

STATE OF GEORGIA

CITY OF STOCKBRIDGE

ORDINANCE NO. *OR16-412*

AN ORDINANCE TO AMEND AND RE-CODIFY THE ZONING CODE OF THE CITY OF STOCKBRIDGE, GEORGIA, AS AMENDED; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Stockbridge, Georgia desires to amend and re-codify the Zoning Code of the City of Stockbridge; and,

WHEREAS, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

Section 1. That Chapter 8.36 of the Stockbridge Municipal Code is hereby amended by deleting said chapter in its entirety and replacing it with the following:

"Chapter 8.36 - Reserved."

Section 2. That the Stockbridge Municipal Code is hereby amended adding a new Title 12, entitled "Zoning Code of the City of Stockbridge, Georgia" such title comprised of twelve chapters and an appendix is attached hereto as Exhibit A.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

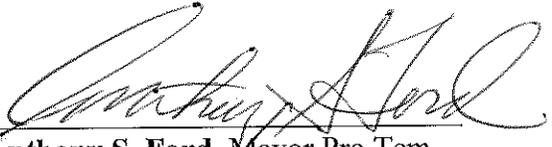
Section 6. Penalties in effect for violations of the Zoning Ordinance of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

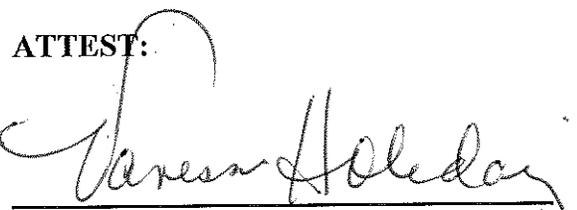
Section 7. The effective date of this Ordinance shall be October 1, 2016.

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ORDAINED this 26th day of July, 2016.

CITY OF STOCKBRIDGE, GEORGIA


Anthony S. Ford, Mayor Pro Tem

ATTEST:

Vanessa Holiday, City Clerk

APPROVED AS TO FORM:

Michael Williams, City Attorney

Date Presented to Mayor: 7-26-2016

Date Received from Mayor: 7-27-2016

EXHIBIT "A"

Zoning Code

TITLE 12 - ZONING CODE OF THE CITY OF STOCKBRIDGE, GEORGIA

CHAPTER 1. GENERAL PROVISIONS

Sec. 1.01.00. Title

Sec. 1.02.00. Authority

Sec. 1.03.00. Applicability

Sec. 1.04.00. Purpose and intent

Sec. 1.05.00. Relationship to the comprehensive plan

Sec. 1.06.00. Administrator

Sec. 1.07.00. Documents adopted by reference

Sec. 1.08.00. Rules of interpretation

Sec. 1.09.00. Abrogation

Sec. 1.10.00. Severability

Sec. 1.11.00. Conversion of previous zoning districts

Sec. 1.12.00. Development standards concerning previously approved plats

Sec. 1.01.00. Title

These development regulations shall be known as the "Zoning Code of the City of Stockbridge, Georgia," and may be referred to herein as the "ZONING CODE."

Sec. 1.02.00. Authority

The ZONING CODE is enacted pursuant to the requirements and authority granted by the Constitution and laws of the State of Georgia, in particular, the "Zoning Procedures Law" of the State of Georgia.

Sec. 1.03.00. Applicability

- G. Facilitate the adequate provision of transportation, water, sewerage collection, schools, parks and other public requirements;
- H. Protect property against blight and depreciation;
- I. Encourage the most appropriate use of land, buildings, and other structures throughout the city;
- J. Ensure economy in government expenditures for infrastructure; and
- K. Preserve natural resources.

Sec. 1.05.00. Relationship to the comprehensive plan

The City of Stockbridge Comprehensive Plan as updated from time to time is the official development policy and implementation guide for the City to coordinate and direct physical and economic development, related public investment and to provide reasonable regulations for the development of private property in the interest of public health, safety and welfare. The ZONING CODE is designed to implement all provisions of that Plan for the development and use of land.

Sec. 1.06.00. Administrator

The development director has been designated by the City of Stockbridge as the official charged with administration of this ZONING CODE. The development director may therefore, establish such rules and procedures as may be necessary, including, but not limited to, administrative procedures for filing applications for amendment of the official zoning map of the City of Stockbridge. These applications may include zoning requests, variances and other applications as may be submitted for development approval. The development director is hereby authorized to interpret the provisions of this ZONING CODE when warranted and appropriate.

Sec. 1.07.00. Documents adopted by reference

Sec. 1.07.01. *Official zoning map*

- A. The official zoning map shall be adopted by resolution of the Mayor and Council, which directs the identification of the official zoning map by the signature of the Mayor, attested by the City Clerk, and bearing the seal of the City under the following words: "This is to certify that this is the Official Zoning Map of the City of Stockbridge, Georgia," together with the date of adoption.

- J. If official zoning records are in conflict with the official zoning map and reveal drafting or other errors, such records shall be used to amend the official zoning map administratively. Further, notification of such errors shall be made to the Mayor and Council for certification and re-adoption.

Sec 1.07.02. Functional road plan

The functional road plan, adopted in the Comprehensive Plan, describing the functional classifications and associated right-of-way requirements, is hereby adopted by reference and declared part of this ZONING CODE. This plan provides information to guide the City of Stockbridge in requiring dedication or preservation of land for rights-of-way for future streets.

Sec. 1.07.03. Georgia Stormwater Management Manual

The Georgia Stormwater Management Manual (GSMM) is hereby adopted by reference and declared part of this ZONING CODE. The GSMM specifies the channel protection, flood control requirements and design standards necessary to control stormwater runoff and protect water quality.

Sec. 1.07.04. Metro North Georgia Water Planning District

The Metropolitan North Georgia Water Planning District was signed into law on to develop regional and watershed specific plans for a sixteen-county area. The City of Stockbridge is within the water supply area and a member of the Metropolitan North Georgia Water Planning District; thus enabling legislation also requires that all provisions established by the District, as amended from time to time, be implemented by the local governments.

Sec. 1.07.05. Floodplain management

The City of Stockbridge is required to adhere to floodplain management standards referenced in Paragraph 60.3(d) (44 CFR 59) based on participation in the National Flood Insurance Program (NFIP). The adopted flood insurance study (FIS), with accompanying maps and other supporting data and any revision thereto, as amended from time to time, are hereby adopted by reference and shall be the final authority as concerns base flood elevations (BFE) for the City of Stockbridge, if available.

Sec. 1.07.06. Building and construction codes

Sec. 1.08.01. *Generally*

- A. The following rules of interpretation shall apply to administration of the ZONING CODE:
1. Where any conflict in administration of the ZONING CODE between text of the ZONING CODE and any caption, illustration, or graphic presentation exists, the text of the ZONING CODE shall control.
 2. All statements that refer to "section" shall mean sections of this ZONING CODE unless the statement clearly provides a reference to another document.
 3. More specific provisions of this ZONING CODE shall be followed in lieu of more general provisions.
 4. Where more than one (1) standard on the same subject is applied to the design and development of land, the stricter standard shall apply.
 5. In interpreting and applying the provisions of this ZONING CODE, the provisions shall be the minimum requirements for the promotion of health, safety, aesthetics and welfare of the public.

Sec. 1.08.02. *Rules for boundary interpretations.*

It is the intent of this Unified Development Code that the entire area of the city, including all land, water areas, rivers, streets, alleys, railroad and other rights-of-way, be included in the districts established by this Unified Development Code. Where uncertainty exists with respect to the location of the boundaries of any zoning district in the city, the following rules shall apply:

- A. District boundaries indicated as approximately following the centerlines of streets or highways shall be construed as following the indicated centerlines.
- B. District boundaries indicated as approximately following street or highway right-of-way lines shall be construed as following the street or highway right-of-way lines.
- C. District boundaries indicated as approximately following lot or property lines shall be construed to follow such lot or property lines.
- D. District boundaries indicated as approximately parallel to the centerlines of streets, roads, highways, or railroads or rights-of-way of same, shall be construed as being parallel thereto and at such distance as indicated on the official zoning map. If no distance or legal description is given, the dimension shall be determined by the use of the scale shown on the official zoning map.

Sec. 1.10.00. Severability

If any section, paragraph, clause, phrase or provision of this ZONING CODE shall be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such decisions shall not affect the validity of remaining portions of this ZONING CODE.

Sec. 1.11.00. Conversion of previous zoning districts

- A. Zoning districts as were established under the previous zoning ordinance of the City of Stockbridge are hereby renamed to the zoning district names and designations under this ZONING CODE, as shown in Table 1.11.00 (A). All regulations, requirements and provisions of this ZONING CODE applicable to a zoning district established under this section shall apply to the previously named zoning district as now named, and as indicated in Chapter 2. Zoning Districts.
- B. All special conditions and stipulations imposed as conditions of rezoning of property prior to adoption of this ZONING CODE are hereby retained and reaffirmed, and shall continue in full force and effect until the property is rezoned or the prior zoning action of Mayor and Council is amended through the rezoning process established by this ZONING CODE.

Table 1.11.00 (A): Conversion of Previous Zoning Districts

Previous Zoning District Designation	Zoning District Designation under this ZONING CODE
Residential Zoning Districts	
<i>RA, Residential-agricultural district</i>	<i>RA, Residential-agricultural district</i>
<i>R-1, Single family residential district</i>	<i>R-1, Single family residential district</i>
<i>R-2, Single family residential district</i>	<i>R-2, Single family residential district</i>
<i>R-3, Single family residential district</i>	<i>R-3, Single family residential district</i>
<i>RD, Residential duplex district</i>	<i>RD, Residential duplex district</i>
<i>RM, Multifamily residential district</i>	<i>RM, Multifamily residential district</i>

Traditional Neighborhood Development (TND)	Traditional Neighborhood Development (TND)
Conventional Development (CD)	Conventional Development (CD)

Sec. 1.12.00. Development standards concerning previously approved plats.

Any residential, commercial or industrial subdivision platted prior to the effective date of this ZONING CODE shall be subject to all development standards in place at the time of plat recording.

CHAPTER 2. ZONING DISTRICTS

Sec. 2.00.00. Generally

Sec. 2.01.00. Official zoning map

Sec. 2.02.00. Establishment of zoning districts

Sec. 2.03.00. Establishment of residential districts; development standards

Sec. 2.04.00. Establishment of commercial, office and institutional districts; development standards

Sec. 2.05.00. Establishment of industrial districts; development standards

Sec. 2.06.00. Establishment of a mix of residential, office and institutional, commercial and industrial districts; development standards

Sec. 2.07.00. Reserved

Sec. 2.08.00. Establishment of the PTD, Planned town development district; development standards

Sec. 2.09.00. Establishment of the CRS, Conservation residential subdivision district; development standards

Sec. 2.10.00. Establishment of overlay districts

Sec. 2.11.00. Supplemental regulations

Sec. 2.12.00. Reserved

Sec. 2.13.00. Reserved

Sec. 2.14.00. Reserved

Sec. 2.00.00. Generally

All buildings, land and structures shall be used in accordance with the Comprehensive Plan for the City of Stockbridge and shall comply with the development standards of the applicable zoning district established in this Chapter 2. Such buildings, land and structures shall be occupied or used only in conformity with each of the standards set forth herein for the district in which they are located.

Sec. 2.01.00. Official zoning map

Sec. 2.01.01. The city of Stockbridge is hereby divided into zoning districts, as shown on the official zoning map, together with all explanatory notes thereon.

Sec. 2.01.02. The official zoning map may be amended according to procedures established in Sec. 12.02.09 of the ZONING CODE.

2. Reserved.
 3. Ambulance and emergency service.
 4. Armories.
 5. Crematories.
 6. Colleges or universities with dormitories, fraternity and/or sorority houses when located on the main campus.
 7. Hospitals and care homes having a minimum lot area of three (3) acres when fronting upon a major thoroughfare. Side and rear yard setbacks to be fifty (50) feet from property lines.
 8. Noncommercial kennels; provided that all structures, pens and runs be in the rear yard only, with a minimum setback of seventy-five (75) feet from all property lines.
 9. Private clubs and lodges.
 10. Rural trailer/motor coach (RV) parks with minimum lot area of five (5) acres.
- E. Conditional Exceptions.
1. Carnivals, rodeos, fairs and similar activities of a temporary nature.
 2. Taxidermist studios.
 3. Travel trailer/motor coach (RV) campgrounds having a minimum lot area of (5) acres.

Development standards of the R-A District are described in Table 2.03.01.

Table 2.03.01. R-A Development Standards

Minimum lot area	<ul style="list-style-type: none"> • 1.0 acre on private septic system and county water on paved road • 1.25 acres on private septic system and private well • 2.0 acres for new subdivisions • 3.0 acres for agricultural uses
Minimum lot width	<ul style="list-style-type: none"> • 200 feet • 175 feet on private septic system and county water on paved road
Minimum front yard setback	<ul style="list-style-type: none"> • 75 feet
Minimum side yard setback	20 feet
Minimum rear yard setback	40 feet
Maximum height	35 feet

Sec. 2.03.03. R-2, *Single family residential district.*

A. Purpose. It is the intent of this district to provide for single-family dwellings of a low to moderate density character on individual lots. Residential subdivisions in this district over eight (8) acres in total area shall have access onto an arterial road.

B. Permitted Uses. Those permitted uses common to all single-family residential districts.

C. Accessory Uses. Those accessory uses common to all single-family residential uses.

E. Conditional Uses. Upon application to, and recommendation by the planning commission and favorable decision thereon by the board of commissioners, the following conditional uses are permitted in this district:

1. Those conditional uses common to all single-family residential districts.

2. Move-in houses.

E. Conditional Exceptions. Those conditional exceptions common to all single-family residential districts with the exception of taxidermy.

Development standards of the R-2 District are described in Table 2.03.03.

Table 2.03.03. *R-2 Development Standards*

Minimum lot area	30,000 square feet
Minimum lot width	125 feet
Minimum front yard setback	50 feet
Minimum side yard setback	15 feet
Minimum rear yard setback	40 feet
Maximum height	35 feet
Minimum heated floor area	1,300 square feet

Sec. 2.03.04. R-3, *Single family residential district.*

A. Purpose. This district is to provide for single-family residential development on smaller lots where public sewer systems are provided when part of a planned development project.

Minimum side yard setback	10 feet
Minimum rear yard setback	40
Maximum height	35 feet
Minimum heated floor area	1,050 square feet

Sec. 2.03.05. Reserved.

Sec. 2.03.06. Reserved.

Sec. 2.03.07. *RD, Residential duplex district.*

A. Purpose. This district provides for two-family dwellings when served by public sewer systems and county water.

B. Permitted Uses.

1. Attached single-family dwellings.
2. Two-family dwellings.
3. Crop gardens.
4. Local, state and federal governmental buildings.
5. Publicly owned and operated parks and recreation areas.
6. Temporary buildings and storage of materials in conjunction with construction or a building on a lot or adjacent lots where residential construction is taking place.

C. Accessory Uses. Those accessory uses common to all single-family residential districts.

D. Conditional Uses. Upon application to, and recommendation by the planning commission and favorable decision thereon by the board of county commissioners, the following conditional uses are permitted in this district:

1. Those conditional uses common to all single-family residential districts with the exception of garage apartments and basement apartments.
2. Move-in houses.

Those conditional uses common to all single-family residential districts with the exception of garage apartments and basement apartments.

E. Conditional Exceptions. Those conditional exceptions common to all single-family residential districts with the exception of taxidermy.

F. Definitions. For purposes of this entire section, the following terms shall have the meaning prescribed, unless the context clearly indicates otherwise:

"Amenities" shall mean the area(s) set aside for active and passive recreation for the residents inside the development according to the standards set forth herein. Recreation areas may include passive areas, such as trails, picnic areas or parks with landscaping providing no facilities for active sports; and active areas, with ball fields, soccer facilities, swimming areas, and other facilities for sports activities.

"Carport" shall mean a covered structure used for housing two (2) vehicles that has the following minimum dimensions: vehicular entrance height, eight feet (8'); interior height, eight feet (8'); vehicular entrance width, sixteen feet (16'); and overall carport width and depth, twenty-four feet (24'). The floor shall be constructed of concrete. Concrete floors shall be reinforced, where appropriate, and a minimum of four inches (4") in thickness with appropriate fill and base. Where carports are constructed, such structures shall not be enclosed for living space, storage purposes or any other purpose without first obtaining a variance from the City and constructing an attached residential parking garage.

"Central park" means a park for active or passive recreational use consisting of buildable land. The total area of a central park shall be equal to one (1) acre. A central park must be located in the approximate center of the development relative to the residential buildings located therein.

"City" means the City of Stockbridge or its designee.

"City Manager" means the individual indentified by the City of Stockbridge to perform the administrative functions and duties of a city manager or his designee.

"Classification" means the RM-1, RM-2 or RM-3 district referred to herein.

"Commercial area outside the development" means an area not associated within or part of the development in which at least three (3) of any of the following operating commercial establishments are located: retail, office, industrial or manufacturing industrial.

"County" means Henry County or its designee.

"Development Director" means the individual indentified by the City of Stockbridge to perform the functions and duties of a development director in administering this ZONING CODE or his designee.

"Development plan" means a written and graphic submission for a development which represents a tract of land, proposed development, the location and bulk of buildings and other structures, the calculation of all impervious surfaces, density of development, public and private streets, parking facilities, common open space, sidewalks and multi-use paths, and all amenities.

"Net useable acres" (n.u.a.) shall mean the total acreage of a proposed development under this classification, less any streets, rights-of-way and public lands.

"One hundred (100) year flood plain" shall mean any land susceptible to being flooded or inundated by water during a storm or other weather event with accumulated precipitation of a measured amount which occurs, on average, once every one hundred (100) years. This definition shall include, without limitation, any land identified on the Flood Insurance Rate Map as being within a delineated zone of special flood hazard.

"Owner" shall mean all parties applying for rezoning, including but not limited to the property owner and his agents or assigns.

"Parking space, off-street" shall mean any off-street parking space consisting of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room.

"Pocket park" shall mean a park for active or passive recreational uses consisting of buildable land. The total area of the pocket park shall be one (1) acre. This area requirement for pocket parks may be divided in half where the development will provide two or more pocket parks. Where required, pocket parks shall be located in those parts of the development which are at the greatest walking distance from the highest amenities based upon the area occupied by that amenity.

"Private alleyway" shall mean an alley located in the rear of apartments, townhouses or condominiums in RM-1, RM-2 or RM-3 districts, respectively, that provides residents with vehicular access. Private alleyways shall be maintained pursuant to the rules, regulations and policies of the City at the expense of the adjoining property owners, homeowners' associations or condominium associations. The developer or landowner shall grant the appropriate easement so that the public may use the private alleyway. Private alleyways shall be constructed to meet the following requirements: Private alleyways shall be a minimum of eighteen feet (18') in width, and sixteen feet (16') thereof shall be paved with concrete or asphalt. Concrete alleyways shall be reinforced and have a minimum depth of six inches (6"). Asphalt alleyways shall consist of a minimum of two inches (2") of type "E" or "F" asphalt topping, binder and six inches (6") of graded aggregate base. Curbs and gutters are not required. Private alleyways shall not have dead-ends. Private alleyways, at a minimum, shall be constructed so as to provide adequate turning radii onto public streets, driveways, residential parking garages and carports for full-size, noncommercial, two-axle vehicles. Curbs and gutters should be provided, but are not required. Private alleyways shall not have dead-ends.

"Residential parking garage" shall mean an enclosed structure attached to or part of the principal dwelling used for housing at least two (2) vehicles that has the following minimum dimensions: vehicular entrances height, ten feet (10'); interior height, eight feet (8'); vehicular entrance width, sixteen feet (16'); and overall garage width and depth, twenty-four feet (24'). The overall garage width and depth of a residential parking garage for a town home unit can be twenty feet (20'). The floor shall be constructed of concrete. Concrete floors shall be reinforced, where appropriate, and a minimum of four inches (4") in thickness with appropriate fill and base. Where residential parking garages are constructed, such structures shall not

3. The property owner and any agent of the property owner shall be legally responsible for directly and indirectly allowing, permitting, causing or failing to prohibit the occupancy of a dwelling unit by more than three (3) unrelated persons.

Sec. 2.03.09. Multifamily residential districts are divided into three (3) categories: apartments (RM-1), fee simple town homes (RM-2) and condominiums (RM-3).

Sec. 2.03.10. Multifamily Residential District—Apartments—RM-1

A. Permitted Uses.

1. Multiple family dwellings, excluding fee simple townhouses, fee simple condominiums, and hotels and motels regardless of intended duration of occupation.
2. Local, state and federal governmental buildings.
3. Publicly owned and operated parks and recreation areas.
4. Temporary buildings and storage of materials in conjunction with construction of a building on a lot or adjacent lots where residential construction is taking place.

B. Accessory Uses. None.

C. Conditional Uses. None.

D. Conditional Exceptions. None.

E. Development Standards. The following development standards shall apply except to the extent permitted under subsection I. *Increased Density Provisions* of this section:

a. Per acre that is located outside of the one hundred (100) year flood plain	Four (4) apartment dwelling units.
b. Minimum lot width	One hundred feet (100').
c. Minimum front yard	Sixty feet (60') from right-of-way line.
d. Minimum side yard	Twenty feet (20').
e. Minimum distance between buildings	Forty feet (40').

	<p>shall be accessible to residents within the interior of the development via sidewalks, streets or alleys and/or (2) multi-use paths constructed in the interior of the development shall run along at least one (1) side of each street in the development so as to be accessible to residents living along those streets. The final placement of the multi-use paths under either or a combination of the above plans shall be approved during the review and approval process for the final plat or each final plat if the development is developed in phases.</p>
	<p>(ii) The land owner or developer shall extend the multi-use path from the development to the nearest commercial area outside the development or to the nearest existing multi-use path that provides such connectivity. Upon application by the owner or developer, however, the City reserves the right to reduce, eliminate or modify this requirement if: (1) the landowner or developer tenders to the City, funds equal to the amount which would be expended by the developer to design and construct the multi-use path extension required under this subsection; (2) the City confirms that the funds deposited will be used for design and construction of a multi-use path benefitting the public at large, consistent with applicable law; (3) the City votes to accept such funds and exercise the right to reduce, eliminate or modify the multi-use path requirement in this subsection in a manner and to a degree acceptable to the landowner or developer; (4) the City places such funds in escrow to be used solely for the purposes outlined in this section; and (5) all documents necessary to satisfy this section are executed, subject to approval by the city attorney as to form. In determining whether to reduce, eliminate or modify the multi-use path requirement under this subsection, the City shall consider whether doing so will promote public health, safety and welfare by enabling the public at large to receive a higher quality multi-use path in a more cost-efficient manner than would be provided by the developer.</p>
	<p>(iii) Multi-use paths may not be constructed in lieu of streets or alleyways, nor may streets or alleyways constitute any portion of multi-use paths except where such paths cross over the width of a street or alleyway. An alleyway may constitute a multi-use path where it is at least twenty-two feet (22') in width with demarcations, either by different shaded surfaces or a solid or dashed line, to designate that at least four feet (4') of the width a the path is solely for pedestrian use, and it connects to all areas of the development. At least twenty feet (20') of such an alleyway shall be paved with concrete or asphalt.</p>
	<p>(iv) The developer or land owner shall grant the appropriate easement so that the public may use the multi-use paths or dedicate the multi-use path to the City for public use.</p>
	<p>(v) Multi-use paths shall be constructed of concrete, asphalt, some pervious</p>

- Walking trails—at least two thousand feet (2,000') in length, three feet (3') in width. Multi-use paths can constitute walking trails so long as they are appropriately demarcated to designate that at least four feet (4') of the width is solely for pedestrian use.
- A central park or pocket park; unless approved by City Council, only one (1) of either type of park may be counted towards satisfaction of the amenity requirement.
- A baseball field—(reg.) regulation size.
- A baseball field—(LL) little league size.
- A softball field regulation size—(adult).
- A soccer field—regulation size.
- A multi-use field—football and soccer.
- A multi-use field—football and baseball.
- A football field—regulation size.
- A lake—with fishing dock and boat access.
- A regulation-size basketball court with two backboards, hoops, net structures, and enclosed with wire fencing eight feet (8') in height.

G. Residential Facades. Within a development built under the standards of this district, building facades shall consist of no less than fifty percent (50%) brick. The remaining facades shall consist, in any ratio the developer chooses, of stucco, stone, hardiplank or other masonry siding approved by the City Council, wood, or any combination thereof. Vinyl or aluminum siding shall not be permitted, except by variance.

H. Maximum Density. Except as otherwise provided in subsection I. *Increased Density Provisions* below, the maximum permitted density for a multiple-family development shall be four (4) apartment dwelling units per acre.

I. Increased Density Provisions.

1. Apartment developers may request an increase in density up to eight (8) apartment dwelling units per usable acre.
2. If an applicant seeks increased density under this subsection, the following rules shall apply:

L. Buffer. Applicant shall maintain a thirty foot (30') planted buffer along the proposed development where it abuts adjoining properties and public roadways. Where vegetation is limited in density, the developer shall plant trees consistent with existing vegetation and the approved buffer plan.

M. Maximum Acreage. The maximum permissible acreage for a multiple-family development shall be thirty (30) acres, unless the development is part of a planned development district as defined in Appendix A. Master List of Acronyms and Definitions.

N. Miscellaneous Provisions.

1. Any portion of a multiple-family site that is located in the one hundred (100) year flood plain area or consists of a wetland will not normally be included in the density calculation. However, the City reserves the right to issue a variance on the method of calculation of maximum permissible density as it applies to areas designated as flood plain or wetland on a case by case basis, consistent with this section. Fifty percent (50%) of the acreage within the one hundred (100) year flood zone, or wetlands may be included in the computation of the n.u.a. if such acreage has been deeded, in accordance with the procedures under this definition, in fee simple to the City, some other public entity or a nonprofit organization, any of which will maintain such land in its natural, undeveloped state in perpetuity. The deeding process of land in the one hundred (100) year flood zone or wetlands shall be as follows: (1) such land must be offered first to the City; (2) if the City declines to accept the deed to such land, then it may be offered to some other public entity; (3) if no other public entity accepts the deed to such land, then it may be offered to a non-profit organization after such organization has been approved by the City to accept the deed to such land. Easements for drainage, sanitary sewer, buffers, etc., shall not be excluded from the calculation of net usable acres.

O. Impervious Cover Requirements. The development plan shall demonstrate that the development will comply with all impervious cover requirements set forth in the city zoning ordinance, watershed ordinances, wetland ordinance, soil erosion and sedimentation control ordinance, stormwater ordinance and groundwater recharge ordinance, as applicable. Under no circumstances, however, shall impervious cover exceed twenty-five percent (25%) of the land area of any parcel on which a new development is placed that is located in a watershed protection district. The impervious requirement shall be certified by a licensed surveyor, engineer, landscape architect or any other professional authorized to render similar services under state law.

P. If the property is developed as a gated community, the gate must be maintained and monitored by the owners of the property at their expense.

Q. Final plans of the development showing lot dimensions, buffers, landscaping, amenities and all calculations required by this section shall be reviewed and approved by the City prior to building permits being issued.

R. All yards referenced in this code section shall be sodded yards.

F. Conditional Exceptions. None.

G. Development Standards. The following development standards shall apply except to the extent permitted under subsection K. *Increased Density Provisions* of this section:

a. Per acre that is located outside of the one hundred (100) year flood plain	Five (5) townhouse dwelling units per acre.
b. Minimum lot width	One hundred (100) feet.
c. Minimum unit width	Twenty (20) feet.
d. Minimum front yard	Twenty (20) feet from right-of-way line.
e. Minimum distance between buildings	Forty (40) feet.
f. Minimum rear yard	Thirty (30) feet.
g. Maximum height	The lesser of forty-five (45) feet or four (4) stories.
h. Minimum floor area (heated space)	One thousand (1,000) square feet for a one (1) bedroom unit; one thousand three hundred (1,300) square feet per two (2) bedroom unit; one thousand four hundred (1,400) square feet per three (3) bedroom unit; and two hundred (200) additional square feet per additional bedroom.
i. Maximum units per building	Five (5).
j. Curb and gutter	Required.
k. Paved driveway	Required; located in rear of building.
l. Private alleyway	Required.
m. Public sewage system	Required.
n. Public water system	Required.

	<p>in this subsection in a manner and to a degree acceptable to the landowner or developer; (4) the City places such funds in escrow to be used solely for the purposes outlined in this section; and (5) all documents necessary to satisfy this section are executed, subject to approval by the city attorney as to form. In determining whether to reduce, eliminate or modify the multi-use path requirement under this subsection, the City shall consider whether doing so will promote public health, safety and welfare by enabling the public at large to receive a higher quality multi-use path in a more cost-efficient manner than would be provided by the developer.</p>
	<p>(iii) Multi-use paths may not be constructed in lieu of streets or alleyways, nor may streets or alleyways constitute any portion of multi-use paths except where such paths cross over the width of a street or alleyway. An alleyway may constitute a multi-use path where it is at least twenty-two feet (22') in width with demarcations, either by different shaded surfaces or a solid or dashed line, to designate that at least four feet (4') of the width of the path is solely for pedestrian use, and it connects to all areas of the development. At least twenty feet (20') of such an alleyway shall be paved with concrete or asphalt.</p>
	<p>(iv) The developer or land owner shall grant the appropriate easement so that the public may use the multi-use paths or dedicate the multi-use path to the City for public use.</p>
	<p>(v) Multi-use paths shall be constructed of concrete, asphalt, some pervious material approved by the City or a combination thereof. If pervious material is used, it shall not be a loose material (e.g., wood chips, gravel, sand or dirt) and it shall have a life span comparable to or better than that of asphalt. Multi-use paths shall be a minimum of four inches (4") in depth, ten feet (10') in width with demarcations, either by different shaded surfaces or a solid or dashed line, to designate that at least four feet (4') of the width of the path is for pedestrian use while the remaining portion of the width of the path may be used for bicycles and motorized carts.</p>
s. Central garbage facility	<p>Required; development shall provide centralized garbage facilities for garbage and refuse collection. Individual residential garbage pick-up per unit shall not be permitted.</p>
t. School children waiting area	<p>A covered structure to house school aged children waiting for transportation to school is required at the main entrance in all developments developed under the standards of this district.</p>
	<p>(i) The structure must be built of sufficient size to house all children of school age</p>

- A regulation-size basketball court with two (2) backboards, hoops, net structures and enclosed with wire fencing eight feet (8') in height.

I. Residential Facades. Within any development built under the standards of this district, a minimum of twenty percent (20%) of the townhome units shall be brick on all exterior facades, and twenty percent (20%) of the townhome units shall be stucco, stone, brick or any combination thereof on all exterior facades. In addition, thirty percent (30%) of the townhome units shall have a front facade consisting entirely of stucco, stone, brick or any combination thereof. The remaining fifty percent (50%) of the townhome units shall consist, in any ratio the developer chooses, of stone, brick, stucco, hardiplank, other masonry siding, wood or any combination thereof. Of the ten percent (10%) of the townhome units required to be brick on all exterior facades, no less than fifty percent (50%) must be units on the end of a building. The remaining facade shall consist of hardiplank, stucco or other masonry siding approved by the City Council. Vinyl or aluminum siding shall not be permitted, except by variance.

J. Maximum Density. Except as otherwise provided for in subsection K. *Increased Density Provisions* below, the maximum permitted density for a multiple-family development shall be five (5) townhouse dwelling units per acre. Impervious area for any development shall not exceed twenty-five percent (25%) of the land developed.

K. Increased Density Provisions.

1. Townhouse developers may request an increase in density up to eight (8) townhouse dwelling units per usable acre.

2. If an applicant seeks increased density under this subsection, the following rules shall apply:

a. Applicant must construct the required amenities under subsection H. Amenities, above.

b. Applicant must construct the additional amenities based upon the number of townhouses included in each development, as follows:

Units	Amenities Required
0—25	Required amenities
26—50	Three (3) additional amenities

One (1) additional amenity for each fifty (50) units, or part thereof, above fifty (50).

land. Easements for drainage, sanitary sewer, buffers, etc., shall not be excluded from the calculation of net usable acres.

P. Impervious Cover Requirements. The development plan shall demonstrate that the development will comply with all impervious cover requirements set forth in the city zoning ordinance, watershed ordinances, wetland ordinance, soil erosion and sedimentation control ordinance, stormwater ordinance and groundwater recharge ordinance, as applicable. Under no circumstances, however, shall impervious cover exceed twenty-five percent (25%) of the land area of any parcel on which a new development is placed that is located in a watershed protection district. The impervious requirement shall be certified by a licensed surveyor, engineer, landscape architect or any other professional authorized to render similar services under state law.

Q. If the property is developed as a gated community, the gate must be maintained and monitored by the owners of the property at their expense.

R. Final plans of the development showing lot dimensions, buffers, landscaping, amenities and all calculations required by this section shall be reviewed and approved by the City prior to building permits being issued.

S. All yards referenced in this code section shall be sodded yards.

T. In the event of a conflict between this section and any other code provision, the terms of this section shall control.

Sec. 2.03.11. Multiple Family Residence District—Condominiums—RM-3.

A. It is the intent of this district to provide for the development of fee simple condominiums at moderate to high densities on lots where public water and sewer systems are provided.

B. Definitions. These definitions will apply to this subsection, only.

"Lot" shall mean that parcel of land used to develop more than one (1) condominium unit as part of a common development.

"Condominium" shall mean a system of separate ownership of individual units connected to another condominium by a common wall that adjoins the dwelling units in a multiple unit building whereby ownership of individual units is in fee simple, together with an undivided (or shared) ownership interest in certain common property referred to as common elements.

C. Permitted Uses.

i. Curb and gutter	Required.
j. Paved driveway	Required; located in rear of residential structure.
k. Private alleyway	Required.
l. Public sewage system	Required.
m. Public water system	Required.
n. Parking	Required; one (1) additional off-street parking space for the third and each additional bedroom. Where residential parking garages or carports are provided, driveways shall not count as parking spaces in satisfaction of this requirement.
o. Residential parking garage/carport	Either a residential parking garage or carport is required for each unit; such structures shall be attached to the main structure and only accessible from the rear of the building. A private alleyway for access to all garages is required.
p. Sidewalk	Required; on both sides of all streets within any development developed under the standards of this district. Sidewalks must be made of concrete a minimum of four inches (4") in depth and four feet (4') in width and located at least four feet (4') from the backside of the curb so as to provide a buffer between the street and sidewalk. A multi-use path, as described in subparagraph (q), may be substituted for a sidewalk.
q. Multi-use paths	Multi-use paths are required in all developments developed under the standards of this district. Such paths shall be constructed to connect residential lots with all the amenity areas of the development.
	<p>To ensure the greatest practicable connectivity, multi-use paths shall be located in accordance with either or a combination of both of the following plans:</p> <p>(i) multi-use paths constructed along the perimeter of the development shall be accessible to residents within the interior of the development via sidewalks, streets or alleys and/or (2) multi-use paths constructed in the interior of the development shall run along at least one (1) side of each street in the development so as to be accessible to residents living along those streets. The final placement of the multi-use paths under either or a combination of the above plans shall be approved during the review and approval process for the final plat or each final plat if the development is developed in phases.</p>

	pedestrian use while the remaining portion of the width of the path may be used for bicycles and motorized carts.
r. Central garbage facility	Required; development shall provide centralized garbage facilities for garbage and refuse collection. Individual residential garbage pick-up per unit shall not be permitted.
s. School children waiting area	A covered structure to house school aged children waiting for transportation to school is required at the main entrance in all developments developed under the standards of this district.
	(i) The structure must be built of sufficient size to house all children of school age residing within the development.
	(ii) The main entrance to all developments must also provide a turnaround area with a minimum turning radius of forty feet (40') to allow any Henry County school bus to turn around in one (1) continuous movement.

H. Amenities.

a. Required Amenities. Except as otherwise provided for herein, all developments under this section shall feature a clubhouse consisting of a minimum of one thousand three hundred (1,300) square feet, a junior-size Olympic pool, and a children's play area. If subject to the requirements in subsection L. *Increased Density Provisions*, additional amenities shall be required. The developer of the property shall satisfy this requirement prior to the completion of fifty percent (50%) of the development. When additional amenities are required, the developer of the property shall select from the following list of the additional required amenities or such other amenities of equal or greater value as the city council may approve:

- A wading pool for children, in addition to the adult sized pool, consisting of a minimum of two hundred (200) square feet.
- Tennis courts—one lighted and enclosed facility featuring a minimum of two (2) playing courts.
- Walking trails—at least two thousand feet (2,000') in length, three feet (3') in width; multi-use paths can constitute walking trails so long as they are appropriately demarcated to designate that at least four feet (4') of the width of the path is solely for pedestrian use.
- A central park or pocket park; unless approved by city council, only one (1) of either type of park may be counted towards satisfaction of the amenity requirement.
- A baseball field—(reg.) regulation size.

b. Applicant shall construct the additional amenities based upon the number of condominium units included in each development, as follows:

Units	Amenities Required
0—25	Required amenities
26—50	Three (3) additional amenities

One (1) additional amenity for each fifty (50) units, or part thereof, above fifty (50).

c. None of the facilities referred to in this section may be used jointly for purpose of complying with the foregoing requirements.

d. All areas that are not transferred as provided under the definition of net usable areas, used for the construction of amenity packages, parking and other nonresidential components required under the ordinance, or used for the condominium units themselves, shall be left in their natural state and shall remain part of the title to the zoned property and shall not be conveyed as a separate tract of land.

e. A notice shall be filed of record in the office of the clerk of the Henry County Superior Court sufficient to give notice of these restrictions to subsequent owners of the property.

f. Building facades shall consist of no less than seventy-five percent (75%) brick or rock. The remaining facade shall consist of hardiplank, stucco or other masonry siding approved by the city council.

g. Applicant shall maintain a thirty foot (30') planted buffer along the proposed development where it abuts adjoining properties and public roadways. Where vegetation is limited in density, the developer shall plant trees consistent with existing vegetation and the approved buffer plan.

M. Maximum Acreage. The maximum permissible acreage for a multiple-family development shall be thirty (30) acres, unless the development is part of a planned development district as defined in Appendix A. Master List of Acronyms and Definitions.

N. Miscellaneous Provisions.

1. Any portion of a multiple-family site that is located in the one hundred (100) year flood plain area or consists of a wetland will not normally be included in the density calculation. However, the city reserves the right to issue a variance on the method of calculation of maximum permissible density as it applies to areas designated as flood plain or wetland on a case by case basis, consistent with this section. Fifty percent (50%) of the acreage within the one hundred (100) year flood zone, or wetlands may be included in the computation of the n.u.a. if such acreage has been deeded, in accordance with the procedures under this definition, in fee simple to the city, some other public entity or a nonprofit organization, any of

2. Application for Conversion. Application for conversion of multifamily residential property to another permitted use must be made on forms provided by the city and include, at minimum the following information:

a. Name, mailing address, and at least two (2) phone numbers of the person, corporation, partnership or other legal entity desiring approval; and if titled in a corporate entity, limited liability company, partnership or other non-individual entity, the application must include the names and addresses of the corporate officers, controlling shareholders, members, and partners, as applicable;

b. Physical address of property;

c. Legal description of property;

d. Current zoning;

e. Proposed change in use;

f. Plat of survey bearing the seal of a certified surveyor indicating all boundaries, easements, public utilities, and subdivision of lots;

g. Sworn affidavit by the applicant or applicant's agent that the application conforms to the requirements of Chapter 8.32 of the city code regarding subdivisions and Chapter 8.36 of the city code regarding zoning.

3. Review by Zoning Advisory Board. Within ten (10) calendar days of receipt of a properly completed application, the development director shall forward a copy of the application to the zoning advisory board (ZAB). Said transmission shall serve as a request to the ZAB for their review and comment. The development director shall note any compliance issues regarding City building, subdivision or zoning regulations. The development director shall submit a written executive summary directly to mayor and city council within sixty (60) calendar days of submission of the application to the ZAB.

4. Compliance with the City of Stockbridge Zoning Ordinance. Conversion of multifamily residential property to another permitted use is conditioned upon demonstrated compliance with all applicable zoning laws and regulations of the City, Henry County, and any applicable state agency prior to approval by mayor and council.

5. Compliance with Building Requirements. Conversion of multifamily residential property to another permitted use is conditioned upon demonstrated compliance with all applicable building laws and regulations of the City, Henry County, and any applicable state agency prior to approval by mayor and council.

6. Compliance with Subdivision Requirements. Conversion of multifamily residential property to another permitted use is conditioned upon demonstrated compliance with all applicable subdivision laws and regulations of the City, Henry County, and any applicable state agency prior to approval by the mayor and council.

and limitations set forth in these and other regulations of Henry County. It is intended that such mobile home developments shall be so located, designed, and improved as to provide a desirable residential environment, protection from potentially adverse neighboring influences, protection from adjacent residential properties, and access for vehicular traffic without traversing local streets in adjoining residential neighborhoods. Mobile home developments, including mobile home parks and mobile home subdivisions, shall be located on a thoroughfare having the minimum classification of arterial.

B. Permitted Uses.

1. Mobile homes on individual lots.
2. Mobile home developments and communities including mobile home parks and subdivisions.
3. Manufactured housing.
4. Local, state and federal governmental buildings.
5. Publicly owned and operated parks and recreation areas.

C. Accessory Uses.

1. One (1) office/maintenance building incidental to use by residents of a mobile home park.
2. Commercial and service establishments intended to serve only persons within the mobile home park when located within mobile home parks and occupying not more than three (3) percent of the total land area of the mobile home park.
3. Home occupations.
4. No mobile home sales or repair facilities of any type (including automobile repair) shall be permitted.

D. Conditional Uses. None.

E. Conditional Exceptions. None.

Table 2.03.10. *RMH Development Standards*

Minimum lot area	<ul style="list-style-type: none"> • 25,000 square feet with septic system and county water • 18,000 square feet with public sewer and county water
Minimum lot width	125 feet
Minimum front yard setback	60 feet
Minimum side yard setback	15 feet
Minimum rear yard setback	40 feet

12. Nursery schools, kindergarten schools, and day care centers providing child care for more than ten (10) children when conducted in a principal structure or institution not associated with a church facility, provided that at least two hundred (200) square feet of outdoor play area and thirty-five (35) square feet of indoor play area is provided for each child. Use of outdoor play area in shifts is allowed. The outdoor play area shall be enclosed by a security chain link fence at least four (4) feet in height. A decorative obscuring fence of at least four (4) feet in height may be used when adjacent to residential zoned property. State license required.

C. Accessory Uses. Parking lots and parking structures of a commercial nature.

D. Conditional Uses. None.

E. Conditional Exceptions. None.

Development standards of the O-I District are described in Table 2.04.01.

Table 2.04.01. *O-I Development Standards*

Minimum lot area	20,000 square feet
Minimum lot width	125 feet with septic system, 100 feet with public sewer
Minimum front yard setback	50 feet
Minimum side yard setback	15 feet
Minimum rear yard setback	20 feet
Maximum height	Six (6) stories

Sec. 2.04.02. *C-1, Neighborhood commercial district.*

A. Purpose. This district is intended to provide locations for limited retail and service uses to satisfy the common and frequent needs of nearby residents of nearby residential neighborhoods. It is the intent of this district to encourage such uses to be a part of a neighborhood convenience shopping center designed as a continuous architectural unit and on roads classified as minor arterial.

B. Permitted Uses.

1. Apparel stores.

2. Automobile service stations; provided that petroleum derivatives are stored in accordance with safety requirements of existing county ordinances pertaining thereto, and that all pumps and structures are placed not less than fifteen (15) feet from the nearest right-of-way line of any street or highway;

22. Hardware and appliance stores selling predominantly at retail.
 23. Jewelry stores.
 24. Laundromats.
 25. Loan offices.
 26. Music stores.
 27. Neighborhood shopping centers.
 28. News and tobacco shops.
 29. Package (beer and wine) stores.
 30. Paint and decorating stores.
 31. Photographers (including the sale of supplies and equipment).
 32. Public and governmental buildings.
 33. Quick copy print shops when employing not more than five (5) employees.
 34. Radio/television repair (including the sale of supplies and equipment).
 35. Restaurants when a part of a neighborhood shopping center.
 36. Shoe stores and shoe repair shops.
 37. Tailors and clothing shops.
 38. Taxi office.
 39. Other retail and service uses as may be determined by the planning staff to be similar and compatible with the above-listed permitted uses.
 40. Nursery schools, kindergarten schools, and day care centers providing child care for more than ten (10) children when conducted in a principal structure or institution not associated with a church facility, provided that at least two hundred (200) square feet of outdoor play area and thirty-five (35) square feet of indoor play area is provided for each child. Use of outdoor play area in shifts is allowed. The outdoor play area shall be enclosed by a security chain link fence at least four (4) feet in height. A decorative obscuring fence of at least four (4) feet in height may be used when adjacent to residential zoned property. State license required.
- C. Accessory Uses. Those uses determined by the planning staff to be customarily appurtenant to those uses permitted in this district.
- D. Conditional Uses. Upon application to, and recommendation by the planning commission and favorable decision thereon by the city, the following conditional uses are permitted in this district:

means of ingress and egress provided shall be not less than twenty (20) feet from the intersection of street right-of-way lines. Ingress and egress shall be arranged and designed so as to minimize the interference with the flow of vehicular or pedestrian traffic.

6. Bus terminals.
7. Business and commercial schools.
8. Community and regional shopping centers.
9. Dancing schools including group instruction.
10. Department stores.
11. Drive-in configurations of any business otherwise permitted in this district; provided, that any such establishment shall provide adequate off-street space for the maneuvering and storage of patrons' vehicles; and further provided that there be a sturdy, close woven or solid fence suitable for the retaining of any discarded paper or other material on all sides of the parking area except the front; and provided that no music or loudspeaker system shall be installed or operated that can be heard at neighboring residential, motel or motor hotel properties; and providing all lighting shall be directed and shielded so as to light only the property of such establishment.
12. Furniture stores.
13. Professional type assembly and repair of such items as eyeglasses, custom jewelry, prosthetic devices and other similar services and manufacture.
14. Offices.
15. Parking lots and structures.
16. Pawn shops.
17. Pet shops.
18. Printing, job, when mechanical operation is not visible from a street, and employing not more than four (4) persons.
19. Radio and television stations, except transmission towers over thirty-five (35) feet high.
20. Restaurants.
21. Stationery and office machines sales and service.
22. Upholstery shops.
23. Wholesale stores, but not establishments operated primarily as a warehouse. A wholesale store shall be distinguished from a warehouse if there is at least on (1) square foot or more of office, sales and

Minimum rear yard setback	20 feet
Maximum height	35 feet

Sec. 2.04.04. C-3, *Heavy commercial district.*

A. Purpose. This district is intended to provide distinct areas for commercial activities which provide products and services that require locations along major arterial roads, highway intersections and freeway interchange areas, due to the need to transport and display heavy bulk materials, generate heavy traffic, and which provide services that would not be appropriately located in areas providing neighborhood or general commercial retail and service activities as permitted in the C-1 and C-2 districts. Neat and orderly outside storage is permitted in conjunction with permitted uses and conditional uses. Uses in this district shall be located on roads having a minimum classification of major arterial.

B. Permitted Uses.

1. Automobile and truck sales.
2. Boat sales.
3. Commercial kennels for boarding of pets.
4. Dry cleaning plants not employing more than twenty (20) persons.
5. Farmers' market.
6. Feed and seed stores.
7. Heavy equipment sales and service.
8. Major automotive repair.
9. Mini-warehouses and warehouses without outdoor storage.
10. Mobile home sales lots.
11. Motels and hotels.
12. Outdoor theaters.
13. Recreational vehicle sales and service.
14. Tire retreading.
15. Trade shops, including electrical, plumbing, gutter, machines, and HVAC contractors.

Sec. 2.05.01. *M-1, Light manufacturing.*

A. Purpose. This district is to provide for light industrial uses, all of which shall be nuisance-free and not generators of hazardous wastes. It is intended that light manufacturing uses shall be located on either arterial or major collector streets or within industrial parks having access to such thoroughfares.

B. Permitted Uses.

1. Any commercial or industrial use which involves manufacturing, processing or assembly operations or the storage and sale of heavy materials, products or equipment; but not including uses which may cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard or other objectionable conditions to nearby areas.

2. Armories.

3. Bakeries and other establishments manufacturing prepared foods and miscellaneous food products.

4. Bottling plants.

5. Cabinet shops.

6. Canning plants.

7. Clinics, cafeterias, employee credit unions and recreational facilities for employees only.

8. Cold storage, ice plants and freezer lockers.

9. Cosmetics and pharmaceuticals.

10. Dairy plants and ice cream manufacturing.

11. Distribution of products and merchandise.

12. Dry cleaning and laundering establishments.

13. Education and training facilities.

14. Electrical appliance and equipment, sales and repairs.

15. Electronic manufacturing and assembly plants.

16. Fabricating shops such as woodworking, upholstery and sheet metal shops.

17. Garages, repair shops and machine shops.

18. Machine shop.

19. Offices and administrative facilities.

Sec. 2.05.02. *M-2, Heavy manufacturing district.*

A. Purpose. This district provides for the broadest range of industrial operations permitted in the county. It is the district for location of those industries which have not reached a technical stage which renders them free of all nuisance factors. These uses are to be located on either an arterial or major collector street or, when located within an industrial park, shall have access to such thoroughfares.

B. Permitted Uses.

1. Any use permitted in the M-1 light manufacturing district, provided there is no generation of nuisance conditions or hazardous wastes.

2. Acid manufacture and storage.

3. Bulk petroleum plants.

4. Cement, lime, gypsum or plaster or Paris manufacture.

5. Ceramic products, limited to use of electric kilns.

6. Commercial livestock processing or feedlots.

7. Concrete, cement products or clay products manufacture.

8. Feed, grain, or fertilizer manufacture or storage.

9. Food processing plants.

10. Foundry or forging plants.

11. Grain elevators.

12. Ice manufacture, including dry ice plants.

13. Lumber yard for wholesaling of building products.

14. Planing and sawmills.

15. Poultry killing, plucking or processing plants.

16. Railroad yards.

17. Recycling centers.

18. Rock, sand or gravel distribution or storage.

19. Sheet metal products.

20. Tinsmith/roofing operations.

21. Truck terminals.

Table 2.05.02. *M-2 Development Standards*

Minimum lot area	1.0 acre
Minimum lot width	150 feet
Minimum front yard setback	70 feet
Minimum side yard setback	None, except corner lots shall have a minimum street side yard of 30 feet
Minimum rear yard setback	40 feet
Maximum height	75 feet

Sec. 2.05.03. *X-1, Railroad District*. This district is intended to provide for railroad operations permitted in the city. Accessory uses and structures are also permitted.

A. Permitted uses

1. Railroad purposes.
2. Off-street parking.

B. Accessory uses and structures

1. Signs, provided that signs in excess of four (4) square feet are prohibited.

Sec. 2.06.00. Establishment of a mix of residential, office and institutional, commercial and industrial districts; development standards

The following sections present those development standards that must be met in the respective districts that accommodate a mix of several uses as established in this ZONING CODE.

Sec. 2.06.01. *MUND, Mixed-use Neighborhood Development district*. This district is intended to provide locations for office, institutional, personal services, single family dwellings, duplexes, cluster housing and multifamily residential uses. Accessory uses and structures are also permitted. Lots may be developed in a single use or may contain a mix of uses on a single development site. This district is intended to allow flexibility in application of development standards.

Development standards of the MUND District are described in Table 2.06.01.

Conventional development (CD) is also permitted in a manner to promote clustering of dwellings. Each of these development types are designed to reserve areas for recreation and open space, enhance pedestrian and cyclist movement, and provide buffers between residential and nonresidential uses. A master development plan may contain one or more of these development types. In addition, net densities herein are in accordance with the benchmarks established by the Comprehensive Plan.

- C. All PTDs shall be located on paved county/city roads with a minimum classification of arterial according to the Henry County Functional Road Plan. In most cases, each area within a PTD project developed for residential (including required open space and recreation amenities), commercial, office, institutional, or industrial land use shall be designated separately according to the master development plan unless a mix of uses within the site can better accomplish the goals established herein. Projects shall consist of more than one type of land use to be considered a PTD project.

Sec. 2.08.02. *Objectives.* A PTD district shall provide the following elements, as appropriate, to carry out the purpose of this section:

- A. A range of residential settings, including various housing types, and community facilities/recreation activities;
- B. Nonresidential land uses, if any, which provide convenient service, employment and access;
- C. Conservation of natural topographic and geologic features with emphasis on the following:
 - 1. Conservation of existing surface and ground water resources,
 - 2. Preservation of large trees and other significant natural features,
 - 3. Prevention of soil erosion.
- D. An efficient, usable network of streets, sidewalks, nonautomotive routes and utilities appropriate to serve the uses within the PTD district;
- E. Creation of a mix of uses that decreases reliance on automobiles and encourages the use of alternate transportation modes;
- F. A master development plan to guide the PTD with specific development objectives that shall be included in conditions, covenants and restrictions.

Sec. 2.08.03. *Definitions.* For the purpose of this section, the following terms shall have the meaning immediately set forth after the term:

Alleys or alleyways. An alley or alleyway shall mean a private alley located in the rear of residential uses that provides residents with vehicular access to their residences. Alleys shall be maintained by the adjoining property owners, homeowners' associations or condominium/apartment associations. Alleys shall be constructed to meet the following requirements: private alleyways shall be a minimum of eighteen feet (18') in width and sixteen feet (16') thereof shall be paved with concrete or asphalt.

Loft-apartment. A loft-apartment is an apartment as defined in Appendix A. Master List of Acronyms and Definitions, but located in a mixed-use building above commercial or office space.

Loft-condominium. A loft-condominium is a condominium as defined in Appendix A. Master List of Acronyms and Definitions, but located in a mixed-use building above commercial or office space.

Master development plan. A written and graphic submission for a planned town development which represents a tract of land; proposed subdivision; the location and bulk of buildings and other structures; density of development; streets, alleyways, sidewalks, and multi-use paths; parking facilities; common recreation and open space; public facilities and civic space; and all conditions, covenants and restrictions relating to use thereof. The master development plan is submitted in conjunction with a rezoning application for the PTD district.

Maximum net density. The absolute limit for number of dwelling units per net usable acre (du/nua) for a particular use or type of development except when increased or decreased by density credits or debits, respectively, but never to exceed the secondary limit when density credits are used. Note: Density for a particular use may vary within a development area so long as the overall density for that use in the PTD does not exceed the maximum net density for that particular use.

Mixed use neighborhood development (MUND). A MUND is a development designed to unify business, residential, civic and open space within the city of Stockbridge in a manner that increases the connection between work, home and place, decreases vehicle trips, and encourages alternative transportation modes. A MUND consists of areas of compact, urban residential development consisting of detached single family homes, townhouses, condominiums, lofts, and apartments with alleys (typically), rear garages (attached or detached), front porches (typically for single family detached homes and townhouses), balcony porches (typically for condominiums, lofts and apartments), pocket parks, formal parks, amenity and other civic areas, and planned streetscapes. Typically, MUND places the bulk of parking at the rear of buildings, with limited on-street parking, wide sidewalks, storefronts facing the street, street furniture, plazas, public art, street-trees, squares, and residences above nonresidential uses. MUND also requires streets and sidewalks designed to accommodate and encourage pedestrian and bicycle traffic. A MUND contains a planned neighborhood center consisting of a mix of residential uses and nonresidential uses (commercial, office, institutional to a limited extent light manufacturing, civic space, and open space). Generally, nonresidential uses are limited in type and dimension to maintain the character of the development. Unlike TND, the number of lots of a PTD that may be developed as an MUND is limited only to the extent of the area and bulk restrictions set forth herein.

Net usable acre (nua). An acre of land on which residential structures may be built but, exclusive of streets; right of ways; one hundred (100) year flood plains or flood hazard areas; detention or retention ponds; land used solely for commercial, office, institutional, or industrial uses and public lands. Easements for drainage, sanitary sewer, etc. shall not be excluded from a net usable acre.

Nonresidential uses. Those uses that are not residential uses, including but are not limited to: commercial, office, institutional, or industrial uses, streets, drives, and service/parking areas.

Open space. Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common ownership and use by the residents of the developments

trees, sidewalks, narrow streets (on-street parking allowed), pocket parks and other formalized park areas that reflect back upon urban neighborhood development in the period of the 1920s-1940s. The planned town center typically places the bulk of parking at the rear of buildings, with limited on-street parking, wide sidewalks, storefronts facing the street, street furniture, plazas, public art, street trees, squares, and, where allowable, residential above storefronts. Generally, commercial activities are limited in scope and bulk to maintain harmony of the development. The number of TND lots shall be limited to fifty percent (50%) of the total residential lots of the development.

Townhouses. See Appendix A. Master List of Acronyms and Definitions.

Usable land area. Except for adjustments allowed herein, usable land area shall consist of the total net usable acres.

Sec. 2.08.04. General Requirements for a Planned Town Development District

- A. Area. The minimum area required for a PTD district shall be 100 contiguous acres, except where a PTD consists entirely of a mixed use neighborhood development (MUND), that threshold may be reduced to 30 acres. City Council may approve PTD developments with fewer acres upon demonstration by the applicant that a smaller tract will meet the purposes and objectives of the PTD district and the City Council finds such development to be in the best interest of the City.
- B. Ownership. The tract of land proposed for PTD development shall be held in single ownership, or if held in several ownerships, the application for zoning amendment shall be filed jointly by all owners of the properties included in the development. Any change in ownership, or change in anyone having a legal or equitable interest in the property subsequent to submission of the application and prior to completion of the development, shall be reported to the development director and the city council. Failure to provide information on property ownership status within 30 calendar days of a change in ownership shall be grounds for the City to withdraw any approval.
- C. Location of a PTD district. The PTD district shall be located on arterial roads where public water and sanitary sewer facilities are available.
- D. Entrances. A PTD of 100 acres shall have a minimum of two entrances. For every additional 100 acres or majority fraction thereof, an additional entrance shall be required and a minimum of one of such additional entrance shall access a different road (collector or greater) than that of any other entrance.
- E. Interconnectivity. Roads, sidewalks, bicycle paths and walking trails in TND and/or MUND projects shall be interconnected to the greatest extent practicable.

Sec. 2.08.05. Specific Requirements for Residential Uses in a PTD District.

- A. Residential Uses. Depending on the type of development, Traditional Neighborhood Development (TND), Conventional Development (CD) or Mixed Use Neighborhood Development (MUND),

Sidewalks	Required
Streetlights	Required
Underground utilities	Required, (in alleys where possible)
Public sewer	Required
Public water	Required
Residential parking garage	Required, (in rear yard, only)
Alleys	Required; however, the requirement may be waived by city council, upon request, for single-family residences and townhouses located along the perimeter of the development or pod or where the city council determines that such waiver is necessary to protect and preserve specifically identified features of the land in their natural and undisturbed state. Notwithstanding this waiver, carports and garages shall be located in the rear of the dwelling.
Porches	Recommended
Recreation/Open space	As described in Sec. 2.08.03. Definitions
Concurrent construction requirement (with TND/CD Housing mix, if applicable)	2 TND to CD
Maximum number of lots	50 percent of total residential lots
Architectural requirements	Built in the fashion of the 1920's - 1940's turn of century dwellings in wood, Hardie plank, brick or stone. Metal or vinyl siding is allowed, subject to conditional approval by City Council and subject to density debits.

Sec. 2.08.07. Conventional Development (CD).

A. The development standards of Table 2.08.07.A shall apply to conventional development of single family dwellings (detached and cluster) in the PTD District.

Table 2.08.07.A. CD development standards applicable to single family residential development.

Architectural requirements	Same as single family residential under the MUND. Metal or vinyl siding possible, however, but subject to conditional approval by city council and density debits.
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Sec. 2.08.08. Mixed Use Neighborhood Development (MUND).

A. Residential lots shall meet the following requirements depending on dwelling type:

1. Single family residential shall meet the same requirements for single family residential as provided for in a TND, except the maximum net density is four du/nua but may be increased to five du/nua with density credits. Furthermore, single family detached residences shall meet the following minimum architectural standards:
 - a. Twenty percent of the dwelling units shall have all sides made entirely of brick, except eaves and cornices and gables as the builder desires (note that where this ordinance refers to sides or siding, cornices, gables and eaves are excluded).
 - b. Twenty percent of the remaining units shall have all sides made entirely of brick, stone, stucco, or any combination thereof.
 - c. Twenty percent of the remaining units shall have front facades made of all brick.
 - d. Twenty percent of the remaining shall have front facades made of all brick, stone, stucco, or any combination thereof, and
 - e. In no case shall vinyl or metal siding be used as a siding material.
2. Townhouses.
 - a. The maximum net density is six du/nua but may be increased to eight du/nua with density credits.
 - b. The lot development standards (i.e., area and bulk regulations) provided for townhouses under the City of Stockbridge RM Residential Multifamily District shall apply, except with respect to front yard setbacks. For such setbacks, the TND standard shall apply.
 - c. All townhouse exteriors shall consist of no less than 50 percent brick or stone; the remaining portion, if any, shall consist of wood or any masonry siding, including Hardie plank. In no case shall vinyl or metal siding be used as a siding material.
3. Loft condominiums.
 - a. The maximum net density is seven du/nua, but may be increased to nine du/nua with density credits.
 - b. For condominiums, the same lot development standards (i.e., area and bulk regulations) as provided for condominiums under the city of Stockbridge RM ordinance shall apply, except with respect to front yard setbacks. For such setbacks, the TND standard applies.

C. Additional Development Standards for MUND.

1. Neighborhood Center Standards.

- a. The MUND shall be designed with a neighborhood center that contains commercial, civic and mixed-use buildings and open space. The center shall be designed to serve as the focal point for the neighborhood and for the interaction of the residents. It may take the form of a commercial square, central park, outdoor pedestrian mall, or main street. The center shall be contiguous with a minimum of one open space area of the development. Access to the center shall be directly from a collector or arterial street.
- b. The center shall be composed of two or more of the following land uses:
 - (i) First floor commercial uses in conjunction with a minimum of one additional floor that contains residential or professional office uses,
 - (ii) First floor professional office uses in conjunction with a minimum of one additional floor that contains residential uses,
 - (iii) Institutional or civic uses.
- c. Existing buildings located in the vicinity of the neighborhood center shall be retained and adaptively reused, whenever possible.
- d. Commercial or civic uses located adjacent to each other shall share driveways and/or parking facilities.
- e. Parking lots or structures shall be located to the rear and sides of all buildings. Only on-street (parallel or angled) parking shall be permitted in front of commercial uses.
- f. Pedestrian access shall be provided from the residential portions of the MUND to the neighborhood center, maximizing at-grade street crossings where practical.

2. Nonresidential Space Requirements.

- a. The ratio of residential space to nonresidential space in a MUND shall be a minimum of four to one (4:1). This ratio shall be based on the total heated square footage of residential space provided in the master plan of the PTD. In other words, for every four square feet of heated residential space, the developer shall provide at least one square foot of heated commercial or office space.
- b. Nonresidential space shall be occupied by two or more of the following uses:
 - (i) Retail
 - (ii) Services
 - (iii) Office
 - (iv) Institutional

e. Required off-street parking shall not be located within any front yard setback or in front of the principal building. Notwithstanding the requirements set forth above, all other nonconflicting commercial landscaping and buffer requirements under the city zoning ordinance shall apply to parking facilities.

5. Streetscapes. A streetscape is the sum of the man-made and planted features within and adjacent to the street right-of-way that create the character of the public space. The streetscape often includes sidewalks, street trees and plantings, street furniture such as benches, street lights, signs, trash receptacles, railings and fences, fountains, planters, banners and flags, public art and similar publicly visible features. In the nonresidential area of a MUND, the developer shall provide an eight-foot wide sidewalk within the front setback from the edge of the public street; six feet of the front setback which shall be sodded and serve as a landscaped buffer between the street and the sidewalk. The landscaping of these buffer areas shall consist of a minimum of one two and one-half inch caliper tree or more as needed to provide a continuous balanced arrangement with no greater than a forty feet spacing between trees. The exact species and location shall be determined so that it does not overly obstruct the view of the storefront. Additional vegetation shall be required according to the landscaping provisions of Sec. 5.02.04. In the nonresidential area of a MUND, the developer should provide one metal trash receptacle and one metal bench. In the nonresidential area of a MUND, the developer should install historic-style street lamps approved by and location chosen by the city manager to provide for the safety of the public.

Sec. 2.08.09. Amenities. Public buildings and recreation facilities (amenities) for use of the residents of the PTD are required. The restrictions as to the use of these facilities shall be set forth in the covenants and restrictions of the PTD development. The requirements for amenities are listed below:

A. Amenity requirements: In order to assure that adequate recreation and open space exists on-site, the following shall guide the PTD development in the development of minimum thresholds for open space and recreation facilities. It is expected that a PTD shall exceed the minimum standards set forth herein.

1. Amenity and recreation facilities shall be required according to the point system below. The minimum number of points and minimum amenities required shall be dependent on the total acreage of the PTD as shown in Table 2.08.09. A.1. To ensure adequate amenities for the increase in population density allowed under a MUND, where a MUND is used, one-tenth of a point shall be added to the minimum points required for each additional residential unit above the total number of units allowed if the property was developed as a TND with a net density of four and three fourths (4.75) du/nua.
2. The point allocation for each type of amenity is shown in Table 2.08.09.A.2. For amenities not listed in Table 2.08.09.A.2, the number of points assigned shall be established by the development director in consultation with the city manager

			parks (8)
6	401 to 500 acres	250	Clubhouse, pool, tennis courts (8), multi-use field (2—type 1 and 2), basketball courts (3), baseball field, softball field, soccer field, community pavilion, open space (20%), walking trails of at least 3,500 linear feet, pocket parks (10)
7	501 + acres	300	Clubhouses (2), pools (2), tennis courts (8), multi-use field (2—type 1 and 2), basketball courts (4), baseball field, softball field, soccer field, community pavilions (2), open space (20%), walking trails of at least 3,500 linear feet, pocket parks (10), amphitheater

Table 2.08.09.A.2. Points for Each Amenity Proposed for a PTD

Amenity Type	Points (each, unless otherwise stated)	Comments (maximum of 2 of each type unless otherwise stated below)
Amphitheater	30	Minimum 150 seats
Baseball Field	10.0	Little league size with bases, home plate, pitcher's mound and backstop
Baseball Field	12.5	Regulation size with bases, home plate, pitcher's mound, and backstop
Basketball Court	4.0	Full court, regulation size with goals and lines
Clubhouse (or community hall)	12.5	2,500 minimum square feet
Community Pavilion	6 or 8 (if enclosed)	Minimum of 750 square feet of concrete floor with roof; 0.5 points for every additional 250 square feet, located near sports fields; 0.05 points for every picnic table or permanent grill
Pool	12.5	Junior-size Olympic. 5 additional points for an Olympic size pool for sunbathing, recreation (design subject to approval by city)

	feet)	
	0.5 (per 100 lineal feet)	Unpaved, but covered with a pervious material, six feet wide

Sec. 2.08.10. Office-Institutional Uses. Office development shall be designed and landscaped in a manner which is compatible with residential developmental and provides for traffic circulation and alternative modes of transportation (i.e., pedestrian, bicycle, transit).

A. Permitted uses in TND, MUND, and CD:

1. Libraries, museums, and art galleries,
2. Medical and dental clinics/offices,
3. Professional and business offices, provided that wholesale or retail merchandise is not offered for sale, unless retail is determined to be compatible under subparagraph (5),
4. Any of these uses located in lower floors of a building which also provides lofts in the floors above,
5. Other retail and service uses as may be determined by the development director after consultation with city manager, or city council to be similar and compatible with the above-listed permitted uses.

B. Development standards: The development standards for office/institutional uses shall be the same set forth in Table 2.08.10 (B) and applicable sections of the Henry County Zoning Ordinance as adopted by the City, except that for TND and MUND areas. In addition, for MUND, no height limitation shall apply, except as regulated under the building and fire codes.

Table 2.08.10 (B)

Minimum front yard	Shall not apply
Maximum front setback	30 feet, but no less than 15 feet
Minimum side yard	Shall not apply, except a maximum of 30 feet from the curb to allow for sidewalks and streetscaping for corner lots

- (xvi) Copy or printing centers,
 - (xvii) Shoe stores and shoe repair shops,
 - (xviii) Banks, savings and loans, credit unions, and similar financial institutions,
 - (xix) Package stores,
 - (xx) Drug stores and apothecary shops,
 - (xxii) Restaurants, bakeries (whose entire products are sold at retail on the premises) and cafes, odor scrubbing devices required,
 - (xxii) Medical offices, law offices, insurance offices and exercise establishments.
2. Uses no greater than seven thousand five hundred square feet (7,500) in floor area:
- (i) Banks, savings and loans, credit unions, and similar financial institutions,
 - (ii) Package stores,
 - (iii) Drug stores and apothecary shops,
 - (iv) Restaurants, bakeries (whose entire products are sold at retail on the premises) and cafes, odor-scrubbing devices required,
 - (v) Apparel stores,
 - (vi) Grocery, fruit, vegetable, and meat markets that involve no killing, eviscerating, skinning, plucking or smoking of products.
- c. Uses no greater than fifteen thousand square feet (15,000) in floor area:
- (i) Apparel stores,
 - (ii) Grocery, fruit, vegetable, and meat markets that involve no killing, eviscerating, skinning, plucking or smoking of products.
- d. Other:
- (i) Structured parking facilities,
 - (ii) Other retail and service uses as may be determined by the planning and zoning department or city council to be similar and compatible with the above-listed permitted uses.

Sec. 2.08.12. TND Development Standards. The standards of Table 2.08.12 shall apply to TND:

Table 2.08.12. Development standards for TND.

Criteria	Development Standard
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3. Music, dance or exercise studios with a floor space no greater than 3,000 square feet,
4. Parks, playgrounds and outdoor recreational facilities,
5. Mass transit terminals including bus and rail transit,
6. Public and private schools and other educational facilities exclusive of day care centers of any kind,
7. As in TND, restaurants, cafes and coffee shops, but not including drive-through or franchise architecture. Also for these uses, trash storage areas and recycling areas shall be screened from public view and adjoining buildings,
8. Those permitted commercial uses permitted in TND located entirely within a building that provides lofts or office space in floors above,
9. Governmental buildings,
10. Community meeting hall,
11. Other retail and service uses as may be determined by the development director after consultation with city manager, or city council to be similar and compatible with the above-listed permitted uses.

B. Development standards. Same as those for TND, except where a difference is stated.

Sec. 2.08.15. Permitted, Accessory and Conditional Uses for Industrial Development in a PTD

A. Industrial development shall be designed and landscaped in a manner compatible with residential development. Industrial areas in a PTD shall be placed only in MUND or CD areas and shall be designed as an industrial park with covenants and restrictions concerning building appearance and landscaping. Any uses permitted within an M-1 district shall be permitted with the exception of the following:

1. Armories,
2. Cold storage, ice plants and freezer lockers,
3. Garage and repair shops,
4. Cell phone or radio towers,

B. Accessory Uses.

1. Accessory structures or buildings,
2. Amenity areas owned, operated and maintained by homeowners' associations exclusively for the use of residents and their guests,
3. Railroad through and spur tracks, but not sidings and/or terminal facilities,
4. Utility substations. All substations shall have a landscaped and masonry barrier on all sides.

- a. Small hotels or inns, provided they:
 - (i) Occupy an existing residential dwelling or the upper floors of a new or existing non-residential structure,
 - (ii) Do not exceed 20,000 square feet of heated space, and
 - (iii) Provide one off-street parking space per room shall be provided within 200 feet of the establishment.
- b. Retail or other commercial uses, including theaters or cinemas, exceeding 15,000 square feet, but in no case greater than 50,000 square feet, provided that:
 - (i) Facades of these buildings are designed and built to appear as multiple buildings,
 - (ii) Entrances are placed on all facades fronting public streets, parking areas or walkways, except for theatres or cinemas, and
 - (iii) Off-street parking shall be provided within 200 feet of the building.
- c. Bars, taverns, clubs and gaming establishments, such as pool halls, arcades or the like but not venues of adult entertainment, provided that:
 - (i) The proposed use shall not constitute a nuisance as regulated under the applicable sections of the code of ordinances of the City of Stockbridge, Georgia,
 - (ii) The bar, tavern or club is intended to primarily serve the surrounding neighborhood, and
 - (iii) Refuse storage areas and recycling areas shall be screened from public view and adjoining buildings.
- d. Farmers markets, provided that:
 - (i) A market building shall be located on or shall directly face the neighborhood center, and
 - (ii) An encroachment zone shall extend eight feet from the front setback around the perimeter of the building, and such area may be temporarily occupied by vehicles loading or unloading.

Sec. 2.08.16. Density Adjustments.

A. Usable land area adjustment. Table 2.08.16 (A). outlines the adjustments for usable land area for calculation of usable density. Developments which fall under one of the three development types and meet the criteria listed above shall apply the additional land area in the respective usable land area calculations to the applicable area.

Traffic calming devices appropriately located throughout the development such as speed tables (but not speed humps/bumps) and/or landscaped roundabouts (applicable to residential use directly affected in that pod)	0.3 du/nua	
Doubling the minimum size of all pocket parks (applicable to residential use directly affected in that pod)	0.2 du/nua	
Providing decorative sidewalks with durable, metal and decorative benches and trash receptacles in appropriate numbers and locations in the neighborhood center of the MUND, unless required by some other city ordinance	0.2 du/nua	
Providing decorative street lighting appropriately placed throughout the development where permitted	0.3 du/nua	
10% increase in the minimum percentage of single family residential units with all-side brick or stone (applicable to only single family residential)	0.1 du/nua	
In MUND for each multi-family building, including mixed-use multi-family buildings, constructed of all sides brick or stone (applicable to only multi-family)	0.2 du/nua	
For each one caliper inch greater than is required for street trees (maximum credits 1 du/nua)	0.1 du/nua	
For other city council approved enhancements to development in excess of the requirements of the PTD District (applicable to the type of use and directly affected as determined by city council)	0.01 du/nua	

Sec. 2.08.17. Impervious Cover Requirements

A. The development plan shall demonstrate that the development will comply with all impervious cover requirements set forth in the city zoning ordinance and watershed ordinance as well as comply with the city wetland ordinance, soil erosion and sedimentation control ordinance, stormwater ordinance, and groundwater recharge ordinance, as applicable. The impervious cover shall not exceed 25 percent of the land area of any parcel on which a new development is placed that is located in a watershed protection district. In the case of a MUND, due to the emphasis on pedestrian, bicycle, and vehicular connectivity, the impervious limitation may be increased to a maximum of 35 percent impervious cover. For any increase over the 25 percent impervious coverage, the developer shall undertake best management practices for stormwater management

17. A description of the architectural design for the dwelling units or buildings
18. If a MUND is included, a breakdown of the heated floor space ratios between residential and nonresidential areas and between residential and public space, including civic and open space
19. List of proposed amenities provided including point value and total
20. Proposed variances
21. Any other information requested by the development director.

Sec. 2.08.19. PTD Rezoning

- A. Following preliminary concept plan review and approval by the development director, the developer of the PTD project may apply for rezoning pursuant to the requirements of Sec. 12.02.09. Requirements for amending the official zoning map (rezoning) of this ZONING CODE and master plan development plan approval.

Sec. 2.08.20. PTD Master Development Plan Approval

- A. A master development plan which incorporates the comments and modifications made by the development director in reviewing the preliminary concept plan shall be submitted to the development director and the city with the application for rezoning. The master development plan shall include the following information:
 1. A site plan for complete development of the PTD drawn to a scale of one inch equals 100 feet or one inch equals 200 feet, as appropriate. The plan shall include information contained on the preliminary concept plan and all modifications previously made by the development director. The plan shall include one or more sheets, as necessary, to accurately depict the following information:
 - a. Property information:
 - (i) Planned development project name,
 - (ii) Owner and developer of the property,
 - (iii) Architect, engineer or planner who designed the plan,
 - (iv) Date, scale and north arrow,
 - (v) An area map showing adjacent property owners, zoning classifications of adjacent parcels, and existing land use within 500 feet of the property for the PTD project, and
 - (vi) A legal description and survey of the entire parcel and each development area.

- (I) Proposed streetscaping, street trees and on-street parking, and
 - (J) Location and capacity to determine and treat stormwater runoff.
2. A written report shall be submitted by the applicant which contains the following information concerning the master development plan:
- a. General description of the proposal,
 - b. Detailed legal description,
 - c. Architectural and design standards, which includes depictions and descriptions of proposed building elevations and siding materials,
 - d. Proposed restrictions on the uses of the property, density standards, yard requirements, and restrictive covenants that include design standards for the homes and business structures. Thorough architectural and design standards may be presented in lieu of this requirement,
 - e. Proposed dedication or reservation of land for public uses, including streets, easements, parks and school sites,
 - f. Exceptions or variations from the requirements of the zoning ordinance and subdivision ordinance, if any, being requested,
 - g. Plans for the provision of utilities, including water, sanitary sewer and stormwater disposal and treatment facilities and appropriate calculations regarding the sizing of drainage areas and pipes,
 - h. A report from the Henry County Water and Sewerage Authority, or municipal authority, as appropriate, indicating the adequacy of sanitary sewer and water services to provide such services to the development,
 - i. A recent report from Henry County Board of Education indicating the adequacy of the public school facility to provide public education to the children of the development,
 - j. Plans for the protection of abutting properties,
 - k. Plans for the maintenance of common open space areas,
 - l. Tables showing the total number of acres in the proposed development and the percentage designation for each land use, including public space. Information shall be provided in net usable acres,
 - m. For MUND areas, tables showing the maximum net densities permitted under this ordinance for each use as compared to the densities proposed for each use in the development, including a list of applicable density credits and debits, the percentage of each residential use with respect to the development as a whole, and the square footage for residential, nonresidential, and public space (subdivided into civic and open space),
 - n. Tabulations of the overall net usable density for residential uses,

- g. Adequacy of stormwater and disposal and treatment facilities, and
- h. Adequacy of structures and roadways in areas of moderate to high susceptibility to flooding, ponding and/or erosion.

Sec 2.09.00. Establishment of the CRS, Conservation residential subdivision district; development standards

A. Purpose of the Conservation Residential Subdivision. The purpose of conservation residential subdivision district is to promote the health, safety and general welfare of the present and future inhabitants of the city by allowing flexibility in the design of certain subdivisions from standard regulations to support permanent protection of green space.

The specific purposes of a conservation residential subdivision district include:

1. To provide single-family residential subdivisions which permit flexibility of design in order to preserve environmentally sensitive areas and create efficient uses of the land;
2. To preserve green space and unique or sensitive natural resources such as groundwater, flood plains, wetlands, streams, steep slopes, woodlands, wildlife habitats, historic features and unique topography;
3. To permit clustering of dwellings and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces, utilities, earthwork and other land disturbing activities;
4. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential developments;
5. To conserve a portion of the otherwise developable property as green space in perpetuity. This option is not necessarily intended to allow an applicant to conserve only the portion of the tract that is already unbuildable due to factors such as steep slopes, wetlands or land adjacent to undesirable areas such as landfills or livestock farming;
6. To promote interconnected greenways and corridors throughout the city;
7. To promote linking of greenways and corridors between the city and neighboring jurisdictions;
8. To encourage interactions of persons living in the resulting residential community by clustering dwellings and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood;
9. To encourage street designs that reduce traffic speeds and reliance on main arteries;
10. To incorporate aesthetic design standards that will increase the value of the neighborhood;
11. To conserve scenic views and reduce perceived density by promoting views of green space from arterial and collector roads;

The master development plan shall also provide the amount of land in one hundred (100) year flood plain, rights-of-way, detention or retention ponds, non-residential lands, public lands, net usable acres and amount of greenspace. Furthermore, the master development plan shall state the proposed density; quality construction standards to be met and the corresponding density bonuses to be applied, if any; percentage of impervious surfaces; and any other information required by the city.

"Net usable acre (nua)" means an acre of land on which dwellings may be built but exclusive of streets; rights-of-way; one hundred (100) year flood plains or flood hazard areas; detention or retention ponds; land used solely for commercial, office, institutional or industrial uses, and public lands. Easements for drainage, sanitary sewer, etc. shall not be excluded from a net usable acre.

"Pocket parks" are parks for active or passive recreational uses consisting of no less than one quarter ($\frac{1}{4}$) of a net useable acre (or fourteen thousand two hundred and fifty (14,250) square feet). The purpose of pocket parks is to provide green space for recreational use within walking distance of most residences especially those located farthest from amenity areas or access to green space. Therefore, pocket parks shall be scattered throughout the development but more greatly concentrated in those parts of the development which are the greatest walking distance from an amenity area or access to green space.

"Private alleyway" shall mean an alley located in the rear of dwellings that provides residents with vehicular access. Private alleyways shall be maintained pursuant to the rules, regulations and policies of the city at the expense of the adjoining property owners or homeowners' association. The developer or landowner shall grant the appropriate easement so the public may use the private alleyway. Private alleyways shall be constructed to meet the following requirements:

1. Private alleyways shall be a minimum of twenty feet (20') in width and eighteen feet (18') thereof shall be paved with concrete or asphalt.
2. Concrete alleyways shall be reinforced and have a minimum depth of six inches (6") with appropriate base.
3. Asphalt alleyways shall consist of a minimum of two inches (2") of type "E" or "F" asphalt topping, binder and six inches (6") of graded aggregate base. Private alleyways, at a minimum, shall be constructed so as to provide adequate turning radii onto public streets, driveways, residential parking garages and carports for full-size, non-commercial, two (2) axle vehicles. Curbs and gutters should be provided, but are not required.
4. Private alleyways shall not have dead ends.

"Residential parking garage" shall mean an enclosed structure attached to or part of the principal dwelling used for housing at least two (2) vehicles and has the following minimum dimensions:

1. Vehicular entrance height, eight feet (8'); interior height, ten feet (10'); vehicular entrance width, sixteen feet (16'); and overall garage width and depth, twenty-four feet (24'). The floor shall be constructed of concrete.

5. Where the lot has rear vehicular access via a private alleyway the minimum rear setback shall be thirty feet (30') from the rear property line. Where the lot has front vehicular access via an internal street, the minimum rear setback shall be twenty feet (20') from the rear property line.

6. The minimum lot width shall be fifty-five feet (55').

7. The maximum height shall be forty feet (40').

E. Density Restrictions. The net density, except where bonuses are used, shall not exceed the following limits depending on the zoning of the property.

1. RA District: Maximum of zero point five (0.5) dwelling units per net usable acre without density bonuses. Maximum of one point five (1.5) dwelling units per net usable acre with density bonuses.

2. R-1 District: Maximum of zero point eight (0.8) dwelling units per net usable acre without density bonuses. Maximum of one point eight (1.8) dwelling units per net usable acre with density bonuses.

3. R-2 District: Maximum of two (2.0) dwelling units per net usable acre without density bonuses.

Maximum of three (3.0) dwelling units per net usable acre with density bonuses.

4. R3 District: Maximum of two point six (2.6) dwelling units per net usable acre without density bonuses. Maximum of three point six (3.6) dwelling units per net usable acre with density bonuses.

If the tract on which a CRS is to be developed consists of different single-family residential districts, then the net density for the entire tract shall not exceed that which would have been allowed had each district been separately developed as a CRS. An applicant for a CRS conditional use permit for such a tract shall provide in its application a survey plat, signed and sealed by a registered surveyor in the state of Georgia, indicating the location and net usable acreage of each district for purposes of calculating the overall net density for the tract. The applicant shall provide the net density calculations for each such tract in the master development plan, but may, at the city council's discretion, subdivide the entire property based on an average of the permissible densities for each such tract.

F. Development Standards. Applications for conservation residential subdivisions as a conditional use shall be processed in the same manner as an application for a zoning map amendment including subject to final approval by the city council. A conditional use application for a CRS that is not compliant with this chapter shall not be accepted and, if accepted, shall nevertheless be invalid. CRS plats shall be processed in the same manner as a standard subdivision plat. An approved final plat shall have an additional marking of CRS, symbolizing the use of conservation residential subdivision development standards. Conditional use permits and final plats for conservation residential subdivisions may be approved by the council provided that the following minimum development standards are met or exceeded:

1. Forty percent (40%) of the net usable acres shall be permanently protected as described elsewhere in this section.

2. No lands with utility easements shall be used toward meeting the forty percent (40%) green space requirement. In the event a particular easement, or use, is not contemplated by this section then the

buffer between the street and sidewalk. A multi-use path, as described in subsection F. 16. of this section, may be substituted for a sidewalk.

11. Decorative streetlights are required.

12. Underground utilities are required.

13. The minimum dwelling size shall be one thousand seven hundred (1,700) square feet of heated floor space for single story dwellings. For multi-story dwellings the minimum dwelling size shall be two thousand two hundred (2,200) square feet of heated floor space.

14. Alleyways and Alternative Parking.

a. Private alleyways are required except along the perimeter of the property. Private alleyways shall be located adjacent to, but not in, the rear setback of the lot. Where private alleyways are not provided along the perimeter of the property, the internal street in front of such lots shall have at least an additional ten feet (10') of paved surface for parallel parking in front of said lots for a total minimum street width within the public right-of-way of at least thirty-two feet (32') as measured in accordance with the subdivision ordinance. Said additional paved surface shall meet same construction requirements as set for residential streets under the subdivision ordinance. Parallel parking spaces shall be demarcated every twenty feet (20').

Approximately every twelve (12) spaces shall be broken by landscaping, and said landscaping shall be located in between dwellings rather directly in front of a dwelling to the greatest extent practicable. Said landscaping area shall be no less than ten feet (10') wide and twenty feet (20') long.

b. As an alternative to required private alleyways, a developer may request one (1) of the three (3) following alternatives. Such request shall be in writing and shall specify the reasons justifying the request. The request shall be made prior to preliminary plat approval and shall be subject to city council approval, denial, or approval with conditions.

i. Parallel Parking. City council may allow parallel parking throughout the CRS in lieu of private alleyways. If so approved, all internal streets shall have, in addition to the minimum required width for streets in the subdivision, ten feet (10') of paved surface on both sides of the street for parallel parking, except where all lots on that side of the street have rear access via a private alleyway. Construction and landscaping of said parallel parking areas shall meet the minimum requirements set forth in subsection F. 14. a. of this section.

ii. Designated Parking Areas. City council may allow designated parking areas throughout the CRS in lieu of private alleyways. The minimum number of lots required in designated parking areas shall be at least one (1) parking space for every two (2) dwellings in the CRS. Said parking areas shall be dispersed throughout the CRS and within a reasonable walking distance from the dwellings they are to serve.

iii. Combination of Alleyways, Parallel Parking and/or Designated Parking Areas. The city council may allow a combination of private alleyways, parallel parking and/or designated parking areas. Alternative parking plans are subject to the review and approval of city council as part of final plat approval.

18. The subdivision must be serviced by adequate water pressure and sewer capacity. Septic systems are not permitted.

19. Amenities.

a. The following are required amenities: (i) one (1) multi-use field large enough to contain a regulation football and soccer field including soccer goals; (ii) one (1) regulation size basketball court with two (2) backboards, hoops, nets and outdoor lighting; and (iii) two (2) fenced regulation size tennis court with nets and outdoor lighting. Each required amenity shall also have two (2) permanent outdoor benches and two (2) permanent outdoor trash receptacles.

b. For each additional amenity listed below and provided in the subdivision, the required green space may be reduced by one point five percent (1.5%), with a maximum total reduction of four point five percent (4.5%).

(i) Tennis courts—One (1) lighted and fenced facility featuring a minimum of two (2) playing courts.

(ii) Walking trails—At least two thousand (2,000) linear feet, three feet (3') in width. This amenity may be counted only once (i.e., even if the walking trail exceeds two thousand (2,000) linear feet, the maximum green space reduction may be only one point five percent (1.5%)).

(iii) A baseball field—(Reg.) Regulation size.

(iv) A baseball field—(LL) Little league size.

(v) A softball field—Regulation size (adult).

(vi) A soccer field—Regulation size.

(vii) A multi-use field—Football and soccer.

(viii) A multi-use field—Football and baseball.

(ix) A football field—Regulation size.

(x) A lake with a railed dock and accessed by trails.

(xi) A regulation-size basketball court with two (2) backboards, hoops, and nets.

(xii) Other amenity approved by the city council as comparable to those listed here.

c. Amenities provided should be conveniently located for the majority of dwellings and may be located in the required green space. A homeowners' association shall be established and shall be responsible for ownership, liability and maintenance of all amenities.

d. After submitting to the city manager a written request including three (3) estimates per amenity, the city council may accept in lieu of providing an amenity the monetary value of such amenity as determined by the council but not dependent on said estimates. Any accepted funds in lieu of an amenity shall be

(iii) Other entity approved by the city.

b. Conservation easement may be held by:

(i) The homeowners' association,

(ii) The City, or

(iii) Other entity approved by the City, qualified to be a holder under the Georgia Uniform Conservation Easement Act.

c. Maintenance:

(i) Homeowners' association, or

(ii) Other entity approved by the City;

6. Homeowners' Association. In all cases, a homeowners' association shall be established.

Membership shall be automatic and mandatory for all lot owners in the development and their successors and the homeowners' association shall have the power to file liens to collect dues and assessments. The homeowners' association shall be formed under the provisions of Article 6 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated, which is known as the "Georgia Property Owners' Association Act." (Code 1981, § 44-3-220, et seq. enacted by Ga. L. 1994, p. 1879, § 1) and shall contain adequate provisions to qualify it as a "holder" under the Georgia Uniform Conservation Easement Act, if it is to act as a holder of the conservation easement. The homeowners associations shall be responsible for the maintenance of private alleyways and amenities.

H. Standards for Determining Green Space.

1. The minimum area of green space preserved shall be determined by multiplying the total net usable acres included in the CRS by point four (0.4). The result shall constitute the minimum amount of area that must be preserved.

2. Physiographic Characteristics. The types of land area included in the green space shall include the following:

a. Flood prone areas, flood plains and floodway;

b. Wetlands;

c. Ponds, lakes, including perennial and intermittent streams, rivers, including their required buffer zones;

d. Waters of the state;

e. Wellhead protection zones;

2. Prohibited uses of green space include the following:

a. Roads and other impervious surfaces (except for required amenities and additional amenities) unless approved by the city council;

b. Other uses inconsistent with the purposes of the zoning ordinance or the purposes of this section.

J. Quality Construction Density Bonuses. Prior to the approval of the final plat, the subdivider may choose to enhance the construction quality of the development according to the standards listed below and receive the corresponding density bonus. The maximum total of all density bonuses used shall not exceed the maximum net density permitted herein for the underlying zoning district applicable to the property. Quality construction standards implemented by the subdivider shall be noted as a requirement on the final plat. Allowable density bonuses include the following:

1. Zero point one (0.1) bonus density units per net usable acre for each additional ten percent (10%) of the dwellings constructed with all sides brick above the minimum siding requirements hereunder.

2. Zero point one (0.1) bonus density units per net usable acre if eighty percent (80%) or more of the dwellings in the subdivision are built with front porches a minimum of ten feet in length by six feet in width (10' × 6').

3. Zero point zero five (0.05) bonus density units per net usable acre for an additional one hundred (100) square feet increase in the minimum dwelling floor space required for the development, but the total amount of bonuses for this enhancement shall not exceed zero point twenty five (0.25) bonus density units.

4. Zero point one (0.1) bonus density units per net usable acre for installation of traffic calming devices appropriately located throughout the development such as speed tables (but not humps/bumps) and/or landscaped roundabouts.

5. Zero point one (0.1) bonus density units per net usable acre for an additional entrance and exit onto a paved public street of collector designation or greater, but the total amount of density bonuses for this enhancement shall not exceed zero point one (0.1) bonus density units.

K. Miscellaneous Provisions.

1. In the event of a conflict between the ordinance codified in this chapter and any other ordinance or code provision, the terms of this chapter shall control.

2. Failure to comply with any of the requirements set forth in this chapter will entitle the City to suspend any and all permits issued concerning the development, including building permits, to issue a stop work order and to take other measures designed to ensure compliance with this section, to the extent provided by law.

4. Condominiums, with a minimum square footage as follows: seven hundred and fifty (750) square feet for one bedroom, one thousand (1,000) square feet for two (2) bedrooms, an additional two hundred (200) square feet per bedroom for three (3) or more bedrooms;
5. Conference centers;
6. Day care facilities;
7. Educational facilities;
8. Health club;
9. Hotel uses with the exception of extended stay hotels (where guests stay longer than fourteen consecutive days) which are not permitted; for purposes of this section, hotel uses are considered commercial in nature;
10. Libraries, museums and galleries;
11. Office, including professional and medical offices;
12. Parks, playgrounds, trails, greenways, outdoor recreational and entertainment facilities and natural areas;
13. Restaurants, cafes and coffee shops, not including drive-through or franchise architecture;
14. Retail and service businesses not exceeding five thousand (5,000) square feet of floor space including, but not limited to, the following uses: catering; confectionary (candy) stores; antique and small furniture shops; tailors; apparel and consignment shops; custom dress making or millinery shops; bakery shops; drug stores and pharmacies; florists; small scaled bookstores, stationary and gift shops; photographers, including the sale of supplies and equipment; music stores; hardware stores; jewelry stores; optical stores; shoe sales and repair; barber and beauty shops; hobby and craft shops; general/grocery/health food stores; news and tobacco shops; hair and beauty salons; and dry cleaning or similar business; and
15. Theatres.

D. Accessory Uses. The following are permitted accessory uses in the high-rise, mixed use overlay district:

1. Off-street parking as regulated by subsection G of this section, but not including parking for semi-trailer trucks;
2. Off-street loading as regulated by subsection G of this section; and
3. Fencing, screening and landscaping as permitted and regulated by this section.

E. Design Standards. All structures in this district must meet the following minimum structural and architectural design standards. Any person planning to build, construct or develop shall submit design plans to the development director for review and recommendation. The development director shall forward the plans and recommendation to the mayor and city council within thirty (30) calendar days of

9. Trash and Recycling. All trash handling, related equipment and outside areas for holding trash or materials for recycling, shall be completely enclosed and screen and shall be constructed out of materials compatible with the architectural treatment of the principal structure.

10. Streetscape. A streetscape is the sum of the man-made and planted features within and adjacent to the street right-of-way that create the character of the public space. The streetscape often includes sidewalks, street trees and plantings, street furniture such as benches, street lights, signs, trash receptacles, railings and fences, fountains, planters, banners and flags, public art and similar publicly visible features. New construction shall provide an eight foot (8') wide sidewalk; six feet (6') of the front setback shall be sodded and serve as a landscaped buffer between the street and the sidewalk. The landscaping of these buffer areas shall consist of at least one (1) tree or more as needed to provide a continuous balanced streetscape with no greater than forty feet (40') spacing between trees. The exact species and location shall be determined by the city manager. Additional vegetation shall be required according to the landscaping provisions of the Stockbridge Zoning Ordinance as adopted. New construction shall provide one (1) metal trash receptacle and one (1) metal bench for every entrance to the high rise mixed use building.

11. For any new construction the entire length of the road frontage shall be curb and gutter.

12. A minimum of fifteen percent (15%) of the lot area shall be dedicated to green space.

13. There shall be an enhanced vegetative buffer of ten feet (10') along the property boundary. The buffer may be included in the required setbacks and required green space.

14. The building shall be constructed out of materials and in a manner to conserve natural resources such as water, natural gas and electricity.

F. Area and Bulk Standards.

1. Lot area: Minimum of two (2) acres.

2. Lot width at front yard setback line: Minimum of fifty feet (50').

3. Minimum lot depth: one hundred feet (100').

4. Yard dimensions:

a. Front setback: Minimum of thirty feet (30') from the curb;

b. Side yard (each side): Minimum of ten feet (10');

c. Rear yard: Minimum of ten feet (10').

5. Height requirement: Maximum building height thirty (30) stories; minimum of five (5) stories; the first finished floor level being level with sidewalk grade.

1. To recognize and affirm the function of the existing traditional downtown as the central focus of commercial, artisan, and civic activities within the community;
2. To allow the existing downtown to flourish, intensify and expand where appropriate in a manner consistent with its traditional character;
3. To provide a local retail, service, artisan and civic center for the community;
4. The requirements of this district are not intended to apply to single-family or multifamily residences. The requirements for such uses shall be those provided under the appropriate zoning classifications for such uses, except where the multi-family or single-family use is located in a building containing another permitted use in this district;
5. Furthermore, it is the intent of the mayor and city council that the ordinance codified in this chapter should be read together with existing ordinances, but should there arise a conflict, the ordinance codified in this chapter shall control.

C. Permitted Uses. The following are permitted uses in the Old Downtown Overlay District:

1. Residential units located on upper floors above and/or to the rear of commercial and/or office uses; however, such uses must be fee simple condominiums or town houses;
2. Multi-family residential buildings, excluding apartments, subject to requirements for such uses as provided under the multi-family residence district ("RM") zoning classification;
3. Single-family residences subject to requirements for such use as provided under the appropriate zoning classification;
4. Commercial and office uses permitted hereunder in the same building;
5. Banks and financial institutions;
6. Bed-and-breakfast establishments;
7. Day care centers, subject to requirements for such centers and in accordance with appropriate home occupations regulations;
8. Customary home occupations;
9. Libraries, museums and galleries;
10. Governmental buildings and related uses;
11. Music, dance or exercise studios;
12. Offices, including professional and medical offices;
13. Parks, playgrounds, trails, greenways, outdoor recreational and entertainment facilities and natural areas;

b. Displays are permitted between the hours of eight (8:00) a.m. and five (5:00) p.m. and for no more than four (4) days per week. During all other times, no displays shall be allowed;

c. A written description of the specific items to be displayed is filed with the city clerk;

d. If the mayor and city council determine that continuance of a display under this subsection would be detrimental to the health, safety and welfare of the citizens of the city, it may revoke this conditional exception for any individual or business in this district after providing said individual or business with notice and a hearing.

3. Restaurant tables and chairs are permitted in the front setback, but shall not be positioned so that their use blocks or requires use of more than two feet (2') of the sidewalk. Within two (2) hours of the posted closing time, such tables and chairs must be stored inside the primary or accessory building.

F. Conditional Uses. The following uses are permitted as conditional uses subject to demonstrated compliance with site design guidelines, compatibility with surrounding land uses and with the purpose of the Old Downtown Overlay District:

1. Other commercial, civic or entertainment uses considered similar in character and intensity to permitted uses;

2. Bars, taverns and clubs subject to the following conditions:

a. The proposed use shall not constitute a nuisance to the neighborhood due to hours of operation, noise or loitering. If, after giving written notice to the owner and holding a public hearing, the city council finds by a majority vote that a bar, tavern or club is in violation of this provision, all city issued permits and/or certificates shall be automatically revoked;

b. The bar, tavern or club is intended to serve primarily the surrounding neighborhood.

3. Billiards and arcades subject to the same conditions as provided under subparagraph (2);

4. Passenger depots and transit shelters.

G. Design Standards. All structures containing non-residential uses, excluding mixed residential and nonresidential uses, in this district must meet the following minimum structural and architectural design standards. The standards apply to new buildings containing non-residential uses and to remodels or expansions of existing buildings. Any person who plans to build, construct, develop, remodel, expand, or the like, shall submit design plans to the development director for review and recommendation. The development director shall forward the plans and recommendation to the mayor and city council within thirty (30) calendar days of submission for approval or denial.

1. Architectural Features and Details. Exterior facades, including eaves, columns, pilasters, cornices, windows and window surrounds, canopies, fascia and roofs shall be proportionate with the building and compatible with surrounding traditional buildings. The scale of new construction, including the arrangement of windows, doors and other openings within the building facade, shall be compatible with surrounding traditional buildings.

balanced treescape with no greater than forty feet (40') spacing between trees. The exact species and location shall be determined so that it does not overly obstruct the view of the store front. Additional vegetation shall be required according to the landscaping provisions of the Stockbridge Zoning Ordinance as adopted. New construction, exclusive of remodeling, shall provide one metal trash receptacle and one metal bench. New construction, exclusive of remodeling, shall install historic-style street lamps approved by and location chosen by the city manager to provide for the safety of the public.

11. For any new construction, exclusive of remodeling, the entire length of the road frontage shall be curb and gutter.

H. Area and Bulk Standards.

1. Lot area: Minimum of two thousand five hundred (2,500) square feet and maximum of ten thousand (10,000) square feet, except for governmental buildings which shall be determined by the city council based on public need;

2. Lot width at front yard setback line: Minimum of twenty-five feet (25');

3. Minimum lot depth: one hundred feet (100');

4. Yard dimensions:

a. Front setback: Minimum of fourteen feet (14') from the curb and may be increased to twenty feet (20') if additional space is landscaped as a garden or outdoor seating or dining area. Entries may be recessed up to twenty-five feet (25');

b. Side yard (each side): Minimum of zero feet if attached to or abuts an adjacent building, a minimum of ten feet (10') if side of building is not attached to or does not abut an adjacent building and a maximum of twenty feet (20');

c. Rear yard: Minimum of fifty-five feet (55'), with at least one (1) row of tree shaded parking.

5. Height requirement: Maximum building height: Four (4) stories or fifty-five feet (55') with the first finished floor level being level with sidewalk grade.

I. Required Parking Facilities.

1. On-street parking, either angled or parallel, shall be provided along all public streets, unless otherwise determined by the mayor and city council.

2. Plans for off-street parking and loading facilities within this district shall be reviewed by the development director. In general, off-street parking shall be required for any permitted use within this district in accordance with the parking requirements for such use. In the case of a mixed-use building, the minimum amount of parking required shall be that of the use that provides the greatest number of spaces. However, the development director may recommend and mayor and city council may require such off-

five percent (5%) in the form of mobile homes. These percentages, however, do not reflect the approximately five hundred and seventy-one (571) multi-family units to be developed as a result of rezonings approved in 2003.

4. To address these growth trends, the mayor and city council wish to take proactive steps to accommodate and control the amount of single-family housing, multi-family housing and mobile home development within its boundaries. Thus, it is the intention of the mayor and city council and purpose of the ordinance codified in this section to encourage continued diversification of residential uses in the city as well as accommodate its fair share of the region's residential growth in a manner consistent with both the proximity of the city to the center of regional growth and the history of residential land uses developed in the city.

B. Residential Growth Limitation

1. Single-family housing, which consists of single-family detached homes in an RA, R-1, R-2, or R-3 zoning classification in the city shall not comprise less than seventy percent (70%) of the housing stock. Multi-family housing, which consists of the RM classification regulating apartments (RM-1), townhouses (RM-2), and condominiums (RM-3) and the RD zoning classification regulating duplexes, shall not comprise more than twenty-nine percent (29%) of the city housing stock.

Mobile homes built under the RMH or grandfathered RM-75 zoning classifications shall not comprise more than one percent (1%) of the city housing stock.

2. Within the category of single-family housing as described in subsection B. 1. of this section, homes built under an R-3 zoning classification shall not exceed thirty percent (30%) of the overall single-family housing stock for the city; and the remainder of the single-family housing stock developed under an RA, R-1, and R-2 zoning classification shall not be less than forty percent (40%) of the overall single-family housing stock in the city.

C. Administration

1. Housing Inventory. For purposes of determining whether or not a proposed development in the city will violate the residential growth limitations set forth in this section, the development director shall determine the housing inventory for the city. The housing inventory shall be based on the total number of housing units that could be built on land zoned for residential use and in accordance with the particular zoning district regulations applicable to the land. The housing inventory shall then be converted into percentages of single-family, multi-family and mobile homes for determination of compliance with the residential growth limitations set forth in subsection B. 1. of this section. Furthermore, the housing inventory for all single-family uses shall be subdivided into percentages of high density single-family and low to medium density single-family use to determine compliance with the residential growth limitations set forth in subsection B. 2. of this section.

2. Quarterly Residential Growth Report. The development director shall document all information required under subsection C. 1. of this section in a quarterly residential growth report, and that report shall be presented to the city council at the first meeting of the council for each quarter. Thereafter, the

Sec. 2.11.02. Relocated structures

Sec. 2.11.03. Applicability

A. Except as provided in this section, no application for a relocated structure permit shall be approved, nor any structure moved or occupied prior to meeting all requirements of this section.

Sec. 2.11.04. Relocated dwellings defined

A. A relocated dwelling is defined as a pre-existing structure moved to another property or to a different location on the same property. Factory-built modular and manufactured homes as defined in Appendix A. Master List of Acronyms and Definitions are exempt from this section.

Sec. 2.11.05. Permitted use

A. Relocated dwellings shall be a permitted use in the R-A (residential-agricultural) zoning district, only as defined in Sec. 2.11.04 and subject to all lot size and setback requirements of the R-A district. Relocated dwellings shall be subject to all regulations of the Henry County Health Department concerning on-site sewage disposal facilities and private wells.

Sec. 2.11.06. Inspections

A. Preliminary inspections. No building permit application for a relocated structure shall be approved until a complete inspection of the structure is made by the City. An application for a relocated structure inspection shall be completed on forms provided by the development director prior to the inspection being made. The inspection shall determine compliance or the feasibility of compliance to all existing building codes, development codes and ordinances adopted by the Mayor and Council. Depending upon the size, age, condition or design of the structure, the development director may require an inspection and report from a structural engineer to evaluate the suitability of the structure for relocating. The engineering inspection and report fee for the relocated structure shall be paid by the applicant. If the development director determines that compliance with existing codes is not feasible, the application for the building permit shall be denied. All such denials shall be in writing specifying the reasons therefore and signed by the development director.

B. Follow-up inspection. Following relocation of the structure and prior to and for re-inspecting, the owner of the relocated structure shall, at the owner's choice, remove either the interior wall covering on all exterior walls or the exterior wall covering on all exterior walls. If necessary, and at the direction of the development director regarding the interior load-bearing walls, the owner shall remove one side of these interior walls and the City shall then re-inspect the structure to insure that its structural integrity has not been compromised and that any required improvements remain feasible.

C. Inspection fee. The inspection fee shall be as set forth in the fee schedule established by the City which shall be paid to the City prior to the inspection being made.

K. Time of completion. The work authorized by any permit a for relocated structure must be completed in compliance with all codes and ordinances of the City of Stockbridge within six months from the date of issuance of the building permit, unless extended as provided herein. In the event such a structure is not in compliance and/or is not completed within the specified time limit, the building official shall notify the owner in writing giving specific causes of noncompliance or non-completion. Upon notification, the owner shall have 30 calendar days to correct such noncompliance or non-completion. Failure of the owner to correct causes of noncompliance or non-completion, and the owner has not received an extension of completion time, shall cause a notice to move or demolish such structure to be issued to the owner immediately. Failure to move or demolish such structure within 10 calendar days of such notice being given shall be deemed a violation of this section and shall be punishable in the Municipal Court of the City of Stockbridge and the development director shall authorize the surety or bank issuing the irrevocable letter of credit or escrow letter of surety to release all funds to the City.

L. Extension of completion time. The development director may issue a 90-day extension of completion time for cause beyond the original six-month compliance/completion period upon written request by the owner stating the reason for the extension and payment of applicable fees. A second, 90-day extension may be issued following the first, 90-day extension upon written request by the owner stating the reason for the second request. Approval or denial of an extension shall be in writing and signed by the building official. Permission for a greater extension of time may only be granted by Mayor and Council in regular session. Applications brought before the Mayor and Council shall be on forms provided by the development director. An extension of the irrevocable letter of credit, or irrevocable bank escrow letter of surety, may be required if sufficient time does not remain on the performance irrevocable letter of credit or irrevocable bank escrow letter of surety to ensure that the structure will meet all current building construction codes of the City of Stockbridge and that the renovation of the relocated structure is completed and ready for occupancy within the specified time. Fees for each extension shall be as set forth by the City of Stockbridge.

M. Certification of occupancy. A certificate of occupancy shall be issued upon the passing of a final inspection of a structure and shall verify the completion requirements of this section, including compliance with all existing building and life safety codes.

Sec. 2.11.07. Parking and storage of major recreational equipment.

A. Major recreational equipment may be parked or stored on side yards or rear yards or in a carport or enclosed building; provided, however, that such equipment may be parked anywhere on residential premises for a period not to exceed 24 hours during loading or unloading. In the case of a corner lot, no vehicles may be parked or stored in the side yard on the street side of the lot.

The development director is authorized to allow such equipment to be used as living quarters in the following situations provided adequate documentation is provided prior to establishing such:

1. Family hardships and catastrophic events.

placed near, but not within the right-of-way, shall be located as to not obstruct, hinder or impede the view or movement of pedestrian and vehicular traffic as to become a nuisance, danger or hazard to the public.

Sec. 2.11.13. Posting.

A. Each dwelling unit and place of business shall have light-reflective numbers posted and maintained in a prominent place on the property, visible from the street providing public access, the address of the dwelling unit or place of business.

1. For residences using mailboxes: Two-inch high light-reflective number with contrasting background;
2. For residences that do not use mailboxes and within 100 feet of roadway: Three-inch high light-reflective numbers with contrasting background;
3. For residences which do not use mailboxes and are more than 100 feet from a roadway: Three-inch high light-reflective numbers visible from the roadway with contrasting background; and
4. For all commercial establishments: Three-inch high light-reflective numbers with contrasting backgrounds.

CHAPTER 4. SITE DESIGN STANDARDS

Sec. 4.00.00. Generally

Sec. 4.01.00. Site design standards for base zoning districts

Sec. 4.02.00. Site design standards for overlay districts

Sec. 4.00.00. Generally

Sec. 4.00.01. *Purpose*

The purpose of this chapter is to provide site design and development standards applicable to both public and private development in the city. More specifically, the purposes of the regulations set forth in Chapter 4 are to ensure the proper location, height, bulk and size of buildings and other structures; to ensure the proper size of yards and other features of a development site; to ensure the proper layout and design of subdivisions; and to provide for compatibility between proposed and existing development.

Sec. 4.00.02. *Principles of site design and development*

- A. All development shall be designed to avoid unnecessary impervious surface cover, to provide adequate access to lots and sites, to foster compatibility and to ensure site design that is consistent with the standards set forth in Chapter 4. Landscaping, buffering and tree protection standards are applicable to site design and development.
- B. No building or structure shall be constructed, installed, erected or altered except in compliance with the site design and development standards set forth in this ZONING CODE.
- C. No open space shall be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking, and such other regulations required by this ZONING CODE for the zoning district and/or overlay district in which such open space is located.
- D. No part of any yard, other open space, off-street parking or loading space required in connection with any building, structure or use by this ZONING CODE shall be considered to be part of a required yard, other open space, off-street parking or loading space for any other building, structure or use, except as explicitly provided in this ZONING CODE.

Sec. 4.00.03. *Applicability.*

Sec. 4.01.02. *Dimensional standards for building height and location*

- A. *Applicability of height standards.* The height limitations of this section shall not apply to places of worship spires or other such structures, belfries, flagpoles, monuments, cupolas, domes, ornamental towers or observation towers not intended for human occupancy, water towers, transmission towers, radio or television towers or antennas.
- B. *Measurement of setbacks.* Setbacks shall be measured from the front, side or rear property line to the nearest building or structure.
- C. *Encroachments into required setbacks.*
 - 1. Architectural features such as cornices, eaves, steps, gutters, and fire escapes may project up to three (3) feet beyond a required setback line, except where such projections would obstruct driveways that are used or may be used for access by service or emergency vehicles.
 - 2. In the case of automobile service stations, motels, and similar uses that serve the motoring public, canopies shall be allowed over a driveway or walkway within the front or side yard not to extend from the principal building to a point any closer than fifteen (15) feet from the street right-of-way line or future right-of-way line as designated by the comprehensive transportation plan.
- D. *Setback requirements for corner lots for both the primary and secondary structures.*
 - 1. Side yard setback requirements from the right-of-way of abutting streets shall be equal to seventy-five (75) percent of the front yard setback.
 - 2. For purposes of this section, a dwelling may be construed to be fronting on a street other than the street that the front entrance faces. In this situation, development plans and plats shall clearly identify the front, side, and rear yards. Setbacks for side and rear yards shall be established according to the standards in Table 4.03.01 (C) through Table 4.03.32 (C) for yards, as indicated on the plan or plat.
- E. Property with a side lot line adjacent to a railroad right-of-way shall provide a ten-foot side yard setback.
- F. The building setback for a through lot having frontage on two (2) roads that is not a corner lot shall be equal to the front yard setback for the district in which the lot is located.

Sec. 4.01.03. *Appearance standards for commercial and industrial buildings*

- A. All buildings constructed within the C-1, C-2, C-3, OI, MUND, M-1 and M-2 zoning districts shall meet the development standards in Sec. 2.04.00 or 2.05.00 and the appearance standards set forth in this section.

- F. *New building widths.* New buildings shall be consistent with existing building widths, achieved through one (1) of the following methods:
1. The new building shall not exceed the average width of existing buildings in the surrounding area; or
 2. The new building shall provide a division of the facade into visible building increments that are no wider than the average width of existing buildings in the surrounding area.

Sec. 4.01.05. *Additional standards for the mixed-use zoning district*

- A. In addition to the dimensional standards for the MUND zoning district set forth in Sec. 2.06.01, development in the MUND zoning district shall meet the standards set forth in this subsection 4.01.05.
- B. Where nonresidential uses are proposed, shared parking shall be required. The standards for shared parking are set forth in subsection 8.02.08.
- C. Development parcels in the MUND zoning district shall provide vehicular access to adjacent parcels by means of connected parking lots, shared driveways, cross-access easements, or other interparcel connections. (See subsection 8.02.08 regarding standards for these types of shared access.)
- D. Development may be proposed on a single parcel, or two (2) or more parcels. Where a single development is proposed that includes two (2) or more parcels, the development shall be under unified control and management.
1. The standards for setbacks in subsection 2.06.01 shall apply to the front, side, and rear of the development parcel. Setbacks or building separation on the interior of the development parcel shall be as proposed by the applicant. Such internal setbacks or building separation shall be consistent with fire and building safety requirements.
 2. The standards for buffers in Sec. 5.02.00 shall apply on the perimeter of the development parcel. Buffers shall not be required between uses on the interior of the development parcel. This does not relieve the applicant from meeting all landscaping requirements that may apply to the total site or to on-site parking areas.
- E. Development proposed within the MUND zoning district shall be integrated.
1. For nonresidential uses: each use or building within a development shall be connected by direct and convenient sidewalks or pathways to provide pedestrian access from one use or building to another use or building. The walking distance between any two (2) uses shall not exceed 660 feet and shall be so stated on the final plat for the development.

- a. Parks
 - b. Playgrounds
 - c. Picnic grounds
 - d. Playing fields or courts
 - e. Trails for jogging or biking
 - f. Passive open space
3. Open spaces shall be accessible to pedestrians and bicyclists.
 4. The type and design of open space shall be consistent with the type of development proposed within the mixed use area. Passive open spaces are appropriate as a means of protecting views and natural features. Playgrounds, fields and courts are appropriate in or near residential developments.

Sec. 4.01.07. Screening and lighting of parking area in the mixed-use zoning district

- A. Parking areas are required within each MUND zoning district. Location of parking areas in the side and rear yards are encouraged where such parking areas can be partially or wholly screened by buildings from the public right-of-way. (See subsection 8.02.07 for parking lot design requirements.)
- B. Exterior lighting for parking areas and building security shall be shielded and directed to avoid direct illumination of adjacent properties, as measured at the property line.

Sec. 4.01.08. Solid waste collection standards in the mixed-use zoning district

- A. Containers for solid waste collection shall not be located within twenty-five (25) feet of residentially zoned properties. Solid waste collection areas shall be fully enclosed, except for a gate, by a solid wall, solid fence or landscaped buffer not less than ten (10) feet in width. Where a buffer is proposed, it shall contain shrubs selected from the lists of "large screening shrubs" and "small shrubs" in Table 5.01.04 (B). Large shrubs shall be planted every eight (8) feet, on center. Small shrubs shall be planted in a double staggered row as to form a hedge.

Sec. 4.01.09. Reserved

Sec. 4.01.10. Design standards for single-family dwellings within the RA, R-1, R-2, and R-3 zoning districts

that may exist or be permitted under this ZONING CODE in the same zoning district or general area.

- B. All towing devices, wheels, axles, and hitches shall be removed from the manufactured home.
- C. A landing having a minimum area of thirty-six (36) inches by thirty-six (36) inches shall be provided at each exit door.
- D. Windows and doors shall be similar in material, design and appearance to windows and doors on site-built homes in the surrounding area.

Sec. 4.01.12. *Outdoor lighting standards*

The intent of this ZONING CODE is to preserve, protect and enhance the lawful nighttime use and enjoyment of all property through use of appropriate lighting practices and systems. Such individual fixtures and lighting systems are designed, constructed and installed to control glare, minimize obtrusive light and conserve energy and resources while maintaining safety, security and productivity, and curtail the degradation of the nighttime visual environment.

- A. *Establishing lighting:* Lighting in all districts shall be established in a manner that no direct light is cast upon or adversely affects adjacent properties or roadways. This section shall not apply to lighting established by governmental authority within public rights-of-way.
- B. *Submittal requirements:* The applicant for any permit involving outdoor lighting fixtures governed by this section shall submit, as part of the site plan, evidence that the proposed work will comply with this section. The following information shall be included in all nonresidential site plan submissions and all plans for uses ancillary to residential uses such as clubhouses, amenity areas, etc:
 1. Location, type and height of all freestanding, building-mounted and canopy light fixtures, shall be shown on the site plan and building elevations.
 2. Photometric grid overlaid on the proposed site plan indicating the overall light for intensity throughout the site (in foot-candles). No certificate of occupancy or certificate of completion shall be issued until the photometric grid has been approved by the development director.
 3. Specifications and details for the fixture type being proposed, including the total lumen output, type of lamp and method of shielding.
 4. Use of fixture proposed; and
 5. Any other information deemed necessary by the development director.

8. Holiday decorations.
9. Shielded pedestrian walkway lighting.
10. Residential lighting with no-offsite glare.
11. Street lights.
12. Other uses deemed reasonable by the development director.

Sec. 4.02.00. Site design standards for overlay districts

All overlay districts are applied over underlying zoning districts. Development shall comply with the use and design standards applicable to the underlying zoning district and the design standards required in the overlay district, if any. In any situation where design standards conflict, the stricter standard shall control.

Sec. 4.02.01. *Reserved*

Sec. 4.02.02. *Reserved*

Sec. 4.03.00. Supplemental standards for specific uses

Sec. 4.03.01. *Animal care facilities (kennels, animal hospitals, veterinary clinics, and stables)*

- A. Animal care facilities, with the exception of stables and facilities for livestock are permitted in the RA zoning district with an approved conditional use and subject to the site design standards for the district. Stables and facilities for livestock are permitted in the RA zoning district and subject to the site design standards of subsection 4.03.01.G.
- B. Animal care facilities, with the exception of noncommercial kennels in the MUND, C-2, C-3, and M-1 zoning districts are subject to the site design standards for the district and specific site design standards in this section.
- C. Design standards for an animal hospital or veterinary clinic in a freestanding building are shown in Table 4.03.01. (C).

Table 4.03.01 (C). Standards for Freestanding Animal Hospital or Veterinary Clinic

Building design	Soundproofing required; odor-proofing required; pest control required
Outdoor runs	Prohibited
Boarding	Prohibited

E. Design standards for commercial kennels are shown in Table 4.03.01. (E).

Table 4.03.01. (E). Standards for Commercial Kennels

Development Feature	Standard
Animals allowed	Domestic pets only; farm animals, livestock, and wild animals are prohibited
Minimum land area	two acres in the RA zoning district; 10,890 square feet (sf) in the MUND zoning district; 32,670 sf on septic tank or 10,000 sf on public sewer in the C-2 and C-3 zoning districts; one acre on septic tank and 30,000 sf on public sewer in M-1; and one acre in the M-2 zoning district
Minimum setback from any residential zoning district for any buildings or structures	50 feet
Minimum setback from any residential zoning district for outdoor runs	75 feet
Outdoor runs	Fencing required in addition to any fencing on the perimeter of the site; drains connected to an approved sanitary facility; odor-proofing required; pest control required; hours of operation limited to 7:00 a.m. until 7:00 p.m.
Buffer requirements	1.5 times the buffer requirement of Sec. 5.02.00, plus a fence or wall

Development Feature	Standard
Animals allowed	Farm animals and livestock
Limitations on zoning districts	Allowed only in RA zoning district
Minimum land area	3 acres
Minimum setback from any adjacent residential zoning district for any buildings or structures	50 feet
Minimum setback from any residential zoning district for outdoor tracks and exercise yards	100 feet
Outdoor tracks and exercise yards	Odor control required; pest control required
Fences	The parcel (3 or more acres) shall be fenced. The outdoor track and each exercise yard shall be separately fenced.

Sec. 4.03.02. *Cemeteries*

- A. Cemeteries are permitted in all zoning districts, subject to the site design standards of the district and the specific supplemental standards in this section.
- B. A cemetery may include one (1) or more of the following: a burial park for earth interments, a mausoleum for vault or crypt interments, and a columbarium.
- C. A cemetery may include a chapel or place of worship when operated in conjunction with and within the boundaries of such cemetery.
- D. Site design requirements are established in Table 4.03.02. (D).

Table 4.03.02. (D). Standards for Cemeteries

² The required buffer shall be along the banks of all state bodies of water as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action.

E. *Location requirements.*

1. A cemetery shall not be located in a wetland, 100-year floodplain, floodway or flood hazard area.
2. All new cemeteries shall be located a minimum of one hundred fifty (150) feet from a drinking water well.
3. The cemetery shall be located below the elevation of known drinking water wells.

F. *Off-street vehicle queuing.* Adequate off-street *vehicle queuing* space shall be provided for funeral processions so that no vehicle stands in a dedicated right-of-way.

G. *Access.* All cemetery access shall be provided from a City or county maintained roadway or state highway. The entrance and exits to the cemetery shall be from the frontage street, only.

H. *Mausoleums and columbaria.* Mausoleums and columbaria may be located within the boundaries of approved cemeteries, only. Mausoleums and columbaria shall have brick or stone facades.

I. *Review and approval procedures.*

1. A cemetery shall meet the requirements of Sec. 12.01.00. Application requirements for application, review and approval. Upon approval, a final plat of the cemetery shall be recorded.
2. A drainage plan must be submitted and approved by the development director before cemetery approval may be granted.
3. The owner of a cemetery shall notify the Henry County Health Department of the intent to build a cemetery and shall submit a letter from the County Health Department identifying the location of the cemetery in relation to any known drinking water wells as part of the application process.

Sec.4.03.03. *Centers for manufacturing, production, processing or assembly*

- A. *Purpose.* Certain manufacturing, production, processing or assembly uses are permitted in the M-1 and M-2 zoning districts, subject to the site design requirements of the zoning district. However, within this broad group of uses certain uses are permitted within M-1 or M-2 only where supplemental site design standards are met. This section sets forth those specific site design standards that are required in addition to the site design standards of the zoning district in which the use is proposed.

the requirements of this section shall meet the site design standards of the zoning district and the supplemental standards set forth in this section.

- B. All facilities regulated in this section shall comply with state regulations and require applicable state licenses for operation.
- C. Home occupation day care facilities shall be limited to the provision of care and supervision to not more than six (6) children or six (6) adults and shall comply with the standards set forth in Sec. 7.01.00.
- D. Non-home occupation child day care facilities, nursery schools and preschools shall comply with the standards in Table 4.03.04. (D).

Table 4.03.04. (D). Standards for Non-Home Occupation Child Day Care Centers, Nursery Schools and Preschools

Development Feature	Standard
Minimum land area	1 acre, located on a thoroughfare having a classification greater than local as illustrated on the functional road plan
Place of operation	Freestanding structure, or Within a freestanding religious facility; see subsection 4.03.14(E), or Within a freestanding public or private school
Outdoor play area	Minimum of 200 square feet per child, based on the number of users at any one time, and Fully enclosed by a security chain-link fence, a minimum of four feet in height, or
Adjacent to residentially zoned property	Fully enclosed by a solid decorative fence, a minimum of four feet in height
Indoor play area	Minimum of 35 square feet per child

- E. Adult day care centers shall comply with the standards in Table 4.03.04. (E).

- A. Emergency response facilities, such as fire stations, ambulance services and police stations are permitted in any zoning district, subject to the dimensional standards for the district and the supplemental standards set forth in this section.
- B. Site design standards for emergency response facilities are provided in Table 4.03.06. (B).

Table 4.03.06. (B). Standards for Emergency Response Facilities

Development Feature	Standard
Minimum setback from residential zoning districts	100 feet
Access requirements	Paved road
Buffers	1.5 times the buffer otherwise required by Sec. 5.02.00.

Sec. 4.03.07. *Establishments over 40,000 square feet (large-scale retail centers)*

- A. *Purpose.* This section is intended to provide design standards for uses located in large-scale buildings. The purpose is to ensure the compatibility of large buildings and their associated impacts with the surrounding area, and to avoid large, undifferentiated building walls.
- B. *Applicability.* Establishments having more than forty thousand (40,000) square feet of floor shall comply with the design standards contained in this section. These standards are in addition to the site design standards of the underlying zoning district. The size threshold refers to an individual establishment and any associated outdoor areas used for display or storage.
- C. *Building design standards.* Building design shall meet the standards in Table 4.03.07. (C).

Table 4.03.07. (C). Building Design Standards for Establishments over 40,000 Square Feet

	property. 6. In no instance shall outdoor display obstruct sidewalks or otherwise impede pedestrian movement to the entrance of the store.
Refuse and solid waste containers	Enclosed, except for an access gate, and screened from view from adjacent properties and from the public right-of-way.
Seasonal sales (See Sec. 7.03.00 regarding temporary uses)	Shall not occupy any required parking spaces or parking lot aisles.
Open space	A minimum of 20 percent of the site shall be landscaped open space.

¹Architectural design shall be subject to approval by the development director.

Sec. 4.03.08. Funeral homes, mortuaries and crematoriums

- A. Funeral homes and mortuaries, with or without crematoriums, are permitted in the OI, C-2, C-3, and MUND zoning districts, subject to site design standards of the zoning district and the supplemental standards set forth in this section.
- B. Adequate off-street vehicle queuing space shall be provided for funeral processions so that no vehicle stands in a dedicated right-of-way. A minimum off-street vehicle stacking distance of one hundred (100) feet shall be provided.

Sec. 4.03.09. Fueling service stations

- A. Fueling service stations are permitted in the C-1, C-2, C-3, and MUND zoning districts, subject to the site design standards for the district, and the specific site design standards in this section.
- B. Gasoline service stations may include the: sale of fuel, oil, lubricants, and similar products; minor repair; sale of small automotive accessories; sale of food and sundries; convenience store; restaurant drive-up windows; inspection stations for emissions; or car washes. Gasoline service stations shall not include game rooms, game arcades, major repair shops, body shops, paint shops or paint booths.
- C. Design standards for gasoline service stations are shown in Table 4.03.09. (C).

Table 4.03.09. (C). Standards for Gasoline Service Stations

Development Feature	Standard
Minimum setback from residentially zoned property for:	
Bathrooms	10 feet
All other buildings	100 feet
Safety netting for driving ranges	Required on the perimeter of the playing area abutting public streets and residentially zoned property. Minimum of 40 feet in height
Outdoor lighting for driving range, tees, greens, and fairways	Directed and shielded to avoid illumination of properties used or zoned for residential purposes. Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property. Outdoor lighting shall be turned off not later than 10:00 p.m.
Loudspeakers or paging systems	Prohibited
Outside storage and loading areas	Fully screened from view from adjacent properties and from the public right-of-way
Golf cart crossings	Shall be plainly marked and located for safety of both the cart users and persons using sidewalks or streets that are crossed.

Sec. 4.03.11. *Commercial greenhouses and plant nurseries*

- A. Greenhouses and plant nurseries are permitted in the RA, C-2, and C-3 zoning districts subject to the site design standards of the district and the supplemental standards set forth in this section.
- B. Greenhouses and plant nurseries in the RA zoning district shall only sell plants grown on-site.
- C. Site design standard for greenhouses and plant nurseries are provided in Table 4.03.11. (C).

Minimum side and rear yard setback	100 feet
Emergency vehicle access	Shall not face residentially zoned properties

Sec. 4.03.13. *Radio and television stations (Reserved)*

Sec. 4.03.14. *Mass assembly centers and grounds (fairgrounds, outdoor amusements, amphitheaters, convention centers, civic centers, rodeos, armories, places of worship and athletic fields)*

A. Fairgrounds, outdoor amusements, amphitheaters, civic centers, convention centers, rodeos and armories may be approved as a conditional use in RA, MUND, C-2, C-3, M-1 and M-2. Such facilities shall meet the site design requirements of the applicable zoning district and the additional site design standards set forth in this section.

B. Fairgrounds, outdoor amusements and amphitheaters at which activities occur primarily out of doors shall also meet the site design standards of Table 4.03.14. (B).

Table 4.03.14. (B). Standards for Fairgrounds, Outdoor Amusements and Amphitheaters

Development Feature	Standard
Minimum setback for buildings	
Abutting residential zoning districts	200 feet
Abutting nonresidential zoning districts	100 feet
Minimum setback for outdoor stage or performance area	
Abutting residential zoning districts	600 feet
Abutting nonresidential zoning districts	200 feet
Minimum setback for parking lots and access	200 feet

1. Outdoor amusements may be freestanding, or two (2) or more amusements may be combined on a unified development site.
2. Outdoor amusements may include accessory uses, such as snack shops or food stands, gift shops, ice cream stands, or similar uses, provided that such uses are not open to the public without entrance to the outdoor amusement.
3. Site design standards for outdoor amusements are shown in Table 4.03.14. (C).

Table 4.03.14. (C). Standards for Outdoor Amusements

Development Feature	Standard
Minimum land area	2 acres
Minimum setback for buildings	
Abutting residential zoning districts	200 feet
Abutting nonresidential zoning districts	100 feet
Minimum setback for parking lots and access drives, when abutting residential zoning districts	100 feet
Minimum buffer	1.5 times the buffer specified in Sec. 5.02.00, plus a fence or wall
Lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Loudspeakers or paging systems	Designed, installed, and used such that they are in accordance with the City Noise Ordinance
Outside storage and loading areas	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 200 feet from any residentially zoned property

Loudspeakers or paging systems	Designed, installed, and used such that they are in accordance with the City Noise Ordinance
Outside storage and loading areas	Fully screened from view from adjacent properties and the public right-of-way Setback a minimum of 100 feet from residentially zoned property
Vibration or electromagnetic interference	Shall not be detectable on adjacent properties

- E. Places of worship and similar religious facilities. Religious facilities, together with specified accessory uses and structures, are permitted in the MUND, OI, C-1, C-2, and C-3 zoning districts subject to the standards of the zoning district. An approved conditional use is required for religious facilities within the M-1 and M-2 zoning districts, subject to the standards of the zoning district and in accordance with subsection 4.01.03, appearance standards for commercial and industrial buildings. Ancillary and accessory uses for places of worship and religious facilities are permitted within the M-1 and M-2 zoning districts, subject to supplemental standards. Religious facilities, together with specified accessory uses and structures, may be permitted as a conditional use in the RA, R-1, R-2, R-3, RS, RD, RM, and RMH zoning districts, subject to the standards of the district and the supplemental standards set forth in this section. Site design standards for places of worship and similar religious facilities are provided in Table 4.03.14. (E).

Table 4.03.14. (E). Site Design Standards for Places of Worship and Similar Religious Facilities

Development Feature	Standard
Minimum site area, including structures and associated parking	2 acres
Road frontage	200 feet
Buffers (sides and rear)	20 feet
Building materials	Brick, stone, stucco, glass, cement fiberboard or masonry

3. Child day care center, adult day care center, preschool, or child nursery uses are allowable accessory uses, subject to the following standards:
 - a. The total floor area allocated to the child day care center, adult day care center, preschool, or nursery uses shall not exceed fifty (50) percent of the total floor area on the site. The calculation of total floor area allocated to the uses shall be cumulative and shall include all child day care, adult day care, preschool, nursery facilities, and related mechanical and support facilities.
 - b. An off-street drop-off area for persons served by the facility shall be provided. The entrance and vehicle drop-off points shall not be located on a street providing primary access to residences, unless such street is classified as a collector or arterial.
4. Private academic schools are allowable accessory uses subject to the following standards:
 - a. The total floor area allocated to the school shall not exceed fifty (50) percent of the total floor area on the site. The calculation of total floor area allocated to the school shall include all classrooms, school library, school offices, teacher work areas, and the like, including related mechanical and support facilities.
 - b. Notwithstanding subsection 4.03.14.E.5, the total floor area allocated to the school may exceed twenty (20) percent of the total floor area on the site, provided that the area allocated to the school meets the requirements of Sec. 4.03.22.
 - c. The entrance and vehicle drop-off points for students shall not be located on a street providing primary access to residences, unless such street is classified as a collector or arterial.
5. A fellowship hall is an allowable accessory use, provided that the total floor area allocated to the fellowship hall, including related mechanical and support facilities, shall not exceed thirty-five (35) percent of the total floor area on the site.
6. One (1) dwelling unit to serve as a parsonage may be established, subject to the following standards:
 - a. The lot area within the parcel developed for religious uses and facilities to be devoted to the dwelling unit ("parsonage lot") shall have a minimum area of be eight thousand (8,000) square feet. The parsonage lot shall be used exclusively for the dwelling unit, and shall not include any primary or other accessory use allowable on the site. The parsonage lot shall not be used for any support activity to the primary or accessory uses, such as outdoor play areas, storage or parking, other than as specifically provided for herein.
 - b. Maximum lot coverage for the parsonage lot shall be thirty-five (35) percent.

Building setbacks	50 feet from all property lines
Lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Loudspeakers or paging systems	Designed, installed, and used such that they are in accordance with the City Noise Ordinance
Parking lot design	Aisles may be paved. Spaces may be paved, grass, dirt, or gravel

Sec. 4.03.15. *Mines and quarries*

- A. Development of natural resources, including removal of minerals and other natural materials, together with necessary buildings and machinery, is allowed in the M-2 zoning district, subject to applicable law and the supplemental standards of this section.
- B. Where an existing quarry is proposed for extension or expansion beyond the property lines of the quarry area, such extension or expansion shall be considered as a new operation, subject to the standards set forth in this section.
- C. The area where mining or quarrying operations are conducted shall be fully enclosed with a fence or wall.
 - 1. The fence or wall shall be located at least ten (10) feet from the edge of any excavation.
 - 2. The fence or wall shall be designed and installed to ensure safety and security of the site, and to prevent entrance to the site by animals and unauthorized persons.
- D. Product piles, spoil piles or other accumulation of by-products shall not exceed thirty-five (35) feet in height above the original contour of the site.
- E. Roads within the excavation site shall be surfaced with a dust-free material.
- F. A mining land use plan, conforming to the requirements of federal and state law, shall be required prior to approval of any mining or quarrying activity.
- G. Applications for approval of new mines or quarries or the expansion or extension of mines or quarries shall comply with the procedures set forth in Chapter 12. Applications shall demonstrate compliance with all state and federal laws and regulations applicable to mines and quarries.

E. The site design standards for a Manufactured Home Park are set forth in Table 4.03.16. (E).

Table 4.03.16. (E). Site Design Standards for Manufactured Home Parks

Development Feature	Standard
Minimum site area	25 acres, excluding floodplains and other land not suitable for development
Site location	Arterial street
Minimum site width	200 feet
Minimum recreation or open space area	10 percent of the gross site acreage
Lot identification	A marker is required at each corner
Lot location	Abutting a paved street
Minimum lot area	14,520 square feet
Minimum lot width (measured at pad location)	60 feet
Minimum setbacks on lots	
Front yard	40 feet
Side yard	10 feet
Rear yard	20 feet
From a street within the park	25 feet
From a federal or state highway	200 feet
From the exterior park boundary	40 feet

F. Standards applicable to manufactured homes and mobile homes within a park are set forth in Table 4.03.16. (F).

Table 4.03.16. (F). Standards for Manufactured and Mobile Homes within Parks

Development Feature	Standard
Manufactured home construction requirements	Documented compliance with the National Manufactured Housing Construction and Safety Act
Mobile home construction requirements	Documented compliance with the National Mobile Home Construction and Safety Act Only homes built after June 15, 1976, shall be allowed
Manufactured home installation requirements	Compliance with Chapter 120-3-7 of the Rules and Regulations of the Office Commissioner of Insurance — Safety Division, State of Georgia or per the manufacturer requirements
Additions	Shall not encroach into required open spaces; building permits required
Screening of undercarriage (skirting)	Required, using approved construction materials Installed within 60 days of manufactured home set-up

G. Structural requirements for manufactured homes in parks.

1. Each manufactured or mobile home unit shall be installed in compliance with the manufacturer installation requirements or with Chapter 120-3-7 of the Rules and Regulations of the Office of Commissioner of Insurance — Safety Fire Division.
2. The manufactured or mobile home unit shall be installed true and plumb.

H. Requirements for utilities in a park.

1. Each park shall be served by central water, sanitary sewer, electricity, gas (if available), and a central television antenna system or cable.
2. All utilities shall be located underground.
3. Each manufactured or mobile home shall be connected to public water and sanitary sewer facilities that comply with City or County requirements.

- D. Accessory uses and structures permitted in the recreational vehicle park include management headquarters, recreational facilities, showers, coin-operated laundry facilities, and other uses and structures customarily incidental to operation of a recreational vehicle park. Standards for accessory uses are presented in Table 4.03.17. (D).

Table 4.03.17. (D). Standards for Accessory Uses in Recreational Vehicle Parks

Development Feature	Standard
Minimum site area, including structures and associated parking	10 percent of gross area of park
Use of accessory structures	Limited to park tenants
Storage of unoccupied units	Fully enclosed by a solid fence, solid wall, or opaque buffer

- E. Site design standards for recreational vehicle parks are set forth in Table 4.03.17. (E).

Table 4.03.17. (E). Site Design Standards for Recreational Vehicle Parks

Development Feature	Standard
Minimum site area	5 acres
Maximum density	5 RV lots per gross acre
Minimum lot width of entire site	300 feet
Access	Prohibited through residential zoning districts
Minimum front yard setback for entire site	50 feet from public right-of-way
Minimum lot width for individual lot(s) on the site	20 feet

Minimum site area	2 acres (not in a subdivision)
Minimum setbacks, side and rear yards	50 feet
Place of operation	Single-family home, freestanding structure, or within a religious facility
Number of children or adults	More than one
Hours of operation	Any time over 8 hours (24-hour supervision)
Parking	One standard off-street parking space per one bedroom shall be provided (See Table 8.02.05. (D))

Sec. 4.03.19. *Personal care homes*

- A. Personal care homes are permitted in all residential zoning districts and subject to the standards of the district and the supplemental standards in this section. An approved conditional use is required for all non-home occupation care homes, except in the RA zoning district a four (4)-client personal care home is permitted without an approved conditional use. An approved conditional use is required for more than four (4) clients in the RA zoning district.
- B. Home occupation personal care homes shall be limited to the provision of care and supervision to not more than three (3) persons and shall comply with the standards set forth in Sec. 7.01.00.
- C. A state license is required for all personal care homes in accordance with O.C.G.A. § 31-7-12.

Sec. 4.03.20. *Roadside produce stands*

- A. A roadside produce stand is permitted in the RA zoning district, subject to the site design standards of the district, and the standards of this section.
- B. Roadside stands are allowable for the sale of vegetables, fruit, produce, eggs, or other agricultural products grown on the premises. Agricultural products shall not include poultry or livestock.
- C. Roadside and produce stands shall meet the site design standards in Table 4.03.20. (C).

Table 4.03.20. (C). Standards for Roadside Produce Stands

Screening (fence) required	Solid wall or solid fence
Minimum height	6 feet
Minimum setback	100 feet from all property lines
Storage of salvaged or junk materials	Shall not exceed the height of the fence or wall
Buffers	40 feet on all property lines

C. Sanitary landfills shall not be permitted.

D. Wrecker services (with storage area) are permitted in the M-1 and M-2 zoning districts, subject to the standards of the district and the supplemental standards of this section. An approved conditional use is required in the aforementioned zoning districts.

E. The site design standards for wrecker services (with storage area) are set forth in Table 4.03.21. (E).

Table 4.03.21. (E). Standards for Wrecker Services (with storage area)

Development Feature	Standard
Minimum lot size	2 acres (if zoned M-1) 1 acre (if zoned M-2)
Screening requirements for storage area Minimum height	Solid wall or solid fence 6 feet
Placement	Behind the rear drip line of the office/primary structure.
Minimum buffer	10 feet wide for any portion of property adjacent to residential or commercially zoned property.
Storage of vehicles	Towed vehicles shall be stored within an enclosed secured area not accessible to the public. No wrecked vehicles shall be stacked within the storage area.

Outdoor lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Drop-off and pick-up areas	Designed and located away from residential areas Separated from parking areas

Sec. 4.03.23. Self-service storage facilities

- A. Self-service storage facilities, also called mini-storage or self-storage, are permitted in the C-3, M-1, and M-2 zoning districts, subject to the standards of the zoning district and the supplemental standards set forth in this section.
- B. The following activities or uses are prohibited on the grounds or within the buildings of self-service storage facilities:
 - 1. Wholesale sales;
 - 2. Retail sales, including garage sales, or other commercial activities;
 - 3. Manufacturing, fabrication, processing, or other industrial activity;
 - 4. Service or repair of vehicles, engines, electronic equipment or similar activities;
 - 5. Rehearsal or practice of musical instruments;
 - 6. Residential and office uses.
- C. Notwithstanding the limitations described in subsection 4.03.23.B, above, the following activities may be conducted:
 - 1. Rental of storage bays.
 - 2. Truck rental business, limited to a maximum of twenty-five (25) percent of the gross site area.
 - 3. Sales of boxes or goods related directly to the operation of a self-service storage facility.
 - 4. Sales by the owner or manager of the facility of abandoned items for reclamation of rental costs.
- D. Except as specifically provided in this section, all property stored on the site shall be entirely within enclosed buildings.
- E. Storage of flammable liquids, highly combustible or explosive materials, or hazardous waste or chemicals is prohibited.

	public right-of-way
Outdoor lighting Adjacent to residentially zoned districts	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property. Maximum height of 15 feet
Loudspeakers and paging equipment	Prohibited

H. The design standards presented in Table 4.03.23. (H) are required for self-service storage buildings:

Table 4.03.23. (H). Building Design Standards for Self-Service Storage Facilities

Development Feature	Standard
Building separation (2 or more buildings on the site)	12 feet
Overhead access doors	Shall not be visible from residentially zoned property, commercially zoned property, or the public right-of-way
Storage bays	
Minimum size	4 feet by 4 feet (16 square feet)
Maximum size	20 feet by 80 feet (1,600 square feet)
Maximum building height, including all roof-mounted air conditioning and other equipment	35 feet
Exterior facade	Fully consistent with color, materials, and design of buildings in the surrounding area Metal exterior walls are prohibited
Roof design	Type of roof, roof line, and roofing materials shall be

3. The maximum traffic lane width shall be forty (40) feet.
4. Traffic flow patterns, directional signage, and painted land markings with arrows shall also be clearly marked.
5. In order to ensure appropriate access and circulation by emergency vehicles and equipment, the turning radii of the aisle ways shall be approved by the development director at preliminary plan review.
6. There shall be no aisle ways or other vehicular access ways located in the buffer area or within the designated rights-of-way.

K. The standards set forth in Table 4.03.23. (K) are required for landscaping.

Table 4.03.23. (K). Landscaping Standards for Self-Service Storage Facilities

Development Feature	Standard
Location	Inside the fenced area Designed, placed, and maintained so as not to interfere with traffic visibility
Width	15 feet on all street frontages Side and rear yard landscaped areas maintained in natural state to the maximum extent possible
Amount of landscaping	15 percent of the site
Plant materials	Selected from lists in subsection 5.01.04
Trees	1 medium or small tree per 20 linear feet
Height at planting	8 feet, 1 shrub per 24 inches
Hedges	24 inches in height at planting

Sec. 4.03.24. *Truck stops*

Sec. 4.03.25. *Airstrips, airports and helicopters [heliports]*

- A. Airstrips, airports and helicopters [heliports], other than private airstrips and helicopters [heliports] within a residential fly-in neighborhood), are permitted in the M-1 and M-2 zoning districts. Those properties zoned RA (Residential Agricultural) outside of a subdivision, shall be required to obtain a Conditional Use Permit and meet the following minimum standards:
1. Minimum acreage shall be fifteen (15) acres.
 2. An undisturbed vegetative buffer shall be provided along all property lines that abut property with a residential zoning classification, except where prohibited to provide access or utility easements. The purpose of the buffer shall be to screen sight or sound of activities from adjacent and nearby residential neighborhoods. The buffer shall be a minimum of one hundred feet (100') in width. Should the property lack existing vegetation, a detailed landscaped plan shall be submitted and approved by the Development Plan Review Department, prior to the submittal of a Conditional Use Application, and shall conform to the plant material requirements and specifications set forth in subsections 5.01.04 and 5.02.04. Existing vegetation within the buffer area should be preserved and enhanced where insufficient to provide adequate screening, but not in excess of that which is required under Sec. 5.02.00.
 3. The landing strip/runway shall not be paved. The use of permeable or pervious pavement materials shall be allowed.
 4. The private airstrips, airports and helicopters [heliports] shall adhere to all applicable laws and regulations of the Georgia Department of Transportation (GDOT) and Federal Aviation Administration (FAA).
 5. No commercial activities shall be allowed or permitted with any approved Conditional Use. The following uses are prohibited: flight instruction, aircraft storage (other than hangars for use by the property owner), aircraft maintenance (other than by the property owner), aircraft fueling (other than for use by the property owner), and other similar commercial airport activities.
 6. Only one (1) airstrip per Conditional Use Permit shall be allowed.
 7. A maximum of two (2) airplane hangars may be allowed even in the absence of a primary structure to any approved Conditional Use. Any hangars in excess of two (2) shall be required to obtain separate approval from the Mayor and Council, by the filing of a separate application.
 8. All hangars constructed shall be required to obtain a permit and approval from the development director and shall comply with any and all development and building regulations and standards.

The regulations below are intended to allow for a more efficient use of large, older homes in residential areas if the neighborhood character is reserved to maintain both the residential neighborhood experience and the bed and breakfast experience. These regulations enable owners to maintain large residential structures in a manner that keeps them primarily in residential uses and provides an alternative form of lodging for visitors who prefer a residential setting. An approved conditional use is required for all bed and breakfast facilities within the RA zoning district.

- A. The dwelling must be a minimum of ten (10) years old before a bed and breakfast facility is allowed. The individual or family operating the facility must occupy the house as their primary residence.
- B. Bed and breakfast facility may have nonresident employees for such activities as booking rooms and food preparation. Hired services for normal maintenance, repair and care of the residence such as yard maintenance are also permitted.
- C. The following functions are permitted: luncheons, banquets, parties, weddings, meetings, charitable fundraising, commercial or advertising activities, or other gatherings for direct or indirect compensation.
- D. The site design standards set forth in Table 4.03.28. (D). are required for bed and breakfast facilities (not in a subdivision).

Table 4.03.28. (D). Standards for Bed and Breakfast Facilities

Development Feature	Standard
Maximum number of bedrooms	Six (6)
Maximum floor area of primary structure	50 percent
Outdoor lighting	Exterior lighting shall be downcast of moderate brightness and shall not cause glare on any abutting property
Drop-off and pick-up areas	Designed and located away from residential areas Separated from parking areas

Sec. 4.03.29. *Boarding and rooming houses*

required construction documents shall include a notation specifying "Age-Restricted Adult Housing: Shall Follow Section 4.03.30."

- A. Unit type allowed:
 - 1. Only single-family detached units may be allowed in RA, R-1, R-2, R-3, and RS districts;
 - 2. Only two-family units may be allowed in RD district;
 - 3. Only multifamily units may be allowed in RM district.
- B. The development shall have a minimum of twenty (20) dwelling units.
- C. The maximum net density shall meet the future land use plan requirements.
- D. At least forty (40) percent of the gross site area shall be open space. The open space shall provide amenities such as pathways, seating areas, and recreation areas for residents. The open space shall be protective of natural features.
- E. At least one (1) on-site community building or interior community space shall be provided which contains a minimum of the following heated floor area:
 - 1. Twenty (20) square feet of heated floor area per dwelling unit for the first ninety nine (99) units with a minimum of five hundred (500) square feet, and
 - 2. Ten (10) square feet of heated floor area per additional dwelling unit.
- F. For phased development; open space, recreational facilities, and other accessory facilities shall be provided in each phase to meet the requirements as stated herein of the residents of each phase. The developer shall provide a schedule for the installation of facilities at the time of the first permit approval.
- G. At the time of the first permit application, the developer shall establish how the age restrictions will be implemented and maintained over time. If the development is anything other than a rental community under single ownership, a common entity such as a condominium association or a homeowners association shall be established to maintain and enforce the age restrictions in addition to City of Stockbridge enforcement of zoning regulations.
- H. All open space, common areas, and related improvements shall be fully accessible and shall be managed and maintained by the owner of the development or a common entity such as a condominium association, or a homeowners association.
- I. Any structure within the development may be fully accessible; however, the minimum standards of this section shall be met. The development shall incorporate universal design features as follows. The application shall include descriptions of the universal design features of proposed dwellings to demonstrate their appropriateness for the age-restricted population.

eight (48) inches above the floor. Such wall-mounted devices shall be of a contrasting color with the wall.

Sec. 4.03.31. *Industrialized and modular buildings*

- A. Modular and industrialized buildings within nonresidential zoning districts: OI, C-1, C-2, C-3, MUND, M-1 and M-2 are permitted subject to the standards of the district and the supplemental standards set forth in this section, and must receive architectural design approval from the development director.
- B. Industrialized and modular buildings shall not be utilized for residing in or any other residential purpose.
- C. The site design standards set forth in Table 4.03.31. (C) are required for industrialized and modular buildings in all nonresidential zoning districts.

Table 4.03.31. (C). Standards for Industrialized and Modular Buildings

Development Feature	Standard
Building materials - decorative facing (where facing on a public street)	Brick, stone, stucco, masonry, wood or any combination thereof, including glass; aesthetically pleasing facade Shall be maintained on portions of the building which face on all public streets
Window treatments	Consistent with decorative facade design, considering materials and color
Screened from public right-of-way	Mechanical equipment, electric meter and service components, and similar utility devices (ground level, wall/roof-mounted)
Screening Techniques	
Ground level	Landscaping sufficient to block the view from public rights-of-way
Brick, wood or masonry, etc.	Building materials to be the same as the predominant exterior of the principal building on the site

Maximum accessory building height	25 feet
Access requirements	Paved collector road
Buffers (sides and rear)	20 feet
Hours of operation	7:00 a.m. to 8:00 p.m.
Parking	Aisles may be paved Spaces may be paved, grass, dirt, or gravel

- D. The City of Stockbridge may require additional restrictions as conditions of approval, such as, but not limited to, more restrictive hours of operation, number of classes per day and/or students per session.

Sec. 4.04.00. Reserved.

CHAPTER 7. STANDARDS FOR ACCESSORY AND TEMPORARY USES

Sec. 7.00.00. Generally

Sec. 7.01.00. Home occupations

Sec. 7.02.00. Accessory structures

Sec. 7.03.00. Temporary structures and uses

Sec. 7.04.00. Reserved

Sec. 7.05.00. Reserved

Sec. 7.00.00. Generally

The provisions of Chapter 7 apply to accessory uses, accessory structures and temporary uses. Home occupations are considered accessory uses to residential development. Standards for home occupations are set forth in Sec. 7.01.00. Standards pertaining to accessory structures are set forth in Sec. 7.02.00. Standards for temporary structures and uses are set forth in Sec. 7.03.00.

Sec. 7.01.00. Home occupations

Sec. 7.01.01. *Permitted home occupations requirements*

A. A home occupation as defined by this chapter is permitted subject to the following requirements:

1. Only the residents of the dwelling may be engaged in the home occupation.
2. The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the residential character of the building.
3. No display of products shall be visible from the street except agricultural products grown on the premises in RA (residential agricultural) zoning district. Only products produced on the premises may be sold on the premises.
4. No signs shall be allowed for identifying the premises as a home occupation, provided, however, that nothing in this section shall be construed as limiting the right to install or maintain a sign in accordance with other provisions of the city code.
5. Use of a dwelling for a home occupation shall not exceed twenty-five (25) percent of one (1) floor.

11. Only passenger vehicles, pickup trucks, vans, and trailers pulled by such vehicles may be used in connection with the management of a home occupation. Trailers shall be stored in a garage or accessory structure when not in use, and no vehicle or trailer shall feature commercial advertising or marks identifying a commercial use of said vehicle.
12. Beauty shops, barber shops, manicurists and similar services conducted as home occupations shall be limited to two (2) chairs (stations) and one (1) shampoo chair (station).
13. No more than two (2) non-transient guests may be boarded at any one time as a home occupation.
14. The following and similar uses shall be considered home occupations, provided they follow the minimum standards described in this section: attorney, addressing service, art instruction, beauty and barber shop, dentist, doctor, drafting and surveying, dress making, insurance agent, manufacturers' representative, music teacher, notary public, photographer, real estate agent and consultant.
15. All home occupations shall obtain an occupation tax certificate, or business license, from the City. The City Clerk is hereby authorized to accept applications and either grant the same, if an applicant demonstrates compliance with the requirements of this section, or refer the matter to the mayor and council for action.
16. Agricultural activities associated with the raising of crops and farm animals on properties over three (3) acres in size shall not be subject to the requirements for home occupations.
17. The City reserves the right to establish sanitation rates for home occupations that are higher than those for residential customers generally. All home occupations shall pay for sanitation services at the higher rate, and in a timely manner, or face revocation of a previously-issued occupation tax certificate, denial of the rights to engage in a home occupation in the future, or any other civil penalties authorized by law.

B. Family day care centers prohibited.

Family day care centers as defined in this ZONING CODE shall hereafter be strictly prohibited within the city of Stockbridge.

Table 7.02.01 (D). Dimensional Standards for Accessory Structures

Design Feature	Standard
Setbacks	
From side and rear property lines	10 feet
From corner lots	See Sec. 4.01.02.D
From recorded easements for drainage, sanitary sewer and other utilities	Prohibited within easements
Maximum height	
<ul style="list-style-type: none"> ▪ Agricultural support structures, barns, and silos 	None
<ul style="list-style-type: none"> ▪ Within platted subdivisions in RA 	25 feet
<ul style="list-style-type: none"> ▪ Airplane hangars 	35 feet
<ul style="list-style-type: none"> ▪ All other RA developments 	35 feet
<ul style="list-style-type: none"> ▪ All other districts 	25 feet
Separation from principal building	10 feet
Maximum floor area	
On parcels, greater than one acre and located in the RA zoning district outside of a subdivision	No limitation
In RA subdivisions	50% of heated space
All other zoning districts	50% of the heated floor space of the primary dwelling

- F. Freestanding accessory dwellings in the M-1 and M-2 zoning districts shall comply with the following standards:
1. No more than one accessory dwelling shall be established on any single development site;
 2. Accessory dwellings shall be used by a caretaker or security person for the industrial development; and
 3. Accessory dwellings shall not exceed a floor area of 1,500 square feet.

Sec. 7.02.03. *Fall-out shelters*

- A. Fall-out shelters are permitted as an accessory use in any zoning district.
- B. Shelters shall be maintained so as not to become a hazard or blight to the community.
- C. One fall-out shelter shall be permitted per lot.
- D. A fall-out shelter shall comply with the setback requirements pertaining to the zoning district.
- E. A joint shelter may be built to serve two adjacent lots provided an administrative waiver is granted (see Sec. 11.03.00. C).

Sec. 7.02.04. *Fences and walls*

A. Applicability. This section shall apply only to any development, except residential unless the residential development requires final plat approval, even if the final plat has not been approved as of the effective date of the ordinance codified in this section.

B. Definitions. For purposes of this section, the following terms shall have the meaning prescribed, unless the context clearly indicates otherwise.

"City" means the city of Stockbridge, Georgia.

"Development" means any land change that includes the construction of buildings or other structures made suitable for commercial, industrial, institutional or residential purposes, except residential uses for which a final plat has been approved prior to the effective date of the ordinance codified in this section.

"Fence" means any structure, including walls, constructed or erected to provide a barrier, either physical or visual, for the purpose of protecting property, providing for security and privacy, and properly containing activities on the property.

C. General Standards.

1. Temporary fences shall not exceed six feet (6') in height if located within any setback area.
2. No signs shall be attached to any temporary fence.

F. Enforcement.

1. The City is responsible for the enforcement of this section.
2. If a suspected violation is reported, it will be investigated by the code enforcement officer.
3. If it is determined that a violation has occurred, the city shall notify the property owner of the violation as well as the steps that should be taken to correct the violation.
4. If the property owner does not agree to take immediate action to correct the violation, the city shall take any action as provided by law, including the issuance of a citation, to promptly and properly correct the violation.
5. A property owner may request a variance as provided in Sec. 11.02.00.
6. If a fence legally exists at the time of the enactment of the ordinance codified in this chapter, it shall continue to be allowed to exist as a nonconforming use, but must still be properly maintained.
7. If a nonconforming fence is substantially damaged or is allowed to fall into a state of disrepair, it shall be required to either be removed or brought into conformance with this section.
8. No nonconforming fence shall be extended in any way except as permitted by this chapter.

G. Penalties.

1. A violation of this article shall constitute a misdemeanor punishable by a fine of up to one thousand dollars (\$1,000.00) and/or a sentence of up to thirty (30) days incarceration per day per occurrence. Nothing in this chapter shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violations. Replacement shall also be required.
2. Upon notice from the city manager, work on any development that is being done contrary to the provisions of this section shall immediately cease. The stop-work notice shall be in writing and shall go to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. When an emergency exists, the development director shall not be required to give written notice prior to stopping the work. Further, in the event that work on any development is being done contrary to the provisions of this section, the city manager may revoke any permit pertaining to the development activity for which the permit has been issued and may refuse to issue any further permit until, at the discretion of the city manager, the work on the development is brought into compliance with the provisions of this section.

4. The required security fence shall be installed prior to occupancy or any use of the swimming pool.
 5. No ladders shall be affixed to a pool for purposes of entry or exit while self-closing positive latch entrance gates are open.
 6. All security fences shall be installed with a solid and permanent foundation, which shall include fastening such materials a minimum of one foot into the ground.
 7. A security fence may include decorative materials, such as brick, wrought iron, stone, wood or masonry.
- C. Any constructed or prefabricated pool used other than in conjunction with a private single family residence shall be deemed a public swimming pool.
1. Public pools, including, but not limited to, those built and operated by a public agency, or as part of a multiple family residential development, a subdivision association, a two-family residential development, a condominium association or a private club shall be enclosed by a security fence of not less than five feet in height.
 2. Security fences shall be transparent and shall not include privacy fences or fences that obstruct the view of the pool from the outside.
 3. Security fencing and gates shall comply with the standards in subsection 7.02.07.B., above.
 4. Swimming pools shall comply with the standard setback requirements of the zoning district in which the property is located.

Sec. 7.02.08. Employee support facilities in the OI, C-1, C-2, C-3, M-1, and M-2 zoning districts

- A. The following facilities may be allowed to serve employees of the principal establishment: child day care facilities; cafeterias, restaurants, coffee shops, delis or dining rooms; newsstands; fitness centers or similar recreation facilities; and banks.
- B. The facility shall be an integral part of a permitted principal use and shall be located, oriented and designed to serve the employees of the principal use.
- C. Employee support facilities may be located within the principal building on the site, and shall meet the following standards:
 1. Any individual facility listed in paragraph A., above shall be limited to 10 percent of the total floor area of the principal building(s) on the site.
 2. The cumulative total floor area for all employee support facilities shall not exceed 25 percent of the total floor area of the principal building(s) on the site.

signed by the building official within 10 business days. All extension approvals will be subject to a fifty-dollar (\$50.00) renewal fee as established from time to time. Permission for a greater extension of time beyond the one-year period may only be granted by the Mayor and Council in regular public session. An application to appear before the Mayor and Council shall be on forms provided by the development director and shall be accompanied by a fee as established from time to time.

- C. Temporary offices to be used for administrative functions during construction may be located on a construction site. The proposed construction building shall meet tie-down requirements for mobile home structures, and have a current contract for sewage pump-out. Construction buildings shall be removed within 30 days of completion of the construction site for which they are permitted.
- D. On-site outdoor storage of equipment and construction materials shall be allowed during the period of construction.
- E. Portable toilet facilities shall be allowed, provided applicable industry hygiene standards are maintained.
- F. Construction and demolition debris dumpsters are allowed, provided an active building permit is maintained. Such dumpsters shall be removed within 10 calendar days of issuance of a C.O. or expiration of the building permit. Dumpsters are not required to be screened;
- G. A temporary office that meets parking, handicapped and landscape requirements shall be allowed. A temporary office may be used for sales functions or sales offices, allowing for the sale, resale or marketing of dwellings, structures or property within the development in which it is located, or adjacent developments under the same ownership and control; and
- H. On-site temporary use of structures and equipment for the building of roads, public utilities and government projects shall be allowed.

Sec. 7.03.02. Reserved

Sec. 7.04.00. Reserved

Sec. 7.05.00. Reserved

CHAPTER 8. INFRASTRUCTURE IMPROVEMENTS

Sec. 8.00.00. Generally

Sec. 8.01.00. Reserved

Sec. 8.02.00. Off-street parking and loading requirements

Sec. 8.03.00. Reserved

Sec. 8.04.00. Standards for stormwater management

Sec. 8.00.00. Generally

The purpose of this chapter is to establish standards and requirements for certain infrastructure.

Sec. 8.01.00. Reserved

Sec. 8.02.00. Off-street parking and loading requirements

Sec. 8.02.01. *Purpose and intent*

The intent of section 8.02.00 to ensure the appropriate location and quantity of off-street parking and loading and to ensure that all developments provide adequate and safe storage and movement of vehicles consistent with generally accepted site design principles.

Sec. 8.02.02. *Applicability*

- A. Except as provided in this section, no application for a building permit shall be approved unless there is included with the plan for such building, improvements, or use, a development plan showing the required space reserved for off-street parking and loading. Occupancy shall not be allowed unless the required off-street parking and loading facilities have been provided in accordance with those shown on the approved plan.
- B. Each use of land and each building or structure hereafter constructed or established, and each addition to a structure shall provide off-street parking and loading according to the standards set forth herein.

Table 8.02.05 (D) Parking and Loading Space Standards

Use	Required Number of Parking Spaces	Per Each Unit of Measure as Follows (s.f. means square feet of gross floor area)	Required Number of Loading Spaces	Per Square Feet of Gross Floor Area
Residential Activities, Activity Code 1000				
Residential	2	Dwelling unit	None	NA
Institutional living	1	Bedroom	None	NA
Transient living	1 plus 1	Sleeping room Employee on the largest shift	1	NA
Shopping, Business, or Trade Activities, Activity Code 2000				
General retail and shopping, up to 250,000 s.f. not otherwise specified	1	150 s.f.	1 plus 1	40,000 Each additional 20,000
Grocery and other food stores	1	100 s.f. customer area	1 plus 1	10,000 Each additional 20,000
Consumer and durable goods sales establishments	1	400 s.f.	1 plus 1	40,000 Each additional 20,000
Heavy consumer goods sales establishments	1	500 s.f.	1 plus 1	40,000 Each additional 20,000
Shopping center, 250,000 s.f. to 400,000 s.f. gross floor area	1	250 s.f.	1 plus 1	40,000 Each additional

Industrial, Manufacturing, and Related Activities, Activity Code 3000				
Manufacturing, assembly, and processing plants	1 plus 1	2,500 s.f. Employee on the largest shift	1 plus 1	40,000 Each additional 60,000
Warehouse and storage service	4 plus 1	5,000 s.f. Each additional 5,000 s.f.	1 plus 1	40,000 Each additional 60,000
Salvage yards, junkyards, recycling centers, landfills	1	Employee on the largest shift	1	NA
Social, Institutional, and Infrastructure-Related Activities, Activity Code 4000				
Schools Pre-K—8th grade	1 plus 1	Employee 3 seats in auditorium	None	NA
High school	plus 1	6 students		
Libraries, museums and similar uses	1	400 s.f. of public space	1 plus 1	10,000 Each additional 30,000
Emergency response and public safety facilities	1 plus 1	200 s.f. public area Employee on the largest shift	None	NA
Medical and dental offices, clinics, and similar uses, without overnight facilities	5	Physician or dentist	None	NA
Hospitals, nursing homes, and medical uses with overnight facilities	1 plus 1	2 beds Employee on the largest shift	1 plus 1	10,000 Each additional 20,000
Funeral homes and mortuaries	1	3 seats in largest chapel	1	Each hearse or ambulance

Sec. 8.02.06. *Parking spaces for disabled individuals*

- A. All uses shall provide parking spaces designated for access by disabled individuals.
- B. Table 8.02.06 (B) presents specifications for parking for disabled individuals.

Table 8.02.06 (B). Required Parking for Disabled Individuals

Total Parking Spaces Required	Accessible Spaces Required
Up to 25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501+	2% of total required spaces

- C. Accessible spaces shall be marked on the pavement and by appropriate signage, both markings to use the universally accepted "Handicapped" symbol. Such spaces shall be located in closest proximity to major building entrances, but in no event shall such spaces be more than one hundred (100) feet from an entrance.
- D. Ramps shall meet the design standards set forth in the Georgia Accessibility Code Chapter 120-3-20 of the Rules and Regulations of the Georgia Safety Fire Commissioner.

Table 8.02.07 (H). Parking Space Dimensions

Type of Parking Space	Required Dimensions of Parking Spaces
Full-size automobile space: 45° angle	9' wide; 25' deep
Full-size automobile space: 60° angle	9' wide; 22' deep
Full-size automobile space: 90° angle	8'6" wide; 20' deep
Full-size automobile space: Parallel to walk	8'6" wide; 20' deep
Compact automobile space: 90° angle	8' wide; 19' deep
Handicapped spaces	Refer to the Georgia Accessibility Code Chapter 120-3-20 of The Rules and Regulations of The Georgia Safety Fire Commissioner

- I. There shall be provided adequate interior driveways to connect each parking space with a public right-of-way as indicated in Table 8.02.07 (I).

Table 8.02.07 (I). Parking Lot Design

Required Width of Interior Driveways and Aisles (feet)	Parking Design (degree of angle)
24	90°
18	60°
12	Parallel
12	One-way traffic: Not adjacent to parking

2. There shall be a designated pedestrian connection from all uses to the shared parking facility.
 3. The owners of developments involved shall execute a cross-access and cross-parking agreement, provided in a recordable instrument, acceptable to the City of Stockbridge. The agreement shall guarantee the joint use of a specified number of parking spaces.
 4. The number of spaces in the shared parking facility shall be determined by one (1) of the methods in subsection 8.02.08.C. below.
- C. The calculation of required spaces in a shared parking facility shall use one (1) of the two (2) methods described below:
1. A parking study may be conducted to provide evidence of the combined parking requirements of the proposed uses.
 - a. The study shall be prepared by a professional engineer with documented traffic expertise.
 - b. The study shall include estimates of parking requirements based on professionally accepted data or studies, such as from the Institute of Traffic Engineers, Urban Land Institute, or other sources acceptable to the City of Stockbridge.
 - c. Parking requirements shall be based on uses that are the same or comparable to the proposed uses. Comparability shall be determined by density, scale, bulk, area, type of activity, and location in relationship to other uses and the transportation system.
 - d. Parking requirements shall be based upon peak hours of need for each use proposed to share parking facilities. The hours of maximum, or peak, parking demand of the respective developments shall not overlap.
 - e. The study shall document the source(s) of data used to develop recommendations.
 - f. The study shall document the extent to which transportation system management and alternative forms of transportation (pedestrian and bicycle) reduce the parking requirement.
 - g. The study shall document the availability of off-site parking to meet a portion of the parking requirements. Off-site parking shall not be located more than one hundred fifty (150) feet from the uses that require parking. The study shall be accompanied by documentation to demonstrate the continued availability of the off-site parking, such as easements or other recordable instruments.
 2. Shared parking may also be determined by the following method:
 - a. Calculate the parking requirement for each proposed use, as set forth in Table 8.02.05 (D).

Sec. 8.04.02. The city shall have a perpetual nonexclusive easement over and across all access easements to the detention ponds and facilities, together with a nonexclusive easement over, above, under and through the detention pond and facilities for the purpose of the operation and maintenance of such facilities.

Sec. 8.04.03. In order to facilitate the maintenance and inspections contemplate by this section, it shall be required that all final plats submitted to the county for review shall include an unencumbered nonexclusive easement from an existing public roadway to any stormwater detention structure or pond. Those easements shall be identified upon the final plat. The access easement shall be a minimum of thirty (30) feet in width, and shall be at least graveled to accommodate the equipment necessary to clean and maintain both the easement and the structure or pond.

CHAPTER 10. BOARDS AND COMMITTEES

Sec. 10.00.00. Generally

Sec. 10.01.00. The City of Stockbridge Zoning Advisory Board

Sec. 10.02.00. Compatibility Standards Review Committee (*Reserved*)

Sec. 10.03.00. Architectural Review Committee (*Reserved*)

Sec. 10.04.00. Historic Preservation Board (*Reserved*)

Sec. 10.00.00. Generally

The boards and committees described in this Chapter 10 are established for the purpose of implementing the provisions of the ZONING CODE. These boards and committees shall have the powers and duties described herein and necessary to achieve this purpose.

Sec. 10.01.00. The City of Stockbridge Zoning Advisory Board

Sec. 10.01.01. *Creation*

The City of Stockbridge Zoning Advisory Board (ZAB) is hereby established, and shall be referred to as the Zoning Advisory Board.

Sec. 10.01.02. *Membership*

A. *Composition*

1. The ZAB shall be composed of five qualified members.
2. Each member shall be appointed by the Mayor and Council.

B. *Term of office*

1. All members shall be appointed for a term of two years. An appointment to fill any vacancy shall be for the remainder of the unexpired term of office.

C. *Removal*

Notwithstanding any provision to the contrary, a member may be removed by a majority vote of Mayor and Council.

Sec. 10.01.07. *Duties and responsibilities*

- A. The ZAB shall have the following powers and duties:
 - 1. Prepare and recommend for adoption by the City of Stockbridge a zoning ordinance or resolution and zoning map for the city. The zoning ordinance shall be contained within the ZONING CODE.
- B. All City staff shall, upon request and within a reasonable time, furnish to the ZAB such available information as the Board may require for performance of its work.
- C. Mayor and Council may refer any matter to the ZAB for study, review, and recommendation prior to the Mayor and Council rendering a final decision on the matter.

CHAPTER 11. Nonconformance, Variances, Administrative Waivers, Vested Rights, and Conditional Uses

Sec. 11.00.00. Generally

Sec. 11.01.00. Nonconforming lots, structures and uses

Sec. 11.02.00. Variances

Sec. 11.03.00. Administrative waivers

Sec. 11.04.00. Vested rights

Sec. 11.05.00. Conditional uses

Sec. 11.00.00. Generally

This chapter establishes procedures for obtaining relief from the provisions of this ZONING CODE where hardship would otherwise occur. Sec. 11.01.00 addresses hardships that may impact owners of nonconforming lots, structures or uses in the event immediate compliance with this ZONING CODE were required. Sections 11.02.00 and 11.03.00 address hardships that may occur in a particular situation due to characteristics of the land to be developed based on the site design standards of this ZONING CODE.

Sec. 11.01.00. Nonconforming lots, structures and uses

Sec. 11.01.01. *Generally*

- A. Lots, structures or uses that were lawfully established prior to adoption of this ZONING CODE, but which do not comply with the requirements set forth in this ZONING CODE, are considered legal, nonconforming lots, structures or uses.
- B. The intent of Sec. 11.01.00 is to allow such nonconformities to continue until they are removed or abandoned. The intent of this section is also to ensure that nonconformities shall not be enlarged, expanded or extended, nor be used as grounds for creating lots, or adding structures or uses prohibited in a particular zoning district.
- C. Nonconforming uses are hereby declared incompatible with uses permitted in the zoning district in which the nonconforming use is located.

1. The lot of record was established on or before the effective date of this ZONING CODE;
 2. The lot of record is held in separate ownership from adjacent lots with continuous frontage on the same street;
 3. The lot is nonconforming due to failure to meet standards for the zoning district for minimum lot area and/or minimum lot width; and
 4. The lot is developed in compliance with standards for front, side, and rear yard setbacks and building height for the zoning district in which it is located.
- B. Lots of record with continuous frontage that became nonconforming on the effective date of this ZONING CODE shall meet the following requirements prior to establishment of any use or development:
1. The lots of record consist of two or more lots, combinations of lots, and portions of lots that are in single ownership and have continuous frontage;
 2. A lot or a portion of a lot does not meet the standards of the zoning district for lot area and lot width;
 3. The combination of lots shall be considered to be an undivided parcel for the purpose of developing according to the site design standards of the zoning district;
 4. No portion of the undivided parcel shall be used or sold in a manner that does not comply with minimum lot area and minimum lot width requirements established by this ZONING CODE; and
 5. No lot shall be created that does not comply with the lot area and lot width standards of this ZONING CODE.

Sec. 11.01.03. *Nonconforming structures*

A lawfully established structure that becomes nonconforming on the effective date of this ZONING CODE may remain subject to the following conditions:

- A. The structure is only nonconforming as concerns the following site design standards:
1. Minimum lot area;
 2. Maximum lot coverage or impervious surface ratio;
 3. Maximum building height;
 4. Minimum front, side and rear yard setbacks; and

- A. Certain uses of land, buildings or structures are found to have an adverse effect on implementing the comprehensive plan. Such uses shall be discontinued following the amortization period set out in subsection 11.01.05.B. below, irrespective of the requirements for nonconforming uses set forth in sections 11.01.00. through 11.01.04., above.

- B. The following uses shall be removed or rendered conforming within the specified amortization period. The amortization period shall commence upon the effective date of this ZONING CODE.
 - 1. Fences, walls and vegetation that constitute a hazard by virtue of impairing sight distances at a curve or intersection shall be rendered conforming or removed within 60 calendar days.
 - 2. All site design standards for fencing, screening and buffering of commercial or industrial uses, as set forth in Chapter 4 of this ZONING CODE, shall be met within 60 calendar days.
 - 3. Nonconforming open storage operations, such as truck parking, automobile wrecking, salvage material storage, and similar uses, shall be rendered conforming within 60 calendar days.

Sec. 11.01.06. *Regulation of specific nonconforming structures*

A. *Mobile homes/manufactured homes*

- 1. All mobile homes located in a mobile home development shall provide documentation of compliance with the National Mobile Home Construction and Safety Act or compliance with specifications presented by the American National Standards Institute. Existing mobile homes within mobile home developments not in compliance with either of these standards shall be deemed nonconforming.
- 2. An existing, nonconforming mobile home that was lawfully permitted prior to the effective date of this ZONING CODE may be replaced with another mobile home of the same size meeting the requirement set forth in paragraph A.1., above and the requirements of this Chapter within 60 calendar days of the date of removal of the existing mobile home.

Sec. 11.02.00. Variances

Sec. 11.02.01. *Generally*

- A. A variance may be granted where owing to special conditions, a literal enforcement of the provisions of this ZONING CODE will in an individual case result in unnecessary hardship.
- B. A variance shall observe the spirit of this ZONING CODE, secure public safety and welfare, and deliver substantial justice.

- C. Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district;
- D. The variance will be consistent with the purposes and intent of this ZONING CODE, will be compatible with uses on neighboring properties, and will serve the public welfare;
- E. The extraordinary circumstances are not the result of actions of the applicant;
- F. The variance is the minimum relief that will allow the legal use of the land, building or structure; and
- G. The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district.

Sec. 11.03.00. Administrative waivers

The development director shall have the power to approve a waiver from site design and development standards of this ZONING CODE where the intent of this ZONING CODE can be achieved, equal performance obtained, and the administrative waiver would not override conditions of zoning assigned by the elected body. The authority to grant a waiver shall be limited to the following approvals:

- A. A reduction in the minimum front, side, or rear yard setbacks for a single lot, provided the following standards are met:
 - 1. The reduction is necessary due to the existence of any one of the following factors:
 - a. Geologic conditions,
 - b. Topography, or
 - c. Inability of the applicant to adhere to tree protection standards set forth in Sec. 5.03.00.
 - 2. The reduction is limited to a maximum deviation of 10 percent from the site design standard.
- B. A reduction in the parking requirements provided the following standards are met:
 - 1. The reduction is necessary due to the existence of any one of the following factors:
 - a. Geologic conditions,
 - b. Topography, or
 - c. Inability of the applicant to adhere to tree protection standards set forth in Sec. 5.03.00.
 - 2. The reduction is limited to five spaces or five percent of the total parking requirement, whichever is greater.
 - 3. The reduction does not limit the availability or location of parking required for disabled individuals.

- B. Any property that has been rezoned prior to adoption of this ZONING CODE shall meet all prior zoning conditions imposed regardless of any zoning change caused by this ZONING CODE until such time the property is rezoned.
- C. Applicant shall be vested in any permit approved prior to adoption of this ZONING CODE until the permit expires.
- D. All flag lots platted and recorded prior to adoption of this ZONING CODE shall be considered legal, nonconforming lots of record.

Sec. 11.05.00. Conditional uses

Sec. 11.05.01. *Generally*

Several of the zoning districts established by this ZONING CODE allow certain uses subject to an approval of a conditional use. The evaluation of an application for a conditional use and determination of compliance shall be the responsibility of the zoning advisory board. See Chapter 4 for uses subject to conditional use approval.

Sec. 11.05.02. *Requirements for conditional use*

The Zoning Advisory Board shall consider all of the following factors prior to making a recommendation to Mayor and Council which shall render a decision on a conditional use:

- A. The proposed use shall not cause traffic congestion or conditions that will adversely affect nearby properties.
- B. The physical conditions of the site, including topography, drainage and size and shape, are suitable for the proposed development.
- C. Adequate public facilities are available to serve the proposed use.
- D. The applicant has made a binding agreement for any specific limitations or conditions necessary to protect the public interest and assure the continued beneficial use and enjoyment of nearby properties or that no special limitations are necessary to protect the public.
- E. The conditional use with specific limitations and design features as may have been required will further the aims of the comprehensive plan and will not be unduly detrimental to nearby properties.

CHAPTER 12. ADMINISTRATIVE PROCEDURES

Sec. 12.00.00. Generally

Sec. 12.01.00. Application requirements

Sec. 12.02.00. Procedural requirements

Sec. 12.03.00. Notice requirements

Sec. 12.04.00. Appeal of zoning advisory board or administrative actions

Sec. 12.05.00. Appeals of Mayor and Council actions

Sec. 12.06.00. Enforcement

Sec. 12.07.00. Penalties

Sec. 12.00.00. Generally

Sec. 12.00.01. *Purpose*

This Zoning Code sets forth procedures for receiving, reviewing, and rendering decisions on applications for subdivisions, multifamily and nonresidential development, mixed use development, planned developments, rezoning, and all permits. This ZONING CODE also sets forth the requirements for appealing decisions, and for enforcement. The procedures and requirements set forth in this ZONING CODE shall be followed in seeking approval of any development.

Sec. 12.00.02. *Approvals required*

- A. No person shall conduct any development activity within the jurisdictional boundaries of the City of Stockbridge without first obtaining approval of a subdivision plat, development plan, construction plans, and permits to perform such activities.
- B. Permits shall only be issued for development on platted and recorded lots.
 - 1. No permits shall be issued on lots described only by metes and bounds.
 - 2. All development activities or site work conducted after approval of a subdivision plat or development plan shall conform to the specifications of the approved plans.
- C. Major changes to an approved plan, as defined below, shall require specific approval of an amended plan.
 - 1. Altering the amount and velocity of stormwater runoff from the site;

Sec. 12.00.04. *Fees required*

All fee amounts are determined and adjusted periodically by the Mayor and Council. All applications shall be accompanied by payment of application fees, as set forth in each department's fee schedule.

Sec. 12.00.05. *Procedures for conducting public hearings*

The following rules of procedure in compliance with O.C.G.A. § 36-66-5 shall govern public hearings before the Zoning Advisory Board and the Mayor and Council:

- A. Each person speaking before Mayor and Council shall identify him or herself by name, address, and state whether the applicant is owner or agent for the owner.
- B. Each applicant or other interested party who submits documents at the hearing shall have each document numbered and shall identify each document. Each document submitted shall be made a part of the official record of the hearing.
- C. Time allotted for testimony:
 - 1. Each applicant shall have ten (10) minutes to present data, evidence, and opinions pertinent to the application. A portion of this time may be saved for rebuttal.
 - 2. Persons in opposition to rezoning of property or amendment to the zoning ordinance shall have a total of ten (10) minutes to address the board. Each person shall provide the development director with his or her name and address.
 - 3. Additional time may be granted equally to the applicant and opponents at the discretion of the Mayor or the Chair of the ZAB.
- D. At the conclusion of a hearing by the Zoning Advisory Board, the board chair shall announce its decision or recommendation, as required, and instruct the development director to notify the applicant of such decision or recommendation in writing. The notification shall be made a part of the record on the date written notification is given to the applicant.
- E. At the conclusion of a hearing by Mayor and Council, the Mayor and Council may take the following actions:

1. The City is encouraged to include the public finding and comments regarding the proposed DRI project in considering actions on the application for project approval.
2. Where the project received a negative public finding and the City approves the project, the City shall notify the DCA, indicating any conditions that have been placed on the project to mitigate the negative finding.
3. The development director shall submit applications for DRI review to the DCA.

Sec. 12.00.07. In the event of any conflict between this Chapter and the adopted Subdivision Ordinance, the adopted Subdivision Ordinance shall prevail.

Sec. 12.01.00. Application requirements

Sec. 12.01.01. *Pre-application conference*

- A. The purpose of the pre-application conference is to provide an opportunity for the applicant to consult with City staff for advice and assistance prior to preparation of a preliminary plat, development plan, and zoning application. This will enable the applicant to become familiar with the approval process, required documents, inspections, the comprehensive plan, infrastructure and improvement standards adopted by the City of Stockbridge and development factors that may affect the proposed development.
- B. The intent of this ZONING CODE is that all procedural and development requirements be identified during the pre-application conference. However, no person may rely upon any comment concerning a proposed development, or any expression of any nature about the proposal, made by a participant at the pre-application conference, as a representation or implication that the proposal will be ultimately approved or rejected in any form. Additionally, failure of a participant to identify any applicable requirement or condition shall not preclude the City from requiring an applicant to comply with such requirement or condition.

The applicant shall provide the following information:

1. The City of Stockbridge application for zoning.
2. Proof of ownership.

- A. The following applications shall be reviewed and decisions rendered by the development director:
 - 1. Development plans and subdivision plats for multifamily residential, manufactured home developments, and all nonresidential development, pursuant to the requirements for base zoning districts, overlay zoning districts, subdivision plats for conventional subdivisions, conservation subdivision developments.
 - 2. Administrative waivers (See Sec. 11.03.00).
 - 3. Development permits (See Sec. 12.02.06).
 - 4. Applications for minor modifications to zoning conditions and development conditions related solely to dimensional or site design standards required by the Mayor and Council.

- B. Applications for permits pursuant to the building and technical codes shall be reviewed and decisions rendered by the building official, pursuant to the requirements set forth in the applicable building and technical codes.

Sec. 12.01.04. Applications subject to zoning advisory board action

- A. The following applications shall be reviewed by the Zoning Advisory Board and recommendations provided to the Mayor and Council.
 - 1. Rezoning of property and amendments to the official zoning map.
 - 2. Amendments to the ZONING CODE.
 - 3. Amendments to the comprehensive plan and associated future land use map.
 - 4. Variances (See Sec. 11.02.00).
 - 5. Conditional uses (See Sec. 11.05.00).
 - 6. Modifications to conditions placed on conditional uses and/or variances.

Sec. 12.01.05. Reserved

Sec. 12.01.06. Applications subject to Mayor and Council action

8. Drawings for development proposed in phases shall contain all required information for the total site, for each phase, and shall depict phase lines on the drawings.
9. All drawings shall contain the seal and signature of the licensed professional preparing the drawings and computations.

B. *Required support data and plans.*

1. All development plans shall be accompanied by a stormwater management plan meeting the requirements of Sec. 8.04.00.
3. Whenever a development proposes to disturb the regulatory floodplain, an engineering study shall be provided, in compliance with the requirements set forth in Sec. 3.01.00.
4. A landscape plan shall include sufficient information to determine whether the proposed landscape improvements are in conformity with the requirements of chapter 5, including the following:
 - a. Identification of all trees, natural features, and manmade structures that will be retained upon the site;
 - b. A description of proposed landscaping improvements and plantings, including the species, size, quantity, and location of trees, shrubs, and other landscaping materials.
5. Whenever a development contains protected open space, a management plan shall be provided, demonstrating compliance with the standards for resource and open space protection set forth in chapter 3 and in Sec. 6.02.01.
6. Whenever a development contains a floodplain or floodway, a floodplain management plan shall be provided, demonstrating compliance with the requirements of Sec. 3.01.00.
7. Applications for new or expanded mines or quarries shall provide information necessary to demonstrate compliance with state and federal laws and regulations.
8. Erosion and sediment control plans shall comply with the requirements of the Subdivision Ordinance and shall contain the following additional information:
 - a. Name and phone number of a 24-hour local contact responsible for erosion and sedimentation controls.
 - b. Activity schedule showing anticipated starting and completion dates for the project. Include the statement in bold letters that "Installation of erosion and sedimentation control measures and practices shall occur prior to or concurrent with land-disturbing activities."
 - c. Stormwater and sedimentation management systems-storage capacity, hydrologic study, and calculations, including off-site drainage areas.

2. Depiction of existing uses in adjacent areas.
3. In the case of a re-subdivision, a copy of existing plat shall be provided with the proposed re-subdivision imposed thereon.
4. Proposed name of subdivision, including unit, phase, and lines separating phases and/or units.
5. Draft of proposed deed restrictions to be imposed.
6. Zoning district of the property, including any special conditions of zoning imposed by the Mayor and Council.
7. Deed, record names, and addresses of adjoining property owners or subdivisions, along with zoning of the adjacent parcels.
8. Total area in acres and square feet.
9. Any project to be developed in phases shall provide all information for the total site and for each phase.
10. Topographic contours and vertical intervals of not more than two (2) feet when a new street is proposed.
11. Soil conditions according to U.S. Soil Conservation Service Classifications Manual.
12. Proposed density (both gross and net) and lot layout, consistent with the requirements of the future land use map of the comprehensive plan, including lot and block numbers and/or letters. Layout of all lots shall indicate building setback lines, lot dimensions, and lot area. Lots with detention ponds shall meet minimum zoning area requirements outside the area of the detention pond.
13. For mixed use projects, including development in the OI, MU, and IAC zoning districts, drawing notes shall include a table summarizing the total amount of development in each use, the percentage of the total site, net density of proposed residential development.
14. Location of existing and platted property lines, location, width, and names of all platted roads, railroads, utility rights-of-way, public areas, existing buildings or structures.
15. Show all existing and proposed easements. Show drainage easements for storm drainage pipes that cross individual lots.
16. Protected open space.
17. Depiction of natural features on the site and adjacent areas, including streams, lakes, other water bodies, wetlands, designated groundwater recharge areas, land subject to a 100-year flood hazard, including contour elevations, and geologic features, and other protected environmental features, as set forth in chapter 3, including an outline of wooded areas, vegetation, and surface drainage, together with information on methods

27. Construction plans of storm drainage systems with pipe sizes, length, grade, location of outlets, runoff and velocity calculations, etc. All storm drainage systems carrying off-site runoff shall be designed for the 100-year storm event. All storm pipes within the city right-of-way shall be approved by the city.
 28. Construction plans of water supply system with pipe sizes and location of hydrants, valves, and all appurtenances.
 29. Final contours. Street profiles may suffice in indicating cut and fill volumes; however, in many cases, final contours must be shown on the plans.
 30. Any structural practice used shall be explained and illustrated with detail drawings.
 31. Show the following notes on all plans:
 - a. A twenty-foot storm sewer and sanitary sewer easement exists along each property line and along each lot line, centered on lot lines, for future drainage and sanitary sewer lines.
 - b. All storm drains shall be extended to the rear setback line.
 - c. Grade stakes shall be set on all streets prior to any street grading. An as-built subgrade centerline profile shall be submitted and approved by City prior to the installation of curb and gutter or waterlines.
 - d. An as-built detention pond detail and revised hydro study shall be submitted to the City prior to the final approval.
 - e. All undisturbed buffers shall be field located; staked and flagged or marked with "tenzar" (or similar type fencing); and shall be submitted to the City for approval prior to grading.
- E. Applications for development plans within each watershed protection area identified and regulated in Sec. 3.01.08 shall provide the following additional information:
1. The distance of each impervious structure and surface to the nearest bank of an affected perennial stream and reservoir.
 2. The location of each perennial stream that crosses or abuts the site.
 3. The location of each public reservoir that abuts the site.
 4. The location, elevation and orientation of the 100-year floodplain on the site.
 5. A certification issued by a registered land surveyor or registered engineer verifying the location of the site as being located either within the water quality critical area, the limited development area or outside of the both areas.
 6. Location and detailed design of any spill and leak collection systems designed for the purposes of containing accidentally released hazardous or toxic materials.

of a development permit, or when grading has exceeded the area approved according to the approved plans and development permit, the permit fee amount shall be doubled. Any violations of the conditions or limitations imposed by the development permit shall also be subject to penalties provided by Sec. 12.07.00.

Sec. 12.02.04. Reserved.

Sec. 12.02.05. *Requirements for development plans for a manufactured home development*

- A. The application shall be accompanied by eight (8) copies of a development plan and a narrative report summarizing the development concept and time schedule.
- B. The development plan shall comply with the submittal requirements in Sec. 12.02.02 and shall include the following additional information:
 - 1. Details demonstrating compliance with the requirements of Sec. 4.03.16 regarding manufactured home parks and developments, including the proposed location of all lots or pads, buffers, required recreation areas, structures, and appurtenant facilities.
 - 2. If the manufactured home development is proposed as a subdivision, all information required for a subdivision plat.
 - 3. Detailed information regarding placement of all improvements, in compliance with the requirements set forth in Chapter 8.
- C. The narrative report shall include the following information:
 - 1. A summary of acres, dwelling units, and net density, as well as a statement of the number of acres devoted to buffer areas, recreation acres, and green belts, or other amenities, such as lakes, etc.
 - 2. A description of the phases under which construction shall be programmed, depicting the geographical limits of each phase of construction.
 - 3. A draft of the proposed rules and regulations that shall be established and enforced by management if the development is a mobile home park.
 - 4. A draft of the text of covenants running with the land which shall be binding on the applicant and/or any future owner of the property so long as the property is used as a mobile home development, which shall provide for perpetual upkeep and maintenance in a clean and healthy state, all grass, lawns, shrubbery, trees, recreation areas, and other natural amenities of the property including buffer zones. Said covenants shall be drawn to the satisfaction of, and subject to approval of the City of Stockbridge, and the City of Stockbridge shall be made a party thereto having full powers of enforcement at law or equity or otherwise. Upon approval by the City attorney, said covenants shall be recorded

Applications for permits for any land-disturbing activity for any development shall meet the general requirements for all applications, shall include an erosion and sedimentation control plan as required in subsection 12.02.01.B.8, and the following additional information:

1. In addition to the local permitting fees, fees shall also be assessed pursuant to O.C.G.A. § 12-5-23(5)(a), provided that such fees shall not exceed eighty dollars (\$80.00) per acre of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land-disturbance permit. In a jurisdiction that is certified pursuant to O.C.G.A. § 12-7-8(a), half of such fees levied shall be submitted to the division; except that any and all fees due from an entity which is required to give notice pursuant to O.C.G.A. § 12-7-7 shall be submitted in full to the division, regardless of the existence of a local issuing authority in the jurisdiction.
2. Approval by the Henry County Soil and Water Conservation District (district). Immediately upon receipt of an application and plan for a permit, the City shall refer the application and plan to the district for its review and approval or denial concerning the adequacy of the erosion and sedimentation control plan. The district shall approve or denial a plan within thirty-five (35) calendar days of receipt. Failure of the district to act within thirty-five (35) calendar days shall be considered an approval of the pending plan. The results of the district review shall be forwarded to the City. Such review shall not be required if the City and the district have entered into an agreement which allows the City to conduct such review and approval of the plan without referring the application and plan to the district.
3. Identification of any violations of previous permits, the requirements of Sec. 8.05.00, or the Erosion and Sedimentation Act, as amended, within three (3) years prior to the date of filing of the application under consideration.
4. Proof of irrevocable letter of credit.
5. Proof of payment of all ad valorem taxes levied against the property.
6. No permit shall be issued by the development director unless the erosion and sedimentation control plan has been approved by the district and the development director has affirmatively determined that the plan complies with the requirements of Sec. 8.05.00. If a letter of credit is required, the permit shall not be issued until the requirements regarding the letter of credit have been satisfied.
7. If the permit is denied, the reason for denial shall be furnished to the applicant.
8. If the tract is to be developed in phases, then a separate permit shall be required for each phase.

- a. A land trust or similar conservation-oriented nonprofit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence. The conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
 - b. A governmental entity that will ensure perpetual management of the open space.
2. A permanent restrictive covenant, recorded on the final plat in favor of the City of Stockbridge.
 3. An equivalent legal tool that provides permanent protection, if approved by the Mayor and Council.
- B. The legal instrument for permanent protection shall include clear restrictions on the use of the open space. The restrictions shall include all required by this ZONING CODE.
 - C. Open space may be owned by a homeowners' or property owners' association. Where such association is established and authorized to own the protected open space, membership in the association shall be mandatory for all owners and their successors within the development containing the protected open space. The association shall be responsible for managing and maintaining the open space and any structures located within the open space.
 - D. A plan setting forth the requirements and procedures to be followed in order to manage the land and vegetation on the land. Such management shall be consistent with the protection of natural resources on the land, consistent with the requirements of Chapter 3.

Sec. 12.02.08. Specific requirements regarding placement of manufactured homes in single-family residential districts

- A. Applications for approval of placement of manufactured homes shall meet the general submittal requirements set forth in Sec. 12.02.05. In addition, the application shall provide photographs or renderings of the front and side of the manufactured home or mobile home exterior finish and other information reasonably necessary to make determinations required by this ZONING CODE.
- B. The development director shall make a determination of completeness as set forth in Sec. 12.01.02.
- C. The completed application shall be submitted to the compatibility standards review committee for review and approval or denial.
- D. Approval or denial of the application shall be made within thirty (30) calendar days of the date of receipt of the application and all required supporting materials.

11. General plan for the provision of utilities and infrastructure, including the following:

A report or letter from the City or HCWSA indicating the availability of water and sewer and a report or letter from the Henry County Environmental Health Department indicating septic suitability if sewer is not available.

C. *Action by the development director*

1. The development director shall make a determination of completeness as set forth in Sec. 12.01.02.
2. The development director shall prepare a staff report addressing the following issues, in priority:
 - a. Consistency with the comprehensive plan.
 - b. The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this ZONING CODE.
 - c. Potential positive effects of the amendment on the character of the proposed zoning district, a particular piece of property, neighborhood, a particular area, or the community.
 - d. The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.
 - e. The impact upon adjacent property owners shall the request be approved.
 - f. The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.
 - g. The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes.
 - h. The merits of the requested change in zoning relative to any other guidelines and policies for development that the Zoning Advisory Board and Mayor and Council may use in furthering the objectives of the comprehensive plan.
 - i. The capacity of the site to be developed as presently zoned.

D. *Zoning Advisory Board recommendation*

1. The application shall be submitted to the Zoning Advisory Board for review at a public hearing, conducted as set forth in Sec. 12.00.05.

- j. Hours of operation; and
 - k. Architectural details to be compatible with existing buildings in the area.
5. A rezoning approved with conditions shall list in writing those conditions agreed to and shall include a requirement for adherence to concept plan, if any, submitted to accompany the application. The applicant or any successor in title shall construct only those uses and only in such a manner as identified in writing or upon the concept plan.
 6. Prior to a final vote being taken upon any application for an amendment to the official zoning map for which such conditions shall be imposed, such conditions shall be announced at the public hearing and made a part of the motion to approve. If such conditions are found to be unacceptable, the applicant may withdraw or request a postponement. Upon such withdrawal, the applicant shall not be permitted to re-file the same zoning map amendment for the same property until one (1) year has elapsed from the date of withdrawal.
 7. If the zoning decision of the Mayor and Council is for the rezoning of property and the amendment to accomplish the rezoning is defeated by the Mayor and Council, then the same property shall not again be considered for rezoning until the expiration of at least twelve (12) months immediately following the defeat of the rezoning by the Mayor and Council.

Sec. 12.02.10. Requirements for modifications to approved zoning conditions, concept plans, and development plans

- A. Major modifications to zoning conditions include any changes to allowable uses, maximum density, maximum intensity, or compatibility requirements attached to the zoning approval as conditions of approval. The following procedure shall be followed:
 1. An application shall be submitted containing details of the amendment requested, the situation giving rise to the need for an amendment, and accompanied by plans fully describing the nature and extent of the amendment.
 2. A staff report shall be prepared to address the issues listed in subsection 12.02.09.C. for the amended concept plan and/or zoning conditions.
 3. The Zoning Advisory Board shall review the application for an amended concept plan. The Zoning Advisory Board shall consider the application for amended conditions placed on conditional uses and/or variances and make a recommendation to Mayor and Council according to the procedure in subsection 12.02.09.D.
 4. The Mayor and Council shall consider the application for amended zoning conditions and/or concept plan at a public hearing according to the procedures in subsection 12.02.09.E.

2. Potential impacts on the character and quality of development in the city of Stockbridge and any affected zoning districts.
 3. Potential impacts on the provision of infrastructure and improvements.
 4. The merits of the proposed amendments relative to any guidelines, policies, or programs adopted in furtherance of the comprehensive plan.
- D. The Zoning Advisory Board shall consider the proposed amendment to the ZONING CODE at a public hearing, according to the procedures set forth in Sec. 12.00.05.
1. The Zoning Advisory Board shall evaluate the proposed amendment, considering the issues and recommendations contained in the staff report.
 2. The Zoning Advisory Board shall make a recommendation to the Mayor and Council for approval, approval with further modifications, or denial.
- E. The Mayor and Council shall consider the proposed amendment at a public hearing conducted as set forth in Sec. 12.00.05.
1. The Mayor and Council shall consider the information set forth in the staff report and the recommendations of the Zoning Advisory Board.
 2. The Mayor and Council may approve, approve with modifications, or deny the proposed amendment to the ZONING CODE.

Sec. 12.02.12. Requirements for amendment to the comprehensive plan

The comprehensive plan may be amended by the Mayor and Council on its own motion. Otherwise, a complete application packet shall be required as described below.

- A. An application to amend the text or maps of the comprehensive plan shall be submitted on forms provided by the City.
- B. The application shall include the following information:
 1. Identification of the specific provision proposed for amendment.
 2. The proposed modifications in a strikethrough and underline format.
 3. A detailed explanation of the rationale and justification for the requested amendment.
 4. A detailed explanation of the potential impacts of the modification on the development of The City of Stockbridge.
- C. The development director shall prepare a staff report analyzing the proposed amendment and recommending approval, denial, or approval with modifications.
- D. The Zoning Advisory Board shall consider the proposed amendment to the comprehensive plan at a public hearing, according to the procedures set forth in Sec. 12.00.05.

4. For requests to amend the official zoning map, the notice shall include the current and proposed zoning district.

Sec. 12.03.02. *Legal advertisements*

- A. The public notice shall be published within a newspaper of general circulation within the territorial boundaries of The City of Stockbridge, at least fifteen (15) but not more than forty-five (45) calendar days prior to the date of the hearing. The notice shall state the time, place, and purpose of the hearing.
- B. If a rezoning is initiated by a party other than the City then the notice shall include the present zoning classification of the property, and the proposed zoning classification of the property.

Sec. 12.03.3. *Requirements for posting signs*

- A. The City shall provide standardized signs for posting to provide public notice of meetings and hearings.
- B. The City shall be responsible for posting the sign as follows:
 1. The sign shall be posted in a conspicuous location on the property.
 2. The sign shall be posted not less than fifteen (15) and not more than forty-five (45) calendar days prior to the date of the hearing.
 3. If the property proposed for rezoning does not have frontage on a public street, then the sign may be posted on the right-of-way of the nearest public street that provides access to the site.
- C. The City shall be responsible for timely removal of the sign following the hearing.

Sec. 12.03.04. *Mailed notice*

Mailed notice shall be provided at least fifteen (15) but not more than forty-five (45) calendar days prior to the date of the hearing for all variances, conditional uses, modifications, and amendments to the official zoning map (rezoning). The City shall provide the mailed notice in compliance with applicable Georgia Law.

Sec. 12.04.00. *Appeal of administrative actions*

- A. The Mayor and Council shall hear and decide appeals where it is alleged by the appellant that there is error in any approval, denial, written interpretation, or decision made by the development director, based on the interpretation or enforcement of the ZONING CODE.

Sec. 12.04.02. Time for applications and hearings

- A. An appeal shall be filed within thirty (30) calendar days following the written approval, denial, interpretation, or decision of the Zoning Advisory Board or the development director.
- B. A hearing before the Mayor and Council shall be held according to the published schedule.

Sec. 12.04.03. Application requirements

An appeal request, along with the advertising and review fee per the approved fee schedule shall be filed with the development director indicating on the application in which the administrative decision originated and include a letter of intent addressing the following:

- 1. Completed application form, provided by the City;
- 2. Written documentation specifying the alleged errors in the approval, denial, interpretation, or decision of the Zoning Advisory Board or the development director;
- 3. Citation of the section(s) of the ZONING CODE pertaining to the action of the development director; and
- 4. A statement of the specific relief requested by the party appealing.

Sec. 12.04.04. Stay of proceedings

An appeal stays all legal proceedings in furtherance of the action appealed from unless the development director certifies to the Mayor and Council, after notice of appeal has been filed, that by reasons of facts stated in the certificate, a stay would, in the opinion of the development director, cause imminent peril to life or property. In such case, proceedings shall be stayed only by a restraining order granted by the superior court of Henry County on notice to the development director and on due cause shown.

Sec. 12.04.05. Action on appeals

- A. The hearing of the appeal shall be quasi-judicial and shall be conducted at a regular meeting, according to the published schedule, or at a special meeting of the Mayor and Council.
- B. Notice shall be provided pursuant to the requirements of Secs. 12.03.01 and 12.03.02 as well as due notice to the parties in interest.
- C. Any party may appear at the hearing in person, by an authorized agent, or by an attorney.
- D. Following the consideration of all testimony, documentary evidence, and matters of record, the Mayor and Council shall make a determination on the appeal. An appeal shall

- E. The development director shall order the cessation of all work on a site at any time if any aspects of this ZONING CODE are violated. Issuance of a certificate of occupancy shall be conditioned on compliance with this ZONING CODE at the time a final inspection is requested.
- F. The development director or the building official shall have the authority to revoke, suspend, or void any development or building permit or to withhold issuance of a certificate of occupancy until the requirements hereof are met.
- G. If any building or structure is constructed, reconstructed, altered, repaired, converted or maintained, or if any building, structure or land is used in violation of this ZONING CODE, the Mayor and Council, the development director, or the building official, in addition to other remedies, may institute an injunction, mandamus or other appropriate action in proceeding to stop the violation in the case of such building, structure or land use.
- H. When a building or other structure has been constructed in violation of this ZONING CODE, the violator shall be required to remove the structure.
- I. When removal of vegetative cover, excavation or fill has taken place in violation of this ZONING CODE, the violator shall be required to restore the affected land to its original contours and restore vegetation, as far as practicable, in compliance with the erosion and sedimentation control standards of this ZONING CODE.
- J. Nothing herein shall prevent the City of Stockbridge from taking other legal action as determined necessary to enforce this ZONING CODE, or to prevent or remedy any violation.

Sec. 12.07.00. Penalties

- A. Violations of the provisions of this ZONING CODE or failure to comply with any of its requirements, including violation of conditions and safeguards in connection with grants of variances shall, upon conviction, be punishable by a fine or by imprisonment of not more than sixty (60) calendar days, or both, except as set forth in subsection B., below.

Appendix A. - Master list of acronyms and definitions.

Acronyms

BMP — Best management practices (BMP plan)

BTL — Build-to line

CLOMA — Conditional letter map of amendment

CLOMR — Conditional letter of map revision

CSD — Conservation subdivision development

DBH — Diameter at breast height

DCA — Department of community affairs

DHR — Department of human resources

DNR — Department of natural resources

FAA — Federal Aviation Administration

FCC — Federal Communications Commission

FEMA — Federal Emergency Management Agency

FHBM — Flood hazard boundary map

FIRM — Flood insurance rate map

FIS — Flood insurance study

GSMM — Georgia Stormwater Management Manual

HCWSA — Henry County Water and Sewer Authority

HPB — Historic preservation board

HVAC — Heating, ventilation, and air conditioning

ICWPA — Indian Creek Watershed Protection Area

LBCS — Land based classification standards

LBWPA — Long Branch Creek Watershed Protection Area

MNGWPD — Metropolitan North Georgia Water Planning District

NGVD — National Geodetic Vertical Datum

NWI — National Wetland Inventory

OCCA — Official Code of Georgia Annotated

PD — Planned development

RFN — Residential fly-in neighborhood

ways serves a showcase for the community. Special attention should be given to preserving and enhancing the function of the focal point of this type of center.

Suburban employment center. An activity center located around one (1) or more of the county's interstate interchanges. The core of the center would be largely commercial and included a wide range of retail, commercial and service uses. This type of center would include such uses as office buildings, major commercial centers, large civic facilities, and a wide variety of housing types. Large-scale mixed-use developments are also appropriate here. The center should extend a half mile or more on one (1) or both sides of the interstate. Being located close to the interstate, the most prominent gateway to the county, the design of the center and the buildings within it should pay special attention to the viewshed from the interstate.

Village node. This type of center would have at its core a compact and well-organized commercial and civic core built along a formal gridded, interconnected street network. The center will include a full array of "life-cycle" housing choices and provide cultural and passive recreational opportunities. The village center will have its own unique identity, enforced by common design themes used for public facilities and spaces. The village center should also be relatively self-contained providing most of everyday services needed by village residents.

Addition (to an existing building). Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by an independent perimeter load-bearing wall shall be considered new construction.

Administrative waiver. A grant of relief by the administrator from specified standards of the ZONING CODE and where such a waiver will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the chapter would result in unnecessary and undue hardship.

Administrator. The person, officer, official, or his authorized representative designated by the Mayor and Council, City of Stockbridge, as its agent for the administration of the provisions of the ZONING CODE.

Adult day care. A facility that provides support for elderly individuals (and their families, if present), who do not function fully independently, but who do not need twenty-four-hour nursing care.

Addition to an existing building. Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by an independent perimeter load-bearing wall shall be considered new construction.

Adult entertainment establishment. Any establishment featuring live performances, films, still pictures, electronic reproductions, or video with graphic or other visual images distinguished or characterized by an emphasis on sexual conduct or sexual explicit nudity. Adult entertainment establishments include, but are not limited to, adult bookstores, adult dance establishments, adult motion picture arcades, adult movie theaters, and adult video stores.

Agriculture. Cultivating the soil, producing crops and raising of livestock (farming, and associated activities) upon one (1) or more tracts of land containing not less than three (3) acres. Selling of products raised on the premises shall be considered a permissible activity; provided, that space for the off-county right-of-way parking is available to customers.

Aircraft. Any vehicle used or designed for flight in the air.

Airport. Any area of land or water designed and set aside for the landing and taking off of aircraft. The term may include facilities for refueling, repair, handling, and storage of aircraft or facilities for passengers and freight.

Alternative tower-structure. Manmade trees, clock tower, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Amusement park (outdoor or indoor). Land designed to be used by the public for a fee that contains amusement facilities, such as merry-go-rounds, race car and bike tracks, outdoor motion picture theaters,

Automotive service, major. Repair services to motor vehicles which require substantial replacement and/or repair of major components. Examples of major automotive repair services include, but are not limited to, transmission repairs/replacement, engine overhaul and radiator repair. Any repair services to construction equipment, agricultural equipment, commercial highway tractors, or dump trucks shall be considered major automotive services.

Automotive services, minor. Repair and maintenance services which require only very brief adjustment and replacement of minor components. Examples of minor automotive services include, but are not limited to, tune-up, oil change, lubrication, brake repair, air conditioning system servicing, muffler replacement and alignment.

Automobile service station. A building or premises where products necessary for automobile service or maintenance are sold; provided, there is no storage or dismantling of automobiles and only minor services are rendered. An automobile service station is neither a repair nor a body shop.

Authority. The use of the word "authority" shall mean the Henry County Water and Sewerage Authority or the Clayton County Water Authority.

B

Base flood. The flood having a one (1) percent chance of being equaled or exceeded in any given year, also known as the "base flood" is also called the "100-year flood."

Base flood elevation. The highest water surface elevation anticipated at any given point during the base flood.

Basement. That portion of a building that is partly or completely below grade where the finished floor level of the floor above the level under construction is:

1. Six (6) feet or less above the grade plan.
2. Six (6) feet or less above the finished ground level for more than fifty (50) percent of the total building perimeter.
3. Twelve (12) feet or less above the finished ground at any point.

Bed and breakfast facility. A private residence that offers sleeping accommodations to lodgers in six (6) or fewer rooms for rent, in the owner or operator's principal residence while renting rooms to lodgers, and serves breakfasts at no extra cost to its lodgers. For the purpose of this definition, a lodger means a person who rents a room in a bed-and-breakfast establishment for fewer than thirty (30) consecutive days.

Bedroom. A room that has a closet.

Berm. An earthen mound or embankment, usually two (2) to six (6) feet in height, designed to provide visual interest, screen views, reduce noise, or fulfill other such purposes.

Best management practices. A collection of structural practices and measures written by a state agency or other known authority which, when properly designed, installed and maintained, will prove effective in the areas of erosion and sedimentation control, silviculture, stormwater, etc. The term "properly designed" means designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. § 12-7-6(b).

Best management practices plan (BMP plan). A plan consisting of a wide range of management procedures, activities, and prohibitions or practices which control the quality and/or quantity of stormwater runoff and which are compatible with the planned land use.

Block. An area of land within a subdivision that is entirely surrounded by streets, public lands, rights-of-way, watercourses, or other well-defined and fixed boundaries. (Blocks are illustrated in figure A.1.)

Boarding and/or rooming house. A building dedicated to and used for the lodging and/or feeding, for compensation, of up to six (6) nontransient persons, unrelated by blood or marriage to the owner or operator of the house, and where renting individuals are also served with meals prepared in one (1) kitchen by the owner or operator of the house, as defined herein. Foster children placed in a family home, a community

A detached and structurally independent carport, garage or other structure shall conform to the requirements of any accessory building.

Building envelope. The area formed by the front, side, and rear building restriction or setback lines of a lot within which the principal buildings must be located.

Development director. The official designated by the Mayor and Council of the City of Stockbridge as being responsible for issuing construction permits and certificates of occupancy.

Building height. The vertical distance measured from average elevation of the proposed finished grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof on a building. When referring to a tower, sign or other structure, the distance measured from ground level to the highest point on the tower, sign or other structure, even if said highest point is an antenna. When a building faces on more than one (1) street, the height shall be measured from the average of the grades at the center of each street front.

Built environment. The elements of the environment that are generally built or made by people as contrasted with natural processes.

Burial ground. An area dedicated to and used for interment of human remains. The term shall include privately owned burial plots, individually and collectively, once human remains have been buried therein. The fact that the area was used for burial purposes shall be evidence that it was set aside for burial purposes.

Burial object. Any item reasonably believed to have been intentionally placed with the human remains at the time of burial or interment or any memorial, tombstone, grave marker, or shrine which may have been added subsequent to interment. Such term also means any inscribed or un-inscribed marker, coping, curbing, enclosure, fencing, pavement, shelter, wall, stoneware, pottery, or other grave object erected or deposited incident to or subsequent to interment.

Business subdivision. See subdivision.

c

Caliper. The diameter or thickness of the trunk of a nursery-grown tree as measured at four (4) inches above the top of the root mass.

Canopy roofed structure. A roofed structure that covers an area, or especially one that shelters a passageway between two (2) buildings.

Canopy tree (large tree or shade tree). Any tree, evergreen or deciduous, whose mature height can be expected to exceed thirty-five (35) feet and whose crown spread can be expected to exceed thirty (30) feet. Shade trees for landscaping industrial, commercial, office-institutional, multifamily residential and mobile home zoning developments, existing or planted, shall be at least eight (8) feet in height and two (2) inches in diameter, measured at six (6) inches above grade for new trees and measured at four and one-half (4½) feet above grade for existing trees. Examples include Red Maple, Sycamore, English Oak, Willow Oak, Loblolly Pine, or trees of similar stature.

Capital improvement. An improvement with a useful life of ten (10) years or more, by new construction or other action, which increases the service capacity of a public facility.

Capital improvements element. That portion of the City of Stockbridge Comprehensive Plan that sets out projected needs for system improvements during the planning horizon established therein, which provides a schedule that will meet the anticipated need for system improvements, and which provides a description of anticipated funding sources for each required improvement, as most recently adopted or amended by the Mayor and Council.

Care home. A care facility where personal care services are provided to more than six (6) nonfamily adults. See "personal care home" definition for permitted services and other requirements.

Carport. Any parking space(s) having a covered roof but not enclosed by walls and is an accessory structure to a dwelling unit. Carports shall not include any parking structures.

expenditure or encumbrance of any funds, whether they be development impact fee funds or not, for a public facilities project, or advertising of bids to undertake a public facilities project.

Commercial vehicle. A vehicle whose gross vehicle weight rating (GVWR) is over twenty-six thousand (26,000) pounds, or a trailer with a gross vehicle weight rating of over ten thousand (10,000) pounds, including commercial tractor-trailers, dump trucks, wreckers, and earth-moving equipment. Agricultural vehicles and equipment and school buses shall be excluded from this definition.

Common area. Land within a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. Common area may include complementary structures and improvements.

Compatibility. The characteristics of different uses, activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture.

Completion of construction. The issuance of the final certificate of occupancy by the appropriate governmental jurisdiction. The date of completion is the date on which such certificate is issued.

Comprehensive plan. The City of Stockbridge Plan or planning elements as adopted or amended in accord with the State of Georgia Minimum Standards and Procedures for Local Comprehensive Planning.

Comprehensive Planning Act. Official Code of Georgia Annotated, § 50-8-1 et seq. and the Minimum Standards and Procedures for Local Comprehensive Planning as adopted by the Georgia Board of Community Affairs.

Conditional use. A use within a certain zoning districts of this chapter which is not permitted as a matter of right, but may be permitted within these districts by the Zoning Advisory Board. A conditional use is permanent in nature.

Condemnation. The taking of private property by a government unit for public use, when the owner will not relinquish it through sale or other means; the owner is compensated by payment of market value. The power to take the property is based on the concept of eminent domain.

Condominium. The ownership in fee simple title of a single unit in a multi-unit structure and an undivided ownership interest, in common with other owners of the common elements of the structure, including the common areas of land and its appurtenances.

Confined animal feeding operation. A building or fenced enclosure designed and used for holding or fattening of animals in preparation for market. It does not include the pasturing of animals at densities recommended by the best management practices of the Georgia Department of Agriculture as follows: Horses—one (1) per forty-three thousand five hundred sixty (43,560) square feet (one (1) acre); cows—one (1) per forty-three thousand five hundred sixty (43,560) square feet; sheep or goats—one (1) per twenty thousand (20,000) square feet; fowl—twenty (20) per forty-three thousand five hundred sixty (43,560) square feet.

Conical surface. The surface that extends outward and upward from the periphery of the horizontal surface at a slope of twenty to one (20:1) for a horizontal distance of four thousand (4,000) feet.

Conservation easement. An agreement between a land owner and The City of Stockbridge or other government agency or land trust that permanently protects open space or greenspace on the owners land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

Construction. Any site, preparation, assembly, erection, substantial repair, alteration or similar action but excluding demolition, for or of public or private right-of-way, structures, utilities or similar property.

Construction activity. Activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include, but are not limited to, clearing and grubbing, grading, excavating, and demolition.

- (1) Auction gallery.
- (2) Automobile wash.
- (3) Community and regional shopping centers.
- (4) Department stores.
- (5) Furniture stores.
- (6) Professional type assembly and repair of such items as eyeglasses, custom jewelry, prosthetic devices and other similar services and manufacture.
- (7) Parking lots and structures.
- (8) Printing, job, when mechanical operation is not visible from a street, and employing not more than four (4) persons.
- (9) Stationery and office machines sales and service.
- (10) Upholstery shops.
- (11) Other uses as may be determined by the planning staff to be similar and compatible with the above-listed permitted uses.

Heavy consumer goods sales and services.

- (1) Boat sales.
- (2) Automotive service, major.
- (3) Feed and seed stores.
- (4) Heavy equipment sales and service.
- (5) Recreational vehicle sales and service.
- (6) Tire retreading.
- (7) Trade shops, including electrical, plumbing, gutter, machines, and HVAC contractors.
- (8) Other uses as may be determined by the planning staff to be similar and compatible with the above-listed permitted uses.

Cooking facilities. Any device used in the preparation of food, including range, ovens, cook-top surface units, refrigerators, electric warming irons or hot plates, microwave ovens, coffee makers, toaster ovens, and other similar small electric appliances, freezers separate from or not included within a refrigeration unit are not included in this definition.

Cornice. The uppermost horizontal molded projection or other uppermost horizontal element located at the top of a building or portion of a building.

Corridor. A street, roadway, river or other linear element connecting major sources of trips that may contain a number of streets, highways, and transit route alignments. A corridor is also defined as all land within the buffer areas established adjacent to reservoirs or perennial streams within a water supply watershed.

County. The use of the word "county" shall mean Henry County.

County street. A street which is owned and/or maintained by Henry County.

Covenant, protective. A contract entered into between private parties which constitute a restriction on the use of a particular parcel of property.

Covenant, restrictive. Private contracts entered into between the developer and purchaser(s) which constitute a restriction on the use of all private property within a development for the benefit of property owners, and provide a mutual protection against undesirable aspects of development which would tend to impair stability of values.

research assistance to local governments; and serves as the lead agency for the state's solid waste reduction efforts.

Descendant. A person or group of persons related to a deceased human by blood or adoption in accordance with Title 19 of the Official Code of Georgia.

Detention. The temporary storage of stormwater runoff in a stormwater management facility for purposes of controlling the peak discharge.

Extended detention. The detention of stormwater runoff for an extended period, typically twenty-four (24) hours or greater.

Detention facility. A detention basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates.

Developer. A person or legal entity who undertakes land development activities.

Development. Any action which creates demand on or need for public facilities, as defined herein, and includes any construction or expansion of a building, structure, or use; any change in use of land, a building, or structure; or the connection of any building or structure to a public utility.

Development approval. Written authorization, such as issuance of a building permit, approval for grading or site development, or other forms of official action required by local law or regulation prior to commencement of construction.

Development impact fee. The payment of money imposed upon and paid by new development as a condition of development approval as its proportionate share of the cost of system improvements needed to serve it.

Development of regional impact (DRI). A development project, regardless of the mix of land uses, which is likely to have impacts to the transportation network and environment beyond the limits of the jurisdiction in which it is being constructed.

Development or single development. Any project or group of related projects constructed or planned for construction on a single parcel or on contiguous parcels under single ownership. Any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, clearing, digging, filling, dredging, excavating, grading, grubbing, mining, paving, removal of vegetation, stripping, drilling operations, storage of equipment or materials, transportation and filling of land, and any other installation of impervious cover; land development or land development project.

New development. A land development activity on a previously undeveloped site.

Post-development. The time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.

Pre-development. The time period, or the conditions that exist on a site, prior to the commencement of land alteration, clearing, construction, or other activity that constitutes development. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.) the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

Development rights. A governmentally recognized entitlement to use or develop land at a certain density, or intensity, or for a particular purpose, which may be severed from the realty and placed on some other property.

Receiving area. The region or district where development rights may be affixed to property.

Receiving property. The lot or parcel where development rights are affixed, thereby increasing the permissible density or intensity of use on the property.

Sending area. The region or district where development rights may be removed for purposes of transfer to another location.

for a specific purpose, or use as a means of access to other property. Easements shall be designated "public" or "private" depending upon the nature of the usage.

Conservation easement. An agreement between a land owner and a governmental agency or land trust that permanently protects the land by limiting the amount and type of development that is permissible, while leaving the remainder of the fee interest in private ownership.

Drainage easement. An agreement allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

Eave. The projecting lower edges of a roof overhanging the wall of a building.

Encumber. To legally obligate by contract or otherwise commit to use by appropriation or other official act of The City of Stockbridge, Georgia.

Enforcer. The enforcer is defined as the administrator or his designee. The person, officer, official, or his authorized representative designated by the Mayor and Council as its agent for the administration of the provisions of the ZONING CODE.

Equipment facility. An equipment facility is any structure used to contain ancillary equipment for a WCF which included cabinets, shelters, a buildout of an existing structure, pedestals, and other similar structures.

Erect. To build, paint, construct, attach, hang, place, suspend, assemble or affix.

Erosion. The process by which land surface is worn away by the action of wind, water, ice or gravity.

Erosion and sedimentation control plan. A plan that is designed to minimize and control the accelerated soil erosion and sedimentation runoff resulting from a land disturbing activity. Also known as the "plan".

Essential public services. The components of potable water systems, sanitary sewer systems, drainage systems, gas, electricity, cable, television, telephone, and other utilities and services that deliver the service to individual properties. Included are cables, utility poles, pipes, mains, lift stations, switch boxes, culverts, and the like. Specifically excluded are high voltage towers, wireless communication towers, and electrical substations.

Evergreen tree. Any tree that retains green leaves throughout the year. This includes magnolias and tree-type hollies, as well as pines and cedars.

Excess capacity. That portion of the capacity of a public facility or system of public facilities which is beyond that necessary to provide adequate service to existing development at the adopted level-of-service standard.

Exempt. A project which has been determined to have negligible impacts to emissions and air quality and, therefore, is not typically incorporated into travel demand modeling and emissions analyses. Typical exempt projects include bicycle and pedestrian facilities, facilities to support transit services (but not the services themselves), studies, minor intersection improvements and safety upgrades.

Extreme flood protection. Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of one hundred (100) years or more.

Existing construction. Any structure for which the "start of construction" commenced before June 3, 1986.

Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before June 3, 1986.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

applicable to the community. Such FIRM as relates to property located within The City of Stockbridge is incorporated by this reference as if fully set forth herein.

Flood insurance study or FIS. The official report, prepared and issued by the Federal Insurance Administration of the Federal Emergency Management Agency evaluating flood hazards and containing flood profiles and water surface elevations of the base flood, which FIS is incorporated by this reference as if fully set forth herein.

Floodplain. Any land area susceptible to flooding with at least a one-percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan.

Floodproofing. Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway or regulatory floodway. The channel of a stream, river or other watercourse and the adjacent land areas of the floodplain which is necessary to contain and discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

Floor area. The total number of square feet of floor area in a building determined by horizontal measurements between the exterior faces of the outside walls, but excluding any attic, unfinished basement area, breezeway, cellar, porch, or verandah.

Frontage or road frontage. The distance measured along a public street right-of-way, or the main street property line of a lot.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water.

Functional street classification. Streets provide two (2) distinct functions: Mobility (through movement) and access to land. Functional classification is a hierarchical ranking based on the degree of mobility and access that a street provides. Streets are generally classified as arterials, collectors and local streets. See streets.

Future conditions flood. The flood having a one-percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

Future-conditions flood elevation. The flood standard equal to or higher than the base flood elevation. The future-conditions flood elevation is defined as the highest water surface anticipated at any given point during the future-conditions flood.

Future-conditions floodplain. Any land area susceptible to flooding by the future-conditions flood.

Future-conditions hydrology. The flood discharges associated with projected land-use conditions based on a community's zoning map, comprehensive land-use plans, and/or watershed study projections, and without consideration of projected future construction of flood detention structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

G

Garage, parking. A structure, lot or any portion thereof which is open to the public in which one (1) or more vehicles are housed or kept, not including exhibition, show rooms, storage of cars or cars for sale.

Garage, repair. A building or structure used to house, cover or protect automobiles or other vehicles from the elements while repairs are being made thereto.

Genealogist. A person who traces or studies the descent of persons or families and prepares a probative record of such descent.

Grade. The lowest point of elevation of the finished surface of the ground immediately surrounding the building or structure.

Historic district. A geographically definable area, possessing a significant concentration, linkage, or continuity of sites, buildings, structures or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history. A historic district shall further mean an area designated by the Mayor and Council as a historic district pursuant to the criteria established in section 10.05.04 of this ZONING CODE.

Historic structure. Any structure that meets one (1) or more of the following conditions:

- (1) Listed individually in the National Register of Historical Places (as maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places and determined as eligible under the state historic preservation program which has been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places and determined as eligible under the local historic preservation program which has been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in the event the state has no approved program.

Home occupation. An occupation for gain or support conducted on the premises or within a dwelling unit by a person or family residing thereon. The term "home occupation" shall not be deemed to include a tourist home.

Hospice care facility. Hospice care provides humane and compassionate care for people in the last phases of incurable disease so that they may live as fully and comfortably as possible. Hospice is to enable patients to continue an alert, pain-free life and to manage other symptoms so that their last days may be spent with dignity and quality, surrounded by their loved ones. Hospice affirms life and does not hasten or postpone death. Hospice care treats the person rather than the disease; it focuses on quality rather than length of life. It provides family-centered care; care is provided for the patient and family twenty-four (24) hours a day, seven (7) days a week. Hospice care can be given in the patient's home, a hospital, nursing home, or private hospice facility.

Hospital. An institution receiving in-patients, or a public institution receiving out-patients, and authorized under Georgia law to render medical, surgical and/or obstetrical care. The term "hospital" shall include a sanitarium for the treatment and care of mental patients, alcoholics or drug addicts, but shall not include office facilities for the private practice of medicine or dentistry.

Hotel. A building in which lodging, generally without in-room cooking facilities, is provided for guests. The term "hotel" includes the terms "motel", "extended stay" hotel or motel and "tourist court".

Hotspot. An area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.

Human remains. The bodies of deceased human beings in any state of decomposition, including cremated remains.

Hydrologic soil group (HSG). A Natural Resource Conservation Service classification system in which soils are categorized into four (4) runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

/

Illicit discharge. Any direct or indirect nonstormwater discharge to Stockbridge's storm sewer system, except as otherwise exempted by law.

Illegal connection. Either of the following:

Inspection and maintenance agreement. A written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

Institutional use. Activities for civic, cultural, educational, social, or governmental purposes.

Interparcel connection. A vehicular and pedestrian road, street or lane connecting segment and or sidewalk access for public use to gain access to adjacent residential subdivisions, commercial, industrial and mixed use subdivisions and establishments where access to contiguous properties would otherwise require vehicle trips on frontage roads for access.

Interior landscape area. An area to be landscaped which is located in the interior area of a development or building site where vehicular parking spaces are to be provided or which is otherwise to be covered with impervious surface.

J

Junk/salvage yard. Any use on public streets or private property involving the parking, storage or disassembly of vehicles and/or machinery; the storage, sale or resale of used auto parts, tires, scrap iron, metal; used plumbing fixtures, old stoves, refrigerators and other old household appliances; used brick, wood, or other building/structural materials, used paper, rags or other scrap materials. These uses shall be considered junk yards whether or not all or part of these operations are conducted inside a building or in conjunction with, or accessory to other uses of the premises.

Junked vehicle. Any wrecked nonoperable, dismantled automobile, truck or other vehicle which does not bear a current state license plate.

Jurisdictional wetland. An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for a life in saturated soil conditions, commonly known as hydrophytic vegetation.

K

Kennel. The following shall constitute a kennel:

- (1) *Commercial kennel:* Any location which provides boarding and care for dogs, cats, or other small animals for pecuniary gain.
- (2) *Noncommercial kennel:* Any single-family residence in the RA zoning district where no more than ten (10) adult dogs and/or cats are kept as pets for the noncommercial purpose of hunting, exhibition in shows, field trials or breeding. Surplus offspring bred at such kennels to enhance or perpetuate any given breed, recognized by the American Kennel Club, may be sold at such kennels and shall not be considered a commercial activity. All animals kept or maintained in said kennel must be owned by the individual or family residing upon the lot upon which the kennel is located.

Kindergarten. A state-approved institution for the education of pre-school aged children.

Kitchen. A room or interior area equipped for preparing and cooking food.

L

Ln noise contour. A line linking together a series of points of equal cumulative noise exposure, based upon airport flight patterns, number of daily operations by type of aircraft, and typical runway utilization patterns.

Land development. See development.

Land development activities. Those actions or activities which comprise, facilitate or result in land development.

Land development project. A discrete land development undertaking.

Lot of record. An individual lot or a lot which is a part of a subdivision, the map of which has been recorded in the office of the clerk of superior court of Henry County, Georgia, or a parcel of land the deed of which has been recorded in the office of the clerk of superior court of Henry County.

Lowest floor. The lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this ordinance.

M

Manufactured home. A structure transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (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.

Manufactured homes are built or fabricated in an offsite facility on or after June 15, 1976 and installed or assembled on the home site. They must meet U.S. Department of Housing and Urban Development (HUD) construction requirements. Manufactured homes may be single- or multi-section and are transported to the site and installed with each section bearing a seal certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standard Act.

Major recreational equipment. Are boats and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwelling, motor coaches, tent trailers, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

Master development plan. A written and graphic submission for a mixed-use development which represents a tract of land, proposed subdivision, the location and bulk of buildings and other structures, density of development, public and private streets, parking facilities, common open space, public facilities and all covenants relating to use thereof. The master development plan is submitted in conjunction with a rezoning application for the MU zoning district.

Material change in appearance. A change that will affect either the exterior architectural or environmental features of a historic property or any building, structure, site, object, or landscape feature within a historic district, such as:

- (a) A reconstruction or alteration of the size, shape or facade of a historic property, including relocation of any doors or windows or removal or alteration of any architectural features, details or elements;
- (b) Demolition or relocation of a historic structure;
- (c) Commencement of excavation for construction purposes;
- (d) A change in signage visible from the public right-of-way; or
- (e) The erection, alteration, restoration or removal of any buildings or other structure within a historic property or district, including walls, fences, steps and pavements, or other appurtenant features.

Mean sea level. The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ZONING CODE, the term is synonymous with National Geodetic Vertical Datum (NGVD) and/or the North American Vertical Datum (NAVD) of 1988.

Metropolitan River Protection Act (MRPA). A state law referenced as O.C.G.A. § 12-5-440 et seq., which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.

discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Natural area. An area of natural vegetation that is generally undisturbed, unmaintained, and is self-perpetuating. It includes not only trees, but also native shrubs, ground covers, wildflowers, vines, and grasses.

Natural vegetated area. An undeveloped area largely free from human disturbance where naturally occurring vegetation is allowed to remain undisturbed or is enhanced and maintained by human intervention. Activities specifically allowed in such an area include, but are not limited to: Conservation or preservation of soil, water, vegetation, fish, shellfish and other wildlife; outdoor recreational activities, including hunting, fishing, trapping, bird watching, hiking, boating, horseback riding, swimming, canoeing, skeet and trap shooting; education, scientific research and nature trails; maintenance or repair of lawfully located roads, structures and utilities used in the service of the public, provided that the work is conducted using best management practices to ensure that negative effects on the previous nature of the land shall be minimized; and limited excavating, filling and land disturbance necessary for the repair and maintenance of structures necessary to the uses permissible in the area as above.

Natural ground surface. The ground surface in its original state before any grading, excavation or filling.

Nephelometric turbidity units (NTU). Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed particles are present.

Net acreage. The total acreage of any parcel or combined parcels of land to be developed as a single project, less the sum of the following: total number of acres contained in the 100-year flood hazard area, total number of acres contained in rights-of-ways and the total number of acres contained in detention or retention ponds to be constructed.

Net density. See density (net density).

New development. See development.

New construction. Any structure (see definition) for which the "start of construction" commenced after August 6, 1979, and includes any subsequent improvements to the structure.

New manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after April 6, 1982.

Noncombustible material. Any material which will not ignite at or below a temperature of one thousand two hundred degrees Fahrenheit (1,200°F) and will not continue to burn or glow at that temperature.

Nonconformity or nonconforming use. A land use activity, building or structure legally established prior to adoption of this ZONING CODE, or subsequent amendment to it, that would not otherwise be permissible under the provisions of this section.

Nonpoint source pollution. A form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollutions a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Nonstormwater discharge. Any discharge to the storm drain system that is not composed entirely of stormwater.

Nonstructural stormwater management practice (nonstructural practice). Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and

- (a) Operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or
- (b) Day-to day operational control of those activities that are necessary to ensure compliance with a stormwater pollution prevention plan for the site of other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the stormwater pollution prevention plan or to comply with other permit conditions.

Orphanage. An institution devoted to the care of children whose parents are deceased or otherwise unable to care for them. Parents, and sometimes grandparents, are legally responsible for supporting children, but in the absence of these or other relatives willing to care for the children, they become a ward of the state, and orphanages are a way of providing for their care and housing.

Outdoor play area. An area outside the principal structure designed and set aside for recreation and play in the open air and sunshine and may contain some play equipment. See child care center definition.

Outside storage. The placement or containment of goods, materials, or equipment other than within a building, for purposes of keeping such goods, materials, or equipment for processing, use, sale, or transfer to other locations.

Overbank flood protection. Measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e., flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the two-year through twenty-five-year frequency storm events.

Overhang. The edge of a roof that projects out over the space or wall beneath.

Overlay zoning district or overlay district. A defined geographic area that encompasses one (1) or more underlying zoning districts and that superimposes additional requirements above those required by the underlying zoning district. An overlay district can be coterminous with existing zoning districts or containing only parts of one (1) or more such districts. Permitted uses in the underlying zoning district shall continue subject to compliance with the regulations of the overlay zone or district where that use is expanded or enlarged after the adoption of this ZONING CODE.

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

P

Parcel. Any plot, lot or acreage shown as a unit on the latest county tax assessment records.

Parking space, off-street. An off-street parking space consisting of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, design standards for which are contained in the ZONING CODE.

Patio cover. An attached structure with open, screened or glazed walls which is used only for recreational, outdoor living purposes associated with the dwelling unit and not as carports, garages, storage rooms or habitable rooms.

Pavement width. The cross section width of a paved road measured from edges of pavement.

Perennial stream. Any stream which flows throughout the entire year, as shown as a solid blue line on a United States Geological Survey (USGS) 7-minute Topographic Series Maps (1:24,000).

Perimeter landscape area. An area to be landscaped which is located between the buffer area required by the ZONING CODE and the interior landscape area, as defined in the ZONING CODE.

Permit. The authorization, issued by The City of Stockbridge to the applicant that is necessary to conduct the activity that was applied for and approved.

Person. Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this state, any interstate body or any other legal entity.

Preserve and protect. To keep from destruction, peril, or other adversity and may include the placement of signs, markers, fencing, or other such appropriate features so as to identify the site as a cemetery or burial ground and may also include the cleaning, maintenance, and upkeep of the site so as to aid in its preservation and protection.

Primary surface. An area longitudinally centered on a runway extending two hundred (200) feet beyond each end of the runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Principal building. The building or structure containing or to contain the principal use of a lot.

Principal permitted use. That use of a lot which is among the uses allowed as a matter of right under the zoning classifications. (Also see WCF principal or accessory use.)

Private deed restrictions or covenants. Private deed restrictions or covenants imposed on land by private land owners. They bind and restrict the land in the hands of present owners and subsequent owners. They are enforceable only by the land owners involved and not by the county or other public agency.

Project. A single improvement or set of interrelated improvements undertaken together within a finite time period at a specific location. With regard to land development, a project may be identified as those construction activities authorized collectively by a building permit or other development approval, or for an interrelated collection of buildings and common public facilities such as a residential subdivision or an office park.

Project improvements. Site specific improvements or facilities that are planned, designed, or built to provide service for a specific development project and that are necessary for the use and convenience of the occupants or users of that project only, and that are not "system" improvements. The character of the improvement shall control a determination of whether an improvement is a project improvement or a "system" improvement, and the physical location of the improvement on-site or off-site shall not be considered determinative of whether an improvement is a "project" improvement or a "system" improvement. A project improvement may provide no more than incidental service or facility capacity to persons other than users or occupants of the particular project they serve. No improvement or facility included in a plan for public facilities and approved for public funding by The City of Stockbridge, Georgia, shall be considered a project improvement.

Property line. See lot line.

Property owner. That person or entity that holds legal title to property.

Proportionate share. That portion of the cost of system improvements that is reasonably and fairly related to the service demands and needs of a project.

Protection area or stream protection area. With respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.

Public or private property. The right-of-way of any road or highway; any body of water or watercourse or the shores or beaches thereof; any park, playground, building, refuge, or conservation or recreation area; timberlands or forests; and residential, commercial, industrial, or farm properties.

Public facilities or public spaces means:

- (a) Parks, open space, and recreation areas and related facilities; and
- (b) Public safety facilities, including police, inmate housing, fire, animal control, emergency medical, and rescue facilities;
- (c) Libraries and related facilities; and
- (d) Roads, streets, and bridges, including rights-of-way, traffic signals, landscaping, and any other components of state or federal highways.

Public streets. Right-of-way dedicated to the county or owned by the county for public street purpose.

Runoff. Stormwater runoff.

Runway. A defined area at the airport prepared for landing and takeoff of aircraft along its length.

Runway protection zone. A trapezoidal shaped, two-dimensional area located near each planned runway end.

S

Sediment. Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice, or gravity as a product of erosion.

Sedimentation. The process by which eroded material is transported and deposited by the action of water, wind, ice, or gravity.

Self-service storage facility. A fully enclosed facility containing independent bays and/or self contained units which are leased to or owned by individuals exclusively for dead storage of goods or personal property.

Service area. A geographically defined area as designated in the capital improvements element of the comprehensive plan in which a defined set of public facilities provide or are proposed to provide service to existing or future development.

Setback. The horizontal distance between a building or building line and a property line or a buffer line in which a structure cannot be erected or, with respect to a stream, the area established by the ZONING CODE extending beyond any buffer applicable to the stream. (Setbacks are illustrated in figure A.2.)

Sewer line, lateral. Sanitary sewer collection lines within a subdivision or development that transports effluent to larger trunk sewers for sewage treatment.

Sewer line, trunk. Main sanitary sewer lines which collect sewage from lateral sewer lines for transportation either directly to sewage treatment plants or to larger interceptor sewers entering a treatment plant.

Shopping center. A group of commercial establishments having a building composition that is a single architectural unit and is not a miscellaneous assemblage of stores. It is planned and developed as a unit, related in location, size and type of shops to the trade area that the unit serves, and provides on-site parking in definite relationship to the types and sizes of stores. Shopping centers are classified by type, each distinctive in its own function:

Neighborhood shopping center. Provides for the sale of convenience goods (foods, drugs, sundries, etc.) and personal services (laundry, dry cleaning, barbering, shoe repair, etc.) for the day-to-day living needs of the immediate neighborhood. It is generally built around a supermarket which is the major tenant. Neighborhood shopping centers may have an average gross leasable area (GLA) close to fifty thousand (50,000) square feet and range between thirty thousand (30,000) square feet and one hundred thousand (100,000) square feet in GLA. Typically, the lot size for a neighborhood shopping center is between four (4) and ten (10) acres, with a trade area population of five thousand (5,000) to forty thousand (40,000) people.

Community shopping center. Provides for the sale of a wide range of durable goods and other types of merchandise in addition to convenience goods and personal services found in a neighborhood shopping center and typically has a junior department store or specialty store as the major tenant. Community shopping centers may have an average GLA close to one hundred fifty thousand (150,000) square feet and range between one hundred thousand (100,000) square feet and three hundred thousand (300,000) square feet GLA. Typically, the lot size for a community shopping center is between ten (10) and thirty (30) or more acres, with a trade area population of forty thousand (40,000) to one hundred fifty thousand (150,000) people.

Regional shopping center. Provides for the sale of a wide range and variety of general merchandise, apparel, furniture, furnishings, novelties, personalized services and amusements in addition to those items found in neighborhood and community shopping centers. Typically, there are several major tenants which include nationally known department stores and grocery stores. Regional shopping centers may have an average GLA close to four hundred thousand (400,000) square feet and range between three hundred thousand (300,000) square feet and one million (1,000,000) square

Flat sign. See wall sign.

Ground sign. Any sign supported by uprights or braces which are permanently placed into the ground, and not supported by or suspended from any building.

Hand-held signs. Any sign larger than six (6) inches by six (6) inches carried by a human appendage or prosthesis including, but not limited to, picket signs, shields or sandwich boards.

Height, sign. The vertical distance measured from the lowest adjacent grade to the highest point of the sign or sign structure.

Internally illuminated signs. Any sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes located within the interior parts of the sign.

Mansard sign. See roof sign or wall sign.

Marquee sign. See flashing sign.

Mobile sign. See temporary sign.

Monument sign. See ground sign.

Moving sign. See flashing sign.

Multiple message sign. See flashing sign.

Nonconforming sign. Any sign which does not conform to the provisions of this ZONING CODE at the date of adoption of same.

Painted wall sign. See wall sign.

Parapet sign. See wall sign.

Pennant. See temporary sign.

Pitched roof sign. See roof sign.

Pole sign. See ground sign.

Portable sign. See temporary sign.

Projecting sign. Any sign which is attached perpendicular to a building or other structure and extends more than twelve (12) inches horizontally from the plane of the building wall.

Pylon sign. See ground sign.

Readerboard. See flashing sign.

Reflectors. Any device created for the purpose of reflecting light directed at the device so as to render the device especially visible.

Revolving sign. See flashing sign.

Roof sign. A sign which is attached to a building or structure and is displayed above the lowest horizontal line of a building's roof.

Rotating sign. See flashing sign.

Sandwich sign. See temporary sign or hand-held sign.

Searchlight. See temporary sign.

Shingle sign. See projecting sign or swinging sign.

Sidewalk sign. See temporary sign.

Sign face. See signable area.

Signable area. The total area upon which a message is displayed on any sign. For double-face signs, the side with the largest signable area shall be used in computing signable area. If the two (2)

Wall sign. Any sign which is attached parallel to or painted on an exterior building wall, which may include a door.

Window sign. Any sign displayed to an outside observer on or through a window or covering a window, which may include a door.

Site. The parcel of land being developed, or the portion thereof on which the land development project is located.

Special event. A gathering or event for which the promoter or other person, firm, or corporation holding or producing the event must obtain a permit.

Soil and water conservation district approved plan. An erosion and sedimentation control plan approved in writing by the Henry County Soil and Water Conservation District.

Solid waste management facilities. Public or private disposal facilities or transfer stations, operated for the purpose of recycling, reclaiming, treating, or disposal of garbage, sewage, rubbish, offal, oil field wastes, hazardous waste, or other waste material originating on or off the premises.

Stabilization. The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

Stable, private. A stable with a capacity of not more than four (4) horses, mules or other draught animals.

Stable, public. A stable other than a private stable with a capacity of more than four (4) horses, mules or other draught animals.

Start of construction. The date the permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within one hundred eighty (180) days after the permit date. The actual start means the first placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure. (NOTE: accessory structures are not exempt from any ordinance requirements). For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

State general permit. The National Pollution Discharge Elimination System general permit or permits for stormwater runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., and O.C.G.A. § 12-5-30(f).

State waters. Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the state which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation, except any project involving less than one (1) acre of disturbed area and as may be defined in O.C.G.A. § 12-7-17(7).

Store front. The primary facade of a single, undivided unit.

Stormwater better site design. Nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management.

Stormwater better site design includes conserving and protecting natural areas and green space, reducing impervious cover and using natural features for stormwater management.

Collector street. A public street whose function is to collect traffic from local streets and neighborhoods and connects to another public street of equal or greater classification. A collector may also provide direct access to adjacent properties.

Cul-de-sac. A dead-end local street, of limited length, opened at one (1) end and closed at the other by a permanent turnaround.

Dead-end street. A local street open at one (1) end and closed at the other.

Expressway. The expressway system includes high volume limited access thoroughfares through the county and region beyond.

Frontage road. A street which is parallel to, and adjacent to major thoroughfare and which provides access to abutting properties and protection from through traffic.

Local street. A public street that serves a limited area and whose primary function is to provide direct access to adjoining properties.

Major arterial. A public street whose primary function is to connect two (2) highways of equal or greater classification or capacity, provide primary access to a large land area, provide access to a large traffic generator, or connect two (2) or more towns or communities. The secondary function is to provide local access.

Minor arterial. A public street that serves an intermediate function between collectors and major arterials, and also serves as a traffic feeder to major arterials and for cross-country and regional travel.

Stub street. A dead-end street at adjoining property lines intended for future extension to serve the development of adjoining areas.

Structural erosion and sedimentation control practices. Practices for the stabilization of erodible or sediment producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps and land grading, etc. Such practices can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Structural stormwater control. A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.

Structure. Anything constructed or erected with a fixed location principally above or on the ground or attached to something having a fixed location on the ground including a walled and roofed building, manufactured home, or gas or liquid storage tank.

Structure, principal. The building or structure in which the primary use permissible on the lot is conducted. In RA (less than two (2) acres or a platted subdivision), R-1, R-2, R-3, R-4, R-5, RD, RM, RS and RMH residential zoned districts a dwelling shall be deemed to be the principal building on the lot. A structurally independent garage, carport or other structure may be attached to the principal buildings by a roofed breezeway which shall cause the entire structure to be construed as part of the principal building and shall be subject to the sections applicable to the principal building or structure. A detached and structurally independent carport, garage or other structure shall conform to the requirements of any accessory building.

Structure, accessory or accessory use. A building subordinate to the principal building or use on a lot and used for purposes incidental to the principal building or use and located on the same lot therewith. An accessory structure shall not be erected on a lot prior to the time of construction of the principal structure to which it is accessory.

Subdivision. The division of a parcel or tract of land into more than one (1) or more lots or building sites for the purpose, whether immediately or in the future, of sale, of creating sites for development, the rearrangement of existing lot lines, or for the purpose of transfer of ownership and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

T

Telecommunications. The transmission and reception of audio, video, data, and other information by wire, radio frequency, light, and other electronic or electromagnetic systems.

Temporary wireless communication facility (temporary WCF). Temporary wireless communication facility shall mean a WCF to be placed in use for ninety (90) or fewer days.

Transitional surface. An area extending outward and upward at right angles to the runway centerline, extended at a slope of seven to one (7:1) from the sides of the primary surface and from the sides of the approach surfaces.

Transportation facility. The means by which a transportation mode is provided. For example, sidewalks are a facility serving the walking mode, a roadway is a facility serving the driving mode and a heavy rail line is a facility serving the transit mode.

Tree. Any living, self-supporting, woody perennial plant which has a trunk DBH of one and one-half (1½) inches and which normally attains a height of at least twelve (12) feet at maturity, usually with one (1) main stem or trunk and many branches.

Tree diameter. The widest cross-sectional dimension of a tree trunk measured at diameter breast height (dbh).

Tourist home. A dwelling in which sleeping accommodations are provided or offered to transient visitors for compensation.

Tower (support structure). Any structure designed and constructed primarily for the purpose of supporting one (1) or more antenna arrays, including self-supporting lattice towers, guy tower, or monopole towers. The term shall include radio and television transmission towers, microwave towers, common-carrier towers, PCS service towers, cellular telephone towers, alternative tower structures, and the like.

Monopole tower. A cylindrical self-supporting communications tower constructed as a single spire.

Stealth tower/facility. Any communications facility which is designed to blend into the surrounding environment. Examples of stealth facilities may include architecturally screened roof-mounted antennas, building mounted antennas painted to match the existing structure, antennas integrated into architectural elements, antenna structures designed to look like light poles and structures designed to resemble natural features such as trees and rock outcroppings.

Tower (WCF). See support structure.

Townhouse, fee simple. See dwelling.

Toxic. Any chemical or substance that has been defined as toxic by the Environmental Protection Agency of the United States, Environmental Protection Department of the State of Georgia, or the Department of Agriculture of the State of Georgia.

Trailer (motor home). A motorized vehicle, designed and/or maintained for use as a temporary dwelling or sleeping place for travel or recreation purposes exclusively, having no foundation other than for wheels or jacks.

Trailer (travel). A nonmotorized vehicle, pulled by an automobile or truck designed and/or maintained for use as a temporary dwelling or sleeping place for travel or recreation purposes exclusively.

Trailer park. A parcel of land which is used solely for the rental or lease of lots for transient campers, trailers, motor homes or temporary parking of any other recreational vehicle that is not a mobile home.

Transportation. The movement of people and goods from one place to another.

Director of transportation planning. The director of transportation planning [or county engineer], or his or her designee.

Project improvements. Site specific improvements that are planned, designed or built to provide service for a specific development project and that are necessary for the use and convenience of the occupants or users of that project only, and that are not "system" improvements.

Traffic impact study. A traffic impact study (TIS) is an important tool in the overall development planning process (residential, commercial, industrial, institutional, etc.). It provides information which identifies impacts of proposed developments on the existing, short range and long range roadway/circulation networks. It also identifies mitigation measures for the impacts identified. Traffic impact studies shall be conducted by a qualified professional.

Trip. A single or one-directional travel movement with either the origin or destination of the trip inside the study site.

Trip generation. An estimate of the number of vehicle trips that will be generated due to the new development, which is calculated based on the type and amount of land uses in the proposed development and professionally accepted trip generation rates for each such land use. Trip generation may be expressed on an average daily basis or average peak hour (a.m., p.m. or both).

U

Understory tree (also medium or small tree). A class of trees and large shrubs that do not attain the height of a canopy or shade tree, yet are large enough at maturity to provide shade for people, as well as many of the benefits of larger shade trees. Examples include Dogwood, Red Bud, Crabapple, Crepe Myrtle, Wax Myrtle, Ornamental Cherry, Hawthorne, and tree-type type hollies.

Undisturbed buffer. A buffer, either impervious or vegetated, in which no encroachment of buildings or structures is permitted.

Unit of development. The standard incremental measure of land development activity for a specific type of land use upon which the rate of demand for public service and facilities is based, such as a dwelling unit, square foot of floor area, motel room, etc.

Unused or excess impact fee. Any individual impact fee payment from which no amount of money or only a portion thereof has been encumbered or expended according to requirements.

Use. The purpose or activity for which land or buildings are designed, arranged, intended, or occupied and maintained or leased.

Utility. Public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems and railroads.

V

Variance. A grant of relief from the site design requirements of the ZONING CODE related to dimensional standards for lots, building placement, building height, and parking spaces.

Vegetative erosion and sedimentation control measures. Measures for the stabilization of erodible or sediment-producing areas by covering the soil with:

- (1) Permanent seeding, sprigging or planting, producing long-term vegetative cover;
- (2) Temporary seeding, producing short-term vegetative cover; or
- (3) Sodding, covering areas with a turf of perennial sod-forming grass. Such measures can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Vehicle, abandoned. A vehicle which does not bear a current state license plate, unless said vehicle is stored within a completely enclosed building or it is stored on a bona fide sales lot and is in satisfactory operating condition.

Vehicle use area. Any area, paved or unpaved, used for egress or ingress, or to store or park motor vehicles.

Abandonment. The intent to abandon or discontinue operations as evidenced by voluntary conduct or failure to use a wireless telecommunications facility for a period of six (6) months or more.

Above ground level (AGL). A measurement of height from the natural grade of a site to the highest point of a structure.

Accessory facility or structure. Any equipment serving or being used in conjunction with a telecommunications facility or support structure and located on the same property or lot as the WTF. This equipment includes, but is not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or other structures.

Administrative approval. Zoning approval that the director of the planning and zoning department, or his designee, is authorized to grant after administrative review.

Antenna. Any apparatus designed for transmitting and/or receiving electromagnetic waves or radio frequency or other wireless signals. Such antenna shall include, but not be limited to, radio, television, cellular, paging, personal telecommunications services, microwave telecommunications and services not licensed by the FCC, but not expressly exempt from the county's siting, building and permitting authority.

Attached wireless telecommunications facility. An antenna or antenna array that is secured to an existing building or structure (except an antenna support structure) with any accompanying pole or device which attaches it to the building or structure, together with transmission cables, and an equipment cabinet, which may be located either on the roof or inside/outside of the building or structure. An attached wireless telecommunications facility is considered to be an accessory use to the existing principal use on a site.

Collocation. Where two (2) or more wireless personal service providers place a wireless telecommunications antenna on the same support structure without increasing the height of the tower or structure. Collocation also means locating telecommunications facilities on an existing structure (for example: buildings, water tanks, towers, utility poles, etc.) without the need to construct a new support structure.

Coverage. The geographic area reached by an individual wireless telecommunications facility installation.

Geographic search area (GSA). An area designated by a wireless provider or operator for a new base station, produced in accordance with generally accepted principles of wireless engineering.

Major modifications. The addition, removal or change of any of the physical and visually discernable components or aspects of an existing telecommunications facility or support structure that result in a substantial change to the facility or structure. Collocation of new telecommunications facilities to an existing support structure without replacement of the structure shall not constitute a major modification. "Major modifications" include, but are not limited to, extending the height of the support structure by more than twenty (20) feet or the replacement of the structure.

Minor modifications. The addition, removal or change of any of the physical and visually discernable components or aspects of an existing telecommunications facilities or support structures, that result in some material change to the facility or support structure but of a level, quality or intensity that is less than a "substantial" change. Such minor modifications include, but are not limited to, collocations of new telecommunications facilities, extending the height of the support structure by less than twenty (20) feet, and the expansion of the compound area for additional accessory equipment.

Monopole. A style of freestanding antenna support structure that consists of a single shaft usually composed of two (2) or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground or on the roof of a building.

Provider. Any entity licensed by the FCC to provide subscriber-based personal wireless telecommunications services.

such as trails, picnic areas or parks with landscaping providing no facilities for active sports; and active areas, with ball fields, soccer facilities, swimming areas, and other facilities for sports activities.

"Carport" shall mean a covered structure used for housing two (2) vehicles that has the following minimum dimensions: vehicular entrance height, eight feet (8'); interior height, eight feet (8'); vehicular entrance width, sixteen feet (16'); and overall carport width and depth, twenty-four feet (24'). The floor shall be constructed of concrete. Concrete floors shall be reinforced, where appropriate, and a minimum of four inches (4") in thickness with appropriate fill and base. Where carports are constructed, such structures shall not be enclosed for living space, storage purposes or any other purpose without first obtaining a variance from the city and constructing an attached residential parking garage.

"Central park" means a park for active or passive recreational use consisting of buildable land. The total area of a central park shall be equal to one (1) acre. A central park must be located in the approximate center of the development relative to the residential buildings located therein.

"City" means the city of Stockbridge or its designee.

"Classification" means the RM-1, RM-2 or RM-3 district referred to herein.

"Commercial area outside the development" means an area not associated within or part of the development in which at least three (3) of any of the following operating commercial establishments are located: retail, office, industrial or manufacturing industrial.

"County" means Henry County or its designee.

"Development plan" means a written and graphic submission for a development which represents a tract of land, proposed development, the location and bulk of buildings and other structures, the calculation of all impervious surfaces, density of development, public and private streets, parking facilities, common open space, sidewalks and multi-use paths, and all amenities.

" Dwelling unit" means one (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for tenant occupancy, for rental or lease on a periodic basis of more than one (1) week at a time, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent living, sleeping, toilet and single cooking facilities; however this definition shall not be construed to include extended stay hotels/motels.

"Extended stay hotel/motel or lodging" means any building containing five (5) or more guest rooms, intended or designed to be used or which are used, rented, or hired out to be occupied for sleeping purposes for guests, and at least twenty percent (20%) of which contain kitchen facilities for food preparation, including, but not limited to, refrigerators or stoves, and which facilities shall be separate from the sleeping areas. The rooms of an extended stay facility are of the type accessed by either individual exterior entrances or by individual, internal courtyard entrances. Such a facility is distinguished from a multiple unit dwelling or any other type of permanent residence and persons who reside therein are not permitted to claim permanent residency at such a location.

"Facade" means all exterior faces of a building except eaves and corners.

"Hotel" means a building in which overnight accommodations, without separate cooking facilities, are provided to the public on a short-term basis, for the accommodation of transient individuals, and which shall at all times be prohibited from conversion to multiple unit dwellings or other types of permanent residences.

"Impervious cover" or "impervious surface" means any roads, driveways, parking areas, buildings, swimming pools, concrete, pavement, rooftop landscapes and other impermeable construction covering the natural land surface which impedes or blocks the free passage of water, air or nutrients through the soil to the natural watershed, aquifer or water zone located below the surface. Surface materials which have been tested and marketed as providing some level of perviousness (e.g., such as pavers) and have a life span comparable to or better than that of asphalt may be used and its rated perviousness may be factored into the calculation of impervious cover after review and approval of the rating by the city or its designee.

Except as otherwise provided in this section, impervious cover is the total horizontal area of covered spaces, paved areas, walkways and driveways in a proposed development. Impervious cover excludes ponds and areas with gravel placed over pervious surfaces that are used only for landscaping or by

Alleys or alleyways. An alley or alleyway shall mean a private alley located in the rear of residential uses that provides residents with vehicular access to their residences. Alleys shall be maintained by the adjoining property owners, homeowners' associations or condominium/apartment associations. Alleys shall be constructed to meet the following requirements: private alleyways shall be a minimum of eighteen feet (18') in width and sixteen feet (16') thereof shall be paved with concrete or asphalt. Concrete alleys shall be reinforced and have a minimum depth of six inches (6") with appropriate base. Asphalt alleys shall consist of a minimum of two inches (2") of type "E" or "F" asphalt topping, binder, and six inches (6") of graded aggregate base. Private alleys, at a minimum, shall be constructed to provide adequate turning radii onto public streets, driveways, residential parking garages and carports for full-size, noncommercial, two-axle vehicles. Curbs and gutters are not required. Private alleyways shall not have dead ends but, in limited circumstances and upon specific approval by the city, may have cul-de-sacs where the alley serves a small number of residences or the topography of the land makes an exit impracticable.

Amenity area. The area(s) set aside for active and passive recreation for the residents inside the PTD (or for the public) according to the standards set forth herein. Recreation areas may include passive areas, such as trails, picnic areas, or parks with landscaping providing no facilities for active sports; and active areas, with ball fields, soccer facilities, swimming areas and other active recreational facilities.

Central park. This term shall mean a park for active or passive recreational use consisting of no less than one (1) net useable acre. A central park should be located in the approximate center of the development.

Comprehensive plan. The comprehensive long-range plan containing policies to guide the growth and development of the city of Stockbridge, which includes the analysis, recommendations and proposals for the population, economy, housing, transportation, community facilities, and land use.

Conventional development (CD). Typical "cookie cutter" form of development along with related commercial and industrial activities in a town center and/or industrial park setting that is typical in modern development practices. This type of development is designed mainly for single-family homes, extensive use of buffering, landscaping and amenities, and commercial and/or industrial uses oriented to ease vehicular traffic. This does not exclude the use of pedestrian and bicycle facilities to make these developments more accessible.

Density. The number of dwelling units (du) allowed for each net usable acre (nua), i.e., du/nua.

Density credits. The amount of additional density applicable to a type of development in the PTD according to performance criteria established herein.

Density debits. The amount of density deducted from the type of PTD development according to performance criteria established herein.

Du/nua. See density.

Garage, residential parking. A residential parking garage shall mean an enclosed structure attached to or part of the principal dwelling used for housing at least two (2) vehicles and has the following minimum dimensions: vehicular entrance height, eight feet (8'); interior height, ten feet (10'); vehicular entrance width, sixteen feet (16'); and overall garage width and depth, twenty-four feet (24'). The floor shall be constructed of concrete. Concrete floors shall be reinforced, where appropriate, and a minimum of four inches (4") in thickness with appropriate fill and base. Where residential parking garages are constructed, such structures shall not be enclosed for living space, storage purposes or any other purpose without first obtaining a variance from the city and constructing an attached residential parking garage.

Loft-apartment. A loft-apartment is an apartment as defined in the RM ordinance, section 8.36.100, of the Code of Ordinances for the city of Stockbridge, Georgia but located in a mixed-use building above commercial or office space.

Loft-condominium. A loft-condominium is a condominium as defined in the RM ordinance, section 8.36.100, of the Code of Ordinances for the city of Stockbridge, Georgia but located in a mixed-use building above commercial or office space.

Master development plan. A written and graphic submission for a planned town development which represents a tract of land; proposed subdivision; the location and bulk of buildings and other structures;

architectural design standards shall be created and approved prior to development of sites designated as planned town center.

Pocket park. A pocket park is a park for active or passive recreational uses consisting of no less than one-quarter ($\frac{1}{4}$) of a net useable acre (or fourteen thousand two hundred fifty square feet (14,250 sq ft)).

Pocket parks may be consolidated provided that the development contains no fewer than one-half ($\frac{1}{2}$) the number required and that any consolidated pocket park does not exceed one (1) net useable acre (or forty-three thousand five hundred sixty square feet (43,560 sq ft)) nor contain less than one-half ($\frac{1}{2}$) a net useable acre (or twenty-one thousand seven hundred eighty square feet (21,780 sq ft)). The purpose of pocket parks is to provide open space for recreational use within walking distance of most residences especially those located farthest from amenity areas. Therefore, where required, pocket parks shall be scattered throughout the development but more greatly concentrated in those parts of the development which are the greatest walking distance from an amenity area.

Preliminary concept plan. A preliminary plan of the proposed planned development, of sufficient accuracy to be used for purpose of reviewing the proposed land uses and general layout.

Professional consultant. The person who is a registered and/or certified engineer, architect, landscape architect, or planner who prepared the plan, within the scope of their respective legal responsibilities.

Public lands. The land area designated for general public use, not otherwise under the control of a homeowner or property owner association. This may include civic space as provided herein.

Residential land uses. Any variety of residence types as permitted herein and as shown on the approved master development plan.

Traditional neighborhood development (TND). A TND development consists of areas of compact, urban residential development with alleys, rear garages (attached or detached), front porches (typically), street trees, sidewalks, narrow streets (on-street parking allowed), pocket parks and other formalized park areas that reflect back upon urban neighborhood development in the period of the 1920s-1940s. The planned town center typically places the bulk of parking at the rear of buildings, with limited on-street parking, wide sidewalks, storefronts facing the street, street furniture, plazas, public art, street trees, squares, and, where allowable, residential above storefronts. Generally, commercial activities are limited in scope and bulk to maintain harmony of the development. The number of TND lots shall be limited to fifty percent (50%) of the total residential lots of the development.

Townhouses. Same as defined in the RM ordinance, section 8.36.100, of the Code of Ordinances for the city of Stockbridge, Georgia.

Usable land area. Except for adjustments allowed herein, usable land area shall consist of the total net usable acres.

"Conservation easement" means a non-possessory interest of a holder in real property imposing limitations or affirmative obligations for the purposes of which include retaining or protecting natural, scenic, green or open areas of real property, assuring its availability for agricultural, forest, recreational or green space use, protecting natural resources, maintaining or enhancing air or water quality or preserving the historical, architectural, archaeological or cultural aspects of real property.

"Conservation residential subdivision" also known as "CRS" means a single-family residential subdivision design which concentrates lots, dwellings, streets, utilities and related development activities on the more suitable and less environmentally sensitive areas of the site, thereby preserving the steep slopes, wetlands, unsuitable soils, stream corridors and otherwise environmentally sensitive areas in a natural or undisturbed state. A CRS allows for a slightly higher net density than that typically allowed for the underlying zoning classification of the property, and smaller lot sizes in order to preserve the environmentally sensitive areas in dedicated, perpetual green space.

"Density bonus" is the amount of additional density applicable to a type of development in the conservation residential subdivision district according to quality construction standards established in this section.

1. Vehicular entrance height, eight feet (8'); interior height, ten feet (10'); vehicular entrance width, sixteen feet (16'); and overall garage width and depth, twenty-four feet (24'). The floor shall be constructed of concrete.

2. Concrete floors shall be reinforced, where appropriate, and a minimum of four inches (4") in thickness with appropriate fill and base.

3. Residential parking garages shall not be enclosed for living space, storage purposes or any other purpose without first obtaining a variance from the city and constructing an attached residential parking garage to the main residential structure. The residential parking garage shall be kept clear so that a minimum of one (1) vehicle may be parked in the garage at all times.

"Standard subdivision" means the form of subdivision design where all land areas within the development are divided into building lots and rights-of-way and where there is little or no green space land set aside outside of building lots and rights-of-way for preservation in its natural or undeveloped condition.

"Third party right of enforcement" means the right provided in a conservation easement to enforce any of its terms granted to a governmental body, charitable corporation, charitable association or charitable trust, which, although eligible to be a holder, is not a holder.