

## ARTICLE 6. – DEVELOPMENT AND DESIGN STANDARDS

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## ARTICLE 6. – DEVELOPMENT AND DESIGN STANDARDS

### Sec. 6-1. Off-street parking and loading.

6-1.1. *Intent.* The intent of this section is to allow flexible methods of providing an adequate number of parking and loading spaces, while creating or improving a pedestrian-oriented community, and reducing excessive paved surfaces which lead to unnecessary heat buildup and stormwater runoff.

#### 6-1.2. *Applicability.*

- (A) *General.* The off-street parking, bicycle parking, and loading standards of this section shall apply to any new building constructed and to any new use established.
- (B) *Exemptions and modifications.*
  - (1) The off-street parking requirements in Table 6-1-1 shall not apply to properties in the C-3 district. Loading standards of this section shall not apply in the C-3 district. However, prior to issuance of any building permit or certificate of occupancy, whichever is issued first, the owner of any new building constructed or any new use established in the C-3 district shall submit to the administrator an estimate of the parking requirements that the building or use is expected to generate, based on the ratios established in this section, and an indication of where or how that parking will be provided.
  - (2) The off-street parking, bicycle parking, and loading standards of subsections 6-1.2 and 6-1.3 shall not apply to parking areas which constitute the principal use of a site (commercial parking lots and parking structures). The maximum off-street parking standards of subsections 6-1.2 and 6-1.3 shall not apply to developments which incorporate a multi-level parking structure.
- (C) *Expansions and alterations.* The off-street parking, bicycle parking, and loading standards of this section shall apply when an existing structure or use is expanded or enlarged. Additional off-street parking, bicycle parking, and loading spaces shall be required based on the enlarged or expanded area, provided that in all cases the number of off-street parking, bicycle parking, and loading spaces provided for the entire use (pre-existing plus expansion) must equal at least 75 percent of the minimum ratio established in this section.
- (D) *Change of use.* Off-street parking, bicycle parking and loading shall be provided for any change of use pursuant to the following:
  - (1) If the change of use constitutes less than 50 percent of the floor area of a structure or lot accommodating one or more uses (within a five-year period), the property shall comply with the provisions of this section to the greatest extent practicable as determined by the administrator provided the off-street parking and loading requirements equal at least 75 percent of the minimum ratio established by this section.
  - (2) If the change of use constitutes 50 percent or more of the floor area of a structure or lot accommodating one or more uses (within a five-year period), the property shall comply with the provisions of this section to the greatest extent practicable as determined by the administrator provided the off-street parking and loading requirements equal at least 100 percent of the minimum ratio established by this section.

#### 6-1.3. *Off-street parking requirements.*

- (A) *Schedule A.* Unless otherwise expressly stated in this chapter, off-street parking spaces shall be provided in accordance with Table 6-1-1.

**Table 6-1-1: Off-street Parking Requirements Schedule A**

Use Category	Use Type	Minimum Spaces Required	Maximum Spaces Allowed
		Square footage refers to total gross floor area, excluding accessory warehouse and storage areas unless otherwise indicated	
<b>RESIDENTIAL USES</b>			
Household living*	Multiple-family dwelling	1.5 per dwelling unit	See Schedule B
	Household living uses specifically for elderly or handicapped residents	0.5 per dwelling unit	See Schedule B
	Townhouse	2.25 per dwelling unit	See schedule B
	Other household living uses with 3 or fewer bedrooms	2 per dwelling unit	See Schedule B
	Other household living uses with more than 3 bedrooms	3 per dwelling unit	See schedule B
	* Enclosed garages shall not count toward minimum parking for household living uses.		
Group living	Boarding house	2 plus 1 for each bedroom rented	2 plus 1 for each bedroom rented
	All other group living uses	1 per each 2 beds	1 per each bed
<b>PUBLIC AND INSTITUTIONAL USES</b>			
Community service	Library, museum	1 per 1,000 square feet	See Schedule B
	All other community service uses	1 per 500 square feet	1 per 250 square feet
Day care	Child learning center (19+ people)	1 per 375 square feet	1 per 250 square feet
	Group day care home (7 to 18 people)	2 plus requirement for principal use	See Schedule B
	Preschool	1 per 375 square feet	1 per 250 square feet
Educational facilities	Business school	1 per 200 square feet	1 per 150 square feet
	College or university	1 per 200 square feet	See Schedule B
	School, public or private	2 per classroom	See Schedule B
	Trade school	1 per 200 square feet	1 per 150 square feet
Government facilities	Detention center	See Schedule B	See Schedule B
	Emergency response facility	See Schedule B	See Schedule B
	Maintenance, storage, and distribution facility	1 per 1,000 square feet	See Schedule B
	Post office	1 per 300 square feet	See Schedule B
Health care facilities	Hospital	1 per 400 square feet	See Schedule B
	Medical facility, other than hospital	1 per 600 square feet	1 per 250 square feet
Institutions	Religious institution	1 per 5 permanent seats in the main sanctuary	1 per 3 seats in the main sanctuary
	All other institutions	0.3 per bed plus 1 per employee	See Schedule B
Parks and open areas	All uses	See Schedule B	See Schedule B
Transportation terminals	All uses	See Schedule B	See Schedule B
Utilities	Communication tower	None	See Schedule B
	Major and Minor Utility	1 per 1,500 square feet	See Schedule B

Use Category	Use Type	Minimum Spaces Required	Maximum Spaces Allowed
		Square footage refers to total gross floor area, excluding accessory warehouse and storage areas unless otherwise indicated	
<b>COMMERCIAL USES</b>			
Eating establishments	Restaurant, with drive-through	1 per 150 square feet plus vehicle stacking spaces (See § 6-1.7)	1 per 100 square feet plus vehicle stacking spaces
	Restaurant with no seating	1 per 200 square feet	1 per 100 square feet
	All other eating establishment uses	1 per 100 square feet	1 per 75 square feet
Offices	Call centers	1 per 300 square feet	See Schedule B
	All other offices	1 per 600 square feet	1 per 200 square feet
Outdoor entertainment	All uses	1 per 5,000 square feet of land area, or one per three persons capacity (maximum), whichever is greater	See Schedule B
Retail sales and services	Adult entertainment establishment	1 per 100 square feet	See Schedule B
	Bank, financial institution, or ATM	1 per 500 square feet plus vehicle stacking spaces for automated banking (See § 6-1.7)	1 per 200 square feet plus vehicle stacking spaces
	Convention and exhibition hall	See Schedule B	See Schedule B
	Civic club	1 per 300 square feet	See Schedule B
	Convenience store	1 per 200 square feet plus vehicle stacking spaces for gasoline service (See § 19-6.1.7)	1 per 100 square feet plus vehicle stacking spaces for gasoline service (See § 6-1.7)
	Department or discount store, exceeding 35,000 gross square feet	1 per 650 square feet	1 per 250 square feet
	Event venue	See Schedule B	See Schedule B
	Grocery store	1 per 650 square feet	1 per 250 square feet
	Health club or spa	1 per 250 square feet	See Schedule B
	Indoor entertainment facility	1 per three fixed seats, or one per 300 square feet, whichever is greater	See Schedule B
	Kennel or veterinary clinic	1 per 600 square feet	See Schedule B
	Landscape nursery	See Schedule B	See Schedule B
	Nightclub or bar	1 per 100 square feet	See Schedule B
	Funeral home, mortuary	1 per 4 seats in main assembly room	See Schedule B
	Photography, art, dance studio or gallery	1 per 400 square feet	1 per 200 square feet
	Personal services, all other uses	1 per 500 square feet	1 per 250 square feet
	Prefabricated building display and sales	See Schedule B	See Schedule B
	Retail sales and services, all other uses	1 per 500 square feet	1 per 250 square feet
Self-service storage	All uses	1 per 20 storage units	1 per 10 storage units
Vehicle sales and service	Automobile rental and sales	1 per 300 square feet	See Schedule B
	Automobile repair	1 per 300 square feet	See Schedule B
	Automobile servicing	1 per 300 square feet	See Schedule B
	Automobile wash and detailing	1 per 500 square feet of sales, office, and lounge area, plus vehicle stacking spaces (See § 6-1.7)	See Schedule B

Use Category	Use Type	Minimum Spaces Required	Maximum Spaces Allowed
		Square footage refers to total gross floor area, excluding accessory warehouse and storage areas unless otherwise indicated	
Vehicle sales and service (con't)	Recreational vehicle rental and sales	1 per 300 square feet	See Schedule B
	Towing service	1 per 300 square feet	See Schedule B
	Truck or trailer rental	1 per 300 square feet	See Schedule B
Visitor accommodations	Bed and breakfast inn	2 plus 0.5 per guest room plus	2 plus 1 per guest room
	Hotel or motel	0.75 per guest room, plus 1 per 800 square feet of conference and restaurant space	1 per guest room, plus 1 per 400 square feet of conference and restaurant space
<b>SERVICE AND INDUSTRIAL USES</b>			
Agricultural Operations	All uses	See Schedule B	See Schedule B
Aviation Services	All uses	See Schedule B	See Schedule B
Industrial services	All uses	See Schedule B	See Schedule B
Manufacturing and production	All uses	See Schedule B	See Schedule B
Mining Operations	All uses	See Schedule B	See Schedule B
Research and development	All uses	See Schedule B	See Schedule B
Testing Laboratories	All uses	See Schedule B	See Schedule B
Warehouse and freight movement	All uses	See Schedule B	See Schedule B
Waste-related services	All uses	See Schedule B	See Schedule B
Wholesale sales	All uses	1 per 1,500 square feet	See Schedule B

(B) *Schedule B*. Uses that reference "Schedule B" have widely varying parking and loading demand characteristics, making it impossible to specify a single off-street parking or loading standard. Upon receiving a development application for a use subject to Schedule B standards, the administrator shall apply the off-street parking and loading standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking requirements on the basis of a parking and loading study prepared by the applicant. Such a study shall include estimates of parking demand based on recommendations of the Institute of Transportation Engineers (ITE), or other acceptable estimates as approved by the administrator, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.

(C) *Off-street bicycle parking requirements*. The minimum number of parking spaces for bicycles shall be equal to one percent of the total number of off-street parking spaces provided. A minimum of two bicycle parking spaces shall be provided for all sites.

6-1.4. *Off-street loading requirements*. Unless otherwise approved by the administrator, every building or structure erected and used for business, trade, or industry shall provide space as indicated in this section for the loading and unloading of vehicles, with access to a public street or alley. The spaces shall be arranged so that no vehicle will be required to back onto a public street or way and so that vehicles may maneuver for loading and unloading entirely within the property lines of the premises. Off-street loading spaces shall be provided in the following numbers:

(A) *Commercial uses*. Each use shall provide one loading space, measuring ten feet by 25 feet with overhead clearance of 14 feet, for each 20,000 square feet of gross floor area or fraction thereof.

- (B) *Service and industrial uses.* Each use shall provide loading spaces that measure ten feet by 50 feet with overhead clearance of 14 feet, based on the gross floor area as shown below:

Table 6-1-2: Off-Street Loading for Wholesale and Industrial Uses	
Gross Floor Area in Structure (sq. ft.)	Number of Berths
0—25,000	1
25,001—50,000	2
50,001—100,000	3
100,001—150,000	4
150,001—200,000	5
Each 100,000 above 200,000	1

- (C) *Bus and truck terminals.* Sufficient spaces to accommodate the maximum number of buses or trucks to be loading, unloading, or stored at the terminal at any one time.

6-1.5. *Computation of parking and loading requirements.*

- (A) *Fractions.* When measurements of the number of required spaces result in a fractional number, any fraction of less than one-half shall be rounded down to the next lower whole number and any fraction of one-half or more shall be rounded up to the next higher whole number.
- (B) *Multiple uses.* Except as provided in subsection 6-1.8, lots containing more than one use must provide parking and loading in an amount equal to the total of the requirements for all uses.
- (C) *Gross floor area.* With regard to the parking standards in this section, square footage refers to the gross floor area of a building, excluding warehouse and storage space which is accessory to the primary use. With regard to the loading standards in this section, square footage refers to the total gross floor area of a building.
- (D) *Parking for unlisted uses.* Parking requirements for uses not specifically listed in Table 7-1-1 shall be determined by the administrator based on the provisions of Schedule B.
- (E) *Reduction of automobile parking for alternative transportation vehicles.* The administrator may reduce the required number of off-street parking spaces by one automobile space for every six bicycle parking spaces provided. The administrator may reduce the required number of off-street parking spaces if spaces for vehicles such as golf carts or other types of alternative transportation vehicles are provided, on a case-by-case basis.

6-1.6. *Parking design and location standards.* In addition to the design standards listed in section 6-6, the following shall apply to all parking lots:

- (A) *Surfacing and maintenance.*
1. All required parking and vehicular driving surfaces shall be graded for drainage in accordance with article 7, stormwater management.
  2. All parking and vehicular driving surfaces required pursuant to minimum spaces required in Table 6-1-1, except for parking and driveways for one-family detached and two-family dwellings, shall be surfaced with concrete or asphalt concrete pavement except as required or allowed in subsections 6-1.6(B), (D) and (E) of this section. Alternative materials may be approved by the administrator. Alternative materials shall only be considered if such material exhibits equivalent load bearing and wear characteristics as concrete or asphalt concrete. Gravel is not an acceptable alternative paving material except for overflow parking and vehicular uses areas located in an M-1 or M-2 zoning district.
  3. All parking and vehicular driving surfaces shall be maintained in sound condition free of potholes, cracks, weeds, dust, trash, and debris.
  4. Concrete and asphalt concrete driveways on residential properties shall have properly compacted subsoils, include adequate expansion joints to control cracks, and shall be free of cracks within the areas intended to be donated as public right-of-way. The surface components of any utility (i.e., sewer clean out caps, water valves, storm grates) set in a driveway shall be traffic rated.



- (B) *Low impact development (LID) techniques required.* All parking areas, for uses other than single-family detached and two-family dwellings, which exceed the number of parking spaces required by the minimum spaces required column and equal to or less than the maximum spaces allowed column as listed in Table 6-1-1 should incorporate low impact development (LID) techniques for the area in which there are excess spaces. Each LID technique shall be approved by the administrator. Examples include but are not limited to bioretention areas and vegetative filter strips. The LID technique shall be sized to treat the first 0.5 inches of runoff from the excess spaces and will be in addition to the stormwater requirements set forth in article 7, stormwater management.
- (D) *Overflow parking.* All parking areas above the maximum number of spaces required in Table 6-1-1 are considered as overflow parking and shall be turf or an approved pervious paving system. Turf may be used for parking areas and vehicular driving surfaces only for parking areas which are designed to be used no more than ten times per year.
- (E) *Paving exemption for assembly uses.* The administrator may waive the paving requirement for up to 50 percent of the required parking spaces and vehicular driving surfaces for assembly uses (religious institutions, sports facilities, and the like). The waiver may be granted only if evidence is presented to the administrator that these parking spaces and vehicular driving surfaces will be used less than five times per week and are not required for access by emergency vehicles. Parking areas for which paving is waived shall maintain a turf surface and be constructed with proper drainage.
- (F) *Markings.* All paved parking spaces shall be identified by surface markings and shall be maintained in a manner so as to be readily visible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking, and storage of vehicles. Parallel parking spaces shall be marked with standard "cross" and "T" pavement markings as reflected in the design and specification manual. All striping shall be marked with four-inch lines. As appropriate, time and use restrictions may apply and signs shall be posted displaying the required information.
- (G) *Backing movements prohibited.* All off-street parking spaces and driveways, with the exception of parking areas for one-family detached and two-family dwellings, shall be arranged to require ingress and egress from the lot to a public street by forward motion of the vehicle. For single-family and two-family residences only, driveways may be used to satisfy minimum off-street parking requirements, provided that sufficient space is available to satisfy the minimum design standards.
- (H) *Dimensions of parking stalls and driveways.* All required parking spaces shall be designed to comply with the following minimum standards:

Table 6-1-3: Standards for Parking Stalls				
Angle of Parking	Stall Width (feet)	Stall Depth (feet)	Driveway Width (feet)	Planting Island Width (feet)
0° (Parallel)	8	22 (length)	12	N/A
30°	9	17	12	4
45°	9	19	14	6
60°	9	20	18	7
90°	9	18	24	9

- (I) *Overhang protection.* Wheel or bumper guards, curbing, or other methods approved by the administrator shall be provided, located and arranged so that no part of any parked vehicle will extend beyond the boundaries of the parking space and into a pedestrian area, landscape area or beyond the property line of the site.
- (J) *Stacked parking.* Generally, no parking spaces shall be located so as to require the moving of any vehicle on the premises in order to enter or leave any other space. However, the administrator may, on a case-by-case basis, allow stacking spaces provided for auto-related uses to count toward the minimum required parking as long as such spaces are not part of areas required for site ingress or egress or areas intended for fueling. For example, stacking spaces may be permitted if the parking is dedicated to one use only.
- (K) *Bicycle parking.* Bicycle parking areas shall be located for the convenient access to site amenities and primary building entrances. Bicycle parking areas shall be located on a hardscape surface, physically separated from automobile parking lots. They shall be designed to provide adequate space for ingress and egress, and not impede pedestrian and vehicle circulation. Bicycle racks shall be designed to

support a bicycle frame in two places in a stable, upright position. Bicycle racks shall be securely anchored to the lot surface. Bicycle parking areas and bicycle racks shall be designed and installed as specified in the design and specifications manual.

- (L) *Parking in Historic Districts.* In designated historic overlay districts, parking located in the front yard, including the front yard on corner lots, shall not be permitted on turf or other landscaped areas. All parking in the front yard shall meet the requirements of subsection (A) above.

6-1.7. *Vehicle queuing spaces.* The vehicle queuing standards of this section shall apply unless otherwise expressly approved by the administrator.

- (A) *Minimum number of spaces.* Off-street queuing spaces shall be provided as follows:

Table 6-1-4: Vehicle Queuing Areas		
Activity Type	Minimum Queuing Spaces	Measured From
Bank teller lane	4	Teller or window
Automated teller machine (ATM)	3	Teller machine
Restaurant drive-through	6	Order box
Restaurant drive-through	4	Order box to pick-up window
Car wash stall, automatic	6	Entrance
Car wash stall, self-service	3	Entrance
Other	Determined by administrator based on traffic study	

- (B) *Design and layout.* Required queuing spaces are subject to the following design and layout standards:

- (1) *Size.* Queuing spaces shall be a minimum of eight feet by 20 feet in size.
- (2) *Location.* Queuing spaces may not impede on-site or off-site traffic movements or movements into or out of off-street parking spaces.
- (3) *Design.* Queuing spaces shall be separated from other internal driveways by raised medians if deemed necessary by the administrator for traffic movement and safety.

6-1.8. *Accessible parking for disabled persons.* A portion of the total number of provided off-street parking spaces in each off-street parking area or facility shall be specifically designated, located, and reserved for the use by persons with physical disabilities. For more information about accessible parking requirements and specifications, reference the Building and Accessibility Codes adopted by the state of Georgia and referenced in Chapter 5, Buildings and Building Regulations, of the City Code.

- (A) *Location of accessible parking spaces.* Developments that include multiple buildings must locate accessible parking spaces in a manner that provides reasonable accommodation for access to each building.
- (B) *Relationship to general off-street parking requirements.* Accessible parking required by this section shall count towards the fulfillment of the general off-street parking requirements of subsection 6-1.3.

6-1.9. *Parking alternatives.* The administrator may approve alternatives to providing the number of off-street parking spaces required by subsection 6-1.3, in accordance with the following standards:

- (A) *Shared parking.* The administrator may approve shared parking facilities for developments or uses with different operating hours or different peak business periods if the shared parking complies with all the following standards:
  - (1) *Location.* If located off-site, the shared parking spaces must be located within 600 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided.
  - (2) *Shared parking study.* A shared parking study that clearly demonstrates the feasibility of shared parking shall be submitted to the administrator. The study must be provided in a form established by the administrator. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the

anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces. Use of data provided in Table 6-1-6 may be accepted as a shared parking study.

**Table 6-1-6: Shared Parking Demand by Land Use and Time of Day**  
(Percentages are based on minimum parking requirements)

Land use	Weekday		Weekend		Nighttime
	Daytime (6 am—5 pm)	Evening (5 pm—12 midnight)	Daytime (6 am—5 pm)	Evening (5 pm—12 midnight)	(12 midnight—6 am)
Office	100%	10%	10%	5%	5%
Retail	60%	90%	100%	70%	5%
Residential	30%	90%	80%	90%	100%
Restaurant	50%	100%	100%	100%	10%
Hotel/motel	75%	100%	75%	100%	75%
Entertainment	40%	100%	80%	100%	10%
Religious institution	10%	30%	100%	30%	5%

To use Table 6-1-6:

- 1) Determine the minimum parking requirements in accordance with Table 6-1-1 for each land use as if it is a separate use.
- 2) Multiply each amount by the corresponding percentages for each of the five time periods.
- 3) Calculate the total for each time period.
- 4) Select the column with the highest total and use this number as the required minimum number of parking spaces.

(3) *Agreement for shared parking.* A shared parking plan (where the minimum required parking spaces are provided off-site) will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the administrator in a form established by the city attorney. Recordation of the agreement must take place before issuance of a building permit or certificate of occupancy for any use to be served by the shared parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with the requirements of subsections 6-1.2 and 6-1.3.

(B) *Off-site parking.* The administrator may approve the location of required off-street parking spaces on a separate lot from the lot on which the principal use is located if the off-site parking complies with all of the following standards:

- (1) *Ineligible activities.* Off-site parking may not be used to satisfy the required off-street parking standards for residential uses (except for guest parking), convenience stores, or other convenience-oriented uses. Required parking spaces for persons with disabilities shall not be located off-site.
- (2) *Location.* No off-site parking space may be located more than 600 feet from the primary entrance of the use served unless remote parking shuttle bus service is provided. Off-site parking spaces may not be separated from the use served by a street wider than three lanes, unless a grade-separated pedestrian walkway, or other traffic control or remote parking shuttle bus service, is provided.
- (3) *Agreement for off-site parking.* In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement between the record owners will be required. The agreement must guarantee the use of the off-site parking area for at least ten years. An attested copy of the agreement between the owners of record must be submitted to the administrator for recordation in a form established by the city attorney. Recordation of the agreement must take place before issuance of a building permit or certificate of occupancy for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with the requirements of subsections 6-1.2 and 6-1.3. No use shall be continued if the parking is removed unless substitute parking facilities are provided, and the administrator shall be notified at least 60 days prior to the termination of a lease for off-site parking.

- (C) *Valet and tandem parking.* The administrator may approve an off-street parking program utilizing limited tandem parking for commercial and industrial uses provided that the development requires 50 or more parking spaces. No more than 30 percent of the total number of spaces shall be designated as tandem. In addition, a valet parking attendant must be on duty during business hours.
- (D) *On-street parking.* Existing on-street parking spaces may be accepted by the administrator to meet the minimum parking requirements of this section.
- (E) *Other eligible alternatives.* The administrator may approve other alternatives to providing off-street parking spaces on the site of the subject development if the applicant demonstrates to the satisfaction of the administrator that the proposed plan will protect surrounding neighborhoods, preserve historic or heritage trees, maintain traffic circulation patterns, and promote quality urban design to at least the same extent as would strict compliance with otherwise applicable off-street parking standards.

6-1.10. *Use of off-street parking areas.*

- (A) *General.* Off-street parking areas shall be used solely for the parking of licensed motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, or building materials, except as expressly allowed in this section.
- (B) *Oversized vehicles in residential districts.* Oversized vehicles shall not be parked or stored in a residential district, except for ordinary delivery, loading or unloading of household goods, or during an active construction project.
- (C) *Recreational vehicles in residential districts.* In any residential district recreational vehicles, travel trailers, campers, motorized homes, boats, boat trailers, ATVs or ATV trailers may be parked or stored in a completely enclosed building. Such vehicles or trailers not parked or stored in a completely enclosed building shall be limited to one per dwelling and shall be parked or stored in the side yard or rear yard of the lot.
- (D) *Recreational vehicles in the C-3, central business district.* Parking or storing any recreational vehicle, travel trailer, camper, motorized home, boat, boat trailer, ATV or ATV trailer in the central business district is prohibited outside of a completely enclosed building.
- (E) *Utility trailers in residential districts.* In any residential district, open or enclosed utility trailers may be parked or stored in a completely enclosed building. Such utility trailers not parked or stored in a completely enclosed building shall be limited to one per dwelling and shall be parked or stored in the side yard or rear yard of the lot. Utility trailers hitched to an operable vehicle used to transport the trailer to and from a worksite, typically Monday through Friday, may be parked on a paved or graveled driveway, including Saturday and Sunday when such trailer may not be attached to a vehicle, provided, however, the above-limitation to one per dwelling and the requirement to be stored in the side yard or rear yard of the lot shall still apply to any trailers not stored in a completely enclosed building.
- (F) *Utility trailers and towed wheeled mobile food vendor vehicles in the central business district.* In the C-3, Central Business District, open or enclosed utility trailers and towed wheeled mobile food vendor vehicle may be parked or stored on a lot if located within a completely enclosed building, in a location which is not visible from any public street, or within an enclosure complying with the provisions of Section 6-3.7. Utility trailers and food trucks not parked or stored within a completely enclosed building must be associated with a tenant located on the lot used to park or store the utility trailer or towed wheeled mobile food vendor vehicle.
- (G) *Motorized wheeled mobile food vendor vehicles in the central business district.* In the C-3 Central Business District, motorized wheeled mobile food vendor vehicles may be parked or stored on any lot containing a restaurant operating under the same name provided the parking and storage location meets the standards of Sec. 6-1.6(A).
- (H) *Utility trailers and mobile food vendor vehicles in non-residential districts.* Within districts not otherwise regulated, utility trailers and mobile food vendor vehicles may be parked or stored on any lot occupied by a tenant with which the trailer or mobile food vendor vehicle is associated. Trailers and mobile food vendor vehicle shall not be parked or stored in required landscaping and buffer areas and shall not reduce the minimum required parking spaces for the property.

**Sec. 6-2. Control of curb cuts and vision clearance.**

6-2.1. The requirements for controlling curb cuts and maintaining vision clearance shall be as follows:

- (A) *Curb cuts.* No curb shall exceed fifty (50) feet in length, nor shall curb cuts be closer than twenty (20) feet to other curb cuts or closer than twenty (20) feet to an intersection of two (2) streets measured along the curb line. Curb cuts along state rights-of-way shall meet current Georgia Department of Transportation standards.
- (B) *Vision clearance.* In all districts except C-3 Central Business District (CBD), no fence, wall, shrubbery, sign, marquee or other obstruction to vision between the heights of two and one-half (2½) and ten (10) feet from ground level shall be permitted within twenty (20) feet of the intersection of the right-of-way lines of two (2) streets or railroad lines, or of a street intersection with a railroad line.

## Sec. 6-3. Landscaping, buffering, and screening.

### 6-3.1. General.

- (A) *Purpose and intent.* The purpose of landscaping, buffering, and screening requirements is to provide an aesthetically pleasing environment for property owners and residents of the city and other members of the public. The requirements are intended to maintain and enhance property values, enhance the appearance of all developments, provide adequate buffers between different land uses, improve the character, appearance, and micro-climate of the city, improve heat and noise abatement, and reduce erosion and stormwater runoff.
- (B) *Applicability.* These regulations shall apply on a citywide basis for the following proposed development plans:
  - (1) Subdivision, construction, or reconstruction of all residential and nonresidential developments.
  - (2) Construction of a parking structure or a vehicular use area.
  - (3) Expansion of a nonconforming parking lot pursuant to the provisions of section 9-6, nonconforming landscaping, buffering, and screening.
  - (4) Demolition of a structure within the C-3 district resulting in a vacant lot.
  - (5) Change of use pursuant to the provisions of section 9-6, nonconforming landscaping, buffering, and screening.
- (C) *Exemptions.*
  - (1) These regulations shall not apply to lots containing a single-family detached or two-family dwelling. See section 6-4.2(B)(2) for tree protection and replacement requirements.
  - (2) Industrial developments in an M-2 zoning district shall be exempt from the requirements of Sec. 6-3.6, street buffer yards, and Sec. 6-3.4, interior parking lot landscaping.
- (D) *Landscape plan required.* A landscape plan shall be submitted as part of a site plan permit application for all developments listed in subsection 6-3.1(B). The landscape plan shall meet the requirements listed in the administrative manual.
- (E) *Maintenance.* The owner of the property where landscaping is required shall be responsible for the maintenance and protection of all plant and screening material for the duration of the premises.
  - (1) All landscape material, maintenance, and management shall conform to the minimum standards of the American National Standards Institute (ANSI) A300 Standards for Tree Care Operations.
  - (2) Landscaped areas shall be maintained in good condition and kept free of dead plants, weeds, or debris. Failure to maintain or replace dead, damaged or diseased plant material or to repair a broken wall or fence within 30 days of notification shall constitute a violation of this section. If a catastrophic event occurs which destroys a large quantity of vegetation, the owner or lessee shall replant within a reasonable time period determined by the administrator, normally during the next planting season, which is November through March. Replaced plant material comply with the minimum size, spacing, and quantity standards of this section.
  - (3) Trees may not be severely trimmed beyond the standards of ANSI A300 Standards for Tree Care Operations. If aggressive trimming occurs, the property will be considered nonconforming and the property owner will be required to replace the trees with trees meeting the minimum size, spacing, and quantity standards of this section.
  - (4) Buffer and screening material shall be maintained to meet the minimum size, spacing, and quantity standards of table 6-3-2.
- (F) *Species variety.*
  - (1) In order to prevent loss of all trees in the event disease or pests target certain species, a variety of tree species variety shall be included on the landscape plan based on the number of trees planted. The following minimum quantities shall be in the form of genus diversity:

Table 6-3-1: Tree Species Variety	
Required Number of Trees	Minimum Species
1—5	1
6—10	2
11—20	3
21+	4

- (2) In the case of unusual site limitations, an exception may be requested, and a different mix and number of species may be proposed for review and approval. A description of the unusual site limitations and the reasons for the proposed actions must accompany the request upon submittal of the landscape plan.

6-3.2. *Landscaping requirements.*

(A) *General.*

- (1) All planting areas shall be protected from vehicle damage by the installation of concrete curbing or other methods approved by the administrator. Alternative barrier designs which provide improved infiltration or storage of stormwater are strongly encouraged.
- (2) The plant materials used in and around parking lots and adjacent to street rights-of-way and pedestrian ways shall be designed to ensure visibility at intersections and safety of pedestrians.
- (3) All planting areas shall be stabilized with ground covers, mulches, or other approved materials to prevent soil erosion and to allow rainwater infiltration. Rubber mulch is not acceptable.
- (4) All plant and other materials used to comply with this section shall be placed in such a manner as to ensure maintenance access, to maintain unobstructed sight distances, to avoid encroachment on neighboring property, and shall be a species suitable for the proposed location, including conflicts with all utility easements and rights-of-way.
- (5) Plant height refers to the height of plants measured from the top of the root flare and does not include the root ball or the plant's container.
- (6) The entire planting area must be scarified and contain amended on-site soil or a soil mix to a depth of 18 inches.
- (7) Rain sensors for irrigation systems.
  - (a) *New installation.* All automatic irrigation systems installed after January 1, 2018 shall include rain sensors.
  - (b) *Required maintenance.* All rain sensors shall be adjusted and set so that they automatically shut off the irrigation system after more than one-fourth inch of rainfall has occurred. All rain sensors shall be installed according to manufacturer's instructions in a location that will provide full exposure to rainfall such that accuracy of operation is ensured and shall be maintained in good working condition. No person shall, with the intent of circumventing the purpose of this section, adjust either the rain sensor or irrigation system so that the rain sensor is not able to override and turn off the irrigation system after one-fourth inch of rain has fallen.

(B) *Minimum planting size/height requirements.* All landscape planting materials shall conform to the minimum size or height standards in table 6-3-2 at the time of planting as well as meet the standards of ANSI Z60.1 American Standard for Nursery Stock.

- (1) For newly planted trees the caliper measurement of the trunk shall be taken six inches above the top of the root flare up to and including four-inch caliper size. If the caliper at six inches above the top of the root flare exceeds four inches, the caliper shall be measured at 12 inches above the top of the root flare.
- (2) For existing trees, the diameter measurement of the trunk shall be taken at DBH (diameter at breast height) 4.5 feet above the average ground level.

Table 6-3-2: Minimum Planting Size/Height Requirements/Spacing	
Type of Planting Material	Minimum Size/Height/Spacing
Shade trees	3-inch caliper, 14-foot height, 6-foot clear trunk
Shade trees for single-family lots	2-inch caliper, 10-foot height, 5-foot clear trunk
Ornamental and understory street trees	2-inch caliper, 10-foot height, 5-foot clear trunk
Multi-stemmed street trees	2-inch caliper, 3 canes minimum, 10-foot height, 5 feet clear trunk
Evergreen buffer vegetation	6-foot height, plant spacing 5 feet on-center
Evergreen shrubs	18-inch height, plant spacing 3 feet on-center
Deciduous shrubs	24-inch height, plant spacing 3 feet on-center
Additional screening requirement	48-inch height, evergreen, plant spacing 4 feet on-center

6-3.3. *Street trees.* Street trees shall be provided and maintained within, or adjacent to, all existing and proposed public street rights-of-way in accordance with the following requirements:

- (A) Street trees shall include only those trees listed in the approved list of tree species unless use of an alternative species is approved by the administrator.
- (B) Street trees shall be located in an area no further than ten feet from the existing or proposed street right-of-way line.
- (C) Street trees shall be planted at a spacing of 40 feet on-center for shade trees or 20 feet on-center for ornamental and understory trees along the entire length of the street frontage of the proposed development or as approved by the administrator based on the development plans. Ornamental and understory trees shall be used as street trees only when there is an overhead obstacle which would preclude the use of taller-growing shade trees. A list of acceptable street trees is available in the administrative manual.
- (D) Preserved existing trees of a three-inch DBH or greater may be used to satisfy the street tree requirement. Preserved existing trees shall meet all the requirements outlined in section 6-4, tree protection, be of an acceptable species as listed in the administrative manual and be alive and healthy at the time of final inspection.
- (E) Trees used to comply with street tree requirements shall not count toward the minimum number of trees required to meet interior parking lot landscaping.

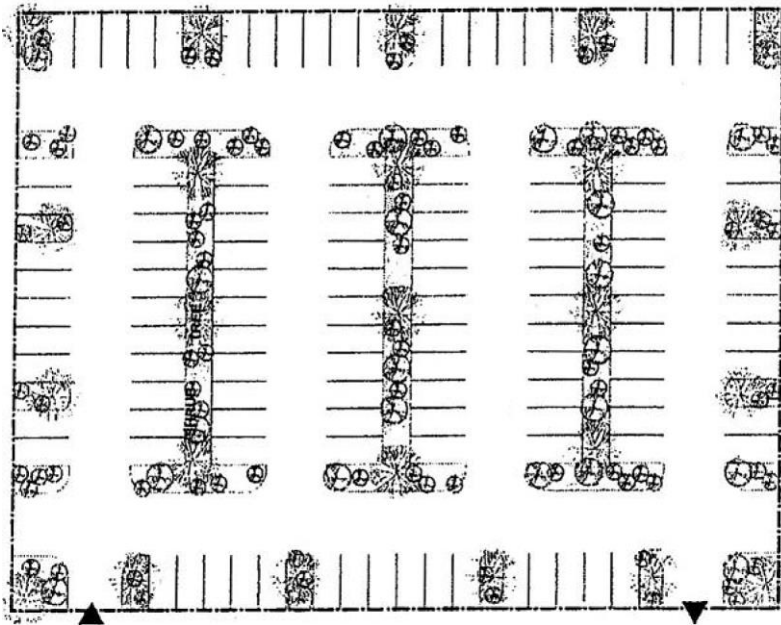
6-3.4. *Interior parking lot landscaping.*

- (A) In addition to all other landscape requirements, all parking lots subject to this section 6-2 shall provide and maintain landscaped planting areas within the interior of the parking lot. These standards shall not apply to multi-level parking structures. Each planting area shall consist of at least 180 square feet, or as approved by the administrator.
- (B) In cases where the area required for the construction of the minimum parking spaces as required by section 6-1, off-street parking requirements, would cause the removal of a historic or heritage tree, the administrator may modify the landscaping requirements and/or the parking requirements in order to preserve the affected historic or heritage tree.
- (C) Planting areas shall be designed within parking areas as:
  - (1) Islands located at the end of parking bays;
  - (2) Islands located between parallel rows of cars, used to visually separate parking areas into pods;
  - (3) Driveway medians, which shall have a minimum width of six feet;
  - (4) Other options may be approved by the administrator.
- (D) Each parking lot shall include one shade tree and eight shrubs for every 2,500 square feet, or portion thereof, of the total parking lot area, including drives and service areas.



- (E) Not more than ten continuous parking spaces shall be allowed in a row of parking without separation by a 180-square foot median containing at least one shade tree.
- (F) Shade trees are not to be located closer than 25 feet apart measured from trunk to trunk.
- (G) Proposed shade trees being used to meet the interior parking lot landscaping requirements shall be located no further than ten feet and no closer than four feet from the edge of pavement.
- (H) Existing shade trees may be used to meet the interior parking lot landscaping requirements at the discretion of the administrator if the trees meet the intent of the interior parking lot landscaping requirements and the tree protection requirements.
- (I) Trees used to comply with interior parking lot requirements shall not count toward the number of trees required to meet the street tree requirements.
- (J) No more than 25 percent of required shrubs may be deciduous.

Figure 6-3-1: Illustration of interior parking lot landscaping



6-3.5. *Perimeter buffering and screening requirements.*

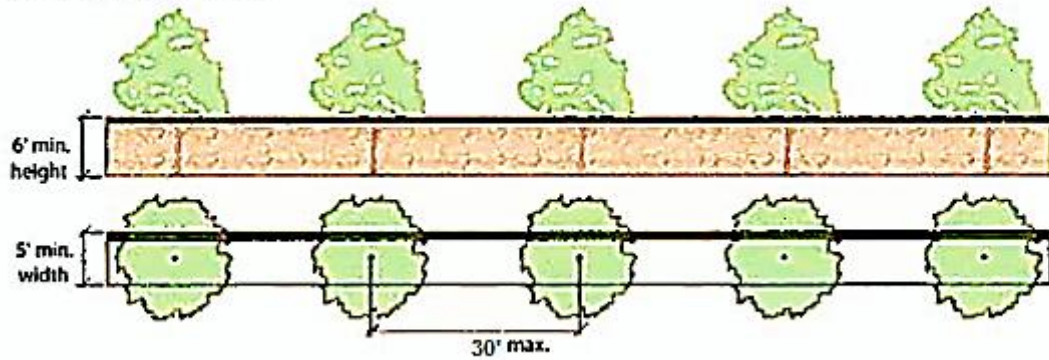
- (A) *Purpose.* Perimeter buffer yards and screening are required in order to reduce the impact of a use of land on adjacent uses that are of a significantly different character, density, or intensity, and to reduce the visual impact of service facilities. A buffer yard shall not include underground utilities and stormwater facilities. Perimeter buffer yards and screening shall be required in addition to any other landscaping requirement listed in this section.
- (B) *Applicability.* Perimeter buffer yards and screening shall be installed and maintained by the developer of:
  - (1) A nonresidential development adjoining a residential zoning district;
  - (2) A multi-family residential development adjoining lots used as or zoned for single-family detached dwellings.
- (C) *Permitted screening materials.* The following items are permitted for use as screening materials. Alternative screening materials that are not listed may be used if approved by the administrator.
  - (1) Evergreen buffer vegetation that is listed on the acceptable evergreen screen/buffer shrub species list, in the administrative manual, and meet the minimum planting height and spacing requirements of table 6-3-2.
  - (2) An earth berm may be used to achieve a portion of the minimum required six-foot height. Berms shall be covered with grass or mulch and shall be planted with other landscaping materials

designed to meet the requirements of subsection 6-3.2(A) and (B). The slope of the berm shall not exceed the ratio of 3:1.

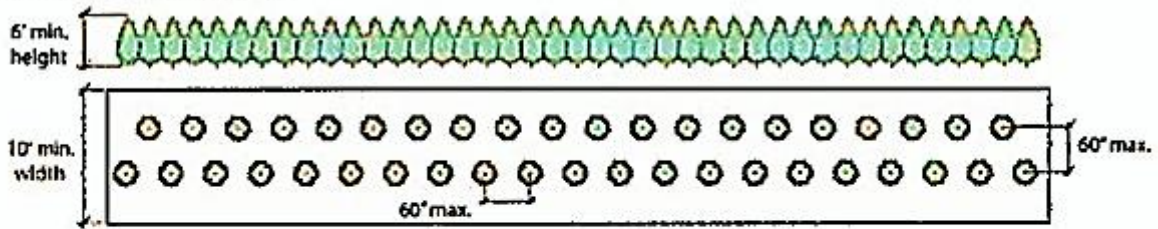
- (3) A solid fence measuring at least six feet in height, but not more than eight feet in height. If wood is used, only treated or rot resistant wood is acceptable. Chain-link, barbed wire, stock wire, chicken wire, and similar type fences are not permitted.
  - (4) Masonry walls measuring at least six feet in height, but not more than eight feet in height. Walls shall be finished with brick, stone, textured concrete masonry units, or stucco. Natural and painted concrete block walls are not permitted.
- (D) *Screening standard.* With the approval of the administrator, a developer may use any combination of the screening materials referenced in subsection 6-3.3(C), provided the screen provides complete opacity pursuant to the requirements of this section.
- (1) Developments for which perimeter buffer yards and screening is required shall provide one of the following screening treatments along all lot lines abutting single-family detached dwellings (see Figure 6-3-2):
    - (a) A buffer yard with a minimum width of five feet that includes a solid masonry wall measuring at least six feet in height, meeting the requirements of section 6-6.1(A)(10), and shade trees, meeting the requirements of table 6-3-1, planted along the inside perimeter with a maximum on-center spacing of 30 feet; or
    - (b) A buffer yard with a minimum width of ten feet that includes an alternating double row of a variety of evergreen shrubs and may include a berm to achieve a minimum height at time of planting of six feet, planted a maximum of 60 inches on-center; or
    - (c) A buffer yard with a minimum width of 20 feet that includes vegetative screening meeting the following standards per 100 linear feet and the requirements of table 6-3-1:
      - i. Eight shade trees (at least two evergreen); and
      - ii. Four understory trees (at least one evergreen); and
      - iii. 30 shrubs (at least 21 evergreen shrubs).

Figure 6-3-2: Options for buffering residential districts and single-family detached dwellings

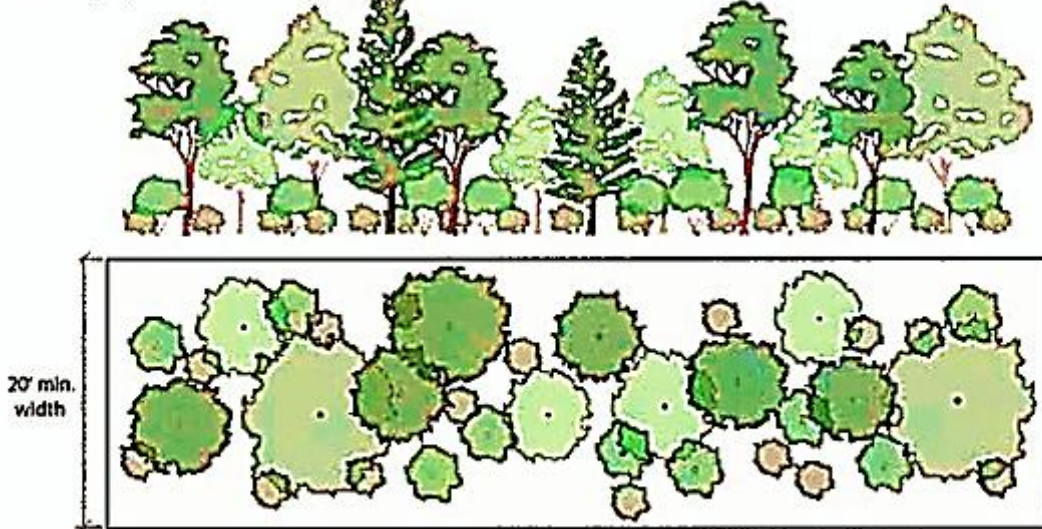
**Screening Option 1 (Wall)**



**Screening Option 2 (Hedge)**



**Screening Option 3 (Planted Buffer)**



6-3.6. *Street buffer yards.* In addition to the requirements of subsection 6-3.2, landscaping requirements, and subsection 6-3.3, buffering and screening requirements, all multi-family residential and nonresidential developments shall be buffered from streets and rights-of-way according to the following requirements:

- (A) The minimum width for any buffer yard shall be five feet with an average of ten feet measured along the property lines at ten-foot intervals. Properties developed with a zero front setback are exempt from these requirements. Parking structures located in the C-3 district shall be exempt from the buffer yard requirement when fences, walls, or similar structures are located between the ground level parking and the street or right-of-way.
- (B) All areas used for street buffer yards shall be located on the property. In unusual or extraordinary circumstances, as determined by the administrator, the public right-of-way may be used to meet the requirements of this section provided the property owner obtains permission from the owner of the right-of-way.

- (C) The street buffer yard shall have a continuous shrub border, maintained at 30 inches in height, along the entire street frontage of the lot, excluding driveways. 75 percent of the shrubs shall be evergreen. Plant material must meet the minimum planting height listed in table 6-3-2.
- (D) Unless waived by the administrator, vacant lots resulting from the demolition of buildings within the C-3 district shall provide a street buffer.

6-3.7. *Additional screening requirements.* In addition to the landscaping and screening required in this section, additional screening shall be required to conceal specific areas of high visual impact or hazardous areas.

- (A) Plants and a solid fence or wall, at least the height of the item being screened, but not more than eight feet tall, shall be installed around all sides, excluding access areas. Access gates to these areas shall be solid and, to the extent practical, not oriented to a public street. Plant material must meet the minimum planting heights listed on table 6-3-2 and shall be installed around the following areas:
  - (1) Loading and service areas.
  - (2) Dumpsters/ refuse collection points/ recycling drop-off centers.
  - (3) Ground level mechanical, heating and air-conditioning equipment (except for single-family detached and two-family dwellings).
  - (4) Outdoor electrical or other above-ground utility equipment.
  - (5) Outdoor storage lots.
  - (6) Storage tanks.
  - (7) Ground level equipment associated with communication towers.
  - (8) Utility trailers and towed wheeled mobile food vendor vehicles parked or stored in the C-3 district.
- (B) In addition to any fence that may be required by article 7, stormwater management, above-ground stormwater retention/detention facilities shall be screened with a continuous shrub border, maintained at 30 inches in height, along the entire perimeter of the facility, excluding access gates. 75 percent of the shrubs shall be evergreen. Plant material must meet the minimum planting height listed in table 6-3-2.

6-3.8. *Alternative landscape plan.* At the discretion of the administrator, alternate landscaping plans, plant material, planting methods, or landscape design may be used where unreasonable or impractical situations would result from application of landscaping requirements, or where necessary to protect existing vegetation, or where a more creative plan is proposed which substantially complies with the intent of these requirements. Landscaping requirements may be reduced if existing trees or other types of existing vegetation are preserved. Alternative plans, materials, or methods may be justified from natural conditions such as streams, natural rock formations, topography, and other physical conditions related to the site. Lot configuration and the presence and location of utility easements may justify an alternative landscaping plan.

## Sec. 6-4. Tree protection.

### 6-4.1. General.

- (A) *Purpose.* Protection of existing tree cover is intended to preserve the environmental and aesthetic qualities of Perry; to encourage site design techniques that preserve the natural environment and enhance the developed environment; to control erosion, slippage, and sediment runoff into streams and waterways; to increase slope stability; and, to protect wildlife habitat and migration corridors. Preservation or provision of trees near structures also serves to conserve energy by reducing heating and cooling costs.
- (B) *Applicability.* The requirements of this section shall apply to all existing and new development, except that the following developments and activities shall be exempt from this section:
  - (1) The removal of dead or naturally fallen trees, or trees that are found by the administrator to be a threat to the public health, safety, or welfare;
  - (2) The removal of pine trees, provided the minimum requirements of this section are maintained;
  - (3) The selective and limited removal of trees or vegetation necessary to obtain clear visibility at driveways or intersections, or for the purpose of performing authorized field survey work;
  - (4) The selective and limited clearing of utility easements to maintain their intended function; and
  - (5) The removal of trees or vegetation on land zoned or lawfully used for:
    - (a) Agricultural and forestry activities, including tree farms and approved forestry management practices, except that if a site is substantially cleared of trees pursuant to legitimate forestry activities, no development applications shall be accepted for 36 months from the date the clearing is completed;
    - (b) Commercial garden centers, greenhouses, or nurseries;
    - (c) Industrial developments in an M-2 zoning district.

### 6-4.2. Tree protection and replacement.

- (A) *Tree inventory required.* A tree inventory shall be submitted as part of an application for a site plan permit and land disturbance permit. The inventory shall be in a form approved by the administrator and contain the information as required in the administrative manual.
- (B) *Tree protection and replacement.*
  - (1) All properties, except lots containing a single-family detached or two-family dwelling, to which this section applies shall provide and maintain a tree density of 12 tree credit units per acre or pro rata portion of an acre, excluding building footprints and the area of athletic fields and courts.
  - (2) Including required street trees, each lot containing a single-family detached or two-family dwelling shall provide or maintain one shade tree for each 3,000 square feet of lot area, excluding the building footprint. Each existing tree exceeding 6" DBH which will be maintained shall count as two trees.
  - (2) The required tree density may be obtained by preserving existing trees and/or planting new trees which may include required street trees, interior parking lot landscaping, and heritage and historic tree replacements.
  - (3) Tree credit units are established for existing and new trees based on each tree's caliper or diameter. The credit units are established in the administrative manual.
  - (4) The form, size, quality, and proportions of preserved and proposed trees must meet the guidelines outlined in the ANSI Z60.1 American Standard for Nursery Stock.
  - (5) Single-family residential subdivisions must comply with a required density factor of 10 units per acre, excluding individual single-family lots. This requirement may be met as an average for the total acreage of each phase of the subdivision development, rather than for each individual acre. Trees may be retained or planted along the street right-of-way, as buffer edge plantings along a development's perimeter, in entranceways, or in common open space. Emphasis shall be placed upon retaining existing trees. It is the responsibility of the current property owner to maintain and manage the required trees per the standards of this ordinance.

- (6) If the minimum protection standards are not met, or if trees are observed by the city to be injured or threatened, they may be deemed ineligible for meeting these requirements and additional trees will be required.

(C) *Protection and replacement of heritage and historic trees.*

- (1) In order to protect significant trees, the city has established the heritage and historic tree designations. A heritage tree is any tree greater than 20 inches in diameter and a historic tree is any tree greater than 30 inches in diameter. A heritage tree which is removed shall be replaced with a minimum of two four-inch caliper shade trees. A historic tree which is removed shall be replaced with a minimum of four four-inch caliper shade trees. Because their shallow root system and narrow growth habit combine to pose risk to life and property, pine trees are not considered to be heritage or historic trees.
  - (a) New trees used to comply with heritage and historic tree replacement requirements shall not count toward the street tree requirements.
  - (b) New trees used to comply with heritage and historic tree replacement requirements shall not count toward the interior parking lot landscaping requirements.
  - (c) No construction, grading, equipment, or material storage, or any other activity, shall be allowed within the critical root zone of a heritage or historic tree unless the steps to be taken to adequately ensure the health of the tree are submitted to the administrator in writing.
  - (d) Heritage or historic trees shall not be cut, removed, pushed over, killed, harmed, trimmed, sprayed, or destroyed without written approval by the administrator.
  - (e) Permits for trimming, removing or replacing heritage or historic trees from the administrator.
- (2) If the administrator determines that there is insufficient space on the property to replace a heritage or historic tree, the replacement tree may be planted on public property approved by the administrator, or a fee based on market price in lieu of the replacement cost may be paid to the City of Perry tree fund.

6-4.3. *Tree protection during construction.*

(A) *Protective fencing.*

- (1) *When and where required.* Before grading begins, fencing shall be required, at a minimum, around the critical root zone of all trees that are to be preserved. Additional fencing shall be required around the critical root zone of trees on adjacent properties or located in a right-of-way.
- (2) *Type of fencing.* All fencing required by this section shall be a minimum of four feet high and of durable construction; such as wood or metal fencing.
- (3) *Signs.* Signs shall be installed on the protective fence visible on all sides of the fenced-in area (minimum one on each side and/or every 300 linear feet). The size of each sign must be a minimum of one foot by 1.5 feet and shall contain the following: "TREE PROTECTION ZONE: KEEP OUT."
- (4) *Activity within a fenced tree protection zone.* No construction, grading, parking, equipment, or material storage, or any other activity, shall be allowed within the fenced area.
- (5) *Maintenance of fencing.* For existing trees to be counted toward required tree credits, they must be protected during the entire development period, beginning prior to the commencement of site work. Encroachment within the tree protection zone is permitted to allow the landscape contractor access to complete site work.

(B) *Encroachments.* Encroachments within the critical root zones of any tree being preserved to comply with required tree credits, or within designated tree protection zones, shall occur only in rare instances. If such an encroachment is anticipated, a written request must be made to the city parks and recreations administrator for allowance of encroachment. Request must detail preventative measures taken. If approved the following preventative measures shall be employed:

- (1) *Clearing activities.* The removal of trees adjacent to a tree protection zone can cause inadvertent damage to the protected trees. Wherever possible, it is advisable to cut minimum two-foot trenches along the limits of land-disturbance, so as to cut, rather than tear, roots. Trenching is required for the protection of historic and heritage trees.

- (2) *Soil compaction.* Where compaction might occur due to traffic or materials through the tree protection zone, the area must first be mulched with a minimum four-inch layer of processed pine bark or wood chips or a six-inch layer of pine straw. Equipment or materials storage shall not be allowed within tree protection areas.

**Sec. 6-5. Exterior lighting.**

- 6-6.1. Outdoor lighting of all types shall be directed so as to reflect away from all residential dwellings and shall be so situated as not to reflect directly into any public rights-of-way.

## Sec. 6-6. Design Standards

6-6.1. *Architectural design standards for nonresidential structures.* These regulations are intended to ensure the construction of new structures in commercial areas is consistent with the intent of the Comprehensive Plan.

- (A) *Single Tenant Structures.* All new commercial structures and all new nonresidential structures in the commercial districts shall meet the following standards:
- (1) Outside of pedestrian retail districts, building surfaces over two (2) stories high or fifty (50) feet in length shall be relieved with changes of wall plane (i.e., recesses and projections) that provide strong shadow or visual interest.
  - (2) Buildings shall utilize natural building materials, such as wood, stone, and brick on building exteriors, except that roofing materials may be manmade. Steel or other metals shall not be used on building exteriors, except as may be necessary for roofing, window trim, gutters, and down spouts. Unpainted, smooth-faced concrete block shall not be used on building exteriors. Synthetic stucco shall not be used on building exteriors. All sides of a building may impact on its surroundings and shall be considered for treatment with an architectural finish of primary materials (i.e., brick and stone), unless other materials demonstrating equal or greater quality are used. As a general rule, except in industrial zoning districts, front facades shall be at least eighty (80) percent brick and stone. Side facades shall be at least fifty (50) percent brick and stone. Rear facades do not have a minimum suggested standard for primary materials unless they are visible from a public right-of-way.
  - (3) Material or color changes generally shall occur at a change of plane. Piecemeal embellishment and frequent changes in material shall be avoided. A horizontal accent stripe (e.g., a foot-wide stripe of different color) shall be used to help reduce the monotonous color and break up the appearance of large building walls.
  - (4) Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. High intensity colors, metallic colors, black, or fluorescent colors shall not be used. Building trim and accent areas may feature brighter colors, including primary colors, provided that the width of the trim shall not exceed four (4) feet.
  - (5) Building colors shall be carefully chosen so that each building complements that of its neighbors. Colors can be classified as the "base" color (used on the majority of the building surface), "trim" color (used on the window trim, fascia, balustrades, and posts), and "accent" color (used on signs, awnings, and doors). The base color shall consist of more subdued earth tones or brick shades. Trim colors shall have contrasted lighter or darker shade than the base color. If natural brick is used, it shall not be painted.
  - (6) The use of awnings on buildings is recommended so as to provide much needed protection from sun, wind, and rain, and to improve aesthetics of the building exterior.
  - (7) Awnings are recommended to be constructed with a durable frame covered by a canvas material. Awnings that are backlit through translucent materials may be acceptable but are not particularly encouraged. Aluminum and other metal canopies are acceptable in most instances, particularly when integrated into shopping center designs. Flameproof vinyl, canvas or metal awnings and canopies may be used.
  - (8) Solid colors are preferred over striped awnings, but striping is permitted if colors compliment the character of the structure or group of buildings.
  - (9) Awnings are encouraged for first floor retail uses to provide architectural interest and to encourage pedestrian activity. Where awnings are used, they shall be designed to coordinate with the design of the building and any other awnings along the same block face.
  - (10) The design of fences and walls shall be compatible with the architecture of the main building(s) and shall use similar materials. All walls or fences fifty (50) feet in length or longer, and four (4) feet in height or taller, shall be designed to minimize visual monotony through changes in plane, height, material or material texture or significant landscape massing. Except in M-1 and M-2 zoning districts, chain link fencing is prohibited in the front yard, or within the required front building setback for undeveloped parcels. Any chain link fencing visible from a public street shall be coated in dark green or black vinyl. Chain link fencing is prohibited in all cases in the C-3 zoning district. Barbed wire or other similar additions to fences is prohibited, except in M-1 and M-2 zoning districts. Use of



special fencing design or materials shall be discussed in cases where site security is paramount. All fencing materials must be approved by the department prior to construction.

- (11) Rooftop mechanical and electrical equipment shall be screened from public view by building elements that are designed as an integral part of the building architecture, or by a parapet wall.
- (B) *Shopping Centers including Automobile Related Establishments.* All new shopping centers and automobile related establishments containing less than fifty thousand (50,000) square feet shall meet the standards listed in 6-6.1(A). In addition, the following standards shall apply:
- (1) Within a shopping center, a logical hierarchy of building forms shall be created. Building heights and masses shall be greatest in the focus area and inner portion of the support area (the part closest to the focus area) and shall transition to lower heights and less mass outward from the focus area to the outer edge of the support area. Building massing shall be varied to create a logical hierarchy of building forms, to break up long expanses of facade, and to create shade and shadow. Buildings at the outer edge of an activity center's support area shall be comparable in height and mass with the surrounding neighborhood beyond the support area.
  - (2) Building location, setbacks, and orientation shall be carefully considered so as to increase pedestrian comfort.
  - (3) As far as practicable, buildings in activity centers shall not be separated from fronting streets by large parking lots. At a minimum, placement of out-parcel buildings between a large parking lot and the street shall be used to help define the street scape and lessen the visual impact of the parking lot from the street.
  - (4) Auto service facilities shall not have their service bays facing the street, and parking for all uses shall be located to the side or rear of the building rather than in the front yard. Regardless, service areas and/or service bays shall be screened or sited, so they are not visible from the street.
  - (5) Vehicles under repair shall be kept either inside a structure or in an area which is screened from views from the street.
  - (6) Service areas shall provide adequate queuing space that does not impede vehicle circulation through the site or result in vehicles stacking into the street.
  - (7) The design of fences and walls shall be compatible with the architecture of the main building(s) and shall use similar materials. All walls or fences fifty (50) feet in length or longer, and four (4) feet in height or taller, shall be designed to minimize visual monotony through changes in plane, height, material or material texture or significant landscape massing. Except in M-1 and M-2 zoning districts, chain link fencing is prohibited in the front yard, or within the required front building setback for undeveloped parcels. Any chain link fencing visible from a public street shall be coated in dark green or black vinyl. Chain link fencing is prohibited in all cases in the C-3 zoning district. Barbed wire or other similar additions to fences is prohibited, except in M-1 and M-2 zoning districts. Use of special fencing design or materials shall be discussed in cases where site security is paramount. All fencing materials must be approved by the department prior to construction.
  - (8) Separate structures (canopy, car wash, cashier's booth, etc.) on the site shall have consistent architectural detail and design elements to provide a cohesive project site. If a car wash is incorporated into the project, it shall be well integrated into the design. The car wash opening shall be sited so that it is not directly visible as the primary view from the street into the project site.
  - (9) All areas devoted to the outside storage of vehicles, merchandise, and/or equipment not intended for display for public rent, lease, or sale, shall be screened from view from the right-of-way of the highway or public road along the entire property frontage, except in areas where access crossings have been approved. Screening may be accomplished by a natural vegetative buffer, by a building, by an earthen berm, by a one hundred (100) percent opaque, solid wooden fence or wall, or combination of these screening methods. The use of low-lying landscaping that does not screen the display areas from view from the public right-of-way shall not be deemed to comply with this policy.

*Sec. 6-6.2. Design standards for large retail establishments.*

- (A) The intent of these standards is to ensure that large retail building development, defined as single-tenant buildings exceeding 35,000 square feet and shopping centers exceeding 50,000 square feet, contributes to the unique community character of Perry. All other rules and regulations of the Perry Land Development Ordinance shall apply unless noted below.

(B) Location standards.

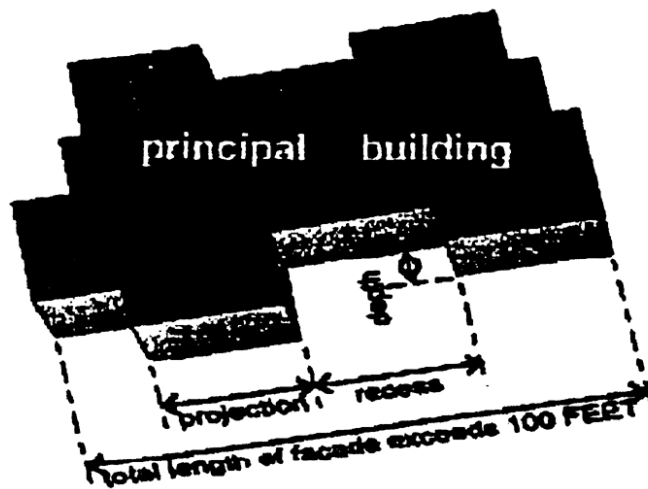
- (1) Site must abut or have direct access to an arterial street.
- (2) Must be located in an area where city services can be provided efficiently.
- (3) Must be compatible with City of Perry's Comprehensive Plan.
- (4) The development cannot abut a residential street, have a private driveway into a residential street, or a street leading directly into a residential subdivision.

(C) Sign standards. All signs at large retail establishments shall meet the requirements of Section 106, except the following regulations shall apply:

- (1) Large retail establishments shall be allowed one (1) freestanding sign per road frontage. Freestanding signs shall be subject to the following requirements:
  - (a) Parcels exceeding three (3) acres shall be allowed a maximum aggregate sign area of two hundred (200) square feet for the entire parcel.
  - (b) Parcels less than three (3) acres but greater than thirty thousand (30,000) square feet shall be allowed a maximum aggregate sign area of one hundred fifty (150) square feet for the entire parcel.
  - (c) Parcels less than thirty thousand (30,000) square feet in size shall be allowed a maximum aggregate sign area of one hundred (100) square feet for the entire parcel.
  - (d) These limits shall not include the area of any wall signs or billboard signs located on the parcel.
  - (e) These limits shall include the area of all freestanding signs on the parcel.
  - (f) The only freestanding signs permitted at shopping centers shall be shopping center identification signs.
- (2) No freestanding sign shall be located within one hundred fifty feet (150) of another freestanding sign.
- (3) The maximum height of freestanding signs shall not exceed 20 feet.
- (4) Rooftop signs or sign structures shall not be permitted.
- (5) Mono-pole sign structures shall not be permitted.
- (6) Portable signs shall not be permitted.
- (7) All signs shall be subject to the same side yard setbacks imposed upon other buildings and structures in the same zoning district in which said signs are located.
- (8) Setbacks along road right-of-way shall be a minimum of fifteen feet (15) from the curb or edge of pavement or on private property whichever is greater.

(D) Architectural design standards.

- (1) Facades and Exterior Walls.
  - (a) Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) percent of the length of the facade and extending at least twenty (20) percent of the length of the facade. No uninterrupted length of any facade shall exceed one hundred (100) horizontal feet. See Figure 1.



**projections / recesses shall comprise at least 20% of facade length with a minimum depth of 3% of facade length**

**Figure 1 – Building Facades**

- (b) Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length. See Figure 2.



**Animating features such as these must total 60% of total facade length for any facade abutting a public street**

**Figure 2 – Ground Floor Facades**

- (2) *Small Retail Stores.* Where shopping centers contain separately owned stores that occupy less than thirty-five thousand (35,000) square feet of gross floor area, with separate, exterior customer entrances, the street level facade of such stores shall be transparent between the height of three (3) feet and eight (8) feet above the walkway grade for no less than sixty (60) percent of the horizontal length of the building facade of such additional stores. Windows shall be recessed and should include visually prominent sills, shutters, or other such forms of framing.
- (3) *Detail Features.* Building facades must include:
- (a) A repeating pattern that includes no less than three of the elements listed below. At least one (1) of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.
    - i) Color change;
    - ii) Texture change;
    - iii) Material module change;
    - iv) An expression of architectural or structural bays through a change in plane no less than twelve inches (12") in width, such as an offset, reveal or projecting rib. See Figure 3.

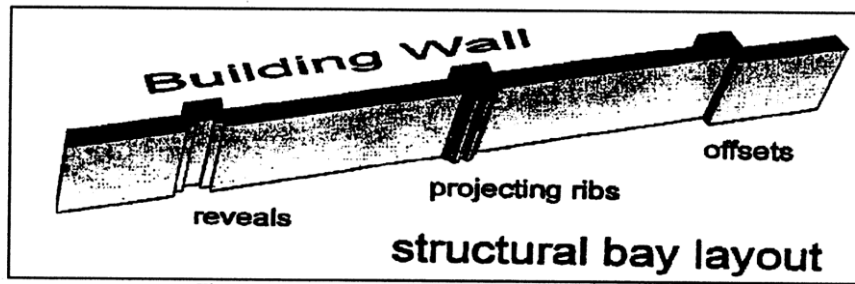


Figure 3 – Expression of Architectural or Structural Bay

- (4) *Roofs.* Roofs shall have no less than two (2) of the following features:
- (a) Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall. (See Figure 4) Such parapets shall feature three-dimensional cornice treatment;

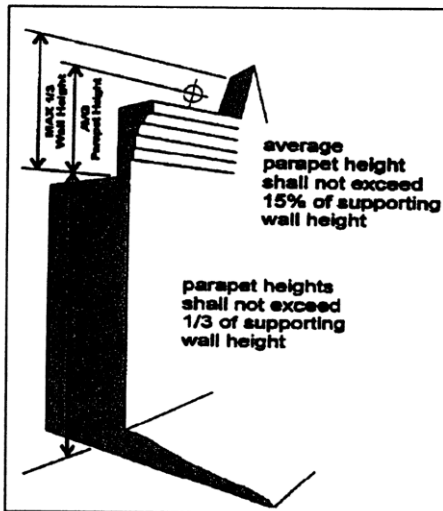


Figure 4 – Parapet Standards

- (b) Overhanging eaves, extending no less than three (3) feet past the supporting walls;
  - (c) Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run;
  - (d) Three (3) or more roof slope planes.
- (5) *Exterior Materials and Colors.*
- (a) Predominant exterior building materials shall be high quality materials, including, but not limited to, brick, sandstone, other native stone and tinted/textured concrete masonry units.
  - (b) Facade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
  - (c) Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.
  - (d) Exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.
- (6) *Customer Entryways.* Each large retail establishment on a site shall have clearly defined, highly visible customer entrances featuring no less than three (3) of the following:
- (a) Canopies or porticos;
  - (b) Overhangs;

- (c) Recesses/projections;
  - (d) Arcades;
  - (e) Raised corniced parapets over the door;
  - (f) Peaked roof forms;
  - (g) Arches;
  - (h) Outdoor patios;
  - (i) Display windows;
  - (j) Architectural details such as tile work and moldings which are integrated into the building structure and design;
  - (k) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
- (7) Where additional stores will be located in the large retail establishment, each such store shall have at least one (1) exterior customer entrance, which shall conform to the above requirements.
- (8) All building facades which are visible from adjoining properties and/or public streets shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear facades shall be prohibited.
- (E) Site design standards.
- (1) *Customer Entrances.* All sides of a principal building that directly face an abutting street shall feature at least one (1) customer entrance. Where a principal building directly faces more than two (2) abutting public streets, this requirement shall only apply to two (2) sides of the building, including the side of the building facing the primary street, and another side of the building facing a second street.
- (2) *Parking.*
- (a) *Parking Lot Orientation.* No more than fifty (50) percent of the off-street parking area for the entire property shall be located between the front facade of the principal building(s) and the primary abutting street.
  - (b) The minimum number of parking spaces shall be no less than four (4) spaces per one thousand (1,000) square feet of gross floor area and no more than six (6) spaces per one thousand (1,000) square feet of gross floor area.
  - (c) Parking areas adjacent to public or private streets must be screened from view by low masonry walls, fences, berms, and/or landscaping. These design elements must be installed at no less than thirty-six inches (36") in height to properly screen vehicles within the parking area.
- (3) *Building Site.*
- (a) *Street setback.* The setback shall be forty feet (40') on all sides that abut a public or private street.
  - (b) *Back and side setbacks.* The minimum interior side and rear setback for any building facade shall be thirty-five (35) feet from the nearest property line. Where the facade faces abutting residentially zoned property, an earthen berm, no less than six (6) feet in height, containing at minimum evergreen trees planted at intervals of twenty (20) feet on center, or in clusters or clumps, shall be provided.
  - (c) *Inter parcel circulation.* The site design must provide direct connections and safe street crossings to adjacent land uses. The direct connections between parcels shall be privately maintained unless otherwise agreed to by the developer and the city.
- (4) *Pedestrian, bike and cart access.*
- (a) Sidewalks at least eight (8) feet in width shall be provided along all sides of the lot that abut a street.
  - (b) Continuous internal pedestrian walkways, no less than eight (8) feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all large retail establishments on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, street crossings, building and store entry points, and shall

feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers or other such materials for no less than fifty (50) percent of the length of the walkway.

- (c) Sidewalks, no less than eight (8) feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located at least six (6) feet from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.
  - (d) Internal pedestrian walkways provided in conformance with part B) above, shall provide weather protection features such as awnings or arcades within thirty (30) feet of all customer entrances.
  - (e) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
- (5) *Public Spaces.* Each retail establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two (2) of the following: Patio/seating area, pedestrian plaza with benches, transportation center, window shopping walkway, outdoor playground area, kiosk area, water feature, clock tower or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the appropriate decision maker, adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.
- (6) *Outdoor storage and equipment areas.*
- (a) Loading Docks and truck parking areas shall be screened from public view using building mass, freestanding walls and/or landscaping.
  - (b) HVAC and other mechanical equipment shall not be located on the street side of developments or adjacent to public spaces. Equipment located on, beside or adjacent to any building or development, shall be fully screened from view of streets and adjoining property.
  - (c) All trash containment devices, including compactors and dumpsters, shall be located and designed so as not to be visible from the view of public spaces, adjacent streets or adjacent properties.
  - (d) Utility equipment and facilities associated with on-site electric, cable, telephone, gas or other similar utility shall be screened, to the greatest extent possible, with evergreen plantings or other acceptable alternatives.
- (7) *Lighting.*
- (a) An overall lighting program shall be developed that considers the illumination of sidewalks and other multi-use pathways using low-intensity fixtures that provide an even distribution of light while avoiding areas of immense shadows. The overall lighting program shall ensure that light is directed down and away from abutting properties.
  - (b) Floodlights, spotlights or any other similar lighting shall not be used to illuminate buildings or other site features unless approved as an integral architectural element of the site plan. On-site lighting may be used to accent architectural elements and not be used to illuminate entire portions of buildings. Floodlights or other types of lighting attached to light poles that illuminate the site and/or buildings are prohibited.
- (8) *Landscaping.* Unless noted in this section, all provisions of Section 6-3 shall apply.
- (F) *Expansion of existing large retail establishment.* No addition to an existing single tenant retail building with an area greater than thirty-five thousand (35,000) square feet or a shopping center with an area larger than fifty thousand (50,000) square feet which would increase the gross square feet of floor area of such building by fifteen (15) percent or more, and no addition to a building which would result in a single tenant retail building exceeding thirty-five thousand (35,000) square feet or a shopping center exceeding fifty thousand (50,000) square feet, shall be approved for construction or occupancy unless the entire large retail establishment affected by the new construction has been determined to be in compliance with the "Design Standards for Large Retail Establishments" contained in this exhibit, whether the existing large retail establishment or building was approved under prior law or under this

Land Use Code. The fifteen (15) percent increase shall be calculated from the size of the establishment at the effective date of these regulations.

6-6.3. *Design Standards for the Downtown Development District.*

- (A) *Intent.* The intent of this section is to encourage and maintain the viability and visual compatibility of structures and sites in the Downtown Development Overlay District.
- (B) *Applicability.* New construction and exterior modification of buildings and sites in the downtown development overlay district must obtain a certificate of appropriateness prior to starting such work. In addition to other design guidelines adopted by the Main Street Advisory Board, new construction and existing buildings, structures, and sites which are altered, reconstructed, or moved shall be consistent with the architectural styles of commercial buildings constructed prior to 1950 in the downtown development overlay district and the standards of this section.
- (C) *Exemptions.* Nothing in the section shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of structures located in the Downtown Development Overlay District when the repair does not involve a change in design, material, or outer appearance of the structure. Certificates of appropriateness are not required for alterations to the interior of a building or changes in the use of a building, although other permits may be required.
- (D) *Sign standards.* All signs shall require a Certificate of Appropriateness issued by the administrator prior to issuing a sign permit. The administrator may exempt signs which comply with the provisions of Section 6-9.12(C).
- (E) *Site design standards.*
  - (1) Orientation and setback. The orientation and setback of a building shall be consistent with adjacent buildings.
  - (2) Spacing of buildings. The relationship of a building to open space between it and the adjoining buildings shall be visually compatible to the buildings and open spaces to which it is visually related.
  - (3) Parking. Parking should be located to the side or rear of a building. When a parking lot must be located adjacent to a public right-of-way, a wall and/or landscape buffer should separate the parking lot from the right-of-way.
  - (4) Courtyards and outdoor spaces. Walls, wrought iron fences, evergreen landscape buffers, and/or building facades shall form cohesive walls of enclosure along a street.
- (F) *Building design standards.*
  - (1) *Height.* The height of the proposed building shall be visually compatible with adjacent buildings.
  - (2) *Proportion of Building from Facade.* The relationship of the width of building to the height of the front elevation shall be visually compatible with buildings to which it is visually related.
  - (3) *Scale of a Building.* The size of a building, the building mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings to which it is visually related.
  - (4) *Proportion of Openings within the Facility.* The relationship of the width of the windows in a building to the height of the windows shall be visually compatible with buildings to which it is visually related.
  - (5) *Rhythm of Solids to Voids in Front Facades.* The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings to which it is visually related.
  - (6) *Rhythm of Entrance and/or Porch Projection.* The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible to the buildings to which it is visually related.
  - (7) *Relationship of Materials; Texture and Color.* The relationship of the materials, texture, and color of the facade of a building shall be visually compatible with the predominant materials in the buildings to which it is visually related. Brick or mortared stone shall be the predominant materials on new construction.
  - (8) *Roof Shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related.
  - (9) *Colors:* Colors should be in keeping with color palettes currently in use, or of historical significance to the City of Perry. The Community Development Department may suggest or make available certain color palettes, which are not required to have a Certificate of Appropriateness.
- (G) *Temporary structures.* Temporary structures are permitted for construction projects or catastrophic loss. These structures require approval by the administrator, subject to section 4-5.

6-6.4. *Design Standards for Form Based Code Districts.* Standards for the form-based code districts are found in Appendix A of this Ordinance.

**Sec. 6-7 and 6-8. Reserved.**



## Sec. 6-9. Sign standards.

### Sec. 6-9.1. Purposes.

- (A) It is the purpose of the mayor and city council in enacting these regulations to provide standards to safeguard life, public health, property, and welfare by regulating the location, size, illumination, erection, maintenance, and quality of materials of all signs. More specifically, signs have a powerful impact on the aesthetic environment of the community, and it is the purpose of this article to encourage an aesthetically attractive environment, allowing sufficient opportunities for communications to serve business, interest groups and the public, while complying with the federal and state constitutions and laws. Signs create visual clutter and therefore should be regulated in their size, location, construction, and illumination. Signs can detract from the beauty of the neighborhood and lower property values. In seeking to comply with federal and state law, the city has determined the following: large signs are, as the U.S. Supreme Court has recognized, an aesthetic harm; the state supreme court has upheld sign regulations on the basis of aesthetics and preserving the beauty of environment; and, the 11th Circuit has recognized portable signs are visual clutter and a potential traffic hazard. These holdings show that the city's ordinance is within the law and constitutional, which is a goal of the city. The goal of this article is to avoid being an impermissible content-based regulation, and instead to be a permissible time, place, and manner restriction.
- (B) Many signs can also be a hazard and negatively impact traffic safety by distracting drivers and blocking views of other vehicles and dangers, by making intersections more treacherous, and by making it difficult to see oncoming traffic when entering a roadway. Therefore, it is also the purpose of this article to prevent those harms by regulating signs to safe locations, safe sizes, with proper and safe illumination and construction.

### Sec. 6-9.2. Jurisdiction and applicability of code requirements.

- (A) This article shall apply to all properties within the incorporated areas of the city. This article shall not relate to the copy or message on signs within the city.
- (B) All signs and sign structures shall be constructed and maintained in conformance with the state minimum standard codes.
- (C) If any provisions or requirements of this article are in conflict with any other provision or requirement of this article or any other applicable governmental law, ordinance, resolution, rule, or other governmental regulation of any kind, the more restrictive rule or standard takes precedence.

### Sec. 6-9.3. General provisions and definitions.

- (A) No sign shall be placed or maintained within the city except in conformity with this article.
- (B) Notwithstanding any other restrictions in this article, any sign, display, or device allowed under this article may contain any commercial or non-commercial message, or any political or non-political message; except that such messages cannot depict obscenity, as defined by O.C.G.A. § 16-12-80, nor can they depict sexual conduct or sexually explicit nudity, as defined in O.C.G.A. § 36-60-3.
- (C) Height limitations in this article control over the general height limitations of this article and apply to any structure that contains a sign. For example, a church spire or radio antenna with a sign would be subject to the height limitations of this article, rather than general height limitations.
- (D) Definitions. The general definitions and interpretative rules of this chapter shall also be used. To the extent those general rules or definitions conflict with these specific definitions, these definitions shall control. The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning: *A-frame sign* means a sign which is normally in the shape of an "A" or some variation, which is usually two-sided.

*Abandoned sign* means a sign and/or sign structure which no longer correctly directs or exhorts any person, or advertises a bona fide business, lessor, owner, product, or service.

*Animated sign* means any sign that all or any part thereof visibly moves or imitates movement in any fashion whatsoever. Any sign that contains or uses for illumination any lights (or lighting devices) that change color, flash or alternate, show movement or motion, or change the appearance of said sign or any part automatically.

*Area of sign (copy area)* means the area within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure of similar character together with any frame, or material, open space, or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed.

*Banner* means a sign hung either with or without a frame, possessing characters, letters, illustrations, or ornamentation applied to paper, plastic, or fabric of any kind. This definition expressly excludes flags.

*Canopy* means any permanent roof-like structure, including awnings and marquees, projecting beyond a building or extending along and projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.

*Canopy sign* means any sign attached to, or made a part of, the front, side, or top of a canopy. These signs are regulated as wall signs.

*COA* means a certificate of appropriateness issued by the Historic Preservation Commission or the administrator upon recommendation of the Main Street Advisory Board.

*Copy* means the wording or graphics on a sign surface in either permanent or removable form.

*Erect* means to build, construct, attach, hang, place, suspend, paint or affix.

*Establishment* means a commercial, industrial, institutional, educational, office, business, or financial entity.

*Flag* means any fabric sign, regardless of the message conveyed, mounted to a flagpole on one side only.

*Freestanding sign* means any sign which is independent from any building or other structure and is entirely supported by a single or multiple pedestals that are permanently attached at or below ground level. These signs are regulated as ground signs.

*Frontage, building*, means the length of an outside building wall facing a street, or portion thereof.

*Frontage, street*, means the length of the property line of any one parcel along a street on which it borders.

*Ground sign* means a sign that is anchored to the ground and is wholly independent of a building for support. Freestanding signs are included in this definition, as are signs on poles, frames, or other mounting structures other than buildings.

*Illuminated sign* means a sign which contains an internal source of light, or which is designed or arranged to reflect light from an artificial source.

*Mansard roof sign* means any sign attached to or erected within 12 inches of an actual or simulated mansard roof of a building, with the sign face parallel to and within the limits of the building, but not exceeding the roofline, and not deemed to be a roof sign. These signs are regulated as wall signs.

*Manual reader board* means a portion of a ground sign on which copy is changed manually.

*Monopole sign* means a freestanding sign that is erected on a single pedestal attached to the ground for the display of messages irrespective of the number of faces or the configuration of the faces. These signs are regulated as ground signs.

*Monument sign* means a permanent sign with little or no open space between the ground and the sign face and constructed of brick, stone, concrete, masonry, stucco, or equal architectural material. These signs are regulated as ground signs.

*Multiple-message sign* means a sign or portion of a sign which changes the message or copy on the sign face mechanically or electronically by movement or rotation of panels or slats, or by changing electronic display on the sign face more than once per day.

*Painted wall sign* means any sign that is applied with paint or similar substance on the face of a wall.

*Permanent sign* means a sign permanently affixed to a building or the ground.

*Person* means any association, company, corporation, firm, organization, or partnership, singular or plural, of any kind.

*Planned center* means a nonresidential development with multiple establishments that are separately owned and operated.

*Portable sign* means any sign supported by its own frame or trailer, with or without wheels, that is designed to move from one place to another. Portable sign does not include A-frame signs.

*Post and arm sign* means a permanent sign supported by a single upright post with a horizontal arm from which a sign is suspended. These signs are regulated as ground signs.

*Projecting sign* means any sign affixed to a building or wall, which horizontally extends more than 12 inches beyond the surface of a building or wall.

*Roof sign* means any sign erected, constructed, and maintained upon or over the roof of any building or projects above the roofline.

*Roof sign (integral)* means any sign erected or constructed as an integral part of a normal roof structure of any design. No part of the sign can extend vertically above the highest portion of the roof, and no part of the sign can be separated from the rest of the roof by a space of more than six inches.

*Setback* means the distance from the property line to the nearest part of the applicable sign or sign structure, measured perpendicularly to the property line.

*Sign* means any display of words, shapes or images designed to convey a message to the viewer, located on the exterior of any dwelling, building or structure, or located anywhere on a lot upon a dedicated supporting structure or device, including poles, banners, windows, and similar devices.

*Sign face* means the actual message-carrying portion of the sign that can be used to display content, including any area that can display or does display words, pictures, or other communicative elements of the sign, including the background color.

*Sign structure* means and includes all the elements of the sign, including its supporting structure, sign face, base, lights, and every portion of the sign.

*Street* means any public or private right-of-way for automobile use. This excludes alleyways, parking lots and driveways.

*Under canopy sign* means a sign that is suspended from the underside of a canopy, is perpendicular to the wall surface of a building, and whose copy is not clearly visible from the public right-of-way.

*Wall face* means a measurement of area equal to the height of the structure from the ground to the coping or eave of the roof multiplied by the width of the wall associated with the individual business. The wall face is to be measured for each wall independently.

*Wall sign* means a sign that is fastened directly to or is placed or painted directly upon the exterior wall of a building and does not project more than 12 inches from the building face.

*Window sign* means a sign having its message visible from the exterior of a building that is either located within a building so as to be visible through a window or affixed directly to the window either inside or outside the building.

Sec. 6-9.4. Permitted signs.

- (A) *Standard permitted signs.* The following signs are permitted in the following zoning districts. If not otherwise stated, any sign not specifically authorized under this article shall be prohibited. These regulations apply to signs located on any lot or development.
- (B) *Address required on ground signs.* All ground signs except signs exempt from permit under Sec. 6-9.13 shall include the address of the parcel on which the sign is located. When a sign is oriented to a street other than the street to which the address is assigned, the address shall include the street name of the assigned address.

Sec. 6-9.5. Residential district sign standards.

*Signs in residential districts.* Signs permitted in the residential base zoning districts (R-Ag, R-1, R-2, R-2A, R-3, R-TH, RM-1, RM-2, R-MH, FBR) shall comply with the provisions in Table 6-9-1. Signs on one- and two-family lots are exempt from obtaining a sign permit.

**Table 6-9-1. Standards for Signs in Residential Zoning Districts**

Zoning District	Use	Sign Type	Maximum Square Feet per Sign Face	Maximum Number per Lot	Maximum Height	Illumination Allowed
R-Ag R-1 R-2 R-2A R-3 R-TH RM-1 RM-2 R-MH FBR	One- and Two-family Dwelling	Ground	4	2	4	Not Allowed
			1	4	2	
		Window	1	2	n/a	
	Subdivision Development	Monument	32	2 single sided or 1 double sided per entrance	8	External Only
			32	1	8	
			40 total per pole	1 flagpole	30	
	Multi-family and Nonresidential	Monument; Post & Arm	32	1	8	External Only
			15	1 per tenant	n/a	
			15	1 per tenant	n/a	
	Multi-family and Nonresidential	Wall-mounted Flag	15	1 per tenant	n/a	External Only
15			1 per tenant	n/a		
15			1 per tenant	n/a		
Multi-family and Nonresidential	Ground-mounted Flag	40 total per pole	1 flagpole	30	External Only	
		40 total per pole	1 flagpole	30		
		40 total per pole	1 flagpole	30		

All ground signs and flags shall be set back at least 10 feet from the property lines

Sec. 6-9.6. Nonresidential district sign standards.

(A) *Ground signs in nonresidential districts.* Ground signs permitted in the nonresidential base zoning districts, and the PC, DD, and NC overlay districts shall comply with the provisions in Table 6-9-2.

**Table 6-9-2. Standards for Ground Signs in Nonresidential Zoning and Overlay Districts**

Zoning and Overlay District	Sign Type	Maximum Square Feet per Sign Face			Maximum Number per Lot	Maximum Height (feet)	Illumination Allowed
		Not based on lot size	Lot size > 3 acres	Lot size 3 acres or less			
C-1, C-2 M-1, M-2 IMU, MUC, GU	Monument; Monopole	n/a	100	75	2	20	Internal or External
	Ground-mounted Flag	48 total per pole	n/a	n/a	3 flagpoles	35	External only
Parkway Corridor Overlay (PC)	Monument	n/a	100	75	1 per street front	20	Internal or External
	Ground-mounted Flag	Same as base zoning district					
LC, OI, NMU, Neighborhood Commercial Corridor Overlay (NC)	Monument; Post & Arm	32	n/a	n/a	1 per street front	15	External only
	Ground-mounted Flag	48 total per pole	n/a	n/a	1 flagpole	35	
C-3, Downtown Development Overlay (DD), Downtown Historic Preservation Overlay (HP)	Monument; Post & Arm	32 for Monument; 12 for Post & Arm	n/a	n/a	1 per street front	10	External; Internal by COA only
	A-frame*	6	n/a	n/a	1 per tenant	4	Not Allowed
	Ground-mounted Flag	48 total per pole	n/a	n/a	1 flagpole	35	External only
All ground signs and flags shall be set back at least 10 feet from the property lines							
*A-frame signs shall be located so an accessible pedestrian path is maintained on a sidewalk and shall be displayed only during the sign owner's business hours.							

(B) *Wall, canopy, projecting and under canopy signs in nonresidential districts.* Wall, canopy, projecting and under canopy signs in the nonresidential base zoning districts and PC, DD, NC overlay districts shall comply with the provisions of Table 6-9-3.

Table 6-9-3. Standards for Wall, Canopy, Projecting, Under Canopy, and Window Signs in Nonresidential Zoning and Overlay Districts					
Zoning District	Sign Type	Maximum Number (multi-tenant building)	Maximum Number (single-tenant building)	Maximum Square Feet per Sign Face	Illumination Allowed
C-1, C-2 M-1, M-2 IMU, MUC, GU	Wall or Canopy	1 per tenant's exterior wall	1 per exterior wall	300 or 10% of each wall face, whichever is less	Internal or External; Canopy External Only
	Projecting*	1 per tenant	1	6	
	Under Canopy*	1 per tenant entrance	1 per building entrance	4	
LC, OI, NMU, Neighborhood Commercial Corridor Overlay (NC)	Wall or Canopy	1 per tenant's building frontage	1 per building frontage	100 or 10% of each wall face, whichever is less	Internal or External; Canopy External Only
	Projecting*	1 per tenant	1	6	
	Under Canopy*	1 per tenant entrance	1 per building entrance	4	
C-3, Downtown Development Overlay (DD), Downtown Historic Preservation Overlay (HP)	Wall or Canopy	1 per tenant's building frontage	1 per building frontage	1 for each linear foot of tenant's building frontage	External Only
	Projecting*	1 per tenant	1	6	
	Under Canopy*	1 per tenant entrance	1 per building entrance	4	
All Districts	Wall-mounted Flag	1 per tenant	1	24	External Only
	Window	n/a	n/a	20% of aggregate window area per tenant	Internal or External
Parkway Corridor Overlay (PC)	Same as base zoning district				
*Projecting signs and under canopy signs require 78" clearance from finished grade. Projecting signs shall not extend more than three feet from the building and shall not project into a vehicular use area.					

(C) Additional standards for signs in the C-3 zoning district, and the DD overlay district.

- (1) Wall signs in a planned center shall be composed of individual letters not exceeding 18 inches in height.
- (2) All signs require a Certificate of Appropriateness unless the administrator determines that a sign complies with the provisions of this section.

(3) Prohibited signs in C-3 and DD districts:

- (a) Multiple message signs, except as authorized in sec. 6-9.9.
- (b) Neon tube signs, including neon and rope light building or window/door outlining.
- (c) Signs incorporating reflective and luminescent materials.

Sec. 6-9.7. Additional Ground Signs.

In addition to ground signs permitted in sections 6-9.5 and 6-9.6, additional ground signs are authorized during certain periods of time as described in Table 6-9-4. Such signs are exempt from obtaining a sign permit. Property address is not required on such signs.

Table 6-9-4. Standards and Time for Additional Ground Signs								
Zoning District		R-Ag, R-1, R-2, R-2A, R-3, R-TH, RM-1, RM-2, R-MH, FBR					C-1, C-2, C-3, M-1, M-2, LC, OI, GU, IMU, MUC, NMU	
Use		Maximum	One- and two-family dwelling	One- and two-family dwelling subdivision	Multi-family	Nonresidential	Multi-family	Nonresidential
Time Period When Allowed	120 Days Prior to, through 14 days after, a Primary, General Election, Runoff, or Referendum	Number per lot	4	n/a	4	4	4	4
		Size (square feet)	4	n/a	4	4	4	4
		Height (feet)	4	n/a	4	4	4	4
	During the period when a property or tenant space is for sale, lease, or rent	Number per lot	*	n/a	*	*	*	*
		Size (square feet)	6	n/a	6	6	6	24
		Height (feet)	4	n/a	6	6	6	8
	Upon the Issuance of a permit for development through the Issuance of the final Certificate of Occupancy	Number per lot	2	1 per subdivision	1	1	1	1
		Size (square feet)	4	32	32	32	32	32
		Height (feet)	4	10	10	10	10	10
*1 per 500 feet of street frontage per street front								
Ground signs shall be set back at least 10 feet from the property lines and are not allowed in public rights-of-way								

Sec. 6-9.8. *Banners.* Banners are permitted for any use except one-and two-family dwellings, subject to the following standards:

- (A) A banner shall be permitted for up to 30 consecutive days, and not more than 90 days per calendar year.
- (B) A banner shall not exceed 16 square feet in area.
- (C) One banner shall be permitted per tenant.
- (D) The banner shall be attached to a flat wall or to a rigid ground-mounted frame in a manner such that the banner does not become an animated sign.
- (E) A sign permit shall be required for each 30-day display.

Sec. 6-9.9. *Multiple message signs.*

- (A) Multiple message signs may be incorporated as part of the ground sign(s) otherwise permitted in each nonresidential zoning or overlay district, per the provisions of Table 6-9-5.

Table 6-9-5. Standards for Multiple Message Signs in Nonresidential Zoning and Overlay Districts	
Zoning and Overlay District	Maximum Portion of Sign Face Allowed to be Multiple Message
C-1, C-2, M-1, M-2, IMU, MUC, GU, and Parkway Corridor Overlay (PC)	32 square feet or 50 percent of allowable sign face, whichever is less
Interstate Corridor Overlay District (IC)	100 percent of allowable sign face only when sign is located within 20 feet of I-75 right-of-way
LC, OI, NMU, C-3, Downtown Development Overlay (DD), Downtown Historic Preservation Overlay (HP), and Neighborhood Commercial Corridor Overlay District (NC)	Six square feet provided message does not change more than once per day

- (B) When the message of a multiple-message sign is changed mechanically, it shall be accomplished in three seconds or less. When the message of a multiple-message sign is changed in an electronic manner, through the use of light emitting diodes, back lighting or other light source, the transition shall occur within two seconds. No multiple-message sign may change its message or copy, or any pictures or images that are part of the message, more frequently than once every ten seconds.
- (C) When any multiple-message sign is located within 150 feet of any residential district, the display of multiple-messages shall discontinue between the hours of 11:00 p.m. and 6:00 a.m., and the sign shall be static and not display more than one message during that period.
- (D) Multiple message signs shall incorporate a photocell or similar technology that adjusts the brightness of the sign relative to the outdoor ambient light.

Sec. 6-9.10. *Regulations for signs.*

(A) *Location, height, and setback.*

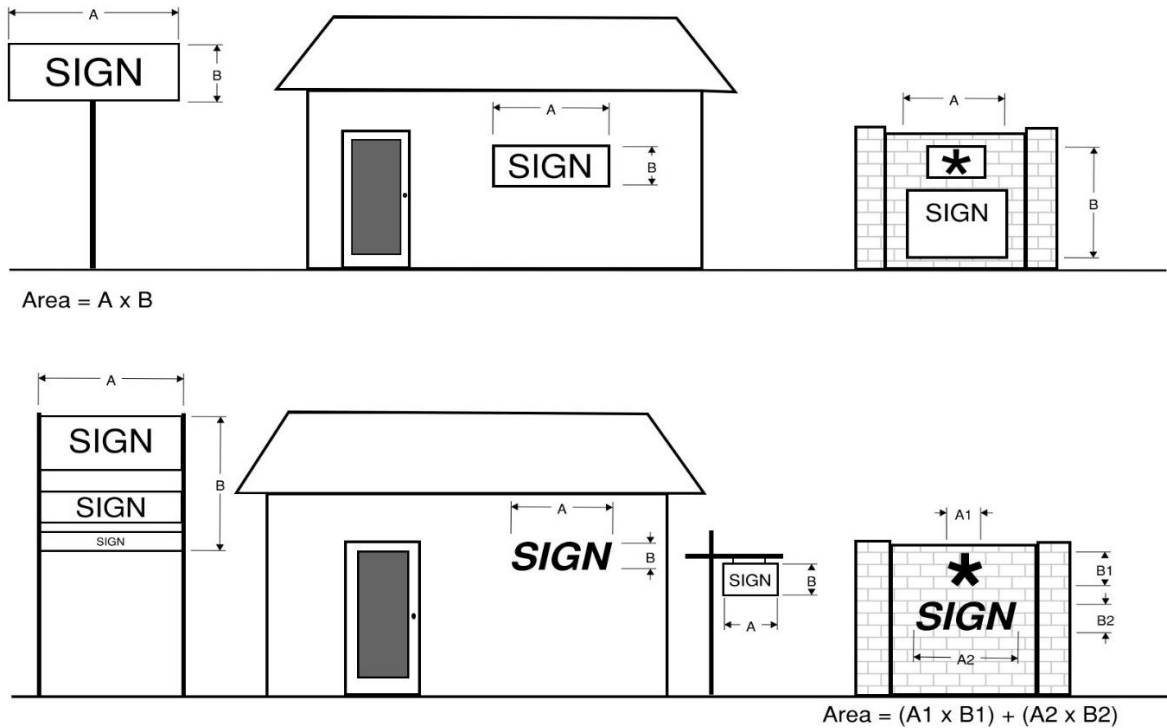
- (1) The property owner must give permission for all sign placement on the owner's property, through the issuance of a letter signed by the owner.
- (2) All signs must comply with all side and rear setbacks of this chapter.
- (3) Signs can be located in front setback areas, but all signs and sign structures must be set back at least ten feet from the public right-of-way. No portion of a sign or sign structure shall encroach on or overhang the public right-of-way, except for projecting and under-canopy signs as allowed in the



Downtown Development Overlay District, or any other person's property. Furthermore, for safety reasons, no sign shall be located closer than ten feet from the back of the curb of a public roadway, or if there is no curb, from the edge of the pavement.

- (4) Distances are measured from the closest portion of the sign (whether that is the base, sign face, or the sign structure) to the property line(s).
  - (5) The height requirements of a sign shall be computed as the length of a straight vertical line from normal grade to the height of the highest attached component of the sign or sign structure. Normal grade shall be considered the lower of:
    - a. Existing grade of the site of the sign prior to construction of the sign; or
    - b. The newly established grade at the base of the sign after construction, exclusive of any filling, beaming, mounding, or excavating solely for the purpose of locating the sign.
- (B) *Number.* For the purpose of determining the number of signs, ground signs shall be equal to the number of sign structures. All other non-ground signs shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. A double-sided (double-faced) sign is counted as one sign.
- (C) *Illumination.*
- (1) Ground signs shall not be internally illuminated except where expressly permitted by this article. All signs, except those located on one-and two-family residential lots, may be externally illuminated. External illumination of any sign in any district shall be positioned and shielded so that the light source does not shine directly into the path of motorists on a public right-of-way or into the windows of adjacent dwellings or businesses without the permission of the owner and occupant thereof.
  - (2) No sign shall give off light which glares, blinds, or has any other adverse effect on traffic or adjacent properties. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and roadways. This shall be determined by measuring the footcandles that fall on adjacent properties or the public right-of-way. No sign shall exceed 0.5 footcandle at any adjacent property line in a residential district or two footcandles at any public right-of-way.
  - (3) Flashing, blinking or otherwise varying illumination is not permitted. No external or internal illumination that causes confusion with or distraction from any traffic signal or safety device shall be permitted.
  - (4) All externally illuminated signs shall utilize low wattage luminaries, mounted in fixtures designed to direct the light and eliminate light trespass, such as light shining into residences or other neighboring structures.
  - (5) All internally illuminated signs shall utilize low wattage luminaries designed to reduce light glow.
  - (6) All illuminated signs over ten feet in height shall either be internally illuminated, when authorized, or illuminated by external lighting fixtures not visible to passing motorists.
- (D) *Calculation of area.* The area of a sign is calculated by determining the area of the smallest rectangle which encloses the sign face and the structure surrounding the sign face. For example, the pole or base would not be included, but any frame holding the sign face in place would be counted. See examples:

## Examples of Sign Face Area Measurements



- (E) *Unusual-shaped signs.* Unusual-shaped signs are signs that are any shape other than a rectangle, and include signs with projecting elements or features, round, oval, and triangular signs, signs with more than four sides, signs in the shape of an animal, object, or device, and so forth. For all such signs, the area is determined by calculating the area of the smallest rectangle that will completely enclose all elements of the sign face.

### Sec. 6-9.11. Safety and construction standards.

- (A) *Engineering approval.* All signs in excess of 15 feet in height shall be constructed according to plans approved by a state registered professional engineer. The sign owner shall produce such approved plans at the request of the administrator.
- (B) *Official confusion.* Signs which contain or are in imitation of an official traffic sign or signal are prohibited.
- (C) *Fire safety.* No sign or sign structure may be erected or maintained which obstructs any fire escape, ventilation, or door; nor shall any sign or sign structure be attached to a fire escape.
- (D) *Corner visibility.* No sign or sign structure above a height of three feet shall be maintained within 15 feet of the intersection of the right-of-way lines of two streets, or of a street intersection with a railroad right-of-way.
- (E) *Traffic visibility.* No sign shall obstruct the view of vehicles entering the roadway (i.e., the view of oncoming traffic by vehicles attempting to enter the road).
- (F) *Good repair.* All signs, together with all their supports, braces, guys, and anchors shall be kept in good repair. Sign face shall be maintained at all times. Any structure formerly used as a sign, but not in use for any other purpose, must be removed by the owner of the property within ten days after written notification from the administrator or 30 days after its use as a valid sign has ceased, after which time, the city may cause the removal of the sign at the owner's expense.
- (G) *Removal of unsafe signs and safety hazards.* The city may remove a sign in violation of this chapter, without giving notice to any party, if said sign is upon the public right-of-way or upon other public property, or said sign poses an immediate safety threat to the life or health of any members of the public.

*Sec. 6-9.12. Prohibited signs.* The following types of signs are prohibited:

- (A) Roof signs and roof signs (integral).
- (B) Signs with more than two sides.
- (C) Animated signs, except where expressly permitted.
- (D) A-frame signs, except in DD overlay district.
- (E) Portable signs.
- (F) Signs which contain or are in imitation of an official traffic sign or signal.
- (G) Any sign not authorized by this article.

*Sec. 6-9.13. Signs not required to obtain a sign permit.* The following types of signs do not require a sign permit, provided they comply with the provisions of this article:

- (A) Signs located on one- and two-family dwelling lots.
- (B) Window signs.
- (C) Flags.
- (D) Signs installed on a public right-of-way by the City of Perry, Houston County, Peach County, the State of Georgia, or their authorized agent.
- (E) Signs authorized in Sec. 6-9.7.
- (F) Signs located at drive-through ordering stations.
- (G) Signs up to three square feet in area, up to 30 inches in height, and located within five feet of the vehicular access points of a lot.
- (H) Signs integral to, or attached to fuel pumps, electric charging devices, or vending machines other than self-service vending units.

*Sec. 6-9.14. Procedures; permits.*

- (A) Except as specifically exempted from the provisions of this article, a person or firm may not legally maintain, post, display, enlarge, erect, move, or substantially change a sign that is taller than 48 inches without first obtaining a permit from the Administrator. Signs using electrical wiring and connections (i.e., illuminated signs), as well as larger signs, may require additional permits under the city building code.
- (B) All parties are advised to consult with the Administrator to avoid erecting signs that violate this article. No person shall obtain a vested right to maintain a sign that does not comply with this article at the time it is erected. Signs erected in violation of this article shall be removed or reconstructed in compliance with this article.
- (C) See Sec. 2-3.9 for application requirements and procedures.

*Sec. 6-9.15. Nonconforming signs.* Signs existing legally at the time of the adoption or amendment of the ordinance from which this article is derived, but which do not conform to newly adopted or amended provisions of this article solely because of a change in this article, and not because of a change to the sign, may remain as legal nonconforming signs, subject to the following provisions:

- (A) There must be existing property rights in the sign;
- (B) The right to continue a nonconforming sign is confined to the sign owner or his transferee;
- (C) A nonconforming sign may be restored to its original condition, provided that not more than 50 percent of the sign is destroyed. The 50 percent is to be determined by 50 percent of the value of the materials of the sign, inclusive of poles and other structural members, immediately prior to damage;
- (D) A nonconforming sign when relocated or moved shall no longer be considered a nonconforming sign and thereafter shall be subject to all the provisions of law and of these rules;
- (E) The sign must remain substantially the same as it was on the effective date of the adoption of the ordinance from which this article is derived which rendered the sign nonconforming. Extension, enlargement, replacement, rebuilding, adding lights to a non-illuminated sign, re-erection of the sign, or replacing a manual

reader board with a multiple message sign will be considered a change in the existing sign. The maintenance will be limited to:

- (1) Replacement of nuts and bolts, and light bulbs;
  - (2) Additional nailing, riveting, or welding;
  - (3) Cleaning and painting;
  - (4) Manipulating to level or plumb the device, but not to the extent of adding guys or struts for stabilization of the sign structure;
  - (5) A change of the message, including changing faces, as long as similar materials are used, and the sign face is not enlarged or modified in shape. Sign face shall be maintained at all times;
- (F) At no time may changes be made in a nonconforming sign which would increase the value of the sign;
- (G) A nonconforming sign may continue as long as it is not abandoned, destroyed, discontinued, or purchased by any governmental agency. Any sign suffering damage in excess of normal wear cannot be repaired without:
- (1) Notifying the Administrator in writing of the extent of the damage, the reason the damage is in excess of normal wear, and providing a description of the repair work to be undertaken, including the value of the sign materials and the cost of the repair; and
  - (2) Receiving written notice from the Administrator authorizing the repair work as described above. If said repair is authorized by the terms of this article, the Administrator shall mail such notice to the applicant within 30 days of receipt of the information described in subsection (7)(a) of this section.
- (H) A nonconforming sign with a sign face exceeding 200 square feet in area which is destroyed or damaged by more than 50 percent of its replacement value and is authorized to be reestablished under a permit issued by the Georgia Department of Transportation, shall only be reestablished as a monopole sign. Such reestablished sign shall not exceed the sign face area and height of the sign prior to damage or destruction.
- (I) Notwithstanding the foregoing, any removal of a nonconforming sign shall be in accordance with O.C.G.A. §32-6-83.

## Sec. 6-10. Site development and related infrastructure.

### 6-10.1. General design requirements.

- (A) *Suitability of land.* Land subject to flooding, improper drainage, or erosion, or which is for topographical, geological or other reasons unsuitable for residential use shall not be platted for residential use or for other uses that will continue to increase the danger to health, safety, or property destruction, unless the hazards can be and are corrected. No portion of a single-family or two-family lot shall be located within a 100-year floodplain.
- (B) *Name of subdivision.* The name of the subdivision must have the approval of the Commission. The name shall not duplicate nor closely approximate the name of any existing subdivision.
- (C) *Access.* Access to every subdivision shall be provided over a public street.
- (D) *Conformance to adopted major thoroughfare plans.* All streets and other features of the Major Thoroughfare Plan of the City of Perry shall be platted by the subdivider in the location and to the dimension indicated on the Major Thoroughfare Plan adopted by the Commission and/or Council.
- (E) *Through traffic.* Minor streets shall be so laid out that their use by through traffic will be discouraged.

### 6-10.2. General requirements for streets and other rights-of-way.

- (A) *Continuation of existing streets.* Existing streets shall be continued at the same or greater width, but in no case less than the required width.
- (B) *Connections with future subdivisions.* Streets shall be reserved at strategic locations to provide for future access to adjoining properties which may be subdivided in the future. Each street connection shall intersect property lines at a ninety-degree angle.
- (C) *Street names.* Street names shall require the approval of the Commission. Streets that are obviously in alignment with streets already in existence and already named shall be given the name of the existing streets. Names of new streets shall not duplicate or closely approximate those existing streets.
- (D) *Street jogs.* Street jogs with centerline offsets less than one hundred twenty-five (125) feet shall not be permitted.
- (E) *Cul-de-sacs.* Cul-de-sacs, or dead-end streets, shall be provided at the closed end with a turnaround meeting the specifications of Sec. 6-10.10, roadway surfacing and paving.
- (F) *Development along major street, limited-access highway or railroad right-of-way.* Where a subdivision abuts or contains an expressway, freeway, arterial or collector street, or a railroad right-of-way, the Commission may require a street approximately parallel to and on each side of such right-of-way either as a marginal access street, or at a distance suitable for an appropriate use of intervening land, with a non-access reservation suitably planned. Due regard should be given requirements for approach grades and future grade separations in determining distances. Lots shall have no access to expressways, freeways, or arterial streets, but only to an accessible street in which case the Commission may require double frontage lots.
- (G) *Half streets.* Half streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, and where the Commission finds it will be practical to require the dedication of the other half when the adjoining property is subdivided, the other half of the street shall be platted within such tract.
- (H) *Alleys.* The requirements for providing alleys within a subdivision are as follows:
  - (1) Alleys shall be provided in multifamily commercial, and industrial districts, except where other definite and assured provision is made for service access such as off-street parking, loading and unloading consistent with and adequate for the uses proposed.
  - (2) Alleys shall not be provided in one- and two-family residential developments unless the subdivider provides evidence satisfactory to the Commission of the need for alleys.
  - (3) Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall provide sufficient radius to permit safe vehicular movements.
  - (4) Dead-end alleys shall be avoided where possible but if unavoidable, shall be provided with adequate turnaround facilities at the dead-end, as determined by the Commission.

(I) *Reserve strips and easements.*

- (1) Reserve strips controlling the access to streets shall be prohibited except where this control is definitely placed in the hands of the Council under conditions approved by the Commission. The Commission may require access to expressways, freeways, arterial and collector streets by requiring all lots to face and have access to only minor streets.
- (2) Easements having a minimum width of ten (10) feet and located along the side or rear lot lines shall be provided, as is necessary for utility lines and underground mains and cables. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a stormwater or drainage right-of-way of adequate width. Parallel streets may be required by the Commission therewith.

(J) *Fire apparatus access roads.*

- (1) *One- and two-family residential developments.* Developments of one- and two-family dwellings where the number of dwelling units exceed 30 shall provide two separate and approved fire apparatus access roads. Where there are more than 30 dwelling units accessed from a single fire apparatus access road and all dwelling units are equipped throughout with an approved automatic fire sprinkler system in accordance with the International Fire Code, access from two directions shall not be required. The number of dwelling units accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect to future development, as determined by fire code official. All fire apparatus access roads for one- and two-family residential developments shall meet City of Perry design standards for public streets.
- (2) *Remoteness.* Where two fire apparatus access roads are required for any residential development, they shall, to the extent practicable, be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

6-10.3. *Rights-of-way width requirements.* The minimum street right-of-way widths shall be as stated in Table 6-10-1, Minimum rights-of-way widths. The Commission may require a larger right-of-way than those listed.

Street Classification	Minimum width in feet
Freeways and Expressways	150
Arterial Streets	100
Collector Streets	80
Minor Commercial and Industrial Streets	60
Minor Residential Streets	60
Dead-End Streets (Cul-de-Sacs)	50 (120 for turn-around bulb)
Marginal Access Streets	50
Alleys	20

6-10.4. *Street design requirements.*

- (A) *Street intersections.* Street intersections shall be as nearly at right angles as possible with no street intersection being at any angle of less than seventy-five (75) degrees.
- (B) *Right-of way radius.* The streets right-of-way radius at street intersections shall be at least twenty (20) feet. Where the angle of street intersection is less than ninety (90) degrees, the Commission may require a longer radius.
- (C) *Additional width on existing streets.* Subdivisions that adjoin existing streets shall dedicate additional rights-of-way if needed to meet the minimum right-of-way width requirements set forth in Section 6-10.3.

- (1) The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing streets.
- (2) When the subdivision is located on only one (1) side of an existing street, one-half (½) of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.

6-10.5. *Design standards for block and lots.*

- (A) *Design lengths and widths.* Block length and widths shall be determined based on the following requirements:
  - (1) Blocks shall not be greater than two thousand two hundred (2,200) feet nor less than four hundred (400) feet in length.
  - (2) Blocks shall be wide enough to provide two (2) tiers of lots of minimum depth, except where abutting a major street, limited-access highways or railroads or where other situations make this requirement impractical in which case the Commission may approve a single tier of lots of minimum depth.
  - (3) Blocks shall have pedestrian walkways not less than ten (10) feet wide, where deemed essential, to provide circulation, or access to schools, playgrounds, shopping centers, transportation, and other community facilities.
- (B) *Lot sizes.* Lot dimensions shall conform to the requirements set forth in the zoning districts in which the land to be subdivided is located. Residential corner lots shall have adequate width to permit appropriate building setback from and orientation to both abutting streets.
- (C) *Building lines.* A building line meeting the front and side yard setback requirements of the zoning district in which the subdivision is located shall be established on all lots.
- (D) *Lots abutting public streets.* Each lot shall abut a dedicated public street.
- (E) *Double frontage lots.* Double frontage lots should be avoided except where essential to provide separations of residential development from traffic arterials or to overcome specific disadvantage of topography and orientation. A planting screen easement of at least ten (10) feet, and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery of other disadvantage use.
- (F) *Lot drainage.* On all residential and commercial building sites, buildable lots shall be designed and graded to ensure the top of any exterior foundation of a building extends above the elevation of the street gutter at a point of discharge, or the inlet of an approved drainage device, not less than 12 inches plus 2%. Alternate elevations are permitted subject to the approval of the building official, provided that it can be demonstrated that the required drainage to the point of discharge and away from the structure is provided at all locations on the site.

6-10.6. *Monuments.* Right-of-way and property line monuments shall be placed in each subdivision in accordance with the following:

- (A) *Right-of-way monuments.* A concrete marker imbedded at least two (2) feet into the ground shall be required at the intersection of the centerline of all street rights-of-way. Such concrete markers shall be at least four (4) inches in diameter. The top surface of such concrete marker shall be level with the surface of the street.
- (B) *Property line monument.* An iron pin or concrete marker at least two (2) feet into the ground shall be required at each lot corner and each point where the property line changes direction. Such an iron pin shall be at least three-quarters inch in diameter. The top surface of such iron pin shall be approximately level with the ground surface. Such concrete marker shall be at least four (4) inches in diameter. The top surface of such iron pin shall be approximately level with the ground surface.

6-10.6. *Special classification of streets for construction.* All streets shall be classified for construction purposes only as follows:

- (A) *Standard street.* A standard street shall be paved, curbed and guttered in accordance with the specifications required herein, and shall be required in all zoning districts. Right-of-way width requirements shall be in accordance with Section 6-8.3.

6-10.7. *Additional street design requirements.*

- (A) *Grades, horizontal curves, tangents, and sight distances.* The following street design requirements shall be adhered to in addition to other requirements stated herein:

Table 6-10-2: Grades, horizontal curves, tangents, and sight distances			
	Expressways, Freeways, Arterial streets	Collector Streets	Other Streets
Maximum street grades	6%	8%	12%
Minimum radii of centerline curvature	800'	500'	100'
Minimum length of tangent between reverse curves	300'	200'	100'
Minimum stopping sight distance	350'	240'	200'

- (B) *Vertical curves.* All changes in grade shall be connected by vertical curves of minimum length in feet equal to fifteen (15) times the algebraic difference in percent of grades for expressways, freeways, arterial and collector streets, and one-half this minimum length for other streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontally and one (1) inch equals twenty (20) feet vertically may be required by the Commission.

6-10.8. *Traffic control devices.*

- (A) *Installation.* All required street name signs, traffic control signs and other traffic control devices in new development shall be installed by the developer at the developer's own expense.
- (B) *Design and placement.* The design and placement of all street name signs, traffic control signs and other traffic control devices shall meet the requirements of the Manual on Uniform Traffic Control Devices as adopted by the Georgia Department of Transportation and revisions thereto.
- (C) *Other signage.* All other signage within the street right-of-way shall be the responsibility of the developer and/or the homeowner's association and for the perpetual maintenance of these devices. The signage shall provide "break-away" features and/or other appropriate safety measures prior to installation. The number, type and location of all other signage shall be approved by the public works department prior to installation.

6-10.9. *Basic construction requirements for all streets.*

- (A) *Grading.* All streets, roads and alleys shall be graded to their full width by the subdivider so that pavements and sidewalks, where required or if installed in the future, can be constructed on the same level plane. The preparation of the right-of-way before grading is started and the construction of cuts and fills shall be accomplished in accordance with the requirements herein and other specifications of the Council.
- (B) *Storm drainage.* An adequate drainage system based on at least the ten-year rainfall frequency including necessary curb, pipes, culverts, headwalls, and ditches shall be provided for the proper drainage of all surface water.
- (C) *Installation of utilities.* After grading is completed and approved and before any base is applied all of the underground utilities—water main, sewer mains, gas mains, or any other underground utilities, and all service connections related thereto—shall be installed completely and proved throughout the length of the street and across the flat section. Service connections for sanitary sewer and water shall be extended to the right-of-way lines.
- (D) *Slopes and shoulder improvements.* The minimum ratio for all fill or cut slopes shall be two (2) to one (1) and the minimum width for all shoulders from back edge of the curb, if installed, shall be eight (8) feet. All shoulders shall slope one-half inch to the foot. When all construction is completed, all slopes and shoulders shall be cleared of all rubbish and shall have a stand of grass to prevent undue erosion, either by sprigging or seeding.

6-10.10. *Roadway surfacing and paving.* For standard streets, the following minimum requirements shall be adhered to for the surfacing and paving of said streets:



- (A) *Pavement base.* The pavement bases, not including the surface courses, shall be one (1) of the following types and shall be of the following minimum thickness as designated for each street.

	Expressways, Freeways, Arterial Streets	Collector Streets	Other Streets
Graded Aggregate Base	8"	7"	6"
Soil Bituminous Stabilized Base	8"	7"	6"
Soil Bound Macadam Base	8"	7"	6"
Soil Cement Base	8"	7"	6"
Sand-Clay Base	8"	8"	8"

- (B) *Thickness of pavement.* The pavement shall be one (1) of the following types and shall be designated for each street classification.

	Expressways, Freeways, Arterial Streets	Collector Streets	Other Streets
Portland Cement Surface	8"	6"	6"
Asphaltic Concrete Surface	3½"***	2¾"	2"
*The 2¾ inches consists of a 1½-inch Binder and a 1½-inch surface.			
**The 3½ inches consists of a 2-inch Binder and a 1½-inch surface.			

- (C) *Minimum pavement width.* All minor residential streets shall have a minimum pavement width of twenty-seven (27) feet from back of curb to back of curb. All other street width requirements shall be determined by the Commission and the Council as required. For cul-de-sacs and other dead-end streets, a turnaround meeting the standards in *Appendix D* of the *International Fire Code*, as adopted in the Georgia State Minimum Fire Safety Standards, shall be provided at the closed end of the street.
- (D) *Pavement breaks for utility connections.* When it is necessary for a subdivider, or any utility company, to break existing pavements for the installation of utilities, for drainage facilities, or for any other purposes, the subdivider, or utility company shall be financially responsible for the repair of the pavement. The pavement shall be in accordance with the specifications required herein for construction of streets.
- (E) *Curbs and gutters.* Either a six (6) inch standing curb and gutter or a four (4) inch roll-over concrete curb and gutter with a minimum over-all width of twenty-four (24) inches shall be constructed on all standard streets. Cement concrete valley gutter shall be permitted across minor residential streets at street intersections only when no storm sewers are available as determined by the Zoning Enforcement Officer. Valley gutters shall be at least six (6) feet in width. Whenever driveway openings are provided for lots abutting the street, the driveway shall be six (6) inches thick and a minimum of ten (10) feet in width at the sidewalk or at the street right-of-way line. The driveway shall have a minimum three (3) foot radius at the curb line.
- (F) *Temporary turnarounds.* Temporary turnarounds shall be required at the discretion of the Commission. Said turnarounds shall consist of one and one-half (1½) inches of asphalt with a pavement base as described in SUBSECTION. 6-10-10(A). In lieu of a paved temporary turnaround, the Commission may permit an unpaved temporary turnaround, provided that the temporary unpaved turnaround shall require an appropriate letter of credit, in an amount determined by the Public Works Department, for a duration of two (2) years approved prior to final plat approval. Unpaved temporary turnarounds shall meet all other construction and size requirements, with the exception of the paving and curbs. A temporary unpaved turnaround shall have positive drainage to prevent undermining of the turnaround, or the new road associated with it. If there are recurring maintenance problems with the unpaved temporary turnaround the letter of credit shall be deemed forfeited and the financial institution will be required to immediately pay all amount due to the City.
- (G) *Quality control and testing requirements.* It will be the responsibility of the developer or his authorized representative to insure that all tests required are made. The cost of all testing and quality control will be

performed at the expense of the developer by qualified testing laboratories approved by the Commission. In all test reports, thickness of base and asphaltic concrete will be shown.

Table 6-10.5: Quality control and testing requirements		
Type of Test to be Performed	Minimum Number of Tests to be Performed	Testing Standards
Sub-grade Compaction (density in place)	One (1) per 500 L.F. of roadway	95% Max. Density ATSM-1557 Field Tests ASTM D-1556 F-2922 & D-2167
Base Compaction	One (1) per 500 L.F. of roadway	100% Max. Density ATSM-1557 Field Test-ASTM D-1556, D-2922 & D-2167
Asphaltic Concrete (density in place)	One (1) per 1,000 L.F. of Roadway	92% Laboratory Density
Asphaltic Concrete (thickness in cores)	Intervals not to exceed 500 L.F.	Deficient in Thickness not more than ½"

6-10.11. *Installation of utilities.*

- (A) *Water.* Water mains for both domestic use and fire protection shall be properly sized by the city and connected with the public system. The lines shall be constructed in such a manner as to adequately serve the subdivision. The lines shall be sized and installed in conformance with Water Specifications for the City of Perry. The governing body may participate in sharing the costs of construction and installation of water system for any difference in the cost to lay oversized pipe and outfall systems which are needed in excess of the required water facilities needed to exclusively serve the new subdivision as determined by Mayor and Council.
- (B) *Sewer.* A publicly connected sanitary sewer system shall be installed and the subdivider shall incur the cost for the installation of all sewer systems which are required to serve the new subdivision including the cost of installing and tying in with the existing sewer system. The governing body may participate in sharing the cost of construction and installation of sewer systems for any difference in the cost of oversized pipe and outfall systems which are needed in excess of the required sewer facilities needed to exclusively serve the new subdivision as determined by Mayor and Council. All sewer facilities shall be installed in accordance with the standards of the Department of Human Resources of the State of Georgia and with the Sewer Specifications for the City of Perry.
- (C) *Gas.* When gas mains are connected with the gas distribution system of the City of Perry, the lines shall be installed in such a manner as to serve adequately all lots shown on the subdivision plats. The gas line shall be constructed in conformance with the gas specifications for the City of Perry.
- (D) *Underground electrical system.* If the subdivider installs an underground electrical system, he shall provide the Building Inspector with detailed plans showing the exact location of the lines.
  - (1) *Overhead street lighting.* In cases where an underground electrical system has been installed, the subdivider shall provide terminal facilities and lighting fixtures for street lighting. This fixture shall be placed on the street pavement and in a location so as not to hinder the flow of traffic.
  - (2) *Cost of overhead street lighting.* In cases of underground electrical systems, the subdivider shall assume the entire cost for installation of terminal street lighting fixtures.

6-10.12. *Sidewalks.*

- (A) *Sidewalk Dimensions.* Unless otherwise specified, all sidewalks shall be four [inches] (4") thick with a minimum width of five (5) feet. All sidewalks shall slope one-fourth (¼) inch to the foot toward the curb. A thirty (30) inch grass planting strip shall be provided between the back of the planting curb and the sidewalk. The thirty (30) inch grass planting strip between the back of the curb and the sidewalk shall not be required on streets designated as Alternate Transportation Routes.

6-10.13. *Fire hydrant systems.* In addition to pertinent provisions of other fire protection codes adopted by the City of Perry, fire hydrant systems shall comply with the following:

- (A) *Access to structures.* Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than four hundred (400) feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

- (1) For Group R-3 and Group U occupancies, the distance requirement shall be six hundred (600) feet.
  - (2) For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Sections 903.3.1.1 or 903.3.1.2 of the International Fire Code, the distance requirement shall be six hundred (600) feet.
- (B) The travel distance between one hydrant and the next hydrant along a street shall be no greater than five hundred (500) feet in residential developments and no greater than three hundred (300) feet in commercial developments. Hydrants shall be located prior to the entrance of a cul-de-sac and not within a cul-de-sac.

## Sec. 6-11. Private Development Standards.

6-11.1. *Definitions.* When used in this section, the following words and phrases shall have the meaning given. The words not defined below shall have the meaning given in Section 1-13.

- (A) *Common Area* —Any area or space designed for joint use of tenants occupying the private development.
- (B) *Density* —The number of dwellings per gross acre.
- (C) *Driveway* —A private way used by vehicles and pedestrians on a private development or for common access to a group of lots or common facilities.
- (D) *Governing Authority* —The Mayor and Council of the City of Perry, Georgia.
- (E) *Management* —The person who owns or has charge, care or control of the private development.
- (F) *Occupied Area* —That area of an individual lot which has been covered by a dwelling and its accessory structures.
- (G) *Private Development* —Any development in which the infrastructure (water and sewer mains, streets, driveways, etc.) is not owned by the City of Perry. Private development shall include, but is not limited to, apartment complexes, manufactured home parks, private retirement communities, and condominiums.
- (H) *Service Building* —A structure housing sanitary, operational, office, recreational, maintenance and other facilities build to conform to required standards.
- (I) *Sewer Connection* —Pipes, fittings and appurtenances from the drain outlet of the structure to the inlet of the corresponding sewer riser pipe of the sewer system serving the private development.
- (J) *Travel Trailer Park* —An area where one (1) or more travel trailers can be parked, designed or intended to be used as temporary living quarters for one (1) or more families and intended primarily for automobile transients, whether or not a charge is made for such accommodation.
- (K) *Water Connection* —Pipes, Fittings and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the structure.

6-11.2. *Private Development.* The purpose of this section is to promote the health, safety, morals and general welfare of the inhabitants of Perry, Georgia, by regulating the occupancy and maintenance of manufactured home parks, travel trailer parks, apartments, Planned Unit Developments (PUD) and all other developments with privately maintained infrastructure. New private developments shall conform to the Technical Standards in this Section.

- (A) Roadways, Driveways and Off-Street Parking.
  - (1) *Pavement.* Roadways within the private development shall be constructed in accordance with City of Perry standards.
  - (2) *Width.* Roadway pavement shall be of adequate width to serve the traffic of the private development and in any case shall meet the following minimum requirements:
    - (a) Two Way Streets—Twenty-three (23) feet
    - (b) One Way Streets—Twelve (12) feet
    - (c) Cul-de-sac—Turn-around to meet the specifications set out in Sec. 6-10.10, roadway surfacing and paving.
  - (3) *Minimum maintenance standards.* Roadways shall be maintained free of ruts, holes, and standing water.
  - (4) *Inspections.* All streets and driveways within private developments shall be subject to review and inspection by the City of Perry.

- (5) *Access.* All private developments shall be provided with safe and convenient vehicular access from abutting public streets or roads or highways. Said access shall be provided by streets, driveways or other means. Alignment and gradient shall be properly adapted to topography.
- (6) *Driveways.* Paved driveways shall be provided where necessary for convenient access to the private development. The minimum width shall be ten (10) feet.
- (7) *Off-Street Parking.* Off-street parking areas shall be provided in all private developments for the use of occupants and guests. All requirements found in Sec.6-1 shall apply.
- (B) All private developments shall comply with the landscaping requirements in Sec. 6-3.
- (C) All private developments shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights with sufficient levels of illumination for the safe movement of pedestrians and vehicles at night.
- (D) The ground surface in all parts of every private development shall be graded and equipped to drain all surface water in a safe, efficient manner in order to eliminate water pockets, low areas or bogs.
- (E) Exposed ground surfaces in all parts of every mobile home park shall be paved, or covered with stone screening, or other landscaping material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust and/or mud.
- (F) An accessible, adequate, safe and potable supply of water shall be provided in each private development. Where a public supply of water of satisfactory quantity, quality and pressure is available, connection shall be made thereto, and its supply used exclusively. When a satisfactory public water supply is not available, a private water supply system may be developed and used as approved by the Georgia Department of Public Health in accordance with rules and regulations for water supply quality control.

The water supply system of the private development shall be constructed and connected in accordance with the plumbing code of Perry, Georgia. Each dwelling or, in the case of two- and multi-family dwellings and commercial uses, each building, shall be provided with a water connection. Such connection shall be in accordance with the provisions of the plumbing code of Perry, Georgia.

- (G) An adequate and safe sewerage system shall be provided in all private development for conveying and disposing of all sewage. Each dwelling or, in the case of two- and multi-family dwellings and commercial uses, each building shall be provided with a sewer connection. Such system and connection shall be designed, constructed and maintained in accordance with the provisions of the plumbing code of Perry, Georgia.