

## Article 2. - Use of Land and Structures

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### Sec. 201 - Purpose of Article 2.

This Article defines the zoning districts in the County 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 Code.

### Sec. 202 - Zoning Map.

The boundaries of the various zoning districts are shown on a map entitled "Official Zoning Map of Douglas County, Georgia" adopted on the date of adoption of this Development Code, and as amended thereafter from time to time.

#### 202 (a) Official Zoning Map adopted.

- (1) The "Official Zoning Map of Douglas County, Georgia" (referred to in this Code as the "Zoning Map" is adopted as the Official Zoning Map and is hereby made a part of this Development Code, and all notations, references and other information shown on it shall be a part of this Development Code.
- (2) The Official Zoning Map as adopted at the time of adoption of this Development Code shall be identified as that map or series of maps signed by the Chairman in office at the time of adoption, and attested by the Clerk of the Board of Commissioners. A certified copy of the zoning map as originally adopted shall be kept on record in the County Clerk's office.
- (3) The Zoning Map as adopted and as may be amended by the Board of Commissioners from time to time sets forth the location of all zoning districts in the County.

#### 202 (b) Amendments to the Zoning Map.

- (1) The Zoning Map, as adopted by the Board of Commissioners and amended from time to time by its action, shall be maintained and available in the Development Services Department. The map as amended from time to time by the Board of Commissioners may be kept in an electronic format from which printed copies can be produced.
- (2) No changes of any nature shall be made to the Official Zoning Map except in conformity with amendments to the map approved by the Board of Commissioners or by adoption of a new Official Zoning Map of Douglas County. Such amendments shall be spread upon the minutes of Douglas County and shall be available for public inspection.
- (3) All zoning district boundary changes and amendments to the Zoning Map shall be placed ~~noted~~ on the map maintained electronically in the Development Services Department ~~with the date of the zoning change or amendment and reference to the implementing ordinance.~~

#### 202 (c) Determination of zoning district boundaries.

- (1) The boundaries of the districts as shown on the Zoning Map shall be determined on the basis of the legal descriptions or boundary surveys associated with approved zoning petitions, or, lacking such legal descriptions or surveys, on the basis of the location of the boundary as depicted on the Zoning Map along with any dimensions shown.
- (2) All property in the County is placed in the zoning districts as indicated on the Zoning Map, and no property shall be used except in accordance with the zoning designations on the Zoning Map and the provisions of this Code. Where uncertainty exists as to the boundaries of any zoning district, the following rules shall apply:
  - a. Where a zoning district boundary line is shown as approximately following the County limits line, a militia district line, a land lot line, a lot line or the center line of a street, a county road, a state highway, a railroad right-of-way, or stream or drainage way, or such lines extended, then such lines shall be construed to be the zoning district boundary lines.
  - b. Where a zoning district boundary line is shown as being set back from a street, a county road, a state highway, a railroad right-of-way, or a stream or drainage way, and approximately parallel thereto, then such zoning district boundary line shall be construed as being at the scaled distance from the center line of the street, county road, state highway, railroad right-of-way, stream or drainage way, and as being parallel thereto.
  - c. Where a zoning district boundary line divides a lot, the location of the line shall be the scaled distance from the lot lines. In this situation, the requirements of the zoning district in which the greater portion of the lot lies shall apply to the balance of the lot except that such extension shall not include any part of a lot that lies more than 50 feet beyond the zoning district boundary line.
  - d. In the case of a double-frontage lot fronting on two separate streets that is divided by a zoning district boundary line approximately paralleling the streets, the restrictions of the zoning district in which each frontage of the through lot lies shall apply to that portion of the lot.

**202 (d) Special conditions of previous zoning approvals retained.**

All special conditions and special stipulations imposed as conditions of rezoning of property prior to adoption of the 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 Board of Commissioners is amended through the rezoning process established by this Code.

~~Sec. 203 RESERVED—Implementation and adoption of a Comprehensive Plan.~~

~~Contemporaneously with the adoption of this Development Code, the Board of Commissioners implements and adopts the *Douglas County Comprehensive Plan* and the *Future Land Use Map* that was duly adopted in accordance with the Georgia Comprehensive Planning Act, and as subsequently amended.~~

**Sec. 204 - Zoning districts; established.**

For purposes of this Development Code, the following Zoning Districts and Overlay Zoning Districts are established as listed in Table 2.1 along with the Zoning Map symbol and the Comprehensive Plan Future Land Use Map designation that is being implemented by the Zoning District.

**Sec. 205 - Zoning districts; relationship to Comprehensive Plan.**

**205 (a) Application of the Comprehensive Plan.**

The *Douglas County Comprehensive Plan* in combination with its *Future Land Use Map* establishes appropriate land use categories and a range of development intensities, composed of densities, floor area ratios, or similar measures, for each land area in the county. This Unified Development Code and the

County's individual project approvals provide development standards, plan requirements and other factors that shall determine the development intensity of each project within the Comprehensive Plan range. The County reserves the right to limit projects to intensities below the Comprehensive Plan's upper limits in order to ensure that all elements of the built environment, including land use, transportation, housing, energy, and infrastructure, work together to provide sustainable, green places for living, working, and recreation, with a high quality of life. The Zoning Districts and their corresponding Comprehensive Plan Future Land Use Map suggested character area designations are listed in Table 2.1.

Table 2.1: Zoning Districts

<b>Zoning District</b>	<b>Comprehensive Plan Future Land Use Map Category*</b>
<b>Agricultural Districts</b>	
AG Rural Agricultural	Agricultural, Rural Places
<b>Residential Districts</b>	
R-A Residential-Agricultural	Rural Places, <u>Suburban Living</u>
R-LD Low Density Single-Family Residential	Suburban Living, Urban Residential
R-MD Medium Density Single-Family Residential	Suburban Living, Urban Residential, Mixed Use Corridor, Workplace Center
<u>R-HD High Density Residential</u>	<u>Urban Residential, Mixed-Use Corridor, Workplace Center, Commerce Center</u>
<del>R-TC Townhouse Condominium Residential</del>	<del>Urban Residential, Mixed-Use Corridor, Workplace Center</del>
<del>R-MF Multi-Family Residential</del>	<del>Urban Residential, <u>Mixed-Use Corridor</u></del>
R-MH Manufactured Home Residential	Urban Residential
PUD Planned Unit Development	Any category
<b>Office/Commercial Districts</b>	

OI- Office/Institutional	Transitional Corridor, Mixed Use Corridor, Workplace Center, Commerce Center
<del>OI-L Low Density Office/Institutional</del>	<del>Transitional Corridor, Neighborhood Village Center, Community Village Center, Mixed Use Corridor, Workplace Center, Commerce Center</del>
<del>OI-H High Density Office</del>	<del>Workplace Center, Commerce Center</del>
<del>C-N Neighborhood Commercial</del>	<del>Transitional Corridor, Neighborhood Village Center, Community Village Center, Mixed Use Corridor</del>
<del>C-C Community Commercial</del>	<del>Transitional Corridor, Community Village Center, Mixed Use Corridor, Workplace Center, Commerce Center</del>
C-G General Commercial	Community Village Center, Mixed Use Corridor, Workplace Center, Commerce Center
C-H Heavy Commercial	<u>Community Village Center</u> , Mixed Use Corridor, <u>Workplace Center</u> Commerce Center
<del>C-R Regional Commercial</del>	<del>Workplace Center, Commerce Center</del>
<b>Industrial Districts</b>	
LI Light Industrial	Mixed Use Corridor, <u>Workplace Center</u> , Commerce Center
LI-R Restricted Light Industrial	Mixed Use Corridor, Workplace Center, Commerce Center
HI Heavy Industrial	Intensive Industrial
<b>Overlay Districts</b>	
O-ED Estate Density Overlay	Any category
O-EO Watershed Protection Overlay	Any category
O-GW Groundwater Recharge Area Protection	Any category

O-WP Wetlands Protection Overlay	Any category
O-QGD Quality Growth Development Overlay	Any category
O-LF Landfill Overlay	Any category
O-AH Airport Hazard Overlay	Any category

\*Refer also to the Character Area Guidelines in the Land Use Element of the Douglas County Comprehensive Plan 2025.

~~\*\*No new PUDs will be approved under this Development Code.~~

**205 (b) Restrictions on the rezoning of land.**

~~No land shall be rezoned to a particular zoning district unless the property is located within or is immediately adjacent to the Comprehensive Plan land use category designated for the zoning district on Table 2.1, as shown on the Future Land Use Map.~~

- ~~(1) For the purposes of this restriction, "within" shall mean that at least 50% of the land area contained in the property shall be located within the boundary of the land use category as delineated on the Future Land Use Map.~~
- ~~(2) For the purposes of this restriction, "immediately adjacent" shall mean:
 
  - ~~a. The property proposed for rezoning must share a common boundary with the land use category as delineated on the Future Land Use Map for a continuous distance of at least 100 feet, or~~
  - ~~b. The property proposed for rezoning must be located directly across a street, county road or state highway from the land use category as delineated on the Future Land Use Map for a continuous distance of at least 100 feet, or for the entirety of its frontage if less than 100 feet wide.~~~~

**Sec. 206 - Zoning districts; conversion of previous districts.**

Zoning districts as were established under the previous Zoning Ordinance of Douglas County are hereby renamed to the following zoning district names and designations under this Development Code, as shown on Table 2.2. All regulations, requirements and provisions of this Development Code applicable to a zoning district established under Sec. 204 of this Code shall apply to the previously named zoning district as shown on Table 2.2.

Table 2.2: Conversion of Previous Zoning Districts

Previous Zoning District Designation (prior to 2004)	Previous Zoning District Designation (2004 to 2020)	Zoning District Designation under <u>this Code (2020 -)</u>
AG Rural Agricultural	AG Rural Agricultural	<u>AG Rural Agricultural</u>
R-1 Residential-Agricultural	R-A Residential-Agricultural	<u>R-A Residential-Agricultural</u>
R-2 Single-Family Residential	R-LD Low Density Single-Family Residential	<u>R-LD Low Density Single-Family Residential</u>
R-3 Two-Family Residential	R-D Duplex (Two-Family) Residential	<u>R-MD Medium Density Single-Family Residential</u>
R-4 Single-Family Townhouse Residential	R-TC Townhouse Condominium Residential	<u>R-HD High Density Single-Family Residential</u>
R-5 Condominium Residential	R-TC Townhouse Condominium Residential	<u>R-HD High Density Single-Family Residential</u>
R-6 Multi-Family Residential	R-MF Multi-Family Residential	<u>R-HD High Density Single-Family Residential</u>
R-7 Mobile Home Residential	R-MH Manufactured Home Residential	<u>R-MH Manufactured Home Residential</u>
R-8 Mobile Home Park Residential	R-MH Manufactured Home Residential	<u>R-MH Manufactured Home Residential</u>
R-9 Medium Density Single-Family Residential	R-LD Low Density Single-Family Residential	<u>R-LD Low Density Single-Family Residential</u>
R-10 High Density Single-Family Residential	R-MD Medium Density Single-Family Residential	<u>R-MD Medium Density Single-Family Residential</u>
PUD Planned Unit Development	PUD Planned Unit Development	<u>PUD Planned Unit Development</u>
		<u>Planned Residential District</u>

OI-1 Low Density Office/Institutional	OI-L Low Density Office/Institutional	<u>OI Office/Institutional</u>
OI-2 High Density Office	OI-H High Density Office	<u>OI Office/Institutional</u>
C-1 Neighborhood Commercial	C-N Neighborhood Commercial	<u>C-G General Commercial</u>
	C-C Community Commercial	<u>C-G General Commercial</u>
C-2 General Commercial	C-G General Commercial	<u>C-G General Commercial</u>
C-3 Highway Commercial	C-H Heavy Commercial	<u>C-H Heavy Commercial</u>
C-4 Heavy Commercial	C-H Heavy Commercial	<u>C-H Heavy Commercial</u>
C-5 Commercial Amusement	C-R Regional Commercial	<u>C-H Heavy Commercial</u>
M-1 Light Industrial	LI Light Industrial	<u>LI Light Industrial</u>
M-1-R Restricted Light Industrial	LI-R Restricted Light Industrial	<u>LI-R Restricted Light Industrial</u>
M-2 Heavy Industrial	HI Heavy Industrial	<u>HI Heavy Industrial</u>
LUR Limited-Use Residential Overlay		
O-ED Estate Density Overlay	O-ED Estate Density Overlay	<u>O-ED Estate Density Overlay-Legacy</u>
EO Environmental Protection Overlay	O-EO Watershed Protection Overlay	<u>O-EO Watershed Protection Overlay</u>
GW Groundwater Recharge Area Protection	O-GW Groundwater Recharge Area Protection	<u>O-GW Groundwater Recharge Area Protection</u>
WP Wetlands Protection Overlay	O-WP Wetlands Protection Overlay	<u>O-WP Wetlands Protection Overlay</u>
QGD Quality Growth Development Overlay	O-QGD Quality Growth Development Overlay	<u>O-QGD Quality Growth Development Overlay</u>

	O-LF Landfill Overlay	<u>O-LF Landfill Overlay</u>
AH Airport Hazard	O-AH Airport Hazard Overlay	<u>O-AH Airport Hazard Overlay</u>
	<u>Highway 92 Village Overlay</u>	<u>O-HC Highway Corridor Overlay</u>
	<u>Post Road Village Overlay</u>	<u>O-HC Highway Corridor Overlay</u>
	<u>Corridor Overlay</u>	<u>O-HC Highway Corridor Overlay</u>
	<u>Highway 78 Corridor Overlay</u>	<u>O-HC Highway Corridor Overlay</u>

**Sec. 207 - Zoning districts; purpose of each.**

All lands in unincorporated Douglas County are included in one or another of the zoning districts established by this Development Code. Overlay districts, which provide additional requirements or restrictions on the portions of these zoning districts over which they are established, are found under Sec. 208 of this Article.

**207 (a) AG Rural Agricultural.**

The AG Rural Agricultural District is established to protect rural areas of Douglas County in which agriculture, farm operations, conservation lands and timber stands on parcels of 10 acres or more are the established land use pattern, and to provide an environment which encourages residents to continue to live and practice agricultural operations without adverse impact arising [from] more dense development.

**207 (b) R-A Residential-Agricultural.**

The R-A Residential-Agricultural District is established to protect and promote a suitable environment for rural or "large lot suburban" family life, agriculture including the raising of livestock and poultry, and the development of natural resources and other uses requiring extensive areas of land. This District is required to protect the future development of land in accordance with the Comprehensive Plan of the county as amended.

**207 (c) R-LD Low Density Single-Family Residential.**

The R-LD Single-Family Residential District is established to protect and promote a suitable environment for family life, to discourage any use which would generate other than normal residential area traffic on minor streets and to protect the orderly future development of land in accordance with comprehensive development plans for the county.

**207 (d) R-MD Medium Density Single-Family Residential.**

The R-MD Medium Density Single-Family Residential District is established to protect and promote a suitable environment for family life, to discourage any use which would generate other than normal residential area traffic on minor streets and to protect the future development of land in accordance with comprehensive development plans for the county.

**207 (e) R-HD Residential – High Density.**

The R-HD Residential High Density District is established to protect and promote a suitable environment for family life, to discourage any use which would generate other than normal residential area traffic on minor collector streets, to meet the demands of two, three, four and multi-family residences, townhomes and condominiums and to protect the orderly future development of land in accordance with comprehensive development plans for the county. The intent of this district is to provide standards for medium density dwellings which will:

- (1) Encourage the provision of usable open space and recreation areas and a desirable living environment;
- (2) Be located primarily in areas near or adjacent to low-density or medium density residential use areas;
- (3) Be located so as to provide transition between single-family use areas and higher density dwelling areas and/or commercial areas;
- (4) Be located near such services as retail shopping and major thoroughfares and collector streets.

**~~207 (f) R-TC Townhouse Condominium Residential.~~**

~~The R-TC Townhouse Condominium Residential District is established to protect and promote family life and meet the needs of residential uses implementing the townhouse concept. The intent of this district is to provide standards for medium density dwellings which will:~~

- ~~(1) Encourage the provision of usable open space and recreation areas and a desirable living environment;~~
- ~~(2) Be located primarily in areas near or adjacent to single-family use areas;~~
- ~~(3) Be located so as to provide transition between single-family use areas and higher density dwelling areas and/or commercial areas;~~
- ~~(4) Be located near such services as retail shopping and major thoroughfares and collector streets; and;~~
- ~~(5) Encourage home ownership.~~

**~~207 (g) R-MF Multi-Family Residential.~~**

~~The R-MF Multi-Family Residential District is established to protect and promote a suitable environment for family life, to meet the needs and demands for the development of medium density residential area[s] and to protect the future development of land in accordance with comprehensive development plans for the county.~~

**207 (f) R-MH Manufactured Home Residential.**

The R-MH Manufactured Home Residential District is established to protect and promote a suitable environment for family life, to meet the need and demands for the development of manufactured home residential areas and to protect the future development of land in accordance with comprehensive development plans for the county.

**207 (g) PRD Planned Residential Development**

The PRD district is established to protect and promote a suitable environment for family life and to encourage flexibility in meeting the needs of families, by attached apartment dwellings in accordance with the land use plan for the County with a development site of at least two acres.

**207 (h) PUD Planned Unit Development.**

The PUD district is intended to permit the planning and development of parcels of land that are suitable in location and character for the uses proposed as unified and integrated developments in accordance with detailed development plans. The PUD district is intended to provide a means of accomplishing the following specific objectives: To provide for development concepts not otherwise allowed within non-PUD zoning districts; To provide flexibility, unity, and diversity in land planning and development, resulting in convenient and harmonious groupings of uses, structures and common facilities; To encourage innovations in quality residential, commercial, and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings and by the conservation and more efficient use of open space; To lessen the burden of traffic on streets and highways; and To provide a procedure that can relate the type, design, and layout of residential, commercial, and industrial development to the particular site, thereby encouraging preservation of the site's natural characteristics.

Projects previously approved as Planned Unit Developments may continue their development under their zoning approval, but no new PUDs will be approved under this Development Code.

**207 (i) Office Institutional**

The Office Institutional District is established to promote a more dense office environment allowing low rise, mid-rise and high-rise office buildings and accessory retail uses. This zone is intended to be located in or adjacent to heavy concentrations of commercial or light industrial uses such as business districts or nodes, interchange areas, or industrial or office parks. The District also functions as a transitional zone from commercial and light industrial uses to less intensive uses such as single-family residential and multi-family uses.

~~**207 (j) OI-L Low Density Office/Institutional.**~~

~~The OI-L Low Density Office/Institutional District is established to provide locations primarily for low rise buildings containing office and institutional uses with some semi-commercial uses including very limited retail sale of goods incidental to a permitted use. The District is intended as a transitional zone from commercial use to less intensive uses such as residential uses.~~

~~**207 (k) OI-H High Density Office.**~~

~~The OI-H High Density Office District is established to promote a more dense office environment allowing mid-rise and high-rise office buildings and accessory retail uses. This zone is intended to be located in or adjacent to heavy concentrations of commercial or light industrial uses such as central business districts or nodes, interchange areas, or industrial or office parks.~~

~~**207 (l) C-N Neighborhood Commercial.**~~

~~The C-N Neighborhood Commercial District is established to protect and promote a suitable environment for those commercial uses that serve the local neighborhood. This District is intended to serve as the location of those retail commercial uses that sell goods and services purchased frequently and generally in small amounts by the public in an intimate, pedestrian-oriented scale. Neighborhood commercial areas are characterized by small convenience retail and service establishments, bakeries and fresh food markets, pharmacies and barber/beauty shops. The District is intended to exclude retail establishments selling large and heavy products that require substantial trucking activity.~~

**~~207 (m) C-C Community Commercial.~~**

~~The C-C Community Commercial District is established to protect and promote a suitable environment for those commercial uses that serve several neighborhoods composing an identifiable community or traditional subarea of the county. This District is intended to serve as the location of those retail commercial uses that sell goods and services purchased frequently by the public in a shopping and personal service setting. Community commercial areas are characterized by grocery stores, drug stores, and small retail and service establishments. Commercial uses commonly found in neighborhood commercial areas are also found in community commercial areas. The District is intended to exclude retail establishments selling large and heavy products that require substantial trucking activity.~~

**207 (j) C-G General Commercial.**

The C-G General Commercial District is established to protect and promote a suitable environment for those retail commercial uses that benefit from close proximity to each other. The District is intended to serve as the location of regional and sub-regional centers for retailing, finance, and professional and general office activities. Its primary purpose is to group their uses together in a compact area designed to accommodate pedestrian movement. General commercial areas are characterized by shopping centers containing department stores, big box retailers such as Home Depot and PetSmarts, discount clubs and retail and service establishments serving a wide market area. Commercial uses commonly found in neighborhood and community commercial areas also are found in general commercial areas.

**207 (k) C-H Heavy Commercial.**

The C-H Heavy Commercial District is established to protect and promote a suitable environment for those commercial uses that benefit from direct access to major streets or are located on major streets and thoroughfares that are classified as major arterial roads or interstate highways. Such uses commonly which generate loud noises and require large areas for open storage, or generate substantial motor vehicle traffic.

**207 (l) PSP Public-Semi Public.**

The PSP Public-Semi Public district is established to provide a district for public, quasi-public and semi-public uses, including government buildings, schools and publicly owned parks and recreation facilities, in accordance with the comprehensive plan for the county.

**207 (m) LI Light Industrial.**

The LI Light Industrial District is established to protect and promote a suitable environment for light industrial purposes, and uses that require both office and distribution facilities at the same site, as well as related and compatible commercial uses and appropriate accessory uses and including accessibility to major transportation facilities, availability of adequate utilities and other public services, and availability of large quantities of suitable land. Uses compatible with light industrial development are to be encouraged insofar as they are in accordance with comprehensive development plans for the county.

**207 (n) LI-R Restricted Light Industrial.**

The LI-R Restricted Light Industrial District is established to protect and promote a suitable environment for high quality, visually attractive, stable, light industrial, electronics and cyber research and development, data storage and administrative facilities and offices.

**207 (o) HI Heavy Industrial.**

The HI Heavy Industrial District is established to protect and promote a suitable environment for heavy industrial uses including accessibility to major transportation facilities, availability of adequate utilities and other public services, and availability of sufficient quantities of land to adequately support such establishments. Uses compatible with light and heavy industrial development are to be encouraged insofar as they are in accordance with the Comprehensive Plan of Douglas County.

**Sec. 208 Overlay districts; generally and purposes of each.**

As the name implies, overlay districts "over-ly" applicable base zoning district classifications to alter some or all of the base zoning district regulations that apply to particular sites. Overlay zoning districts work to modify or supplement the regulations imposed by base zoning district when necessary to address special situations or promote specific county planning goals. Overlay zoning is intended to be used when the base zoning district applied to an area remains generally appropriate, but when an additional, modified or eliminated requirement could help implement the county's planning goals or address an area-specific planning, design or land use regulation issue. All applicable regulations of the underlying base zoning district and of this Development Code apply to property in an overlay district unless otherwise expressly stated in the overlay district regulations. When overlay district regulations conflict with regulations that otherwise apply in the underlying base zoning district or with regulations otherwise imposed by this Development Code, the more restrictive regulations govern

~~Sec. 208 – Overlay districts; purpose of each.~~

~~Certain districts are established as overlay districts, meaning that the "base" (or underlying) zoning district remains in place but the overlay adds additional provisions that override specific provisions of the base zoning district. The purpose of each of the overlay districts established in this Development Code is presented in this Section.~~

**208 (a) O-ED Estate Density Overlay District.**

The O-ED overlay district is established to protect and promote a suitable environment for rural or "large lot suburban" family life, agriculture including the raising of livestock and poultry, and the development of natural resources and other uses requiring extensive areas of land. This overlay district is required to protect the future development of land in accordance with the comprehensive plan of the county as amended. ~~The O-ED overlay district shall place the following restrictions in addition to those in the overlaid districts. The minimum lot size and density requirements of this overlay district shall be met unless greater area is required for a use by the zoning district in which the property is located.~~

~~(1) – Permitted uses.~~

~~All permitted uses that are allowed by this Development Code on a property by the applicable base zoning district are permitted provided they do not conflict with any requirement of this Section.~~

~~(2) – District location.~~

~~The O-ED Overlay District is described as all those portions of Land Lots 1 through 6, 31 through 37, 39, 40 and 63 of the 1st District, 5th Section; Land Lots 1 through 3 and 32 of the 2nd District, 5th Section; and Land Lots 1 through 5, 7 through 13, and 23 of the 3rd District, 5th Section of Douglas County that are within the Bear Creek Watershed Protection District as defined on the Official Zoning Map of Douglas County. This area shall exclude parcel numbers 0006-015-0001, 0006-015-0006, 0006-015-0007, 0006-015-0008, 0006-015-0010, 0007-015-0002, 0007-015-0002, 0040-015-0016, 0041-015-0001 located on the official tax map of Douglas County.~~

~~(3) – Zoning districts excluded:~~

~~The O-ED Overlay District specifically excludes all properties zoned PUD as of the date of the adoption of this Development Code.~~

~~(4) — Area requirements:~~

~~The following requirements shall be met before any permits will be issued. When these requirements conflict with those in the R-A and R-LD zoning districts, as applicable to a particular property, the more restrictive shall apply.~~

~~a. — Minimum lot size, single-family dwellings.~~

~~A single-family dwelling shall comply with the following minimum density and lot size requirements:~~

- ~~1. — Every lot or subdivision shall achieve an overall density of one dwelling unit per no less than three acres (130,680 square feet) of gross land area.~~
- ~~2. — A dwelling unit may be located on a lot containing no less than 43,560 square feet (one acre) of net land area, provided that the minimum density requirement of one dwelling unit per three acres is met for all dwelling units on the property or in the subdivision as a whole.~~
- ~~3. — Deviations from the minimum density and lot size requirements of this Subsection may be granted by the Board of Commissioners in cases deemed to constitute a hardship to the property owner or an extraordinary benefit to the public health, safety or general welfare. Deviations shall be considered by the Board of Commissioners upon application of the property owner and following all procedures in conformance with the Procedures and Permits Article of this Development Code as though a zoning map amendment. No deviations will be considered for any financial hardship requests. Deviations may be granted as follows:
  - ~~a) — As a condition of approval imposed at the time of rezoning of a property; or~~
  - ~~b) — Upon appeal to the Board of Commissioners by the property owner.~~~~

~~b. — Minimum lot size, other uses.~~

~~Any use other than a single-family dwelling shall occupy a property containing no less than 3 acres (130,680 square feet) of gross lot area.~~

~~c. — Minimum buildable lot area.~~

- ~~1. — Every property shall provide a single, contiguous buildable area of at least 43,560 square feet (one acre) within the lot exclusive of any land contained within a primary conservation area as defined in the Environmental Protection Article of this Development Code.~~
- ~~2. — Additional land contained within a property or subdivision in excess of the minimum buildable area for each lot may be located within a primary conservation area.~~

~~(5) — Treatment of open space.~~

~~Land within a subdivision that is not included within individual building lots shall be set aside as common open space. Such open space and primary and secondary conservation areas shall comply with the following provisions:~~

~~a. — Conservation areas.~~

~~All primary conservation areas, and all secondary conservation areas designated by the developer for protection, shall be included within a conservation or natural resource easement (as applicable) in accordance with the requirements for such easements contained in the Environmental Protection Article of this Development Code~~

~~b. — Ownership.~~

~~All common open space shall be owned by a homeowners' association in accordance with the requirements for such property owners' associations under the Subdivisions and Planned Developments Article of this Development Code.~~

**208 (b) O-EO Watershed Protection Overlay.**

The purpose of the O-EO Watershed Protection Overlay District is to establish measures to protect the quality and quantity of the present and future water supply of Douglas County, as well as the City of East Point and jurisdictions downstream from Douglas County; to minimize the transport of pollutants and sediment to the water supply; and to maintain the yield of water supply watersheds. The O-EO Watershed Protection Overlay District is composed of the following Watershed Protection Areas corresponding to the topographical features that delimit the drainage basins of the following respective creeks, rivers and reservoirs:

- (1) Dog River (sub-watershed A);
- (2) Dog River (sub-watershed B);
- (3) Bear Creek;
- (4) Anneewakee Creek;
- (5) Sweetwater Creek;
- (6) Beaver Run Creek sub-watershed;
- (7) Gothards Creek sub-watershed;
- (8) Hurricane Creek; and
- (9) Chattahoochee River Direct Drainage Basin (in areas not regulated by the Metropolitan River Protection Act).

See the Watershed Protection Division of the Environmental Protection Article of this Code for provisions relating to the O-EO Overlay.

**208 (c) O-GW Groundwater Recharge Area Protection Overlay.**

The O-GW Groundwater Recharge Area Protection Overlay District is established to protect the quality of groundwater by regulating land uses within significant groundwater recharge areas. This is necessary to protect the public health, safety, and welfare, particularly those persons and communities who rely on groundwater as their source of potable water supply

See the Groundwater Recharge Area Protection Division of the Environmental Protection Article of this Code for provisions relating to the O-GW Overlay.

**208 (d) O-WP Wetlands Protection Overlay.**

The O-WP Wetlands Protection Overlay District is established to promote the protection of wetlands in Douglas County, which are indispensable, fragile natural resources with significant development constraints due to flooding, erosion, and soils limitations. Furthermore, they provide habitat areas for fish, wildlife, and vegetation; water quality maintenance and pollution control; flood control; erosion control; opportunities for study and education; and open space and recreational opportunities.

See the Wetlands Protection Division of the Environmental Protection Article of this Code for provisions relating to the O-WP Overlay.

**208 (e) O-QGD Quality Growth Development Overlay.**

The O-QGD Quality Growth Development Overlay District is established to promote high quality development in areas of the county that are largely undeveloped but in the path of rapid, substantial residential, commercial, or industrial development that is anticipated will radically change the character of

the lands within the District boundaries. This District is designed to encourage high quality development by establishing restrictions and standards to protect the natural environment, promote optimum development, and so that investment values will be maximized and will not be endangered by unsightly, undesirable, or incompatible developments springing up on adjacent properties in the foreseeable future.

See the Quality Growth Development District Standards Section of the Zone District Standards and Design Criteria ~~Subdivisions and Planned Developments~~ Article of this Code for provisions relating to the O-QGD Overlay.

#### **208 (f) O-LF Landfill Overlay.**

The O-LF Landfill Overlay District is established in order to protect properties near existing or previously closed solid waste disposal facility from well-water contamination and from the buildup of methane gas within enclosed buildings. It is the intent of this overlay district to maintain compliance with requirements imposed by the Georgia Department of Natural Resources, Environmental Protection Division (Chapter 391-3-4, Solid Waste Management).

(1) Area included.

The O-LF district is hereby established to include all areas located within ½-mile (2,640 feet) of the property line of a property on which is located a solid waste disposal facility permitted under the rules of the Georgia Environmental Protection Division, whether currently active or previously closed.

(2) Restrictions.

Within the O-LF district, the following shall apply:

a. No new potable wells shall be allowed.

b. Within 500 feet of the property line of a property on which is located a currently active or previously closed solid waste disposal facility, no new enclosed structures of any kind shall be permitted or constructed.

(3) Relief.

Relief from the restrictions imposed by the O-LF Landfill Overlay District may be requested under the Appeals Article of this Development Code.

#### **208 (g) O-AH Airport Hazard Overlay.**

The O-AH Airport Hazard Overlay District is established to provide areas to be used as either public or private airfields, and to create compatible use zones. See the Airport Zone Restrictions Division of the Restrictions on Particular Uses Article of this Code for provisions relating to the O-AH Overlay.

#### **208 (h) O-HC Highway Corridor Overlay**

The O-HC Highway Corridor Overlay district is intended to accommodate and promote high- quality, well-designed development that is in keeping with the existing and desired character of the county's major highway corridor areas. The overlay is further intended to ensure consistency with the Douglas County comprehensive plan and with other adopted plans and policies of the county.

~~**208 (h) Highway 92 Village Overlay** (Amended 11/01/2016 - TXT-2016-05, § 1; Amended 08/02/2016 - TXT-2016-04, § 1; 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 - TXT-2008-04; Amended 05/06/2008 - TXT-2008-02; Amended 01/02/2007 - TXT-2007-01)~~

~~This overlay shall be known as the Highway 92 Village Overlay, and shall serve to encourage developing as one project, tracts of land that are sufficiently large to allow a mixed-use development consisting of uses permitted under this article, and only such permitted uses while maintaining compatibility with the~~

~~existing areas and creating an attractive, efficient and stable environment. It encourages a mixture of prominently sited office/institutional, commercial establishments, civic or community buildings and housing types to provide a balanced mix of activities and public spaces to support and encourage development as outlined in the Highway 92 LCI Plan.~~

Sec. 209 – RESERVED Definitions related to the use of land and structures. [This is Moved to Definitions Sections at Article 15]