 51.103) Criteria and Standards (c) Exterior standards

Sec. 804. Conducting a Public Hearing; Decisions.

804.01 Procedures.

Following the scheduling and notification of public hearings in accordance with Sec. 803.05, public hearings will be held by the Planning Commission, Zoning Board of Appeals, and the City Council, as applicable. These hearings shall be held in accordance with the procedures of this Section.

804.02 Opening Hearings.

- (a) The public hearing shall be convened at the scheduled time and place by the Chair of the Planning Commission, Zoning Board of Appeals, or the Mayor, or their designee as applicable, who shall act as the presiding official.
- (b) The presiding official may administer oaths.
- (c) All parties participating in the public hearing shall introduce only relevant evidence.
- (d) All parties participating shall have the right to present witnesses and to cross-examine witnesses.
- (e) The presiding official shall open the public hearing by stating the matter being considered at the hearing. At this time, the presiding official may summarize the public hearing procedures.
- (f) No person in attendance is to speak unless first formally recognized by the presiding official. Upon rising to speak each person recognized is to state their name and home address.
 - (1) The presiding official may encourage reasonable limits on the number of persons who may speak for or against a proposal, on the time allowed for each speaker, and on the total time allowed for presentation of the application.
 - (2) Such reasonable time limitations, however, shall not deny any member of the general public to speak at the public hearing.
 - (3) Equal time for proponents of proposed zoning decisions to present data, evidence, and opinion and for presentation by opponents of each proposed zoning decision shall be provided, such minimum time period to be no less than 10 minutes per side.
 - (4) Altogether, the total amount of time afforded the proponents of the application and the opponents, including rebuttal and cross-examination, shall be equal. Neither side, however, is required to use the total time available.
- (g) Background and recommendations.

The Community Development and Regulatory Affairs Director shall submit the assembled record of the application. The Director shall provide such information or explanation as appropriate to the circumstances of the application.
- (h) Proponents of the application.
 - (1) Persons who support the application will be asked to comment first. The applicant or their designated agent may, upon recognition and upon statement of name,

address and relationship to the matter, present and explain the application. The applicant may appear in person or may be represented by an agent or counsel.

- (2) The applicant or the applicant's representative shall be required to attend the public hearing unless written notice of hardship is received prior to the hearing. Failure of the applicant or the applicant's representative to attend the public hearing, except in cases of hardship, may be due cause for the tabling of the application.
 - (3) The applicant shall have the burden of proof, which shall include the presentation of evidence and the burden of persuasion of each factor necessary to receive the approval of the request.
 - (4) After completion of the presentation of the applicant, other persons who support the request will be asked to comment, and will be allowed to speak in support of the request upon recognition and upon identification of the person's name, address, and relationship to the matter.
- (i) Persons opposing the application.

Persons who oppose the application will next be asked to comment. Each interested person, after being recognized, and providing their name, address and relationship to the matter, shall be afforded an opportunity to speak.
 - (j) Rebuttal.

The applicant shall have an opportunity for rebuttal concerning the request. Rebuttal must be limited to points or issues raised by opponents to the application at the hearing.
 - (k) Discussion.

All public comments having been heard, the members of the Planning Commission, Zoning Board of Appeals, or the City Council, as applicable, may discuss the matter among themselves. During this discussion period, the members may call on the Community Development and Regulatory Affairs Director, any proponent or opponent, or other persons in attendance to clarify points made previously, to answer questions or to provide additional information. Such persons may respond upon recognition.
 - (l) Delay, rescheduling or continuation of hearing.

A public hearing on an application may be delayed, rescheduled or continued to another time and date, provided the announcement of the new time, place and date is given at the time and place of the advertised hearing, which announcement shall constitute public notice for the delayed, rescheduled or continued hearing.
 - (m) Transcription.
 - (1) All proceedings of the Planning Commission, Zoning Board of Appeals, or the City Council, as applicable, shall be recorded on tape or other media. The recording of the proceedings shall be retained in conformance with the City's retention schedule.
 - (2) The appellant or any person in opposition to the request, at their expense, is allowed to have the public hearing transcribed by a court reporter.

804.03 Decisions.

- (a) Findings of fact.

Sec. 804 Conducting a Public Hearing; Decisions.

- (1) Following the public hearing, the Planning Commission, the Zoning Board of Appeals, and the City Council, as applicable shall adopt findings of fact supporting their decision and may adopt any additional report it deems appropriate.
 - (2) In order to approve an application, the Planning Commission, the Zoning Board of Appeals, and the City Council, as applicable, shall further make a finding that the reasons set forth in the application justify the granting of the application and that approval would be the minimum needed to make possible the reasonable use of the land, building or structure.
 - (3) In preparing its findings of fact, the Planning Commission, Zoning Board of Appeals, and the City Council, as applicable, must consider the standards for review set forth in Sec. 803.06 and Sec. 808.09, as applicable.
- (b) Decision.
- (1) Planning Commission.
 - a. Following the Planning Commission's public hearing, as Secretary to the Planning Commission, the Community Development and Regulatory Affairs Director shall prepare and submit the Planning Commission's recommendations to the City Council prior to the City Council's public hearing.
 - b. If the Planning Commission fails to submit a recommendation within 60 days of submission of a fully completed application, it shall be deemed to have recommended approval of the proposed amendment.
 - (2) City Council.

The City Council may choose to adopt or reject or modify the Planning Commission's recommendations and/or findings of facts, or the business may be tabled for additional study to the next regular council meeting.
 - (3) Zoning Board of Appeals.

The Zoning Board of Appeals shall decide an appeal or variance within a reasonable time but in no event more than 60 days from the date of the hearing.

804.04 Conditions of Approval.

In approving the rezoning of a property or a special use for a property, the City Council may impose conditions of approval that it deems necessary in order to make the requested action acceptable and consistent with the purposes of this Zoning Ordinance and of the zoning district(s) involved, to ameliorate negative issues identified through evaluation of the standards governing consideration of a rezoning or special use, or to further the goals and objectives of any City adopted plan.

- (a) Types of conditions.
- (1) Such conditions of approval may consist of any or all of the following:
 - a. Restrictions as to what land uses or activities shall be allowed;
 - b. Dedication of required rights-of-way to the City where insufficient amounts or none exist;
 - c. Setback requirements from any lot line;
 - d. Specified or prohibited locations for buildings, parking, loading, or storage areas or other land uses;

Sec. 804 Conducting a Public Hearing; Decisions.

- e. Driveway curb cut restrictions;
 - f. Maximum building heights or other dimensions;
 - g. Special drainage or erosion provisions;
 - h. Landscaping or planted area which may include the location, type and maintenance of plant materials;
 - i. Fences, walls, berms, or other landscaping or buffering provisions or protective measures;
 - j. Preservation of existing trees or planting of new trees or other vegetation;
 - k. Special measures to alleviate undesirable views, light, glare, noise, dust or odor;
 - l. Permitted hours of operation;
 - m. Architectural style or materials;
 - n. A requirement that the owner or developer must build or use the property according to a sketch plan of the property as adopted or modified by the conditions of approval;
 - o. A limitation on exterior modifications of existing buildings; or
 - p. Any other requirement that the City Council may deem appropriate and necessary as a condition of rezoning approval in furtherance of the public health, safety or welfare.
- (2) Such conditions of approval:
- a. Shall only be valid if they are included in the motion approving the rezoning;
 - b. Shall be in effect as long as the zoning or special use is in effect;
 - c. Shall be required of the property owner and all subsequent owners as a condition of their use of the property; and
 - d. Shall be interpreted and continuously enforced by the Community Development and Regulatory Affairs Director in the same manner as any other provision of this Zoning Ordinance.
- (3) Project approval of a site plan or preliminary plat, a development permit or a building permit shall not be issued for a conditionally approved property until the Community Development and Regulatory Affairs Director determines that such plans or permits are in compliance with all applicable conditions of approval.

804.05 Modification of Conditions of Approval.

A modification is a request for relief from the conditions of zoning or special use approval when a site development proposal does not comply with approved conditions. There are two different types of modifications which are listed and described below.

(a) Zoning modification.

- (1) A zoning modification application shall be filed if an approved zoning condition cannot be met and it is determined by the Community Development and Regulatory Affairs Director that the application involves significant public interest and is in compliance with Sec. 808.03, Limitation on Authority.
- (2) A request to modify a condition of zoning or special use approval may be initiated by the property owner, the Planning Commission or the City Council.

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- (3) New information pertinent to the subject, not previously considered, is submitted by the petitioner and the 6-month period is waived by the hearing body.
 - (4) The zoning modification request shall be presented to the City Council for consideration in a public hearing.
 - (5) Public notification shall follow the procedures in Sec 803.05, and shall include the rezoning and/or special use case number to be modified.
 - (6) Applications shall be submitted to the Community Development and Regulatory Affairs Department in accordance with the deadline schedule adopted by the City Council.
 - (7) A modification application shall include a legal description of the property for which the modification is requested and a written explanation of the circumstances upon which the requested change of condition is based including the reason why development or use of the property, as approved, cannot be accomplished without the modification of a condition.
 - (8) Applicants shall submit a revised site plan illustrating the requested modification. The type of modification necessary is determined by the Director of Community Development and Regulatory Affairs.
 - (9) Applicants shall submit a Public Participation Plan and Report in accordance with Sec. 803.10.
 - (10) If a zoning modification is denied, an application for the same modification item shall not be considered until at least 6 months has elapsed from the date of the City Council decision.
- (b) Administrative modification.
- (1) An administrative modification application may be filed if the Director of Community Development and Regulatory Affairs determines that the modification request is not prohibited by Sec. 808.03, Limitation on Authority, and will constitute only a technical change.
 - (2) The Director of the Community Development and Regulatory Affairs Department shall determine what public notification, if any, is reasonable on a case by case basis
 - (3) The Director of Community Development and Regulatory Affairs shall send the administrative modification decision to the City Council for confirmation at the next appropriate regular meeting.

804.06 Special Public Hearing; Drug Dependence Treatment Facilities.

The following requirements are adopted as required by the Georgia Zoning Procedures Law (O.C.G.A. § 36-66-4(f)).

- (1) When a proposed rezoning or special use application relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency, a special public hearing shall be held on the proposed request.
- (2) Such special public hearing shall be held at least 6 months and not more than 9 months prior to the date of final action on the application by the City Council. The hearing required by this subsection shall be in addition to the public hearing required under Sec. 804.

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- (3) The City shall give notice of such special public hearing by providing notice of the hearing in the same manner as required for public hearings under Section 803.05.
- (4) Both the posted notice and the published notice shall include a prominent statement that the proposed rezoning or special use application relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency.
- (5) The published notice shall be at least 6 column inches in size and shall not be located in the classified advertising section of the newspaper.

Sec. 805. Developments of Regional Impact.

805.01 Types of Approvals Covered.

The provisions of this Section apply to any type of official City action requested by a private party related to a development project, such as a rezoning or special use approval, hardship variance approval, master or site plan approval, or issuance of a development permit.

805.02 Thresholds for Regional Review.

Any development project for which any City action is requested that meets or exceeds any of the development thresholds in the Rules of Georgia Department of Community Affairs Chapter 110-12-7, Developments of Regional Impact: Alternative Requirements-Atlanta Regional Commission (ARC DRI Rules) shall be considered as qualified for review as a Development of Regional Impact (DRI).

805.03 Process for DRI review.

- (a) Upon determination by the Community Development and Regulatory Affairs Director that a request for City approval qualifies for DRI review by the Atlanta Regional Commission, the Director shall contact the ARC to begin the process for DRI review, as outlined in the ARC DRI Rules.
- (b) Review by the City of the development project may proceed during the DRI process. Examples of local development review activities that may take place during the DRI process include, but are not limited to, preliminary staff administrative functions, project evaluation/assessment, community participation meetings and hearings, site visits, and Planning Commission meetings to discuss, but not vote on, the proposed local action that triggered the DRI process.
- (c) No final action by the City approving the project may be taken until the DRI process is completed.

805.04 Appeals to Superior Court.

Any appeal of, or other legal challenge to, a City Council final decision regarding a zoning decision as defined in O.C.G.A. §36-66-3 shall be pursued as required by law.

805.05 Legal Action Stayed.

The filing of a rezoning or special use application authorized by this Article shall operate as a stay of any enforcement proceedings by the City of South Fulton until final resolution of the application.

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806.01 Administrative Permits.

Uses allowable only with an "administrative permit" and the minimum standards for such uses are listed in Article 3. The standards which apply to each use must be met in order for an administrative permit to be granted.

(a) Procedural requirements.

- (1) Each requested use for which an administrative permit is required shall be assigned an administrative permit number and charged a fee.
- (2) Any use authorized by administrative permit shall be approved and permitted by the Director of the Community Development and Regulatory Affairs Department whenever the proposed use complies fully with the requirements of the subject property's zoning district and standards as set forth in Article 3.
- (3) In certain cases, conditions are imposed by the Director of the Public Works Department with respect to roadway, water, sewer and/or other infrastructure improvements, and rights-of-way dedications which must be met.
- (4) The administrative permit shall be posted on site prior to commencement of use.

(b) Additional restrictions.

- (1) Any use authorized by administrative permit or special use shall comply with all other City regulations, zoning district regulations, conditions of zoning approval and other regulations contained herein.
- (2) All buffers required shall have a 10-foot improvement setback in accordance with Article 4. The reduction of said setback shall be subject to the approval of the Community Development and Regulatory Affairs Director in accordance with this Article.
- (3) Whenever a standard contained in this Section is in conflict with another provision of this Ordinance, the more restrictive provision shall prevail.
- (4) Unless otherwise specified, standards, conditions and stipulations attached to a special use by the City Council shall supersede conflicting zoning conditions approved on the same site.

806.02 Building Permits and Inspections.

(a) Building permits.

- (1) Applications for building permits for single-family dwellings shall be accompanied by two copies of a plot plan.
- (2) Applications for building permits and land disturbance permits other than single-family dwellings shall respond to the plan requirements set forth by the Department of Community Development and Regulatory Affairs.
- (3) Plot plans shall be based on a boundary line survey and drawn to scale.
- (4) One copy of the plot plan shall be returned to the owner when plans have been approved by the Department of Community Development.
- (5) Plot plan shall show:
 - a. The exact location of temporary and permanent pins, monuments and stakes used to mark the boundary.
 - b. The exact footprint of existing and proposed buildings and their structures, and the footprint of proposed alterations and additions.

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- c. The existing and proposed use of each building and other structure or part thereof,
- d. The required number of parking spaces, and their locations,
- e. Other information as may be necessary to determine compliance with this Ordinance. Inspections.

(b) Inspections.

Prior to pouring footings, the owner shall notify the Department of Community Development and Regulatory Affairs to conduct an inspection to determine that space for required setbacks are available on the site. This inspection shall, in no way, relieve the owner of total responsibility for complying with all provisions of the Zoning Ordinance.

806.03 Sign Permits.

See Article 7.

Sec. 807. Certificate of Occupancy.

807.01 Requirements.

- (a) A certificate of occupancy, indicating that a building, lot and use comply with this Zoning Ordinance and applicable building codes is required.
- (b) Said certificate of occupancy shall be posted on-site where it is visible for inspection for a period of 30 days from the date of issuance.
- (c) Any owner, authorized agent, or contractor who desires to change the use of a building or structure shall first make application to the Department of Community Development and Regulatory Affairs, obtain the required permits, and obtain a certificate of occupancy prior to occupying said structure.

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808.01 Purpose and Intent.

- (a) The purpose of this Section is to establish procedures for appealing the strict application of regulations contained in this Zoning Ordinance and conditions of zoning when those regulations impose a hardship on the development of the property, and to provide for interpretation of the text of this Ordinance and the Official Zoning Map.
- (b) Appeals are authorized herein and by the City Code of Ordinance to be considered by the Zoning Board of Appeals, City Council, and the Director of Community Development and Regulatory Affairs depending on the type of appeal and its relationship to applications for use permits or rezonings.

808.02 Types of Appeals.

(a) Hardship variance.

When compliance with the requirements of this Zoning Ordinance would create a particular hardship unique to a property due to physical characteristics that are beyond the owner's control.

- (1) The types of hardship variances are listed below and described in the following sections:
 - a. Primary hardship variance ("primary variance").

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- b. Administrative variance.
 - 1. Minor variance.
 - 2. Administrative minor variance.
- c. Concurrent variance.

When a variance from any standard of the Zoning Ordinance is filed simultaneously with a rezoning, special use, or zoning modification application.

(2) The type of variance necessary shall be determined by the Director of Community Development and Regulatory Affairs.

- (b) Appeal from an administrative decision.

When aggrieved by an action or an interpretation of the Community Development and Regulatory Affairs Director or any other City official, as defined in Article 9, made under this Zoning Ordinance.

808.03 Limitation on Authority.

- (a) There shall be no variances to allowed uses or accessory uses as specified in the zoning district regulations, administrative permit or zoning conditions.
- (b) There shall be no variances to the minimum lot area nor the minimum district size required in each zoning district.
- (c) There shall be no variances to the minimum lot frontage on a street as required in designated zoning districts of this Ordinance.
- (d) There shall be no modification to increase the density or change the use approved under the rezoning case except to allow for the development of a conservation subdivision.
- (e) There shall be no modification to revise a site plan that, as determined by the Director of Community Development and Regulatory Affairs results in a significant change in the approved concept. Such a site plan revision shall require rezoning pursuant to Sec.803.08(b) .
- (f) There shall be no relief or variance from the standards of this Article.

808.04 General Procedures.

This section contains basic steps common to all variances.

- (a) Applications.

All applications for variances shall be filed with the Director of Community Development and Regulatory Affairs on forms available in the CDRA Department. The type of application process necessary to accomplish the change requested by the applicant shall be the determined by the Director. The Director shall transmit the application and all documents constituting the record to the appropriate hearing body or individual.

- (b) Applications shall be submitted in accordance with the advertised filing deadlines in accordance with Sec.803.03.
- (c) The Director of Community Development and Regulatory Affairs has the discretion to extend the filing deadline by two days for all applications except administrative minor and minor variance applications. A letter from the applicant explaining the delay in filing shall be submitted prior to the close of the filing deadline.

808.05 Withdrawal of Application.

- (a) An application may be withdrawn by the applicant in writing at any time before the public hearing notice advertisement is published and/or the notice of the hearing is posted on the property.
- (b) Applications which do not require a public hearing may be withdrawn at any time before notification of a decision is mailed.
- (c) Once the public hearing has been properly advertised, the request for withdrawal of the application must be placed on the public hearing agenda and the appropriate decision-making body shall act on the withdrawal request.

808.06 Fees.

At the time of application, applicants shall pay fees as established by the City Council. Fees paid are not refundable except where the Director of Community Development and Regulatory Affairs determines that an application was accepted in error, or the fee paid exceeded the amount due, in which case the amount of the overpayment will be refunded to the applicant.

808.07 Legal Action Stayed.

The filing of an appeal authorized by this Sec. 808 shall operate as a stay of any enforcement proceedings by the City of South Fulton until final resolution of the appeal.

808.08 Primary Variances.

- (a) A primary variance is a request for a variance from any Zoning Ordinance provision that is not being handled as a minor, administrative minor, or concurrent variance and shall be heard and decided by the Zoning Board of Appeals in accordance with Sec. 808.09.
- (b) A request for a primary variance may be initiated by the property owner of the subject property or its agent.
- (c) Primary variances may be considered in all districts except CUP.

808.09 Hardship Criteria.

Primary variances shall only be granted by the Zoning Board of Appeals and concurrent variances shall only be granted by City Council upon showing that, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship and such approval will not be contrary to the public interest. A variance from the terms on this Ordinance shall not be granted unless a written application is submitted demonstrating:

- (a) The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public;
- (b) That special conditions and circumstances exist which are peculiar to the land, structure, sign, or building involved and which are not applicable to other land, structures, or buildings in the same district;
- (c) That literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of this Ordinance;

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- (d) That the special conditions and circumstances do not result from the actions of the appellant;
- (e) That granting the variance requested will not confer on the appellant any special privilege that is denied by this Zoning Ordinance to other lands, structures or buildings in the same district;
- (f) That the request is limited to the extent necessary to alleviate the unnecessary hardship and not as a convenience to the appellant nor to gain any advantage or interest over similarly zoned properties; and
- (g) Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance.

808.10 Administrative Variances.

The Director of Community Development and Regulatory Affairs shall have the authority to consider and decide on the following administrative variances in accordance with Sec. 808.11 below. Such administrative action shall be made within 15 days of receipt of a complete application filed by the property owner of the subject property or its agent.

(a) Minor variance.

The Director of Community Development and Regulatory Affairs is authorized to consider an administrative variance whenever:

- (1) There is a request for the alteration of the 10-foot improvement setback required along all buffers as required in the conditions of zoning and/or in requirements for minimum landscape strips and buffers in Article 4;
- (2) There is a request up to a 10% reduction in the number of required parking spaces;
- (3) There is a request to approve changes as specified in Article 5, Overlay Districts; or
- (4) There is a request to grant a variance from the minimum yard requirements, not to exceed 10% of such requirement.

(b) Administrative minor variance.

The Director of Community Development and Regulatory Affairs may grant an administrative minor variance up to 1 foot from any minimum yard requirement.

808.11 Standards for Approval; Administrative Approvals.

An administrative variance may be granted by the Community Development and Regulatory Affairs Director upon findings that:

- (a) The relief, if granted, would not cause substantial detriment to the public good; and,
- (b) Would not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity; and,
- (c) Would not diminish and impair property values within the surrounding neighborhood; and,
- (d) Would not impair the purpose and intent of the Zoning Ordinance.

808.12 Concurrent Variances.

- (a) Concurrent variances; generally.

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- (1) The City Council may consider a concurrent variance from any standards of the Zoning Ordinance which shall be filed simultaneously with rezoning, special use or zoning modification requests on the same property based on the conceptual plan submitted with the petition for the same agenda.
 - (2) The Planning Commission shall also hear and make recommendations on concurrent variances filed with rezonings or special use applications.
 - (3) The City Council shall consider such concurrent variance requests in accordance with the standards set forth in Sec. 808.09. Public notification shall be in accordance with Sections 808.15(a) and 803.05.
- (b) Limitations on concurrent variances.
- (1) The City Council may only consider variance requests as part of, or in conjunction with, a rezoning, special use, or zoning modification application.
 - (2) If an application for a variance to the Zoning Board of Appeals duplicates a concurrent variance request denied by the City Council, such an application shall not be accepted by the Director of Community Development and Regulatory Affairs prior to the expiration of 6 months from the date of the City Council denial of the variance request. A variance request to the Zoning Board of Appeals cannot be considered simultaneously with the same variance request pending before the City Council.
- (c) Application for concurrent variances.
- (1) Applications for a concurrent variance shall be submitted to the Director of Community Development and Regulatory Affairs in accordance with the filing deadline for the parent petition of either a rezoning, special use, or zoning modification request in accordance with Sec.803.03.
 - (2) A regular variance fee shall be charged and the application shall comply with all advertising and notification requirements specified in Sec. 802.02. One notice sign may serve for both the rezoning, special use, zoning modification, and concurrent variance request as long as the sign is marked to indicate all actions which are pending.
 - (3) The variance case file number for each concurrent variance requested shall be included on the rezoning or special use application.

808.13 Public Hearing.

- (a) A public hearing shall be conducted by the stated hearing body of each appeal application before taking action thereon except those authorized to be considered administratively.
- (b) The public hearing shall be conducted in accordance with Sec. 804, Conducting a Public Hearing; Decisions.
- (c) The schedule of public hearings and deadlines for the filing of an appeal shall be established by the City Council.
- (d) Public hearings are not required for minor variances and administrative minor variances; however, notification in accordance with Sec. 808.15(b) below is required.

808.14 Evaluations and Reports.

- (a) The hearing body shall have before it, at the time of hearing, a report from the Director of Community Development and Regulatory Affairs which shall summarize the hardship or justification reported by the applicant as related to the application,

background information for the application, and any other information requested by the hearing body. The hearing body shall, hear, analyze, consider, and make a written report of its decision in accordance with Sec. 808.17, Notice of Decision.

- (b) For proposed variances from the maximum building height requirements of this Ordinance, evaluation criteria will include the proposed building location, surrounding land uses and building heights, and the vision for the subject property and surrounding area as described in the Comprehensive Plan. In addition, input from the Fire Marshal, Building Official, and the Federal Aviation Administration (FAA) will be evaluated for proposals that would result in buildings higher than 60 feet or 5 stories.

808.15 Public Notification.

- (a) Applications requiring a public hearing.

- (1) For those applications requiring a public hearing (primary variances, concurrent variances, and appeals from administrative decisions), the Director of Community Development and Regulatory Affairs shall:

- a. Publish notice of the public hearing in a newspaper of general circulation at least 15 days, but no more than 45 days prior to the public hearing at which an application will be heard. The published notice shall contain the time, place and purpose of the hearing and the location of the property if applicable. Renotification is not required when a petition is deferred by the City Council or the Zoning Board of Appeals.
 - b. The applicant or agent shall post a sign as issued by the Community Development and Regulatory Affairs Department in a conspicuous location on each public street frontage of the subject site, at least 20 days, but not more than 45 days, prior to the public hearing at which an application will be heard.
 - c. The sign shall be mounted and posted as specified by the Community Development and Regulatory Affairs Department. Property that is not posted on the 20th day before the scheduled hearing date will be administratively removed from the agenda. The sign will remain posted on-site until final action by the appropriate hearing body is taken.
 - d. When the Zoning Board of Appeals defers a petition, the applicant is required to post an updated sign with new hearing dates 20 days prior to the next scheduled hearing date. When the City Council defers a petition, an updated sign is not required.
 - e. The posted sign shall contain the date, time, place and purpose of the hearing.

- (2) Notice of the public hearing shall be postmarked 15 days prior to the hearing date and shall be given by regular mail to all property owners within 1,320 feet of the boundaries of the property who appear on the current tax records of South Fulton as retrieved by the City's Geographic Information System. Renotification is not required when a petition is deferred by the City Council or the Zoning Board of Appeals.

- (b) Applications not requiring a public hearing.

Notification shall be provided as follows:

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- (1) Minor Variance: The owners of property adjacent and contiguous across the right-of-way of the subject site shall be notified in accordance with Sec. 808.15(a)(2) above.
- (2) Administrative Minor Variance: No written notification.

808.16 Decisions.

The City Council, Zoning Board of Appeals, and the Director of Community Development and Regulatory Affairs in considering variance applications under this Article shall do one of the following:

- (a) Approve or partially approve.
- (b) Approve and impose conditions related to the application being considered.
- (c) Deny.
- (d) Hold for further study not less than 30 days.

808.17 Notice of Decisions.

Written notice of all decisions shall be placed in the official case file and shall be forwarded to the applicant by regular mail within 7 working days from the date of the decision by the following authority:

- (a) The Community Development and Regulatory Affairs Department shall provide written notification of the Zoning Board of Appeals' decisions;
- (b) The Director of the Community Development and Regulatory Affairs Department shall, with respect to minor variances and administrative modifications provide written notification of such decisions. The approval of a building permit shall constitute notice of approval for an administrative minor variance; and
- (c) The Clerk to the City Council shall, with respect to concurrent variances, provide written notification of the City Council's decision.

808.18 Reconsideration of Denied Application.

- (a) If a variance is denied by an authorized department director, City Council or the Zoning Board of Appeals, an application for the same variance or modification item shall not be considered until:
 - (1) At least 6 months has elapsed from the date of the decision; or
 - (2) New information pertinent to the subject, not previously considered, is submitted by the petitioner and the 6-month period is waived by the hearing body.
- (b) If an application is denied by the Community Development and Regulatory Affairs Director, the applicant may appeal the decision in accordance with Sec. 808.19 below.

808.19 Appeal from an Administrative Decision.

- (a) The Zoning Board of Appeals shall consider appeals of administrative variance decisions and interpretations made by the Community Development and Regulatory Affairs Director or other City official authorized to grant a variance request or interpretation.
- (b) A request for an interpretation of a decision of the Director of Community Development may be requested by any individual.

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- (c) An appeal from an administrative variance decision may be initiated by the property owner of the subject property or its agent.
- (d) Such appeals shall be brought within 30 days from the date of the action or interpretation appealed from, by filing the appeal in writing with the Community Development and Regulatory Affairs Director specifying the grounds of the appeal. The Director shall transmit a notice of said appeal to the Zoning Board of Appeals specifying the grounds thereof.
- (e) The Zoning Board of Appeals may take the following actions:
 - (1) Affirm an order, requirement, or decision, wholly or partly.
 - (2) Reverse an order, requirement, or decision, wholly or partly.
 - (3) Present an interpretation of the text in the form of a statement of clarification. Such statement shall not contain substitute language, but shall rely upon language and definitions contained in this Ordinance and definitions contained in Merriam-Webster Collegiate Dictionary, eleventh edition or later edition.

808.20 Time Limitation on Appeals to Superior Court.

- (a) The decision of the Zoning Board of Appeals is a final decision; therefore, any appeal of such a decision shall be pursued by application for writ of certiorari filed with the Fulton County Superior Court within 30 days of the date of the decision.

Article 9. Glossary
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Article 9. Glossary

Sec. 901. Purpose of Article 9.

This Article describes how figures, words and phrases used in this Zoning Ordinance are to be interpreted and provides a glossary of all definitions specifically used in the text of this Ordinance.

Sec. 902. Interpretation.

902.01 Responsibility for Interpretation.

The Community Development and Regulatory Affairs Director shall be responsible for the interpretation of the terms and definitions of this Zoning Ordinance in accordance with the authority described in Article 1 of this Ordinance.

902.02 Use of Figures and Examples for Illustration.

Figures or examples associated with defined terms or regulatory paragraphs in this Zoning Ordinance are provided only for illustration and do not limit or change the meaning of the term as defined or the requirements of the regulation as written.

902.03 Use of Words and Phrases.

- (a) Words not defined herein shall be construed to have the meaning given by Merriam-Webster's Collegiate Dictionary, eleventh edition or later edition.
- (b) For the purposes of this Zoning Ordinance, certain words or terms used herein shall be defined as follows:
 - (1) Words used in the present tense shall include the future tense.
 - (2) Words used in the singular shall include the plural and vice versa.
 - (3) The words "shall", "will", "is to" and "must" all always mandatory and never discretionary.
 - (4) The words "may" and "should" are permissive.
 - (5) The nouns "zone", "zoning district", "district", "zoning classification" and "classification" have the same meaning and refer to the zoning districts established under this Zoning Ordinance.
 - (6) The verbs "zone" and "rezone" have the same meaning and refer to the act of amending the Official Zoning Map through the process established by this Zoning Ordinance.
 - (7) The word "structure" includes the word "building;" a "building" is a type of structure.
 - (8) The word "erected" includes the words "constructed," "moved," "located," or "relocated."
 - (9) The word "lot" includes the words "plot" or "parcel."
 - (10) The word "zoning map" means the Official Zoning Map of the City of South Fulton, Georgia.
 - (11) The words "road", "street", "highway" and "thoroughfare" have the same meaning with regard to the requirements and restrictions of this Ordinance.

Use of Words and Phrases.

- (12) The word “person” includes the words “individuals”, “firms”, “partnerships”, “corporations”, “associations”, “governmental bodies” and all other legal entities.
- (13) The word “and” indicates that all of the conditions, requirements, or factors so connected must be met or fulfilled, while the word “or” indicates that at least one condition, requirement or factor so connected must be met.
- (14) The term “such as” is intended to introduce one or more examples in illustration of a requirement or point, and is intended to mean “including, but not limited, to the following.”
- (15) The terms “include” or “including,” when used to introduce a list of items, is not intended to be exclusive only to the items on the list, but is intended to mean “including, but not limited to, the following.”
- (16) The term “used for” shall include the terms “arranged for”, “designed for”, “intended for,” “maintained for” and “occupied for”.
- (17) The word “day” means a calendar day unless otherwise specified as a “work” day or “business” day, which means Monday through Friday exclusive of City-recognized holidays.
- (18) References to the “City” and to the City Council and any public officials or appointed bodies of the City not otherwise named by political jurisdiction or defined in this Zoning Ordinance shall always mean the City of South Fulton, Georgia, and its governing body, appointed or employed officials, and appointed bodies as named. These include:
 - a. The Planning Commission, created as such and appointed as such by the South Fulton City Council.
 - b. The Zoning Board of Appeals, created as such and appointed as such by the South Fulton City Council.
 - c. The City Manager, appointed as such by the South Fulton City Council, or the City Manager’s designee.
 - d. The City Attorney, appointed as such by the South Fulton City Council, or the City Attorney’s designee.
 - e. The Community Development and Regulatory Affairs Director, the City official appointed as such, or the Community Development and Regulatory Affairs Director’s designee.
 - f. The Public Works Director, the City official appointed as such, or the Public Works Director’s designee.
 - g. The Fire Marshal, the City official appointed as such, or the Fire Marshal’s designee.
 - h. Other City officials or employees, such as a “building inspector” shall mean the City official or employee appointed as such by their respective department director.
- (19) References to an administrative department or committee of the City of South Fulton shall always mean the department or committee created by the City Council as such. These include:
 - a. Department of Community Development and Regulatory Affairs: References to action by the “Community Development and Regulatory Affairs Department” shall mean action by the Community Development and

- Regulatory Affairs Director or by that administrative official to whom responsibility for that action has been assigned by the Community Development and Regulatory Affairs Director.
- b. Public Works Department: A reference to action by the “Public Works Department” shall mean action by the Public Works Director or by that administrative official to whom responsibility for that action has been assigned by the Public Works Director.
 - c. Fire and Rescue Department. A reference to action by the “Fire and Rescue Department” shall mean action by the Fire Marshal or by that administrative official to whom responsibility for that action has been assigned by the Public Works Director.
 - d. City Engineer: A reference to action by the “City Engineer” shall mean action by that administrative official to whom responsibility for that action has been assigned by the Community Development and Regulatory Affairs Director.
 - e. Building Official: A reference to action by the “Building Official” shall mean action by that administrative official to whom responsibility for that action has been assigned by the Community Development and Regulatory Affairs Director.
 - f. City Arborist: A reference to action by the “City Arborist” shall mean action by that administrative official to whom responsibility for that action has been assigned by the Community Development and Regulatory Affairs Director.

Sec. 903. Meaning of Words and Phrases.

- (a) All words and phrases are to be interpreted within the context of the sentence, paragraph, subsection, section, and Article in which they occur.
- (b) Words and phrases specifically relating to a category of use of land or a structure that are defined in this Zoning Ordinance shall be interpreted as defined herein without regard to other meanings in common or ordinary use, unless the context of the word or phrase indicates otherwise.
- (c) Other words and phrases specifically defined in this Zoning Ordinance shall be interpreted as defined herein without regard to other meanings in common or ordinary use, unless the context of the word or phrase indicates otherwise.
- (d) Words and phrases not defined in this Zoning Ordinance shall be construed to have the meaning given by common and ordinary use, the meaning of which may be further clarified by definition of the word or phrase in the Merriam-Webster's Collegiate Dictionary and the North American Industrial Classification System (NAICS) published by the U.S. Department of Commerce (latest edition). See also Article 2.

Sec. 904. Definitions.

904.01 A

Accessory Site Feature. Mechanical, electrical and ancillary equipment, cooling towers, mechanical penthouses, heating and air conditioning units and/or pads, exterior ladders, storage tanks, processing equipment, service yards, storage yards, exterior work areas, loading docks, maintenance areas, dumpsters, recycling bins, and any other equipment, structure or storage area located on a roof, ground or building.

Adjoin. To have a common border with. Adjoin may also mean coterminous, contiguous, abutting and adjacent.

Adult Day Center. A facility licensed by the Georgia Department of Community Health that provides for compensation adult day care or adult day health services for three or more adults 60 years of age or older or mature adults below the age of 60 whose needs and interests are substantially similar to persons 60 years of age or older who have physical or mental limitations that restrict their abilities that perform the normal activities of daily living and impede independent living. Services that are provided include basic social and recreational activities and, as required, limited personal care assistance, supervision, or assistance essential for sustaining the activities of daily living. Services shall not include day habilitation and treatment services exclusively for individuals with developmental disabilities. This term shall not include a respite care services program.

Alternative Telecommunication Support Structure. Clock telecommunication support structures, bell telecommunication support structures, church steeples, light/power poles, electric transmission telecommunication support structures, man-made trees and similar natural or man-made alternative design mounting structures that camouflage or conceal the presence of Antennas or telecommunication support structures. An Alternative Telecommunication Support Structure may include a pre-existing building.

Amateur Radio Antenna. Radio communication facility that is an accessory structure to a single-family residential dwelling operated for non-commercial purposes by a Federal Communication Commission licensed amateur radio operator. The term antenna shall include both the electronic system and any structures it is affixed to for primary support.

Antenna. Any equipment designed for wireless telecommunication, radio, or television communications through the sending and/or receiving of electromagnetic waves or beams of visible or invisible light and radio signals used in the provision of all types of telecommunication services, including standalone equipment and equipment affixed to or proposed to be affixed to existing telecommunication support structures and/or authorized alternative telecommunication support structures.

Apartment. A building which contains three or more dwelling units either attached to the side, above or below another unit. (See also "Dwelling, Multi-Family".)

Apartment, Efficiency. A dwelling unit consisting of not more than one habitable room, together with kitchen or kitchenette and sanitary facilities. Also known as a "studio apartment."

Appeal. A request for relief from a decision made by the Director of Community Development and Regulatory Affairs, other department directors, the Board of Zoning Appeals, and/or the City Council.

Applicable Wall Area. The wall on which a wall sign is attached including all walls and windows that have the same street or pedestrian orientation. All open-air spaces shall be excluded from the applicable wall area.

Assisted Living Facility. A personal care home serving 25 residents or more that is licensed by the Georgia Department of Community Health to provide assisted living care. "Assisted living care" means the specialized care and services provided by an assisted living community which includes the provision of personal services, the administration of medications by a certified medication aide and the provision of assisted self-preservation. This use shall not include hospitals, convalescent centers, nursing homes, hospices, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

Attic. An unheated storage area located immediately below the roof.

Authorized Agent. Person with legal authority to act on behalf of an applicant.

904.02 B

Banner. Any sign of lightweight fabric or similar material that is either with frame or without frame and hung or mounted to a pole, building or other background by one or more edges. Flags are not considered banners.

Bar. A commercial establishment used primarily for the sale or dispensing of alcoholic beverages for on-site consumption; where food may be available for consumption on the premises as accessory to the primary use; where entertainment opportunities are not the primary use and occupy no more than 10% of the total gross square footage of the business. A bar shall not be considered a Nightclub, Private Club or Club.

Basement. A level below a floor of a building with a minimum of one-half ($\frac{1}{2}$) of the total wall area below grade. A basement is not a story. The term basement is synonymous with cellar.

Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also any light with one or more beams that rotate or move.

Bed and Breakfast Inn. A residence in which the frequency and volume of visitors are incidental to the primary use as a private residence and where guest rooms are made available for visitors for fewer than 30 consecutive days. Breakfast is the only meal served and is included in the charge for the room.

Berm. A planted earthen mound.

Billboard. A free-standing sign with an area of more than 72 square feet but not more than 672 square feet.

Boarding House. A residential use other than a hotel or motel in which lodging may be provided to non-household members and which includes the provision of meals.

Brewery. Any establishment where malt beverages are manufactured.

Brewpub. Any eating establishment in which malt beverages are manufactured, subject to the barrel production limitation prescribed in O.C.G.A. § 3-5-36. As used in this paragraph, the term "eating establishment" means an establishment which is licensed to sell distilled spirits, malt beverages, or wines and which derives at least 50% of its total annual gross food and beverage sales from the sale of prepared meals or food; provided, however, that when determining the total annual gross food and beverage sales, barrels of malt beverages sold to licensed wholesale dealers, as authorized pursuant to subparagraph (D) of paragraph (2) of O.C.G.A. § 3-5-36, or to the public for consumption off the premises, as authorized pursuant to subparagraph (D) of paragraph (2) and paragraph (4) of O.C.G.A. § 3-5-36, shall not be used.

Buffer, State Waters. An area along the course of any State waters to be maintained in an undisturbed and natural condition.

Buffer, Tributary. A protection area adjoining the tributaries of the Chattahoochee River. Tributary buffer specifications are contained in Part D of each prospective land use section of the Tree Ordinance.

Buffer, Zoning. A natural undisturbed portion of a lot, except for approved access and utility crossings and approved project entrance signs, which is set aside to achieve a visual barrier between the use on the lot and adjacent lots and/or uses.

Buildable Area. The portion of a parcel of land where a building may be located, and which shall contain enough square footage to meet the minimum required by the zoning district. That portion which is not located in the minimum setbacks, utility corridors, driveways, slopes to build streets, tree save areas, landscape strips, specimen tree areas, state water buffers, tributary buffers, zoning buffers, wetlands, storm water and sanitary sewer easements.

Building. Any structure with a roof, designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind.

Building Line. A building line is one which is no closer to a property line than the minimum yard (setback) requirements.

Business. A use involving retailing, wholesaling, warehousing, outside storage, manufacturing or the delivery of services regardless of whether payment is involved. The term Business does not include uses which are customarily incidental (accessory) to another use.

Business Incubator: A workspace created to offer startups and new ventures a variety of business support resources and services that could include physical space, capital, coaching, common services, and networking connections.

904.03 C

Canopy. A roof-like cover, excluding carports, that either projects from the wall of a building or is freestanding.

CDRA. Community Development and Regulatory Affairs.

Cellar. See "Basement".

Check Cashing Establishment. Any establishment licensed by the State of Georgia pursuant to O.C.G.A. sections 7-1-700 et seq.

Church, Temple or Place of Worship. A facility in which persons regularly assemble for religious ceremonies.

Clear Cutting. The removal of all vegetation from a property, whether by cutting or other means, excluding stream buffer requirements.

Clinic. A use where medical examination and treatment is administered to persons on an outpatient basis. No patient shall be lodged on an overnight basis.

Club, Non-Profit. A non-profit entity organized for a social, educational or recreational use normally involving community centers, public swimming pools and/or public recreational courts, civic clubhouses, lodge halls, fraternal organizations, country clubs and similar facilities. A Club shall not be considered a Nightclub, Private Club or Bar.

Commercial Amusement /Indoor. A use where recreational activity such as movie theaters, arcades, billiards, game rooms, sporting activities and other recreational amusements are conducted within a building.

Commercial Amusement/Outdoor. A use where recreational activity such as skating rinks, batting cages, miniature golf, drive-in theaters and other recreational activities or amusements that are conducted outside a building.

Comprehensive Plan. The City of South Fulton Comprehensive Plan.

Composting. A processing operation for the treatment of vegetative matter into humus-like material that can be recycled as a soil fertilizer amendment such as trees, leaves and plant material. Organic animal waste, food, municipal sludge, solid waste, and other non-farm or vegetative type wastes are not included.

Condominium. A form of ownership as defined by State law in which common elements are jointly owned. A condominium is not a building type.

Conservation Subdivision. A single family detached residential subdivision in which a minimum of 40% of the total land area is set aside as permanently protected open space as defined by the South Fulton Subdivision Regulations.

D

Construction Material. Building materials and rubble resulting from construction, remodeling, repair, and/or demolition operations on pavements, houses, commercial buildings and other structures. Such materials include, but are not limited to, asbestos containing waste, wood, bricks, metal, concrete, wall board, paper, cardboard, inert waste landfill material, and other nonputrescible wastes which have a low potential for groundwater contamination.

Convenient Location and Time. Suitable time and easily accessible place for applicants to meet with interested parties to discuss rezoning and/or special use applications.

Continuing Care Retirement Community. A type of Senior Housing, as defined by this Zoning Ordinance, that allows residents to age in place by providing health services including assisted living, memory care and skilled nursing, in addition to independent living.

Country Club. A recreational facility, restricted to members and their guests, which generally includes a club house, dining and eating establishments, personal services for members, and recreational facilities such as golf course(s), tennis courts, and swimming pools.

Country Inn. A facility, with the owner or innkeepers residing on the premises, where guest rooms are made available for visitors for fewer than 30 consecutive days. A Country Inn is distinguished from a Bed and Breakfast category in that it serves both breakfast and lunch or dinner.

Courtyard. An open-air area, other than a yard, that is bounded by the walls of a building. Courtyards are used primarily for supplying pedestrian access, light, and air to the abutting building(s). Site furniture, lighting and landscaping are appropriate for courtyards. Vehicular access allowed for unloading and loading only. No vehicular parking or vehicular storage is allowed.

Coworking space. A facilitated environment which may contain desks or other workspaces and facilities and is used by a recognized membership who share the site in order to interact and collaborate with each other as part of a community. Rules for membership and participation in the coworking space are explicit, transparent and are available to by the public. Coworking spaces may host classes or networking events which are open either to the public or to current and prospective members. Equipment is limited to that which does not generate noise or pollutants in excess of what is customary within a typical office environment.

Cul-de-sac. A street having only one connection to another street and is terminated by a vehicular turn-around.

Curb Cut. A connection between a roadway and a property for vehicular access. Curb cut applies to access regardless of the existence of curbing.

Cutoff. A luminaire light distribution where the emission does not exceed 2.5% of the lamp lumens at an angle of 90 degrees above nadir and does not exceed 10% at a vertical angle of 80 degrees above nadir.

Cutoff Fixture. A luminaire light distribution where the candela per 1,000 lamp lumens does not numerically exceed 25 (2.5%) at or above a vertical angle of 90 degrees above nadir, and 100 (10%) at or above a vertical angle of 80 degrees above nadir. This applies to all lateral angles around the luminaire.

904.04 D

Day Care Facility. A facility licensed by the Georgia Department of Early Care and Learning as a “child care learning center” in which shelter, care, and supervision for 7 or more children under 13 years of age is provided on a regular basis away from their residence for less than 24 hours a day, without transfer of legal custody. A Day Care Facility may provide basic educational instruction. The term shall include nursery school, kindergarten, early learning center, play school, and pre-school.

Day Care Home, Family. See “Family Day Care Home”.

Day-Night Average Sound Level (DNL). The day-night average sound level (DNL) is the 24-hour average sound level, in decibels, obtained from the accumulation of all events with the addition of 10 decibels to sound levels in the night from 10 P.M. to 7 A.M. The weighing of nighttime events accounts for the usual increased interfering effects of noise during the night, when ambient levels are lower and people are trying to sleep. DNL is a weighted average measured in decibels (db).

Deck. A structure abutting a dwelling with no roof or walls except for visual partitions and railings not to exceed 42 inches above finished floor which is constructed on piers or a foundation above-grade for use as an outdoor living area.

Department. Department of Community Development and Regulatory Affairs or future name as adopted by the Mayor and Council of South Fulton.

Development, Duplex. A development of duplexes.

Development, Multi-family. A development of multifamily dwelling units on a single lot of record.

Development Permit Standards. Requirements established for each administrative permit such as setbacks, access, landscape and buffer areas, hours of operation etc.

Development of Regional Impact or DRI. A large-scale and/or specific type of development proposed to be located in the city that is likely to generate impacts beyond the city boundaries.

Development of Regional Impact (DRI) Study. A review by the Atlanta Regional Commission and the Georgia Regional Transportation Authority of large-scale projects that are of sufficient size that they are likely to create impacts beyond the jurisdiction in which each project will be located.

Development, Single-Family. A development of single-family dwelling units, with each dwelling unit including accessory structures, on a separate lot of record.

Development Standards. Dimensional measurements as specified in zoning districts relating to such standards as yard setbacks, lot area, lot frontage, lot width, height and floor area.

Development, Townhouse. A development of townhouse dwelling units.

Director. Director of Community Development and Regulatory Affairs.

Distribution Line. A pipeline other than a gathering or transmission line.

District, Nonresidential. A term used to identify all districts except single-family dwelling districts, all apartment districts, R-6, TR, MHP and residential portions of a CUP — Includes AG-1.

District, Residential. A term which applies to all single-family dwelling districts, all apartment districts, R-6, TR, MHP, NUP and residential portions of a CUP and CUP-CGA — Excludes AG-1.

Drainage Facility. A facility which provides for the collection, removal and detention of surface water or groundwater from land by drains, water course or other means.

Dwelling. Any building or portion thereof which is designed for or used for residential purposes for periods of more than 30 consecutive days. A dwelling shall not include Temporary Storage Units, as defined in this Article.

Dwelling, Duplex. A structure that contains two dwelling units.

Dwelling, Multi-family. A structure containing three or more dwelling units not including townhouses, triplexes or quadruplexes.

Dwelling, Patio Home. A single-family dwelling unit on a separate lot with setbacks on only three sides due to one of the building's sides resting on a lot line.

Dwelling, Quadruplex. Four attached dwellings in one building in which each unit shares one or two walls with an adjoining unit or units.

Dwelling, Triplex. A building containing three dwelling units, each of which has direct access to the outside or to a common hall.

Dwelling Unit. One or more rooms constructed with cooking, sleeping and sanitary facilities designed for and limited to use as living quarters for one family.

Dwelling Unit, Single-Family. One dwelling unit that is not attached to any other dwelling unit by any means.

Dwelling Unit, Townhouse. A dwelling unit in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common walls.

904.05 E

Electric Vehicle Supply Equipment (EVSE). The conductors, including the ungrounded, grounded, and equipment grounding conductors and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

Environmentally Adverse Use. Any use or activity which poses a potential or immediate threat to the environment and/or is physically harmful or destructive to living beings. Without limiting the generality of the foregoing, the following uses are specifically declared to be environmentally adverse:

- (a) All environmentally adverse uses listed in Article 3 of this Zoning Ordinance, in addition to quarries, surface mines, landfills, and waste transfer stations;
- (b) All uses that will result in the discharge of any chemical listed in any of the following publications:
 - (1) The Environmental Protection Agency's List of Hazardous Air Pollutants as included in the Clean Air Act Amendments of 1990, including any modifications or amendments thereto;
 - (2) The Environmental Protection Agency's List of Toxic Pollutants prepared in accordance with the Clean Water Act as codified at 40 C.F.R. 401.15 of the Code of Federal Regulations, including any modifications or amendments thereto; or
 - (3) The Environmental Protection Agency's List of Priority Pollutants prepared in accordance with the Clean Water Act as codified at 40 C.F.R. 423, Appendix A, of the Code of Federal Regulations, including any modifications or amendments thereto.
- (c) All uses that will require the issuance of a permit by or will be otherwise subject to regulations promulgated by either the Environmental Protection Agency or the State of Georgia Environmental Protection Division.

Environmentally Stressed Community. Any existing residential development (single-family dwelling, duplex dwelling, triplex dwelling, quadruplex dwelling, townhouse dwelling or multifamily dwelling), any portion of which is located within ½ mile of an existing Environmentally Adverse Use. Environ.

Explosive. A chemical compound, mixture or device, the primary or common purpose of which is to function by explosion. The term includes, but is not limited to, dynamite, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord, igniters, display fireworks, and gun powder.

904.06 F

Family. One or more persons related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, or up to four unrelated persons, occupying a dwelling unit and living

as a single housekeeping unit, as distinguished from persons occupying a rooming, boarding or lodging house, a hotel.

Family Day Care Home. A Home Occupation in which shelter, care, and supervision are provided fewer than 24 hours per day for six or fewer children under 13 years, without transfer of legal custody. A Family Day Care Home shall be licensed by the Georgia Department of Early Care and Learning as a “family child care learning home” and may provide basic educational instruction.

Family Qualified Group Residence. A group residence which otherwise falls under the definition of a “Family” and therefore does not require approval as a Special Use.

Farm. A parcel of land which is used for the raising of animals (including fish) on a commercial basis, such as ranching, dairy farming, piggeries, poultry farming and fish farming; a facility for the business of boarding or renting horses to the public; or a site used for the raising or harvesting of agricultural crops such as wheat, field forage and other plant crops intended for food or fiber.

Farm Winery. A parcel zoned as an agricultural use where: (1) fruit is grown in a producing vineyard, orchard or similar growing area on the premises and with facilities for fermenting and bottling wine on the premises where the owner or lessee manufactures wine or fortified wine that contains not more than 24% alcohol by volume; or (2) purchased from producing vineyard, orchard or similar growing area in the City of South Fulton and with facilities for fermenting and bottling wine on the premises where the owner or lessee manufactures wine or fortified wine that contains not more than 24% alcohol by volume.

Flag Lot. A lot where frontage to a public street is provided via a narrow strip of land forming a pole or stem to the buildable portion of the lot.

Flex Office/Warehouse Space. Industrial space that is a combination of non-airconditioned warehouse space with airconditioned office space and or showroom space attached.

Flood Lamp. A form of lighting designed to direct its output in a specific direction with a reflector formed from the glass envelope of the lamp itself. Such lamps are so designated by the manufacturers and are typically used in residential outdoor area lighting.

Flood Light. A form of lighting designed to direct its output in a diffuse, more or less specific direction, with reflecting or refracting elements located external to the lamp.

Floor Area, Gross. The sum of all floors of a structure as measured to the outside surfaces of exterior walls or the center of connected or common walls, including common public areas, such as lobbies, rest rooms and hallways, spaces devoted exclusively to permanent mechanical systems, permanent storage areas, stairwells, elevator shafts, but excluding internal parking and loading areas, attics, porches, balconies and other areas outside of the exterior walls of the building. Gross floor area is used to determine the building sizes for all but single-family dwellings and to determine required parking when floor area is the designated measure for a use. Commonly referred to as Floor Area.

Floor Area, Ground. The heated floor area of the first story of a building above a basement or, if no basement, the lowest story.

Floor Area, Heated. The sum of all heated area of a dwelling or dwelling unit, as appropriate, measured to the inside surfaces of exterior walls, excluding porches, balconies, attics, basements (finished or unfinished), garages, patios and decks.

Floor Area, Net. The sum of all floors of a structure as measured to the outside surfaces of exterior walls, excluding halls, stairways, elevator shafts, attached and detached garages, porches, balconies, attics with less than 7 feet of headroom, basements, patios and decks are excluded.

Floor Area, Net Leasable. Gross floor area less the common public areas.

Food Truck. A mobile kitchen, mobile canteen or catering truck which serves as a mobile venue that transports, assembles and sells food and beverages (non-alcoholic). Food trucks include ice

cream trucks, pushcarts, and or canteen trucks. It is a mobile, fully self-contained unit with valid State of Georgia registration that utilizes no outside cooking area. Mobile food vendors which stop for less than or equal to 30 minutes at a single location shall not be considered Food Trucks.

Food Truck Festival. Coordinated and advertised gathering of three or more Food Trucks in one location on a date certain with the intent to serve the public.

Foot-candle. A unit of measure for illuminance on a surface that is everywhere one foot from a point source of light of one candle, and equal to one lumen per square foot of area.

Full Cutoff. A luminaire light distribution where zero candela intensity occurs at or above an angle of 90 degrees above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10%) at or above a vertical angle of 80 degrees above nadir. This applies to all lateral angles around the luminaire.

Full Cutoff Fixture. An outdoor light fixture shielded or constructed in such a manner that it emits no light above the horizontal plane of the fixture.

904.07 G

Garage, Truck and Heavy Equipment Repair. A use which may provide a full range of repairs and services including major overhauls on trucks and heavy equipment. Includes paint and body shops.

Garden Center. A business whose primary operation is the sale of seeds and organic and inorganic materials, which include but are not limited to trees, shrubs, flowers, and other plants for sale or transplanting, mulch, pine straw, and other organic products for landscaping purposes.

Gas Station. An establishment where motor vehicle fuel is sold to retail customers. A gas station may be part of a parcel containing a combination of convenience store and/or fast-food restaurant located inside one structure on the parcel.

Glare. The sensation produced within the visual field by luminance that is sufficiently greater than the luminance to which the eyes are adapted, causing annoyance, discomfort, or loss in visual performance and visibility.

Golf Course. A use of land for playing the game of golf. The term shall not include miniature golf, but may include a Country Club, pro shop, and a driving range as an accessory use.

Governmental Facility. A building or institution provided by the government to care for a specified need, such as a courthouse or jail.

Grade. The average elevation of the finished surface of the ground adjacent to all sides of any structure.

Green space. Green space means permanently protected land and water, including agricultural and forestry land, that is in its undeveloped, natural state or that has been developed only to the extent consistent with, or is restored to be consistent with, one or more of the following goals:

- (a) Water quality protection for rivers, streams, and lakes;
- (b) Flood protection;
- (c) Wetlands protection;
- (d) (Reduction of erosion through protection of steep slopes, areas with erodible soils, and stream banks;
- (e) Protection of riparian buffers and other areas that serve as natural habitat and corridors for native plant and animal species;
- (f) Scenic protection;

- (g) Protection of archaeological and historic resources;
- (h) Provision of recreation in the form of boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, and similar outdoor activities; and
- (i) Connection of existing or planned areas contributing to the goals set out in this paragraph.

Group Residence for Adults. A state licensed 24-hour residential facility functioning as a single housekeeping unit for the sheltered care of five or more adults over the age of 18 with special needs which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services and transportation. Bedroom suites shall not include kitchen facilities. This use does not include Rooming Houses and uses licensed by the state as Child Caring Institutions, Personal Care Homes, or Assisted Living Facilities. This use does include Second Chance Homes as licensed by the state.

Group Residence for Children. A facility licensed by the Georgia Department of Human Resources as a "child caring institution" in which full time care is provided for six or more children through the age of 18 years of age outside of their own homes. Full-time care is referred to as room, board and watchful oversight. A group residence may not serve the purpose of, or as an alternative to, incarceration.

Guest House. A detached accessory dwelling unit located on the same lot with a single-family dwelling unit and used by relatives, guest or employees that work on the property without payment for rent.

904.08 H

Hardship. The existence of extraordinary and exceptional conditions pertaining to the size, shape, or topography of a particular property, because of which the property cannot be developed in strict conformity with the provisions of the Zoning Ordinance.

Height. The vertical distance measured from the finished grade along all walls of a structure to the highest point of the coping or parapet of a flat roof or to the average height between eaves and ridge for gable, hip and gambrel roofs.

Height, Sign. The elevation measured from grade level adjoining a sign to the highest point on the sign; except that when measuring a free-standing sign, any part of which is located below the centerline of an adjoining street, said sign shall be measured from the elevation of the centerline of the road to the highest point on the sign.

Historic Period Lighting. Commercial lighting with an architectural design from the late 19th and early 20th centuries.

Home Occupation. An accessory use of a dwelling unit for business, operated by members of the resident family only.

Hospice, Inpatient Facility. A state-licensed facility that provides inpatient palliative and supportive care for five or more chronically or terminally patients and is not a part of a licensed skilled nursing facility or a licensed hospital.

Hotel. A facility with guest rooms or suites that are directly accessed from an enclosed interior lobby and are rented to the general public for transient lodging for fewer than 30 days. A hotel may include additional facilities and services, such as restaurants, meeting spaces, and recreational facilities.

Hotel, Extended Stay. Any hotel with six or more guest rooms, and where more than 5% of the guest rooms located therein contain a fixed cooking appliance.

904.09 I

IESNA. The Illuminating Engineering Society of North America, a non-profit professional organization of lighting specialists that has established recommended design standards for various lighting applications.

Illuminance. The quantity of light arriving at a surface divided by the area of the illuminated surface, measured in foot-candles. Horizontal illuminance applies to a horizontal surface, vertical illuminance applies to a vertical surface. Average illuminance is the level of illuminance over an entire illuminated target area. Maximum illuminance is the highest level of illuminance on any point within the entire area; minimum illuminance is the lowest level of illuminance on any point within the entire area.

Illuminance Levels. Illuminance levels and foot candles noted in this ordinance mean the maintained illuminance levels; the illuminance levels occurring just prior to lamp replacement and luminaire cleaning. The average illuminance level applies to an entire illuminated target area. Minimum and maximum illuminance levels apply to small areas within the entire illuminated target area. Unless otherwise noted, illuminance levels refer to horizontal illuminance levels.

Illumination. Direct illumination is illumination which is projected from within a sign, building, etc. Indirect illumination is illumination which is projected onto a sign, building, etc.

Improvement Setback. An area adjacent to a zoning buffer in which no improvements and/or structures shall be constructed.

Industrialized Building. Any structure or component thereof which is designed and constructed in compliance with the state minimum standards codes and is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof.

904.10 J

Junk Facility. See "Salvage/Storage/Junk Facility".

904.11 K

Kennel. A use for the shelter of domestic animals where the shelter of these animals involves an exchange of revenue in which a business license is required. If the kennel is a non-business operation, its use may be certified by the South Fulton Animal Control Office.

904.12 L

Lamp. The component of an outdoor luminaire that produces light.

Land Disturbance Permit. A permit issued by the Department of Community Development and Regulatory Affairs that authorizes the commencement of alteration or development of a given tract of land or the commencement of any land disturbing activity.

Land Disturbing Activity. Any alteration of land which may result in soil erosion from water or wind and the movement of sediment into water or onto lands, including, but not limited to, clearing, dredging, grading, excavating, transporting and filling.

Landfill, Inert Waste Disposal. A disposal facility accepting only waste that will not or is not likely to cause production of leachate of environmental concern by placing an earth cover thereon. Such waste is limited to earth and earth-like products, concrete, cured asphalt, rocks, bricks, yard trash, stumps, limbs and leaves. This definition excludes other types of industrial and demolition waste not specifically listed above. Refer to the rules concerning Solid Waste Management of the Georgia Department of Natural Resources, Environmental Protection Division, as amended, for further definition.

Landfill, Solid Waste Disposal. A disposal facility accepting solid waste excluding hazardous waste disposed of by placing an earth cover thereon. Solid waste includes waste from domestic, agricultural, commercial and industrial sources. Refer to the rules concerning Solid Waste Management of the Georgia Department of Natural Resources, Environmental Protection Division, as amended, for further definition.

Landscape Strip. An area required by this Ordinance or by conditions of zoning which is reserved for the installation and/or maintenance of plant materials.

Landscaping Business. A business whose primary operation is the sale and/or storage of organic and inorganic materials, plants, mulch, pine straw, and other limited related accessory products for the landscape industry and the storage and use of associated landscape vehicles.

Large-Scale Retail/Service Commercial Establishment. An individual retail/service establishment that is 75,000 square feet or greater. This size threshold refers to an individual establishment and its associated outdoor areas used for display and storage.

Large-Scale Retail/Service Commercial Development. A retail/service commercial development having between one and four large-scale retail/service commercial establishments whether freestanding or combined.

Lawful Use. Any use of lots or structure which is not in violation of any existing federal, state or local law, statute, regulation or ordinance.

Light, Direct. Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of luminaire.

Light, Fully-shielded. Outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test report.

Light, Indirect. Direct light that has been reflected or has scattered off of other surfaces.

Loading Space. An area within the main building or on the same lot, which provides for the loading, or unloading of goods and equipment from delivery vehicles.

Lodge and/or Retreat/Campground. A facility which provides space, food and/or lodging facilities for social, educational or recreational purposes.

Lot. The basic lawful unit of land, identifiable by a single deed. A group of two or more contiguous lots owned by the same entity and used for a single use shall be considered a single lot. Lot, tract and parcel are synonymous.

Lot, Corner. A Multiple Frontage Lot adjoining two streets at their intersection.

Lot Coverage. The computed ground area occupied by all impervious surface within a lot.

Lot Frontage. The shortest property line adjoining a street or, for lots requiring no street frontage, oriented toward a street. A property line adjoining a stub street shall not be considered as frontage unless it is proposed for access or is the only street frontage. Front yard requirements shall be measured from this property line.

Lot Line, Front. A lot line which extends the entire length of an abutting street from intersecting property line to intersecting property line. The front lot line of a corner lot abuts the street which adjoins the lot for the shortest distance.

Lot Line, Rear. The lot line opposite and most distant from the front lot line. For a pointed or irregular lot, the rear lot line shall be an imaginary line, parallel to and the most distant from the front lot line, not less than twenty feet long, and wholly within the lot. True triangular lots do not have rear lot lines. Lots with more than one front lot line do not have rear lot lines.

Lot Line, Side. A lot line which is not a rear or front lot line.

Lot Line/Property Line. A line established through recordation of an approved plat, or a deed in the absence of a platting requirement, which separates a lot from other lots, or a lot from rights-of-way.

Lot, Multiple Frontage. Lots adjoining more than one street.

Lot, Nonconforming. See "Nonconforming Lot, Use or Structure".

Lot-of-Record. A lot, whether lawful or unlawful, which appears on a deed and/or plat recorded in the official records of the Clerk of Superior Court.

Lot, Unlawful. Any lot-of-record which, at the time of recordation in the official records of the Clerk of Superior Court, was not in compliance with zoning and subdivision laws in effect at that time.

Lot Width, Minimum. The least dimension required along the building line specified for each district, parallel to the lot frontage and measured between side lot lines.

Luminaire. This is a complete lighting system and includes a lamp or lamps and a fixture.

Luminaire Height. The height of a luminaire shall be the vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

904.13 M

Maintenance, Normal. The upkeep of a sign for the purpose of maintaining safety and appearance which may include painting, bulb replacement, panel replacement, letter replacement, repair of electrical components, and structural reinforcements to its original condition.

Maker Space: A Coworking Space, as defined in this Article, which allows members access to fabrication tools similar to those in machine shops or other light industrial facilities.

Manufactured Home. A new or used structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. A manufactured home is not a modular home or a mobile home. A manufactured home does not include recreational vehicles.

Manufactured Home Park. Use of property for two or more manufactured homes for living purposes, and spaces or lots set aside and offered for use for manufactured homes. Does not include manufactured home sales lot.

Massage Therapy. A business where the practice of or engagement in massage therapy, as defined by the Georgia Massage Therapy Practice Act, is performed by massage therapists that are licensed by the Georgia Board of Massage Therapy.

Massing. Varying the massing of a building may be achieved by varying the surface planes of the building with porches, balconies, bay windows, and/or overhangs, and/or stepping-back the buildings from the second floor and above, and/or breaking up the roofline with different elements to create smaller compositions.

Marquee. Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building used for advertising or identification.

Medical Related Lodging. A use which provides temporary lodging for family members of a hospitalized patient.

N

Microbrewery. Collectively refers to breweries and brewpubs.

Mineral Extraction. Severance and/or removal of sand, stone, gravel, topsoil, and other mineral resources whenever such severance and/or removal is not conducted in conjunction with a permitted development activity.

Mini-warehouse. A structure or group of structures containing separate spaces/stalls which are leased or rented on an individual basis for the storage of goods.

Mobile Home. A new or used structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured prior to June 15, 1976. A mobile home is not a modular home or a manufactured home. A mobile home does not include recreational vehicles.

Model Home. A dwelling unit used for conducting business related to the sale of a development.

Modification. An application requesting change to an approved condition of zoning or special use approval, except for conditions that pertain to a change in use, increase in density, and/or increase in height.

Modular Home. An industrialized building that is a dwelling unit designed and constructed in compliance with the Georgia State Minimum Standard One and Two Family Dwelling Code which is wholly or in substantial part, made, fabricated, formed, or assembled in a manufacturing facility and cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. Any such structure shall not contain a permanent metal chassis and shall be affixed to permanent load-bearing foundation. The term shall not include manufactured homes as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

Motel. A facility with guest rooms or suites that are directly accessed from an exterior walkway and are rented to the general public for transient lodging for fewer than 30 days. A motel may include additional facilities and services, such as restaurant, meeting spaces, and recreational facilities.

Multi-tenant. Two or more businesses that provide goods and/or services within separate structures located on the same site or within the same structure that provides wall separation and private access for each business.

904.14 N

NADIR. The point directly below the luminaire defined as 0 degrees vertical angle.

Nightclub. A commercial establishment having a capacity of at least 100 persons per the City of South Fulton Fire Code, with all booths and tables unobstructed and open to view, dispensing alcoholic beverages and in which music, dancing or entertainment is conducted. All such establishments shall be equipped with air conditioning. The principal business of a nightclub shall be entertaining, and the serving of alcoholic beverages shall be incidental thereto. A nightclub shall not be considered a Bar, Private Club or Non-Profit Club.

Nonconforming (Grandfathered) Lot, Use or Structure. A use, lot, structure or sign that lawfully existed prior to the adoption of the South Fulton Zoning Ordinance, or subsequent amendments thereto, and does not now meet the minimum requirements of the district in which it is located as a result of such adoption or amendment.

Nursing Home. A state-licensed facility which admits five or more patients on medical referral only and for whom arrangements have been made for continuous medical supervision; it maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory

agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the home.

904.15 ○

Off-Premise. A location outside of the subject lot for a designated use.

Off-Site/Premise. The location of a structure or use outside the lot-of-record of the subject development including the adjoining street or other right-of-way.

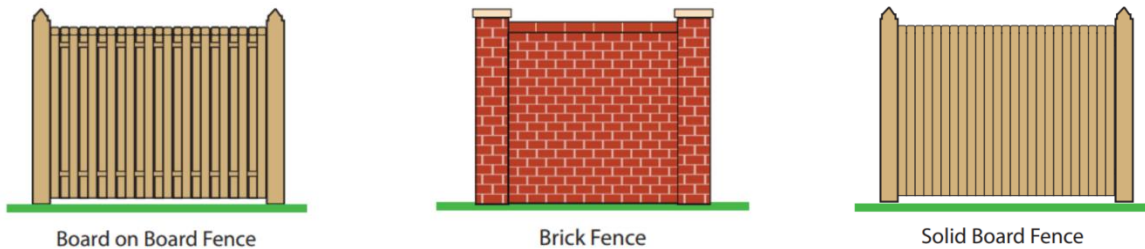
On-Premise. The individual lot-of-record on which the use is located.

On-Site/Premise. The location of a structure or use within the confines of a property delineated by property lines or, if referenced in a zoning or special use approval case, within the confines of the boundaries of the legal description filed with the petition.

Office, Temporary. A mobile, manufactured or other structure which is used as an office for real estate sales, on-site construction management and related functions.

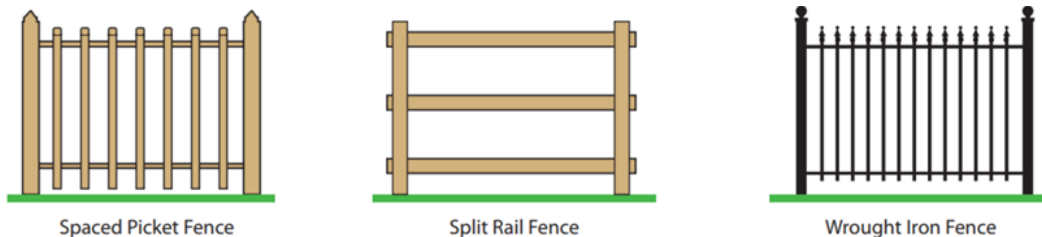
Opaque. As used to regulate fences and walls, the term “Opaque” shall mean a fence or wall has no openings, other than gates, or contains shiplap, tongue and groove or similar overlapping design if made of wood. Apart from any regulation of this Zoning Ordinance that requires a fence or wall to be 100% opaque, fences or walls that are less than 25% open as viewed on a horizontal plane shall be considered opaque. See also “Open” and “Semi-Opaque”.

Figure 9-1 Examples of Opaque Fence Styles



Open. As used to regulate fences and walls, the term “Open” shall mean a fence or wall that consists of more than 75% open voids, as viewed on a horizontal plane. See also “Opaque” and “Semi-Opaque”.

Figure 9-2 Examples of Open Fence Styles



Open Space. A portion of a site which is permanently set aside for public or private use and will not be developed. The space may be used for passive or active recreation or may be reserved to protect or buffer natural areas. Open space may include wooded areas other than required landscape strips and buffers, pathways/walkways, fields, and sensitive environmental areas such as wetlands, etc. Detention facilities and platted residential lots shall not be included in open space calculations.

Outparcel (spin-site). A portion of a larger parcel of land generally designed as a site for a separate structure and business from the larger tract. An outparcel may or may not be a subdivision of a larger parcel. To be recognized as an outparcel, the portion must be identified on a Site Plan approved for the larger parcel.

904.16 P

Parcel. See "Lot".

Parking Lot. An area which is used for the parking of vehicle.

Parking Space. An area designated for the parking of one vehicle on an all-weather surface.

Path. A cleared way for pedestrians and/or bicycles that may or may not be paved or otherwise improved.

Patio Home. See "Dwelling, Patio Home".

Personal Care Home. A state-licensed dwelling or facility which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for five to 24 adults. "Personal Services" includes, but is not limited to, individual assistance with or supervision of self-administered medication, assistance with ambulation and transfer, and essential activities of daily living such as eating, bathing, grooming, dressing, and toileting. This use shall not include hospitals, convalescent centers, nursing homes, hospices, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

Plans Review. The act of reviewing plans and specifications to ensure that proposed undertakings comply with various governing laws, ordinances and resolutions. Compliance is subsequently utilized to determine that work and materials are in accordance with approved plans and specifications.

Plant Nursery. Any land used to raise trees, shrubs, flowers and other plants for sale or transplanting, but not including the retail sale of any related garden supplies such as chemical fertilizer, tools and other similar goods and/or equipment, or the retail sale of plants not grown on the property except in accordance with this Ordinance.

Plat, Final. A finished drawing of a subdivision which provides a complete and accurate depiction of all legal and engineering information required by the Subdivision Regulations. Certification is necessary for recording.

Plat, Preliminary. A drawing which shows the proposed layout of a subdivision in sufficient detail to clearly indicate its feasibility but is not in final form for recordation pursuant to the Subdivision Regulations.

Pollution Point. The location of an air pollution source (AFS report*), CERCLA site (CERCLIS report*), HSI site (RCRA report*), NPDES site (PCS/ICIS report*), landfill, RCRA site (RCRA report*), solid waste landfill, TRI site (TRI report*), or known reported environmental violation. (*Found at Envirofacts website: www.epa.gov/enviro/)

PODS. Portable on demand storage containers. See also "Temporary Storage Units".

Porch. A roofed open structure projecting from the exterior wall of a building and having at least seventy percent of the total area of the vertical planes forming its perimeter unobstructed in any manner except by insect-screening between floor and ceiling.

Primary Variance. An application requesting relief from the standards of the Zoning Ordinance, except relief from use, minimum lot area, or minimum lot frontage.

Private Club. A corporation chartered, organized and existing under the laws of the state, exempt from federal income taxes pursuant to Section 501(c) of the Internal Revenue Code, as amended, actively in operation within the City, having at least 300 members regularly paying monthly, quarterly, or semiannual dues or user fees, organized and operated exclusively for pleasure, recreation and

other nonprofitable purposes, no part of the net earnings of which inures to the benefit of any shareholder or member, and owning, hiring or leasing a building or space therein for the reasonable use of its members with suitable kitchen and dining room space and equipment and maintaining and using a sufficient number of employees for cooking, preparing and serving meals for its members and guests; provided, that no member or officer, agent or employee of the club is paid, or directly or indirectly receives, in the form of salary or other compensation, any profits from the sale of alcoholic beverages to the club or its members or guests beyond a fixed salary. In no event shall dues or user fees be paid on a daily basis. Activities defined by this Zoning Ordinance as Adult Entertainment or facilities defined as an Adult Entertainment Establishment shall be prohibited within a Private Club establishment. A Private Club shall not be considered a Nightclub, Non-Profit Club or Bar.

Property. When used in conjunction with an application for rezoning, an area of land composed of less than one lot, or of accumulations of one or more lots, or parts thereof.

Protected Zone. All lands that fall outside the buildable area of a parcel, all areas of a parcel required to remain in open space, all areas required as landscape strips and/or buffers (including zoning buffers, state water buffers and tributary buffers) and all tree save areas according to the provisions of this Zoning Ordinance, conditions of zoning, special use approval, variance approval, and/or the Tree Preservation Ordinance.

904.17 Q

Reserved.

904.18 R

Recreational Court, Private. An improved area designed and intended for the playing of a game or event such as basketball or tennis, and which serves a single family dwelling(s), duplex dwellings and/or multi-family dwellings, or combinations of dwelling types, including such improved areas which are owned and/or controlled by a neighborhood club or similar organization. A basketball goal adjoining a driveway of typical residential driveway dimensions shall not constitute a recreational court.

Recreational Court, Public. An improved area designed and intended for the playing of a game or event such as basketball or tennis, and is operated as a business or as a club unless such club is a neighborhood club or similar organization identified under Recreational Court, Private.

Recreational Facilities. Includes parks, recreation areas, golf courses, playgrounds, recreation counters (indoor & outdoor), playing fields, and other similar uses or facilities.

Recreation Fields. An outside area designed and equipped for the conduct of sports and leisure time activities including but not limited to softball, soccer, football, and field hockey.

Recreational Vehicle. A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and is primarily designed as a temporary living accommodation for recreational and camping purposes. Examples include a camper, a motor home and a travel trailer. As distinguished from a mobile home, dimensions shall not exceed a width of 8.5 feet and a length of 45 feet.

Recycling Center, Collecting. Any facility utilized for the purpose of collecting materials to be recycled including, but not limited to, plastics, glass, paper and aluminum materials. A drop off point for temporary storage of recyclables, no processing or reprocessing of materials is allowed.

Recycling Center, Reprocessing. A facility, in which recyclables, such as newspapers, magazines, cardboard, books and other paper products; glass; metal cans; and other products, are recycled, reprocessed and treated to return such products to a condition in which they may again be used in new products. The reprocessing or storage, bailing or otherwise dealing in scrap irons or other metals, used cloth, plumbing fixtures, appliances, brick, wood or other building materials; and the storage or accumulation outside of a storage building of used vehicle tires or tire carcasses is prohibited. A recycling center is not to be considered a landfill.

Relocated Residential Structure. A dwelling which has been removed from one location for relocation to another lot.

Reprocessing. Waste materials are subjected to a special process or treatment to return such products to a condition in which they may again be used in new products.

Restaurant. An establishment where meals are prepared and served to seated patrons. The serving of those meals shall be the principal business conducted, with the serving of alcoholic beverages to be consumed on the premises as only incidental thereto.

Retail Use. A business whose primary purpose is the sale of merchandise to consumers.

Retreat. See "Lodge".

Right-of-Way. A portion of land over which a local or state government has designated a right of use.

Roadside Produce Stand. A use offering either farm-grown, prepared food products such as fruits, vegetables, canned foods, or prepared packaged meats for sale from a vehicle or a temporary structure. The consumption of food on-site is prohibited.

Roadside Vending. The sale of merchandise such as clothing, crafts, household item, firewood, etc., from a temporary table or cart.

Rooming House. A residential use other than a hotel or motel in which lodging may be provided to non-household members for periods of 30 days or longer, and which does not include the provision of meals.

904.19 S

Salvage/Storage/Junk Facility. Any use involving the storage or disassembly of wrecked or junked automobiles, trucks or other vehicles; vehicular impound lots; storage, bailing or otherwise dealing in scrap irons or other metals, used paper, used cloth, plumbing fixtures, appliances, brick, wood or other building materials; and the storage or accumulation outside of a storage building of used vehicle tires or tire carcasses which cannot be reclaimed for their original use. Such uses are storage and/or salvage facilities whether or not all or part of such operation is conducted inside or outside a building or as principal or accessory uses.

Scale. Scale refers to the relationship of the size of a building to neighboring buildings and of a building to a site. In general, the scale of new construction should relate to the majority of surrounding buildings.

School, Private. An educational use having a curriculum at least equal to a public school, but not operated by the Fulton County Board of Education.

School, Special. An educational use devoted to special education including the training of gifted, learning disabled, mentally and/or physically handicapped persons, but not operated by the Fulton County Board of Education.

Screen. A fence, wall, hedge, landscaping, earthen berm, buffer area or any combination of these that is designed to provide a visual and/or physical barrier.

Seasonal Business Use. A primary use involving the sale of items related to calendar holidays, such as Christmas trees, Halloween pumpkins, etc., which may be conducted outside.

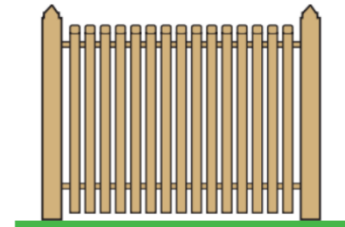
Second Chance Home. A maternity home licensed by the Georgia Department of Human Services that provides full-time residential care, support and supervision to pregnant and parenting youth through 21 years of age and their child(ren) that is expected to last for more than an 8-week period following delivery. Program services include parenting skills, such as child development, education, job training, transitioning to independent living, family budgeting, health and nutrition, and other skills to promote residents' long-term independence and the well-being of their child(ren).

Self-Storage/Mini. A single-level structure or group of structures containing separate spaces/stalls and which are leased or rented to individuals for the storage of goods.

Self-Storage/Multi. A multi-level structure containing separate storage rooms/stalls under a single roof that are leased or rented.

Semi-Opaque. As used to regulate fences and walls, “Semi-Opaque” shall mean a fence or wall that consists of between 25% and 75% open voids, as viewed on a horizontal plane. See also “Opaque” and “Open”.

**Figure 9-3
Example of
Semi-Opaque
Fence Style**



Picket Fence

Senior Housing. A single family or multi-family development intended for, operated for and designed to accommodate residents 62 years of age and older. Senior housing communities are designed for seniors to live on their own, but with the security and conveniences of community living. Some provide communal dining rooms and planned recreational activities (congregate living or retirement communities), while others provide housing with only minimal amenities or services.

Setback. A space between a property line and a building or specified structure.

Setback, Minimum. The minimum yards as specified in the various use districts. A minimum required space between a property line and a structure. An area identified by a building line.

Short-Term Rental. An accommodation for transient guests where, in exchange for compensation, a residential dwelling unit is provided for lodging for a period of time not to exceed 30 consecutive days. Such use may or may not include an on-site manager. For the purposes of this definition, a residential dwelling shall include all housing types and shall exclude hotels/motels with the capacity to provide separately enclosed sleeping accommodations for more than 30 separate renters at a time, group residences and guest houses, as such terms are defined in this Article.

Sign. Any structure, device, object, design or display that is used or intended to be used to attract the attention of or to convey information to the public, and that is placed in such a way, whether out of doors or inside or near a window, as to be in the view of the general public from the exterior of any building on the property.

- (a) Abandoned sign. Any sign that is located on property which becomes vacant and /or unoccupied or a sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, or unkempt, and for which no person accepts maintenance responsibility.
- (b) Animated sign. Any sign that has moving parts or includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including signs using electronic ink, signs set in motion by movement of the atmosphere, or made up of a series of sections that turn, including any type of screen using animated or scrolling displays such as an LED (Light Emitting Diode) screen or any other type of video display, even if the message is stationary.
- (c) Audible sign. Any sign which emits a sound which is audible or emits a signal which can be converted into audible sounds, whether by radio or other means.
- (d) Awning/canopy sign. Any sign that is a part of, or attached to, an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
- (e) Banner. A sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, vinyl, plastic or fabric that is intended to be

hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.

- (f) Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.
- (g) Billboard. A sign with an area of more than 72square feet but not more than 672 square feet.
- (h) Changeable copy sign. An animated sign that incorporates changing lettering or images to form a message or messages, whether such changes are accomplished electronically or manually.
 - (1) Manual changeable copy sign. Any sign that has a reader board format serving as background for letters/messages that are manually changeable.
 - (2) Electronic changeable copy sign. Any sign that uses changing lights or other methods to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.
- (i) Fall zone. An area equal to 133% of the height of the structure in every direction.
- (j) Flag. Any fabric or bunting containing colors, patterns, or symbols used as a symbol of a government or other entity or organization.
- (k) Feather Flag Sign - A free-standing temporary sign typically constructed of a single plastic or metal shaft driven in the ground with an attached pennant that is vertically elongated and attached to the shaft. A feather flag sign is a type of animated sign.
- (l) Flashing sign. An animated sign, the illumination of which is not kept constant in intensity at all times when in use and which exhibits marked changes in lighting effects.
- (m) Freestanding sign. A permanently affixed sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
- (n) Illuminated sign, external. A sign illuminated by an external light source. Such source cannot be a device that changes color, flashes or alternates.
- (o) Illuminated sign, internal. A sign illuminated by an internal light source. Such source cannot be a device that changes color, flashes, or alternates.
- (p) Incidental door sign. A small sign, emblem or decal no larger than 1 square foot in area that is located on a door and is generally not readily visible or legible from public rights-of-way.
- (q) Internal development signs. Free-standing signs not visible from a public right-of-way and located adjacent to internal road(s) serving a development.
- (r) LED sign. Any sign or portion thereof that uses light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind, whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro polymer (OEL), or any other similar technology. An LED sign is considered to be a form of electronic changeable copy sign.

- (s) Marquee. Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.
- (t) Marquee sign. Any sign attached flat against or upon a permanent marquee of a building.
- (u) Pennant, streamer. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.
- (v) Permanent sign. Any sign which, when installed, is intended for permanent use. A permanent freestanding sign shall be of a type and construction as not to be easily or readily removed from the lot on which it has been erected.
- (w) Portable sign. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs mounted upon a trailer, bench, wheeled carrier or other non-motorized mobile structure with or without wheels; signs converted T- frames; sandwich board, A-frame, and sidewalk signs; balloons; umbrellas; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.
- (x) Project entrance sign. A permanent freestanding sign located at an entrance designed and permitted for vehicular access into a multi-family development, or into a development containing multiple lots, such as but not limited to a particular single-family residential subdivision, a townhouse subdivision, or a commercial subdivision such as an office park or industrial park.
- (y) Projecting sign. Any sign which is suspended or projected from the wall, eave, or soffit of the building in such a manner that its leading edge extends more than 6 inches beyond the surface of such building or wall.
- (z) Public sign. Any sign erected by a governmental entity.
- (aa) Principal sign. The main, most prominent or largest freestanding or building sign on a property's street frontage or principal building, other than a project entrance sign as defined in this Article. Such signs are of permanent construction and not placed as temporary signage.
- (bb) Roof sign. Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.
- (cc) Sandwich board, sidewalk and A-frame signs. A portable sign the support structure of which is not imbedded in the ground. Such signs are constructed in such a manner that they stand on their own but are not permanently installed. This includes a sign displayed on an easel.
- (dd) Sign face. That part of a sign that is or can be used for advertising purposes.
- (ee) Sign. Any structure, device, object, design or display that is used or intended to be used to attract the attention of or to convey information to the public, and that is placed in such a way, whether out of doors or inside or near a window, as to be in the view of the general public from the exterior of any building on the property.
- (ff) Small temporary sign. A sign with an area of not greater than 4 square feet, with a sign face made for short-term use (90 days or less), containing no reflecting elements, flags, or projections and which, when erect, stands at a height not greater than 3 feet

and is mounted on a stake or metal frame with a thickness or diameter not greater than 1½ inches.

- (gg) Temporary sign. Any sign that is not permanently mounted.
- (hh) Wall sign. Any sign attached parallel to a wall, painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one sign surface.
- (ii) Window sign. Any sign that is applied, painted or placed on, behind or inside a window or upon the windowpanes or glass, and intended to be viewed from outside the building.

Single-Family Development. A development of more than two single-family dwelling units, with each unit on a separate lot of record.

Site Plan. A detailed plan, drawn to scale, based on a certified boundary survey, and reflecting conditions of zoning approval, various requirements of State law, and City Ordinances and Resolutions.

Site Plan, Preliminary. A detailed plan, normally associated with rezoning and Special Use requests, which is drawn to scale and reflects the various requirements of State law and of City Ordinances and Resolutions.

Skywalk. An elevated, grade separated pedestrian walkway or bridge located over a public right-of-way.

Special Event. An event or happening organized by any person or organization which will generate or invite considerable public participation and/or spectators for a particular and limited purpose of time, including, but not limited to, special sales and service promotions, car shows, arts and crafts shows, horse shows, carnivals, festivals, exhibitions, circuses, fairs, show houses and tours of homes for charity. Special events are not limited to those events conducted on the public streets but may occur entirely on private property. Special events may be for profit or nonprofit.

Small box discount store. A store of 10,000 square feet or less which sells at retail an assortment of physical goods, products, or merchandise directly to the consumer; and continuously offer a majority of the items in its inventory for sale at a price less than \$5.00 per item.

Spill Light. The light that illuminates surfaces beyond the intended area of illumination caused by the uncontrolled direct light component from the luminaires.

Stealth Tower. See "Alternative Telecommunication Support Structure".

Story. A portion of a building between the surface of any floor and the floor or space above it, excluding basements and attics.

Story, Half. A heated and finished area below a roof, one or more of the vertical walls of which are less than normal ceiling height for the building.

Street. A roadway/right-of-way located and intended for vehicular traffic. Streets may be public or they may be private if specifically approved by the Department of Community Development and Regulatory Affairs as part of a subdivision plat.

- (a) Public streets. Rights-of-way used for access owned and maintained by the federal, state, or local government.
- (b) Private streets. Roadways constructed to South Fulton standards but owned and maintained by a private entity. Necessary easements for ingress and egress for police, fire, emergency vehicles and all operating utilities shall be provided. Should South Fulton ever be petitioned to assume ownership and maintenance of the private

streets prior to dedication of the streets, they must be brought to acceptable South Fulton standards subject to the approval of the Director of Public Works.

- (c) Stub streets. Rights-of-way that dead ends into an interior property line.
- (d) Freeway. Any multi-lane roadway having full access control and separation of directional traffic. A freeway accommodates large volumes of high-speed traffic and provides efficient movement of vehicular traffic for interstate and major through travel.
- (e) Principal Arterial. Any roadway that has partial or no access control and is primarily used for fast or heavy traffic. Emphasis is placed on mobility rather than access to adjacent land.
- (f) Minor Arterial. Any roadway that has partial or no access control and is primarily used for interconnectivity of major arterials and places more emphasis on access to adjacent land over mobility than principal arterials.
- (g) Collector Road. Any roadway that has partial or no access control and has more emphasis on access to adjacent land over mobility than arterials. The primary purpose is to distribute trips to and from the arterial system to their destination points and allow access to the local roads.
- (h) Local Road. Any roadway that has no access control and places strong emphasis on access to adjacent land over mobility while service to through traffic is discouraged.
- (i) Full Access Control. Preference is given to through traffic by providing access connections only with selected public roads and by prohibiting crossing at grade and direct private connections.
- (j) Partial Access Control. Preference is given to through traffic to a degree that in addition to connection with selected public roads, there may be some crossing at grade and some private connections.
- (k) No Access Control. Preference is generally given to access to adjacent land rather than mobility.

Structure. Anything built or constructed which occupies a location on, or is attached, to the ground. Driveways, surface parking lots, patios, and similar paved surfaces are not considered structures.

Structure, Accessory. A subordinate structure, customarily incidental to a principal structure or use and located on the same lot. Examples of accessory structures in single-family dwelling districts include outbuildings, such as, tool sheds, woodsheds, workshops, outdoor kitchens, pool houses, gazebos, guest houses, storage sheds, detached garages and detached carports, etc. Fences and retaining walls are not considered accessory structures. Driveways, surface parking lots, patios, and similar paved surfaces are not considered accessory structures.

Structure, Principal. A structure in which the principal use or purpose on a property occurs, and to which all other structures on the property are subordinate. Principal shall be synonymous with main and primary.

Subdivision. The division of land into two or more lots. A development consisting of subdivided lots.

Surface, All-weather. Any surface treatment, including gravel, which is applied to and maintained so as to prevent erosion, and to prevent vehicle wheels from making direct contact with soil, sod or mud; and which effectively prevents the depositing of soil, sod or mud onto streets from areas required to be so treated.

Swimming Pool, Private. A recreation facility designed and intended for water contact activities which serves a single family dwelling(s), duplex dwellings and/or multi-family dwellings, or

U

combinations of dwelling types, including pools which are owned and/or controlled by a neighborhood club or similar organization.

Swimming Pool, Public. A recreation facility designed and intended water contact activities which is operated as a business or as a club unless such club is associated with a neighborhood club or similar organization.

904.20 T

Temporary Storage Units. Cargo or storage containers, shipping containers, cargo crates, portable storage containers, PODS containers, box trailers, box or utility vans or trucks, van bodies or boxes removed from trailers or other similar vehicles.

Tenant Panels. An on-premise sign panel(s) that list the name of tenants within a shopping center or development which the primary sign identifies.

Thoroughfare, Major. Any street which is classified in the Transportation Element of the Comprehensive Plan as either a freeway, an arterial or a major collector.

Thoroughfare, Minor. Any street which is classified in the Transportation Element of the Comprehensive Plan as a minor collector or local street.

Tiny House. A site-built or modular (industrialized building) detached single-family dwelling that does not exceed 400 square feet in total area of habitable floor space, excluding loft spaces, and that is affixed to a permanent load-bearing foundation and does not contain a permanent metal chassis. Habitable spaces are for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

Transfer Station. A facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

Trespass Light. The off-site spill light that illuminates beyond the property boundaries in which the light fixture is installed, where it is neither wanted nor needed.

Truck Stop. Any business, premises, or land in which or upon which a business, service or industry involving the maintenance, servicing, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles, but excluding the storage of trailers, trucks and similar commercial vehicles . A truck stop also may include overnight accommodations and restaurant facilities primarily for the use of truck crews. Trucks/trailers shall have current registration and license plates with decal.

Truck Terminal. A primary use of property where trucks/trailers are temporarily stored maintained or based and where trucks load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation. Truck terminals may include uses incidental to the principal use such as facilities for servicing of trucks and warehouse storage facilities. Trucks/trailers shall have current registration and license plates with decal.

904.21 U

Use. The purpose or function arranged or intended for a structure or property.

Use, Accessory. A subordinate use which is customarily incidental to the principal use of a lot, and which is located on the same lot as a principal use.

Use, Principal. The primary or main purpose or function of a lot or structure. Synonymous with Main and Primary.

Use Permit. A permit approved by the City Council, pursuant to a public hearing, which authorizes a use which must meet certain standards which exceed the requirements of the district as-a-whole.

Use, Special. A use approved by the City Council subject to meeting certain standards or conditions that are established by this Zoning Ordinance.

904.22 V

Vape Shop. A business whose principal product line for retail sale is alternative nicotine products or vape juice, or both. For the purposes of this paragraph, "alternative nicotine products" refer to any products or devices that employ an electronic heating element, power source, electronic circuit, battery, or other electronic, chemical, or mechanical means to produce a vapor that delivers nicotine to the person inhaling from the device, including electronic cigarettes, electronic cigars, electronic hookahs, electronic bongos and electronic pipes, whether manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar, or electronic pipe. For the purposes of this paragraph, "vape juice" refers to any liquid that contains compounds containing pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, foodgrade flavoring, and water, and can be used for vaping by means of an alternative nicotine product. For purposes of this paragraph, "principal" shall mean that alternative nicotine products, vape juice, or both constitute at least 25% of the business's aggregate retail sales.

Variance. An application requesting relief from the standards of this Zoning Ordinance, except relief from use, minimum lot area, or minimum lot frontage.

Vegetative Screen. An evergreen planting which, within three years of planting, provides a 100 percent visual barrier between a lot and adjacent lots and uses with a minimum height of 6 feet. A vegetative screen is composed of plant materials.

Vehicle, Junk or Salvage. Any automobile, truck or other vehicle which is missing one of the following: 1) current registration, 2) license plate with current decal, 3) proof of liability insurance, 4) drive train component for more than 30 days.

Veterinary Clinic/Hospital. A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.

904.23 W

Waste. Materials that are discarded, disposed of or no longer usable.

Waste Disposal Boundary. The limit of all waste disposal areas, appurtenances, and ancillary activities (including but not limited to internal access roads and drainage control devices).

Waste, Hazardous. See Georgia Department of Natural Resources definition.

Waste, Solid. See Georgia Department of Natural Resources definition.

904.24 X

Reserved.

904.25 Y

Yard. A land area extending between a structure and a lot line.

Yard, Front. A yard abutting any street except the side street on a corner lot. Front yards extend the entire length of an abutting street from intersecting lot line to intersecting lot line. The front yard of corner lots shall be applied to the street which abuts the lot for the shortest distance.

Yard, Minimum. The minimum distance between a building or specified structure and a lot line as specified in the district regulations.

Yard, Rear. The rear yard is the minimum required distance between the rear lot line and a structure. True triangular lots do not have rear yards. Lots with more than one front lot line do not have rear yards. The Director of Community Development and Regulatory Affairs or his/her designee shall make the final determination of rear yards when in dispute or undefined by this definition.

Z

Yard, Side. A yard which is not a front or rear yard.

Yard Sale. The sale or offering for sale of more than one article of tangible personal property at any one residential premises at any one time. All sales entitled: garage sale; tag sale; porch sale; lawn sale; attic sale; basement sale; rummage sale; flea market sale or any similar casual sale of tangible personal property are included.

904.26 Z

Zoning Change. An amendment to the Zoning Map (rezoning), approval of a Special Use, or approval of a change in the conditions of approval associated with a rezoning or Special Use.

Zoning Conditions. Requirements placed on property by the City Council at the time of approval of a rezoning and/or special use. Also called “conditions of approval.”

Zoning Modification. An application to change approved zoning conditions on rezonings and Special Use approvals where it has been determined by the Director of Community Development and Regulatory Affairs that the requested change involves a matter of significant public interest.

Article 10. Inactive Zoning Districts

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Article 10. Inactive Zoning Districts

Sec. 1001. Purpose of Article 10.

The purpose of this Article is to identify use and development standards that apply to individual zoning districts which are no longer active but which continue to apply to properties zoned in those classifications. No additional parcels will be rezoned to any inactive district classification.

Sec. 1002. Other Regulations That Apply.

The headings below contain other provisions applicable to uses allowed in the inactive zoning districts, unless the type of regulation shown below is specifically addressed in this Article.

1002.01 Zoning Ordinance.

- (a) Nonconformities, see Article 1.
- (b) Off-street parking and loading, see Article 6.
- (c) Outside storage, see Article 3.
- (d) Landscape area and buffer regulations, see Article 4.
- (e) Signs, see Article 7.
- (f) Overlay districts, see Article 5.
- (g) Restrictions on particular uses, see Article 3.
- (h) Outdoor lighting standards, see Article 4.

1002.02 Other Local Regulations.

- (a) South Fulton Development Regulations.
- (b) South Fulton Floodplain Management Ordinance.
- (c) South Fulton Subdivision Ordinance.

Sec. 1003. SUB-A Suburban A Single-Family Dwelling District.

Regulations set forth in this Sec. 1003 are the SUB-A District regulations.

1003.01 SUB-A District Intent.

The SUB-A zoning district encompasses lands devoted to residential use areas of one or fewer dwellings per acre.

1003.02 SUB-A Use Regulations.

- (a) Allowed uses.
- (b) A principal building may be used for only a single-family dwelling.
- (c) For allowed accessory and temporary uses, see Article 2's Accessory and Temporary Use Table requirements for single-family residential zoning districts, with the exception that "party houses" are prohibited in the SUB-A zoning district.

1003.03 SUB-A Development Regulations.

- (a) Height regulations. Buildings shall be no higher than 35 feet or 2½ stories, whichever is higher.
- (b) Area regulations.

Sec. 1004 SUB-C Suburban C Single-Family Dwelling District.

- (1) Minimum front yard: 60 feet.
- (2) Minimum side yard:
 - a. 15 feet adjacent to interior lines.
 - b. 30 feet adjacent to streets.
- (3) Minimum rear yard: 40 feet
- (4) Minimum lot area: 1 acre
- (5) Minimum lot width: 150 feet
- (6) Minimum lot frontage: 35 feet
- (7) Minimum heated floor area:
 - a. 1,200 square feet for less than two stories.
 - b. 1,320 square feet for two stories or more than two stories with 900 square feet on the ground floor.
- (8) Minimum accessory structure requirements. Accessory structures may be located in rear or side yards, but shall not be located within a minimum yard.

Sec. 1004. SUB-C Suburban C Single-Family Dwelling District.

Regulations set forth in this Sec. 1004 are the SUB-C District regulations.

1004.01 SUB-C District Intent.

The SUB-C zoning district encompasses lands devoted to residential use areas of two or fewer dwellings per acre.

1004.02 SUB-C Use Regulations.

- (a) Allowed uses.
- (b) A principal building may be used for only a single-family dwelling.
- (c) For allowed accessory and temporary uses, see Article 2's Accessory and Temporary Use Table requirements for single-family residential zoning districts, with the exception that "party houses" are prohibited in the SUB-C zoning district.

1004.03 SUB-C Development Regulations.

- (a) Height regulations. Buildings shall be no higher than 35 feet or 2½ stories, whichever is higher.
- (b) Area regulations.
 - (1) Minimum front yard: 50 feet.
 - (2) Minimum side yard:
 - a. 10 feet adjacent to interior lines.
 - b. 20 feet adjacent to streets.
 - (3) Minimum rear yard: 35 feet
 - (4) Minimum lot area: 18,000 square feet
 - (5) Minimum lot width: 100 feet
 - (6) Minimum lot frontage: 35 feet

Sec. 1005 TR Townhouse Residential District (Old)

- (7) Minimum heated floor area:
 - a. 1,000 square feet for less than two stories.
 - b. 1,100 square feet for two stories or more than two stories with 850 square feet on the ground floor.
- (8) Minimum accessory structure requirements. Accessory structures may be located in rear or side yards, but shall not be located within a minimum yard.

Sec. 1005. TR Townhouse Residential District (Old)

The regulations set forth in Sec. 1005 are the regulations of the TR Townhouse Residential District (Old).

1005.01 TR District Intent.

This district encompasses lands devoted to residential uses having both single and multi-family characteristics. The intent of this district is to provide standards for low-density dwellings which will:

- (a) Encourage the provisions of usable open and recreation areas and desirable living environments;
- (b) Be located primarily in areas near or adjacent to single-family use areas;
- (c) Be located so as to provide transition between single-family use areas and higher density dwelling areas and/or commercial areas; and
- (d) Be located near such services as retail shopping and major thoroughfares and collector streets.

1005.02 TR Use Regulations.

- (a) A principal building shall be used only for the following purposes:
 - (1) Single-family dwelling.
 - (2) Two-family dwelling.
 - (3) Townhouses.
- (b) Accessory uses or buildings customarily incidental to any of the above uses are allowed as follows:
 - (1) Single-family and two-family dwellings:

Accessory uses and buildings that are not a part of the main structure shall be located in the rear yard or in the side yard, and shall not be less than 10 feet from any side or rear lot line.
 - (2) Townhouses:
 - a. All accessory buildings shall be located not nearer to any perimeter lot line than the distance prescribed for side and rear yards.
 - b. Unenclosed recreational facilities, except swimming pools, may be placed within any required side or rear yard, provided that any such use shall not be permitted nearer to any perimeter lot line than 30 feet.
 - c. Swimming pools are allowed provided that no swimming pool may be placed nearer than 30 feet to any rear or side lot line, nor nearer than 50 feet to any public street line. Provided further that when located adjacent to a single-family residential district, such pools shall not be located within

150 feet thereof, except in cases when located so as to be screened from single-family dwelling district by a townhouse dwelling, or an accessory structure greater in length by a minimum of 20 feet on each side of such pool(s), the distance of 150 feet shall not be required. A fence of minimum height of 5 feet shall be provided around the perimeter of all swimming pools.

1005.03 TR Building Regulations.

- (a) Single family, two family and townhouse dwellings: No building or structure shall exceed 35 feet in height.
- (b) Townhouse residential development:
 - (1) No more than 20 townhouse dwelling units shall be permitted to form a single building.
 - (2) No more than three contiguous townhouse dwellings which form a part of a single building shall have the same front setback or roof line. Said setback and roof line shall be varied by a minimum of 2 feet.
 - (3) Sidewalks shall be provided for each townhouse pedestrian access throughout the entire development.
 - (4) Driveways serving more than six units shall be paved to a minimum width of 30 feet.

1005.04 TR Area Regulations.

- (a) Single-family and two-family dwellings:
 - (1) Front yard: There shall be a front yard having a depth of not less than 40 feet.
 - (2) Side yard: There shall be two side yards, one on each side of the building of not less than 10 feet. where a lot is located at the intersection of two or more streets, the width of the yard along the side street shall not be less than 20 feet. No accessory building or portion thereof shall be located within the required yard area along any street.
 - (3) Rear yard: There shall be a rear yard having a depth of 25 feet.
 - (4) Lot area per family: Every dwelling shall be located on a lot having a frontage of 90 feet at the building setback line and containing the following areas:
 - a. 11,000 square feet for a single-family dwelling (90' × 122').
 - b. 5,500 square feet per family for a two-family dwelling (99' × 112').
- (b) Townhouse residential developments:
 - (1) Density: A townhouse residential development shall not exceed nine dwelling units per gross acre (4,480 square feet per family unit).
 - (2) Size of development site: The minimum size of the site to be developed for townhouse residential use shall be 2 acres, with 100 feet of frontage.
 - (3) Yard requirements:
 - a. Front yard: There shall be a front yard of not less than 40 feet.
 - b. Side yard: There shall be two side yards of not less than 30 feet on each side provided, however, where a side yard abuts a single-family dwelling district, the side yard shall not be less than 40 feet.

Sec. 1005 TR Townhouse Residential District (Old)

- c. Corner setback: Where a lot, tract, or parcel of land is located at the intersection of two streets, the width of the yard along the side street side shall not be less than 40 feet provided, however, that when such property lies adjacent to a single family dwelling district, the yard requirement along the side street shall be the same as prescribed or established for the front yard of the adjacent single family dwelling district. In no case shall such yard be less than 40 feet.
 - d. Rear yard: There shall be a rear yard along the rear lot line of not less than 35 feet.
- (c) Buffers.
- (1) In addition to the above setback requirements, a buffer zone may be required along any perimeter lot line, or portion thereof, in order to provide privacy and separation between adjoining properties.
 - (2) Property with such buffer areas may be included within the lot area for density and lot coverage purposes.

1005.05 TR Residential Floor Area Regulations.

- (a) Each single-family dwelling shall have a minimum ground floor area of 1,200 square feet if less than two stories.
- (b) Each single-family dwelling of two stories in height shall have a minimum ground floor area of 900 square feet, and a total minimum floor area of 1,320 square feet.
- (c) Each two-family dwelling shall have a minimum floor area of 900 square feet and a minimum ground floor area of 900 square feet if two stories in height.
- (d) Each townhouse dwelling unit shall have a minimum floor area of not less than 1,100 square feet.
- (e) Each townhouse unit shall have a minimum width of 20 feet.
- (f) Screening garbage and storage areas.

All exterior garbage, incinerators, or other outside storage areas shall be screened by a solid enclosure of not less than 4 feet in height, unless a more restrictive standard is prescribed by Article 3.

1005.06 TR Open Space Requirements.

Open space requirements for townhouse residential buildings shall be as follows:

- (a) The minimum distances between buildings, when so arranged shall be as follows:
 - (1) Front to front: 50 feet
 - (2) Front to rear: 60 feet
 - (3) Rear to rear: 50 feet
 - (4) Front or rear to side: 40 feet
 - (5) Side to side: 40 feet
- (b) Where unusual and uncommon conditions of topography or configuration of the property exist, the Community Development and Regulatory Affairs Director may approve a requested departure from the above prescribed distances between buildings, provided such departure shall not diminish the required distances by more than 50%.

Sec. 1006 A-1 Apartment Dwelling District Regulations

- (c) Private, usable open space, such as balconies, sundecks, patios, etc. shall be provided contiguous to each dwelling unit. The area of such open space provided for each unit shall not be less than 10% of the floor area of the unit served. The location and number of square feet shall be clearly indicated on the site plan.

1005.07 Other Requirements.

- (a) Approval of plans for drainage, sewerage, driveways, and parking areas by the Community Development and Regulatory Affairs Department shall be required prior to the issuance of building permits.
- (b) Construction shall conform to the overall site plan that was approved with the property's rezoning and detailed engineering plans as approved by Community Development and Regulatory Affairs Department.

Sec. 1006. A-1 Apartment Dwelling District Regulations

The regulations set forth in this Sec. 1006, are the regulations in the A-1 District.

1006.01 A-1 Use Regulations.

A building or premises shall be used only for the following purposes:

- (a) Principal uses.
 - (1) Apartments.
 - (2) Rooming house and boardinghouse. Both uses require Special Use approval.
 - (3) Schools and places of worship in accordance with the requirements in Article 3. Both uses require Special Use Approval.
 - (4) Non-profit clubs, excepting those the chief activity of which is a service customarily carried on as a business, in accordance with the requirements in Article 3.
- (b) Accessory uses.
 - (1) Accessory uses for the A-L zoning district shall be allowed in the A-1 zoning district. See the Accessory and Temporary Use Table in Article 2.
 - (2) Accessory buildings shall be located in the rear yard and not nearer to any lot line than the distance prescribed for side and rear yards.
 - (3) Swimming pools may be located within the buildable area of any tract or parcel of land used for multiple family dwelling purposes, provided that when located on property adjacent to single-family or two-family dwelling districts, such pools, including their enclosed areas, shall not be located within 150 feet thereof. Provided, however, when swimming pools are located so as to be screened from such districts by a multiple family dwelling greater in length by a minimum of 20 feet on each end of the enclosed area of such pools, said distance of 150 feet shall not be required.

1006.02 A-1 Height Regulations.

No building shall exceed three stories or 45 feet.

1006.03 A-1 Area Regulations.

- (a) Front yard:

There shall be front yard having a depth of not less than 40 feet.

Sec. 1006 A-1 Apartment Dwelling District Regulations

(b) Side yard:

- (1) Where an A-1 zoning district abuts single-family and two-family zoning districts, there shall be two side yards, one on each side of the building each having a width of not less than 25 feet.
- (2) Where an A-1 zoning district does not abut single-family and two-family zoning districts, there shall be two side yards, one on each side of the building, having a combined width of not less than 25 feet provided, however, that no side yard shall be less than 10 feet in width.
- (3) Where a lot is located at the intersection of two or more streets, the width of the yard along the side street shall be not less than 25 feet.

(c) Rear yard:

There shall be a rear yard having a depth of not less than 25 feet, provided, that when a rear yard abuts a single-family district and is used for multiple dwelling purposes, the rear yard shall be not less than 75 feet.

(d) Lot area per dwelling unit:

Apartments shall be located upon a lot having a frontage of not less than 100 feet and an area of not less than 2,250 square feet per dwelling unit.

1006.04 A-1 Residential Floor Area.

- (a) Each efficiency or studio apartment shall have a floor area of not less than 450 square feet.
- (b) Each dwelling unit other than efficiency or studio apartments shall have a floor area of not less than 600 square feet per dwelling unit.

1006.05 A-1 Lot Coverage.

Maximum coverage of the lot by buildings, including accessory buildings, shall be 30% of the gross lot area.

1006.06 A-1 Buffer Requirements.

- (a) The developer shall provide a buffer screen beginning at the building line and extending along any side or rear property line which abuts a single-family or two-family district. A buffer screen is defined as permanent fence, wall, or evergreen planting screen which will interrupt vision between adjacent properties.
- (b) A buffer screen shall be at least 6 feet high except that initially an evergreen planting screen may be less than 6 feet if plants are provided which will ultimately attain a height of 6 feet or more. (Note: If grouped in proximity, such plants as *Pinus Strobus* (White Pine); *Prunus Caroliniana* (Cherry Laurel); *ligustrum Ligidum* (Ligustrum); *Elaeagnus Pungens* (Elaeagnus); *Ilex Crenata Burfordi* (Burfordi Holly); or species as approved by the City Arborist will grow to form a hardy screen thick enough and high enough to interrupt vision and to effectively reduce the transmission of sound.)
- (c) Where the requirements in this section conflict with those in Article 4, the more restrictive shall apply.

Sec. 1007. CUP-CGA Community Unit Plan – Cedar Grove Agricultural District.

1007.01 Intent.

The intent of the CUP-CGA District is to provide opportunities for planned communities that meet the intent of the CUP District and that of the Cedar Grove Agricultural Overlay District (see Article 5).

1007.02 Allowed Uses.

Principal and accessory uses not approved by City Council with an application for rezoning, including a master plan, are prohibited unless the approved master plan is amended in accordance with the “Modification of Conditions of Approval” procedures in Article 8 of this Zoning Ordinance.

1007.03 Development Standards and Other Requirements.

See Section 1008.03 below

Sec. 1008. MIX-CGA Mixed Use District – Cedar Grove Agricultural District.

1008.01 Intent.

The intent of the MIX-CGA District is to provide opportunities for planned communities that meet the intent of the MIX District and that of the Cedar Grove Agricultural Overlay District (see Article 5).

1008.02 Allowed Uses.

Principal and accessory uses not approved by City Council with an application for rezoning, including a master plan, are prohibited unless the approved master plan is amended in accordance with the “Modification of Conditions of Approval” procedures in Article 8 of this Zoning Ordinance.

1008.03 Development Standards and Other Requirements,

(a) Master plan approval required.

Within the MIX-CGA and CUP-CGA districts, land and structures may be used in accordance with the standards herein and in consideration of the purpose and intent of the Cedar Grove Agricultural Overlay District (see Article 5) and the Comprehensive Plan.

(1) The master plan shall be the zoning control document for uses and features depicted graphically. Proposed principal and accessory uses shall be identified on the master plan with the application for rezoning to MIX-CGA or CUP-CGA. All uses not specifically included in the application, either in a general land use category or detailed for individual areas, and approved by City Council, are prohibited unless the master plan is subsequently amended in accordance with procedures for zoning modifications, as described in Article 8.

(2) Additional master plan requirements are as follows:

- a. MIX-CGA: The master plan shall depict open space, nonresidential, residential, and civic and/or institutional uses, in accordance with Table 10-1 .
- b. CUP-CGA: The master plan shall depict open space, residential, and non-residential uses, and may include civic and/or institutional uses, all in accordance with Table 10-1 .

- c. The location of all use areas shall be shown on the master plan, and location on the ground shall be as shown on the master plan.
- (b) Development standards table.

The following requirements apply to the MIX-CGA and CUP-CGA zoning districts.

Table 10-1 Development Standards for MIX-CGA and CUP-CGA Zoning Districts

Standards	MIX-CGA (Village)	CUP-CGA (Hamlet)
1. Minimum percentages of use type based upon total land area of development: (a) Open space: A portion of a site which is permanently set aside for public or private use and will not be developed. The space may be used for passive or active recreation or may be reserved to protect or buffer natural areas. Open space may include wooded areas, community gathering places, plazas, parks, greenways, playgrounds, sports fields, and pathways/walkways. Required landscape strips and buffers, 300-foot peripheral setback, sensitive environmental areas such as wetlands, etc., detention facilities and platted residential lots shall not be included in open space calculations.	10%	60%
(b) Non-residential development:	20% to include office, retail, and service commercial uses	10% to include office, retail and/or civic and/or institutional uses
(c) Residential development:	60%	30%
(d) Civic and/or institutional uses to include meeting halls, clubhouses, cultural and recreational facilities, churches or other places of worship, convention centers or institutional (schools, libraries, hospitals, day care centers associated with schools and/or churches) or similarly used buildings (post offices, fire stations, police stations)	10%	
2. Minimum land area (must be contiguous except where separated by a road)	500 acres plus additional land required for 300-foot rural protection setback	200 acres
3. Maximum land area (must be contiguous except where separated by a road)	640 acres plus additional land required for 300-foot rural protection setback	Not specified
4. Maximum lot size	14,400 square feet for residential dwellings, with the exception of multi-family dwellings	21,600 square feet for residential dwellings, with the exception of multi-family dwellings
5. Maximum gross square footage of any non-residential building footprint	30,000 square feet	25,000 square feet
6. Maximum overall residential density	14 units per acre with 10% of all residential units to be workforce housing	1 unit per acre
7. Maximum building height	40 feet for residential dwellings, with the	40 feet for residential dwellings, with the

Table 10-1 Development Standards for MIX-CGA and CUP-CGA Zoning Districts

Standards	MIX-CGA (Village)	CUP-CGA (Hamlet)
	exception of multi-family dwellings	exception of multi-family dwellings
	50 feet for civic and/or institutional buildings	50 feet for civic and/or institutional buildings
	45 feet for retail, commercial service, and office uses	45 feet for retail, commercial service, and office uses
	60 feet for multi-family buildings and mixed-use buildings which include a residential component	60 feet for multi-family buildings and mixed-use buildings which include a residential component
8. Maximum impervious surface of developed area	70%	60%

(c) Additional development standards for MIX-CGA and CUP-CGA districts.

(1) Buildings.

- a. All buildings shall be oriented to face the street and or courtyard.
- b. Display windows shall be oriented to face the street and or courtyard and shall be at street level.
- c. All primary entrances be oriented to face the street and or courtyard and shall be at street level.
- d. Any nonresidential building facade shall have a minimum of 25% fenestration or as may be approved by the Community Development and Regulatory Affairs Director.

(2) Residential uses.

- a. All residential structures be oriented to face the street and or courtyard.
- b. A street-facing door (excluding garage door) for each unit is required.
- c. No front-loaded, attached garage shall protrude beyond the front facade of a building.
- d. Fence height shall not exceed 3 feet in the front yard and 6 feet in the rear and side yards.
- e. Front yard fences shall be non-opaque. Opaque fences are permitted in side and rear yards. Chain link fences (black or green vinyl-coated only) are permitted in rear yards only.
- f. Gated communities are prohibited.

(3) Gasoline service stations.

Fuel pumps, canopies and associated gasoline station service areas shall be located at the rear of the lot and not between the building and the street.

(4) Parking.

- a. All off-street parking for non-residential buildings, townhouses, and multi-family buildings shall be located to the side or rear.

- b. A minimum of 75% of the required surface parking shall be oriented to the rear of building.
 - c. No surface parking area shall be larger than 65,340 square feet unless separated by a street, lane, alley or building.
 - d. On-street surface parking spaces located adjacent to the front property line shall be counted toward the minimum number of parking spaces required for that lot.
 - e. The required number of off-street parking spaces may be reduced as approved by the Community Development and Regulatory Affairs Director.
 - f. Shared parking shall be permitted as approved by the Community Development and Regulatory Affairs Director.
 - g. When surface parking located to the rear is along a (side) street right-of-way, the parking may occur along such frontage for a maximum of 120 linear feet.
 - h. When surface parking abuts a street right-of-way, a minimum 4-foot wide landscape area shall screen the parking. Within the landscape area, a continuous planting of evergreen shrubs is to be installed at a minimum height of 2 feet and maintained to a maximum height of 3 feet. Walls of the same height are also permitted with appropriate pedestrian access to the primary entrance.
 - i. Access lanes and additional curb cuts (other than the primary access drive) shall be located to the side or rear of the property. The maximum width of the access lane and/or driveway is 18 feet.
 - j. Parking decks must include a minimum of 25% occupied space (non-residential) at ground level and the occupied space must be a minimum depth of 50 feet.
 - k. Parking decks shall be constructed to conceal vehicles and to include architectural detailing and finish compatible with surrounding buildings.
 - l. Non-residential developments shall provide parking for bicycles.
 - m. Loading areas shall be located in the rear or side yards.
- (5) Street Standards. Per South Fulton Subdivision Regulations.
- (6) Block Standards.
- a. The maximum length for a block is 600 linear feet with the total perimeter length not to exceed 1,680 linear feet.
 - b. The total area of a block shall not exceed 3.30 acres.
 - c. Any block exceeding 400 feet in length shall include a dedicated alley or lane providing through access.
- (7) Bridges.
- a. Bridges shall provide pedestrian and bicycle access.
 - b. Bridges shall contain architectural elements compatible with the surrounding area.
- (8) Sidewalks.

Sidewalks shall be constructed on both sides of the road.

- (9) Landscaping.
- a. Street trees shall be planted on both sides of all roadways except alleys and lanes.
 - b. Except along greenways, alleys, and lanes a minimum 4-foot wide landscape area shall be provided along all roadways, except alleys and lanes, subject to review by the Community Development and Regulatory Affairs Director and approval by City Council in the master plan.