

ARTICLE VI

GENERAL PROVISIONS

Section 600. Accessory Uses or Structures:

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

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

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

Section 601: Vision Clearance at Intersections:

In all Zoning Districts, no fence, wall, structure, shrubbery or other obstruction to vision between the heights of three (3) feet and fifteen (15) feet, except utility poles, light or street sign standards or tree trunks shall be permitted within twenty (20) feet of the intersection of the right-of-way lines of streets, roads, highways or railroads.

Section 602: Approvals for Business and Industrial Developments on State Highways:

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

Section 603. County Approvals That Are Required:

All City approvals that are required for the use of land and structures and for the locations and operation of businesses and industries shall be obtained by the applicant and transmitted by him with his request for a development permit, building permit, or an occupancy certificate.

Section 604. Minimum Floor Area Requirements:

All dwelling units shall have a minimum heated finished living area, excluding a basement, attic, carport or garage, as follows:

- In the R-140 and R-100 Districts.....1,600 sq. ft.
- In the RA-200 and RL Districts.....1,600 sq. ft.
- Each three bedroom or larger duplex dwelling unit in the RMD District.....1,400 sq. ft
- Each two bedroom or smaller duplex dwelling unit in the RMD District.....1,400 sq. ft.
- Each three bedroom or larger attached dwelling unit in the RM, RM-6 and RM-8 Districts.....1,600 sq. ft.
- Each two bedroom attached dwelling unit in the RM, RM-6 and RM-8 Districts.....1,500 sq. ft.
- Each one bedroom attached dwelling unit in the RM, RM-6 and RM-8 Districts.....1,400 sq. ft.
- Each efficiency or studio apartment in the RM, RM-6 and RM-8 Districts.....1,400 sq. ft.

Section 605. Area, Yard and Height Requirements:

When developing under any Zoning Classification, the requirements of Article XIV, Sections 1400 and 1401, must be met.

In all districts, the height requirements of Article XIV, Section 1401 must be met unless the applicant is granted a Special Use Permit by the Board of Commissioners after receiving recommendations from the Planning Director and the Planning Commission and after a public hearing. Provided, however, that an increase in height of less than ten (10) feet for any structure other than a sign may be requested under the provisions of Article XVI, Section 1610 as an Administrative Variance when no increase is involved in the number of stories which would otherwise be permitted under the applicable zoning district.

MINIMUM BUFFER STRIP REQUIREMENTS ABUTTING DISTRICT(S)					
	RA-200	R-140	R-100/RL	RMD RM-6/RM-8	MH/MHS/RM
RA-200/R-140	---	---	---	---	---
R-100	---	---	---	---	---
RMD/RM-6/RM-8	40'	40'	35'	---	---
MH/MHS	75'	75'	75'	75'	25'
O-I/P (Std. Height)	50'	50'	50'	50'	50'
OBP (Std. Height)	50'	50'	50'	50'	50'
M-1 (Std. Height)	50'	50'	50'	50'	50'
M-2 (Std. Height)	100'	100'	100'	100'	100'
C-2 (Std. Height)	75'	75'	75'	75'	75'

- For buffer strip width other than standard height structures, the Board of Commissioners may increase the minimum buffer strip required as a condition for allowing additional height of development. The Board of Commissioners may also establish or increase the minimum buffer strip as a condition of rezoning or as a condition to a Special Use Permit.
- The Zoning Board of Appeals may increase the minimum buffer strip required as a condition to granting a variance request.

- Modifications in buffer strip with may be granted by the Board of Commissioners after receiving recommendations from the Planning Director and Planning Commission and after a public hearing.
- See Section 606.7 – No structure shall be located less than five (5) feet from any buffer.

Section 606. Buffer Between Dissimilar Districts.

Section 606.1

A buffer strip shall be required for the following:

1. All property zoned for commercial, neighborhood shopping, office-institutional, office business parks or industrial uses shall have a buffer strip along any rear and side property lines abutting a residential district.
2. All property zoned for RMD, and all RM uses shall have a buffer strip along any rear and side property lines abutting a lower density residential use.
3. All property zoned for manufactured homes shall have a buffer strip along any rear and side property lines abutting any other residential district.

Section 606.2

All buffer strips shall be natural undisturbed areas or where substantially devoid of existing trees or shrubbery shall consist of a landscaped open space area and, if required by this section, screening. All landscaped open space areas and screening shall be established in accordance with the following requirements:

1. Buffer strips shall be established and maintained along required property lot lines in accordance with the landscaping policies and standards of Section 606.7 and any additional specifications that may be established by the Planning Department and approved by the Board of Commissioners.
2. Buffer strips shall meet the minimum width requirements for dissimilar districts as shown in the “Minimum Buffer Strip Requirements” table.
3. Screening shall be established within any landscaped open space area that is required along side and rear lot lines. This screening shall be of such nature and density to screen activities and uses on the lot from view from the normal level of a first story window on an abutting lot land shall extend the entire length of the landscaped open space area except as provided for in Paragraph 8.

4. Other screening required by this section, except as provided for in Paragraph 3, shall provide year-round visual screening from the ground to a height of at least six (6) feet as required by the Community Development Director.
5. Screening shall be required by the Community Development Director within the landscaped open space area abutting a public street across from a residential district. This screening shall not be closer than 15 feet to the public right-of-way, unless approved by the Community Development Director.
6. Screening required by this Section shall be approved by the Community Development Director and shall consist of walls, fences, earthen berms, shrubs, or trees.
7. Screening that utilizes trees and shrubs shall be installed not only to provide visual screening but to allow for proper plant growth and maintenance.
8. All screening required in landscaped open areas along side lots shall not extend nearer to the street right-of-way than the minimum building setback line on the abutting lot.

Section 606.3

The Community Development Director shall require additional screening and/or landscaped open space areas outside required landscaped areas for purposes of obscuring features such as dumpsters, rear entrances, utility and maintenance structures, loading facilities, swimming pools and recreation areas within any multi-family, neighborhood shopping, commercial, office-institutional, office-business park, industrial or mobile home district.

Section 606.4

The screening requirements of this section shall be reduced by no more than 50 percent, as appropriate, by the Director of Planning and Development, if and only if:

1. It is clearly demonstrated that existing topography and/or vegetation achieve the purpose and intent of this section.
2. It is clearly demonstrated and for topographic reasons, a fence, wall and/or other screening device required herein could not possibly screen activities conducted on ground level from view from the normal level or a first story window on any lot in a residential district abutting the use.

Section 606.5

All butter strips shall be so designated on the appropriate permit application(s) and indicated as a permanent buffer strip on the required site plan or final subdivision plat, as appropriate.

Section 606.6

Any area that is used to fulfill the front, side, and rear yard requirements of Article XIV may, at the option of the land owner, also be counted toward fulfilling part or all of the buffer strip areas required herein, provided that the area meets the requirements of Section 606.7 and that no structure shall be located less than five (5) feet from any buffer.

Section 606.7 Landscaping Policies and Standards for Buffer Strips

The landscaping policies and standards listed in this section are the minimum policies and standards for all buffer strips. These policies and standards shall be used by the Community Development Director in reviewing development applications and may be supplemented by specific landscaping standards and specifications as established by the Community Development Director and approved by the Board of Commissioners.

1. Policies and Standards: All plans for proposed landscaping required by this section shall be in accordance with the following policies and standards:
 - a. Buffer strip design shall be integrated with the overall design concept for any project.
 - b. Existing tree cover and natural vegetation shall be undisturbed except for the addition of supplemental plantings or other approved screening devices, or for the provision of required access or utility crossings as approved by the Community Development Director. Where a buffer is substantially devoid of trees or shrubbery, grading may be allowed within the buffer area prior to replanting or the provision of other screening devices as required.
 - c. Landscaping within buffer strips shall be used to screen objectionable views or nuisances, such as parking and service areas, refuse containers, air conditioning units, and transformers.
 - d. Grass areas shall be sodded or hydroseeded. If grass seed is used, it shall be a variety suitable to the area that produces complete coverage.
 - e. No artificial plants, trees, or other vegetation shall be installed.

- f. All existing, healthy deciduous and hardwood trees with a caliper of five (5) or more inches at a point four and one-half feet above the natural grade shall be retained, whenever feasible; if not feasible, the tree shall be replaced with the same or similar type of tree in accordance with Paragraph (g) of this section.
 - g. All planted trees shall be native to the this region and, when planted, such replacement tree shall be a minimum height of six (6) feet and three (3) inches in caliper and be a species which reach at least 20 feet in height at maturity or shall be a flowering tree with a minimum height of six (6) feet and three (3) inches in caliper.
 - h. Existing on-site plant materials may be credited as landscaped open space for meeting the requirements of this section if such plant materials achieve the purposes of this section.
 - i. All retained or planted trees shall be protected or situated so as to prevent damage from environmental changes resulting from any building or other improvements.
2. Agreement and Warranty: Prior to issuance of a certificate of occupancy for a structure, the developer or owner shall warrant all require landscaping materials and work for a period of one year after approval or acceptance thereof by the City.

Prior to the end of one year, the Community Development Director shall make an inspection and notify the owner or developer of any replacement or restoration to be made.

3. Maintenance: The owner, occupant, tenant and respective agent of each, if any, shall be jointly and severally responsible for the maintenance and protection of all landscaping required within buffer strips.

Section 607. Requirements for Customary Home Occupations

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

1. The home occupation shall be carried on only by a member or members of the family residing in the residence.

2. To the extent that there is any sale of any item or service related to the home occupation, no sale of that item or service may occur on or adjacent to the premises unless this use has been granted a Special Use Permit by the Board of Commissioners after receiving recommendations from the Planning Director and Planning Commission and following a public hearing.
3. The home occupation shall not involve group instruction or group assembly of people on the premises.
4. There shall be no exterior evidence of the conduct of a home occupation. Except for the breeding of horses by a Hobby Breeder, the home occupation shall be conducted only within the enclosed living area of the home (including the basement, if any). There shall be no display or storage of products, materials, or machinery where they may be visible from the exterior of the residence.
5. The conduct of the home occupation shall neither increase the normal flow of traffic nor shall it increase either on-street or off-street parking.
6. No equipment may be utilized or stored in the conduct of the home occupation except that which is normally used for purely domestic or household purposes. Said items may only be those produced on the premises or incidental supplies necessary for consumption in the conduct of the home occupation. Samples, however, may be kept on the premises but neither sold nor distribute from the residence.
7. There shall be no signs advertising the home occupation.
8. No more than twenty-five (25) percent of the dwelling unit may be used for conducting the home occupation.
9. One business vehicle used exclusively by the resident is permissible. This vehicle must be parked in a carport, garage, side yard, or rear yard. This vehicle shall be no larger in size than a pick-up truck, panel truck, or van nor have a carrying capacity of more than one and one-half tons.

Section 608. Method of Density Calculation

For any property for which an application for rezoning is received after March 11, 1991, permitted development shall be calculated on the basis of net density (see definition of “density”).