Coweta County Zoning and Development Ordinance
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ZONING AND DEVELOPMENT ORDINANCE
COWETA COUNTY, GEORGIA

An Ordinance Dividing the Unincorporated Areas of Coweta County, Georgia, Into Zoning Districts and Regulating the Location, Height and Size of Buildings and Structures, the Percentage of Lot Which May Be Occupied, the Sizes of Yards and Other Open Spaces, the Density and Distribution of Population, and the Uses of Structures and Land for Trade, Industry, Residence, Recreation, Agriculture, Forestry, Flood Protection, Water Resource Protection, Conservation, Public Activities, and Other Purposes Within These Districts; Defining Certain Terms Herein; Providing for the Method of Administration, Amendment and Enforcement; Providing for the Imposition of Penalties for Violation; and Repealing Conflicting Regulations.

This ordinance shall be known and may be cited as "The Zoning and Development Ordinance of Coweta County, Georgia".

ARTICLE 1. PREAMBLE AND ENACTMENT CLAUSE.

Pursuant to the authority conferred by the home rule provisions (Article IX, Section II, Paragraph IV) of the 1983 Constitution of the State of Georgia (revised January, 1985) and for the several purposes of promoting the health, safety, morals, convenience, order, prosperity, and the general welfare of the present and future inhabitants of Coweta County; of improving the county's appearance; lessening congestion in the streets; furthering traffic safety; securing safety from fire, panic and other dangers; providing adequate light and air; preventing the overcrowding of land; avoiding both undue concentration of population and urban sprawl; facilitating the adequate provision of transportation, water, sewerage, schools, parks and other public facilities; protecting property against blight and depreciation; encouraging the most appropriate use of land, buildings, and other structures throughout the county; securing economy in government expenditures; and for other purposes, all in accordance with a comprehensive land use plan for the development of the county, the Board of Commissioners of Coweta County do hereby ordain and enact into law the following articles and sections of the Zoning and Development Ordinance of Coweta County, Georgia.

ARTICLE 2. PROVISION OF OFFICIAL ZONING MAP AND ESTABLISHMENT OF DISTRICTS.

Section 20. Official Zoning Map.

Coweta County is hereby divided into zoning districts as shown on the Official Zoning Map which is prepared in the form of a county wide map and accompanying atlas of larger scale maps, all entitled "Zoning District Maps of Coweta County, Georgia." Said maps and all explanatory matter thereon are hereby adopted by reference and declared to be part of this ordinance.

The official zoning map shall be identified by the signature of the chairman of the Board of Commissioners, attested by the Clerk of the Board of Commissioners, and bearing the seal of the county under the following or similar words: "This is to certify that this is the Official Zoning
Section 21. Amendments to map.

If, in accordance with the provisions of the ordinance, changes are made in district boundaries or other matter portrayed on the official zoning map such changes shall be entered on the Official Zoning Map periodically after the amendment has been approved by the Board of Commissioners, with an entry in the minutes of such Board of Commissioners meeting as follows: "On _______, by official action of the Board of Commissioners, the following (change) changes (was) were made to the Official Zoning Map: (brief description of nature of change or changes)," which entry shall be signed by the chairman and attested by the clerk.

No changes of any nature shall be made in the official zoning map or matter shown thereon except in the substantial compliance with the procedures set forth in this ordinance.

Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map shall be on file in the county office building and shall be final authority as to the current zoning status of the county.

Section 22. Replacement of official zoning map.

In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Board of Commissioners may by ordinance adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original official zoning map, and this new map shall be identified by the signature of the chairman of the Board of Commissioners attested by the Clerk, and bearing the seal of the county under the following or similar words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map of Coweta County. "Unless the previous official map has been lost, or has been totally destroyed, the prior map, or any significant remaining parts thereof, shall be preserved, together with all available records pertaining to its adoption or amendment.

Section 23. Rules for interpretation of district boundaries.

Where uncertainty exists with respect to the locations of the boundaries of any zoning district in Coweta County, the following rules shall apply:

(1) Where district boundaries are indicated as approximately following the centerlines of streets or highways, street lines or highway right-of-way lines, such centerlines, street lines or highway right-of-way lines shall be construed to be such boundaries.

(2) Where district boundaries are so indicated that they approximately follow the lot lines. Such lot lines shall be construed to be said boundaries.

(3) Where district boundaries are so indicated that they are approximately parallel to the
centerlines of street, highways or railroads, or rights-of-way of same, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown on said zoning map.

(4) Where a district boundary line as appearing on the zoning map divides a lot in single ownership at the time of this enactment, the district requirements for the least restricted portion of such lot shall be deemed to apply to the whole thereof, provided that such extension shall not include any part of such a lot more that 35 feet beyond the district boundary line.

(5) Where zoning district boundaries are in doubt, the Building Inspector shall make such interpretation using the appropriate scale from the Official Zoning Map, minutes of the Board of Commissioners meetings, and such other records as may be available.

Section 24. Districts listed.

For the purpose of this ordinance the unincorporated area of Coweta County, Georgia is divided into zoning districts designated as follows:

<table>
<thead>
<tr>
<th>District Code</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>RC</td>
<td>Rural Conservation District</td>
</tr>
<tr>
<td>RI-A</td>
<td>Single-Family Residential Infill District (Low Density)</td>
</tr>
<tr>
<td>RI-B</td>
<td>Single-Family Residential Infill District (Medium Density)</td>
</tr>
<tr>
<td>RD</td>
<td>Two-Family Residential District</td>
</tr>
<tr>
<td>R-2</td>
<td>Multi-Family Residential District</td>
</tr>
<tr>
<td>MH</td>
<td>Manufactured Home District</td>
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<tr>
<td>VC</td>
<td>Village Centers</td>
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<tr>
<td>C-MU</td>
<td>Mixed Use Employment Center Supporting District</td>
</tr>
<tr>
<td>C-LS</td>
<td>Limited Services Corridors District</td>
</tr>
<tr>
<td>O-I</td>
<td>Office-Institutional District</td>
</tr>
<tr>
<td>C-1</td>
<td>Limited Business District</td>
</tr>
<tr>
<td>C-2</td>
<td>Neighborhood Business District</td>
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<tr>
<td>C-3</td>
<td>Commercial Retail District</td>
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<tr>
<td>C-4</td>
<td>Commercial Service District</td>
</tr>
<tr>
<td>C-5</td>
<td>Commercial Convenience Store District</td>
</tr>
<tr>
<td>C-6</td>
<td>Commercial Minor Shopping District</td>
</tr>
<tr>
<td>C-7</td>
<td>Commercial Major Shopping District</td>
</tr>
</tbody>
</table>
C-8  Heavy Commercial District  
C-9  Commercial Amusement District  
LUH  Limited Use Historic District  
LM  Light Industrial District  
M  Industrial District  
CC  Cedar Creek District  
SCP  Stream Corridor Protection District  
CRCP  Chattahoochee River Corridor Protection District  
FH  Flood Hazard District  
AH  Airport Hazard District  

ARTICLE 2.1. PROVISION OF OFFICIAL COWETA COUNTY FUNCTIONAL CLASSIFICATION AND THOROUGHFARE MAP.


The public roads located in Coweta County, Georgia are hereby classified as shown on the official Coweta County Functional Classification and Thoroughfare Map. Said map is hereby adopted by reference and declared to be a part of this ordinance.

The Official Coweta County Functional Classification and Thoroughfare Map shall be identified by the signature of the Chairman of the Board of Commissioners, attested by the Clerk of the Board of Commissioners, and bearing the seal of the County under the following or similar words:

“This is to certify that this is the Official Coweta County Functional Classification and Thoroughfare Map referred to in the Zoning and Development Ordinance of Coweta County (together with the date of adoption of this ordinance).”

Amendments to this map shall be made in the same manner zoning text amendments are made as set out in Article 29, Sections 292 and 293.

ARTICLE 3. DEFINITIONS OF TERMS.

Section 30. Interpretation of certain terms and words.

For the purpose of interpreting this ordinance, certain words or terms used herein shall be defined as follows unless terms under specific articles supersede these definitions:
Words used in the present tense include the future tense. Words used in the singular number include the plural number, and words used in the plural number include singular number. The word “person” includes a firm, association, organization, partnership, corporation, trust, and company as well as an individual. The word “lot” includes the word “plot,” “tract,” or “parcel.” The word “building” includes the word structure. The word “shall” is always mandatory.

Section 31. Listing of definitions.

Except as specifically defined herein, all words used in this ordinance shall carry their customary meanings as defined in a standard dictionary.

Accessory use or building: A use, building or structure, other than a mobile home or manufactured home, on the same lot, and of a nature customarily subordinate to the principal use, building or structure. A detached garage, toolshed or swimming pool would be examples of accessory buildings.

Active Recreation: Active recreational activities are a mix of uses conducted as part of county-wide or league sports, and include the use of sports courts, athletic fields, tracks, off-road motorized vehicles, rifle ranges and the construction of buildings or structures for concession stands, locker rooms, and shower facilities accessory to athletic fields, tracks, or courts.

Agribusiness, Neighborhood: The business collectively associated with the production, processing, and distribution of agricultural products grown or produced on site and any related tourism & educational activities allowed by permit. (Ord. of 12-15-09)

Alteration: The enlargement of a building or changes in the size, placing or spacing of loadbearing or structural members (such as joists, beams, columns or rafters) or changes made in a building to convert it from one use to another.

Ambulatory Person: A person who has the ability to move from place to place by walking, either unaided or aided by prosthesis, brace, cane, crutches or handrails, or by propelling a wheelchair; and can perceive an emergency condition, whether caused by fire or otherwise and escape without human assistance. (Ord. of 7-20-10)

Amenities: A natural or created feature that enhances the aesthetic quality, visual appeal, or makes more attractive or satisfying a particular property, place, or area.

Assisted Living Facility: Any facility which provides room and board on a 24 hour basis for residents requiring assistance with daily living activities (such as, but not limited to dressing, grooming, bathing, housekeeping, transportation, etc.) due to health or age related conditions. Limited on-site medical care, as well as transportation assistance for medical appointments is generally provided. (Ord. of 7-20-10)

Automobile service, major: Automobile repair services which generally require substantial replacement/repair of major components of an automobile. Examples of major automobile service include, but are not limited to, transmission repairs/replacement, paint and bodywork, engine
overhaul, and radiator repair.

Automobile service, minor: Automobile maintenance services which generally only require very brief adjustments and replacement of minor components. Examples of minor automobile service include, but are not limited to, tune-up, oil change, lubrication, brake repair, air conditioning system servicing, muffler replacement, and alignment.

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

Bed and Breakfast Lodging: An owner occupied single family dwelling in which overnight lodging is available on a nightly basis in 5 (five) or less rooms of the dwelling – but which does not meet the definition of a Transitional Housing Shelter. Breakfast is usually offered along with these accommodations. (Ord. of 6-21-11)

Boarding or rooming house: A dwelling in which meals or lodging or both are furnished for compensation to more than two (2) but not more than ten (10) non-transient persons.

Body shop: A building or premises where motor vehicle repair and/or replacement is performed, including but not limited to painting and metal fabrication of motor vehicle bodies or structures.

Brewpub: Any eating establishment in which beer or malt beverages are manufactured or brewed, subject to the barrel production limitation in O.C.G.A. Section 3-5-36, as may be amended from time to time, for retail consumption on the premises and solely in draft form except that up to 5,000 barrels annually may be sold to licensed wholesale dealers for distribution to retailers and retail consumption dealers as provided in O.C.G.A. Section 3-5-36(2)(c).” (Ord. of 9-17-13)

Buffer: That portion of a lot or parcel of land established for permanent vegetation and open space and intended to separate properties with different and possibly incompatible types of use and/or zoning classifications. This area is a distance as specified pursuant to this ordinance and typically as measured from the common property line of the different uses and/or zoning classifications.

Buffer, natural: A buffer which is left to remain in its natural state except for minor maintenance activity as may be authorized under this ordinance.

Buffer, opaque: A buffer which is of sufficiently dense vegetation and/or other features (such as a fence or earthen berm) as to preclude uninterrupted vision from one side to the other.

Buffer, planted: A buffer which consists of planted vegetation as provided for in this ordinance.
Buffer, undisturbed: A buffer, which, once installed, is not to be reduced or altered except for minor maintenance as may be authorized under this ordinance. The term “installed” as used herein refers to the time at which either: a) the natural buffer is staked out, or b) the planted buffer is planted and approved.

Buildable area: The portion of a lot remaining after required yards have been provided.

Building: Any structure attached to the ground which has a roof and which is designed for shelter, housing or enclosure of persons, animals or property of any kind. Except, however, for the purpose of observing required front yard setbacks, gasoline pumps, sheds and similar structures are defined as buildings.

Building, height of: The vertical distance measured from the average elevation of the proposed finished grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

Building line: A boundary established to fulfill the Yard Setback Requirement of Article 23 of this ordinance.

Building Official or Chief Building Inspector: The official appointed by the County and charged with the responsibility for ensuring compliance with building codes and pertinent sections of this ordinance.

Building, principal: A building or structure in which is conducted the principal use of the lot on which said building is situated.

Building site: That portion of a "lot" (see definition) which must meet or exceed the minimum contiguous area and other requirements specified herein for the site of a principal building and/or any necessary on-site septic tanks and drainfields, and/or wells for water supply. Such "building site" shall meet the minimum contiguous area requirements as specified for the zoning district in which it is located, exclusive of any area located within the 100-year floodplain, wetland, water impoundments, detention ponds and/or transmission or distribution utility easements; and such "building site" shall meet all requirements established by the State Health Department.

Caliper: Measure of the trunk diameter, six (6”) inches above grade, of a nursery-grown tree.

Canopy tree: Any self-supporting woody plant of a species that grows to an overall height of at least forty (40) feet, usually with one (1) stem or trunk and many branches.

Centerline of street: The centerline of a street or road, and in the case of a multiple-lane street or road, the centerline of the total right-of-way.

Certificate of occupancy: A permit issued by the Building Official indicating that the use of the building or land in question is in conformity with this ordinance or that there has been a
legal variance therefrom as provided by this ordinance.

Clinic: Establishment where patients, who are not lodged overnight, are admitted for examinations and treatment by one physician or dentist or a group of physicians or dentists practicing medicine.

Club: Generally, a building or facility owned or operated by and for special educational or recreational purposes, but not primarily for profit or to render a service that is customarily carried on for gain. When referenced in this Zoning Ordinance, specific types of clubs shall be defined as follows:

(1) Hunting Club or Fishing Clubs, private: A private club, created for the purpose of seasonal hunting and fishing and primitive camping, exclusively provided for members and guests, where seasonal membership fees are collected solely for the purpose of making the lease payments for privilege of hunting or fishing on leased property. Hunting Club activities shall not include indoor or outdoor shooting gun ranges or archery ranges with the exception of a temporary sighting range.

(2) Hunting and fishing clubs, public: Hunting and Fishing Clubs, open to membership to the public, whether for one time use or for annual membership, where fees and membership dues are collected to pay for costs associated with the club over and above the cost of the lease of the land where the club is located.

(3) Public and private golf, tennis and country clubs: a building or facility for recreational or social purposes.

(4) Shooting club or gun club, public or private: A club for firearms enthusiasts who pay membership fees to have access and maintain a property, whether it be an indoor facility or outdoor area, to practice shooting and/or purchase firearms or equipment relating to shooting and firearms. Shooting at the location would be on temporary or permanent ranges and facilities, either indoor or outdoor.” (Ord. of 1-22-2015)

Collectors: Streets which channel local traffic into the major/minor collector and arterial system. Collectors provide lane access and traffic circulation within residential subdivisions, commercial and industrial areas.

Commission: The Board of Commissioners of Coweta County, Georgia.

Conditional use: A use which may be permitted within a zoning district subject to meeting those conditions contained in this ordinance or required and approved by the Board of Commissioners.

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

County street: For the purpose of this ordinance only, a county street is a street which is owned and/or maintained by Coweta County. Nothing herein shall be construed to designate any street as a county street for other than zoning purposes.
DBH (diameter at breast height): The diameter of a tree measured at a point four and one-half (4 ½) feet above grade.

Dams: A barrier confining by a body of water; a barrier preventing the flow of water, a barrier built across a watercourse for impounding water.

Daycare (aka Day Nurseries): Any facility which provides for the supervision of children or adults who do not reside in the facility, are present primarily during daytime hours, and do not regularly stay overnight. Some meal provisions are generally included; however medical care is not a customary part of the program services. These facilities are differentiated from private schools by their primary focus on supervision, instead of instructional curriculum. (Ord. of 7-20-10)

Drive-in restaurant: Any place or premises used for sale, dispensing or service of food, refreshment or beverages, at which a substantial part of the food, refreshment or beverages merchandised and dispensed has been prepared and packaged so as to facilitate its consumption outside the structure in which the food, refreshment or beverages are dispensed, and/or at which the customer may be served in one or more of the following situations: at a counter within the establishment, through an exterior sales window, or while seated in a vehicle.

Dwelling: A building or portion thereof which is designed or used exclusively for residential purposes, including single-family, two-family, multiple-family dwellings, rooming and boarding houses, fraternities, sororities, and modular dwellings, but not including hotels or motels. No such dwelling shall be occupied by more than one family.

Dwelling, factory built home: Any structure or component thereof which is designed primarily for residential occupancy and which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation, or assembly and installation, on the building site.

Dwelling, industrialized building: Any structure or component thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. Industrialized buildings are constructed and regulated in accordance with the Industrialized Building Act, 1981 Ga. Laws, page 1637 (O.C.G.A. tit. 8, ch. 2, art 2, pt. 1).

Dwelling, log: A dwelling where the exterior walls are constructed of either timbers that have been hewn from round logs or round logs stripped of their bark and laid horizontally. In both cases the logs are notched or otherwise fastened at the corners to provide rigidity and strength. The logs shall provide the structural integrity for the house. The roof systems, interior walls and floor system of log dwellings may consist of log beams, manufactured beams or conventional type framing. Required plans for log dwellings must be sealed by a Georgia registered architect or engineer.

Dwelling, manufactured home: A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to
be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. § 5401, et seq. (Ord. of 10-5-10)

**Dwelling, mobile home:** A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein, but which does not comply with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. § 5401, et seq. Existing lots or parcels containing mobile homes on or prior to the adoption of this ordinance are hereby grandfathered and may be continued for that use as nonconforming uses. (Ord. of 10-5-10)

**Dwelling, multifamily:** A residential building containing three or more dwelling units, with the number of families in the building not exceeding the number of dwelling units provided.

**Dwelling, single-family:** A structure or portion of a structure designed, arranged and used for occupancy by one or more persons living as a single housekeeping unit or family which meets or exceeds the following standards:

1. Minimum width in excess of 16 feet.
2. Minimum square footage as required by the zoning district in which it is located.
3. The roof shall have a minimum 2:12 roof pitch and shall have a surface of wood shakes, asphalt composition, wood shingles, concrete, fiberglass or metal tiles, slate, built-up gravel materials, or other materials approved by the building official.
4. The exterior siding material shall consist of wood, masonry, concrete, stucco, masonite, metal or vinyl lap or other material of like appearance.
5. The structure must be attached to a permanent foundation.
6. The structure must be constructed according to standards established either by the State Minimum Standard Codes as amended from time to time or the Standard Building Code if locally adopted or the National Manufactured Housing Construction and Safety Standards Act, or the State of Georgia Industrialized Building Act.
7. Manufactured homes and industrialized buildings placed in residential zoning districts or areas shall meet the minimum compatibility standards set forth in Article 12, Section 123 in addition to the district standards applicable to all housing located therein.
8. The county Building Official may approve deviations from one or more of the developmental or architectural standards provided herein or in Article 12, Section 123, on the basis of finding that the materials to be utilized or the architectural style proposed for the dwelling will be compatible or harmonious with existing structures in the vicinity.
the number of families in residence not exceeding the number of dwelling units provided.

**Dwelling units:** One or more room(s) connected together, constituting a separate independent housekeeping establishment of owner occupancy, for rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking, sleeping and toilet facilities. No dwelling unit may be occupied by more than one family.

**Easement:** A grant or reservation by the owner of land for the use of such land by the others for a specific purpose or proposes by the public, the county, a corporation or other persons for specified purpose, and which must be included in the conveyance of land affected by such easement.

**Family:** One or more persons occupying a single dwelling unit provided that, unless all members are related by blood or marriage, no such family shall contain over five persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a separate family or families. The term "family" does not include any organization or institutional group. No family may reside in any structure which is not a dwelling unit.

**Floor area:** The floor area is the gross horizontal area of the several floors of a structure exclusive of carport, garage, basement, attic and open porches. Only finished, conditioned living space can contribute to the minimum required floor area.

**Greenhouse:** A detached subordinate building or enclosure covered with glass, plastic or transparent material, the use of which is clearly incidental to that of the main building or to the land used for the cultivation, protection, culture or storage of trees, seedlings, shrubs and tender or tropical plants.

**Ground coverage:** The area of a lot occupied by all buildings expressed as a percentage of the gross area of the lot.

**Guest house:** A detached accessory building used to house guests of the occupants of the principal building, and which is never rented or offered for rent. (Ord. 3-17-2015)

**Highly treated wastewater:** Highly treated wastewater is the effluent of an advanced wastewater treatment system that includes the processes of biological oxidation and clarification, coagulation and filtration, and disinfections. Total suspended solids must not exceed 5 mg/l, fecal coliform must not exceed 23 per 100 ml, and pH must be 6-9. Turbidity is monitored continuously on the filtered water prior to disinfection and must not exceed an average of 3 turbidity units. Reclaimed water exceeding 5 turbidity units is considered reject water and must be stored off-line, prior to further treatment.

**Home occupation:** Those occupations as defined in Article 6A and 6B of this ordinance.
Homestead lot: A single-family residential lot, not part of a subdivision development. Homestead lots are permitted only in the RC (Rural Conservation) zoning district. See: Article 7. RC Rural Conservation District.

Homeowners association: A community association, other than a condominium association, that is organized in a development in which individual owners share common interest and responsibilities for cost and upkeep of common area and facilities.

Hotel or motel: A building designed for occupancy as the more or less temporary abiding place of individuals who are lodged with or without meals, in which there are six or more guestrooms, and in which no provisions are made for cooking in any individual room or suite; except, however, that cooking facilities may be included with individual units for occupancy provided any such unit shall have a total floor area of not less than 480 square feet for an efficiency or one-bedroom unit, a total floor area of not less than 730 square feet for a two-bedroom unit, and not less than an additional 150 square feet of floor area for each additional bedroom.

Impervious surface: Any material that prevents absorption of storm water into the ground.

Individual conventional septic system: Includes any septic tank, absorption field and all associated devices and appurtenances intended to be used for disposal by soil absorption, but does not include alternative, decentralized, or experimental systems. Serving only one lot in residential and one or more lots in commercial, industrial, and office.

Infrastructure: Facilities and services needed to sustain industry, residential, commercial, and all other land use activities and shall include water, sewer, natural gas, electric power, streets and roads, communication, and other public facilities.

Inoperable vehicle: Any motorized vehicle incapable of immediately being driven.

Interstate Principal Arterial: Segments of the interstate highway system that are designed for continuous, high-speed movements of all traffic types. Access is limited to interchanges at major roadways.

Island: A raised planting area, curbed, placed in parking areas to guide traffic, separate lanes, preserve existing vegetation, and increase aesthetic quality.

Junkyard or salvage yard: The use of any space outside a building involved in the storage, keeping, abandonment, demolition, bailing (baling) or dissembling (disassembling) of wrecked autos, trucks or other vehicles; storage or otherwise dealing in, but not excluding sale or exchange of ferrous and nonferrous metals, used paper, cloths, plumbing fixtures, and household appliances, provided that this definition shall not apply to any such uses conducted solely as an accessory use to the premises.

A farm having worn-out or wrecked equipment or machinery for use as salvage or parts and being used solely for use by the residences (residents) of the premises may conduct this as any accessory use, locating it at least 100 feet from any property line.
current license plates shall be classified as a junkyard.

Landscaping: (a) An expanse of natural scenery; or (b) any combination of natural and man-planted and maintained features including lawns, trees, shrubs, other plants, decorative or natural ground cover, exposed rock, mulch, wood chips, water features, sculpture, paths, etc.

Landscaping plan: A scaled plan that clearly delineates vehicular use areas and displays and describes all landscaping.

Large Animal Clinic: An establishment for the care and treatment of large animals such as cattle, horses, mules, sheep, goats, beasts of burden, and other mammals customarily kept in corrals or stables, or wild animals weighing more than 20 pounds.

Loading space, off-street: Space logically and conveniently located and reserved for bulk pickups and deliveries, scaled to the size of delivery vehicles that will utilize such space.

Local streets: Streets which provide low volume, low speed access to abutting properties. Local streets serve travel over relatively short distances as compared to collectors or other higher systems. These include all facilities not on higher systems such as residential subdivision streets and rural roadways that are found throughout Coweta County.

Lot: An unsubdivided parcel or portion of land occupied or intended to be occupied by a common use or occupied or intended to be occupied by a building or group of buildings devoted to a common use, together with the customary accessory buildings and uses and open spaces belonging to the same, which has both lot area and lot dimensions equal to or greater than the lot width and lot area requirements established by this ordinance for the zoning district in which such tract of land is located and for the use proposed for the tract of land, having its principal frontage upon a county road, street, thoroughfare, state highway or a dedicated easement for ingress and egress on record in the office of the clerk of the superior court of Coweta County, Georgia; includes the terms "plot" and "parcel."

Lot, corner: A lot situated at the intersection of two streets, or bounded on two or more adjacent sides by street right-of-way lines.

Lot double-frontage: A lot having frontage on two nonintersecting streets, as distinguished from a corner lot. This lot may also be identified as a "through lot."

Lot frontage: That portion of a lot adjacent to a street.

Lot, interior: A lot other than a corner lot or a double-frontage lot.

Lot line: A boundary of a lot. Lot line is synonymous with property line.

Lot of record: An individual lot or lot which is a part of a subdivision, the map of which has been recorded in the office of the Clerk of Superior Court of Coweta County, Georgia; or a
parcel of land the deed of which has been recorded in the office of the Clerk of Superior Court of Coweta County.

Lot width: The distance between side lot lines measured at the front yard setback line.

Major collector streets: Major collectors serve urban areas and other traffic generators of intra-county importance that are not served by higher systems. Major collectors link these places with nearby towns and cities or with routes of higher classification.

Mini-warehouse: A building or portion thereof used for dead storage, mainly of the excess personal property of an individual or family, but also of small amounts of goods or merchandise for business or individuals. Mini-warehouse shall not include retail sale on the premises, commercial repair or other services, manufacturing or any other commercial use.

Manufactured Home Park: A development owned and operated by a single owner where lots are leased to individuals or entities and which is designed and constructed to accommodate mobile homes and manufactured homes in accordance with the requirements of this ordinance.

Marginal access streets: Streets which are parallel to and adjacent to freeways, arterial streets, or collector streets and which provide access to abutting properties and protection from through traffic.

Masonry: Masonry is the building of structures from individual units laid in and bound together by mortar. Common materials of masonry construction are brick, stone, concrete block, glass block, and tile. Masonry is a highly durable form of construction because the materials used are not much affected by the elements.

Masonry Materials: Masonry materials for which density bonus credit may be given include brick and stone. Cultured stone products may also qualify as a cladding material if the product authentically replicates the color, texture, and durability of real stone and must be approved by the Building Department.

Minor arterial streets: Arterials which link cities and towns and form an integrated network providing interstate and intercounty service. Minor arterials are spaced at proper intervals so that all developed areas of the state are within a reasonable distance from an arterial highway.

Minor collector streets: Streets which are located and spaced at intervals consistent with population density so as to collect traffic from local roads. They serve smaller communities and connect less developed areas with traffic corridors.

Mixed-Use: A land use that includes two or more uses, typically commercial retail or services mixed with residential or offices. Uses may be mixed horizontally (side-by-side) or vertically in the same building. See “MIXED-USE BUILDING.” Mixed-use developments and buildings may include different owners and tenants, but requires close and convenient
interconnections of pedestrian and vehicular access and interconnection of parking areas, as well as unified site planning, signs, and architectural design.

**Mixed-Use Building**: A building housing two or more different uses, typically retail or services mixed with residential or offices. Residential portions of mixed-use buildings should have a separate entrance or entrances.

**Net Acre Density**: The Net Development Acreage multiplied by the base density of a zoning district.

**Net Development Acreage**: The gross acreage of a development tract minus all acreage classified as 100-year floodplain, wetlands, habitat of endangered species, cemeteries or burial grounds, and areas characterized by a slope of 25% or greater over a contiguous area of 5,000 square feet or more to identify the net area of the development tract upon which a structure may be built.

**Nonconforming use or structure**: Any building, structure, or use of land lawful at the time of passage or amendment of this ordinance which does not conform, after the passage or amendment of this ordinance, with the regulations of the district in which it is located.

**Nursing home**: A home for the aged, chronically ill, or incurable persons in which three or more persons not of the immediate family are kept or provided with food and shelter or care for compensation; but not including hospitals, clinics, or other similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

**Open space or common open space**: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners, occupants, and their guests.

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

**Passive recreation**: Passive recreational activities are a mix of uses conducted outdoors during an individual’s leisure time that make use of open space, parks, lakes, rivers, and greenways set aside or developed for walking, hiking, running, jogging, bird-watching, horse riding, swimming, fishing, hunting, picnicking, biking, camping, and boating.

**Peddler**: A person who with no fixed place of business goes from house to house, from place to place, or from store to store conveying or transporting goods, wares or merchandise or offering or exposing the same for sale or making sales and delivering articles to purchasers.

**Pet**: Any animal owned or kept for pleasure rather than sale, which is an animal of a species customarily bred and raised to live in the habitat of humans and is dependent upon them for food and shelter, except that livestock and wild animals shall not be deemed pets.
Primary Conservation Land: (1) Land lying within the 100 year flood plain as shown in maps published by the Federal Emergency Management Agency and the National Flood Insurance Agency or surveys of 100 year flood plain; (2) Stream buffers as required by Article 21. Stream Corridor Protection District; (3) Land characterized by a slope of 25% or greater over a contiguous area of 5,000 square feet or more; (4) Land that is classified as wetland by the US Army Corps of Engineers under the Clean Water Act; (5) Land providing habitat for threatened or endangered species; and (6) Archeological sites including cemeteries and burial grounds.

Principal Arterial: Arterials which serve statewide and interstate travel and provide an integrated, continuous statewide network that serves virtually all urbanized areas.

Principal permitted use: That use of a lot which is among the uses allowed as a matter of right under the zoning classifications.

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

Private Wastewater Spray Irrigation Field Facility: A privately owned alternative wastewater treatment system used for collection and treatment in the collection of wastewater. A wastewater spray irrigation field facility shall meet the Development Standards for Design and Installation of Water and Sewer Systems, Coweta County, Georgia, as established by the Coweta County Board of Commissioners. Treatment and ultimate disposal of wastewater shall meet the Criteria for Slow Rate Land Treatment and Urban Water Re-Use, as established under O.C.G.A. § 391-3-6.11 as regulated by the Georgia Environmental Protection Division and permitted under the same authority.

Produce Stand: An open-air, pavilion type structure used for the sale of seasonal agricultural products such as fresh fruits & vegetables, nuts, flowers, pumpkins, firewood, and Christmas trees. Accessory sales of items such as jams, jellies, pickles, sauces, and baked goods made from the seasonal agricultural products may also be included. All items sold must comply with applicable State and Federal regulations. (Ord. of 8-18-11)

Public or Community Sanitary Sewage Treatment System: Any collection and treatment system, including pipe lines or conduits, pumping stations, forced mains and all other construction devices, appliances, and all necessary facilities for providing the collection and treatment of sanitary sewage (See definition). A sanitary sewage collection system shall meet the Development Standards for Design and Installation of Water and Sewerage System, Coweta County, Georgia, as established by the Coweta County Board of Commissioners on October 15, 1991. Treatment and ultimate disposal of sanitary sewage shall meet the Criteria For Slow Rate Land Treatment and Urban Water Re-Use, as established under O.C.G.A. § 391-3-6.11, as regulated by the Georgia Environmental Protection Division and permitted under the same authority.

Public Utilities or Public Utility Uses: A closely regulated enterprise with a franchise for
providing to the public a utility service deemed necessary for the public health, safety and welfare.

Public Water System: A water system, other than an individual well, for the public distribution of domestic water for human consumption, if such system has at least 15 service connections, or regularly serves an average of at least 25 individuals daily, at least 60 days out of the year, or otherwise defined as such by the rules for safe drinking water as regulated by the Georgia Environmental Protection Division, as established by O.C.G.A. § 391-3-6-03.

Reclaimed water: Treated wastewater that meets pre-application treatment standards for domestic and municipal wastewaters. Wastewater treated to the restricted use standard may be reused on areas where no public access is allowed; the limited use standard permits reuse of treated wastewater areas with controlled public access; and the urban water reuse standard permits reuse of treated wastewater on areas with unlimited public access. The State of Georgia Department of Natural Resources, Environmental Protection Division has established these standards of treatment in Criteria for Slow Rate Land Treatment and Urban Water Reuse, as amended.

Repair garage: A building or premises where general automobile repairs are performed, including but not limited to the repair of engines, transmissions, brakes, (or) automobile air conditioning, or other activity involving the removal, repair or replacement of automotive parts, but not including body shops as defined herein.

Residential density: Residential density is the ratio of dwelling units to acreage. There are four categories of residential density:

1) Low Density – Detached single-family development with density of up to six hundred twenty-five thousandths (0.625) units per acre. This classification includes undeveloped tracts, homestead lots, and subdivisions. Homestead lots of 1.6 acres must be served with public water and an individual septic system. Homestead lots of 2 acres or more must be served with either a well or public water and an individual septic system. Subdivisions with density of 0.4 units per acre must be served with well or public water and individual septic systems. Subdivisions with densities of up to 0.625 units per acre developed under the one acre cluster design must be served with public water and individual septic systems. Subdivisions with densities of up to 0.625 units per acre developed under the one-half acre cluster design must be served with public water and a decentralized waste water treatment system owned and operated by Newnan Utilities.

2) Urban Low Density – Detached single-family development with density of more than 0.625 up to one (1) unit per acre. Subdivisions must be served with public water and a decentralized waste water treatment system owned and operated by Newnan Utilities. Urban low density development will occur where the density of development within the county has qualified the area for inclusion in the Atlanta Metropolitan Urbanized Area as determined by the US Bureau of the Census. Urban low density development will also occur along the fringes of the county’s urban areas.

3) Medium Density – Detached or attached single-family residential density of over one (1) unit and up to four (4.0) units per acre. This classification includes detached single-family development and attached single-family duplexes or fourplexes. Subdivisions will be served with public water and a centralized public sewer system. Medium density
development will occur close to municipal boundaries or where there is access to a centralized public sewer system, and where high capacity thoroughfares are provided.

4) **High Density** – Single-family and multi-family residential densities of above four (4) units and up to twelve (12) units per acre. This classification includes single-family detached and attached units, and multi-family units served with public water and centralized public sewer systems. High density residential development will occur close to municipal boundaries and along transportation corridors classified as high capacity thoroughfares.

**Right-of-way:** A strip of land over which a public road, an electric power line, railroad tracks or similar facility passes.

**Sanitary sewage:** The domestic waste water-carried products or discharges or other wastes from residential, public or private buildings.

**School or similar buses:** Multi-passenger vehicles having a wheelbase in excess of 130 inches or a length exceeding 144 inches.

**Screening:** The method of visually shielding or obscuring one abutting or nearby densely planted vegetation. Screening is designed to reduce the effects of objectionable or potentially objectionable uses and activities between incompatible uses. Breaks in screens shall be permitted to provide adequate ingress and egress as needed.

**Septic Waste Water Facility (Individual):** A natural system or mechanical device used to collect, treat, and discharge or reclaim wastewater from an individual building site without the use of community-wide sewers or a centralized treatment facility. Also known as “on-site septic system”.

**Sewer Waste Water Facility (Centralized):** A collection and treatment system, owned and operated by a public utility, containing collection sewers and a centralized treatment facility. Centralized systems are used to collect and treat large volumes of wastewater. The collection system typically requires large-diameter deep pipes, major excavation, and frequent manhole access. At the treatment facility, the wastewater is treated to standards required for discharge to a surface water body. The large amounts of biosolids (sludge) generated in treatment are treated and either land applied, placed on a surface disposal site, or incinerated.

**Sewer Waste Water Facility (Decentralized):** An onsite or cluster wastewater system, owned and operated by Newnan Utilities, that is used to treat and dispose of relatively small volumes of wastewater, generally from dwellings and businesses that are located relatively close together. Onsite and cluster systems are also commonly used in combination.

**Shelter, Transitional Housing:** Any facility which provides shelter to persons who may not have access to traditional or permanent housing but are capable of living independently and who participate in appropriate counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing within a reasonable period of time, generally 180 days. (Ord. of 7-20-10)
Shooting Range, Indoor: An indoor facility designed and specifically delineated for safe shooting practice with firearms, whether open to the public, open only to private membership, open to organizational training such as law enforcement, or any combination of the above. Archery ranges are specifically excluded from this definition. (Ord. of 12-15-09)

Shooting Range, Outdoor: An outdoor facility designed and specifically delineated for safe shooting practice with firearms, whether open to the public, open only to private membership, open to organizational training such as law enforcement, or any combination of the above. Archery ranges are specifically excluded from this definition. (Ord. of 12-15-09)

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

1. Convenience shopping center: Provides for the sale of convenience goods (foods, drugs, sundries, etc.) and personal services (laundry, dry cleaning, barbering, etc.) for the day-to-day living needs of the immediate neighborhood.

2. Community shopping center: In addition to the convenience goods and personal services of the convenience center, provides a wider range for the sale of soft lines (apparel, etc.) hard lines (hardware and appliances) and includes eating facilities, making more depth of merchandise and services available. It is usually built around a large food store, a junior department store or variety store, which is the principal tenant.

3. Regional shopping center: Provides for general merchandise, apparel, furniture and home furnishings in full depth and variety. It is built with one or more full-line department stores as the focal point.

Sign: Any device designed to inform or attract the attention of persons. All signs shall comply with requirements of the Coweta County Sign Ordinance.

Spray irrigation sewage (SIS) management system: An on-site sanitary sewage management system serving more than one building, business, industry or other facility designed or used for human occupancy or congregation. A spray irrigation system shall meet the criteria for slow rate land treatment and urban water re-use, as established by the Georgia Environmental Protection Division and permitted under the same authority.

Stable, private: A stable which is used to house horses, mules or other draught animals without compensation except for possible actual costs on a not-for-profit basis.

Stable, public: A stable other than a private stable which is used to house horses, mules or other draught animals on a pay-for-services, for-profit basis.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between the floor and the ceiling next above it, provided that a room, suite, or story with more than one-half of its height below
grade shall not be considered a story for the purposes of height regulations.

Street: A right-of-way for vehicular traffic whether designated as street, highway, thoroughfare, parkway, road, avenue, drive, expressway, boulevard, lane, place, circle, alley, or otherwise. The definitions are intended to distinguish between different classifications of streets as indicated by the transportation plan for Coweta County.

Structural Insulated Panels (SIPS): Factory fabricated panels of solid core insulation with structural skins of oriented strand board (OSB) or plywood. (Ord. of 10-3-07)

Structure: Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include, but are not limited to site-built buildings, manufactured homes, mobile homes, gasoline pumps, walls, fences, billboards, signs, and satellite dish antennas.

Tea Room: An owner occupied single family dwelling in which tea and other refreshments are offered for sale, generally during midday. (Ord. of 6-21-11)

Townhouse: A type of dwelling that is one or more stories in height which has outside, individual front and rear entrances, is separated from other dwellings by fire-rated common party walls extending from the foundation to the roof decking, and is part of a contiguous group of at least two townhouses and shall be considered a multifamily structure.

Townhouse, fee simple: A townhouse unit, as defined above, that has the common wall or walls between it and the adjoining townhouse unit or units as its property line or lines between that unit or those units, that has individual meters for all utilities, and that has access to a public street, and meets the standards described herein.

Toxic: Any chemical or substance defined as "toxic" by the U.S. Environmental Protection Agency, [or the] Georgia Environmental Protection Division of the Georgia Department of Natural Resources.

Trailer (motor home): A motorized vehicle, designed and/or maintained for use as a temporary dwelling or sleeping place for travel or recreational purposes exclusively, having no foundation other than wheels or jacks.

Trailer (travel): A nonmotorized vehicle, pulled by an automobile or truck designed and/or maintained for use as a temporary dwelling or sleeping place for travel or recreation purposes exclusively.

Trailer park: A parcel of land which is used solely for the rental or lease of lots for transient campers, trailers, motor homes or temporary parking of any other recreational vehicle that is not a mobile home.

Urban Water Reuse Spray Area: Urban water reuse spray areas are areas with unlimited public access. Such places as golf courses, residential and commercial landscaped areas, parks,
athletic fields, roadway medians and other similar places may be urban reuse spray areas. Highly treated wastewater may be safe to use for fire protection and for such aesthetic purposes as landscape impoundments and fountains.

**Use:** The purpose or purposes for which land or a building is designed, arranged, or intended, or to [for] which said land or building is occupied, maintained or leased.

**Variance:** A variance is a relaxation of the terms of this ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

**Visual screen:** Physical obstruction used to separate two areas from view.

**Wall, Load-Bearing:** A wall supporting any vertical load in addition to its own weight – ceiling joists, rafters, roof bracing, etc.

**Wall, Non Load-Bearing:** A wall which does not support vertical loads other than its own weight.

**Xeriscape:** A set of garden design and landscape maintenance principles that promotes the efficient use of water (term is a registered trademark of the National Xeriscape Council).

**Yard:** A required open space located on the same lot as the principal building, unoccupied and unobstructed except for accessory uses and for shrubs and fences.

**Yard, front:** A yard extending across the full width of the lot and situated between the front lot line and the principal building line projected to the side of the lot, the depth of which shall be the least horizontal distance between the front lot line and the building line.

**Yard, rear:** A yard extending across the full width of the lot between the rearmost line of the principal building projected to the side lines of the lot and the rear lot line, the depth of which shall be the least horizontal distance between the rear line of the principal building and the rear lot line. In all cases the rear yard shall be at the opposite end of the lot from the front yard.

**Yard, side:** A yard between the principal building and the side lot line, extending from the front yard to the rear yard; the width of the required side yard shall be measured horizontally from the nearest point of the side lot line to the principal buildings.

**Zoning map:** The “Zoning District Maps of Coweta County, Georgia.”
Sec. 31.2. Definitions of Verbiage Within a Flood Hazard District.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

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

Appeal means a request for a review of the County Engineer or his designee's interpretation of any provision of this ordinance.

Area of shallow flooding means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of special flood hazard means the land in the floodplain subject to a one percent or greater chance of flooding in any given year. In the absence of official designation by the Federal Emergency Management Agency, Areas of Special Flood Hazard shall be those designated by the local community and referenced in Section 221(3).

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year [i.e., the "100-year flood"][1]

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

Basement means that portion of a building having its floor subgrade (below ground level) on all sides.

Building means any structure built for support, shelter, or enclosure for any occupancy or storage.

Elevated building means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls adequately anchored so as to not impair the structural integrity of the building during a base flood event.

Existing construction means any structure for which the "start of construction" commenced before August 2, 1982.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured
homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before August 2, 1982.

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

FEMA means the Federal Emergency Management Agency.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(a) The overflow of inland or tidal waters; or
(b) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood hazard boundary map or FHBM means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been defined as Zone A.

Flood insurance rate map or FIRM means an official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood insurance study or FIS means the official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.

Floodplain: Any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

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

Highest adjacent grade means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed foundation of a building.

Historic structure: Any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of
the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or

(d) Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:

(1) By an approved state program as determined by the Secretary of the Interior; or

(2) Directly by the Secretary of the Interior in states without approved programs.

Land development means any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving and any other installation of impervious cover.

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

Land development project means a discrete land development undertaking.

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

Manufactured home means a building, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term includes any structure commonly referred to as a “mobile home” regardless of the date of manufacture. The term also includes park trailers, travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Mean sea level means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

National Geodetic Vertical Datum (NGVD) as corrected in 1929 is a vertical control used
as a reference for establishing varying elevations within the floodplain.

*New construction* means any structure (see definition) for which the "start of construction" commenced after August 2, 1982, and includes any subsequent improvements to the structure.

*New manufactured home park or subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after August 2, 1982.

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

*Permit* means the permit issued by the Coweta County Engineering and Development Department to the applicant which is required for undertaking any land development activity.

*Recreational vehicle* means a vehicle which is:

(a) Built on a single chassis;

(b) Four hundred square feet or less when measured at the largest horizontal projection;

(c) Designed to be self-propelled or permanently towable by a light duty truck; and

(d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*Regulatory flood* means the flood standard equal to or higher than the base flood. The regulatory flood is defined as the flood having a one percent change of being equaled or exceeded in any given year. Only structural stormwater control facilities that can be shown will remain (i.e., owned by Coweta County) and are large enough to be included in the hydrograph routings shall be considered when determining the flood peak.

*Regulatory flood elevation* means the flood standard equal to or higher than the base flood elevation. The regulatory flood elevation is defined as the highest water surface anticipated at any given point during the regulatory flood.

*Site* means the parcel of land being developed, or the portion thereof on which the land development project is located.

*Start of construction* means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, construction of columns, or any work
beyond the stage of excavation, and includes the placement of a manufactured home on a
foundation. Permanent construction does not include initial land preparation, such as clearing,
grading and filling; nor does it include the installation of streets and/or walkways; nor does it
include excavation for a basement footings, piers or foundations or the erection of temporary
forms; nor does it include the installation on the property of buildings appurtenant to the permitted
structure, such as garages or sheds not occupied as dwelling units or part of the main structure.
(NOTE: accessory structures are not exempt from any ordinance requirements). For a substantial
improvement, the actual start of construction means the first alteration of any wall, ceiling, floor,
or other structural part of a building, whether or not that alteration affects the external dimensions
of the building.

Structure means a walled and roofed building that is principally above ground, a
manufactured home, a gas or liquid storage tank.

Substantial damage means damage of any origin sustained by a structure whereby the cost
of restoring the structure to its before damage condition would equal or exceed 50 percent of the
market value of the structure before the damage occurred.

Substantial improvement means any combination of repairs, reconstruction, alteration, or
improvements to a building, taking place during 5-year period, in which the cumulative cost equals
or exceeds 50 percent of the market value of the structure prior to the improvement. The market
value of the building means (1) the appraised value of the structure prior to the start of the initial
repair of improvement, or (2) in the case of damage, the value of the structure prior to the damage
occurring. This term includes structures which have incurred "substantial damage", regardless of
the actual amount of repair work performed.

For the purposes of this definition, "substantial improvement" is considered to occur when
the first alteration of any wall, ceiling, floor or other structural part of the building commences,
whether or not that alteration affects the external dimensions of the building. The term does not,
however, include those improvements of a building required to comply with existing health,
sanitary, or safety code specifications which are solely necessary to assure safe living conditions,
which have been pre-identified by the code enforcement official, and not solely triggered by an
improvement or repair project.

Substantially improved existing manufactured home park or subdivision is where the
repair, reconstruction, rehabilitation or improvement of streets, utilities and pads equals or exceeds
50 percent of the value of the streets, utilities and pads before the repair, reconstruction or
improvement commenced.

Variance is a grant of relief from the requirements of this ordinance which permits
construction in a manner otherwise prohibited by this ordinance.
ARTICLE 4. APPLICATION OF REGULATIONS.

Section 40. Use.
Except as herein provided, no building, structure, land or open space shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.

Section 41. Height and density.
Except as herein provided, no building or other structure shall be erected or altered:
(1) To exceed the height or intensity [density] limits;
(2) To accommodate or house a greater number of families;
(3) To occupy a greater percentage of lot area;
(4) To have a narrower or smaller front, side or rear yard, or other required open space; or
(5) To any other manner be contrary to the requirements of this ordinance.

Section 42. Yard use limitations.
Except as herein provided, no yard or other open space provided about any building for the purpose of complying with the regulations of this ordinance shall be included as a part of a yard or other open space for any other building.

Section 43. One principal building per lot.
Within residential zoning districts, except in group developments and Village Centers (VC) districts, no more than one principal building with its customary accessory buildings may occupy any lot. Any dwelling moved onto a lot shall meet all county building code requirements, have all utilities connected, and be occupied within 120 days of its having been moved onto said lot.

Section 44. Reduction in lot area.
No lot may be reduced in area below the minimum lot area as specified herein for the zoning district within which said lot is located.

Section 45. Yard requirements of accessory buildings.
The minimum yard requirements of this ordinance also apply to accessory buildings; except, however, that accessory buildings may be located within rear yards to within five feet of a rear or side lot line, unless otherwise further restricted by provisions of this ordinance.

Section 46. Attachment of accessory buildings to principal buildings.
When an accessory building is attached to the principal building by a breezeway, passageway or similar means, it shall comply with the minimum yard setback requirements of the principal building to which it is attached.

The maximum length of a breezeway (open passageway) shall be twenty feet when attached to a principal building. A passageway, exceeding twenty feet in length, attached to a principal building, shall be enclosed, heated, livable area.
All breezeways and passageways shall be constructed of material acceptable to the Building Official.

**Section 47. Distance between buildings.**

Except as herein provided, no accessory building shall be located closer than ten feet to a principal building or any other accessory buildings.

**Section 48. Frontage on corner lots and double-frontage lots.**

On lots having frontage on more than one street, the minimum front yard shall be provided for each street in accordance with the provisions of this ordinance.

**Section 49. Minimum street frontage.**

No principal building shall be erected on any lot which has less than 30 feet of frontage on at least one public street.

**ARTICLE 5. NONCONFORMING USES.**

In order to avoid individual hardship whenever reasonable and not in conflict with the general welfare of Coweta County, and for purposes herein outlined, the following provisions apply to all zoning districts.

**Section 50. Nonconforming uses permitted.**

The lawful use of any building or lot existing at the time of the enactment or amendment of this ordinance may be continued although such use does not conform to the provisions of this ordinance.

**Section 51. Unsafe buildings.**

Any building or portion thereof declared unsafe by a proper authority may be restored to a safe condition.

**Section 52. Construction approved prior to adoption of ordinance.**

Nothing contained in this ordinance shall require any change in plans, construction or designated use of a building or land if such plans were approved by the county prior to the adoption of this ordinance, provided construction of same is begun within 12 months after the date of adoption of this ordinance.

**Section 53. Restoration.**

A building damaged or destroyed by fire or other causes may be repaired or rebuilt provided that it not be larger than the original building and that if it is rebuilt it must conform to the yard and dimensional requirements of the zoning district, and provided that it be repaired or rebuilt within one year from the time it was damaged or destroyed.

**Section 54. Abandonment.**

Whenever a nonconforming use has been abandoned for a period of five years, such use shall not be re-established unless the use complies with American with Disabilities (ADA)
standards, life safety standards and current stormwater regulations. To the extent the lot allows, the new use must also comply with the parking requirements contained in Article 24.”

(Ord. of 3-4-2014)

Section 55. Change to another nonconforming use not allowed.
   No nonconforming use may be changed to another nonconforming use.

Section 56. Changes.
   Once changed to a conforming use no building or land shall be permitted to revert to a nonconforming use.

Section 57. Enlargement.
   No nonconforming use shall be enlarged or extended in any way.

ARTICLE 6. EXCEPTIONS AND MODIFICATIONS.

Section 60. Lot of record.
   In any residential zoning district where the owner of a lot existing at the time of the adoption of this ordinance, or his successor in title thereto, does not own sufficient land to enable him to conform to the minimum lot area or frontage requirements of this ordinance, such lot may be used for a single-family dwelling provided that minimum yard and building setback requirements for the zoning district in which said lot is located are maintained. If such a lot exists in a commercial or industrial district, it may be used for a permitted use subject to the appropriate yard and building setback requirements.

Section 61. Reduction in building setback line.
   The building setback and front yard requirements of this ordinance shall not apply to any lot where the average existing building setback line or front yard on lots located wholly or in part within 200 feet on each side of such lot, within the same block and in the same zoning district, and fronting on the same side of the same street as such lot, is less than the minimum required building setback or front yard. In such cases the minimum building setback or front yard on the aforementioned lots [sic], or not less than 15 feet from the street right-of-way, whichever is greater.

Section 62. Height limitation exceptions.
   The Director of Planning shall have the authority to grant height limitation exceptions for office, institutional, commercial, and industrial buildings, and for other structural, architectural, and building design features such as: aerials, belfries, chimneys, church spires, conveyors, cooling towers, cupolas, elevator bulkheads, fire towers, flag poles, monuments, ornamental domes, towers and spires, radio, television, and telephone towers, silos, smoke stacks, transmission lines, water towers, and stand pipes.

An applicant for a height exception shall file the following with the Director of Planning:

1) Completed application signed and dated (application forms are available at the Coweta County Planning Department and at www.coweta.ga.us/resources/planning.html).
2) A fee in an amount as set forth in the appendix to this ordinance.
3) A denial letter from the Coweta County Building Department indicating the reason(s) for non-compliance.
4) Copy of warranty deed for the subject property.
5) One (1) set of building or structural plans.
6) A conceptual site plan or development plans for the subject site, showing the structure and building locations, and other site features.

The director shall review each application for height exception and render his/her decision in conformance with the following criteria:

1) A favorable recommendation is received from the following:
   a) Coweta County Fire Marshal
   b) Coweta County Building Official
   c) Coweta County Airport Manager

2) Buildings or structures located within an airport hazard district shall adhere to those standards and procedures as outlined under Article 22A. Airport Hazard District of this ordinance.

3) The height exception is the minimum allowed that will make possible the legal use of the building or structure.

4) The height exception will not result in an increase in the number of stories otherwise allowed under the applicable zoning district.

5) The maximum height that the director may permit for office, institutional, commercial, and industrial buildings shall be sixty (60) feet, and any building thirty-five (35) feet or more in height shall be required to install a sprinkler system and other fire safety measures.

6) The height of a building will not create a negative shadow impact on any adjoining lot or building.

In deciding upon any application, the director may impose certain conditions necessary to promote and protect the health, safety, and general welfare of the county.

An appeal of an interpretation or of a denial by the Director of Planning relative to the procedures and criteria set forth under this ordinance section may be submitted to the Board of Zoning Appeals in accordance with the procedures in Article 28. Criteria for Variances and Conditional Use of the Coweta County Zoning and Development Ordinance.

Section 63. Yards in group developments.

More than one multifamily, office, institutional, commercial or industrial building may be located upon a lot in a zoning district where such a use would be permitted; but such buildings
shall not encroach upon the front, side or rear yards required for the building site. For multifamily buildings the open space between buildings shall not be less than 20 feet for one-story buildings, 30 feet when either building is a two-story building, 40 feet when either building is a three-story building, and 40 feet plus an additional ten feet for each story over three stories when either building is over three stories in height. The minimum dimension perpendicular to the building of the yard upon which any entrance or exit of a dwelling faces will be 20 feet. Except, however, that this section shall not apply to Village Centers (VC) district.

Section 64. Walls and fences.

The setback requirements of this ordinance shall not prohibit any necessary retaining wall nor prohibit any wall or fence.

Section 65. Temporary buildings.

Upon approval of the Building Official a temporary building, including an office trailer, for use in connection with a construction project or land subdivision development shall be permitted on the land of the project during the construction period. Temporary buildings shall be removed from the project site immediately upon completion of the project, or prior thereto if so directed by the building inspector.

Section 66. Corner visibility.

There shall be provided an unobstructed view across the triangle formed by joining points measured 20 feet distant along the property line from the intersection of two streets or 15 feet along both the street and alley line from the intersection of a street and an alley. Within said triangle there shall be no sight-obscuring wall, fence or foliage higher than 30 inches above grade or, in the case of trees, foliage lower than eight feet. Vertical measurement shall be made at the top of the curb on the street or alley adjacent to the nearest side of the triangle, or, if no curb exists, from the edge of the nearest traveled way.

Section 67. Parking, storage or use of certain vehicles and equipment.

Any vehicles or equipment normally used for commercial or industrial purposes shall not be parked in the front yard area of any property zoned for residential use.

No recreational vehicle or equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

Automotive vehicles or trailers on [of] any kind or type without current license plates or in an inoperable condition shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

Automotive vehicles having more than four wheels, major recreational equipment, school buses or other uses are prohibited from parking on residential streets or within public rights-of-way.

Section 68. Transitional Housing Shelters.

Subsection 1. Purpose.

In the basic recognition of the need for transitional housing shelters in the county, the intent of this Transitional Housing Shelters ordinance is to establish the requirement for a Conditional Use
Permit, guidelines for appropriate locations, design standards, and operational standards for such facilities in a manner that promotes the health, safety, and general welfare of the citizens.

Subsection 2. Location.
Transitional Housing Shelters shall be located in geographic areas with access to a wide variety of goods, services, transportation options, employment opportunities, schools, and healthcare facilities in order to aid in the timely transition to self-sufficiency. The proximity of the proposed facility to these amenities shall be demonstrated by the applicant and considered when approving/disapproving a Conditional Use Permit.

Subsection 3. Conditional Use Permit Required.
Any applicant desiring to establish a transitional housing shelter must submit an application for a Conditional Use Permit for property within a zoning district which specifically lists transitional housing shelters as a Conditional Use. This plan shall meet or exceed the requirements set forth in Article 28 of the Coweta County Zoning and Development Ordinance. Each application shall specify the population to be served by the shelter (i.e. men, women, families, etc.). After due public hearing before the Board of Zoning Appeals and notice thereof as described in the procedures, the Board of Commissioners shall approve or disapprove each such proposed facility in accordance with this ordinance along with those criteria set out for Conditional Use Permits in general as described under Article 28 of this ordinance. Additionally, the Board of Commissioners may impose conditions of Conditional Use Permit approval, in addition to these ordinance requirements, as deemed necessary in their judgment.

Subsection 4. Design Standards.
A. All facilities shall comply with state and local fire codes, including occupancy limits.
B. Applicant shall submit sprinkler plans for the building to the State Fire Marshal’s Office for approval prior to any installation/modification.
C. A commercial kitchen meeting all applicable codes shall be required.
D. A food service permit shall be required for the commercial kitchen.
E. Prior to occupancy, the Building Department and Fire Marshal shall inspect the facility for compliance with all applicable electrical, life safety, and building codes.
F. Emergency exits shall be clearly marked.
G. Sufficient access for emergency personnel and vehicles, as determined by the Fire Chief and/or Fire Marshal, 911 Department, and the Development & Engineering Department, shall be required. All required drives, including any rear access drives, shall remain open at all times to provide emergency services access.
H. The applicant shall work with the County, in good faith, to address any concerns such as noise, odor, glare, or other objectionable features.
I. Additional buffers, beyond what would normally be required by Article 25. Buffer Area and Screening Requirements., may be specified as a condition of the Conditional Use Permit.

Subsection 5. Operational Standards.
A. Emergency evacuation drills shall be held monthly. Records of these drills shall be made available to the State Fire Marshal’s Office and/or Coweta County Fire Marshal’s Office on request.
B. There shall be a minimum of two staff persons on site 24 hours a day, 7 days a week at the facility. One additional staff person shall be required in increments of 30 occupants (i.e., 1-30 occupants requires 2 staff persons, 31-60 occupants requires 3 staff persons, 61-90 occupants requires 4 staff persons, etc.). Staff must be able to coordinate with emergency response personnel as to the number of people in the facility and the number of people assigned to each individual room and shall be responsible for the accountability of the occupants. An on-site staff person must have access to all records and equipment such that they can be made available for inspection.

C. All staff shall maintain current First Aid and CPR certificates, which shall be made available on request.

D. There shall be no food preparation (including coffee makers, hot plates, slow cookers, and similar items) in individual rooms or any room other than the commercial kitchen.

E. The sprinkler system, fire alarm system, and fire extinguishers shall be checked and certified annually. The kitchen hood suppression system shall be checked and certified every six (6) months. All letters of certification shall be maintained on site and available for inspection by the State Fire Marshal’s Office and/or Coweta County Fire Marshal’s Office on request. Any deficiencies with the sprinkler system, fire alarm system, fire extinguishers, or kitchen hood system shall be repaired immediately.

F. A program shall be established for weekly checks of all smoke detectors, emergency lights, and exit lights to ensure their proper operation. A log of these checks shall be maintained and made available for review by the State Fire Marshal’s Office and/or Coweta County Fire Marshal’s Office on request.

G. No portable space heaters, electric or gas, shall be used in the facility.

H. There shall be no use of extension cords in the facility.

I. No smoking shall be permitted in the facility.

J. All occupants and staff shall submit to drug & criminal background checks and results shall be received prior to admission to the facility. These documents shall be maintained in a fire proof file accessible by Coweta County personnel upon request. No individuals who have been found guilty of a felony within the past 5 years, who have been found guilty of any sexual offense or domestic violence offense at any time, or who are currently on probation or parole shall be allowed to reside at the facility. Additionally, no resident with a history of arrest or juvenile delinquency shall be allowed to reside at the facility.

K. Each shelter shall develop a written statement of policies and procedures outlining the responsibilities of the management and of residents. The statement shall include procedures for handling acts which are not consistent with policies of the shelter including, but not limited to, the possession of weapons, controlled substances, and abuses against others.

L. Operator shall provide written documentation of a structured program which includes job training, counseling, medical care and also requires the occupants to enter into an agreement such that they will actively participate in those programs. Upon refusal of participation, occupant will be required to vacate the premise.

M. All residents shall be verified as citizens of Coweta County prior to admission.

N. The facility will only be occupied by families or individuals for a period of 180 days. Anyone occupying the facility beyond a period of 180 days shall provide proof of progress toward self-sufficiency.
O. The Coweta County Fire Marshall shall have the authority to require any corrections or amended programs as needed to ensure the safety of the residents & operators of the facility and compliance with fire codes.

P. A log shall be maintained of all residents currently living at the facility and kept updated on a daily basis.

Q. The County Fire Marshall shall be granted immediate access to all areas of the facility and accessory buildings to ensure fire safety.

R. A Tenant Bill of Rights and Emergency Escape Plan shall be posted on the back of the door of each of the resident’s rooms. The Tenant Bill of Rights shall, at minimum, contain all items in the sample Tenant Bill of Rights, which shall be available at the Coweta County Planning Department and made available upon request.

S. Transportation shall be provided to the residents for the purposes related to increasing their level of self-sufficiency, such as but not limited to job search/interviews, medical appointments, and schooling.

T. All residents, other than infants, permitted to reside at the facility shall be ambulatory and capable of self-preservation in the event of an emergency.

U. A bed, or crib as appropriate, shall be provided for each resident. (Ord. of 7-20-10)

Section 69. Airports, mineral extraction and racetracks.

In the basic recognition of the unique, dangerous, noxious and noisy nature of certain activities, the intent of this section of the zoning and development ordinance is to assure that those uses will be allowed only under such conditions and at such locations that they will pose no threat to the safety, health or general welfare of the citizens of the county.

Any applicant desiring to establish a private airplane landing field, a helicopter port, a mineral or natural material excavation or extraction operation, or a motor vehicle racetrack, speedway drag strip, mud bog racing strip, or similar use must submit to the Board of Commissioners, for its consideration, a plan for such proposed use. Said plan shall meet or exceed the requirements for a conceptual site plan as set forth in Article 29, Section 290. After due public hearing and notice thereof as described in the procedures for rezoning, the Board of Commissioners shall approve or disapprove each such proposed use in accordance with the following procedures:

(1) After consideration of the proposed use in light of the applicable standards of review presented in section 294, which are utilized when a zoning map amendment is considered.

(2) After finding and/or requiring that the following conditions do in fact exist with respect to any proposed private airplane landing field or helicopter port:
   (a) Application for such operation has been approved by the Federal Aviation Administration.
   (b) The site proposed for operation of fixed-wing based aircraft is a minimum of 55 acres in area.
   (c) The threshold (beginning or ending) of any runway is not closer than 500 feet to a public right-of-way or to a property line.
   (d) The sidelines of runways, if any, are located at least 200 feet from property lines.
   (e) The site is not located in close proximity to:
1. Manufacturing or other uses which produce smoke, fumes, dust or gases, or which may interfere with the safe use of airports.
2. Buildings or structures of any kind, or any use of land which creates a hazard to the health, safety and/or welfare of the public in the use of the airport.
3. Any use which interferes with radio communications between the airport/aircraft or between aircraft or which creates difficulty for pilots in distinguishing between airport boundary or signal lights and other unofficial lights or which impairs visibility in the vicinity of the airport or that otherwise endangers the landing or takeoff or maneuvering of aircraft.
4. Hospitals, schools, churches and similar institutional uses involving a concentration of persons.

(2A) Permitted Hangers, provided that a Zoning Verification is approved by the Planning & Zoning Dept.

(a) Residential Aircraft Hangers, with a maximum area of 2000 square feet, will be allowed provided the requirements of the 2012 International Building Code (and any future amendments), Section 412.5.1 through Section 412.5.5 for residential aircraft hangers are met.

(b) Aircraft Hangers, with an area larger than 2000 square feet, will be allowed provided the requirements of the 2012 International Building Code (and any future amendments), Section 412.4.1 through Section 412.4.6 for aircraft hangers are met.”

(Ord. of 11-18-2014)

(3) After finding and/or requiring that any proposed mineral or natural material extraction operation is located in an M industrial district and is located on at least 100 acres of land; that areas extracted shall be entirely enclosed within a fence located at least ten feet back from the edge of any excavation and that said fence shall be of adequate strength and height to be demonstrably capable of excluding children and livestock from such areas; that buildings, machinery and other equipment and appurtenances shall not be any closer than 1,000 feet to any property line; and that the owner or operator shall file comprehensive plans for the reclamation and reuse of the property after operations cease.

After finding and/or requiring that any proposed motor vehicle racetracks, speedways, drag strips, mud bog racing strips and other similar uses shall be located on at least 50 acres of land and that any such use shall be located at least 1,000 feet from any adjoining property line; that fences, walls and other protection devices shall be constructed to an adequate height and strength to protect the viewing public; and that the owner or operator shall file plans showing that security adequate to assure that all state and county regulations, rules, and laws are enforced, and will be provided at all events; and provided further that such use is located in an M industrial district.

Section 69.1. Uses allowed in all districts.
The public welfare requiring it, county buildings and/or facilities are exempt from the requirements of this ordinance; and, except as might endanger the public welfare, the following uses are allowed in all districts:

(1) Improvements, buildings and facilities such as schools, roads, rights-of-way, railroad lines, pipelines, transmission lines and similar elements which are owned and/or operated by government agencies and/or public utilities.

(2) Signs, subject to the requirements and limitations of the latest Coweta County Sign Ordinance.

Section 69.2. Culvert pipes required.
Except at the break of a hill, on all streets and roads not constructed with curb and gutter, culvert pipes of sufficient diameter, as determined by the public works director, shall be installed by the owner for all driveways providing access to a lot, prior to the issuance of a certificate of occupancy for any development on said lot.

Section 69.3. Mailbox supports.
The use of massive mailbox supports that, when struck, could damage vehicles and cause serious injury to vehicle occupants are prohibited. Heavy metal posts, concrete posts, brick bases, and miscellaneous items such as farm equipment or supports filled with concrete are also prohibited.

Section 69.4. Produce Stands.
(1) Temporary Produce Stands outside of the Quality Development Corridor Overlay District shall not be regulated except through normal business licensing procedures.

(2) Temporary Produce Stands located inside the Quality Development Corridor Overlay District and Permanent Produce Stands, whether inside or outside the Quality Development Corridor Overlay District, must obtain a business license and shall be further regulated as follows:

a. Temporary Produce Stands – inside the Quality Development Corridor Overlay District
   i. May be approved administratively in the C, Commercial, C-2, Neighborhood Business, C-3 Commercial Retail, and C-5, Commercial Convenience Store, zoning districts, upon application and accompanying site plan submitted to the Planning Director. Once a complete application is submitted, an administrative decision shall be made within ten (10) business days.
   ii. A letter from the appropriate transportation agency (State of Georgia or Coweta County) indicating that adequate drive access is available to serve the proposed use, shall be required.
   iii. May be located on an unimproved lot or an improved lot, as an accessory structure. When located on an improved lot, the stand shall not be subject to Section 246.2.5(3) and, therefore, may be located
between the primary building and the street. No produce stand shall create a non-conforming situation with regard to regulations and standards pertaining to existing uses on the property, including, but not limited to, requirements for buffers, parking, and landscaping.

iv. Shall not be subject to the provisions of Outdoor Storage and Display and shall not be considered peddling under the provisions of the Quality Development Corridor Overlay District.

v. Maximum duration shall be three (3) consecutive months out of a calendar year per location.

vi. Canopy shall be required and must be a neutral color such as white, tan, beige, brown, or dark green. Canopy shall be maintained in good condition with no rips, tears or stains, for the duration of the temporary use. Canopy and all other appurtenances shall be removed at the close of business each day.

vii. Maximum canopy size shall be 400 square feet. Additionally, any other areas to be utilized during the temporary use (i.e. trailer parking, container storage, additional display areas not covered by canopy, etc.) shall be identified on the applicant’s site plan.

viii. The premises of the operation shall be continuously maintained in a clean and orderly fashion for the duration of the use.

ix. An example of an acceptable temporary produce stand inside the Quality Development Corridor Overlay District is provided below.

b. **Permanent Produce Stands** – whether inside or outside the Quality Development Corridor Overlay District

i. Subject to review and approval of a Conditional Use Permit by the Board of Commissioners, under the provisions of Article 28, in the C, Commercial, C-2, Neighborhood Business, C-3, Commercial Retail, and C-5, Commercial Convenience Store Districts.
ii. A letter from the appropriate transportation agency (State of Georgia or Coweta County) indicating that adequate drive access is available to serve the proposed use, shall be required.

iii. Must meet applicable architectural requirements contained in Article 24, Section 246.1 Building Design, and/or Article 26, Section 261 Quality Development Corridor Overlay District. – unless otherwise approved as a Unique and Special use or granted a variance through the normal variance procedures.

iv. Allowed as an accessory use only and shall be located on an improved lot. Accessory produce stands shall not be subject to Section 246.2.5(3) and, therefore may be located between the primary building and the street. No produce stand shall create a non-conforming situation with regard to regulations and standards pertaining to existing uses on the property, including, but not limited to, requirements for buffers, parking, and landscaping.

v. Shall not be subject to the provisions of Outdoor Storage and Display and shall not be considered peddling under the provisions of the Quality Development Corridor Overlay District.

vi. The premises of the operation shall be continuously maintained in a clean and orderly fashion for the duration of the use.

vii. An example of an acceptable permanent produce stand is provided below.

(Ord. of 8-18-11)

Section 69.5. Wireless Telecommunications Towers and Facilities.
The Telecommunications Act of 1996 affirmed the County of Coweta’s authority concerning the placement, construction and modification of Wireless Telecommunications Facilities. Coweta County finds that Wireless Telecommunications Facilities may pose significant concerns to the health, safety, public welfare, character and environment of the County and its inhabitants. The
County also recognizes that facilitating the development of wireless service technology can be an economic development asset to the County and of significant benefit to the County and its residents. In order to insure that the placement, construction or modification of Wireless Telecommunications Facilities is consistent with the County’s land use policies, the County is adopting a single, comprehensive, Wireless Telecommunications Facilities application and permit process. The intent of this Local Ordinance is to minimize impact of Wireless Telecommunications Facilities, establish a fair and efficient process for review and approval of applications, assure an integrated, comprehensive review of the visual and environmental impacts of such facilities, and protect the health, safety and welfare of Coweta County.

Subsection 1. Definitions.
For purposes of this Ordinance, and where not inconsistent with the context of a particular section, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words in the present tense include the future tense, words used in the plural number include words in the singular number and words in the singular number include the plural number. The word “shall” is always mandatory, and not merely directory.

“Accessory Facility or Structure” means an accessory facility or structure serving or being used in conjunction with Wireless Telecommunications Facilities, and located on the same property or lot as the Wireless Telecommunications Facilities, including but not limited to, utility or transmission equipment storage sheds or cabinets.

“Applicant” means any Wireless service provider submitting an Application for a Special Use Permit for Wireless Telecommunications Facilities.

“Application” means all necessary and appropriate documentation that an Applicant submits in order to receive a Special Use Permit for Wireless Telecommunications Facilities.

“Antenna” means a system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals.

“Co-location” means the use of an existing Tower or structure to support Antenna for the provision of wireless services.

“Commercial Impracticability” or “Commercially Impracticable” means the inability to perform an act on terms that are reasonable in commerce; the cause or occurrence of which could not have been reasonably anticipated or foreseen and that jeopardizes the financial efficacy of the project. The inability to achieve a satisfactory financial return on investment or profit, standing alone, shall not deem a situation to be “commercial impracticable” and shall not render an act or the terms of an agreement “commercially impracticable”.

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“Completed Application” means an Application that contains all information and/or data necessary to enable an informed decision to be made with respect to an Application.

“Commission” means the Board of Commissioners of Coweta County.

“DAS” or “Distributive Access System” means a technology using antenna combining technology allowing for multiple carriers or Wireless Service Providers to use the same set of antennas.

“FAA” means the Federal Aviation Administration, or its duly designated and authorized successor agency.

“FCC” means the Federal Communications Commission, or its duly designated and authorized successor agency.

“Height” means, when referring to a Tower or structure, the distance measured from the pre-existing grade level to the highest point on the Tower or structure, even if said highest point is an Antenna or lightening protection device.

“Modification” or “Modify” means, the addition, removal or change of any of the physical and visually discernable components or aspects of a wireless facility, such as antennas, cabling, equipment shelters, landscaping, fencing, utility feeds, changing the color or materials of any visually discernable components, vehicular access, parking and/or an upgrade or change-out of equipment for better or more modern equipment. A Modification shall not include the replacement of any components of a wireless facility where the replacement is identical to the component being replaced or for any matters that involve the normal repair and maintenance of a wireless facility without adding, removing or changing anything.

“NEED” means anything that is technically required for the wireless service to be provided primarily and essentially within Coweta County and creates the least physical and visual impact. This does not necessarily mean the internal design standards of the applicant, as companies’ standards can vary greatly and normally reflect preferences. Rather, Need relates to the ability of the user-equipment to function as designed.

“NIER” means Non-Ionizing Electromagnetic Radiation.

“Person” means any individual, corporation, estate, trust, partnership, joint stock company, association of two (2) or more persons having a joint common interest, or any other entity.

“Personal Wireless Facility” See definition for ‘Wireless Telecommunications Facilities’.
“Personal Wireless Services” or “PWS” or “Personal Telecommunications Service” or “PTS” shall have the same meaning as defined and used in the 1996 Telecommunications Act.

“Repairs and Maintenance” means the replacement or repair of any components of a wireless facility where the replacement is identical to the component being replaced or for any matters that involve the normal repair and maintenance of a wireless facility without the addition, removal or change of any of the physical or visually discernable components or aspects of a wireless facility that will add to the visible appearance of the facility as originally permitted.

“Special Use Permit” means the official document or permit by which an Applicant is allowed to file for a building permit to construct and use Wireless Telecommunications Facilities as granted or issued by the Board of Commissioners.

“Stealth” or “Stealth Technology” means to minimize adverse aesthetic and visual impacts on the land, property, buildings and other facilities adjacent to, surrounding, and in generally the same area as the requested location of a Wireless Telecommunications Facility, which shall mean using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances. Stealth technology expressly includes such technology as DAS or its functional equivalent.

“State” means the State of Georgia.

“Stealth” or “Camouflage” means disguising a tower or wireless telecommunications facility so as to make it less visually obtrusive and not recognizable to the average person as a wireless telecommunications facility.

“Telecommunications” means the transmission and/or reception of audio, video, data, and other information by wire, radio frequency, light, and other electronic or electromagnetic systems.

“Telecommunication Site” See definition for Wireless Telecommunications Facilities.

“Telecommunications Structure” means a structure used in the provision of services described in the definition of ‘Wireless Telecommunications Facilities’.

“Temporary” means temporary in relation to all aspects and components of this Ordinance, something intended to, or that does, exist for fewer than ninety (90) days.

“Tower” means any structure designed primarily to support an antenna for receiving and/or transmitting a wireless signal.

“Wireless Telecommunications Facilities” means and includes a “Telecommunications Site” and “Personal Wireless Facility”. It means a structure, facility or location designed, or intended to be used as, or used to support Antennas or other transmitting or receiving devices. This includes without limit, Towers of all types, kinds and structures, including,
but not limited to buildings, church steeples, silos, water towers, signs or other structures that can be used as a support structure for Antennas or the functional equivalent of such. It further includes all related facilities and equipment such as cabling, equipment shelters and other structures associated with the site. It is a structure and facility intended for transmitting and/or receiving radio, television, cellular, SMR, paging, 911, Personal Communications Services (PCS), commercial satellite services, microwave services and any commercial wireless telecommunication service not licensed by the FCC.

Subsection 2. Overall Policy and Desired Goals for Special Use Permits for Wireless Telecommunications Facilities.

In order to ensure that the placement, construction, and modification of Wireless Telecommunications Facilities protects the County’s health, safety, public welfare, environmental features, the nature and character of the community and neighborhood and other aspects of the quality of life specifically listed elsewhere in this Ordinance, the County hereby adopts an overall policy with respect to a Special Use Permit for Wireless Telecommunications Facilities for the express purpose of achieving the following goals:

A) Requiring a Special Use Permit for any new, or height modification or attachment to a structure other than an existing tower of a Wireless Telecommunications Facility.

B) Implementing an Application process for person(s) seeking a Special Use Permit for Wireless Telecommunications Facilities.

C) Establishing a policy for examining an application and issuing a Special Use Permit for Wireless Telecommunications Facilities that is both fair and consistent.

D) Promoting and encouraging, wherever possible, the sharing and/or co-location of Wireless Telecommunications Facilities among service providers.

E) Requiring, promoting and encouraging, wherever possible, the placement, height and quantity of Wireless Telecommunications Facilities in such a manner, including but not limited to the use of stealth technology, to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such Wireless Telecommunications Facilities, which shall mean using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances.

F) In granting a Special Use Permit, the County has found that the facility shall be the most appropriate site if such site is the least visually intrusive among those available in the County.
Subsection 3. Exceptions from a Special Use Permit for Wireless Telecommunications Facilities.

A) No Person shall be permitted to site, place, build, construct, modify or prepare any site for the placement or use of a Wireless Telecommunications Facility as of the effective date of this Ordinance without having first obtained a Special Use Permit (with the exception of co-location on an existing tower pursuant to Subsection 7) for a Wireless Telecommunications Facility as defined in Subsection One (1) of this Section or an administratively granted authorization granted under Subsection Six(6) of this section, whichever is applicable. Notwithstanding anything to the contrary in this section, no Special Use Permit shall be required for those non-commercial exceptions noted in Subsection Four (4), unless deemed in the public interest by the Board of Commissioners.

B) If constructed as required by permit, all legally permitted Wireless Telecommunications Facilities that existed on or before the effective date of this Ordinance shall be allowed to continue as they presently exist, provided however, that any visible modification of an existing Wireless Telecommunications Facility will require the complete facility and any new installation to comply with this Ordinance, as will anything changing the structural load.

C) Any Repair and Maintenance of a Wireless Facility does not require an application for a Special Use Permit. However, no additional construction or site modification will be permitted.

D) Notwithstanding any other provisions of this section and all subparts thereof, the co-location and/or shared use of antennas on existing telecommunication towers or other tall structures or compatible use structures, such as utility poles, water towers, and other towers, shall be exempt from the Public Hearing requirement otherwise required for a tower, and shall be subject only to an administrative review process by the County and its designee set forth in Subsection Eight (8).

Subsection 4. Exclusions. The following shall be exempt from this Ordinance:

A) The County’s fire, Sheriff’s or other public service facilities owned and operated by the County.

B) Any facilities expressly exempt from the County’s siting, building and permitting authority.

C) Over-the-Air reception Devices including the reception antennas for direct broadcast satellites (DBS), multi-channel multipoint distribution (wireless cable) providers (MMDS), television broadcast stations (TVBS) and other customer-end antennas that receive and transmit fixed wireless signals that are primarily used for reception, but not including microwave dishes.
D) Facilities used exclusively for private, non-commercial radio and television reception and private citizen’s bands, licensed amateur radio and other similar non-commercial Telecommunications.

E) Facilities used exclusively for providing unlicensed spread spectrum technologies, such as IEEE 802.11a, b, g services (e.g. Wi-Fi and Bluetooth) where the facility does not require a new tower.

F) Facilities to be located on a government-owned structure shall be reviewed and permitted pursuant to Subsection 7.

Subsection 5. Special Use Permit Application and Other Requirements for a New Tower or for Increasing the Height of the Structure to be Attached to.

A) All Applicants for a Special Use Permit for Wireless Telecommunications Facilities or any modification of such facility shall comply with the requirements set forth in this Ordinance. The Planning Department is the officially designated agency or body of the County to whom applications for a Special Use Permit for Wireless Telecommunications Facilities must be made, and that is authorized to review, analyze, evaluate and make decisions with respect to granting or not granting or revoking special use permits for Wireless Telecommunications Facilities. The Board of Commissioners may at its discretion delegate or designate the Planning Department or other official agencies or officials of the County or expert consultants to accept, review, analyze, evaluate and make recommendations to the Board of Commissioners with respect to the granting or not granting or revoking Special Use Permits for Wireless Telecommunications Facilities.

B) The non-refundable Application fee for attaching to an existing Tower or other structure without increasing the height shall be as set forth in the County’s Schedule of Fees.

C) To prevent the taxpayers from having to pay for the expert technical needed by the County that is necessitated by the application, an Applicant shall be required to place with the County an escrow deposit of no less than $6,500.00 pursuant to Subsection 15 of this Section.

D) All Applicants shall closely follow the instructions for preparing an Application that shall be provided prior to the submittal of an Application or at any time upon request. Not closely following the instructions without permission to deviate from such may result in the Application being returned without action and forfeiting the Application fee, but not the escrow deposit.

E) When placing wireless facilities on government-owned property or facilities, only non-commercial wireless carriers and users are exempt from the permitting requirements of this Ordinance.
F) The County may reject applications not meeting the requirements stated herein or which are otherwise not complete.

G) No Wireless Telecommunications Facilities shall be installed, constructed or modified until the Application is reviewed and approved by the County, and the Special Use Permit has been issued.

H) Any and all representations made by the Applicant to the County on the record during the Application process, whether written or verbal, shall be deemed a part of the Application and will be deemed to have been relied upon in good faith by the County. Any verbal misrepresentation shall be treated as if it were made in writing.

I) An Application for a Special Use Permit for Wireless Telecommunications Facilities shall be signed on behalf of the Applicant by the person preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information.

J) The Applicant must provide documentation to verify it has the right to proceed as proposed on the Site. This requires an executed copy of the lease with the landowner or landlord or a signed letter of agency acknowledging authorization. If the applicant owns the site, a copy of the ownership record is required.

K) The Applicant shall include a statement in writing:

1) That the applicant’s proposed Wireless Telecommunications Facilities shall be maintained in a safe manner, and in compliance with all conditions of the Special Use Permit, without exception, unless specifically granted relief by the County in writing, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable County, State and Federal Laws, rules, and regulations; and

2) That the construction of the Wireless Telecommunications Facilities is legally permissible, including, but not limited to the fact that the Applicant is authorized to do business in the State.

L) Where a certification is called for in this Ordinance, such certification shall bear the signature and seal of a Professional Engineer licensed in the State.

M) In addition to all other required information as stated in this Ordinance, all applications for the construction or installation of new Wireless Telecommunications Facilities or modification of an existing facility shall contain the information hereinafter set forth. Note that an Applicant will be granted permission for anything that it can conclusively prove the technical need for, but that there is often a significant difference between ‘need’ and ‘want’ or ‘desire’. For example, an assertion that the ‘need’ is based on an Applicant’s own design criteria shall not suffice to prove the technological need for what is requested. For
purposes of permitting under this Ordinance, ‘need’ shall mean what is technologically needed for the equipment to function as designed by the manufacturer and that anything less will result in prohibiting or acting in a manner that prohibits the provision of service as intended and described in the narrative of the Application.

Proof of **Need** for the Facility

1) A detailed narrative description and explanation of the specific objective(s) for the new facility, or the modification of an existing wireless facility, expressly including and explaining the purpose and need for the facility, such as coverage and/or capacity needs or requirements, and the specific geographic area of intended coverage;

2) Technical documentation that proves the need for the Wireless Telecommunications Facility to provide service primarily and essentially within the County. Such documentation shall include a propagation study of the proposed site and all adjoining planned, proposed or existing sites, that demonstrates a significant gap in coverage and/or, if a capacity issue is involved, to include an analysis of the current and projected usage (traffic studies) using generally accepted industry methods and standards so as to conclusively prove the need for what is proposed. A desire to change, upgrade, or improve the technology or the service shall not be deemed a need in the context of this Ordinance;

3) All of the modeling information (i.e. data) inputted into the software used to produce propagation studies, including, but not limited to any assumptions made, such as ambient tree height;

4) A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facility, as well as a copy of the five (5) and ten (10) year build-out plan required by and filed with the FCC;

5) The frequency, modulation and class of service of radio or other transmitting equipment;

6) The maximum transmission power capability of all radios, as designed, if the Applicant is a cellular or functional equivalent carrier, or the maximum transmission power capability, as designed, of all transmission facilities if the Applicant is not a cellular or functional equivalent carrier;

7) The actual intended transmission power stated as the maximum effective radiated power (ERP) both in dBm’s and watts;
Note: In effect what is needed is the information that the Company used to make its business decision as regards the need for the facility in the first place, the need and reason for the requested location and the need for the height requested.

Ownership and Management

8) The Name, address and phone number of the person preparing the Application;

9) The Name, address, and phone number of the property owner and the Applicant, including the legal name of the Applicant. If the owner of the structure is different than the applicant, the name and all necessary contact information shall be provided;

10) The Postal address and tax map parcel number of the property;

11) A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facilities;

Zoning and Planning

12) The Zoning District or designation in which the property is situated;

13) The size of the property on which the structure to be attached to is located, stated both in square feet and lot line dimensions, and a survey showing the location of all lot lines;

14) The location, size and height of all existing and proposed structures on the property on which the structure is located and that is the subject of the Application;

15) If attaching to an existing Tower, a site plan showing the vertical rendition of the Tower identifying all users and attachments to the Tower and all related fixtures, structures, appurtenances and apparatus, including height above pre-existing grade, materials, color and lighting;

16) If attaching to a building or other structure, a site plan showing the proposed attachments and all related fixtures, structures, appurtenances and apparatus, including height above the roof or balustrade, whichever is appropriate;

17) The azimuth, size and center line height location of all proposed and existing antennas on the supporting structure;

18) The number, type and model of the Antenna(s) proposed, along with a copy of the specification sheet(s) for the antennas; The Type, locations and
dimensions of all proposed and existing landscaping, and fencing;

19) The number, type and design of the Telecommunications Tower(s) and antenna(s) proposed and the basis for the calculations of the Telecommunications Tower’s capacity to accommodate multiple users;

20) The applicant shall disclose in writing any agreement in existence prior to submission of the Application that would limit or preclude the ability of the Applicant to share any new Telecommunication Tower that it constructs;

Safety

21) If attaching to an existing Tower, the age of the tower in years, including the date of the grant of the original permit or authorization for the Tower;

22) If attaching to an existing Tower, a description of the type of tower, e.g. guyed, self-supporting lattice or monopole;

23) If attaching to an existing Tower, the make, model, type and manufacturer of the Tower and the structural design calculations, certified by a Professional Engineer licensed in the State, proving the tower’s capability to safely accommodate the facilities of the Applicant without change or modification;

24) If any change or modification of the Tower or other structure to be attached to is needed, a detailed narrative explaining what changes are needed, why they are needed and who will be responsible to assure that the changes are made;

25) If the structure proposed to be attached to is a Tower that has not previously been permitted under this Law, or unless the Applicant can provide proof that this was provided at the time of the initial application for the Tower or other structure, the Applicant shall provide a copy of the installed foundation design, as well as a geotechnical sub-surface soils investigation, evaluation report and foundation recommendation for the tower site or other structure;

26) If increasing the height of an existing structure, or a Tower that is five (5) years old or older, or for a guyed Tower that is three (3) years old or older, a copy of the latest ANSI Report done pursuant to the latest edition of ANSI-EIA/TIA 222F – Annex E for any self-supporting Tower. If an ANSI report has not been done pursuant to the preceding schedule, an ANSI report shall be done and submitted as part of the Application. No Building Permit shall be issued for any Wireless Facility where the structure being attached to is in need of remediation, unless and until all remediation work needed
27) If not attaching to an existing Tower, a Structural Report signed by a Professional Engineer licensed to do business in the State and bearing that engineer’s currently valid stamp, showing the structural adequacy of the structure to accommodate the proposed Wireless Facility(s), including any equipment shelter, unless the equipment shelter is located on the lowest floor of a building;

28) If attaching to a structure and thereby increasing the height of the structure, other than a Tower, to which the public has or could reasonably have or gain access to, documentation shall be provided, including all calculations, proving that the potential exposure to RF Radiation (i.e. NIER or Non-Ion Emitting Radiation), will be in compliance with the most recent Federal Communications Commission regulations governing RF Radiation and exposure thereto, and further denoting the minimum distance from any antennas an individual may safely stand without being exposed to RF radiation in excess of the FCC’s permitted standards and any portion(s) of the structure that would be exposed to RF radiation in excess of the FCC’s permitted standards. In compliance with the FCC’s regulations, in such an instance the RF Radiation from all wireless facilities at that location shall be included in the calculations to show the cumulative effect on any area of the building or structure deemed accessible by the public or workers. Such report or analysis shall be signed and sealed by a Professional Engineer licensed in the State; or

29) In an instance involving a Tower where the new Wireless Facilities will be ten (10) meters or more above ground level, signed documentation such as the FCC’s “Checklist to Determine whether a Facility may Categorically Excluded” shall be provided to verify that the Wireless Telecommunication Facility with the proposed installation will be in full compliance with the current FCC’s RF Emissions regulations. If not categorically excluded, a complete RF Emissions study is required to enable verification of compliance, pursuant to subsection (M)(28) of this section, including providing all calculations so that such may be verified;

(Ord. of 4-16-09)

30) In certain instances, the County may deem it appropriate to have an RF survey of the facility done after the construction or modification and activation of the Facility, such to be done under the direction of the County or its designee, and an un-redacted copy of the survey results provided, along with all calculations;

31) If any section or portion of the structure to be attached to is not in compliance with the FCC’s regulations regarding RF radiation, that section or portion must be barricaded with a suitable barrier to discourage
approaching into the area in excess of the FCC’s regulations, and be marked off with yellow and black plastic chain and striped warning tape, as well as placing RF Radiation signs as needed and appropriate to warn individuals of the potential danger;

32) A signed statement that the Applicant will expeditiously remedy any physical or RF interference with other telecommunications or wireless devices or services.

N) The applicant will provide a written copy of an analysis, completed by a qualified individual or organization, to determine if the proposed new Tower or existing structure intended to support wireless facilities is in compliance with Federal Aviation Administration Regulation Part 77 and if it requires lighting. This requirement shall also be for any existing structure or building where the application increases the height of the structure or building. If this analysis determines that an FAA determination is required, then all filings with the FAA, all responses from the FAA and any related correspondence shall be provided with the application.

O) The Applicant shall be required to submit a written report demonstrating its meaningful efforts to secure shared use of existing Tower(s) or the use of alternative buildings or other structures within the County that are at or above the surrounding tree height or the tallest obstruction and are within one (1) mile of the proposed tower. Copies of written requests and responses for shared use shall be provided to the Planning and Zoning Department in the Application, along with any letters of rejection stating the reason for rejection.

P) In order to better inform the public, in the case of a new Telecommunication Tower, the applicant shall hold a “balloon test” prior to the initial public hearing on the application. The Applicant shall arrange to fly, or raise upon a temporary mast, a minimum of a ten (10) foot in length brightly colored balloon at the maximum height of the proposed new Tower.

1) At least fourteen (14) days prior to the conduct of the balloon test, a sign shall be erected so as to be clearly visible from the road nearest the proposed site and shall be removed no later than fourteen (14) days after the conduct of the balloon test. The sign shall be at least four feet (4’) by eight feet (8’) in size and shall be readable from the road by a person with 20/20 vision.

2) Such sign shall be placed off, but as near to, the public right-of-way as is possible.

3) Such sign shall contain the times and date(s) of the balloon test, as well as a copy of the proposed site plan.

4) The dates, (including a second date, in case of poor visibility or wind in
excess of 15 mph on the initial date) times and location of this balloon test shall be advertised by the Applicant seven (7) and fourteen (14) days in advance of the first test date in a newspaper with a general circulation in the County and as agreed to by the County. The Applicant shall inform the County in writing, of the dates and times of the test, at least fourteen (14) days in advance. The balloon shall be flown for at least four (4) consecutive hours between 10:00 am and 2:00 p.m. on the dates chosen. The primary date shall be on a week-end, but the second date, in case of poor visibility on the initial date, may be on a week day. A report with pictures from various locations of the balloon shall be provided with the application.

5) The Applicant shall notify all property owners and residents located within one-thousand five hundred feet (1,500) of the nearest property line of the subject property of the proposed construction of the Tower and Wireless Facility and of the date(s) and time(s) of the balloon test. Such notice shall be provided at least fourteen (14) days prior to the conduct of the balloon test and shall be delivered by US Certified Mail.

Q) The Tower shall be structurally designed to accommodate at least five (5) additional Antenna Arrays equivalent to those of the Applicant as regards the load and stress created on the tower, and located as close to the Applicant’s Antenna as possible without causing interference. A claim of interference because of a need to have greater than six feet (6’) of vertical clearance between facilities, measured from the vertical centerline of one array to the vertical centerline of another, must be proven by technical data and not merely verbal or written assertions. This requirement may be waived, provided that the Applicant, in writing, demonstrates that the provisions of future shared usage of the Tower is not technologically feasible, is Commercially Impracticable or creates an unnecessary and unreasonable burden, based upon:

1) The kind of Wireless Telecommunications Facilities site and structure proposed;

2) Available space on existing and approved Towers;

3) The need for more than six feet (6’) of vertical clearance between antenna arrays, measured from the vertical centerline of one array to the vertical centerline of another, such that there would not be adequate vertical space to accommodate a total of four (4) carriers.

R) The owner of a proposed new Tower, and his/her successors in interest, shall negotiate in good faith for the shared use of the proposed Tower by other Wireless service providers in the future, and shall:

1) Respond within 60 days to a request for information from a potential shared-use Applicant;
2) Negotiate in good faith concerning future requests for shared use of the new Tower by other Telecommunications providers;

3) Allow shared use of the new Tower if another Telecommunications provider agrees in writing to pay reasonable charges. The charges may include, but are not limited to, a Pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction and maintenance financing, return on equity, less depreciation, and all of the costs of adapting the Tower or equipment to accommodate a shared user without causing electromagnetic interference;

4) Failure to abide by the conditions outlined above may be grounds for revocation of the Special Use Permit.

S) The Applicant shall provide certification with documentation (i.e. structural analysis) including calculations that the Telecommunication Facility tower and foundation and attachments, rooftop support structure, privately-owned water tank structure, or any other supporting structure as proposed to be utilized are designed and will be constructed to meet all local, state and federal structural requirements for loads, including wind and ice loads and including, but not limited to all applicable ANSI (American National Standards Institute) guidelines.

T) All proposed Wireless Telecommunications Facilities shall contain a demonstration that the Facility be sited so as to create the least visual intrusiveness reasonably possible given the facts and circumstances involved, and thereby have the least adverse visual effect on the environment and its character, on existing vegetation, and on the residences in the area of the Wireless Telecommunications Facility. The County expressly reserves the right to require the use of Stealth or Camouflage technology or techniques such as DAS (Distributive Antenna System technology) or its functional equivalent to achieve this goal and such shall be subject to approval by the Board of Commissioners.

U) If the application is for a new tower, or a new antenna attachment to an existing structure other than a tower, or for a modification that noticeably changes the appearance of the structure, the Applicant shall furnish a Visual Impact Assessment, which shall include:

1) A computer generated “Zone of Visibility Map” at a minimum of one mile radius from the proposed structure shall be provided to illustrate locations from which the proposed installation may be seen, with and without foliage;

2) Pictorial representations (photo simulations) of “before and after” views from key viewpoints inside of the County as may be appropriate and required, including but not limited to state highways and other major roads; state and local parks; other public lands; historic districts; preserves and historic sites normally open to the public; and from any other location where
the site is visible to a large number of visitors, travelers or residents. Guidance will be provided concerning the appropriate key sites at the pre-application meeting. The applicant shall provide a map showing the locations of where the pictures were taken and the distance(s) of each location from the proposed structure;

3) A written description of the visual impact of the proposed facility, including, as applicable, the tower base, guy wires, fencing and accessory buildings from abutting and adjacent properties and streets as relates to the need or appropriateness of screening.

V) The Applicant shall demonstrate and provide in writing and/or by drawing how it shall effectively screen from view the base and all related equipment and structures of the proposed Wireless Telecommunications Facility.

W) The Wireless Telecommunications Facility and any and all accessory or associated facilities shall maximize the use of building materials, colors and textures designed to blend with the structure to which it may be affixed and/or to harmonize with the natural surroundings. This shall include the utilization of stealth or camouflage or concealment technology as may be required by the Board of Commissioners.

X) All utilities at a Wireless Telecommunications Facilities site shall be installed underground and in compliance with all Laws, ordinances, rules and regulations of the County, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate.

Y) At a Wireless Telecommunications Facilities site an access road, turn around space and parking shall be provided to assure adequate emergency and service access. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion. The entrance shall conforms to Article 24, Section 246.5.2 (d) of this Ordinance.

Z) All Wireless Telecommunications Facilities shall be constructed, operated, maintained, repaired, provided for removal of, modified or restored in strict compliance with all current applicable technical, safety and safety-related codes adopted by the County, State, or United States, including but not limited to the most recent editions of the ANSI Code, National Electrical Safety Code and the National Electrical Code, as well as accepted and responsible workmanlike industry practices and recommended practices of the National Association of Tower Erectors. The codes referred to are codes that include, but are not limited to, construction, building, electrical, fire, safety, health, and land use codes. In the event of a conflict between or among any of the preceding the more stringent shall apply.
AA) A holder of a Special Use Permit granted under this Ordinance shall obtain, at its own expense, all permits and licenses required by applicable law, ordinance, rule, regulation or code, and must maintain the same, in full force and effect, for as long as required by the County or other governmental entity or agency having jurisdiction over the applicant.

BB) There shall be a pre-application meeting for all intended applications. The purpose of the pre-application meeting will be to address issues that will help to expedite the review and permitting process and certain issues or concerns the County may have. A pre-application meeting shall also include a site visit, if there has not been a prior site visit for the requested facility. Costs of County consultants to prepare for and attend the pre-application meeting will be borne by the applicant and paid for out of the required escrow deposit.

CC) An Applicant shall submit to the County the number of completed Applications determined to be needed at the pre-application meeting. However, applications will not be provided to the County, other than for staff, until the application is deemed complete.

DD) The holder of a Special Use Permit shall notify the County of any intended Modification of a Wireless Telecommunication Facility and shall apply to the County to modify, relocate or rebuild a Wireless Telecommunications Facility.

Subsection 6. Requirements for an application to attach to a Structure other than a new or existing Tower.

A) The non-refundable Application fee for attaching to a structure without increasing the height shall be as set forth in the County’s Schedule of Fees.

B) To prevent the taxpayers from having to pay for the expert technical assistance needed by the County that is necessitated by the application, an Applicant shall be required to place with the County an escrow deposit of no less than $6,500 in accordance to Subsection 15 of this Section. After all invoices have been paid and the Certificate of Completion or Occupancy has been granted, any unexpended balance of the escrow deposit shall be returned to the Applicant upon request.

C) An application to increase the height of a Tower or other structure shall be deemed a new tower and shall not qualify for treatment as an attachment to an existing Tower or other structure under this Section.

D) There shall be no public hearing required for an application to a structure other than a new or existing tower, as long as there is no proposed increase in the height of the Tower or other structure to be attached to, including attachments thereto, unless for good cause such shall be required by the County Commissioners or Planning Director. Instead, the Special Use Permit or other appropriate authority shall be issued by the Planning and Zoning Department.
E) An Application for a Special Use Permit for attaching wireless facilities to an existing structure, shall contain the following information and comply with the following requirements.

F) Documentation shall be provided proving that the Applicant has the legal right to proceed as proposed on the Site, including an executed copy of the lease with the owner of the facility proposed to be attached to, or a letter of agency, showing the right of the Applicant to attach to the structure.

G) A Pre-Application meeting shall be held and at or before the Pre-Application meeting, the Applicant shall be provided instructions for completing an Application. Said instructions are to be controlling as regards the form and substance of the issues addressed in the Instructions and must be followed.

H) The Applicant shall include a written statement that:

1) The Applicant’s proposed Wireless Telecommunications Facility shall be maintained in a safe manner, and in compliance with all conditions of all applicable permits and authorizations, without exception, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable County, State and Federal Laws, rules, and regulations; and

2) The construction of the Wireless Telecommunications Facilities is legally permissible, including, but not limited to the fact that the Applicant is authorized to do business in the State.

I) An application for attaching to an existing structure without increasing the height of the structure shall contain the following information.

Proof of Need for the Facility

1) A detailed narrative description and explanation of the specific objective(s) for the new facility, or the modification of an existing wireless facility, expressly including and explaining the purpose and need for the facility, such as coverage and/or capacity needs or requirements, and the specific geographic area of intended coverage;

2) Technical Documentation that proves the need for the Wireless Telecommunications Facility to provide service primarily and essentially within the County. Such documentation shall include a propagation study of the proposed site and all adjoining planned, proposed or existing sites, that demonstrates a significant gap in coverage and/or, if a capacity issue is involved, to include an analysis of the current and projected usage (traffic studies) using generally accepted industry methods and standards so as to conclusively prove the need for what is proposed. The County may require the provision of all technical or engineering data and information used by
the Applicant to make its determination as regards the need for the facility or the change to the existing facility.

3) All of the modeling information (i.e. data) inputted into the software used to produce the propagation studies, including, but not limited to any assumptions made, such as ambient tree height;

4) A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facility, as well as a copy of the five (5) and ten (10) year build-out plan required by the FCC;

5) The frequency, modulation and class of service of radio or other transmitting equipment;

6) The maximum transmission power capability of all radios, as designed, if the Applicant is a cellular or functional equivalent carrier, or the maximum transmission power capability, as designed, of all transmission facilities if the Applicant is not a cellular or functional equivalent carrier;

7) The actual intended transmission power stated as the maximum effective radiated power (ERP), both in dBm’s and watts;

Note: In effect what is needed is the information that the Company used to make its determination as regards the need for the facility in the first place, the need and reason for the requested location and the need for the height requested.

Ownership and Management

8) The Name, address and phone number of the person preparing the Application;

9) The Name, address, and phone number of the property owner and the Applicant, including the legal name of the Applicant. If the owner of the structure is different than the applicant, the name and all necessary contact information shall be provided;

10) The Postal address and tax map parcel number of the property;

11) A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facilities.

Zoning and Planning

12) The Zoning District or designation in which the property is situated;

13) The size of the property on which the structure to be attached to is located,
stated both in square feet and lot line dimensions, and a survey showing the location of all lot lines;

14) The location, size and height of all existing and proposed structures on the property on which the structure is located and that is the subject of the Application;

15) If attaching to a building or other structure, a site plan showing the proposed attachments and all related fixtures, structures, appurtenances and apparatus, including height above the roof or balustrade, whichever is appropriate;

16) The azimuth, size and center line height location of all proposed and existing antennae on the supporting structure;

17) The number, type and model of the Antenna(s) proposed, along with a copy of the specification sheet(s) for the antennas;

Safety

18) If any change or modification to the structure to be attached to is needed, a detailed narrative explaining what changes are needed, why they are needed and who will be responsible to assure that the changes are made;

19) If the structure proposed to be attached to is a Tower that has not previously been permitted under this Law, or unless the Applicant can provide proof that this was provided at the time of the initial application for the Tower or other structure, the Applicant shall provide a copy of the installed foundation design, as well as a geotechnical sub-surface soils investigation, evaluation report and foundation recommendation for the tower site or other structure;

20) A Structural Report signed by a Professional Engineer licensed to do business in the State and bearing that engineer’s currently valid stamp, showing the structural adequacy of the structure to accommodate the proposed Wireless Facility(s), including any equipment shelter, unless the equipment shelter is located on the ground or on the lowest floor of a building;

21) If attaching to a structure to which the public has or could reasonably have or gain access to, documentation, including all calculations, proving that the potential exposure to RF Radiation (i.e. NIER or Non-Ion Emitting Radiation), will be in compliance with the most recent Federal Communications Commission regulations governing RF Radiation and exposure thereto, and further denoting the minimum distance from any antennas an individual may safely stand without being exposed to RF radiation in excess of the FCC’s permitted standards and any portion(s) of the structure that would be exposed to RF radiation in excess of the FCC’s
permitted standards. In compliance with the FCC’s regulations, in such an instance the RF Radiation from all wireless facilities shall be included in the calculations to show the cumulative effect on any area of the building or structure deemed accessible by the public. Such report or analysis shall be signed and sealed by a Professional Engineer licensed in the State; or

22) If any section or portion of the structure to be attached to is not in compliance with the FCC’s regulations regarding RF radiation, that section or portion must be barricaded with a suitable barrier to discourage approaching into the area in excess of the FCC’s regulations, and be marked off with yellow and black striped warning tape or a suitable warning barrier, as well as placing RF Radiation signs as needed and appropriate to warn individuals of the potential danger;

23) A signed statement that the Applicant will expeditiously remedy any physical or RF interference with other telecommunications or wireless devices or services.

J) To protect the nature and character of the area and create the least visually intrusive impact reasonably possible under the facts and circumstances, any attachment to a building or other structure with a facie, the antennas shall be mounted on the facie, unless it can be proven that such will prohibit or have the effect of prohibiting the provision of service, and all such attachments and exposed cabling shall use camouflage or stealth techniques to match as closely as possible the color and texture of the structure attached to.

K) If attaching to a water tank, mounting on the top of the tank or the use of a corral shall only be permitted if the Applicant can prove that to locate elsewhere will prohibit or have the effect of prohibiting the provision of service. The provisions of the preceding subsection (J) of this section shall also apply to any attachment to a water tank.

L) The Applicant shall provide a certification by a Professional Engineer licensed in the State, along with documentation (a structural analysis), including calculations, that prove that the structure and its foundation as proposed to be utilized are designed and were constructed to meet all local, State, Federal and ANSI structural requirements for loads, including wind and ice loads and the placement of any equipment on the roof a building after the addition of the proposed new facilities.

M) So as to be the least visually intrusive reasonably possible given the facts and circumstances involved, and thereby have the least adverse visual effect and create the least intrusive or lowest profile or visual silhouette reasonably possible, unless it can be proven that such would be technologically impracticable, all antennas attached to the structure shall be flush mounted or as near to flush mounted as is possible without prohibiting or having the effect of prohibiting the provision of service so as minimize the visual profile of the antennas, or prove technically, with
hard data and a detailed narrative, that flush mounting can not be used and would serve to prohibit or have the effect of prohibiting the provision of service.

N) Unless it is deemed inappropriate or unnecessary by the County given the facts and circumstances, the Applicant shall demonstrate and provide in writing and/or by drawing how it shall effectively screen from view the base and all related equipment and structures of the proposed Wireless Telecommunications Facility up to a height of ten (10) feet.

O) The Wireless Telecommunications Facility and any and all accessory or associated facilities shall maximize the use of building materials, colors and textures designed to blend with the structure to which it may be affixed and/or to harmonize with the natural surroundings. This shall include the utilization of stealth, camouflage or concealment technology as may be required by the County and as is not impracticable under the facts and circumstances.

P) All utilities installed for a new Wireless Telecommunications Facility shall be installed underground and in compliance with all Laws, ordinances, rules and regulations of the County, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate.

Q) If deemed necessary or appropriate, an access road, turn around space and parking shall be provided to assure adequate emergency and service access. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion and shall comply with any local or State regulations for the construction of roads. If the current access road or turn around space is deemed in disrepair or in need of remedial work to make it serviceable and safe and in compliance with any applicable regulations as determined at a site visit, the Application shall contain a commitment to remedy or restore the road or turn around space so that it is serviceable and safe and in compliance with applicable regulations.

R) The Applicant, and the owner of record of any structure to be attached to, shall, jointly or separately, at its cost and expense, be required to place with the County a bond, or other form of security acceptable to the County as to type of security and the form and manner of execution, in an amount of at least $25,000 for attaching to an existing structure or existing tower and with such sureties as are deemed sufficient by the County to assure the faithful performance of the terms and conditions of this Law and conditions of any Special Use Permit issued pursuant to this Law. Said bond or other security shall also serve as a Removal Security to prevent the taxpayers from bearing the cost of removal in the event of the abandonment or cessation of use for more than ninety (90) consecutive days. The full amount of the bond or security shall remain in full force and effect throughout the term of the Special Use Permit and/or until any necessary site restoration is
completed to restore the site to a condition comparable to that which existed prior to the issuance of the original Special Use Permit.

Subsection 7. Requirements for an application to attach to an existing Tower or a government-owned structure without increasing the height of the Tower.

A) The non-refundable Application fee for attached to an existing Tower or government owned structure without increasing the height of the tower shall be as set forth in the County’s Schedule of Fees.

B) Applications shall be processed in accordance to Article 24 of this Ordinance and shall not require and escrow deposit as required in Subsection 15. In addition to the requirements set forth in Article24, the Application shall include the following:

1) Documentation shall be provided proving that the Applicant has the legal right to proceed as proposed on the Site, including an executed copy of the lease with the owner of the facility proposed to be attached to, or a letter of agency, showing the right of the Applicant to attach to the structure.

2) A Pre-Application meeting shall be held and at or before the Pre-Application meeting, the Applicant shall be provided instructions for completing an Application. Said instructions are to be controlling as regards the form and substance of the issues addressed in the Instructions and must be followed.

3) The Applicant shall include a written statement that:

a) The Applicant’s proposed Wireless Telecommunications Facility shall be built and maintained in a safe manner, and in compliance with all conditions of all applicable permits and authorizations, without exception, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable County, State and Federal Laws, rules, and regulations; and

b) The construction of the Wireless Telecommunications Facilities is legally permissible, including, but not limited to the fact that the Applicant is authorized to do business in the State.

Ownership and Management

c) The Name, address and phone number of the person preparing the Application;

d) The Name, address, and phone number of the property owner and the Applicant, including the legal name of the Applicant. If the owner of the structure is different than the applicant, the name and all necessary contact information shall be provided;
e) The Postal address and tax map parcel number of the property;

f) A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facilities.

**Zoning and Planning**

g) The Zoning District or designation in which the property is situated;

h) The size of the property on which the structure to be attached to is located, stated both in square feet and lot line dimensions, and a survey showing the location of all lot lines;

i) The location, size and height of all existing and proposed structures on the property on which the exiting tower is located and that is the subject of the Application;

j) A site plan showing the vertical rendition of the Tower identifying all users and attachments to the Tower and all related fixtures, structures, appurtenances and apparatus, including height above pre-existing grade, materials, color and lighting;

k) A site plan showing the proposed attachments and all related fixtures, structures, appurtenances and apparatus, including height above the roof or balustrade, whichever is appropriate;

l) The azimuth, size and center line height location of all proposed and existing antennae on the supporting structure;

m) The number, type and model of the Antenna(s) proposed, along with a copy of the specification sheet(s) for the antennas;

**Safety**

n) The age of the tower in years, including the date of the grant of the original permit or authorization for the Tower;

o) A description of the type of tower, e.g. guyed, self-supporting lattice or monopole;

p) The make, model, type and manufacturer of the Tower and the structural design calculations, certified by a Professional Engineer licensed in the State, proving the tower’s capability to safely accommodate the facilities of the Applicant without change or modification, taking into account the geotechnical situation and the foundation design;
q) If any change or modification of the Tower to be attached to is needed, a detailed narrative explaining what changes are needed, why they are needed and who will be responsible to assure that the changes are made;

r) If the structure proposed to be attached to is a Tower that has not previously been permitted under this Law, or unless the Applicant can provide proof that this was provided at the time of the initial application for the Tower or other structure, the Applicant shall provide a copy of the installed foundation design, as well as a geotechnical sub-surface soils investigation, evaluation report and foundation recommendation for the tower site or other structure;

s) If attaching to a tower, a copy of the latest ANSI Inspection Report done pursuant to the latest edition of ANSI-EIA/TIA 222F – Annex E for any self-supporting Tower that is five (5) years old or older or for any guyed Tower that is three (3) years old or older. If an ANSI Inspection report has not been done pursuant to the preceding schedule, an ANSI report shall be done and submitted as part of the Application;

t) In an instance on a Tower where the new Wireless Facilities will be ten (10) meters or more above ground level, signed documentation such as the FCC’s “Checklist to Determine whether a Facility may Categorically Excluded” shall be provided to verify that the Wireless Telecommunication Facility with the proposed installation will be in full compliance with the current FCC’s RF Emissions regulations. If not categorically excluded, a complete RF Emissions study is required to enable verification of compliance, pursuant to subsection (M)(28) of this section, including providing all calculations so that such may be verified; (Ord. of 4-16-09)

u) If any section or portion of the structure to be attached to is not in compliance with the FCC’s regulations regarding RF radiation, that section or portion must be barricaded with a suitable barrier to discourage approaching into the area in excess of the FCC’s regulations, and be marked off with yellow and black striped warning tape or a suitable warning barrier, as well as placing RF Radiation signs as needed and appropriate to warn individuals of the potential danger;

v) A signed statement that the Applicant will expeditiously remedy any physical or RF interference with other telecommunications or wireless devices or services.
C) The Applicant shall provide a certification by a Professional Engineer licensed in the State, along with documentation (a structural analysis), including calculations, that prove that the tower or other structure being attached to and its foundation as proposed to be utilized are designed and were constructed to meet all local, State, Federal and ANSI structural requirements for loads, including wind and ice loads and the placement of any equipment on the roof a building after the addition of the proposed new facilities.

D) The applicant shall provide signed documentation of the Tower condition; specifically a report done pursuant to the latest edition of ANSI-EIA/TIA 222F–Annex E for any self-supporting Tower that is five (5) years old or older or for a guyed Tower that is three (3) years old or older and signed and sealed by a state licensed professional engineer. Any deficiencies, other than strictly cosmetic ones, must be completed or remedied prior to the issuance of a Building Permit or its functional equivalent for the attachment of any component of the proposed Wireless Facilities.

E) All antennas attached to the existing tower shall be flush mounted or as near to flush mounted as is possible without prohibiting or having the effect of prohibiting the provision of service so as minimize the visual profile of the antennas, or prove technically, with hard data and a detailed narrative, that flush mounting can not be used and would serve to prohibit or have the effect of prohibiting the provision of service.

F) All utilities installed for a new Wireless Telecommunications Facility shall be installed underground and in compliance with all Laws, ordinances, rules and regulations of the County, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate.

Subsection 8. Location of Wireless Telecommunications Facilities.
A) Applicants for Wireless Telecommunications Facilities shall locate, site and erect said Wireless Telecommunications Facilities in accordance with the following priorities, one (1) being the highest priority and five (5) being the lowest priority.

1) On government-owned properties or facilities.

2) On existing Towers or other structures without increasing the height of the tower or structure.

3) On properties in areas zoned for Business use.

4) On properties in areas zoned for Agricultural use.

5) On properties in areas zoned for Residential use.
B) If the proposed site is not proposed for the highest priority listed above, then a detailed explanation and justification must be provided as to why a site of all higher priority designations was not selected. The person seeking such an exception must satisfactorily demonstrate the reason or reasons why such a permit should be granted for the proposed site, and the hardship that would be incurred by the Applicant if the permit were not granted for the Wireless Facility as proposed.

C) An Applicant may not by-pass sites of higher priority by stating the site proposed is the only site leased or selected or because there is an existing lease with a landowner. An Application shall address co-location as an option. If such option is not proposed, the applicant must explain to the reasonable satisfaction of the County why co-location is commercially impracticable or otherwise impracticable. Agreements between providers limiting or prohibiting co-location shall not be a valid basis for any claim of commercial impracticability or hardship.

D) Notwithstanding the above, the County may approve any site located within an area in the above list of priorities, provided that the County finds that the proposed site is in the best interest of the health, safety and welfare of the County and its inhabitants and will not have a deleterious effect on the nature and character of the community and neighborhood. Conversely, the County may direct that the proposed location be changed to another location that is more in keeping with the goals of this Ordinance and the public interest as determined by County.

E) The Applicant shall submit a detailed written report demonstrating the Applicant’s review of the above locations in order of priority, demonstrating the technological reason for the site selection. If appropriate, based on selecting a site of lower priority, a detailed written explanation as to why sites of a higher priority were not selected shall be included with the Application, including the technical justification for such.

F) Notwithstanding that a potential site may be situated in an area of highest priority or highest available priority, the County may disapprove an Application for any of the following reasons:

1) Conflict with safety and safety-related codes and requirements;

2) Conflict with the historic nature or character of a neighborhood or district;

3) The use or construction of Wireless Telecommunications Facilities which is contrary to an already stated purpose of a specific zoning or land use designation;

4) The placement and location of Wireless Telecommunications Facilities which would create an unacceptable risk, or the reasonable probability of such, to residents, the public, employees and agents of the County, or employees of the service provider or other service providers;
5) The placement and location of a Wireless Telecommunications Facility would result in a conflict with or compromise in or change the nature or character of the surrounding area;

6) Conflicts with the provisions of this Ordinance;

7) Failure to submit a complete Application as required under this Ordinance.

G) Notwithstanding anything to the contrary in this Ordinance, for good cause shown, such as the ability to utilize a shorter or less intrusive facility elsewhere and still accomplish the primary service objective, the County may require the relocation of a proposed site, including allowing for the fact that relocating the site chosen by the Applicant may require the use of more than one (1) site to provide substantially the same service if the relocation could result in a less intrusive facility or facilities, singly or in combination.


A) The County, as opposed to the construction of a new Tower, requires Wireless Facilities to be located on existing Towers or other suitable structures without increasing the height of the tower or structure, unless such is proven to be technologically impracticable. The Applicant shall submit a comprehensive report inventorying all existing Towers and other suitable structures within one (1) mile of the location of any proposed new Tower, unless the Applicant can show that some other distance is more appropriate and reasonable and demonstrate conclusively why an existing Tower or other suitable structure cannot be used.

B) An Applicant intending to locate on an existing Tower or other suitable structure shall be required to document the intent of the existing owner to permit its use by the Applicant.

C) Such shared use shall consist only of the minimum Antenna array technologically required to provide service primarily and essentially within the County, to the extent practicable, unless good cause is shown.

Subsection 10. Height of Telecommunications Tower(s).

A) All new towers shall be of the monopole type, unless such is able to be proven to be technologically impracticable. No new towers of a lattice or guyed type shall be permitted, unless relief is otherwise expressly granted.

B) The Applicant shall submit documentation justifying the technical need by the service provider for the total height of any Tower, Facility and/or Antenna requested and the basis therefore. To enable verification of the need for the requested height, documentation in the form of propagation studies must include all backup data used to produce the studies at the height requested and at a minimum
of ten feet (10’) lower height. Such documentation will be analyzed in the context of the justification of the height needed to provide service primarily and essentially within the County, to the extent practicable, unless good cause is shown.

C) The maximum permitted total height of a new Tower shall be one hundred fifty feet (150’) above pre-construction ground level, unless it can be proven that such height would prohibit or have the effect of prohibiting the provision of service in the intended service area. The 150’ maximum permitted height is not as-of-right height, but rather the maximum permitted height, absent proof of the technological need for a greater height.

D) Notwithstanding the one hundred fifty feet (150’) maximum permitted height, Telecommunications Towers and Facilities shall be no taller than the minimum height technologically necessary to enable the provision of wireless service coverage or capacity as needed within the County, and only within the County.

E) Spacing or the distance between towers shall be such that the service may be provided without exceeding the maximum permitted height.


A) Wireless Telecommunications Facilities shall not be artificially lighted or marked, except as required by Ordinance.

B) Stealth: All new Wireless Telecommunications facilities, including but not limited to towers, shall utilize Stealth or Camouflage techniques and technology, unless such can be shown to be either Commercially or Technologically Impracticable.

C) Dual Mode: In order to minimize the number of antenna arrays and thus the visual impact, the County may require the use of dual mode antennas to be used, including by two different carriers, unless it can be proven that such will not work technologically and that such would have the effect of prohibiting the provision of service.

D) Tower Finish/Color: Towers shall be galvanized and/or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings and shall be maintained in accordance with the requirements of this Ordinance.

E) Lighting: If lighting is required, Applicant shall provide a detailed plan for sufficient lighting of as unobtrusive and inoffensive an effect as is permissible under State and Federal regulations. All towers requiring lighting shall be lighted so as to effectively eliminate the ground scatter effect of the lighting and so as to prevent the light from being seen from the ground.

F) Flush Mounting: All new or replacement antennas, except omni-directional whip antennas, shall be flush-mounted on any tower or other structure, unless the Applicant can prove that it is technologically impracticable.
G) Placement on Building – Facie: If attached to a building, all antennas shall be mounted on the facie of the building and camouflaged so as to match the color and, if possible, texture of the building or in a manner so as to make the antennas as visually innocuous and undetectable as is possible given the facts and circumstances involved.

H) Lighting – Preventing Ground Scatter Effect: For any Wireless Facility for which lighting is required under the FAA’s regulations, or that for any reason has lights attached, all such lighting shall be affixed with technology that enables the light to be seen as intended from the air, but that prevents the ground scatter effect so that it not able to be seen from the ground to a height of at least 12 degrees vertical for a distance of at least 1 mile in a level terrain situation. Such device must be compliant with or not in conflict with FAA regulations. A physical shield may be used, as long as the light is able to be seen from the air, as intended by the FAA.

I) In the event a tower that is lighted is modified, at the time of the modification the County may require that the Tower be retrofitted with the technology set forth in the preceding Paragraph (F) of this Subsection.

All Wireless Telecommunications Facilities and Antennas shall be located, fenced or otherwise secured in a manner that prevents unauthorized access. Specifically:

A) All Antennas, Towers and other supporting structures, including guy anchor points and wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or collided with; and

B) Transmitters and Telecommunications control points shall be installed in such a manner that they are readily accessible only to persons authorized to operate or service them.

Subsection 13. Signage.
Wireless Telecommunications Facilities shall contain a sign no larger than four (4) square feet in order to provide adequate notification to persons in the immediate area of the presence of RF radiation or to control exposure to RF radiation within a given area. A sign of the same size is also to be installed to contain the name(s) of the owner(s) and operator(s) of the Antenna(s) as well as emergency phone number(s). The sign shall be on the equipment shelter or cabinet of the Applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. On tower sites, an FCC registration site, as applicable, is also to be present. The signs shall not be lighted, unless applicable law, rule or regulation requires lighting. No other signage, including advertising, shall be permitted.
A) All proposed Towers and any other proposed Wireless Telecommunications Facility attachment structures shall be set back from abutting parcels, recorded rights-of-way and road and street lines by the greater of the following distances: A distance equal to the height of the proposed Tower or Wireless Telecommunications Facility structure plus ten percent (10%) of the height of the Tower or structure, otherwise known as the Fall Zone, or the existing setback requirement of the underlying zoning district, whichever is greater. Any Accessory structure shall be located so as to comply with the applicable minimum setback requirements for the property on which it is situated. The fall zone or setback shall be measured from the nearest portion of the right-of-way of any public road or thoroughfare and any occupied building or domicile. Further, the nearest portion of any access road to a wireless facility shall be no less than fifteen (15) feet from the nearest property line.

B) There shall be no development of habitable buildings within the Fall Zone or setback area set forth in the preceding subsection (A).

Subsection 15. Retention of Expert Assistance and Reimbursement by Applicant for Permitting New Towers or increase in height of an Existing Tower under Subsection 5 or for Permitting a structure other than a new or existing Tower under Subsection 6.
A) The County may hire any consultant and/or expert necessary to assist the County in reviewing and evaluating the Application, including the construction and modification of the site, once permitted, and any site inspections.

B) To prevent the taxpayers from having to bear the cost related to the issue of the regulation of Wireless Telecommunications Facilities, an Applicant shall deposit with the County funds sufficient to reimburse the County for all reasonable costs of consultant and expert evaluation and consultation to the County in connection with the review of any Application where applicable, the lease negotiation, the pre approval evaluation, and including the construction and modification of the site, once permitted. The initial deposit shall be $6,500.00. The placement of the $6,500 with the County shall precede the pre-application meeting or any work being done as regards processing an application. The County will maintain a separate escrow account for all such funds. The County’s consultants/experts shall invoice the County for its services in reviewing the Application, including the construction and modification of the site, once permitted. The initial deposit shall not be increased without action by the Board of Commissioners finding that the initial Application request has been modified, that the scope of the review is unique, or the Applicant has failed to cooperate with consultant’s review causing the consultant to spend substantial time and effort to complete the evaluation of the Application. However, if at any time during the process this escrow account has a balance less than $2,500.00, and the Board of Commissioners finds that the increase is warranted, the Applicant shall immediately, upon notification by the County, replenish said
escrow account so that it has a balance of at least $5,000.00. Such additional escrow funds shall be deposited with the County before any further action or consideration is taken on the Application. In the event that the amount held in escrow is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall be promptly refunded to the Applicant.

C) To prevent the taxpayers from having to bear any cost related to the issue of the regulation of Wireless Telecommunications Facilities, no work shall be done on an application for which the full amount of the escrow deposit as set forth in the preceding subsection (B) of this section has not been placed with the County. In the event the escrow deposit minimum balance as set forth in this subsection (B) is not maintained, all work on the Application shall cease until the deposit is replenished as required.

D) The total amount of the funds needed as set forth in subsection (B) of this section may vary with the scope and complexity of the project, the completeness of the Application and other information as may be needed to complete the necessary review, analysis and inspection of any construction or modification.

E) Records of all outside costs associated with the review and permitting process shall be maintained and available for public inspection, in compliance with applicable Georgia law.

F) Any Application submitted to the County’s consultant shall be reviewed by the consultant for completion within thirty (30) days of submittal to the County. Once the Application has been found to be complete, in no event shall the consultant’s recommendation and evaluation process on the Application take more than sixty (60) days.

**Subsection 16. Public Hearing and Notification Requirements.**

Applications for a Special Use Permit for a new Tower or for any facility that increases the height of the structure to which it is attached must comply with and be processed in accordance to Article 29. Amendments of this Ordinance.

**Subsection 17. Action on an Application for a Special Use Permit for Wireless Telecommunications Facilities.**

A) In addition to the requirements set forth in Article 29 of this Ordinance, the County will undertake a review of an Application pursuant to this Article in a timely fashion, consistent with its responsibilities, and shall act within a reasonable period of time given the relative complexity of the Application and the circumstances, with due regard for the public’s interest and need to be involved, and the Applicant’s desire for a timely resolution.

B) The County may refer any Application or part thereof to any advisory or other committee for a non-binding recommendation.
C) After the public hearing and after formally considering the Application, the County may approve, approve with conditions, or deny a Special Use Permit. Its decision shall be in writing and shall be supported by substantial evidence contained in a written record. The burden of proof for the grant of the permit shall always be upon the Applicant.

D) If the County approves the Special Use Permit for Wireless Telecommunications Facilities, then the Applicant shall be notified of such approval in writing within thirty(30) calendar days of the Board of Commissioners’ action, and the Special use Permit shall be issued within thirty (30) days after such approval.

E) If the County denies the Special Use Permit for Wireless Telecommunications Facilities, then the Applicant shall be notified of such denial in writing within thirty (30) calendar days of the County’s action and shall set forth in writing the reason or reasons for the denial.

Subsection 18. Extent and Parameters of Special Use Permit for Wireless Telecommunications Facilities.

The extent and parameters of a Special Use Permit for Wireless Telecommunications Facilities shall be as follows:

A) Such Special Use Permit shall not be assigned, transferred or conveyed without the express prior written notification to the County.

B) In the event of a violation of this Ordinance, following an opportunity to cure and, if not cured within the time frame set forth in the notice of violation, a hearing shall be held upon due prior notice to the Applicant. Following such hearing, if found to be in violation of this Ordinance, the Special Use Permit may be revoked, canceled, or terminated for a violation of the conditions and provisions of the Special Use Permit, or for a material violation of this Ordinance or other applicable law, rule or regulation.

C) Notice of a violation and of the date, time and place of a hearing shall be provided by registered mail to the last known address of the holder of the Special Use Permit.

Subsection 19. Application Fee.

At the time that a person submits an Application for a Special Use Permit for a new Tower, such person shall pay a non-refundable application fee set forth in the County’s Fee Schedule as may be amended or changed from time to time.


The Applicant and the owner of record of any proposed Wireless Telecommunications Facilities property site shall, at its cost and expense, be jointly required to execute and file with the County a bond, or other form of security acceptable to the County as to type of security and the form and manner of execution, in an amount of at least $75,000.00 for a tower with such sureties as are deemed sufficient by the County to assure the faithful
performance of the terms and conditions of this Ordinance and conditions of any Special Use Permit issued pursuant to this Ordinance. The full amount of the bond or security shall remain in full force and effect throughout the term of the Special Use Permit and/or until any necessary site restoration is completed to restore the site to a condition comparable to that, which existed prior to the issuance of the original Special Use Permit.

**Subsection 21. Reservation of Authority to Inspect Wireless Telecommunications Facilities.**

In order to verify that the holder of a Special Use Permit for Wireless Telecommunications Facilities and any and all lessees, renters, and/or licensees of Wireless Telecommunications Facilities, place and construct such facilities, including Towers and Antennas, in accordance with all applicable technical, safety, fire, building, and zoning codes, Laws, ordinances and regulations and other applicable requirements, the County may inspect all facets of said permit holder’s, renter’s, lessee’s or licensee’s placement, construction, modification and maintenance of such facilities, including, but not limited to, Towers, Antennas and buildings or other structures constructed or located on the permitted site.

**Subsection 22. Liability Insurance.**

A) A holder of a Special Use Permit for Wireless Telecommunications Facilities shall secure and at all times maintain public liability insurance for personal injuries, death and property damage, and umbrella insurance coverage, for the duration of the Special Use Permit in amounts as set forth below:

1) Commercial General Liability covering personal injuries, death and property damage: $1,000,000 per occurrence/$2,000,000 aggregate; and

2) A $3,000,000 Umbrella coverage; and

3) Workers Compensation and Disability: Statutory amounts.

B) For a Wireless Telecommunications Facility on County property, the Commercial General Liability insurance policy shall specifically include the County and its officers, Commissioners, employees, committee members, attorneys, agents and consultants as additional insureds.

C) The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State and with a Best’s rating of at least A.

D) The insurance policies shall contain an endorsement obligating the insurance company to furnish the County with at least thirty-(30) days prior written notice in advance of the cancellation of the insurance.

E) Renewal or replacement policies or certificates shall be delivered to the County at least fifteen (15) days before the expiration of the insurance that such policies are to renew or replace.
F) Prior to the issuance of a Special Use Permit, the holder of the Special Use Permit shall deliver to the County a copy of each of the policies or certificates representing the insurance in the required amounts.

G) A Certificate of Insurance that states that it is for informational purposes only and does not confer rights upon the County shall not be deemed to comply with this Section.

Subsection 23. Indemnification.
A) Any application for Wireless Telecommunication Facilities that is proposed for County property, pursuant to this Ordinance, shall contain a provision with respect to indemnification. Such provision shall require the applicant, to the extent permitted by the Ordinance, to at all times defend, indemnify, protect, save, hold harmless, and exempt the County, and its officers, Councils, employees, committee members, attorneys, agents, and consultants from any and all penalties, damages, costs, or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or expenses arising therefrom, either at law or in equity, which might arise out of, or are caused by, the placement, construction, erection, modification, location, products performance, use, operation, maintenance, repair, installation, replacement, removal, or restoration of said Facility, excepting, however, any portion of such claims, suits, demands, causes of action or award of damages as may be attributable to the negligent or intentional acts or omissions of the County, or its servants or agents. With respect to the penalties, damages or charges referenced herein, reasonable attorneys' fees, consultants' fees, and expert witness fees are included in those costs that are recoverable by the County.

B) Notwithstanding the requirements noted in subsection (A) of this section, an indemnification provision will not be required in those instances where the County itself applies for and secures a Special Use Permit for Wireless Telecommunications Facilities.

Subsection 24. Fines.
A) In the event of a violation of this Ordinance or any Special Use Permit issued pursuant to this Ordinance, the County may impose and collect, and the holder of the Special Use Permit for Wireless Telecommunications Facilities shall pay to the County, fines or penalties as set forth below.

B) If the holder of a Special Use Permit fails to comply with provisions of this Ordinance such shall constitute a violation of this Ordinance and shall be subject to a fine not to exceed $1000.00 per day per violation following due and proper notice and, further, each day or part thereof that a violation remains uncured after proper notice shall constitute a separate violation, punishable separately.

C) Notwithstanding anything in this Ordinance, the holder of the Special Use Permit for Wireless Telecommunications Facilities may not use the payment of fines, liquidated damages or other penalties, to evade or avoid compliance with this Ordinance or any section of this Ordinance. An attempt to do so shall subject the
Subsection 25. Default and/or Revocation.
If a Wireless Telecommunications Facility is repaired, rebuilt, placed, moved, re-located, modified or maintained in a way that is inconsistent or not in compliance with the provisions of this Ordinance or of the Special Use Permit, then the County shall notify the holder of the Special Use Permit in writing of such violation. A Permit holder in violation may be considered in default and subject to fines as in Section 24 and if a violation is not corrected to the satisfaction of the County in a reasonable period of time the Special Use Permit is subject to revocation.

A) The owner of any tower or wireless facility shall be required to provide a minimum of thirty (30) days written notice to the Planning Department prior to abandoning any tower or wireless facility.

B) Under the following circumstances, the County may determine that the health, safety, and welfare interests of the County warrant and require the removal of Wireless Telecommunications Facilities:

1) Wireless Telecommunications Facilities with a permit have been abandoned (i.e. not used as Wireless Telecommunications Facilities) for a period exceeding ninety consecutive (90) days or a total of one hundred-eighty (180) days in any three hundred-sixty five (365) day period, except for periods caused by force majeure or Acts of God, in which case, repair or removal shall commence within 90 days;

2) Permitted Wireless Telecommunications Facilities fall into such a state of disrepair that it creates a health or safety hazard;

3) Wireless Telecommunications Facilities have been located, constructed, or modified without first obtaining, or in a manner not authorized by, the required Special Use Permit, or any other necessary authorization and the Special Permit may be revoked.

C) If the County makes such a determination as noted in subsection (A) of this section, then the shall notify the holder of the Special Use Permit for the Wireless Telecommunications Facilities within forty-eight (48) hours that said Wireless Telecommunications Facilities are to be removed, the County may approve an interim temporary use agreement/permit, such as to enable the sale of the Wireless Telecommunications Facilities.

D) The holder of the Special Use Permit, or its successors or assigns, shall dismantle and remove such Wireless Telecommunications Facilities, and all associated...
structures and facilities, from the site and restore the site to as close to its original condition as is possible, such restoration being limited only by physical or commercial impracticability, within ninety (90) days of receipt of written notice from the County. However, if the owner of the property upon which the Wireless Telecommunications Facilities are located wishes to retain any access roadway to the Wireless Telecommunications Facilities, the owner may do so with the approval of the County.

E) If Wireless Telecommunications Facilities are not removed or substantial progress has not been made to remove the Wireless Telecommunications Facilities within ninety (90) days after the permit holder has received notice, then the County may order officials or representatives of the to remove the Wireless Telecommunications Facilities at the sole expense of the owner or Special Use Permit holder.

F) If, the County removes, or causes to be removed, Wireless Telecommunications Facilities, and the owner of the Wireless Telecommunications Facilities does not claim and remove it from the site to a lawful location within ten (10) days, then the County may take steps to declare the Wireless Telecommunications Facilities abandoned, and sell them and their components.

G) Notwithstanding anything in this subsection to the contrary, the County may approve a temporary use permit/agreement for the Wireless Telecommunications Facilities, for no more than ninety (90) days, during which time a suitable plan for removal, conversion, or re-location of the affected Wireless Telecommunications Facilities shall be developed by the holder of the Special Use Permit, subject to the approval of the County, and an agreement to such plan shall be executed by the holder of the Special Use Permit and the County. If such a plan is not developed, approved and executed within the ninety (90) day time period, then the County may take possession of and dispose of the affected Wireless Telecommunications Facilities in the manner provided in this Section and utilize the bond in Section 21.

(Ord. of 4-16-09)

Subsection 27. Relief.

Any Applicant desiring relief, waiver or exemption from any aspect or requirement of this Ordinance may request such at the pre-Application meeting, provided that the relief or exemption is contained in the submitted Application for either a Special Use Permit, or in the case of an existing or previously granted Special Use Permit a request for modification of its Tower and/or facilities. Such relief may be temporary or permanent, partial or complete. However, the burden of proving the need for the requested relief, waiver or exemption is solely on the Applicant to prove. The Applicant shall bear all costs of the County in considering the request and the relief, waiver or exemption. No such relief or exemption shall be approved unless the Applicant demonstrates by clear and convincing evidence that, if granted, the relief, waiver or exemption will have no significant affect on the health, safety and welfare of the County, its residents or other service providers.
Subsection 28. Adherence to State and/or Federal Rules and Regulations.
A) To the extent that the holder of a Special Use Permit for Wireless Telecommunications Facilities has not received relief, or is otherwise exempt, from appropriate State and/or Federal agency rules or regulations, then the holder of such a Special Use Permit shall adhere to, and comply with, all applicable rules, regulations, standards, and provisions of any State or Federal agency, including, but not limited to, the FAA and the FCC. Specifically included in this requirement are any rules and regulations regarding height, lighting, security, electrical and RF emission standards.

B) To the extent that applicable rules, regulations, standards, and provisions of any State or Federal agency, including but not limited to, the FAA and the FCC, and specifically including any rules and regulations regarding height, lighting, and security are changed and/or are modified during the duration of a Special Use Permit for Wireless Telecommunications Facilities, then the holder of such a Special Use Permit shall conform the permitted Wireless Telecommunications Facilities to the applicable changed and/or modified rule, regulation, standard, or provision within a maximum of twenty-four (24) months of the effective date of the applicable changed and/or modified rule, regulation, standard, or provision, or sooner as may be required by the issuing entity.

Subsection 29. Conflict with Other Laws.
Where this Ordinance differs or conflicts with other Laws, rules and regulations, unless the right to do so is preempted or prohibited by the County, State or federal government, this Ordinance shall apply. (Ord. of 7-15-08)

The inspection requirements set forth in this ordinance shall supersede any prior inspection requirements placed on wireless communications facilities by the Coweta County Board of Commissioners in conjunction with the granting of any special use permit. (Ord. of 7-21-09)

Subsection 30. Inspections.
At the expense of the tower owner, and for as long as the tower occupies the permit area, a structural engineer, licensed in the State of Georgia, shall inspect the tower every three (3) years for a guyed structure and every five (5) years for a self-supporting structure and submit a report which describes the structural integrity of the tower and apparent level of maintenance and repair evident from the inspection. The report shall account for every issue identified in the ANSI code and shall contain substantiating photographs of the current situation, as well as field notes for each situation identified as being in need of remediation. All reports shall be submitted to the Building Official by February 1st of the year they are due. If, in the opinion of the professional engineer, there is evidence that the structural integrity of the tower is compromised or for any reason the tower constitutes a potential danger to persons or property, the engineer shall list specifically the reasons therefore. The Building Official shall provide notice to the tower owner after receipt of the professional engineer’s opinion. The owners shall have thirty (30) days from the date of said notice to cause the safety issues listed by the engineer to be cured and to provide
written certification by the engineer that the tower is no longer a danger to persons or property. If the owner fails to bring such tower into compliance within said thirty (30) days, the governing authority may remove such tower at the owner’s expense.

(Ord. of 4-16-09)


Purpose
In the basic recognition of the unique nature of certain activities, the intent of this section of this zoning and development ordinance is to assure that private wastewater spray field facilities will be allowed under such conditions and at such locations that they will pose no threat to the safety, health, and general welfare of the citizens of the County. It also serves to establish design standards to ensure proper disposal of treated wastewater and provide continual maintenance of the facilities to ensure the environment is protected. These standards are in addition to those required by the State of Georgia Environmental Protection Division (E.P.D.) in Criteria for Slow Rate Land Treatment and Urban Water Reuse, which is fully incorporated by reference and made part of this ordinance.

Special Use Permit
Any applicant desiring to establish a private wastewater spray irrigation field facility must submit to the Board of Commissioners for its consideration, a plan for such proposed use. This plan shall meet or exceed the requirements for a conceptual site plan as set forth in Article 29, Section 290 of the Coweta County Zoning and Development Ordinance and requirements of E.P.D. After due public hearing and notice thereof as described in the procedures for rezoning, the Board of Commissioners shall approve or disapprove each such proposed facility in accordance with the following criteria that shall be considered along with those criteria set out for zoning in general as described under Article 29 of this ordinance.

Design Standards
In accordance with the Coweta County Zoning and Development Ordinance, Article 24 (Site Plan Requirements), the following design standards, information, submittals, and procedures shall be required for system approval:

(1) Prior to the issuance of development permits for construction or operation of any private wastewater spray irrigation field, a detailed site plan, hydrogeologic studies, engineering and operation plans, reports and any required information or data necessary to adequately review design, permits and operation shall be submitted to and approved by the county's development review committee including but not limited to:

(a) Coweta County Water and Sewerage Authority.

(b) Coweta County Environmental Health Department.

(c) Coweta County Planning Department.

(d) Coweta County Engineering and Development Department.
(e) Coweta County Building Department.

(2) Engineering reports and submittals shall comply with the requirements as delineated in the State of Georgia E.P.D. Criteria for Slow Rate Land Treatment and Urban Water Reuse requirements.

(3) Copies of engineering reports, monitoring reports, reviews of plans and operations generated by or for Georgia E.P.D. must also be provided to the Coweta County Water and Sewerage Authority. The same documents generated by or for Coweta County officials must be provided to Georgia E.P.D. for their review.

(4) The irrigation shall be limited to the application rate as determined acceptable by the General Manager of the Coweta County Water and Sewerage Authority, and the State of Georgia E.P.D. upon review of the information submitted pursuant to the conditions set forth herein.

(5) The wastewater shall not be stored or irrigated on areas not totally under the legal control or ownership of the permittee.

(6) No wastewater retention or detention basins shall be allowed within the area covered by a spray irrigation land application site of a P.W.S.I.F.F., except for stormwater collection or repumping facilities.

(7) Design development shall include analysis of spray field soil(s) that is done at a frequency of one boring to ½-acre of spray field area. This level of testing will verify soil survey maps and identify the presence of a soil variant within a soil series.

One hundred percent replacement area for all spray fields shall be provided. For each replacement area a soil sampling of one boring for each ½-acre shall be conducted. All information required by EPD in the LAS Guidelines Table 2.2-3 shall be submitted for review. Approved replacement areas shall be designated on the approved site plan.

The design shall provide setback distances between the wetted site area subject to land application and surface waters, wetlands and potable water supply wells to ensure compliance with water quality and drinking water standards, and to protect the public health, safety and welfare. All systems shall be designed to minimize adverse effects resulting from noise, odor, lighting and aerosol drift. Adequate site area shall be provided for operation and maintenance, and for controlling emergency discharges.

The applicant will be required to perform samples of monitoring of wells as indicated by the land application system permit to submit to the Coweta County Water and Sewerage Authority to detect any problems before they affect the surrounding neighbors.

Setbacks shall be 500 feet from the edge of the wetted area to any potable water supply wells that are existing or have been approved by the environmental health department (but not yet constructed). Setback distances from the edge of the wetted area to buildings, flood plains
(100 and 500), nonpotable wells, wetlands or to the site property line shall be 300 feet. Setback distances from waters shall be established case by case based on compliance with applicable water quality standards or as directed by the State of Georgia E.P.D.

The minimum buffer distances described above shall only be used if, based on review of the soils and hydro-geology of the area, the proposed hydraulic loading rate, quality of the discharge water, expected travel time of the groundwater to the potable water supply wells and surface waters, and similar considerations, there is reasonable assurance that applicable water quality standards will not be violated. A reduction of the minimum buffer distances from wells or surface waters may be considered if it can be shown that the effluent quality exceeds standards for secondary treatment and basic disinfection. The edge of the wetted perimeter of the land application system shall be at least 300 feet from outdoor public eating, drinking and bathing facilities.

A minimum of one hundred-fifty (150) feet of all setback areas shall be established as a vegetative buffer as described below.

[(8) Reserved.]

(9) An inventory of all potable and nonpotable wells for a distance of 2,500 feet from the parcel property line shall be submitted with the hydrogeologic assessment.

(10) Any existing well(s) in the spray field site shall have their casings sealed by grout at the top and the bottom of the casing, or the wells will be abandoned in accordance with the Coweta County Health Department and the Georgia Water Well Standards Act.

(11) A vegetative buffer of a rapid growth variety and dense nature that shall grow to at least 12 feet high and at least 50 feet wide which is within the 150 foot buffer, shall be maintained outside the area where spray irrigation takes place as a buffer along property lines abutting property not owned or controlled by the owner. The vegetative buffer should be planted prior to the operation of the spray field and attain a minimum height of six feet within two years of the planting date. The planting of cedar and/or other evergreens would be effective against wind drift where they would be compatible with the local area. The new plantings will be oriented so the rows will be perpendicular to the fall of the land. This will preclude erosion and allow for better soil assimilation. The buffer is subject to approval by the Director of Planning. Existing trees, native vegetation or planted vegetation may serve as a buffer.

(12) No irrigation or other method of disposal shall take place until an operation and maintenance manual is written for the spray field and is approved by the General Manager of the Coweta County Water and Sewerage Authority.

(13) Appropriate warning signs shall be posted every 300 feet around the site to designate the nature of the site use.

(14) A waste characterization report shall be prepared and submitted for approval by the General Manager of the Coweta County Water and Sewerage Authority. The waste
characterization report shall recommend parameters to be monitored in the required ground and surface water monitoring program. Existing ground and surface water quality shall be considered in making recommendations.

(15) The owner shall provide calculations and a design which demonstrate adequate stormwater facilities to meet the 25-year, 24-hour storm event and requirements of the Coweta County Water and Sewerage Authority development standards under saturated soil conditions.

(16) No irrigation or other methods of disposal shall take place until a detailed hydrogeologic investigation, groundwater modeling study/assessment, and an environmental impact assessment with a groundwater monitoring plan shall be submitted by the owner for review and approval by the General Manager of the Coweta County Water and Sewerage Authority and other permitting authorities and agencies as set forth herein. The study shall provide calculations for mass balance, nutrient assimilative capacity, and other appropriate details. The study and associated plan shall demonstrate that the hydraulic application rate at the proposed effluent treatment level shall not degrade off-site surface or groundwater quantity or quality. A load test shall be conducted to calibrate the groundwater model to assure the applicability of the assumption's calculations and results of the studies.

(17) The owner shall:
   (a) Design the spray field to prevent the production of odors resulting from failure of the ground to accept the applied load or anaerobic decomposition of the processing water. Specific prevention features shall include:

   1. Refraining from irrigation of fields until uniform vegetative cover is established over the entire spray area and not until buffers around spray areas have been implemented. Potable water must be used to establish vegetative cover.

   2. Design irrigation to maintain an aerated root zone at least two (2) feet in depth throughout the application area to prevent surface ponding and puddling.

   3. Install piezometers to provide for routine monitoring of water table elevations.

   4. Design irrigation cells on spray field sites to permit daily rotation among a number of cells and prevent prolonged irrigation of any single cell.

   5. Utilize low trajectory, low mist spray heads.

   6. Provide permanent recirculation pumps for immediate repumping from spray field stormwater retention ponds.

   7. Design spray field to minimize an increase of shallow groundwater elevations offsite.
8. Provide capacity to retain 12 days of average production generated effluent or provide a plan that adequately demonstrates procedures to be implemented during those periods when soil conditions are not conducive to spray field use.

9. In addition to the automatic shut-down safeguards required by E.P.D., the security system must automatically dial an alert to the owner or operator of the facility when a pump malfunction is occurring or when low pressure is detected. The telecommunication system must be activated whenever a class II operator is off-site.

**Operation**

The following operational procedures shall be implemented to assure the facility shall operate as designed:

1. Necessary precautions shall be taken to prevent over spray or irrigation of county-maintained roadways or public rights-of-way, or adjacent property owners.

2. Water quality analysis shall be performed by a laboratory certified by the State of Georgia E.P.D. A quality assurance project plan (Q.A.P.P.) shall be submitted by the owner 45 days prior to the effective date of operation. The plan shall address all sampling and analyses required by ordinance. This Q.A.P.P. must be approved by the General Manager of the Coweta County Water and Sewerage Authority prior to operation of the spray field.

3. All wastewater shall be retained on the subject property with no off-site runoff permitted pursuant to design standards, condition (15), with the understanding that discharges resulting from rainfall in excess of the design storm is anticipated. If the spray field becomes saturated and runoff is generated, the owner shall immediately notify the General Manager of the Coweta County Water and Sewerage Authority and cease using that portion of the spray field until the soil and site conditions are conducive to allow use that can meet the design standards without potential off-site runoff or degradation of surface or groundwater quantity or quality.

4. Freshwater flushing of transmission mains shall be performed if system is out of service for a period of one week to prevent line septicity.

5. Provide 24-hour phone number of spray field operators to adjacent neighboring property owners.

6. The owner shall operate the spray field to prevent the production of odors resulting from facilities operation and/or failure of the ground to accept the applied load or anaerobic decomposition of the processing water. Specific odor prevention operating procedures shall include:

   a. Provide and utilize, as necessary to control odor, pH neutralization system, or other appropriate procedures or methods.

   b. Maintain surge tanks at low level during low production (low flow) to minimize
detention and prevent fermentation.

(c) Rotate spray application to maintain at least a two foot aerated soil zone.

(d) Freshwater flush of transmission lines prior to a prolonged shutdown.

(e) Perform the following daily checklist:

1. Inspect all spray field distribution systems for signs of possible leaks or breaks and repair immediately, if needed.

2. Inspect the entire pipeline for possible transmission leaks or breaks and repair immediately, if needed.

3. Inspect spray field piezometers to monitor groundwater levels.

4. Inspect all spray field embankments and ditches and repair as needed.

5. Inspect recirculation pumps for proper operating condition and repair as needed.

6. Inspect irrigation pumps for proper operating condition and repair as needed.

7. Inspect screening equipment for proper operating condition and repair as needed.

8. Maintain a record of the daily checklist and submit monthly to the General Manager of the Coweta County Water and Sewerage Authority.

(7) In case of objectionable odor generation the owner shall act immediately to identify the source and eliminate the cause of the odor, including modification, as needed, to operating procedures, spray field or system design. The owner shall take whatever steps are necessary to eliminate objectionable odor generation including, if necessary due to the persistent objectionable odors, the acquisition of additional spray field area or spray field relocation.

(8) In case of disagreement whether or not an objectionable condition is occurring, the owner shall, in cooperation with the General Manager of the Coweta County Water and Sewerage Authority impanel an “odor panel” using the guidelines developed by the U.S. Environmental Protection Agency (EPA Publication No. AP-40 Appendix B) and to abide by the opinion of the odor panel. The costs associated with the impaneling of the odor panel shall be assessed against the party against whom the odor panel rules.

**Urban Water Reuse Spray Areas**

The permitting procedures, design guidelines, and operating guidelines for private wastewater spray irrigation field facilities set forth in Section 69.6 of this ordinance apply to on-site treatment and disposal practices of permitted system operators. The ordinance limits the disposal of
reclaimed water to spray fields that are part of the permitted field facility. Conditions of the field facility site determine the water purification standard that E.P.D. requires before spray irrigation of the field can take place. However, advanced treatment technology is now available and can treat wastewater to levels of purity that allow its safe reuse on public access areas. The practice of spray irrigation with highly treated wastewater is encouraged by the State of Georgia because it conserves potable water supplies. The terms "reclaimed water", "highly treated wastewater", and "urban reuse spray area" are defined in Article 3, Definitions of Terms.

The Coweta County Commission recognizes that advanced water treatment technology can be implemented by operators of private wastewater spray irrigation field facilities and that the controlled irrigation of highly treated wastewater onto specific kinds of areas will benefit the community by conserving public supplies of potable water. Therefore, the Coweta County Commission herein sets forth the parameters of such a practice in Coweta County.

(1) The production and disposal of highly treated wastewater shall follow the design standards set forth in Criteria for Slow Rate Land Treatment and Urban Water Reuse, Section 5; Georgia Department of Natural Resources, Environmental Protection Division as amended except where county requirements are more stringent.

(2) A special use permit is required to reuse highly treated wastewater and should be sought in tandem with the special use permit required for the private wastewater spray irrigation field facility. No spray irrigation or other method of disposal of highly treated wastewater shall take place until project review under section 69.6 specifications of this ordinance have been completed and site evaluation reports for disposal sites have been reviewed by the development review committee (see design standards (1)(a)–(e)), and not until a permit has been granted for each water reuse spray area. In addition to the requirements set forth in Section 69.6 of this ordinance, the following requirements apply to urban water reuse spray areas and must be met:

(a) Design development must identify installation of advanced wastewater treatment technology, verification that the system will meet the turbidity requirements for spray irrigation of public access areas, design, location, and capacity of storage for highly treated wastewater and for reject water, the wastewater monitoring and reporting plan, and the operating and site management plan. An operator must be on-site when the plant is in operation and pumping reuse water.

The design development report including the above documentation will be provided by the applicant to the General Manager of the Coweta County Water and Sewerage Authority. In addition, any document required by E.P.D. will be required for review by the General Manager of the Coweta County Water and Sewerage Authority.

(b) Each urban reuse spray area must be permitted as a special use. A description of each urban reuse spray area and a copy of the contract between the wastewater field facility operator and the owner of the urban reuse spray area
must be submitted for review and approval by the General Manager of the Coweta County Water and Sewerage Authority. Disposal of highly treated wastewater will be permitted on a case-by-case basis.

(c) The special use permit application submitted by the applicant must include a plan for the distribution of highly treated wastewater to the urban water reuse spray area. If holding tanks are required, they must be permitted by the Building Official. The application must include blue-line drawings showing the proximity of reclaimed water lines and hydrants to existing or proposed domestic water lines and hydrants. The design development report and the site evaluation must show the proximity of public eating, drinking and bathing facilities to the spray areas. Other information as it may be required by staff to review the proposed project must be made available. Plans shall also show the location of storage tanks holding highly treated wastewater and treatment facility storage of reject water. For reject water, an operator must provide a minimum storage capacity equal to three days of flow at the average daily design flow of the treatment facility. The plant must have sufficient excess capacity to assimilate and treat the reject water stored off-line within one week.

One or more design standards (i.e. setbacks or buffers) as specified in Section 69.6 or Article 24, Site Plan Requirements, of this ordinance that apply to spray irrigation fields on the site of the wastewater treatment field facility may be waived by the Board of Commissioners in the permitting of water reuse spray areas. Relief of such standards shall not nullify the intent of this ordinance to maintain the public health, safety and general welfare if such relief is granted.

(3) Disposal of highly treated wastewater into streams is not permitted. Only under extreme circumstances which may occur during prolonged periods of precipitation will the county or E.P.D. recognize the necessity for limited wet weather discharges. Both Coweta County Water and Sewerage Authority and E.P.D. require notice of a spill or by-pass within 24 hours of the incident.

(4) The applicant shall notify the public by posting advisory signs in areas where urban water reuse is practiced. The advisory notices shall characterize the safety of and community benefit of urban water reuse spray area projects. The agencies managing golf courses, recreational areas, or grounds where fountains or impoundments are located might also notate score cards or promotional materials distributed to personnel or patrons stating that reuse is practiced and is beneficial.

Monitoring
The following procedures shall be implemented to assure that, facility impacts to ground and surface water quality and quantity are monitored:

(1) On-site and off-site groundwater shall meet the water quality requirements of the land application system permit issued by the State of Georgia E.P.D.
A ground and surface water monitoring program and a soil monitoring program shall be developed and implemented prior to the use of lands for reclaimed water disposal. The monitoring shall be in accordance with standards and practices as delineated in the rules and regulations of the State of Georgia’s Water Quality Act and the State of Georgia E.P.D. Criteria for Slow Rate Land Treatment and Urban Water Reuse guidelines. The objective of the programs shall be to establish ambient (pre-use) conditions, to monitor the long-range impacts on the ground and surface water system, and to effectively manage soil conditions, crop selection and growth. Surface water sampling locations, well locations and depths shall be adequate to monitor the impacts to adjacent wetlands and flood plains. Plans with adequate justification and ground and surface water modeling analysis for surface water sampling location(s), monitor well location(s), well construction, depth, installation, and numbers shall be submitted to and must be approved by the General Manager of the Coweta County Water and Sewerage Authority prior to construction. Installation and development of groundwater monitoring wells required by this ordinance; shall be performed by a licensed well driller with substantial experience in drilling groundwater monitoring wells. Parameters for chemical analysis, frequency of analysis, and other scheduling pertaining to the monitoring program shall be determined by the General Manager of the Coweta County Water and Sewerage Authority. Soil monitoring shall be conducted by a geotechnical engineer and is required annually.

At the end of each year of data collection a written technical report signed and sealed by a qualified professional engineer must be submitted to the General Manager of the Coweta County Water and Sewerage Authority which summarizes and interprets the soil monitoring data, the water quality data, and water level measurements collected from the date of the original special use permit (SUP) issuance. This report shall contain, but is not limited to the following:

(a) Statistical analyses;
(b) Tabular and graphical displays of the data including hydrographs and water table contour maps referenced to land surface and/or N.G.V.D. for all monitor wells and surface water stations;
(c) Trend analysis;
(d) Comparisons among wells in different zones and/or aquifers;
(e) Relationships between effluent, surface and groundwater quality including relationship of original baseline water quality;
(f) Discussion of problems occurring, excessive mounding, and/or discharges off-site during the year;
(g) Discussion of erratic, missing and/or poorly correlated data; and
(h) Soil sampling data from borings taken at the rate of one for each one acre and in changing soil series, one boring for each ½-acre.

Rainfall shall be monitored at the site daily and results included in monthly and annual reports.

County personnel shall be granted permission to enter all P.W.S.I.F.F. sites to monitor the
performance of the system and to determine compliance with this ordinance. The owner shall be notified no later than the morning of the inspection day and shall provide access to all areas.

(6) The owner shall maintain optimum growth conditions for crops used as vegetative cover. Vigorous agronomic cover crop growth is essential to maintain nitrogen uptake rates assumed in design. Therefore, annual soil evaluation must be conducted to determine if soil supplements are needed. Soil monitoring of wetted field areas shall be conducted according to the guidelines provided in Table 4.2-1 of the LAS Guidelines as amended but with the number of borings specified in (3)(h) above.

(7) The owner of the system shall monitor and test a down gradient private potable well quarterly, or as often as complaints indicate. The location of the well shall be determined by hydro geologic investigation and groundwater modeling study and shall be indicated on the groundwater monitoring plan supplied by the owner. The location of the well must be approved by the General Manager of the Coweta County Water and Sewerage Authority. If at any time test results indicate a violation of drinking water standards, the owner of the system shall immediately retest the well and if the violation is confirmed by a retest, the owner of the system shall hire at their own expense an independent groundwater hydrologist subject to the owner of the system and well owner's approval to evaluate the source of the violation and to propose solution(s) to correct the source of the violation. If the results of these investigations show that the problem is due to the spray field operation then the owner of the system, at their sole expense, shall take immediate corrective action as required.

When the final study is complete and approved, the owner, shall determine an amount at least equal to 110 percent of the total cost to accomplish the above stated requirement and with the approval of the General Manager of the Coweta County Water and Sewerage Authority and the Board of County Commissioners, provide a security instrument made out to the Board of County Commissioners to cover the anticipated cost of corrective action. The security instrument shall remain in full effect until released by the County.

**Reporting**

The following reports and submissions standards shall be implemented to provide the required data necessary to evaluate potential impacts of the facility:

(1) Reports shall be compiled and shall be filed with the General Manager of the Coweta County Water and Sewerage Authority and the State of Georgia E.P.D. on the schedule indicated and shall contain the following information:

(a) A quarterly report which identifies the average quality of reclaimed water delivered based upon a minimum of one sample per month taken during the reporting period. Parameters to be analyzed shall include but not be limited to those as specified by the General Manager of the Coweta County Water and Sewerage Authority and the director of environmental health: suspended solids, pH, specific conductance, and nitrate. These parameters may be modified as deemed necessary by the General Manager of the Coweta County Water and Sewerage Authority.
(b) One year from the date of the execution of the P.W.S.I.F.F, an evaluation will be conducted to determine the benefit and necessity of a quarterly spray field advance use schedule with area and acreage proposed for irrigation or which shall receive reclaimed water shall be submitted to the General Manager of the Coweta County Water and Sewerage Authority.

(c) A quarterly report which identifies the areas irrigated or which received reclaimed water over the quarter preceding shall be submitted to the General Manager of the Coweta County Water and Sewerage Authority.

(d) A quarterly report which indicates the specified and metered volume of reclaimed water applied or used over the preceding quarter shall be submitted to the General Manager of the Coweta County Water and Sewerage Authority.

(e) A quarterly map which indicates the depth to and elevation of the water table.

(f) A quarterly report stating the results of quarterly tests of the monitor well described above in monitoring (7) shall be submitted to the General Manager of Coweta County Water and Sewerage Authority.

(2) Conditions as altered and amended which pertain to the P.W.S.I.F.F:

(a) After establishment of the facilities as provided herein, the property shall only be used for the purposes named in this ordinance. Any other proposed use must be specifically authorized by the Coweta County Board of Commissioners.

(b) No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner within the boundaries of the P.W.S.I.F.F. without first submitting the necessary plans in accordance with article 26 of the zoning and development ordinance of Coweta County and obtaining approval from the building official upon obtaining the permits required from the other appropriate governmental agencies.

(c) This amendment shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each condition herein set out.

(d) Construction and operation of the proposed use shall always comply with the regulations of this and other governmental agencies.

(e) The transfer of ownership or lease of any P.W.S.I.F.F. shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made aware of the conditions pertaining to the P.W.S.I.F.F. and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions
by following procedures contained in section 69.6 of the Coweta County Zoning and Development, as amended. The trust indenture signed with Coweta County must be amended to reflect the change in ownership.

Application of Ordinance
This ordinance is not intended to regulate or change the current manner of development or sewer systems in the County.

Privately owned alternative wastewater treatment systems shall be allowed in Coweta County if the following conditions are met:

(1) A special use permit must be obtained through the Coweta County Board of Commissioners;

(2) The system is approved by the Coweta County Water and Sewerage Authority upon a finding that the proposed system complies with all applicable ordinances of Coweta County and all applicable laws and regulations of the State of Georgia and the United States;

(3) The system shall be clearly described in an application to the Coweta County Water and Sewerage Authority. The description shall include the method proposed to safely treat and dispose of wastewater; the impact, if any, the system will have on ground and surface water in the surrounding area; the expected useful life of said system; and any other information as may be requested from time to time by the Coweta County Water and Sewerage Authority.

(4) A security instrument acceptable in form by the County Attorney and issued to the Board of Commissioners to cover operation and maintenance costs for a minimum period of 24 months shall be provided by the owner. The cost shall be determined by a qualified professional engineer with training and experience in the area of wastewater management and said cost shall meet the approval of the General Manager of the Coweta County Water and Sewerage Authority. The security instrument shall remain in full effect until released by the County. The County may require extension of the security instrument if problems arise during the 24-month period.

Provisions Governing the Transfer of Said System to Coweta County
For a P.W.S.L.F.F. systems, if there are decisions by the owner(s) to shut down the system or to not make the necessary repairs as required to properly maintain the system, and to assure uninterrupted service and to provide relief for the property owners if there is suspension of service or improper operation by the owner, Coweta County Board of Commissioners may require the following:

(1) The transfer of said system to the Coweta County Water and Sewerage Authority with the following documentation:

   (a) A deed of conveyance. To secure county acceptance of the private wastewater spray irrigation field facility, the current owner must submit to the Coweta County Water and Sewerage Authority all documentation and guarantees as specified herein and as required by the General Manager of Coweta County Water and Sewerage Authority. Such documentation and guarantees may include, but are not necessarily limited to a
final plat identifying all property, equipment, and appurtenances related to the
operation of the facility or other acceptable instrumentation approved by the General
Manager of the Coweta County Water and Sewerage Authority.

(b) The transfer of said system shall further provide an estimated cost for the
maintenance and operation of the system for a period of 30 years including projected
capital expenditures and maintenance cost for that time period. These cost analyses
shall be made by a person that is competent, based on training and experience, to
make sure projections.

(c) All required documentation and guarantees must be submitted by the current owner
to the General Manager of the Coweta County Water and Sewerage Authority by 9:00
a.m. no later than 11 days prior to the meeting date of the Coweta County Board of
Commissioners when acceptance of such facility is to be considered.

Deed of Conveyance

State of Georgia
County of Coweta
Private Wastewater Spray Irrigation Facility

Personally appeared before the undersigned authority ____________________________
(Name of current owner of system)

who, being first duly sworn and deposed on oath, says as follows:

1. That current owner has recently completed a wastewater spray irrigation facility on the
   property of ______________________________________________________________
   (owner of property upon which system was installed)
   Located in Land Lot _________, District _________, Coweta County Georgia.

2. That all bills for labor and materials have been paid in full in the amount of $___________.

3. That no person or persons have any claim or lien because of said system except as follows:
   ______________________________________________________________

4. This affidavit is made to allow Coweta County to accept the ownership of said system for the
   benefit to the tax payers of Coweta County.
Section 69.8. Decentralized Wastewater Treatment Network Systems (D.W.T.N.S.)

**Purpose**
Allow for greater intensity of uses and more compact development patterns within areas not currently served by the public sewer system, and for which sewer extensions are not feasible.

Utilize advanced wastewater treatment technology in order to provide the maximum environmental protection.

Provide for an appropriate public entity, which has the technical, managerial and financial ability, to assume full responsibility for the design, installation, ownership and operation of the decentralized wastewater treatment network system(s).

**Special Use Permit**
Any applicant desiring to establish a decentralized wastewater treatment network system, except as permitted in specified residential zoning districts, must submit to the Board of Commissioners for its consideration, a plan for such proposed use. This plan shall meet or exceed the requirements for a Conceptual Site Plan as set forth in Article 29, Section 290.2 of the Coweta County Zoning and Development Ordinance and requirements of E.P.D. The applicant shall also submit a letter of agreement from Newnan Utilities indicating the favorable results of a preliminary soils investigation and intent to provide a decentralized wastewater treatment network system at the proposed location. After due public hearing and notice thereof as described in the procedures for rezoning, the Board of Commissioners shall approve or disapprove each such proposed facility in accordance with the following criteria that shall be considered along with those criteria set out for zoning in general as described under Article 29 of this ordinance.
Application of Ordinance

This ordinance is intended to regulate development of decentralized wastewater treatment network systems in the county. The following conditions must be met.

1. A Special Use Permit must be obtained through the Coweta County Board of Commissioners;

2. Decentralized wastewater treatment network systems shall be permitted only at such locations that they will pose no threat to the safety, health, and general welfare of the citizens of the county.

3. The system shall be designed, installed, owned, and operated by Newnan Utilities, in accordance with the Inter-Government Contract for Wastewater Handling and Treatment, dated May 23, 2006, and any amendments thereto.

4. In addition to the county’s requirements, all decentralized sewer systems must be applicable state and federal laws.

Exceptions

Decentralized wastewater treatment network systems designed to serve a single parcel and being located on the same parcel shall not be required to obtain a special use permit. However, all design standards must be met.

(Ord. of 5-10-07)

Design Standards

1. One hundred percent replacement area for all drain fields shall be provided.

2. All systems shall be designed to minimize adverse effects resulting from noise, odor, lighting and aerosol drift.

3. Setbacks shall be 100 feet from the edge of the drain field area to any potable water supply wells that are existing or have been approved by the Environmental Health Department (but not yet constructed). Setback distances from waters shall be established case by case based on compliance with applicable water quality standards or as directed by the State of Georgia E.P.D.

4. A minimum 150 foot setback shall be established around the perimeter of the treatment structure(s) to the development tract boundary unless a variance is granted through the normal review process. A 10 foot setback shall be established around the perimeter of the drain field area(s). However, for property adjacent to residentially zoned land, compliance with Article 25, including drain field setbacks related to buffer requirements, must be met.

5. A buffer with a minimum width of 25 feet shall be established within the 150 foot setback, except at access points. If existing vegetation within the buffer is determined by the County Planner or his designee to be insufficient, a planted buffer of a rapid growth variety and dense nature that shall grow to at least twelve (12) feet high shall be required.

6. The security system must adhere to the E.P.D. approved Operations Manual

7. All decentralized wastewater treatment network systems must be designed, constructed, and operated by Newnan Utilities.

8. Above ground facilities shall be a neutral earth tone color such as beige, brown, or dark green.
Special Use Permit - Standards of Review

In addition to those items in Article 29, Section 294, of these regulations, the Board of Commissioners will consider one or more of the following additional standards of review, as these factors may be relevant to the application:

1. The proximity of the proposed decentralized wastewater treatment network system to the development(s) it will serve.
2. The location of the decentralized wastewater treatment network system shall support compact, nodal forms of development, which are preferable to linear arrangements.
3. The mixture of land uses to be served by the decentralized wastewater treatment network system.

Operation

In case of objectionable odor generation the owner shall act within twenty-four (24) hours to identify the source and eliminate the cause of the odor, including modification, as needed, to operating procedures, drain field, or system design. The owner shall take whatever steps are necessary to eliminate objectionable odors.

Provisions governing the transfer of said system

Transfer of ownership of decentralized wastewater treatment network systems shall be in accordance with the provisions of the Inter-Government Contract for Wastewater Handling and Treatment, dated May 23, 2006, and any amendments thereto.

(Ord. 5-10-07)

Section 69.9. Special Events, Festivals, and Tourism Activities.

Subsection 1. Purpose.

In the basic recognition of the unique nature of certain activities, the intent of this section is to minimize the impact of special events, festivals and other tourism activities, to establish a fair and efficient process for review and approval of applications, to assure an integrated and comprehensive review of the impact of the proposed activity. Since special events, festivals and tourism activities may be located in areas not traditionally considered appropriate for commercial activity, a case-by-case review is necessary to assure that they are only allowed under such conditions and at such locations that they will pose no threat to the health, safety, and general welfare of the citizens of the County.

Subsection 2. Applicability.

A. This ordinance shall apply to special events, festivals, or tourism activities (as described in Item B below) which occur on private property.

B. Specific uses regulated under this ordinance include the following:

1. Artist Retreats;
2. Bed and Breakfast Lodging;
3. Banquet, Catering, and Reception Halls;
4. Concerts or Theatrical productions;
5. Exhibits (such as dog shows, gun shows, and art);
6. Facility Tours;
7. Festivals;
8. Gift Shops as an accessory to other uses on this list;
9. Historic Reenactments;
10. Museums;
11. Rallies;
12. Rodeos;
13. Tea Rooms;
14. Weddings; and
15. Similar uses, as determined by the Planning Director

C. This ordinance shall not govern private gatherings, parties, or other similar type entertainments hosted by a property owner in their own residential building, structure or land for the enjoyment and benefit of the owner or current resident, without compensation, and otherwise permitted under the County’s ordinances.

D. This ordinance shall not govern church events when located on property with a Conditional Use Permit for a church (or on property with a legal non-conforming church use); however all other relevant sections of the Coweta County Zoning and Development Ordinance shall still apply.

E. This ordinance shall not prohibit the establishment or continuance of normal residential use of the property, where otherwise permitted by the Coweta County Zoning and Development Ordinance and other laws governing such use.

**Subsection 3. Special Use Permit Required.**

A. Any applicant desiring to establish a special event, festival, or tourism activity must file an application for a Special Use Permit and a plan for such proposed use with the Planning Department, in accordance with the procedures for rezoning contained in Article 29 of the Coweta County Zoning and Development Ordinance. This plan shall meet or exceed the requirements for a conceptual site plan as set forth in Article 29, Section 290 of the Coweta County Zoning and Development Ordinance. The specific use and any related activity anticipated by the applicant must be delineated within the request; and approval shall be limited to the uses and activities as detailed. After due public hearing and notice thereof, the Board of Commissioners shall approve or disapprove each such proposed use in accordance with this ordinance, the criteria set out for zoning in general as described under Article 29 of this ordinance, as well as the following additional review factors:

1. Whether or not quiet enjoyment of surrounding property will be adversely affected by the applicant’s specified activities (including the intensity, frequency, and duration of those activities);
2. Whether or not adequate provisions are made for waste disposal, parking, traffic, and security;

3. Whether or not the intensity of the use is appropriate in light of the surrounding land uses and the nature of the property; and

4. Whether the times and hours of operation will adversely affect the use of the adjoining properties.

B. Revocation – If at any time after a Special Use Permit has been issued, the Planning Official finds that the conditions imposed and the agreements made have not been or are not being fulfilled by the holder of the Special Use Permit, the permit shall be cancelled; and the operation of such use must be discontinued.

Subsection 4. Infrastructure

A. The property shall be served by public highways and streets adequate to serve the traffic created by the use, and entrances to the property shall not create a traffic hazard.

B. The property shall be served by adequate public safety, refuse disposal, sewerage disposal, and on-site security.

Subsection 5. Design Standards.

A. A traffic analysis may be required, as determined by the Director of the Development and Engineering Department.

B. The design of the facilities and grounds shall meet all requirements of the Coweta County Fire Department, as well as all applicable State and Federal regulations.

C. During the Special Use Permit review, the intensity of the proposed use, and the potential impact on the surrounding neighborhood, including the aesthetic impact of strict enforcement of the development standards, shall be considered. This consideration shall in turn govern the applicability of the following development standards, which, unless noted as a requirement of the Special Use Permit, shall be waived:

   a. Paved drives
   b. Paved parking areas
   c. Building Design criteria
   d. Landscaping Requirements

D. A pre-development site plan and an as-built site plan, as indicated in Article 24 Development Regulations shall be required.
E. Buffers, when deemed necessary, shall be established in accordance with Article 25. Buffer Area and Screening Requirements, except that the width and location of the required buffer areas shall be established during the Special Use Permit process. In determining buffer requirements, consideration, at minimum, shall be given to the following:

   a. location of proposed activities within the site,
   b. proximity to adjacent residential land uses, and
   c. noise and light expected to be generated by the proposed use.

Subsection 6. Operational Standards.
   A. Alcohol sales shall be permitted only when provided through a licensed caterer or where the location qualifies for a license pursuant to Chapter 6, Article IV, Section 6-91 et seq of the Coweta County Code of Ordinances, and only in areas delineated and approved as a part of the Special Use Permit.

   B. Restroom facilities, both temporary and permanent, shall meet the requirements of the Environmental Health Department.

   C. Lighting, temporary or permanent, shall be established in such a manner that adjacent properties are not adversely affected, and that no direct light is cast upon adjacent properties or roadways.

   D. No use permitted under this ordinance shall exceed a noise level of 45 dBA, as measured at the property line; however, the decibel level may be otherwise set, based upon the uniqueness of the property or application specifics, through conditions attached to the Special Use Permit by the Board of Commissioners.

   E. Refuse Collection – Adequate refuse collection containers and services shall be provided for large events, such as, but not limited to, concerts, festivals, rallies, weddings and wedding receptions.

(Ord. of 6-21-11)

ARTICLE 6A. HOME OCCUPATIONS.

Section. 60A. Residential Home Occupations. The conduct of business in the residential districts may be permitted under the provisions of this section. It is the intent of this section to ensure the following:

   a. Compatibility of home occupations with other uses permitted in residential zoning districts;
   b. Maintain and preserve the character of residential neighborhoods and provide peace, quiet and domestic tranquility within all residential neighborhoods; and
   c. Within the district, in order to guarantee all residents freedom from excessive noise, traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in this district.
A. Residential Home Occupations, where permitted, must meet the following special requirements:

1. A home occupation is subordinate to the use of a dwelling unit for residential purposes. No more than twenty-five (25%) percent of the floor area of the dwelling unit may be used in connection with a home occupation or for storage purposes in connection with a home occupation.

2. No more than two (2) home occupations shall be permitted within a single dwelling unit.

3. A home occupation shall be carried on wholly within the principal use building. No home occupation or any storage of goods, materials, or products connected with a home occupation shall be allowed in accessory buildings or garages which are detached.

4. The residential home occupation is limited to employment of residents of the property.

5. A home occupation shall produce no noise or obnoxious odors, vibrations, glare, fumes, or electrical interference detectable to normal sensory perceptions outside the principal structure.

6. No traffic shall be generated by such home occupations in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met by providing off-street parking space and located in rear or side yard.

7. On the premises, retail sales are prohibited except for the retail sales of products or goods produced or fabricated on the premises as a result of the home occupation.

8. There shall be no exterior indication of the home occupation or variation from the residential character of the principal use.

9. No on-street parking of business related vehicles (either marked or commercially equipped) shall be permitted at any home. No business related vehicles larger than a van, panel truck or pick up truck is permitted to park overnight on the premises. The number of business related vehicles are one (1). All business related vehicles shall be parked in the rear of the premises.

10. Permitted residential home occupations:

   1. Antique Dealer (no sales at premises)
   2. Appliance Repair
   3. Architectural services
   4. Art Studio
   5. Auto Repair (Mobile)
   6. Barber shops/Beauty shops (limited to two stations)
   7. Cabinet Making
   8. Catering/Food Service (Shall meet local Environmental Health Department and GA Department of Agriculture applicable requirements) (Ord. of 1-5-10)
   9. Ceramics
   10. Consulting services
   11. Contracting, masonry, plumbing or painting, or other contracting services (no employees at the premises, no parking of equipment at the premises)*
   12. Data Processing
13. Direct sale product distribution (Amway, Avon, Jaffra, Mary Kay, Tupperware, etc.) provided there is no production on premises
14. Dog grooming
15. Drafting and graphic services
16. Dressmaking, sewing, tailoring, contract sewing (1 machine)
17. Electronic Assembly
18. Engineering service
19. Financial planning or investment services
20. Flower arranging
21. Gunsmiths
22. Hauler (one truck)
23. Home office
24. House Clean service
25. In-home child care, but not more than six (6) children at a time, including the caregiver’s own pre-school children
26. Insurance sales or broker
27. Interior design
28. Lawn service
29. Locksmith
30. Mobile Auto Repair
31. Real estate sales, broker or appraiser
32. Retail Food Preparation (No retail sales on premises; shall meet local Environmental Health Department and GA Department of Agriculture applicable requirements.) (Ord. of 1-5-10)
33. Small scale garden plants for sale to retail commercial gardening and supply stores
34. Trucker (1 tractor, no trailer)
35. Telephone answering, switchboard call forwarding
36. Tow truck services
37. Tutoring, including all indoor and outdoor instructional services limited to five (5) students at a time
38. Upholstery
39. Writing, resume services, computer programming
40. Any similar occupation which is found to meet the intent and purpose of this article by the Planning and Zoning Department of Coweta County.

11. Prohibited residential home occupations:
   a. Ambulance service
   b. Restaurants (Ord. of 1-5-10)
   c. Automobile repair, parts sales, or detailing, washing services
   d. Veterinary services (including care and boarding)

*The Board of Commissioners recognize the peculiar problem posed by small contractors who do most, if not all, of their work away from the site of their business and that the business locations serve as no more than a place for the principal of the contracting business to do paperwork, receive phone calls and receive mail. As a result of the unique nature of the contracting enterprise the Commissioners specifically recognize that a contracting business may be located in a residential area even if that contracting business employs
people outside of the residents of the property. However, no outside persons employed by a contractor can do work on or assemble on or park on the residential premises housing the occupation. Further, no equipment belonging to the contractor can be parked, assembled or maintained at the residence business.

B. Rural Home Occupations.

Rural home occupations in the RC district shall be permitted under the provisions of this section. It is the intent of this section to ensure the compatibility of rural home occupations with other uses permitted in the RC district; maintain and preserve the agricultural or rural character of the area and not create a nuisance for the residents in the area by exceeding traffic, smoke, noise or be a fire hazard.

The purpose of rural home occupations is to provide a means for residents in the larger lot rural development districts to participate in the type of businesses permitted in residential districts, be able to conduct the home occupation in an accessory building where necessary, and to park onsite, vehicles required for home occupations. Rural home occupations, where permitted, must meet the following special requirements:

1. The minimum lot size is 10.0 acres, excluding any and all lots in a platted subdivision. For lots less than 10.0 acres, the home occupation is limited to the provisions of Section A, Residential Home Occupations.

2. The rural home occupation shall be clearly subordinate to the principle use of the parcel of land and shall not change the residential and agricultural character of the area. No more than 25 percent of the floor area of the principal dwelling shall be used in connection with the home occupation or storage purposes.

3. The rural home occupation shall be conducted within a dwelling or within an accessory building provided all structure uses are harmonious in appearance with the zoning district in which rural home occupations is located.

4. The use of one (1) accessory building is allowed as long as the area used for the home occupation does not exceed 800 square feet of floor area of said building used in connection with the home occupation.

5. The business of selling stock of merchandise, supplies or products shall not be conducted on premises except under the following circumstances:
   a. Orders previously made by telephone or at sales parties may be filled on premises; and
   b. Incidental retail sales may be completed which are in connection with the permitted home occupation.

6. No more than five (5) trade vehicles shall be parked on the premises. No more than three (3) employee vehicles may be parked on the premises, however, such employees shall not work at the premises location.
7. No outside storage of equipment or materials used in the conduct of the rural home occupation, including trade vehicles, is permitted unless said storage is outside of a 300 foot setback of any property line buffered in a manner approved by the Planning Department.

8. The rural home occupation is limited to residents of the property.

9. No more than two (2) home occupations shall be permitted within a single dwelling unit.

10. No additional points of access to any street shall be permitted, unless necessary to provide safe and proper access to the proposed use.

11. Permitted rural home occupations:
   1. All occupations permitted in Section A. Residential Home Occupations.
   2. Tow truck services. (no storage of more than two (2) vehicles)
   3. Veterinary services.
   4. Antique shop.
   5. Small engine repair.
   6. Any similar occupation, which is found to meet the intent and purpose of this article by the Planning and Zoning Department of Coweta County.

ARTICLE 7. RC - RURAL CONSERVATION DISTRICT
(formerly RR RURAL RESERVE).

Coweta County has adopted a Comprehensive Land Use Plan and a Future Development Map to guide land use and development throughout the county. Primary concerns of citizens are the provision of efficient and effective government services and public facilities, and the protection of Coweta’s natural land and water resources, and preservation of rural character which together foster a unique sense of place valued by the community. The Rural Conservation District is intended to provide for agricultural land use, and low density single-family residential land use in an area of Coweta County shown on the Future Development Map as the Rural Conservation Area. Agricultural land uses include farming, forestry, horticulture, wholesale plant propagation, dairying, ranching, and equestrian activities. Rural residential land uses include rural homestead lots, and low density rural residential developments designed to preserve woodland and open land along Coweta’s roadways, to preserve primary conservation land: river or stream corridor, areas of vulnerable groundwater recharge, flood plain, steep slopes, habitat of endangered species, archeological sites, cemeteries, and burial grounds, and to provide neighborhoods with their own private, yet common, recreation areas.

Section 70. Density and Dimensional requirements.
Maximum residential density: See development types below.

Lot minimums and required yard setbacks, height limitations and related requirements are set forth in Article 23.
Rural Design Open Space Requirement: Rural Design Open Space (RDOS) is that portion of required open space that shall be located along the perimeter of a development tract where the tract abuts existing county or state road right-of-way. Use of design features within RDOS that preserve a rural view from the roadway and minimize the view of rooftops are encouraged including trails, greenways, parks, barns, pasture, rail or board fencing, specimen tree plantings, and planting groves of trees.

Requirements:
1) Maintain the average depth specified for the development type measured from the public road right-of-way to the boundary of a lot as set forth below in Section 73 of this article.
2) 50% or more of woodland existing within RDOS shall be retained.
4) Subdivision entrance roads shall have a curvilinear alignment meeting the horizontal and vertical sight distance requirements specified in the Manual on Uniform Traffic Control Devices (MUTCD).
5) Landscape strip along subdivision entrance road: A strip 25 feet wide measured from the right-of-way into the interior of the property for the depth of required RDOS along the entrance road frontage. Treatment Options: For wooded tracts, maintain existing woodland within the landscape strip; For open tracts, install landscaping according to Article 26. Section 262. Quality Development Corridor District. Development Requirements (1)(a) and (b) paragraphs 3 and 4. In addition, use any of the following within the landscape strip: 4-board fence, 3-board fence, walls of stone or brick (height maximum of 4 feet), native plants, and mulch material approved by the County Arborist.
6) Subdivision entrance sign(s) may be placed within the Rural Design Open Space in accordance with the requirements of the Coweta County Sign Ordinance.

Figure 1. Illustration of curvilinear alignment and location of landscape strip (no scale).

Appeals to the Rural Design Open Space may be made in accordance with Article 24. Section 240.6. Administration. Item 2. Variances and Waivers. The Planning Director may grant modifications based on tract dimension, topography, size, shape, soil types, slope, and other natural features.

Section 71. Infrastructure requirements.
All lots in RC Districts must meet the following infrastructure requirements:

Water: Well or public water system
Roads: Private – serving no more than three (3) lots and having a minimum easement width of at least 30 feet when serving a non-subdivision development lot, and a minimum width of at least 60 feet when serving a subdivision development lot.

Public – Local, Collector, Arterial

Section 72. Permitted uses.
The following uses are allowed in any RC district, subject to the further provisions of this ordinance:

1. Single-family Dwelling
2. Residential Homestead Lot 1.6 and 2.0 provided the following requirements are met:
   a) The homestead site is for a family member of the 1st, 2nd, and 3rd degree only. An affidavit shall accompany each zoning verification for homestead site approval to verify the relationship. Homestead affidavit forms may be obtained at the Coweta County Planning Department.
   b) The Residential Homestead Lot is at least 1.6 acres when served with public-supplied water, meeting the RHL1.6 minimum dimensional requirements; or at least 2 acres when served with neither public-supplied water or sewer service, meeting the RHL 2.0 minimum dimensional requirements.
   c) The maximum number of homestead lots permitted is three (3) over a three (3) year period, to include the remaining acreage for the residence on the original tract (if applicable) as one of the three permitted homestead lots. In addition, one of the three homestead lots may be established for a guest house (The definition of a guest house is referenced under Article 3, Section 31, Listing of Definitions, of the Coweta County Zoning and Development Ordinance).
3. Subdivision developments; provided the following standards and requirements are met:
   a) Single-family subdivisions permitted in the Rural Conservation District may be administratively approved. Subdivisions of four (4) or more lots shall comply with the county’s Development Regulations, as amended, and receive permit approval from the Coweta County Subdivision Review Committee. An appeal to the committee’s denial shall be made in accordance with the Zoning and Development Ordinance of Coweta County, Article 24, Section 240.6 (2).
   b) Permitted single-family subdivisions meeting criteria set forth in Section 73 of this article are as follows:
      ECP - Equestrian Community Plan
      RCSD – Rural Conservation Subdivision Options One and Two
      RI-A - Single Family Residential Infill District
      RE - Rural Estate Subdivision
   c) The developer shall submit a notarized letter identifying the type of permitted single-family residential zoning district proposed for the project. The district designation shall be identified on the preliminary and final plats.
4. Non-commercial agricultural uses, including poultry, horses and livestock raising, as an accessory use to a single-family dwelling for the principal benefit of the occupants thereof. Non-commercial agricultural uses, at a minimum shall meet the following:
a) All related accessory buildings, pens or corrals, for housing or confining animals, or for storing feed or equipment, or for similar purposes shall be located at least 100 feet from all property lines and 200 feet from any existing off-site residential dwelling.

b) The lot/parcel shall be of adequate size to accommodate the 200-foot setback as specified in 2(a).

c) The grazing area shall be maintained in viable grasses and herbages to reduce erosion and prevent unsanitary conditions. The grazing area is the area of the parcel/lot wherein livestock are confined for the purpose of feeding on growing grasses and herbages.

d) The lot/parcel shall comply with any local, state, federal, or other laws regarding livestock.

5. Commercial forest, agriculture, dairy and poultry and livestock raising when located on at least 20 acres of land, provided that buildings, pens or corrals used for housing fowl or animals, storing grain, feed, or equipment, or for similar purposes shall not be located within 200 feet of any property line.

6. Riding stables and academies, when located on at least ten (10) acres of land, provided that any structure, pen or corral housing animals, but not including grazing areas, shall be no closer than 200 feet to any property line.

7. Temporary portable sawmills for cutting timber on the subject property, provided that any machine operations shall not be closer than 200 feet to any property line.

8. Customary accessory building and uses.

9. Home occupations.

10. Hunting Club or Fishing Clubs, operated by a private club, for seasonal hunting and fishing and primitive camping, exclusively provided for members and guests, where seasonal membership fees are collected solely for the purpose of making the lease payments for the privilege of hunting or fishing on leased property. Hunting Club activities shall not include indoor or outdoor shooting gun ranges or archery ranges with the exception of a temporary sighting range.

   Landowner hunting or fishing on their personal property, where no club is involved, may include friends and family members.” (Also allows for the temporary sighting range)  
   (Ord. of 1-22-2015)

11. Guest houses, provided the following standards and regulations are met:

   a) Guest houses are accessory buildings and shall be limited to one (1) such structure per lot and shall not include manufactured, mobile, or modular structures. Guest houses shall meet the yard setbacks of the principal structure.

   b) The guest house and principal dwelling shall be located on the same lot, which shall be a minimum of ten (10) acres in size.

   c) The principal dwelling must exist on-site and be occupied.

   d) The guest house shall not exceed 1,000 square feet, nor be less than 500 square feet.

   e) The exterior materials on the guest house shall mirror the exterior materials on the principal dwelling; however, the Building Official may allow the use of other materials, provided they are equal to or superior to the principal dwelling.
f) The guest house shall comply with the building height and yard regulations of the zoning district.
g) The guest house is exclusively for housing members of the family and their non-paying guests. Rental of such dwelling is strictly prohibited.
h) Future subdivision of the property which would place the guest house on a separate lot from the principal dwelling shall require the guest house to be brought into compliance with the minimum square footage requirements for a principal dwelling in the zoning district and all other requirements of Article 23, Dimensional Standards.
i) Owner of the Property shall sign a Deed of use Restriction regulating the construction and use of the Guest House. Said Deed Restriction shall be properly recorded in the official records of Coweta County, Georgia. A copy shall be provided to the Coweta County Planning & Zoning Department upon completion.” (Ord. of 3-17-2015)

Section 73. Administratively Approved Permitted Single Family Subdivision Districts.

Section 73.1: ECP-Equestrian Community Plan: This single family residential design option provides for the development of contiguous equestrian lots and clustered residential lots as well as the development of community equestrian facilities such as barns, corrals, arenas, accessory buildings, and storage buildings used for feed, tack, and equipment used to groom common facilities.

1. District size, density, and dimensional requirements.
   Minimum district size: 25 acres
   Maximum residential density: 0.5 units per acre
   See Article 23, Dimensional Requirements
   Eligible for cluster design, yield is capped at maximum density.

2. Infrastructure requirements.
   Water: Well or public water system
   Wastewater: Individual septic system or decentralized wastewater treatment network system owned and operated by Newnan Utilities meeting the following design criteria: The system shall meet EPD requirements and above ground treatment structures shall be setback 150 feet from the development tract boundary; minimum twenty-five (25) foot vegetated buffer meeting the buffer and screening requirements of Article 25 in the Zoning and Development Ordinance; all above ground facilities shall be a neutral color (beige, brown, tan, or light grey).
   Roads: Private – serving no more than three (3) lots and having a minimum easement width of at least 30 feet when serving a non-subdivision development lot, and a minimum width of at least 60 feet when serving a subdivision development lot. Public – Local, Collector, Arterial.
3. Design Option ECP-A:
   a. Equestrian lots with minimum lot area of 108,900 square feet (2.5 acres) may be served with individual well for potable water and an individual septic tank and drainfield system, as approved by the Environmental Health Department.
   b. Arenas, corrals, and barns, equipment and storage sheds on individual lots within the subdivision shall be setback from the development tract boundary and off-site residential structures as required in Section 72. Permitted Uses.
   c. Barns/storage buildings/equipment sheds on internal lots shall be setback from internal residential structures a minimum distance of 100 feet, and from other barns/storage buildings/equipment sheds or accessory buildings a distance equal to or greater than the required building separation.
   d. No open space requirement.

4. Design Option ECP-B:
   a. Clustered residential lots with minimum lot areas of 21,780 square feet (0.5 acre) shall be served with public water and a decentralized wastewater treatment network system owned and operated by Newnan Utilities.
   b. Barns, storage sheds, arenas, corrals, or other building used for storage of tack, feed, or mechanical equipment shall be setback from the development tract boundary and off-site residential structures as required in Section 72. Permitted Uses.
   c. Barns/storage buildings/equipment sheds on internal lots shall be setback from internal residential structures a minimum distance of 100 feet, and from other barns/storage buildings/equipment sheds or accessory buildings a distance equal to or greater than the required building separation.
   d. Open Space Requirement: 50% of development tract. The depth of Rural Design Open Space shall average 175 feet, with no measurement less than 125 feet between the right-of-way and the boundary of a lot. Area fenced for community pasture earns open space credit as long as the area occupied by horses is setback 50 feet from stream corridors. See Article 24, Development Regulations. Section 246.4. Open Space, for additional design guidelines.
   e. All structures will setback 100 feet from the development tract boundary.

Section 73.2 RCSD- Rural Conservation Subdivision: This single family residential design option provides for development in clustered designs that maximize conservation of open space, protection of water quality, reduction of impervious surface, and natural drainage to manage storm water run off. This development type may include such typical residential uses as accessory buildings, home occupations, gardens, small personal pets and their enclosures.

1. District size, density, and dimensional requirements.
   Maximum residential density: 0.5 units per acre
   Maximum residential density: 0.625 units per acre with approved bonus credit
   Article 23. Dimensional Requirements
2. Infrastructure requirements.
   Water: Public water system
   Wastewater: Individual septic systems; or decentralized wastewater treatment network system owned and operated by Newnan Utilities meeting the following design criteria: The system shall meet EPD requirements and above ground treatment structures shall be setback 150 feet from the development tract boundary; minimum twenty-five (25) foot vegetated buffer meeting the buffer and screening requirements of Article 25 in the Zoning and Development Ordinance; all above ground facilities shall be a neutral color (beige, brown, tan, or light grey).
   Roads: Private – serving no more than three (3) lots and having a minimum easement width of at least 30 feet when serving a non-subdivision development lot, and a minimum width of at least 60 feet when serving a subdivision development lot.
   Public – Local, Collector, Arterial

3. Design Options.
   a. Design Option RCSD-A: Net Development Acreage X 0.5 units per acre equals base density yield in units. Lot sizes shall be of 43,560 square feet when served by an individual septic tank and conventional drainfield. Open space requirement is 35% of the development tract. The depth of Rural Design Open Space shall average 125 feet, with no measurement less than 100 feet between the right-of-way and the boundary of a lot. See Article 24. Development Regulations. Section 246.4. Open Space. for additional design guidelines.
   b. Design Option RCSD-B: Net Development Acreage X 0.5 units per acre equals unit yield. Lot sizes may be a minimum of 21,780 square feet when served with decentralized wastewater treatment network system provided by Newnan Utilities. Open space requirement is 50% of development tract. The depth of Rural Design Open Space shall average 175 feet, with no measurement less than 125 feet between the right-of-way and the boundary of a lot. See Article 24. Development Regulations. Section 246.4. Open Space. for additional design guidelines. All structures will setback 100 feet from the development tract boundary.

4. Density Bonus Categories.
   a. Density bonus options may be chosen from the following list:
      i. Submittal of an affidavit certifying that all of the residential units will be 150% of the minimum heated floor area requirement. Density bonus for this option shall be 0.042 units per Net Development Acreage.
      ii. Submittal of an affidavit certifying that all units will meet certification standards of the EarthCraft House certification program. Density bonus for this option shall be 0.042 units per Net Development Acreage.
      iii. Submittal of an affidavit certifying that all residential units will be clad with masonry exterior finishes on 67% or more of each wall and with
100% architectural roofing shingles. Qualifying cladding materials include brick and stone. Cultured stone products may also qualify as a cladding material if the product authentically replicates the color and texture of real stone and is approved by the Building Department. Density bonus for this option shall be 0.042 units per Net Development Acreage.

iv. Passive recreation improvements that allow neighborhood access to 75% or more of required open space acreage, excluding open space used for decentralized sewer. Qualifying facilities include the following in combination or singly to meet the 75% involvement threshold: soft surface trails if directly accessible from 100% of the residential units; play areas with bike racks, observation decks, picnic areas, boardwalks, Audubon certified golf courses, neighborhood park. Density bonus for this option shall be 0.042 units per Net Development Acreage.

v. A donation of land for one of the following public service facilities may be eligible for an increased density per net acre: a public school, a fire station, a precinct facility for law enforcement, a library, or community greenway facility as set forth in the Coweta County Greenway Plan. Use of this credit must be approved by the Coweta County Board of Commissioners. Density bonus for this option shall be based upon a ratio of one (1) additional unit per 130 linear foot of greenway donation and/or a ratio of one (1) additional unit per acre of land donation for other public facilities.

b. In the case of developments awarded a density bonus for greenway or other land donation, all legally necessary documents, including but not limited to a property deed to convey the land to the appropriate entity, shall be completed prior to approval of any final plats.

c. Development area credit for lakes: Property dedicated to newly constructed lakes may be counted towards the total calculation for developable density if the body of water meets the standards set forth in the Georgia Environmental Protection Division Regulations to allow for its use for potable water within the county or elsewhere.

d. The number of units allowed per Net Development Acreage shall be calculated as follows:

   Step 1 – Multiply the Net Development Acreage by the maximum density of 0.625 units per acre to determine the density cap. This density cap shall be applied in Step Five below.

   Step 2 – Add any density bonuses achieved in paragraphs (i) – (iv) above to the base density of 0.5 units per acre;
Step 3 – Multiply the Net Development Acreage by the density from Step Two;

Step 4 – Add any additional units obtained in paragraph (v) above;

Step 5 – The lesser of the two numbers obtained, either in Step 1 or in Steps 2-4, shall be the density allowed for the tract provided that all dimensional requirements and development regulations contained in this ordinance are met.

Section 73.3 RI-A Single Family Residential Infill District: Eligible locations for this design option are Rural Conservation Districts located within the boundary of the Neighborhood Infill Area as shown on the 2026 Future Development Map. See Article 9 of the Coweta County Zoning and Development Ordinance for infrastructure requirements, permitted uses, design, density, and dimensional requirements.

Section 73.4 RE - Rural Estate Subdivision: This single family residential design option provides for a conventional lot layout and minimum lot sizes of 2.5 acres and 2.0 acres. No open space requirement, no bonus density option.

1. District size, density, and dimensional requirements.
   a. Rural Estate - RE 2.5: Exempt from curb and gutter requirements and storm water retention facility requirements.

   Minimum district size: 10 acres
   Minimum lot size: 2.5 acres
   Maximum residential density: 0.4 units per acre
   See Article 23. Dimensional Requirements
   Buildings will be setback 75 feet from the development tract boundary except where this boundary is contiguous with the right-of-way of the county or state road system. Where the development tract boundary is contiguous with the county or state road system, buildings shall be setback 100 feet from the county right-of-way.

   b. Rural Estate - RE 2.0: No exemptions from development regulations.

   Minimum district size: 8 acres
   Minimum lot size: 2.0 acres
   Maximum residential density: 0.5 units per acre
   See Article 23. Dimensional Requirements
   Buildings will be setback 75 feet from the development tract boundary except where this boundary is contiguous with the right-of-way of the county or state road system. Where the development tract boundary is contiguous with the county or state road system, buildings shall be setback 100 feet from the county right-of-way.
2. **Infrastructure requirements.**
   - **Water:** Public water system or private well
   - **Wastewater:** Individual septic systems
   - **Roads:** Private serving no more than three (3) lots and having a minimum easement width of at least 30 feet when serving a non-subdivision development lot, and a minimum width of at least 60 feet when serving a subdivision development lot.
     - **Public** – Local, Collector, Arterial

**Section 74. Exemptions.**

1. Subdivisions wherein all lots are five (5) acres or more are exempt from the Rural Design Open Space requirement, development regulations for residential subdivisions, and are permitted multiple drive easements provided no single easement serves more than three (3) lots.

2. Homestead Lots and Rural Estate Subdivision developments shall not be required to meet the Rural Design Open Space requirement.

**Section 75. Conditional Uses.**

The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the Board of Zoning Appeals as provided in Article 28.

1. Privately operated schools, day nurseries, preschools, and kindergartens.

2. Charitable or philanthropic institutions with 501c3 status, excluding the following:
   - a. Transitional Housing Shelters;
   - b. Nursing Homes;
   - c. Assisted Living Facilities.

   (Ord. of 7-20-10)

3. Public and private golf and country clubs, and other similar recreational enterprises with the exception of those amenity areas within a residential neighborhood when located on less than 5 acres or is under the operation of an HOA.

   Hunting and fishing clubs open for membership to the general public.
   Hunting Clubs that also include gun or shooting ranges or archery ranges.”

   (Ord. of 1-22-2015)

4. Clubs, private and public, including golf and country clubs, fishing and hunting clubs and similar enterprises, when located on at least five acres.

5. Athletic fields or stadiums and other recreational areas for public use, including golf driving ranges, swimming pools, fishing lakes and similar recreational uses, when located at least 200 feet from any property line.
6. Commercial kennels and the raising or boarding of other small animals, provided that no portion of a building, structure, outdoor run or pen used to house or exercise such animals shall be closer than 200 feet to any property line.

7. Churches or other places of worship.

8. Cemeteries.

9. Large Animal Clinics, provided that buildings, pens, or corrals used for housing animals, storing grain, feed or equipment, or for similar purposes shall not be closer than 200 feet to any property line, and when located on at least ten (10) acres. (Ord. of 5-13-08)

10. Neighborhood Agribusiness
   a. Neighborhood Agribusinesses must meet, at a minimum, all of the following requirements:
      i. Property must be 5 acres or larger;
      ii. All agribusiness buildings must be set back a minimum of 100 feet from any property line and a minimum of 200 feet from any off-site dwelling;
      iii. Large animal slaughter, including but not limited to pigs, cows, and goats, shall be prohibited; and
      iv. Applicant must provide a completed Neighborhood Agribusiness Conditional Use Application for review, along with applicable fees and supporting documents requested.
   b. During the conditional Use Permit review, the intensity of the proposed use, the potential impact on the surrounding neighborhood, and the applicability of agricultural aesthetics on the rural character shall be considered. This consideration shall in turn govern the applicability of the following development standards:
      i. paved drives;
      ii. paved parking areas;
      iii. building design criteria; and
      iv. landscaping requirements.

Section 76. Additional requirements.
Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24. Development Regulations.

Section 77. Miscellaneous provisions.
1. A Yield Plan may be used to justify appeals to regulations for open space development types in the Rural Conservation District.
a) The yield plan cannot be used to justify a conventional development style. A Yield Plan may be used only for appeals to the percentage open space requirement for the following development types: Rural Conservation SD – A, Rural Conservation SD – B, Equestrian Community Plan – B, and RI-A Single Family Residential Infill Low Density District.

b) The Yield Plan must meet specifications set forth in Article 24. Section 244.2.

c) The submitted Yield Plan must identify intent to justify a density of 0.5 units per acre or density up to a maximum of 0.625 units per acre.

d) If the developer’s intent is to justify a density of 0.5 units per acre, the yield plan shall illustrate lots of no less than 2 acres, each meeting the dimensional requirements set forth in Article 24. Section 244.2.2(2)(e). All lots in the yield plan must qualify as developable lots.

e) The developer must qualify for density bonus credit if his/her intent is to justify a density of more than 0.5 units per acre up to a maximum of 0.625 units per acre. The yield plan will illustrate lots of no less than 1.6 acres, each meeting the dimensional requirements set forth in Article 24. Section 244.2.2(2)(e). All lots in the yield plan must qualify as developable lots.

ARTICLE 8. RI-A SINGLE FAMILY RESIDENTIAL INFILL DISTRICT (LOW DENSITY)

The RI-A District is established to provide open space development options with incentives that attract single-family residential development to those areas intended for acceptable low residential densities. This district will be contiguous with other developed subdivision property. Development density in this district will be compatible with the average density of adjoining residential subdivisions of more than three lots. Open space developments are intended to provide protection for environmental resources and recreational opportunities both passive and active.

Section. 80. Dimensional Requirements.
Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

Section. 81. Infrastructure Requirements.
RI-A Districts shall meet the following additional infrastructure requirements:
1. RI-A developments shall be located directly adjacent to streets with a minimum designation of Collector as defined by Article 24 of the Zoning and Development Ordinance. Developments shall also provide direct access to said adjacent street.
2. Property is located in the Infill Neighborhood character areas as illustrated in the County’s Future Development Map.
3. RI-A developments shall be served with public sewer or a decentralized wastewater treatment network system owned and operated by Newnan Utilities.

Section. 82. Permitted Uses.
The following uses are allowed in any RI-A district subject to the further provisions of the zoning and development ordinance:

1. Single Family Dwellings
2. Customary Accessory Buildings or Uses
3. Home Occupations
4. Pens or enclosures for household pets when located in the rear
5. Major streets and roads: right of way
6. Open space (See Article 24 for additional regulations for Open Space): predominantly undeveloped land for park and recreational purposes (playing fields, golf courses with a minimum bronze certification from the Audubon International Signature Program), conservation (forests, lakes, rivers, streams), or historic or scenic purposes.

Section 83. Conditional Uses.
The following conditional uses may be permitted subject to approval of a conditional use permit by the Board of Commissioners and after receiving the recommendation of the Board of Zoning Appeals as provided in Article 28:
1. Social and community facilities.
2. Schools.
4. Libraries.
5. Clinics.
6. Fitness centers.
7. Community centers, auditoriums, and other service and recreational facilities.

Section 84. General Requirements.
1. Setbacks in the RI-A district shall be as follows:
   a. Individual Single Family residential lots shall be separated from the boundary of the parent development tract a distance of fifty (50) feet.
   b. Individual Single Family residential lots shall be prohibited from encroaching upon primary conservation areas and shall be permitted to be located upon secondary conservation areas as approved by the Planning Director when said encroachment shall not result in an overall encroachment of greater than 10% for the entire development.

2. A minimum of sixty (60) percent of residential lots shall directly abut or face conservation land or greenway directly or across street.

3. Density:
   a. Developments shall be permitted to be developed using the infill density calculation on net acreage.
   b. Net acreage shall be defined as the total gross acreage of property minus all Primary Conservation Areas included in the total gross acreage.
   c. Under no circumstance shall any permitted development exceed a total maximum density of 1 unit per net acre.
   d. Infill density is the average number of units/lots per acre in approved residential subdivision developments contiguous with at least 51% or more of the perimeter of the development tract.
   e. Infill Density Calculation Worksheet:
Is 51% or more of the boundary of the tract directly adjacent to developed subdivision property? (Also include the street frontage, or portion thereof, if the property directly across the street is a developed subdivision.) The portion of the perimeter that is adjacent to non-residential property may be excluded from this calculation.

If yes, then proceed to Calculation Method

If no, then this property is not eligible for infill density at this time.

Calculation Method

Perimeter of Tract Boundary (non-residential boundaries may be excluded) = _______ lin.ft. x 51% = _______

Identify adjoining subdivisions and their density (as indicated on the reverse of this form) which comprise 51% of the tract boundary. Also include development directly across the street, if it is part of the 51%. Additional lines may be added if necessary.

Adjacent Subdivision _______________ Lin Ft. along boundary _____ Density Assigned _____

Adjacent Subdivision _______________ Lin Ft. along boundary _____ Density Assigned _____

Adjacent Subdivision _______________ Lin Ft. along boundary _____ Density Assigned _____

Adjacent Subdivision _______________ Lin Ft. along boundary _____ Density Assigned _____

Average of all adjacent densities comprising the 51% of the perimeter _______ is the compatible density available to this tract before bonuses. However, the maximum density of 1.0 unit per acre still applies.

The developer shall be required to provide a vicinity map supporting the adjacent developments densities. Such map shall indicate the names of all adjacent subdivisions. Additionally, reference features, such as land lots and street names, shall be included and labeled.

For the purposes of calculating infill densities, the known development types have been assigned the following densities (based on the maximum gross yield that could be achieved from their respective minimum lot sizes).

R-350 developments with a minimum lot size of 3.5 acres = .285 units per acre
R-200 developments with a minimum lot size of 2 acres = .5 units per acre
R-160 developments with a minimum lot size of 1.6 acres = .625 units per acre
R-1 developments with a minimum lot size of .8 of an acre = 1.25 units per acre
Municipally zoned property with a minimum lot size of ______ = _____ units per acre

The Planning Director shall make the final determination of density assigned to adjacent/nearby properties based on the minimum lot size. However, the Planning Director’s decision may be appealed to the Board of Commissioners, through the normal variance procedures.

4. Open Space. See Article 24 for Open Space standards and criteria.
   a. Developments shall provide a minimum of forty (40%) percent of the total gross acreage as open space.
   b. Developments that provide the social and community uses as permitted by conditional use shall be permitted to count the total built square footage towards the required open space
calculations up to a maximum of twenty thousand (20,000) square feet and a maximum of 10% of the total open space required for the entire development. Social and community uses greater than twenty thousand (20,000) square feet shall be permitted to count towards required open space calculations only upon approval of the Planning Director when said use are proven to be consistent with the County Comprehensive Plan.

**Section 85. Development Improvement Requirements.**

1. A development within the RI-A District must meet the following requirement:

   Earthcraft or LEEDS certification: Submittal of an affidavit certifying that 100% of the proposed residential units will be Earthcraft Certified homes or LEED certified homes, or, that 100% of the proposed development will meet the standards and be certified as an Earthcraft Community.

2. In addition, the development must provide one improvement from the following selection:
   
   a. Submittal of an affidavit certifying that all of the residential units will be 150% of the minimum heated floor area requirement.
   
   b. Submittal of an affidavit certifying that all of the units will be clad with qualifying masonry products and roofing material. Qualifying cladding materials include brick and stone. Cultured stone products may also qualify as a cladding material if the product authentically replicates the color and texture of real stone and is approved by the Building Department. Qualifying roofing material includes architectural asphalt shingles as defined in Article 24. Section 245.3. On each unit, qualifying masonry products shall compose sixty-seven percent (67%) or more of the area of each wall. Qualifying roofing material shall compose one hundred percent (100%) of the roof area.
   
   c. Passive recreation improvements that allow neighborhood access to 75% or more of required open space acreage, excluding open space used for decentralized sewer. Qualifying facilities include any combination of the following to meet the 75% involvement threshold: soft-surface trails if directly accessible from 100% of the residential units; play areas with bike racks, observation decks, picnic areas, board walks, Audubon certified golf courses, neighborhood parks.
   
   d. A donation of land for one of the following public service facilities may be eligible for an increased density per net acre: a public school, a fire station, a precinct facility for law enforcement, a library, or community greenway facility as set forth in the Coweta County Greenway Plan. Use of this credit must be approved by the Coweta County Board of Commissioners.
   
   e. Development area credit for lakes: Newly constructed lakes may be counted towards the total area calculation for developable density if the body of water meets the standards set forth in the Georgia Environmental Protection Division Regulations to allow for it to be used for potable water within the county or elsewhere.

**Section 85. Additional requirements.**

Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.
Section. 86. Appeals
An appeal of an interpretation or of a denial by the Director of Planning relative to the procedures and criteria set forth under this ordinance section may be submitted to the Board of Zoning Appeals in accordance with the procedures in Article 28. Criteria for Variances and Conditional Uses. of the Coweta County Zoning and Development Ordinance.

ARTICLE 9A. RRCC RESIDENTIAL COMMUNITY & CARE DISTRICT

The RRCC District is established to permit the development of retirement dwelling units for occupancy primarily by persons fifty-five (55) years of age and over. The district requires site planning to assure both flexibility as well as the amenities required for quality retirement housing. Furthermore, the district is recommended to be located in close proximity to necessary facilities, services, and transportation. Although this district is designed primarily for unassisted living by mature persons, both assisted housing and nursing homes may be permitted as conditional uses following review in accordance with Article 28. Coweta County Zoning & Development Ordinance and approval by the Board of Commissioners. This zoning district may serve as a transitional zone between non-residential uses and residential districts of a lesser intensity.

Section 90A. Permitted Uses.

The following uses are allowed in any RRCC District, subject to further provisions of this Ordinance:

1. Single-family detached residences
2. Single-family attached residences
3. Multi-family retirement apartments
4. Customary accessory buildings and uses, provided that accessory buildings shall not occupy more than 25 percent of the required rear yard area.
5. Home Occupations

Section 91A. Conditional Uses.

The following conditional uses may be permitted subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the Board of Zoning Appeals, as provided in Article 28:

1. Hospitals, nursing homes, assisted living facilities, and similar care facilities which are found to meet the intent and purpose of this article by the Board of Commissioners.

Section 92A. Dimensional requirements.

1. Minimum Zoning District Size: 5 acres
2. Minimum Lot Size:
   A. Single-Family detached Structure – 8,500 sq. ft.
   B. Single-Family attached Structure – 10,000 sq. ft.
3. Maximum Density – Multi-Family Structure of 12 Units per Acre
4. Minimum Front Yard Building Setback:
   a. 135 feet from centerline of the right-of-way on all state highways and roadway classified as arterials on the Coweta County Functional Classification and Thoroughfare Map
   b. 100 feet from the right of way of all other road ways except subdivision streets
   c. 40 feet from right of way along streets within a platted subdivision
5. Minimum Side Yard Building Setback: 10 feet unless a buffer is required in accordance with Section 95A. Buffer Requirements
6. Minimum Rear Yard Building Setback: 40 feet unless a buffer is required in accordance with Article 95A. Buffer Requirements
7. Minimum Lot Width: 70 feet at front setback
8. Minimum Street Frontage: 30 feet
9. Minimum Floor Area in Square Feet Per Unit:
   A. Single-Family detached Unit & Two-Family Attached Unit: 1200 sq. ft.
   B. Multi-Family: 500 sq. ft.
10. Maximum Number of Stories: 3
11. Maximum Height of Structure: 34’ 11”
12. Maximum Impervious Area of Total Developed Site: 60%

Section 93A. Infrastructure Requirements.

1. The property shall be served by public highways/streets, to adequately serve the traffic created by the use and entrances to the property shall not create a traffic hazard.
2. The property shall be served by public water
3. The property shall be served by public sewer, except however, a stand-alone unassisted single family detached development may be served by a decentralized wastewater treatment network system owned and operated by Newnan Utilities.

Section 94A. Development Standards:

Section 94A.1. Architectural Requirements
Buildings and structures within a RRCC District shall comply with standards as set forth in Article 24 Section 246.1.4. Single family detached dwelling units on individual lots shall be exempt from those requirements, except that they must be fully cladded with the non-combustible building materials detailed in Article 24, Section 246.1.4(2)(a-b) (including natural stone, cultured stone, brick, glass, fiber-cement planks and panels, and masonry-backed stucco).
(Ord. of 7-15-14)

Section 94A.2. Pedestrian Circulation
1. Single Family Detached Facility shall meet the requirements for sidewalks in Article 24 Section 246.6.2 Table 5.
2. Pedestrian connections are required as follows:
   i. The primary entrance or entrances to each principal multi-family building;
   ii. To onsite parking areas
   iii. To onsite amenity areas
   iv. To any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the multi-family development;
v. Any sidewalk system along the perimeter streets adjacent to the multi-family development;

vi. Any adjacent commercial land uses, including but not limited to, retail shopping centers, office buildings, restaurants, or personal service establishments; and

vii. Any adjacent park, greenway, or other public or civic use, including but not limited to, schools, places of worship, public recreational facilities, or government offices.

viii. Additionally, the provisions of Section 246.5.2(3)(d)(iv) shall apply to multi-family developments.

3. Each point at which the on-site pedestrian walkway system must cross a parking lot or internal street or driveway to make a connection shall be clearly marked through the use of change in paving materials, height, or distinctive colors.

4. If the project abuts any portion of a greenway as set forth in the adopted Greenway Master Plan, a direct linkage from the development, including recreational open space, to such existing or future greenway should be provided.

Section 94A.3. Open Space & Community Center Requirements

1. Open Space Requirements
   a) Outdoor areas provided shall be designed to include at least four (4) separate types of amenities and recreational areas compatible with the needs of the residents, such as pathways and sitting areas, flower or vegetable gardens, courtyards, reflecting pools, shuffleboard courts or similar active or passive recreational areas. A minimum of 100 square feet of common useable outdoor recreation space per living unit shall be provided.
   b) The conceptual site plan submitted with the rezoning or conditional use application shall include the location and use of such recreation areas.

2. Community Center Requirements
   At least one on-site community building or indoor community space within a principal structure shall be provided that contains a minimum of:
   a) 20 square feet of floor area per dwelling unit for the first 99 dwelling/living units with a minimum area of 500 square feet.
   b) 10 square feet of floor area per dwelling/living unit for each dwelling unit above 99.

Section 94A.4 Parking Requirements

The maximum number of parking spaces allowed for each use in the Residential Retirement Community and Care District shall be as follows:

1. Single-family residence, detached or attached: 2 spaces per dwelling unit
2. Apartment or other multi-family use (excluding duplex): 2 spaces per dwelling unit & 0.25 guest parking spaces per unit for all dwelling units with common parking areas
3. Hospital: 1 space per 3 beds and 1 space for each employee on the greatest shift
4. Nursing homes, assisted living facilities and similar care: 1 space per 4 beds & 1 space per employee on the largest shift
Additional parking and loading standards as set forth in Article 24 Section 246.5.2 shall be provided.

**Section 94A.5. Landscaping**
Landscaping shall be provided and maintained as set forth in Article 24 Section 246.5.2 (4).

**Section 94A.6. Building Design Standards.**
1. All dwellings shall incorporate accessibility standards which shall include the following:
   a. A step-free feature to at least one entrance of the unit
   b. 36-inch wide, clear passage doorways throughout the unit
   c. Wheelchair, step-free access to the following areas at a minimum: kitchen, dining area, entertainment area(e.g. living room/den, great room, etc.) at least one bedroom, at least one full bathroom, and laundry room with washer/dryer connection; and
   d. The installation of full sheets of ¾” plywood, blocking and/or its equivalent in all bathrooms to allow for future installation, if necessary of grab bars

**Section 95A. Buffer Requirements.**
When a RRCC District abuts a single family residential district or use, a 50 ft. buffer shall be established as set forth in Article 25 of the Ordinance. The Board of Commissioners, however, can establish buffer widths and composition at the time of Zoning Review as appropriate to each site.

**Section 96A. Deed Restriction**
A binding legal instrument of deed restriction that prevents the facility from future conversion into non-age restricted apartments, condominiums or other type of development shall be placed on the property concurrent with the issuance of a land disturbance permit. The restrictions shall have priority over any secured lender’s interest. (Ord. of 7-15-14)

**Section 97A. Mandatory Homeowner’s Association Required**
A mandatory homeowners association shall be incorporated for all RRCC districts which provides for building and grounds maintenance and repair, insurance and working capital. Said association shall publish and adhere to policies and procedures that demonstrate that the community is intended to provide housing for persons 55 years of age and older including maintaining surveys or affidavits verifying compliance with 55 years of age and older occupancy requirements as permitted by 42 U.S.C. Section 3607, (b)(2)(c) of the Federal Fair Housing act and implementing regulations. Said association shall also include declaration to be governed by the “Georgia Property Owners’ Association Act’ (POA) and the applicable provisions of O.C.G.A. §44-3-220 Et. Seq. Said association shall also include declarations and bylaws including rules and regulations, which shall at a minimum, regulation and control the following:
   a. Restriction on homes being occupied, with at least 80% of the occupied units occupied by at least one resident who is age 55 years of age or older;
b. Restrictions on persons under 18 years of age permanently residing in the community. Permanently residing in the community shall mean longer than 90 consecutive days in any 180 day period or establishing residency as defined by state or local law. However, the homeowners’ association shall provide for a hardship provision allowing for an owner/occupant to house and care for a child less than 18 years of age in situations where the owner/occupant assumes responsibility for caring for the child due to urgent circumstances stemming from actions not under the owner/occupant’s control. The association may, but is not required to, allow for hardship exceptions to this requirement;

c. Restrictions on single-family residential use only and leasing of units. Except in Assisted Living units, no more than 10% of the total units may be leased by individual owners at any one time;

d. Except for a central amenity package, prohibit playground equipment, trampolines or like fixtures;

e. The homeowners’ association shall also provide that the covenants automatically renew at the end of the 20 year term, unless 100% of the owners at that time vote that the covenants should not renew; and

f. The homeowners’ association and/or community management association for the homeowners’ association shall give written notice to any grantee of the restrictions covered in this zoning at or before any sale or transfer of any property. The mandatory HOA (Homeowner’s Association) shall provide an annual audit to the Coweta County Planning & Zoning Department to confirm compliance with Article 9A, Section 97A Mandatory Homeowner’s Association Requirements. In the event a Management Company is contracted to manage the development operations, the annual audit will be accepted from the licensed Management Company or the HOA. Further, the Management Company may be required, at the discretion of the director of Coweta County business licensing, to provide proof of compliance in order to obtain a business license.

(Ord. of 7-15-14)

All other applicable sections of the Coweta County Zoning & Development Ordinance shall still apply.  

(Ord. of 11-19-13)

ARTICLE 10. RD TWO-FAMILY RESIDENTIAL DISTRICT.

This district is composed of lands suitable for medium-density single-family and two-family residential development. It is the intent of this ordinance to preserve the medium-density residential character of this district at locations in the county where public water and sewer systems are available.

Section 100. Dimensional requirements.

Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

Section 101. Permitted uses.

The following uses are allowed in an RD district, subject to the further provisions of this ordinance:
(2) Two-family dwelling.

(3) Forestry and agricultural uses, excluding livestock, poultry and sawmills.

(4) [Reserved.]

(5) Cemetery, on at least three acres of land.

(6) Customary accessory buildings and uses, provided that accessory buildings shall not occupy more than 25 percent of the required rear yard area.

(7) Home occupations.

Section 102. Conditional Uses.

The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the Board of Zoning Appeals as provided in Article 28:

(1) Clubs, private and public, including golf and country clubs, fishing and hunting clubs and similar enterprises, when located on at least five acres of land.

(2) Privately operated schools, day nurseries, preschools, and kindergartens.

(3) New church or other place of worship, when located on at least three acres, provided that churches with planned cemeteries shall have a minimum of four acres, and provided further that established churches shall be allowed to expand on less acreage, provided ample parking space is available after expansion.

Section 103. Additional requirements.

Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

ARTICLE 11. R-2 MULTIFAMILY RESIDENTIAL DISTRICT.

This district is composed of lands suitable for moderate-density multifamily residential development. It is the intent of this ordinance to maintain the moderate-density residential character of this district at locations in the county where county water and sewer systems are available.

Section 110. Dimensional requirements.

Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.
Section 111. Permitted uses.

The following uses are allowed in any R-2 district, subject to the further requirements of this ordinance:

1. Two-family dwelling.
2. Multifamily dwelling.
3. [Reserved.]
4. Cemetery, on at least three acres of land.
5. Customary accessory buildings and uses.
6. Home occupations.

Section 112. Conditional uses.

The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the Board of Zoning Appeals, as provided in Article 28:

1. Clubs, private and public, including golf and country clubs, fishing and hunting clubs and similar enterprises, when located on at least five acres of land.
2. Privately operated schools, day nurseries, preschools, and kindergartens.
3. Hospitals, nursing homes, assisted living facilities, and charitable or philanthropic institutions. (Ord. of 7-20-10)
4. Boarding and rooming houses.
5. New church or other place of worship, when located on at least three acres, provided that churches with planned cemeteries shall have a minimum of four acres, and provided further that established churches shall be allowed to expand on less acreage, provided ample parking space is available after expansion.
6. Transitional Housing Shelters, meeting the regulations contained in Article 6. Section 68. of this ordinance. (Ord. of 7-20-10)

Section 113. Additional requirements.

Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.
ARTICLE 12. MANUFACTURED HOMES AND MOBILE HOMES*

Section 120. Definitions.
The definitions contained in Article 3 shall be applicable hereto unless otherwise indicated.

Section 121. Intent.
(1) It is the intent of this ordinance to encourage the provision of affordable housing in a general residential environment by permitting the use of manufactured homes meeting the definition of "dwelling, single-family" as set forth in Article 3 hereof in all residential districts in which similar dwellings constructed on-site or otherwise are permitted, subject to the requirements and procedures set forth herein to assure similarity in the exterior appearance between such residential designed manufactured homes and dwellings which have been or may be constructed under these or other lawful regulations on lots in the same zoning district or general area.

(2) Manufactured homes meeting the definition of "dwelling, single-family," either individually or by specific model, shall be permitted in all residential districts subject to the requirements and limitations set forth in this ordinance which are applicable to manufactured homes and the requirements and limitations applying generally to residential use in such zoning districts, including minimum lots, yard and building spacing, percentage of lot coverage, off-street parking requirements and approved foundations as required by law.

(3) Manufactured homes placed on individual lots within Coweta County shall be taxed in the same manner as comparable site-built homes within the area where the manufactured home is located.

Section 122. Permitted locations.
Manufactured homes which meet the definition of "dwelling, single-family" and the compatibility standards set forth and established in Section 123 shall be permitted in all residential zoning districts.

Section 123. Compatibility standards.
Compatibility standards for manufactured homes meeting the definition of "dwelling, single-family" are as follows:

(1) Manufactured homes qualifying as "dwelling, single-family" shall be compared to site-built and other housing in the general area and within the same zoning district. Approval shall be granted by the compatibility standards review committee upon the finding that the manufactured home is substantially similar or superior in size, siding material, roof material, foundation and general aesthetic appearance to:

(a) Site-built or other forms of housing which may be permitted under this ordinance in the same zoning district or general area; or

(b) Existing development in the same zoning district or general area; or

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(c) Proposed development permitted in the same zoning district or
    general area.

(2) All towing devices, wheels, axles and hitches must be removed.

(3) At each exit door there must be a landing that is a minimum of 36 inches by
    36 inches.

Section 124. Other manufactured homes.

(1) Conditional uses. Other manufactured homes shall be permitted as a
    conditional use in all zoning districts upon approval as provided in Article 28, for use
    as a principal dwelling, an accessory dwelling for security purposes, or for
    developments under construction. Further provided that the Board of Commissioners
    may place reasonable time limitations upon such conditional uses.

Section 125. Procedure for approval of manufactured homes classified as dwelling, single-
    family; other manufactured homes and mobile homes.

The procedures for approval are as follows:

(1) Applications for approval of placement of manufactured homes, other
    manufactured homes and mobile homes shall be made on a form or forms developed
    for that purpose; and the completed application shall be submitted to the compatibility
    standards review committee for review and approval in accordance with this article by
    filing the completed form or forms with the Coweta County Building Inspection
    Department.

(2) Such applications shall include only information reasonably necessary to
    make determinations as to conformity with the provisions of this ordinance as
    applicable to each such structure and, as applicable, conformity with the standards
    herein, including photographs or renderings of the front and side of the manufactured
    home or mobile home exterior finish and other information reasonably necessary to
    make determinations required by this article.

(3) Approval or denial of the application shall be made within seven days of the
    date of receipt of the application and all required supporting materials. The applicant
    shall be notified in writing of the approval, conditional approval or denial of the
    application within two working days after such decision is made. Conditional approval
    shall require that the specific conditions and the reasons therefore be stated in writing
    and be agreed to by the applicant; such conditions shall be binding upon the applicant
    upon agreement. In the case of disapproval, the reasons therefore shall be specifically
    stated in writing designating each specific provision of this article and ordinance which
    is not met and an explanation as to the reason or reasons why each such provision is
    not met. The applicant may appeal the decision of the compatibility standards review
    committee to the Board of Commissioners who will act on said appeal within 30 days.
after said appeal is filed. The applicant may submit such additional information, documents or other materials as are deemed appropriate to the Board of Commissioners for which consideration in connection with any such appeal. The decision of the Board of Commissioners shall be in writing and shall specifically set forth findings of fact and identify provisions contained in this ordinance upon which it relies, if the applicant's appeal is denied.

(4) In the event that the compatibility standards review committee has not approved or denied any application submitted to it within seven days of receipt of that application, then such application shall be deemed to have been approved. In the event that the Board of Commissioners fails to act upon any appeal filed pursuant to the provisions of subparagraph (3), above, within 30 days after the date of the filing of such appeal, then the appeal of any applicant so submitted shall be deemed to have been sustained and approved by the Board of Commissioners; and the applicant shall be entitled to locate the home in accordance with the application.

Section 126. Compatibility standards review committee.
For the purpose of reviewing the location of manufactured homes, other manufactured homes or mobile homes, as contemplated in this article, a compatibility standards review committee consisting of the County Zoning Administrator, the County Building Official and the County Tax Assessor is hereby established. A quorum shall consist of any two of the three members, and the decision of any two of the three members shall be binding on the committee and this county. The committee shall adhere to the provisions of this ordinance and this article and shall comply with the requirements set forth in Sections 121 through 125 of this Article. In the event that one or more members of the committee is/are unable to participate in the review process contemplated in this section and the ordinance, then such named member or members may designate his or her associate or assistant as an alternate to act in the place of the named member until such member is able to again participate in the committee review process.

Section 127. Manufactured home parks.
Manufactured home parks shall be permitted in manufactured home zoning classifications subject to the conditions and requirements hereinafter set forth.

(1) Each manufactured home park shall have a minimum area of not less than 12 acres and a minimum frontage on a public road of at least 300 feet. Each manufactured home shall have a space of at least 40 feet wide and 90 feet in length, and the total number of manufactured home spaces shall not exceed seven per acre. No manufactured home space shall have immediate access to the abutting public road which was in existence at the time the manufactured home park plan was approved for development.

(2) Required parking, loading and other supplemental regulations applicable are as set forth in Article 24.

Section 128. Miscellaneous requirements.
Each manufactured home park shall provide the following minimum facilities for the common use of all manufactured home occupants:
1. **Drives.** Paved drives at least 20 feet wide shall be provided to each manufactured home space and to laundry or other service buildings and recreation areas.

2. **Electric outlets.** Weatherproof electric outlets supplying both 110 and 220 shall be provided at each manufactured home space.

3. **Refuse collection facilities.** The storage, collection and disposal of refuse shall be so conducted as to prevent health hazards, rodent harborage and insect breeding.

4. **Water and sewage.** Each manufactured home shall be connected with water and sanitary facilities in a manner approved by the Coweta County Health Department.

5. **Foundations.** Foundations shall be installed in accordance with the standards set forth in the manufacturer's setup requirements or Appendix H of the Standard Building Code or state law.

6. **Tiedowns.** Each manufactured home, other manufactured home and mobile home shall have tiedowns or other devices securing the stability of the manufactured home, other manufactured home or mobile home based on the requirements of Appendix H of the Standard Building Code or the manufacturer's installation instructions or Georgia law.

7. **Utility lines.** All utility lines shall be underground.

8. **Streetlights.** Standard mercury vapor streetlights shall be installed and maintained along each street, spaced not more than 300 feet apart.

9. **Fire protection.** Each manufactured home shall be equipped with an operating fire extinguisher.

10. **Landscaping.** Each manufactured home park shall be landscaped with shade trees and exterior screen planting to provide and assure the reasonable amenities of living and privacy characteristic of more permanent living quarters.

11. **Recreation areas.** Recreation areas designed for the common use of residents shall comply with the following:

   a. In all parks accommodating or designed to accommodate 25 or more homes, there shall be one or more recreation areas.

   b. The size of the recreation area shall be based upon a minimum of 125 square feet for each home site/lot for the first 300 units; thereafter 100 square feet of recreation area shall be provided for
each home site/lot.

(c) Recreation areas shall be located so as to be free of traffic hazards.

(12) **Setbacks.** No manufactured home, or building, in a manufactured home park shall be placed closer than 50 feet to any public street right-of-way line or any property line.

(13) **Underpinning.** Each manufactured home must be underpinned. Installation shall be in accordance with the manufacturer's installation instructions. Acceptable materials include masonry, stone, metal, vinyl or other materials manufactured for the purpose of underpinning.

(14) **Steps and landings.** Steps and landings are required for all manufactured homes, other manufactured homes and mobile homes and shall be constructed to the standards set forth in Chapter 11, Stairway Construction, of the Standard Building Code; and minimum landing size shall be 36 inches by 36 inches.

ARTICLE 13. VILLAGE CENTERS ORDINANCE AND DESIGN GUIDELINES.

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ABUTTING: Touching at one point or along a common side, boundary or property line. Two pieces of property that are separated by a street or right-of-way are adjacent, but not abutting.

ACCESSORY DWELLING: An accessory use consisting of a subordinate dwelling unit for a single household located on the same lot with a principal dwelling unit, whether a part of the same building with the primary dwelling unit, or in a detached building.
ADJACENT: Property that is either abutting or on the opposite side of a common street, right-of-way, or easement that separates it from the subject property. Properties separated by a railroad track or freeway are not abutting or adjacent.

ALLEY: A secondary public or private way providing for vehicular and service access to properties otherwise abutting a public street. See Figure 17 of the Village Center Design Guidelines.

ARCHITECTURAL MODULATION: Variation in materials, massing, fenestration and ornamental detail of a façade that divides a façade into unique components or identities, as distinguished from a uniform façade without variation. Architectural modulations of a façade should break the vertical plane by more than 2 feet in depth, measured from the forward plane of the façade. See Figure 23 of the Coweta County Village Center Design Guidelines.

ARTERIAL: A street classified as a principal arterial or minor arterial on the Coweta County thoroughfare map or a street meeting the standards of Figure 14 of the Village Center Design Guidelines that functions as an arterial street by virtue of its role of providing access for through traffic passing between municipalities, Village Centers, or other major activity centers and connecting other arterial streets.

BAY WINDOW: An architectural element consisting of three or more window units projecting outward from the façade within a three-sided frame.

BED AND BREAKFAST INN: An owner-occupied, single-family dwelling where between 1 and 10 rooms not containing kitchen facilities are rented to overnight guests on a daily basis for periods not to exceed 2 weeks.

BOW WINDOW: An architectural element consisting of one or more window units projecting outward from the façade within a curved frame.

BUFFER, TRANSITIONAL: That portion of a lot or parcel of land established for permanent vegetation and open space and intended to separate properties with different and possibly incompatible types of use or zoning classifications. This area is a distance as specified pursuant to this Ordinance and typically as measured from the common property line of the different uses and/or zoning classifications.

BULK: The volume of a building or structure with respect to regulatory limits on its size, height, and the location of exterior walls at all levels in relation to lot lines, streets, or other buildings.

BUILDING, DETACHED: A free-standing enclosed structure meeting applicable building and fire codes for commercial and/or residential occupancy that may be either in single ownership, or comprised of two or more attached units or buildings with separate owners, tenants, or uses.

CERTIFICATE OF ELIGIBILITY: A completed and approved form provided by the Coweta County Planning Department that verifies the household income of a person of moderate income in accordance with Section 228.8B.4.c of the Coweta County Code of Ordinances.
CIVIC USES: Public parks, squares, plazas, greens, lawns, amphitheaters, stages, churches or places of worship, public or private schools, gymnasiums, assembly halls, community meeting rooms, community service centers, post offices, fire stations, libraries museums, and other government or public service buildings and facilities except for those requiring outdoor storage or maintenance yards.

COLLECTOR: A street classified as a major collector or minor collector by the Coweta County Comprehensive Transportation Plan or a street constructed in accordance with Figure 15 of the Village Center Design Guidelines and serving as a collector street by virtue of its function of connecting local or neighborhood streets to other collector or arterial streets.

COLUMN: One of a series of exposed, freestanding supports for a roof or upper floor constructed of wood, stone, or masonry, which is usually of a specific three-part architectural style or order, consisting of a base, shaft, and cap.

COMMERCIAL USE: An occupation, place of employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.

COMPATIBLE: Design of structures and landscapes that are consistent with structures and landscapes in the district of which they are a part, based on an objective comparison of identified physical elements such as architectural form, building mass, height, scale, land uses, and landscape architecture.

COMPREHENSIVE PLAN: Any part or element of the overall plan for development of Coweta County adopted by the Coweta County Board of Commissioners pursuant to O.C.G.A. 50-8-1 and Chapter 110-12-1, Standards and Procedures for Local Comprehensive Planning, as it may be amended from time to time.

CONNECTIVITY: The degree to which streets, sidewalks, trails, and bike paths form a continuous and interconnected system that allows full mobility and convenient access between all origins and destinations as they may be distributed throughout a developed area.

CONSERVATION AREAS, PRIMARY: Areas of a parcel that are occupied by streams, wetlands, floodplain, slopes in excess of 25 percent, areas of exposed rock, private cemeteries, and burial grounds.

CONSERVATION AREAS, SECONDARY: Areas of a parcel that are occupied by land in water supply watersheds, aquifer recharge areas identified in the Coweta County Comprehensive Plan, stream and wetland buffers in excess of 25 feet in width, slopes in excess of 15 percent, significant habitat areas as identified in the Coweta County Comprehensive Plan, soils unsuitable for septic tanks, prime agricultural soils, mature hardwood forest, meadows, farm fields, pastures, and other areas of scenic value.
CONSUMER PRICE INDEX: The latest published version of the Consumer Price Index for All Urban Consumers (CPI-U) of the U.S. Department of Labor for the Atlanta, Georgia, metropolitan area.

CONTROL PERIOD: The period of time between the date of the Conditional Use Permit approval for construction of a Moderately Priced Dwelling Unit and the first sale of a unit to a qualifying buyer.

COVERED PORCH ENTRY: An element of residential building design that provides a roofed, and partially enclosed floor area of at least 60 square feet between the street and the front door of a dwelling and that is attached to the principal structure.

CUL-DE-SAC: A local street or road with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

DESIGN GUIDELINES: Graphic and text standards that are intended to further the purposes of the Coweta County Zoning and Development Ordinance by illustrating, refining, and interpreting its requirements.

DENSITY BONUS: A provision of the Zoning and Development Ordinance that allows a parcel to accommodate additional square footage or additional residential units beyond the maximum otherwise permitted, in exchange for the provision of an amenity that provides a public benefit.

DENSITY, GROSS: The number of square feet of a building, or number of lots or dwelling units on a tract of land divided by the total acres of a parcel or tract of land prior to development or subdivision; including all streets or rights-of-way, open space, floodplain, and other un-subdivided or unused portions of the tract of land.

DENSITY, NET: The number of square feet, lots, or dwelling units on a tract of land, less area for streets, rights-of-way, floodplain, wetland, and other un-subdivided or unused portions of the tract of land.

DIAMETER AT BREAST HEIGHT (DBH): A standard measure of the diameter of a tree trunk measured in inches at a height of 4½ feet above the ground. If a tree splits into multiple trunks below 4 ½ feet, then the trunk is measured at its most narrow point beneath the split.

DORMER: A small enclosure including a window and placed vertically in a sloping roof that is covered by a secondary roof element and intended to provide light and/or ventilation to an attic or room located on an upper floor.

DRIVE-THRU WINDOW: An opening in the outside wall of a commercial building or structure intended to be used to provide for sales and/or service to patrons who remain in their vehicles.

DRIVEWAY: A vehicular access or curb cut that is in private ownership and provides access primarily to one property.

DUPLEX: A residential, multi-family building containing two dwelling units.
ELIGIBLE PERSON: A person or household of moderate income holding a certificate of eligibility demonstrating that their income qualifies them to buy or rent a Moderately Priced Dwelling Unit pursuant to Section 228.8B of the Coweta County Code of Ordinances.

FACADE: The exterior side of a building that faces, and is most nearly parallel to, a public street. The façade includes the entire area of a building, extending from the roof or parapet to the ground and from one corner of the building to another. Buildings generally have one façade for each street frontage.

FOUR-SIDED ARCHITECTURE: Building design that gives similar attention to the architectural composition and materials on all sides of a building. An overall architectural character is created by using architectural modulation in combination with common elements such as, but not limited to, bay windows, transoms, porches, balconies, cornices, shutter, and masonry exteriors, and such exterior detailing is consistent on all four elevations. This eliminates “brick front” or ‘three sides brick” exterior treatments. Blank walls on any elevation are not permitted.

FREESTANDING SIGN: See Coweta County Sign Ordinance Section 58-38.

GARAGE: An accessory use to a dwelling that consists of a permanent, enclosed structure with one or more doors and having a paved floor area designed for the storage of motor vehicles and related supplies. A garage may be within the principal building, attached to the principal building or detached in a separate building.

GREEN: A public open space area landscaped primarily of grassy areas and trees and intended for viewing and to support only passive recreation such as walking or sitting.

GROUND SIGN: See SIGN, GROUND.

HISTORIC RESOURCE: A historic building, structure, property, site, or district that is recognized as having historic significance because of its association with historic events or architecturally or culturally significant periods or times.

HISTORIC STRUCTURE: Any structure that is:
   a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements of individual listing on the National Register;
   b. Certified or preliminary determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminary determined by the Secretary to qualify as a registered historic district;
   c. Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the Secretary of the Interior, or
   d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
      i. By an approved state program as determined by the Secretary of the Interior, or
      ii. Directly by the Secretary of the Interior in states without approved programs.
INN: A multiple-unit building or buildings providing more than 3 and up to 20 guest rooms, not containing kitchen facilities where overnight lodging and meals are provided for compensation. Meals may be served only to guests who are provided overnight lodging.

LANDMARK: A conspicuous object on land that marks a locality. An object or building may be considered a landmark because of its physical prominence, artistic or historic significance, or its identification with economically, culturally, or socially significant functions or activities in a locale.

LIVE-WORK UNIT: Owner-occupied dwelling that incorporates a ground level studio, workshop, or office that opens directly to the street, with a residential unit in the same structure that is usually upstairs.

LOFT DWELLING UNIT: A residential dwelling unit with a private entrance that is located on one or more floors above a commercial use that occupies the ground floor.

LOT, ABUTTING: Touching at one point or along a common side, boundary, or property line. Two pieces of property that are separated by a street or right-of-way are adjacent, but not abutting.

LOT, ADJACENT: Parcels or lots that either are abutting or separated only by a public right-of-way.

LOT, REVERSE FRONTING: A double-frontage lot that is served from an interior collector or local street rather than from an adjacent collector or arterial street.

MAJOR COLLECTOR: See COLLECTOR

MAJOR RENOVATION: Any addition, replacement, or reconstruction of a building that constitutes more than 50 percent of the floor area of the building that existed prior to the renovation.

MAJOR THOROUGHFARE: A public street or highway classified either as an arterial or major collector as defined herein.

MASSING: The exterior form of a building, a structure, or a series of buildings seen as a whole, encompassing bulk, shape, height, width, scale, proportion, and the spatial relationships of buildings, landscaping, and open space.

MIXED-USE: A land use that includes two or more uses, typically commercial retail or services mixed with residential or offices. Uses may be mixed horizontally (side-by-side) or vertically in the same building. See “MIXED-USE BUILDING.” Mixed-use developments and buildings may include different owners and tenants, but requires close and convenient interconnections of pedestrian and vehicular access and interconnection of parking areas, as well as unified site planning, signs, and architectural design.
MIXED-USE BUILDING: A building housing two or more different uses, typically retail or services mixed with residential or offices. Residential portions of mixed-use buildings should have a separate entrance or entrances.

MODERATE INCOME: An income level that is established by the U. S. Department of Housing and Urban Development, not greater than 80 percent of the area median income for a given household size in the market area that is applicable to Coweta County, Georgia.

MODERATELY PRICED DWELLING UNIT (MPDU): A dwelling unit that is subject to a limitation on its sales price or lease amount and shall be sold or leased only to an eligible household or person pursuant to the control period as provided in Section 228.8B of the Coweta County Code of Ordinances.

MULTI-FAMILY BUILDING: A building containing three or more dwelling units, not including single-family dwellings, duplexes or townhouses.

NEIGHBORHOOD STREET: Local street in a Village Center District meeting the standards of Figure 16 of the Village Center Design Guidelines.

OFFICE, PROFESSIONAL: A land use that includes one or more buildings that are used primarily for services rendered by occupations with specialized knowledge or expertise such as architects, engineers, lawyers, doctors, bankers, realtors, financial and insurance services, and similar services, as opposed to buildings used for manufacturing, storage, or sale of goods.

OUTDOOR RECREATION FACILITIES: Permanent outdoor spaces and facilities; including greenways, trails, bikeways, paths, outdoor tennis courts, athletic fields, golf courses, swimming pools, clubhouses, lockers, bicycle facilities, equestrian facilities, beaches, docks, picnic areas, landscaping, and other land used for outdoor recreation and related facilities, but not including indoor recreation facilities or commercial forms of outdoor recreation such as bungee jumping, amusement rides, miniature golf, or racetracks.

OUTDOOR STORAGE: The keeping, in an unenclosed area, of any goods, material, merchandise, or vehicles in the same place for more than 24 hours whether for storage, display, processing, or sale.

OUT PARCEL: In a commercial subdivision, a small lot that is connected to a larger parcel in a planned center. The out parcel has a distinct tenant or use and has frontage on an abutting street, but may or may not be granted direct access to a public street.

PARKING AREA: The land area within the polygon that includes the outer boundary of a surface parking lot or lots (if connected by driveways) located within a single parcel, including the parking spaces, internal aisles, sidewalks, and the landscaped areas that are internal to the parking lot and aisles, but not including the landscape strip between the parking lot and the public right-of-way.

PARKING, OFF-STREET: A temporary (less than 48 hours) storage area for a motor vehicle that is directly accessible to an access aisle and that is not located on a dedicated street right-of-way.
PARKING, ON-STREET: Areas along curbs of a street that are authorized for temporary (less than 48 hours) storage of automobiles belonging to owners, tenants, customers, or visitors of adjacent or nearby properties.

PARKING, SHARED: An approved method of reducing the total parking requirements for a mixed-use project or building based on the variation in actual parking usage over time for a diversity of uses. Shared parking facilities must have close and convenient vehicular and pedestrian interconnections for all associated uses.

PERVIOUS: A surface that is capable of absorbing water; including natural ground, landscape materials, and approved pervious paving materials.

PERVIOUS PAVING: Materials used for surfacing parking lots and driveways that are designed to meet the requirements of materials described in Volume 2 – Technical Handbook of the Georgia Stormwater Management Manual (First Edition, August 2001) as the Porous Concrete or Modular Porous Paver Systems under the Limited Application Stormwater Structural Controls.

PHYSICALLY SOUND: A structure that does not pose an imminent health or safety hazard in its current condition. A physically sound structure currently meets building code requirements, or is capable of meeting code requirements with economically feasible improvements.

PILASTER: An ornamental column or post that is attached to a wall.

PILLAR: A freestanding vertical support for a roof or upper story with low proportions that may be constructed of wood or masonry, or a combination of wood and masonry.

PITCH, ROOF: The steepness of a sloped roof measured by the ratio of the vertical rise to the horizontal run.

PLAN, CONCEPT: Written and graphic documents submitted to the Director for review that document the intent of a developer in a conceptual form, indicating the types, general arrangement and density of uses, extent and pattern of subdivision, and the relationship of the intended uses to surrounding tracts.

PLAT, FINAL: A finished drawing or map of a subdivision or development site plan meeting all of the requirements of the Coweta County Subdivision Regulations and certified as necessary for recording.

PLAT, PRELIMINARY: A tentative plan of a proposed subdivision or development meeting the specified requirements of this Article and all applicable provisions of the Coweta County Subdivision Regulations showing the layout in sufficient detail to allow an evaluation of the proposed project.

PORCH: A covered area attached to a building that is open on at least one side and raised at least 18 inches above grade.
POST: One of a series of exposed, freestanding vertical supports for a roof or upper floor that is usually constructed of wood and of a simple shape and design.

PRE-APPLICATION CONFERENCE: An initial and informal stage of development review at which the developer may make known concept plan proposals and the Planning Director may respond and/or advise the developer concerning the development regulations and other issues related to the development.

PRIMARY CONSERVATION AREA: See CONSERVATION AREA, PRIMARY

PROFESSIONAL: When used in connection with “use” and “occupancy” of a use or occupancy by persons generally engaged in rendering personal, executive, sales, or administrative services or activities; including accountants, architects, professional engineers and land surveyors, doctors, lawyers, insurance offices, real estate offices, religious organizations, stock brokers, and administrative agencies considered professional in character. The term, however, does not include repairs or sales of tangible personal property stored or located within the structure nor any use that would create any loud noise or noxious odors.

PROPERTY, ADJACENT: Property that is either abutting or on the opposite side of a common street, right-of-way, or easement that separates it from the subject property. Properties separated by a railroad track or freeway are not abutting or adjacent.

REVERSE FRONTING LOT: See LOT, REVERSE FRONTING.

RIGHT-OF-WAY LINE: The outer edge or boundary of a public right-of-way where it abuts private property.

SCREENING: A method of shielding, obscuring, or buffering one use or building from another use or building by fencing, walls, densely planted vegetation, natural vegetation, including a transitional buffer or other means; a visual and acoustical barrier which is of such nature and density that provides year-round maximum capacity from the ground to a specified height.

SECONDARY CONSERVATION AREA: See CONSERVATION AREA, SECONDARY

SENSE OF PLACE: The characteristics of a location and its natural and built environment; including open space elements, type of housing, architectural style, and quality of life that contribute to its image, make it readily recognizable as being unique and different from its surroundings, and that provide a feeling of belonging to, or being identified with, that particular place.

SENIOR LIVING UNIT: A residential development designed to accommodate residents 55 years of age or older. Senior living units are designed to enable seniors to live on their own, but with the security and conveniences of community living. Senior living units should provide barrier-free interior and exterior access and supportive design and equipment for persons with limited mobility.
or disabilities. They may also provide communal dining rooms and recreation facilities and other conveniences, services, and amenities that provide for healthy living for seniors.

SETBACK: Distance measured perpendicularly from the right-of-way line of future right-of-way to the nearest face or corner of a building or structure; except that a cornice, soffit, eave, entablature, roof overhang, downspout, sill, railing, balcony, marquee sign, flagpole, banner, or other similar form of architectural ornament permitted by this ordinance that extends less than 18 inches from the face or corner of a building is not considered when measuring a minimum setback.

SHARED PARKING: See PARKING, SHARED.

SIDELIGHT: A narrow window unit oriented vertically and placed adjacent to a door in an entranceway.

SIGHT VISIBILITY TRIANGLE: A triangular-shaped area adjacent to the intersection of two public streets or adjacent to the intersection of a driveway with a public street in which nothing may be constructed, erected, placed, planted, or allowed to grow in such a manner that it limits or obstructs the sight distance of motorists centering or leaving the intersection. The size and shape of the sight visibility triangle for each intersection shall be established by the Coweta County Development and Engineering Department.

SIGN, CANOPY: A sign attached to or applied to the exterior surface of an awning or canopy. See Coweta County Sign Ordinance Section 58-38.

SIGN, FREESTANDING: A sign that is not attached to a wall, building, or other structure; including a pole sign, incidental sign, temporary sign, real estate sign, or construction sign, but not including a ground sign. See Coweta County Sign Ordinance Section 58-38.

SIGN, GROUND: A freestanding sign, other than a pole sign, that is located near the ground and attached to and supported by a masonry wall or pilasters. See Figure 13 of the Village Center Design Guidelines. See Coweta County Sign Ordinance Section 58-38.

SIGN, HANGING CANOPY: A sign suspended below and supported from a canopy or awning and designed to be read by pedestrians passing below the canopy or awning. The lowest point of a hanging canopy sign shall be no less than 7 feet above the top elevation of the floor or pavement that is beneath it. See Coweta County Sign Ordinance Section 58-38.

SIGN, INCIDENTAL: A sign providing directions or other necessary information that has a purpose secondary to the use of the lot on which it is located. Incidental signs include a sign that contains information or a directive, such as “no parking,” “entrance,” “loading only,” “telephone,” but that contains no commercial message; a sign, such as a menu-board, that may contain a commercial message but that is not easily legible from the public right-of-way; outdoor table umbrellas; or signs incidental and integral to lawfully located and operated vending machines, newspapers, racks, telephone booths, or similar devices. See Coweta County Sign Ordinance Section 58-38.
SIGN, MARQUEE: A sign projecting from an outside wall of a building or hanging from a bracket attached to the outside wall of a building. The lowest point of a marquee sign shall be no less than 7 feet above the top elevation of the floor or pavement that is beneath it. See Coweta County Sign Ordinance Section 58-38.

SIGN, POLE: A freestanding sign that is supported by one or more posts or poles, as distinguished from a ground sign. See Coweta County Sign Ordinance Section 58-38.

SIGN, WALL: A sign that is permanently attached to the wall of an occupied building, other than a marquee sign or window sign. A wall sign shall not project more than 6 inches beyond the face of the wall to which it is attached. See Coweta County Sign Ordinance Section 58-38.

SIGN, WINDOW: A sign placed on the outside or inside of a glass window, door, or storefront and intended to be read from the exterior of the building. See Coweta County Sign Ordinance Section 58-38.

SIGNAGE MASTER PLAN: A plan prepared prior to approval of a preliminary plat or site development plan that provides an overall guide to the types, locations, sizes, and aggregate sign area proposed for a multi-tenant building. See Coweta County Sign Ordinance Section 58-38.

SITE DEVELOPMENT PLAN: A plan required by Coweta County that provides detailed information about the layout of private land development and required public improvements prior to preparation of construction drawings for a land development that does not include subdivision of property that would otherwise be subject to a preliminary plat.

SOD: Grass that is germinated and grown off site and transplanted to form landscaped areas of a yard or site.

SPACING BETWEEN BUILDINGS: The horizontal distance between the closest points of two adjacent buildings; including protruding eaves, overhangs, cornices, moldings, porches, railings, awnings, canopies, balconies, porches, decks, gutters, downspouts, and mechanical equipment.

SQUARE: A landscaped public open space area that is surrounded by streets and buildings on at least three sides and designed for civic functions. A square contains landscaping as well as hard-surfaced areas for walking, standing, or sitting and may be furnished or decorated with fountains, monuments, or works of art. Squares shall have a length-to-width ratio no greater than 3:1.

STREET TREES: Trees required to be planted by this Article or other ordinance that are located within the public right-of-way parallel to public streets and intended to provide shade and aesthetic enhancement for street corridors.

TOWNHOUSE: A residential building comprised of three or more attached dwellings, including single-family attached dwellings, that adjoin only along a vertical party wall, having entrances on the ground floor.
TRAIL, MULTI-USE: A corridor designed for one or more alternative forms of transportation; including pedestrians, joggers, skaters, and slow-moving vehicles such as strollers, bicycles, and golf carts.

TRANSOM: A narrow window unit oriented horizontally and placed above a door in an entranceway.

USABLE FLOOR AREA: The portion of a building that is heated, enclosed, and permitted for occupancy for an authorized use.

WINDOW SIGN: See SIGN, WINDOW.

ZERO-LOT LINE DWELLING: A single-family, detached residence having a side yard of 0 feet on one side and a larger side yard on the other side. The non-zero side yard belongs to one owner, with an easement for maintaining the abutting exterior wall of the adjacent residence.

Section 130. Intent and Purpose of Village Centers.
1. Intent.
It is the intent of Coweta County to promote the health, safety, morals, general welfare and aesthetics of Coweta County by providing appropriate development standards and incentives for a significant share of the County’s future growth to occur in planned Village Centers where public services can be provided in an efficient and economical manner.

2. Purpose.
The purposes of the Village Center Districts are to:

a. Encourage a clustered development pattern, with a mixture of uses, designed with a unique architectural theme and sense of place.
b. Preserve and enhance both the historic features in the community and the environmental characteristics of the land.
c. Provide for a balanced community that integrates land uses that support the activities of daily living, working, shopping, and recreation.
d. Provide accessible and convenient neighborhood services in the developing areas of the County.
e. Provide a diversity of housing types appropriate for all stages of life.
f. Ensure that future development includes an adequate amount of open space to protect natural resources, provide places for outdoor community gatherings and recreation, and link residential and civic spaces along greenways and trails.
g. Provide appropriate infrastructure and public facilities to support daily activities that are clustered within a convenient walking distance.
h. Make efficient use of infrastructure and services.
i. Establish standards for community design that encourage walking and biking, and short trips that reduce the need for automobiles.
Section 131. Types of Village Centers.
There are hereby established three types of Village Centers, distinguished by their function and location, as follows:

1. Mill Villages.

The Board of Commissioners may designate parcels of land for the Mill Village Zoning District at locations that generally are consistent with those identified on the adopted Coweta County Future Land Use Map and known as:

   a. Arnco Mill Village.
   b. Sargent Mill Village.
   c. East Newnan Mill Village.

The exact property boundaries of Mill Villages are as approved by the Board of Commissioners pursuant to a rezoning action and thereafter to be shown on the Official Zoning Map of Coweta County.

2. [Reserved]

3. Crossroads Service Centers

Crossroads Service Centers are to be authorized by the Board of Commissioners at locations that generally are consistent with those identified on the adopted Coweta County Future Land Use map or as otherwise approved by the Coweta County Board of Commissioners as provided in Section 22B.2.

The exact property boundaries of Crossroads Service Centers are as approved by the Board of Commissioners pursuant to a rezoning action and thereafter to be shown on the Official Zoning Map of Coweta County.

Section 132. Procedures for Rezoning Property to the Village Center District.

1. Procedures for Rezoning Property to the Village Center District.

   a. Application.

      i. [Reserved]

      ii. Mill Village Centers shall be established by application of one or more owners of property within a proposed Mill Village Center and supported by petitions of the owners or representatives of not less than 75 percent of the acreage of property within such proposed Mill Village Center, and subject to approval of rezoning by the Coweta County Board of Commissioners in a public hearing conducted in accordance with Section 293 of the Coweta County Zoning and Development Ordinance.

      iii. The rezoning application shall meet all requirements of Article 29 with the additional requirements of Section 138.
2. **Procedures for Rezoning Property to the Crossroads Service Centers District.**

   a. Application.

      i. **Crossroads Service Centers shall be established pursuant to the application of one or more owners of property within such proposed Crossroads Service Centers and supported by petitions of the owners or representatives of not less than 100 percent of the acreage of property within such proposed Crossroads Service Centers subject to approval of rezoning by the Coweta County Board of Commissioners in a public hearing conducted in accordance with Section 293 of the Coweta County Zoning and Development Ordinance.**

      ii. **The approval of a Crossroads Service Centers shall be accompanied by a finding that the proposed boundaries contain not less than 20 acres, but not more than 100 acres of developable property, it is at least 1 mile from a Mill Village Center, or another Crossroads Service Center, and the proposed location of such Crossroads Service Center receives a minimum total of 70 points from the sum of the following location standards:**

```
<table>
<thead>
<tr>
<th>Points</th>
<th>Location standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>Sites that have frontage on an intersection of two roadways classified as either an arterial or major collector by Coweta County.</td>
</tr>
<tr>
<td>25</td>
<td>Sites that are to be provided with adequate sewer capacity available to all property within the Crossroads Service Center prior to occupancy.</td>
</tr>
<tr>
<td>25</td>
<td>Sites that are in locations consistent with those designated as Crossroads Service Centers on the approved Coweta County Future Development Map.</td>
</tr>
<tr>
<td>5</td>
<td>Public water within 1,000 feet.</td>
</tr>
<tr>
<td>5</td>
<td>Within 2.5 miles of an existing or planned fire station.</td>
</tr>
<tr>
<td>5</td>
<td>Within 1 mile of an existing or planned elementary school.</td>
</tr>
</tbody>
</table>
```

   Sites that are near existing or committed community facilities, scored as follows:

   Sites that limit impact on the natural environment, scored as follows:

```
<table>
<thead>
<tr>
<th>Points</th>
<th>Location standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Sites with less than 15 percent of area in floodplain, wetland or slopes steeper than 15 percent.</td>
</tr>
<tr>
<td>5</td>
<td>Sites that are outside watershed protection areas identified in the Comprehensive Plan.</td>
</tr>
</tbody>
</table>
```
iii. The rezoning application shall meet all requirements of Article 29 with the additional requirements of Section 138.

Section 133. Development Standards for Village Centers.

Section 133.1. [Reserved]

Section 133.2. Mill Villages.

1. Purpose of Mill Villages.

The purpose of the Mill Village is to preserve a sense of place in Coweta County through the preservation and orderly expansion of historic communities into balanced and affordable communities for living, working, and playing and to sustain the historic resources of Coweta County through viable economic restoration, reuse, adaptation, and appropriate infill and redevelopment.

2. Standards of Use, Development, and Improvement

a. All the standards of use, development, and improvements in this Article 13 shall apply to Mill Villages, except where the Board of Commissioners determines that such standards constitute a conflict with the overriding intent to preserve the historic character of the Mill Village and to establish compatibility between historic resources of the Mill Village and appropriate forms of new development.

b. Development and redevelopment of public and private improvements in the Mill Village shall be pursuant to the preparation of a Mill Village Center Master Plan approved by the Coweta County Board of Commissioners for property designated in accordance with Section 131.1. The Master Plan shall conform to the standards of use, development, and improvement established in Section 133.1., except for modifications that are approved by the Board of Commissioners, or as provided in Article 28.

c. Development and redevelopment of property within a Mill Village shall be subject to a Concept Plan approved by the Director of Planning as provided in Section 138.2.2.

d. The Concept Plan shall be in substantial conformity with the applicable Mill Village Master Plan approved by Coweta County.

e. The Master Plan for each Mill Village Center shall identify two distinct zones:

   i. Village Service Zone – A mixed-use area providing community services and high-density housing in an arrangement that is conveniently accessed by walking a distance of not more than 1,320 feet from the nearest point within a public meeting place consisting of one of the following:

      (A) A school.
      (B) A public square.
(C) A public green.

ii. Village Neighborhood Zone – A predominantly residential neighborhood consisting of three or more types of housing, all of which is directly connected to the Village Service Zone with a network of streets, sidewalks, and multi-use trails such that all occupied structures are within a Village Neighborhood Zone, the outer boundary of which is not more than ½ mile from the public meeting place identified in paragraph 2.e.ii of this Section.

f. In addition to the information required in paragraph 2.e. of this section, the Mill Village Master Plan shall:
   i. Identify any areas of potential chemical storage, chemical spills, or other potential soil or water contamination, and prepare a clean up and mitigation plan for all such areas to be approved by the Georgia Department of Natural Resources and the Coweta County Board of Commissioners.
   
   ii. Identify the surveyed boundary locations of the historic resources (historic buildings, structures, properties, and historic districts) within the Mill Village with appropriate photographs, sketches, and surveys to accurately describe the extent and characteristics of the structures, sites, districts, and context that define its historic period and style. If it is determined that some or all of the Mill Village is appropriate for designation as a Historic District under the authority of O.C.G.A. Title 44, Chapter 10 “Historic Preservation,” then the requirements and procedures of this Article that shall be superseded by the requirements and procedures of such Historic District that are enacted by Coweta County.
   
   iii. Identify the physical condition of the historic resources and prepare a feasible plan for appropriate restoration, reuse, adaptation, and/or addition to historic resources that are physically sound in accordance with applicable state and local laws.
   
   g. No historic structure shall be demolished, obscured, or defaced without the approval of the Coweta County Board of Commissioners. Such approval shall be based on a written report prepared by the applicant and reviewed and approved by the Department documenting the physical soundness and integrity of the historic structure, its uniqueness, and the feasibility of restoration, reuse, adaptation, enlargement, and maintenance of such structure.
   
   h. To the maximum extent feasible, the Mill Village shall be planned and designed so as to include all contiguous property in designated historic districts as well as the majority of the historic structures that are to be restored, reused, added to, or adapted for future use. In return for such actions, the owner or developer may receive density bonuses when meeting the standards set forth in Section 136.3.
   
   i. Wherever feasible, the development and redevelopment of property that is within the Village Service Zone shall be planned with block patterns and block sizes that are consistent with the prevalent block patterns and sizes of the historic portions of the existing community.
j. Architectural style and design of new construction and modification of existing structures in the Mill Village shall provide architectural elements that are similar to those that are prevalent in the historic portions of the existing community, such as, but not limited to:

i. Roof type, pitch and dormers.
ii. Massing, setback and orientation.
iii. Porch location.
iv. Window proportions and divisions.
v. Entry placement and design.
vi. Columns, pillars, posts and ballustrades.

k. Moderately Priced Dwelling Units (MPDU).

i. At the option of the developer, and with the approval of a Conditional Use Permit by the Board of Commissioners, up to 25 percent of the existing single-family dwelling units within a Mill Village that are of historic significance may be rehabilitated for sale or lease as Moderately Priced Dwelling Units (MPDU), subject to the provisions of Section 135 (7) and Section 138.8.

ii. For each MPDU approved by the Board of Commissioners, the developer shall be entitled to the right to a bonus density incentive on residential property developed elsewhere within the Village Service Zone of the Mill Village Center at a location subject to approval of the Board of Commissioners at the time of approval of the Conditional Use Permit. Such bonus density incentive shall be in accordance with Section 136.3.

iii. The Conditional Use Permit application shall include a site plan indicating the number, lot location, building location, size, and architectural design of all MPDUs and also indicating the lot location, type, and number of additional dwelling units proposed to be constructed in accordance with the bonus density incentive associated with the MPDUs. The developer of MPDUs shall submit with the application for Conditional Use Permit a written agreement approved by the County Attorney as described in Section 138.8.2.

l. All owners of newly constructed buildings or buildings seeking permits for major renovations within the Mill Village shall be subject to a common agreement or covenants that require 100 percent of property owners of property undergoing development to be members of a property owners’ association created pursuant to Georgia law. The property owners’ association shall be responsible for the management and maintenance of privately held common areas within the development; such as, but not limited to, alleys, open space, landscaping, and private recreation facilities that are not contained within the lots of single-family detached or zero-lot line dwellings. The covenants and bylaws of such property owners’ association shall be approved by the Department prior to issuance of a building permit for any buildings within such Village Center.
Section 133.3. Crossroads Service Centers.

Purpose of the Crossroads Service Centers.

a. The purpose of the Crossroads Service Center is to encourage the preservation and orderly expansion of a number of small service centers located at major intersections that can provide convenient services for surrounding rural and low-density residential areas.

b. The Crossroads Service Center designation should be used in traditional locations that provide a sense of place for the community.

1. Standards of Use, Development, and Improvement.

The following development standards shall apply to Crossroads Service Centers:

a. Development and redevelopment of public and private improvements in the Crossroads Service Centers shall be pursuant to the preparation of a Crossroads Service Centers Master Plan approved by the Coweta County Board of Commissioners for property designated in accordance with Section 131.3. The Master Plan shall conform to the standards of use, development, and improvement established in this Article 13., except for modifications that are approved by the Board of Commissioners or as provided in Article 28.

b. Development of property within a Crossroads Service Center shall be subject to a Concept Plan approved by the Director of Planning as provided in Section 138.2.2.

c. The Concept Plan shall be in substantial conformity with the applicable Crossroads Service Center Master Plan approved by Coweta County.

d. The Crossroads Service Center Master Plan shall:

i. Identify one or more uses, sites, or structures that comprise a landmark or serve a function that provides a sense of place for the Crossroads Service Centers. Examples are:

   (A) A church or other place of worship or community gathering that forms a landmark.
   (B) A park or cemetery that provides an attractive outdoor space.
   (C) A notable commercial function, such as a restaurant, convenience store, gas station, or other similar facility, frequented and known by members of the surrounding community and passersby.

ii. Identify the surveyed boundary locations of the landmark or function (as identified in paragraph 2.d.i. of this section) within the Crossroads Service Centers with appropriate photographs, sketches, and surveys to accurately describe the extent and characteristics of the structures or sites that define its significance. If it is determined that some or all of the Crossroads Service Centers is appropriate for designation as a Historic District under the authority of O.C.G.A. Title 44, Chapter 10, “Historic Preservation,” then the requirements and procedures of this Article that conflict with
Title 44, Chapter 10 shall be superseded by the requirements and procedures of such Historic District that are enacted by Coweta County.

iii. Identify the physical condition of the significant landmark structure or site and identify any appropriate actions needed to ensure appropriate use and/or preservation in accordance with applicable state and local laws.

e. No historic structure or building shall be demolished, obscured, or defaced without the approval of the Coweta County Board of Commissioners. Such approval shall be based on a written report prepared by the applicant and reviewed and approved by the Department documenting the physical soundness and integrity of the historic structure, its uniqueness, and the feasibility of restoration, reuse, adaptation, enlargement, and maintenance of such structure.

f. To the maximum extent feasible, the Crossroads Service Centers shall be planned and designed so as to include the landmark structures or sites characteristic of the area. Historic structures that are to be restored, reused, added to, or adapted for future use within the Crossroads Service Centers. In return for such actions, the owner or developer may receive density bonuses when meeting the standards set forth in Section 136.3.

g. Wherever feasible, the development and redevelopment of property that is within the Crossroads Service Centers shall be planned with block patterns and block sizes that are consistent with the prevalent block patterns and sizes of the historic portions of the existing community.

h. Architectural style and design of new construction and modification of existing structures in the Crossroads Service Centers shall provide architectural elements that are similar to those that are prevalent in the historic portions of the existing community, such as, but not limited to:

i. Roof type, pitch, and dormers.
ii. Massing, setback, and orientation.
iii. Porch location.
iv. Window proportions and divisions.
v. Entry placement and design.
vi. Columns, pillars, posts, and balustrades.

i. Authorized Uses in Crossroads Service Centers.

The authorized uses within the Crossroads Service Center shall be as provided in Table 5: Table of Authorized Principal Uses and Conditional Uses and as provided in Section 134.1.

j. Transitional Buffers.

Within the Crossroads Service Center, transitional buffers are not required, except as stipulated in this Article 13.

k. Building Height.
Maximum building height in the Crossroads Service Center shall be 34 feet 11 inches, unless relief is granted pursuant to Section 62 of the Zoning and Development Ordinance.

1. All owners of newly constructed buildings or buildings seeking permits for major renovations within the Crossroads Service Centers shall be subject to a common agreement or covenants that require 100 percent of property owners of property undergoing development to be members of a property owners’ association created pursuant to Georgia law. The property owners’ association shall be responsible for the management and maintenance of privately held common areas within the development; such as, but not limited to, alleys, open space, landscaping, and private recreation facilities that are not contained with the lots of single-family detached or zero-lot line dwellings. The covenants and bylaws of such property owners’ association shall be approved by the Department prior to issuance of a building permit for any buildings within such Village Center.

Section 134. Use Standards for Village Centers.

Section 134.1. Authorized Principal Uses and Conditional Uses.

1. Table 5 - Table of Authorized Principal Uses and Conditional Uses presents uses that are authorized by right, (R) in the Village Service Zone, the Village Neighborhood Zone, and the Crossroads Service Center. Uses indicated (C) may be authorized upon approval of a Conditional Use Permit as provided in Article 28.

2. When a proposed use is not specifically authorized, it may be authorized only if the Director of Planning determines that the proposed use is sufficiently similar to a use authorized in Table 1 and that it would have no greater impact on adjacent uses, the natural environment, aesthetics, public health and safety, schools, traffic, and other community facilities than the similar use that is authorized. If the Director of Planning is unable to make such a determination, an application for a proposed use shall be reviewed in accordance with Article 28. Criteria for Variance and Conditional Uses.

Table 5: Table of Authorized Principal Uses and Conditional Uses

<table>
<thead>
<tr>
<th>Residential Uses</th>
<th>Village Service Zone</th>
<th>Village Neighborhood Zone</th>
<th>Crossroads Service Centers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family detached dwellings</td>
<td>C</td>
<td>R</td>
<td></td>
</tr>
<tr>
<td>Zero lot line</td>
<td>R</td>
<td>R</td>
<td></td>
</tr>
<tr>
<td>Duplex</td>
<td></td>
<td>R</td>
<td></td>
</tr>
<tr>
<td>Single-family, attached dwellings</td>
<td>R</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Live-work unit</td>
<td>R</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Accessible Living Unit</td>
<td>R</td>
<td>R</td>
<td></td>
</tr>
<tr>
<td>Moderately Priced Dwelling Unit</td>
<td>C (only in Mill Village)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multifamily dwellings</td>
<td>R</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal care home</td>
<td>R</td>
<td>R</td>
<td>C</td>
</tr>
<tr>
<td>-------------------------</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Group home</td>
<td>R</td>
<td>R</td>
<td>C</td>
</tr>
<tr>
<td>Bed and breakfast inn</td>
<td>R</td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>Assisted living center</td>
<td>R</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nursing home</td>
<td>R</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Commercial Retail</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessories</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Appliance sales</td>
<td>R</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>Art, art supplies, art studios</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Auto part sales</td>
<td>C</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>Bait and Tackle</td>
<td>R</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bakery</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Bicycle sales and repair</td>
<td>R</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>Book Store</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Building materials</td>
<td>C</td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>Clothing and accessories</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Coffee and tobacco</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Convenience retail</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Dance school</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Delicatessen</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Department store</td>
<td>C</td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>Drug store</td>
<td>R</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>Electronics and computers</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Exercise/ gym</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Florist</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Framing studio</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Fruit/ vegetable stand</td>
<td>R</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Furniture store</td>
<td>R</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>Gasoline fuel pumps</td>
<td>C</td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>Gifts</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Grocery store</td>
<td>R</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>Hardware store</td>
<td>R</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>Jewelry store</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Music, musical instruments</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Newsstands</td>
<td>R</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>Nursery (plants)</td>
<td></td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>Office equipment and supplies</td>
<td>R</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>Seed and feed store</td>
<td>R</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stationery store</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Service</td>
<td>Commercial Services</td>
<td>Civic uses</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
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<tr>
<td>Toys and games</td>
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<tr>
<td>Variety Store</td>
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<tr>
<td>Video sales/ rental</td>
<td>R</td>
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<tr>
<td>Adult day care</td>
<td>R</td>
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<tr>
<td>Auto service/ minor repair</td>
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<tr>
<td>Bank</td>
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<tr>
<td>Barber shop</td>
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<tr>
<td>Beauty shop</td>
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<tr>
<td>Car Wash</td>
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<tr>
<td>Clinic</td>
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<tr>
<td>Coffee shop</td>
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<tr>
<td>Contractors’ Office</td>
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<tr>
<td>Day care/ nursery</td>
<td>R</td>
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<tr>
<td>Drive-thru Window</td>
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<tr>
<td>Dry Cleaner Pick-up</td>
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<tr>
<td>Health Spa/Club</td>
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<td>Ice cream</td>
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<td>Inn</td>
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<td>Insurance</td>
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<td>Laundromat</td>
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<td>Music instruction</td>
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<td>Nail Salon</td>
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<td>Outdoor Storage</td>
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<td>Professional Offices and Studios</td>
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<td>Real estate</td>
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<td>Restaurant, sit down</td>
<td>R</td>
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<td>Stable</td>
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<td>Tanning Salon</td>
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<td>Tax preparation</td>
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<td>Tool repair and rental</td>
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<td>Travel agency</td>
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<td>Tutoring</td>
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<td>Veterinarian</td>
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<td>Auditorium</td>
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<td>Cemetery</td>
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<td>Fire station</td>
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<td>Golf course</td>
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<td>Hospital</td>
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<td>Library</td>
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<tr>
<td>Meeting hall</td>
<td>R</td>
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<tr>
<td>Movie theater</td>
<td>R</td>
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</tbody>
</table>
Section 134.2. Prohibited Uses.
All uses not specifically listed as authorized in Table 5 are prohibited in the Village Center District, unless the Director of Planning finds the proposed use is very similar to an authorized use. The Director of Planning may determine that a use not listed in Table 5 may be authorized based on a finding of similarity to an authorized use with respect to:

1. Compatibility with surrounding land use.
2. Architecture, massing, and visual character.
3. Impacts on traffic, stormwater, wastewater treatment, and environmental quality.

Section 134.3. Authorized Accessory Uses.
1. Accessory Uses.

The following accessory uses are permitted on the same lot with primary residential uses:

a. Garage, subject to the following standards:
   i. The garage must be setback at least 15 feet behind the façade of the dwelling.
   ii. The maximum floor area of the garage shall be 800 square feet.
   iii. If a block contains a majority of lots less than 65 feet in width, individual lot access for that block shall be from an alley located to the rear or side lot line, not from a public street.
   iv. No more than 35 percent of the dwelling units in a subdivision or single development phase of 20 or more single-family, detached dwelling units may be served by front-facing attached garages.
of the façade of the dwelling.

vi-vii. The architectural style of a garage, carport, or other accessory building shall be compatible with that of the principal unit: same type of building materials, similar roof pitch, and similar types and sizes of windows.

b. Accessory dwelling units, subject to the following standards:

i. One accessory unit is allowed by right for any single-family, detached dwelling with a lot size greater than 12,000 square feet

ii. Accessory units are not counted as units for density purposes.

iii. Accessory units shall be owned by the owner of the principal dwelling.

iv. Accessory units shall contain no less than 600 square feet in heated floor area, and no more than 50 percent of the floor area of the principal dwelling.

v. Accessory units may be in a separate structure, attached to the principal structure, or located above a garage.

vi. If in a separate structure or located above a garage, the building containing the accessory unit shall have a height no greater than the height of the principal dwelling.

vii. Accessory units shall provide at least one additional parking space. Architectural style shall be compatible with the principal unit: same type of building materials, similar roof pitch, and similar types and sizes of windows.

2. Other Authorized Accessory Uses.

a. Personal storage buildings less than 150 square feet in floor area.

b. Swimming pools and associated dressing rooms and equipment/storage buildings.

c. Tennis and basketball courts without outdoor lights taller than 12 feet.

d. Other outdoor recreation that does not generate excessive traffic, noise, or light.

e. Antennae, subject to the following standards:

i. Located either in the rear yard or upon the roof near the rear of the dwelling.

ii. Not to exceed the height of the dwelling by more than 5 feet.
3. **Accessory Uses with Primary Commercial and Mixed Use Buildings.**

The following accessory uses are permitted on the same lot with primary commercial uses and mixed-use buildings, provided that the building type and exterior materials of accessory buildings are consistent with the primary building:

a. Automated teller.
b. Exercise /fitness and spa.
c. Swimming pool.
d. Tennis and basketball courts.
e. Ball fields.
f. Parking structures.
g. Storage buildings less than 2,500 square feet in floor area.
h. Utility structures for the sole use of the subject property.

**Section 135. Standards for Authorized Principal Uses.**

1. **Single-family, detached residential,** in accordance with Figures 1 and 2 of the Village Center Design Guidelines.


b. Minimum setbacks:
   
   i. Front: 15 feet; except that front-facing garages shall be set back a minimum of 30 feet from right-of-way line. Front porches may encroach up to 10 feet into front setback, except that no part of a front porch shall be closer than 5 feet to the right-of-way of a public street.
   
   ii. Rear: 35 feet (from principal structure, not including detached garage.).
   
   iii. Interior side: 7.5 feet.
   
   iv. Corner side: 15 feet.

c. Minimum spacing between detached buildings: 15 feet.

d. Minimum lot width: 50 feet.

e. Building height: Maximum three stories, except that no building shall have a height that is more than 10 feet greater or lesser than the buildings on abutting properties.

f. Maximum ground floor area, per building: 5,000 square feet gross floor area.

g. Building length: Maximum 100 feet.
h. Minimum lot size: 6,000 sq. ft. See also Table 6

i. Mix of housing options: A diversity of housing types is encouraged. Any contiguous area containing 50 or more newly constructed single-family, detached dwellings shall include a minimum of 20 percent of the total number of lots in each of the three of lot size categories shown in Table 6.

Table 6: Categories of Lot Sizes\(^1\) Authorized for Single-Family Detached Dwellings in Village Center

<table>
<thead>
<tr>
<th>Lot Sizes</th>
<th>Lot area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large lots</td>
<td>Over 12,000 sq. ft.</td>
</tr>
<tr>
<td>Mid-size lots</td>
<td>9,001-12,000 sq. ft.</td>
</tr>
<tr>
<td>Small lots</td>
<td>6,000 – 9,000 sq. ft.</td>
</tr>
</tbody>
</table>

Note 1: Average widths of all lots in each single-family category must differ by at least 10 feet from average width of lots in all other single-family categories.

j. House Sizes.

i. Minimum heated floor area: 1,450 square feet.

ii. Each contiguous area of more than 50 newly constructed single-family dwellings in the Village Center shall have a range of house sizes as indicated in Table 7.

Table 7: Percentages of New Dwelling Units of Each House Size Category

<table>
<thead>
<tr>
<th>House Size Category</th>
<th>Heated Floor Area of Dwelling Unit</th>
<th>Minimum percentage of all houses in development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small</td>
<td>1,450 – 1,600 square feet</td>
<td>20 percent</td>
</tr>
<tr>
<td>Mid-sized</td>
<td>1,601 – 2,000 square feet</td>
<td>20 percent</td>
</tr>
<tr>
<td>Large</td>
<td>Over 2,000 square feet</td>
<td>20 percent</td>
</tr>
</tbody>
</table>

k. Maximum density:

i. Base: 3 du/acre

ii. Bonus: 4.5 du/acre

l. Maximum impervious surface ratio.

i. 35 percent for single-family residential, large lot.

ii. 40 percent for single-family residential, mid-size lot.

iii. 45 percent for single-family residential, small lot.
m. Architectural variety: The same front elevation shall not be used twice on the same block face and shall not be used on lots that are within 125 feet of one another.

n. Single-family dwelling units in the Village Center shall be designed with common architectural design elements. See Figure 3 of the Village Center Design Guidelines. Each principal building in the Village Center District must utilize at least four of the following architectural design features:

i. Dormers.
ii. Bay or bow windows.
iii. Separate garage.
iv. Covered porch entry.
v. Transoms and sidelights.
vi. Off-sets on building face or roof (minimum 2 feet)

vii. A roof with a pitch greater than 8:12.
viii. Columns, pillars, or posts on façade.

o. “Four-sided architecture” is required, such that architectural features and materials shall be used in a consistent manner on all sides of buildings.

p. Landscaping of lots for single-family, detached dwellings.

i. A minimum of 50 percent of front yard area shall be sodded.

ii. Tree preservation and replacement shall result in at least six hardwood trees per acre (minimum 2-inch caliper dbh).

iii. A single species of tree may be used for no more than 25 percent of the total number of new trees planted in a development.

iv. All landscape materials required by this ordinance shall be maintained by the property owner or property owners’ association. Such maintenance shall keep landscape materials healthy, neat, and orderly in appearance and free of litter and debris. Landscape materials that die shall be replaced by the property owner or property owners’ association within 120 days.

2. Single-family, zero-lot line dwellings, in accordance with Figure 4 of the Village Center Design Guidelines.

Zero-lot line dwellings are single-family, detached dwelling units that have a side yard of 0 feet on one side and a large side yard on the other side. Side yards are not common - they are controlled by one owner. This configuration makes it possible to provide a private space for each house on one side that adds to the perception of usable outdoor lot space for small lots. Specific development standards include:
a. Maximum density:
   i. Base: 4 du/acre.

b. Minimum lot size: 5,000 square feet.

c. Minimum lot width: 50 feet.

d. Maximum front yard setback: 25 feet.

e. Minimum setbacks.
   i. Front: 15 feet, except covered front porch or balcony may encroach up to 10 feet into front setback, provided it is no closer than 5 feet from street right-of-way.
   ii. Rear: 35 feet.
   iii. Interior side: 0 one side/ 15 feet other side. Wall construction shall meet International Building Code.
   iv. Corner side: 15 feet.

f. Maximum impervious surface ratio: 45 percent.

g. Minimum heated floor space per dwelling unit: 1,450 square feet.

h. Prior to building permit approval, the applicant shall record an easement having a minimum width of 5 feet for each zero-lot line lot to guarantee rights for construction and maintenance of structures and yards. The easement prevents a fence, landscaping, or other obstruction that would interfere with maintenance of the exterior of the dwelling.

i. Along the side walls, placement and design of windows, if any, shall protect the privacy of residents of both dwelling units that share the common property line.

3. Single-family, attached dwellings in accordance with Figure 5 of the Village Center Design Guidelines.

   a. Maximum density.
      i. Base: 6 du/ acre.
      ii. Bonus: 9 du/ acre.

   b. Minimum lot size: 2,500 square feet per dwelling unit.

   c. Minimum lot width: 25 feet.

   d. Minimum lot depth: 100 feet.
e. Maximum front yard setback: 25 feet.

f. Minimum Setbacks.
   i. Front: 15 feet, except covered front porch or balcony may encroach up to 10 feet into
      front setback, provided it is no closer than 5 feet from street right-of-way.
   ii. Rear: 30 feet.
   iii. Interior: 0 feet.
   iv. Corner side yard: 15 feet.

g. Minimum spacing between buildings of multiple units is 15 feet.

h. Minimum building façade height is 18 feet.

i. Maximum building height is three stories, subject to limitations of Sections 133.1.4.c and
   133.3.2.l.

j. Maximum building length, width, and depth is 200 feet.

k. Maximum building floor area (all floors): 10,000 square feet.

l. Minimum first floor building size (other than garages and unoccupied storage buildings):
   2,000 square feet of heated floor area.

m. Minimum heated floor space per dwelling unit: 1,200 square feet.

n. Maximum impervious surface ratio: 65 percent of parcel.

o. Exterior walls shall be constructed of brick, stone, stucco, or siding. Exposed concrete
   block is not permitted.

p. “Four-sided architecture” is required, such that architectural features and materials shall be
   used in a consistent manner on all sides of buildings.

q. Preliminary architectural building elevations of multi-family dwellings shall be submitted
   prior to approval of a rezoning application.

4. Accessible Living Units.
   a. Accessible Living Units are attached or detached dwellings that facilitate independent
      living for persons of all ages with differing levels of ability. In order to qualify as an
      Accessible Living Unit, a dwelling must meet the standards of Section 4.34 of the
      “Uniform Federal Accessibility Standards”.

   b. Maximum density.
i. Base: 6 du/acre.
ii. Bonus: 9 du/acre.

c. Minimum lot size: 4,000 square feet per dwelling unit.

d. Minimum lot width: 30 feet.

e. Minimum lot depth: 125 feet.

f. Maximum front setback: 25 feet.

g. Minimum setbacks: Front: 15 feet, except that covered front porch or balcony may encroach up to 10 feet into front setback, provided that no portion of the porch is closer than 5 feet from right-of-way.

1. Rear: 35 feet (from principal structure, not including rear garage).
2. Interior: 0 feet for attached buildings.

h. Minimum spacing between buildings: 15 feet.

i. Maximum building height is two stories, subject to limitations of Sections 133.1.4.d and 133.3.2.k.

j. Maximum building length is four dwelling units attached, or 200 feet, whichever is less.

k. Maximum building size: 15,000 square feet.

l. Maximum impervious surface ratio: 75 percent.

m. Minimum heated floor space per dwelling unit: 1,200 square feet.

n. Garages on lots narrower than 65 feet must be accessed from an alley located behind the rear yard.

o. Accessible Living Units in attached units shall be in accordance with Figure 6 of the Village Center Design Guidelines. The exposed elevations of attached units shall be finished in brick or stone.

p. Accessible Living Units that are single-family, detached units shall be designed with common architectural design elements. See Figure 3 of the Village Center Design Guidelines. Each principal building must utilize at least four of the following architectural design features:

1. Dormers.
2. Bay or bow windows.
iii. Separate garage.
iv. Covered entry.
v. Transoms and sidelights.
vi. Off-sets on building face or roof (minimum 2 feet)
vii. A roof with a pitch greater than 8:12.
viii. Columns, pillars, or posts on façade.

q. “Four-sided architecture” is required for Accessible Living Units that are single-family detached units, such that architectural features and materials shall be used in a consistent manner on all sides of buildings.

5. Live-Work Units in accordance with Figure 7 of the Village Center Design Guidelines.
   a. Maximum density:
      i. Base: 6 du/acre.
      ii. Bonus: 9 du/acre.
   b. Minimum lot size: 4,000 square feet.
   c. Minimum lot width: 30 feet.
   d. Minimum lot depth: 125 feet.
   e. Setbacks.
      i. Maximum front yard setback: 25 feet.
      ii. Minimum front yard setback: 15 feet, except that covered front porch or balcony may encroach up to 10 feet into front setback, provided that no portion of the porch is closer than 5 feet from right-of-way.
      iii. Rear: 35 feet from principal structure, not including detached garage.
      iv. Corner side: 15 feet.
   f. Minimum spacing between buildings: 15 feet.
   g. Maximum building height: Three stories, subject to limitations of Sections 133.1.4.c and 133.3.2.l.
   h. Maximum building size: 15,000 square feet.
   i. Minimum number of dwelling units in a building is two.
   j. Maximum building length is 6 dwelling units attached, or 200 feet, whichever is less.
   k. Maximum impervious surface ratio: 75 percent.
1. Each live-work unit shall contain a minimum heated floor area of 2,400 square feet.

m. Minimum heated residential floor area is 1,400 square feet.

n. Up to 1,200 square feet on the ground floor may be used for business purposes, such as a commercial office, studio, workshop, or business of the following types:
   i. Bed and breakfast inn.
   ii. Group home.
   iii. Barber.
   iv. Beauty shop.
   v. Music instruction.
   vi. Nail salon.
   vii. Professional office (engineering, real estate, marketing, counseling, computer software, or similar).
   viii. Professional studio (art, architecture, antiques, furniture, jewelry, sculpture, painting, photography, pottery, stained glass, textiles, woodwork, or similar).
   ix. Tanning salon.
   x. Tutoring.

o. Bulk storage for the business is limited to 250 cubic feet (cu. ft.) on premises.

p. The Fire Marshall shall approve all businesses.

q. Only services are allowed. Direct sales of merchandise are prohibited. Incidental sales of service related merchandise is permitted.

r. Hours during which customers are admitted shall be limited to 8AM to 8PM.

s. Fumes, odors, and vibrations associated with any business use may not leave the premises.

r. The owner of the live-work unit shall be both the resident of the live-work unit and the owner/proprietor of the business activity within the live-work unit.

u. The business activity shall not employ more than two persons other than the owner-proprietor.

v. The live-work unit is entitled to either one wall sign or one window sign not larger than 6 square feet. No sign may be artificially illuminated.

w. All live-work units shall include a minimum of two parking spaces per dwelling unit in an enclosed garage.

x. At least one additional parking unit shall be provided (on street or off street) within 300 feet of the dwelling unit.
y. Garages must be accessed from an alley located behind the rear yard.

z. The exterior materials of principal buildings must be finished in brick or stone (70 percent) with siding or stucco no more than 30 percent of exterior wall area.

6. **Loft dwellings on upper stories of mixed-use buildings in substantial conformity with Figure 8 of the Village Center Designs.**

   a. Maximum density.
      i. Base: 8 du/acre.
      ii. Bonus: 12 du/acre.

   b. Minimum parcel size: 12,000 square feet.

   c. Minimum lot width: 75 feet.

   d. Maximum front yard setback: 25 feet.

   e. Minimum setback:
      i. Front yard: 15 feet, except that a covered front porch or balcony may encroach up to 10 feet into front setback, provided that no portion of the porch is closer than 5 feet from right-of-way.
      ii. Interior side: 0 feet for attached structures.
      iii. Corner side: 15 feet.
      iv. Rear: 50 feet.

   f. Minimum building spacing: 15 feet.

   g. Maximum building size: 25,000 square feet.

   h. Maximum impervious surface ratio: 80 percent.

   i. Loft dwelling units may be in buildings with a maximum of 16 dwelling units per building.

   j. Minimum number of dwelling units in a building is two.

   k. Residential units must be accessed from entrances that are separated from the entrance for commercial space, approved by the Fire Marshal.

   l. Each dwelling unit shall contain a minimum heated floor area of 1,000 square feet.

   m. Parking as required in Section 22.

   n. Garages must be accessed from an alley located behind the rear yard.
o. Architectural standards for buildings containing loft dwellings.
   i. Building facades shall incorporate architectural modulations at intervals of no more than every 25 feet.
   ii. Each dwelling unit must include a balcony, porch, patio, or deck not less than 75 square feet in area.
   iii. Buildings must have pitched roofs with a minimum 8:12 pitch.
   iv. “Four-sided architecture” is required, such that architectural features and materials shall be used in a consistent manner on all sides of buildings.
   v. The exterior materials of principal buildings must be finished in brick or stone (70 percent) with siding or stucco no more than 30 percent of exterior wall area.
   vi. No exposed concrete masonry units may be used on exterior building walls.
   vii. Preliminary architectural building elevations of buildings containing loft dwellings shall be submitted prior to approval of rezoning.

7. Moderately Priced Dwelling Units.
   a. Minimum lot size: Per existing plat legally approved prior to December 31, 1956.
   b. Minimum lot width: Per existing plat legally approved prior to December 31, 1956.
   c. Minimum setbacks:
      i. Front: Not less than the setback of the existing dwelling unit or the prevailing setback of all lots on same block face as of date of approval of the Conditional Use Permit, whichever is less. However, a covered front porch or balcony may encroach up to 10 feet into the minimum required front setback, provided that no portion of the porch is closer than 5 feet from right-of-way.
      ii. Interior side: 7.5 feet.
      iii. Corner side: 15 feet.
   d. Minimum spacing between detached buildings: existing setbacks or 15 feet, whichever is less.
   e. Minimum heated floor area: 1,400 square feet.
   f. Maximum impervious surface ratio: 35%.
g. Comparability to market rate units.

h. The MPDUs shall be provided with the same form and quality of infrastructure (including water, sewer, and other utilities), same construction quality and materials and similar exterior appearance and design as other single-family dwelling units on the surrounding lots and blocks that are part of the historic mill village neighborhood but are not MPDUs.

i. Architectural character.

j. The MPDU shall, to the maximum extent practical, preserve the historic architectural character of the dwelling units constructed prior to December 31, 1956, including characteristic elements such as, but not limited to:

   i. Building height, massing, and scale.
   ii. Size, location, and design of porches.
   iii. Roof types, roof pitch, and overhangs.
   iv. Size, location, and design of fireplaces and chimneys.
   v. Size, location, proportion, and design of columns, pillars, posts, railings, and balustrades.
   vi. Size, location, proportion, and design of windows and doors.
   vii. Design and placement of cornices, mouldings, and headers.
   viii. Exterior building materials.

8. Multi-family dwellings, in substantial conformity to Figure 9 of the Village Center Design Guidelines.

   a. Minimum parcel size: 2 acres.
   
   b. Minimum parcel width: 200 feet of frontage on one or more public streets, plus 10 additional feet of frontage for each dwelling unit in excess of 50.
   
   c. Maximum front yard setback: 25 feet.
   
   d. Minimum setbacks:
      i. Front yard: 15 feet, except that a covered front porch or balcony may encroach up to 10 feet into front setback, provided that no portion of the porch is closer than 5 feet from right-of-way.
      ii. Rear: 50 feet.
      iii. Interior side: 0 feet for attached structures.
      iv. Corner side: 15 feet.
   
   e. Minimum building spacing: 15 feet (side); 50 feet (rear).
   
   f. Maximum building size: 7,500 square feet on ground floor.
   
   g. Maximum building height: 50 feet.
h. No building shall contain more than eight multifamily dwelling units.

i. Maximum impervious surface ratio: 65 percent for each parcel

j. Maximum density.
   i. Base: 12 du/acre.

k. Minimum heated floor space: 1,000 square feet for each dwelling unit.

l. Architectural standards for multi-family development.
   i. Building facades shall incorporate architectural modulations at intervals of no more than every 25 feet.
   ii. Each dwelling unit must include a balcony, porch, patio, or deck not less than 75 square feet in area
   iii. Buildings must have pitched roofs with a minimum 8:12 pitch.
   iv. “Four-sided architecture” is required, such that architectural features and materials shall be used in a consistent manner on all sides of buildings.
   v. No exposed concrete masonry units may be used on exterior building walls.
   vi. Preliminary architectural building elevations of multi-family dwellings shall be submitted prior to approval of rezoning.

m. Site design standards for multi-family development.
   i. A parcel containing multi-family dwellings shall not abut single-family, detached dwellings on more than one side and shall be separated from single-family, detached dwellings by a transitional buffer that is a minimum of 25 feet in width and is designed pursuant to a buffer plan approved by the Director that meets the standards of a planted buffer in Article 25.
   ii. Open space requirement.
   iii. A minimum of 400 square feet of open space or landscaped outdoor recreation space shall be provided for each multi-family dwelling unit.
   iv. Landscaping for multi-family development.
   v. Front yards shall either consist of naturally landscaped areas or sod.
   vi. Parking areas shall be screened from view from public streets by buildings or by an evergreen hedge, solid fence, or wall not less than 4 feet in height.
   vii. Streets and circulation.
(A) Private streets must meet standards of public streets.

(B) Multi-family developments with more than 100 units must have access to a collector or arterial street.

(C) Adequate provision is made for pedestrian traffic to and from the proposed buildings, structures, and parking areas on the premises; including fire-fighting and police equipment and personnel, ambulance service, garbage collection service, postal service, delivery service, and other public and private services and individuals who would require access to the premises from the surrounding community.

viii. Parking for multi-family development

(A) Multi-family development shall meet the off-street parking requirements of Section 136.5.

(B) If parking is provided in covered garages or carports, such parking shall be within the principal building or in separate garages that are constructed of similar materials, roof slope, and design as the principal structure.

(C) Parking for multi-family developments shall be provided in small parking lots that have no more than 100 parking spaces.

(D) Parking areas shall provide at least two points of access to a public street for each 100 parking spaces.

(E) Off-street parking is prohibited in front yards and shall be located in the rear or side yards, preferably on the interior of blocks.

9. Commercial and services uses in substantial conformity with Figure 10 of the Village Center Design Guidelines.

a. Minimum lot size: 5,000 square feet.

b. Minimum lot width: 50 feet.

c. Maximum front yard setback: 25 feet.

d. Minimum setbacks.
   i. Front: 10 feet in Village Service Zone; 25 feet in Village Neighborhood Zone.
   
   ii. Rear: 50 feet.
iii. Interior Side: 0 feet for structures attached at side lot lines; otherwise, maintain a minimum spacing of 15 feet between structures.

iv. Corner Side: 10 feet if more than 50 percent of the area of the building face consists of storefronts and customer entrances; otherwise, 15 feet minimum side yard is required.

e. Land Use Transition.

Commercial buildings that are more than 35 feet in height shall not be closer than 75 feet from a single-family detached residence, and shall provide a 25 ft. transitional buffer that is designed pursuant to a buffer plan approved by the Director that meets the standards of a planted buffer in Article 25.

f. Minimum commercial building size: 1,500 square feet.

g. Maximum commercial building size.

i. Village Service Zone: 25,000 square feet on a ground floor.

ii. Buildings over 25,000 square feet may be permitted if a Conditional Use Permit is approved as provided in Article 28, subject to consideration of factors in Section 134.2.

iii. Village Neighborhood Zone: 5,000 square feet on a ground floor; 15,000 square feet total.

h. Maximum building length or width: 250 feet.

i. Maximum impervious surface ratio.

i. 85 percent in Village Service Zone.

ii. 75 percent in Village Neighborhood Zone.

j. Minimum open space: 10 percent of development or phase.

k. Commercial density.

i. Village Neighborhood Zone: 5,000 square feet per acre.

ii. Village Service Zone, as follows:

<table>
<thead>
<tr>
<th></th>
<th>Base density</th>
<th>Bonus</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Retail uses</td>
<td>10,000</td>
<td>15,000</td>
</tr>
<tr>
<td>(B) Office/ service uses</td>
<td>15,000</td>
<td>18,000</td>
</tr>
</tbody>
</table>
1. Parking for commercial uses.

Commercial uses shall meet the off-street parking requirements of Section 136.5.

10. Mixed-use buildings, in substantial conformity with Figure 10 of the Village Center Design Guidelines.

Mixed-use buildings are authorized, provided that no residential uses shall be permitted on the ground floor or street level of a mixed-use building that contains commercial retail, commercial services, civic, or office uses.

a. Minimum lot size: 5,000 square feet.

b. Minimum lot width: 50 feet.

c. Maximum front yard setback: 25 feet.

d. Minimum setbacks:

   i. Front - 10 feet, except that balconies on upper floors may encroach 10 feet into the front setback.

   ii. Rear: 50 feet.

   iii. Interior Side: 0 feet for structures attached at side lot lines; otherwise maintain a minimum spacing of 15 feet between structures that share a side property line.

   iv. Corner Side: 10 feet if more than 50 percent of the area of the building face consists of storefronts and customer entrances; otherwise, 15 feet minimum side yard is required.

e. Land Use Transition.

   Mixed-use buildings that are more than 35 feet in height shall not be closer than 75 feet from a single-family, detached residence and shall provide a 25-foot transitional buffer that is designed pursuant to a buffer plan approved by the Director that meets the standards of a planted buffer in Article 25.

f. Maximum building size: 25,000 square feet on ground floor.

g. Maximum building length or width: 250 feet.

h. Maximum impervious surface ratio: 75 percent.

i. Minimum open space: 10 percent of development or phase.
j. Maximum density (includes all heated space, regardless of use).
   i. Base: 15,000 square feet/acre.
   ii. Bonus: 20,000 square feet/acre.

k. Parking.
   See Section 136.5.

11. Civic/Institutional, in substantial conformity with Figure 11 of the Village Center Design Guidelines.

   a. Location: Civic uses should be sited on prominent locations within the Village Service Zone where they have good visibility and central accessibility.

   b. Minimum lot size: 1 acre.

   c. Minimum lot width: 100 feet.

   d. Maximum front yard setback: 25 feet.

   e. Minimum setbacks for principal structures.
      i. Front: 10 feet.
      ii. Rear: 50 feet.
      iii. Interior Side: 15 feet.
      iv. Corner side: 25 feet.

   f. Minimum spacing between buildings: 15 feet.

   g. Maximum building size: 25,000 square feet on ground floor.

   h. Maximum impervious surface ratio: 75 percent of parcel.

   i. Maximum height: 50 feet.

j. Land Use Transition.

   Civic uses that are more than 35 feet in height shall not be closer than 75 feet from a single-family, detached residence and shall provide a 25-foot transitional buffer that is designed pursuant to a buffer plan approved by the Director that meets the standards of a planted buffer in Article 25.

k. Maximum density.
   i. Base: 12,000 square feet/acre.
   ii. Bonus: 15,000 square feet/acre.
1. Open Space.
   i. Minimum open space: 10 percent of parcel.
   ii. Open space shall meet the standards of Sections 136.1 and 136.2.

m. Signs.
   Signs for Civic uses shall follow the standards for commercial signs in Section 58-38 of the Coweta County Sign Ordinance.

n. Architectural Standards.
   Buildings designed for civic uses shall meet the standards for commercial buildings in Section 135.8.

o. Parking.
   See Section 136.5.

Section 136. Site Development Standards.

Section 136.1 Program for Unified Ownership and Control.

1. Phasing.

A development within the Village Center or Mill Village District that consists of more than one parcel or more than one phase shall provide evidence of the unified control of the entire project. During the development process, more than one builder may participate in the development of the approved plan so long as each parcel of land remains subject to all of the terms and conditions of the plat approved by Coweta County for the property as a whole.

2. Legal Instrument for Permanent Protection of Common Areas and Open Space.

   a. The common areas and open space shall be protected in perpetuity from further development by a binding legal instrument that is recorded with the deed. If the common areas are to be controlled by an association of property owners, then membership in such association shall be mandatory for all property owners within the project.

   b. The instrument protecting the common areas from further development shall be one of the following:

   i. A permanent conservation easement in favor of either:

      (A) A land trust or similar conservation-oriented, non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence, and the conveyance instruments shall contain an appropriate provision for transfer in the event the organization becomes unable to carry out its functions; or
      (B) A governmental entity with an interest in pursuing goals compatible with the purposes of this Zoning and Development
Ordinance; if the entity accepting the easement is not the County, then a third right of enforcement favoring the County shall be included in the easement.

ii. As set forth in O.C.G.A. § 44-5-60(c) as hereinafter may be amended, a permanent restrictive covenant for conservation purposes in favor of a governmental entity.

iii. An equivalent legal tool that provides permanent protection, if approved by the County.

c. The instrument for permanent protection shall incorporate restrictions on the use of the open space contained in this section, as well as any further restrictions, as approved by the Coweta County Board of Commissioners.

Section 136.2 Open Space Standards.
Open space areas shall be held in common ownership and shall conform to the requirements of Section 136.1 and as follows:

1. Categories of open space.

Open space required in the Village Center, Mill Village, or Crossroads Service Centers may consist of the following three categories of land:

a. Primary Conservation Areas.

Primary conservation areas include streams, required stream buffers, wetlands, floodplain, slopes in excess of 25 percent, areas of exposed rock, and private cemeteries and burial grounds. These areas shall be unsubdivided and undisturbed; except for the fewest possible perpendicular crossings of essential access roads, pedestrian pathways, and utility lines.

b. Secondary Conservation Areas.

Secondary conservation areas include land in water supply watersheds, aquifer recharge areas identified in the Coweta County Comprehensive Plan, riparian and wetland buffers in excess of the minimum required width, slopes in excess of 15 percent, significant habitat areas as identified in the Coweta County Comprehensive Plan, soils unsuitable for septic tanks, prime agricultural soils, mature hardwood forest, meadows, farm fields, pastures, and other areas of scenic value.

c. Active Recreation Areas.

Active recreation areas include greenways, trails, bikeways, paths, tennis, volleyball, handball, squash and basketball courts, ball fields, tracks, golf courses, swimming pools, clubhouses, toilets, dressing rooms, lockers, bicycle facilities, equestrian facilities, beaches, docks, amphitheaters, stages, band shells, fountains, plazas, walkways, greens, squares, public lawns, picnic shelters, picnic areas, landscaping, and other land containing outdoor recreation features and facilities as determined by the Director of Planning.
2. **Open space design standards.**
   a. All primary conservation areas of a site must be set aside as open space.
   b. Secondary conservation areas shall be set aside as open space to the maximum extent feasible.
   c. No more than 50 percent of required open space may consist of primary conservation areas.
   d. A minimum of 25 percent of required open space shall be used for passive parks, greenways, trails, squares, or greens.
   e. No more than 10 percent of required open space may be areas of impervious surface.
   f. At least 50 percent of required common open space within a single development shall be located in a contiguous area.
   g. Open spaces that are not contiguous shall be interconnected by sidewalks, trails, or other pathways designed for pedestrians and bicyclists.
   h. No dwelling unit shall be more than 500 feet from a common open space area.
   i. Each open space area must comprise an area of least 5,000 square feet with a minimum dimension of 15 feet of width or depth.
   j. A system of pedestrian pathways consisting of sidewalks or trails shall be provided linking each lot containing one or more dwelling units to at least one open space area.

3. **Maintenance of open space areas.**
   a. Open space areas shall be maintained in a manner that prevents them from being nuisances to health or safety risks.
      i. Open spaces shall be free from the accumulation of trash, litter, or debris.
      ii. Landscaped areas shall be kept free from dead or diseased trees, plants, or vegetation.
      iii. Hardscaped areas and appliances, such as fountains and recreational equipment, shall be maintained so as to be free of hazards, in good condition, and suitable for their intended use.
   b. In the event that the party responsible for maintenance of the open space within a Village Center, Mill Village, or Crossroads Service Centers fails to maintain all or any portion of such open space areas in reasonable order and condition; upon 90 days notice served to the owner, Coweta County may enter the premises, take corrective action, and assume responsibility for the maintenance of such areas until such time as the owner demonstrates
Section 136.3 Bonus Density Incentives.

1. Intent.

To encourage superior performance in the preservation of open space, historic and natural resources, and in the provision of public services and incorporation of mixed-use development, the developer of property in Village Center Districts shall be entitled to additional density of use, in addition to that otherwise allowed, as provided in Table 8.

Table 8: Bonus Density Incentives

<table>
<thead>
<tr>
<th>Authorized bonus density</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 25 percent of gross acreage of tract dedicated in open space that is not in a primary conservation area.</td>
</tr>
<tr>
<td>Preservation/adaptive reuse of historic structures.</td>
</tr>
<tr>
<td>Dedication of land for public facilities other than roads and required open space, such as school, fire station, library, or other use approved by the Board of Commissioners.</td>
</tr>
<tr>
<td>Development of mixed-use buildings with residential uses built over commercial or office space.</td>
</tr>
<tr>
<td>All buildings LEED-certified (Leadership in Energy and Environmental Design).</td>
</tr>
<tr>
<td>Moderately Priced Dwelling Units</td>
</tr>
</tbody>
</table>

2. Maximum density, including bonuses.

The developed density of any land using density bonuses shall not exceed the levels specified for bonus density for the given use in Table 9.

Table 9: Maximum Density With and Without Bonus Density Incentive
### Land Use

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Maximum Density (no bonus incentive)</th>
<th>Maximum Density (with bonus incentive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Detached Residential</td>
<td>3 du/acre</td>
<td>4.5 du/acre</td>
</tr>
<tr>
<td>Single-Family Zero-Lot Line Dwellings</td>
<td>4 du/acre</td>
<td>6 du/acre</td>
</tr>
<tr>
<td>Single-Family Attached Residential</td>
<td>6 du/acre</td>
<td>9 du/acre</td>
</tr>
<tr>
<td>Accessible Living Units</td>
<td>6 du/acre</td>
<td>9 du/acre</td>
</tr>
<tr>
<td>Live-Work Units</td>
<td>6 du/acre</td>
<td>9 du/acre</td>
</tr>
<tr>
<td>Loft Dwellings/Mixed-use Buildings</td>
<td>8 du/acre</td>
<td>12 du/acre</td>
</tr>
<tr>
<td>Multi-Family Dwellings</td>
<td>12 du/acre</td>
<td>18 du/acre</td>
</tr>
<tr>
<td>Commercial /Services</td>
<td>10,000 square feet/acre</td>
<td>15,000 square feet/acre</td>
</tr>
<tr>
<td>Retail</td>
<td>15,000 square feet/acre</td>
<td>18,000 square feet/acre</td>
</tr>
<tr>
<td>Office/Services</td>
<td>15,000 square feet/acre</td>
<td>20,000 square feet/acre</td>
</tr>
<tr>
<td>Mixed-use Buildings</td>
<td>12,000 square feet/acre</td>
<td>15,000 square feet/acre</td>
</tr>
</tbody>
</table>

### Section 136.4  Land Use Transitions.

1. **Location.**

A suitable land use transition must be provided at the outer perimeter of property comprising a Mill Village, or Crossroads Service Centers.

2. **Options.**

A land use transition shall consist of one of the following options:

   a. Where the Mill Village, or Crossroads Service Center abuts an existing residential subdivision, or property zoned for a residential subdivision, the new lots that are inside and within 200 feet of the outer perimeter of the Mill Village, or Crossroads Service Center shall be of a size that is no less than the minimum lot size of the existing or zoned subdivision lots abutting the perimeter; or

   b. The applicant for preliminary plat approval shall submit a buffer plan meeting the standards of Article 25 and the requirements of this paragraph. Provide a 200 ft. wide transitional buffer along the entire length of the property line of parcels or lots inside Mill Village that abut lots outside of the Mill Village. For Crossroads Service Center, the perimeter buffer shall be no less than 50 feet.

### Section 136.5  Off-Street Parking in Village Center Districts.

1. **Minimum Requirements.**

The minimum number of parking spaces required for each use in the Coweta County Village Center Districts shall be as follows, except where modified by on-street parking or shared parking standards that are available from the Coweta County Planning Department:


   b. Residential single family, attached: 1.75 spaces /du.
c. Accessible living unit: 1.5 spaces /du.
d. Live-work unit: 3 spaces /du.
e. Residential multi-family/mixed use: 1.5 spaces /du.
f. Accessory dwelling unit: 1.0 space /du.
g. Commercial:

i. Retail uses 1 space /200 gross square feet.
ii. Office/service uses 1 space /300 gross square feet.
iii. Public assembly/place 1 space /3 seats or 300 gross square feet.

iv. Parking for commercial and multi-family residential uses shall be provided in small parking lots that have no more than 200 parking spaces. If more than 200 spaces are required, two or more separate lots can be used if they are separated by a local public street or a continuous landscape strip at least 15 feet in width that is planted with large trees of 2-inch caliper dbh that are placed no more than 40 feet on center or small trees placed no more than 20 feet on center and as required in Section 137.3.

v. All uses that are required to provide off-street parking spaces for motorized vehicles shall also provide bicycle parking spaces. Uses that require up to 50 off-street parking spaces for motorized vehicles shall provide at least one bicycle space, plus a minimum of one additional bicycle space for each additional 50 parking spaces required for motorized vehicles. The design of bicycle parking fixtures shall be approved by the Director of Planning.

h. Off-street parking for uses not listed in paragraph 136.5.1 shall be as required in Section 243.


Parking lots shall provide at least two points of access to a public street for each 200 parking spaces, except where limited by County or State DOT.

3. Locations.

a. No more than 20 percent of the off-street parking requirements for commercial, mixed-use, civic or institutional uses may be located in front yards. Additional parking may be located in side or rear yards, preferably on the interior of blocks.

b. No off-street parking space shall be more than 500 feet, by the most direct pedestrian route, from a door of the commercial use it intends to serve.

4. Screening.

Where a parking lot of five or more spaces is adjacent to a street or a parcel developed with single-family residences, the perimeter of the parking lot shall be screened by a minimum 4-foot high,
5. **Landsaping.**

All parking areas containing 25 parking spaces shall be suitably landscaped with approved species of canopy trees and ground cover.

a. A minimum of 10 percent of all such parking areas shall be landscaped.

b. Each landscaped island shall provide no less than 200 square feet of earth per tree.

c. Landsaped areas within the interior of the parking area may be designed as bioretention areas, using inwardly draining swales without curbs, in lieu of raised planting areas surrounded by curbs, provided that each parking space provides a wheel stop and provided that depressed areas adjacent to driving aisles are surrounded by painted lines or flush curbing to separate landscaping from driving aisles.

d. Landscape design and material selection shall consider practices of water conservation and xeriscape. Use of indigenous materials is encouraged. Plant materials should be arranged so that plants that require similar amounts of irrigation are placed together wherever possible.

### Section 136.6 Design Standards.

1. **Building materials.**

a. All buildings constructed within the Mill Village, or Crossroads Service Centers shall be constructed of materials as provided below, except where the Board of Commissioners determines that other materials are more consistent with the historic or landmark character of a Mill Village or Crossroads Service Centers:

   i. All portions of non-residential buildings that face public streets shall be constructed with exterior building materials; including glass, brick, stone, textured masonry block, stucco, or similar building materials.

   ii. The use of stucco, wood, or cementious siding shall be limited to a maximum of 60 percent of the total exterior wall surface of a residential building and a maximum of 30 percent of a commercial or mixed use building.

2. **Signs.** See Section 58-38 of the Coweta County Sign Ordinance.

### Section 137. Public Improvements Standards.

The following public improvement standards apply within the Mill Village District.

### Section 137.1 Streets.
All streets in a Mill Village, except for alleys, shall be public streets and shall be designed as follows:

1. **Arterial (see Figure 14 of Village Center Design Guidelines).**
   a. 35-mph design speed.
   b. Minimum 110-foot right-of-way.
   c. Four travel lanes at 12 feet each.
   d. Two bike lanes at least 4 feet in width, each located adjacent to the outside travel lanes.
   e. 24-inch wide curb and gutter.
   f. 20-foot wide landscaped median.
   g. 5-foot (minimum) wide landscaped strip along outside curb (both sides of street).
   h. 6-foot wide (minimum) sidewalk outside landscaped strip.
   i. Street lights required in landscaped strip.
   j. Street trees required in landscaped strip. Large trees shall be spaced an average of 40 feet on center; small trees shall be spaced an average of 20 feet on center.
   k. Paving and base must be constructed to standards of Georgia Department of Transportation (GDOT) and Coweta County.

2. **Collector (See Figure 15 of Village Center Design Guidelines).**
   a. 30-mph design speed.
   b. Minimum 64-foot right-of-way.
   c. 42-foot paved section, back of curb to back of curb.
   d. Alternate lane configurations.
      i. Two travel lanes at 12 feet each and a two-way left turn lane 14 feet wide.
      ii. Two travel lanes and two on-street parking lanes with curbed bulb-outs at intersections, where appropriate. (See Figure 20 of Village Design Guidelines.)
   e. 24-inch wide curb and gutter.
f. 5-foot (minimum) wide landscaped strip along outside curb.

g. 6-foot (minimum) wide sidewalk outside landscaped strip.

h. Two bike lanes at least 4 feet in width, each located adjacent to the outside travel lanes.

i. Maximum street grade of 6 percent.

j. Street lights required in landscaped strip.

k. Street trees required in landscaped strip. Spaced an average of 30 ft. on center.

l. Street furniture is encouraged in Neighborhood Service Zone (see Figure 22 of Village Design Guidelines).

m. Paving and base must be constructed to standards of GDOT and Coweta County.

3. Neighborhood Street. (See Figure 16 of Village Design Guidelines).

   a. 25-mpd design speed.

   b. Minimum 50-foot right-of-way; 70 feet in Village Service Zone.

   c. 30-foot wide paved street to back of curbs (two travel lanes at 10 feet each and one 7-foot wide, on-street, parallel parking lane with curbed bulb outs at intersections, where appropriate).

   d. 24-inch wide curb and gutter.

   e. 5-foot (minimum) wide landscaped strip along outside curb.

   f. 5-foot (minimum) wide sidewalk outside landscaped strip; 15 feet in Neighborhood Service Zone.

   g. Maximum street grade: 8 percent.

   h. Street lights required in landscaped strip (use type fixture shown in Figure 22 of Village Design Guidelines).

   i. Street trees required in landscaped strip.

   j. Paving and base must be constructed to standards of Coweta County.

4. Alleys. (see Figure 17 of Village Center Design Guidelines).
a. Alleys are to be private streets subject to easements providing for public access, and constructed to the following standards:
   i Minimum width of right-of-way or easement: 20 feet.
   ii Minimum 14-foot wide paved travel lane.
   iii 24-inch rolled curb and gutter. Inverted crown asphalt may be used as an alternative to curb and gutter for drainage purposes.
   iv Minimum 4-foot building set back from the edge of the pavement. No obstructions are permitted in this clear zone.
   v Utility easements as required by the Director of Planning.
   vi Maximum grade of 8 percent.
   vii Paving and base must be constructed to standards of Coweta County.
   viii Alleys shall be signed, “Fire Lanes - No Parking”.

5. Multi-use Trail (see Figure 18 of Village Center Design Guidelines).
   a. No motorized vehicles, except golf carts.
   b. Maximum grade of 6 percent.
   c. Minimum right-of-way or easement width: 14 feet.
   d. Minimum paved width of travel way: 10 feet.
   e. Shoulder width variable, based on topography.
   f. 5-foot flare at street intersections, with ramp to street and bollards spaced 7 feet apart to block motorized traffic, except golf carts.

6. Street Network Standards (see Figure 19 of Village Center Design Guidelines).
   a. An interconnected grid pattern is encouraged.
   b. No streets may be longer than 600 feet without an intersection with another public street.
   c. Blocks that are longer than 400 feet (measured inside right-of-way) must be divided by an alley.
   d. Average perimeter measured around right-of-way lines of all blocks in the development may not exceed 2,000 feet.
e. Cul-de-sacs are prohibited, except where approved by the Director of Planning because of unusual site conditions such as steep topography, streams, lakes, floodplains, wetlands or stream crossings, safety hazards, or other unusual property development or access constraints.

f. If a residential development or phase abuts another undeveloped parcel within the Village Neighborhood Zone or Village Service Zone (other than where the common property line or phase line falls along a stream), then the two abutting residential developments or phases shall be connected by at least one public street for each 600 feet of the common boundary or phase line. See Figure 19 of the Village Center Design Guidelines.

g. Each new residential development within the Village Neighborhood Zone or Village Service Zone shall provide for the continuation of existing streets that can feasibly be extended from abutting properties.

h. A 20-foot wide, “no access” easement shall be required along the right-of-way of arterial and major collector streets. The easement shall be continuous except for the intersection with another public street. The “no access” easement shall contain a minimum 10-foot deep landscape strip within the easement. The landscape strip shall be continuous, except for 35-foot wide clear zones adjacent to the right-of-way of each intersecting street in order to maintain visibility at intersections (see Figure 19 of the Village Center Design Guidelines).

Section 137.2 Crosswalks.
1. All intersections shall contain crosswalks that connect to sidewalks in all quadrants.

2. Crosswalks shall be demarcated either with brick pavers or stamped asphalt approved by the Director of Development & Engineering.

Section 137.3 Street Trees and Landscaping Along Streets.
1. Street trees shall be provided in required landscaped strips adjacent to all streets.

2. Street trees shall be a minimum of 2 inches (dbh) at the time of planting and be warranted by the developer for a period of 2 years.

3. Spacing of street trees and streetlight standards may be adjusted to account for driveways, utility poles, fire hydrants, and other obstructions and to provide adequate visual clearance for intersections, driveways, and traffic control devices.

4. No street tree or streetlight standard shall be placed within 10 feet of another tree, streetlight standard, utility pole or within 5 feet of a fire hydrant.

5. Appropriate street tree species include:
   a. Large trees. (Average spacing 40 feet on center).
      i. Nuttall Oak.
| i  | Shumard Oak.          |
| ii | Willow Oak.          |
| iii| Gingko (Variety: President, Autumn Gold, male gender). |
| iv | Princeton Elm.       |
| v  | Chinese Elm varieties Allee, Athena, Drake, Bosque. |
| vi | Bald Cypress (variety: Shawnee Brave). |
| vii| Zelkova (variety Green Vase or Village Green). |
| viii| Northern Red Oak. |
| ix | Autumn Maple.       |

b. Small trees. (Average spacing 20 feet on center).

| i  | Crepe Myrtle.             |
| ii | Saucer Magnolia (variety: Butterflies). |
| iii| Chinese Fringe Tree. |
| iv | Golden Rain Tree.       |
| v  | Texas Redbud (Cercis reniformis). |
| vi | Kousa Dogwood.          |
| vii| Washington Hawthorn 'Princeton Sentry'. |
| viii| Zelkova (variety: Wires). |

c. No more than 25 (or 25 percent of the total number, whichever is greater) of the trees installed may be of any one genus.

d. No more than 25 percent of the street trees used in a development within the Village Center or Mill Village District shall be one of the small tree species.

e. Landscape strips.

   Landscape strips along public streets shall be planted with trees, grass and a variety of low, hardy shrubbery and flowering plants with mulched beds. Areas of exposed earth shall not be allowed. Landscaping shall be approved by the Director of Planning.

Section 137.4 Streetlights.
Streetlights shall be provided on all arterials, collectors, and neighborhood streets. Only metal halide may be used (see Figure 21 of the Village Center Design Guidelines).

Section 137.5 Underground Utilities.
1. For all new construction and redevelopment, utilities along public streets must be placed underground. The Director of the Development and Engineering Department may approve an exception, if subsurface rock or other unique hardship makes such installation infeasible.

2. Water and sewer utilities shall be located in either street rights-of-ways or easements located at the outer edge of street rights-of-way.
3. At the option of the County, electric, gas, telephone, and cable utilities may be located underground in easements located on the shoulders of alleys.

4. When equipment boxes for underground utilities are required they shall be located outside the sight visibility triangle at intersections and shall be screened from view.

Section 137.6 Stormwater Management.
An area-wide detention/retention system should be designed and installed by the developer and maintained by a mandatory property owner’s association. The open space within the Village Center should be designed to act as bio-retention and infiltration areas to reduce the need for stormwater structures.

Section 137.7 Escrow in Lieu of Improvements
At the option of the County, the developer shall pay funds into an escrow account in lieu of making project improvements required in this Ordinance. Such escrow account shall be established only for the purpose of coordination of such project improvements with a public improvement project that is part of an approved Capital Improvements Program. The amount of the escrow fund shall be established by the Director of Planning based on the projected construction cost of the improvements, based on the most recent edition of GDOT “Item Means Summary” or other comparable standardized cost estimation procedure.

Section 138. Procedures.

Section 138.1 Procedures for Rezoning.
After the effective date of this ordinance, application procedures for rezoning property to the Village Center District or applications for a major modification of an approved Master Plan, Concept Plan or preliminary plat prepared pursuant to this Article 13 shall be as provided in Article 29 of the Coweta County Zoning and Development Ordinance with the following modifications:

1. All applications must meet the standards for nomination and location of the applicable type of Village Center as provided in Sections 131 and 132.

2. All such rezoning applications shall be accompanied by 35 copies of a Master Plan meeting the standards of Sections 130 and 132 of this ordinance and providing all information necessary to demonstrate that it achieves the purpose and intent provided in Section 130, as applicable. Hard copies of text and graphics shall be accompanied by one electronic file in a format and media approved by the Director of Planning.

3. The Department shall review and comment on the Master Plan as a part of making recommendations regarding the Coweta County Board of Commissioners’ action on the application for rezoning of the property. The review shall consider the applicable requirements of this Article 13 and the Zoning Review Standards enumerated in Section 294 of the Coweta County Zoning and Development Ordinance.

4. If the rezoning application is approved by the Coweta County Board of Commissioners, then such rezoning shall be conditioned to the applicant’s developing in substantial conformity with
the applicable Village Center Master Plan, including any conditions approved by the Coweta County Board of Commissioners or the Director of Planning pursuant to Section 295.

   i. If the proposed development is not a Development of Regional Impact (DRI), then
      the traffic study shall be consistent with the Coweta County Comprehensive
      Transportation Plan and estimate site level impacts following the procedures of the
      American Planning Association Planning Advisory Service Report Number 387,
      Traffic Impact Analysis, and the most current edition of the Institute of
      Transportation Engineers (ITE) Trip Generation Manual; or
   ii. If a determination is made that the proposed development is a Development of
      Regional Impact (DRI), then the traffic study shall be done in accordance to the
      procedures of the Georgia Regional Transportation Authority (GRTA) DRI Technical
      Guidelines.

6. Multi-modal Access Plan. The Multi-modal Access Plan shall show connections from the
   system of streets, alleys, sidewalks, bike lanes, and multi-use trails shown on the subject
   property to those shown on the applicable Village Center Master Plan, Coweta County
   Greenway and Trail Master Plan, Coweta County Comprehensive Transportation Plan and to
   any such transportation facility that may exist on adjacent or abutting properties. Convenient
   pedestrian ways shall be shown from sidewalks along streets to each building entrance and
   between adjacent buildings within the same development and to those on abutting property.
   Where an existing or planned sidewalk, bike lane or multi-use trail is located on property
   adjacent to or abutting the subject property, the access plan shall show how safe, continuous,
   and convenient bicycle and pedestrian access may be provided to the subject property from
   adjacent rights-of-way and to adjacent or abutting properties that include streets, sidewalks, or
   multi-purpose pathways.

Section 138.2 Procedures for Review and Approval of Land Development Requiring
Subdivision.
Land development within the Village Center District that requires subdivision shall be authorized
subject to the standards and procedures of the Subdivision Regulations of Coweta County, with
the following exceptions:

1. Pre-submittal Conference.
   Prior to filing an application for preliminary plat approval or for land disturbance for a non-
   residential use, it shall be mandatory for the applicant to schedule and attend a conference with the
   Director of Planning to discuss the standards and procedures that apply.

2. Concept Plan Application.
   a. Prior to application for preliminary plat approval, the developer shall prepare a Concept
      Plan and submit an application for Concept Plan Approval, with the required review fee of
      $15 per acre, to the Director of Planning on a form provided by the Department.
   b. All concept plan applications shall be accompanied by 2 copies of the following
documents:
Statement of Intent. A narrative describing the proposed development and explaining how it meets the purpose and intent of the Comprehensive Plan and the purpose of this section of the Zoning and Development Ordinance and is consistent with the Master Plan approved for rezoning, along with all conditions of rezoning approval. The narrative also shall provide a statistical summary of the distribution of land, lots, and dwellings for each phase of the development that indicates the location, acreage, and percentage of open space and the location and mix of land uses, building types, housing sizes, and lot sizes that demonstrates compliance with the requirements of this section.

Concept Plan. A plan drawn to a designated scale of 1 inch equals 200 feet (1 in. = 200 ft.) and presented on a sheet having a maximum size of 30 inches x 40 inches. If presented on more than one sheet, match lines shall clearly indicate where the several sheets join. The Concept Plan shall represent the conceptual design of the property to be developed and also indicate the current uses, zoning, driveways, streets, streams, and trails on all adjacent and abutting properties that may have an impact on the design of the subject property. The concept plan shall include the following information with respect to the subject property:

(A) Tax parcels, district, and land lot numbers, owners’ names and street addresses for all property included in the approved Village Center District.
(B) Boundaries of the entire property, with bearings and distances of the perimeter property lines.
(C) Total area of the property in acres.
(D) Approved zoning.
(E) Scale and north arrow with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics.
(F) Location and names of streams, lakes, and other water bodies.
(G) Approximate location and extent of any floodplains designated by the FEMA, USGS, or Coweta County and the delineation of any jurisdictional wetlands as defined by Section 404 of the Federal Clean Water Act.
(H) Approximate location and extent of any grave, object, or structure marking a place of burial, if known, and a statement indicating how the proposed development will preserve the feature and provide access to it during and after construction.
(I) A delineation of all existing structures and whether they will be retained or demolished.
(J) Building use, location, square footage, density, and building height for all parcels that include a non-residential use.
(K) Parking areas, points of access to public rights-of-way, and vehicular and pedestrian circulation patterns within the subject property.
(L) Areas to be held in joint ownership, common ownership, or control and the proposed method of control and management of these areas.
(M) Indication that the property is served by public water and/or sewer.
or private water and/or septic field.
(N) Location and width of required transitional buffers at external site boundaries.
(O) Location of open space and recreation facilities.
(P) Location, where applicable, of proposed greenways, multi-use trails, greens, squares, recreation areas, parks, schools, libraries, churches, and other public or community uses, facilities, or structures on the site.
(Q) Public rights-of-way of streets abutting the property and any proposed improvements to the public rights-of-way.
(R) Name, address, phone number, FAX number and email address (if any) of person preparing the plan.

Electronic files. Hard copies of text and graphics shall be accompanied by one electronic file in a format and media approved by the Director of Planning.

3. Concept Plan Review.

If the application is complete, the Director of Planning shall review the Concept Plan with respect to its conformity to each of the standards and requirements of this section and shall prepare a written report documenting its approval or disapproval of the concept plan within 10 working days of certification of the complete Concept Plan. The Director of Planning shall approve the Concept Plan as submitted, approve with conditions, or disapprove. The Director of Planning’s report shall document any conditions of approval, if approved, or reasons for disapproval, if disapproved.

a. Approval. Concept Plan approval shall be valid for no more than 180 days from the date of approval. After that time, if no site plan or preliminary plat is filed for the subject property, the Concept Plan approval shall be void.

b. Resubmission. If the Concept Plan is disapproved or becomes void, the applicant shall not proceed with development activity until he/she resubmits a revised Concept Plan that meets the standards of this section and addresses the reasons for disapproval in a manner that is satisfactory to the Director of Planning and receives written approval from the Director of Planning.

4. Modifications of Approved Concept Plan Requested by Owner, Developer or Builder

a. Minor Modifications.

i The Director of Planning is authorized to approve minor changes in any previously approved Concept Plan, subject to the limitations in this subsection.

ii Minor modifications to an approved concept plan for a Village Center District may include, but are not limited to, refinements to the location of permitted uses provided such changes do not materially vary from the overall development concepts or nature of the approved development when compared with the approved Master Plan.
iii Minor modifications to an approved preliminary plan for a development within the Village Center District may include, but are not limited to minor shifting of the location of streets, public or private ways, utility easements, parks, or other public open spaces, or other incidental features of the plan, provided that such changes meet all of the following:

(A) Do not increase densities.

(B) Do not change the outside boundaries of the development tract.

(C) Do not affect the form of ownership, control or maintenance of common areas.

b. Major Modification

i Any modification of an approved Village Center Concept Plan requested by an owner or developer that does not qualify as a minor modification shall be a major modification.

ii Major modifications in an approved Village Center Concept Plan or a development within the Village Center District shall constitute a new application and shall require re-advertisement of public hearing dates and re-hearing by the Board of Commissioners. In such case, the Director of Planning shall require the applicant to pay an additional fee commensurate with a new application.

5. Preliminary Plat Application.

a. Following the approval of the Concept Plan, the applicant shall prepare an application for preliminary plat approval, as provided in Section 31 of the Coweta County Subdivision Regulations.

b. The application for approval of a preliminary plat shall include all information and data contained in the Concept Plan and all information and data required in Section 31 of the Coweta County Subdivision Regulations, and by the following additional information:

i Preliminary architectural elevations. The preliminary plat application shall be accompanied by preliminary building elevations indicating compliance with the architectural standards of this Article. Architectural elevations shall be at a scale of 1/8” = 1’-0” or larger to allow readability.

ii Electronic files. Hard copies of text and graphics shall be accompanied by one electronic file in a format and media approved by the Director of Planning.
6. **Review of Preliminary Plat.**

   a. Preliminary plats prepared pursuant to this section shall be reviewed by the Subdivision Review Staff, as provided in Section 31 of the Coweta County Subdivision Regulations.

   b. The review shall consider consistency of the proposed development with applicable provisions of the Coweta County Subdivision Regulations, the applicable Village Center Master Plan, the Village Center Design Guidelines and its conformity with each of the standards and requirements of this section, and all other applicable sections of the Coweta County Code of Ordinances.

7. **Resubmission.**

   If the preliminary plat is disapproved or becomes void, the applicant shall not proceed with development activity until he/she resubmits a revised preliminary plat that meets the standards of this section and addresses the reasons for disapproval in a manner that is satisfactory to the Department and receives written approval from the Director of Planning.

8. **Modifications of Approved Preliminary Plat Requested by Owner, Developer or Builder**

   a. **Minor Modifications.**

      The Director of Planning is authorized to approve minor changes in any previously approved Preliminary Plat, subject to the limitations in this subsection.

      i. Minor modifications to an approved preliminary plat for a Village Center District may include, but are not limited to, changes to the location of permitted uses provided such changes do not materially affect the development concepts or nature of the approved development.

      ii. Minor modifications to an approved preliminary plat for a Village Center or a development or phase within the Village Center District may include, but are not limited to, minor shifting of the location of streets, public or private ways, utility easements, parks, or other public open spaces, or other incidental features of the plan, provided that such changes meet all of the following:

         (A) Do not increase densities.

         (B) Do not change the outside boundaries of the development tract.

         (C) Do not affect the form of ownership, control or maintenance of common areas.

   b. **Major Modifications.**

      i. Any modification of an approved preliminary plat for a Village Center or a development or phase within the Village Center District that is requested by an
applicant/developer that does not qualify as a minor modification shall be a major modification.

ii Major modifications in an approved preliminary plat for a Village Center or a development or phase within the Village Center District that is requested by an owner, developer or builder for a development or phase within the Village Center District shall constitute a new application and shall require re-advertisement of public hearing dates and re-hearing by the Board of Commissioners. In such case, the Director of Planning shall require the applicant to pay an additional fee commensurate with a new application.

Section 138.3 Final Plat.
1. The applicant shall apply for final plat approval following installation, approval, and acceptance by Coweta County of all required site improvements.

2. Final plat approval shall be required prior to approval of building permits for individual sites.

3. The application for final plat approval shall conform to the requirements of Section 33 of the Coweta County Subdivision Regulations.

4. Hard copies of text and graphics shall be accompanied by one electronic file in a format and media approved by the Director of Planning

Section 138.4 Review of Construction Plans.
1. The Planning Department shall review construction plans prepared pursuant to Section 32 of the Coweta County Subdivision Regulations, with respect to their consistency with the Coweta County Subdivision Regulations, the applicable Village Center Master Plan, the Village Center Design Guidelines, and the preliminary plat and the conformity of the construction plans with each of the standards and requirements of this section and all other applicable sections of the Coweta County Code of Ordinances.

2. Include all documentation specified in Section 32 of the Coweta County Subdivision Regulations, as applicable. In addition, the applicant shall submit one electronic file of construction plan documents containing all text and graphics in a media and format approved by the Director of Planning.

a. Within 21 working days of receipt of the completed application for approval of construction plans, the Director of Planning shall prepare a written report documenting approval or disapproval of the construction plans. This report shall document any conditions of approval, if approved, or reasons for disapproval, if disapproved. If said report is not issued within 20 working days, the construction plans shall be deemed approved.

b. If the construction plans are disapproved, the applicant shall have 90 days to resubmit revised construction plans that meet the standards of this section and address the reasons for disapproval in a manner that is satisfactory to the Director of Planning. If said applicant
fails to resubmit revised construction plans within 90 days, the preliminary plat shall be void and a new preliminary plat shall be submitted by the applicant.

c. Approval of construction plans shall entitle the applicant to pay the Land Disturbance Activities Permit fee and thereafter receive a Land Disturbing Activities Permit for construction of site improvements required in this section and other requirements of the Coweta County Code of Ordinances.

Section 138.5 Review of Building Plans.
1. Prior to issuance of a building permit for any occupied structure to be located within a Village Center District, the builder shall provide architectural plans and elevations at a scale no smaller than 1/8 inch = 1 foot that demonstrate compliance with the requirements of this section. Hard copies of text and graphics shall be accompanied by one electronic file in a format and media approved by the Director of Planning.

2. The Director of Planning shall have the authority to review and approve building plans for conformity with the requirements of this section, the Village Center Design Guidelines, Building Codes, and other requirements of the Coweta County Development Code of Regulations.

Section 138.6 Phasing of Projects.
1. Projects within the Village Center District that have two or more uses or include 10 acres or more may be phased.

2. In all cases where a project is to be phased, each phase of the project shall be consistent with the approved Concept Plan and shall contain the required streets, access, sidewalks, parking spaces, open space, recreation space, trees, landscaping, and utilities required for that phase unless specifically approved by the Director of Planning subject to a Developer Agreement approved by the Coweta County Board of Commissioners.

Section 138.7 Performance Guarantee.
1. The Director of Planning shall have the authority to require the applicant to establish a performance guarantee or post performance bonds in a form acceptable to Coweta County in order to guarantee timely installation of required project improvements such as, but not limited to, streets, streetlights, utilities, drainage, sidewalks, landscaping, and multi-use trails within the subject development that are consistent with the applicable Village Center Master Plan and the Village Center Design Guidelines. Said performance guarantee shall consist of an irrevocable letter of credit or other form of security accepted by the County in an amount equal to or up to 110 percent of the construction cost estimated by a professional engineer registered in Georgia and approved by the Director of Planning. The performance guarantee shall be for a term not to exceed 12 months, with 6-month extensions subject to approval by the Director of Planning.
3. Release of the performance guarantee shall be upon inspection by the Department and acceptance of all improvements by the County. This guarantee may be in addition to any other guarantee otherwise required by the Coweta County Code of Ordinances.

**Section 138.8 Procedures for Approval of Moderately Priced Dwelling Units.**

1. **Purpose and Intent.**
   
   Where moderately priced dwelling units are requested in a Mill Village in accordance with Section 133.2(2)(k) this optional method of development is permitted in order to facilitate the construction of those units. The method permits an increase in residential density within the Mill Village Service Zone not to exceed the bonus density in Table 8 of Section 136.3 of this Article. The additional units that result from the density bonus incentive may be used to construct additional single-family detached residential dwelling units or other residential dwelling unit types that are permitted within the Mill Village Service Zone. The Concept Plan approval and subdivision development procedures of Section 138.2(2), Sections 135, 136, and 137 must be followed, and in addition the Board of Commissioners must approve the applicant’s request for a Conditional Use Permit subject to the provisions that are provided in this Section 138.8.

2. **MPDU Agreement Required.**
   
   a. Any applicant, in order to obtain approval of a Conditional Use Permit containing MPDU’s, must submit to the Department of Planning and Development, with the application for a Conditional Use Permit, a written MPDU agreement approved by the Director of Planning and the County Attorney. The MPDU agreement must include the number, type, location, and plan for staging construction of all dwelling units and such other information as the Department requires to determine the applicant’s compliance with this Article. The MPDU staging plan must be consistent with any applicable land use plan, subdivision plan, or site plan. The staging plan included in the MPDU agreement for all dwelling units must be sequenced so that no more than 50 percent of the market rate dwelling units are built until 100 percent of the MPDUs are built.

   b. If an applicant does not build the MPDU’s contained in the staging plan along with or before other dwelling units, the Director of Planning must withhold any later building permit to that applicant until the MPDU’s contained in the staging plan are built.

   c. Recording of covenants.
      
      The applicant for a MPDU Conditional Use Permit must execute and record covenants assuring that:

      i. The restrictions of this Section run with the land for the entire period of control.

      ii. The covenants will bind the applicant, any assignee, mortgagee, or buyer, and all other parties that receive title to the property. These covenants must be senior to all instruments securing permanent financing.

   d. Later deeds.
The seller must state, in any deed or instrument conveying title to an MPDU, that the conveyed property is a MPDU and is subject to the restrictions contained in the covenants required under this section during the control period until the restrictions are released.

3. **Maximum prices of MPDUs.**

Moderately priced dwelling units must not be sold at prices that exceed the maximum prices established under this Section.

a. **Maximum Initial Sales Price.**

   i. The initial sales price of any MPDU, including closing costs and brokerage fees, must not exceed an applicable maximum sale price established from time to time by the Coweta County Board of Commissioners.

   ii. At the direction of the Coweta County Board of Commissioners, the County Manager may release maximum sales prices for MPDUs. The maximum sales prices shall be based upon the ability to pay of persons of moderate income in accordance with the most recent standards established by the U.S. Department of Housing and Urban Development or the Georgia Department of Community Affairs for the Coweta County real estate market. Sales prices will continue in effect until changed by later regulation and as directed by the Coweta County Board of Commissioners.

   iii. At the direction of the Coweta County Board of Commissioners, the County Manager may make interim adjustments in maximum MPDU sale prices when sufficient changes in costs justify an adjustment. Any interim adjustment must be based on the maximum MPDU sale prices previously established, adjusted by the percentage change in the Consumer Price Index.

4. **Enforcement.**

   a. This Section applies to all agents, successors and assigns of an applicant.

   b. A building permit must not be issued, and a concept plan, preliminary plat, or site plan including MPDU’s must not be approved unless it meets the requirements of this Section.

   c. The Director of Planning may deny, suspend, or revoke any building or occupancy permit upon finding a violation of this Section.

   d. Any prior approval of a preliminary plan of subdivision, development plan or site plan including MPDU’s may be suspended or revoked upon the failure to meet any requirement of this Section.

   e. No occupancy permit for a MPDU may be issued to any applicant, or a successor or assign of any applicant, for a building that does not comply with this Section.
party to the transfer does not comply with all requirements of this Section. The Director of Planning may recover any funds improperly obtained from any sale or rental of an MPDU in violation of this Section.

h.g. In addition to or instead of any other available remedy, Coweta County may take legal action to enjoin an MPDU owner who violates this Section to cease and desist from further violation, or to immediately sell or rent the MPDU in question to an eligible person or household.

5. Appeals.

a. Any person aggrieved by any denial, suspension or revocation of approval of a concept plan including an MPDU may appeal to the Board of Commissioners.

b. Any person aggrieved by any denial, suspension or revocation of a building or occupancy permit or denial, suspension or revocation of approval of a preliminary plat or site plan including an MPDU may appeal to the Board of Zoning Appeals as provided in Article 28.
Coweta County Comprehensive Plan
Growth Management Tool

Village Center Design Guidelines

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ZERO LOT LINE DWELLINGS

DESIGN GUIDELINES

A. Prior to building permit approval, the applicant shall submit an engineering drawing that clearly shows the lot size, lot setback, and maintenance easement.

B. Along the side walls, window placement and design shall provide for privacy.

C. When a zero lot line house shares a side property line with a house on a side street, there shall be no less than 10 feet clearance. Provide one by a minimum of 10 feet.
DESIGN STANDARDS

A. Minimum residential floor space: 1,400 sq ft
B. Maximum studio floor space: 2,500 sq ft
C. Minimum parking: 3 spaces per unit
D. Maximum height: 3 stories
E. Minimum setback:
   1. Front: 10 ft
   2. Side: 10 ft
   3. Rear: 10 ft
F. Minimum attached units per building: 2
G. Minimum lot size: 4,000 sq ft
H. Minimum parking: 3 spaces per unit
I. Minimum space between buildings: 15 feet
J. Garage must be in rear yard.

LIVE / WORK UNITS

DESIGN GUIDELINES FOR:
VILLAGE CENTER DESIGN GUIDELINES
COWETA COUNTY, GEORGIA

MARCH 15, 2006
PREPARED BY:
JAMES JONES (AND ASSOCIATES)
DESIGN STANDARDS
A. Minimum lot width: 75 feet
B. Minimum building height: 30 feet
C. Yard dimensions:
   1. Front yard line setback shall be no greater than 20 feet.
   2. Rear yard setback shall be no less than 30 feet.
D. Minimum residential unit size: 1,000 sq. ft.
E. All parking must be in rear yard.
MULTI-FAMILY DEVELOPMENT

DESIGN GUIDELINES FOR:
VILLAGE CENTER DESIGN GUIDELINES
COMETTA COUNTY, GEORGIA

MARCH 15, 2006
JORDAN JONES & GOULDING

FIGURE 9
NEIGHBORHOOD COMMERCIAL/MIXED USE VILLAGE CENTER DESIGN GUIDELINES

COWETA COUNTY, GEORGIA

PREPARED BY JORDAN JOSEPH & ASSOCIATES
CIVIC / INSTITUTIONAL USES
VILLAGE CENTER DESIGN GUIDELINES
COWETA COUNTY, GEORGIA
PREPARED BY JORDAN JESSEE & ASSOCIATES
TYPICAL SIGNS IN VILLAGE CENTER

MARCH 19, 2008

DESIGN GUIDELINES FOR
VILLAGE CENTER DESIGN GUIDELINES
COWETA COUNTY, GEORGIA

Figure 13
NOTES:
1. NO MOTORIZED VEHICLES EXCEPT GOLF CARTS
2. MAXIMUM TRAIL GRADE OF 6%
3. EASEMENT VARIABLE BASED ON TOPOGRAPHY

MULTI-USE TRAIL

DESIGN GUIDELINES FOR:
VILLAGE CENTER DESIGN GUIDELINES
COWETA COUNTY, GEORGIA
ARTICLE 14. O-I OFFICE-INSTITUTIONAL DISTRICT

This district classification is established to permit and encourage the development of a high-quality office and professional community of uses, supplemented with limited related retail business and service activities, all in buildings of high quality in attractive surroundings.

Section 140. Dimensions requirements.
Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

Section 141. Permitted uses.
The following uses are allowed in any O-I district, subject to the further provisions of this ordinance:

(1) Business and professional offices, including medical, dental, legal, financial, architectural, engineering, real estate, insurance and manufacturers' representatives, provided no goods are offered for sale at retail.

(2) Educational institutions, including colleges and universities, business schools, trade schools, professional schools and technical schools.

(3) Governmental offices.

(4) Hospitals.

(5) Medical and dental clinics.

(6) Nursing Homes (aka Rest Homes) and Assisted Living Facilities. (Ord. of 7-20-10)

(7) Church or any other place of worship.

(8) Clubs and lodges catering exclusively to their members and their guests.

(9) Financial services/institutions.

(10) Customary accessory buildings and uses, provided that such accessory buildings and uses specifically exclude retail business and service establishments that could be construed as principal uses and include only those buildings and uses that are primarily intended for and used by patrons or occupants of the principal use to which said establishment is accessory.

Limitation on distributive functions: Distributive functions such as a loading, unloading, storage, packaging, and unpackaging shall be limited to ten percent of the total building area and to five percent of the total lot area.
Section 142. Conditional uses.

The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the board of zoning appeals as provided in Article 28.

1. Hotels and motels.
2. Restaurant, not including drive-in restaurant.
3. Day care facilities.
4. Transitional Housing Shelters, meeting the regulations contained in Article 6. Section 68. of this ordinance. (Ord. of 7-20-10)

Section 143. Additional requirements.

Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

Section 144. Miscellaneous provisions.

In order to establish and maintain the O-I district as a quality area which will preserve the investments of all landowners and developers, as well as the tax base of Coweta County, all construction and development within the O-I district shall comply with the following development standards:

1) Buildings. Exterior wall materials of all buildings shall be one or more of the following:
   a) Hard-burned clay.
   b) Stone with either a weathered face or a polished, fluted or broken face. No quarry-faced stone shall be used except in retaining walls.
   c) Concrete masonry. Units shall be those generally described by the National Concrete Masonry Association as “customized architectural concrete masonry units” or shall be broken-faced brick-type units with marble aggregate. There shall be no exposed concrete block on the exterior of any building; however, rear walls which do not front any street or building may be painted concrete block. Any concrete masonry units that have a gray cement color shall be coated with a coating approved by the Building Official.
   d) Concrete may be poured-in-place, tilt-up or precast. Poured-in-place and tilt-up walls shall have a finish of stone, a texture or a coating. Textured finishes shall be coated. Precast units which are not uniform in color shall be coated. Coating shall be an approved cementitious of any epoxy type with a life expectancy of at least ten years.
   e) One or more of the above-listed materials used in combination with glass and/or metal trim.
   f) Other exterior wall materials may be used only with the approval of the Board of Zoning Appeals. Approval or disapproval will be judged on the appropriateness of the materials when considered in context with the total building design and surrounding developments.

2) Roof-mounted equipment. Roof-mounted equipment shall be located and/or
screened to minimize visibility from streets or surrounding buildings.

(3) **Landscaping.** The entire area of any lot containing a building site, including the area between the building and the street right-of-way line, shall be landscaped except for areas covered by buildings and paved areas. A minimum strip of landscaping ten feet wide shall be installed and maintained along any portion of the lot bordering a public street right-of-way except for entrance driveways onto the lot. The landscaping plan submitted to the Planning Department for approval shall identify such features as the planting of trees, shrubs and grass and the installation of screens as appropriate. The landscaping, as approved by the Planning Director or his designee, shall be installed prior to the issuance of a certificate of occupancy. The maintenance of the landscaping shall be the responsibility of the owner and shall include the provision of a sprinkler system or readily available water supply with at least one outlet located within 150 feet of all plant material to be maintained.

All vehicle use areas shall be landscaped in accordance with requirements of Article 24.

(4) **Exterior lighting.** All exterior lighting shall be designed, erected, altered and maintained in accordance with plans and specifications submitted to and subsequently approved by the Building Official.

**ARTICLE 15. LUH LIMITED USE HISTORIC DISTRICT.**

This district classification is established to permit and encourage the use of historically significant sites as event sites open for visitor visitation and events for the public, and to regulate such uses so that such use is not detrimental to the surrounding area. To qualify for this classification, the property or a portion of the property must be listed on the state or National Register of Historic Places. The Limited Use Historic District shall include the historic property (or properties) and identified structures, land forms, archeology, or sites designated by the Register of Historic Places as historically significant.

**Section 150. Dimensional requirements.**

- Required minimum lot size: 5 acres
- Maximum height: 40 feet
- Front yard: 50 feet
- Side yard: 25 feet
- Rear yard: 50 feet

**Section 151. Permitted uses.**

Any one or more of the following uses may be permitted in a limited use historic district, subject to the further provisions of this ordinance, provided that the specific use and any related activity anticipated by the party requesting the rezoning must be delineated in the zoning request. The property will be rezoned for one or more specific uses only to the exclusion of all other listed permitted uses. The limits of permitted uses of the property, density or intensity of use, and height
and size restrictions must have a reasonable relation to the rezoning, and must be in the best interest of public safety, welfare, and convenience.

(1) Single-family residential use of one historic dwelling by the owner or curator of the historic property.

(2) Public access to the historic structure, facility, park, or museum.

(3) Accessory parks, including bicycle and/or walking trails.

(4) Museums.

(5) Special events.

(6) Banquet halls.

(7) Concerts and other theater productions.

(8) Giftshops.

(9) Restaurants.

(10) Recreational facilities.

(11) Catering.

(12) Alcohol sales by the drink.

(13) Bed and breakfast lodging.

(14) Administrative office related to permitted use.

**Section 152. Infrastructure requirements.**

(1) The property shall be served by public highways, streets, to adequately serve the traffic created by the use, and entrances to the property shall not create a traffic hazard.

(2) The property shall be served by public water.

(3) The property shall be served by adequate public safety, refuse disposal, and sewerage disposal.

**Section 153. Additional requirements.**

(1) The use of the property must not be unduly hazardous or disturbing to the surrounding property owners.
(2) The property use will not involve uses, activities, processes, materials and equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

(3) The property shall be served by adequate parking and drainage structures.

(4) Sufficient buffers shall be provided along the boundary of the property to protect the quiet enjoyment of the surrounding property.

Section 154. Additional criteria for consideration.
In addition, the Board of Commissioners shall consider, at a minimum, the following in its determination of whether or not to zone property to limited use historic:

(1) Whether or not quiet enjoyment of surrounding property will be adversely affected;

(2) Whether or not adequate provisions are made for waste disposal, parking and traffic;

(3) Whether or not the intensity of the use is appropriate in light of the surrounding land uses and the historical nature of the property;

(4) Whether adequate provisions are made to maintain the historical authenticity and integrity of the property; and

(5) Whether the times and hours of operation will adversely affect the use of the adjoining properties.

ARTICLE 16. C-MU MIXED USE EMPLOYMENT CENTER SUPPORTING DISTRICT.

The C-MU District is established to support the higher density employment centers with complimentary mixed uses such as residential and retail at appropriate densities. All C-MU districts are located on properties that are serviced by a minimum of Arterial and Collector streets and will ensure that compatible and sustainable development forms will be created that provide for close proximity to goods, services and housing.

Section 160. Dimensional requirements.
Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23. See exception below Section 163. General Requirements. Item 6.

Section 161. Permitted uses.
The following uses are allowed in any C-MU district, subject to the further provisions of this ordinance:
1. Uses identified in the R-2, O-I, C-1, C-2, C-3, C-4, C-5, C-6, and C-7, zoning districts with the exception of those uses that are listed as conditional uses in Section 162.

Section 162. Conditional uses.
The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the Board of Zoning Appeals as provided in Article 28.

1. Outdoor advertising signs, subject to the Sign Ordinance.
2. Places of worship provided that approval of the conditional use is not detrimental to the health or general welfare of the neighboring property owners, provided:
   a. That owners acknowledge that they may be subject to certain noxious odors, noises, traffic and business practices that members may consider inconsistent with a church.
   b. That owners affirm that they understand that by accepting this conditional zoning they are waiving any objection they may have under county ordinance to placement of or approval of any business, industry or practice on surrounding or nearby property that is otherwise allowed by county ordinances.

Section 163. General requirements.
1. Density. Residential uses shall be permitted to be developed at a maximum net density of eight (8) units per acre.
2. Open Space (See Article 24 for additional regulations for Open Space). All developments shall provide open space at a minimum of twenty (20%) percent of total built square footages.
3. Mixed uses. Developments shall be prohibited from having a difference of greater than fifteen thousand (15,000) square feet between the total built square footage of residential uses and the total built square footage of non-residential uses.
4. Lighting. Neon lighting shall be prohibited from being visible from any public right of way.
5. Parking. Development that contain both residential and non-residential uses within a single structure shall utilize signage or physical elements to identify and secure the residential parking spaces from the non-residential parking spaces.
6. The front setback shall be a minimum of 50 feet and a maximum of 65 feet from all right-of-way except for the following development design: When front facades of buildings in a development are oriented toward internal private streets and/or dedicated streets classified as local, the front yard setback shall be a minimum of 30 feet from the back-of-curb or from the dedicated right-of-way.
7. Traffic Management Plan. A traffic management plan, prepared by a qualified professional engineer shall be submitted at the discretion of the County Engineer, based on the size and intensity of the development, and traffic conditions. The traffic management plan must identify any traffic problems that will be generated by the development and present reasonable solutions to those problems. This plan must be submitted to the County Engineer for approval.

Section 164. Additional requirements.
Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.
ARTICLE 17. C-LS LIMITED SERVICES CORRIDORS DISTRICT

The C-LS District is established to allow for compatible transition of uses where frontage lots on certain transportation corridors are exposed to the effects of high traffic volume; and where residential use along the corridor is less desirable than non-residential use. This district will ensure that all non-residential uses are limited in size, design, and traffic impact, and that all uses will occupy buildings of a residential style, scale, massing and, detail. This district shall be utilized when located adjacent to those corridors characterized by nodal commercial developments or commercial zoning districts.

Section 170. Dimensional requirements.
In addition to the required minimum lot size, yard setbacks, height limitations, and related requirements set forth in Article 23, this district shall be limited to lots of a depth of no greater than five hundred (500) feet.

Section 171. Infrastructure Requirements.
C-LS Districts shall meet the following additional infrastructure requirements:
1. C-LS developments shall have direct frontage on streets with a minimum designation of Minor Arterial as defined by the Coweta County Thoroughfare Plan; and
2. Shall receive water supply by the county or local municipality.
3. Multiple lots within a C-LS district may be served by a Decentralized Wastewater Treatment Network System (DWTNS), if approved by the Board of Commissioners through the normal Special Use Permit process.

Section 172. Permitted uses.
The following uses are allowed in any C-LS district, subject to the further provisions of this ordinance provided each individual building is located on a separate lot of at least 1.6 acres. Exceptions to the lot size minimum shall be made for lots of record which are less than or equal to 1.6 acres.
1. Uses identified in the O-I, C-1, C-2 zoning districts. Individual uses as permitted in said zoning districts shall be allowed provided that no building or use may exceed 5,000 square feet of floor area.
2. Limitation on distributive functions: Distributive functions such as loading, unloading, storage, and unpacking shall not exceed a total of ten (10) percent of the total building area and to five (5) percent of the total lot area.

Section 173. Prohibited uses.
Within the C-LS district, the following uses are specifically prohibited:
1. Any establishment having exterior sales, exterior storage, or exterior display of merchandise.
2. Automobile service stations.
3. Drive-thru establishments.
4. Food and convenience stores.
5. Land uses with loading and servicing at the front or side of the structure.

Section 174. Conditional uses.
The following conditional uses may be permitted subject to approval of a conditional use permit by the Board of Commissioners, and after receiving the recommendation of the Board of Zoning Appeals as provided in Article 28:

1. Places of worship exceeding 5,000 square feet in floor area, provided that approval of the conditional use is not detrimental to the health or general welfare of the neighboring property owners, and provided:
   a. That owners acknowledge that they may be subject to certain noxious odors, noises, traffic, and business practices that members may consider inconsistent with a church.
   b. That owners affirm that they understand that by accepting this conditional zoning they are waiving any objection they may have under county ordinance to placement of or approval of any business, industry, or practice on surrounding or nearby property that is otherwise allowed by county ordinances.

Section 175. General requirements.

1. Lot sizes where subdivisions occur must be varied where no more than three (3) same lot sizes may exist next to each other along the street and no two (2) same lot sizes may mirror each other across the street. Lots must vary by at least ten (10) percent in area and five (5) percent in frontage to qualify as different.
2. No individual building design may be substantially repeated on a street block.
3. No more than two (2) cladding materials shall be visible on any façade.
4. No more than two (2) gables shall be visible on the front façade except that Gable dormers shall be permitted.
5. Roof Overhang shall be a minimum of fourteen (14) inches.
6. Roof pitch shall not be less than six (6) and twelve (12) and not be more than twelve (12) and twelve (12).
7. Fenestration shall have a vertical orientation and shall have a height to width ratio of not less than one point six to one (1.6 to 1) and not more than two point four to one (2.4 to 1). Window casing shall not be less than a nominal six (6) inches unless the cladding material is dimensional brick or natural stone veneer where the casing shall not be less than 1”. All muntin bars shall be true divided light or fully laminated to all glazing on the exterior of the glazing.
8. Front porches on the principal structure shall be required. The design and size of said front porch shall be a minimum of twelve (12) feet wide or one-half the width of the front façade, whichever is greater, and a minimum of eight (8) feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features typical to porches. Front porches may extend up to ten (10) feet into the required front yard. All front porch steps shall have closed risers and ends.
9. All front facades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street.
10. The first floor of the principal structure shall be on foundations and elevated above grade a minimum of fourteen (14) inches and a maximum of forty-eight (48) inches.
11. Permanent plantings consisting of low evergreen shrubs shall screen piers or foundation masonry along the length of ramps providing pedestrian and wheelchair access.
12. When any portion of a chimney is visible as a façade element, the chimney shall originate at grade.
13. Corner boards shall be a minimum of four (4) inches nominal on both sides of a corner.
14. Frieze and raking Frieze boards shall be a minimum of eight (8) inches nominal.
15. Columns shall be a minimum of eight (8) inches minimum nominal.
16. Masonry veneer shall cover foundation to first floor.
17. Fences located in the front yard shall not exceed four (4) feet in height. They may be constructed of similar materials as found on the principal structure.
18. Two symmetrical (mother and father) trees shall be located on either side of the central axis of the primary building between it and the road. They shall be placed no greater than one hundred (100) feet apart.
19. Fire apparatus access roads shall not be required for lots less than three (3) acres in size.
20. The ratio of heated floor area to lot area shall not exceed thirty three (33) percent.
21. Where conversion to an allowed use would place the building in a different division of the same group of occupancy (as defined by the building code) it shall be required to follow the architectural guidelines.
22. Lighting. Neon lighting shall be prohibited from being visible from any public right of way.
23. No more than 50% of the parking facilities shall be visible from the public right of way unless the dimensions of the lot and/or location of existing building prohibit such design.
24. No more than one primary entrance per building shall be allowed. Multiple tenants within a building shall access tenant spaces through a shared lobby or hallway.”

Section 176. Additional requirements.
Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

ARTICLE 17A. C-1 LIMITED BUSINESS DISTRICT

This district classification is established for restricted commercial business purposes. Recognizing that a general commercial district with its variety of land uses could cause a detrimental impact on neighboring lands, the regulations which apply within this district are designed to encourage the formation and continuance of a stable, economically healthy and compatible environment for businesses to serve the county and to promote the interest of the particular neighbors and the public welfare at large. This district is intended for use only when a commercial district, in its unrestricted form, would be detrimental to the surrounding area. This district is also intended to reduce traffic congestion, prohibit the development of “strip” type business areas, and prohibit encroachment by other uses that would adversely affect the character of the district.

Section 170A. Dimensional requirements.
Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

Section 171A. Permitted uses.
Any one or more of the following uses may be permitted in any C-1 district, subject to the further provisions of this ordinance, provided that no single enterprise occupies more than 3,000 square feet of floor area. (The specific use and any related activity anticipated by the party requesting the rezoning must be delineated in the zoning request.) The property will be rezoned for one or more specific uses only to the exclusion of all other listed permitted uses. The limits of
permitted uses of the property, density or intensity of use, and height and size restrictions must have a reasonable relation to the rezoning, and must be in the best interest of public safety, welfare, and convenience.

1. Appliance stores, including radio and television repair shops.
2. Art and antique shops.
3. Beauty and barber shops.
4. Book, stationery, camera or photo supply stores.
5. Business and professional offices.
6. Confectionery stores.
7. Flower and gift shops.
8. Jewelry stores.
9. Restaurant, but not drive-in restaurant.
10. Sales and service establishments for home and garden equipment.
11. Self-service laundry establishments.
12. Shoe repair shops.

Section 172A. Site plan.
The applicant must submit a detailed site plan showing what specific use the applicant plans to make of the property submitted for rezoning. This site plan shall become a part of the application and the project must be built according to the site plan or the property must be rezoned accordingly. Said site plan shall include the requirements of Article 24 of this ordinance.

Section 173A. Additional requirements.
Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

ARTICLE 17B. C-2 NEIGHBORHOOD BUSINESS DISTRICT

This district classification is established to provide a location for convenience goods and services primarily for people in nearby residential neighborhoods. The neighborhood business district is intended as a transitional zone from commercial uses to less intensive uses such as residential use. Additionally, sites developed within C-2 zones should be architecturally and proportionately compatible with any adjacent residences or residential developments.
Section 170B. Dimensional requirements.
Required minimum lot size, yard setbacks, height limitations and related requirements are
set forth in Article 23.

Section 171B. Permitted Uses.
The following uses are allowed in any C-2 district, subject to the further provisions of this
ordinance, provided that no single enterprise occupies more than 5,000 square feet of floor area:

1. Banks and financial institutions.
2. Beauty and barber shops.
3. Business and professional offices.
4. Day care centers, provided the following conditions are met:
   (a) At least 100 square feet of outdoor recreation area per child, and the outdoor
       play area is enclosed with a six-foot-high fence.
   (b) Comply with all state day care requirements.
   (c) Comply with all health requirements.
5. Drugstores and pharmacies.
6. Flower and gift shops.
7. Food and/or convenience stores without fuel pumps.
8. Dry cleaning pickup and delivery stations (no on-premises cleaning).
9. Produce Stands, temporary, subject to the provisions of Article 6, Section 69.4 of
   this ordinance. (Ord. of 8-18-11)

Section 172B. Prohibited uses.
Within the C-2 district. The following uses are specifically prohibited:

1. Any establishment having exterior sales, exterior storage, or exterior display of
   merchandise; however, produce stands meeting the requirements of Article 6,
   Section 69.4 shall be exempted. (Ord. of 8-18-11)
Section 173B. Conditional Uses.
The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the Board of Zoning Appeals as provided in Article 28.

1. Automobile service station.
2. Restaurant, not including drive-in restaurant.
3. Church or any other place of worship provided that approval of the conditional use is not detrimental to the health or general welfare of the neighboring property owners[], and provided:
   That owners acknowledge that they may be subject to certain noxious odors, noises, traffic and business practices that members may consider inconsistent with a church.
   That owners affirm that by accepting this conditional zoning they are waiving any objection they may have under county ordinance to placement of or approval of any business, industry or practice on surrounding or nearby property that is otherwise allowed by county ordinances.
4. Produce Stands, permanent, subject to the provisions of Article 6, Section 69.4 of this ordinance. (Ord. of 8-18-11)

Section 174B. Additional requirements.
Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

ARTICLE 17C. C-3 COMMERCIAL RETAIL DISTRICT

The C-3 zone is established to protect and promote a suitable environment for those uses which serve the local neighborhood. This district is intended to serve as the location of those retail commercial uses which sell goods and services purchased frequently and generally in small amounts by the public in an intimate, pedestrian-oriented scale. This district is intended to exclude retail establishments selling large and heavy products which require substantial trucking activity. Additionally, sites developed within C-3 zones should be architecturally and proportionately compatible with any adjacent residences or residential developments.

Section 170C. Dimensional requirements.
Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

Section 171C. Permitted Uses.
The following uses are allowed in any C-3 district, subject to the further provisions of this ordinance and provided each use is located on a separate lot:

1. Appliance stores including radio and television service.
2. Art and antique shops.
3. Bakeries (retail) employing not more than ten persons.
4. Bicycle stores including service.
5. Books, stationery, camera or photographic supply stores.
6. Cafes, grills, lunch counters, and restaurants (including drive-in restaurants and brewpubs). (Ord. of 9-5-13)
7. Confectionery stores.
8. Department stores/clothing stores.
9. Drugstores and pharmacies.
10. Florist and gift shops.
12. Furniture, home furnishings, including office furniture equipment stores.
15. Sporting goods store.
16. Shoe stores.
17. Grocery stores.
18. Video sales and rental stores.
19. Any retail establishment not specifically permitted herein, but which is similar to the listed uses, compatible with uses on adjoining property and which meets the intent and purpose of the district. Permitted retail establishments that include the making of articles which are sold at retail, on the premises, shall meet the following:
a) The manufacturing of articles is incidental to the retail business.

b) The area devoted to the manufacturing of articles occupies forty (40) percent or less of the building(s) floor area.

c) No more than five (5) operators may be employed in the manufacturing of articles.

20. Customary accessory buildings and uses.

21. Produce Stands, temporary, subject to the provisions of Article 6, Section 69.4 of this ordinance.  
   (Ord. of 8-18-11)

Section 172C. Conditional Uses.

The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the Board of Zoning Appeals as provided in Article 28.

(1) Church or any other place of worship provided that approval of the conditional use is not detrimental to the health or general welfare of the neighboring property owners[, and provided:]

That owners acknowledge that they may be subject to certain noxious odors, noises, traffic and business practices that members may consider inconsistent with a church.

That owners affirm that they understand that by accepting this conditional zoning they are waiving any objection they may have under county ordinance to placement of or approval of any business, industry or practice on surrounding or nearby property that is otherwise allowed by county ordinances.

(2) Produce Stands, permanent, subject to the provisions of Article 6, Section 69.4 of this ordinance.  
   (Ord. of 8-18-11)

Section 173C. Additional requirements.

Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

ARTICLE 17D. C-4 COMMERCIAL SERVICE DISTRICT

The C-4 zone is established to protect and promote a suitable environment for those commercial uses which benefit from close proximity to each other.

Section 170D. Dimensional requirements.
Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

**Section 171D. Permitted uses.**

The following uses are allowed in any C-4 district, subject to the further provisions of this ordinance and provided each use is located on a separate lot:

1. Automotive part stores (without machine shop).
2. Banks and financial institutions.
3. Barber and beauty shops.
4. Day care centers, provided the following conditions are met:
   a. At least 100 square feet of outdoor recreation area per child, and the outdoor play area is enclosed with a six-foot-high fence.
   b. Comply with all state day care requirements.
   c. Comply with all health regulations.
5. Dressmaking and tailoring shops.
6. Dry cleaning pickup and delivery stations.
7. Electronic sales and service establishments.
8. Emissions inspection stations.
10. Gunsmith shops.
11. Hardware and paint stores.
12. Health clubs or spas.
15. Laboratory serving professional requirements, e.g., medical, dental, etc.
16. Lawn mower repair shops.
(17) Locksmith shops.

(18) Pet shops or grooming establishments.

(19) Shoe repair shops.

(20) Taxi services.

(21) Travel agencies.

(22) Upholstery shops.

(23) Any service establishment not specifically permitted herein, but which is similar to the listed uses, compatible with uses on adjoining property and which meets the intent and purpose of the district.

(24) Customary accessory buildings and uses.

**Section 172D. Conditional uses.**

The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the Board of Zoning Appeals as provided in Article 28.

(1) Animal hospital/clinic.

(2) Outdoor advertising signs.

(3) Church or any other place of worship provided that approval of the conditional use is not detrimental to the health or general welfare of the neighboring property owners, and provided:

That owners acknowledge that they may be subject to certain noxious odors, noises, traffic and business practices that members may consider inconsistent with a church.

That owners affirm that they understand that by accepting this conditional zoning they are waiving any objection they may have under county ordinance to placement of or approval of any business, industry or practice on surrounding or nearby property that is otherwise allowed by county ordinances.

(4) Funeral parlors, excluding crematories.

(5) Transitional Housing Shelters, meeting the regulations contained in Article 6, Section 68 of this ordinance.  (Ord. of 7-20-10)
Section 173D. Additional requirements.
Requiring parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

ARTICLE 17E. C-5 COMMERCIAL CONVENIENCE STORE DISTRICT

The C-5 zone is established to provide convenience to limited goods and services, serving nearby residential neighborhoods and the traveling public. This zone is intended to be located at street intersections, along minor or major thoroughfares or within commercial nodes.

Section 170E. Dimensional requirements.
Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

Section 171E. Permitted uses.
The following use is allowed in any C-5 district, subject to the further provisions of this ordinance:

(1) Convenience stores.

(2) Produce Stands, temporary, subject to the provisions of Article 6, Section 69.4 of this ordinance. (Ord. of 8-18-11)

Section 172E. Conditional uses.

(1) Produce Stands, permanent, subject to the provisions of Article 6, Section 69.4 of this ordinance. (Ord. of 8-18-11)

Section 173E. Additional requirements.
Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

ARTICLE 17F. C-6 COMMERCIAL MINOR SHOPPING DISTRICT

The C-6 zone is established to provide and encourage proper grouping and development of those office, retail and service establishments which generate moderate volumes of traffic to ensure the best interest of public safety, welfare and convenience. Such establishments shall be located on or will have ready access to a minor or major arterial road or state highway, and will provide adequate parking for high-capacity traffic volumes.

Section 170F. Dimensional requirements.
Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.
Section 171F. Permitted uses.

The following uses are allowed in any C-6 district, subject to the further provisions of this ordinance and provided that no single enterprise occupies no more than 35,000 square feet of floor area:

(1) Shopping centers and/or malls allowing office, retail and service uses identified under the O-I, C-3, C-4 and C-5 zoning districts.

Section 172F. Conditional uses.

Conditional uses as identified under the O-I, C-3, C-4, and C-5 zoning districts.

Section 173F. Additional requirements.

Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

ARTICLE 17G. C-7 COMMERCIAL MAJOR SHOPPING DISTRICT

The C-7 zone is established to provide and encourage proper grouping and development of those retail and service establishments which generate large volumes of traffic to ensure the best interest of public safety, welfare and convenience. Development of uses in this district characteristically occupies a larger area than in the C-6 district because it is intended to serve a greater population and to offer a wider range of uses. Such establishments shall be located on or will have ready access to a minor or major arterial road or state highway, and will provide adequate parking for high-capacity traffic volumes.

Section 170G. Dimensional requirements.

Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

Section 171G. Permitted uses.

The following uses are allowed in any C-7 district, subject to the further provisions of this ordinance:

(1) Shopping centers and/or malls allowing office, retail and service uses identified under the O-I, C-3, C-4 and C-5 zoning districts.

Section 172G. Conditional uses.

Conditional uses as identified under the O-I, C-3, C-4, and C-5 zoning districts.

Section 173G. Additional requirements.

Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.
ARTICLE 17H. C-8 HEAVY COMMERCIAL DISTRICT

The C-8 zone is established to protect and promote a suitable environment for those retail and service uses which generate loud noises and require large area for open storage. It is an area which provides for substantial motor vehicle traffic. Permitted uses of this district shall be located at major interchanges of interstate freeways and/or along major arterial roads.

Section 170H. Dimensional requirements.
Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

Section 171H. Permitted uses.
Any one or more of the following uses may be permitted in any C-8 Heavy Commercial District subject to further provisions of this ordinance:

1. Automotive carwash (full service or self-service).
2. Automotive parts stores with machine shops.
3. Automotive service stations.
4. Automobile sales (new and used) and repair establishments.
5. Automobile tire stores including lubrication or tune-up centers.
7. Building materials sales with outdoor storage.
8. Bus terminals and taxicab stands.
9. Dry cleaning and laundry establishments, including pickup, alterations, self-service laundry.
10. Equipment rental (excluding heavy equipment, bulldozers, backhoes, forklifts, cranes, etc.).
11. Flea markets, pawnshops, salvage shops and other establishments which deal primarily in used merchandise.
12. Funeral parlors.
(15) Newspapers and printing plants.

(16) Outdoor advertising signs.

(17) Pest control businesses.

(18) Radio stations, radio and telecommunication towers:

(a) Where other permitted districts adjoin a tower site, the setback from common permitted district boundaries may be reduced to the dimensional requirement of the district of the tower site. Otherwise the minimum setback from non-permitted districts shall be the height of the tower and appurtenances.

(b) Requirements of Article 6, Section 62, of this ordinance shall apply.

(c) Requirements of Article 6, Sections 69.5(2), Applicability, 69.5(3), General Guidelines and Requirements, 69.5(4), Permitted Uses, and 69.5(5), Removal of Abandoned Antennas and Towers shall apply.

(19) Customary accessory buildings and uses.

**Section 172H. Conditional uses.**

The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the Board of Zoning Appeals as provided in Article 28:

1. A wrecker or towing service provided area for storage of vehicles is screened with a six-foot, 100 percent opaque fence.

**Section 173H. Additional requirements.**

Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

**ARTICLE 17I. C-9 COMMERCIAL AMUSEMENT DISTRICT**

The C-9 zone is established to promote and protect a suitable environment for those retail commercial uses which provide amusement for the public and/or have bright lights and noise.

**Section 170I. Dimensional requirements.**

Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.
Section 171I. Permitted uses.

Any one or more of the following uses may be permitted in any C-9 Commercial Amusement district subject to further provisions of this ordinance and section 172I:

(1) Amusement parks/water parks.
(2) Go-cart racetracks.
(3) Outdoor recreation facilities, e.g.:
   (a) Batting cages.
   (b) Driving ranges.
   (c) Paint ball facilities, etc.
   (d) Coliseums, stadiums, amphitheaters, arenas, and any other facility specifically designed to be for public or private assembly.
(4) Skating rinks.
(5) Theaters, drive-in.
(6) Customary accessory buildings and uses.

Section 172I. Conditions of use.

The following conditions shall apply to the permitted uses of this district:

(a) Lighting 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.

(b) Central loudspeakers are prohibited.

(c) All activities shall not be located closer than 300 feet from any residential zoning district.

(d) An opaque wall or fence may be required in those instances where the Planning Director deems necessary to mitigate adverse impacts on adjoining properties and/or to reduce visual impacts from adjoining roadways. Walls or fences shall be ornamental or decorative and constructed of brick, stone, stucco, or treated wood of at least six feet in height or as specified by the Planning Director. A landscaped earth berm may be allowed in place of a fence or wall.

(e) Where applicable, all State of Georgia codes, rules and regulations shall apply. Verification that state requirements are not [sic] met shall accompany the application for business certificate.

(f) Any structure, ride, etc. erected in connection with an outdoor amusement activity, over 35 feet in height, must be dismantled upon the closing of the business or activity in question.

(g) Any structure, ride, etc. over 35 feet in height, or with elements over 35 feet in height, must be surrounded by a six-foot-high fence with a locked gate, when the facility is not in use. A four-inch sphere shall not be able to pass through any section of the fence or gate.
(h) All structural and support parts of the facility shall be contained within the boundaries of the parcel.

(i) The structure shall be designed to fall entirely within the boundaries of the site should structural failure occur.

Section 173I. Conditional uses.
None.

Section 174I. Additional requirements.
Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

ARTICLE 18. LM LIGHT INDUSTRIAL DISTRICT

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

Section 180. Dimensional requirements.
Required lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

Section 181. Permitted uses.
The following uses are allowed in any LM district, subject to the further provisions of this ordinance:

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

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

3. Body shops.

4. Bottling plants.

5. Cabinet shops.

6. Clinics, cafeterias, employee credit unions and recreational facilities for employees only.
(7) Cold storage, ice plants and freezer lockers.
(8) Dairy plants and ice cream manufacturing.
(9) Distribution of products and merchandise.
(10) Dry cleaning and laundering establishments.
(11) Vocational education and training facilities.
(12) Electrical appliances and equipment, sales and repairs.
(13) Electronic manufacturing and assembly plants.
(14) Fabricating shops such as woodworking, upholstery and sheetmetal shops.
(15) Garages, repair shops and machine shops.
(16) Mini-warehouses.
(17) Offices and administrative facilities.
(18) Plumbing shops and other contractors, including open storage of materials when located in the rear yard.
(19) Printing, publishing and reproducing establishments.
(20) Repair garages.
(21) Service stations.
(22) Sign painting and fabricating shops.
(23) Textile manufacturing plants.
(24) Tire recapping and retreading shops.
(25) Wholesaling or warehousing.
(26) Customary accessory buildings and uses.

Section 182. Conditional uses.

The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the Board of Zoning Appeals as provided in Article 28.
(1) Church or any other place of worship provided that approval of the conditional use is not detrimental to the health or general welfare of the neighboring property owners[, and provided:]

That owners acknowledge that they may be subject to certain noxious odors, noises, traffic and business practices that members may consider inconsistent with a church.

That owners affirm that they understand that by accepting this conditional zoning they are waiving any objection they may have under county ordinance to placement of or approval of any business, industry or practice on surrounding or nearby property that is otherwise allowed by county ordinances.

(2) Shooting Range, Indoor – Must meet at a minimum, all the following requirements:

a. Shall be required to meet all applicable standards established by The NRA Range Source Book published by the NRA.

b. Shall be required to meet all applicable standards established by Lead Management and OSHA Compliance for Indoor Shooting Ranges published by the National Association of Shooting Ranges (NASR) and the Occupational Safety & Health Administration (OSHA).

c. Shall be required to have a NRA Range Technical Team Evaluation and provide a copy of the Final Report from the Range Technical Team Advisor prior to the Certificate of Occupancy and Business License being issued.

d. Liability insurance required. Each application for a license issued under this permit shall be accompanied by evidence that the applicant has obtained a general liability insurance policy in an amount not less than one million dollars ($1,000,000) per occurrence. Such insurance policy shall remain in force and effect during the term of the license. Such insurance policy shall contain a clause requiring the insurer to immediately notify the county if for any reason, coverage under the policy terminates. The proof of insurance required by this section shall be furnished to the county upon each renewal of the license. Additionally, the licensee shall furnish to the county proof of insurance when requested to do so.

e. Certified instructors required. The owner or operator of an indoor shooting range shall have on the premises at all times during range operation an individual certified as a firearm or range instructor by the National Rifle Association or the Georgia Peace Officers Standards and Training (P.O.S.T.) Council.
f. Shall provide an operating telephone available to range participants and spectators for the purpose of contacting emergency medical services.

g. A first-aid kit containing the items recommended by a certified expert in emergency medical treatment shall be readily available at each shooting sports facility for emergency treatment or care of minor injuries.

h. A management guidebook shall be maintained that includes procedures for operations, maintenance, and lead management and recovery. The management guidebook shall be kept on-site and shall be accessible at all times to those using the shooting sports facility. (Ord. of 12-15-09)

(3) Shooting Range, Outdoor – Must meet at a minimum, all the following requirements:

a. Shall be required to meet all applicable standards established by *The NRA Range Source Book* published by the NRA.

b. Shall be required to meet all applicable standards established by *Lead Management and OSHA Compliance for Indoor Shooting Ranges* published by the National Association of Shooting Ranges (NASR) and the Occupational Safety & Health Administration (OSHA) and the EPA’s Best Management Practices for Outdoor Shooting Ranges.

c. Shall be required to have a NRA Range Technical Team Evaluation and provide a copy of the Final Report from the Range Technical Team Advisor prior to the Certificate of Occupancy and Business License being issued.

d. Liability insurance required. Each application for a license issued under this permit shall be accompanied by evidence that the applicant has obtained a general liability insurance policy in an amount not less than one million dollars ($1,000,000) per occurrence. Such insurance policy shall remain in force and effect during the term of the license. Such insurance policy shall contain a clause requiring the insurer to immediately notify the county if for any reason, coverage under the policy terminates. The proof of insurance required by this section shall be furnished to the county upon each renewal of the license. Additionally, the licensee shall furnish to the county proof of insurance when requested to do so.

e. Certified instructors required. The owner or operator of an indoor shooting range shall have on the premises at all times during range operation an individual certified as a firearm or range instructor by the National Rifle Association or the Georgia Peace Officers Standards and Training (P.O.S.T.) Council.

f. Shall provide an operating telephone available to range participants and spectators for the purpose of contacting emergency medical services.
g. A first-aid kit containing the items recommended by a certified expert in emergency medical treatment shall be readily available at each shooting sports facility for emergency treatment or care of minor injuries.

h. A management guidebook shall be maintained that includes procedures for operations, maintenance, and lead management and recovery. The management guidebook shall be kept on-site and shall be accessible at all times to those using the shooting sports facility.

i. Prior to submitting for the Conditional Use Permit, applicant shall have the NRA Range Development Technical Team advise as to the standard of noise reduction possible and to what decibel level the proposed operation will create. Applicant shall provide NRA documentation of the Evaluation including any potential noise levels.

j. Applicant shall not exceed noise level granted in the Conditional Use Permit. If complaints are received, the Planning Director shall use the best tools reasonably available to determine the merit of the complaint. If determined by the Planning Director that a valid noise concern exists, approval from Board of Commissioners to employ services of a noise consultant shall be requested. All related expenses shall be incurred by the applicant. The Planning Department shall obtain an estimate of the expenses and the applicant shall pay in advance. Should the actual costs be less than the estimated, the applicant shall be returned the balance. In addition, applicant will be given 30 days to modify shooting range to reduce noise to approved level or all outdoor shooting range activities shall cease. (Ord. of 12-15-09)

Section 183. Additional requirements.

Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.

ARTICLE 19. M INDUSTRIAL DISTRICT

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

Section 190. Dimensional requirements.

Required lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

| 254 |
Section 191. Permitted uses.

The following uses are allowed in any M district, subject to the further provisions of this ordinance:

1. Any permitted structure and use identified as such in Article 18 under the LM Light Industrial District.

2. Brick, tile, and terra cotta manufacture.

3. Cement, lime, gypsum or plaster of Paris manufacture.

4. Concrete, cement products or clay products manufacture.

5. Foundry or forging plants.

6. Grain elevators or commercial feed mills.

7. Poultry killing, plucking or processing.

8. Rock, sand or gravel distribution or storage.


10. Wood recycling centers, provided that the wood stockpiles do not exceed 20 feet in height, and that the owner(s) submits the following in addition to other development and licensing requirements:

   a. A bond or letter of credit in a form acceptable to the county attorney, to assist with legal fees, to ensure the removal of any wood material stock that is abandoned on-site after the business ceases operation. The amount shall be calculated at a rate of $5,000.00 per acre of storage area as shown on the approved development site plan. If the storage area results in a fractional acreage, the bond or letter of credit amount shall be adjusted by percentage of the fractional area, and

   b. A notarized letter indicating that the owner has read and understands his/her responsibilities to comply with the Georgia Solid Waste Management Chapter 391-3-4-.04 (60/90 Rule) which states that 60 percent of the weight or volume of material must be used, reused, sold or recycled during a 90-day period.

11. Customary accessory buildings and uses.
Section 192. Conditional uses.

The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendation of the Board of Zoning Appeals as provided in Article 28:

1. Central mixing plant for cement, mortar, plaster, and/or building materials.

2. [Reserved.]

3. Asphalt and concrete batching plants.

4. Bone rendering plants.

5. Salvage and junk yards, provided any such use is screened from public view by a solid wall, planted screen or similar opaque partition at least six feet in height, and provided such wall or opaque partition is set back at least 50 feet from all property lines.

6. Church or any other place of worship provided that approval of the conditional use is not detrimental to the health or general welfare of the neighboring property owners, and provided:
   
   That owners acknowledge that they may be subject to certain noxious odors, noises, traffic and business practices that members may consider inconsistent with a church.
   
   That owners affirm that they understand that by accepting this conditional zoning they are waiving any objection they may have under county ordinance to placement of or approval of any business, industry or practice on surrounding or nearby property that is otherwise allowed by county ordinances.

7. Shooting Range, Indoor – Must meet at a minimum, all the following requirements:
   
   a. Shall be required to meet all applicable standards established by *The NRA Range Source Book* published by the NRA.
   
   b. Shall be required to meet all applicable standards established by *Lead Management and OSHA Compliance for Indoor Shooting Ranges* published by the National Association of Shooting Ranges (NASR) and the Occupational Safety & Health Administration (OSHA).
   
   c. Shall be required to have a NRA Range Technical Team Evaluation and provide a copy of the Final Report from the Range Technical Team Advisor prior to the Certificate of Occupancy and Business License being issued.
d. Liability insurance required. Each application for a license issued under this permit shall be accompanied by evidence that the applicant has obtained a general liability insurance policy in an amount not less than one million dollars ($1,000,000) per occurrence. Such insurance policy shall remain in force and effect during the term of the license. Such insurance policy shall contain a clause requiring the insurer to immediately notify the county if for any reason, coverage under the policy terminates. The proof of insurance required by this section shall be furnished to the county upon each renewal of the license. Additionally, the licensee shall furnish to the county proof of insurance when requested to do so.

e. Certified instructors required. The owner or operator of an indoor shooting range shall have on the premises at all times during range operation an individual certified as a firearm or range instructor by the National Rifle Association or the Georgia Peace Officers Standards and Training (P.O.S.T.) Council.

f. Shall provide an operating telephone available to range participants and spectators for the purpose of contacting emergency medical services.

g. A first-aid kit containing the items recommended by a certified expert in emergency medical treatment shall be readily available at each shooting sports facility for emergency treatment or care of minor injuries.

h. A management guidebook shall be maintained that includes procedures for operations, maintenance, and lead management and recovery. The management guidebook shall be kept on-site and shall be accessible at all times to those using the shooting sports facility. (Ord. of 12-15-09)

(8) Shooting Range, Outdoor – Must meet at a minimum, all the following requirements:

a. Shall be required to meet all applicable standards established by The NRA Range Source Book published by the NRA.

b. Shall be required to meet all applicable standards established by Lead Management and OSHA Compliance for Indoor Shooting Ranges published by the National Association of Shooting Ranges (NASR) and the Occupational Safety & Health Administration (OSHA) and the EPA’s Best Management Practices for Outdoor Shooting Ranges.

c. Shall be required to have a NRA Range Technical Team Evaluation and provide a copy of the Final Report from the Range Technical Team Advisor prior to the Certificate of Occupancy and Business License being issued.

d. Liability insurance required. Each application for a license issued under this permit shall be accompanied by evidence that the applicant has obtained a
general liability insurance policy in an amount not less than one million dollars ($1,000,000) per occurrence. Such insurance policy shall remain in force and effect during the term of the license. Such insurance policy shall contain a clause requiring the insurer to immediately notify the county if for any reason, coverage under the policy terminates. The proof of insurance required by this section shall be furnished to the county upon each renewal of the license. Additionally, the licensee shall furnish to the county proof of insurance when requested to do so.

e. Certified instructors required. The owner or operator of an indoor shooting range shall have on the premises at all times during range operation an individual certified as a firearm or range instructor by the National Rifle Association or the Georgia Peace Officers Standards and Training (P.O.S.T.) Council.

f. Shall provide an operating telephone available to range participants and spectators for the purpose of contacting emergency medical services.

g. A first-aid kit containing the items recommended by a certified expert in emergency medical treatment shall be readily available at each shooting sports facility for emergency treatment or care of minor injuries.

h. A management guidebook shall be maintained that includes procedures for operations, maintenance, and lead management and recovery. The management guidebook shall be kept on-site and shall be accessible at all times to those using the shooting sports facility.

i. Prior to submitting for the Conditional Use Permit, applicant shall have the NRA Range Development Technical Team advise as to the standard of noise reduction possible and to what decibel level the proposed operation will create. Applicant shall provide NRA documentation of the Evaluation including any potential noise levels.

j. Applicant shall not exceed noise level granted in the Conditional Use Permit. If complaints are received, the Planning Director shall use the best tools reasonably available to determine the merit of the complaint. If determined by the Planning Director that a valid noise concern exists, approval from Board of Commissioners to employ services of a noise consultant shall be requested. All related expenses shall be incurred by the applicant. The Planning Department shall obtain an estimate of the expenses and the applicant shall pay in advance. Should the actual costs be less than the estimated, the applicant shall be returned the balance. In addition, applicant will be given 30 days to modify shooting range to reduce noise to approved level or all outdoor shooting range activities shall cease.

(Ord. of 12-15-09)
Sec. 193. Additional requirements.

Required parking, loading and other supplemental regulations applicable to this district are
set forth in Article 24.

ARTICLE 20. CC CEDAR CREEK DISTRICT

This classification is established to protect the Cedar Creek Reservoir and watershed area
from damage relating to unrestricted development of the watershed. This valuable future water
source should materially aid in providing an adequate water supply for many years to come if fully
protected. Its complete protection from contamination is of utmost importance to all county
citizens. To ensure such protection the general purposes of this article shall be to:

Allow orderly single-family dwelling development in the area;

Assure that adequate erosion and sedimentation control measures are taken in the
watershed area to protect the reservoir; and

Provide an environment of stable character compatible with surrounding areas.

Definitions of special terms used in this article are as follows:

(1) Erosion, for the purposes of this ordinance, means the removal of the surface of the
land through the combined action of man's activities and natural processes at a rate
greater than would occur because of natural processes alone.

(2) Land disturbing or logging activity means any land change which may result
in soil erosion from water or wind and the movement of sediments into county waters
or onto lands within the county, including, but not limited to, clearing, dredging,
grading, excavating, logging and transporting and filling of land, except that the term
shall not include the following:

(a) Such minor land disturbing activities as home gardens, and individual
home landscaping, repairs, maintenance work, and other related activities
which may result in minor soil erosion.

(b) Agricultural practices involving the establishment, cultivation, or
harvesting of products of the field or orchard, preparing and planting of pasture
land, forestry land management practices including harvesting, farm ponds,
and the construction of farm buildings (according to practices, required by Soil
Conservation Service specifications, not excluded but within tolerable soil loss
of four tons per acre or less per year).

(c) Any project carried out under the technical supervision of the Soil
Conservation Service of the United States Department of Agriculture.

(d) Construction or maintenance projects, or both, undertaken or financed
in whole or in part, or both, by the department of transportation, the Georgia
Highway Authority, or Coweta County.

(e) Any activity for which bids have been let or a construction contract
signed prior to the date upon which this ordinance becomes effective, provided that said activity is completed within 12 months after the effective date of this ordinance.

(3) *Sediment* means solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site or [of] origin by wind, water, or gravity as a product of erosion.

(4) *Stabilization* means the proper placing, grading, and/or covering of soil, rock, or earth to ensure their resistance to erosion, sliding, or other movement.

**Section 200. Dimensional requirements.**

Required minimum lot size, yard setbacks, height limitations and related requirements are set forth in Article 23.

**Section 201. Permitted uses.**

The following uses are allowed in the CC district, subject to the further provisions of this ordinance:

2. Forestry and agricultural uses, excluding livestock and poultry, unless approved as a conditional use as provided in Section 202.
3. [Reserved.]
4. Customary accessory buildings and uses, provided that accessory buildings shall not occupy more than 25 percent of the required rear yard area.
5. Home occupations.
6. Manufactured homes, on the same conditions as said manufactured homes are currently allowed in all other single family residential zoning districts, and so long as all requirements of the Cedar Creek zoning district are met.
7. Hunting Club or Fishing Clubs, operated by a private club, for seasonal hunting and fishing and primitive camping, exclusively provided for members and guests, where seasonal membership fees are collected solely for the purpose of making the lease payments for the privilege of hunting or fishing on leased property. Hunting Club activities shall not include indoor or outdoor shooting/gun ranges or archery ranges with the exception of a temporary sighting range.

Landowner hunting or fishing on their personal property, where no club is involved, may include friends and family members. *(Also allows for the temporary sighting range)*

(Ord. of 1-22-2015)

8. Guest houses, provided the following standards and regulations are met:
   a) Guest houses are accessory buildings and shall be limited to one (1) such structure per lot and shall not include manufactured, mobile, or modular structures. Guest houses shall meet the yard setbacks of the principal structure.
   b) The guest house and principal dwelling shall be located on the same lot, which shall be a minimum of ten (10) acres in size.
   c) The principal dwelling must exist on-site and be occupied.
d) The guest house shall not exceed 1,000 square feet, nor be less than 500 square feet.
e) The exterior materials on the guest house shall mirror the exterior materials on the principal dwelling; however, the Building Official may allow the use of other materials, provided they are equal to or superior to the principal dwelling.
f) The guest house shall comply with the building height and yard regulations of the zoning district.
g) The guest house is exclusively for housing members of the family and their non-paying guests. Rental of such dwelling is strictly prohibited.
h) Future subdivision of the property which would place the guest house on a separate lot from the principal dwelling shall require the guest house to be brought into compliance with the minimum square footage requirements for a principal dwelling in the zoning district and all other requirements of Article 23, Dimensional Standards.
i) Owner of the Property shall sign a Deed of use Restriction regulating the construction and use of the Guest House. Said Deed Restriction shall be properly recorded in the official records of Coweta County, Georgia. A copy shall be provided to the Coweta County Planning & Zoning Department upon completion.”

(Ord. of 3-17-2015)

The following conditional uses may be permitted, subject to approval of a conditional use permit by the Board of Commissioners, after receiving the recommendations of the Board of Zoning Appeals as provided in Article 28:

1. The keeping of personal (noncommercial and nonboarding) pets and/or livestock numbering not more than five animals, provided that a minimum area of three acres per animal shall be provided for each horse, mule, goat, head of cattle, head of swine, draught animal or similar animal; and provided further that any such activity is located at least 100 feet from all property lines and 200 feet from any off-site residential dwelling, and subject to such additional conditions or limitations as may be specified by the Board of Zoning Appeals.

2. Temporary or portable sawmills for cutting timber on the subject property, provided that any machine operations shall not be located closer than 200 feet to any property line.

3. Public and private golf and country clubs, and other similar recreational enterprises with the exception of those amenity areas within a residential neighborhood when located on less than 5 acres or is under the operation of an HOA.

    Hunting and fishing clubs open for membership to the general public.
    Hunting Clubs that also include gun or shooting ranges, or archery ranges.”

(Ord. of 1-22-2015)

4. Privately operated schools.
Privately operated day nurseries, preschools, and kindergartens.

New church or other place of worship, when located on at least five acres, provided that churches with planned cemeteries shall have a minimum of six acres, and provided further that established churches shall be allowed to expand on less acreage, provided ample parking space is available after expansion.

Section 203. Uses and activities specifically prohibited.
The following uses and activities are specifically prohibited or restricted within the CC district:

1. New wastewater discharges are prohibited.

2. New sanitary landfills are prohibited.

3. New hazardous waste treatment or disposal facilities are prohibited.

4. The impervious surface area of any new agricultural, residential or other permitted development shall be limited to 10 percent of the total site area. (Ord. of 12-15-09)

5. Agricultural, residential or other permitted uses which utilize, store, or maintain any toxic chemicals, toxic wastes, or toxic products; or any activity not in compliance with the Georgia Pesticide Control Act of 1976 (O.C.G.A. § 2-7-50 et seq.), Georgia Pesticide Use and Application Act of 1976 (O.C.G.A. § 2-7-90 et seq. and O.C.G.A. § 2-1-4).

6. Dumping, discharging, releasing, spraying or distributing any toxic or harmful products.

7. Any uses or facilities which utilize, make or create as a product any toxic wastes, heavy metals, grease, animal fat or organic loading is [are] prohibited.

Section 204. Standards for development.
The following standards [Sections 204.1 and 204.2] shall govern development within the CC district.

Section 204.1. Special requirements.
All land disturbing activities shall be conducted in such a way as to adequately protect the Cedar Creek Reservoir and surrounding watershed areas. To accomplish this, all persons engaged in land disturbing activities shall design, implement, and maintain control measures in accordance with the following criteria:

(a) Stripping of vegetation, grading, and other development activities shall be conducted in such a manner as to minimize soil erosion.

(b) Cut-fill operations must be kept to minimum.
lowest practical erosion potential.

(d) Whenever feasible, natural vegetation shall be retained, protected, and supplemented.

(e) The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum.

(f) Disturbed soil shall be stabilized as quickly as practicable.

(g) Temporary vegetation or mulching shall be employed to protect exposed critical areas during development.

(h) Permanent vegetation and structural erosion control measures must be installed as soon as practicable.

(i) To the extent necessary, sediment in runoff water must be trapped by use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized.

(j) Adequate provisions must be made to minimize damage from surface water to the cut face of excavations or the sloping surfaces of fills.

(k) Cuts and fills may not endanger adjoining property.

(l) Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners.

(m) Grading equipment must cross flowing streams by the means of bridges or culverts. The standard reference for design and evaluation of measures shall be the Manual of Standards and Specifications for Control of Soil Erosion and Sediment in Areas Undergoing Urban Development, published by U.S. Department of Agriculture, Soil Conservation Service, Athens, Georgia.

Section 204.2. Logging and forestry management.

Best management practices (BMP) established by the United States Environmental Protection Agency must be strictly complied with in logging and reforestation activities.

Section 205. Procedures for development.

The following procedures [Sections 205.1 through 205.5] shall be adhered to when land disturbing activities are undertaken.

Section 205.1. Application for permit.

An application for a permit for logging and/or land disturbing activities shall include three copies of a site plan with the following features:
outlined, and the specific activities to be undertaken shall be indicated thereon by symbols and/or written notations and/or references to attached supplementary information.

(b) Erosion and sediment control measures to be utilized and the locations where each measure is to be applied shall be indicated by symbols and/or written notation and/or references to attached supplementary information.

(c) Mapping of existing and proposed topography, with contour intervals of either two feet or five feet, may be required for tracts of two acres or more where dense vegetation or topographic characteristics make on-site, visual determination of drainage patterns so difficult as to preclude adequate evaluation of said patterns. It may be required that such mapping extend up to 100 feet beyond the boundaries of the property in question.

(d) Certificates of application and approval shall be printed on the site plan as follows:

Application is hereby made for approval of land disturbing activities described in the attached document, to be conducted on a tract of land described as (Size and Location of Tract) and further described by the attached legal description.

<table>
<thead>
<tr>
<th>Date</th>
<th>Applicant</th>
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The preventive measures proposed in the attached document, applied as described or as modified by any conditions specified or referenced on this page to the land disturbing activities proposed therein, meet the standards of practice recommended by this agency and satisfy the criteria of the Coweta County Zoning and Development Ordinance.

<table>
<thead>
<tr>
<th>Date</th>
<th>District Supervisor</th>
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<tr>
<td></td>
<td>West Georgia Soil and Water Conservation District</td>
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</table>

In accordance with the requirements of the Coweta County Zoning and Development Ordinance, approval is hereby granted for the conduct of the logging and/or land disturbing activities proposed in the attached document.

<table>
<thead>
<tr>
<th>Date</th>
<th>County Planner, Coweta County</th>
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These statements, when signed by the persons indicated, shall together constitute the permit required by this ordinance.
Immediately upon receipt of an application for a permit, the application shall be referred to the West Georgia Soil and Water Conservation District to review and make recommendations concerning the adequacy of the proposed erosion and sediment control measures in relation to the proposed land disturbing activities. Any conditions of approval shall be indicated on the site plan. If a site plan is not required, conditions shall be specified or referenced on the page containing the statement and certifications required above.

The County Planner may require that the original drawings and/or documents be revised in accordance with said conditions of approval and copies of the same resubmitted.

Permits shall be issued or denied as soon as practicable after the application is filed with the county planner, but in any event not later than 45 days thereafter. The County Planner shall, upon denial of a permit, state reasons for the denial setting forth specifically wherein such application is found to be deficient. The County Planner shall, upon issuance of a permit, specify the conditions under which the activity may be undertaken.

**Section 205.2. Inspection and enforcement.**

The requirements of these sections shall be enforced by the County Planner of Coweta County, who shall inspect or require adequate inspection of the work. The permit may be suspended, revoked, or modified by the county planner upon a finding that the holder is not in compliance with the approved site plan or work description or that the holder is in violation of any part of this ordinance.

No approval for occupancy of any building will be granted until all needed measures have been completed or substantially provided in accordance with this ordinance.

**Section 205.3. Maintenance.**

Persons carrying out these preventive measures and all subsequent owners of property on which such measures have been installed shall adequately maintain all permanent erosion control measures, devices, and plantings in effective working condition.

**Section 205.4. Penalties.**

Any person violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished for each offense as provided by law. For each and every day that such violation exists it shall be deemed a separate offense.

**Section 205.5. Remedies.**

In case any land disturbing activity is undertaken in violation of this ordinance, the county planner or any other appropriate authority or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action in proceeding to prevent the violation in the case of such activity.
ARTICLE 21. SCP STREAM CORRIDOR PROTECTION DISTRICT

Purpose
This classification has been established because protecting, restoring and maintaining the chemical, physical and biological integrity of streams and their water resources is of vital importance to the health and welfare of Coweta County citizens. The purpose of the ordinance is to establish protection criteria that will remove pollutants delivered in urban stormwater; reduce erosion and control sedimentation; protect and stabilize stream banks; provide for infiltration of stormwater runoff; maintain base flow of streams; contribute organic matter that is a source of food and energy for the aquatic ecosystem; provide tree canopy to shade streams and promote desirable aquatic habitat; provide riparian wildlife habitat; furnish scenic value and recreational opportunity; provide opportunities for the protection and restoration of greenspace; and protect raw water sources of potable drinking water for Coweta County citizens.

The SCP district shall overlay other zoning districts so that all lands lying within the SCP district shall also include in other zoning districts. Each parcel of land within the SCP district shall be subject to the provisions, regulations and restrictions of both the SCP district and the other zoning district(s) in which it lies. In the event of other conflict or discrepancy between the requirements of the overlaid SCP district and other underlying district(s), the more stringent requirements shall be observed.

Section 210. Intent
The intent of this district is to assure that streams in Coweta County will not become polluted and unsuitable as sources of potable water, to establish buffer zones, to minimize land development within the buffer zones along the streams, to require authorization for land development activities, and to comply with the minimum standards set forth by the State of Georgia Rules for Environmental Planning Criteria chapter 391-3-15.

Section 211. Description of District
The Stream Corridor Protection District shall incorporate these steams in Coweta County, Georgia, which are now and as are determined by the Coweta County Commission to be important. The district shall consist of all streams, as defined by the Georgia Department of Natural Resources, excluding perennial streams or perennial stream segments upstream from a public water supply intake, which shall be regulated by Article 21 B, Water Supply Watershed Protection District. The district shall apply to the stream protection area along both sides of a stream. The stream protection area is the buffer zone along each side of a stream as set forth in Section 214.1. Buffer and Setback Requirements.

Section 212. Limitations on land use.
Within the stream corridor protection district, all minimum standards established by the State of Georgia for protection of watersheds in chapter 391-3-15 of rules of the Georgia Department of Natural Resources, Environmental Protection Division, shall apply. Said rules are hereby incorporated into this ordinance by reference. Additionally, this ordinance shall apply to all land development activity on property containing a stream protection area. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established...
under state law. These requirements do not constitute approval or exemption from buffer requirements established under other applicable local, state, or federal regulations.

Within the SCP area, established by this article and the above referenced state regulations, uses permitted other than those set out in the above referenced regulations are as follows:

(a) Forestry is permitted so long as it is accomplished in a manner consistent with standard management practices as established by the Georgia Erosion and Sediment Control Act (O.C.G.A. § 12-7-3 et seq., as amended).

(b) Agriculture is permitted so long as it is accomplished in a manner consistent with agricultural practices established by the Georgia department of agriculture and so long as it complies with the Georgia Erosion and Sediment Control Act (O.C.G.A. § 12-7-3 et seq., as amended). The use of herbicides, pesticides, and fertilizers is prohibited within 100 feet of the protected stream as measured from the stream’s banks.

(c) Lake construction on streams included in the stream corridor protection district will be permitted so long as that construction is accomplished in a manner consistent with (O.C.G.A. § 12-7-3 et seq., as amended), [and] guidelines for lake construction established by the Soil Conservation Service and so long as proper approvals are received from all necessary state and federal agencies, including but not limited to the Army Corps of Engineers, the Federal Environmental Protection Agency and the state environmental protection agency and the state environmental protection division. Notwithstanding the above, septic tanks, structures and drainfields must be located at least 100 feet from the lake, pond of [or] impoundment.

(d) [Reserved.]

(e) Less intrusive impervious structures like patios, gazebos, decks, etc., may be constructed between the 75 foot buffer and the 150 foot setback limitation with no encroachment closer than 75 feet from the stream bank with the following provisions:

1. No structures allowed in the 100-year floodplain.
2. The total structure area must be less than 20 percent of the property within the 150 feet setback area including the 100-year flood plain.
3. The Coweta County Planner, or his designee, must approve and permit all such structures.
4. Construction of these impervious structures must comply with all federal, state and local laws and ordinances.
(f) Activities for the purpose of building one of the following:
1. A stream crossing by a driveway, transportation route or utility line;
2. Public water supply intake or public wastewater outfall structures;
3. Intrusions necessary to provide access to a property;
4. Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;
5. Unpaved foot trails and paths;
6. Activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.

(g) Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should be at least 25 feet from the top of the bank. This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures. This exemption shall not be construed as allowing the construction of roads, bike paths or other transportation routes in such easements, regardless of paving material, except for access for the uses specifically cited in Item (f) 1, above.

(h) Land development activities within a right-of-way existing at the time this ordinance takes effect or approved under the terms of this ordinance.

(i) Within an easement of any utility existing at the time this ordinance takes effect or approved under the terms of this ordinance, land disturbance activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.

(j) Emergency work necessary to preserve life or property. However, when emergency work is performed under this section, the person performing it shall report such work to the Coweta County Planning and/or Development and Engineering Department on the next business day after commencement of the work. Within 10 days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the Coweta County Planning and/or Development and Engineering Department to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.

After the effective date of this ordinance, it shall apply to new subdividing and platting activities.

Any land development activity within a buffer established hereunder or any impervious cover within a setback established hereunder is prohibited unless a variance is granted pursuant to Article 28 of the Zoning and Development Ordinance.

Editor's note: As originally promulgated, § 212 contained no subsection (d).
Section 213. Additional requirements
In addition to all requirements set out above, additional requirements shall apply to that portion of the Cedar Creek watershed above the county’s designated water intake (more specifically defined according to a plat prepared by Hensley-Schmidt, Inc., and entitled “Stream Corridor Protection Zone”) as follows:

1. Sanitary landfills are not allowed within the drainage basin.
2. No new wastewater stream discharges allowed. Spray irrigation treated wastewater is not allowed within 2,500 feet of a stream.
3. The use of chemical fertilizers, pesticides or herbicides is prohibited within 250 feet of a stream.

Section 214. Land Development Requirements

214.1 Buffer and Setback Requirements
All land development activity subject to this ordinance shall meet the following requirements:

(a) An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank. A reduction to the 50 feet may be granted should the topography provide for reduced velocities in runoff. This would be calculated by dividing the 50 foot buffer width by the percent of grade of the approach slope and deducting it from the 50 feet. In no case shall the buffer be reduced to less than 25 feet.

(b) An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

(c) No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback.

214.2 Variance Procedures
Variances from the above buffer and setback requirements may be granted in accordance with the following provisions:

1. Where a parcel was platted prior to the effective date of this ordinance, and its shape, topography or other existing physical condition prevents land development consistent with this ordinance, and the Planning and Zoning or Development & Engineering Department finds and determines that the requirements of this ordinance prohibit the otherwise lawful use of the property by the owner, the Board of Zoning Appeals and Board of Commissioners of Coweta County (under Article 28, Zoning and Development Ordinance) may grant a variance from the buffer and
setback requirements hereunder, provided such variance require mitigation measures to offset the effects of any proposed land development on the parcel.

2. Except as provided above, the Board of Zoning Appeals and Board of Commissioners of Coweta County shall grant no variance from any provision of this ordinance without first following the criteria for variances under Article 28 of the Zoning and Development Ordinance.

Variance will be considered only in the following cases:

a. When a property’s shape, topography or other physical conditions existing at the time of the adoption of this ordinance prevents land development unless a buffer variance is granted.

b. Unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship.

Variance will not be considered when, following adoption of this ordinance, actions of any property owner of a given property have created conditions of a hardship on that property.

3. At a minimum, a variance request shall include the following information:

a. A site map that include locations of all streams, wetland, floodplain boundaries and other natural features, as determined by field survey;

b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

c. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed structures and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;

d. Documentation of unusual hardship should the buffer be maintained;

e. At least one alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;

f. A calculation of the total area and length of the proposed intrusion;

g. A stormwater management site plan, if applicable; and,

h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.

4. The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

b. The locations of all streams on the property, including along property boundaries;

c. The location and extent of the proposed buffer or setback intrusion; and,

d. Whether alternative designs are possible which require less intrusion or no intrusion;

e. The long-term and construction water-quality impacts of the proposed variance;
f. Whether issuance of the variance is at least as protective of natural resources and the environment.

Section 215. Compatibility with Other Buffer Regulations and Requirements

This ordinance is not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provision of law. The requirements of this ordinance should be considered minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule regulation or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

Section 216. Additional Information Requirements for Development on Buffer Zone Properties

Any permit applications for property requiring buffers and setbacks hereunder must include the following:

1. A site plan showing:
   a. The location of all streams on the property;
   b. Limits of required stream buffers and setbacks on the property;
   c. Buffer zone topography with contour lines at no greater than five (5)-foot contour intervals;
   d. Delineation of forested and open areas in the buffer zone; and,
   e. Detailed plans of all proposed land development in the buffer and of all proposed impervious cover within the setback;

2. A description of all proposed land development within the buffer and setback; and

3. Any other documentation that the Development & Engineering and/or Planning Departments may reasonably deem necessary for review of the application and to insure that the buffer zone ordinance is addressed in the approval process.

All buffer and setback areas must be recorded on the final plat of the property following plan approval.

Section 217. Responsibility

Neither the issuance of a development permit nor compliance with the conditions thereof, nor with the provisions of this ordinance shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon Coweta County, its officers or employees, for injury or damage to persons or property.

217.1 Inspection

The Development & Engineering and/or Planning Departments may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and shall make a final
inspection following completion of the work. The permittee shall assist the appropriate department in making such inspections. Coweta County shall have the authority to conduct such investigations, as it may reasonably deem necessary to carry out its duties as prescribed in this ordinance, and for this purpose of investigating and inspecting the sites of any land development activities within the protection area.

No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

217.2 Violations, Enforcement and Penalties
See Article 30 of the Zoning and Development Ordinance.

ARTICLE 21A. CRCP CHATTahooChee RIVER CORRIDOR PROTECTION DISTRICT

This classification has been established to provide special regulation for development adjacent to the Chattahoochee River and its tributaries in order to provide adequate protection for future water supplies; to reduce siltation and urban runoff which threaten such water supplies; to reduce exposure of life and property to loss by flooding by controlling floodplain development; to reduce over-intensive development which increases the frequency and severity of such flooding adjacent to major streams; to control erosion, flood damage, and pollution; and to protect from contamination the Chattahoochee River, which has been identified, as required, to provide the future drinking water needs of Coweta County citizens. This river corridor is of vital importance to Coweta County and special regulation for the river corridor is required to preserve the qualities that make the river suitable as a habitat for wildlife and a site for recreation, and control flooding, erosion and river sedimentation, and protect the water quality for future needs.

The CRCP district is hereby established and shall overlay all other zoning districts so that all lands lying within the CRCP district shall also be included in other zoning districts. Each parcel of land within the CRCP district shall be subject to the provisions, regulations and restrictions of both the CRCP district and the other zoning district(s) in which it lies. In the event of conflict or discrepancy between the requirements of the overlaid CRCP district and other underlying district(s), the more stringent requirements shall be observed. O.C.G.A. § 12-2-8 (as amended) authorizes the Department of Natural Resources (DNR) to develop minimum planning standards and procedures for the protection of river corridors in the state, and requires local governments to use these minimum standards in developing and implementing local comprehensive plans.

Definitions of special terms used in this article are as follows:

(1) Buffer means a natural or enhanced vegetated area located adjacent to a protected river and containing flora native to that area.

(2) Chattahoochee River Protection Plan means that part of the Coweta County Comprehensive Plan, which includes the CRCP district requirements specified herein.
(3) *Hazardous materials* means any substance defined as “hazardous material” by the Georgia Department of Natural Resources pursuant to O.C.G.A. § 12-8-60 et seq.

(4) *Hazardous waste* means any solid waste which has been defined as a hazardous waste in regulations, promulgated by the administrator of the United States Environmental Protection Agency pursuant to the federal act, which are in force and effect on February 1, 1988 codified as 40 CFR section 261.3. (Note: This is the same definition as used in the Georgia Hazardous Waste Management Act.)

(5) *Land disturbing activity* means any grading, plowing, scraping, excavating or filling of land; depositing; clearing of vegetation; and any construction, or placement of any structure, impervious surface, dam, obstruction, rebuilding or alteration of a structure. Land disturbing activity shall not include activities such as ordinary maintenance and landscaping operations, individual home gardens, yard and grounds upkeep, repairs, additions or minor modifications to a single-family dwelling, and the cutting of firewood for personal use.

(6) *Land uses existing prior to the promulgation of the CRCP district* means any land use or land disturbing activity, including all human endeavors directly associated with such use or activity, which, prior to the promulgation of the CRCP district, falls within one of the following categories:
   a. Is completed;
   b. Is under construction;
   c. Is fully approved by the governing authority;
   d. All materials have been submitted for approval by the governing authority; or
   e. Is zoned for such use and expenditures in excess of $2,500.00 have been made in preparation for construction in accordance with such zoning.

(7) *Local government* means the governing authority of a political subdivision.

(8) *Natural vegetative buffer or buffer area* means the flora native to the Chattahoochee River Corridor. The natural floras for specific areas are described in Georgia Geologic Survey Bulletin 114, “The Natural Environments of Georgia.” Habitats for endangered and threatened species may require human management of the river corridor in order to maintain those species.

(9) *Overlay district* means a district that applies supplementary regulations to land previously classified as belonging to a specific zoning district or land use category.

(10) *Protected river* means any perennial river or watercourse with an average annual flow of a least 400 cubic feet per second as determined by appropriate U.S. Geological Survey documents.

(11) *Public utility or utilities* means a service or services provided by a public company or a private entity which provides such service or services, and all equipment and structures necessary to provide such services.
(12) *River bank* means the rising ground bordering a river, which serves to confine the water to the natural channel during the normal course of flow.

(13) *River corridor* means all land, inclusive of islands, in areas of a protected river, which serves to confine the water to the natural channel during the normal course of flow. Because stream channels move due to natural processes, the river corridor may shift with time. For the purpose of these standards, the river corridor shall be considered to be fixed at its position at the time of adoption of the Chattahoochee River Corridor Protection district. Any shift in the location after that time will require a revision of the boundaries of the river corridor at the time of comprehensive plan review by the Department of Community Affairs.

(14) *Single-family dwelling* means a dwelling structure that is designed for the use of one family.

**Section 210A. Intent**

The intent of the regulations contained within this district is to assure that the section of river in Coweta County will not become polluted and unsuitable as a source for potable water, in conjunction with other governmental entities along the Chattahoochee River Corridor, to protect the river corridor in order to establish the natural vegetation buffer area bordering the river, preserve those qualities that make the river suitable as a habitat for wildlife and help control erosion and absorb flood waters. The further intent is to protect and safeguard the health and welfare of all the citizens of Coweta County by providing protection of the section of river that is or may be used as a source of drinking water.

**Section 211A. CRCP District Requirements.**

I. Area of River Protection:

The limits of the Chattahoochee River Corridor Protection District shall incorporate the section of river in Coweta County, inclusive of islands as follows: all residentially zoned areas lying within 500 feet horizontally of the Chattahoochee River, and, all nonresidentially zoned areas lying within 2000 feet horizontally of the Chattahoochee River.

II. Buffer Zones:

A 100-foot undisturbed natural vegetative buffer shall be required for all properties within the CRCP district. The buffer shall be measured horizontally from the uppermost part of the riverbank, usually marked by a break in the slope. Although not within the required 100-foot wide buffer, the area between the top of the bank and the edge of the river shall be included in the CRCP district. In addition, a 35-foot undisturbed natural vegetative buffer shall be required along all tributaries within the CRCP district.

III. Land Disturbance:

The CRCP district overlay prohibits any construction within the required 100-foot buffer along the river. All properties lying within the CRCP district shall be subject to the County’s
Erosion and Sedimentation Control Ordinance, which regulates land disturbance through required permitting, plan conformance, turbidity monitoring, and inspection of sites.

IV. Floodplain Standards:

In addition, the floodplain restrictions of the Flood Damage Prevention Ordinance overlay shall apply to all flood prone areas or properties with alluvial soils, which lie within the CRCP district. The Flood Damage Prevention Ordinance overlay prohibits any structures and restricts uses within floodplain areas that would restrict or alter the free flow of floodwaters.

V. Setbacks:

For residentially zoned properties within the CRCP a minimum 150 foot building setback is required from the river, measured horizontally from the uppermost part of the river bank, usually marked by a break in the slope. The required 100-foot buffer may be included within the setback area.

For nonresidentially zoned properties (with the exception of exempt uses or those established prior to the CRCP district), minimum 500 foot building setback is required from the river, measured horizontally from the uppermost part of the river bank, usually marked by a break in the slope.

Section 212A. Permitted uses.

Within the Chattahoochee River Corridor protection district, all minimum standards established by the Department of Natural Resources (DNR) for the protection of river corridors in O.C.G.A. § 12-2-8 shall apply. Said rules are hereby incorporated into this ordinance by reference. Within this area, established by this article and the above-referenced state regulations, uses permitted other than those set out in the above-referenced regulations are as follows:

I. Single-family dwellings, including the usual appurtenances within the buffer area subject to the following conditions:

A. The dwelling shall be located on a tract of land containing at least two acres and must meet all other zoning regulations. For the purposes of these standards, the size of the tract of land shall not include any area that lies within the required 100 foot natural buffer (that is, for parcels that include the buffer area along the river banks, that portion cannot be counted towards the two-acre minimum size, and the area between the river banks cannot be counted towards the two acre minimum size).

B. There shall be only one such dwelling on each two-acre or larger tract of land.

C. A septic tank(s) and septic tank drainfields serving such a dwelling shall not be located within the 100-foot undisturbed buffer area.

II. Established nonresidential land uses existing prior to the promulgation of the Chattahoochee River Corridor Protection district are exempt from these criteria, provided that:
A. Nonresidential uses shall not impair the drinking quality of the river water as defined by the Federal Clean Water Act, as amended; and

B. Nonresidential activity within the CRCP district shall meet all state and federal environmental rules and regulations.

Except as expressly provided for under I(C) of these criteria for single-family dwellings, septic tanks and septic tank drainfields for nonresidential uses are prohibited within the 500-foot building setback.

III. The construction of road crossings and utility crossings provided that construction of such road and utility crossings shall meet all requirements of the Coweta County Soil Erosion and Sediment Control Ordinance.

IV. Timber production and harvesting, subject to the following conditions:

A. Forestry activity shall be consistent with best management practices established by the Georgia Forestry Commission; and

B. Forestry activity shall not impair the drinking quality of the river water as defined by the Federal Clean Water Act, as amended.

V. Wildlife and fisheries management activities consistent with the purposes of O.C.G.A. § 12-2-8.

VI. Waste water treatment facilities.

VII. Recreational uses consistent either with the maintenance of a natural vegetative buffer or with river-dependent recreation. For example, a boat ramp would be consistent with these criteria, but not a hard-surface tennis court. Unpaved paths and walkways shall be permitted within 100 foot buffer area, but not a parking lot.

VIII. Natural water quality treatment or purification facilities.

IX. Agricultural production and managements, provide that a buffer of natural vegetation is maintained for a distance of 50 horizontal feet from the bank of the river or tributaries in the CRCP district and subject to the following conditions:

A. Agricultural activity shall be consistent with best management practices established by the Georgia Soil and Water Conservation Commission;

B. Agricultural activity shall not impair the drinking quality of the river water as defined by the Federal Clean Water Act as amended; and

C. Agricultural activity shall be consistent with all state and federal laws, and all regulations promulgated by the Georgia Department of Agriculture.
X. Other uses permitted by the Department of Natural Resources or under Section 404 of the Clean Water Act.

Section 213A. Prohibited uses.
The following uses are prohibited:

I. Handling areas for the receiving and storage of hazardous waste.

II. Hazardous waste or solid waste landfills.

Section 214A. Exempt uses.
The following are exempt from the Chattahoochee River Corridor Protection Regulations:

I. Established land uses existing prior to the promulgation of the CRCP district.

II. Mining activities, if permitted by the Department of Natural Resources pursuant to the Georgia Surface Mining Act of 1968, as amended.

III. Utilities (except as discussed above in Section 212A(III), if such utilities cannot feasibly be located outside the buffer area (feasibility shall be decided conservatively by the local government), provided that:

A. The utilities shall be located as far from the river bank as reasonably possible;

B. Installation and maintenance of the utilities shall be such as to protect the integrity of the buffer area as well as is reasonably possible; and

C. Utilities shall not impair the drinking quality of the river water.

IV. Specific forestry and agricultural activities except as discussed above in Section 212A IV.A. and B. and IX. A-C.

V. The natural vegetative buffer shall be restored as quickly as possible following any land disturbing activity within the CRCP district.

VI. Except as noted above, all construction within the buffer area shall be prohibited.
ARTICLE 21B. WATER SUPPLY WATERSHED PROTECTION DISTRICTS

The Watershed Protection Districts shall overlay other zoning districts so that all land lying within the Watershed Protection Districts shall also be included in the underlying district(s). Each parcel of land within the Watershed Protection District shall be subject to the provisions, regulations, and restrictions of both the Watershed Protection District and its underlying district(s). In the event of a conflict or discrepancy between the requirements of the Watershed Protection overlay and the underlying district(s), the more stringent shall apply.

Findings of Fact. In order to provide for the health, safety, and welfare of the public and a healthy economic climate within Coweta County and surrounding communities, it is essential that the quality of public drinking water be assured. The ability of natural systems to filter stormwater runoff can be threatened by unrestricted urban and suburban development. Land disturbing activities associated with development can increase erosion and sedimentation, which threatens the storage capacity of reservoirs. Industrial land uses that involve the manufacture, use transport and storage of hazardous or toxic waste materials result in the potential risk of contamination of nearby drinking water supplies. In addition, stormwater runoff, particularly, from impervious surfaces, can introduce, toxicants, nutrients and sediment into drinking water supplies, making water treatment more complicated and expensive and rendering water resources unusable.

Purpose. The purpose of the water supply watershed protection district regulation is to establish measures to protect the quality and quantity of the present and future water supply for Coweta County; to minimize the transport of pollutants and sediment to the water supply; and to maintain the yield of the water supply watersheds.

Definitions. Except as specifically described herein, all words in this ordinance shall have their usual and customary meanings. The use of the singular includes the plural and the plural the singular; the present tense includes the future; the use of shall means the action is mandatory, the use of may or should means the action is optional.

1. Authority. The use of the word “Authority” shall mean the Coweta County Planning and Zoning Department.
2. Buffer. A natural or enhanced vegetated area located adjacent to reservoirs or perennial streams within a water supply watershed with no or limited minor land disturbances, such as trails and picnic areas. Specific buffer uses may be defined by local governments consistent with these criteria.
3. Confined animal feeding operation. A building or fenced enclosure designed and used for holding or fattening of animals in preparation for market. It does not include the pasturing of animals at densities recommended by the best management practices of the Georgia Department of Agriculture as follows: horses - one per 43,560 square feet (one[1] per acre); cow - one per 43,560 square feet; sheep or goats – one per 20,000 square feet; fowl – twenty (20) per 43,560 square feet.
4. Corridor. All land within the buffer areas established adjacent to reservoirs or perennial streams within a water supply watershed.
5. County. The use of the “County” shall mean the Board of Commissioners of Coweta County.
(6) **Development or Single Development.** Any project or group of related projects constructed or planned for construction on a single parcel or on contiguous parcels under single ownership.

(7) **Enforcer.** The Enforcer is defined as the Director of the Coweta County Planning and Zoning Department, or his designee.

(8) **Hazardous Material.** Any substance defined as “hazardous waste” by the Georgia Department of Natural Resources pursuant to O.C.G.A. – 12-8-60 et. seq. As hereinafter amended.

(9) **Hazardous Waste.** Any solid waste which has been defined as “hazardous waste” in regulations promulgated by the Administrator of the United States Environmental Protection Agency pursuant to the Federal Act which are in force and effect on February 1, 1991, codified as 40 C/F/R Section 261-3 as hereafter amended and any designated hazardous waste. Also, any substance defined as “hazardous waste” by the Georgia Department of Natural Resources pursuant to O.C.G.A – 12-8-60 et. seq. At hereafter amended.

(10) **Impervious Surface.** A manmade structure or surface that prevents the infiltration of stormwater into the ground below the structure or surface. Examples include, but are not limited to, buildings, roads, driveways, parking lots, decks, swimming pools, or patios.

(11) **Large quantity generator of hazardous waste.** Any person, corporation, partnership, association or other legal entity that is defined as a “large quantity generator” by the Georgia Department of Natural Resources pursuant to O.C.G.A. – 12-8-60 et. seq. As hereafter amended and that is regulated by the State of Georgia under that section.

(12) **Natural vegetation area.** An undeveloped area largely free from human disturbance where naturally occurring vegetation is allowed to remain undisturbed or is enhanced or maintained by human intervention. Activities specifically allowed in such an area include, but are not limited to:

(a) Conservation or preservation of soil, water, vegetation, fish, shellfish, and other wildlife.

(b) Outdoor recreational activities, including hunting, fishing, trapping, bird watching, hiking, non-motorized boating, horseback riding, swimming, canoeing, skeet and trap shooting.

(c) Education, scientific research and nature trails.

(d) Maintenance or repair of lawfully located roads, structures, and utilities used in their service of the public, provided that the work is conducted using best management practices to ensure that negative effects on the previous nature of the land shall be minimized.

(e) Limited excavation, filling and land disturbance necessary for the repair and maintenance of structures necessary to the uses permissible in the area as above.

(13) **Non-conforming uses.** A land use activity, building or structure legally established prior to adoption of this ordinance, or subsequent amendment to it, that would not otherwise be permissible under the provisions of this ordinance.

(14) **Overlay district.** A district that applies supplementary regulations to land previously classified as belonging to a specific zoning district or land use category.

(15) **Perennial stream.** A stream that has normal stream flow consisting of base flow (discharge that enters the stream channel mainly from ground water) or both base flow and direct runoff during any period of the year.  

(Ord. of 9/1/09)
(16) Reservoir boundary. The edge of a reservoir, defined by its normal pool level (elevation above mean sea level).

(17) Stream Bank. The rising ground bordering a stream or river, which serves to confine the water to the natural channel during the normal course of flow. The top of the stream or river bank is usually marked by a break in slope.

(18) Utility. Public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems. Railroads, or other utilities identified by Coweta County.

(19) Watershed Protection District. A map overlay which imposes a set of requirements in addition to those of the underlying zoning district.

(20) Water Supply Reservoir. A governmentally owned impoundment of water for the primary purpose of providing water to one or more governmentally owned public drinking water systems. This excludes the multipurpose reservoirs owned by the U.S. Army Corps or Engineers.

(21) Water Supply Watersheds. The area of land upstream of a governmentally owned public drinking water intake.

Section 210B. District Delineation.
The protected water supply watershed districts are hereby designated, and shall be consist of the land areas that drain to the public water supply intake or water supply reservoir. The boundaries of these districts are defined by the ridge lines of the respective watersheds and the boundary of a radius seven (7) miles upstream of the respective public water supply intakes.

Section 211B. Designation of Water Supply Watershed Districts.
The following watershed districts are hereby established and designated:

- Newnan Utilities Intake on Line Creek/Little Creek as delineated by the Map Watersheds for Coweta County on Line Creek and Fayette County on Line Creek (Figure 211B.1).

- Fayette County Intake on Line Creek as delineated by the Map of Watersheds for Coweta County on Line Creek and Fayette County on Line Creek (Figure 211B.1).

- Newnan Utilities Intake on Sandy Creek/Brown Creek as delineated by the Map of Sandy/Brown Creek and Newnan Lakes Watersheds (Figure 211B.2).

- Coweta County Intake on Cedar Creek as delineated by the Map of Coweta County B.T. Brown Intake and Sewell Mill Pond Pumpback (Figure 211B.3).

- Coweta County Intake at B.T. Brown Reservoir as delineated by the Map of Coweta County B.T. Brown Intake and Sewell Mill Pond Pumpback (Figure 211B.3).

- City of Senoia Intake at Hutchens Lake as delineated by the Map of City of Senoia Hutchens Lake Intake Watershed (Figure 211B.4).
• Newnan Utilities Intake on White Oak Creek as delineated by the Map of Coweta County White Oak Creek Intake Watershed (Figure 211B v).

Section 212B. Permitted Uses.
All uses allowed in the underlying zoning districts, as established by this Ordinance, except for those listed in Prohibited Uses, are permitted in the Water Supply Watershed Protection District and subject to the following conditions and standards:
I. Natural Buffer and Setback Requirements.
   A. The perennial stream corridors within a seven (7) mile radius upstream of a governmentally owned public drinking water supply intake or water supply reservoir are protected by the following criteria:
      (i) A buffer shall be maintained for a distance of 100 feet on both sides of the stream as measured from the stream banks.
      (ii) No impervious surface shall be constructed within a 150 foot setback on both sides of the stream as measured from the stream banks.
      (iii) Septic tanks and septic tank drainfields are prohibited in the setback area of (ii) above.
   B. The perennial stream corridors outside a seven (7) mile radius upstream of a governmentally owned public drinking water supply intake or water supply reservoir are protected by the following criteria:
      (i) A buffer shall be maintained for a distance of 50 feet on both sides of the stream as measured from the stream banks.
      (ii) No impervious surface shall be constructed within a 75 foot setback on both sides of the stream as measured from the stream banks.
      (iii) Septic tanks and septic tank drainfields are prohibited in the setback area of (ii) above.
   C. A natural buffer shall be maintained for a distance of one-hundred and fifty (150) feet from the boundary of any existing or future water supply reservoir.

Section 213B. Impervious Surface Limitations.
The impervious surface area, including all public and private structures, utilities, or facilities, of the entire water supply watershed shall be limited to twenty-five (25%) percent, or existing use, whichever is greater.

Section 214B. Water Supply Reservoir Management Plan.
Water supply reservoirs located within the Sandy Creek/Brown Creek water shed district are owned and managed by The City of Newnan. The Watershed Protection Plan for Newnan Water Plant Reservoirs and Low Flow Monitoring Plan, May 1995 was developed by Newnan Water Sewerage and Light Commission; approved by the Department of Natural Resources; adopted by The City Newnan; and as amended, is incorporated by reference into this ordinance.

The B.T. Brown Reservoir Management Plan, as amended, is incorporated by reference into this ordinance.
Section 215B. Exemptions.
The following uses are exempt from the stream corridor buffer and setback requirements if they meet the stipulated conditions:

I. Utilities.
   A. Utilities shall be located as far as reasonably possible from the stream bank, and shall not impair the quality of the drinking water stream.
   B. Utilities shall be installed and maintained without changing the integrity of the buffer and setback areas as much as possible.

II. Forestry and Agriculture Activities.
   A. Agriculture activities involving the planting and harvesting of crops are exempted if they conform to the best management practices established by the Georgia Department of Agriculture.
   B. Silviculture activities must conform to the best management practices established by the Georgia Forestry Commission.
   C. The activity shall not impair the quality of the drinking water stream.

III. Mining Activities
   A. All mining activities that are permitted by the Georgia Department of Natural Resources under the Georgia Surface Mining Act, as amended, are exempted.

Section 216B. [Reserved]

Section 217B. Site Plan Requirements.
Except for the exemptions listed, all forms of development within the Watershed Protection District shall be required to have a site plan submitted and approved according to this ordinance before any rezoning requests, development, or building permits may be approved or any land disturbing activity may take place. The site plan shall be certified by a Georgia Registered Engineer or Surveyor. Each site plan submitted shall include the following:

1. A site plan drawn to a scale and showing all planned improvements including width, depth, and length of all existing and proposed structures, roads, or access-ways, water courses, drainage ways, water, wastewater, and stormwater facilities, utility installations, and parking areas.
2. Location, dimensions, an area of all impervious surfaces, both existing and proposed, on the site.
3. The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream of body of water.
4. Elevations of the site and adjacent lands within two hundred (200) feet of the site at contour
   intervals of no greater than five (5) feet.

5. Erosion and Sedimentation Control Plan.

6. Any facility in the process of expanding shall provide location and detailed design of any
   spill and leak collection systems designed for the purpose of containing accidentally
   released hazardous toxic waste.

Section 218. Exemptions from Site Plan Requirements.
The following activities and developments are exempt from the requirement for detailed site plans:

1. Single-family dwelling as defined in the Coweta County Zoning and Development
   Ordinance located within a division of land which is not subject to the county’s subdivision
   regulations provided the applicant submits a letter or survey certified and sealed by a
   Georgia Registered Land Surveyor, that the boundary of the applicant’s property is greater
   than 150 feet from a perennial stream, as measured from the top of the bank, and greater
   than 150 feet from the boundary of an existing or future watershed reservoir.

2. Repairs to a facility that is part of a previously approved and permitted development.

3. Ordinary maintenance.

Section 219B. Pre-Application Conference.
A pre-application conference is strongly encouraged between the applicant and the Coweta County
Planning and Zoning Director and can be scheduled at the request of the applicant. The purpose
of the meeting is to review local land use restrictions, site plan requirements and the permitting
process.

Section 220B. Permit Requirements.
Within the Water Supply Watershed District, no land-disturbing activity, construction or other
development, other than certain exempted activities identified within, may be conducted without
a permit from the County and must be full compliance with the terms of this ordinance and other
applicable regulations, including but not limited to the Coweta County Zoning and Development
Ordinance, Coweta County Subdivision Regulations, Coweta County Soil Erosion and
Sedimentation Control Ordinance, and the Coweta County Flood Damage Prevention Ordinance.
All activities that are not permissible as of right or as conditional use shall be prohibited.

Section 221B. Duration of Permit Validity.
1. If construction described in the development permit has not commenced within 12 months
   from the date of issuance, the permit shall expire.

2. If construction described in the development permit is suspended after work has
   commenced, the permit shall expire twelve months after the date the work ceased. In cases
   of permit expiration due to abandonment or suspension of work, the landowner shall be
   required to restore topography to its original contours and restore vegetation as far as
   practicable.
**Section 222B. Activity Compliance.**
All development activities or site work conducted after approval of the site plan shall conform to the specifications of said site plan. Significant changes to the site plan that would alter the amount and velocity of stormwater runoff from the site, increase the amount of impervious surface within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill, or removal of vegetation during construction, or otherwise result in an alteration of the overall appearance of the development as proposed, can be amended only with the approval of the Coweta County Planning Director. Minor changes such as realignment of streets or minor alterations to drainage structures and other infrastructure to meet unexpected conditions are exempted from this requirement.

**Section 223B. Hazardous Materials Handling.**
New facilities located within the Water Supply Watershed District that handle hazardous materials of a type and amounts requiring a permit from the Department of Natural Resources or that require disposal by a hazardous materials handler permitted or licensed by the Department of Natural Resources at a hazardous materials facility, shall perform their operations on impermeable surfaces having spill and leak collection systems. Such spill and leak collections systems shall be shown on the site plan in detail and must be approved, as part of the site plan, by the Enforcer.

**Section 224B. Soil Erosion and Sedimentation Control.**
All developments and land disturbing activity within the Water Supply Watershed District shall comply fully with the Soil Erosion and Sedimentation Control Ordinance of the County.

**Section 225B. Fuel and Chemical Storage Tanks.**
Underground fuel and chemical storage tanks will be allowed if they meet all of the requirements set forth by the Georgia Department of Natural Resources Environmental Protection Division.

**Section 226B. Enforcement.**
The County, their agent, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this ordinance and may take or cause to be made such examinations, surveys, or sampling as the County deems necessary. Enforcement procedures shall be as provided in Section 273 (Violations), Section 277.1 (Penalties), Section 277.2 (Remedies), Section 278 (Records), Section 278.1 (Fees) of the Coweta County Zoning and Development Ordinance, under Article 27 (Administration and Enforcement).

**Section 227B. Prohibited Uses Within the Water Supply Watershed Protection District.**
1. All sanitary landfills with or without synthetic liners and leachate collection systems.
2. New wastewater discharges are prohibited.
3. New hazardous waste treatment or disposal facilities.

**Section 228B. Existing Ordinances.**
Each application shall comply with all existing ordinances, amendments, thereto and subsequent amendments. Said ordinances include but are not limited to the Coweta County Zoning and Development Ordinance, the Coweta County Subdivision Regulations, the Coweta County Soil Erosion and Sedimentation Control Ordinance, and the Coweta County Flood Hazard Ordinance.
All sections and subsections of this ordinance are considered separate and distinct. Should any section, subsection, paragraph or part of this ordinance be declared by a court of jurisdiction to be invalid for any reason, it shall not invalidate any other section, subsection, paragraph or part of this ordinance.

**ARTICLE 21C. WETLANDS PROTECTION ORDINANCE.**

The Wetlands Protection District shall overlay other zoning districts so that all land lying within the Wetlands Protection District shall also be included in the underlying district(s). Each parcel of land within the Wetlands Protection District shall be subject to the provisions, regulations, and restrictions of both the Wetlands Protection District and its underlying district(s). In the event of a conflict or discrepancy between the requirements of the Wetlands Protection overlay and the underlying district(s), the more stringent shall apply.

I. Findings and Purpose

**Findings of Fact.** The wetlands in Coweta County are indispensable and fragile natural resources with significant development constraints due to flooding, erosion, and soils limitations. In their natural state, wetlands serve man and nature. They provide habitat areas for fish, wildlife and vegetation; water quality maintenance and pollution control; flood control; erosion control; natural resource education; scientific study; and open space and recreational opportunities. In addition, the wise management of forested wetlands is essential to the economic well being of many communities within the State of Georgia.

Nationally, a considerable number of these important natural resources have been lost or impaired by draining, dredging, filling, excavating, building, pollution and other acts. Piecemeal or cumulative losses will, over time, destroy additional wetlands. Damaging or destroying wetlands threatens public safety and the general welfare. It is therefore necessary for Coweta County, Georgia to ensure maximum protection for wetlands by discouraging development activities that may adversely affect wetlands.

**Purpose.** The purpose of this ordinance is to promote wetlands protection, while taking into account varying ecological, economic development, recreational and aesthetic values. Activities that may damage wetlands should be located on upland sites to the greatest degree practicable as determined through a permitting process. The objective of this ordinance is to protect wetlands from alterations that will significantly affect or reduce their primary functions for water quality, floodplain and erosion control, groundwater recharge, aesthetic nature and wildlife habitat.

II. Definitions.

A. **Wetlands.** Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The ecological parameters for designating wetlands include hydric soils, hydrophytic vegetation, and hydrological conditions that involve a temporary or permanent source of water to cause soil saturation.
B. **Generalized Wetlands Map.** The current *U.S. Fish and Wildlife Service National Wetlands Inventory* maps for Coweta County, Georgia.

C. **Jurisdictional Wetland.** An area that meets the definitional requirements for wetlands as determined by the U.S. Army Corps of Engineers.

D. **Jurisdictional Wetland Determination.** An official, written statement or map signed by the U.S. Army Corps of Engineers.

E. **Wetland Delineation.** The establishment of wetland boundaries by a representative of the U.S. Army Corps of Engineers or an authority designated by the Corps.

F. **Regulated Activity.** Any activity which will, or which may reasonably be expected to, result in the discharge of dredged or fill material into waters of the U.S. excepting those activities exempted in Section 404 of the Federal Clean Water Act.

**Section 210C. Establishment of the Wetlands Protection District.**

1. The Wetlands Protection District is hereby established which shall correspond to all lands within the jurisdiction of Coweta County, Georgia that are mapped as wetland areas by the *U.S. Fish and Wildlife Service National Wetlands Inventory Maps*. This map shall be referred to as the **Generalized Wetlands Map** and is hereby adopted by reference and declared to be a part of this ordinance, together with all explanatory matter thereon and attached thereto.

2. The **Generalized Wetlands Map** does not necessarily represent the boundaries of jurisdictional wetlands within Coweta County and cannot serve as a substitute for a delineation of jurisdictional wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, as amended. Any local government action under this ordinance does not relieve the landowner from federal or state permitting requirements.

**Section 211C. Protection Criteria.**

No regulated activity will be permitted within the Wetlands Protection District without written permission or a permit from Coweta County. If the area proposed for development is located within 50 feet of a Wetlands Protection District Boundary, as determined by the County Engineer utilizing the Generalized Wetlands Map or performing a field investigation, a U.S. Army Corps of Engineers determination shall be required. If the Corps determines that wetlands are present on the proposed development site, the local permit or permission will not be granted until a Section 404 Permit or Letter of Permission is issued.

**Section 212C. Permitted Uses.**

The following uses shall be allowed as of right within the Wetlands Protection District to the extent that they are not prohibited by any other ordinance or law, including laws of trespass, and provided they do not require structures, grading, fill, draining, or dredging except as provided herein.

1. Conservation or preservation of soil, water, vegetation, fish and other wildlife, provided it does not affect waters of Georgia or of the United States in such a way that would require an individual 404 Permit.

2. Outdoor recreational activities, including fishing, hunting, bird watching, hiking, boating, horseback riding, and canoeing.
3. Forestry practices applied in accordance with best management practices approved by the Georgia Forestry Commission and as specified in Section 404 of the Clean Water Act.

4. The cultivation of agricultural crops. Agricultural activities shall be subject to best management practices approved by the Georgia Department of Agriculture.

5. The pasturing of livestock, provided that riparian wetlands are protected, that soil profiles are not disturbed and that approved agricultural Best Management Practices are followed.

6. Education, scientific research, and nature trails.

Section 213C. Temporary Emergency Permit
A temporary emergency permit can be issued by the County Development Engineer or its designee for the following reasons:

1. Maintenance or repair of lawfully located roads or structures and of facilities used in the service of the public to provide transportation, electric, gas, water, telephone, telegraph, telecommunication or other services, provided that such roads, structures, or facilities are not materially changed or enlarged and that, prior to the commencement of work, written notice has been given to the County Development Engineer or its designee and provided that the work is conducted using best management practices to ensure that flow and circulation patterns, and chemical and biological characteristics of the wetland, are not impaired and that any adverse effect on the aquatic environment will be minimized.

2. Limited ditching, tilling, dredging, excavating, or filling done solely for the purpose of maintaining or repairing existing drainage systems necessary for the cultivation of agricultural crops, provided that the maintenance or repair activity does not result in the impairment, alteration, or loss of wetlands not previously subject to agricultural and forestry use under the terms and provisions of Section 212C.

3. Limited excavating and filling necessary for the repair and maintenance of piers, walkways, nature trails, observation decks, wildlife management shelters, boathouses, or other similar water-related structures, provided that they are built on pilings to allow unobstructed flow of water and preserve the natural contour of the wetland.

Section 214C. Site Plans
Applications for a development permit within the Wetland Protection District shall include a site plan, drawn at a scale of 1” = 100’, (the County Development Engineer may approve a different scale where necessary to clearly provide the required information) with the following information:

1. A licensed professional shall certify and include the following statement:
   a. This property does/ does not include jurisdictional wetlands as identified by the U.S. Army Corps of Engineers.
   b. If jurisdictional wetlands do occur on the property they shall be indicated on the site plan or a preliminary subdivision plat.
2. The applicant shall provide documentation supporting design information or construction activities within the jurisdictional wetlands area.

3. The owner/developer shall provide a certified “as-built” drawing prepared by the registered professional of the work performed in the jurisdictional wetlands.

Section 215C. Prohibited Uses.
The following uses are not permitted within the Wetlands Protection District.

1. Receiving areas for toxic or hazardous waste or other contaminants;
2. Hazardous or sanitary waste landfills;
3. Storm water detention facilities.

Section 216C. Administration and Enforcement Procedures.
The County, their agent, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this ordinance and may take or cause to be made such examinations, surveys, or sampling as the County deems necessary. Enforcement procedures shall be as provided in Section 273 (Violations), Section 277.1 (Penalties), Section 277.2 (Remedies), Section 278 (Records), Section 278.1 (Fees) of the Coweta County Zoning and Development Ordinance, under Article 27 (Administration and Enforcement).

Section 217C. Existing Ordinances.
Each application shall comply with all existing ordinances, amendments, thereto and subsequent amendments. Said ordinances include but are not limited to the Coweta County Zoning and Development Ordinance, the Coweta County Subdivision Regulations, the Coweta County Soil Erosion and Sedimentation Control Ordinance, and the Coweta County Flood Damage Prevention Ordinance.

All sections and subsections of this ordinance are considered separate and distinct. Should any section, subsection, paragraph or part of this ordinance be declared by a court of jurisdiction to be invalid for any reason, it shall not invalidate any other section, subsection, paragraph or part of this ordinance.

Wetland Protection Checklist

Date Received:____________________________________

Project Location:________________________________________________________________

Tract Size:_________ Proposed Use:__________________________________________________

Developer Name:_______________________________________________________________
Telephone Number: (      )_____________________ (      )_______________________________

*****************************************************************************
Review Standards

Check Level of Review:

- Conceptual Site Plan Submitted with Rezoning Request
- Pre-development Site Plans
- Preliminary Subdivision Plans

Check appropriate boxes. Indicate N/A if not applicable.

- Proposed development does not contain wetlands. Local permitting process may proceed.
- Preliminary plans and/or the National Wetlands Inventory Maps indicate wetlands within the boundaries of the proposed project. If jurisdictional wetlands are to be disturbed by the proposed development, the applicant must meet the U.S. Army Corps of Engineers requirements for jurisdictional wetlands determination. With the determination of jurisdictional wetlands, any alteration will require a Section 404 Permit from the Corps of Engineers.

*****************************************************************************
Approved

County Representative:________________________________________________________

Corps of Engineers: attach if applicable _______________________________________

Comments:____________________________________________________________________

________________________________________________________

ARTICLE 21D. GROUNDWATER RECHARGE PROTECTION DISTRICT.

The Groundwater Recharge Protection District shall overlay other zoning districts so that all land lying within the Groundwater Recharge Protection District shall also be included in the underlying district(s). Each parcel of land within the Groundwater Recharge Protection District shall be subject to the provisions, regulations, and restrictions of both the Groundwater Recharge Protection District and its underlying district(s). In the event of a conflict or discrepancy between the requirements of the Groundwater Recharge Protection overlay and the underlying district(s), the more stringent shall apply.

I. Purpose.
In order to provide for the health, safety, and welfare of the public and a healthy economic climate within Coweta County and surrounding communities, it is essential that the quality of public drinking water be ensured. For this reason, it is necessary to protect the subsurface water resources that Coweta County and surrounding communities rely on as sources of public water.

Groundwater resources are contained within underground reservoirs known as aquifers. These aquifers are zones of rock beneath the earth’s surface capable of containing or producing water from a well. They occupy vast regions of the subsurface and are replenished by infiltration of surface water runoff in zones of the surface known as groundwater recharge areas. Groundwater is susceptible to contamination when unrestricted development occurs within significant groundwater recharge areas. It is, therefore, necessary to manage land use within groundwater recharge areas in order to ensure that pollution threats are minimized.

II. Definitions
In addition to the definitions provided elsewhere in this Ordinance, the following definitions shall apply:

1. **Aquifer** means any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.
2. **DRASTIC** means the standardized system for evaluating groundwater pollution potential using the hydrologic settings described in U.S. Environmental Protection Agency document EPA-600-2-87-035. (Note: the DRASTIC methodology is the most widely used technique for evaluating pollution susceptibility).
3. **Hazardous Waste** means any discarded material which is determined to be a hazardous solid waste under 40CFR261.2 by reason of its toxic, caustic, corrosive, abrasive, or otherwise injurious properties that may cause harm to the health of any person handling or otherwise coming into contact with such material or substance. The U.S. Environmental Protection Agency has developed a list of hazardous wastes based upon corrosivity, reactivity and toxicity.
4. **Pollution Susceptibility** means the relative vulnerability of an aquifer to being polluted from spills, discharges, leaks, impoundments, applications of chemicals, injections and other human activities in the recharge area.
5. **Pollution Susceptibility Map** means the relative vulnerability to pollution prepared by the Department of Natural Resources, using the DRASTIC methodology. (Georgia Department of Natural Resources Hydrologic Atlas 20: Groundwater Pollution Susceptibility Map of Georgia)
6. **Recharge Area** means any portion of the earth’s surface, where water infiltrates into the ground to replenish an aquifer.

Section 210D. Establishment of the Groundwater Recharge Area Protection District.
The Groundwater Recharge Area District is hereby established and shall correspond to all lands within the jurisdiction of Coweta County, Georgia that are mapped as significant recharge areas by the Georgia Department of Natural Resources in Hydrologic Atlas 18, 1989 edition, which shall overlay the Zoning Map of Coweta County and which are shown on the parcel base map entitled River Corridor, Watershed, and Recharge Map. The protection district shall be established on a
parcel by parcel basis so that the whole area of any lot overlain by a significant recharge area or intersected by the boundary of a significant recharge area shall be subject to the protection criteria set forth in Sec. 211D. Said maps and overlay are hereby adopted and made a part of this ordinance.

Determination of Pollution Susceptibility: Each recharge area shall be determined to have a pollution susceptibility of high, medium, or low based on the Georgia Pollution Susceptibility Map, Hydrologic Atlas 20, 1992 edition. Said map is hereby adopted and made a part of this ordinance.

Section 211D. Protection Criteria.

1. No construction may proceed on a building or mobile home to be served by a septic tank unless the Coweta County Environmental Health Department first approves the proposed septic tank installations as meeting the requirements of the Department of Human Resources Manual for On-site Sewage Management (hereinafter DHR Manual) and items 2, 2A-F and 3, 3A-D below.

2. Lot size requirements for single-family dwellings including but not limited to manufactured or mobile homes, stick built homes, modular homes, etc., and individual lots in subdivisions or mobile home lots located in areas other than commercial mobile home parks are set forth in DHR Table MT-1 and paragraphs 2.A-F as follows:

<table>
<thead>
<tr>
<th>Type of Water Supply System</th>
<th>Non-public* (Individual)</th>
<th>Public</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Lot Size</td>
<td>43,560 square feet</td>
<td>21,780 square feet</td>
</tr>
<tr>
<td>Min. Lot Width</td>
<td>150 feet</td>
<td>100 feet</td>
</tr>
<tr>
<td>Max Sewage Flow</td>
<td>600 gpad**</td>
<td>1200 gpad</td>
</tr>
</tbody>
</table>

*In this context “Non-public” means an individual water supply system or any other water supply system which is not a “public” water supply system.

** gpad = gallons per acre per day = gal/acre/day

A. The above minimum lot sizes are for the typical size home (3 or 4 bedroom) with basic appurtenances such as: driveway, minimum number of trees, and water supply line. If larger homes, swimming pools, tennis courts or outbuildings, etc. are proposed to be constructed or if trees would interfere with installation of an on-site sewage management system, the County Board of Health will require larger lots to assure useable soil area.
B. The County Board of Health may also require larger lot sizes when physical factors indicate the need to do so. These factors include, but are not limited to, the availability of sufficient unobstructed land areas for an approved on-site sewage management system and approved replacement system, slope greater than 5%, percolation rates higher than 45 minutes per inch, need for subsurface drainage or adverse topographic features.

C. Lots shall be a minimum width of one hundred feet (100’) or one hundred fifty feet (150’) measured within the area where an approved on-site sewage management system and approved replacement system are to be located when served by a public water supply system or non-public water supply system, respectively.

D. The following land areas are not considered as a part of a lot when calculating the required minimum lot size: right of ways of roads, easements (such as power line or pipe line) that exclude installation of an on-site sewage management system, bodies of water, land within 50 feet of a lake, river, stream, wetland or other bodies of water and similar limiting factors.

E. There must be an unobstructed area on each lot for installation of an approved on-site sewage management system and an area equal in size for a conventional system or larger area, as appropriate, for an approved replacement system; this will include sufficient area for necessary site modifications for installation of both the initial system and a replacement system. All pertinent County zoning set-backs and other space requirements must also be met.

F. The maximum daily sewage flow for each lot or parcel of land shall not exceed 600 gpd when served by non-public or individual water supply system or 1200 gpd when served by public water supply system. When sewage flows exceed these quantities (600 or 1200 gpd as indicated) for a given dwelling structure, the minimum lot size or parcel of land shall be increased proportionally. Example: Assume a public water supply exists (so 1200 gpd maximum sewage flow allowed per minimum required land area of 21,780 square feet), and there is a proposed sewage flow of 5,000 gpd. To determine X=the square footage of the lot needed, use the following formula:

\[
X = \frac{5000 \text{ gal/day}}{1200 \text{ gal/acre/day}} \\
X = 4.17 \text{ acre} \\
X = 4.17 \text{ acres} \times 43560 \text{ ft}^2/\text{acre} \\
X = 181,500 \text{ ft}^2 \text{ area of land needed.}
\]
Likewise, for a non-public (individual) water supply, to determine \(Y\)=the square footage of the lot needed for a proposed sewage flow of 5000 gpd, use the following formula:

\[
Y = \frac{5000 \text{ gal/day}}{600 \text{ gal/acre/day}} \\
Y = 8.33 \text{ acres} \\
Y = 8.33 \text{ acres} \times 43560 \text{ ft}^2/\text{acre} \\
Y = 363,000 \text{ ft}^2 \text{ area of land needed.}
\]

3. Lot sizing requirements are as follows for multi-family residential dwellings, all other non-single-family dwellings and commercial structures, and this also includes mobile homes located in commercial mobile home parks. Paragraphs 2A through 2F of this ordinance also apply to Table MT-2:

Table MT-2
Minimum Lot Sizes, Minimum Lot Widths and Maximum Allowable Sewage Flow
for the Type of Water Supply System

<table>
<thead>
<tr>
<th>Type of Water Supply System</th>
<th>Non-public* (Individual)</th>
<th>Public</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Lot Size</td>
<td>43,560 square feet</td>
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<td>150 feet</td>
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</tr>
<tr>
<td>Max Sewage Flow</td>
<td>600 gpad**</td>
<td>1200 gpad</td>
</tr>
</tbody>
</table>

*In this context “Non-public” means an individual water supply system or any other water supply system which is not a “Public” water supply system.

**gpad=gallons per acre per day=gal/acre/day

A. Subdivisions and Individual Lots: New homes served by septic tank and absorption field systems shall be on lots having the following minimum size limitations as identified in Table MT-1.

1) 150% of the subdivision minimum lot size of Table MT-1 if lot is within a high pollution susceptibility area;
2) 125% of the subdivision minimum lot size of Table MT-1 if lot is within a medium pollution susceptibility area;
3) 110% of the subdivision minimum lot size of Table MT-1 if lot is within a low pollution susceptibility area.

B. Mobile Home Parks: New mobile home parks served by septic tanks and absorption field systems shall be on lots having the following size limitations as identified in Table MT-2.

1) 150% of the subdivision minimum lot size of Table MT-2 if lot is within a high pollution susceptibility area;
2) 125% of the subdivision minimum lot size of Table MT-2 if lot is within a medium pollution susceptibility area;
3) 110% of the subdivision minimum lot size of Table MT-2 if lot is within a low pollution susceptibility area.

C. If a local government requires a larger lot size than than required by (3A) above for homes or (3B) above for mobile homes, the larger lot size shall be used.

D. Local governments at their option may exempt from the requirements any lot of record prior to the date of adoption of the Rules of the Georgia Department of Natural Resources, Environmental Protection Division, Chapter 391-3-16-.02.

4. New agricultural waste impoundment sites shall be lined if they are within a high pollution susceptibility area; a medium pollution susceptibility area and exceed 15 acre-feet; or a low pollution susceptibility area and exceed 50 acre-feet. As a minimum, the liner shall be constructed of compacted clay having a thickness of one-foot and a vertical hydraulic conductivity of less than $5 \times 10^{-7}$ cm/sec or other criteria established by the Natural Resource Conservation Service.

5. New above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, shall have secondary containment for 110% of the volume of such tanks or 110% of the volume of the largest tank in a cluster of tanks. Such tanks used for agricultural purposes are exempt, provided they comply with all federal requirements.

6. New facilities that handle hazardous materials of the types listed in section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and in amounts of 10,000 pounds or more on any one day, shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements and local fire code requirements.

7. If Article 23, Dimensional Requirements requires a larger lot size than that required by Table MT-1 or MT-2, the larger lot size shall be required.

8. Permanent storm water infiltration basins shall not be constructed in areas having high pollution susceptibility.

Section 212D. Exemptions.
Any lot of record approved prior to the adoption of this ordinance is exempt from the minimum lot size requirements contained in Section 211D. Items 2. and 3. of this ordinance.

Section 213D. Site Plan Requirements.
The following information shall be provided on preliminary plats or pre-development site plans for any portion of a development lying within the ground water recharge protection district:

1. The location and volume of all above ground petroleum storage tanks and secondary containment facilities.
2. The location and area of impermeable surface where all hazardous material handling and storage will take place and a description of required spill/leak collection facility. Notes describing the type and nature of hazardous materials to be handled and/or stored on site.

3. Letter from State or Local Fire Marshall stating that project plans meet spill/leak collection requirements or secondary containment requirements.

4. Elevation of the property at contour intervals of 2 feet, and no greater than one foot for slopes less than or equal to two percent.

5. Determination of on-site slope and soil grouping by a Geo-technical Engineer registered in the State of Georgia.

6. A map of all planned excavation and fill, including calculations of the volume of cut and fill involved, cross-sectional drawings showing existing and proposed grades. Elevations, horizontal scale and vertical scale must be shown on the cross-sectional drawings.

7. All proposed temporary disruptions or diversions of local hydrology.

Section 214D. Activities to Comply with Site Plan.
All development activities or site work conducted after approval of the site plan shall conform with the specifications of said site plan. Significant changes to the site plan that would alter the amount and velocity of storm water runoff from the site, increase the amount of impervious surface within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill or removal of the overall appearance of the development as proposed, can be amended only with the approval of the Development Review Committee. Minor changes, such as the realignment of streets or minor alterations to drainage structures and other infrastructure to meet unexpected conditions are exempted from this requirement.

Section 215D. Exemptions to Site Plan Requirements.
The following activities and developments are exempt from the requirement for detailed site plans:

1. Single-family detached homes constructed within a subdivision of three or fewer parcels.

2. Single-family detached homes constructed within a subdivision of four or more lots when each lot is 1.60 acres or larger and as long as 1.60 acres exceeds the minimum lot size requirement set forth in Section 211D. above and DHR Manual, as amended.

3. Repairs to a facility that is part of a previously approved and permitted development.

4. Construction of minor structures, such as sheds or additions to single family residences.

Section 216D. Administration and Enforcement Procedures.
The County, their agent, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this ordinance and may take or cause to be made such examinations, surveys, or sampling as the County deems necessary. Enforcement procedures shall be as provided in Section 273 (Violations), Section 277.1
Section 217D. Existing Ordinances.
Each application shall comply with all existing ordinances, amendments, thereto and subsequent amendments. Said ordinances include but are not limited to the Coweta County Zoning and Development Ordinance, the Coweta County Subdivision Regulations, the Coweta County Soil Erosion and Sedimentation Control Ordinance, and the Coweta County Flood Hazard Ordinance.

Section 218D. Separability and Abrogation.
All sections and subsections of this ordinance are considered separate and distinct. Should any section, subsection, paragraph or part of this ordinance be declared by a court of jurisdiction to be invalid for any reason, it shall not invalidate any other section, subsection, paragraph or part of this ordinance.

ARTICLE 22: FLOOD DAMAGE PREVENTION ORDINANCE

Section 220. Introduction.
It is hereby determined that:

The flood hazard areas of Coweta County are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

Flood hazard areas can serve important stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological purposes when permanently protected as undisturbed or minimally disturbed areas.

Effective floodplain management and flood hazard protection activities can (1) Protect human life and health; (2) Minimize damage to private property; (3) Minimize damage to public facilities and infrastructure such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains; and (4) Minimize expenditure of public money for costly flood control projects associated with flooding and generally undertaken at the expense of the general public.

Article IX, Section II of the Constitution of the State of Georgia and Section 36-1-20(a) of the Official Code of Georgia Annotated have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, Coweta County, Georgia, does ordain this ordinance and establishes this set of floodplain management and flood hazard reduction policies for the purpose of regulating the use of flood hazard areas. It is determined that the regulation of flood hazard areas and the prevention of flood damage are in the public interest and will minimize threats to public health and safety, as well as to private and public property.

Section 221. General Provisions
221.1. Purpose and Intent
The purpose of this ordinance is to protect, maintain and enhance the public health, safety, environment and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, streambank and stream corridor protection, wetlands preservation and ecological and environmental protection by provisions designed to:

1. Require that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;
2. Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
3. Control filling, grading, dredging and other development, which may increase flood damage or erosion;
4. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;
5. Limit the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters; and,
6. Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological functions of natural floodplain areas.

221.2. Applicability
This ordinance shall be applicable to all Areas of Special Flood Hazard within Coweta County.

221.3. Designation of Ordinance Administrator
The Director of Development & Engineering or Staff Engineer is hereby appointed to administer and implement the provisions of this ordinance.

221.4. Basis for Area of Special Flood Hazard – Flood Area Maps and Studies
For the purposes of this ordinance, the following are adopted by reference:

1. The Flood Insurance Study (FIS), dated August 2, 1982 with accompanying maps and other supporting data and any revision thereto are hereby adopted by reference.
2. Other studies which may be relied upon for the establishment of the base flood elevation or delineation of the 100-year floodplain and flood-prone areas include:
   (a) Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or any other local, State or Federal agency applicable to Coweta County; or
(b) Any base flood study authored by a registered professional engineer in the State of Georgia, which has been prepared by FEMA approved methodology and approved by Coweta County.

(3) Other studies which may be relied upon for the establishment of the future-conditions flood elevation or delineation of the future-conditions floodplain and flood-prone areas include:

(a) Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey, or any other local, State or Federal agency applicable to Coweta County; or

(b) Any future-conditions flood study authored by a registered professional engineer in the State of Georgia, which has been prepared by FEMA approved methodology approved by Coweta County.

(4) The repository for public inspection of the FIS, accompanying maps and other supporting data is located at Coweta County Administration Offices, 22 East Broad St., Newnan, Ga. 30263.

221.5. Compatibility with Other Regulations
This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or impose higher protective standards for human health or the environment shall control.

221.6. Severability
If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this ordinance.

221.7. Warning and Disclaimer of Liability
The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Coweta County or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made there under.

Section 222. Definitions
"Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition that is connected by a firewall or is separated by an independent perimeter load-bearing wall shall be considered New Construction.
"Appeal" means a request for a review of the Director of Development & Engineering’s interpretation of any provision of this ordinance.

"Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of Special Flood Hazard" is the land subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation (including A, A1-30, A-99, AE, AO, AH, and AR on the FHBM or the FIRM), all floodplain and flood prone areas at or below the future-conditions flood elevation, and all other flood prone areas as referenced in Section 1.4. All streams with a drainage area of 100 acres or greater shall have the area of special flood hazard delineated.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

"Base Flood Elevation" means the highest water surface elevation anticipated at any given point during the base flood.

"Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.

"Building" means any structure built for support, shelter, or enclosure for any occupancy or storage.

"Development" means any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation or drilling operations or storage of equipment or materials.

"Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Existing Construction" Any structure for which the "start of construction" commenced before December 26, 1975.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before December 26, 1975.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

"FEMA" means the Federal Emergency Management Agency.

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(a) the overflow of inland or tidal waters; or

(b) the unusual and rapid accumulation or runoff of surface waters from any source.
"Flood Hazard Boundary Map" or "FHBM" means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been defined as Zone A.

"Flood Insurance Rate Map" or "FIRM" means an official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

"Flood Insurance Study" or "FIS" means the official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.

"Floodplain" means any land area susceptible to flooding.

"Floodproofing" means any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Floodway" or "Regulatory Floodway" means the channel of a stream or other watercourse and the adjacent areas of the floodplain which is necessary to contain and discharge the base flood flow without cumulatively increasing the base flood elevation more than one foot.

"Functionally Dependent Use" means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water.

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

"Future-conditions Flood Elevation" means the flood standard equal to or higher than the Base Flood Elevation. The Future-conditions Flood Elevation is defined as the highest water surface anticipated at any given point during the future-conditions flood.

"Future-conditions Floodplain" means any land area susceptible to flooding by the future-conditions flood.

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

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed foundation of a building.

"Historic Structure" means any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or

(d) Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior, or
2. Directly by the Secretary of the Interior in states without approved programs.

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

"Manufactured Home" means a building, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term includes any structure commonly referred to as a "mobile home" regardless of the date of manufacture. The term also includes parked trailers, travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

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

"National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure (see definition) for which the "start of construction" commenced after December 26, 1975.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after December 26, 1975.

"North American Vertical Datum (NAVD) of 1988" is a vertical control used as a reference for establishing varying elevations within the floodplain.

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

"Permit" means the permit issued by Coweta County to the applicant, which is required prior to undertaking any development activity.

"Recreational Vehicle" means a vehicle, which is:
(a) built on a single chassis;
(b) 400 square feet or less when measured at the largest horizontal projection;
(c) designed to be self-propelled or permanently towable by light duty truck; and,
(d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Site" means the parcel of land being developed, or the portion thereof on which the development project is located.

"Start of Construction" means the date the permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor
does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure. (NOTE: accessory structures are not exempt from any ordinance requirements). For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

"Subdivision" means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during a 10-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the structure prior to the improvement. The market value of the building means (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures, which have incurred "substantial damage" regardless of the actual amount of repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include those improvements of a building required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, which have been pre-identified by the Code Enforcement Official, and not solely triggered by an improvement or repair project.

"Substantially Improved Existing Manufactured Home Park or Subdivision" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this ordinance, which permits construction in a manner otherwise prohibited by this ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without the elevation certificate, other certificates, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

Section 223. Permit Procedures and Requirements

223.1. Permit Application Requirements
No owner or developer shall perform any development activities on a site where an Area of Special Flood Hazard is located without first meeting the requirements of this ordinance prior to commencing the proposed activity.
Unless specifically excluded by this ordinance, any landowner or developer desiring a permit for a development activity shall submit to the Coweta County Planning Department a permit application on a form provided by the Coweta County Planning Department for that purpose.

No permit will be approved for any development activities that do not meet the requirements, restrictions and criteria of this ordinance.

223.2. Floodplain Management Plan Requirements

An application for a development project with any Area of Special Flood Hazard located on the site will be required to include a floodplain management / flood damage prevention plan. This plan shall include the following items:

(1) Site plan drawn to scale, which includes but is not limited to:
   (a) Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
   (b) For all proposed structures, spot ground elevations at building corners and 20-foot or smaller intervals along the foundation footprint, or one-foot contour elevations throughout the building site;
   (c) Proposed locations of water supply, sanitary sewer, and utilities;
   (d) Proposed locations of drainage and stormwater management facilities;
   (e) Proposed grading plan;
   (f) Base flood elevations and future-conditions flood elevations;
   (g) Boundaries of the base flood floodplain and future-conditions floodplain;
   (h) If applicable, the location of the floodway; and
   (i) Certification of the above by a registered professional engineer or surveyor.

(2) Building and foundation design detail, including but not limited to:
   (a) Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
   (b) Elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
   (c) Certification that any proposed non-residential floodproofed structure meets the criteria in Section 225.2(2);
   (d) For enclosures below the base flood elevation, location and total net area of foundation openings as required in Section 225.1(5).
   (e) Design plans certified by a registered professional engineer or architect for all proposed structure(s).

(3) Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;

(4) Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre-and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, Special Flood Hazard Areas and regulatory
floodway widths, flood profiles and all other computations and other information similar
to that presented in the FIS;

(5) Copies of all applicable State and Federal permits necessary for proposed
development; and

(6) All appropriate certifications required under this ordinance.

The approved floodplain management / flood damage prevention plan shall contain certification
by the applicant that all development activities will be done according to the plan or previously
approved revisions. Any and all development permits and/or use and occupancy certificates or
permits may be revoked at any time if the construction and development activities are not in strict
accordance with approved plans.

223.3. Construction Stage Submittal Requirements
For all new construction and substantial improvements on sites with a floodplain management /
flood damage prevention plan, the permit holder shall provide to the Director of Development &
Engineering a certified as-built Elevation Certificate or Floodproofing Certificate for non-
residential construction including the lowest floor elevation or flood-proofing level immediately
after the lowest floor or flood-proofing is completed. A final Elevation Certificate shall be
provided after completion of construction including final grading of the site. Any lowest floor
certification made relative to mean sea level shall be prepared by or under the direct supervision
of a registered land surveyor or professional engineer and certified by same. When flood proofing
is utilized for non-residential structures, said certification shall be prepared by or under the direct
supervision of a professional engineer or architect and certified by same.

Any work undertaken prior to approval of these certifications shall be at the permit holder's risk.
The Director of Development & Engineering shall review the above referenced certification data
submitted. Deficiencies detected by such review shall be corrected by the permit holder
immediately and prior to further work being allowed to proceed. Failure to submit certification or
failure to make the corrections required hereby shall be cause to issue a stop work order for the
project.

223.4. Duties and Responsibilities of the Administrator
Duties of the Director of Development & Engineering shall include, but shall not be limited to:

(1) Review all development applications and permits to assure that the requirements of this
ordinance have been satisfied and to determine whether proposed building sites would be
reasonably safe from flooding;

(2) Require that copies of all necessary permits from governmental agencies from which
approval is required by Federal or state law, including but not limited to Section 404 of the
Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334, be provided
and maintained on file;
(3) When Base Flood Elevation data or floodway data have not been provided, then the Director of Development & Engineering shall require the applicant to obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, state or other sources in order to meet the provisions of Sections 4 and 5;

(4) Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures;

(5) Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures has been flood-proofed;

(6) When flood proofing is utilized for a non-residential structure, the Director of Development & Engineering shall obtain certification of design criteria from a registered professional engineer or architect;

(7) Notify affected adjacent communities and the Georgia Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);

(8) Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions) the Director of Development & Engineering shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this ordinance. Where floodplain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps; and,

(9) All records pertaining to the provisions of this ordinance shall be maintained in the office of the Director of Development & Engineering and shall be open for public inspection

Section 224. Standards for Development

224.1. Definition of Floodplain Boundaries
(1) Studied “A” zones, as identified in the FIS, shall be used to establish base flood elevations whenever available.

(2) For all streams with a drainage area of 100 acres or greater, the future-conditions flood elevations shall be provided by the Director of Development & Engineering. If future-conditions elevation data is not available from the Director of Development & Engineering, then it shall be determined by a registered professional engineer using a method approved by FEMA and the Director of Development & Engineering.

224.2. Definition of Floodway Boundaries
(1) The width of a floodway shall be determined from the FIS or FEMA approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway shall
be provided by the Director of Development & Engineering. If floodway data is not available from the Director of Development & Engineering, then it shall be determined by a registered professional engineer using a method approved by FEMA and the Director of Development & Engineering.

224.3. General Standards
(1) No development shall be allowed within the future-conditions floodplain that could result in any of the following:

(a) Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;
(b) Reducing the base flood or future-conditions flood storage capacity;
(c) Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the development area; or,
(d) Creating hazardous or erosion-producing velocities, or resulting in excessive sedimentation.

(2) Any development within the future-conditions floodplain allowed under (1) above shall also meet the following conditions:

(a) Compensation for storage capacity shall occur between the average ground water table elevation and the base flood elevation for the base flood, and between the average ground water table elevation and the future-condition flood elevation for the future-conditions flood, and lie either within the boundaries of ownership of the property being developed and shall be within the immediate vicinity of the location of the encroachment. Acceptable means of providing required compensation include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the top of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;
(b) Cut areas shall be stabilized and graded to a slope of no less than 2.0 percent;
(c) Effective transitions shall be provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;
(d) Verification of no-rise conditions (0.01 foot or less), flood storage volumes, and flow characteristics shall be provided via a step-backwater analysis meeting the requirements of Section 224.4;
(e) Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, shall be located and constructed to minimize or eliminate infiltration or contamination from flood waters; and
(f) Any significant physical changes to the base flood floodplain shall be submitted as a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval by the Director of Development & Engineering using the Community Consent forms before forwarding the submittal package to FEMA for final
approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the responsibility of the applicant. Within six months of the completion of construction, the applicant shall submit as-built surveys for a final Letter of Map Revision (LOMR).

224.4. Engineering Study Requirements for Floodplain Encroachments
Coweta County’s flood and floodplain model(s) as well as affected mapping shall be updated and revised as necessary by an engineering study as appropriate to the proposed development activities on the site whenever a development proposed to disturb any land within the future conditions floodplain, except for residential single lot development on streams without established base flood elevations and/or floodways, for which the provisions of Section 225.4 apply. This study shall be prepared by a currently registered Professional Engineer in the State of Georgia and made a part of the application for a permit. This information shall be reviewed and approved by the County’s consultant prior to approval of the permit which would authorize the disturbance of land located within the future conditions floodplain. The cost of review by the County’s consultant shall be the developer’s responsibility. Such study shall include:

1. Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development.

2. Step-backwater analysis, using a FEMA-approved methodology approved by the Director of Development & Engineering. Cross-sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating FIS results and will then be rerun with the proposed modifications to determine the new base flood profiles, and future-conditions flood profiles;

3. Floodplain storage calculations based on cross-sections (at least one every 100 feet) and future-conditions floodplain storage capacity would not be diminished by the development;

4. The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future-conditions floodplain encroachments.

(Ord. of 9-1-09)

224.5. Floodway Encroachments
Located within Areas of Special Flood Hazard are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity floodwaters, debris or erosion potential. In addition, floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore the following provisions shall apply:

(1) Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in (2) below.

(2) Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase to the pre-project base flood elevations, floodway elevations, or
floodway widths during the base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof; and,

(3) If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway shall be issued by the Director of Development & Engineering until an affirmative Conditional Letter of Map Revision (CLOMR) is issued by FEMA and no-rise certification is approved by the Director of Development & Engineering.

224.6. Maintenance Requirements
The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on his property so that the flood-carrying or flood storage capacity is not diminished. The Director of Development & Engineering may direct the property owner (at no cost to Coweta County) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the Director of Development & Engineering.

Section 225. Provisions for Flood Damage Reduction

225.1. General Standards
In all Areas of Special Flood Hazard the following provisions apply:

(1) New construction of principal buildings (residential or non-residential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain, unless all requirements of Sections 224.3, 224.4 and 224.5 have been met;

(2) New construction or substantial improvements of existing structures shall be anchored to prevent flotation, collapse or lateral movement of the structure;

(3) New construction or substantial improvements of existing structures shall be constructed with materials and utility equipment resistant to flood damage;

(4) New construction or substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage;

(5) Elevated Buildings - All new construction and substantial improvements of existing structures that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished and flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.

(a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
   (i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
   (ii) The bottom of all openings shall be no higher than one foot above grade; and,
(iii) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.

(b) So as not to violate the "Lowest Floor" criteria of this ordinance, the unfinished and flood resistant enclosure shall solely be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and,

(c) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

(6) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;

(7) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces;

(8) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(9) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

(10) On-site waste disposal systems shall be located and constructed to avoid impairment to them, or contamination from them, during flooding; and,

(11) Any alteration, repair, reconstruction or improvement to a structure, which is not compliant with the provisions of this ordinance, shall be undertaken only if the non-conformity is not furthered, extended or replaced.

(12) If the proposed development is located in multiple flood zones or multiple base flood elevation cross the proposed site, the higher or more restrictive base flood elevation or future condition elevation and development standards shall take precedence.

225.2. Building Standards for Structures and Buildings Within the Future-Conditions Floodplain

The following provisions, in addition to those in Section 225.1, shall apply:

(1) Residential Buildings
   (a) New construction. New construction of principal buildings, including manufactured homes shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sections 224.3, 224.4 and 224.5 have been met. If all of the requirements
of Sections 224.3, 224.4 and 224.5 have been met, all new construction shall have the lowest floor, including basement, elevated no lower than three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to equalize the hydrologic flood forces on exterior walls and to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 225.1(5).

(b) Substantial Improvements. Substantial improvement of any principal structure or manufactured home shall have the lowest floor, including basement, elevated no lower than three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to equalize the hydrologic flood forces on exterior walls and to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 225.1(5).

(2) Non-Residential Buildings

(a) New construction. New construction of principal buildings, including manufactured homes shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sections 224.3, 224.4 and 224.5 have been met. New construction that has met all of the requirements of Sections 224.3, 224.4 and 224.5 may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one (1) foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered Professional Engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Director of Development & Engineering.

(b) Substantial Improvements. Substantial improvement of any principal non-residential structure located in A1-30, AE, or AH zones, may be authorized by the Director of Development & Engineering to be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to one (1) foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered Professional Engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Director of Development & Engineering.

(3) Accessory Structures and Facilities

Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, parking lots, recreational facilities and other similar non-habitable structures and facilities) which are permitted to be located within the limits of the floodplain shall be constructed of flood-
resistant materials and designed to pass all floodwater in accordance with Section 225.1(5) and be anchored to prevent flotation, collapse or lateral movement of the structure.

(4) Standards for Recreational Vehicles
All recreational vehicles placed on sites must either:
(a) Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
(b) The recreational vehicle must meet all the requirements for Residential Buildings—Substantial Improvements (Section 225.2(1)(b)), including the anchoring and elevation requirements.

(5) Standards for Manufactured Homes
(a) New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain unless all requirements of Sections 224.3, 224.4 and 224.5 have been met.
(b) Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision shall be elevated so that either:
   (i) The lowest floor of the manufactured home is elevated no lower than three (3) feet above the level of the base flood elevation, or one (1) foot above the future-conditions flood elevation, whichever is higher; or
   (ii) The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
(c) All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with standards of Section 225.1(7).

225.3. Building Standards for Structures and Buildings Authorized Adjacent to the Future-Conditions Floodplain
(1) Residential Buildings – For new construction or substantial improvement of any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, shall be at least three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher.

(2) Non-Residential Buildings – For new construction or substantial improvement of any principal non-residential building, the elevation of the lowest floor, including basement and access to the building, shall be at least one (1) foot above the level of the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher.

225.4. Building Standards for Residential Single-Lot Developments on Streams Without Established Base Flood Elevations and/or Floodway (A-Zones)
For a residential single-lot development not part of a subdivision that has Areas of Special Flood Hazard, where streams exist but no base flood data have been provided (A-Zones), the Director of Development & Engineering shall review and reasonably utilize any available scientific or historic
flood elevation data, base flood elevation and floodway data, or future-conditions flood elevation data available from a Federal, State, local or other source, in order to administer the provisions and standards of this ordinance.

If data are not available from any of these sources, the following provisions shall apply:

(1) No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or fifty (50) feet from the top of the bank of the stream, whichever is greater.

(2) In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with Section 225.1(5).

225.5. Building Standards for Areas of Shallow Flooding (AO-Zones)

Areas of Special Flood Hazard may include designated "AO" shallow flooding areas. These areas have base flood depths of one (1) to three (3) feet above ground, with no clearly defined channel. In these areas the following provisions apply:

(1) All substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the flood depth number in feet specified on the Flood Insurance Rate Map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 225.1(5).

(2) Substantial improvement of a non-residential structure may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus one (1) foot above the highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice; and,

(3) Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

225.6. Standards for Subdivisions

(1) All subdivision proposals shall identify the special flood hazard area and provide base flood elevation data and future-conditions flood elevation data;
All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required;

All subdivision plans will provide the elevations of proposed structures in accordance with Section 223.2.

All subdivision proposals shall be consistent with the need to minimize flood damage;

All subdivision proposals shall have public utilities and facilities such as water, sanitary sewer, gas, and electrical systems located and constructed to minimize or eliminate infiltration of flood waters, and discharges from the systems into flood waters; and,

All subdivision proposals shall include adequate drainage and stormwater management facilities per the requirements of Coweta County to reduce potential exposure to flood hazards.

Section 226. Variance Procedures

When it is alleged an error in any requirement, decision, or determination is made by the Director of Development & Engineering in the enforcement or administration of the ordinance, an appeal or variance request may be submitted to the Board of Zoning Appeals as established by the Board of Commissioners. The Board of Zoning Appeals shall hear the request and make a final recommendation to the Board of Commissioners.

Since the recommendation by the Board of Zoning Appeals is a finding of fact, the Board of Commissioners shall hear and decide those appeals or variances. If the variance or appeal is granted, the Board of Commissioners may specify and require such conditions in connection therewith as will, in the Board’s opinion, assure the proposed use will conform to the requirements and spirit of this ordinance.

Any person aggrieved by the decision of the Coweta County Board of Commissioners may appeal such decision to the Superior Court as provided in Section 5-4-1 of the Official Code of Georgia Annotated.

Variances may be issued for the repair or rehabilitation of Historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a Historic structure, and the variance is the minimum to preserve the historic character and design of the structure.

Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Article are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.

Variances shall not be issued within any designated floodway if ANY increase in flood levels during the base flood discharge would result.
In reviewing such requests, the Coweta County Board of Commissioners shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this ordinance.

Conditions for Variance:

(a) A variance shall be issued ONLY when there is:
   (i) a finding of good and sufficient cause;
   (ii) a determination that failure to grant the variance would result in exceptional hardship; and,
   (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, creation of a nuisance, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.

(b) The provisions of this ordinance are minimum standards for flood loss reduction; therefore, any deviation from the standards must be weighed carefully. Variances shall only be issued upon determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and, in the instance of a Historic structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.

(c) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.

(d) The Director of Development & Engineering shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

(e) Upon consideration of the factors listed above and the purposes of this ordinance, the Board of Commissioners may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

Variances shall not be issued “after the fact”.

Section 227. Dimensional Requirements

Required minimum lot size, yard setback, height, limitations and related requirements are as set forth in article 230 [23], for the applicable district(s) underlying the FH district, except as more stringent limitations are set forth under this article.

Section 228. Violations, Enforcement and Penalties

Any action or inaction which violated the provisions of this ordinance or the requirements of an approved stormwater management plan or permit, may be subject to the enforcement actions
outlined in this Section. Any such action or inaction, which is continuous with respect to time, is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

1. Notice of Violation
If the Coweta County Development & Engineering Department determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this ordinance, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this ordinance without having first secured a permit, therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

(1) The name and address of the owner or the applicant or the responsible person;
(2) The address or other description of the site upon which the violation is occurring;
(3) A statement specifying the nature of the violation;
(4) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this ordinance and the date for the completion of such remedial action;
(5) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
(6) A statement that the determination of violation may be appealed to the Coweta County Development & Engineering Department by filing a written notice of appeal within thirty (30) days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient).

2. Penalties
In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the Coweta County Development & Engineering Department shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten (10) days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the Coweta County Development & Engineering Department may take any one or more of the following actions or impose any one or more of the following penalties.
Stop Work Order - The Coweta County Development & Engineering Department may issue a stop work order, which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.

Withhold Certificate of Occupancy - The Coweta County Development & Engineering Department may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

Suspension, Revocation or Modification of Permit - The Coweta County Development & Engineering Department may suspend, revoke or modify the permit authorizing the development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the Coweta County Development & Engineering Department may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

Civil Penalties - In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten (10) days, or such greater period as the Coweta County Development & Engineering Department shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the Coweta County Development & Engineering Department has taken one or more of the actions described above, the Coweta County Development & Engineering Department may impose a penalty not to exceed $1,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

Criminal Penalties - For intentional and flagrant violations of this ordinance, the Coweta County Development & Engineering Department may issue a citation to the applicant or other responsible person, requiring such person to appear in Magistrate Court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed $1,000 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

Section 229. Dams
Dams, provided they are constructed according to specifications of the United States Department of Agriculture (USDA) – Natural Resource Conservation Service (NRCS), or Agencies of the
Any land disturbing activity that involves a property, which is proposed to contain a dam, shall comply with the provisions of this Article and the provisions contained in Article 6, Section 66 of the Subdivision Regulations.

1. New dams which become subject to the requirements of the Georgia Safe Dams Act and Rules for Dam Safety, which are proposed to be 25 feet or more in height or proposed to have an impounding capacity of 100 acre-feet or more at maximum water storage elevation or otherwise defined by the Georgia Safe Dams Act shall be subject to the following:

(a) The owner of any new dam in which development exists within the proposed breach zone shall be subject to the requirements of the Georgia Safe Dams Act and Rules for Dam Safety adopted by the Georgia Department of Natural Resources. The owner shall obtain necessary approvals and permits from the Environmental Protection Division of the Georgia Department of Natural Resources for the project and the dam prior to securing a Development Permit from the Coweta County Planning Department. The owner of any new dam which development does not exist within the proposed breach zone shall submit four (4) copies of the construction plans to the Coweta County Planning Department for review of the project and the dam prior to securing a Development Permit.

(b) If the owner elects to construct the new dam according to the design standards for new dams as contained in the Rules for Dam Safety, then new development shall be permitted within the dam breach zone. However, the dam shall meet the design standards for new dams as contained in Rules for Dam Safety if development currently exists or is proposed in the dam breach zone.

(c) If the owner elects not to construct the new dam to the design standards for new dams as contained in the Rules for Dam Safety, the four (4) copies of a dam breach analysis for the dam shall be submitted along with four (4) copies of the construction plans for review prior to securing a Development Permit from the Coweta County Planning Department. The design engineer shall utilize the computer model entitled “DAMBRK” for the dam breach analysis.

(d) Should the new dam not meet the design standards for new dams as contained in the Rules for Dam Safety, the only the following uses and structures shall be permitted within the dam breach easement:
(e) Utility poles, towers, pipelines, water treatment outfalls and facilities or other similar facilities and structures.

2. For any new dam proposed not to meet the design for new dams as contained in the Rules for Dam Safety, the owner shall obtain a dam breach easement, recorded with the Clerk of the Superior Court, from any off-site property owner where it is proposed for the dam breach zone to extend off the property where the dam is being constructed. The owner shall also cause a dam breach easement to be recorded upon the property being developed.

3. Prior to recording of a plot plan or at completion of a building foundation, an as-built certification from a registered professional shall be submitted to the Coweta County Development & Engineering Department. The certification shall state that the dam is constructed according to the provisions of these regulations as well as authorized construction plans.

(B) Quality Assurance Plan

1. When an existing Category II Dam may be reclassified to a Category I Dam because of proposed development downstream of the dam, the developer shall provide to the governing authority the following information for transmittal and review by the Safe Dams Program, prior to issuing the permit for the development:

   i. Location of the Category II Dam and the proposed development;
   ii. A surveyed cross-section as required by the Georgia Safe Dams Act of the stream valley at the location of the proposed development including proposed finished floor elevations; and,
   iii. A dam breach analysis using the “DAMBRK” computer model to establish the height of the flood wave in the downstream floodplain. The dambreak modeling shall be completed according to the Safe Dams Program Quality Assurance Program by a qualified registered engineer.

(C) Inventory

1. Inventory information regarding the Category II Dams within Coweta County may be obtained through the Georgia Safe Dams Program.
2. Fences, provided there is no material obstruction to the free flow of water; agricultural fencing, providing water gaps, are allowed.
3. Parking areas, provided there would be proper drainage of the parking area, that it does not obstruct the free flow of floodwaters, and meets the approval of Coweta County.

4. Roads provided adequate capacity for the free flow of floodwaters is provided by means of culverts or bridges, with designs approved by the Georgia Department of Transportation and Coweta County, and further that in no case will a culvert be located at an elevations higher than the original streambed.

5. Public, semi-public, private and commercial recreation uses that require no structures within the flood plain.

6. Greenbelts or yards.

7. Public utility poles, towers, pipelines and sewage treatment outfalls.

**ARTICLE 22A. AH AIRPORT HAZARD DISTRICT**

The purpose of this airport hazard overlay district is to prevent the establishment and/or maintenance of uses, structures, or vegetation which might constitute hazards or obstructions to, or be vulnerable to impact from aircraft operating to, from or in the vicinity of an airport.

**Section 220A. Delineation of District.**

This district shall include all land within 10,500 feet of the reference point of any airport with one or more runways of 4,000 or more feet. Said reference point shall be defined by the County Planner based upon the thresholds of all runways in said airport over 4,000 lineal feet of length.

The AH district shall overlay other zoning districts so that all lands lying within the AH district shall also be included in other zoning districts. Each parcel of land within the AH district shall be subject to the provisions, regulations and restrictions of both the AH district and the other zoning district(s) in which it lies. In the event of conflict or discrepancy between the requirements of the overlaid AH district and the other underlying district(s), the more stringent requirements shall be observed.

**Section 221A. Restrictions and Requirements.**

The permitted structures and uses and conditional structures and uses and maximum/minimum development intensity restrictions and dimensional requirements allowed in this district shall be as allowed in the primary district(s) over which this district is appended; provided, however no structure over 35 feet in height shall be allowed unless a special height exception is granted upon appeal to the Board of Commissioners.

Furthermore, the following uses are prohibited from locating within the district:
1) Land uses which significantly increase the potential for interference of airborne fowl with landing and departing aircraft are prohibited.

2) Construction activities and land uses which would produce smoke and/or dust in such a manner so as to impair visibility of pilots using the airport are prohibited.

3) High-intensity exterior lighting, including, but not limited to, lighting for signage, private drives, parking lots and security, which is located in such a manner as to impair the visibility of pilots using the airport is prohibited unless such lighting is properly shielded.

4) Land uses which create electrical interference with navigational signals or radio communication between the airport and aircraft are prohibited.

Section 222A. Additional Requirements.

Required parking, loading and other supplemental regulations applicable to this district are set forth in Article 24.
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Section 240. Authority and Purpose.

1. Authority.

These Development Regulations are enacted pursuant to the Constitution of the State of Georgia, Article 9, Section 2, Paragraphs 1 and 3; by Coweta County’s planning authority granted by the Constitution of the State of Georgia, Article 9, Section 2 Paragraph 4 and O.C.G.A § 36-70-1 et seq; by Coweta County’s authority to enact regulations and exercise powers granted by local laws and by County’s general police powers; and by other powers and authority provided by federal, state and local laws applicable hereto.

The Board of Commissioners of Coweta County does hereby ordain and enact into law the following articles and sections:

2. Purpose

a. The purpose of this article is to establish procedures and standards for the development and subdivision of land which facilitates the creation of functional subdivisions enhancing the quality of life for the immediate residents, adjoining communities, and the county as a whole.

b. This article is designed to further facilitate adequate provision for water, sewer, schools, and other public services; for the dedication of rights-of-way or easements for streets and utility purposes; to insure the proximity of residential areas to centers of employment and shopping; to facilitate the further subdivision of larger tracts into smaller parcels of land; and to provide proper land records for the convenience of the public and for better identification and permanent location of real property boundaries.

c. This article is also designed to protect and enhance the environmental quality of the county by encouraging the preservation and protection of significant environmental features; reducing the impact of development on the community's storm drainage system; assisting in soil conservation, flood control, air pollution, and noise reduction; conserving the county's water supply; and enhancing the visual and aesthetic appearance of the community.

d. To encourage the development of economically sound and stable communities.
e. To assure the provision of required streets, utilities, and other facilities and services to new land developments;
f. To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in new land developments;
g. To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes;
h. To assure, in general, the wise development of new areas in harmony with the current County Comprehensive Plan of the county; and
i. To protect the public health, safety, and general welfare.

Section 240.2. Jurisdiction.
These regulations govern the development of property within the limits of Coweta County.

Section 240.3. Separability.
Should any section or provision of this article be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this article as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 240.4. Relation to Other Ordinances.
It is not intended that this article repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations or permits previously adopted or issued pursuant to law. However, where this article imposes greater restrictions, the provisions of this article shall govern.

Section 240.5. Exemptions.
The Village Center Zoning District is exempt from the requirements of Section 246.1, 246.2, 246.3, 246.4, 246.5, 246.6, 246.7, 246.8, and 246.11 of the Development Regulations.

Section 240.6. Administration.
1. Administration.
These rules and regulations shall be administered by the Coweta County Planning Department. The County Board of Commissioners may from time to time issue instructions and operating procedures to be followed in the administration of these regulations to the end that the public may be informed and that approval of plats may be expedited.

a. Any person proposing to subdivide land within the county shall submit to the Planning Department plats of the proposed development, which shall conform to all requirements set forth in these regulations.

b. No developer shall proceed with any construction work on a proposed development before obtaining a land disturbance permit from the County Planner, as certified thereon.

c. The transfer of, sale of, agreement to sell, or negotiation to sell land by reference to or exhibition of, or other use of a plat of a development that has not been given final approval
by the county and recorded in the office of the Clerk of Superior Court of Coweta County is prohibited, and the description by metes and bounds in the instrument of transfer or other documents shall not exempt the transaction from compliance with this regulation.

d. No land dedicated as a public street shall be accepted, opened or improved, unless such street shall have been accepted or opened as, or otherwise shall have received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines with a street shown on a final plat given final approval by the designated Development Review Staff with its stamps and signatures properly placed on the mylar or print that will be recorded in the Clerk of Court’s Office.

2. Variances and Waivers.
   a. Procedures.
      i. Where the County Planner finds that, due to special circumstances of a particular plat, the provision of certain required improvements is not requisite in the interest of public health, safety or the general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed development, he may vary such requirements subject to appropriate conditions. In addition, where the County Planner finds that extraordinary and unnecessary hardships will result from strict compliance with these regulations, he may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variations will not have the effect of nullifying the intent and purpose of these development regulations or other applicable county regulations or standards.
      ii. In granting variances and modifications, the County Planner shall require such conditions as will, in his judgment, secure substantially the objectives of the standards or requirements so varied or modified.
      iii. Appeals of an interpretation or administrative action by the County Planner relative to the requirements of these regulations shall first be submitted in writing to the County Planner who shall review the request in a timely manner and receive comments from other affected departments. The appeal shall then be forwarded to the Board of Commissioners for final action in their normal course of business.
   b. Exceptions for existing structures.

Where a structure has been abandoned for a period of five years or more, no expansion of the structure is proposed, and said structure was properly permitted at the time it was constructed, the county planner shall have the authority to grant administrative approval of deviations and waivers from the zoning and development regulations for the following purposes:

i. Roof pitch including parapets, four-sided architecture, fenestration, projections and recesses, building silhouette changes and existing drive-thrus and loading docks, provided that the reduced cladding requirements contained in paragraph (2) below are met.

ii. Reduction in the building cladding requirements provided that a minimum of 40 percent of each wall must meet the relevant Category A requirements (either consisting of a perimeter base or an approved equivalent design resembling architectural features). The rear wall may be excepted from the material percentages provided that a corresponding amount of Category A material is
included in the front façade for a total of 80 percent. The remainder of the building shall be finished to compliment the base or design material which may include painted brick.

iii. Site requirements, including landscaping, and additional parking and stormwater requirements to the extent that the change in use does not constitute a "redevelopment" as that term is defined in Chapter 30, Article IV of the Coweta County Code of Ordinances, not more than 5,000 square feet of impervious surface is added to the site, such waiver or deviation does not create a safety hazard, and provided that the reduced cladding requirements contained in paragraph (2) above are met.

This exemption/waiver shall not apply to new construction of additions or accessory buildings."

(Ord. of 3-04-14)

3. Construction.
   a. Conformance to construction plans: Improvements must be installed according to final construction plans as approved by the Planning Department. One (1) copy of the approved construction plans must be at the job site when work is in progress.
   b. Stop-Work Orders: A Stop-Work Order may be issued upon a finding by any inspecting department that improvements have not been installed according to the approved construction plans. A written notice shall be sent to the developer setting forth the measures necessary to achieve compliance with the approved construction plans. All stop-work orders shall remain in effect until the corrective measures required by the inspecting department are completed.
   c. Maintenance Period: Once inspections have been made and approved at the proper phases of road construction and road has been accepted into the County road System, a maintenance period as determined by the Development and Engineering Department, will begin promptly. A bond shall be posted by the Developer in favor of the County to insure that all required maintenance is provided.

Section 241. Definitions.
1. Interpretation of certain terms and words. For the purpose of interpreting this Article certain words or terms used herein shall be defined as follows:
   a. Words used in the present tense include the future tense. Words used in the singular number include the plural number, and words used in the plural number include the singular number. The word "person" includes a firm, association, organization, partnership, corporation, trust, and company as well as an individual. The word "lot" includes the word "plot," "tract," or "parcel." The word "building" includes the word "structure." The word "shall" is always mandatory.

2. List of definitions.
   Except as specifically defined herein or within Article 3 of these regulations, all words used in this Article shall carry their customary meanings as defined in a standard dictionary.
   a. ALLEY OR SERVICE DRIVE: A minor, permanent, private service way used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.
b. **AS-BUILT SURVEY:** A survey or other drawing based on predevelopment site plan or if no predevelopment site plan then based on a field survey, which shows existing features or components and horizontal or vertical information (grades or location of improvements); also known as the Record Drawing.

c. **BLOCK:** A piece or parcel of land entirely surrounded by public streets, other than alleys, or other major barriers.

d. **BUILDING:** Any structure constructed and used for residence, business, industry, or other public or private purposes or accessory thereto and including tents, lunch wagons, dining cars, trailers, mobile homes, sheds, garages, carports, animal kennels, or structures, storerooms, billboards, signs, gasoline pumps and similar structures, whether stationary or movable.

   i. **Principal building:** A building in which is conducted the main or principal use of the lot on which said building is situated.

e. **CERTIFICATE OF OCCUPANCY:** A permit issued by the Building Official indicating that the use of the building or land in question is in conformity with this ordinance or that there has been a legal variance therefrom as provided by this ordinance.

f. **CLADDING:** The finish covering of an exterior wall of a frame building.

g. **COUNTY or COWETA COUNTY, GEORGIA:** The government of Coweta County, Georgia or all land lying within the unincorporated area of Coweta County, Georgia, as now or hereafter situated.

h. **COUNTY BOARD OF COMMISSIONERS:** The Coweta Board of Commissioners; also known as Board of Commissioners.

i. **COWETA COUNTY DEVELOPMENT REVIEW STAFF:** This body is composed of representatives from the Planning Department, Development and Engineering Department, Environmental Health Department, Natural Resource Conservation Service (NRCS), Coweta County Water and Sewerage Authority, and the Building Department and such other representatives as may be designated by the Board of Commissioners; also known as the Review Committee or the Development Review Committee.

j. **CUL-DE-SAC:** A street intersecting another at only one (1) end and designed to be permanently terminated by a vehicular turnaround as specified in these regulations.

k. **DAMS:** A body of water confined by a barrier; a barrier preventing the flow of water; a barrier built across a watercourse for impounding water.

l. **DEAD-END STREET:** A stub street in a development that will, at a later time, continue into another portion of the development.

m. **DEVELOPER:** Any person, individual, firm, partnership, association, corporation, estate or trust, or any group of trusts, or any group or combination of groups acting as a unit, dividing, or proposing to divide land to constitute a subdivision as herein defined, including any agent of the developer.

n. **DEVELOPMENT:** The conversion of raw land into lots to be used for nonagricultural purposes upon which buildings and related improvements are to be located.

o. **DRAINAGE PLAN:** A plan or element thereof for the regulation or control of surface runoff and drainage.

p. **EASEMENT:** A grant by the property owner of a strip of land for use by the public, the county, a corporation or other persons for specified purposes.

q. **FENESTRATION:** Openings in the building façade/wall allowing light and views between interior and exterior. Fenestration is measured as glass area (excluding muntins and similar
window frame elements with a dimension greater than one (1 inch) for conditioned space and as open area for parking structures or other un-conditioned, enclosed space.

r. FOUR-SIDED ARCHITECTURE: Building design that gives similar attention to the architectural composition and materials on all sides of a building. An overall architectural character is created by using architectural modulation in combination with common elements such as, but not limited to, bay windows transoms, porches, balconies, cornices, shutters, and masonry features, and such major features of exterior detailing are consistent on all four elevations. This eliminates “brick front” or “three sides brick” exterior treatments. Blank walls on any elevation are not permitted. (Ord. of 11-18-08)

ENVIRONMENTAL HEALTH DEPARTMENT: The Coweta County Environmental Health Department.

IMPROVEMENT: Anything built, installed, or established by the developer, whether upon, above or beneath the ground, which tends to facilitate the sale of lots and serves those uses proposed for such lots.

LAND SUBJECT TO FLOODING: Land which upon hydrological analysis is found to be subject to local flooding.

LOOP STREET: A street that connects to another street, which is not a cul-de-sac or single-access loop street, at two (2) points, forming a horseshoe or loop.

LOOP STREET, SINGLE ACCESS: A street that connects to another street at one point and intersects itself at some point, forming a “p” or similar shape.

LOT: A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the public right-of-way of a road or walkway may be included. An easement may be counted when determining the area and dimensions of a lot if the nature of the easement will not eliminate an adequate building site.

Corner lot: A lot abutting upon two (2) or more streets at their meeting point.

Double front lot: A lot, other than a corner lot, abutting upon two (2) or more streets.

MULTI-USE TRAIL: A recreation corridor intended for the use of non-motorized alternate forms of transportation such as, but not limited to, walking, running, bicycles, in-line skates, and equestrians. Golf carts are permitted where designated on private developments and as designated on the Coweta County Greenway Master Plan.

PLAN, COMPREHENSIVE: A plan, which may consist of several maps, data, and other descriptive matter, for the physical development of the county or any portion thereof, including any amendments, extensions, or additions thereto adopted by the county board of commissioners, indicating the general location for major streets, parks, or other public utilities, zoning districts, or other similar information. The County Comprehensive Plan, of which the transportation plan is a part, shall be based upon and include appropriate studies of the location and extent of present and anticipated population, social and economic resources and problems, and other useful data.

PLANNING DEPARTMENT: The agency that receives all predevelopment site plans, final as-built site plans, preliminary plats, construction plans, and final plats from developers for submission to the development review staff for technical review and approval.

PLAT, FINAL: A finished drawing of a subdivision showing completely and accurately all legal and engineering information and certification necessary for recording.
PLAT, PRELIMINARY: A drawing that shows the proposed layout of a subdivision in sufficient detail to indicate unquestionably its workability, but is not in final form for recording and the details are not completely computed.

PRIVATE/GATED COMMUNITY STREETS: A private vehicular access way shared by and being the only means of ingress/egress for more than three (3) residential lots. Private/Gated Community Streets are not dedicated to the public and are not publicly maintained.

SEPTIC WASTE WATER FACILITY (INDIVIDUAL): A natural system or mechanical device used to collect, treat, and discharge or reclaim wastewater on an individual building site without the use of community-wide sewers or a centralized treatment facility. Also known as "on-site septic system.

SEWER WASTE WATER FACILITY (CENTRALIZED): A collection and treatment system, owned and operated by a public utility, containing collection sewers and a centralized treatment facility. Centralized systems are used to collect and treat large volumes of wastewater. The collection system typically requires large-diameter deep pipes, major excavation, and frequent manhole access. At the treatment facility, the wastewater is treated to standards required for discharge to a surface water body. The large amounts of biosolids (sludge) generated in treatment are treated and either land applied, placed on a surface disposal site, or incinerated.

SEWER WASTE WATER FACILITY (DECENTRALIZED): An onsite or cluster wastewater system, owned and operated by Newnan Utilities, that is used to treat and dispose of relatively small volumes of wastewater, generally from dwellings and businesses that are located relatively close together. Onsite and cluster systems are also commonly used in combination.

STREET: A dedicated and accepted right-of-way for vehicular traffic, whether designated as a highway, thoroughfare, lane, road, boulevard or otherwise.

SUBDIVISION: All divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, legacy, or building development, and includes all division of land involving a new street or a change to an existing street, and includes resubdivision of property, and where appropriate to the context, relates to the land or area subdivided; provided however, that the following are not included within this definition:

- The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the county.
- Divisions or sale of land by judicial decree.
- The divisions of a tract or parcel of land where all lots are at least five (5) acres.
- The divisions of a tract or parcel of land for Homestead Lot as defined in Article 7 and where the maximum number of divisions does not exceed three (3) over a three (3) year period.
- Non-residential development where divisions of a tract or parcel of land does not exceed three (3) over a three (3) year period.

(WALKWAY: A right-of-way within a block dedicated to public use, ten (10) feet or more in width, intended primarily for pedestrians and from which motor propelled vehicles are excluded.

(Ord. of 10-16-07)
Section 242. Conformance to the County Comprehensive Plan.

All proposed developments should conform to the current Coweta County Comprehensive Plan in effect at the time of submission to the county.

All highways, streets, and other features of the current County Comprehensive Plan shall be platted by the developer in the location and to the dimensions indicated on the County Comprehensive Plan. In developments related to or affecting any state or federally numbered highway, the approval of the State Department of Transportation may be required.

Where features of the current County Comprehensive Plan (land use and thoroughfare plan), other than local streets, collector streets, or arterials which shall be dedicated to Coweta, such as school sites, park sites, library sites, fire station sites, sites for other public facilities or for public use or open space, are located in whole or in part in a proposed development or when any of said features have not been anticipated by the County Comprehensive Plan, but are considered essential to or extremely important to the development of the county or to that development or portion of the county within which the development lies, by the county development review committee, such feature or features shall be shown as dedicated or as reserved on the preliminary and final plats. If the developer shows any such feature as reserved and it is not acquired by gift, purchase, condemnation or otherwise nor optioned by the appropriate public agency within two (2) years from the date of recording the development, the developer may petition the Board of Commissioners to claim the original reservation, or part thereof, and to subdivide same in a manner suitable to the developer, subject to the provisions of these regulations. The Board of Commissioners shall answer any such petition within ninety (90) days of receipt thereof.

The County Planner may waive the above-mentioned platting and reservation requirements of this section whenever the public body responsible for land acquisition executes a written release stating that such a planned feature is not being acquired.

Whenever the plat proposed the dedication of land to public use and the County Board of Commissioners or the appropriate agency finds that such land is not required or suitable for public use, the County Planner may refuse to approve said plat or he may require the rearrangement of lots to include such land.

Section 243. Site Plans.

Various sections of the Zoning and Development Ordinance require site plans for specific types of development at various stages of the development process. Three types of site plans are required including (1) conceptual site plans, (2) predevelopment site plans, and (3) final as-built site plans. Refer to Article 29 for requirements regarding conceptual site plans. This Article 24. Development Regulations, includes requirements and standards for predevelopment site plans and final as-built site plans.

Section 243.1. Preapplication.

Section 243.1.1 Submittal Process.

1. Preapplication review and meeting. For the purpose of expediting applications and reducing site plan design and development costs, the developer shall be required to consult informally with the Planning Department staff and a representative of the Coweta County Board of Education. The developer shall submit two (2) copies of sketch plans showing one (1) or more designs for the proposed development and a map of the vicinity showing the relationship
between the proposed development and nearby physical features, streets, subdivisions, and/or acreage tracts.

The developer shall not be bound by the determination of the pre-application conference, nor shall the Planning Department staff be bound by any such review.

2. A Development of Regional Impact (DRI) site plan must meet the requirements of the Zoning and Development Ordinance and is subject to the regional and state DRI review process prior to commencement of local review as specified in Article 27, of the Zoning and Development Ordinance. See the Three Rivers Regional Commission for additional information regarding the DRI review process and review criteria.

3. Stormwater Concept Plan and Consultation Meeting. The land owner or developer is recommended to conduct a Stormwater Concept Plan and Consultation Meeting with the County Development & Engineering Department. See Chapter 30 Environment, Article IV. Post-development Stormwater Management for New Development and Redevelopment Ordinance of Coweta County for requirements regarding stormwater management procedures.

Section 243.1.2. Submittal Specifications. [Reserved]

Section 243.1.3. Permits & Fees.
See Appendix Fee Schedule of the Zoning and Development Ordinance.

Section 243.2. Predevelopment Site Plans.

Section 243.2.1. Submittal Process.
As specified in Article 27 of the Zoning and Development Ordinance, the County Development Review Staff is required to review and approve, disapprove, or approve with modifications predevelopment site plans for most types of development, prior to the issuance of a development permit. The Planning Director may postpone review of DRI site plans until findings and recommendations from regional and state reviews are submitted to the county planner commencing local review. Said predevelopment site plans shall meet the standards and content specifications set forth herein.

All predevelopment site plans submitted to the Planning Department for approval which meet the various requirements set forth in these regulations shall be considered by the Development Review Committee not later than twenty-one (21) working days (excluding weekends and holidays) from the date of receipt of the predevelopment site plan and its required accompanying documents. The applicant for approval may waive this requirement and consent to an extension of time.

Section 243.2.2. Submittal Specifications.
1. Submitted predevelopment site plans shall meet the following criteria. Said submitted predevelopment site plans shall be prepared upon a base drawing stamped and sealed by a Georgia Registered Professional Surveyor, Civil Engineer, Landscape Architect or Land Planner and shall contain seven (7) sets of copies of each of the following elements, except only three (3) sets of copies of building design elevations, unless determined inapplicable to a specific development by the Planning Director. Scale of the following elements shall be a legible scale to show sufficient detail.
a. Site analysis. A site analysis and topographic map shall include information on all existing man-made and natural features, utilities, all streams and easements, and features to be retained, moved, or altered. The existing shape and dimensions of the existing lot to be built upon including the size, measurement and location of any existing buildings or structures on the lot shall be included.

b. Site plan. A site plan showing compliance with all regulations and calculations required by the zoning and development ordinance which shall include but not be limited to information on all proposed improvements including proposed building footprints, doors, densities, parking ratios, open space, height, sidewalks, yards, under- and over-head utilities, streets and street names, internal circulation and parking, landscaping, grading, lighting, drainage, amenities, and similar details including their respective measurements.

c. Landscape plan. A site plan showing compliance with all regulations and calculations required by the zoning and development ordinance which shall include but not be limited to information on buffers, site improvements, grading and drainage, landscaping, tree species and the number of all plantings and open space including the landscaping that is being preserved, removed and that which is replacing the landscaping that is removed. In addition, landscape plan shall show an estimate by a registered landscape architect of annual water requirements for retained and new plantings. Landscape plans shall be designed with water-efficiency as a goal. Landscapes shall use zones of plant materials according to their microclimate needs and water requirements to facilitate water conservation. Plants having similar water use shall be grouped together in distinct hydrozones, which shall be shown on the Landscape Plan.

d. Building design. The building design elements showing compliance with all regulations and calculations required by the zoning and development ordinance which shall include but not be limited to scaled elevation drawings of proposed structures and information on building materials, features, exterior finish legend, windows, doors, colors, and items affecting exterior appearance, such as signs, air conditioning, grills, compressors, and similar details including their respective measurements. The applicant shall submit the following information and drawings as part of the predevelopment site plan:

i. Exterior buildings elevations and dimensions of all sides of existing and proposed structures.

ii. Exterior building elevations and dimensions of all existing or proposed solid waste and recycling containment areas.

iii. The exterior finish material selection for each building shall be clearly noted for each building elevation and may be illustrated using a detail inset. For each elevation, the area covered by each finish material shall be given as a percentage of the total area of the elevation and shown in tabular format on the drawing.

iv. To aid in evaluating the exterior design, the applicant shall submit schematic floor plans showing window, door and loading dock locations, and other exterior features that clearly define the intent of the completed exterior of the structure.

v. Heating, ventilating, air conditioning and electrical equipment heights, locations and screening materials shall be clearly noted.

vi. Colored renderings clearly indicating color choices or exterior building and finish material samples may be submitted.

vii. Sign package which meets the requirements of the Zoning and Development Ordinance.
viii. Other information as may be deemed necessary by the director of planning and building official to evaluate the appearance of the completed structure.
e. Erosion and Sedimentation Control. See Chapter 30 Environment, Article II. Coweta County Soil Erosion and Sedimentation Control Ordinance and Manual for Erosion and Sediment Control in Georgia for additional requirements regarding erosion and sediment control.
The construction of single-family residences are exempt from erosion and sediment control submittal, when such construction disturbs less than one acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in section 30-34 of the Coweta County Soil Erosion and Sedimentation Control Ordinance.
g. Wetlands delineation as specified in Article 21C. Wetlands Protection District.
h. In addition, any development to be served with an on-site septic system is required to submit a soil analysis prepared by and bearing the seal of Georgia Department of Human Resources (DHR) certified soil classifier. If roads are involved then DHR certified soil classifier must also be a registered geotechnical engineer in the State of Georgia. The soil analysis must be a comprehensive soil analysis at a minimum DHR level three (3) soil survey showing soil classifications, predicted and/or measured seasonal high ground water levels, perched water tables, or other restrictive layers such as rock. The report shall also include wetland delineation and any soil features or conditions which may affect the proper function of subsurface sewage disposal, including absorption rates at specific depths. Six (6) copies shall be submitted carrying the following certificates printed or stamped thereon substantially as follows:
   Soil Analysis Certificate:
   I hereby certify that this document is a true representation of the results of a comprehensive soil analysis at a minimum DHR level three (3) soil survey by me or under my supervision and that areas are shown that are not acceptable sites for individual septic systems as required by the local and/or State Health Department.
   By Georgia Department of Human Resources (DHR) certified soil classifier:

   Certification No: _____________________________________________
   Date: _________________________________

   Coweta County Environmental Health Department Certificate:
   Pursuant to the State Health requirements, this comprehensive soil analysis at a minimum DHR level three (3) soil survey was given final approval by the Coweta County Environmental Health Department on _________, 20_________. All of the conditions of approval having been completed, this document is hereby accepted.
   Date: _________________________________

   Coweta County Environmental Health Department Official

2. All required predevelopment site plans shall also include the following supporting components:
a. A location map showing the subject property relative to all arterial and collector streets, and other significant landmarks, within two miles of the proposed development (no scale is required).
b. Location and elevation of the one hundred (100) year floodplain.
c. Bearings and dimensions of the boundary of the tract.
d. Date, north arrow, and datum.
e. Scale of the site plan.
f. Name, address, and telephone number of the owner of the property and the developer responsible for the development.
g. Name, address and telephone number of the surveyor and/or engineer in charge of the project.
h. Zoning of the property and any special conditions attached to said zoning.
i. Acreage of the project site with a separate calculation of the acreage of any land included in a one hundred (100) year floodplain and any land included within a utility easement greater than twenty (20) feet in width.
j. Layout of all proposed landscaping, driveway, parking, and loading/unloading areas including the number of such parking and loading spaces and square footage of such areas.
k. Locations, dimensions, square footage, and proposed use of all proposed structures.
l. Locations and widths of all private streets to be included in manufactured home parks, industrial parks, apartment complexes, commercial centers, and/or office parks.
m. For residential developments, the locations, character and square footage of all recreation and common areas.
n. For manufactured home parks, the appropriate dimensions of all spaces, building lines for spaces, and locations of refuse collection pads and/or compactors.
o. Locations, dimensions, and character of proposed buffer areas.
p. Seal or stamp of surveyor and/or engineer responsible for the project.
q. For multifamily developments, the minimum size of each type of dwelling unit (efficiency, one-bedroom, etc.) and the number of dwelling units by such type in each building.
r. The boundary line for grading and clearing activities.
s. Dimensions of each type of parking space, parking aisle, loading zone and related buffers, screening and landscaping.
t. Certain environmentally fragile lands are indispensable and are protected under the zoning and development ordinance. Predevelopment site plans must meet the standards and specifications established for environmentally fragile lands that are located in protection districts established for stream corridors, river corridors, wetlands, water supply watersheds, and groundwater recharge areas.
u. Such other information as the Building Official/Planning Director reasonably determines is necessary to determine compliance with the Zoning and Development Ordinance.

3. Scale of predevelopment site plans. All predevelopment site plans shall be of the scales indicated below unless the Development and Engineering Department approves a different scale for the specific development prior to submission of the plan:
a. Multifamily projects: one inch equals fifty (50) feet or be a legible scale to show sufficient detail
b. Manufactured home parks: one (1) inch equals fifty (50) feet or be a legible scale to show sufficient detail
c. Other projects: one (1) inch equals twenty (20) feet or be a legible scale to show sufficient detail

Section 243.2.3. Permits & Fees.
See Appendix Fee Schedule of the Zoning and Development Ordinance.

Section 243.3. Final As-Built Site Plans.

Section 243.3.1. Submittal Process.
Final as-built site plans shall be required for all developments requiring a predevelopment site plan and shall be at the same scale as the predevelopment site plan for the same project. The as-built site plan shall contain the same information as the predevelopment site plan requirements for the same project. The County Development Review Staff may, if they deem it appropriate, accept a certification by the owner and surveyor/engineer that the project was built in conformity with the approved predevelopment site plan except for specific changes indicated on the plan. A final as-built site plan, for every project requiring a predevelopment site plan, shall be submitted to and approved by the Development Review Committee prior to the issuance of a certificate of occupancy.

Section 243.3.2. Submittal Specifications.

1. As-built site plan
2. Stormwater Management Certificate
3. Stormwater Management Facility Maintenance Agreement
4. Certificate of Landscape Compliance: Upon completion of the landscape improvements, the site shall be inspected by the planning department for compliance with the approved landscape plan. A certificate of compliance must be issued before a certificate of occupancy can be issued for any related structures. When occupancy of a related building is desired prior to completion of the required landscaping, a temporary certificate of occupancy may be issued if a financial guarantee in the amount equal to one hundred (100) percent of the cost for landscaping improvements is provided and acceptable in form to the county attorney, provided that all attorney's fees are paid by the applicant.

Section 243.3.3. Permits & Fees.
See Appendix Fee Schedule of the Zoning and Development Ordinance.

Section 244. Plats.
Various sections of the Zoning and Development Ordinance require plats for specific types of development at various stages of the development process. Three types of plats or plans are required including (1) preliminary plats, (2) construction plans, and (3) final plats. This Article 24. Development Regulations. includes requirements and standards for preliminary plats, construction plans, and final plats.

Section 244.1. Preapplication.

Section 244.1.1. Submittal Process.
Preapplication review meeting.
For the purpose of expediting applications and reducing subdivision design and development costs, the developer shall be required to consult informally with the Planning Department staff and a representative of the Coweta County Board of Education. The developer shall submit two (2) copies of sketch plans showing one (1) or more designs for the proposed development and a map of the vicinity showing the relationship between the proposed development and nearby physical features, streets, subdivisions, and/or acreage tracts. The developer shall not be bound by the determination of the pre-application conference, nor shall the Planning Department staff be bound by any such review.

Stormwater Concept Plan and Consultation Meeting. The land owner or developer is recommended to conduct a Stormwater Concept Plan and Consultation Meeting with the County Development & Engineering Department. See Chapter 30 Environment, Article IV. Post-development Stormwater Management for New Development and Redevelopment Ordinance of Coweta County for requirements regarding stormwater management procedures.

Section 244.1.2. Submittal Specifications. [Reserved]

Section 244.1.3. Permits & Fees. [Reserved]

Section 244.2. Yield Plan

Section 244.2.1. Submittal Process.
1. Preparation of yield plan and application for approval: The developer shall provide a yield plan of the subdivision drawn and sealed by a professional registered engineer, land surveyor, or landscape architect as outlined in Section 244.2 of the Development Regulations. Seven (7) copies of the plan, along with the following documents shall be filed in the Planning Department with the County Planner.
   a. A letter requesting review and approval of the yield plan, and giving the name and address of a person, to whom, a copy of the yield plan shall be sent after review by the County Development Review Staff.
   b. A soil analysis overlaying the yield plan prepared by and bearing the seal of Georgia Department of Human Resources (DHR) certified soil classifier. If roads are involved then DHR certified soil classifier must also be a registered geotechnical engineer in the State of Georgia. The soil analysis must be a comprehensive soil analysis at a minimum DHR level three (3) soil survey showing soil classification, predicted and/or measured seasonal high ground water levels, perched water table, or other restrictive layers such as rock. The report shall also include wetland delineation and any soil features or conditions, which may affect the proper function of subsurface sewage disposal, including absorption rates at specific depths.
      Six (6) copies shall be submitted carrying the Soil Analysis Certificates printed or stamped thereon.
2. Review of yield plan: The Planning Director will review the documents and forward copies of the yield plan to applicable County Development Review Staff. The Review Staff will meet as necessary to discuss any problems or corrections necessary before action on the yield plan is taken.
3. Action by the Planning Department: After receipt of recommendations by the County Development Review Staff, the Director of Planning shall do one of the following:
   a. Issue an approval for development density based upon the yield plan.
   b. Disapprove the yield plan or any portion thereof on the grounds that the proposed subdivision would not meet the requirements of the development regulations, or would create conditions, which would be unfavorable to, or adversely affect, the health, safety, convenience, prosperity, or general welfare of the citizens of Coweta County. In such case, the County Planner shall notify the applicant in writing of the county’s decision.

4. Yield plan approval binding one (1) year: Approval of the yield plan shall be effective and binding upon the county for a period not to exceed one (1) year from the date of approval and shall thereafter expire and be null and void except to the extent that work on the subdivision has progressed, unless a request for an extension of time has been submitted to and is subsequently approved by the County Planning Department.

5. What approval of the yield plan constitutes: Approval of the yield plan should be considered an acknowledgement that the tract of land on which the yield plan is depicted is significantly constrained by the tracts Rural Design Open-Space requirement, and that the tracts open-space requirement may be adjusted to help the tract achieve the lot yield that it could if Rural Design Open-Space were not applicable. The open-space adjustment must be approved by the Director of Planning.

Section 244.2.2. Submittal Specifications.

1. The Yield Plan shall be clearly and legibly drawn at a standard engineering scale of not less than one-hundred (100) feet to one (1) inch. The Yield Plan shall be prepared by a registered professional engineer, landscape architect, or land surveyor, and seal of the certifier shall be shown on the plat.

2. The Yield Plan shall contain the following:
   a. Name and address of the owner of record.
   b. Name, address, and telephone number of the developer.
   c. Date of survey, north point and graphic scale, source of datum, date of plat drawing, and space for revision dates.
   d. Location (land section, district, and lot) and total acreage of subdivision, plus acreage in theoretical street rights-of-way, floodplain, wetland, water impoundments and proposed public grounds within the subdivision.
   e. The yield plan shall indicate the desired development type and specifically indicate whether bonus densities will be utilized as allowed for in Article 7, Section 72.2 #4. If no bonus density credits are desired a minimum lot size of two (2) acres and minimum road frontage of two hundred twenty (220) feet shall be utilized in the design of the yield plan. If one (1) bonus density credit is desired a minimum lot size of one point eight (1.8) acres and minimum road frontage of one hundred seventy five (175) feet shall be utilized in the design of the yield plan. And if two (2) bonus density credits are desired a minimum lot size of one point six (1.6) acres and minimum road frontage of one hundred thirty (130) feet shall be utilized in the design of the yield plan.
   f. Exact boundary lines of the tract indicated by a heavy line giving lengths and bearings. The boundary lines shall include the entire tract to be subdivided eventually and date as require herein shall apply to the entire tract.
In subdivision of over one hundred (100) acres, Yield Plan specifications may be modified to exclude information relating to contours and ground elevation, if in the judgment of the county planner, presentation of detailed data relating thereto is not necessary to evaluate the entire subdivision proposal.

**g.** Ground elevations (USGS datum) on the tract based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic information shall be shown. Contour lines shall be drawn at accuracy intervals of not more than two (2) feet.

**h.** Natural features within the proposed subdivision, including drainage channels, bodies of water, wooded areas, and other significant features shall field located in clearly noted on the plan. Floodplains shall be accurately outlined.

**i.** Proposed layout including lot lines with dimensions.

**j.** Provisions for water supply, sewerage and drainage.

**k.** The dimensions of all lots shall be shown, plus the total acreage in each lot and the land out of the flood plain in each lot, which must comply with zoning and development ordinance requirements.

**l.** Identification of the zoning district classification(s) applicable to the subdivision site as shown on the county’s zoning district map.

**m.** When new roads are planned a soil analysis overlaying the Yield Plan prepared by a certified soil scientist or an engineer registered in the State of Georgia who is practicing geotechnical engineering. The soil analysis must be a comprehensive soil analysis showing soil classification, predicted and/or measured seasonal high ground water levels, perched water table, or other restrictive layers such as rock. The report shall also include wetland delineation and any soil features or conditions, which may affect the proper function of subsurface sewage disposal, including absorption rates at specific depths.

**n.** Yield Plan certificate: Each Yield Plan submitted to the Planning Department shall carry the following certificate printed or stamped thereon substantially as follows:

Yield Plan Certificate:

“I hereby certify that this Yield Plan is a true representation of a conceptual development plan based on the results of an actual survey by me or another registered professional, conforming to the normal standards of care of professional surveyors practicing in the State of Georgia. I also certify that the location of all of the above referenced property features both existing and proposed are exact.”

By: ________________________________________________________________

Registered Professional: _______________________________________________

Date: ________________________________________________________________

### Section 244.2.3. Permits & Fees.

Fee for filing a yield plan: At the time of submittal of the yield plan a fee shall be paid to the county. See Appendix Fee Schedule of the Zoning and Development Ordinance.

### Section 244.3. Preliminary Plat.
Section 244.3.1. Submittal Process.

1. Preparation of preliminary plat and application for approval: The developer shall provide a preliminary plat of the subdivision drawn and sealed by a professional registered engineer, land surveyor, or landscape architect as outlined in Section 244.2 of the Development Regulations. Fifteen (15) copies of the plat, along with the following documents shall be filed in the Planning Department with the County Planner.

   a. A letter requesting review and approval of the preliminary plat, and giving the name and address of a person, to whom, a copy of the preliminary plat shall be sent after review by the County Development Review Staff.

   b. A soil analysis overlaying the preliminary plat prepared by and bearing the seal of Georgia Department of Human Resources (DHR) certified soil classifier. If roads are involved then DHR certified soil classifier must also be a registered geotechnical engineer in the State of Georgia. The soil analysis must be a comprehensive soil analysis at a minimum DHR level three (3) soil survey showing soil classification, predicted and/or measured seasonal high ground water levels, perched water table, or other restrictive layers such as rock. The report shall also include wetland delineation and any soil features or conditions, which may affect the proper function of subsurface sewage disposal, including absorption rates at specific depths. Six (6) copies shall be submitted carrying the Soil Analysis Certificates printed or stamped thereon.

   c. A letter, email or other correspondence from the United States Postal Service indicating the type of mail delivery that will be available to the proposed development shall be provided. The correspondence should also indicate, either by description or attached drawing, that the proposed location for the cluster mailbox station(s), if applicable, is acceptable to the postal service. (Ord. of 7-15-14)

2. Review of preliminary plat: The Planning Department will review the documents and forward copies of the preliminary plat to the County Development Review Staff. The Review Staff will meet as necessary to discuss any problems or corrections necessary before action on the preliminary plat is taken.

3. Action by the Planning Department: After receipt of recommendations by the County Development Review Staff, the County Planner shall do one of the following:

   a. Issue a certificate of preliminary plat approval.

   b. Issue a certificate of conditional preliminary plat approval subject to any necessary modifications, the nature of which shall be indicated on a copy of the preliminary plat or attached to it in writing, that conditions shall be satisfied on or before the date of final plat approval.

   c. Disapprove the preliminary plat or any portion thereof on the grounds that the proposed subdivision would not meet the requirements of the development regulations, or would create conditions, which would be unfavorable to, or adversely affect, the health, safety, convenience, prosperity, or general welfare of the citizens of Coweta County. In such case, the County Planner shall notify the applicant in writing of the county’s decision.

4. Time limit for review: All preliminary plats submitted to the Planning Department for approval which meet the various requirements set forth in these regulations shall be considered by the Development Review Committee not later than twenty-one (21) working days from the date of receipt of the preliminary plat and its required accompanying documents (excluding weekends and holidays). The applicant for approval may waive this
5. Preliminary plat approval binding one (1) year: Approval of the preliminary plat shall be effective and binding upon the county for a period not to exceed one (1) year from the date of approval and shall thereafter expire and be null and void except to the extent that work on the subdivision has progressed, unless a request for an extension of time has been submitted to and is subsequently approved by the County Planning Department.

6. What approval of the preliminary plat constitutes: Approval of the preliminary plat is an expression of approval of the layout submitted on the preliminary plat as a guide to the preparation of the construction documents and the final plat, and is not to be considered as approval of the final plat.

7. Effect on status of dedication: The approval of a preliminary plat by the county shall not be deemed to constitute or affect an acceptance by the county of any street or other ground shown upon the plat.

8. Improvements authorized: Notwithstanding preliminary approval or conditional preliminary approval, no improvements are authorized before approval of construction plans by the Planning Department as set forth in Section 244.3 Construction Plans, of the Development Regulations. Improvements must be installed according to construction plans. Any modifications must be approved by the appropriate department or agency representative authorized to approve such changes.

Section 244.3.2. Submittal Specifications.

1. The preliminary plat shall be clearly and legibly drawn at a standard engineering scale of not less than one-hundred (100) feet to one (1) inch. The preliminary plat shall be prepared by a registered professional engineer, landscape architect, or land surveyor, and seal of the certifier shall be shown on the plat.

2. The proposed name of the subdivision and the proposed street names shall not be similar, duplicate, not sound similar to the names of existing subdivision streets in the county. Hyphenating, dividing one (1) word into two (2) words, affixing “Drive” for “Road”, etc., or other manipulations of the existing street shall not constitute an acceptable street name. Similar sounding names shall be unacceptable regardless of spelling. The Street Name Index maintained in Emergency Management can provide information on existing street names. The primary entrance street into a subdivision shall have the same name as the name of the subdivision.

3. The preliminary plat shall contain the following:
   a. Proposed name of subdivision.
   b. Name and address of the owner of record.
   c. Name, address, and telephone number of the developer.
   d. Date of survey, north point and graphic scale, source of datum, date of plat drawing, and space for revision dates.
   e. Preliminary certificates and statements specified in Item 4 of this section.
   f. Location (land section, district, and lot) and total acreage of subdivision, plus acreage in street rights-of-way and other proposed public grounds within the subdivision.
   g. Location sketch placing the subdivision in relation to the surrounding area with regard to well-known landmarks such as major thoroughfares, railroads, or others, the names of owners of record of adjoining property. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than one (1) inch to two
thousand (2,000) feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.

h. Name of former subdivision if any or all of the preliminary plat had been previously subdivided.

i. Exact boundary lines of the tract indicated by a heavy line giving lengths and bearings. The boundary lines shall include the entire tract to be subdivided eventually and date as require herein shall apply to the entire tract.

In subdivision of over one hundred (100) acres, preliminary plat specifications may be modified to exclude information relating to contours and ground elevation, if in the judgment of the county planner, presentation of detailed data relating thereto is not necessary to evaluate the entire subdivision proposal. In such cases, however, a long range development schedule for the entire development and a preliminary plat in accordance with the specifications for the sections of the subdivision not accepted shall be submitted. It is the intent of this provision that in all cases sufficient information shall be provided for an adequate evaluation of the public service needs in the area.

j. Ground elevations (USGS datum) on the tract based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic information shall be shown. Contour lines shall be drawn at accuracy intervals of not more than two (2) feet. If the tract is to be developed on a public sewerage system, or into lots having a minimum area of forty thousand (40,000) square feet, a contour accuracy interval of five (5) feet shall be acceptable. Note: See policy statement for soil analysis and topographical requirement for subdivisions.

k. Natural features within the proposed subdivision, including drainage channels, bodies of water, wooded areas, and other significant features. On all watercourses leaving the tract, the direction of flow shall be indicated, and for all watercourses entering the tract, the direction and acreage of the drainage area above the point of entry shall be noted. Floodplains shall be accurately outlined.

l. Cultural features within, or adjacent to, the proposed subdivision, right-of-way and pavement widths, names of existing and platted street, all easements, city and county lines, and other significant information, including the distance from the entrance to the subdivision to the nearest local, state, or federal road intersection, with the names of the intersecting roads identified.

Location and dimensions of bridges, utility lines, and structures, buildings, culverts and other features shall also be indicated.

m. Proposed layout including lot lines with dimensions, lot numbers, block letters, street and alley lines with proposed street names, right-of-way widths, utility easement five (5) feet outside and adjacent to the right-of-way on both sides of the dedicated street, sites reserved through covenants, easements dedicated or otherwise for drainage or other public uses, for single-family dwellings, for non-residential uses, and for multi-family dwellings. (Drainage easements shall be located along property lines, but such easements shall not be maintained by Coweta County).

n. Unit division or stage development, if any, as proposed by the developer.

o. Provisions for water supply, sewerage and drainage.

p. Delineation of the building site on each lot, by depicting the minimum required front, side, and rear building setback lines as specified in the county zoning regulations.
In addition, the dimensions of all lots shall be shown, plus the total acreage in each lot and
the land out of the flood plain in each lot, which must comply with zoning and development
ordinance requirements.

q. Identification of the zoning district classification(s) applicable to the subdivision site as
shown on the county’s zoning district map.

r. When new roads are planned a soil analysis overlaying the preliminary plat prepared by
and bearing the seal of an engineer registered in the State of Georgia who is practicing
geotechnical engineering. The soil analysis must be a comprehensive soil analysis showing
soil classification, predicated and/or measured seasonal high ground water levels, perched
water table, or other restrictive layers such as rock.
The report shall also include wetland delineation and any soil features or conditions, which
may affect the proper function of subsurface sewage disposal, including absorption rates
at specific depths.
Exemption: Any subdivision, where all lots are three acres or larger and no new streets are
involved, is exempted from providing a soil analysis. The Environmental Health
Department, however, may require soil data on questionable lots to ensure that adequate
area be available for an acceptable on-site subsurface sewage disposal system.

4. Plat certificates: Each preliminary plat submitted to the Planning Department shall carry
the following certificates printed or stamped thereon substantially as follows:

a. Preliminary surveying certificate:
“I hereby certify that this preliminary plat is a true representation of the results of
an actual survey by me or under my supervision, conforming to the normal
standards of care of professional surveyors practicing in the State of Georgia and
that all monuments shown hereon actually exist or are marked “future” and that the
surveying requirements for preliminary plats of the “Development Regulations”
and “Zoning Regulations” of Coweta County, Georgia, have been fulfilled.
According to the State of Georgia Safe Dams Act Map for Coweta County, Georgia,
I have determined this development does not lie in a basin below a Category II
Dam.”

By: _____________________________
Registered Land Surveyor No: _____________________________
Date: _____________________________

OR

Preliminary surveying certificate:
“I hereby certify that this preliminary plat is a true representation of the results of
an actual survey by me or under my supervision, conforming to the normal
standards of care of professional surveyors practicing in the State of Georgia and
that all monuments shown hereon actually exist or are marked “future” and that the
surveying requirements for preliminary plats of the “Development Regulations”
and “Zoning Regulations” of Coweta County, Georgia, have been fulfilled.
According to the State of Georgia Safe Dams Act Map for Coweta County, Georgia,
I have determined this development does lie in a basin below a Category II Dam.”

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b. Preliminary engineering certificate:
“I hereby certify that the engineering requirements for this preliminary plat as set forth in the Development Regulations of Coweta County, Georgia, has been fulfilled.
By:
Registered Professional Engineer No:______________________________
Date:______________________________

c. Preliminary plat approval certificate:
“All requirements of the Coweta County Development Regulations relative to the preparation and submission of a preliminary plat have been fulfilled, approval of this preliminary plat is hereby granted, subject to the further requirement of said Regulations.

This certificate shall expire (date):______________________________
Date of execution:______________________________
By County Planner:______________________________

d. Each preliminary plat must contain the additional language:
“PRELIMINARY PLAT, NOT TO BE RECORDED”

e. Preliminary soil survey certificate:
Soil Analysis Certificate:
“I hereby certify that this document is a true representation of the results of an actual comprehensive soil analysis at a minimum DHR level three (3) soil survey by me or under my supervision and that areas are shown that are not acceptable sites for individual septic system as required by the local and/or State Health Department.”
By Georgia Department of Human Resources (DHR) certified soil classifier:

Certification No:______________________________
Date:______________________________

Coweta County Environmental Health Department Certificate:
“Pursuant to the State Health requirements, a comprehensive soil analysis at a minimum DHR level three (3) soil survey was given final approval by the Coweta County Environmental Health Department on, all of the conditions of approval having been completed, this document is hereby accepted.”
Date:_________________________________________
Section 244.3.3. Permits & Fees.
Fee for filing a preliminary plat: At the time of filing an application for preliminary plat approval, a fee shall be paid to the county. See Appendix Fee Schedule of the Zoning and Development Ordinance.

Section 244.4. Construction Plans.

Section 244.4.1. Submittal Process.
1. Preparation of construction plans and application for approval: Upon approval of the preliminary plat, the developer shall submit to the County Planning Department the following:
   a. A letter requesting review and approval of the construction plans, giving the name, address and telephone number of the developer submitting the plan.
   b. Seven (7) copies of the construction plans certified by a registered professional engineer.
   c. The Planning Department shall distribute the plans to the County Development Review Committee, which is composed of representatives of the following agencies:
      Planning Department 770 254-2635
      Development & Engineering Department 770 254-3775
      Environmental Health Department 770 254-7422
      Natural Resource Conservation Service (NRCS) 770 251-4283
      Water & Sewerage Authority 770 254-3710
2. Review of construction plans: It is recommended that the developer contact all agencies represented on the Development Review Committee. Some agencies may contact the developer to hold a special meeting, if necessary.
   All agencies must approve or disapprove the construction plans within twenty-one (21) working days of the date of receipt (excluding weekends and holidays). If the plans are disapproved, the developer shall be notified in writing of the reasons for disapproval. If the plans are approved, the Planning Department is then authorized to issue a land disturbing permit and a grading permit so that the developer may begin construction and development.
3. Expiration of plans: Approval of construction plans shall expire twelve (12) months from the date of approval if construction is not actively underway to the satisfaction of the Coweta County Planner or the Planner’s authorized representative.

Section 244.4.2. Submittal Specifications.
1. Erosion and Sedimentation Control. See Chapter 30 Environment, Article II. Coweta County Soil Erosion and Sedimentation Control Ordinance and Manual for Erosion and Sediment Control in Georgia for additional requirements regarding erosion and sediment control.
   The construction of single-family residences are exempt from erosion and sediment control submittal, when such construction disturbs less than one acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in section 30-34 of the Coweta County Soil Erosion and Sedimentation Control Ordinance.
2. Items to be included in construction plans: A complete set of construction plans shall include the following:
   a. Preliminary plat;
b. Plans and profiles of streets;

c. Typical road sections;

d. Locations, calculations (pipe size, velocity, grade, drainage area, quantity runoff) and profiles for all drainage structures;

e. Water and sanitary sewer plans which comply with all county development standards. (Copies of the standards are available from the Coweta County Water and Sewerage Authority, 230 East Newnan Road, Newnan, Georgia and may be purchased);

f. A specification sheet with all pipe gauges and other pertinent specifications;

g. Site grading plan with soil erosion and sedimentation control plan in accordance with the Manual for Erosion and Sediment Control in Georgia. See Section 30-35 in the Coweta County Soil Erosion and Sedimentation Control Ordinance for additional requirements regarding application/permit process.

i. Site Disturbance and Grading. No permanent excavation or site grading shall be allowed which has a slope exceeding three to one (3:1) (horizontal measure: vertical measure) unless approved by the County Development Review Staff.

h. The one hundred (100) year flood plain must be depicted accurately and bear the certification of a registered professional engineer or professional surveyor, and the sources of all data shall be identified on the plat. See Article 22 Flood Damage Prevention in the Zoning and Development Ordinance for additional requirements regarding flood plain.

i. Stormwater Management shall be designed per the Storm Water Ordinance and the Georgia Storm Water Management Manual.

j. Pursuant to the Georgia Safe Dams Program, when an existing Category II dam is reclassified to a Category I dam because of proposed development downstream of the dam, the developer shall provide for review to the State of Georgia the following information:

i. Location of the Category II dam and the proposed development; and

ii. A surveyed cross-section as required by the Georgia Safe Dams Act of the stream valley at the location of the proposed development including proposed finished floor elevations

k. Construction Standards and Details.

i. A dam breach analysis using the Dambreak computer model to establish the height of the floodwave in the downstream floodplain. The Dambreak modeling shall be completed in accordance with the Safe Dams Program Quality Assurance Program by a qualified registered engineer. The dam breach analysis shall identify all existing structures within the dam breach zone area, if any, and the use of each structure.

Inventory information regarding Category II Dams within Coweta County may be obtained through the Georgia Safe Dams Program.

3. Landscape Plan Requirements. A site plan, at a legible scale to show sufficient detail, showing compliance with all landscape regulations and calculations required by the zoning and development ordinance which shall include but not be limited to information on buffers, site improvements, grading and drainage, landscaping, tree species and the number of all plantings and open space including the landscaping that is being preserved, removed and that which is replacing the landscaping that is removed.

Section 244.4.3. Permits & Fees.

All residential, commercial, and industrial developers shall submit all construction and/or development plans to the planning department for review and approval before a land disturbance...
permit will be issued for the development. A fee will be charged for review of these plans and for the land disturbance permit. See Appendix Fee Schedule of the Zoning and Development Ordinance.

Section 244.5. Final Plat.

Section 244.5.1. Submittal Process.
Whenever the subdivision of property in Coweta County is proposed and the developer has complied with the requirements in Section 244.2. and 244.3, and received the necessary approval of the preliminary plat, the developer shall proceed under these guidelines after construction of all required improvements.

1. Preparation of final plat and application for approval: The developer shall provide a final plat of the subdivision drawn and sealed by a professional registered land surveyor as outlined in Section 244.4.2. Submittal Specifications, of the Development Regulations. Five (5) copies of the plat shall be filed in the Planning Department with the County Planner, along with the following:
   a. A letter requesting review and approval of the final plat, and giving the name and address of a person, to whom a copy of the final plat shall be sent after review by the County Development Review Staff.
   b. Payment to cover the cost of recording the final plat.
   c. Copy of existing and proposed covenants.
   d. A copy of deed to the property.
   e. Proof that taxes on the property has been paid.
   f. A soil analysis overlaying the final plat prepared by and bearing the seal of Georgia Department of Human Resources (DHR) certified soil classifier. If roads are involved then DHR certified soil classifier must also be a registered geotechnical engineer in the State of Georgia. The soil analysis must be a comprehensive soil analysis at a minimum DHR level three (3) soil survey showing soil classification, predicted and/or measured seasonal high ground water levels, perched water table, or other restrictive layers such as rock.

   The report shall also include wetland delineation and any soil features or conditions, which may affect the proper function of subsurface sewage disposal, including absorption rates at specific depths.

   Six (6) copies shall be submitted carrying Soil Analysis Certificates printed or stamped thereon.

2. Affidavit from developer: At the time the final plat is submitted to the Planning Department the developer must also submit an affidavit signed by his engineer certifying that the streets, drainage structures and any other design features have been constructed according to the development construction drawings (or to approved modifications) approved by the appropriate county department. This will include street grades, drainage structures, drainage pipe size and profiles, street paving specifications, utility locations, dam construction and any other facilities incorporated into the development.
In lieu of completing all required improvements in a subdivision at the time final plat approval is requested, the developer may deposit surety for the completion of such improvements and present the final plat for approval in accordance with the provisions set forth below:

a. To assure the construction and installation of required improvements, the developer shall deliver to the Board of Commissioners a certified check, surety bond, or other acceptable surety in such amounts as is estimated by the governing authority to be the total cost of the construction and installation of all public improvements which are the responsibility of the developer.

b. Bonds or other surety posted shall run to Coweta County, Georgia, and shall provide that the developer, his heirs or successors, and assigns, and their agents and servants, will comply with all applicable requirements; will faithfully perform and complete the work of constructing and installing said facilities or improvements in accordance with the regulations and any other applicable requirements; and that the developer shall be responsible to the county for any unnecessary expense incurred through the failure of the developer, his heirs, successors, and assigns, or their agents, or servants, to complete the work of said construction in an acceptable manner, and from any damages growing out of negligence in performing or failing to perform said construction and installation. Before acceptance, any surety shall be approved by the Board of Commissioners. If a bond is offered, it shall be executed by a surety or guaranty company qualified to transact business in the State of Georgia.

c. Bonds and/or other surety posted pursuant to these regulations shall be released and returned, as the case may be, when the facilities guaranteed thereby have been installed and accepted. Acceptance shall be in writing, accurately identifying the improvements covered. Facilities shall not be accepted unless they conform to the applicable specifications and requirements.

d. Completion of bonded improvements: The following time limitations are established for the completion of any items of work or improvements that are required by the County for which performance bonds or other surety (approved by Coweta County) have been provided by the developer:

a) Within 3 months of the issuance of certificate(s) of occupancy for buildings or structures that would comprise 51% buildout of the phase or unit of development; or

b) Within 2 years of the recording of the final plat, whichever occurs first.

Failure to accomplish or complete the items of work or improvements that have been bonded or otherwise secured by surety within the time periods allowed above will be deemed as default. Upon default, Coweta County may redeem the bond(s) or other surety and use the proceeds to complete the item(s) of work. To the extent that any portion of the bond or surety proceeds are not required or used, the unused portion shall be repaid to the bonding company or surety.

Upon satisfactory completion or performance by the developer of the items of work covered by the bond(s) or surety, the County shall release and return the bonds or other surety. Satisfactory completion or performance shall mean the fulfillment of all applicable requirements to the standards and specifications that are set forth by the County.

(Ord. of 11-19-13)
e. When surety is deposited to guarantee completion of requirement improvements, the following form shall be printed on the final plat:

“I certify that a surety bond or certified check in the amount of $________, has been received to assure completion of all required improvements in the subdivision plat attached hereto in the event of default by the developer.”

_________________________    Chairman, County Commissioners, Coweta County, Georgia

Date ___________________________

3. Maintenance bond. Upon submission of the final plat for a subdivision in which all required improvements have been completed, the developer must provide written proof that a maintenance bond, cash deposit, escrow account, letter of credit, or other surety, which must be acceptable by Coweta County, and in amount established by the transportation and engineering department has been posted payable to Coweta County for maintenance or repairs for any items which will be under perpetual maintenance by the county as well as the stormwater management facilities for the development. This surety shall be provided for a minimum of three years and shall cover defects in materials and workmanship, erosion and sedimentation control deficiencies, acts of theft or vandalism and damage caused by subsequent construction.

Should the development consist of more than one phase, the developer shall provide a maintenance bond for each phase of the development. Expiration of the maintenance bond shall occur three years after completion of all required improvements based on each individual phase.

To secure county acceptance of new roads, the developer must submit to the director of development and engineering all documentation and guarantees as specified herein and as required by the director of development and engineering. Such documentation and guarantees include, but are not necessarily limited to, a final plat identifying all roads proposed for acceptance by the county, a warranty deed to such roads and a maintenance bond or other acceptable instrument in an amount and form approved by the director of transportation and engineering.

All required documentation and guarantees must be submitted by the developer to the director of development and engineering no later than nine working days, excluding weekends and holidays preceding the meeting date of the board of commissioners when acceptance of such roads will be considered. (Ord. of 11-19-13)

4. Street markers: All subdivision, commercial and industrial developers shall provide adequate and proper street markers and traffic-control signs, according to the requirements set forth by the Development and Engineering Department, or shall place funds adequate to cover purchase and installation of same with the Department of Development and Engineering for final approval of said development. Proof of payment for street markers shall be provided to the Development and Engineering Department at the time the final plat is submitted.
5. Final plat should conform substantially to preliminary plat: The final plat shall conform substantially to the preliminary plat as approved, including all conditions specified by the Planning Department. If desired by the developer, the plat may constitute only that portion of the approved preliminary plat, which the developer has developed or proposed to develop and record at that time, provided, however, that such portion conforms to all requirements of these regulations.

6. Review of final plat: The Planning Department shall review the documents and forward copies to the County Development Review Staff for its technical advice. The review staff will meet in session to discuss any problems or corrections necessary before final approval is granted. After the review staff has completed its review of the final plat and granted approval, each department will stamp and sign the mylar.

If the final plat is disapproved, a notation of this action shall be made on the mylar or via letter and all prints of the final plat, including a statement of the reasons for disapproval.

If action is not taken by the Planning Department within twenty-one (21) working days of the date of receipt (excluding weekends and holidays) the final plat shall be considered approved and a certificate of approval shall be issued on demand, provided that streets have been accepted by the Board of Commissioners, and the water and sewer facilities have been approved by the Environmental Health Department and/or the Coweta County Water and Sewerage Authority.

7. Mylar and copies of the approved final plat: Once the subdivision mylar has been approved, stamped and signed by the review staff, and the Planning Department has obtained a digital version of the final product, meeting the standards listed below, the County Planner will record the plat with the Clerk of Superior Court to obtain a plat book and page number, for the subdivision.

a. File Format – The Computer Aided Drawing file shall be submitted in one of the following formats:
   i. AutoCAD Drawing .dwg, .dxf (preferred format)
   ii. ESRI Shape files .shp
   iii. MapInfo .mil/.mib
   iv. Intergraph/Microstation Design .dgn

b. Transfer Media and Labeling – Digital submission shall take place on one of the following forms of digital transfer media:
   i. 3.5” diskettes (floppy disk)
   ii. CD-ROM (preferred media)
   iii. IOMEGA Zip disk

   Each media submission should be labeled with the following information:
   iv. Development name
   v. Contact name / phone number
   vi. Tax I.D. # of the parent tract

c. Required Layers – The following layers shall be required when applicable:
i. Transportation Layer
   (A) Back of Curb or Edge of Paving (Lines Only)
   (B) Road Names
   (C) Road Centerlines
   (D) Any other transportation feature deemed necessary by the County Engineer
ii. Cadastral Layer
   (A) Land Lot Lines
   (B) Parcel Lines
   (C) Right of Way Lines
   (D) Building Setback Lines
   (E) Any other cadastral feature deemed necessary by the County Planner
iii. Hydrology Layer
   (A) Lake and Pond Lines
   (B) Rivers, Streams, and Creeks
   (C) Storm Water Drainage Structures
   (D) Bridges, Dams
   (E) Any other hydrology feature deemed necessary by the County Engineer
iii. Other Utility Layer
   (A) Water Utility Lines
   (B) Sewer Utility Lines

The Planning Department will supply copies of the plat to the developer at cost. The mylar with county approvals affixed shall be kept by the Planning Department.

8. Recording of the final plat: It shall be the Planning Department’s responsibility to record the final plat. The developer shall be responsible for payment of the recording fee at the time of submitting the final plat as set forth above under “Preparation of final plat and application for approval.” In the event the final plat is not approved for recording, said recording fee shall be returned to the developer.

9. Authority to grant final approval: The review staff shall grant final plat approval if a developer meets the requirements of these regulations.

10. Revised final plat:
   a. Consultation with Planning Department necessary: When it becomes necessary to revise a recorded final plat due to some error, required adjustment or desired adjustment, the developer shall confer with the Planning Department to verify that such proposed revision will comply with the requirements of the zoning and development ordinance and the development regulations.
   b. Preparation of revised plat: If it is established that such a revision is feasible, the developer shall have such developer’s surveyor make the necessary corrections on a new mylar of that portion of the subdivision involved. The subdivision name, date, and book and page number of the original recording shall be noted on the new plat. Revisions and a notation explaining the revisions shall also be shown on the revised plat. The revised plat shall be filed with the County Planner.
   c. Review of revised final plat: The Planning Department shall review the documents and forward copies to the County Development Review Staff for its technical advice. The review staff will meet in session to discuss any problems or corrections necessary before
approval of the revised plat is given. After the review staff has completed its review of the revised final plat, each department will stamp and sign the mylar.

d. Copies of the approved revised final plat: After the mylar of the subdivision has been approved and stamped and signed by the members of the review staff, the County Planner will obtain a plat book and page number for the subdivision for recording with the Clerk of Superior Court. The Planning Department will supply copies of the plat to the developer at cost. The Mylar with county-approvals affixed shall be kept by the Planning Department.

e. Denial for revised final plat: Any revised plat that does not receive approval shall be returned to the developer with written notification stating the reasons for denial attached thereto.

11. Plat approval: No permits or development activity of any kind shall be authorized without compliance with all provisions of these Development Regulations.

Section 244.5.2. Submittal Specifications.

1. The final plat shall be clearly and legibly drawn on permanent mylar material. The mylar reproducible of the final plat shall be submitted to the Planning Department for review. The scale of the final plat shall be not less than one hundred (100) feet to one (1) inch. Sheet size shall be eighteen (18) inches by twenty-four (24) inches. The Planning Department will supply copies of the final plat to the developer at cost. The mylar with county-approvals affixed shall be kept by the Planning Department.

2. The final plat shall conform to the preliminary plat and it may constitute only that portion of the approved plat, which the developer proposed to record and develop at any one time, provided that such portion conforms to the staging established in preliminary plat procedure and to the requirements of these rules and regulations.

3. The final plat shall contain the following information:
   a. Name of subdivision and street names.
   b. Name and address of the owner of record.
   c. Name, address, and telephone number of the developer.
   d. Date of plat drawing, graphic scale, and north point.
   e. Location of tract, (Land section, district and lot) giving total acreage of subdivision, plus acreage in street right-of-way and other proposed public grounds within the subdivision.
   f. Name of former subdivision if any or all of the final plat has been previously subdivided.
   g. Location sketch placing the subdivision in relation to the surrounding area with regard to well-known landmarks such as major thoroughfares, railroads, or others, the names of owners of record of adjoining property. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than one (1) inch to two thousand (2,000) feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.
   h. Courses and distance to the nearest existing street intersection from the entrance to the subdivision, benchmarks, and permanent monuments. In addition, the distance from the entrance to the subdivision to the nearest local, state or federal road intersection, with the names of the intersecting roads identified, shall be shown.
   i. Exact boundary lines of the tract, to be indicated by a heavy line giving distances to the nearest on-tenth foot and angles to the nearest second, which shall be balanced and closed
with an error of closure of one (1) to five thousand (5,000) feet. The error or closure shall be stated. Tract boundaries shall be determined by accurate survey in the field.

j. Municipal, county, or land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse the subdivision.

k. Exact location, widths, and names of all streets and alleys within and immediately adjoining the plat and the exact location and widths of all walkways.

l. Street centerlines showing angles of deflection and standard curve data of intersection, radii, length of tangents, and arcs, and degrees of curvature with basis of curve data.

m. Lot lines with dimensions to the nearest on-tenth foot, necessary internal angles, arcs, and chords and tangent or radii of rounded corners.

n. Building setback lines (front, side, and rear) with dimensions of all lots, plus total acreage in each lot and the “buildable area” in each lot, which must meet or exceed the minimum lot requirements specified in the zoning and development ordinance.

o. When lots are located on a curve or when side lot lines are at angles other than ninety (90) degrees, the lot width at the building setback line shall be shown.

p. Lots or sites numbered in numerical order and blocks lettered alphabetically.

q. Location, type and dimensions of all drainage structures and any easements, including slope easements, if required, and of public service utility right-of-way lines, and any areas to be reserved, donated, or dedicated to public use or sites for other than residential use with notes stating their purpose and limitations; and of any areas to be reserved by deed covenant for common use of all property owners.

r. Accurate location, material and description of monuments and monuments to be placed after final street improvements shall be designated as “future”.

s. Places for certificates and statements specified in Item 4 of this section.

t. An approved “as-built” drawing must show the exact location of water lines, cut-off valves and fire hydrants as approved by the Coweta County Water and Sewerage Authority.

u. Water and sewer plans must comply with all county development standards. (Copies of the Coweta County Water and Sewerage Authority Standards are available for review at the Coweta County Water and Sewerage Authority, 230 East Newnan Road, and may be purchased there.) In subdivisions where wells will provide the water supply, and septic tanks and drain fields will provide sewage disposal, the geographic boundaries of acceptable and suitable locations on each lot for the installation of wells and the installation of septic tanks and fields shall be identified, and shall be subject to the approval of the Environmental Health Department. Notations on the plat shall clearly delineate preferred locations for the installation of such facilities on each lot. See Section 246.9. Water and Sewer, of the development regulations.

v. Identification of the zoning district classification(s) applicable to the subdivision site as shown on the county’s zoning district map.

w. Required Open Space notes and information

i. This subdivision is an "open space development". Further division of property is prohibited.

ii. A statement of the private covenants, if they are brief enough to be put directly on the plat; otherwise, a statement as follows:

“This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _________, which hereby becomes a part of this plat,” recorder _________ (date)_________.

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iii. Total acreage of common open space, natural areas and recreational, agricultural or conservational areas.

iv. The description of amenities to be constructed within the common open space area, including the perpetual maintenance of all such facilities.

x. A statement indicating the type of mail delivery available by the United States Postal Service (i.e. delivery to individual mailboxes or central delivery via cluster mailbox station(s)) shall be on the plat. The location and related improvement shall be shown on the final plat for each cluster mailbox station.

(Ord. of 7-15-14)

4. Plat certificates. Each final plat submitted to the Planning Department for approval shall carry the following certificates printed or stamped thereon substantially as follows:

a. Final Plat surveying certificate:
   “I hereby certify that this final plat is a true representation of the results of an actual survey by me or under my supervision, conforming to the normal standards of care of professional surveyors practicing in the State of Georgia and that all monuments shown hereon actually exist or are marked “future” and that the surveying requirements for final plats of the “Development Regulations” and “Zoning Regulations” of Coweta County, Georgia, have been fulfilled. According to the State of Georgia Safe Dams Act Map for Coweta County, Georgia, I have determined this development does not lie in a basin below a Category II Dam.”

   By:______________________________________________
   Registered Land Surveyor No:________________________
   Date:____________________________________________

   OR

b. Final Plat surveying certificate:
   “I hereby certify that this final plat is a true representation of the results of an actual survey by me or under my supervision, conforming to the normal standards of care of professional surveyors practicing in the State of Georgia and that all monuments shown hereon actually exist or are marked “future” and that the surveying requirements for final plats of the “Development Regulations” and “Zoning Regulations” of Coweta County, Georgia, have been fulfilled. According to the State of Georgia Safe Dams Act Map for Coweta County, Georgia, I have determined this development does lie in a basin below a Category II Dam.”

   By:______________________________________________
   Registered Land Surveyor No:________________________
   Date:____________________________________________

c. Final Plat Engineering Certificate:
   “I hereby certify that the accepted engineering procedures and design methods were used to establish the layout of this development; that the streets, drainage structures and any other design features have been constructed according to the development construction drawings and revisions approved by the Coweta County Subdivision Review Committee; and that all applicable engineering requirements of the “Land Subdivision Regulations” for
residential, commercial and/or industrial subdivisions and all applicable requirements of the “Zoning Regulation” of Coweta County, Georgia, has been fulfilled, except as otherwise approved by the review committee.

By: ____________________________________________
Registered Professional Engineer No: ______________________________
Date: ______________________________

Owner’s acknowledgement:
“The owner of the land shown on this plat whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, certifies that all state and county or other assessments now due on this land have been paid, and dedicates to the use of the public forever, all streets, which comprise a total of ________ acres, for the purposes therein expressed.

Subdivider: _______________ Owner: ____________________________
Date: __________________________  Date: __________________________

Soil Analysis Certificate:
“I hereby certify that this document is a true representation of the results of an actual comprehensive soil analysis at a minimum DHR level three (3) soil survey by me or under my supervision and that areas are shown that are not acceptable sites for individual septic system as required by the local and/or State Health Department.”

By Georgia Department of Human Resources (DHR) certified soil classifier: __________

Certification No: __________________________________________
Date: __________________________________________

Coweta County Environmental Health Department Certificate:
“Pursuant to the State Health requirements, a comprehensive soil analysis at a minimum DHR level three (3) soil survey was given final approval by the Coweta County Environmental Health Department on _______ all of the conditions of approval having been completed, this document is hereby accepted.”

Date: __________________________________________

Coweta County Environmental Health Department Official

Place for approval of the Environmental Health Department.

Final plat approval certificates:
“Pursuant to the Coweta County Development Regulations, this plat was given final approval by the Coweta County Development Review Committee at the meeting held on ____________, ____________. All of the conditions of approval having been completed, this document is hereby accepted and this approval granted under the authority of said regulations.

Date: ___________  County Planner: ___________
Section 244.5.3. Permits & Fees.

1. Fee for filing final plat. At the time of filing an application for the final plat approval, a fee shall be paid to the county. This fee shall be for each submission, plus one revision. Additionally, a one-time fee per lot shall be charged for administrative costs, which includes reviews by all county personnel for all facets of the subdivision pursuant to county ordinances or state or federal departments. No portion of the fee collected shall be used by the county to serve new growth and development. This per lot fee is payable to the Development and Engineering Department prior to a building permit being issued for each lot. See Appendix Fee Schedule of the Zoning and Development Ordinance.

2. Fee for filing revised plat. At the time of filing an application for revised final plat approval, a fee shall be paid to the county. See Appendix Fee Schedule of the Zoning and Development Ordinance.

Section 245. Inspections.

Section 245.1. Pre Construction Meetings.
Pre Construction Meetings shall be held with the Development and Engineering Department.

Section 245.2. Semi-monthly Erosion and Sedimentation Reports.
Upon the issuance of the land disturbance permit, the operator shall insure that a semi-monthly erosion and sedimentation report outlining the status of the project is delivered to the development and engineering department on or before the 1st and the 15th day of each month. The report will be prepared by a qualified professional engineer/architect/landscape architect or an individual meeting the education and certification requirements of section 30-38 of the Coweta County Soil Erosion and Sedimentation Control Ordinance. Should this report not be received by 5:00 p.m. on the said dates, a stop work order will be issued for the project.

Section 245.3. Required Inspections.

1. Inspections required. The following inspections shall be required on all residential, commercial, and industrial developments during the construction of same:
   a. Clearing and grubbing, and erosion and sedimentation control. All erosion and sediment control facilities must be installed and inspected before grading is allowed. The control facilities must be continuously maintained throughout the construction permit. (Inspection by Development and Engineering Department).
   b. Drainage. (Inspection by Development and Engineering Department).
   c. Curbing. (Inspection by Development and Engineering Department).
   d. Subgrade and base. (Inspection by Development and Engineering Department).
   e. Paving. 1) Base; and 2) Topping. (Inspection by Development and Engineering Department).
   g. Water and sewer lines as required by the Coweta County Water and Sewerage Authority. (Inspection by Coweta County Water and Sewerage Authority).
   h. Landscape. (Inspection by Planning Department).
   i. A twenty-four (24) hour notice shall be given to the inspecting department prior to every requested initial inspection and/or reinspection.
2. Consult the Water & Sewer Development Fee Schedule and Land Disturbance and Inspection Fee Sheet for applicable fees.

Section 245.4. Project Close Out.
See Section 244.4. Final Plat and Section 243.3. Final As-built Site Plan for additional requirements regarding project close out.

Section 246. Design Standards & Required Improvements.
1. Purpose/Intent.
This article identifies requirements that are applicable to the uses in all zoning district classifications. The purpose and intent of this article is to provide site development standards for development, to ensure adequate landscaping and protection of the natural environment, to encourage design consistency, to ensure uncongested roads, and to protect the health, safety, and welfare of the citizens of Coweta County.

2. Modifications.
   a. Modifications of the provisions set forth in the Development Regulations may be made by the County Planner in specific cases provided each of the following standards and criteria are met.
      i. Undue hardship will result from strict compliance.
      ii. The granting of the modifications will not adversely affect the general public or nullify the intent of the Development Regulations.
      iii. Any modifications granted by the County Planner shall be made in writing to the developer and made a part of the county records and the plat.
   b. Applications for any modification must be filed in writing with necessary supporting documents with the Planning Department by the developer and shall explain in detail the reasons and facts supporting the application.

   a. Land not meeting requirements of the State Health Department and land within the one-hundred year floodplain or land subject to flooding, improper drainage, and erosion, as determined by the County Development Review Staff, and any land deemed by the Planning Department or Environmental Health Department to be unsuitable for development for reasons of health and safety shall not be platted for any uses which may continue such conditions or increase danger to health, safety, life, or property unless steps are taken to eliminate the above-mentioned hazards, but shall either be combined with buildable lots or shown as one (1) or more lots with restrictions.
   b. The portion of any lot within a one-hundred year floodplain or covered by water shall not be included within the lot area used for determining the minimum required “building site” of each lot as specified in the zoning and development ordinance.
   c. The above mentioned land requirements and hazards for development shall be shown on the plat for a proposed subdivision.

Section 246.1. Building Design.
See Appendix Design Standards for additional requirements regarding architectural nomenclature and fenestration.
Section 246.1.1. Purpose/Intent.
1. The purpose of this section is to establish minimum standards for the exterior architecture of all buildings, to ensure a high standard of development, redevelopment and compatibility with evolving architectural or planning themes that contribute to a community image of quality, permanence and stability which are in the best interest of the citizens of the county. These standards are intended to preserve the integrity of the property for all landowners and developers, as well as the tax base of Coweta County.
2. These standards are further intended to ensure coordinated design of building exteriors, additions and accessory structure exteriors in order to prevent visual disharmony and minimize adverse impacts on adjacent properties from buildings which are or may become unsightly, and buildings that detract from the character and appearance of the area. It is not the intent of this section to unduly restrict design freedom when reviewing and approving project architecture in relationship to the proposed land use and site characteristics.

Section 246.1.2. General Requirements.
1. Address Identification
   a. Required Address Identification for non-single family residential uses.
      i. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible at all times from the street or road fronting the property.
      ii. These address numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke of 0.5 inch (12.7 mm) and shall contrast in color with the background on which they are affixed.
      iii. New and existing properties utilizing a mailbox or signage for address identification shall post numbers on both sides, meeting the requirements of paragraphs i and ii above, that can be viewed from either direction of vehicular travel.
      iv. Buildings or lots with multiple buildings utilizing one street address and containing multiple commercial occupancies with separate entry doors shall post suite numbers or letters above the main entry door to each occupancy or building meeting the requirements of paragraphs i and ii above.
      v. For multiple properties that share a common single private drive, each owner shall display address numbers at the vehicular access point to the private drive and at the vehicular access point to each individual building meeting the requirements of paragraphs i and ii above.

b. Required Address Identification for all single family residential uses.
   i. New and existing residential properties shall have approved address numbers placed in a position that is plainly legible and visible at all times from the street or road fronting the property.
   ii. These address numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm) and shall contrast in color with the background on which they are affixed.
   iii. New and existing residential properties utilizing a mailbox or signage for address identification shall post numbers on both sides, meeting the
requirements of paragraphs i and ii above, that can be viewed from either direction of vehicular travel.

iv. Neighborhoods, subdivisions, or residential properties utilizing a cluster mailbox or utilizing a post office box and not having individual mailboxes to use as address identification shall post individual address identification signage meeting the requirements of paragraphs i, ii, and iii above.

A. Address signage shall be no more than 10 feet from the driveway and no more than 25 feet from the road.

B. For multiple residential properties that share a common single private drive, each owner shall display address numbers at the vehicular access point to the private drive and at the vehicular access point to each individual structure meeting the requirements of paragraphs i, ii, and iii above.

C. All new residential, office, institutional, commercial and industrial lots shall be numbered with the approved street address number and suite numbers or letters, if applicable, at the time the Certificate of Occupancy or the Certificate of Completion is issued.

D. It shall be the responsibility of the property owners to post and maintain the address identification at all times.

2. Cluster Mailboxes - In situations where the U.S.P.S. determines that individual mail delivery will not be available to a new development, the following requirements shall apply:

a. Installation of the mailbox unit(s), as well as any associated shelters, lighting, parking, and other related amenities shall be the responsibility of the developer.

b. Maintenance of the mailbox unit(s), as well as any associated shelters, lighting, parking, and other related amenities shall be the responsibility of the homeowners. The establishment of a homeowners’ association is strongly encouraged in developments where individual mail delivery will be unavailable.

c. Cluster mailbox units shall be prohibited within the public right-of-way.

d. Cluster mailbox units, and any associated structures, shall not adversely impact sight distance to any driveway or road intersection, as determined by the Coweta County Transportation and Engineering Department. Whenever feasible, the mailbox unit should be located within an amenity center, if one is proposed for the development.

e. Cluster mailbox unit(s) shall be located in area(s) that will best allow for vehicle stacking or parking without creating pedestrian safety or vehicle safety issues, as determined by the Coweta County Transportation and Engineering Department.

f. A paved area with adequate ingress/egress, designed to meet the requirements of the Coweta County Transportation and Engineering
Department, shall be provided to allow vehicles to pull off the County roadway safely while retrieving mail.

g. All access to cluster mailbox unit(s) shall comply with current Americans with Disabilities Act and the Georgia Accessibility Code. Any sidewalks required by other provisions of this ordinance shall be incorporated into the mailbox area(s).

h. The mailbox unit(s) must be installed according to the manufacturer’s standards.

i. The mailbox unit(s) and shelter, if any, shall be exempt from the normal setback requirements; however, shelters or other structures must be submitted to the Building Official for review and must meet all applicable building codes.

j. Any required cluster mailbox station and related improvements shall be installed and approved prior to the recording of the final plat.

(Ord. of 7-15-14)

Section 246.1.3. Additional Requirements for Single Family Residential Zoning Districts.

(Ord. of 10-16-07)

1. Garage Door Treatment

a. If the garage door faces the street it shall be a maximum of seven (7) feet in height and ten (10) feet in width for a single access door and seven (7) feet in height and eighteen (18) feet in width for a double access door.

b. The preferred material shall be paneled wood. If another material is used, the door shall be paneled with a panel depth of no less than one fourth (1/4) of an inch.

c. The garage door casing shall match the window casings on the front façade.

Section 246.1.4. Additional Requirements for Multi-family Residential Zoning Districts.

(Ord. of 10-16-07)

1. Building Design.

a. Minimum roof pitch for multi-family buildings, including detached garages, shall be five to twelve (5:12) with eaves extending a minimum of twenty-four (24) inches. Roof pitches of six to twelve (6:12) or greater may have eaves extending a minimum of eighteen (18) inches. Roofs with gable ends must have one or more gables facing the street (such as dormers). Large roofs (defined as having a ridgeline of 40 feet or longer) shall minimize the apparent bulk by utilizing a combination of dormers, shifts in height, cupolas, chimneys, or other approved features.

b. Floor delineation. Delineation of building floors at the third story above sidewalk level and lower shall be executed through windows, belt courses, cornice lines or similar architectural detailing.

c. Multi-family building design should incorporate visually heavier and more massive elements at the building base, and lighter elements above the base. All buildings should be designed to provide complex massing configurations with a variety of different wall and roof planes. Plain, monolithic structures with long, monotonous, unbroken wall surfaces of fifty (50) feet or more are prohibited. At least every fifty (50) linear feet, wall planes shall contain offsets or setback with a differential in horizontal plane of at least four (4) feet.
d. Four-sided architecture is required. All facades or sides of a building shall be designed with architectural style and building materials consistent with the front facade.

e. Exterior stairs and corridors are not permitted, unless covered by the building roof and located within the footprint of the foundation.

f. Garage entries, carports, storage areas, parking areas, parking structures, or other similar structures and accessory uses shall be internalized in building groupings or oriented away from street frontage. Garage doors of attached garages shall not comprise more than 50% of the total length of a multi-family building’s facade, and every two single-bay garage doors or every double garage door shall be offset by at least four (4) feet from the plane of an adjacent garage door. Garages, carports and accessory buildings must be architecturally compatible and constructed of the same materials as the primary buildings.

g. The height of buildings on the perimeter of the development should be compatible with surrounding uses and site considerations. Buildings in excess of two stories in height should be set back generally proportional to the building height (the taller the building the greater the setback), depending on the adjacent land uses and size. Taller buildings should be concentrated in the interior of the property. Special attention should be given to the perimeter of the project when adjacent to single family residences or property zoned for single family. Building setbacks for lots adjacent to single-family residential districts or property used for single-family dwellings should be at least sixty (60) feet. At grade, ground level apartments are encouraged to meet the needs of senior and special needs populations.

h. Fire Protection.


ii. Fire Department connections for sprinkler systems shall be equipped with 2 ½ inch connections. Fire Department sprinkler connections shall not be located on buildings. Fire Department sprinkler connections shall be installed in a location approved by the Fire Chief or his designee. Each sprinkler system and/or building shall have a listed indicating valve to allow for the system to be shut down for system maintenance or to replace sprinkler heads.

iii. In multi-family residential subdivisions and multi-family residential apartment complexes at least eight inch water mains shall be installed to provide a minimum of 1,500 gallons per minute. Water mains shall be approved by the Coweta County Water and Sewerage Authority. Larger mains and fire flows may be required by the Fire Chief or his designee. Fire hydrants shall be three-way hydrants and spaced not to exceed 400 feet. Fire hydrant locations shall be approved by the Fire Chief or his designee to allow firefighting equipment to be placed within fifteen feet of said hydrants. A minimum of two hydrants shall be provided in multi-family residential subdivisions and multi-family residential apartment complexes.
iv. Fire alarm systems shall be installed in multi-family residential buildings and shall be activated by the sprinkler system or by means of a manual pull station. When activated the fire alarm shall notify all occupants of the affected building and shall be monitored to notify Coweta County E-911. Fire alarm systems shall be installed in accordance with the current State of Georgia adopted edition with amendments for NFPA 72 National Fire Alarm Code as modified.

v. Any code edition change adopted by the State of Georgia or any changes or modifications to The Minimum Fire Safety Standards Chapter 120-3-3 shall automatically apply to this ordinance.

2. Building Materials. Exterior surface materials of buildings shall be divided into Category A materials and Category B materials, and application of materials shall be subject to the following:

   a. Category A Materials

   i. **Natural stone.** Types of stonework are based on the shape and the surface treatment, or finish of the stone. The term "ashlar" means only that the stone face showing on the finished surface has its sides squared. Fieldstone always has a rough, irregular appearance, as the natural surface or broken surface of the stone is exposed. Cut stone usually consists of large, thin slabs of stone with the face smooth, slightly textured or polished.

   ii. **Cultured Stone.** Stone that has the appearance of natural stone may be used subject to approval by the Building Official or his designee.

   iii. **Brick.** Modular units of fired clay. Typical size four (4) inches thick by two and two-thirds (2 2/3) inches high by eight (8) inches long (nominal dimensions).

   iv. **Glass.** Glass is used most commonly to glaze a building's window, sash, and skylight openings. Variations of glass commonly encountered are:

      1. Heat absorbing or tinted glass.
      2. Safety-laminated glass.
      3. Insulating glass which consists of layers separated by a sealed airspace.

   b. Category B Materials
i. **Fiber-cement planks and panels** (common product name: Hardiplank).
   a. Patterns are typically:
      i. Lap siding
      ii. Shingle siding
      iii. Vertical siding
   ii. **Masonry-backed stucco.** This finish system is typically a two coat Portland cement material (total thickness five-eighths (5/8) inch) applied directly to masonry or concrete surfaces that are rigid and structurally sound. A variety of textures are possible, from smooth, troweled finishes to floated, sandy or pebbled surfaces. A range of colors may be attained through the use of colored sand, stone chips, and pigment.
   iii. **Exterior insulation finish system (EIFS).** Exterior insulation finish systems are non-load bearing exterior wall cladding systems generally consisting of an insulation board, an adhesive and/or mechanical attachment of the insulation board to the substrate, glass fiber reinforcing mesh, a base coat on the face of the insulation board, and an aggregated polymer binder based finish coat. A variety of decorative trims and surface textures are available, as well as a large range of colors which are integrally mixed in the finish coat of this system.
   iv. **Hollow metal doors and frames.** Refers to doors and frames constructed of cold rolled steel which is field-painted. Sidelights, transoms, and windows may be constructed as well from hollow metal framing members. All hollow metal doors must be paneled and painted to blend.

c. Buildings, including accessory buildings, shall incorporate categories of materials in the following manner:
   i. Category A materials shall compose seventy-five (75) percent or more of the area of each wall. Category B materials may compose no more than twenty-five (25) percent of the area of each wall. Gable areas shall be calculated in the total of the elevation. The brick and stone material shall not be painted or defaced in any manner.
   ii. Buildings must be comprised of at least three (3) exterior materials from Categories A & B above, excluding hollow metal doors and frames.
   iii. **Accent materials.** Materials used to emphasize or create a design feature (other than awnings) must be chosen from either Category A or B materials. Accent materials shall not exceed twenty-five (25) percent of the area of each wall.
   iv. Expansions of less than fifty (50) percent of the floor area of the existing building may use the same or superior materials as the existing structure.
   v. Expansions and/or renovations involving fifty (50) percent or more of the floor area of existing buildings must meet the requirements of this ordinance.

d. Exposed roof materials shall be architectural asphalt shingle; however, standing seam or lap seam roofing may be used for accent areas of no more than ten (10) percent. On accessory structures, a standing seam or lap seam roofing may comprise one hundred (100) percent. Architectural asphalt shingles for the purposes
of this document shall mean a premium grade shingle with one or more of the following characteristics:

i. Thickened butt edges.
ii. Cutout and embossed patterns.
iii. Color range.
iv. All the features described above are intended to aid in giving the roof plane textural interest.

e. Maintenance of Materials. The owner shall be responsible for the maintenance of all required exterior architectural materials associated with newly erected or altered multi-family buildings. In addition, it shall be unlawful for said owner to change or alter the required exterior architectural standards as set forth under Article 24, Development Regulations without meeting the requirements of and complying with the Zoning and Development Ordinance.”

(Ord. of 8-18-09)

Section 246.1.5. Additional Requirements for Commercial and Office Zoning Districts.

(Ord. of 10-16-07)
1. Building Materials. Exterior surface materials of buildings shall be divided into Category A materials and Category B materials, and application of materials shall be subject to the following:

a. Category A Materials
   i. Natural stone. Types of stonework are based on the shape and the surface treatment, or finish of the stone. The term “ashlar” means only that the stone face showing on the finished surface has its sides squared. Fieldstone always has a rough, irregular appearance, as the natural surface or broken surface of the stone is exposed. Cut stone usually consists of large, thin slabs of stone with the face smooth, slightly textured or polished.

   Figure 1: Examples of Acceptable Stonework

   ii. Brick. Modular units of fired clay. Typical size four (4) inches thick by two and two-thirds (2 2/3) inches high by eight (8) inches long (nominal dimensions).

   iii. Split Face (Rough textured face) Integrally colored concrete block: Refers to concrete masonry units which have been manufactured with a color additive yielding a uniform appearance.
iv. *Masonry-backed stucco.* This finish system is typically a two coat Portland cement material (total thickness five-eights (5/8) inch) applied directly to masonry or concrete surfaces that are rigid and structurally sound. A variety of textures are possible, from smooth, troweled finishes to floated, sandy or pebbled surfaces. A range of colors may be attained through the use of colored sand, stone chips, and pigment.

**Figure 2: Examples of Acceptable Masonry Design**

v. *Architecturally precast or tilt-up concrete panels.* Panels typically are exactly eight (8) feet wide; the height of each is determined by building eave height. These panels may be smooth or textured in exterior finish. Smooth panels are suitable for painting while the textured surface results from exposed aggregate or textured liners used to cast the concrete. Textured panels may be painted or sealed. Precast panels are typically delivered to the building site ready to be placed in a final wall assembly. Tilt-up panels are typically cast on-site using the floor slab as a casting surface.

vi. *Glass.* Glass is used most commonly to glaze a building’s window, sash, and skylight openings. Variations of glass commonly encountered are:

(A) Heat absorbing or tinted glass.
(B) Safety-laminated glass.
(C) Wired glass.
(D) Insulating glass which consists of layers separated by a sealed airspace.

vii. *Glass storefront and window systems.* Refers to the combination of aluminum entrance doors and window wall framing employing standard aluminum profiles. Factors to consider in determining finished appearance include:

(A) Overall profile of aluminum members (face width and frame depth).
(B) Material and color of frame.
(C) Type and size of glass.
(D) Composition of linear elements.

**Figure 3: Example of Typical Storefront System**
viii. **Wood.** Wood wall finishes typically refer to vertical board siding patterns, horizontal board siding patterns or shingle patterns. Siding may be painted or stained. (A) Vertical Board Patterns.
- Patterns are typically:
  - Board and batten
  - Tongue and groove
  - Reverse board and batten
  - Diagonal
(B) Horizontal Board Patterns.
- Patterns are typically:
  - Lap siding
  - Shingle siding

![Figure 4: Example of Acceptable Patterns](image)

ix. **Fiber-cement planks and panels** (common product name: Hardiplank).
- Patterns are typically:
  - Lap siding
  - Shingle siding
  - Vertical siding

b. **Category B Materials**
   i. **Ceramic.** Refers to a glazed modular unit similar to brick or terra cotta tiles.
   ii. **Glass block.** Modular glass units either hollow or solid, which are used in wall construction for light transmission, insulation, solar heat, decoration and privacy. Glass block is available clear, primed for light diffusion, with or without glass fiber inserts, textured with various patterns, and with or without a ceramic glaze on one face.
   iii. **Architectural metal panels.** Refers to rolled metal wall panels typically of twenty-four (24), twenty-six (26), or twenty-eight (28) gauge galvanized steel with additional galvanized steel with additional coats. In this case, it refers to a panel with a deeper rib than the typical one (1) inch to one and one half (1 ½) inch rib.
iv. *Exterior insulation finish system (EIFS)*. Exterior insulation finish systems are non-load bearing exterior wall cladding systems generally consisting of an insulation board, an adhesive and/or mechanical attachment of the insulation board to the substrate, glass fiber reinforcing mesh, a base coat on the face of the insulation board, and an aggregated polymer binder based finish coat. A variety of decorative trims and surface textures are available, as well as a large range of colors which are integrally mixed in the finish coat of this system.

v. *Hollow metal doors and frames*. Refers to doors and frames constructed of cold rolled steel which is field-painted. Sidelights, transoms, and windows may be constructed as well from hollow metal framing members.

vi. *Integrally colored concrete block*. Refers to concrete masonry units which have been manufactured with a color additive yielding a uniform appearance. The block is available in a variety of surface textures as follows: (1) smooth, (2) scored (vertical groove at middle), (3) split rib (vertical ribbed face).

vii. *Plywood*. 303-6 SW at minimum thickness of nineteen thirty-seCONDS (19/32) inch or five eights (5/8) inch.

(A) Patterns available in Atlanta area are:
- Texture: one through eleven (1-11) grooved at four (4) inches, eight (8) inches, and twelve (12) inches.
- Reversed Board and Batten
- Rough Sawn Surface Treatments

viii. *Vinyl*. Commercial grade having a minimum thickness of 0.044 inches.

c. Buildings shall incorporate categories of materials in the following manner:

i. Category A materials shall compose sixty-seven (67) percent or more of the area of each wall. Category B materials may compose no more than thirty-three (33) percent of the area of each wall. Gable areas shall be calculated in the total of the elevation.

ii. Buildings may be constructed primarily of one specific Category A material provided the design is of a recognizable architectural style, promotes creative design that is more than an aggregation of random elements, and provides at least 25% fenestration on sides that front streets.

iii. *Accent materials*. Materials used to emphasize or create a design feature (other than awnings) must be chosen from either Category A or B materials. Accent materials shall not exceed twenty-five (25) percent of the area of each wall.

iv. All closing materials for architectural openings (i.e. windows, doors) must be of Category A or Category B material. Overhead door openings facing a street must be closed with architectural metal door systems. Door openings for carwashes, mini-
warehouse facilities, auto service facilities and similar uses, determined by the planning
director, are exempted from the architectural metal door systems.

v. Expansions of less than fifty (50) percent of the floor area of the existing building may
use the same or superior materials as the existing structure.

vi. Expansions and/or renovations involving fifty (50) percent or more of the floor area of
existing buildings must meet the requirements of this ordinance.

d. Solid waste, recycling containers, or mechanical equipment that are part of the primary and
accessory structure shall be screened and shall be constructed of the same materials used
for the elevation of which the screen is a part. Solid waste, recycling, and mechanical
equipment containment areas that are accessory structures shall be constructed of the
material that is the primary exterior material used for the primary structure that it serves.
See Section 246.2 Site Design of the Development Regulations and Article 25 Buffer Area
and Screening Requirements of this ordinance for additional requirements regarding
screening.

e. Exposed roof materials shall be architectural asphalt shingle, wooden shingle, standing
seam metal roof or lap seam metal roofing panel. Architectural asphalt shingles for the
purposes of this document shall mean a premium grade shingle with one or more of the
following characteristics:
   i. Thickened butt edges.
   ii. Cutout and embossed patterns.
   iii. Color range.
   iv. All the features described above are intended to aid in giving the roof plane textural
      interest.

f. Attached awnings, either metal or fabric, shall be complimentary to the main wall. All trim
and decorative bands shall be selected from Category A or B materials and shall be
harmonious with walls although they are selected for accent.

g. Maintenance of Materials. The owner shall be responsible for the maintenance of all
required exterior architectural materials associated with newly erected or altered
commercial or office buildings. In addition, it shall be unlawful for said owner to change
or alter the required exterior architectural standards as set forth under Article 24,
Development Regulations without meeting the requirements of and complying with the
Zoning and Development Ordinance.

2. Building Design.

a. Roof. Structures less than ten thousand (10,000) square feet shall have a minimum five to
twelve (5:12) roof slope. Structures greater than ten thousand (10,000) square feet should
have a pitched roof proportional to the building’s size. Flat roofs and roofs with less than
five to twelve (5:12) roof slope are prohibited unless screened with an appropriate parapet
wall. (Ord. of 10-16-07)

b. Floor delineation. Delineation of building floors at the third story above sidewalk level and
lower shall be executed through windows, belt courses, cornice lines or similar
architectural detailing.

c. Discontinuous building massing. Every building shall reduce its perceived height and bulk
by dividing the building mass into smaller scale components. Building walls exceeding one
hundred (100) continuous linear feet shall utilize offsets, such as projections, recesses, and
changes in floor level, to add architectural interest and variety, and to relieve the negative
visual effect of a simple long wall.
d. Variation in building silhouettes. Variation in the roofline of buildings and offsets in pitched roofs and gables shall be required. Parapets in building masses exceeding one hundred (100) continuous linear feet shall be varied in height and projection and shall use decorative elements such as crown moldings, brick soldier courses, or similar detail.

e. Building step backs. Buildings in excess of fifty (50) feet in height shall be required to step back that portion of the building greater than fifty (50) feet in height a minimum linear distance of ten (10) feet away from the building.

f. Pedestrian entrance. The primary pedestrian access to all sidewalk level uses and business establishments with public or private street frontage:
   i. Shall face and be visible from the public street when located adjacent to such street. When located adjacent to a street that functions as an arterial street or a collector street, said entrance shall face and be visible from such street.
   ii. Shall be directly accessible and visible from the sidewalk adjacent to such street.
   iii. Shall remain unlocked during business hours for non-residential uses.

g. Fenestration or other architectural features, such as arcades and display windows, shall be provided along the ground floor of the building façade for a minimum of forty (40) percent of the length of all primary street frontages. Arcades may only be used to satisfy fifty (50) percent or less of this requirement. (Ord. of 10-16-07)

h. Fenestration shall not utilize painted glass. Entrances may be counted towards fenestration requirements. (Ord. of 11-18-08)

i. Four-sided architecture shall be required. (Ord. of 11-18-08)

Section 246.2. Site Design.

**Section 246.2.1. Purpose /Intent.**
The purpose of this section is to establish minimum standards that encourage high quality in the site design, organization, and construction of new developments and subdivisions. These standards promote community interconnectivity and low impact design principles. The development of a positive, progressive and attractive community image and sense of place is vital to the economic health and vitality of Coweta County.

**Section 246.2.2. General Requirements.**

1. Screening. Screening of dumpsters, loading areas and mechanical systems.
   a. All dumpsters shall be enclosed with a wall of equal or greater height on three (3) sides, the material of which shall be similar to the material on the outside of the main building served by said dumpster.
   b.Dumpsters shall be placed in the rear yard unless the Development Review Committee determines that conditions of the site warrant placement elsewhere. (Ord. of 10-16-07)
   c. Loading areas shall not face any public street. Properties that are both within an industrial park and outside of a Quality Development Corridor District, as outlined in Section 261, shall be exempt from this requirement. (Ord. of 11-18-08)
   d. Loading dock entrances for non-residential uses shall be screened so that loading docks and related activity are not visible from the public right-of-way. Properties that are both within an industrial park and outside of a Quality Development Corridor District, as outlined in Section 261, shall be exempt from this requirement. (Ord. of 10-16-07)
   e. All Loading and dumping activities located within one hundred and fifty (150) feet of a single-family residential property, measured in a straight line from the nearest point of said...
activity to the nearest property line of the residential property, shall occur only between the hours of 7:00 a.m. and 10:00 p.m.

f. Accessory mechanical systems and features including air and heating systems shall not be visible from the public right-of-way.

g. All necessary utility boxes/ cabinets located above ground shall be screened from view from the street with plant material (existing or proposed- min. four (4) foot height at planting), and painted a neutral earth tone color such as beige, brown, or dark green.

Section 246.2.3. Additional Requirements for Single Family Residential Uses.

1. For residential uses with the exception of all RC districts
   a. Access shall be provided from the site of every use to a public street or system of common streets and ways connecting with the public street system.
   b. House lots shall generally be accessed from interior streets.

   a. Every development and every lot within the development shall have frontage on a publicly dedicated street, except for those circumstances listed in this section and Section 246.2.5 of the Development Regulations. (Ord. of 8-18-09)
   b. Every development shall be designated and developed so that adequate street access is provided from the development’s streets to a collector or higher roadway classification county thoroughfare. Access may be granted on a local street if adequate improvements are made to this street per the approval of the Director of Engineering and Development. To this end, every development with lots not fronting entirely on an already existing county street shall include at least one (1) subdivision street which has direct access to a collector or higher roadway classification county thoroughfare. If a development contains fifty (50) or more, but fewer than two hundred fifty (250) lots not fronting on an already existing collector or higher roadway classification county thoroughfare, the design and development of said subdivision shall include at least two (2) subdivision street outlets which have direct access to a collector or higher roadway classification county thoroughfare. If a development contains two hundred fifty (250) or more lots, but fewer than five hundred (500) lots not fronting on an already existing collector or higher roadway classification county thoroughfare, the design and development of said subdivision shall include at least three (3) subdivision street outlets which have access to a collector or higher roadway classification county thoroughfare. If a development contains five hundred (500) or more lots, not fronting on an already existing collector or higher roadway classification thoroughfare, the design and development of said subdivision shall include at least four (4) subdivision street outlets which have direct access to a collector or higher roadway classification thoroughfare. Insufficient road frontage for two (2) entrances on the same roadway, as determined by the county Engineering and Development Department or Georgia Department of Transportation will limit the number of potential lots to ninety-nine (99).
   c. New subdivision lots may not be platted with access through an existing subdivision if such new subdivision lots would exceed the limitations set forth above requiring a provision of additional access streets which have direct access to a higher-traffic-capacity county thoroughfare.
d. If the existing subdivision street(s) does not meet current subdivision street standards, access shall be denied unless the developer improves the existing subdivision street(s) to meet current requirements including sufficient rights-of-way and construction standards.

e. The subdivision of property shall provide each lot with direct abutting frontage to an existing public street or to a public street contained within the proposed development. The following exceptions shall be authorized:

i. Private Easements:
   (A) At the initial design of a residential development, the developer is allowed one (1) sixty (60) foot wide vehicular access easement constructed from a public street with no more than three (3) lots allowed. The width of the drive shall be a minimum of ten (10) feet and aligned so to allow emergency vehicle access and surfaced with gravel or other paving material.

ii. Private/Gated Community Streets:
   (A) Private/Gated community streets may be allowed within any residential zoning district, only when the development meets all criteria contained under Section 246.12 Private/Gated Communities of the Development Regulations.

Section 246.2.4. Additional Requirements for Multi-family Residential Uses.

3. Access.

   a. Primary vehicle access to a multi-family development shall be from an arterial or major collector roadway, as identified on the Coweta County Functional Classification and Thoroughfare Map.

   b. Large multi-family developments shall have multiple primary access points and/or emergency vehicular access points from a public street as follows:
      i. Development with 200-350 dwelling units shall provide a second primary access into the development;
      ii. One additional primary access is required for each additional 150 dwelling units, or portion thereof, over 350 dwelling units; and
      iii. Additional access above that in this document may be required by the Fire Department.

   c. Drive entrances shall be installed with decorative brick pavers or decorative color stamped asphalt or concrete (stone or brick paver design). The minimum length of the decorative entrance section shall be twenty (20) feet. Entrance design shall be approved by the appropriate department, i.e. the Georgia Department of Transportation for state highways or the County Engineering Department for county roadways. Brick pavers or stamped asphalt/concrete shall not be installed in acceleration or deceleration lane.

   d. For gated multi-family developments, the provisions contained in Section 246.12.2(3) shall apply.

   e. A traffic management plan, prepared by a qualified professional engineer shall be submitted at the discretion of the County Engineer, based on the size and intensity of the development, and traffic conditions. The traffic management plan must identify any traffic problems that will be generated by the development and present reasonable solutions to those problems. This plan must be submitted to the County Engineer for approval.
4. Pedestrian Circulation.
   a. Pedestrian connections are required at the following:
      i. The primary entrance or entrances to each principal multi-family building;
      ii. To any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the multi-family development;
      iii. Any sidewalk system along the perimeter streets adjacent to the multi-family development;
      iv. Any adjacent commercial land uses, including but not limited to, retail shopping centers, office buildings, restaurants, or personal service establishments; and
      v. Any adjacent park, greenway, or other public or civic use, including but not limited to, schools, places of worship, public recreational facilities, or government offices.
      vi. Additionally, the provisions of Section 246.5.2(3)(d)(iv) shall apply to multi-family developments.
   b. Each point at which the on-site pedestrian walkway system must cross a parking lot or internal street or driveway to make a connection shall be clearly marked through the use of change in paving materials, height, or distinctive colors.
   c. If the project abuts any portion of a greenway as set forth in the adopted Greenway Master Plan, a direct linkage from the development, including recreational open space, to such existing or future greenway should be provided.

5. Screening.
   a. All entry fixtures and other service equipment shall be located in side and rear yards and away from high use or high visibility areas. These fixtures shall be adequately screened with a masonry wall, wood privacy fencing, or plantings. All utilities shall be underground.
   b. Decorative Fences and Walls.
      i. All required opaque fences or walls shall be constructed of one or a combination of the following: Decorative wood, Stone, Stucco on block, Decorative block, or Brick. These fences or walls shall not exceed six (6) feet in height.
      ii. Decorative wrought iron fencing may be used for architectural and security purposes only.
      iii. Chain link, unfinished concrete or cinder block, plastic or fiberglass, barbed or razor wire, and plywood fences, or like materials are prohibited. Paint shall not be considered a finish material.
   c. Architectural screens and enclosures are required for all meters, equipment, solid waste, recycling containers, or mechanical equipment within a complex. Solid waste, recycling, and mechanical equipment containment areas shall be constructed of the material that is the primary, opaque exterior material used for the primary structure that it serves. See Section 246.2 Site Design of the Development Regulations and Article 25 Buffer Area and Screening Requirements of this ordinance for additional requirements regarding screening.
   d. No refuse containers or parking areas should be located within 60 feet of adjacent property zoned or used for single family dwellings.
e. Storage areas for boats and other recreational vehicles must be screened from view.

6. Yards in Group Developments. More than one multi-family building may be located upon a lot in a zoning district where such a use would be permitted; but such buildings shall not encroach upon the front, side or rear yards required for the building site. For multifamily buildings the open space between the buildings shall not be less than 20 feet for one-story buildings, 30 feet when either building is a two-story building, 40 feet when either building is a three-story building, and 40 feet plus an additional 10 feet for each story over three stories when either building is over three stories in height. The minimum dimension perpendicular to the building of the yard upon which any entrance or exit of a dwelling faces will be 20 feet. Except, however, that this section shall not apply to Village Centers (VC) district.”

(Ord. of 8-18-09)

Section 246.2.5. Additional Requirements for All Uses except for Single Family Residential.
(Ord. of 8-18-09)
1. Access.
   a. The subdivision of property shall provide each lot with direct abutting frontage to an existing public street or to a public street contained within the proposed development. The following exceptions shall be authorized:
      i. Private Streets:
         (A) Private streets may be allowed within zoning districts containing office, institutional, industrial, or commercial zoning. Access shall be similar to and have the same function as a public street. Design of these streets shall be prepared in a manner to discourage through traffic, and shall have a sixty (60) feet wide vehicular access easement. Dimension requirements shall meet Section 246.5.2, General Requirements for Parking and Driveways of the Development Regulations. Lots being served by an access easement shall meet the minimum frontage requirements of the Zoning and Development Ordinance. All new private roadways must be constructed to ensure the health, safety and general welfare of the general public and their ownership and maintenance responsibility by private party(ies) must be clearly established on the final plat of the development.
   2. Drive-through service windows and drive-in facilities shall not be located between a building and the street.
   3. Accessory service structures and associated vehicular services shall not be located between a building and the street, such as, but not limited to air pumps and car washes.
   4. Inter-parcel vehicle access points between all contiguous commercial, office, industrial or multi-family residential tracts shall be provided to facilitate movement between and among parcels adjoining arterial and collector streets, and thereby improve overall safety. However, when the natural grade along a common property line exceeds fifteen (15) percent throughout its length, such access shall be at the option of the property owners. Also, the Planning Director may waive the requirement if it is demonstrated that an inter-parcel connection is not feasible due to traffic safety or conflicting land uses.
   5. The finish grade surface of a retaining wall that has a vertical drop on its opposite side of more than 30 inches below the grade shall have a suitable barrier, such as a fence or wall, of not less than four (4) feet in height. (Ord. of 11-18-08)
Section 246.3. Lot/Yard.
See Appendix Design Standards for additional requirements regarding Reverse Frontage with Protective Screen Easement.

Section 246.3.1. Purpose/Intent.
This section establishes standards for setback measurement and required yard areas. These provisions are intended to ensure open areas around primary structures; maintain clear visibility for traffic safety and pedestrian access; buffer incompatible land uses; and establish natural and visual light and air space for privacy, landscaping, and recreation.

Section 246.3.2. General Requirements.
1. Front yards in commercial and multi-family districts. Lots with a lot area of less than twenty thousand (20,000) square feet shall be permitted to have automobile parking located within the front yard, provided the front yard parking area shall be limited in area to a maximum of thirty (30) percent of the total lot area and all parking lot landscaping requirements shall be met.
2. Insofar as practical, side lot lines shall be perpendicular or radial to street lines.
3. To facilitate the enforcement of the provisions of the zoning and development ordinance, the size, shape, and orientation of every lot shall be subject to approval of the County Planner for the type of development and use contemplated.
4. Every lot shall conform to the minimum dimension and area requirements of the zoning and development ordinance, provided that every lot not served by a public sewer or community sewerage system and/or public water shall meet the dimension and area requirements of the Environmental Health Department if they are greater than the minimum requirements of the zoning and development ordinance.
5. Building setback lines shall not be less than the yard requirements of the zoning and development ordinance.
6. No more than seven (7) lots shall be platted so as to have their access from the “turn-around” circle of the cul-de-sac.
7. Lot remnants (lots below minimum area or width left over after subdividing tracts of land) shall be prohibited. Such remnant areas shall be added to community-accessible open space or provided for future vehicular or pedestrian connectivity, rather than remain an unusable parcel.
8. The subdividing of land adjacent to or surrounding an existing or proposed lake, shall be such that lots abutting that lake shall be drawn to the centerline of the lake. Such requirements may be waived upon submittal to the Planning Department of an acceptable substitute method that provides equal or greater protection for the maintenance of the lake and any recreational operations to be provided thereon. The portion of any lot within a one-hundred year floodplain or covered by water shall not be included within the lot area used for determining the minimum required “building site” of each lot as specified in the Zoning and Development Ordinance.
9. [Reserved.] (Ord. of 11-18-08)
10. Monuments: Permanent monuments shall be accurately set and established:
   a. Where plat boundary lines intersect with land lot lines.
   b. Permanent Bench Markers shall be placed at all land lot corners on the property being developed. These markers shall be concrete with brass marking. Placement (to be verified by visual inspection) shall extend no less than six (6) inches above the finished grade.
c. All corners shall be marked with an iron rebar or pin, at least one-half (1/2) inch in diameter and eighteen (18) inches long driven so as to extend no less than one (1) inch above finished grade.
d. The accurate location, material, and size of all existing monuments shall be shown on the final plat, as well as the future location of monuments to be placed after street improvements have been completed. (Ord. of 11-18-08)

Section 246.3.3. Additional Requirements for Single Family Residential Uses.
1. Double-frontage and reverse frontage lots shall be required for residential developments along arterial and collector streets where internal access can be provided. A no-access easement of at least ten (10) feet in width, across which there shall be no right-of-access, shall be provided along the line of lots abutting such a traffic artery. When located along arterial or collector streets, the no-access easement shall be planted with a single line of shrubs or trees, or contain a solid or decorative fence, or contain such other landscaping treatments or grade changes which will produce a partial screening effect, as may be proposed by the developer and approved by the county planner.
2. At the approval of the County Director of Development and Engineering, properties shall be permitted to have a minimum frontage of three hundred (300) feet along arterial and collector streets to which they front. When extraordinary, exceptional, or peculiar conditions exist for a particular tract of land, an administrative action may be granted for driveway connections. In any case, drive connections shall be placed to meet the visibility requirements of the development regulations and/or provide the maximum sight distance available for the tract.

Section 246.3.4. Additional Requirements for all Uses except Single Family Residential.
[Reserved]

Section 246.4. Open Space.

Section 246.4.1. Purpose/Intent.
1. Open space, as described herein, is intended to preserve the desirable scenic, environmental, and aesthetic qualities of rural or natural landscapes in developing areas and to create new community-oriented spaces in areas of new development and in those places where there are no existing forms of spaces.
2. It is the purpose and intent of this ordinance to insure preservation of open space within developments; create new community open spaces in areas where no existing community open spaces exist; provide flexibility to allow for creativity in developments; minimize the environmental and visual impacts of new development on critical natural resources and historically and culturally significant sites and structures; provide an interconnected network of permanent open space; encourage a more efficient form of development that consumes less open land and conforms to existing topography and natural features; reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation; enhance the community character; permit clustering of houses and structures which will reduce the amount of infrastructure, including paved surfaces and utility lines; encourage street design that controls traffic speeds and creates street inter-connectivity; and promote construction of convenient and accessible walking trails and bike paths to reduce reliance on automobiles.
Section 246.4.2. General Requirements.

1. Definition of Open Space: Open Space is the portion of the development that has been set aside for permanent protection and on which activities are restricted in perpetuity through the use of an approved legal instrument. However, in the case of multi-family developments, any area meeting the open space definition in Article 3 of this ordinance shall also be included. All open space shall be designated as either Primary conservation areas or Secondary conservation areas and shall be configured to create or maintain a network of open space. (Ord. of 8-18-09)

   a. Primary Conservation Areas. Active recreation areas are prohibited in primary conservation areas unless approved by the County Planning Director. Primary conservation areas, as defined by this ordinance, include the following, unless the Applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:
      i. The one hundred (100) year floodplain;
      ii. Stream buffers as required by Article 21. Stream Corridor Protection District;
      iii. Slopes greater than twenty five (25) percent occurring over a contiguous area of five thousand (5,000) or more;
      iv. Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act;
      v. Populations of endangered or threatened species, or habitat for such species; and
      vi. Archaeological sites, cemeteries and burial grounds.

   b. Secondary Conservation Areas:
      i. Undeveloped (unconstrained) but buildable land and protected (constrained) lands;
      and
      ii. Impervious surface setbacks defined by Article 21. Stream Corridor Protection District, except that lots with area of less than one (1) acre shall exclude these areas.

2. Uses of Open Space may include the following:
   a. Conservation of natural, archeological or historical resources;
   b. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
   c. Important historic sites;
   d. Existing healthy, native forests of at least one acre contiguous area;
   e. Other significant natural features and scenic viewsheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads;
   f. Walking or bicycle trails;
   g. Passive recreation areas, such as open fields;
   h. Active non-commercial recreation areas, provided that they are limited to no more than ten (10) percent of the total Open Space and are not located within Primary Conservation Areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected Open Space., (Less than one half (1/2) or five (5) percent)(not within one hundred (100) feet of abutting property, and parking (gravel, unlighted, and less than ten (10) spaces);
   i. Prime agricultural lands of at least five (5) acres contiguous area as recommended by the American Farmland Trust (A.F.T);
   j. Agriculture, horticulture, silviculture or pasture uses/equestrian facilities, provided that all applicable best management practices are used to minimize environmental impacts, and
such activities are not conducted within Primary Conservation Areas; Livestock facilities that cause routine offensive odors, dust, and insect problems are prohibited.

k. Landscaped storm water management facilities (such as, but not limited to water quality features), community wastewater disposal systems and individual wastewater disposal systems located on soils particularly suited to such uses, and water supply. Such facilities shall be located outside of Primary Conservation Areas except where topography dictates; Areas devoted to traditional detention/retention facilities shall be prohibited from counting towards the open space requirements.

l. Easements for drainage, access, and underground utility line right-of-way;

m. Other conservation-oriented uses compatible with the purposes of this ordinance;

n. Parks or plazas;

o. Lakes;

p. Bridle Paths, provided that adequate provisions are made to minimize conflict with and ensure safety of pedestrians;

q. Environmentally sensitive areas, provided that the natural function of such areas is protected;

r. Significant Structures. Structures of historic, architectural, or cultural significance existing prior to development may be retained, provided that the structure and proposed use are compatible with these regulations and nearby residential uses. Easements to enter or cross open space for the purpose of vehicular access to such uses may be permitted, subject to review and approval of Planning Department;

s. Open space may also include planted areas; fountains; parks; plazas; trails and paths; the landscaped portions of streets; hardscape elements related to sidewalks, cluster mailbox stations, and plazas; and similar features. (Ord. of 7-15-14)

t. Aboveground utility rights-of-way and small areas of impervious surface may be included within the protected Open Space but cannot be counted towards the minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the Open Space.

3. Prohibited uses of Open Space:

a. Golf courses, except when certified under the Audubon International Signature Program Certification (bronze, silver or gold). Parking and driving ranges or miniature golf shall not be included;

b. Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;

c. Alteration of views by removing trees or placing buildings or other structures on highly visible hilltops and ridges or blocking unique views by placing structures in inappropriate locations, except as approved by Planning Department that adverse aesthetic and economic impacts on the rest of the open space development and on the surrounding community are minimized. Particularly important views should be available from areas accessible to all residents of the open space development;

d. Unsuitable open space that fails to preserve the desirable aesthetic, environmental, and cultural qualities of rural or natural landscapes, because a tract has insignificant levels of such qualities (for example, because the tract is too small or has undergone harvesting of timber) or such qualities would be significantly diminished by development;

e. Other activities as determined by the Applicant and recorded on the legal instrument providing for permanent protection.
4. Implementation and Maintenance.
   a. All open space including buffers, setbacks, sidewalk clear zones, sidewalk zones and open spaces shall be fully implemented prior to occupancy and if not completed, the occupancy permit shall not be issued.
   b. A property owner or homeowners association representing residents of the development shall own the Open Space. Membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. The Homeowners’ Association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the Open Space and any facilities located thereon shall be borne by the property owner or Homeowner’s Association.
   c. In the event the party responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition, the county may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such corrective action and/or maintenance may be charged to the property owner, Homeowners’ Association, or to the individual property owners that make up the Homeowners’ Association, and may include administrative costs and penalties. Such costs shall become a lien on all properties within the development. (Ord. of 8-18-09)

5. Legal provisions for the open space.
   a. Covenants, easements (including conservation easements), or other provisions legally sufficient, as noted below, shall be required:
      i. To permanently protect the open space from development other than as provided in these regulations;
      ii. To ensure the availability of the open space for common use by all residents of the development; and
      iii. To ensure that no damage to or use of the open space to the exclusion or detriment of other residents of the development is permitted.
   b. Open space shall be approved subject to the submission of a legal instrument, setting forth a plan for the permanent care and maintenance of such open space recreation areas and communally owned facilities. Such instrument shall be approved by the county attorney as to legal form and effect. This instrument shall be placed on the open space concurrent with the final plat approval.
   c. Covenants or other legal arrangements shall specify ownership of the open space; method of and responsibility for maintenance; taxes and insurance; compulsory membership and assessment provisions; and shall be incorporated into legal instruments sufficient to ensure that the open space criteria are maintained.
   d. Multi-family developments shall be exempt from these legal provisions for the open space, unless such development is classified as a condominium. (Ord. 8-18-09)

Section 246.4.3. Additional Requirements for Single Family Residential Uses.
   1. Design requirements.
      a. At least seventy five (75) percent of the Open Space shall be contiguous. The Open Space shall adjoin any other neighboring areas of Open Space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected Open Space. Parcels that qualify toward the minimum Open Space requirements

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generally shall have a length to width ratio of four to one (4:1) and a width of at least fifty (50) feet. Exceptions will be made for entrances to trails and particular other uses as deemed appropriate by the Planning Department.

b. The Open Space shall be directly accessible to the largest practicable number of lots within the development. Non-adjoining lots shall be provided with safe, convenient access to the Open Space.

c. Access to Open Space. Access to open space shall meet the following requirements:

i. Minimum width. Walkways or “fingers” of open space created to provide access from individual lots to a larger expanse of open space or to provide for connection of non-contiguous tracts of open space shall have a minimum width sufficient to accommodate a path or multi-use trail, given the existing terrain, the center of which path or multi-use trail is at least twenty-five (25) feet from any property line. Said paths or multi-use trails shall be no more than twelve (12) feet in width, and shall be constructed so as to minimize soil erosion or damage to trees or other natural features.

2. Legal instrument requirements.
   a. Open space shall be protected in perpetuity from further development by a binding legal instrument that is recorded with the deed. If the common areas are to be controlled by an association of property owners, then membership in such association shall be mandatory for all property owners within the project.

   b. The instrument protecting the open space from further development shall be one of the following:

   i. A permanent conservation easement in favor of either:

      (A) A land trust or similar conservation-oriented, non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence, and the conveyance instruments shall contain an appropriate provision for transfer in the event the organization becomes unable to carry out its functions; or

      (B) A governmental entity with an interest in pursuing goals compatible with the purposes of this Zoning and Development Ordinance; if the entity accepting the easement is not the County, then a third right of enforcement favoring the County shall be included in the easement.
ii. As set forth in O.C.G.A. § 44-5-60(c) as hereinafter may be amended, a permanent restrictive covenant for conservation purposes in favor of a governmental entity; or

iii. An equivalent legal tool that provides permanent protection, if approved by the County.

c. The instrument for permanent protection shall incorporate restrictions on the use of the open space including:
   i. restrictions to permanently protect the open space from development other than is provided in these regulations;
   ii. restrictions to ensure the availability of the open space for common use by all residents of the development; and
   iii. restrictions to ensure that no damage to or use of the open space to the exclusion or detriment of other residents of the development; and
   iv. as well as any further restrictions, as approved by the Coweta County Board of Commissioners.

d. Where common areas are controlled by an association of owners, the association covenants shall specify ownership of open space; method of and responsibility of maintenance; taxes and insurance; assessment provisions; and shall be incorporated into legal instruments sufficient to ensure that the open space criteria are maintained.

Section 246.4.4. Additional Requirements for Multi-family Residential Uses. (Ord. of 8-18-09)

1. Design Requirements.
   a. Multi-family developments shall incorporate recreational amenities from the list below in the following amounts:
      i. Developments with less than 25 dwelling units: 1 amenity;
      ii. Developments with 25 to 150 dwelling units: 2 amenities; and
      iii. Developments with more than 150 dwelling units: 3 amenities.
   b. Allowable recreational amenities are:
      i. Swimming pool;
      ii. Resident clubhouse;
      iii. Two tot lots with a minimum size of 500 square feet per lot;
      iv. Basketball, volleyball, or other sport court;
      v. Two picnic areas with a minimum of two picnic tables and one barbeque grill/pit per area; and
      vi. Other amenity, if approved by the Planning Director.
   c. No active recreational areas should be located within 60 feet of any adjacent property zoned or used for single-family dwellings.”

Section 246.4.5. Additional Requirements for All Uses except for Single Family Residential. (Ord. of 8-18-09)
1. Required yards, sidewalks and buffers which are constructed on private property may be counted towards this requirement. Areas devoted to public or private vehicular access shall be prohibited from counting towards this requirement.

2. Open space may also include balconies, roof-top terraces, front yards, planted areas, fountains, parks, plazas, trails and paths, the landscaped portions of streets, hardscape elements related to sidewalks and plazas, and similar features which are located on private property.

Section 246.5. Parking and Driveways.
See Appendix Design Standards for additional requirements regarding Parking Configuration/Placement.

Section 246.5.1. Purpose /Intent.
The purpose and intent of this section is to ensure the provision of off-street parking, loading, queuing and on-site circulation facilities in proportion to the demand created by each use. By requiring such facilities, it is the intent of this section to ensure the provision of functionally adequate, aesthetically pleasing and safe off-street parking, loading, queuing and circulation areas. It is the intent of this regulation to provide standards for the layout and maintenance of display or parking areas, and to provide space for the use of landscape beautification and natural plant growth for developments where off-street parking and open-lot sales, display and service areas are provided.

Section 246.5.2. General Requirements.
1. Off-street parking, loading, and landscaping.
   a. Applicability. The standards of this section shall apply to all new development or existing development that is modified.
      i. New buildings or a change of use. Off-street parking and loading facilities in accordance with the Development Regulations shall be provided for any new building constructed and for any new use established or any change in occupancy in an existing building.
      ii. Additions and enlargements with no change of use. Off-street parking and loading facilities in accordance with the Development Regulations shall be provided for any addition to or enlargement of an existing building, existing use or existing manner of operation that would result in additional parking and loading spaces being required. The additional parking and loading spaces shall be required only in proportionate amount to the extent of the addition, enlargement, or change, not for the entire building. Renovations or additions to vehicular use areas shall provide landscape improvements in accordance with this section. Existing vegetation shall be preserved and incorporated into the landscaping for the vehicular use area.

2. Off-street parking and loading location and use requirements
   a. Location of required parking. The intent of this ordinance is to regulate all required off-street parking, except for fee simple developments with common parking. All buildings, structures, and uses of land shall provide, on the same lot with the principal use, off-street parking and loading spaces in an amount sufficient to meet the needs caused by the uses of the land. The location of off-street parking spaces shall not interfere with normal traffic flow or with operation of queuing and backup areas. Loading areas shall not obstruct
pedestrian pathways. Each parking space shall be accessible from a driveway and maneuvering and turning areas shall be provided so that no vehicle will be required to back into a public street.

b. Adjacent parking lots serving nonresidential or mixed-use buildings shall provide for future interconnectivity. Future interconnectivity provisions for parking lots serving residential development is optional.

c. Location on other property. If the required automobile parking spaces cannot be reasonably provided on the same lot on which the principal use is conducted, such spaces may be provided on adjacent or nearby property within a similar zoning district, provided a major portion lies within twelve hundred (1,200) feet of the main entrance to the principal use for which such parking is provided per the approval of the County Planning Department.

d. Use of required off-street parking areas. Off-street parking spaces shall be provided for the use of residents, customers, patrons, and employees. Required parking spaces shall specifically not be used for the storage, sale or display of goods or materials or for the sale, repair, or servicing of vehicles. All vehicles parked within off-street parking areas shall be registered and operable. Delivery vehicles shall utilize loading areas and not required parking spaces.

i. Required off-street parking and loading spaces associated with newly erected or altered buildings or newly established uses of land shall be a continuing obligation of the owner of said building or land so long as the structure or use exists or its use requiring vehicle parking or loading facilities continues. In addition, it shall be unlawful for: 1) said owner to discontinue, change or dispense with, or to cause the discontinuance, or change of the required vehicle parking or loading spaces (apart from the discontinuance, sale or transfer of the building or use) without establishing alternative vehicle parking or loading spaces which meet the requirements of and are in compliance with this ordinance, or 2) any person to use a building or lot without providing vehicle parking or loading spaces which meet the requirements of and are in compliance with this ordinance.

ii. The minimum required dimensions for regular parking spaces, handicapped parking spaces, loading spaces and access/circulation drives are set forth in Section 246.5.2, Item 2 of the Development Regulations, off-street parking area design and construction standards.

iii. The maximum number of off-street parking and loading spaces shall be calculated based on the schedule of standards in Table 1 of the Development Regulations, maximum off-street parking and loading standards. However, in an effort to reduce the amount of impervious area on developed sites, the actual number of parking and loading spaces constructed shall be determined by the owners' engineer. In any event the minimum number of parking spaces provided shall be no less than 50 percent of the maximum number as identified in Table 1. The minimum number of required handicapped parking spaces is presented in Table 2.

iv. Reduced, shared, or off-site parking for single-family residential districts shall be prohibited. For all other districts, the applicant may request a reduction of parking standards based on the following criteria:

(A) Reduction of parking requirements through a shared parking arrangement may be permissible only through the permission of the Planning Department provided the
arrangement shall avoid conflicting parking demands and provide for safe pedestrian circulation and access.

(B) A to-scale map indicating location of proposed parking spaces shall be provided.

(C) A shared or off-site parking calculation projection shall be provided that demonstrates that each use will have adequate parking provisions at all times.

(D) For contiguous properties sharing parking spaces under this provision, cross-easements shall be filed establishing access to the parking spaces in perpetuity.

(E) A reduction in the number of parking spaces that would otherwise be required for each of the various uses on a multiple-use property must be clearly shown on the development plan. If shared or off-site parking is proposed for a combination of contiguous properties, a plan must be submitted covering all of the properties that will be sharing the parking spaces.

(F) A written agreement among all owners of record shall be provided and held on file with the Planning Director.

v. For any use not listed in Table 1, the standards for the most similar use shall be applied. The county engineer shall determine the proper required number of spaces by classifying the use among the uses specified. In making a determination, any evidence of actual parking and loading demands shall be considered as well as other reliable traffic engineering and planning information that is available to ensure sufficient parking and loading spaces are provided to meet the needs caused by the uses of the land. If the number of parking and loading spaces are less than the maximum number calculated in Table 1, the owner shall reserve area on the site which will provide for the installation of additional spaces up to the maximum number. The reserve area shall be accessible from the driveway serving the constructed parking area. In the interim, the reserved parking site shall remain a grassed landscaped area. Based on accident reports, traffic studies, and other information related to the development, the county engineer may require the owner to install additional parking spaces to ensure public safety. If it is deemed by the county engineer that adequate parking has not been provided to serve the particular land use, additional parking shall be installed no later than ninety (90) days from the date of official notice from the county engineer. Enforcement procedures shall be as provided in the Coweta County Zoning and Development Ordinance and the Coweta County Code of Ordinances. The cost for the installation of additional parking and/or associated traffic studies, required by the county engineer, shall be borne by the owner.

vi. Stormwater quality and quantity requirements of the stormwater management ordinance shall be satisfied for all parking areas. Additional parking spaces, which exceed the maximum number calculated in Table 1, shall be constructed to allow the infiltration of stormwater by utilizing a permeable typical section with a pervious surface course. The pervious typical section and surface shall be designed in accordance with Section 3.3.8 of the Georgia Stormwater Management Manual. Striping and/or curbing may be excluded in the overflow parking area upon review and approval by the county engineer. The type of pervious material, conditions of the property, and the type of land use shall be considered in the decision to exclude the striping and/or curbing.
vii. The maximum designated parking areas, constructed parking areas, and overflow parking areas, if applicable, shall be denoted on the approved pre-development site plan and the approved final "as-built" as shown in Figure 6.

Figure 6: Denoting Parking Areas on Plans

viii. Off street parking and loading spaces shall be provided in accordance with the following schedule of standards in Table 1, Table 2, and Table 3.

Table 1: Maximum Off-street parking and loading standards

<table>
<thead>
<tr>
<th>Use</th>
<th>Parking</th>
<th>Loading</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment or other multi-family use (excluding duplex)</td>
<td>2 spaces per dwelling unit + 0.25 guest parking spaces per unit for all dwelling units with common parking areas</td>
<td>N/A</td>
</tr>
<tr>
<td>Appliance sales</td>
<td>1 space per 200 sf of GFA</td>
<td>B</td>
</tr>
<tr>
<td>Automotive or machinery sales and service garage</td>
<td>1 space per 400 sf of GFA + 1 space per employee</td>
<td>A</td>
</tr>
<tr>
<td>Automotive paint or body shop</td>
<td>1 space per 250 sf of GFA</td>
<td>N/A</td>
</tr>
<tr>
<td>Bank or financial institution</td>
<td>1 space per 200 sf of GFA</td>
<td>N/A</td>
</tr>
<tr>
<td>Category</td>
<td>Requirement</td>
<td>Notes</td>
</tr>
<tr>
<td>------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>Beauty, barber shop, and personal services</td>
<td>3 spaces per operator</td>
<td>N/A</td>
</tr>
<tr>
<td>Boarding or rooming house</td>
<td>1 space per bedroom with a maximum of 2 spaces</td>
<td>N/A</td>
</tr>
<tr>
<td>Bowling alley</td>
<td>2 spaces per lane + 1 space per 250 sf of nonbowling recreation area</td>
<td>C</td>
</tr>
<tr>
<td>Church or place of worship</td>
<td>1 space per 45 sf of main assembly area if fixed seats (pews) or 1 space per 21 sf if movable seats (chairs)</td>
<td>N/A</td>
</tr>
<tr>
<td>Club or organization hall</td>
<td>1 space per 100 sf of assembly space + 1 space per 2 employees</td>
<td>N/A</td>
</tr>
<tr>
<td>College or university</td>
<td>1 space per 2 students + 1 space per 4 seats in auditorium and gymnasium + 1 space per 300 sf of administrative and educational office space</td>
<td>C</td>
</tr>
<tr>
<td>Communications tower</td>
<td>1 space + 1 additional space for each 1,000 sf of equipment building</td>
<td>N/A</td>
</tr>
<tr>
<td>Day care center</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 100 capacity</td>
<td>5 transient spaces + 1 space per employee</td>
<td>N/A</td>
</tr>
<tr>
<td>100 or more capacity</td>
<td>10 transient spaces + 1 space per employee</td>
<td>N/A</td>
</tr>
<tr>
<td>Duplex</td>
<td>2 spaces per dwelling unit</td>
<td>N/A</td>
</tr>
<tr>
<td>Entertainment, indoor (except bowling alleys)</td>
<td>1 space per 250 sf of GFA</td>
<td>C</td>
</tr>
<tr>
<td>Entertainment, outdoor</td>
<td>10 spaces per acre</td>
<td>N/A</td>
</tr>
<tr>
<td>Fraternity or sorority house</td>
<td>1 space per bedroom with a maximum of 2 spaces</td>
<td>N/A</td>
</tr>
<tr>
<td>Funeral home or mortuary</td>
<td>1 space per 3 seats in chapel or 1 space per 50 sf of public area, whichever is greater</td>
<td>1 for each hearse, ambulance, and nonpassenger vehicle</td>
</tr>
<tr>
<td>Furniture, or carpet sales</td>
<td>1 space per 200 sf of display area + 1 space per 750 sf of indoor storage area</td>
<td>B</td>
</tr>
<tr>
<td>Category</td>
<td>Parking Requirement</td>
<td>Code</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>-------------------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Gasoline service station</td>
<td>2 spaces per gas pump + 3 spaces for each service bay + 1 space for each attendant</td>
<td>N/A</td>
</tr>
<tr>
<td>Golf course</td>
<td>4 spaces per hole</td>
<td>N/A</td>
</tr>
<tr>
<td>Greenhouse or nursery</td>
<td>1 space per 10,000 sf + 1 space per employee</td>
<td>B</td>
</tr>
<tr>
<td>Hospital</td>
<td>1 space per 3 beds + 1 space for each staff member + 1 space for each employee on the greatest shift</td>
<td>C</td>
</tr>
<tr>
<td>Hotel or motel</td>
<td>1 space per guest room + 1 space per 2 employees on the greatest shift</td>
<td>C</td>
</tr>
<tr>
<td>Kennel, commercial</td>
<td>1 space per 300 sf of cage and retail area</td>
<td>N/A</td>
</tr>
<tr>
<td>Library or museum</td>
<td>1 space per 400 sf of GFA + 1 space per employee</td>
<td>A</td>
</tr>
<tr>
<td>Lounge, bar or tavern</td>
<td>1 space per 2 occupant capacity</td>
<td>C</td>
</tr>
<tr>
<td>Manufacturing and processing, basic industry</td>
<td>1 space per 1,000 sf</td>
<td>A</td>
</tr>
<tr>
<td>Medical or dental office or clinic</td>
<td>6 spaces per practitioner</td>
<td>N/A</td>
</tr>
<tr>
<td>Mobile home park</td>
<td>2 spaces per dwelling unit</td>
<td>N/A</td>
</tr>
<tr>
<td>Nursing or convalescent facility</td>
<td>1 space per 4 beds + 1 space per employee</td>
<td>D</td>
</tr>
<tr>
<td>Office, business or professional</td>
<td>1 space per 200 sf of GFA</td>
<td>N/A</td>
</tr>
<tr>
<td>Public assembly or amusement without fixed seats</td>
<td>1 space per 200 sf of floor area devoted to public use</td>
<td>N/A</td>
</tr>
<tr>
<td>Public assembly (including theaters and auditoriums)</td>
<td>1 space per 3 seats + 1 space per employee</td>
<td>N/A</td>
</tr>
<tr>
<td>Restaurant, fast food</td>
<td>1 space per 3 seats + 1 space for each employee on the greatest shift</td>
<td>C</td>
</tr>
<tr>
<td>Restaurant, general and specialty</td>
<td>1 space per 80 sf, including outdoor seating areas + 1 space per employee on the greatest shift</td>
<td>C</td>
</tr>
<tr>
<td>Property Type</td>
<td>Parking Requirement</td>
<td>Notes</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Retail store</td>
<td>1 space per 200 sq ft of GFA</td>
<td>A</td>
</tr>
<tr>
<td>School, elementary</td>
<td>1 space per classroom + 1 space per employee</td>
<td>C</td>
</tr>
<tr>
<td>School, secondary</td>
<td>0.25 spaces per student enrollment + 1 space per employee</td>
<td>C</td>
</tr>
<tr>
<td>Self-service storage facility</td>
<td>1 space per 75 storage bays + 1 space per employee + 2 customer spaces</td>
<td>N/A</td>
</tr>
<tr>
<td>Shopping center, community or regional</td>
<td>1 space per 200 sq ft of GLFA</td>
<td>B</td>
</tr>
<tr>
<td>Single-family residence, townhouse cluster</td>
<td>2 spaces per dwelling unit</td>
<td>N/A</td>
</tr>
<tr>
<td>Small item service and repair shop</td>
<td>1 space per 250 sq ft of GFA</td>
<td>N/A</td>
</tr>
<tr>
<td>Stable, commercial</td>
<td>1 space per 300 sq ft within stable + 1 space per 3 animal stalls</td>
<td>N/A</td>
</tr>
<tr>
<td>Swimming pool, private community or public</td>
<td>1 space per 50 sq ft of pool area</td>
<td>N/A</td>
</tr>
<tr>
<td>Tennis court, private community or public</td>
<td>1.5 spaces per court</td>
<td>N/A</td>
</tr>
<tr>
<td>Utility, public or private</td>
<td>1 space per 10,000 sq ft + 1 space per employee</td>
<td>N/A</td>
</tr>
<tr>
<td>Vehicle sales and rental</td>
<td>1 space per 500 sq ft of enclosed area + 1 space per 4,500 sq ft of outdoor sales,</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>rental, and display area + 1 space per service bay + 1 space per employee</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>1 space per 2,000 sq ft + 1 space per employee</td>
<td></td>
</tr>
<tr>
<td>Wholesale store</td>
<td>1 space per 400 sq ft of GFA + 1 space per full-time employee</td>
<td>A</td>
</tr>
</tbody>
</table>

sf = square feet
N/A = Not Applicable
GFA = Gross (total) floor area in square footage of a building footprint

GLFA = Gross leasable floor area

Loading Space Ratio. The letter shown in the loading column of the schedule shall correspond to the following ratios:

a. Standard "A": 1 space for the first 5,000 sf of floor area + 1 space for each additional 30,000 sf of floor area.
b. Standard "B": 1 space for the first 10,000 sf of GFA + 1 space for each additional 15,000 sf of floor area.
c. Standard "C": 1 space for the first 10,000 sf of GFA + 1 space for each additional 100,000 sf of floor area.
d. Standard "D": 1 space per 50 beds for all facilities containing 20 or more beds.

The number of handicapped spaces required may be included within the overall total number of parking spaces required based on the maximum calculation in Table 1 and, if applicable, the number above the maximum spaces required. The maximum number of handicapped spaces shall comply with the following table.

Table 2: Handicapped Accessible Spaces Required

<table>
<thead>
<tr>
<th>Total Parking Requirements*</th>
<th>Accessible Spaces Required</th>
<th>Van Accessible Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 25</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>26 to 50</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>51 to 75</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>76 to 100</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>101 to 150</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>151 to 200</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>201 to 300</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>301 to 400</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>401 to 500</td>
<td>9</td>
<td>2</td>
</tr>
<tr>
<td>501 to 1,000</td>
<td>2% of total</td>
<td>1 in every 6 accessible spaces</td>
</tr>
<tr>
<td>1,001 and over</td>
<td>20 + 1 per 100 over 1,000</td>
<td>1 in every 6 accessible spaces</td>
</tr>
</tbody>
</table>

*Note-- Per Table 1.

Note-- Designated "van" accessible spaces are not required if all accessible spaces comply with "universal parking design"

(Ord. of 11-6-12)
Table 3: Summary of Parking Design Requirements

<table>
<thead>
<tr>
<th>Type of Drive and Parking</th>
<th>Parking Space Dimensions</th>
<th>Minimum Driveway Widths</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-way drive and perpendicular or angle parking</td>
<td>Regular 9’ × 18’</td>
<td>16’</td>
</tr>
<tr>
<td></td>
<td>Accessible 8’ × 18’*</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Universal 11’× 18’*</td>
<td></td>
</tr>
<tr>
<td>Two-way drive and perpendicular or angle parking</td>
<td>Regular 9’ × 18’</td>
<td>24’</td>
</tr>
<tr>
<td></td>
<td>Accessible 8’ × 18’*</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Universal 11’× 18’*</td>
<td></td>
</tr>
<tr>
<td>One-way drive or two-way drive and parallel parking</td>
<td>Regular 9’ × 22’</td>
<td>16’ (one-way)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>24’ (two-way)</td>
</tr>
<tr>
<td></td>
<td>Accessible 8’ × 24’*</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Universal 11’× 24’*</td>
<td></td>
</tr>
</tbody>
</table>

*Note-- Shall meet access aisle requirements.

3. Off-street parking area design and construction standards.
   a. Parking facilities shall be designed and located on the site in a manner that results in minimal visual impact along the street. Location, landscaping, earthwork, and buffering should all be implemented as necessary to reduce the negative visual impacts of parking facilities on the aesthetic quality of the street.
   b. There shall be safe, adequate, and convenient arrangement of pedestrian pathways, bikeways, roads, driveways, and off-street parking and loading spaces within parking areas. Streets, pedestrian walks, parking areas, and open space shall be designed as integral parts of an overall design which shall be properly related to existing and proposed buildings, adjacent uses, and landscaped areas.
   c. Parking facilities shall be maintained in a clean, safe, sanitary and attractive condition. Parking spaces and driving lanes shall be clearly defined and maintained as such. Parking lots shall not be operated when any damage impairs the drivability of the parking lot.
   d. All off-street parking, loading or open-lot sales areas established pursuant to this section shall be designed, constructed and continuously maintained in accordance with the following standards:
i. **Access.** Adequate ingress and egress to such areas for vehicles shall be provided by means of clearly limited and defined paved drives. Each parking space shall have appropriate access to a street or an alley. Only dwelling units with no more than two units shall be allowed backward egress from a driveway onto a local street. In all other cases, maneuvering and access aisle area shall be sufficient to permit vehicles to enter and leave the vehicular use area in a forward motion.

ii. **Stacking.** Adequate off-street stacking lanes or queuing areas shall be provided for vehicles entering the vehicular use area so as to avoid backup and congestion on adjacent public streets. A minimum queuing distance of twenty (20) feet is required between the property line and the first parking space.

iii. **Parking access aisles.** Adequate aisle width in vehicular use areas shall be provided for vehicle bypass and maneuvering areas to ensure efficient on-site circulation. See Table 3 for minimum requirements regarding aisle widths.

iv. **Pedestrian circulation.** Structures, vehicular circulation lanes, parking spaces, driveways, and open spaces shall be designed to provide logical, impediment free pedestrian movement. The site shall be arranged so that pedestrians moving between buildings are not unnecessarily exposed to vehicular traffic. Where off-street parking spaces directly face a structure, and are not separated from the structure by an access aisle, a paved pedestrian walkway shall be provided between the front of the structure and the parking spaces. The walkway shall be a minimum of four (4) feet in width, exclusive of vehicle overhang, and shall be separated from the parking space by concrete wheel-stops or continuous curbing. If the pedestrian walkway adjacent to parking spaces is six (6) feet, six (6) inches wide with continuous curbing, then wheel stops shall not be required. There shall be a pedestrian walkway a minimum width of four (4) feet connecting ground level parking to the public sidewalks and to all building entrances. This provision shall not apply to residential vehicular use areas.

(A) Surface parking lots shall include a pedestrian circulation system that provides access from the parking area to the building entrance, major bus stops or other critical access points. The circulation system shall be adequately lit and appropriate signed and marked. Shrub material taller than two-feet in height is not recommended along pedestrian walkways within surface parking lots.

v. **Drainage of vehicular use areas.** Areas used for display or parking shall be drained so as to eliminate surface water, unless the area or some portion of it is approved as a retention area by the Director of Development and Engineering. Drainage is encouraged in infiltration swales located in the landscaped islands. See Section 246.10 Stormwater and Drainage of the Development Regulations. The drainage design shall be reviewed and approved by the county engineer prior to the issuance of a permit.

vi. **Paving standards.** All parking lots, access ways, storage lots, loading or open lot sales shall be paved and constructed of a minimum of four (4) inches of concrete or two (2) inches of asphal tic concrete on six (6) inches of graded aggregate base (gab), or a base and surface material of equivalent durability as certified by the developer's engineer. Such paved areas shall be maintained in good condition by the owner to prevent any hazards, such as cracked asphalt or potholes. Responsibility for pavement failure occurring as a result of inadequate alternative base and surface material design shall fall on the certifying engineer. The following are exceptions to the above paving standards:
(A) Storage lots serving facilities within an industrial or light industrial zoning district may be constructed of six (6) inches of graded aggregate at a minimum provided the following requirements are met:

(A) The storage area is setback a minimum of one hundred (100) feet from a public right-of-way excluding interstate highway rights-of-way.

(B) Clearly limited and defined vehicular drives for ingress and egress to the storage area are provided; drive widths shall not exceed thirty (30) feet.

(C) A vegetated buffer twenty (20) feet in width and consisting of evergreen plants is installed along the perimeter of the storage lot. The vegetative buffer shall create a visual screen that is seventy-five (75) percent or more opaque and reaches a height of six (6) feet within two (2) years.

(D) Water and other dust control measures shall be applied during the installation of graded aggregate.

(B) Drives serving unmanned facilities may be constructed of six (6) inches of graded aggregate provided the required drive, from the edge of the public roadway for a distance of one hundred (100) feet, meets the paving standards of this section.

vii. Standard parking space dimensions and marking. Each required regular parking space shall measure a minimum of nine (9) feet by eighteen (18) feet for perpendicular or angle parking, and a minimum of nine (9) feet by twenty-two (22) feet for parallel parking. Each parking space shall be delineated with white, street marking paint with stripes four (4) inches wide on each side for the required length of the parking or loading space.

viii. Compact parking spaces. Developments where thirty (30) or more parking spaces are provided may utilize compact parking spaces. No more then ten (10) percent of the total parking provided may be compact spaces. (Ord. of 10-16-07)

ix. Handicapped parking space standards. Handicapped-Accessible parking spaces shall meet the following requirements:

Table 4: Handicapped Parking Requirements

<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible building entrance.</td>
</tr>
<tr>
<td></td>
<td>In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.</td>
</tr>
<tr>
<td></td>
<td>All van accessible spaces (and universal spaces when provided) may be grouped on one level of a parking structure. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance to the facility.</td>
</tr>
<tr>
<td>Accessible Space Type</td>
<td>Minimum Dimensions</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>&quot;Standard&quot; accessible space</td>
<td>Parking space width: ninety-six (96) inches; eight feet (8.0 feet).</td>
</tr>
<tr>
<td></td>
<td>Access aisle width: sixty (60) inches; five feet (5.0 feet).</td>
</tr>
<tr>
<td>&quot;Van&quot; accessible spaces</td>
<td>Van accessible spaces shall have the following minimum dimensions:</td>
</tr>
<tr>
<td></td>
<td>Parking space width: ninety-six (96) inches; eight feet (8.0 feet).</td>
</tr>
<tr>
<td></td>
<td>Access aisle width: ninety-six (96) inches; eight feet (8.0 feet).</td>
</tr>
<tr>
<td>&quot;Universal&quot; accessible spaces</td>
<td>Universal parking design spaces shall have the following minimum dimensions:</td>
</tr>
<tr>
<td></td>
<td>Parking space width: one hundred thirty-two (132) inches; eleven feet (11.0 feet).</td>
</tr>
<tr>
<td></td>
<td>Access aisle width: sixty (60) inches; five feet (5.0 feet).</td>
</tr>
</tbody>
</table>

**Access aisles**

Parking access aisles shall be part of an accessible route to the building or facility entrance. Two (2) accessible parking spaces may share a common access aisle. Parked vehicle overhangs shall not reduce the clear width of an accessible route. Each access aisle shall have diagonal stripes, painted (blue), four (4) inches in width and twenty-four (24) inches apart.

**Signage**

Accessible parking spaces shall be designated as reserved by a sign showing the International Symbol of Accessibility.

"Van" accessible spaces shall have an additional sign stating "Van Accessible" below the symbol of accessibility. (This additional sign is not required when all "universal" accessible spaces are provided.)

Accessible passenger loading zones shall be identified by a sign showing the International Symbol of Accessibility. Signs shall be located so that they cannot be obscured by a vehicle parked in the space.

xi. **Loading space dimensions.** Each required loading space shall measure a minimum of ten (10) feet in width and thirty (30) feet in length, with a fourteen (14) foot overhead clearance, except that loading spaces to be utilized by wholesale and industrial operations shall be a minimum of fifty (50) feet in length.

xii. **Landscaping and curbing.** Landscaped areas shall be provided and maintained around the perimeter and within the area used for parking, loading or open-lot sales as set forth hereinafter; concrete curbs of a design approved by the Director of Development and Engineering shall be installed around the perimeter of all landscaped areas. Wheel-stops or continuous curbing shall be placed two and one half (2.5) feet back from walls, poles, structures, pedestrian walkways or landscaped areas. (Ord. of 11-18-08)
xiii. **Lighting.** If a vehicular use area is to be open for use after dark, it shall be lighted. Lighting shall be arranged and designed so that no source of light is directed toward any adjoining or nearby land used or classified for residential use. Lighting shall be designed to shield public streets and all other adjacent lands from direct or distracting glare, or hazardous interference of any kind.

(A) Parking lot lighting shall be provided throughout after dark parking facilities to equal a minimum of one-fifth (0.2) footcandle of light. A footcandle of light is a uniformly distributed flux of one (1) lumen on a surface of one (1) square foot in area. Where applicable, public street lighting may be utilized to either partially or totally fulfill the lighting requirements; however, where such street lighting is removed, it shall be the responsibility of the parking facility to independently provide these required levels of illumination.

(B) Parking lots adjacent to residential buffer areas shall reduce light spillage onto residential properties by providing cutoff luminaires which have a maximum ninety (90) degree illumination.

(C) Parking deck lighting fixtures at a maximum of seven (7) feet above grade shall not be visible from any public right-of-way.

xiv. **Signs.** Traffic control signs and other pavement markings shall be installed and maintained as necessary to ensure safe and efficient traffic operation of all vehicular use areas.

xv. **Parking Decks and Structures.** The following regulations shall apply to all parking decks and parking structures:

(A) Parking deck facades shall conceal automobiles from visibility from any public right-of-way or private drive or street that are open to the general public, and shall have the appearance of a horizontal storied building.

(B) All parking decks and parking structures shall have pedestrian walkways a minimum width of four (4) feet connecting ground level parking to the public sidewalks and to all building entrances.

(C) All parking decks and parking structures shall have a landscape strip a minimum width of six (6) feet immediately contiguous to the parking facility for the whole of the exterior perimeter of the parking facility containing at least one (1) understory or overstory tree, as appropriate, and additional shrubs, groundcover, or sod as specified in the landscape installation requirements of this section.

xvi. **Plan approval required.** Plans for the layout and design of all areas to be used for parking, loading or open-lot sales must be approved by the planning department for compliance with the Development Regulations.

4. **Plan submission and required landscaping features for vehicular use areas.**

a. The areas used for the display or parking of any and all types of vehicles, boats or heavy construction equipment, whether such vehicles, boats or equipment are self-propelled or not, and all land upon which vehicles traverse the property as a function of the primary use, hereinafter referred to as "other vehicular uses," including but not limited to activities of a drive-in nature such as, but not limited to, filling stations, grocery and dairy stores, banks, restaurants, and the like, shall conform to the minimum landscaping requirements hereinafter provided, save and except areas used for parking or other vehicular uses under, on or within buildings, and parking areas serving single-and two (2) family uses as
normally such residential areas are voluntarily landscaped. Additionally, the Landscaping and Screening Requirements contained in Article 26, Section 261, of this ordinance shall also apply to multi-family developments. (Ord. of 8-18-09)

b. The applicant shall submit to the planning department six (6) pre-development site plans depicting the layout and design of the proposed off-street parking, loading and/or open-lot sale area, hereinafter identified as the "vehicular use area." Said plan depicting the layout and design of the proposed vehicular use area shall provide the information required for a predevelopment site plan as set forth in Section 243.2 Predevelopment Site Plans of the Development Regulations.

c. All vehicular use areas shall comply with the following landscaping requirements:
   i. **Perimeter landscape requirements.** All exterior perimeters of all vehicular use areas shall have a perimeter landscaped area with no horizontal dimension less than five (5) feet. A decorative masonry wall, earth berm, natural landscaping screen, new plantings, or some combination of these elements shall be installed in such a manner as to partially screen the vehicular use area from adjacent properties. Such screening shall be maintained at a minimum height of three (3) feet. When abutting a public street right-of-way, landscaping areas shall have a minimum dimension of ten (10) feet from the right-of-way line to the vehicular use area. In addition, the requirements for corner visibility Article 6, Section 66 of the zoning and development ordinance must be met.
   
   ii. **Mandatory terminal island design.** Each row of parking spaces shall be terminated by landscaped islands contoured as indicated in the diagram below. A terminal island shall be no less than nine (9) feet in width and no less than fifteen (15) feet in length and shall include at least one (1) tree having a clear trunk of at least five (5) feet, with the remaining area adequately landscaped with shrubs, ground cover or other authorized landscaping material not to exceed three (3) feet in height.

   iii. **Mandatory interior island design.** Interior landscaped islands shall be provided within each row of parking spaces and contoured as indicated in the diagram below. A minimum of one (1) interior island shall be provided for every fifteen (15) parking spaces or fraction thereof. Landscaped interior islands shall measure not less than nine (9) feet in width. The length of the interior islands shall be no less than the minimum required depth of parking space.

**Figure 7: Required Terminal Island and Interior Island Parking Design**

* Minimum one (1) tree per landscape island as indicated
iv. The perimeter of terminal islands and interior islands shall be surrounded with a continuous, raised curb. Exemptions include those landscaped islands intended for stormwater retention/detention. See Section 246.10 Stormwater and Drainage of the Development Regulations for additional requirements regarding stormwater management. Landscape island width shall be measured from the inside edge of the curb. Trees planted in vehicular use areas shall be allowed to grow to a mature height and a full canopy. Pruning shall be limited to periodic trimmings to maintain the health of the trees or shrubs.

v. **Landscape installation requirements.** All landscaping shall be installed in accordance with accepted good planting procedures.

(A) *New plant materials.* All new living plant materials shall satisfy the requirements of number (1) or better as defined in the most current edition of Grades and Standards for Nursery Plants.

(A) All separate landscaped areas shall have a minimum variety of two living plant materials.

(B) *Paving (other than walks) and artificial plants.* shall not be permitted within landscaping areas.

(C) *Trees.* A tree shall attain an average crown spread over fifteen (15) feet at maturity. Trees having an average crown spread less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen (15) foot crown spread. All trees shall be of a species which can be maintained with a minimum of five (5) feet of trunk height. Trees having an average crown spread less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen (15) foot crown spread. All trees shall be of a species which can be maintained with a minimum of five (5) feet of trunk height. Trees shall have a minimum of two (2) inches DBH (diameter at breast height) measured four and one half (4.5) feet above the ground and shall be a minimum of eight (8) feet in overall height immediately after planting.

(D) *Shrubs.* Shrubs shall be a minimum of one (1) foot in height when measured at the time of planting except where they are to act as screening for residential use or districts, in which case, they shall be a minimum of three (3) feet in height at the time of planting and maintained at a minimum height of five (5) feet at maturity, unless otherwise indicated in this section.

(E) *Lawn grass and ground covers.* Grass may be sodded, plugged, sprigged, or seeded except that solid sod shall be used in swales or other areas subject to erosion. In areas where plant material other than solid sod or grass is used, a fast-growing grass seed shall be sown for immediate effect and protection until coverage is otherwise achieved. Grass sod shall be clean and reasonably free of weeds and noxious pests or disease. Ground covers which present a finished appearance and reasonably complete coverage at time of planting may be used in lieu of grass sod.

(B) *Existing plant material.* Desirable existing natural plant material shall be preserved to the extent feasible.

(C) *Earthwork.* Earth berms may be utilized within a buffer or perimeter landscaping area. Berms shall be of variable height and slope with required landscaping material installed on top and slopes stabilized with ground cover. Swales and ponds shall be permitted for on-site retention of stormwater provided they are approved by the county engineer.
(D) **Encroachment.** Landscaped areas, walls, structures, and walks shall require appropriate protection from vehicular encroachment by utilizing wheel stops, curbs, posts, wood, brickwork, and/or other devices. Placement of these devices shall be located at least two and one half (2.5) feet from walks, walls, and structures and may be placed one (1) foot from landscaped areas to prevent a vehicular overhang of no more than one and one half (1.5) feet of landscaping area which may be counted as part of the required depth of each parking space.

(E) **Maintenance.** The owner or his agent shall be responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat, and orderly appearance and shall be kept free from refuse and debris. All landscaped areas shall be provided with a sprinkler system, and/or other readily available water supply with at least one (1) faucet equipped with a double check valve located within one hundred fifty (150) feet of all plant material to be maintained. The owner shall replace all landscaped materials required if, for any reason, they die or are severely damaged within one (1) year of the final approval of the installation. The owner is thereafter responsible to maintain the landscaping in a healthy manner.

(F) **Planting bed.** The planting bed for all landscaping materials shall be free of weeds, debris, and noxious material and shall consist of a healthy plant growth medium. The planting bed soil shall provide adequate support, drainage, and nutrients for the plants and thus may require the incorporation of sand, peat, and/or topsoil into the soil. Such planting soil shall be placed throughout the planting hole for each plant, and this hole shall be at least twice as wide as the width of the plant ball and one and one half (1.5) times as deep as the depth of the plant ball.

d. Certificate of compliance. Upon completion of the landscape improvements, the site shall be inspected by the planning department for compliance with the approved landscape plan. A certificate of compliance must be issued before a certificate of occupancy can be issued for any related structures. When occupancy of a related building is desired prior to completion of the required landscaping, a temporary certificate of occupancy may be issued if a financial guarantee in the amount equal to one hundred (100) percent of the cost for landscaping improvements is provided and acceptable in form to the county attorney, provided that all attorney's fees are paid by the applicant.

5. **Driveways & Curb Cuts**

a. **Driveways.** Adequate interior driveways shall connect each parking space with a public right-of-way. All interior driveways (serving ninety (90) degree, angle, and parallel parking) shall be a minimum of twenty-four (24) feet in width if designed for two-way traffic and sixteen (16) feet in width if designed for one-way traffic. The following types of drives or lanes may be a minimum width of nine (9) feet upon approval by the Planning Director: bank drive-thru window, pedestrian pick-up/drop off, car washing queuing lane, ingress/egress drives serving mini-warehouses or other unmanned utility facilities (public or private), communication towers, and any similar use. All drives and lanes shall be measured from the inside of the drive curbing, if applicable, and free of any obstructions. (Ord. of 11-18-08)

b. All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as on the adjacent sidewalk clear zone. A corresponding interior sign or painted bar on the driveway shall be provided adjacent to
the sidewalk paving as it intersects the driveway which shall communicate that vehicles must stop or yield for the intervening sidewalk.

c. Driveway curb cut widths shall be a minimum of thirty (30) feet for two-way entrances and sixteen (16) feet for one-way entrances, unless otherwise permitted by the Coweta or Georgia Department of Transportation. For the purposes of this section, two (2) curb cuts serving two one-way driveways shall only be counted as one (1) curb cut provided that each curb cut does not exceed one (1) lane in width.

d. Driveway curb cuts shall not be permitted on any street that functions as an arterial street or collector street when access may be provided from a side or rear street located immediately adjacent to a contiguous property, with the exception of hotel patron drop-off drives. This may be exempt where pedestrian and vehicular safety will both benefit, per approval of the County Director of Development and Engineering.

e. Driveways, except for a driveway to reach the side yard or rear yard or an on-site parking facility, are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street. This may be exempt where pedestrian and vehicular safety will both benefit, per approval of the County Director of Development and Engineering.

f. No more than one (1) curb cut shall be permitted for each development, provided that properties with more than one (1) street frontage may have one (1) curb cut located on each street frontage. However, developments on properties with a single street frontage greater than four hundred (400) feet shall be permitted two (2) curb cuts along one street frontage. This may be exempt where pedestrian and vehicular safety will both benefit, per approval of the County Director of Development and Engineering.

g. A common or joint driveway may be authorized by the Development and Engineering Department if said driveway can be shown to not cause unsafe conditions.

h. Access lanes and additional curb cuts (other than the primary access drive) shall be located to the side or rear of the property.

i. Lot arrangements and street systems shall be designed so as to preclude, or reduce to the minimum, the need for driveway cuts from any lot to a public street other than to a minor (or local) subdivision street, as provided in Section 246.3.4, Item 1, Double-frontage and reverse frontage lots of the Development Regulations.

j. When a lot has multiple frontages, the driveway cut(s) shall be located on the street with the lowest functional classification.

i. The sharing of curb cuts by lots shall be utilized to the maximum extent possible to reduce the number of curb cuts and allowed where reciprocal easement is recorded.

ii. Driveways shall generally intersect streets at right angles, and the portion of a driveway located within a public right-of-way shall be paved, and maintained by the owner.

iii. All other driveway curb cuts on public streets shall conform to standards established by the Development and Engineering Department.

k. Vehicle Access Control.

i. It is the purpose and intent of this section to promote safe and efficient traffic movement while affording reasonable access to abutting land.

ii. In addition, any such driveway or accessway intersecting an arterial or collector street may require deceleration lanes and/or left turn lanes, which are a minimum of twelve (12) feet in width for their required length. The minimum length for deceleration lanes shall be one hundred fifty (150) feet in length with a fifty (50) foot taper on arterial streets (with a typical design speed of fifty-five (55) miles per hour), and one hundred
Section 246.5.3. Additional Requirements for Single Family Residential Uses.
1. Driveways & Curb Cuts.
   a. Driveways serving single-family residences shall be not less than ten (10) feet wide and no more than twelve (12) feet wide at the right-of-way line and shall provide a radius to the back of the curb or edge of pavement of the roadway of no less than five (5) feet and no more than eight (8) feet.

Section 246.5.4. Additional Requirements for All Uses except for Single Family Residential.
1. Bicycle parking for Institutional and Multi-tenant Shopping Developments and other developments within one (1) mile of the multi-use trails as illustrated on the Coweta County Greenway Master Plan. Developments within the C-MU zoning district or within ¾ mile of a public park, library, school, or existing multi-use trail shall provide bicycle parking racks at a ratio of at least one (1) bicycle parking space for every fifty (50) automobile parking spaces. No development within these areas shall have fewer than three (3) bicycle parking spaces nor be required to exceed a maximum of thirty (30) spaces. Bicycle parking spaces shall be located within the landscape zone a maximum distance of one hundred (100) feet of the building entrance, or shall be located at least as close as the closest automobile space and shall provide a concrete pad upon which the bicycle parking space shall be firmly rooted. Additionally, amenity centers within a subdivision development shall be required to meet these bicycle parking standards. The Planning Director, or his designee, may require that bicycle parking racks be located to the side of the building and/or screened with landscaping where appropriate.
2. Driveways & Curb Cuts.
   a. Driveways serving duplex residences shall be not less than ten (10) feet wide and no more than twelve (12) feet wide at the right-of-way line and shall provide a radius to the back of the curb or edge of pavement of the roadway of no less than five (5) feet and no more than eight (8) feet.
   b. Driveways and accessways for multi-family, office, commercial, and industrial developments are prohibited from accessing single family residential streets unless approved by the Board of Commissioners.
   c. Vehicle Access Control.
      i. Accessways serving two-family residences shall be not less than ten (10) feet wide and no more than twenty (20) feet wide at the street right-of-way line and shall provide a radius to the back of curb or edge of pavement of the roadway of no less than five (5) feet.
      ii. All other driveways or accessways (for multi-family, office, commercial, or industrial uses) shall be located not less than twenty (20) feet from the points of tangency of the curve connecting roadways at roadway intersections and no less than ten (10) feet from the property line to the point of tangency. In addition, such driveways or accessways shall not exceed thirty (30) feet in width measured at the street right-of-way line or (100) feet in length with a fifty (50) foot taper on collector streets (with a typical design speed of forty-five (45) miles per hour), except grade, distance from an intersection, design, speed or other factors may be modified with approval of the engineering and development director or the county engineer may determine that no deceleration lanes are required.
front property line, and said maximum width of thirty (30) feet shall be maintained for a distance of at least ten (10) feet, to a line parallel to, and ten (10) feet from, the street right-of-way line or front property line. Such driveways or accessways are prohibited from accessing single-family residential streets unless approved by the board of commissioners.

Section 246.6. Streets.
See Appendix Design Standards for additional requirements regarding Street Intersections; Typical Cul-de-sacs for Residential Streets; Cul-de-sac, Single Access Loop Street, and Hammerhead Termination; Street Designations; Crosswalks; Street with Curb and Gutter; Street without Curb and Gutter; Non-residential Major Arterial Section; Non-residential Minor Arterial Section; 2 Lane Collector Street Section; 4 Lane Collector Street Section; Minor Collector and Local and Minor Street Section; Typical Utility Placement Section and Plan; and Typical Cul-de-sac Utility Placement.

Section 246.6.1. Purpose /Intent.
It is the purpose of this section to establish minimum standards for public and private transportation facilities for vehicles, public transit, pedestrians, and bicycles, hereinafter constructed or improved as a condition of county approval of a development, or a transportation project constructed by the county. These standards are intended to preserve the community’s quality of life and to minimize total costs over the life of the transportation facility.

Section 246.6.2. General Requirements.
All existing streets, public or private, shall be delineated and classified on the Coweta County Functional Classification and Thoroughfare Plan Map as adopted and updated from time to time by the Board of Commissioners. All street classification references within the ordinance shall be deemed pursuant to this map.

1. All streets, public or private, shall be of one of the streets delineated in Table 5: Street Regulations. Where provided streets shall be built at the specified dimensions and standards identified in Table 5: Street Regulations and in the Development Regulations.

Table 5: Street Regulations

<table>
<thead>
<tr>
<th>Design Element</th>
<th>Public</th>
<th>Private</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Major Arterial</td>
<td>Minor Arterial</td>
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<tr>
<td>Residential Districts</td>
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<td>Design Element</td>
<td>Major Arterials</td>
<td>Minor Arterials</td>
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<tr>
<td>--------------------------------------</td>
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</tr>
<tr>
<td>Non-Residential Districts</td>
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</tr>
<tr>
<td>On-street parking permitted</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Bicycle lanes permitted</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Required Sidewalks</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Required Landscape zone</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Sides of street with required sidewalks</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Minimum sidewalk clear zone width</td>
<td>4'</td>
<td>4'</td>
</tr>
<tr>
<td>Minimum landscape zone</td>
<td>15'</td>
<td>15'</td>
</tr>
<tr>
<td>Minimum right-of-way</td>
<td>100'</td>
<td>80'</td>
</tr>
<tr>
<td>Minimum paving width (including curb and gutter)</td>
<td>64' (divided road)</td>
<td>40'</td>
</tr>
<tr>
<td>Required deceleration lanes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Required left turn lanes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### Notes:
- A
- B
- C
- D
2. Streets Design.
   a. Automobile traffic shall be prohibited on pedestrian ways.
   b. No new street may be extended through an existing, platted subdivision lot.
   c. Requirement for Design By Professional. Roadway design, including bicycle lanes (on-road) and trails (off-road), shall be by a Georgia-licensed professional engineer.
   d. The arrangement, character, extent, width, grade and location of all streets shall conform to the thoroughfare plan for Coweta County and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
   e. Where such is not shown in the thoroughfare plan for the county, the arrangement of streets in a development shall either:

   ![Table]

   **Sides of street with required sidewalks**
<table>
<thead>
<tr>
<th>2</th>
<th>2</th>
<th>2</th>
<th>2</th>
<th>2</th>
<th>N/A</th>
<th>N/A</th>
</tr>
</thead>
</table>
   **Minimum sidewalk clear zone width**
   | 4’ | 4’ | 4’ | 4’ | 4’ | N/A | N/A |
   **Minimum landscape zone**
   | 13’ | 13’ | 13’ | 13’ | 13’ | N/A | N/A |

   **Minimum right-of-way**
   | Minimum right-of-way | 120’ | 100’ | 2 lane & turning lane = 70’ | 50’ | 50’ | 24’-two way | N/A |

   **Paving width (including curb and gutter)**
   | Minimum right-of-way | 64’ | 40’ | 2 lane & turning lane = 40’ | 26’ | 26’ | 16’-two way | N/A |

   **Required deceleration lanes**
   | Yes | Yes | Yes | Yes | Yes | No | No |

   **Required left turn lanes**
   | Yes | Yes | No | No | No | No | No |

   **Note:** If no curb present, all dimensions from edge of roadway pavement.

   a. All Required Sidewalks are to be located on both sides of the street, except in the RC district, where sidewalks may be located on one side of the street. This placement is also acceptable in instances where unique site constraints warrant, per approval of the County Planning Director.

   b. This may be exempt in RC districts at the discretion of the Development and Engineering Department.

   c. This may be exempt if the minimum lot width at front setback line is 135’ or greater, per approval of the County Planning Director.

   d. Left turn lanes shall be required if they are deemed necessary based on sight distance and volume of traffic generated by a particular land use, as determined by the County Planner and the Director of Development and Engineering. (Ord. of 11-6-12)
i. Provide for the continuation or appropriate projection of existing streets in surrounding areas at the same or greater width, but in no case less than the required minimum width, or

ii. Conform to a plan for a development approved or adopted by the county to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

f. Minor or local streets shall be so laid out to create a calming effect on traffic and discourage through traffic, while maintaining an even distribution of traffic.

g. Cul-de-sacs shall only be permitted to terminate streets that have a maximum of four hundred (400) total linear feet of un-intersected street frontage. Streets with greater than four hundred (400) total linear feet of un-intersected street frontage shall be prohibited from terminating said street with a cul-de-sac. This may be exempt where unique topographic constraints warrant or where a development or phase of development is less than forty (40) acres and is served by one road, per approval of the County Planning Director.

h. Where a development contains a dead-end street other than a cul-de-sac, the Director of Development & Engineering or the County Planner may require the developer to provide a permanent vehicular turnaround, when it is considered necessary for effective traffic circulation.

i. Where a development abuts or contains an existing or proposed major or secondary thoroughfare, the Planning Department may require parallel collector or local streets, double frontage lots with screen planting contained in a non-access reservation along the rear property lines, deep lots with rear service drives, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

j. Where a development borders on or contains a railroad right-of-way, or limited access highway right-of-way, the Planning Department shall require a street approximately parallel to and on each side of such intervening land. Distances shall be determined with due regard for the requirements of approach grades and future grade separations as determined by the State Department of Transportation.

k. Street right-of-way widths shall be dedicated based on the classification of the street in the thoroughfare plan for Coweta County, and shall be not less than as follows and as required by Table 5 Street Regulations

i. Cul-de-sac turnaround diameter:
   (A) Residential: one hundred six (106) feet
   (B) Commercial and Industrial: one hundred twenty (120) feet

l. Street paving widths, including curb and gutter, shall be based on the classification of the street and shall not be less than follows and as required by Table 5 Street Regulations

i. Cul-de-sac turnaround diameter:
   (A) Residential: eighty (80) feet
   (B) Commercial and Industrial: one hundred (100) feet

m. Required deceleration lanes shall be built to State Department of Transportation design standards.

n. Required left turn lane shall be located in front of the entrance of the development. Length of turn lane shall be as determined by traffic analysis.
Where a development abuts an existing street, the developer shall dedicate or reserve additional right-of-way on said existing streets to meet the current county standard from the appropriate side of the centerline.

The American Association of State Highway and Transportation Officials (AASHTO) book, *A Policy on Geometric Design of Highway and Streets*, (latest edition) is the standard reference to be used in the design of road grades, curvature and sight distance. Otherwise, use the criteria set forth in the following sections:

i. Grades shall be:
   (A) Major and secondary arterials: Six (6) percent maximum
   (B) Collector streets: Eight (8) percent maximum
   (C) Local and minor streets: Twelve (12) percent maximum
   (D) No street grade shall be less than two (2) percent

ii. Alignment.
   (A) Minimum vertical. In residential subdivisions vertical curve lengths shall adhere to AASHTO standards and be based on the roadway design speed. No vertical curve shall be less than two hundred (200) feet. All roads shall have a crown on one-fourth (1/4) inch per foot except where super-elevation prevails.
   (B) In approaches to intersections, there shall be a suitable leveling of the street at a grade not exceeding a four (4) percent algebraic difference in grade for a distance of not less than fifty (50) feet, exclusive of any portion of a vertical curve, for local and minor streets, and one hundred (100) feet, exclusive of any portion of a vertical curve, for collector or major streets, from the nearest line of the intersection street.
   (C) Minimum horizontal radii of centerline curvature:
      - Major and secondary arterials: 1,260 feet
      - Collector streets: 500 feet
      - Local and minor streets: 200 feet (and min. 200’ length)
      - Cul-de-sac and loop streets: 100 feet
   (D) Tangents. Between reverse curves there shall be not less than the following minimum tangents:
      - Major and secondary arterials: as specified by the State Department of Transportation.
      - Otherwise: 200 feet
      - Collector streets: 100 feet
      - Local and minor streets: 50 feet

(E) Visibility requirements:
   - Minimum vertical midblock visibility (measured between two [2] points with one at 3.5 feet and the other at 2.0 feet above pavement level) shall be:
     - Major and secondary arterials: as specified by State Department of Transportation.
     - Otherwise: 500 feet
     - Collector Streets: 300 feet
     - Local and minor streets: 200 feet
   - Minimum horizontal midblock visibility measured on centerline shall be:
     - Major and secondary arterials: as specified by State Department of Transportation.
     - Otherwise: 500 feet
Collector Streets: 300 feet
Local and minor streets: 200 feet

At the intersection where traffic is to be controlled by stop signs on the minor road, said minor road shall be designed to intersect the major road in accordance with the standards imposed by the State Department of Transportation, where applicable; and where not applicable the minor road shall intersect at such location as will provide at least the minimum sight distance in either direction along the major road as required by AASHTO Intersection Sight Distance Recommendations. (Ord. of 11-18-08)

q. Street intersections.
   iii. Intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle less than eighty (80) degrees. Detailed designs of intersections may be required.
   iv. Curb line radius at street intersections shall be a minimum of twenty five (25) feet and where the angle of street intersection is less than ninety (90) degrees, the Development and Engineering Department may require a greater radius. Where turning ability is clearly demonstrated, curb line radius at street intersections may be a minimum of fifteen (15) feet, per approval of the County Director of Development and Engineering.
   v. Right-of-way radius at street intersection shall parallel the curb line radius.

r. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be permitted.

s. A cul-de-sac or single-access loop street shall be measured from a street, which has at least two (2) outlets onto another public street, which is not a cul-de-sac or single-access loop street. A cul-de-sac shall be measured from its intersection with a street as described above to the center of its diameter. A single-access loop street shall be measured from its intersection with a street as described above to the furthermost point from such intersection. No “off-set” turn-around circle shall be allowed on a cul-de-sac that is scheduled to be extended at a later date.

t. Alleys or service drives may be required on any lot to be used for multiple-family, commercial, or industrial developments, but shall not be provided in single-family residential blocks except where the developer produces evidence satisfactory to the Planning Department of the need for alleys or service drives.

u. Half-streets along property lines shall be prohibited.

v. Reserve strips controlling access to streets, alleys, or public grounds shall not be permitted unless control is definitely placed in the county under conditions acceptable to the Planning Department.

   a. The lengths, widths, and shapes of blocks shall be determined with due regard to:
      i. Provisions for adequate building sites suitable to the special needs of the type of use contemplated.
      ii. Zoning requirements as to the lot size and dimensions unless a community unit plan is contemplated.
      iii. Need for convenient access, circulation, control, and safety of street traffic.
      iv. Limitations and opportunities of topography.
   b. Maximum block length without an intersecting street shall be six hundred (600) feet. Developments with more than six hundred (600) feet of frontage along a single street shall
be divided by streets into blocks having a maximum length of six hundred (600) feet, as measured from street curb to street curb. This may be exempt where topographic constraints warrant, per approval of the County Planning Director.

c. In blocks of six hundred (600) feet in length, the County Planner may, when existing or proposed public gathering places so justify, require walkways across the block.

d. Streets, sidewalks and/or multi-use trails used to divide properties into blocks shall meet all of the design requirements of this zoning and development ordinance.

4. Street grading.
   a. All street rights-of-way shall be cleared and graded to the standards of Coweta County. These standards, and other standards of the county referred to in these regulations are on file in the offices of the Development and Engineering Department, the Water & Sewerage Authority, the Environmental Health Department, the Natural Resource Conservation Service (NRCS), and the Planning Department. Selected elements of these standards are presented in the Appendix Design Standards of the Zoning and Development Ordinance.

5. Street paving.
   a. Roadways, constructed in each development or used as a required development entrance, shall be paved according to the standards adopted by Coweta County in place at the time the development is built.
   b. Street paving widths shall be in conformance with standards set forth in Table 5. Street Regulations.

6. Curbs and gutters.
   a. Curbs and gutters shall be installed on all new streets in accordance with standards adopted by Coweta County.
   b. Curb and gutters shall be six (6) inches by twenty-four (24) inches with a six (6) inch high back.
   c. Curb and gutter may be exempt from residential development wherein all lots are at least two and one-half (2 ½) acres, at the discretion of the County Planning Director.

   a. Testing: Any testing and reports or tests shall be the responsibility and at the expense of the developer. All test results shall be submitted to the County Engineer for review and/or approval.
   b. Soil Density Test: Soil density tests shall be made on the sub-base by an independent testing lab experienced in such work. Prior to the placement of any base material, tests on each street shall consist of laboratory or in-place field tests conducted on all fills. The number of tests and depths to which testing shall be performed will be determined by the County Engineer. Sub-base compaction shall be ninety-eight (98) percent of the maximum dry density and all other fills shall be ninety-five (95) of the maximum dry density.
      i. The subgrade of the roadways shall be proof rolled prior to the placement of any base material. This test shall be scheduled through the engineer's office and observed by the engineer or his representative.
   c. Base material and asphaltic concrete:
      i. Base material. The base material shall be placed and proof rolled prior to the placement of any asphalt. Core samples shall be taken of the base material at an interval of three hundred (300) feet. These cores shall be taken at the quarter points of the roadway and alternate between travel lanes. Cul-de-sacs shall be tested in a triangular pattern half
way from the radius point to the edge of pavement or as directed by the engineer. Any unacceptable deficiencies shall be isolated and corrected.

ii. Asphaltic concrete. The mix of asphaltic concrete shall be approved by the engineer with verification of the mix furnished by the contractor.

8. Crosswalks

a. General: Crosswalk placement and design shall be in accordance with the MUTCD. To help ensure the use of marked crosswalks in heavy pedestrian concentration areas, special consideration shall be given to their location relative to construction or proximity of sidewalks, paths, guardrails, retaining walls, or shrubbery as a means for controlling existing pedestrian crossing movements within a defined path. See Appendix Design Standards of the Zoning and Development Ordinance for additional information regarding Typical Crosswalks.

b. Standards for Crosswalks:

i. Minimum Configuration At Signalized Intersections: Marked ladder-style crosswalks on all roadways of the intersection configured in accordance with Typical Crosswalk in Appendix Design Standards of the Zoning and Development Ordinance. ADA compliant curb cuts at the end point of all crosswalks, pedestrian WALK/DON'T WALK signals at intersection.

ii. Minimum Configuration at Stop Sign Intersections: Marked ladder-style crosswalks on all roadways of the intersection configured in accordance with Typical Crosswalk in Appendix Design Standards of the Zoning and Development Ordinance. ADA compliant curb cuts at the end point of all crosswalks, crosswalk signs placed on the through roadway. Possible enhancements: Raised pavement markers placed an appropriate distance in front of the crosswalk on the through roadway. Flashing lights on crosswalk signs.

iii. Minimum Configuration at Mid-block Locations: Marked crosswalk in accordance with Typical Crosswalk in Appendix Design Standards of the Zoning and Development Ordinance, ADA compliant curb cuts at the end points of crosswalk, advanced crossing warning signs, raised pavement markers placed an appropriate distance in front of the crosswalk, restrict parking on roadway to ensure visibility.

iv. Minor streets and local streets shall be exempt from the requirements of Section 246.6.2(8)(a-b).

c. Signage: A Crossing Sign (W11-2 in the MUTCD) shall be installed immediately adjacent to each mid-block marked pedestrian location. The crossing sign may be enhanced with a diagonal downward pointing arrow plaque (W16-7P in the MUTCD) in areas where a high degree of activity and distraction may require enhanced signage. An additional crossing sign may be installed in advance of a series of marked crosswalks or may be installed in advance of each crosswalk location within a heavy pedestrian concentrations area. The need for advance crossing signs shall be based on comments received by the County Development and Engineering Department considering the relative spacing of crosswalks, roadside development and other factors. Except that minor streets and local streets shall be exempt from Section 246.6.2(8)(c).

d. Possible enhancements: Overhead crosswalk signs, flashing lights on crosswalk signs, pedestrian refuge island, stop sign and stop bar painted upstream from crosswalk, light guard system of strobe lights.
e. Minimum Configuration at Parking Lot and Service Drive Locations: Marked ladder-style crosswalk in accordance with Typical Crosswalk in Appendix Design Standards of the Zoning and Development Ordinance and ADA compliant curb cuts at the end points of crosswalk.
f. The engineer conducting the crosswalk study shall consider pedestrian and vehicular volume, the number of traffic lanes the crosswalk will cross, visibility, lighting and other safety factors in order to make recommendations for the use of possible crosswalk enhancements.

9. Bicycle Lanes
   b. Provision Requirement: All new road construction, or major reconstruction of existing roads, may accommodate bicycle traffic through the provision of on-road bicycle lanes as described in Table 5 Street Regulations.
   c. Connection Requirement: New bicycle lanes and paths shall connect to existing bicycle lanes and paths.
   d. Bicycle Lane Construction: On-road bicycle lane construction shall not differ in construction (i.e. type of materials used, level of compaction, or cross-sectional thickness of materials) from adjacent vehicle traffic lanes. Bicycle lanes shall be designed and constructed in accordance with the “Guide for the Development of Bicycle Facilities” published by the American Association of State Highway Officials (AASHTO).
   e. Bicycle Lane Markings: Pavement marking dimensions and placement shall be consistent with Part 9, MUTCD and include lane edge lines, a bike symbol (rather than the optional word “Bike”), the word “Lane”, and a directional arrow. "No Parking" signs (R8-3a in the MUTCD) shall be installed as a subplate to the bicycle lane sign (R3-17 in the MUTCD). The dotted line lane edge marking as indicated in the MUTCD shall be used for all bus stops and locations with heavy right turn motor vehicle volumes.
   f. Curb Inlets, Storm Drains, and Other Potential Hazards: Where hazards to bicyclists cannot be eliminated, the typical obstruction pavement marking is required to make the hazard more visible as depicted in Figure 9C-7 of the MUTCD.

10. Traffic Control Devices
    a. A design review meeting shall be required with the Development and Engineering Department prior to final traffic control device design.
    b. Design Guide for Traffic Control Devices: As required by Title 23 of the Code of Federal Regulations, Part 655.603, all traffic control devices including signs, signals, markings and other devices used to regulate, warn or guide traffic placed on, over, or adjacent to a street, highway, pedestrian facility, or bikeway shall be designed and installed in accordance with the latest edition of the “Manual on Uniform Traffic Control Devices (MUTCD),” U.S. Department of Transportation.

11. Utility Placement
    a. See Appendix Design Standards for additional requirements regarding Typical Utility Placement Section and Plan and Typical Cul-de-sac Utility Placement.
    b. Where above-ground utility service lines exist on a parcel proposed for development or redevelopment, the relocation of such utility service lines underground is strongly encouraged.
Utility Placement Specifications: Utility placement along streets with curb and gutter shall meet the following location requirements:

i. Cable T.V.: Locate one (1) foot outside edge of curb at the depth of one (1) foot six (6) inches.

ii. Waterlines: Locate five (5) feet outside edge of curb at a depth of four (4) feet.  
   (Ord. of 11-18-08)

iii. Water Meter Box: Locate five (5) feet outside edge of curb.  
   (Ord. of 11-18-08)

iv. Telephone: Locate seven (7) feet outside edge of curb at a depth of two (2) feet.

v. Gas: Locate five (5) feet outside edge of curb at a depth of three (3) feet.

vi. Power: Locate nine (9) feet outside edge of curb at a depth of four (4) feet.

vii. Sewer: Locate three (3) feet outside edge of curb at a depth of two (2) feet six (6) inches.

viii. If no curb, all dimensions from edge of the roadway pavement.

ix. Placement of underground utilities across the proposed roadway shall be bored after acceptance of the subgrade and placement of the concrete curb and gutter.

x. Should obstacles be encountered during the boring process, the Development and Engineering Department shall be notified prior to open cutting the roadway.

Section 246.6.3. Additional Requirements for Single Family Residential Uses.
Residential blocks shall be wide enough to provide two (2) tiers of lots, except where adjacent to arterial or collector streets, or prevented by topographical conditions or size of the property, in which case the County Planner may require and/or approve a single tier of lots of minimum depth.

Section 246.6.4. Additional Requirements for all Uses except Single Family Residential. [Reserved]

Section 246.7. Streetscape Elements.
See Appendix Design Standards for additional requirements regarding Curb Ramp at Street Intersection and Street Tree Planting in Landscape Zone Plan and Section.

Section 246.7.1. Purpose/Intent.
1. The purpose of these regulations are to maintain the County’s quality and character by enhancing its visual appearance through the requirements of a landscape zone and sidewalk clear zone to accomplish the following:
   a. Enhance pedestrian circulation and create open space opportunities.
   b. Create a vibrant pedestrian environment in the street right-of-way that attracts pedestrians.
   c. Strengthen connections between residential enclaves and other County amenities by improving the streetscape for pedestrians, bicycles and transit patrons.
   d. Support economic activity in subdivisions by creating an attractive and welcoming “front door” for pedestrians.

(Ord. of 11-6-12)

Section 246.7.2. General Requirements.
1. In addition to the requirements below, the county may provide developers with adopted typical streetscape designs for designated areas. Such design may include additional materials, details and specifications regarding street trees, street lights, litter containers, benches and similar sidewalk-related items. Conformity with the county greenway master plan is also required.
where applicable. In addition, properties with required landscape or sidewalk clear zones which are located on private property shall provide a permanent easement arrangement with the county to ensure public access to said zones.

2. Sidewalks.
   a. Sidewalks shall be defined as consisting of two (2) zones: a landscape zone and a sidewalk clear zone. Said sidewalk shall meet the requirements of Table 5: Street Regulations.
   b. If there is insufficient space for a landscape zone and/or a sidewalk clear zone within the street right-of-way, then said zones shall be placed in or extend into a seven (7) foot sidewalk easement located immediately adjacent to the street right-of-way. (Ord. of 11-18-08)
   c. Separate sidewalks shall be provided with all new road construction, or major reconstruction. Sidewalks in RC district may be located on one side of the street. This placement is also acceptable in instances where unique site constraints warrant, per approval of the County Planning Director. Sidewalks shall not be mandatory on publicly funded roadway projects. Developments with a minimum lot width greater than 135 feet at the front setback line shall be exempt from the sidewalk requirement.
   d. If the street under construction or reconstruction is within one-half of a mile (1/2 mi.) from the following, then a sidewalk must be provided, regardless of street classification/designation or lot width:
      i. County park or recreation facility;
      ii. Public School
   e. If the street under construction or reconstruction is within five hundred (500) feet of an existing commercial area, then a sidewalk must be provided, regardless of street classification/designation.
   f. If there exists a multi-use trail within one hundred (100) feet of the development, then sidewalk connectivity must be provided to the closest possible point adjacent to the existing multi-use trail.
   g. If a multi-use trail for public use is located in the designated area for the sidewalk, the sidewalk requirement may be exempt if the development provides connecting sidewalks to said multi-use trail.
   h. In the C-MU zoning district, sidewalks, a minimum of 10 feet in width, shall be provided between the front landscape strip and the proposed building.
   i. Sidewalks disturbed by development. Any development that disturbs existing county-funded sidewalks including the sidewalk clear zone and landscape zone shall be replaced by the property owner to its pre-disturbance state and condition.

3. Landscape zone requirements.
   a. Said zone shall be located immediately adjacent to the curb and shall be continuous. Said zone shall meet the requirements of Table 5: Street Regulations.
   b. This zone may be used for street lights, benches, planters, trash receptacles, bicycle parking racks and other street furniture, pedestrian lights, landscaping, sod, or drainage facilities. Additional pavement or other similar elements shall be permitted only as approved by the County Planning Department. (Ord. of 11-6-12)
   c. A landscape zone, at minimum width shown in Table 5: Street Regulations, shall be provided within which drainage swales may be contained. (Ord. of 11-18-08; 11-6-12)
   d. A sidewalk or multi-use trail not less than four (4) feet and not more than twelve (12) feet in width shall be provided adjacent to the landscape zone substantially parallel to the street.
e. Street trees and other shrubbery that may be retained or planted shall be placed or retained so as not to obstruct sight distance at street intersections.  (Ord. of 11-6-12)

4. Sidewalk clear zone requirements.
   a. Said zone shall be located immediately contiguous to the landscape zone and shall be continuous. Said zone shall meet the requirements of Table 5: Street Regulations.
   b. Said zone shall be hardscape, and shall be unobstructed for a minimum height of eight (8) feet. Special paving within the sidewalk clear zone shall be permitted only as approved by the County Planning Department.
   c. Where newly constructed sidewalks abut narrower existing adjacent sidewalks, the newly constructed sidewalk shall provide an adequate transitional clear zone width for the purposes of providing a safe facilitation of pedestrian traffic flow between the adjacent sidewalks, as approved by the County Planning Department.
   d. Sidewalk clear zone construction shall meet the following requirements:
      i. Construction shall be four (4) inches thick and three thousand (3,000) pound mix concrete.
      ii. Compactions shall be a minimum of ninety-five (95) percent.
      iii. Width of sidewalk clear zone shall be minimum four (4) feet. See Table 5 Street Regulations of the Development Regulations.
      iv. All sidewalks and curb ramps at intersections shall meet the current rules and regulations established by the Americans with Disabilities Act.

5. Reserved.  (Ord. of 11-6-12)

   a. Exterior and/ or street lighting shall be designed and located to minimize spillage onto adjoining properties and the public right-of-way.
   b. Exterior and/ or street lighting shall provide shielding to direct lighting downward (ninety (90) degree angle or less).
   c. Exterior and/ or street lighting shall be kept to a minimum to preserve the night sky and to reduce glare, and the illumination source shall not be visible from the public right-of-way.
   d. Neon lighting shall be prohibited in all residential districts.

Section 246.7.3. Additional Requirements for Single Family Residential.
1. Streetlights:
   a. Street lights shall be installed at the option of the developer. All street light installation shall be in accordance with standards and requirements specified by the Development and Engineering Department.
      i. All petitions and procedures may be obtained at the Coweta County Planning Department.
      ii. Establishing a Streetlight District. Residents of an existing development may petition the county to have their community established as a streetlight district. Each phase of the development shall be handled by a separate application and as a different project. As a Streetlight District, the County will handle the billing for the monthly light bill. Each lot will be assessed an annual fee that will be attached to their property tax bill. The fee is presently forty-eight (48) dollars for each lot per year. This fee is subject to change due to inflation or price hikes established by the utility company. The Board of Commissioners will periodically adjust the fee schedule accordingly.
         (Ord. of 7-21-09)
iii. If residents of an existing development desire to petition the Board of Commissioners to accept their phase of development as a Coweta County Streetlight District, the following must be met:
   (A) At least eighty (80) percent of the project lots are developed and each dwelling unit has been issued a Certificate of Occupancy.
   (B) The applicant must submit signed petitions from at least eighty (80) percent of the residents in the community. Each residence shall be counted as one vote. Affirmative approval from the lot owner shall also be indicated on each petition.
   (C) The required fees are paid according to the Coweta County Streetlight District Procedures. The application fee for a Streetlight District is seventy-five (75) dollars, plus five (5) dollars per lot.
   (D) A letter from the utility company is submitted indicating that the installation for the streetlights and poles have been paid for and the number of lights the county will receive billing on.
   (E) Three (3) copies of the approved final plat for the development phase shall be submitted.

iv. Removal of a Streetlight District. Residents of an existing development may petition the Board of Commissioners to remove their phase of development as a Coweta County Streetlight District. The following must be met:
   (A) The applicant must submit signed petitions from at least eighty (80) percent of the residents in the community. Each residence shall be counted as one vote. Affirmative approval from the lot owner shall also be indicated on each petition.
   (B) Removal application fee of seventy-five (75) dollars, plus five (5) dollars per lot.
   (C) Applications submitted prior to June 1st, must be accompanied with the current years prorated fees at a rate of four (4) dollars per lot, per month to ensure removal of annual fees from the upcoming year’s tax bill. Applications received after June 1st, will require reimbursement of the annual fee, subsequent to the Board of Commissioners dissolving the Streetlight District. (Ord. of 7-21-09)

2. Coweta County Streetlight District Procedures.
   a. The object of the Coweta County Street Lighting Program is to illuminate the streets of participating developments in accordance with standards of the American National Standard Practice for Roadway Lighting, 1973. It is not the objective of this program to illuminate private property.
   b. The Coweta County Street Lighting Program will be administered by the County Planning Department.
   c. There are two power companies servicing Coweta County: Georgia Power Company and Coweta Fayette EMC. Their rates may vary slightly. Georgia Power and Coweta Fayette EMC installs the high pressure “sodium” (14,500 lumen); both companies will utilize existing poles as much as possible. Spacing between lights will vary from two hundred fifty (250) feet to five hundred (500) feet, or approximately every other utility pole. The cost of the poles, lights, and installation will be worked out between the residents and the utility companies. Verification of the installation charges paid by the community will have to be submitted by letter from the utility company to the Planning Department.
   d. Property owners within a streetlight district will be billed annually on their county tax bill for the previous year’s use of lights. Cost for street lighting will be forty-eight (48) dollars per year, per lot, or four (4) dollars per month. (Ord. of 7-21-09)
e. The following is a schedule of payments that an applicant must pay initially if the streetlight
district is received after January 1, for the first year:

- January $48.00 per lot
- February $44.00 per lot
- March $40.00 per lot
- April $36.00 per lot
- May $32.00 per lot
- June $28.00 per lot
- July $24.00 per lot
- August $20.00 per lot
- September $16.00 per lot
- October $12.00 per lot
- November $8.00 per lot
- December $4.00 per lot

(Ord. of 7-21-09)

f. If there are less than one hundred (100) percent contributories, the applicant will have to
bear the cost of the remaining lots where the petition was disapproved or refused.

3. Requirements for Approval of a Streetlight District. In order for a proposed Streetlight District
to be considered for approval, the following steps are necessary:

a. Obtain a petition from the Coweta County Planning Department.

b. All residents and property owners of the proposed district must be contacted and the
applicant must submit petitions for each lot - eighty (80) percent participation is required.
For those residents not wishing to participate, indication of disapproval or refuse to sign
must be noted on their petition. If both husband and wife are joint legal owners, both
signatures will be required - the “Mr. & Mrs.” signature is not acceptable. Each
resident/owner must sign individually. In the event a property owner cannot be personally
contacted, the receipt from a registered letter will be accepted. For those residents that rent
or lease their home, a copy of the rent or lease agreement must be submitted with their
petition. The resident(s) signature on the petition must coincide with the name(s) on the
rent or lease agreement. No signatures may be withdrawn from the petition after it is filed
with the County Planning Office. The purpose of the witness’s signature is to verify the
property owner’s/resident’s signature, if in question.

c. The completed petitions shall be returned to the Planning Department where they will be
checked to ensure requirements compliance. Petitions will be returned to the applicant if
they do not meet all requirements. Petitions meeting requirements will be presented to the
Board of Commissioners at an official bimonthly meeting for approval or disapproval.

d. The representative of the group requested approval for a proposed Streetlight District and
returning petitions to the Planning Department must also furnish the following:

i. Three (3) copies of the final plat of the development. These plats may be obtained from
the Clerk of Court Office, Coweta County Court House, Newnan, Georgia.

ii. Application fee for a Streetlight District. The fee shall be seventy-five (75) dollars,
plus five (5) dollars per lot. In addition the first year’s payment if the Streetlight
District request is received after January 1st for the first year.
iii. A letter from the utility company stating that the installation for the streetlights has been paid for and the number of lights for which the county will receive billing.

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**Petition for Streetlight Districts**

I/We, the undersigned, being property owner(s) of lot # __________ within __________ Development, do hereby petition the Coweta County Board of Commissioners to establish our community as a streetlight district.

I/We do hereby pledge and consent to the levying of a lien by Coweta County against property I/we own for the purpose of payment of my/our pro-rata share of the cost of operating the street lights in __________ Development if I/we fail to pay my/our portion of the cost. This petition represents __________ affirmative votes of this district to be effected in this request.

__________________________________
Print Name  
Signature of Property Owner(s)  
Date

__________________________________
Print Name  
Signature of Lot Resident(s)  
Date

Your signature on this petition indicates that you have read and fully understand all information.

Personally appeared before me a notary public, the undersigned affidavit, who says on oath that he/she is one of the subscribing witnesses to the within instrument; that each of said witnesses signed the same as purported.

Sworn to and subscribed before me this _____ Day of __________________. _____.

__________________________________
(Subscribing Witness)

__________________________________
Notary Public  
Coweta County, State of Georgia
Coweta County
Application for Streetlight District
(Please Print)

Name of Applicant: ____________________________________________
Address of Applicant: __________________________________________
Phone Number of Applicant: _____________________________________
Streetlight District: _____________________________________________
Total # of Streetlights in District: ________________________________
Total # of Lots in District: _____________________________________
Total # of Petitions Returned: _________________________________
The returned petitions represent ___________________________ of affirmative votes of the district.
Total amount of application fee submitted: ________________________
Total amount of outstanding fees submitted: _______________________
Name of Power Company serving the streetlights: __________________

Are the following attached?
☐ Letter from Utility Company
☐ Three (3) copies of the recorded plat of district.

_________________________________________ /
Signature of Applicant Date

*******************************************************************************
Office Use Only
Date Received by the Planning Department: __________________________
Petition to Remove Streetlight District

I/We, the undersigned, being property owner(s) of lot # within Development, do hereby petition the Coweta County Board of Commissioners to remove our community as a streetlight district.

I/We do hereby pledge and consent to the levying of a lien by Coweta County against property I/we own for the purpose of payment of any outstanding or future costs associated with terminating this district. This petition represents affirmative votes of this district to be effected in this request.

/  
Print Name       Signature of Property Owner(s)       Date

/  
Print Name       Signature of Lot Resident(s)       Date

Your signature on this petition indicates that you have read and fully understand all information.

Personally appeared before me a notary public, the undersigned affidavit, who says on oath that he/she is one of the subscribing witnesses to the within instrument; that each of said witnesses signed the same as purported.

Sworn to and subscribed before me this _____ Day of ______________. __________.

(Subscription Witness)

______________________________
Notary Public
Coweta County, State of Georgia
Coweta County
Application for Streetlight District Removal
(Please Print)

Name of Applicant: _______________________________________
Address of Applicant: _______________________________________
Phone Number of Applicant: ________________________________
Streetlight District: _________________________________________
Total # of Streetlights in District: _____________________________
Total # of Lots in District: _________________________________
Total # of Petitions Returned: _______________________________

The returned petitions represent ____________________ of affirmative votes of the district.

Total amount of application fee submitted: _____________________
Total amount of outstanding fees submitted: _____________________
Name of Power Company serving the streetlights: _______________

Are the following attached?

☐ Application Fees
☐ Property Owner Petitions

___________________________________________/_____________
Signature of Applicant                                      Date

********************************************************************
Office Use Only
Date Received by the Planning Department: ___________________________
Section 246.7.4. Additional Requirements for All Uses except for Single Family Residential. [Reserved]

Section 246.8. Multi-use Trail.

Section 246.8.1. Purpose/Intent.
This section promotes policies contained within the County Comprehensive Plan and encourages the implementation of the Coweta County Greenway Master Plan by establishing standards for multi-use trails. By providing for recreational opportunities and an alternate form of transportation, multi-use trails promote safe and efficient circulation, lessen congestion in the streets, maintain air quality, and assure mobility and access for all residents.

Section 246.8.2. General Requirements.
1. Multi-use trail shall be optional, unless required per zoning district.
2. Multi-use trails consist of two (2) types:
   a. Hard Surface: Permitted users: walkers, joggers, bicyclists, strollers, rollerbladers, golf carts where designated on private developments and as designated on Coweta County Greenway Master Plan, and other non-motorized forms of transportation. Equestrian uses not permitted on hard surface trails.
   b. Soft Surface: Permitted users: equestrian, walkers, joggers, bicyclists, and strollers.
3. Motorized vehicles are prohibited from all multi-use trails, except authorized County/ City maintenance, utility, law enforcement and emergency vehicles. Golf carts are permitted on hard surface multi-use trails, only where designated on private developments and as designated on the Coweta County Greenway Master Plan.
4. Multi-use trails shall be so located and safeguarded as to minimize contacts with automotive traffic.
5. All types of multi-use trails for public use shall be permitted on all properties. Connections to these trails from a property shall be permitted in all areas.
6. A design review meeting shall be required with the County Planning Department prior to final multi-use trail design.
7. Multi-use trail location shall correspond with the Coweta County Greenway Master Plan.
8. Multi-use trails shall be permitted to be counted towards the Open Space requirements of this Ordinance.
9. Developments abutting existing or proposed pedestrian trails identified in the Coweta County Greenway Master Plan shall provide for the future extension of such pedestrian trails through the dedication of easements or right of way. The developer shall be responsible for trail surfacing, as approved by the county. Trails shall be constructed to allow for adequate drainage and erosion control.
10. In dedicating an easement or right-of-way for public trails, the owner shall demonstrate compliance with the following criteria:
   a. Trail easements or right-of-ways shall be twenty-five (25) feet. This standard may be reduced if the director finds this standard to be impractical due to physical constraints.
all cases the adopted easement or right-of-way must accommodate trails built to the standards adopted by the county.

b. Trail easements or right-of-ways shall allow for future construction of trails in accordance with specifications as to width and surfacing as contained in this ordinance and the Coweta County Greenway Master Plan.

c. Trail easements or right-of-ways shall be located within a site in such a manner as to allow the trail to be buffered (by means of fences, landscaping, berms, etc.) from existing and proposed dwellings on the site and on adjacent properties, and to maintain the maximum feasible privacy for residence.

d. Trail easements or right-of-ways shall be located within a site so that future trails construction will avoid parking and driveway areas and other activity areas which might conflict with pedestrian movements.

e. Site area included within a trail easement or right-of-way shall be counted as a portion of the landscaped and open space area required for the proposed development.

11. Multi-use trails that are appropriately located, designed and constructed may be combined with other easements, per the approval of the County Planning Director.

12. Construction shall meet the following requirements:

a. Multi-use trails shall have two (2) foot minimum clear, unobstructed shoulders on either side.

b. Multi-use trail shall have five (5) foot flare at street intersections, with ramp to street and bollards spaced six (6) feet apart to block motorized traffic. Bollards shall be removable when trail is used by emergency and service vehicles.

c. All road crossings must be clearly marked with signage for vehicles and trail users and a painted crosswalk. See Appendix Design Standards for additional information regarding Typical Crosswalks.

d. All multi-use trail signage shall meet the standards of Part 9 of the Municipal Uniform Traffic Code Division (MUTCD). In addition, Mile/kilo/elevation designation marker signage shall be posted on all multi-use trails for user safety at a maximum increment of one-half (1/2) mile.

e. Tunnel design to be approved by the County Development and Engineering Department.

f. Hard surface trail construction shall meet the following additional requirements:

i. Permitted materials: Portland cement, concrete, asphalt, or similar material approved by the County Planning Director.

ii. Minimum width: eight feet (8)

iii. Hard surface multi-use trails shall originate and terminate at the intersection of an adjacent public sidewalk where sidewalks are present.

iv. Hard surface multi-use trails for use by bicyclists shall be a minimum eight (8) feet wide trail consisting of a five (5) inch thick concrete trail, three thousand (3000) psi with medium broom finish and compacted subgrade. Although other hard surface materials as listed in this section are acceptable, a concrete bicycle trail is preferred due to its durability and ease of maintenance. Hard Surface Multi-use trails that are anticipated to carry some degree of motor vehicle traffic for service, emergency or other purposes, shall be constructed with surface and base specifications suitable for service drive loads. Additionally, off-street hard surface multi-use trails for use by bicyclists shall be designed and constructed in accordance with the “Guide for the
Development of Bicycle Facilities” published by the American Association of State Highway Officials (AASHTO).

v. Where golf carts are permitted, hard surface multi-use trails shall be a minimum ten (10) feet wide.

vi. Hard Surface multi-use trails shall have ten (10) feet minimum vertical clear zone in which all vegetation shall be removed within ten (10) feet minimum vertical height of the trail and two (2) feet on either side.

g. Soft surface trail construction shall meet the following additional requirements:
   i. Permitted materials: decomposed granite, native soil, crusher dust, or similar material approved by the County Planning Director.
   ii. Minimum width: eight (8) feet
   iii. Minimum four (4) inch base with ninety (90) percent compaction.
   iv. Remove all rock and debris and grade smooth.
   v. Maximum grade: ten (10) percent; twenty (20) percent maximum grade is acceptable for distances less than fifty (50) yards.
   vi. In instances where the soft surface trail is adjacent to a roadway or parking lot, a split rail or 4-plank wooden fence (min. height four (4) feet) shall provide separation.
   vii. Soft Surface multi-use trails shall have twelve (12) foot minimum vertical clear zone in which all vegetation shall be removed within twelve (12) feet minimum vertical height of the trail and two (2) feet on either side.
   viii. Warning signs shall be provided if buried irrigation or utility lines are within ten (10) feet of the edge of trail.
   ix. At all water crossings, there shall be a concrete or metal culvert or wooden bridge a minimum width of eight (8) feet. Railing (min. four (4) foot height) shall be provided for all water crossings thirty-six (36) inches or higher. Grade of water crossing not to exceed ten (10) percent.

13. The following regulations apply to the use of multi-use trails:
   a. No person shall use a multi-use recreational trail from one hour after sunset to one hour before sunrise unless specifically authorized to do so by the county.
   b. No person shall operate motorized vehicle, except golf carts where designated on private developments and as designated on the Coweta County Greenway Master Plan, over, through, across, or upon a multi-use recreational trail unless specifically authorized by the county.
   c. No person shall operate a golf cart on a multi-use recreational trail in manner that endangers other users of the trail.
   d. No person shall operate a bicycle on a multi-use recreational trail in manner that endangers other users of the trail.
   e. No person shall ride a horse on a multi-use recreational trail in manner that endangers other users of the trail.
   f. No person shall consume or possess alcoholic beverages while on a multi-use recreational trail.
   g. No person shall be under the influence of alcohol while on a multi-use recreational trail to the extent that he or she endangers or frightens other users of the trail.
   h. No person shall dump, throw, leave or deposit trash or litter on a multi-use recreational trail or property adjacent to trail. All trash or litter shall be placed in designated trash receptacles.
i. No person shall deface a multi-use recreational trail with paint, crayon, or other substance.

j. No person shall disfigure a multi-use recreational trail by the use of force, fire or other means.

Section 246.8.3. Additional Requirements for Single Family Residential Uses.
Pedestrian/maintenance access: Residential developments shall provide one access point per fifteen (15) lots (min width thirty five (35) feet) for all multi-use trail types, but access to any designated agriculture greenway shall be appropriately restricted.

Section 246.8.4. Additional Requirements for all Uses except Single Family Residential.
[Reserved]

Section 246.9. Water and Sewer.
See Chapter 78 Utilities for additional requirements regarding all utilities.

Section 246.9.1. Purpose/Intent.
The purpose of this section is to further the public health by providing clear rules for when connection to public sewer is required or prohibited. Nothing in this section shall be construed to permit violation of regulations for on-site sewage disposal systems promulgated by the Georgia Department of Health or local governments.

Section 246.9.2. General Requirements.

1. Water supply.
   a. If, in the opinion of the Coweta County Water and Sewerage Authority, an adequate public water supply is within one thousand (1,000) feet of the development, the developer shall install or have installed a system of water mains and connections to each lot which shall be in accordance with adopted standards of the Water & Sewerage Authority.
   b. Where a public water supply is not available, each lot in a development shall be furnished with a water supply system approved by the Environmental Health Department, if such system consists of community wells located on community land and serving individual lots; and any other non-public water supply system shall be approved by the County Water & Sewerage Authority and the DNR EPD Drinking Water Division.

2. Sanitary sewage disposal.
   a. When in the opinion of the County Water & Sewerage Authority, public sanitary sewers are available to the development, the developer shall provide sanitary sewer services to each lot within the bounds of the development. All sewer lines in the development shall be installed by the developer. All sewer development must comply with the water and sewer development standards of Coweta County.
   b. When in the opinion of the County Water & Sewerage Authority, a public sanitary sewer is not accessible; an alternate method of sewage disposal for each lot may be used when in compliance with Environmental Health Department requirements. The use of community sewage disposal systems may be considered; however, the Water & Sewerage Authority and the Georgia DNR EPD must approve such systems. The Water & Sewerage Authority reserves the right to retain consulting engineers to review proposed community sewage disposal systems. The developer shall pay the cost associated with these reviews. The County reserves the right to reject the use of these systems should the State require the
county to own, maintain, operate, and/or hold the permit. The County also reserves the right to reject the use of this system if in the opinion of the County the installation of such system would have an adverse impact or would not be in keeping with the overall Land Use Plan for Coweta County.

c. When in the opinion of the County Planner and/or the County Water & Sewerage Authority, a development lies in a drainage basin that could be designated for sewer service, the county reserves the right to require easements for future sewer collector systems.

d. All septic systems require approval by the Environmental Health Department, and must comply with all local, state, and federal regulations concerning this type system.

e. No part of any septic tank drain system shall be closer than one hundred fifty (150) feet to any impoundment, which shall be used for human consumption. See Section 244.4.2 of the Development Regulations. No part of any septic tank drain system shall be closer than one hundred fifty (150) feet to a stream designated for potential future water supply by the State DNR EPD or the South Metro Water Task Force. No part of any septic tank drain system shall be within one hundred (100) feet of any lake built on any stream designated by the State DNR EPD or the South Metro Task Force.

f. Development and installation of any sanitary sewerage disposal system shall comply with Newnan Utilities requirement if more restrictive than requirements of this section.

3. Fire Hydrants.
   a. Fire hydrants are required in compliance with development standards of the County Water & Sewerage Authority.

Section 246.9.3. Additional Requirements for Single Family Residential Uses. [Reserved]

Section 246.9.4. Additional Requirements for All Uses except for Single Family Residential. [Reserved]

Section 246.10. Stormwater and Drainage.
See Georgia Storm Water Management Manual; Chapter 30 Environment, Stormwater Management Ordinance; Article 21 SCP Stream Corridor Protection District; Article 21A CRCP Chattahoochee River Corridor Protection District; Article 21B Water Supply Watershed Protection District; Article 21C Wetlands Protection Ordinance; Article 21D Groundwater Recharge Protection District; and Article 22 Flood Damage Prevention Ordinance for additional requirements regarding stormwater and drainage.

Section 246.10.1. Purpose/Intent.
1. Prevent surface and groundwater quality degradation and prevent erosion and sedimentation of creeks, streams, ponds, lakes, wetlands and other water bodies;
2. Prevent damage to property from increased runoff rates and volumes;
3. Protect the quality of waters for drinking water supply, recreation, fishing and other beneficial uses;
4. Establish sound developmental policies which protect and preserve the county’s water resources;
5. Protect county roads and rights-of-way from damage due to inadequately controlled runoff and erosion;
6. Preserve and enhance the aesthetic quality of the county’s water resources;
7. Protect the health, safety, and welfare of the inhabitants of the county;
8. Maintain existing groundwater levels, in-stream flows, and available water supply volumes;
9. Further the goals of no net negative impact caused by quantity of runoff entering streams and no net negative change in the quality of runoff entering streams through the implementation of best management practices; and
10. Minimize erosion and control sediment from land development and land-disturbing activities.

Section 246.10.2. General Requirements.
1. Dams.
   a. Any land disturbing activity that involves a property which is proposed to contain a dam shall comply with the provisions of this Article as well as the provisions contained in Article 22. Flood Damage Prevention.
   b. New dams which become subject to the requirements of the Georgia Safe Dams Act and rules for Dam Safety, which are proposed to be twenty-five (25) feet or more in height or proposed to have an impounding capacity of one hundred (100) acre-feet or more at maximum water storage elevation or otherwise defined by the Georgia Safe Dams Act shall be subject to the following:
      i. The developer of any new dam in which development exists within the proposed breach zone shall be subject to the requirements of the Georgia Safe Dams Act and rules for Dam Safety adopted by the Georgia Department of Natural Resources. The developer shall obtain necessary approvals and permits from the Environmental Protection Division of the Georgia Department of Natural Resources for the project and the dam prior to securing a Development Permit from the Coweta County Planning Department (hereafter called The Department). The developer of any new dam which development does not exist within the proposed breach zone shall submit four (4) copies of the construction plans to The Department for review of the project and the dam prior to securing a Development Permit.
      ii. If the developer elects to construct the new dam in accordance with the design standards for new dams as contained in the Rules for Dam Safety, then new development shall be permitted within the dam breach zone. However, the dam shall meet the design standards for new dams as contained, in the Rules for Dam Safety if development currently exists or is proposed in the dam breach zone.
      iii. If the developer elects to construct the new dam in accordance with the design standards for new dams as contained in the Rules for Dam Safety, then the developer shall be subject to the requirements of the Georgia Safe Dams Act and rules for Dam Safety adopted by the Georgia Department of Natural Resources. The developer shall obtain necessary approvals and permits from the Environmental Protection Division of the Georgia Department of Natural Resources for the project and the dam prior to securing a Development Permit from the Department. The developer shall submit four (4) copies of the construction plans for review prior to securing a Development Permit from the Department. The Design engineer shall utilize the computer model entitled “DAMBRK” for the dam breach analysis.
      iv. Should the new dam not meet the design standards for new dams as contained in the Rules for Dam Safety, then only the following uses and structures shall be permitted within the dam breach easement:
         (A) Agriculture, which requires no structures for human habitation within the dam breach zone including forestry, livestock raising, and agricultural and forestry access roads.
         (B) Fences.
(C) Outdoor advertising signs provided the signs meet the minimum requirements as specified under the Coweta County Sign Ordinance.

(D) Roads, driveways, and parking areas.

(E) Utility poles, towers, pipelines, water treatment outfalls and facilities, or similar facilities and structures.

v. For any new dam proposed not to meet the design for new dams as contained in the Rules for Dam Safety, the developer shall obtain a dam breach easement, recorded with the Clerk of Superior Court, from any off-site property owner where it is proposed for the dam breach zone to extend off the property where the dam is being constructed. The developer shall also cause a dam breach easement to be recorded upon the property being developed.

vi. Prior to recording of a Final Plat or at completion of a building foundation, as appropriate, an as-built certification from a registered professional engineer shall be submitted to The Department. The certification shall state that the dam is constructed in accordance with the provisions of these regulations as well as the authorized construction plans.

vii. The dam owner(s) shall provide the name and address of the person or persons owning the dam, the person having direct responsibility for the operation of the dam and a plan for inspection and maintenance to be put into effect by the owner(s) or operator of the dam.

c. Quality Assurance Plan.

i. Because of the Safe Dams Program, when an existing Category II dam is reclassified to a Category I dam because of proposed development downstream of the dam, the developer shall provide for review to the State of Georgia the following information:

(A) Location of the Category II dam and the proposed development; and

(B) A surveyed cross-section as required by the Georgia Safe Dams Act of the stream valley at the location of the proposed development including finished floor elevations; and

(C) A dam breach analysis using the Dambreak computer model to establish the height of the floodwave in the downstream floodplain. The dambreak modeling shall be completed in accordance with the Safe Dams Program Quality Assurance Program by a qualified registered engineer.

d. Inventory information regarding the Category II Dams within Coweta County may be obtained through the Georgia Safe Dams Program.

2. Storm Drainage.

a. Every development shall be served by storm drainage facilities such as drains, sewers, catch basins, culverts, detention areas, and other facilities as described in the Georgia Storm Water Management Manual.

b. All drainage facilities shall be so designed to serve the entire drainage area in which these facilities are located, and to preclude runoff from the development site at a rate higher than before the development was built.

c. Whenever drainage ditches are used, such ditches shall retain natural design characteristics and be so designed that they do not present a hazard to life or safety.

d. All drainage features shall be in accordance with standards and specifications of Coweta County and no extension shall be made from the street drainage through abutting property without approval of the county.
e. The perimeter of all detention/retention ponds shall be planted with shrubs, at a minimum spacing of four (4) ft. on center. Detention/retention areas with ponding depths over four (4) feet shall be enclosed with fencing of at least six (6) feet in height with a ten (10) foot wide access gate. For detention/retention ponds that are no more than four (4) feet in ponding depth, the Development Review Committee may waive the shrub requirement provided that the slopes are gentle enough to be grassed and mowed. Detention ponds should be constructed in the rear of the property to avoid obstructing or impacting views from the public right-of-way. However, at the discretion of the County Development Review Staff, detention/retention ponds may be located within the front or side yard of a development based on the topography of the land. Detention/retention areas adjacent to residentially zoned property or property in residential use shall be a minimum of fifty (50) feet from the residential property line. The setback shall be measured from the nearest applicable property line to the outside edge of the pond’s top of bank or any area of the pond where water will be impounded. Additionally any outlet structure associated with a detention/retention area must be set back a distance of thirty (30) feet from a residential property line. (Ord. of 11-18-08) Multi-family developments shall also meet the Detention Facility Screening requirements contained in Article 26, Section 261, Quality Development Corridor Overlay District of this ordinance. (Ord. of 8-18-09)

f. When the construction of a proposed public road makes it necessary to cross a storm drain, the developer shall provide and install the required size and length of pipe acceptable to the county (based on twenty-five-year (25) frequency storm; one hundred-year (100) frequency if the drainage basin is fifty (50) acres or greater);

   i. In cases where the developer chooses not to develop the land through which the drain runs, then the trench may be left open; however, in any case, a twenty (20) foot easement shall be shown on the plat and no building or driveway shall be built over or within forty (40) feet of the open drainage easement. No building permit will be approved unless the installation meets the requirements of the county.

   ii. When the developer chooses to leave the drain open and a driveway crosses the drain, the engineer designing the development shall determine the size of the pipe, and no building permit will be approved unless the installation meets the requirements of the county.

   iii. Storm drainage shall have rip rap extensions, which extend at least thirty (30) feet beyond the minimum required front yard setback.

3. Drainage systems shall be designed and certified by a Georgia registered professional engineer, and shall meet the following standards:
a. Capacity. The street drainage system shall have adequate capacity to accommodate the flow from a twenty-five (25) year storm except as noted above in this Section, Item 2 Storm Drainage.

b. Storm Drain Systems.
   i. Roadway crossings: an appropriate class of reinforced concrete structures will be required on all roadway crossings.
   ii. Longitudinal and conveyance systems: an appropriate class of bituminous coated galvanized corrugated metal pipe or reinforced concrete will be used on Storm Drain Systems which are longitudinal to the roadway or conveying storm water to or from the roadway crossings.
   iii. Privately owned and maintained storm drain systems, excluding systems installed for private gated subdivisions, shall use an appropriate size, type, and class of pipe, meeting the specifications of the Georgia Department of Transportation.

c. Headwalls and Tailwalls. All drains forty-eight (48) inches and larger shall have concrete headwalls. All drains smaller than forty-eight (48) inches shall have flared end sections installed as part of the overall system.

d. Cross-drains. In all developments, storm drainage shall have rip rap extensions which extend at least thirty (30) feet beyond the minimum required front yard setback.

e. Distance Between Access Points. Storm drains shall not exceed three hundred (300) feet of continuous length between an inlet, manhole or junction box access.

f. Drainage Easements. Drainage easements twenty (20) feet wide shall be shown on a final plat.

g. Curb and gutter Requirements. New streets constructed within Coweta County shall have curb and gutters constructed in accordance with County standards. However, developments in which all lots are two and one-half (2 ½) acres or larger shall be exempt from curb and gutter requirements. (Ord. of 11-18-08)

h. Curb Inlets. Curb inlets shall be spaced to intercept eight-five (85) percent of the stormflow in the gutter section, based on a ten (10) year storm. Inlets shall be designed to prevent significant stormwater from crossing an intersection.

i. Ditches. Drainage ditches shall have a minimum bottom width of two (2) feet and the ditches having the potential for velocities exceeding five (5) feet per second shall be stabilized as specified by a registered professional engineer.

Section 246.10.3. Additional Requirements for Single Family Residential Uses. [Reserved]

Section 246.10.4. Additional Requirements for All Uses except for Single Family Residential. [Reserved]

Section 246.11. Removal of Debris. Removal of debris shall comply with federal, state, and local requirements.

Section 246.12. Private/Gated Communities.

Section 246.12.1. Purpose/Intent.
The intent of this section of the Development Regulations of Coweta County is to assure the orderly development of residential subdivisions which utilize private and/or gated streets.
Section 246.12.2. General Requirements.

1. Private / Gated Communities
   a. The general provisions of the Coweta County Zoning and Development Ordinance and Coweta County Development Regulations, shall apply to all private/gated development, except as otherwise provided herein.

2. Design and Construction Standards
   a. Private streets shall conform to the same standards regulating the design and construction of public streets, unless a variance is approved by the County Planner pursuant to Section 247 Administration of the Development Regulations and with the recommendation of the Director of Development and Engineering. These standards shall include, but are not limited to the following:
      i. Transportation Element of the County Comprehensive Plan;
      ii. Thoroughfare Design Standards of the Master Transportation Plan; Design standards for paving (including horizontal and vertical alignments for public streets), drainage, water and sanitary sewer, Coweta County Zoning and Development Ordinance and Coweta County Development Regulations;
      iii. Street naming and addressing policy;
   b. Streets shown on the Thoroughfare Plan of the Transportation Element of the Comprehensive Plan shall not be used, maintained, or constructed as private streets. In addition, the Director of Planning or the Director of Development & Engineering shall prohibit the creation of any other private street if, in their judgment, the private street would negatively affect traffic circulation on public streets or impair access to property either on-site or off-site to the subdivision, impair access to or from public facilities including schools, parks and libraries, or delay the response time of emergency vehicles.

3. All gate installations must conform to the following provisions:
   a. All gate installations must be approved by the Director of Development & Engineering, the Fire Marshal, and the Director of Emergency Management prior to installation. The installation must be completed and tested prior to the approval of the final plat for the residential subdivision.
   b. A landscaped entrance median must be provided separating the entry and exit lanes. The entrance shall be designed in such a manner as to allow traffic to return from the entry and into the exit lane before reaching the gate.
   c. Gate design may incorporate one (1) or two (2) gate sections to meet the required minimum gate width of twenty-four (24) feet. If the entrance will incorporate a median, guard shack or similar structure that necessitates a divided gate arrangement, the gate widths may be reduced if approved by the Director of Development & Engineering, but in no case shall any single gate or street pavement have a clear opening of less than sixteen (16) feet.
   d. If a gate design incorporates any overhead obstruction, said obstruction must be a minimum of fourteen (14) feet above the finished road surface.
   e. Approach and departure areas on both sides of a gated entrance must provide adequate setbacks and proper alignment to allow free and unimpeded passage of emergency vehicles through the entrance area. All entry gates must be setback a minimum of one hundred (100) feet from any adjacent public street right-of-way to allow for vehicle stacking out of the public travel lanes. Any exception, when equal protection of public safety is demonstrated, must be approved by the Director of Development & Engineering and the Director of Emergency Management.
f. Automatic gate installations must conform to the design and performance guidelines established by the Fire Chief, Director of Development & Engineering, and Director of Emergency Management.

g. All components of the gate system must be maintained in an approved operating condition, with all components serviced and maintained on a regular basis as needed to insure proper gate operation. A proper power supply shall be maintained to all electrical and electronic components at all times. In the event the power supply is interrupted, the gates must be kept open.

h. Each security gate regulated under this section will be subject to a performance test as determined by either the Fire Chief or Director of Emergency Management. Upon failure of a performance test, the security gate system shall be disabled and maintained in the open position until repaired, and shall not be placed back in service until tested and authorized by the Fire Chief or Director of Emergency Management.

i. All streets, gates, and other fire protection features, signage, and equipment are subject to periodic inspection by the County and must be repaired immediately if found to be in condition of disrepair. The County shall have the right to enter the subdivision and disable, open, or remove any gate, device, or other feature that impedes or controls vehicle access at the sole expense of the Property Owners’ Association. Emergency repairs shall be assessed against the Property Owners’ Association. The County shall provide reasonable notifications prior to inspection(s) and/or request(s) for repairs.

j. Anti-directional devices at entrances and exits, such as metal spikes that can cause tire damage, are prohibited.

k. The person or corporation in control of the property is responsible for, and liable for any violations of this section. This includes, but is not limited to, the developer, property owner, the Property Owners’ Association and its officers, if applicable, or others who may own or exercise control over the property.

4. Property Owners’ Association Required

   a. Subdivisions developed with private/gated community streets must have a mandatory property owners’ association which includes all property served by private streets. The association shall own and be responsible for the maintenance of private/gated community streets, parks, and other Property Owners’ Association appurtenances. The association must employ and/or consult at least annually with a Certified Manager of Community Associations (CMCA). The association documents shall be reviewed by the County Attorney and subject to approval by the County to insure that they conform to this and other applicable County ordinances and concerns. The documents shall be filed and recorded with the Clerk of Superior Court prior to the approval of the final plat. Lot deeds may not be dissolved without the prior written consent of the County. No portion of the association documents pertaining to the maintenance of the private/gated community streets and assessments pertaining to the maintenance of said streets therefore may be amended without the written consent of the County.

5. Private/Gated Community Street Parcel

   a. Private/gated community streets must be constructed within a separate parcel owned by the property owners’ association and approved by the County Engineering Department. This parcel must conform to the County’s standards for public street right-of-way width. An easement covering the street parcel shall be granted to the County providing unrestricted use of the property for utilities and utility providers including telecable companies,
operating within the County. This ordinance shall not alleviate any utility company from their normal obligations, in similar situations occurring on private property, to repair the private street(s) or other infrastructure when damages are caused by their actions. The easement shall also provide the County with the right of access for any purpose related to the exercise of a governmental service or function, including but not limited to fire and police protection, inspection and code enforcement. The easement shall permit the County to remove any vehicle or obstacle within the street parcel that impairs emergency access.

6. Construction and Maintenance Cost
   a. The County shall not pay for any portion of the cost of construction or maintaining a private/gated community street. The Property Owners’ Association shall maintain a reserve account pursuant to the Property Owners’ Association covenants and as approved by the County for all road maintenance.

7. County Utilities
   a. Water, sewer and drainage facilities placed within the private street parcel shall be installed to County standards. All County regulations relating to infrastructure, financing, developer cost participation and capital cost recovery shall apply to developments with private/gated community streets, with the exception of those applying to internal street construction.
   b. Street lights, if applicable, and signs shall be installed and maintained by the property owners’ association subject to approval by the County.

8. Plans and Inspections
   a. Developments proposed with private/gated community streets must submit to the County the same plans and engineering information required to construct public streets and utilities. Requirements pertaining to inspection and approval of improvements prior to approval of the final plat shall apply. Inspection fees charged for these services shall also apply.
   b. The County may periodically inspect private/gated community streets and require repairs necessary to insure emergency access.

9. Waiver of Services
   a. The development final plat, property deeds and property owners’ association documents shall contain the following notice: “This development (as shown on this plat / where the above-referenced property is located) is a “Private/Gated Community” as that term is defined by the Coweta County Development Regulations. Due to the nature of this development, Coweta County shall not provide services to this development / lot: for example, street lighting, enforcement of traffic and parking ordinances, and any other services that cannot be provided due to the nature of the development. By acquisition of (this property / or any lot shown on this plat, the owner waives his or her right to demand such county services. Further, the street system (for this development/which serves this lot) is PRIVATELY OWNED and is not part of the county road system. Therefore, Coweta County shall not maintain or repair the streets (serving this lot / as shown on this plat).”

10. Petition to Convert to Public Streets
   a. The association may request the County to accept private/gated community streets and the associated property as public streets and right-of-way upon written notice to all association members and the favorable vote of at least seventy-five (75) percent of the membership. However, in no event shall the County be obligated to accept said private/gated community streets as public. Should the County elect to accept the private/gated community streets as public, the County may inspect the private/gated community streets and assess the lot
owners for the expense of needed repairs concurrent with the County’s acceptance of the private/gated community streets.

11. Hold Harmless
   a. On the subdivision final plat shall be language whereby the property owners’ association, as owner of the private/gated community streets and appurtenances, agrees to release, indemnify, defend and hold harmless the County, and any other governmental entity and public utility for damages to the private/gated community street(s) occasioned by the reasonable use of the private/gated community street(s) by the County, governmental entity or public utility (specifically excluding repairs required pursuant to Paragraph six (6), herein), and for damages and injury (including death) arising out of the reasonable use by the County, governmental entity or public utility of any restricted access gate or entrance. Further, such language shall provide that all the owners of all lots shall release the County, governmental entities and public utilities for such damages and injuries.

12. Sidewalks and Bikeways
   a. The design of all sidewalks, pedestrian access, and bikeways within the private/gated community street parcel or any other common areas shall be subject to the approval of the Director of Development & Engineering.

13. Drainage and Storm Sewers
   a. General Requirements
      i. All plats shall conform to the Coweta County Zoning and Development Ordinance and Coweta County Development Regulations for drainage facilities.
   b. Design of Facilities
      i. Design of storm sewer systems shall be in accordance with the Coweta County Stormwater Ordinances as well as state and federal regulations.

14. Secondary Access
   a. All gated subdivisions shall provide a secondary access point accessible by means approved by the Director of Development & Engineering and the Director of Emergency Management. All private/gated community subdivisions shall also comply with Section 246.2.3 of the Development Regulations regarding the required number of access points.

15. Signage
   a. Signage of private/gated community streets shall meet the requirements of the Manual for Traffic Control Devices.
   b. A sign, at least one and one half (1.5) feet by two (2) feet, and of a design approved by the Director of Planning, shall be placed at all entrances to any private/gated community street development identifying that the streets are privately owned and maintained.

Section 246.12.3. Additional Requirements for Single Family Residential Uses. [Reserved]

Section 246.12.4. Additional Requirements for All Uses except for Single Family Residential. [Reserved]

Section 247. Remedies and Penalties.
1. Remedies.
   Every violation of the terms of these regulations by any person, firm or corporation shall be termed a nuisance and a continuing nuisance if such violation may be continued and such violation may be subject to abatement as a nuisance as provided by the laws of this state.

2. Penalties.
Any firm, person or corporation who shall do anything prohibited by these regulations as the same exist or as they may hereafter be amended, or who shall fail to do anything required by these regulations as they now exist or as they hereafter be amended, upon conviction of a violation shall be subject to punishment by law. Each day that such a violation exists shall be deemed a separate offence. The owner or any building or premises or part thereof where anything violating this regulation shall be placed or shall exist and any architect, builder, contractor or agent of the owner who may have assisted in the commission of such violation shall be punished as for a misdemeanor. Upon conviction, the person or persons shall be fined not more than five hundred (500) dollars for each offence. The guilty party shall pay all court cost as determined by the court. Each day's continuance of a violation shall be considered a separate offense. Citations may be issued by the Building Official, Code Enforcement Officer, and County Planner.

Section 248. Legal Status.

1. Repeal of previous development regulations.
   The land development regulations previously adopted by the Board of Commissioners of Coweta County, are hereby repealed.

2. Conflict with other regulations.
   Whenever the requirements of these development regulations conflict with the requirements of any other statute, the more restrictive provisions shall govern.

3. Severability and validity.
   It is hereby decreed to be the intention to the Board of Commissioners of Coweta County that the sections, paragraphs, sentences, clauses and words of this regulation are severable and if any word, words, clause or clauses, sentence or sentences, paragraph or paragraphs, section or sections of this resolution shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining words, clauses, sentences, paragraphs, and sections of this regulation as the same would have been enacted by the Board of Commissioners of Coweta County without the incorporation in these regulations of any such unconstitutional word or word, clause or clauses, sentence or sentences, paragraph or paragraphs, section or sections.
Figure 1 - The exterior face of a building which is the architectural front, sometimes distinguished from the other faces by elaboration of architectural ornamental details.

Marten - a secondary framing member to hold panes within a window, window wall, or glazed door.

Dormer - a structure projecting from a sloping roof usually housing a window or ventilating skylight.

Gable - the vertical triangular portion of the end of a building having a sloping sloping roof, from the level of the cornice or eaves to the ridge of the roof.

Rake - the slope of a roof, usually expressed as the angle of pitch in degrees or as a ratio of vertical rise to the horizontal run.

Corbel - The exterior trim of a structure at the meeting of the roof and wall, usually consisting of fascia molding, soffit, cornice, and crown molding.

Fascia Board - a board that is nailed vertically to the ends of roof rafters, sometimes supports a gutter.

Pier/Frieze Board - a horizontal member connecting the top of the siding with the eaves of the cornice.

Soffit - the exposed underside of any overhead component of a cornice, lintel, or wall.

Balustrade - an entire railing system (as along the edge of a balcony) including a top rail and its balusters and sometimes a second rail.

Column - a relatively long, slender, vertical structural compression member such as a post, pillar, or trunk supporting a load which acts in (or near) the direction of its longitudinal axis.

Window Casing - the finished frame surrounding a window; the visible frame.

Capping - the finish covering of an exterior wall of a frame building.

Corner Board - a board which is used as trim on the external corner of a wood frame structure and against which the ends of the siding are fitted.

Foundation - any part of a structure that serves to transmit the load to the earth or rock, usually below ground level; the entire masonry structure.
FENESTRATION (STREETFRONT WINDOWS)  

FIGURE #2  

DESIGN STANDARDS - COWETA COUNTY, GEORGIA  

AUGUST 2006
NOTE: ALL CROSSWALKS SHALL BE *LADDER* STYLE CROSSWALKS

CROSSWALKS

TYPICAL CROSSWALK

FIGURE #6

DESIGN STANDARDS: COWETA COUNTY, GEORGIA NOVEMBER 2006
Figure #7 is a PDF only. Please see PDF version of ZODO for figure.
NOTE
1. ALL DITCHES SHALL BE GRASSED OR STABILIZED AS REQUIRED.
2. WIDTH OF DITCH MAY VARY BY FLOWS AND PIPE SIZES. DITCHES SHOULD BE DESIGNED FOR THE 25 YEAR STORM OCCURRENCE.
3. A BITUMINOUS TACK COAT MEETING THE CURRENT GA D.O.T. SPECIFICATIONS SHALL BE APPLIED BETWEEN LIFTS OF ASPHALT.
4. SEE TABLE 5 STREET REGULATIONS IN THE DEVELOPMENT REGULATIONS FOR ADDITIONAL REQUIREMENTS REGARDING R.O.W., PAVING WIDTH, LANDSCAPE ZONE, AND SIDEWALK CLEAR ZONE.

PAVEMENT DESIGN FOR RESIDENTIAL STREETS
2" ASPHALTIC CONCRETE "S" OR "P"
2" ASPHALTIC CONCRETE "P" BINDER
6" GRADED AGGREGATE BASE
SUBGRADE STABILIZED AS REQUIRED
95% STANDARD PROCTOR

NOTE: PAVEMENT DESIGN FOR COLLECTOR AND MINOR ARTERIAL TO BE DETERMINED ON USE.

STANDARD DETAIL FOR SUBDIVISION STREETS WITHOUT CURB AND GUTTER

DESIGN STANDARDS: COWETA COUNTY, GEORGIA

FIGURE #8

NOVEMBER 2006
ARTICLE 25. BUFFER AREA AND SCREENING REQUIREMENTS

It is recognized that the adjacent location of certain land uses may create an incompatible situation that can be mitigated by the installation of a planted buffer. An incompatible situation can arise due to the location of commercial or industrial uses adjacent to residentially zoned land or to a lesser extent due to location of multifamily residences adjacent to single-family residential districts.

Therefore, when land is to be developed for a use creating an incompatible situation, or when a use deemed incompatible is modified or expanded, a buffer shall be provided along all side and rear property lines to insulate adjacent properties from adverse impacts. The required buffer shall provide necessary visual privacy for the conduct of residential lifestyles in an undisturbed environment, and shall provide for the protection and preservation of property values in residential districts.

Section 250. Situations Requiring Buffers.

The following situations constitute creation of incompatibilities and are subject to the buffer requirements of this ordinance:

(1) The location of commercial or industrial land use directly adjacent to residentially
zoned land.

(2) The location of manufactured home parks or multifamily developments directly adjacent to land zoned for single-family residences.

The Board of Commissioners may require a buffer between other districts or land uses when it is determined that an incompatible situation exists or may occur as a result of a development activity.

**Section. 251. General Requirements.**

Buffers shall be established and maintained by the owner of the property containing the incompatible land use. The determination of incompatibility shall be based upon the existing character of the area in which the proposed action takes place. For example, proposed development or modification of commercial or industrial land use adjacent to an area developed as residential shall require the owner of the commercial or industrial property to install and maintain the buffer. If however, nonresidentially zoned land is rezoned for development of residences and this property is located adjacent to land developed as, or zoned for, nonresidential use, the owner of the property to be rezoned for residences shall be required to install and maintain the buffer.

The requirements for buffers are as follows:

(1) Where commercial or industrial land uses are contiguous with land zoned for single-family residential use, the minimum width shall be as follows:

<table>
<thead>
<tr>
<th>Minimum Width (feet)</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>O-I, C-1, C-2, C-3, C-4, C-5, C-LS</td>
</tr>
<tr>
<td>75</td>
<td>C-6, C-8, C-MU</td>
</tr>
<tr>
<td>100</td>
<td>C-7, LM and M</td>
</tr>
<tr>
<td>200</td>
<td>C-9</td>
</tr>
</tbody>
</table>

(2) Where commercial or industrial land uses are contiguous with land zoned for manufactured home parks, or multifamily residences, the minimum width of the required buffer shall be 25 feet.

(3) Where manufactured home parks, or multifamily land uses, are contiguous with land zoned for single-family residences, the minimum width of the required buffer shall be 50 feet.

(4) The minimum width of the required buffer for sanitary landfills shall be 500 feet.

In all other instances, the minimum width of a buffer as required by the Board of Commissioners shall not be less than 25 feet. Vegetation attaining a minimum height in excess of that required herein might be required to mitigate the impacts of certain projects.
The required buffer can be incorporated into the yard setback as specified in the appropriate zoning district. Also, drainfield lines for septic systems are allowed within required buffer areas that are 50 feet or greater in width, provided those drainfield lines are set back as follows:

Setback 25 feet when a 50-foot buffer width is required.

Setback 35 feet when a 75-foot buffer width is required.

Setback 50 feet when a 100-foot or greater buffer width is required.

All setbacks are measured from the nearest single-family residential zoning district line.

Where a buffer is required, the Planning Director or his designee shall evaluate the existing vegetative and topographic conditions, development, and zoning to make a determination as to whether a natural buffer or planted buffer is to be required. If the Planning Director or his designee determines that the existing vegetation in the area where the buffer is required is of sufficient height, density, and width as to accomplish the aforementioned purpose of the buffer and substantially comply with the buffer specifications stated herein, then the Planning Director or his designee may require a natural buffer. However, if the Planning Director or his designee determines that the existing or natural vegetation is not sufficient, then a planted buffer (possibly including [a] fence, earth berm or similar such barrier) may be required.

Once the developer/property owner has staked the natural buffer or, in the case of the planted buffer, installed the buffer and the Planning Department has approved the buffer, then this buffer is to be considered to be an undisturbed buffer. Minor maintenance or development activity (such as a drainage easement, sewer line connection, etc.) may be authorized by the Planning Director or his designee upon request.

No area in which a buffer is required by this ordinance shall be disturbed without first obtaining approval from the Planning Department.

(Ord. of 11-18-08)

Section. 252. Minimum Specifications.

The following are minimum specifications for required buffers. All required buffers shall:

(1) Be depicted in detail (the type and location of natural and planted vegetation are to be illustrated) on each site plan or plat prior to approval, and shall be designated as a permanent buffer.

(2) Not be disturbed by grading, property improvements or construction activities except where necessary to prevent a nuisance, or to thin such natural growth, where too dense to permit normal growth, or to remove diseased, misshapen, or dangerous and decayed timbers. Any contemplated disturbance shall first be brought to the attention of the Planning Director or his designee and formal approval secured prior to initiating activity within required buffer areas.

(3) Utilize existing vegetation in an undisturbed state where it has been determined that existing vegetation is appropriate for inclusion within the buffer strip, or when required be supplemented with approved, additional planting.

(4) Retain the natural topography of the land, except when a portion must be cleared and
graded as required by the local law to prevent soil erosion or sedimentation.

(5) Be completely installed in accordance with the approved plan prior to issuance of the certificate of occupancy.

(6) Not be used for temporary or permanent parking or loading, other than for provision of drainage improvements as mandated by local law, or for a structure other than a fence.

(7) [Reserved.] (Ord. of 11-18-08)

(8) Be subject to plan approval by the Planning Director or his designee prior to installation of a planted buffer.

(9) All planted buffers shall be comprised of a minimum of 3 genera of approved plant material. If three genera of plant material are to be utilized within the buffer, then each genus shall be provided in as close to equal quantities as possible. If more than three genera of plant material are to be utilized within the buffer, then no genus shall comprise more than 33% of the total number of plants within the buffer.

(Ord. of 11-18-08)

The following table indicate plant materials which may be used in buffers:

<table>
<thead>
<tr>
<th>Trees</th>
<th>Genus</th>
<th>Minimum Size at Planting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leland Cypress</td>
<td>Cupressocyparis</td>
<td>7 gallon and 3 ft.</td>
</tr>
<tr>
<td>Carolina Cherry Laurel</td>
<td>Prunus</td>
<td>7 gallon and 3 ft.</td>
</tr>
<tr>
<td>Magnolias</td>
<td>Magnolia</td>
<td>7 gallon and 5 ft.</td>
</tr>
<tr>
<td>Eastern Red</td>
<td>Juniperus</td>
<td>7 gallon and 3 ft.</td>
</tr>
<tr>
<td>Atlantic White Cedar</td>
<td>Chamaecyparis</td>
<td>7 gallon and 3 ft.</td>
</tr>
<tr>
<td>Pines (Virginia)</td>
<td>Pinus</td>
<td>7 gallon and 5 ft.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Shrub</th>
<th>Genus</th>
<th>Minimum Size at Planting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wax Myrtle</td>
<td>Myrica</td>
<td>7 gallon and 3 ft.</td>
</tr>
<tr>
<td>Burford Holly</td>
<td>Ilex</td>
<td>7 gallon and 3 ft.</td>
</tr>
<tr>
<td>Dwarf Burford Holly</td>
<td>Ilex</td>
<td>7 gallon and 3 ft.</td>
</tr>
<tr>
<td>Lusterleaf Holly</td>
<td>Ilex</td>
<td>7 gallon and 3 ft.</td>
</tr>
<tr>
<td>Viburnums</td>
<td>Viburnum</td>
<td>7 gallon and 3 ft.</td>
</tr>
<tr>
<td>Ligustrums</td>
<td>Ligustrum</td>
<td>7 gallon and 3 ft.</td>
</tr>
<tr>
<td>Arborvitae</td>
<td>Thuja</td>
<td>7 gallon and 3 ft.</td>
</tr>
<tr>
<td>Elaeagnus</td>
<td>Elaeagnus</td>
<td>7 gallon and 3 ft.</td>
</tr>
</tbody>
</table>

Additional plants may be approved for use in buffers by submitting a letter to the Planning Director. Plants shall be approved based on their growth rates and habits, form, and hardiness within the planting zone. Generally faster growing plants with dense, evergreen foliage shall be preferred.

Section. 254. Maintenance of Required Buffers.
The buffers required under the provisions of the [this] article shall be guaranteed for the duration of the incompatible land use, or until such use changes to a compatible type. Necessary trimming and maintenance shall be performed to maintain the health of the plant materials, to provide a natural pleasing appearance, and to assure that the buffer serves the purpose for which it was intended.

Section 255. Required Screening.
Certain uses such as junkyards and salvage yard operations and other commercial and industrial operations requiring the storage of inoperative equipment or vehicles for prolonged periods of time could present unsightly views or health hazards. To preclude this from occurring, the Planning Director shall require owners of such properties to completely enclose such operations by a fence which completely obscures views of the property from adjacent properties, built to a height greater than that of the height of the highest piece of equipment or vehicle stored on the property provided that no fence shall be less than six feet in height, but in no case less than such height as will screen all junk or other materials or vehicles from view and provided that such fence be at least 40 feet from any street right-of-way or any zone district boundary line.

Many operations which involve the stacking of inoperative or obsolete equipment or vehicles pose a direct health hazard to the public. The County Commission shall require all such operations to submit to annual inspection by the Coweta County health department. The results of such inspections shall be delivered to the County Commission for review. If a business fails to pass such inspection it shall have 30 days to comply or it shall cease operations until such time that compliance is effected. (Ord. of 11-18-08)

Section 256. Screening Barriers.
In those instances when extraordinary or exceptional conditions pertaining to the property exist, resulting from its size, shape, topography or other features, screening barriers such as walls or fences may be allowed in place of a 50-foot buffer upon approval as set forth in Article 28 and provided the following standards are met:

1. Walls or fences shall be ornamental or decorative and constructed of brick, stone, treated wood, stucco or other materials approved by the Planning Director and shall not be constructed of exposed concrete block, tires, junk or other discarded materials. [The] wall or fence shall provide an opaque screen of at least six feet in height or as specified by the Board of Zoning Appeals. (Ord. of 11-18-08)

2. If a wall or fence is designed so that its structural supports are primarily on one side, that side must always remain within the interior of the property.

3. No wall or fence shall be installed within any public right-of-way.

4. Any wall or fence damaged by accident or an act of God shall be properly repaired within 90 days of occurrence.

5. It shall be the responsibility of the owner of the property on which a wall or fence is
located to maintain that wall or fence in good and proper repair so that it presents a neat and orderly appearance at all times to surrounding property owners and to the general public.

(6) If a property owner does not take appropriate action to maintain or repair a damaged screening barrier within 90 days after receiving a notice to comply, the county shall take any action provided by law, including the issuance of a citation, to promptly and properly correct the violation.

ARTICLE 25A. TREE PRESERVATION ORDINANCE

This Tree Preservation Ordinance does not apply to the following:

- Individual Single Family parcel of land which is not part of a subdivision;
- Individual Single Family lot in a subdivision once transferred to a homeowner;
- Subdivision development in which all lots are 1.6 acres or larger;
- Industrial development inside a platted industrial park;
- Existing commercial, industrial, or multi-family development, except those trees which were required at the time of development;
- Timber harvesting and other agricultural/horticultural practices.

Section 250A. Purpose

This Tree Preservation Ordinance has been developed to benefit the environmental and aesthetic quality of Coweta County. The intent is to create an opportunity and promote preservation of the County’s natural resources and grow in a way that will provide a healthy environment for Coweta’s future. The purpose of this Tree Preservation Ordinance is to provide standards for the preservation of trees as part of the land development process; to prevent massive grading of land, both developed and undeveloped, without provision for replacement of trees; and to protect trees during construction whenever possible in order to enhance the quality of life within Coweta County. The regulations of this Tree Preservation Ordinance shall be the definitive, unless otherwise directed by the Zoning and Development Ordinance or County Code. The benefits derived from this Tree Preservation Ordinance include:

1. Provide visual buffering and enhance beautification of the County;
2. Moderation of storm water runoff, and improved water quality;
3. Protect and attempt to enhance property values, thus safeguarding private and public investment;
4. Protect the unique identity of Coweta by promoting native plants;
5. Control soil erosion;
6. Reduction of some air pollutants and interception of airborne particulate matter;
7. Preserve stands of trees and “specimen” trees; and
8. Protect natural vegetation except where its removal is necessary for responsible property development or control of disease and infestation. This article shall serve to dissuade the unnecessary clearing of land and its disturbance, so as to preserve, insofar as possible, the natural and existing growth of vegetation, and to replace whenever possible the removed foliage with new vegetation.

Section 251A. Definition Of Terms.
The following definitions are to clarify terms found in this Tree Preservation Ordinance. Terms in this Tree Preservation Ordinance that are not defined herewith shall be defined by the definition provided by the American Heritage Dictionary, Second College Edition or comparable dictionary. If the term cannot be found or if there is no logical nexus between the term in this Tree Preservation Ordinance and a dictionary, the Zoning Administrator shall seek to provide a suitable definition.
1. ADJOINING LAND, LOT, OR PARCEL – A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land.
2. AESTHETIC – The perception of artistic elements or elements in the natural or created environment that are pleasing to the eye.
3. AMENITIES – A natural or created feature that enhances the aesthetic quality, visual appeal, or makes more attractive or satisfying a particular property, place, or area.
4. BUFFER, ZONING – See Article 3 of the Zoning and Development Ordinance of Coweta County.
5. CALIPER – A method of measuring the diameter of a tree trunk for the purpose of size grading or classification of nursery stocks. The caliper of the trunk is measured six (6) inches above the ground, up to and including four (4) inch caliper size, and twelve (12) inches above the ground for larger sizes.
6. CLEARING – The selective removal of vegetation from a property, whether by cutting or other means.
7. CLEAR-CUTTING - The indiscriminate and broad removal of trees, shrubs, or undergrowth with the intention of preparing real property for non-agricultural development purposes. This definition shall not include the selective removal of non-native tree and shrub species when the soil is left relatively undisturbed; removal of dead trees; or normal mowing operations (See also Clearing).
8. COUNTY ARBORIST/LANDSCAPE ARCHITECT – The agent of Coweta County having the primary responsibilities of administration and enforcement of the Tree Preservation Ordinance.
9. CRITICAL ROOT ZONE – The minimum area beneath a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone is approximately one foot (1’) of radial distance for every inch of tree’s DBH, with a minimum of eight feet (8’).
10. CUT – (a) A portion of land surface or area from which soil, earth, rock. Or other materials has been removed or will be removed by excavation; (b) the height below original ground surface after the material has been or will be removed.
11. DBH – Diameter-at-Breast-Height, a standard measure of tree size, (for trees existing on-site) and is the tree trunk diameter (in inches) at a height of four and one-half feet (4½’) above the ground. If a tree splits into multiple trunks below four and one-half feet (4½’), then the trunk is measured at its most narrow point beneath the split.
12. DECIDUOUS – Plants that annually lose their leaves.
13. DEVELOPMENT - All structures and other modifications of the natural landscape above and below ground or water, on a particular site, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations.

14. DRIP LINE – A vertical line extending from the outer surface of a tree’s branch tips to the ground.

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

16. EVERGREEN – Plants that retain foliage throughout the year.

17. FILL – A portion of land surface to which soil or other solid material has been added; the depth above the original ground; the height above original ground surface after the material has been or will be added.

18. GRADE, EXISTING – The vertical location of the existing ground surface prior to cutting or filling.

19. GRADE, FINISHED – The final grade or elevation of the ground surface after cutting or filling and conforming to a proposed and approved design.

20. GRADING – Altering the shape of ground surfaces to specified elevations, dimensions, and/or slopes; this shall include stripping, cutting, filling, stockpiling and shaping or a combination thereof, and shall include the land in its cut or filled condition.

21. GRUBBING – The removal of stumps or roots from a site.

22. LAND CLEARANCE – Removal of all trees and/or vegetation from the land surface.

23. LAND DISTURBANCE ACTIVITY – Any activity which may result in soil erosion from water or wind and the movement of sediments into State and local waters or onto lands within the State, including but not limited to clearing, dredging, grading, excavating, transporting, or filling of land but not including agricultural practices such as a family vegetable plot.

24. LAND DISTURBANCE PERMIT – Any permit other than a building permit issued by the County that authorizes clearing, grubbing, excavating, filling, or grading activities on a site or portion of a site. Said permit may be Clearing, Clearing and Grubbing, or Development permit as defined and authorized under the Development Regulations of Coweta County.

25. LANDSCAPE ESTABLISHMENT BOND – A two year bond that shall be posted prior to the issuance of a Certificate of Occupancy and released after two years upon a determination that required trees and landscaping are healthy and have a reasonable chance of surviving to maturity.

26. NATURAL FEATURES – Trees or other living vegetation, and rocks.

27. SAMPLING – The employment of recognized statistical survey methods to count and measure existing trees on a site.

28. SEDIMENT – Solid material, both mineral and organic, that is in suspension, is being transported or has been moved from its site of origin by air, water, ice, or gravity; the product of erosion.

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

30. SHRUB – Prostrate or upright woody plants, either evergreen or deciduous with a mature height usually less than ten feet (10’).

31. SITE – (a) Any tract, lot, or parcel or land in combination of tracts, lots, or parcels of land which are in one (1) ownership or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision, or project; (b) All contiguous land and bodies of water in one (1) ownership, graded or proposed for grading or development as a unit,
although not necessarily at one time; (c) Regarding historic properties, a site is the location of a significant event, a prehistoric or historical occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing structure.

32. SITE PLAN - A document or group of documents containing sketches, text, drawings, maps, photographs, and other material intended to present and explain certain elements of a proposed development, including physical design, siting of buildings and structures, interior vehicular and pedestrian access, the provision of improvements, and the interrelationship of these elements.

33. SPECIMEN TREE - Any tree which qualifies for special consideration for preservation due to its size, species or historic relevance.

34. STRIPPING – Any activity which removes the vegetative surface cover including tree removal clearing, grubbing, and storage or removal of topsoil.

35. TIMBER – Harvestable trees; wooded areas.

36. TIMBERING – The act of removing harvestable trees and wooded areas for profit.

37. TOPOGRAPHY - The configuration of surface features of a region, including its relief and rivers, lakes, and showing relative elevations.

38. TRACT – An area, parcel, site, piece of land, or property that is subject of a development application.

39. TREE – Any living, self-supporting woody perennial plant which normally obtains a trunk diameter at least two inches (2”) and a height of at least ten feet (10’), and typically has a main stem or trunk and many branches.

40. TREE, CANOPY – Any self-supporting woody plant of a species that grows to an overall height of at least forty (40) feet, usually with one (1) stem or trunk and many branches.

41. TREE, UNDERSTORY – Those trees that grow beneath the overstory canopy, and will generally reach a mature height of under forty (40) feet.

42. TREE DIAMETER – The cross-sectional dimension of a tree trunk measured by DBH (diameter at breast height) for existing trees and by caliper for new replacement trees.

42.1 TREE PROTECTION AREA – Any portion of a site wherein are located existing trees which are proposed to be retained in order to comply with the requirements of this Tree Preservation Ordinance. The tree protection area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree plus any additional area encompassing the critical root zone of a tree or group of trees collectively.

43. TREE PROTECTION PLAN – A plan that identifies tree protection areas, existing trees to be retained and proposed trees to be planted on a property to meet minimum requirements, as well as methods of tree preservation to be undertaken on the site and other pertinent information.

44. TREE REMOVAL – Any act which causes a tree to die within three (3) years after commission of the act, including but not limited to damage inflicted upon the root system or trunk as a result of:
   a. The improper use of machinery on the trees;
   b. The storage of materials in or around the trees;
   c. Soil compaction;
   d. Altering the natural grade to expose the roots or to cover the tree’s root system with more than four inches (4”) of soil;
   e. Pruning judged to be excessive by County Arborist/Landscape Architect or not in accordance with the standards set forth by the International Society of Arboriculture (ISA);
f. Paving with concrete, asphalt, or other impervious surface within such proximity as to be harmful to the tree or its root system; and

g. Application of herbicides or defoliates to any trees without first obtaining a permit.

45. TREE REPLACEMENT FUND – a restricted fund and general ledger account maintained by the Coweta County Finance Department as a separate account.

46. TREE SAVE AREA – An area designated for the purpose of meeting caliper inch requirements, saving natural trees, and/or preserving natural buffers.

47. TREE THINNING – Selective cutting or thinning of trees for the clear purpose of good forestry management in order to protect said forest from disease or infestation and in no way shall be construed as clear cutting.

48. WEEDS - Any undesired, uncultivated plant, especially one growing in profusion so as to crowd out a desired crop, disfigure a lawn, etc. For the purposes of this Tree Preservation Ordinance, weeds shall also include grass and/or underbrush in non-agriculturally used property, which is at least twelve (12) inches tall.

49. WEEDS, UNTENDED - Those plants, shrubs, underbrush, grass and other uncultivated plants which grow sporadically without care or attention.

50. ZONING BUFFER - A buffer, as defined in and required by the zoning and development ordinance or as a condition of zoning, Special Exception, or variance approval for a specific property.

Section 252A. Applicability, Permitting, and Procedures.

1. Applicability.

   a. The terms and provisions of this Tree Preservation Ordinance shall apply to all activity which requires the issuance of a Land Disturbance Permit on any real property within Coweta County, unless otherwise exempted below. No clearing, grubbing, grading, or other removal of existing vegetation that may affect the health of existing tree coverage may occur until it is determined that the proposed development is in conformance with the provisions of this Tree Preservation Ordinance. **Table 1 - Summary Of Applicability And Exemptions:** summarizes those activities which are exempt from the provisions of this Tree Preservation Ordinance and those for which a Tree Protection Plan must be submitted with the preliminary plat, construction plan, or predevelopment site plan and be approved prior to the issuance of a Land Disturbance Permit (LDP) or Building Permit.

<table>
<thead>
<tr>
<th>Project Type</th>
<th>Type of Construction Activity</th>
<th>Applicability to Tree Preservation Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual single-family lot not within platted subdivision.</td>
<td>Tree Removal and Land Disturbance. However, other Articles of the Coweta County Zoning and Development Ordinance (including required zoning and stream buffers) shall still apply.</td>
<td>Exempt</td>
</tr>
<tr>
<td>Type of Subdivision</td>
<td>Building Permit for construction of single family dwellings</td>
<td>Exempt</td>
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<td>-----------------------------------------------------------------------------------</td>
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<tr>
<td><strong>Residential Subdivisions exempt from Article 24</strong></td>
<td>Tree Removal and Land Disturbance. However, other Articles of the Coweta County Zoning and Development Ordinance (including required zoning and stream buffers) shall still apply.</td>
<td>Exempt</td>
</tr>
<tr>
<td><strong>Residential Subdivisions with all lots meeting or exceeding 1.6 acres in size.</strong></td>
<td>Tree Removal and Land Disturbance. However, other Articles of the Coweta County Zoning and Development Ordinance (including required zoning and stream buffers) shall still apply.</td>
<td>Exempt</td>
</tr>
<tr>
<td><strong>Residential and Non-Residential Subdivisions not exempt from Article 24</strong></td>
<td>Building Permit for construction of single family dwellings</td>
<td>Exempt</td>
</tr>
<tr>
<td><strong>Multi Family and Non-Residential Sites</strong></td>
<td>Clearing or clearing and grubbing, limited to areas outside of all minimum yards, buffers, and 100 year flood plain.</td>
<td>Required</td>
</tr>
<tr>
<td></td>
<td>Clearing or clearing and grubbing only, proposing disturbance within a minimum yard or 100 year flood plain.</td>
<td>Required</td>
</tr>
<tr>
<td></td>
<td>Grading or Land Disturbance Permit</td>
<td>Required</td>
</tr>
<tr>
<td></td>
<td>Building Permit</td>
<td>Required</td>
</tr>
<tr>
<td>Industrial Parks</td>
<td>Tree Removal and Land Disturbance limited to areas outside of required zoning and stream buffers.</td>
<td>Exempt</td>
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<td>-----------------</td>
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</tr>
<tr>
<td>Cedar Creek District</td>
<td>Land clearing for clearly agricultural purposes, including timber harvesting; plant or tree nurseries; orchards.</td>
<td>Exempt</td>
</tr>
<tr>
<td>Grandfathered Projects</td>
<td>Any property included within the limits of a preliminary plat or predevelopment site plan approved prior to the effective date of this Tree Preservation Ordinance, and remaining portion of a project where 75% of area has already been included in preliminary plat or predevelopment site plan approval prior to May 2, 2007, which was the effective date of the Ordinance on Tree Preservation; except, however, that when an existing tree is requested to be removed or is removed without authorization, Section 253A(3)(b) shall govern the replacement on any tree which was required at the time of site development.</td>
<td>Exempt</td>
</tr>
<tr>
<td>Horticultural or Agricultural Operations</td>
<td>Land clearing for clearly agricultural purposes, including timber harvesting; plant or tree nurseries; orchards.</td>
<td>Exempt</td>
</tr>
<tr>
<td>Diseased or Infested Trees on project types not otherwise exempt from provisions of this Tree Preservation Ordinance.</td>
<td>Tree Removal upon advice and written finding of the County Extension Service, Georgia Forestry Commission/Georgia Registered Forester, an Arborist, an Urban Forester, or the County Arborist/Landscape Architect.</td>
<td>Exempt</td>
</tr>
<tr>
<td>Utility Companies with an ISA tree maintenance program</td>
<td>Tree maintenance operation must be under the supervision of an (ISA) Certified Arborist or Certified Utility specialist. Only qualified line-clearing tree trimmers should engage in line-clearing work. When practical, however, cuts should be made in accordance to Ansi300 standards, and the natural shape and structure of the tree should be maintained, if practical.</td>
<td>Exempt</td>
</tr>
<tr>
<td>Telecommunications Towers</td>
<td>Tree Removal and Land Disturbance. However, other Articles of the Coweta County Zoning and Development Ordinance (including Article 6, Section 69.5) shall still apply.</td>
<td>Exempt</td>
</tr>
<tr>
<td>Decentralized Wastewater Treatment Network Systems (DWTNS)</td>
<td>Tree Removal and Land Disturbance. However, other Articles of the Coweta County Zoning and Development Ordinance (including Article 6, Section 69.8) shall still apply.</td>
<td>Exempt</td>
</tr>
</tbody>
</table>
b. The County Arborist/Landscape Architect, as part of the review team, will conduct a preliminary review of all rezoning cases and special use permit applications. Conditions to rezoning will be applied where determined necessary by the preliminary review. These conditions may be either general, or specific in nature, and will reflect the standards or provisions of this Tree Preservation Ordinance and the Zoning and Development Ordinance. Compliance to these conditions will be verified by review of a revised site plan prior to the issuance of a land disturbance permit.

c. Developers and design professionals may meet at any time with the County Arborist/Landscape Architect to discuss the tree preservation planning process. The County Arborist/Landscape Architect is available for field inspections of site conditions prior to submittal to assist in the design process as it relates to preserving trees. Information can also be disseminated about how to prepare a Tree Protection Plan for submittal in order to minimize plan review time.


a. Prior to the submission of any permit drawings, the applicant is encouraged to meet with the County Arborist/Landscape Architect to discuss the Tree Preservation Ordinance as it relates to the applicant's property. The purpose of the pre submittal conference is to clarify the provisions and procedures of the Tree Preservation Ordinance and review applicable standards and guidelines for the submittal of documents, and required tree protection, replacement, and maintenance measures.

b. Tree Protection Plan, six (6) copies, either as separate or combined drawings, along with other permit drawings, are to be submitted as part of the plan approval and/or land disturbance permit process to the Coweta County Planning Department. These plans will be reviewed by the County Arborist/Landscape Architect for compliance with the Zoning and Development Ordinance of Coweta County and this Tree Preservation Ordinance in particular and either approved, denied, or returned for revisions. Any comments will be made available to the designer for response or revision to the drawings. The plans shall then be resubmitted (along with previous red line comments), with the necessary changes, following the same procedure as if it were an original application. Issuance of a land disturbance permit is contingent upon approval of the Tree Protection Plan.

3. Procedures.

a. All tree protection measures shall be installed prior to any land disturbance, and the County Arborist/Landscape Architect shall be contacted for a pre-construction conference prior to any land disturbance. To adequately protect the site, tree save areas shall be delineated in the field with tree protection fencing. Land disturbance may proceed only after a permit is obtained and tree protection measures have been installed and approved by the County Arborist/Landscape Architect. The County Arborist/Landscape Architect will conduct unscheduled inspections during construction to ensure compliance with the approved Tree Protection Plan. The County Arborist/Landscape Architect shall have the authority to stop work on a development if site activities do not comply with the approved Tree Protection Plan and/or this Tree Preservation Ordinance.

b. If tree removal does not occur with and is not processed in conjunction with a current land disturbance permit or building permit application, then a separate tree removal permit shall be required for non-residential properties. A tree removal permit is required to remove any tree, which was required at the time a site was developed, from any non-residential
property. There will be a fee for obtaining a tree removal permit based on the number of staff hours necessary for the review (see Appendix. Fee Schedule). For trees removed with an approved tree removal permit, the trees shall be replaced on an inch-per-inch basis such that the total caliper inches of the new trees planted is equal to the inches of the tree(s) removed. However, if any required trees are removed from any property without a tree removal permit, land disturbance permit, or building permit, the property owner shall replace the tree(s) at a rate of two (2) times the inches of the existing tree. For sites which were developed after the adoption of the Tree Preservation Ordinance, the minimum required caliper inches per acre must be maintained at all times. Failure to maintain the required number of caliper inches per acre shall result in re-plantings or payment to the tree fund, where appropriate.

c. Any specimen tree which is removed without appropriate review and approval of the County Arborist/Landscape Architect will be replaced by trees equaling a two (2) times an inch for inch replacement of the tree removed. The owner of the property shall be required to replace said tree or trees with replacement trees which will be three (3) inch minimum caliper. Size alone will determine whether a tree was of specimen quality if the tree is removed without approval and there is no evidence of its condition. Such action may also result in a stop work order issued by the County Arborist/Landscape Architect.

d. An approved Tree Protection Plan must be implemented prior to the issuance of a certificate of occupancy. When the developer/owner has installed the required landscaping improvements, he shall request an inspection by the County Arborist/Landscape Architect. If the County Arborist/Landscape Architect approves the installation, the developer will then post a two (2) year Landscape Establishment Bond. The Landscape Establishment Bond shall be in the amount of the contract award for landscaping or in an amount determined by the County Arborist/Landscape Architect, whichever is higher. After the Landscape Establishment Bond has been received, the project will then be released for the issuance of a certificate of occupancy. If the County Arborist/Landscape Architect does not approve the plan, he shall submit a report stating his reasons for disapproval so that the developer can make the necessary corrections. After the corrections have been made, a re-inspection shall be requested.

e. At the end of the two (2) year Landscape Establishment period, the County Arborist/Landscape Architect shall inspect the site and shall make a determination of whether or not the required trees and landscaping are healthy and have a reasonable chance of surviving to maturity. Upon such finding, the bond shall be released. In absence of such finding, the bond shall not be released and the owner of the property shall be notified to replace the unhealthy trees and landscaping or take other appropriate action as approved by the County Arborist/Landscape Architect. Upon failure of the owner to comply with the County Arborist/Landscape Architect’s decision regarding such trees, the County shall use the bond to the extent necessary to bring the property into compliance. Final inspection shall be scheduled within ten (10) working days’ notice.

f. It shall be the duty of the County Arborist/Landscape Architect to enforce the provisions and requirements of this Tree Preservation Ordinance. The County Planning Director shall have the authority to revoke, suspend, or void any land disturbance permit and shall have the authority to suspend all work on a site or a portion thereof.
g. Land clearing for agricultural purposes, including timber harvesting; plant or tree nurseries; orchards, is exempt. All timber harvesting shall be in accordance with the following standards and requirements:
   i. Undisturbed stream buffers shall be maintained and protected during the land disturbance activity.
   ii. Timber harvesting practices shall follow the recommended best management practices as established by the Georgia Forestry Commission.

Section 253A. Tree Preservation and Protection.
The trees in Coweta are a County resource worth protecting and maintaining. Existing trees shall not be disturbed, except as outlined in this Tree Preservation Ordinance. Any large, rare, or historically significant trees on a project site shall be highlighted by the designer (See Specimen Trees, Section 253A(6)). It is required that all reasonable efforts be made to save specimen trees. (Reasonable effort shall include, but not limited to, alteration of building design, alternate building location, parking area, detention area, drainage system, or relocation of utilities). Careful thought and consideration is expected to be given to saving trees in the development process.

In the plan review process of a proposed project, the first indicator of how well trees have been incorporated in the design process is how the proposed development will impact specimen trees. These trees are considered on an individual basis and a proposal to remove any of them is carefully scrutinized. Another indicator is how the proposed development will impact smaller, significant trees. These trees are typically considered in mass as they relate to the overall preservation of the natural character of the site. Removals which are not adequately justified may require site plan alterations.

The following guidelines and standards shall apply to trees proposed to be retained for credit toward meeting the Caliper Inch Requirement on a property.

1. Planning Considerations.
   Tree space is the most critical factor in tree protection throughout the site development process. The root system can easily extend beyond the dripline of the tree canopy. The root system within the dripline region is generally considered to be the Critical Root Zone. Disturbance within this zone can directly affect a tree’s chances for survival. To protect these critical root zones the following planning considerations should be applied:
   a. The use of tree save islands and stands is encouraged rather than the protection of individual (non-specimen) trees scattered throughout a site. This will facilitate ease in overall organization as related to tree protection.
   b. The protective zone of specimen trees or stands of trees or otherwise designated tree save areas shall include no less than the total area beneath the tree(s) canopy as defined by the furthest canopy dripline of the tree(s).
   c. Tree preservation and grading requirements are two design constraints, which are most often in conflict. A grade change of a few inches can be detrimental to a tree, yet most sites require extensive cut and fill in order to manage drainage. The use of berms or retaining walls, instead of cutting, to provide detention can be used to preserve significant trees. Detention ponds can be designed around significant trees by adding depth to minimize width where possible. Retaining walls can also be used to mitigate cuts and fills. Tree wells and/or aeration systems can also be provided for trees in areas of fill.
d. Underground water and wastewater lines, storm sewers, irrigation lines and both underground and overhead electric and telephone lines can have a considerable impact on trees. The layout of the project site utility plans should accommodate the required tree protective zones. Utilities should be placed along corridors between tree protective zones. Developers shall coordinate the location of utility lines, including irrigation and electric lighting, with the utility companies in order to prevent root damage within the critical root zones of protected trees and to minimize damage to trees located in protected zones.

e. Construction activities, such as parking, material storage, concrete washout, or burnhole placement, shall be arranged so as to prevent disturbances within tree protective zones. No disturbance shall occur within the protective zone of specimen trees or stands of trees without prior approval of the County Arborist/Landscape Architect.

f. Sidewalks often appear harmless on plans, but can be very detrimental to trees due to grading requirements. Considerations should be given to move sidewalks as far from tree trunks as possible and provide a finished grade above the existing grade for sidewalks required in close proximity to a tree trunk. Drainage can be routed under sidewalks where an elevated grade is required.

2. Protection of Existing Trees

a. Tree protection devices are necessary to eliminate activities detrimental to trees including, but not limited to:
   i. Soil compaction in the critical root zone resulting from heavy equipment, vehicular or excessive pedestrian traffic, or storage of equipment or materials;
   ii. Root disturbance due to cuts, fills, or trenching;
   iii. Wounds to exposed roots, trunks, or limbs by mechanical equipment;
   iv. Other activities such as chemical storage, cement truck cleaning, or fire.

b. Trees identified to be preserved and counted as credit towards meeting caliper inch requirements shall have a four (4) foot height tree protection fencing installed at the critical root zones/dripline. For methods of tree protection, see Section253A(3)(a-g). All tree protection measures shall be installed prior to the start of any land disturbance and maintained until final landscaping is installed. No construction activities are to occur within tree protection areas. Areas designated for parking, materials and equipment storage or staging areas are to be located outside of the drip line of existing trees.

c. The County Arborist/Landscape Architect will conduct periodic inspections of the site before work begins and during clearing, construction, and post construction phases of development in order to ensure compliance with these regulations and the intent of this Tree Preservation Ordinance. Tree protection must remain in functioning condition throughout all phases of development. Failure to comply with and/or maintain approved tree protection measures may result in a stop work order issued by the Planning Director.

d. Damage to Trees on County Property & Construction Sites – Damages to specimen trees on County property & construction sites shall be evaluated under the Tree Hazard Evaluation Form of the International Society of Arboriculture by the County Arborist. Said damage shall be classified under the hazard rating scale and shall be subject to the following fees and recompense:

   **Hazard Rating Score 1 – 7**
   - Evaluation Fee: $150
   - Repairs done according to Tree Corrective Procedure
   - Delay of corrective action $150 per tree per day

460
Hazard Rating Score 8 – 12

Evaluation Fee: $150
Replacement Fee: $500 + $50 inch per inch recoup
Delay of corrective action $150 per tree per day

When damage occurs, the County Arborist shall be contacted immediately by the property developer/contractor in order to evaluate damages and recommend corrective procedures. The County Arborist shall be contacted before and after any repairs have taken place to ensure that the proper procedures have been followed. Failure to comply with the provisions of this paragraph may result in a stop work order and/or additional fines.

3. Methods of Tree Protection.

The root system within the drip line is generally considered to be the critical root zone. Most trees can tolerate only a small percentage of critical root zone loss. To protect these critical root zones, a tree protection area shall be established around each tree or group of trees to be retained. The following section describes ways to help control unnecessary encroachment on existing trees. These methods and guidelines will be followed for tree protection throughout all phases of construction. These guidelines are designed to reduce damage to critical root zones and wounds to exposed roots, trunks, and limbs by chemical, mechanical, and other means. Tree protection areas will be delineated on Tree Protection Plan and methods of protection will be clearly noted and detailed.

a. Active Protective Barriers - Barriers shall be installed along the outer edge of and completely around the critical root zones of all specimen trees or stands of trees, or otherwise designated tree protective zones, prior to any land disturbance. Deviations from this must be approved on an individual basis by the County Arborist/Landscape Architect. Barriers will be a minimum four (4) feet high. Use of any one of the following three options is acceptable. OPTION ONE: A post and rail configuration using a two (2) inch by four (4) inch post and a one (1) inch by four (4) inch rail, with the post no further than six (6) feet apart (recommended); OPTION TWO: chain link fence with the same post spacing; OPTION THREE: Orange Safety or Visual Barrier Fence securely attached to hog wire and mounted on steel posts, same post spacing. All tree protection zones should be designated as such with “tree save area” signs posted visibly on all sides of the fenced in area. All tree fencing shall be maintained throughout the land disturbance and building construction, and should not be removed until all construction and landscaping is complete.

b. Passive Protective Barriers - Tree save areas and their critical root zones not within sixty (60) feet of any grading, storage, construction or traffic areas may be protected by four (4) foot orange laminated plastic safety fencing. Passive tree protection fencing is to be used only for areas remote from construction activity.

c. Boring - No open trenching will be allowed within the protected zone as defined by the protective barricades. All underground utilities to be installed within this protection zone shall be installed by boring underneath the root zone. Any exceptions must be approved by the County Arborist/Landscape Architect.

d. Filling/Clearing within Root Zone - Fill dirt no deeper than two inches may be allowed within the drip line of the tree. No grubbing is permitted in the root zone. In the protected root zone, any stumps, dead trees and shrub growth to be removed shall be cut flush or ground out. Stump grinding will be accomplished with equipment and methods acceptable in normal arboriculture operations. All holes will be backfilled completely the same day of the operation.
e. **Soil Compaction** - Where compaction might occur due to traffic or materials storage, the tree protection zone must first be mulched with a minimum four (4) inch layer of shredded hardwood mulch, or a six (6) inch layer of pine straw.

f. **Clearing Activities** - Roots often fuse and tangle amongst trees. The removal of trees adjacent to tree save areas can cause inadvertent damage to the protected trees. Wherever possible, it is advisable to cut minimum two (2) foot trenches (e.g. with a ditch witch) along the limits of land disturbance, so as to cut, rather than tear, the roots. Trenching may be required for the protection of specimen trees. The cutting down and then grinding the stump of the adjacent removed trees, as opposed to bulldozing them and ripping their roots, can also aid the protected trees.

g. **Tree Removal** – To minimize potential root loss from soil disturbance in an overlapping root situation, all roots attached to a tree inside a tree save area that extend outside the tree save areas shall be cut by hand if the soil is to be disturbed. The removal of any tree adjacent to a tree within a tree save area shall not be removed by heavy equipment. Cutting the roots by hand, with a stump grinder, or with a ditch witch is acceptable.

4. **Tree Protection Plan.**

Any proposal for development or improvement of any tract of land shall include a Tree Protection Plan, including trees to be planted in order to meet the minimum requirements of this section. Such plan shall be submitted, along with other permit drawings, to the Coweta County Planning Department prior to any clearing, grubbing, grading or other removal of the existing vegetation that may affect the health of existing tree coverage. No tree removal shall occur prior to approval of the Tree Protection Plan. The Tree Protection Plan may be submitted as part of the Landscape Plan, provided that all required information is legible, or as a separate drawing which includes, as a minimum, the following:

a. Name, address, and phone number of owner of record and applicant.

b. Boundary lines of the tract by lengths and bearings, streets adjoining the property, total area of the tract, land lot, land district, north point, graphic scale, and date.

c. Approximate location of all specimen trees and their critical root zones. Indicate those specimen trees proposed for removal or for preservation. Removal of specimen trees is subject to County Arborist/Landscape Architect’s approval.

d. Approximate location of all trees or stands of trees proposed to be protected. Only trees that are designated on the Tree Protection Plan will be counted towards caliper inch requirements.

e. Exact location of specimen trees when their preservation is questionable, or might result in a change of the site design.

f. Location of proposed buildings, structures and paved areas.

g. Locations of all existing and proposed utility lines. (Utility lines must be placed along corridors between critical root zones of trees which will remain on the site.)

h. Limits of land disturbance, clearing, grading, and trenching.

i. Limits of tree protection areas, showing trees to be maintained and planted, specifying species and size.

j. Grade changes or other work adjacent to a tree, which would effect it adversely, with drawings or descriptions as to how the grade, drainage, and aeration will be maintained around the tree.
k. Methods of tree protection shall be indicated for all tree protection zones, including tree fencing, erosion control, retaining walls, tunneling for utilities, aeration systems, transplanting, staking, and signage.

l. Procedures and schedules for the implementation, installation, and maintenance of all tree protection measures.

m. Plan should indicate staging areas for parking, materials storage, concrete washout, and debris burn where these areas might affect tree protection.

n. The required caliper inches per acre must be satisfied. Compliance shall be clearly demonstrated on the Tree Protection Plan. Existing trees or stands of trees used in the caliper inch calculation must be clearly indicated on the drawing. A summary table of the number of existing trees to remain and new trees to be planted, by diameter shall be shown along with the summary total for the site.

o. Additional information as required on a case by case basis. This could include, but is not limited to, a certified arborist’s appraisal of the tree’s viability and projected life span.

p. The following notes shall be indicated on both the Tree Protection Plan and the Grading Plan in large bold letters.

i. CONTACT THE PLANNING DEPARTMENT AT (770) 254-2635 TO ARRANGE A PRE-CONSTRUCTION CONFERENCE WITH THE COUNTY ARBORIST/LANDSCAPE ARCHITECT PRIOR TO ANY LAND DISTURBANCE.

ii. ALL TREE PROTECTION MEASURES SHALL BE INSTALLED AND INSPECTED PRIOR TO THE START OF ANY LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING IS INSTALLED. CALL THE PLANNING DEPARTMENT AT (770) 254-2635 FOR AN INSPECTION BY THE COUNTY ARBORIST/LANDSCAPE ARCHITECT.

iii. NO PARKING, STORAGE, OR ANY OTHER CONSTRUCTION ACTIVITIES ARE TO OCCUR WITHIN TREE PROTECTION AREAS.

iv. A MAINTENANCE INSPECTION OF TREES WILL BE PERFORMED AFTER TWO FULL GROWING SEASONS FROM THE DATE OF THE FINAL CONSTRUCTION INSPECTION. PROJECT OWNERS AT THE TIME OF THE MAINTENANCE INSPECTION ARE RESPONSIBLE FOR TREE PRESERVATION ORDINANCE COMPLIANCE.

5. Determination of Caliper Inch Requirements

a. Single family residential development required to provide open space shall retain fifty percent (50%) of all trees located in the required open space area of the development; and shall maintain or exceed 12 caliper inches per lot in the front yard of all residential lots. Existing deciduous trees on the lot may be preserved to meet the 12 inch requirement per lot. The minimum size for new trees used to meet this requirement shall be 3 caliper inches; and the trees must be deciduous. All newly planted trees used to meet this requirement must be planted in the front yards, except in the RRCC zoning district and the RCSD-B and ECP-B development types, where the caliper inches may be met anywhere on the lot. Prior to request for a Certificate of Occupancy, the trees used in meeting this requirement must be clearly identified in the field with flagging.

a. Single family residential development required to provide open space shall retain fifty percent (50%) of all trees located in the required open space area of the development; and shall maintain or exceed 12 caliper inches per lot on all residential lots. The minimum size for new trees used to meet this requirement shall be 2 caliper inches.
b. Reserved for future use. (Line left blank intentionally)

e. Individual single family lots, within platted residential subdivisions having a minimum street frontage requirement of 135 or less are required to preserve two (2) deciduous canopy specimen trees. When preservation of specimen trees is not achieved because two qualifying trees are not present on the lot, then 2 inch (or larger) caliper deciduous canopy trees shall be planted until the total of 12 caliper inches per lot is achieved. Fifty (50) percent of the required planting shall be placed in the front yard. All residential lots shall require that improvements be located so as to provide minimum disturbance to the natural topography of the site and protection to the maximum number of trees.

f. The caliper inch requirements may be achieved by totaling existing trees (dbh) to be preserved, planting new trees in accordance with the minimum standards of this Tree Preservation Ordinance, or some combination of the two. All trees that are to be counted toward meeting caliper inch requirements must be inventoried. The minimum caliper inch requirement per acre must be met whether or not a site had trees prior to development. The caliper inch per acre requirement shall be pro-rated for any portion which is less than a full acre. Meeting the caliper inch requirement contained in this Tree Preservation Ordinance does not relieve the applicant from meeting the landscaping and buffer requirements contained in other provisions of the Coweta County Zoning and Development Ordinance. With the prior approval of the County Arborist/Landscape Architect, sampling methods may be used to determine caliper inches (dbh) for forested areas. Sampling method shall be a recognized sampling technique performed and certified by a registered forester or certified arborist. All specimen trees within sixty (60) feet of disturbed areas must be identified by species and location regardless of the counting procedure adopted.

g. The trees, both retained and new, where feasible shall be reasonably distributed throughout the site with emphasis on tree groupings to achieve results following professional landscape standards.

h. On residential subdivisions, trees may be retained or planted for credit within a public street right-of-way if meeting street tree planting requirements of Article 24 Development Regulations of Zoning and Development Ordinance or per the approval of the County Arborist/Landscape Architect.

i. Where the proposed development area is so dense that the minimum requirements of this ordinance cannot reasonably be achieved, the development area shall be reduced by removing parking spaces in excess of the number of spaces required by zoning, placing additional planting islands within the development area, or other similar measures. Where above mentioned requirements are met and construction of improvements or existing dense tree cover continues to preclude the planting of the total number of replacement trees required on the site, the County Arborist/Landscape Architect may approve a plan which results in the planting of the number of trees on the site which can reasonably be expected to be accommodated in a manner which will allow mature growth of the replacement trees. The remainder of the total number of trees may be planted in a local park, on public lands, or along right-of-ways or a contribution may be made to the tree replacement fund, subject to approval of the County Arborist/Landscape Architect.

i. Public area planting. If trees are to be planted at another location, the following note must appear on the approved tree protection plan: “A tree protection plan addendum
for this project shall be submitted to the County Arborist/Landscape Architect at least thirty (30) days prior to requesting a final inspection. This plan shall include the species, size, and location of trees to be planted off-site to meet the remainder of the tree planting requirements. Issuance of a certificate of occupancy is subject to approval of this plan, as well as verification of the installation of the trees.”

ii. Tree Replacement Fund. Where the minimum caliper inch or recompense requirements cannot be fully met because the site cannot support the required number of trees, the applicant may make a contribution to the tree replacement fund. Contributions to the tree replacement fund shall be paid in full prior to the issuance of any required permit. Such contributions shall be used for the sole purposes of planting and maintaining trees on public property.

1. The amount of the contribution shall be based upon the number, size and type of trees that cannot be planted at the site. The County Arborist/Landscape Architect shall estimate the cost to the county for the materials and labor associated with the trees. The amount of the contribution shall be 100 percent of the estimated costs for the materials and labor of planting such trees.

j. In order for a tree to qualify in meeting the above caliper inch per acre requirements, all canopy/shade replacement trees shall be at least eight (8) feet tall planted and have a trunk of not less than two (2) caliper inches. All understory/flowering replacement trees shall be at least six (6) feet tall planted and have a main trunk of not less than one and one half (1 ½) caliper inches. Multi-stemmed canopy trees shall count only the largest trunk for caliper. All multi-stemmed understory/flowering replacement trees shall have a minimum of three (3) canes, each with a minimum one (1) inch caliper extending clear at least to a height of four (4) feet. All evergreen replacement trees shall be at least a seven (7) gallon size, six (6) feet tall planted, and have a main trunk of not less than one and one half (1 ½) caliper inches. All tree-formed, multi-stemmed, evergreen replacement trees shall have a minimum of three (3) canes, each with a minimum one (1) inch caliper extending clear at least to a height of four (4) feet and be pruned as tree form at time of planting. No more than forty (40) percent of any one genus may be included in any tree planting plan.

k. The minimum required quantity of trees on a site after development must produce the required total caliper inches per acre (or disturbed acre, as noted above, unless qualifies per this Tree Preservation Ordinance as a single family residential subdivision. Any portion of a property which is less than a full acre shall be prorated. The Caliper Inches Per Acre is determined as follows:

\[
\text{Acreage} = \text{Total site area exclusive of any acreage within a zoning buffer (or)} \\
\text{Disturbed site area exclusive of any acreage within a zoning buffer for Conditional Use Permits within residential only.}
\]

Example: 50 inches per acre X 1.5 acres = 75 caliper inch requirement

Credit for existing trees proposed to be retained on the site shall be calculated by adding the DBH of all qualifying trees to be retained on site. Credit shall be given for all trees retained on a property having a diameter of ten (10) inches or more, except trees located in a required zoning buffer. One hundred percent (100%) of tree inches may be calculated from areas located in the floodplain or delineated as wetlands.
Credit for new trees proposed to be replaced on the site shall be calculated by adding the caliper inches of all qualifying trees. Credit shall be given for all new trees replaced on the property except for new trees of less than one and one half (1.50) caliper inches and new trees planted in a required zoning buffer.

Additional credit. Existing trees to be preserved within a minimum front and side yard area (as required by the applicable zoning district) shall be granted a bonus credit of an additional 50 percent of the actual DBH unless the tree is located within a required zoning buffer. Also, specimen trees retained per Section 253A(6)(b) shall be awarded two times the actual DBH.

The number of new trees planted is determined as follows:
Determine the total number of inches required based on the acreage. Subtract the total caliper inches of all trees being retained (including bonus credits if applicable). The remainder indicates the number of caliper inches, if any, that must be planted on the site.

Note: Where there are not enough ten (10) inch DBH or greater existing trees, three (3) inch DBH or greater trees may be counted (in lieu of planting new trees), provided they have grown in uncrowded conditions and have developed normal spread or they are part of a specimen tree stand.

Note: Tree diameter for existing trees is measured by DBH = diameter at breast height (four and one half (4½') feet above ground). If a tree splits into multiple trunks below four and one-half feet (4½’), then the trunk is measured at its most narrow point beneath the split.

Note: Tree diameter for new replacement trees is measured by caliper. The caliper of the trunk is measured six (6) inches above the ground, up to and including four (4) inch caliper size, and twelve (12) inches above the ground for larger sizes. If a tree has more than one trunk, only the largest trunk shall be used to establish the tree caliper for the tree.

Existing trees proposed to be retained and new trees proposed to be planted in order to meet the buffer requirements of the Zoning and Development Ordinance or conditions of zoning, special use or variance approval shall not be considered in fulfilling the requirements of this section concerning minimum caliper inch per acre requirements. Buffer requirements are considered to be in addition to the minimum caliper inch per acre requirements. See appropriate zoning district classification for any additional landscaping or buffering requirements and Article 25 Buffer Area and Screening Requirements of the Zoning and Development Ordinance.

a. Some trees on a site warrant special consideration and encouragement for preservation. These trees are referred to as specimen trees. Trees unique due to age, size, species or
historic relevance are to be identified during the survey process and special consideration must be made to work around them. It is required that all reasonable efforts be made to save specimen trees. Reasonable effort shall include, but not limited to, alteration of building design, alternate building location, parking area, detention area, drainage system, or relocation of utilities. These trees are to be identified and highlighted on the Tree Protection Plan. Design of buildings, hardscapes and utilities are to be developed with consideration to preserving and featuring specimen trees.

b. Caliper inch credits are given for existing trees that are saved during the site development process, with greater credits given to specimen trees. In order to encourage the preservation of specimen trees and the incorporation of these trees into the design of projects, additional (bonus) credit will be given for specimen trees which are successfully saved by a design feature specifically designated for such purpose. Credit for any specimen tree thus saved for such purpose would be two (2) times the actual DBH of the specimen tree.

c. The following criteria are used by the County to identify specimen trees. Both the size and condition criteria must be met for a tree to qualify:

i. **Size Criteria:**
   1. Large Hardwoods (such as oaks, poplars, or sweetgums): twenty four (24) inch diameter or larger.
   2. Large softwoods (such as pines or deodar cedar): thirty (30) inch diameter or larger.
   3. Small trees (such as dogwoods, redbuds, or sourwoods): eight (8) inch diameter or larger.

ii. **Condition Criteria:**
   1) Life expectancy of more than fifteen (15) years.
   2) Relatively sound and solid trunk with no extensive decay.
   3) No more than one major and several minor dead limbs (hardwoods only).
   4) No major insect or pathological problem.
   5) A lesser sized tree can be considered a specimen tree, if in the judgment of the County Arborist/Landscape Architect:
      a) It is a rare or unusual species or of historical significance.
      b) It is specifically used by a builder, developer, or design professional as a focal point in a project or landscape.
      c) It is a tree with exceptional aesthetic quality.

d. Replacement of Specimen Trees

i. In the event any specimen tree should be removed during the land development process, the applicant shall be required to replace any specimen tree being removed with suitable replacement trees elsewhere on the site. Removed specimen trees shall be replaced by species with potential for comparable size and quality. Tree replacement, in addition to other minimum planting requirements, shall be required in recompense for the removal of specimen trees. Specimen trees that are removed must be replaced by trees, minimum three (3) inch caliper, with an inch for inch replacement of the specimen tree removed. To determine if the replacement is reasonable the County Arborist/Landscape Architect shall consider intended use of:
   1) Existing tree coverage, size, and type.
2) Number of trees to be removed on the entire property.
3) Number of trees to be saved on the entire property.
4) Area to be covered with structures, parking, and driveways.
5) Grading and drainage requirements.
6) Character of the site and its environs.

ii. Any tree, designated on the Tree Protection Plan to be saved, which is damaged during construction or as a result of construction, as determined by the County Arborist/Landscape Architect, shall be replaced with a tree or trees equal to the DBH of the tree damaged. However, any specimen tree damaged as described above shall be replaced with trees equaling an inch for inch replacement of the tree damaged.

iii. In the event any specimen tree or trees should not survive more than sixty (60) months following completion of development, the owner of the property shall be required to replace said tree or trees with replacement trees (three (3) inch minimum caliper) having an inch for inch replacement of the specimen tree removed on the site as approved by the County Arborist/Landscape Architect.

iv. Any specimen tree which is removed without appropriate review and approval of the County Arborist/Landscape Architect must be replaced by trees equaling a two (2) times an inch for inch replacement of the tree removed. The owner of the property shall be required to replace said tree or trees with replacement trees which will be three (3) inch minimum caliper. Size alone will determine whether a tree was of specimen quality if the tree is removed without approval and there is not sufficient evidence of its condition. Such action may also result in a stop work order issued by the Planning Director.

v. Certain specimen trees which lie within an area of the site where preservation is in conflict with site development standards may be exempted from the inch-for-inch replacement requirements. Determination on exemption of specimen trees shall be by the Planning Director, in consultation with appropriate members of the Development Review Committee including the County Arborist. Factors for determining exemption shall include, but not be limited to, the following:

1) Whether the tree is located within the footprint of the proposed building; and if so, whether it would be feasible to relocate or reorient the building;
2) Whether the tree is located within an area where the grade will change by more than 3 feet and where a retaining wall protecting at least 67% of the critical root radius is not feasible;
3) Whether the tree is located in an area that conflicts with necessary access points, such as a required driveway location determined by transportation safety standards.

e. The requirement to locate and preserve specimen tree(s) shall not apply to types of residential subdivision developments which are required to provide open space as a part of the development. (Ord. of 8-22-17)
7. Relocation of Trees
   a. Trees to be relocated shall be removed with a root ball sized in proportion to their calipers. Root balls shall be twelve (12) inches in diameter for each one (1) inch of tree caliper. Trees four (4) inches in caliper and smaller are to be measured six (6) inches from the ground. Trees four (4) inches to eight (8) inches caliper are measured twelve (12) inches from the ground, trees eight (8) inches caliper or larger are measured from breast height.
   b. Trees which are to be relocated in areas which do not require grading are to be placed directly into their new location. Trees to be relocated into the limit of work line shall have tree barriers placed around it in accordance with the plan.
   c. Trees to be transplanted off site in full leaf shall be covered entirely with a protective cloth covering prior to transporting. Trees transplanted on site require no covering.
   d. Trees which are to be relocated in areas to be graded are to be stockpiled. Stockpiled trees shall be well heeled in and protected from excessive wind and sun. The Contractor shall provide water to maintain a healthy condition.
   e. Where a tree is to be removed under the provisions of this Tree Preservation Ordinance, the County may, with consent of the property owner, relocate the tree at the County’s expense to County owned property for replanting, either for permanent utilization at the new location, or for future use at another County property.
   f. Credit may be given to the property for each relocated tree as though the tree was proposed to remain on the property, if the tree is relocated to a site designated by the County at the owner/developer’s expense.

8. Removal of Trees
   a. Safety Standards — The Contractor shall be solely responsible for pedestrian and vehicular safety and control within the work site and shall provide the necessary warning devices, barricades, and ground personnel needed to give safety, protection, and warning within the area where tree removal or pruning is to occur. Blocking of public streets shall not be permitted unless prior arrangements have been made with the County and is coordinated with appropriate departments. Traffic control is the responsibility of the Contractor and shall be accomplished in conformance with State, County and Local highway construction codes.
   b. Tree Pruning - Pruning is to be performed by tree workers who, through related training and on the job experience, are familiar with the techniques and hazards of this work including trimming, maintenance, repairing or removal, and equipment used in such operations. The use of climbing spurs or irons is not approved in pruning operations on live trees. This type of work is a potentially hazardous occupation and is to be undertaken only by trained personnel or under the supervision of trained personnel, all of whom are covered with workers compensation, property damage, public liability, and completed operations insurance.
   c. Tree Removal – Trees shall be removed in accordance with accepted industry standards and procedures and in accordance with the following minimum requirements: Extreme care shall be taken so as to prevent limbs, branches and trunks from falling and creating damage to adjacent homes, driveways, sidewalks, trees, shrubs, streets and other property, both public and private. This type of work is a potentially hazardous occupation and is to be undertaken only by trained personnel or under the supervision of trained personnel, all of whom are covered with workers compensation, property damage, public liability, and completed operations insurance.
d. **Cleanup** - Debris and logs shall not be left on the public right-of-way overnight. It shall be the responsibility of the Contractor to remove and dispose of, in a proper and acceptable manner, all logs, brush and debris resulting from the tree removal operation unless otherwise directed by the County. No person shall be issued a tree removal permit unless said person agrees to remove all cut logs, brush, and debris from the premises. Removal of such debris shall be performed daily so as to not disrupt the work of other contractors on the site. Absolutely no burying on site is allowed. No burning on site is allowed without a permit issued by the Coweta County Fire Department.

9. **Trees On Private Property** – It shall be the duty of any person or persons owning or occupying property bordering on any street upon which property there may be trees, to prune such trees in such a manner that they will not obstruct or shade street lights, obstruct passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct views of any street intersection. Failure to comply with this ordinance shall constitute an ordinance violation punishable in accordance with Coweta Code of Ordinances Chapter 1, Section 1-15.

10. **Fees** - Permits shall be obtained by any person or company engaged in the removal of trees, which are subject to this ordinance pursuant to Section 252A(1)(a), for a fee. The County Arborist/Landscape Architect will review the tree removal plans and inspect the project site when necessary prior to tree removal of any trees. If significant trees are removed from any property without a tree removal permit, land disturbance permit, or building permit, the property owner shall pay a fine of three times the tree removal fee calculated. Minimum caliper inches per acre must be maintained at all times. Permit fees shall be as set forth in the fee schedule for Coweta County.

11. **Penalties** – Any person, firm, corporation, company, or partnership violating any provision of this Tree Preservation Ordinance shall be punished as provided in section 1-15 of the Code of Ordinances. Where an offense continues from day to day, each day's continuance thereof shall be deemed a separate offense. The owner of a premises, where anything in violation of this Tree Preservation Ordinance shall exist, or any person, firm, corporation, company, or partnership who may have assisted in the commission of such violation shall be guilty of a separate offense and, upon conviction thereof, shall be punished as herein provided.

(Ord. of 2-7-12)

**ARTICLE 26. OVERLAY DISTRICTS**

**SECTION. 260. COMMUNITY UNIT PLAN**

A plan for the development of a tract of land, the proposed design of which makes it desirable to apply regulations more flexible than those contained in this ordinance, may be submitted to the Board of Commissioners for its consideration. Such a proposed development may contain residential uses of various types and allied uses such as churches, parks and day nurseries. After due public hearing and notice as described in the procedure for rezoning, the board of commissioners may approve such development upon a finding that the following conditions of fact exist:

1. That the tract of land on which the development is to take place comprises not less
than 200 acres.
(2) That the average lot area per family within the site, exclusive of streets, will not be less than 100 percent of the lot area per family required in the district in which the development is located.
(3) That, where desirable, adequate and properly located areas are dedicated for public uses such as schools, parks and playgrounds.
(4) That the property adjacent to the area included in the development will not be adversely affected, and that the public health, safety and general welfare will not be adversely affected.

SECTION 261. QUALITY DEVELOPMENT CORRIDOR OVERLAY DISTRICT

Purpose
The purpose of establishing the quality development corridor is to promote the health, safety and general welfare of the public; encourage harmonious community development; conserve natural resources; enhance the economic and aesthetic appeal and to promote orderly development of properties within the corridor. This ordinance is also intended to help reduce harmful effects resulting for heat, noise, and the glare of motor vehicle lights. The standards contained herein achieve the stated purpose by preventing or reducing traffic congestion and distracting visual clutter associated with development along major thoroughfares by addressing the following characteristic of development: buffer and landscaping, access, lighting, outdoor storage and impervious area.

District Delineation
Quality Development Corridor requirements established herein shall be applicable to all nonresidential properties and uses within the districts listed below:

- **State Route 34 East Corridor**, being more particularly along that portion of State Highway 34 East from the City Limits of Newnan to Ebenezer Church Road, as shown on the attached parcel base map entitled QDCD Map #34 E. Such standards shall only be applicable for a distance of 1000 feet from the right-of-way line of State Highway 34 East. Said map and overlay are hereby adopted and made a part of this ordinance.

- **State Route 34 West Corridor**, being more particularly along that portion of State Route 34 West from the City Limits of Newnan to Mountain Creek as shown on the attached parcel base map entitled QDCD Map #34 W. Such standards shall only be applicable for a distance of 1000 feet from the right-of-way line of State Route 34 West. Said map and overlay are hereby adopted and made a part of this ordinance.

- **State Route 34 East at Fischer Road Corridor**, being more particularly along that portion of State Route 34 East from 2000 feet west of Fischer Road to State Route 34/54 Intersection as shown on the attached parcel base map entitled QDCD Map #34 E/54. Such standards shall only be applicable for a distance of 1000 feet from the right-of-way line of State Route 34 East. Said map and overlay are hereby adopted and made a part of this ordinance.
• **State Route 16 West Corridor**, being more particularly along that portion of State Route 16 West from the City Limits of Newnan to 2000 feet west of Witcher Road Intersection as shown on the attached parcel base map entitled QDCD Map #16 W. Such standards shall only be applicable for a distance of 1000 feet from the right-of-way line of State Route 16 West. Said map and overlay are hereby adopted and made a part of this ordinance.

• **State Route 16 East Corridor**, being more particularly along that portion of State Route 16 East from the US Highway 29 Intersection to Intersection of Land Lots 59 & 70 as shown on the attached parcel base map entitled QDCD Map #16 E. Such standards shall only be applicable for a distance of 1000 feet from the right-of-way line of State Route 16 East. Said map and overlay are hereby adopted and made a part of this ordinance.

• **State Route 70 Corridor**, being more particularly along that portion of State Route 70 from the City Limits of Newnan to 2000 feet north of Leigh Avenue Intersection as shown on the attached parcel base map entitled QDCD Map #70. Such standards shall only be applicable for a distance of 1000 feet from the right-of-way line of State Route 70 North. Said map and overlay are hereby adopted and made a part of this ordinance.

• **US Highway 29 North Corridor**, being more particularly along that portion of US Highway 29 North from the City Limits of Newnan to Wahoo Creek as shown on the attached parcel base map entitled QDCD Map #29 N. Such standards shall only be applicable for a distance of 1000 feet from the right-of-way line of US Highway 29 North. Said map and overlay are hereby adopted and made a part of this ordinance.

• **US Highway 29 South Corridor**, being more particularly along that portion of US Highway 29 South from the City Limits of Newnan to City Limits of Moreland as shown on the attached parcel base map entitled QDCD Map #29 S. Such standards shall only be applicable for a distance of 1000 feet from the right-of-way line of US Highway 29 South. Said map and overlay are hereby adopted and made a part of this ordinance.

• **State Route 154 Corridor**, being more particularly along that portion of State Route 154 from the US Highway 29 Intersection to the Transcontinental Gas Line Easement as shown on the attached parcel base map entitled QDCD Map #154. Such standards shall only be applicable for a distance of 1000 feet from the right-of-way line of State Route 154. Said map and overlay are hereby adopted and made a part of this ordinance.

• **State Route 54 Corridor**, being more particularly along that portion of State Route 54 from Shoal Creek to Line Creek as shown on the attached parcel base map entitled QDCD Map #54. Such standards shall only be applicable for a distance of 1000 feet from the right-of-way line of State Route 54. Said map and overlay are hereby adopted and made a part of this ordinance.

• **State Route 34 Bypass Corridor**, being more particularly along that portion of State Route 34 Bypass from 2000 feet south of State Route 34 West & Ishman Ballard Road Intersection to current terminus at Turkey Creek Road as shown on the attached parcel base map entitled QDCD Map #34 Bypass. Such standards shall only be applicable for a
distance of 1000 feet from the right-of-way line of State Route 34 Bypass. Said map and overlay are hereby adopted and made a part of this ordinance. Applicable to all areas on the State Route 34 Bypass in unincorporated Coweta County only.

- **State Route 34 Bypass Corridor (Proposed Extension)**, being more particularly along that portion of State Route 34 Bypass (Proposed Extension) from current terminus at Turkey Creek Road to State Route 16 East as shown on the attached parcel base map entitled QDCD Map #34 Bypass Extension. Such standards shall only be applicable for a distance of 1000 feet from the right-of-way line of State Route 34 Bypass. Said map and overlay are hereby adopted and made a part of this ordinance.

- **Vernon Hunter Parkway Corridor (Proposed Extension)**, being more particularly along that portion of Vernon Hunter Parkway (Proposed Extension) from intersection of Vernon Hunter Parkway & McIntosh Trail to Line Creek as shown on the attached parcel base map entitled QDCD Map #Vernon Hunter Parkway. Such standards shall only be applicable for a distance to 1000 feet from the right-of-way line of Vernon Hunter Parkway. Said map and overlay are hereby adopted and made a part of this ordinance.

- **Poplar Road**, being more particularly along that portion of Poplar Road from S.R. 34 Bypass to the centerline of Hayes Road (a/k/a Hays Road) as shown on the attached parcel base map entitled QDCD Map Poplar Road. Such standards shall only be applicable for a distance of 1,000 feet from the right-of-way line of Poplar Road. Said map and overlay are hereby adopted and made a part of this ordinance.

- **Turkey Creek Road**, being more particularly along that portion of Turkey Creek Road from the westerly line of Land Lot 27 to Interstate 85 as shown on the attached parcel base map entitled QDCD Map Turkey Creek Road. Such standards shall only be applicable for a distance of 1,000 feet from the right-of-way line of Turkey Creek Road. Said map and overlay are hereby adopted and made a part of this ordinance.

(Ord. of 3-13-08)

**Land Use**
The Quality Development Corridor District shall not be construed to represent or used as a means for determining potential land use within the delineated district. The proper and acceptable tool for determining potential land use is the Coweta County Comprehensive Land Use Plan.

**Exemptions**
The following are exempt from the requirements of this ordinance:

1) Alteration or renovation that involves fifty (50) percent or less of the floor area of an existing building provided no additional alternation or renovation occur within a three (3) year period.

2) Expansions of less than fifty (50) percent of the floor area of the existing building, provided the same exterior materials on the existing structure(s) are used, or a superior material approved by the Building Official, and that no additional expansions, alterations, or renovations occur within a three (3) year period.
3) Lots within an industrial park that by physical features, i.e., topography, existing structures, etc, will prevent new development from being highly visible from the roadway for which the district is named. Evidence in the form of topography maps, finished floor elevations, maximum height of buildings, photos, balloon test, or other applicable information shall be submitted to the Director of Planning for an administrative exemption approval.

4) Development approved prior to the adoption of this ordinance, provided the property is not rezoned from one category to another. If rezoning occurs, the requirements of this ordinance shall take full effect on the parcel or lot to the extent parcel dimensions will allow.

5) Existing structures that were developed in accordance to the development regulations in effect at the time of construction where a change of use occurs or where such use has been abandoned for a period of five (5) years and where no expansion of the structure is proposed shall not be required to meet the following requirements of this section: (a) building cladding to the extent that the county planner administratively waives such requirements in accordance to subsection 240.6.2(b); and (b) site requirements, including landscaping and additional parking, and stormwater requirements upon a finding by the county planner that the change in use does not constitute a “redevelopment” as that term is defined in Chapter 30, Article IV of the Coweta County Code of Ordinances, not more than 5,000 square feet of impervious surface is added to the site, such waiver or deviation does not create a safety hazard, and provided that the reduced cladding requirements specified in this section and Article 24 are met. This exemption/waiver shall not apply to new construction of additions or accessory buildings.”

(Ord. of 3-4-14)

Development Requirements

1) Landscaping and screening requirements

In addition to the provisions of Article 24, Site Development Standards. Section 242.2 Landscape Requirements. of the Coweta County Zoning and Development Ordinance, land development within a Quality Development Corridor District shall also meet the following landscaping requirements below and elsewhere in this section:

   a) Landscape Plan Submission

   The plan shall be submitted and approved as part of the predevelopment site plan as required by the provisions of this Ordinance. The plan shall show lot or parcel dimensions, building dimensions, tree/landscape preservation areas, and the location and size of all tree and plant materials.
All landscape plans must be prepared and stamped by a registered landscape architect licensed to practice in the State of Georgia and should follow these general principles:

- **Preservation**: an effort should be made to preserve as much of existing plant material and land form as possible; clear cutting and mass grading are not acceptable practices.
- **Xeriscape**: landscapes should emphasize native plant species and efficient use of water.
- **Permeability**: the ease with which an individual is able to understand and navigate a place using landmarks and landscape clues.
- **Context**: sensitivity to prevailing building and geographic context (color, material, mass, function, topography).
- **Place**: forming a significant part of the urban landscape, landscapes are a tactile piece of the character of a place.
- **Creativity**: landscape design goes a long way toward beautifying the built environment.
- **Quality**: landscape design shall be designed in a sound matter and constructed according to accepted good planting procedures.

### b) Street Planting

The street planting area is defined as the unpaved segment of land located between the property line that abuts a right-of-way and any building or vehicular use area and designed for the preservation and placement of plant materials. If a parcel or lot has more than one street planting area (i.e. more than one street frontage), each shall be considered separately. If a building site contains more than one parcel or lot, the entire site shall be treated by the Landscape Ordinance as a single entity.

The street planting area shall be a minimum of twenty (20) feet in depth, as measured from the edge of the public right-of-way toward the center of the lot or parcel.

Within the required street planting area, measuring the total length of the project street frontage exclusive of drives, trees from the large category shall be planted at intervals of forty (40) feet with either one (1) medium category or three (3) small category trees in between; however, creativity is encouraged. Trees in the large category shall be three (3) inches caliper and not less than twelve (12) feet in height at planting. Trees in the medium category shall be two and one-half (2 ½) inches caliper and not less than ten (10) feet in height at planting. Trees in the small category shall be two (2) inches caliper and not less than six (6) feet in height at planting. The remaining area shall be landscaped with shrubs and ground cover. The shrubs and ground cover shall be defined in three categories: large shrubs (at a minimum size of 7 gallon and 3 foot in height at time of planting), medium shrubs (at a minimum size of 3 gallon and 18 inches in height at time of planting), and ground cover (at a minimum size of 4 inch pots and
4 inches in height at time of planting). Each category shall comprise of the following percentages of required shrubbery: a minimum 15% large shrubs, a minimum 15% medium shrubs, and a maximum 10% ground cover. All plants must meet ASFNS standards. (Ord. of 11-18-08)

Signs may be placed within the street planting area, monument style, and placed at least ten (10) horizontal feet from all property lines. No sign shall be erected that obstructs sight distance at an intersection or along a public right-of-way. In all zoning districts, no sign of any type or design that obstructs vision between the heights of three (3) feet and fifteen (15) feet above grade shall be permitted within twenty (20) feet of the intersection of the right-of-way lines of street and/or railroads. Traffic control signs and signals are exempt from this regulation.

c) Perimeter Planting

The perimeter planting area is defined as the unpaved swath of land located between the side and/or rear property lines of a parcel or lot and designed for the preservation and placement of plant materials. The perimeter planting area shall be a minimum of ten (10) feet in depth, as measured from the edge of the property line toward the center of the lot or parcel.

Within the required perimeter planting, canopy trees from the large category shall be planted at intervals of seventy (70) feet with either one (1) medium category or three (3) small category trees in between. Trees in the large category shall be three (3) inches caliper and not less than twelve (12) feet in height at planting. Trees in the medium category shall be two and one-half (2 ½) inches caliper and not less than ten (10) feet in height at planting. Trees in the small category shall be two (2) inches caliper and not less than six (6) feet in height at planting. The remaining area shall be landscaped with shrubs and ground cover. The shrubs and ground cover shall be defined in three categories: large shrubs (at a minimum size of 7 gallon and 3 foot in height at time of planting), medium shrubs (at a minimum size of 3 gallon and 18 inches in height at time of planting), and ground cover (at a minimum size of 4 inch pots and 4 inches in height at time of planting). Each category shall comprise of the following percentages of required shrubbery: a minimum 15% large shrubs, a minimum 15% medium shrubs, and a maximum 10% ground cover. All plants must meet ASFNS standards. (Ord. of 11-18-08)

When any parcel or lot abuts an incompatible zoning district, the perimeter planting area shall be measured from the inside edge of the undisturbed buffer required by Article 25. Buffer and Screening Requirements, of the Coweta County Zoning and Development Ordinance. However, developments requiring buffer widths in excess of fifty (50) feet may incorporate the perimeter landscaping into the buffer area provided the ten (10) foot landscape area is adjacent to the development and not the adjoining properties.
d) **Interior Planting**

Shade trees shall be located in parking lot islands. Landscaped islands shall terminate each row of parking spaces. Terminal islands shall be at least (10) feet wide and eighteen (18) feet long and include one (1) shade tree. Trees shall be three (3) inches caliper and not less than eight (8) feet tall at planting. The remaining area of terminal islands shall be landscaped with shrubs and ground cover one (1) foot high at planting.

Interior islands shall be provided within each row of parking spaces. One (1) interior island shall be provided for every ten (10) parking spaces or fraction thereof. Each interior island shall be at least ten (10) feet wide and eighteen (18) feet long and shall include one (1) shade tree. Trees shall be three (3) inches caliper and not less than eight (8) feet tall at planting. The remaining area of interior islands shall be landscaped with shrubs and ground cover one (1) foot in height at planting.

(Ord. of 11-18-08)

The perimeter of terminal and interior islands shall be surrounded with a continuous raised curb. Island width and length shall be measured from the inside edge of the curb. Trees planted in islands must be allowed to grow to maturity and full canopy and shall not be pruned beyond requirements of basic maintenance.

**Tree Species**

**Small or Under-story Category:** The size range for this category of trees is fifteen (15) to twenty-five (25) feet in height and fifteen (15) to twenty (20) feet in width. This category shall be used primarily where there are overhead obstructions or in a planting area which cannot accommodate an overstory or shade tree. The Coweta County Arborist shall have the authority to disallow trees that are not suitable for a specific location due to growth habits of the tree or site conditions. The Coweta County Arborist shall determine proper installation.

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Recommended Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chastetree</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Cherry (Okame, Yoshino, Kwanzan,</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Sargent)</td>
<td></td>
</tr>
<tr>
<td>Crabapples</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Crape Myrtles – Maximum 30% of small trees used on site</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Dogwoods</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Downy Serviceberry</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Hawthorns</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Holly (Savannah, Nellie R. Stevens)</td>
<td>Screening, Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Pear (Cleveland Select, Aristocrat)</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Purpleleaf Plum</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Redbuds</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
</tbody>
</table>
**Medium Category:** The size range for this category of trees is twenty-five (25) to fifty (50) feet in height and twenty-five (25) to forty (40) feet in width. These trees shall be used primarily as street and shade trees. The Coweta County Arborist shall have the authority to disallow trees that are not suitable for a specific location due to growth habits of the tree or site conditions. The Coweta County Arborist shall determine proper installation.

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Recommended Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Hornbeam (Ironwood)</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>American Yellowwood</td>
<td>Street Tree</td>
</tr>
<tr>
<td>Carolina Silverbell</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Chinese Pistache</td>
<td>Under Power Lines, Minimal Planting Areas, Street Tree</td>
</tr>
<tr>
<td>Deodar Cedar</td>
<td>Screening</td>
</tr>
<tr>
<td>Elm (Chinese, Lacebark)</td>
<td>Street Tree</td>
</tr>
<tr>
<td>Golden Raintree</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Honeylocust</td>
<td>Minimal Planting Areas, Street Tree</td>
</tr>
<tr>
<td>Hornbeam (American, European)</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Japanese Zelkova</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Magnolia (Sweetbay, Little Gem)</td>
<td>Screening, Minimal Planting Areas</td>
</tr>
<tr>
<td>Maple (October Glory, Trident)</td>
<td>Minimal Planting Areas, Street Tree</td>
</tr>
<tr>
<td>Oak (Sawtooth)</td>
<td>Street Tree, Shade Tree</td>
</tr>
<tr>
<td>Persimmon</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Pine (Virginia, Loblolly) – Maximum 30% of medium trees used on site</td>
<td>Screening</td>
</tr>
<tr>
<td>River Birch (Heritage)</td>
<td>Minimal Planting Area, Street Tree</td>
</tr>
<tr>
<td>Sassafras</td>
<td>Under Power Lines, Minimal Planting Area</td>
</tr>
<tr>
<td>Tall Stewart</td>
<td>Minimal Planting Area, Street Tree</td>
</tr>
</tbody>
</table>

**Large or Over-story Category:** The size range for this category of trees is fifty (50) to one hundred (100) feet in height and thirty (30) to fifty (50) feet in width. These trees will be used primarily as street and shade trees. The Coweta County Arborist shall have the authority to disallow trees that are not suitable for a specific location due to growth habits of the tree or site conditions. The Coweta County Arborist shall determine proper installation.

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Recommended Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Beech</td>
<td>Street Tree, Shade Tree</td>
</tr>
<tr>
<td>Ash (Green, White)</td>
<td>Street Tree, Shade Tree</td>
</tr>
<tr>
<td>Bald Cypress</td>
<td>Minimal Planting Areas, Street Tree</td>
</tr>
<tr>
<td>Blackgum (Black Tupelo)</td>
<td>Street Tree, Shade Tree</td>
</tr>
<tr>
<td>Catalpa</td>
<td>Street Tree, Shade Tree</td>
</tr>
<tr>
<td>Dawn Redwood</td>
<td>Screening, Minimal Planting Areas</td>
</tr>
<tr>
<td>Elm (American, Siberian)</td>
<td>Street Tree, Shade Tree</td>
</tr>
<tr>
<td>Tree</td>
<td>Category</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Ginkgo Biloba (males)</td>
<td>Minimal Planting Areas, Street Tree</td>
</tr>
<tr>
<td>Magnolia (Southern)</td>
<td>Screening, Shade Tree</td>
</tr>
<tr>
<td>Maple (Sugar, Red)</td>
<td>Street Tree, Shade Tree</td>
</tr>
<tr>
<td>Oak (Scarlet, Pin, Willow, Red, Shumard, White)</td>
<td>Street Tree, Shade Tree</td>
</tr>
<tr>
<td>Poplar (Tulip, Cottonwood)</td>
<td>Street Tree, Shade Tree</td>
</tr>
<tr>
<td>Sourwood</td>
<td>Under Power Lines, Minimal Planting Areas</td>
</tr>
<tr>
<td>Sycamore (Bloodgood, Liberty)</td>
<td>Street Tree, Shade Tree</td>
</tr>
</tbody>
</table>

Minimal planting areas shall be defined as areas in which, although the minimum dimensional requirements of the landscaped island or strip have been met, there are other factors which limit the growth area for a tree as determined by the County Arborist (including, but not limited to, necessary retaining walls and adjacent to buildings).

Additional trees in each category may be approved upon consultation with the Coweta County Arborist and Planning Director. In approving additional trees, factors considered shall include but not be limited to the following: growth rates and habits, form, hardiness within the planting zone, and resistance to pests and diseases. A list of any additional approved trees will be maintained in the Coweta County Planning Department and available upon request.

(Ord. of 11-13-08)

e) **Lot Remnant Plantings**

All land surfaces other than those that are covered by buildings, structures, paving, or other required site elements shall be landscaped with well maintained grass, flowers, shrubs, or other suitable plant materials approved by the Planning Department. The location and detail of all other landscaped areas shall be depicted on the required landscaping/tree protection plan.

f) **Buffer Plantings**

All required buffers must meet requirements as spelled out in Article 25, Buffer Area and Screening Requirements.

g) **Right-of-Way Beautification**

Developments within the Quality Development Corridor shall obtain a landscape easement from the Georgia Department of Transportation to landscape the right-of-way fronting the project. The right-of-way shall be landscaped, at a minimum, with sod. If the state highway department refuses to issue a landscape easement, required by this ordinance, denial shall be in writing stating the reason(s) for denial.

2) **Impervious area**

Impervious surface areas shall not be allowed to cover more than seventy-five (75%) percent of the lot.

3) **Traffic Management Plan**

A traffic management plan, prepared by a qualified professional engineer shall be submitted at the discretion of the County Engineer, based on the size and intensity
of the development, and traffic conditions. The traffic management plan must identify any traffic problems that will be generated by the development and present reasonable solutions to those problems. This plan must be submitted to the County Engineer for approval.

4) **Outdoor Lighting**
All outdoor lights or lighting arrangements used for purposes of advertising, security or night operations must be directed away from adjoining or nearby residential zoning lots and public roadways. Lighting shall be recessed.

5) **Outdoor Storage and Display**
   a) Objects not on a permanent foundation shall be considered outdoor storage. No outdoor storage will be permitted outside a fully enclosed building unless the storage area is entirely screened from the street and adjoining properties by a suitable fence or wall at least six (6) feet in height above finished grade. The required fence or wall must provide for a reasonable visual separation between the storage area and all adjoining property.
   
   b) Objects must be on a permanent foundation to be considered an outdoor display. A plan for outdoor display areas must be submitted to the Planning Director. If approval is granted, the Planning Director shall require such conditions that will, in his/her judgment, secure substantially the objectives of this ordinance. Swing sets, storage buildings, and other similar items as determined by the Planning Director, shall not constitute an outdoor display within the Quality Development Corridor District for approval under this article. Any items for which an outdoor display plan had not been approved shall be subject to the outdoor storage provisions in the previous paragraph.

(Ord. of 9-18-07)

6) **Utilities and Service Equipment**
All utilities shall be located underground. All entry fixtures and other service equipment shall be located in side and rear yards and away from high use or high visibility areas, unless the Development Review Committee determines that placement elsewhere is warranted due to the topography of the land or other site conditions. These fixtures shall be adequately screened with a masonry wall, wood privacy fencing, or plantings.

(Ord. of 9-9-10)

7) **Decorative Fences and Walls**
   a) All required opaque fences or walls shall be constructed of one or a combination of the following: Decorative wood, Stone, Stucco on block, Decorative block, or Brick. These fences or walls shall not exceed six (6) feet in height.
   
   b) Decorative wrought iron fencing may be used for architectural and security purposes only.
c) Chain link, unfinished concrete or cinder block, plastic or fiberglass, barbed or razor wire, and plywood fences, or like materials are prohibited. Paint shall not be considered a finish material.

8) **Exterior Architectural Standards**

In addition to the provisions of Article 24. Development Regulations. Section 246.1.5. of the Coweta County Zoning and Development Ordinance, non-residential building(s) within the Quality Development Corridor District shall meet the following exterior wall materials requirement:

**Category “A” Materials** shall comprise 80% or more of the area of each wall and shall be limited to one or a combination of the following:

a) Hard burned Clay (Brick).
b) Stone with either a weathered face or a polished fluted broken face. No quarry-faced stone shall be used unless in retaining walls.
c) Glass.

The brick and stone material shall not be painted or defaced in any manner.

**Category “B” Materials** may comprise no more than 20% of the area of each wall and shall be limited to one or a combination of the following:

a) Masonry backed stucco
b) Exterior insulation finish system (E.I.F.S.)
c) Fiber cement boards

**Architectural Openings**

All closing materials for architectural openings (i.e. windows, doors) must be of Category A or Category B material. Overhead door openings facing a street must be closed with architectural metal door systems. Door openings for Carwashes, Miniwarehouse facilities, Auto Service facilities and similar uses, determined by the Planning Director, are exempted from the architectural metal door systems and the category material percentages listed above.

**Unique and Special Uses**

It is recognized that on occasion buildings with unique and special uses will be desired within the Quality Development Corridor District, which may not be able to meet the Exterior Architectural Standards. If such a building is desired, then an appeal may be made to the Building Official and the Director of Planning for an administrative variance. A covered tennis court, swimming pool, greenhouse, would be examples of unique and special buildings.

It is recognized that on occasion buildings with unique and special uses will be desired within the Quality Development Corridor District, which may not be able to meet the Exterior Architectural Standards. If such a building is desired, then an appeal may be made to the Building Official and the Director of Planning for an
administrative variance. A covered tennis court, swimming pool, greenhouse, would be examples of unique and special buildings.

9) Detention Facility Screening
All detention facilities shall be completely screened from all adjoining lots and roadways with shrubs at three (3) feet in height, when installed, shall be planted at intervals of four (4) feet around the perimeter of the pond.

All security fencing and required detention pond fencing must be constructed of decorative metal and must be colored black or have a natural earth tone color. Security fencing and required detention pond fencing in rear yards may utilize black vinyl coated chain link fencing.

The following are acceptable security fence styles:

10) Entrance Design
Drive entrances shall be installed with decorative brick pavers or decorative color stamped asphalt or concrete (stone or brick paver design). The minimum length of the decorative entrance section shall be twenty (20) feet. Entrance Design shall be approved by the appropriate department, i.e., the Georgia Department of Transportation for state highways or the County Engineering Department for county roadways. Brick pavers or stamped asphalt/concrete shall not be installed in an acceleration or deceleration lane.

11) Prohibited Uses and Structures:
   a) Peddling
      Peddling is strictly prohibited within the Quality Development Corridor District.
   b) Outdoor Advertising Signs (Billboards) as defined in the Coweta County Sign Regulations.
   c) Towers - such as Radio and Telecommunication Towers

12) Administrative Variance
Where the Director of Planning finds that extraordinary and unnecessary hardships may result from strict compliance with these development standards, he/she may vary the standards so that substantial justice may be done and the public interest secured; provided that such variations will not have the effect of nullifying the intent and purpose of these development standards. Where the Director of Planning finds that, due to special circumstances of a particular lot, use, or building, he/she may waive applicable development standards, provided the modification does not waive the required standard by more than 15%. The following factors where relevant, shall be considered in evaluating an administrative variance:

1) The dimensions of a lot;
2) Natural features of the property, such as, topography, watercourses, rock formations, and similar conditions;
3) Unique and special uses; and
4) Building design and construction.

In granting variances and modifications, the Director of Planning shall require such conditions that will, in his/her judgment, secure substantially the objectives of the standards or requirements so varied or modified. The following shall be submitted to the Planning Director when an administrative variance is being requested:

1) An administrative variance fee in the amount prescribed in the fee schedule.
2) A denial letter from the Development Review Division of the Planning Department indicating the reason(s) for non-compliance.
3) A letter from the applicant stating their appeal including reasons for non-compliance and provide suggested mitigated measures, if any.
4) Copy of Warranty Deed.
5) If applicable, a plat of property indicating all existing and proposed structures in relation to nearby streets, property lines, and driveways; dimensions are to be accurate (submit two (2) copies of the plat).

(Ord. of 11-18-08)

Appeals of an interpretation or of an administrative variance denial by the Director of Planning relative to the requirements of these development standards may be submitted to the Board of Zoning Appeals in accordance with the procedures in Article 28, Criteria for Variances and Conditional Uses, Coweta County Zoning and Development Ordinance.

ARTICLE 27. ADMINISTRATION AND ENFORCEMENT

The appropriate Coweta County officials, including but not limited to the Planning Director, County Engineer, and Building Official shall have the authority and be responsible for the administration and enforcement the sections of this ordinance that pertain to their respective departments.

No development activity shall be permitted or undertaken, except in conformance with the procedures specified in this article.
Section 270. General Procedures.

No development shall be permitted or undertaken without the Development Review Committee having first certified the predevelopment site plan and evidencing that the proposed development as depicted on said plan is to be in compliance with this ordinance, however:

(a) Such certification shall not be required for single-family dwellings, permitted accessory structures, or agricultural-related accessory structures when located on a lot shown on a final plat of a residential subdivision which was approved prior to adoption of this ordinance.

(b) The county planner's approval of a final plat for a residential subdivision shall serve as approval of the predevelopment site plan for single-family dwellings, permitted accessory structures, and agricultural-related accessory structures. (Ord. of 11-18-08)

The Planning Director shall establish procedures for receipt, review, and approval/disapproval of predevelopment site plans. All developments which require the Development Review Committee's certification shall be processed according to procedures so established. (Ord. of 11-18-08)

Section 270.1. Approval of Plans.

When reviewing predevelopment site plans, the Development Review Committee may take any of the actions outlined below:

A. Approve as submitted.

B. Approve with minor changes, provided such changes are noted on the face of the plans.

C. Deny as submitted.

D. Postpone review of a site plan classified as a development of regional impact. The Development Review Committee shall require that all findings, recommendations, and decisions resulting from regional and GRTA levels of review are made part of the site plan submitted for review. (Ord. of 11-18-08)

Section 270.2. Building Construction.

A. A building permit issued by the Building Official is required in advance of the initiation of construction, erection, moving or alteration of any building or structure where the estimated value of such construction, erection, moving or alteration is estimated to be in excess of $500.00.

B. The developer or builder shall stake out, or cause to be staked out, with markers at least 24 inches in height, the required setback distances (front, rear and side yards), building footprint, and property lines. All property lines shall be cleared. This clearing
and staking shall be completed and be in place at the time the Building Official conducts the foundation/footings inspections.

C. Upon completion of the building's foundation up to the first floor of the building, the builder or developer shall obtain a survey by a registered land surveyor or professional engineer specifying the elevation of the building's first floor, elevations of any floodplain on the lot on which the building is being constructed, and elevations of the ground in all directions 20 feet from the building. This survey shall be required before any further inspections are made or work is undertaken but only if any of the following conditions are met:

1. The final plat of the subdivision in which the lot is located shows a floodplain line on any portion of the subject lot.
2. The county planner indicates the apparent presence of a 100-year floodplain on the property unless a survey by a registered land surveyor or professional engineer states to the contrary.
3. A review of the flood boundary and floodway map(s) for the county prepared for the Federal Insurance Administration indicates a possibility of the presence of a 100-year floodplain on the subject property unless a registered land surveyor or professional engineer certifies to the contrary.

Section 270.3. Final Certification of Zoning Compliance.

Any development requiring the Development Review Committee's approval of predevelopment plans under Subsection 243.2.1. is also subject to the requirements of this subsection. Accordingly, prior to obtaining a certificate of occupancy for any such development, the builder/developer shall obtain a final certification of zoning compliance from the Development Review Committee. To obtain such final certification, the builder/developer must submit an as-built site plan to the Planning Department in accordance with such policies and procedures which the Building Official is to establish. In lieu of a complete as-built site plan, the builder/developer may submit an as-built plan for only those items developed different from the approved predevelopment site plan. (Ord. of 11-18-08)

For all commercial and industrial development the as-built site plan submitted by the builder/developer shall bear an engineer's seal and the fire marshal's seal in order to secure a certificate of occupancy from the Building Official.

Section 270.4. Certificate of Occupancy.

Upon completion of construction activity requiring a building permit, the developer or builder shall obtain a certificate of occupancy. It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises or both or part thereof so requiring a certificate of occupancy without first obtaining a certificate of occupancy for said building or lands. The Building Official shall be responsible for issuance or non-issuance of said certificate. Applications for a certificate of occupancy shall be made on such forms and contain such materials as required by the Building Official.
Section 271. Temporary Provision for Two Principal Buildings.
In the event an individual homeowner desires to replace his current dwelling with a new dwelling unit, upon application to and approval by the Building Official, such owner may be allowed to reside in his current dwelling unit during the time a replacement dwelling unit is being placed on his same lot. However, within 30 days after the new dwelling unit is ready for occupancy, the original dwelling unit shall be removed from said lot.

In no event shall more than one ready-for-occupancy dwelling unit be allowed to remain on the same lot for more than 30 days.

Section 272. Time Limitations.
Any building permit issued shall become invalid unless the work authorized by it shall have commenced within six months of its date of issue, or if the work authorized by it is suspended or abandoned for a period of one year.

Section 273. Violations.
If it is found that any provisions of this ordinance are being violated, the person responsible for such violations shall be notified in writing indicating the nature of the violation and ordering the action necessary to correct it. Such written notice shall not be a necessary condition precedent to enforcement of the ordinance. The Building Official, Planning Director, or any other appropriate county authority shall order discontinuance of illegal use of land, buildings, or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions. When ordering corrective action, the Building Official may order removal of structures or portions thereof installed or constructed illegally or otherwise in violation of this ordinance.

Section 274. Construction and Use to be as Stated in Application, Plans and Permits.
Any certifications or permits issued on the basis of plans and applications approved by the Development Review Committee authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement or construction at variance with that authorization shall be deemed a violation of this ordinance. (Ord. of 11-18-08)

Section 275. Interpretations.
In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of health, safety, and convenience of the general welfare. The lot or yard area required by these regulations for a particular building yard shall not be diminished and shall not be included as part of the lot or yard areas of any other building. The lot or yard areas of buildings existing at the time this ordinance became effective shall not be diminished below the requirements herein provided for buildings hereafter erected, and such required areas shall not be included as a part of the required areas of any building hereafter erected.

Section 276. Duties of Planning Official, Board of Zoning Appeals, Board of Commissioners, and Courts on Matters of Appeal.
It is the intent of this ordinance that all questions arising in connection with the enforcement or the interpretation of this ordinance (except as otherwise expressly provided in this ordinance) shall be first presented to the Board of Zoning Appeals, with a final determination made by the Board of Commissioners, only on appeals from the Planning Official, and that from the decisions of the Board of Commissioners, recourse shall be taken to a court as provided by law. Questions related to alleged vested rights, nonconforming use status or special uses requiring approval by the Board of Commissioners shall be decided by the Board of Commissioners.

It is further the intent of this ordinance that the duties of the Board of Commissioners in connection with this ordinance shall not include hearing or passing on disputed questions, other than as identified above, which might arise in connection with the enforcement or interpretation of this ordinance; but the procedures for determining such questions shall be as stated in this ordinance and that the duties of the Board of Commissioners in connection with this ordinance shall be the duties of holding a public hearing and voting upon any proposed amendments or repeal of this ordinance as provided by law.

[Section 277. Reserved.]

Section 277.1. Penalties.
Any person violating a provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be punished for each violation according to law. Each day such a violation continues shall be deemed a separate offense.

Section 277.2. Remedies.
In case any building is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building or lot is used in violation of this ordinance, the Building Official, Planning Director, or any other appropriate county authority, or any person who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action in proceeding to prevent said violation in the case of each such building or use.

Section 278. Records.
The Building Official shall maintain records of all building permits and occupancy permits issued, with a notation of all special conditions involved. He shall file and safely keep copies of all sketches and plans submitted, and the same shall form a part of the records of his office and shall be available for use of the Board of Commissioners, the Board of Zoning Appeals and other officials of Coweta County, and the public.

Section 278.1. Fees.
In addition to other fees assessed by the county as a prerequisite to securing building permits for various types of construction, the Building Official, Planning Director, or any other appropriate county authority shall assess and collect, on behalf of the Board of Commissioners, fees for actions pursuant to this ordinance based on fee schedules adopted by the Board of Commissioners and presented in the appendix of this ordinance.

ARTICLE 28. CRITERIA FOR VARIANCES AND CONDITIONAL USES
No variance or conditional use shall become effective unless it has been submitted for review. All applications shall be reviewed at meetings which are open to the public.

The Board of Zoning Appeals is established in accordance with the provisions of this ordinance. Said board shall consist of five members appointed by the Board of Commissioners. The members shall serve for overlapping terms of not less than three nor more than five years. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members will be removed for cause by the appointing authority upon written charges and after public hearing. None of the members shall hold any other public office or position.

Section 280. Procedure.

The Board of Zoning Appeals shall elect a chairman and a vice-chairman from its members who shall serve for one year or until reelected or until their successors are elected. The board shall appoint a secretary, who may be a county employee. The Board shall adopt rules and bylaws in accordance with the provisions of this article.

Meetings of the Board shall be held at the call of the chairman, and at such other times as the Board may determine. The Board may table questions before it for action at a subsequent meeting; and the Board may seek counsel on questions before it from the County Attorney, County Planner, Building Official or other authorities.

The chairman shall call special meetings of the board, decide points of order and procedure, administer oaths, and command the appearance of witnesses. The vice-chairman shall, in the absence of the chairman, administer the office of the chairman. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall keep records of its examinations and other official actions, all of which shall be a public record.

All meetings of the board shall be open to the public.

Section 281. Appeals, how taken.

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by an officer, department, board or bureau of the county affected by any decision of the Planning Official. Such appeals shall be taken within a reasonable time, as provided by the rules of the Board, by filing with the Planning Official a notice of appeal specifying the grounds thereof. The Planning Official shall forthwith transmit to the Board all papers constituting the records upon which the action appealed from was taken.

The Zoning Board of Appeals shall review all variance and/or conditional use applications at meetings which are open to the public. At a meeting, any party may appear in person or be represented by an agent or attorney. No member of the Zoning Board of Appeals shall participate in any way in a hearing in which he has any financial or special interest.

No application or reapplication for any Conditional Use Permit or Variance affecting the same land or any portion thereof shall be acted upon within six (6) months following the defeat of the Conditional Use Permit by the Board of Commissioners. Nothing in this ordinance shall prevent an applicant from withdrawing their application prior to the Board of Zoning Appeals
action, however, withdrawal of the application shall not affect the six (6) month waiting period stated above. (Ord. of 5-18-10)

Section 282. Public hearing.

The Board of Zoning Appeals shall fix a reasonable time for hearing of the appeal or other matters referred to it, and give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time, all in accordance with the procedures set forth in Section 280. Upon hearing, any party may appear in person or by agent or attorney.

The notice shall include the location, present and proposed change of the property along with the date of the hearing. In addition, a copy of the notice shall be sent by mail to all owners of property located within two hundred fifty (250) feet of the property. Property ownership shall be ownership as shown by the Coweta County Tax Digest for the year in which the application is considered, and the county officials have no duty to inquire into ownership beyond that shown on said tax digests.

Whenever a proposed Conditional Use Permit has been submitted, the Board of Commissioners shall cause to be posted in a conspicuous place on the property a sign not less than fifteen (15) days prior to the date of the hearing. Such posted sign shall be not less than twelve (12) square feet in area, and shall contain information as to the proposed conditional use and the date, time and place of the public hearing before the Board of Zoning Appeals.

(Ord. of 5-18-10)

Section 283. Stay of proceedings.

An appeal stays all legal proceedings in furtherance of the action appealed from unless the planning official certifies to the Board of Zoning Appeals after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a competent court on application or notice to the officer from whom the appeal is taken and on due cause shown.

Section 284. Powers and duties of the Board of Zoning Appeals.

The Board of Zoning Appeals shall have the following powers and duties:

Administrative review. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Planning Official in the enforcement of this ordinance.

Review. The Zoning Board of Appeals shall act as a review board on all variances and conditional use applications and make a final recommendation to the Board of Commissioners.

Section 284.1 Duties by Board of Commissioners Concerning an Appeal or Conditional Use.

Since the recommendation by the Zoning Board of Appeals is a finding of fact, the Board of Commissioners shall not be required to conduct a hearing before making a final decision on any appeal or conditional use application. The Board of Commissioners shall act on any application when possible, and within thirty (30) days from the date of submittal by the Zoning Board of
Appeals. If the Zoning Board of Appeals does not submit a recommendation within the required 30-day period, the Board of Commissioners shall act upon the application within 60 days from the date of the initial submittal of a completed application to the Zoning Board of Appeals. A property owner, with the consent of the Board of Commissioners may voluntarily withdraw the application. Once the applicant has withdrawn their application, the applicant must reapply as a new application, beginning with the Zoning Board of Appeals.

At the meeting before the Board of Commissioners, any party may appear in person or be represented by an agent or an attorney.

The Board may grant approval of a variance or conditional use only if the Board finds that the proposed variance or conditional use would not adversely affect the health or safety of persons residing or working close to the proposed use, and the proposed use will not be detrimental to the public welfare or injurious to property values or public improvements in the surrounding area. The existence of a nonconforming use of neighboring land, buildings, or structures in the same or in the other districts shall not constitute a reason for a variance or conditional use. The following factors, where relevant, shall be considered in evaluating a variance or conditional use and may be granted in an individual case of unnecessary hardship upon a finding by the Board of Commissioners that one or more of the following factors may exist:

1. Whether the variance or conditional use will permit a use that is suitable in view of the use and development of adjacent and nearby property;
2. Whether the variance or conditional use will adversely affect the existing use or usability of adjacent or nearby property;
3. Whether or not the special circumstances contribute to the request are peculiar to the particular property involved;
4. Whether the variance or conditional use will result in a use, which will or could cause an excessive, or burdensome use of existing streets, transportation facilities, utilities, or schools;
5. Whether there are other existing or changing conditions affecting the use and development of the property, which gives supportive grounds for either approval, or disapproval of the variance or conditional use;
6. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
7. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this ordinance.

If a conditional use permit is granted, the Board of Commissioners may specify and require such conditions in connection therewith as will, the Board's opinion, assure that the proposed use will conform to the requirements and spirit of this ordinance. The following factors, where relevant, shall be considered in evaluating conditional use and may be granted in an individual
case of unnecessary hardship upon a finding by the Board of Commissioners that all of the following conditions exist:

(1) The available existing street system is adequate to efficiently and safely accommodate the traffic, which will be generated by the proposed use or development.

(2) The existing public utilities, facilities and services are adequate to accommodate the proposed use or development.

(3) The use or development does not generate or cause conditions such as noise, light, glare, odor, or similar objectionable features which would reduce the value, use or enjoyment of surrounding properties.

(4) The proposed building(s) are not out of character with the surrounding area and zoning district in terms of building construction and general aesthetic appearance to the extent that the proposed building will have a detrimental impact on the value of nearby homes, businesses, or other properties.

If, at any time after a conditional use permit has been issued, the Planning Official finds the conditions imposed and the agreements made have not been or are not being fulfilled by the holder of a conditional use permit, the permit shall be cancelled. The operation of such use must be discontinued.

The Board of Commissioners shall notify the applicant of its final decision.

**Section 285. Counsel and recommendations of the County Planner to the Board of Zoning Appeals.**

The Board of Zoning Appeals, in making its recommendation, shall receive and carefully consider the recommendations of the Coweta County Planner on all matters presented to the board.

**Section 285.1. Recommendations of the Board of Zoning Appeals to the Board of Commissioners.**

The Zoning Board of Appeals shall have forty-five (45) days from the date of submittal of a completed application to make its recommendation to the Board of Commissioners. However, in the case of submittal of an application proposing a development of regional impact, the Board of Zoning Appeals shall have forty-five (45) days from receipt of the Regional Commission notice of finding and recommendation, and/or the Georgia Regional Transportation Authority decision on the DRI plan of development to make its recommendation to the Board of Commissioners. If the Board of Zoning Appeals fails to make its recommendation within the forty-five (45) day period, it shall be deemed to have recommended approval of the proposed amendment. The above forty-five (45) day period may be extended with the approval of the applicant.

(Ord. of 9-1-09)

**Section 285.2. Authorization allowing the Planning Director to grant certain administrative variances.**

The provisions of this Article shall not prohibit the Board of Commissioners from authorizing the Planning Director to grant certain administrative variances in accordance with policies or other ordinance provisions established by the Board of Commissioners. The procedures for approval or denial in those circumstances shall be established by the policy or relevant
ordinance section and shall not be governed by this Article. (Ord. of 12-6-12)

Section 286. Fees.
A fee in an amount set forth in the appendix of this ordinance shall be paid to Coweta County at the time a notice of appeal to the Board of Zoning Appeals is filed in the office of the Planning Department.

A property owner, with the consent of the Board of Commissioners, may voluntarily withdraw the application. Once the applicant has withdrawn their application they must reapply as a new application, beginning with the Zoning Board of Appeals.

In the event the applicant withdraws their application, the fee submitted shall not be refunded to the applicant. This is to ensure the costs associated with the processing of the application are utilized to compensate the County for the time, materials, and staffing used during the processing of the application.

Section 287. Legal status provisions.
Whenever the regulations of this ordinance impose more restrictive standards than are required in any other statute, the requirements of this ordinance shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by this ordinance, the provisions of such statute shall govern.

Section 287.1. Validity.
Should any part of this ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the validity of the ordinance as a whole or any part thereof other than the specific part so declared to be unconstitutional or invalid.

Section 287.2. Ordinance repealed.
All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed in their entirety.

ARTICLE 29. AMENDMENTS AND CONCEPTUAL

This ordinance, including the Official Zoning Map, may be amended by the Board of Commissioners on its own motion, or on application or recommendation by the County Planner, Building Inspector, any public agency, or department of Coweta County.

Section 290. Application for zoning amendment by individuals.
A zoning map amendment may be proposed by an individual or entity owning fee simple title to the subject property or [having] written authorization to act on behalf of such owner(s); provided, however, that no application or reapplication for any zoning map amendment affecting the same land or any portion thereof shall be acted upon within six (6) months following the date of denial by the Board of Commissioners. Nothing in this ordinance shall prevent an applicant from withdrawing their application prior to commission action, however, withdrawal of the application shall not affect the six(6) month waiting period stated above. Any communication
purporting to be an application for a zoning change shall be regarded as mere notice to seek changed until it is made in the form required. (Ord. of 5-18-10)

A petition for an amendment to the Official Zoning Map or text, except those proposed by the Board of Commissioners or other county agents, shall be accompanied by a filing fee in an amount as set forth in the appendix to this ordinance, and shall be filed with the county planner, at least forty-five (45) days prior to the date of the Board of Commissioners' meeting at which the applicant wishes the petition to be considered.

An application for a zoning map amendment shall include the following:

(1) A completed copy of the application for a zoning map amendment on the form provided by the county planner, with an attached legal description of the property, and a plat of the property drawn by a land surveyor. The applicant shall indicate on their zoning amendment application the stated use of the subject property. Furthermore, applicants submitting an application to rezone property to single-family residential, two-family, multi-family, commercial or industrial are required to include a professional type rendering of structures to be placed on the site. The rendering referred to above shall depict the project in detail sufficient for the public and the commission to understand the dimensions, location, nature and scope of the proposed development. There is no requirement that the rendering be in color or be drawn to exact scale.

(2) A conceptual site plan depicting the proposed use of the property including:

(a) A drawing of the subject district and immediate surrounding area, drawn to a scale of one inch equals 100 feet. The Planning Director may allow a smaller scale if deemed to be legible.

(b) A correct scale and north arrow.

(c) The proposed land use, zoning, and building outline as it would appear should the zoning map amendment application be approved.

(d) The present zoning classification of all adjacent parcels.

(e) The building outline, and maximum proposed height of all buildings, and/or structures.

(f) The proposed location of all drives, streets, off-street parking and loading areas, and entry/exit points for vehicular traffic, using arrows to depict direction of movement.

(g) Required yard setbacks appropriately dimensioned.

(h) The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation if required.
(i) A location map showing all arterial and collector streets, and other significant landmarks, within two miles of the proposed district (no scale is required).

(j) Topography at 20-foot contour intervals including source of datum.

(k) Location and elevation of the 100-year floodplain on the property subject of the proposed zoning.

(l) Delineation and dimensions of the boundary of the proposed district.

(m) Name, address, and telephone number of the current boundary owner of the proposed district.

(n) Name, address, and telephone number of owner's representative who is capable of answering questions regarding the site plan.

(o) Location and acreage of all major utility easements greater than 20 feet in width, if applicable.

(p) Acreage of property and proposed number of residential lots, dwelling units, or manufactured home spaces, if applicable.

(q) Approximate location of septic and drainfield lines, replacement areas for septic system, stormwater detention structures, lakes, ponds, and any other improvements as required by the Planning Department.

Conceptual site plans shall be required with any rezoning application in which the application is to establish or expand any RC, RD, R-2, MH, O-I, C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-LS, C-MU, VC, RI-A, RRCC, LUH, LM, or M district. Said site plan shall meet the requirements of Section 290. Item 2. Within ten (10) working days of the receipt of such site plan, the County Planner shall determine its compliance with Article 29. Section 290. Item 2., and shall either accept it as being "sufficient" or reject as being "insufficient." If it is so rejected, a revised application may be submitted for the following application period. Once an application and filing fee for rezoning has been submitted to the county and accepted for review, the public hearing date set for its consideration cannot be postponed by request of the applicant.

(3) DRI review procedures. The County Planner may postpone local review of a conceptual site plan when the proposed development meets thresholds established by the Department of Community Affairs in Table II, Developments of Regional Impact, Tiers and Development Thresholds Effective January 1, 2002 (as amended). Within ten days of receiving an application for rezoning that meets the above minimum standards, the County Planner may notify the applicant that local review must be postponed until the Regional Commission (RC) and the Georgia Regional Transportation Authority (GRTA) determine the DRI status of the proposed development and that the "Initial DRI Information" form has been
submitted to the RC. The county planner shall provide the applicant a copy of the RC determination and the GRTA determination of DRI status. If neither the RC nor the GRTA require regional review, the application may be submitted for the following application cycle.

If the RC and/or the GRTA require regional review, the County Planner may postpone local review of a conceptual site plan. The applicant must provide a written agreement to postpone the local review of the application until the RC and GRTA reviews are complete. The applicant shall attach to the rezoning application all information required for, or produced from, the RC and GRTA reviews. The application may be submitted for the following application cycle.

(Ord. of 9-1-09)

Section 291. Staff review of application.

All proposed amendments to the Official Zoning Map or text, except those initiated by the Board of Commissioners, shall be reviewed by the County Planner for consistency with the county's comprehensive land use plan and the county development goals and objectives.

The County Planner may circulate the application and/or appropriate materials regarding said application to those agencies, departments, and/or entities of government which he deems to be appropriate for solicitation of comments.

The County Planner shall transmit to the Board of Commissioners his comments and recommendations concerning the application, prior to the date scheduled by the Board for its consideration of the application.

Section 292. Notification and public hearing.

Before adopting any amendment or change to this ordinance, the Board of Commissioners shall hold a public hearing thereon, official notice of which shall be given in a newspaper of general circulation in Coweta County, at least fifteen (15) days, but not more than forty-five (45) days, prior to the hearing.

The newspaper notice of the public hearing shall include the time, place, and purpose of the hearing. In addition, if the proposed amendment involves a proposed zoning classification change of a parcel of land (a proposed zoning map amendment), the newspaper notice of the public hearing shall include the location of the property, the present zoning classification and the proposed zoning classification.

Whenever a proposed amendment to this ordinance, initiated by a party other than Coweta County, involves changing the zoning classification of property from one type of zone to another, the Board of Commissioners shall cause to be posted in a conspicuous place on the property a sign not less than fifteen (15) days prior to the date of the hearing. Such posted sign shall be not less than twelve (12) square feet in area, and shall contain information as to the proposed zoning change and the date, time, and place of the public hearing before the Board of Commissioners. Proposed zoning text amendments and proposed revisions of the zoning map which are initiated by the Board of Commissioners shall not require the posting of signs on the affected property.
Coweta County will notify, by first class mail, all property owners by letter within two hundred and fifty (250) feet of the property that is petitioned to be rezoned. Coweta County Tax Assessor records will be the source by which property ownership is derived and shall be deemed to be a sufficient list of property ownership.

Section 293. Hearings on proposed zoning amendments, procedures.

The Board of Commissioners shall hold a public hearing on zoning amendment petitions on the Thursday prior to the third Tuesday of the month, except when said Thursday falls on a legal holiday or a day that the County Administration Building is officially closed, and in that event the hearing of the Board of Commissioners shall normally be held on the following Thursday. All public hearings will normally be held in the Coweta County Administration Building, Newnan, Georgia.

The calling, governing and conducting of hearings shall be accomplished in accordance with the following policies and procedures:

(1) If any person desires a stenographic record of the proceedings, such person shall make his own arrangements for such and inform the Clerk of the Board of Commissioners of his intention to arrange for a stenographic record of the proceedings.

(2) The Chairman shall indicate that a public hearing has been called for the consideration of zoning decisions. Thereupon the Board of Commissioners shall consider each application on an individual basis.

(3) When an application comes up for review, the Chairman shall ask for a show of hands for those persons who appear in support of/opposition to the petition. If it appears that the number of persons wishing to appear in support of/opposition to the petition is in excess of that which may reasonably be heard, the Chairman may request that a spokesman for the group be chosen so that the entire presentation of the positions of those in support of/opposition to the petition shall not exceed thirty (30) minutes.

(4) After the comments and concerns of the public have been heard, the Board of Commissioners may thereupon request a report from the officer or agents of the County.

(5) The applicant for the zoning amendment shall be allowed a short opportunity for rebuttal and final comment.

(6) After the above procedures have been completed, the Chairman will indicate that the public hearing is formally closed.

(7) After the public hearing is closed, the Board of Commissioners may immediately thereafter vote upon the proposed change; however, the Board will normally delay their vote to a subsequent meeting on the following Tuesday, provided that announcement of the time, date, and location when such zoning decision is to be
made shall be stated at the meeting.

Section 294. Standards of Review.

In ruling on any application for a zoning map amendment, the Board of Commissioners shall act in the best interest of the health, safety, morals, and general welfare of the county. In doing so the Board will consider one or more of the following factors as these factors may be relevant to the application:

1. The existing land use pattern;
2. The possible creation of an isolated district unrelated to adjacent and nearby districts;
3. The population density pattern and possible increase or overtaxing of the load on public facilities including, but not limited to, schools, utilities, and streets;
4. The cost of the county and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures;
5. The possible impact on the environment, including but not limited to drainage, soil erosion and sedimentation, flooding, air quality and water quantity;
6. Whether the proposed zoning map amendment would have an adverse impact on the value, use, enjoyment, or potential development of adjacent property;
7. Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;
8. The aesthetic effect of existing and future use of the property as it relates to the surrounding area;
9. The possible effects of the proposed zoning map amendment on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community;
10. The relation that the proposed zoning map amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of those zoning regulations;
11. The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight;
12. In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor or [of] preservation of the residential area shall be considered to carry great weight;
(13) Any other factors relevant to the balancing of interests in promoting the public health, safety, morality or general welfare against a right to unrestricted use of property;

(14) Whether the proposed zoning map amendment is consistent or inconsistent with the county's comprehensive land use plan and the county's development goals and objectives.

After hearing evidence at the zoning hearing the Board of Commissioners shall apply the evidence to the standards of review in making their decision. It will not be required that the Board of Commissioners consider every criteria contained in the standards of review. It shall be the duty of the applicant to carry the burden of proof that the proposed zoning map amendment promotes the public health, safety, morality or general welfare.

If the Board of Commissioners determines from the ordinance presented that the applicant has shown that the proposed zoning map amendment promotes the health, safety, morals and general welfare under the standards of review, then the application shall be granted, subject to those reasonable conditions as may be imposed by the Commissioners pursuant to Section 295. Otherwise, the Commission shall deny the application or impose upon said property any appropriate zoning classification, including conditions allowed by Section 295, which might be consistent with the considerations contained in the “Standards of Review” presented above.

If the proposed project is to be served with an on-site septic system, the applicant shall be required, as a condition of approval, to submit a soil analysis prior to the issuance of any development permits. The soil analysis shall be prepared by and bear the seal of a Georgia registered engineer who is practicing geotechnical engineering, and shall be acceptable to the County's Environmental Health Department requirements as follows:

The soil analysis must be a comprehensive soil analysis showing soil classifications, predicted and/or measured seasonal high ground water levels, perched water tables, or other restrictive layers such as rocks. The report shall also include wetland delineation and any soil features or conditions which may affect the proper function of subsurface sewage disposal, including absorption rates at specific depths.

Section 295. Conditional zoning.

In deciding upon any application for a zoning map amendment, the Board of Commissioners may, on their own motion or upon the suggestion of the applicant, grant the application subject to certain conditions necessary to promote and protect the health, safety, morals and general welfare of the County. Such conditions shall be imposed for the benefit of the community to lessen any negative effects that the zoning map amendment may cause.

The Board of Commissioners may grant any zoning map amendment and include conditions as follows:

(1) Such conditions as are deemed necessary to protect neighbors and to lessen any negative effects of the zoning change.

(2) That the rezoning is conditional upon the condition that the applicant or any
successor in title may implement only those uses and only in such manner as is depicted upon any site plan submitted and approved with the application.

Prior to a final vote being taken upon any application for zoning map amendment in which conditions shall be imposed, such conditions will be announced at the meeting and the applicant shall be afforded an opportunity to present its position on such conditional requirements. If the applicant finds such proposed conditional requirements to be unacceptable, it may, at that time, withdraw its application for zoning map amendment; such withdrawal shall not enable such applicant to re-file for a zoning map amendment contrary to County or State law, and there shall be no refund of the rezoning fee which had been paid to the County with such withdrawn application.

If the Board of Commissioners adopts a zoning map amendment which contains conditional requirements, such requirements shall become a part of this ordinance and the official zoning map. Such property shall thereafter carry the suffix "c" to indicate that such property has been conditionally zoned (e.g., CBc, LMc, Mc, Cc, etc.). Such conditions shall be binding upon all owners of the property until removed or modified by the Board of Commissioners. Provided, however, that any use designated or indicated for a building or outparcel on a conceptual or preliminary site plan, where such plan is required as a part of the zoning process, or any such specific use designated as a condition of zoning on a building or outparcel shall be for descriptive purposes to indicate a degree of general anticipated intensity of use, and the County Planner may approve and permit any otherwise permitted use of any such building or outparcel, under the applicable zoning district, unless such use is specifically prohibited by a condition of zoning or requires a special use permit, so long as the County Planner determines that such other proposed use does not significantly increase the intensity of the proposed use of such building or outparcel. The County Planner shall so indicate in the records of the zoning actions the existence of the conditional requirements.

In those instances where a rezoning is granted which is conditional upon the submitted site plan, such property shall revert to its former zoning classification by operation of law if a building permit for such development has not been applied for within one year; provided that the Board of Commissioners, at a zoning hearing, may extend this period for good cause shown by the property owner.

It shall be the duty of the Planning Director to periodically review such conditional rezoning and to report to the Board of Commissioners those rezoning actions which have reverted by operation of law. (Ord. of 11-18-08)

Section 296. Amendment of conditional zoning.

Procedures for removing any conditional requirements shall be the same as any other zoning amendment.

The following information must be obtained for a rezoning hearing. This information becomes part of the record.

(a) Financial disclosure form for commissioners.

(b) Financial disclosure form concerning a rezoning applicant.
Financial disclosure form concerning any individual whom wishes to address the board during a rezoning hearing.

**Section 297. Disclosure forms.**

Disclosure Forms are available in the Planning Department.

**Section 298. Application for zoning amendment by individuals for single-family residential lots other than subdivision developments.**

A zoning map amendment may be proposed by an individual or entity owning fee simple title to the subject property or having written authorization to act on behalf of such owner(s); provided, however, that no application or reapplication for any zoning map amendment affecting the same land or any portion thereof shall be acted upon within six (6) months following the date of denial by the Board of Commissioners. Nothing in this ordinance shall prevent an applicant from withdrawing their application prior to commission action, however, withdrawal of the application shall not affect the six(6) month waiting period stated above. Any communication purporting to be an application for a zoning change shall be regarded as mere notice to seek changed until it is made in the form required. (Ord. of 5-18-10)

A petition for an amendment to the Official Zoning Map or text, except those proposed by the Board of Commissioners or other county agents, shall be accompanied by a filing fee in an amount as set forth in the appendix to this ordinance, and shall be filed with the County Planner.

An application for a zoning map amendment shall include the following: A completed copy of the application for a zoning map amendment on the form provided by the County Planner, with an attached legal description of the property, and a plat of the property drawn by a registered land surveyor. The applicant shall indicate on their zoning amendment application the stated use of the subject property.

(a) **Staff review of application.** All proposed amendments to the official zoning map or text, except those initiated by the Board of Commissioners, shall be reviewed by the County Planner for consistency with the county's comprehensive land use plan and the county development goals and objectives.

The County Planner may circulate the application and/or appropriate materials regarding said application to those agencies, departments, and/or entities of government which he deems to be appropriate for solicitation of comments.

The County Planner shall transmit to the Board of Commissioners his comments and recommendations concerning the application, prior to the date scheduled by the board for its consideration of the application.

(b) **Notification and public hearing.** Before adopting any amendment or change to this ordinance, the Board of Commissioners shall hold a public hearing thereon, official notice of which shall be given in a newspaper of general circulation in Coweta County, at least 15 days, but not more than 45 days, prior to the hearing.
The newspaper notice of the public hearing shall include the time, place and purpose of the hearing. In addition, if the proposed amendment involved a proposed zoning classification change of a parcel of land (a proposed zoning map amendment), the newspaper notice of the public hearing shall include the location of the property, the present zoning classification and the proposed zoning classification.

Whenever a proposed amendment to this ordinance, initiated by a party other than Coweta County, involves changing the zoning classification of property from one type of zone to another, the Board of Commissioners shall cause to be posted in a conspicuous place on the property a sign not less than fifteen (15) days prior to the date of a hearing. Such posted sign shall be not less than twelve (12) square feet in area, and shall contain information as to the proposed zoning change and the date, time and place of the public hearing before the Board of Commissioners. Proposed zoning text amendments and proposed revisions of the zoning map which are initiated by the Board of Commissioners shall not require the posting of the signs on the affected property.

(c) *Hearings on proposed zoning amendments; procedures.* The Board of Commissioners shall hold a public hearing on zoning amendment petitions pursuant to this section as soon as practicable taking into account required advertising. The calling, governing and conduction of hearings shall be accomplished in accordance with the following policies and procedures set out in Section 293 of this ordinance.

(d) *Standards of review.* In ruling on any application for a zoning map amendment, the Board of Commissioners shall act in the best interest of the health, safety, morals, and general welfare of the County. In doing so, the Board will consider one or more of the following factors as these factors may be relevant to the application:

1. The existing land use pattern;
2. The possible creation of an isolated district unrelated to adjacent and nearby districts;
3. The population density pattern and possible increase or overtaxing of the land on public facilities including, but not limited to, schools, utilities and streets;
4. The cost of the County and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets, and other public safety measures;
5. The possible impact on the environment, including but not limited to drainage, soil erosion and sedimentation, flooding, air quality and water quality;
6. Whether the proposed zoning map amendment would have an adverse impact on the value, use, enjoyment, or potential development of adjacent
(7) Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;

(8) The aesthetic effect of existing and future use of the property as it relates to the surrounding area;

(9) The possible effects of the proposed zoning map amendment on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community;

(10) The relation that the proposed zoning map amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of those zoning regulations;

(11) The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight;

(12) In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor or (of) preservation of the residential area shall be considered to carry great weight;

(13) Any other factors relevant to the balancing of interests in promoting the public health, safety, morality, or general welfare against a right unrestricted use of property;

(14) Whether the proposed zoning map amendment is consistent or inconsistent with the County's comprehensive land use plan and the County's development goals and objectives.

After hearing evidence at the zoning hearing the Board of Commissioners shall apply the evidence to the standards of review in making their decision. It will not be required that the Board of Commissioners consider every criteria contained in the standards of review. It shall be the duty of the applicant to carry the burden of proof that the proposed zoning map amendment promotes the public health, safety, morality or general welfare.

**ARTICLE 30. LEGAL STATUS PROVISIONS**

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, or general welfare.

Whenever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, resolution, deed restrictions, or covenants, the most restrictive or that imposing higher standards shall govern.
**Section 300. Penalties for violation.**

It is unlawful to violate the provisions of this ordinance or to fail to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances, special exceptions, conditions, or conditional uses). Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $1,000.00 and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assist in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the county from taking such other lawful civil, criminal, quasi-civil or quasi-criminal action as is necessary to prevent or remedy any violation.

**Section 301. Remedies.**

If any building or structure is constructed, reconstructed, altered, repaired, converted, or if any building, structure or land is used in violation of this ordinance, the Board of Commissioners of Coweta County, the Building Official, the County Planner, any other appropriate county authority, or any adjacent property owner who would be damaged by such violation, in addition to other remedies, may institute an injunction, mandamus or other appropriate action in proceeding to stop the violation in the case of such building, structure or land use.

**Section 302. Severability clause.**

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.
**APPENDIX. FEE SCHEDULE**

*Rezoning Fees*

1. From any zoning district to the RC zoning district or to change the conditions of zoning within the district:

   **Base Fee:** $100.00

   - For Subdivision Developments:
     - 0 – 5 acres: $150.00
     - 5.01 – 10 acres: $400.00
     - 10.01 – 20 acres: $650.00
     - 20.01 – 100 acres: $900.00
     - 100.01+ acres: $1,150.00 plus $40.00 per acre for any portion thereof.

   Maximum Fee: $2,000.00

2. To either of the following two-family or multi-family zoning districts, or to change the conditions of zoning within the district: RD, R-2, or RRCC: \[(Ord. of 11-19-2013)\]

   **Fee:**
   - 0 – 5 acres: $250.00
   - 5.01 – 10 acres: $500.00
   - 10.01 – 20 acres: $750.00
   - 20.01 – 100 acres: $1,000.00
   - 100.01+ acres: $1,250.00 plus $40.00 per acre for any portion thereof.

   Maximum Fee: $2,000.00

3. To the MH zoning district classification, or to change the conditions of zoning within the district:

   **Fee:** $1,000.00 plus $40.00 per acre for any portion thereof.

   **Maximum Fee:** $3,000.00

4. To the Village Center zoning district classification, or to change the conditions of zoning within the district:

   **Fee:** $2,000.00 plus $40.00 per acre for any portion thereof.

   **Maximum Fee:** $5,000.00

5. To any of the following office, business, commercial, or industrial zoning districts, or to change the conditions of zoning within the district: LUH, C-LS, C-MU, O-I, C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, LM, M:
### Board of Zoning Appeals Fees

1. Application of administrative review before the Board of Zoning Appeals:  
   **Fee:** $50.00

2. Application for a variance before the Board of Zoning Appeals:
   a. RC, RI-A, or CC districts:  
      **Fee:** $50.00 plus $25.00 for each additional variance request on the same lot or parcel of land.

   b. RD, R-2, or RRCC districts:  
      **Fee:** $75.00 plus $40.00 for each additional variance request on the same lot or parcel of land.  
      
      (Ord. of 11-19-2013)

   c. LUH, MH, NC, C, C-LS, C-MU, VC, O-I, C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, LM, M districts:  
      **Fee:** $100.00 plus $50.00 for each additional variance request on the same lot or parcel of land.
3. Application for ruling by the Board of Zoning Appeals on special questions, or application for a conditional use upon which the Board of Zoning Appeals is authorized to rule as specified in the Zoning and Development Ordinance:
   Fee: $50.00

   **Administrative Review Fees**

1. Height Exception Application:
   Fee: $50.00

2. Quality Development Corridor District Variance:
   Fee: $50.00

3. Temporary Produce Stand Application for properties inside the Quality Development Corridor District:
   Fee: $50.00

   **Plan Review Fees**

In addition to the basic building permit fees assessed by the county, any development proposal, other than for a single-family or two-family residence, shall require the payment of plan review fees as follows:

   **Type of Development** | **Fees**

   Multifamily, for first building | $500.00
   Plus, for each additional building in the development | 100.00

   Office, for first building | 500.00
   Plus, for each additional building in the development | 200.00

   Commercial, for first building | 500.00
   Plus, for each additional building in the development | 200.00

   Industrial, for first building | 500.00
   Plus, for each additional building in the development | 200.00
Manufactured home park, for first manufactured home site 500.00
  Plus, for each additional manufactured home site in the development 25.00

Conditional Uses and Special Uses, for first building 500.00
  Plus, for each additional building in the development 100.00

Site Improvements with no new buildings, such as, parking lots, detention structures, and similar uses 300.00

**Land Disturbance and Grading Fees**

The Land Disturbance and Grading Permit fee for the above listed developments shall be calculated as follows:

- **Base fee:** $550.00, plus $65 per disturbed acre
- **Maximum fee:** $2,000.00

**Subdivision Review Fees**

<table>
<thead>
<tr>
<th>Plan Type</th>
<th>Fee</th>
</tr>
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<tbody>
<tr>
<td>Yield Plan</td>
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<tr>
<td>Preliminary Plat</td>
<td>100.00</td>
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<tr>
<td>Construction Plans &amp; Erosion Control Plans</td>
<td>100.00</td>
</tr>
<tr>
<td>Final Plat</td>
<td>100.00</td>
</tr>
</tbody>
</table>

**Subdivision Lot Fees**

A one-time lot user fee shall be assessed prior to the issuance of a building permit on any lot in a platted subdivision in the amount of $600. $100 of the total is assessed for the purpose of tree preservation.

**“As-Built” Site Plan Review Fees**

“As-Built” Site Plan Review $ 100.00
Street Light Fee

Application Fee: $ 75.00
Per lot Fee $ 5.00
*Completion of this process will result in an additional yearly tax assessment for the purpose of paying for street lights within the community.

Tree Preservation Ordinance Fee

Residential Fees (per lot): $ 100.00
* see Subdivision Lot Fees

Site Development Fees:
- 0 – 5 acres $ 400.00
- 5 – 10 acres $ 500.00
- 10 – 20 acres $ 750.00
- 20 – 100 acres $1,000.00

Tree Removal Permit Fee: $30.00 per hour
(partial hours shall be prorated)
(Ord. of 2-7-12)