

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE

WHEREAS, following a public hearing and meeting advertised in accordance with O.C.G.A. §§ 36-66-4 and 50-14-1 *et seq.*, the Douglas County Planning and Zoning Board and Douglas County Board of Commissioners has considered and adopted various amendments to the Unified Development Code.

NOW, THEREFORE BE IT ORDAINED by the Douglas County Board of Commissioners that the Unified Development Code is amended as follows:

SECTION ONE

The text of Article 2, Use of Land & Structures, Section 208(h) Highway 92 Village Overlay is amended to include the following as shown by the underlining of text:

208 (h) Highway 92 Village Overlay (*Amended 02/02/2016 - TXT-2016-01, § 1; Amended 08/02/2011 - TXT-2011-01, §§ 1, 2; Amended 08/03/2010 - TXT-2010-03, § 2; Amended 08/05/2008 - TXT2008-04; Amended 05/06/2008 - TXT2008-02; Amended 01/02/2007 - TXT2007-01*)

c. 1. Permitted uses within the Highway 92 Village Overlay
to include the uses in Table 2.5 for all L-I and L-I-R zoned properties with zoning existing as of August 2, 2016

d. 3. Development regulations for the corridor

d)

Architecture

1)

Buildings shall be designed to substantially resemble eighteenth and nineteenth century architectural styles with the exception of single family detached residential developments. **Developments shall utilize Georgian or Colonial architecture development themes with symmetrical form and fenestration with triangular pediments at all front facing entry ways.**

g)

Signage

1)

Freestanding signs

- i. All freestanding signs shall be of a monument style and constructed only of brick or stone materials to match or compliment the principal structure or structures located on the site.
- ii. A monument base shall consist of:
 - a. A solid base or framework, the same width and length of the signs. Said base shall be completely covered in brick or stone facing; or
 - b. Two columns, each not less than two inches square supporting the sign on each side. The total span of said columns shall equal the total width and length of the sign box, and shall be connected at the base by a planter or monument not less than three inches in height.
 - c. All monument signs shall be a maximum of four feet in height *except that signs for properties with frontage on Highway 92, the Bomar Road Connector and Lee Road may be a maximum of eight feet in height.*
 - d. All monument signs shall be a maximum of 32 square feet of signage copy area *per side* and 64 square feet of total sign area.
- iii. If the sign lists multiple tenants the sign shall be of a uniform background, lettering style and color and a maximum of eight feet in height.
- iv. All monument signs shall have external illumination only.
- v. *There shall be no variances allowed for sign height, or size.*

SECTION TWO

The text of Article 2, Use of Land & Structures, Section 208(i) Post Road Village Overlay is amended to include the following as shown by the underlining of text:

208 (i) Post Road Village Overlay (*Amended 02/02/2016 - TXT-2016-01, § 2; Amended 05/03/2007 - TXT2007-04; Amended 01/02/2007 - TXT2007-01*)

d. 3 Development regulations for the corridor

• f)

Signage

1)

Freestanding signs

i.

All freestanding signs shall be of a monument style and constructed only of brick or stone materials to match or compliment the principal structure or structures located on the site.

ii.

A monument base shall consist of:

a.

A solid base or framework, the same width and length of the signs. Said base shall be completely covered in brick or stone facing; or

b.

Two columns, each not less than two inches square supporting the sign on each side. The total span of said columns shall equal the total width and length of the sign box, and shall be connected at the base by a planter or monument not less than three inches in height.

c.

All monument signs shall be a maximum of four feet in height *except that signs for properties with frontage on Highway 78 may be a maximum of eight feet in height.*

iii.

If the sign lists multiple tenants the sign shall be of a uniform background, lettering style and color and a maximum of eight feet in height.

iv.

All monument signs shall have external illumination only.

v.

There shall be no variances allowed for sign height, or size.

SECTION THREE

The text of Article 2, Use of Land & Structures, Section 208(j) Corridor Overlay is amended to delete the following as shown by the strikethrough of text and to include the following as shown by the underlining of text:

208 (j) Corridor Overlay (*Amended 02/02/2016 - TXT-2016-01, § 3; Amended 05/03/2007 - TXT2007-04; Amended 02/06/2007 - TXT2007-02*)

e. 4.

Signage.

a)

Ground signs shall be limited to monument signs with a maximum height of ~~10'~~ eight feet. Base and sign structure shall be constructed of materials such as brick, stone and/or stucco consistent with the architecture and exterior materials of the building.

b)

Canopy and awning signs shall be limited to 15 square feet per road frontage. If lighted, lettering shall be individually formed and lighted. No spreader bar signage shall be allowed except as required by the State Fire Marshall.

c)

Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.

d)

Peddlers shall be prohibited.

e)

All other signage requirements of the Sign Ordinance of Douglas County shall apply, and there shall be no variances allowed for sign height, or size.

SECTION FOUR

The text of Article 3, Restrictions on Particular Uses, Section 313 (b), Customary accessory uses to a dwelling, is amended to include the following as shown by the underlining of text:

313 (b) Customary accessory uses to a dwelling. (*Amended 02/03/2015 - TXT-2015-01, § 1; 1/06/2009 - TXT2009-01, § 5*)

Each of the following is considered to be a customary accessory use to a dwelling and may be situated on the same lot with the principal use that it serves, subject to more restrictive standards that may apply under this Section.

(6)

Animals.

Domesticated animals will be allowed subject to the following conditions:

b.

In the A-G, R-A and R-LD districts, horses, mules, donkeys, goats, swine and ponies for the personal use and pleasure of the family residing on the property at the rate of not more than one (1) such animal per one (1) full acre of land; plus no more than six (6) poultry, pigeons, rabbits and other similar animals typically considered to be pets for the personal use and pleasure of the family residing on the premises, except that roosters are strictly prohibited in platted subdivisions. The one (1) full acre of land must be entirely contained within the boundaries of the parcel where the keeping of said animals will occur.

SECTION FIVE

The text of Article 5, Subdivisions and Master Planned Developments, is amended by adding section 511 Conservation Subdivisions, as shown by the underlining of text:

Sec. 511 Conservation subdivisions.

511(a) Conservation subdivisions; where allowed.

Conservation development provisions may be applied to any single-family detached subdivision in the AG, R-A or R-LD zoning district except in the Dog River Watershed Protection Area and the O-ED overlay district. Conservation subdivisions are not allowed within the Dog River Watershed Protection Area or the O-ED overlay district.

Conservation subdivisions are reviewed and approved under the same process that applies to conventional subdivisions.

In addition to any conditions of zoning approval that may apply to a specific property, the provisions of this Section apply to all Conservation subdivisions.

511(b) Maximum number of lots.

A Conservation subdivision shall not exceed the maximum density of dwelling units per acre allowed for the zoning district in which the Conservation subdivision is located (as shown on Table 4.1 of Article 4), or as otherwise required by an overlay district applicable to the property, whichever results in the lowest density. The maximum density shall be applied to the gross acreage of the entire property, excluding only those areas excluded from maximum density computations under Article 4.

511(c) Minimum dimensional standards.

(1) AG Conservation subdivision.

For a Conservation subdivision in the AG zoning district, the minimum lot area, width, setbacks, buildable area, structure height and all other dimensional requirements applicable to the R-A zoning district shall apply.

R-A Conservation subdivision.

For a Conservation subdivision in the R-A zoning district, the minimum lot area, width, setbacks, buildable area, structure height and all other dimensional requirements applicable to the R-LD zoning district shall apply.

R-LD Conservation subdivision.

For a Conservation subdivision in the R-LD zoning district, the minimum lot area, width, setbacks, buildable area, structure height and all other dimensional requirements applicable to the R-MD zoning district shall apply.

511(d) Common Conservation.

Acreage not utilized for residential lots, roadway access and utilities shall be placed in common Conservation or devoted to recreation amenities. Designated conservation areas required under this Development Code must be included within a conservation easement established in accordance with the conservation and natural resources easements Division of Article 9.

- (1) A minimum percent of the gross project site area shall be reserved for common Conservation, as follows: no less than 40% of the total site must be set aside as Conservation for conservation, preservation or passive recreational use, such as walking trails and picnicking. Buffers, wetlands, bodies of water and otherwise unbuildable areas shall constitute no more than 50% of the minimum required Conservation.

Additional common Conservation may be provided for active recreation areas for the proposed development, such as swimming pools, tennis courts, community facilities, etc.

Required zoning buffers on the perimeter of the property may be included in the common Conservation area, provided that such buffer areas may not be counted toward more than 10% of the minimum Conservation requirement of Sec. 501 (a)(1).

While common Conservation shall not be required to be contiguous, no individual portion of the Conservation shall be less than 1 acre in size, nor less than 50 feet wide in its narrowest dimension, except as follows:

The Conservation area, by the very nature of its designated boundaries, is less than 50 feet in width. Examples include strips of steep slopes and “fingers” of floodplains that extend up drainage swales.

Parkways between road travelways, which must be at least 26 feet in width.

Viewshed buffers intended to screen the view of the subdivision development, which must be at least 200 feet in width unless the topography of the land adequately screens the view of the buildings in the subdivision from the abutting roadway.

No portion of the residential lots shall be credited toward the minimum Conservation requirements unless the portion is included within the conservation easement. No portion of any street right-of-way or public or private utility easement shall be credited toward the minimum Conservation requirements.

The required common Conservation and any applicable conservation easements shall be platted at the same time that adjacent residential lots are platted, in whole or in phases.

511(e) Residential development standards.

- (1) Every residence must be connected to a public water system.

Recreation amenity.

Every Conservation subdivision having any lots less than 2 acres in size and proposed to contain 50 dwelling units or more must include a community recreation amenity to serve the development, based on the number of lots in the subdivision as delineated in Article 5, Section 504(f) for Conventional subdivisions unless otherwise established as a condition of zoning approval.

Conservation subdivisions shall be serviced with underground utilities (electric power, natural gas, telephone, TV cable, etc.) unless this requirement is waived by the County Engineer due to physical construction constraints.

All dwelling units shall have 100% of the front façade as brick and/or stacked stone, 100% of the side façade shall be brick and rear façades which consist entirely of any combination of brick, and cementitious siding.

Each dwelling unit must include at least a 2-car garage having no less than a 10-foot by 20-foot area per parking space.

511(f) Internal orientation required.

All lots within a Conservation subdivision must front upon and gain their access from a street within the subdivision, provided that any lot fronting upon and gaining its access from an existing County street or road shall comply with the dimensional standards of the zoning district within which the Conservation subdivision is located.

511(g) Minimum separation from adjoining streets.

The lots within the subdivision meeting the reduced dimensional standards for a Conservation development must be separated from every existing County road or street that adjoins the development by a 50-foot wide vegetative zoning buffer approved by the Douglas County Arborist.

SECTION SIX

The text of Article 7, Sign Regulations, Section 712-Modification of sign restrictions, subsection 721(a)Variances, is amended to delete the following as shown by the strikethrough of text and to include the following as shown by the underlining of text:

Sec. 712 - Modification of sign restrictions. (Amended 11/03/2015 - TXT-2015-04, § 6; Amended 08/04/2015 - TXT-2015-03, § 4)

712 (a) Variances.

(1)

~~*The restrictions placed on signs by this Article, with respect to size, and height, may be modified as a hardship variance granted under the procedures for such appeals under Article 13 of the Douglas County Unified Development Code. Consideration for the hardship variance can only be related to the standards for relief as outline in Article 13, Section 1304(c).*~~ *There shall be no variances for sign height or size.*

(2)

~~*Signs that are prohibited under this Article may not be approved as a special exception variance or a hardship variance*~~

SECTION SEVEN

The text of Article 10, Project Design & Construction Standards, Section 1010 Street lights, is amended to include the following as shown by the underlining of text:

1010 (f) Streetlight construction by property developers.

- (2) Such developers, or their designee, shall present a proposed streetlight layout, which details the streetlight service for the development. The proposal presented by the developer must be approved by the County Engineer prior to any streetlight installations for that development. All approved streetlights shall be installed prior to the expiration of any bonds associated with the development. All fixtures and standards/poles installed or to be used shall be approved not only by the county but also by the utility company which will provide electricity to the streetlights and which will be responsible for the maintenance of the facilities. All such fixtures shall have appropriate arm length to place the light over the street, provided that no arm shall be less than 2.5 feet long, **Streetlights shall be designed to provide uniform illumination throughout their coverage area.** Should the County Engineer disapprove the streetlight layout, the grounds for disapproval shall be communicated in writing to the developer. Any such disapproval by the County Engineer may be appealed to the board of commissioners by filing a request for review with the County Engineer within 30 days from the date of the written notice of disapproval. The County Engineer shall at that point transmit to the board of commissioners all papers and related documents pertaining to the action taken by the County Engineer, and the board of commissioners shall review the matter at the next regularly scheduled public meeting. The board of commissioners may reverse or affirm, entirely or in part, the decision of the County Engineer.

1010 (g) Lighting in existing residential areas; creation of streetlight districts.

- (3) All other provisions of this Section with respect to payment for street lighting, including provisions for required deposits, shall apply equally to the services created and provided pursuant this subsection. **The lot owners within the requested streetlight district shall be required at their own expense to provide the requested streetlight services in the public rights-of-way in such requested districts in conformity with this Section.**

- (4) **All fixtures and standards/poles installed or to be used shall be approved not only by the county but also by the utility company which will provide electricity to the streetlights and which will be responsible for the maintenance of the facilities. All such fixtures shall have appropriate arm length to place the light over the street, provided that no arm shall be less than 2.5 feet long. Streetlights shall be designed to provide uniform illumination throughout their coverage area.**

SECTION EIGHT

The text of Article 13, Appeals, Section 1303(d)Administrative Approval, is amended to delete the following as shown by the strikethrough of text:

1303 (d) Administrative approval.

(2)

The Director of Development Services, upon a finding that a special exception variance meets the standards for approval contained in this Section, may administratively approve such special exception variance within and not exceeding the following parameters:

~~h.~~

~~Signage.~~

~~Up to 10% of the dimensional restrictions of the Sign Regulations Article, based on hardship and physical attributes of the property.~~

This ordinance shall be effective upon adoption.

SO ORDAINED this 2nd day of August 2016.

Tom Worthan, Chairman

Absent

Kelly Robinson, District II

Henry Mitchell, III, District I

Michael Mulcare, District III

Ann Jones Guider, District IV

Attest:

Tracy Rye, Planning Director