

How to use this iZone Interactive Zoning Ordinance

iZone Document Features

The navigation buttons at the bottom of each page direct you to

- Back to Previous View,
- Start of Article,
- Table of Contents,
- Definitions,
- Zoning Map, and
- Table of Uses.

The buttons on the side of the page take you to commonly used features:

- General Provisions,
- Site Plan Review,
- Conditional Use,
- Special Land Uses,
- Site Design, and
- Parking.

Section 6-1 Purpose

A. **"R-1," Low Density Residential District.** The R-1 District is intended to accommodate new residential subdivision development at densities of less than two units per acre, along with related uses generally on the periphery of the more intensely urbanized sectors of the city. Land within this district will be served by public sanitary sewer and water facilities.

B. **"R-2," Moderate Density Residential District.** The R-2 District is intended to encompass much of the city's existing single family residential development and accommodate similiary situated new development at densities of about three units per acre.

Section 6-2 Schedule of Uses

Buildings or land shall not be used and buildings shall not be erected, except for the following specified uses, unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of Table 6-2 may be used for the purposes denoted by the following abbreviations:

A. **Permitted Use (P).** Land and/or buildings in this district may be used by right.

B. **Conditional Use (C).** Land and/or buildings in this district may be used by right provided the specific conditions related to that use, as found in *Article 14* are met.

C. **Special Use (S).** Land and/or buildings may be permitted only if special land use approval is granted upon a finding that all applicable requirements in *Article 15*, Special Use Requirements.

D. **Specific Conditions.** Indicates requirements or conditions applicable to conditional uses, as listed in *Article 14* Conditional Use Requirements, or Special Uses, as listed in *Article 15*.

Use	R-1	R-2	Specific Conditions
Residential			
Single family dwellings	P	P	
Accessory dwelling unit	S	S	<i>15-10</i>
Bed and breakfasts	C	S	<i>15-12</i>
Day care, family	C	C	<i>14-11</i>
Day care, group	S	S	<i>15-18</i>
Child caring institution, family	S	S	<i>15-14</i>
Foster care home, adult family	S	S	<i>15-25</i>
Family personal care homes	S	S	<i>15-25</i>
Home occupations	C	C	<i>14-16</i>
Accessory uses and structures	C	C	<i>14-2</i>
Recreation			
Golf courses and country clubs	C	C	<i>14-14</i>
Private non-commercial recreation	C	C	<i>14-22</i>
Public parks/playgrounds	P	P	

6-2 City of Palmetto Zoning Ordinance

References to Articles, Sections, Tables and Figures are italicized to indicate the hyperlink. After you have read the referenced section, you can click on the Previous View button to return to the page you were reading.

Words that are linked to their definition in Article 25 are not italicized, but when you hover over them with your mouse you will see the cursor changes to a finger, allowing you to click and jump to the definition.

Acrobat Reader Features

Back/Forward Previous/Next Search

Locate your navigation tools under Tools>Customize Toolbar>Page Navigation Toolbar.

- Page Navigation Toolbar
- First Page
 - Previous Page
 - Next Page
 - Last Page
 - Page Number
 - Previous View
 - Next View

Click on bookmarks or anywhere in the Table of Contents to jump between sections.

Table of Contents

- Division I Purpose and Organization 1-2
- Article 1 Enactment 1-2
- Section 1-1 Enactment 1-2
- Article 2 Title and Purpose 2-2
- Section 2-1 Short Title 2-2
- Section 2-2 Purpose 2-2
- Section 2-3 Scope 2-2
- Article 3 Rules of Construction 3-2
- Section 3-1 Rules of Construction 3-2
- Division II Zoning Districts 4-2
- Article 4 Zoning Districts and Map 4-2
- Section 4-1 Zoning Districts 4-2
- Section 4-2 Official Zoning Map 4-2
- Section 4-3 District Boundaries Interpreted 4-2
- Section 4-4 Annexed Land 4-3
- Section 4-5 Lot Divided by Zoning Line 4-3
- Section 4-6 Uses Not Listed 4-3
- Article 5 Rural Residential District 5-2
- Section 5-1 Purpose 5-2
- Section 5-2 Schedule of Uses 5-2
- Section 5-3 Spatial Requirements 5-3
- Section 5-4 Site Development Requirements 5-4
- Article 6 Single and Two-Family Residential Districts 6-2
- Section 6-1 Purpose 6-2
- Section 6-2 Schedule of Uses 6-2
- Section 6-3 Spatial Requirements 6-3
- Section 6-4 Site Development Requirements 6-4
- Article 7 Multiple-Family Districts 7-2
- Section 7-1 Purpose 7-2
- Section 7-2 Schedule of Uses 7-2
- Section 7-3 Spatial Requirements 7-3
- Section 7-4 Site Development Requirements 7-5

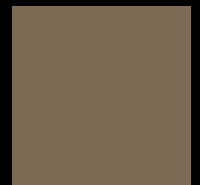
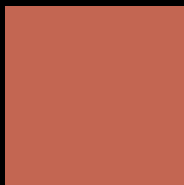
Bookmarks

- Division I Purpose and Organization
- Article 1 Enactment
- Section 1-1 Enactment
- Article 2 Title and Purpose
- Section 2-1 Short Title
- Section 2-2 Purpose
- Section 2-3 Scope
- Article 3 Rules of Construction
- Section 3-1 Rules of Construction
- Division II Zoning Districts
- Article 4 Zoning Districts and Map
- Section 4-1 Zoning Districts
- Section 4-2 Official Zoning Map
- Section 4-3 District Boundaries Interpreted
- Section 4-4 Annexed Land
- Section 4-5 Lot Divided by Zoning Line
- Section 4-6 Uses Not Listed
- Article 5 Rural Residential District
- Section 5-1 Purpose
- Section 5-2 Schedule of Uses
- Section 5-3 Spatial Requirements
- Section 5-4 Site Development Requirements
- Article 6 Single and Two-Family Residential Districts
- Section 6-1 Purpose
- Section 6-2 Schedule of Uses
- Section 6-3 Spatial Requirements
- Section 6-4 Site Development Requirements
- Article 7 Multiple-Family Districts
- Section 7-1 Purpose
- Section 7-2 Schedule of Uses
- Section 7-3 Spatial Requirements
- Section 7-4 Site Development Requirements

City of Palmetto, GA

Zoning Ordinance

iZone | Interactive Zoning



Adopted September 6, 2011

Zoning Ordinance Amendments

Ord. No.	Date Adopted	Sections	Description
Supplement No. 22			
2011-06	12-05-2011	Sec. 15-34. Special Events Facility	Add Section to regulate special events facilities
2011-06	12-05-2011	Section 25-29, Definitions	Re-write definition of "Special event"
2012-03	06-4-2012	Section 8-2, Schedule of Uses	Make "Convenience Stores" a permitted use in the "C-1" Neighborhood Commercial District, the "C-3" General Commercial District, and the "C-4" Highway Commercial District

Division I Purpose and Organization

Article 1 Enactment

Section 1-1 Enactment 1-2

Article 2 Title and Purpose

Section 2-1 Short Title 2-2

Section 2-2 Purpose..... 2-2

Section 2-3 Scope 2-2

Article 3 Rules of Construction

Section 3-1 Rules of Construction 3-2

Division II Zoning Districts

Article 4 Zoning Districts and Map

Section 4-1 Zoning Districts 4-2

Section 4-2 Official Zoning Map 4-2

Section 4-3 District Boundaries Interpreted 4-2

Section 4-4 Annexed Land..... 4-3

Section 4-5 Lot Divided by Zoning Line 4-3

Section 4-6 Uses Not Listed 4-3

Article 5 Rural Residential District

Section 5-1 Purpose..... 5-2

Section 5-2 Schedule of Uses 5-2

Section 5-3 Spatial Requirements..... 5-3

Section 5-4 Site Development Requirements 5-4

Article 6 Single and Two-Family Residential Districts

Section 6-1 Purpose..... 6-2

Section 6-2 Schedule of Uses 6-2

Section 6-3 Spatial Requirements..... 6-3

Section 6-4 Site Development Requirements 6-4

Article 7 Multiple-Family Districts

Section 7-1 Purpose..... 7-2

Section 7-2 Schedule of Uses 7-2

Section 7-3 Spatial Requirements..... 7-3

Section 7-4 Site Development Requirements 7-5

Article 8 Commercial Districts

Section 8-1 Purpose..... 8-2

Section 8-2 Schedule of Uses 8-2

Section 8-3 Spatial Requirements..... 8-5

Section 8-4 Site Development Requirements 8-7

Article 9 Industrial Districts

Section 9-1 Purpose..... 9-2

Section 9-2 Schedule of Uses 9-2

Section 9-3 Spatial Requirements..... 9-6

Section 9-4 Site Development Requirements 9-7

Article 10 Form-Based Code Districts

Section 10-1 Purpose and Guiding Principles 10-2

Section 10-2 Schedule of Uses 10-4

Section 10-3 Residential Form-based Districts (R-3A and R-3B)..... 10-6

Section 10-4 C-2 – Central Business District 10-11

Section 10-5	Architectural Standards	10-14
Section 10-6	Accessory Standards	10-19
Section 10-7	Subdivisions and Lots Not Fronting on Existing Streets.....	10-24
Section 10-8	Variances and Deviations.....	10-26
Section 10-9	Procedures.....	10-26
Section 10-10	Nonconformities in the Form-based Districts.....	10-28

Article 11 Overlay Districts

Section 11-1	Intent and Scope	11-2
Section 11-2	Arterial Corridor Overlay	11-2
Section 11-3	Watershed Overlay.....	11-8

Article 12 Planned Unit Development District

Section 12-1	Purpose.....	12-2
Section 12-2	Qualifying Conditions	12-2
Section 12-3	PUD Requirements	12-3
Section 12-4	General PUD Provisions.....	12-6
Section 12-5	Review Process.....	12-9
Section 12-6	Review Standards	12-13
Section 12-7	Changes to Approved PUD	12-13
Section 12-8	Appeals.....	12-14

Division III Site Development Regulations

Article 13 General Provisions

Section 13-1	Buildings and Structures.....	13-2
Section 13-2	Dimensional Provisions	13-3
Section 13-3	Dwellings	13-5
Section 13-4	Parking and Storage	13-6
Section 13-5	Uses	13-7
Section 13-6	Other Provisions	13-8

Article 14 Conditional Use Requirements

Section 14-1	Conditional uses.....	14-2
Section 14-2	Accessory uses and structures.....	14-2
Section 14-3	Auction houses.....	14-4
Section 14-4	Boarding and rooming house	14-4
Section 14-5	Building and lumber supply, fence material, rental and related construction oriented retail establishments.....	14-4
Section 14-6	Child care centers, commercial preschools and nurseries	14-4
Section 14-7	Child care facilities accessory to a principal use.....	14-5
Section 14-8	Child caring institution, family.....	14-5
Section 14-9	Churches and customary related uses	14-5
Section 14-10	Club or lodge, private	14-5
Section 14-11	Day care, family.....	14-5
Section 14-12	Dwelling units of watchmen and operating personnel and their families	14-6
Section 14-13	Foster care home, adult family	14-6
Section 14-14	Golf courses and country clubs	14-6
Section 14-15	Greenhouses and nurseries (not including retail sales)	14-6
Section 14-16	Home occupations.....	14-6
Section 14-17	Kennels	14-7
Section 14-18	Outdoor storage related to a principal use	14-7
Section 14-19	Parking garage, structure or lot, commercial (as principal use).....	14-7
Section 14-20	Personal care home, family.....	14-7
Section 14-21	Personal care home, group.....	14-8
Section 14-22	Private non-commercial recreation	14-8

Section 14-23	Public utility structures and lands	14-8
Section 14-24	Restaurant (outdoor seating area)	14-8
Section 14-25	Riding stables and academies.....	14-9
Section 14-26	Schools (elementary, middle and high)	14-9
Section 14-27	Sewage treatment plants	14-9
Section 14-28	Tire retreading establishments.....	14-9
Section 14-29	Vehicle repair, minor	14-9
Section 14-30	Wind energy conversion systems (single accessory)	14-10

Article 15 Special Use Requirements

Section 15-1	Special uses	15-2
Section 15-2	Scope.	15-2
Section 15-3	Application and review.....	15-2
Section 15-4	General standards for approval of special uses.	15-2
Section 15-5	Conditions of approval.	15-3
Section 15-6	Special Land Use Application Procedures.....	15-4
Section 15-7	Performance Guarantees.	15-4
Section 15-8	Revocation of Permit.....	15-4
Section 15-9	Appeals.	15-5
Section 15-10	Accessory dwelling unit.....	15-5
Section 15-11	Automobile, trailer, truck, farm equipment, recreational vehicle or motorcycle sales	15-6
Section 15-12	Bed and breakfasts.....	15-6
Section 15-13	Chemical manufacturing and storage.....	15-8
Section 15-14	Child caring institutions; family, group and congregate	15-8
Section 15-15	Colleges and universities (including student housing)	15-8
Section 15-16	Commercial recreation, indoor and outdoor	15-8
Section 15-17	Concrete and gravel crushing.....	15-9
Section 15-18	Day care, group.....	15-9
Section 15-19	Drive-in and drive-through facilities for automated teller machines, banks, pharmacies and similar uses (not including drive-through restaurants).....	15-9
Section 15-20	Freight and Intermodal terminals.....	15-10
Section 15-21	Group care facility.....	15-10
Section 15-22	Heliports.....	15-11
Section 15-23	Mineral extraction operations	15-12
Section 15-24	Open air businesses and outdoor storage related to a principal use.....	15-13
Section 15-25	Personal care home	15-13
Section 15-26	Petroleum tank farms.....	15-14
Section 15-27	Power generating plants.....	15-14
Section 15-28	Processing, storage, transfer, disposal or incineration of solid waste, hazardous waste or medical waste.....	15-14
Section 15-29	Restaurant.....	15-16
Section 15-30	Salvage yards.....	15-17
Section 15-31	Sanitary Landfill.....	15-17
Section 15-32	Self-storage facilities, indoor and outdoor.....	15-18
Section 15-33	Sexually-Oriented Businesses	15-18
Section 15-34	Special Events Facility.....	15-20
Section 15-35	Vehicle repair	15-22
Section 15-36	Vehicle service stations	15-23
Section 15-37	Vehicle wash facilities	15-24
Section 15-38	Veterinary hospitals.....	15-25
Section 15-39	Wind energy conversion systems	15-25
Section 15-40	Wireless communication facilities and towers.....	15-27

Article 16 Reserved

Article 17 Parking and Loading

Section 17-1 Off-Street Parking Requirements 17-2
Section 17-2 Off-Street Parking Facility Design 17-8
Section 17-3 Off-Street Loading Requirements..... 17-11

Article 18 Building Design and Materials

Section 18-1 Building Appearance 18-2
Section 18-2 Building Design for Single and Two-family Dwellings..... 18-4
Section 18-3 Mechanical Equipment 18-5
Section 18-4 Lighting 18-5
Section 18-5 Trash Receptacle Enclosures 18-7
Section 18-6 Mail Box Clusters..... 18-8

Article 19 Landscaping and Buffering

Section 19-1 Intent..... 19-2
Section 19-2 Buffer Zones..... 19-2
Section 19-3 Screening 19-4
Section 19-4 Greenbelts 19-5
Section 19-5 General Requirements 19-5

Article 20 Site Plan

Section 20-1 Purpose..... 20-2
Section 20-2 Applicability 20-2
Section 20-3 Exemptions..... 20-2
Section 20-4 Application and Review 20-2
Section 20-5 Site Plan Requirements 20-4
Section 20-6 Review Standards 20-5
Section 20-7 Conditions..... 20-7
Section 20-8 Changes to Approved Site Plan 20-7
Section 20-9 Expiration..... 20-7
Section 20-10 Appeal 20-8

Division IV Administrative Provisions

Article 21 Administration and Enforcement

Section 21-1 Minimum Requirements..... 21-2
Section 21-2 Permits and Procedures 21-2
Section 21-3 Permits and Licenses Void If Used in Conflict..... 21-2
Section 21-4 Fees..... 21-3
Section 21-5 Performance Guarantees..... 21-3
Section 21-6 Violations 21-4
Section 21-7 Penalties 21-4
Section 21-8 Public Nuisance, Per Se 21-4
Section 21-9 General Responsibility 21-4
Section 21-10 Changes and Amendments 21-4
Section 21-11 Appeals..... 21-7

Article 22 Planning and Zoning Board

Section 22-1 Membership 22-2
Section 22-2 Rules and Procedures..... 22-2
Section 22-3 Powers and Duties 22-2

Article 23 Zoning Board of Appeals

Section 23-1 Membership 23-2
Section 23-2 Rules and Procedures..... 23-2
Section 23-3 Powers and Duties 23-2
Section 23-4 Public Hearings..... 23-4

Section 23-5	Time Limitations	23-4
Article 24	Nonconformities	
Section 24-1	Intent.....	24-2
Section 24-2	Nonconforming Lots of Record	24-2
Section 24-3	Nonconforming Uses.....	24-2
Section 24-4	Nonconforming Buildings or Structures.....	24-3
Section 24-5	Unlawful Nonconformities	24-4

Appendix

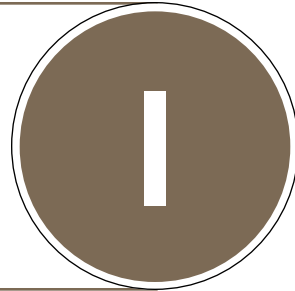
Article 25 Definitions

Section 25-1	Interpretation.....	25-2
Section 25-2	Definitions: A-B	25-2
Section 25-3	Definitions: C-D	25-4
Section 25-4	Definitions: E-F	25-6
Section 25-5	Definitions: G-H-I	25-8
Section 25-6	Definitions: J-K-L	25-9
Section 25-7	Definitions: M-N-O	25-10
Section 25-8	Definitions: P-Q-R	25-11
Section 25-9	Definitions: S-T	25-14
Section 25-10	Definitions: U-V-W	25-18
Section 25-11	Definitions: X-Y-Z	25-19



Division I

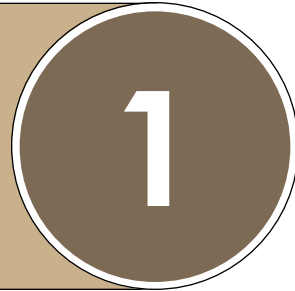
Purpose and Organization





Article 1

Enactment



Section 1-1 Enactment

For the purpose of promoting the health, safety, morals, convenience, order, prosperity and general welfare of the City of Palmetto, Georgia, hereinafter referred to as "the city," and the citizens thereof, the mayor and council of the city, under authority of the Constitution of the State of Georgia, hereby ordain and enact into law the following articles and sections. It is the intent of the mayor and council that these articles and sections remain in force and effect under said constitution and amendments thereto.



Article 2

Title and Purpose



Section 2-1 Short Title

This ordinance shall be known as “The Zoning Ordinance of the City of Palmetto, Georgia” and may be cited as such.

Section 2-2 Purpose

The provisions of this ordinance are intended, among other things, to protect the lands, water and other natural resources of the city by encouraging uses that are best suited to the capabilities and characteristics of those resources and limiting their improper use; to promote orderly development in accordance with the city's comprehensive plan; to facilitate economical municipal water and sewer services, adequate traffic capacity, recreational areas, schools and other public requirements; to provide adequate light, air and healthful conditions in residential, commercial and industrial areas; to promote convenient and safe access; to protect against fire and other dangers; to avoid undue concentrations of people by regulating the height and bulk of buildings; to establish and require yards, courts and other open spaces; to regulate and restrict the location of all uses, trades, industries and buildings in relation to safe traffic and pedestrian movement; and to achieve stability in the expenditure of funds for public improvements and services. As they are interpreted and applied, the provisions of this ordinance shall be the minimum requirements adopted to promote the public health, safety, morals and general welfare.

Section 2-3 Scope

- A. No building or structure, or part thereof, shall hereafter be erected, constructed, renovated, altered or maintained and no new use shall be made of any building or land except in conformity with the provisions of this ordinance.
- B. Any building or structure which is erected, repaired, altered or converted, or any use of premises or land which is begun or changed subsequent to the time of passage of this ordinance and in violation of any of the provisions thereof is hereby declared to be a public nuisance per se and may be abated by order of any court of competent jurisdiction.
- C. Nothing in this ordinance shall be deemed to require a change in the plans, construction or use of any building on which actual construction was lawfully begun prior to the effective date of this ordinance; provided the construction is completed within two years of the effective date of this ordinance.
- D. The provisions of this ordinance shall apply to all buildings, structures and uses in any zoning district, unless otherwise noted.
- E. The regulations established by this ordinance shall be the minimum necessary and shall apply uniformly to each class or kind of structure, land or use.
- F. This ordinance shall apply to all areas within the incorporated limits of the City of Palmetto. Land uses and buildings shall also be subject to all other ordinances of the city.



Article 3

Rules of Construction



Section 3-1 Rules of Construction

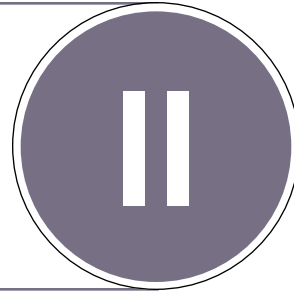
In the application and interpretation of this ordinance, the following rules shall apply:

- A. The particular shall control the general.
- B. The phrase “used for” includes arranged for, designed for, intended for, maintained for and occupied for.
- C. A building or structure includes any of its parts.
- D. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunctions “and,” “or” or “either...or,” the conjunction shall be interpreted as follows:
 - 1. “And” indicates that all the connected items, conditions, provisions or events shall apply.
 - 2. “Or” indicates the connected items, conditions, provisions or events may apply singly or in any combination.
 - 3. “Either...or” indicates that the connected items, conditions, provisions or events shall apply singly, but not in combination.
- E. Words used in the present tense shall include the future tense.
- F. Words used in the singular number shall include the plural and the plural shall include the singular, unless the context clearly indicates the contrary.
- G. The word “shall” is always mandatory and not discretionary. The word “may” is permissive.
- H. In case of any difference of meaning or implication between the text of this ordinance and any caption or illustration, the text shall control.
- I. Terms not defined in the ordinance shall have the meaning customarily assigned them.



Division II

Zoning Districts





Article 4

Zoning Districts and Map



Section 4-1 Zoning Districts

The City of Palmetto is divided into 14 classes of districts, as listed in Table 4-1.

Table 4-1 Zoning Districts		
Symbol	District Name	Regulated In
Rural Conservation District		
RR	Rural Residential	<i>Article 5</i>
Single Family Residential Districts		
R-1	Low Density Residential	<i>Article 6</i>
R-2	Moderate Density Residential	<i>Article 6</i>
Multiple Family Residential Districts		
R-4	Manufactured Home Community	<i>Article 7</i>
R-5	Medium Density Residential	<i>Article 7</i>
R-6	High Density Residential	<i>Article 7</i>
Commercial Districts		
C-1	Neighborhood Commercial	<i>Article 8</i>
C-3	General Commercial	<i>Article 8</i>
C-4	Highway Commercial	<i>Article 8</i>
Industrial Districts		
M-1	Light Industrial	<i>Article 9</i>
M-2	Heavy Industrial	<i>Article 9</i>
Form-based Districts		
R-3A	Traditional Residential	<i>Article 10</i>
R-3B	Mill Village Residential	<i>Article 10</i>
C-2	Central Business District	<i>Article 10</i>

Section 4-2 Official Zoning Map

- A. The boundaries of the zoning districts are established as shown on the map entitled, "City of Palmetto Zoning Map" which accompanies and is a part of this ordinance.
- B. The city council may, at its discretion or upon formal application, amend the zoning map, in accordance with the amendment procedures of [Article 21](#).

Section 4-3 District Boundaries Interpreted

- A. Where uncertainty exists with respect to the boundaries of the various districts, as shown on the zoning map, the following rules shall apply:
 - B. When the exact boundaries of a district are uncertain, they shall be determined by use of the scale on the zoning map.
 - C. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow those centerlines.
 - D. Boundaries indicated as approximately following platted lot lines shall be construed as following those lot lines.
 - E. Boundaries indicated as following railroad lines shall be construed to be midway

between and parallel to those tracks.

- F. Boundaries indicated as following shorelines shall be construed to follow the shoreline. In the event of change in the shoreline, the boundary shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the center line of streams, rivers or other bodies of water shall be construed to follow the centerline. Any use of structures extending into or over a lake or other water body shall be subject to the same zoning restrictions as the adjoining land.
- G. When a right-of-way is vacated, the districts adjoining each side are respectively extended to the center of the area so vacated.

Section 4-4 Annexed Land

Where land is annexed into the city, it shall be zoned RC, Rural Conservation, until or unless the city council takes action to classify it as another zoning district.

Section 4-5 Lot Divided by Zoning Line

Where a zone district boundary line divides a lot, the entire lot shall be considered to be wholly within the more restrictive zoning district.

Section 4-6 Uses Not Listed

- A. A use that is not listed, either by right or by special approval, in a zoning district shall not be permitted in that district and shall only be permitted in a district where it is specifically listed as either a use by right or by special approval.
- B. If a proposed use of land or building is not specified by this ordinance in any district, the city manager or designee shall determine if the use is similar to a permitted or special land use authorized in the district in which the land or building is located. If the use is found to be similar, it may be established in accordance with the requirements and procedures established in the ordinance for the similar use. The city manager or designee shall notify the planning and zoning board of this action, who shall then determine if the ordinance should be amended to specifically include the use.
- C. Alternatively, the city manager or designee may refer the determination to the planning and zoning board in the first instance.
- D. The determination by the city manager or designee, or the planning and zoning board, may be appealed to the zoning board of appeals.



Article 5

Rural Residential District



Section 5-1 Purpose

“RR,” Rural Residential District. Recognizing that a significant element of Palmetto’s character is its rural setting, this district is intended to protect those features within the rural areas of the city that are valued by the community and contribute to the prized character. The agricultural context, pastoral setting, natural features and wildlife habitats are essential components of that rural character. Single family homes are permitted within this district at low densities, along with uses compatible with the openness of the district and the country setting. Conservation subdivisions and similar development practices are strongly encouraged.

Section 5-2 Schedule of Uses

Buildings or land shall not be used and buildings shall not be erected, except for the following specified uses, unless otherwise provided for in this ordinance. Land and/or buildings in the district indicated at the top of Table 5-2 may be used for the purposes denoted by the following abbreviations:

- A. **Permitted Use (P).** Land and/or buildings in this district may be used by right.
- B. **Conditional Use (C).** Land and/or buildings in this district may be used by right, provided the specific conditions related to that use, as found in [Article 14](#), are met.
- C. **Special Use (S).** Land and/or buildings may be permitted only if special land use approval is granted upon a finding that all applicable requirements in [Article 15, Special Use Requirements](#).
- D. **Specific Conditions.** Indicates requirements or conditions applicable to conditional uses, as listed in [Article 14](#), Conditional Use Requirements or Special Uses, as listed as [Article 15](#).

e Table 5-2 Schedule of Uses: Rural Residential District

Use	RR	Specific Conditions
Agricultural and Animal-Related Uses		
Agri-business	S	
Farms	P	
Greenhouses and nurseries (not including retail sales)	C	14-15
Kennels	S	14-17
Riding stables and academies	C	14-25
Roadside stands	S	
Veterinary hospitals	S	15-38
Residential		
Single family dwellings	P	
Accessory dwelling unit	S	15-10
Bed and breakfasts	S	15-12
Day care, family	C	14-11
Day care, group	S	15-18
Child caring institution, family	S	15-14

e Table 5-2 Schedule of Uses: Rural Residential District

Use	RR	Specific Conditions
Foster care home, adult family	C	14-13
Personal care home, family	S	15-25
Personal care home, group	S	15-25
Home occupations	C	14-16
Accessory uses and structures	C	14-2
Recreation		
Archery ranges	S	
Forestry/wildlife preserves	P	
Golf courses and country clubs	C	14-14
Public parks/playgrounds	P	
Recreational campgrounds	S	
Shooting ranges (indoor/outdoor)	S	
Public/Quasi-public		
Cemeteries	P	
Churches and customary related uses	C	14-9
Government buildings	P	
Public utility buildings	P	
Utility substations	P	
Wind energy conversion systems (single accessory)	C	14-30
Wireless communication facilities and towers	S	15-40
Mining		
Mineral extraction operations	S	15-23
Transportation		
Airports	S	
Airstrips	S	

Section 5-3 Spatial Requirements

- A. All lots and buildings shall meet the minimum area and width requirements listed below. New lots shall not be created, except in conformance with these requirements. In addition, all structures and their placement on a lot shall conform

RR Rural Residential

Building

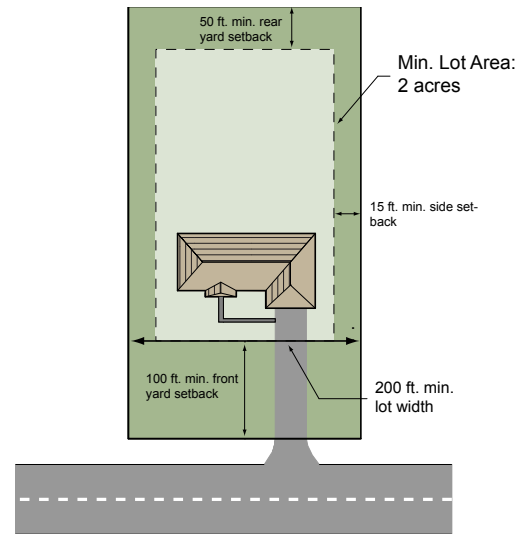
Max Stories	2.5
Max. Height (ft.)	35
Floor Area (sq ft.)	1,700

Setbacks (Min.)

Front (ft.)	100
Side (ft.)	
Total	40
Least	15
Rear (ft.)	50

Lot/Width Requirements (Min.)

Lot Area (acres)	2
Lot Width (ft.)	200
Lot Coverage	10%



to the minimum dimensional requirements listed below.

Section 5-4 Site Development Requirements

In addition to the requirements of this article, all development in the residential districts shall meet the applicable requirements as listed elsewhere in this ordinance:

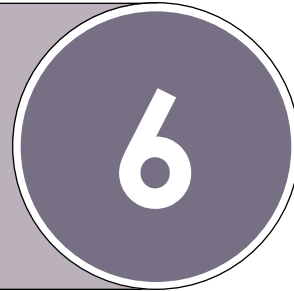
- A. General Provisions, see [Article 13](#)
- B. Conditional Use Requirements, see [Article 14](#)
- C. Special Use Requirements, see [Article 15](#)
- D. Parking and Loading, see [Article 17](#)
- E. Landscaping and Buffering Requirements, see [Article 19](#)
- F. Building Design and Material Requirements, see [Article 18](#)
- G. Site Plan Review Requirements, see [Article 20](#)
- H. Overlay Zone Requirements, see [Article 11](#)

In addition, development shall meet the applicable requirements of the [Palmetto Sign Ordinance](#).



Article 6

Single and Two-Family Residential Districts



Section 6-1 Purpose

- A. **“R-1,” Low Density Residential District.** The R-1 District is intended to accommodate new residential subdivision development at densities of less than two units per acre, along with related uses generally on the periphery of the more intensely urbanized sectors of the city. Land within this district will be served by public sanitary sewer and water facilities.
- B. **“R-2,” Moderate Density Residential District.** The R-2 District is intended to encompass much of the city’s existing single family residential development and accommodate similarly situated new development at densities of about three units per acre.

Section 6-2 Schedule of Uses

Buildings or land shall not be used and buildings shall not be erected, except for the following specified uses, unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of *Table 6-2* may be used for the purposes denoted by the following abbreviations:

- A. **Permitted Use (P).** Land and/or buildings in this district may be used by right.
- B. **Conditional Use (C).** Land and/or buildings in this district may be used by right, provided the specific conditions related to that use, as found in [Article 14](#) are met.
- C. **Special Use (S).** Land and/or buildings may be permitted only if special land use approval is granted upon a finding that all applicable requirements in [Article 15](#), Special Use Requirements.
- D. **Specific Conditions.** Indicates requirements or conditions applicable to conditional uses, as listed in [Article 14](#) Conditional Use Requirements, or Special Uses, as listed in [Article 15](#).

Table 6-2 Schedule of Uses: Single Family Residential Districts

Use	R-1	R-2	Specific Conditions
Residential			
Single family dwellings	P	P	
Accessory dwelling unit	S	S	15-10
Bed and breakfasts	S	S	15-12
Day care, family	C	C	14-11
Day care, group	S	S	15-18
Child caring institution, family	S	S	15-14
Foster care home, adult family	S	S	15-25
Family personal care homes	S	S	15-25
Home occupations	C	C	14-16
Accessory uses and structures	C	C	14-2
Recreation			
Golf courses and country clubs	C	C	14-14
Private non-commercial recreation	C	C	14-22
Public parks/playgrounds	P	P	

Table 6-2 Schedule of Uses: Single Family Residential Districts

Use	R-1	R-2	Specific Conditions
Public/Quasi-public			
Cemeteries	P	P	
Churches and customary related uses	C	C	14-9
Government buildings	P	P	
Schools (elementary, middle and high)	C	C	14-26
Wind energy conversion systems (single accessory)	S	S	14-30

Section 6-3 Spatial Requirements

A. All lots and buildings shall meet the minimum area and width requirements listed below. New lots shall not be created, except in conformance with these requirements. In addition, all structures and their placement on a lot shall conform to the minimum dimensional requirements listed below.

R-1 Low Density Residential	
Building	
Max Stories	2.5
Max. Height (ft.)	35
Floor Area (sq ft.)	1,700
Setbacks (Min.)	
Front (ft.)	50
Side (ft.)	
Total	30
Least	12
Rear (ft.)	30
Lot/Width Requirements (Min.)	
Lot Area (sq. ft.)	20,000
Lot Width (ft.)	125
Lot Coverage	30%

The diagram illustrates a house on a rectangular lot. The lot width is labeled as 125 ft. min. The house is positioned with a 50 ft. min. front setback from the street, a 12 ft. min. side setback from the side property line, and a 30 ft. min. rear setback from the rear property line. A dashed line indicates the minimum lot area of 20,000 sq. ft.

R-2 Moderate Density Residential

Building

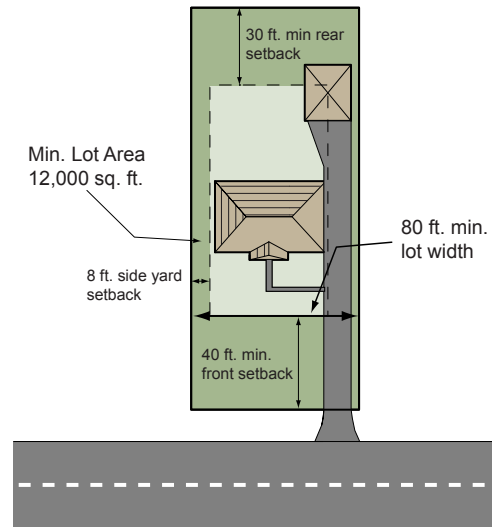
Max Stories	2.5
Max. Height (ft.)	35
Floor Area (sq ft.)	1,500

Setbacks (Min.)

Front (ft.)	40
Side (ft.)	
Total	20
Least	8
Rear (ft.)	20

Lot/Width Requirements (Min.)

Lot Area (sq. ft.)	12,000
Lot Width (ft.)	80
Lot Coverage	30%



Section 6-4 Site Development Requirements

In addition to the requirements of this article, all development in the residential districts shall meet the applicable requirements as listed elsewhere in this ordinance:

- A. General Provisions, [see Article 13](#)
- B. Conditional Use Requirements, [see Article 14](#)
- C. Special Use Requirements, [see Article 15](#)
- D. Parking and Loading, [see Article 17](#)
- E. Landscaping and Buffering Requirements, [see Article 19](#)
- F. Building Design and Material Requirements, [see Article 18](#)
- G. Site Plan Review Requirements, [see Article 20](#)
- H. Overlay Zone Requirements, [see Article 11](#)

In addition, development shall meet the applicable requirements of the [Palmetto Sign Ordinance](#).



Article 7

Multiple-Family Districts



Section 7-1 Purpose

- A. **“R-4,” Manufactured Home Community District.** Accommodating the particular needs for manufactured home communities is the purpose of this district. The R-4 District is well suited to serving as a transitional use between other residential development and intense non-residential uses. Densities up to six units per acre are permitted and public water and sanitary sewer are required.
- B. **“R-5,” Medium Density Residential District.** This district is intended to provide for housing options other than single family dwellings, at densities of up to six units per acre. The R-5 District lends itself to serving as a buffer or transitional zone between lower density residential and non-residential development. Two-family dwellings and town homes are permitted, along with compatible public, quasi-public and institutional uses. Land within this district will be served by public sanitary sewer and water facilities.
- C. **“R-6,” High Density Residential District.** The R-6 District is similar in character and purpose to the R-5 District, but also permits multiple family dwellings. It allows development at higher densities than any other district. Residential densities of up to 12 units per acre are permitted in this district.

Section 7-2 Schedule of Uses

Buildings or land shall not be used and buildings shall not be erected, except for the following specified uses, unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of Table 7-2 may be used for the purposes denoted by the following abbreviations:

- A. **Permitted Use (P).** Land and/or buildings in this district may be used by right.
- B. **Conditional Use (C).** Land and/or buildings in this district may be used by right, provided the specific conditions related to that use, as found in [Article 14](#) are met.
- C. **Special Use (S).** Land and/or buildings may be permitted only if special land use approval is granted upon a finding that all applicable requirements in [Article 15, Special Use Requirements](#).
- D. **Specific Conditions.** Indicates requirements or conditions applicable to conditional uses, as listed in [Article 14](#), Conditional Use Requirements, or Special Uses, as listed in [Article 15](#).

Use	R-4	R-5	R-6	Specific Conditions
Residential				
Boarding and rooming house		C	P	14-4
Multiple family dwellings			P	
Townhomes		P	P	
Two-family dwellings		P	P	
Manufactured home community or subdivision	P			
Continuing care retirement community		S	P	

Use	R-4	R-5	R-6	Specific Conditions
Personal care home, congregate		S	S	15-25
Home occupations	C	C	C	14-16
Accessory uses and structures	C	C	C	14-2
Institutional				
Child care centers, commercial preschools and nurseries	C	C	C	14-16
Day care, family	C	C	C	14-11
Philanthropic and charitable institutions		S	P	
Recreation				
Golf courses and country clubs	C	C	C	14-14
Private non-commercial recreation	C	C	C	14-22
Public parks/playgrounds	P	P	P	
Public/Quasi-public				
Cemeteries	P	P	P	
Colleges and universities (including student housing)		S	S	15-15
Churches and customary related uses	C	C	C	14-9
Government buildings	P	P	P	
Schools (elementary, middle and high)	C	C	C	14-26

Section 7-3 Spatial Requirements

- A. All lots and buildings shall meet the minimum area and width requirements listed below. New lots shall not be created, except in conformance with these requirements. In addition, all structures and their placement on a lot shall conform to the minimum dimensional requirements listed below.

R-4 Manufactured Home Park

Building

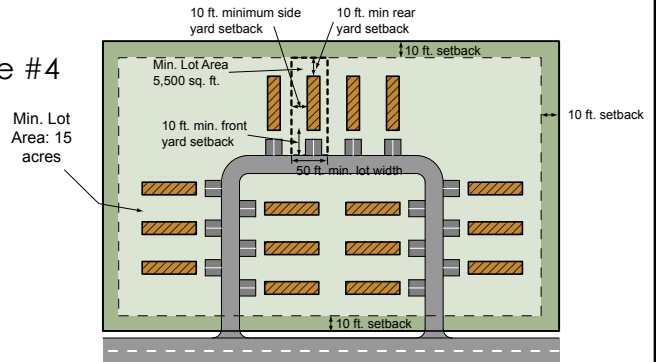
Max Stories	2
Max. Height (ft)	25
Floor Area (sq ft.)	See footnote #4

Setbacks (Min.)

Front (ft.)	10
Side (ft.)	10
Rear (ft.)	10

Lot/Width Requirements (Min.)

Lot Area (sq. ft.)	5,500 ¹
Lot Width (ft.)	50
Lot Coverage	45%
Max. Density	6 units/net acre



R-5 Medium Density Residential

Building

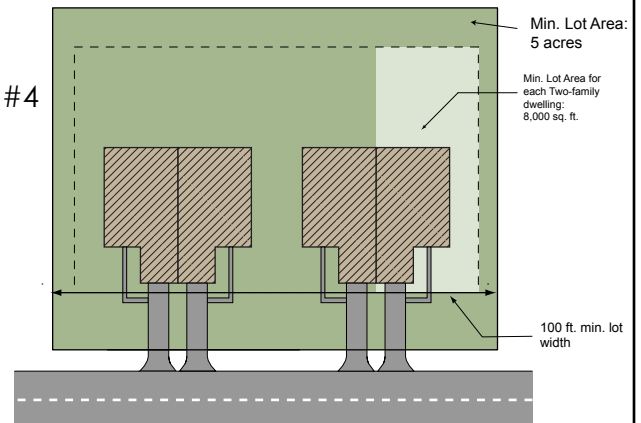
Max Stories	3
Max. Height (ft.)	40
Floor Area (sq ft.)	See footnote #4

Setbacks (Min.)

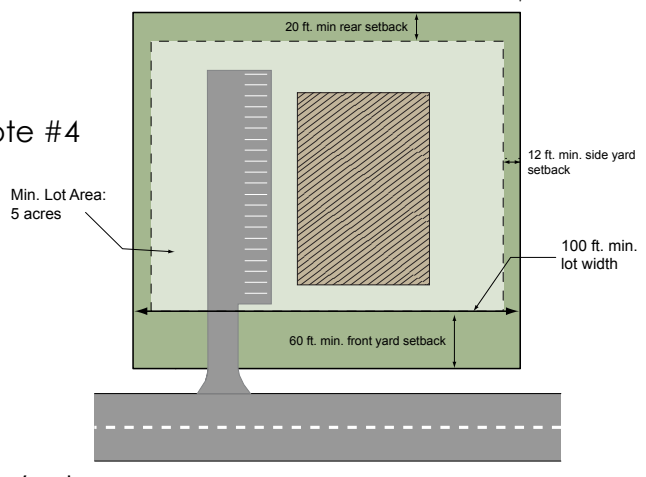
Front (ft.)	60
Side (ft.)	12
Rear (ft.)	20

Lot/Width Requirements (Min.)

Lot Area (acres)	5 ^{2.3}
Lot Width (ft.)	100
Lot Coverage	55%
Max. Density	6 units/net acre



R-6 High Density Residential	
Building	
Max Stories	3
Max. Height (ft.)	40
Floor Area (sq ft.)	See footnote #4
Setbacks (Min.)	
Front (ft.)	60
Side (ft.)	12
Rear (ft.)	20
Lot/Width Requirements (Min.)	
Lot Area (acres)	5 ^{2,3}
Lot Width (ft.)	100
Lot Coverage	65%
Max. Density	12 units/net acre



- Notes:
1. A minimum of 15 acres is required for a manufactured home community development. Non-residential development shall have no minimum lot size requirement.
 2. Each unit of a two-family dwelling shall have a minimum lot area of 8,000 square feet. Non-residential development shall have no minimum lot size requirement.
 3. Townhome and multiple family developments shall contain a minimum of 20 percent dedicated open space.
 4. Minimum floor area for all dwellings shall be 600 square feet for one bedroom units, 800 square feet for two bedroom units, 1,000 square feet for three bedroom units and an additional 100 square feet for each bedroom in excess of three.

Section 7-4 Site Development Requirements

In addition to the requirements of this article, all development in the residential districts shall meet the applicable requirements as listed elsewhere in this ordinance:

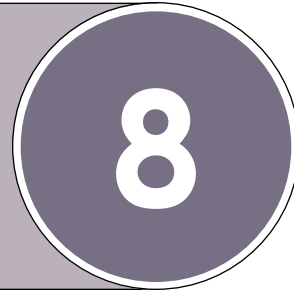
- A. General Provisions, *see Article 13*
- B. Conditional Use Requirements, *see Article 14*
- C. Special Use Requirements, *see Article 15*
- D. Parking and Loading, *see Article 17*
- E. Landscaping and Buffering Requirements, *see Article 19*
- F. Building Design and Material Requirements, *see Article 18*
- G. Site Plan Review Requirements, *see Article 20*
- H. Overlay Zone Requirements, *see Article 11*

In addition, development shall meet the applicable requirements of the *Palmetto Sign Ordinance*.



Article 8

Commercial Districts



Section 8-1 Purpose

- A. **“C-1,” Neighborhood/Commercial District.** The C-1 zoning district is intended to provide a location for convenience goods and services for residents of nearby neighborhoods. Allowed uses should be of a low intensity nature, appropriate in scale and appearance, and compatible with the surrounding residential character. Pedestrian accessibility will be promoted. This district may be found as a node within residential neighborhoods or used as a transitional zone between residential and non-residential development.
- B. **“C-3,” General Commercial District.** The C-3 zoning district is intended primarily to accommodate a range of retail and service uses serving the broader needs of the community and the motoring public. Large-scale retailers, auto-related businesses and similar uses not generally appropriate for other commercial districts will be permitted. While the district will be established primarily along arterial roadways, care should be taken to ensure compatibility with adjacent uses and minimize conflicts with traffic along abutting streets
- C. **“C-4,” Highway Commercial District.** The C-4 zoning district is a specialized district intended to provide for those service uses catering to the motoring public along the interstate highway system and other high volume highways. Uses will be limited to auto-oriented uses and district boundaries will be confined to the immediate vicinity of interchanges and major intersections.

Section 8-2 Schedule of Uses

Buildings or land shall not be used and buildings shall not be erected except for the following specified uses, unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of *Table 8-2* may be used for the purposes denoted by the following abbreviations:

- A. **Permitted Use (P).** Land and/or buildings in this district may be used by right.
- B. **Conditional Use (C).** Land and/or buildings in this district may be used by right, provided the specific conditions related to that use, as found in [Article 14](#) are met.
- C. **Special Use (S).** Land and/or buildings may be permitted only if special land use approval is granted upon a finding that all applicable requirements in [Article 15](#), Special Use Requirements.
- D. **Specific Conditions.** Indicates requirements or conditions applicable to conditional uses, as listed in [Article 14](#) Conditional Use Requirements, and Special Uses, as applied in [Article 15](#).

Table 8-2 Schedule of Uses: Commercial Districts				
Use	C-1	C-3	C-4	Special Conditions
Personal Services				
Barber shop	P	P		
Beauty shop	P	P		
Child care centers, commercial preschools and nurseries	C	P		14-16

Table 8-2 Schedule of Uses: Commercial Districts				
Use	C-1	C-3	C-4	Special Conditions
Dry cleaner, not including a dry cleaning plant	P	P		
Health spa, fitness club		P		
Laundromat	S	P		
Photography studio	P	P		
Repair of consumer goods, electronics, household items, clothing and footwear	P	P		
Retail Uses				
Appliance sales and repair		P		
Art studio	P	P		
Auction houses		C		14-3
Building and lumber supply, fence material, rental and related construction oriented retail establishments		C		14-5
Convenience Stores	P	P	P	
Nurseries and greenhouses (including retail sales)		P		
Open air business		S		15-24
Package store	P	P		
Pawn shops, second hand and consignment stores		S		
Planned shopping centers		P		
Retail establishments such as variety, dry goods, clothing, florists, gift, notions, music, book, hardware or pharmacies, not exceeding 10,000 square feet of floor area	P			
Retail food establishments which supply groceries, fruits, vegetables, meats, dairy products, baked goods, confections and similar commodities for consumption off the premises, not exceeding 10,000 square feet of floor area	P			
Retail establishments whose principal activity is the sale of merchandise within an enclosed building.		P		
Office, Financial and Business Services				
Veterinary hospital		S		15-38
Kennels		C		14-17
Call centers		P		
Financial institutions	P	P	S	

Table 8-2 Schedule of Uses: Commercial Districts

Use	C-1	C-3	C-4	Special Conditions
Gunsmith		S		
Laboratory serving professional requirements, e.g. medical, dental, etc		P		
Locksmith shop		P		
Medical or dental office, including clinics		P		
Messenger service		P		
Office equipment sales and service		P		
Offices, general and professional		P		
Taxicab dispatching		P		
Vehicle Sales, Service and Related Uses				
Auto parts and tire store		P		
Automobile, trailer, truck, farm equipment, recreational vehicle or motorcycle sales		S	S	15-11
Boat sales and repair		S	S	15-11
Parking garage, structure or lot, commercial (as principal use)		C	C	14-19
Parking garage, structure or lot, private (as principal use)		P	P	
Tire retreading service		C	C	14-28
Vehicle repair, minor		C	S	14-29/15-35
Vehicle repair, major		S	S	15-35
Vehicle service stations		S	S	15-36
Vehicle wash facilities		S	S	15-37
Institutional Uses				
Ambulance service		P	P	
Business school		P		
Churches and customary related uses	P	P		
Club or lodge, private		C		14-10
Child caring institutions, congregate	S			15-14
Child caring institutions, group	S			15-14
Day care, adult		P		
Personal care homes, congregate	S			15-25
Group personal care homes	S			15-25
Government buildings	P	P	P	
Hospital		S		
Library	P	P		
Museum, cultural facility		P		

Table 8-2 Schedule of Uses: Commercial Districts				
Use	C-1	C-3	C-4	Special Conditions
Personal care homes: nursing home, convalescent home rest home, etc.		S		15-25
Publicly owned recreation center or other similar charitable institution		P		
Food, Drink, Entertainment and Hospitality				
Banquet facilities, reception halls and similar gathering facilities		S	S	
Commercial recreation, indoor (movie theaters, bowling alleys, ice arenas, billiard parlors and similar uses)		S	S	
Commercial recreation, outdoor (mini-golf, golf driving ranges, go-cart, amusement parks and similar activities)		S	S	
Food catering service		P		
Hotel/motel			P	
Performance theaters, concert halls		P		
Performing arts or martial arts school or studio	P	P		
Radio, television and recording studio		P		
Restaurant (standard)	P	P	P	
Restaurant (drive-in or drive-through)		S	S	15-29
Restaurant (alcohol and/or entertainment)		S	S	15-29
Restaurant (outdoor seating area)	C	C		14-24
Taverns		S	S	
Other Uses				
Accessory uses and structures	P	P	P	
Drive-in and drive-through facilities for automated teller machines, banks, pharmacies and similar uses (not including drive-through restaurants)	S	S	S	15-19
Public utility structures and lands	C	C	C	14-23
Self-storage facilities (indoor)			S	15-32
Taxidermist		P		
Wireless communications towers and facilities		S	S	15-40

Section 8-3 Spatial Requirements

- A. All lots and buildings shall meet the minimum area and width requirements listed below. New lots shall not be created, except in conformance with these

C-1 Neighborhood Commercial

Building Height

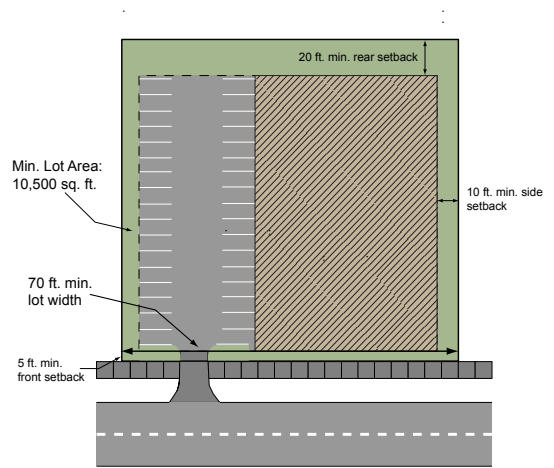
Max Stories	2
Max. Height (ft.)	25

Setbacks (Min.)

Front (ft.)	5
Side (ft.)	10
Rear (ft.)	20

Lot/Width Requirements (Min.)

Lot Area (sq. ft.)	10,500
Lot Width (ft.)	70
Lot Coverage	70%



C-3 General Commercial

Building Height

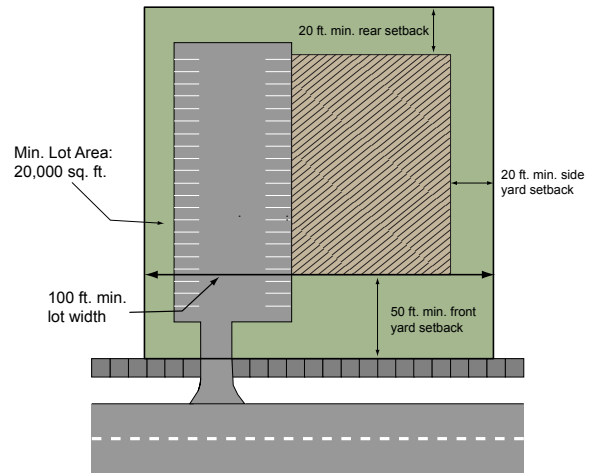
Max Stories	3
Max. Height (ft.)	40

Setbacks (Min.)

Front (ft.)	50
Side (ft.)	20
Rear (ft.)	20

Lot/Width Requirements (Min.)

Lot Area (sq. ft.)	20,000
Lot Width (ft.)	100
Lot Coverage	60%



C-4 Highway Commercial

Building Height

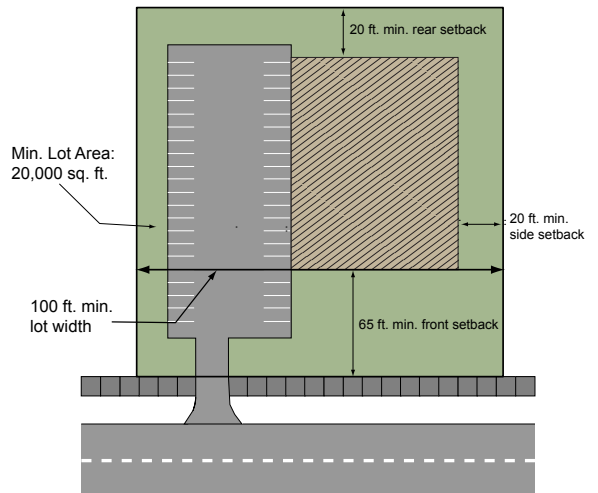
Max Stories	5
Max. Height (ft.)	70

Setbacks (Min.)

Front (ft.)	65
Side (ft.)	20
Rear (ft.)	20

Lot/Width Requirements (Min.)

Lot Area (sq. ft.)	20,000
Lot Width (ft.)	100
Lot Coverage	60%



requirements. In addition, all structures and their placement on a lot shall conform to the minimum dimensional requirements listed below.

Section 8-4 Site Development Requirements

In addition to the requirements of this article, all development in the commercial districts shall meet the applicable requirements as listed elsewhere in this ordinance:

- A. General Provisions, see [Article 13](#)
- B. Conditional Use Requirements, see [Article 14](#)
- C. Special Use Requirements, see [Article 15](#)
- D. Parking and Loading, see [Article 17](#)
- E. Landscaping and Buffering Requirements, see [Article 19](#)
- F. Building Design and Material Requirements, see [Article 18](#)
- G. Site Plan Review Requirements, see [Article 20](#)
- H. Overlay Zone Requirements, see [Article 11](#)

In addition, development shall meet the applicable requirements of the [Palmetto Sign Ordinance](#).



Commercial Districts



Article 9

Industrial Districts



Section 9-1 Purpose

- A. **“M-1,” Light Industrial District.** The M-1 District is established for light industries such as light manufacturing or processing of previously refined materials and other industrial uses that have little or no adverse impact upon neighboring districts. This district also allows certain commercial uses of an industrial character or that are necessary to provide services to employees within the district. Limitations regarding the degree of noise, smoke, glare, odor and vibration are placed upon M-1 uses to preclude or minimize adverse effects upon nearby commercial or residential districts. It is intended that this district act as a transition between heavier manufacturing and non-industrial areas. Its purpose is to provide jobs for citizens of the community and surrounding area, establish a sustainable tax base and create value for property owners and the community.
- B. **“M-2,” Heavy Industrial District.** The M-2 District is established to accommodate intense industrial uses that are primarily of a manufacturing, assembling and fabricating character. These tend to be large-scale or specialized industrial operations more likely to produce external physical effects impacting to some degree surrounding districts. This district is intended to be located in areas where the allowed uses can most efficiently utilize major roadways, utilities and other infrastructure, while minimizing potentially incompatible influences upon neighboring districts. Like the M-1 district, the M-2 district is also intended to support the economic vitality of the city through job creation and tax revenues.

Section 9-2 Schedule of Uses

Buildings or land shall not be used and buildings shall not be erected except for one or more of the following specified uses, unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of Table 9-2 may be used for the purposes denoted by the following abbreviations:

- A. **Permitted Use (P).** Land and/or buildings in this district may be used by right.
- B. **Conditional Use (C).** Land and/or buildings in this district may be used by right, provided the specific conditions related to that use, as found in [Article 14](#) are met.
- C. **Special Use (S).** Land and/or buildings may be permitted only if special land use approval is granted upon a finding that all applicable requirements in [Article 15](#), Special Use Requirements.
- D. **Specific Conditions.** Indicates requirements or conditions applicable to conditional uses, as listed in [Article 14](#) Conditional Use Requirements and Special Uses, as listed in [Article 15](#).

Use	M-1	M-2	Specific Conditions
Accessory Uses			
Dwelling units of watchmen and operating personnel and their families	C	C	14-12
Cafeteria facilities located within a principal use	P	P	
Corporate offices incidental to the principal use	P	P	
Child care facilities located within a principal use	C	C	14-7

Use	M-1	M-2	Specific Conditions
Outdoor storage related to a principal use	C	C	14-18
Vehicle wash facilities for trucks and trailers	P	P	
Agriculture, Food and Animal-related Uses			
Agribusiness	P	P	
Breweries, distilleries and bottling plants	P	P	
Farm implement dealers	P	P	
Food processing plants	P	P	
Greenhouse/nursery (not including retail sales)	P		
Kennels	C	C	14-17
Livestock yards		S	
Produce and other food products terminals	P	P	
Slaughter houses		S	
Commercial Establishments			
Auction houses	P		
Business machine sales & service	P		
Central dry cleaning or laundry	P	P	
Glass sales & service	P	P	
HVAC sales & service	P	P	
Machinery and equipment sales & service	P	P	
Mail order businesses and Fulfillment centers	P	P	
Petroleum products sales	P	P	
Sexually oriented businesses	S	S	15-33
Services			
Cleaning services	P	P	
Dry cleaning plants and commercial laundries	S	P	
Locksmith shops	P	P	
Pest control services	P	P	
Tool and equipment rental	P	P	
Repair shops (non-automotive)	P	P	
Motor Vehicle Services			
Automobile rental	P		
Auto parts and tire stores	P	P	

Use	M-1	M-2	Specific Conditions
Tire retreading plant	C	P	14-28
Truck and trailer rental	P	P	
Truck sales (new/used)	P		
Truck stops	P	P	
Vehicle auctions	P	P	
Vehicle repair, major	S	S	15-35
Vehicle repair, minor	P	P	
Vehicle salvage yards		S	15-30
Vehicle service stations	S	S	15-36
Vehicle wash facilities	S	S	15-37
Food Services			
Restaurants (either freestanding or within multi-tenant building, but not including drive-through)	S	S	15-29
Taverns	S	S	
Offices, Research and Technical Facilities			
Blueprinting and photocopying establishments	P	P	
Offices, general and professional	P	P	
Printing and publishing facilities	P	P	
Radio, television and recording studios	P		
Research and development laboratories	P	P	
Health Care and Social Assistance			
Child care centers	C	C	14-6
Churches and customary related uses	C		14-9
Laboratory serving professional requirements, e.g. medical, dental, etc.	P	P	
Medical and dental clinics	P		
Educational Services			
Schools, commercial and trade	P	P	
Schools, driving	P		
Training centers, engineering or sales	P	P	
Public Facilities			
Correctional facilities	S	S	

Use	M-1	M-2	Specific Conditions
Government buildings	P	P	
Transportation and Warehousing			
Airports	S	S	
Bottled gas storage and distribution	S	S	
Bus and passenger rail terminals	P	P	
Cartage, express and parcel delivery facilities	S	P	
Freight and intermodal terminals	S	S	
Heliports and helipads	S	S	14-22
Moving companies	P	P	
Parking garage, structure or lot (as principal use)	P	P	
Railroad marshalling and repair yard		S	
Self-storage facilities (indoor)	P	P	
Self-storage facilities (outdoor)	S	P	
Taxicab dispatching	P	P	
Warehouses and distribution centers	P	P	
Wholesale businesses	P	P	
Manufacturing			
Manufacturing, compounding, processing, packaging, treating or assembly from previously prepared materials	P	P	
Manufacture or assembly of automotive, electrical fixtures and hardware		S	
Building material manufacturing including milling, planning and joining	S	P	
Chemical manufacturing and storage	S	S	15-13
Explosive manufacturing and storage		S	
Foundries		S	
Machine, sheet metal and welding shops	P	P	
Metal stamping, pressing and buffing	S	P	
Paint, rust proofing and rust coating	S	P	
Petroleum tank farms	S	S	15-26
Sawmills	S	P	
Structural and steel fabrication	S	P	

Use	M-1	M-2	Specific Conditions
Tool and die shops	P	P	
Utilities			
Power generating plants	S	S	
Public utility buildings	P	P	
Sewage treatment plants	C	C	14-27
Solar Farms	P	P	
Telephone exchange buildings	P	P	
Utility substations	P	P	
Wind energy conversion systems(single accessory)	C	C	14-30
Wind energy conversion systems (commercial)	S	S	15-39
Wireless communication facilities and towers	S	S	15-40
Construction			
Building materials and lumber supply	S	S	
Concrete and gravel crushing		S	15-17
Contractors' offices and shops (not including outdoor storage)	P	P	
Landscaping services	P	P	
Waste Processing and Disposal			
Processing, storage, transfer, disposal or incineration of solid waste, hazardous waste or medical waste	S	S	
Recycling collection and/or processing facility (non-hazardous)	P	P	
Salvage yards		S	15-30
Sanitary landfills	S	S	15-31
Mining			
Mineral extraction operations	S	S	15-23

Section 9-3 Spatial Requirements

- A. All lots and buildings shall meet the minimum area and width requirements listed below. New lots shall not be created, except in conformance with these requirements. In addition, all structures and their placement on a lot shall conform to the minimum dimensional requirements listed below.

M-1 Light Industrial

Building Height	
Max Stories	3
Max. Height (ft.)	40
Setbacks (Min.)	
Front (ft.)	50
Side (ft.)	20
Rear (ft.)	20
Lot/Width Requirements (Min.)	
Lot Area	1 acre
Lot Width (ft.)	150
Lot Coverage	70%

The diagram illustrates a lot layout for M-1 Light Industrial. A grey building is situated on a lot with a minimum width of 150 feet. The building has a 50-foot front setback from the street, a 20-foot rear setback, and a 20-foot side setback. A hatched area represents the building's footprint. A label indicates a 'Min. Lot Area: One Acre'.

M-2 Heavy Industrial

Building Height	
Max Stories	3
Max. Height (ft.)	40
Setbacks (Min.)	
Front (ft.)	50
Side (ft.)	20
Rear (ft.)	20
Lot/Width Requirements (Min.)	
Lot Area	2 acres
Lot Width (ft.)	200
Lot Coverage	70%

The diagram illustrates a lot layout for M-2 Heavy Industrial. A grey building is situated on a lot with a minimum width of 200 feet. The building has a 50-foot front setback from the street, a 20-foot rear setback, and a 20-foot side setback. A hatched area represents the building's footprint. A label indicates a 'Min. Lot Area: Two Acres'.

Section 9-4 Site Development Requirements

In addition to the requirements of this article, all development in the industrial districts shall meet the applicable requirements as listed elsewhere in this ordinance:

- A. General Provisions, see [Article 13](#)
- B. Conditional Use Requirements, see [Article 14](#)
- C. Special Use Requirements, see [Article 15](#)
- D. Parking and Loading, see [Article 17](#)
- E. Landscaping and Buffering Requirements, see [Article 19](#)
- F. Building Design and Material Requirements, see [Article 18](#)
- G. Site Plan Review Requirements, see [Article 20](#)
- H. Overlay Zone Requirements, see [Article 11](#)

In addition, development shall meet the applicable requirements of the [Palmetto Sign Ordinance](#).

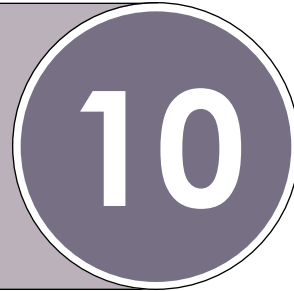


Industrial Districts



Article 10

Form-Based Code Districts



Section 10-1 Purpose and Guiding Principles

- A. **Purposes.** Palmetto's form-based districts provide specific regulations to achieve the following:
1. Develop a fully integrated, mixed-use, pedestrian-oriented environment with traditional residential neighborhoods and a traditional downtown with buildings containing commercial, residential and office uses.
 2. Create a synergy of uses within the downtown area, supporting economic development and redevelopment.
 3. Calm traffic, thereby creating a more pedestrian-friendly environment and preventing a clustering of auto-oriented uses.
 4. Regulate building height and placement to achieve appropriate scale along streets and ensure a proper transition between the different areas of the city.
 5. Establish clear controls on building form and placement to frame a well-defined public realm comprised of human-scale streets, neighborhoods and public spaces, all of which contribute to creating a safe, comfortable and livable environment.
- B. **Form-based Districts.** A form-based code is established for the core area of Palmetto, which is divided into the following districts:
1. **Residential Form-based Districts:**
 - a. R-3A – Traditional Residential District. The Traditional Residential District supports a predominantly single family residential setting and preserves the traditional development patterns of the area. The intent of this district is to retain the period character of Palmetto's older neighborhoods. The R-3A District also includes currently undeveloped land, envisioned to be an extension of traditional residential development patterns.
 - b. R-3B – Mill Village Residential District. The Mill Village Residential District consists of historic dwellings built for cotton industry workers and is predominantly single family. This district is characterized by modest worker housing with a distinctive and historic style that reflects Palmetto's heritage as a cotton milling and production center.
 2. **C-2 - Central Business District.** The Central Business District protects the traditional, small town character of downtown Palmetto and enhances a pedestrian-oriented environment. The district accommodates a mix of retail stores, offices, entertainment, public spaces, residential uses and related activities that are mutually supporting and serve the needs of the community. The intent of this district is to encourage a lively social environment and economically viable downtown with a wide variety of uses in a pedestrian-oriented and unified setting.
- C. **Requirements.** All requirements of this ordinance shall apply within the form-based districts, except as modified by this article. If regulations elsewhere within this ordinance conflict or appear to conflict with the regulations in this article, the regulations of this article shall apply.
- D. **Components of this Article.** The Article is comprised of Use Regulations, a Form-based District Regulating Plan, Lot Area, Siting, and Height Requirements, Architectural Standards, and Accessory Provisions (including parking, landscaping

and sign requirements) as described below:

1. **Use Regulations.** Uses in the form based districts are listed in [Section 10-2](#). Those uses listed as conditional or special uses are subject to the review and approval requirements of Articles [14](#) and [15](#).
2. **Regulating Plan**
 - a. A regulating plan provides standards for each property and illustrates how each relates to adjacent properties and the street. The regulating plan is the coding key for the form-based districts; it is similar to a zoning map but it provides specific information on permitted development for each property.
 - b. The regulating plan identifies the form district for each property, which in turn determines the lot area, siting and height requirements for all building sites. The regulating plan also shows how each lot relates to public spaces and surrounding neighborhoods. There may be additional regulations for lots in special locations as identified on the regulating plan.
 - c. The regulating plan determines the frontage street for each lot in the form districts, along which the required building line (RBL) shall apply. Principal structures shall face the frontage street. Yards (front, side, rear) shall be determined according to the frontage street.
 - d. The boundaries of the form-based districts on the regulating plan shall be the same as those shown on the Official Zoning Map. Therefore, any change to the boundaries of the form-based districts shall be reviewed and approved according to the map amendment (rezoning) process in [Section 21-10](#). The regulating plan shall be revised upon approval of any rezoning or change to the form-based district boundaries on the Official Zoning Map.

E. Lot Area, Siting, and Height Standards

1. The lot area, siting and height requirements establish basic parameters governing building form, including the envelope for building placement (in three dimensions) and certain required or permitted building elements, such as shop fronts, doors, windows, balconies, and street walls. The lot area, siting and height standards establish both the boundaries within which things may be done and specific things that must be done. The applicable lot area, siting and height standard for a lot or parcel is determined by its street frontage, as designated on the regulating plan.
2. The lot area, siting and height requirements shape public spaces throughout each form-based district through placement and envelope controls on buildings that frame streets. The standards aim for the minimum level of control necessary to meet that goal.
 - a. Architectural Standards. The goal of the architectural standards is to promote a coherent and pleasing architectural character that is complementary to the best regional traditions. The standards govern a building’s architectural elements regardless of its building envelope standards and set the parameters for allowable materials and configurations. Equivalent or better products than those specified are always encouraged and may be submitted for approval.
 - b. Accessory Standards. The accessory standards govern development standards related to parking, site landscaping, signs and other accessory

aspects of development within the form-based districts.

F. **How to Use this Code. Understanding how each property within the respective districts is regulated requires the following steps:**

1. **Look at the regulating plan.** Find the property and note the required building line or lines. Note the color of the fronting street-space – this determines the form based district for the property, which contains the lot area, siting and height requirements for buildings fronting that street.
2. **Review the use regulations.** The use table describes the allowed uses within each form-based district.
3. **Review the lot area, siting, and height standards.** These regulate siting of buildings and parking.
4. **Review the architectural standards.** These define permitted building materials and architectural forms.
5. **Determine the accessory standards applying to the property.** These list requirements for landscaping, lighting, and signs, among others.
6. **Submit plans for approval to the zoning administrator.** Developments that conform to the standards and requirements of this article can be approved administratively, unless a special land use is also required. Projects that deviate from the standards may be approved, but are subject to site plan review by the planning and zoning board. [Section 10-9](#) describes the processes.

Section 10-2 Schedule of Uses

- A. Uses shall be permitted based upon the district. Land and/or buildings in the districts indicated at the top of Table 10-2 may be used for the purposes denoted by the following abbreviations:
1. **Permitted Use (P).** Land and/or buildings in this district may be used by right.
 2. **Conditional Use (C).** Land and/or buildings in this district may be used by right, provided the specific conditions related to that use, as found in Article 14, are met.
 3. **Special Use (S).** Land and/or buildings may be permitted only if special land use approval is granted upon a finding that all applicable requirements as specified in Article 15 are met.
 4. **Specific Conditions.** Indicates requirements or conditions applicable to conditional uses, as listed in Article 14 Conditional Use Requirements and Special Uses, as listed in Article 15.
- B. Where the Regulating Plan indicates "Retail Frontage Required," such properties may only be used for retail and personal services, office, financial and business services, and entertainment and hospitality uses.

Table 10-2 Permitted, Conditional and Special Uses by District

Land Use	Districts			Specific Conditions
	R-3A	R-3B	C-2	
Retail and Personal Services				
Beer, wine and package liquor stores			P	
Child care centers, commercial preschools and nurseries			P	
Convenience stores			P	
General retail establishments, such as variety, dry goods, clothing, florists, gift, notions, music, book, hardware and pharmacies, not exceeding 10,000 square feet of floor area			P	
Health and beauty care			P	
Non-commercial laundries or dry cleaning establishments			P	
Pawn or resale shops			C	
Photography/art studios			P	
Repair of consumer goods, electronics, household items, clothing and footwear			P	
Retail food establishments, not exceeding 10,000 square feet of floor area			P	
Office, Financial and Business Services				
Financial institutions. Drive in and drive-through uses are not permitted			P	
General and professional offices			P	
Medical or dental laboratories			P	
Medical or dental offices, including clinics			P	
Office equipment sales and service establishments			P	
Radio, television and recording studios			P	
Veterinary clinics			S	15-38
Public/Quasi-public				
Cemeteries	P	P	P	
Child caring institutions, congregate	S	S	S	15-14
Child caring institutions, group	S	S	S	15-14
Churches and other places of worship	P	P	P	
Clubs and lodges			P	
Government buildings	P	P	P	
Hospitals			S	
Parks/playgrounds	P	P	P	
Personal care homes, congregate	S	S	S	15-25
Personal care homes, group	S	S	S	15-25

Land Use	Districts			Specific Conditions
	R-3A	R-3B	C-2	
Public buildings, recreation centers or other similar not-for-profit institutions	P	P	P	
Schools, public and private	P	P	P	
Entertainment and Hospitality				
Drinking establishments			S	
Gyms or fitness clubs, indoor			P	
Hotels/motels			S	
Performing arts or martial arts schools or studios			P	
Recreation, indoor (bowling alleys, ice arenas, billiard parlors, arcades and similar uses)			P	
Restaurants (alcohol and/or entertainment) ¹			S	15-29
Restaurants (outdoor seating area) ¹			C	14-24
Restaurants (standard) ¹			P	
Theaters or concert halls			S	
Other Uses				
Accessory uses and structures	C	C	C	14-2
Public utility structures and lands	P	P	P	
Parking garages, structures or lots (as principal use)			C	14-19
Wind energy conversion systems (single accessory)	C	C	C	14-30
Residential				
Accessory dwelling units	S	S		15-10
Bed and breakfasts	S	S	S	15-12
Child caring institutions, family	S	S	S	15-14
Day care, family	C	C	C	14-11
Day care, group	S	S	S	15-18
Foster care homes, adult family	C	C	C	14-13
Home occupations	C	C		14-16
Mixed use residential			C	
Multiple family residential	S	S	P	
Personal care homes, family	S	S	S	15-25
Single family dwellings	P	P		
Townhouse residential	S	S	P	

1. Drive in and drive-through uses are not permitted

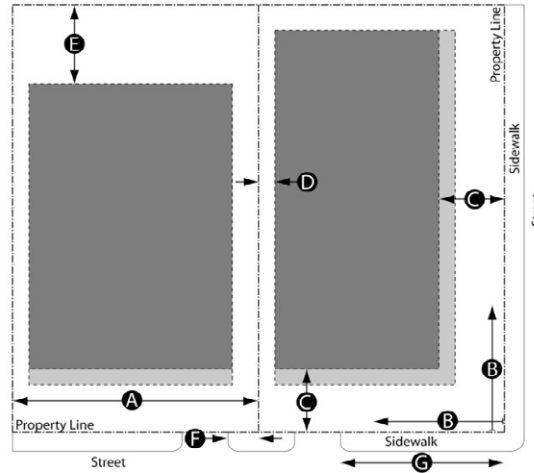
Section 10-3 Residential Form-based Districts (R-3A and R-3B)

A. Applicability. The form-based requirements for the residential districts apply to properties with frontage on existing streets, as shown on the Regulating Plan. Any lot or parcel created after the effective date of this ordinance shall be subject to the

requirements of [Section 10-7](#).

- B. Purpose and Intent.** Implementation of the Dimensional Requirements of the residential form-based districts realizes a complementary residential development pattern that is based on traditional neighborhood design principles. It also ensures that a consistent architectural character is maintained and the street is neither dominated nor defined by imposing garages that project beyond the front façade of a building. Such a pattern will additionally help support a walkable, pedestrian environment and promote neighborhood accessibility. By regulating building character, facades can be located closer to a street and sidewalk and be aligned to form an edge that frames the public realm, while retaining sufficient room for people to walk and mingle with neighbors. Further, as expressed by traditional architectural forms, defined building entrances, window openings, materials and heights, new structures can be designed to blend with existing homes, thereby enhancing the character of residential neighborhoods.
- C. Lot Area, Siting, and Height Standards.** Specific dimensional standards for the residential form-based districts are specified as follows:

Site Standards – Residential Form-based Districts



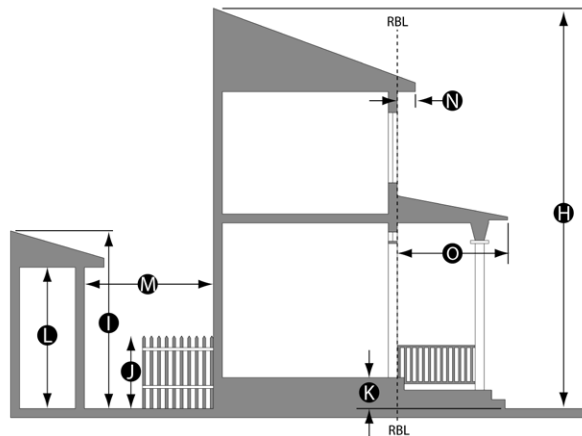
a. Lot Standards

i.	Lot area
	(A) <u>R-3A District</u> : Min. 5,000 sq. ft.; max. 8,000 sq. ft. (B) <u>R-3B District</u> : Min. 10,000 sq. ft.; max 20,000 sq. ft.
ii.	Minimum Lot Width A
	(A) <u>R-3A District</u> : 50 ft. (B) <u>R-3B District</u> : 90 ft.

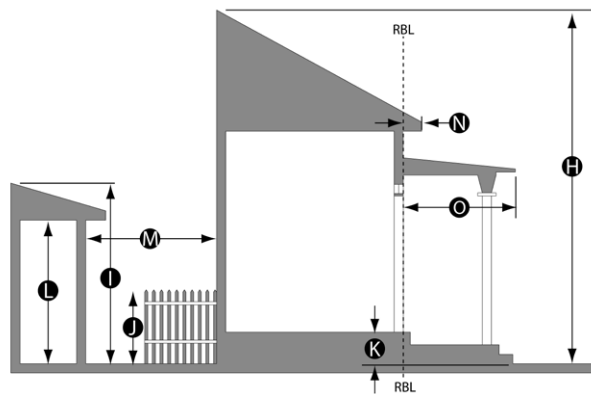
b. Street Façade

i.	The front building façade shall be parallel to the adjacent street and/or sidewalk. B
ii.	For an addition or new structure: (A) <u>R-3A District</u> : Where there is an existing and inconsistent pattern of building placement, the RBL shall be equal to the average of the front setbacks of existing principal buildings located on the same side of the street, in the same zoning district as the subject parcel, and within 200 ft. of the lot where building placement is being established. Where there is no established dimension, the RBL shall be between 15 ft. and 20 ft. C
	(B) <u>R-3B District</u> : The RBL shall be between 25 ft. and 30 ft. C

Building Standards: R-3A Traditional Residential District:



Building Standards: R-3B Mill Village District



- iii. The front façade of the principal building shall occupy at least 60% of the lot frontage at the RBL. For lots 150 ft. wide or more, requests to relax this requirement shall be considered as a deviation instead of a variance (see [Section 10-8](#)) **B**
- iv. On corner lots, the RBL shall be met on both frontages. On multiple frontage lots that are not corner lots (such as through lots) the RBL shall be met for the primary frontage street designated on the regulating plan. **C**

c. Setbacks

- i. Side yard: **D**
 - (A) R-3A District: Min. 5 ft. on one side; 13 ft. total of both sides.
 - (B) R-3B District: Min. 15 ft. on one side, 40 ft. total of both sides.
- ii. Rear yard: **E**
 - (A) R-3A District: Min. 25 ft.
 - (B) R-3B District: Min. 40 ft.

d. Parking

i.	F Driveways, if located in the front and not shared with an adjacent property, shall be located at least 2 ft. from a common lot line.
ii.	If located on a corner lot, driveways shall be at least 40 ft. from any block corner or other driveway. G
iii.	Parking is not allowed in a front yard, except on a residential driveway.
e. Principal Building Height	
	<i>A principal building shall not exceed:</i> H
i.	(A) <u>R-3A District</u> : 2 stories.
	(B) <u>R-3B District</u> : 1 story.
ii.	An attic story configured as habitable space is permitted within the roof area of a building and shall not count against the maximum story height. H
iii.	Height requirements may be exceeded for certain related structures as specified in Section 13-2.E . H
f. Ground Story Height	
i.	The finished elevation of the ground floor shall not be less than 2 ft. nor more than 5 ft. above the exterior sidewalk, or from the ground elevation, at the front of the building. K
g. Fence Height	
i.	A privacy fence, not more than 6 feet in height, is allowed on any portion of the lot that is behind the RBL/building façade and is not otherwise occupied by a building; however, a fence parallel to a lot line shall be either on the lot line or placed at least 2 ft. from the lot line. L
ii.	A fence is allowed in a front yard to a maximum height of 40 inches.
h. Garages and Accessory Buildings	
i.	One detached garage is permitted, which shall not exceed 16 ft. in height. L
ii.	A detached garage shall be located in the rear yard and accessed either by an alley or driveway.
iii.	Front-facing attached garages:
	(A) <u>R-3A District</u> : permitted, provided they do not project beyond a line located 16 feet behind the façade of the building and do not encompass more than 40% of the total building frontage. (B) <u>R-3B District</u> : not permitted
iv.	One accessory storage building is also permitted, which shall not exceed 12 ft. in height.
v.	A detached accessory building shall only be located in the side or rear yard. An accessory building attached to a principal building shall conform to the regulations applicable to the principal building.
vi.	Accessory buildings shall be at least 3 ft. from a side and rear lot line, 10 ft. from any dwelling, and 6 ft. from any other structure on the lot. M
i. Projections	
i.	Except for eaves, awnings, balconies, bay windows, front porches, stoops, and ADA compliant ramps, as specified by this article, no part of a building shall encroach into the RBL or required side or rear setbacks.

ii.	Eaves and awnings shall not project more than 2 ft. into the RBL or required side or rear setbacks. N
iii.	Porches and stoops. A front porch or stoop is required. C
	(A) <u>R-3A District</u> : A stoop may project up to 6 ft. beyond the RBL. Porches are encouraged and may project up to 10 ft. beyond the RBL.
	(B) <u>R-3B District</u> : A porch is required for single family homes and townhouses and may project up to 10 ft. beyond the RBL. A stoop is permitted for multiple family dwellings and may project 6 ft. beyond the RBL
iv.	Bay windows may project up to 3 ft. beyond the RBL or required side or rear setbacks.
v.	Balconies may project up to 5 ft. beyond the RBL or required side or rear setbacks.

D. Public Buildings

1. **Purpose and Intent.** The design of a public building, such as a church, school, congregate child caring facility, or government office is subject to review and approval by the city council after receiving a recommendation from the planning and zoning board. While the intent is to allow flexibility in the design and siting of such unique structures they must also positively contribute to a desired community and neighborhood character.
2. **Street Façade.** Public buildings may deviate from district RBL and setback requirements when key public amenities, compatible with the character of the surrounding area, have been accommodated, such as a plaza, park, or courtyard.

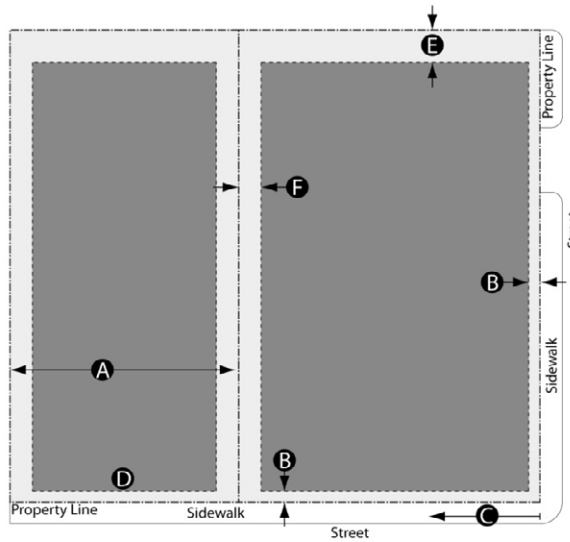
E. **Lots Not Fronting on Existing Streets.** Lots (including both existing lots and lots created after the effective date of this ordinance) that do not front onto a street in existence on the effective date of this ordinance shall be developed according to [Section 10-7](#).

Section 10-4 C-2 – Central Business District

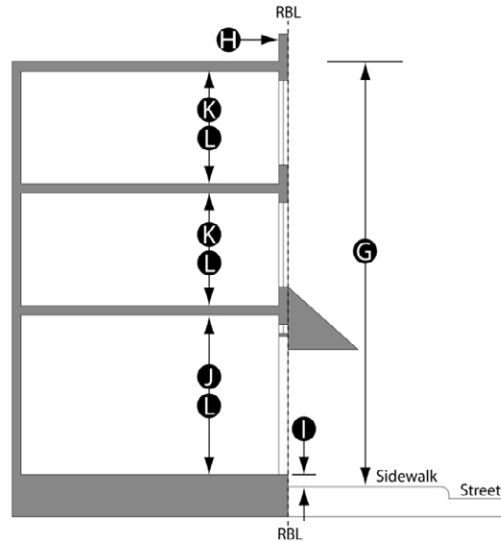
A. Mixed-use, Commercial, and Residential Buildings

1. **Purpose and Intent.** The siting requirements for this district support a compact, mixed-use development pattern for downtown Palmetto and reinforce the significance of public spaces and traditional architectural character. They further emphasize walkable, pedestrian environments that promote a synergy between compatible land uses and strong ties to surrounding residential neighborhoods.
2. **Lot Area, Siting, and Height Standards.** Specific dimensional requirements for this district are specified as follows:

Site Standards – C-2 District



Building Standards – C-2 District



a. Lot Requirements

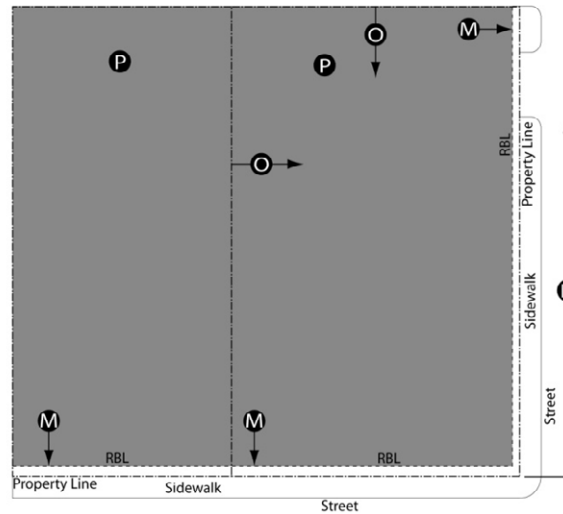
- i. Lot Width – No minimum. **A**
- ii. Lot Area – No minimum.

b. Street Façade

- i. Horizontal distance to RBL – Min. 0 ft., max. 5 ft. **B**
Residential buildings shall be located between 5 ft. and 10 ft. of the RBL. **B**
- ii. A building façade shall occupy at least 80% of the frontage length and shall be built to the RBL within 30 ft. of a block corner. **C**
- iii. A street wall shall be required along any frontage that is not otherwise occupied by the principal building. **D**
- iv. A street wall shall not be less than 4 ft. nor greater than 8 ft. high.

v.	An outdoor pedestrian area may occupy the frontage not occupied by the building and does not have to be enclosed by a street wall. D
c. Setbacks	
i.	Rear yard – A setback of 15 ft. is required, except for lots with access to a rear alley, where no setback is required. E
ii.	Side yard – A setback is not required where a firewall is provided along the side lot line. Where a firewall is not provided, buildings shall be separated by at least 10 ft. F
d. Building Height	
i.	Height – Min. 2 stories or 20 ft.; max. 3 stories. G
ii.	An attic story configured as habitable space is permitted within the roof area of a building and shall not count against the max. story height. G
iii.	Required parapet walls may exceed allowed building heights by 42 in. H
iv.	A parapet emphasizing the primary street level building entrance or corner of a building can be an additional 3 ft. high for a distance of 12 ft., or 15% of the façade length, whichever is greater. H
v.	Height requirements may be exceeded for certain related structures as specified in Section 14-2E . H
vi.	A detached garage shall not exceed 16 ft. in height.
e. Story Height	
i.	Mixed Use and Commercial: The ground story finished floor elevation shall be equal to or no more than 18 in. above the exterior sidewalk elevation at the front of the building at the RBL. I
ii.	Residential: The ground story finished floor elevation shall not be less than 3 ft. nor more than 5 ft. above the exterior sidewalk in front of the building at the RBL. I
iii.	Mixed Use and Commercial: The ground story shall have a min. interior floor to ceiling height of 15 ft. I
iv.	Mixed Use and Commercial: All other stories shall have a min. floor to ceiling height of 9 ft. and a max. 12 ft. K
v.	Residential: The min. interior floor to ceiling height for all stories shall be 9 ft. and a max. 12 ft. I

Parking and Loading Standards – C-2 District



f. Parking and Loading

i.	Parking is not allowed forward of the RBL or in any front yard. M
ii.	Driveways shall be at least 50 ft. from any block corner. N
iii.	Off-street parking shall be permitted in the rear and side yards behind the RBL when screened by a 4 ft. tall street wall located between the property line and parking lot. O
iv.	Loading shall be permitted only in the rear yard or within internal loading bays not visible from the street.

g. Detached Accessory Structures

i.	A detached accessory structure shall be located in the rear yard and accessed either by an alley or driveway.
----	---

B. Public Buildings

1. **Purpose and Intent.** The design of a public or quasi-public building, such as a church, school or government office is subject to review and approval by the city council after receiving a recommendation from the planning and zoning board. While the intent is to allow flexibility in the design and siting of such unique structures they must also positively contribute to a desired community and neighborhood character.
2. **Street Façade.** Civic/institutional buildings may deviate from district RBL requirements when key public amenities, compatible with the character of the surrounding area, have been accommodated, such as a plaza, park, or courtyard.

Section 10-5 Architectural Standards

- A. **Purpose and Intent.** By regulating building elements, facades can be aligned along streets and sidewalks to form a street edge that frames the public realm, while retaining a sufficient dimension to accommodate pedestrians, shoppers and

outdoor diners. Strong architectural character should be reflected in the design of buildings by clearly defining a base, middle and roof line. Traditional storefronts should be expressed by their distinct front entries, ample window openings and appropriate building heights. Facades visible from streets and other public spaces must be divided by rhythmic architectural elements to define scale and include customary architectural features, such as awnings, cornices, columns, trim details or other character elements.

B. **Applicability.** The Architectural standards for specific building types shall apply in addition to any lot area, siting, and height standards for the individual form-based districts.

C. **General Standards**

1. **Dormers.** Dormers are permitted as long as they do not break the primary eave line, are individually less than 15 feet wide and together do not constitute more than 60 percent of the length of the roof façade.
2. **Front Porches.** Front porches, where required by the lot area, siting, and height standards, must be covered by a roof supported by posts. Other than a railing or wall as required below, a porch shall otherwise not be enclosed except with insect screening.
 - a. In the R-3A District, porches shall enclosed by either a railing or wall not higher than 42 inches.
 - b. In the R-3B District, a porch railing is not permitted unless required by the building code. Supporting posts and balustrades, if required, should be simple and square or round.
3. **Character.** Architectural character shall reflect the patterns of traditionally designed buildings found in Palmetto with building facades that reflect and complement regional materials and construction techniques. Simple configurations and solid craftsmanship are favored over complex building forms and over-articulated details. All building materials shall express their specific properties. For example, heavier more permanent materials (masonry) shall support lighter materials (wood).
4. **Exterior Building Materials.** The following materials are permitted. Calculations for material wall percentages do not include areas of the wall used for doors and windows.
 - a. *Primary Materials* (80 percent of a building exterior or more):
 1. Brick and tile masonry (or synthetic equivalent).
 2. Native stone (or synthetic equivalent).
 3. Hardie-Plank™ or equivalent.
 4. Wood siding.
 - b. *Accent Materials* (no more than 20 percent of facade):
 1. Pre-cast masonry (for trim and cornice elements only).
 2. Gypsum Reinforced Fiber Concrete (GFRC—for trim elements only).
 3. Metal (for beams, lintels, trim elements and ornamentation only).
 4. Split-faced block (only for piers, foundation walls and chimneys).

- c. The Planning and Zoning Board and City Council may permit different materials if approved as a deviation (see [Section 10-8.C](#), below).

5. **Building Facades**

- a. Cornice lines, string courses, roof lines and other architectural elements shall create a recognizable base, middle, and top to a building.
- b. Long, uninterrupted facades shall be avoided. Building bays, storefronts, entrances, columns, pilasters and other vertical elements shall be used in approximately 15 to 30 foot increments to “break-up” a building façade.
- c. Façade openings shall not vertically span more than one story, nor shall the horizontal size of an opening exceed its corresponding vertical opening. Façade openings shall be clearly defined, correspond to interior space and shall not span across building support structures.

6. **Awnings.** Windows, storefronts and building entrances may be enhanced by awnings, provided the following conditions are met:

- a. Only traditional style awnings shall be permitted.
- b. Awnings shall be positioned immediately above ground floor windows and have a straight shed design.
- c. Awnings shall be constructed of durable fabrics (no shiny or reflective materials) such as canvas that will not fade or tear easily.
- d. Canopies, marquees, vinyl, barrel, waterfall, dome, box or curved awnings are prohibited.
- e. Awnings shall not be internally illuminated.



D. **Specific Building Requirements – Single Family Dwellings**

- 1. **Floor Area.** Minimum 1,400 square feet of floor area per residential unit.
- 2. **Windows/Transparency.** Between 20% and 60% of a building facade facing a public street shall consist of windows and doors that open into habitable spaces.
- 3. **Entrances.** A dwelling shall have a front door facing a street or public space that is accessed from a stoop or porch.
 - a. A stoop shall have a minimum depth of four feet and a minimum area of 24 square feet.
 - b. A front porch must be between eight and ten feet deep. In the R-3A District, if a front porch is provided, it shall be no less than 40 percent of the width of the façade at the RBL. In the R-3B District, a front porch is required and shall be no less than 90 percent of the width of the façade at the RBL.
 - c. An ADA-compliant ramp that connects to the stoop or porch may project beyond the RBL.
- 4. **Roof Type.**

- a. All residential buildings (except in the R-3B District, as required below) and related accessory buildings shall have pitched roofs with moderately steep slopes not less than 4:12 and not more than 12:12.
 - b. In the R-3B District, a principal dwelling shall have a hipped roof with a pitch between 6:12 and 10:12. A porch in the R-3B district shall either be covered by an extension of the main roof of the house, or by a separate shed roof that is attached to the house, but with a lesser pitch than the main roof.
5. **Accessory Buildings.** The building materials and colors of the accessory building shall match or complement at least one of the materials used on the principal building.

E. Specific Building Requirements – Multiple Family Buildings

- 1. **Floor Area.** Minimum 700 square feet of floor area per residential unit.
- 2. **Windows/Transparency.**
 - a. Windows and doors on ground story facades shall comprise at least 20 percent, but not more than 90 percent, of the facade area (measured as a percentage of the facade between floor levels).
 - b. Windows and doors on upper story facades shall comprise at least 20 percent, but no more than 60 percent, of the facade area per story (measured as a percentage of the facade between floor levels).
- 3. **Entrances.**
 - a. At least one functioning entry door shall be provided for a building along the ground story facade facing a street and at intervals not greater than 60 linear feet.
 - b. If provided, a front stoop must be at least four feet deep with a minimum area of 32 square feet. An ADA-compliant ramp that connects to the stoop may project into the RBL.
- 4. **Roofs**
 - a. Pitched roofs are permitted, but they must have at least a 4:12 and no more than a 12:12 pitch. For a building with a pitched roof, mechanical equipment located on the roof shall be on the back half of the building and screened on all sides so it is not visible from the ground as observed from the sidewalk, or if no sidewalk exists, from the curb or pavement edge of the street.
 - b. Flat roofs shall be enclosed by a parapet, which shall be high enough to conceal mechanical equipment as observed from the sidewalk, or if no sidewalk exists, from the curb or pavement edge of the street.
 - c. Parapet Height. A parapet emphasizing the primary street level building entrance or corner of a building can be an additional three feet higher than allowed in the lot area, siting and building height requirements for the district, for a distance of 12 feet, or 15 percent of the facade length, whichever is greater.
- 5. **Garages.** Off-street parking lots and carports or garages shall be located behind the RBL and in the side or rear yard.

F. Specific Building Requirements - Townhomes

- 1. **Floor Area.** Minimum 900 square feet of floor area per residential unit.

2. **Windows/Transparency.** For each residential unit, between 25 percent and 50 percent of the front building facade shall consist of windows and doors.
3. **Entrances.** A dwelling shall have a front door facing a street or public space that is accessed from a stoop or porch.
 - a. A stoop shall have a minimum depth of four feet and a minimum area of 24 square feet.
 - b. A front porch must be between eight and ten feet deep, with a width not less than 40 percent of the width of the unit at the RBL. In the R-3B District, a porch is required with a width not less than 90 percent of the width of the building at the RBL.
 - c. An ADA-compliant ramp that connects to the stoop or porch may project beyond the RBL.
4. **Roofs**
 - a. Pitched roofs are permitted, but they must have at least a 4:12 and no more than a 12:12 pitch. For a building with a pitched roof, mechanical equipment located on the roof shall be on the back half of the building and screened on all sides so it is not visible from the ground as observed from the sidewalk, or if no sidewalk exists, from the curb or pavement edge of the street.
 - b. Flat roofs shall be enclosed by a parapet, which shall be high enough to conceal mechanical equipment as observed from the sidewalk, or if no sidewalk exists, from the curb or pavement edge of the street.
5. **Garages.** Off-street parking lots and carports or garages shall be located in the side or rear yard.

G. Specific Building Requirements – Mixed-use and Commercial Buildings

1. **Windows/Transparency.**
 - a. Transparency requirements shall apply to the area of the facade between two feet and ten feet above the sidewalk, regardless of where windows are located.
 - b. Only clear or lightly tinted, non-reflective glass in windows, doors, and display windows shall be considered transparent.
 - c. Ground floor windows shall contain displays that are meant for viewing from the outside and shall be unobstructed for a depth of not less than 4 ft. into the building.
 - d. Building facades facing public streets and spaces and through-block walkways shall maintain the following transparency percentages of window and door openings:
 1. Minimum 70 percent for ground level storefronts
 2. Minimum 40 percent and maximum 60 percent for the building facade above storefronts
 - e. Transparency requirements may be reduced by one-half for the first floor façade facing a lesser traveled street of a building on a corner lot.
 - f. Ground floor window sills shall not be higher than two feet above grade, measured at the sidewalk.

g. Exterior steel barriers and similar security devices are not permitted. If they are located inside a building, they may not be visible from the outside during business hours.

2. **Facades.** Storefronts shall contain a ground floor that is visually distinct, as defined by traditional architectural features. These elements include display windows, a kick plate between the sidewalk and the base of a display window, a framed entry, piers/pilasters, awnings, transom windows, a sign band, a middle cornice separating the ground level façade from either upper stories or the top of the building and an upper cornice line.

3. **Roofs**

a. Pitched roofs are permitted, but they must have at least a 4:12 and no more than a 12:12 pitch. For a building with a pitched roof, mechanical equipment located on the roof shall be on the back half of the building and screened on all sides so it is not visible from the ground as observed from the sidewalk, or if no sidewalk exists, from the curb or pavement edge of the street.

b. Flat roofs shall be enclosed by a parapet, which shall be high enough to conceal mechanical equipment as observed from the sidewalk, or if no sidewalk exists, from the curb or pavement edge of the street.

4. **Entrances.**

a. A building entrance shall be clearly identifiable and reinforced by architectural features such as awnings, pediments, pilasters and arches.

b. Recessed doorways are encouraged, but shall not be recessed more than five feet from the front façade unless a courtyard, window display, or other space that is actively used is provided between the doorway and the sidewalk. If recessed more than three feet, angled walls are preferred to promote visibility of the entrance. Doorways shall not span more than one story.

c. A visible and usable building entrance is required for every 50 feet of frontage a building has on the primary (more highly traveled) street.

H. **Specific Building Requirements – Public Buildings**

1. **Front Façade.** Walls that face a public street, plaza, green or park shall include windows and architectural features customarily found on the front of a building, such as awnings, cornice lines, brick detailing or decorative finish materials.

2. **Entrances.** There shall be at least one usable building entrance along each front public sidewalk. Main entrances shall be designed to enhance their appearance and prominence so they are recognizable from the street and parking areas.

3. **Prominent Design.** The requirements for Mixed Use and Commercial Buildings in this article shall be used as a basis for evaluating the design of civic and institutional buildings. Modifications may be allowed based on unique building requirements and a desire to create community landmarks.

Section 10-6 Accessory Standards

The requirements of [Article 17 Off-Street Parking and Loading](#), [Article 19](#) for parking lot landscaping requirements, [Section 18-4](#) for lighting, and the [Palmetto Sign Ordinance](#) shall apply except as modified by this article.

A. Parking

1. **Intent.** The goals of the parking requirements are to:
 - a. Promote a “park once” environment enabling people to conveniently park and access a variety of commercial and civic uses by encouraging shared parking.
 - b. Reduce fragmented, uncoordinated, inefficient, single-purpose reserved parking.
 - c. Avoid adverse parking impacts on neighborhoods adjacent to the form districts
 - d. Maximize on-street parking
 - e. Increase visibility and access to publicly available parking.
 - f. Provide flexibility for redeveloping small sites.
 - g. Promote projects using flexible and creative incentives.
 - h. Incorporate convenient bicycle parking.
2. **Location.**
 - a. Off-street parking shall be located as delineated on the Regulating Plan and as required in [Section 10-4, F](#), above .
 - b. These provisions shall not apply to parking areas located forward of the RBL that were in existence at the time this ordinance was adopted. However, an event that triggers conformance with these requirements, as stated in Section 10.10. A, below shall require, at minimum, a streetwall and/or landscape screen to be installed at the right-of-way line or at the RBL.
3. **Number.**
 - a. The number of off-street parking spaces provided shall not exceed those enumerated in [Table 17-1](#), Parking Requirements by Use.
 - b. Fewer parking spaces may be allowed as provided in [Section 17-1.D](#).
 - c. On-street parking spaces located along the frontage of a property shall be included when calculating parking requirements for a use on that lot. Such spaces shall not be reserved for the exclusive use of patrons or occupants of the lot, but shall be available to the public. A parking space which is contiguous to a lot frontage for less than 50 percent of its length or width shall not be counted toward meeting the parking requirements for that property.
 - d. A sidewalk dining area associated with an eating or drinking establishment is not subject to the parking requirements in [Table 17-1](#).

B. Exterior Areas

1. **Temporary Outdoor Display Areas.**
 - a. Temporary outdoor displays are permitted, and may be located forward of the RBL or within the C-2 District upon a public sidewalk, but shall be limited to the property in question and located within three feet of the building façade. Access to sidewalks and building entrances shall be maintained so that pedestrian circulation is not impaired.
 - b. Alternate outdoor display area locations may be approved as long as

pedestrian circulation or entrances to a building are not impaired.

- 2. **Other.** Space for bike racks, civic art, or other similar uses/activities may be permitted, provided a minimum five foot sidewalk clear area is maintained.

C. Landscaping and Screening

1. Parking lots.

- a. Parking lots serving multiple family dwellings and non-residential uses that are visible from a public street, sidewalk, or adjacent one or two family residential district or use shall be screened by a streetwall not less than four and no more than five feet in height, constructed at the RBL of the lot. However, the wall must provide a break at intervals no greater than 50 feet to allow pedestrian access.
- b. Landscaping of the same height (at planting) may be used if it screens the parking area with at least 75 percent opacity.
- c. Parking lots exceeding 15 spaces shall be landscaped to break up large expanses of pavement, provide shade and assist with vehicular and pedestrian flow. At least one landscaped island shall be provided per each ten parking spaces.
- d. The location and design of parking lot landscaping shall be approved by the zoning administrator, or the planning and zoning board, as applicable. The number of plants and island requirements shall meet the requirements of Chapter 23.5.27 of the City of Palmetto Code of Ordinances.

2. Trash Enclosures and Other Outdoor Equipment.

- a. Exterior trash disposal areas and equipment shall be enclosed by brick, decorative concrete or other material that matches the main building. The enclosure shall be at least six feet high, with three sides and a gate on the fourth side. Outdoor mechanical equipment shall be similarly screened, provided that the enclosure needs to be only as tall as necessary to fully screen the equipment. Trash enclosures used in common by multiple users are permitted.
- b. A group enclosure that spans the width of more than one building may be constructed of a uniform material throughout, provided that it is complimentary to the adjoining buildings.

D. Lighting (See Section 18-3 for general requirements)

- 1. Lighting, if installed, shall be pedestrian-style lighting along all sidewalks, pedestrian walkways within parking areas, and along other pedestrian ways.
- 2. Pole lighting shall be a maximum of 20 feet high.
- 3. In the C-2 District, light fixtures not exceeding 30 feet may be permitted for pole lighting if the fixture is located at least 200 ft. from the boundary of any residential district or use.
- 4. All light fixtures or structures shall be architecturally compatible with the building.

E. Public art. Public art is encouraged and may be located in appropriate areas without regard to setbacks, RBLs, etc., provided that clear vision at corners is maintained.

F. Sign Requirements

1. **R-3A Traditional Residential District and R-3B, Mill Village Residential District.** Signs in the R-3A District shall conform to the sign requirements in the [Palmetto Sign Ordinance](#).
2. **C-2 Central Business District:** Only those signs listed in [Table 10-6](#) shall be permitted in the C-2 District. Except as modified by this article, signs shall comply with the requirements of the [Palmetto Sign Ordinance](#).

Table 10-6 Sign Requirements for the C-2 District

Type of Sign	Maximum Sign Area	Height	Location	Illumination	Number of Signs ⁽¹⁾
Awning	1 square foot per linear foot of awning up to a max. of 10 square feet	Cannot exceed height of awning	Must be located on front of a shed awning	External illumination only	Max. 1 per awning
Institutional bulletin board	24 square feet	Max. 6 feet	Must be setback min. 5 feet from front lot line	External or internal illumination permitted	Max. 1 per civic/institutional building
Projecting	3 square feet	Below second story windows and min. 8 feet, but no more than 15 feet, above sidewalk, streets and alleys	Must be located on the façade of building	External illumination only	Max. 1 per mixed use or commercial building, but no closer than 18 feet to another projecting sign. Corner buildings are permitted 1 sign per street frontage
Rear entry	15 square feet	Max. 8 feet above ground level or sidewalk	Must be located on rear or side façade not facing street	External or internal illumination permitted	Max. 1 per rear entry for mixed use or commercial building
Sidewalk or sandwich board ⁽³⁾	6 square feet	4 feet	On sidewalk in front of the business, at least 2 feet from curb	Not permitted	One per business

Table 10-6 Sign Requirements for the C-2 District

Type of Sign	Maximum Sign Area	Height	Location	Illumination	Number of Signs ⁽¹⁾
Wall sign: ground floor uses	Ten percent of wall area on which the sign is located and occupied by the use to which the sign refers, up to max. 30 square feet	Between the second story floor line and the first floor ceiling within a horizontal band not to exceed two and a half feet in height. In no case shall this band be higher than 18 feet or lower than 12 feet above the adjacent sidewalk	Must mounted to the façade and cannot extend beyond the wall surface more than 12 inches	External or internal illumination permitted	Maximum 1 per mixed use or commercial building. Corner buildings are permitted 1 sign per street frontage
Wall sign: upper floor uses	10 percent of front building façade, up to max. 48 square feet	Below the cornice of a flat roof building, or roof eave of a pitched roof	Must be mounted to the front façade and cannot extend beyond the wall surface more than 12 inches	External or internal illumination permitted	Maximum 1 per mixed use or commercial building ⁽²⁾
Window	No more than 25 percent of surface of window		Only permitted on first story windows	Not permitted	Max. 1 per window on a mixed use or commercial building

"Exempt signs" as specified in [Table 17-2](#)

Notes to Table 10.6:

(1) Except for a building located on a corner, a single building shall be permitted to have only one of the following types of signs: awning sign or projecting sign.

(2) Where a single use occupies both the ground and upper floors of a building only 1 wall sign shall be permitted on either the ground floor or the upper floor façade.

(3) A sidewalk sign shall be removed from the sidewalk and taken inside at the close of business each day. At least 35 percent of the sign area shall be permanently painted or affixed graphics. The remainder may allow for changeable letters (reader board/message board) or handwritten advertisements. The owner of the sign shall provide proof of insurance in the amount determined from time to time by the city council and shall provide proof that the City of Palmetto is an additional named insured on the policy.

- All new signs and all existing signs, except "exempt signs" that are altered, relocated, replaced, or reconstructed shall be required to obtain a sign permit under the [Palmetto Sign Ordinance](#).

Section 10-7 Subdivisions and Lots Not Fronting on Existing Streets

- A. **Intent.** The subdivision of existing lots and the development of any lot or parcel that does not front on a street in existence on the effective date of this ordinance shall be subject to the requirements of this section. This section ensures undeveloped lands within form-based districts are developed in a manner consistent with traditional development patterns, block sizes and architectural character. Diverse block and lot sizes can help create an urban form that accommodates various housing types in a pedestrian friendly manner. Short blocks, defined by a traditional grid street layout, can yield multiple travel routes and choices that are more direct and safer for pedestrians, bicyclists and motorists. Lot and block design should promote development that is compatible with natural features, minimizes pedestrian and vehicular conflicts, promotes street life and activity, reinforces public spaces, promotes public safety, and visually enhances development.
- B. **Existing Lots.** A building containing a use allowed in the district and meeting the requirements of this article may be developed on a lot or parcel existing on the effective date of this ordinance, provided the lot or parcel can be accessed in accordance with [Section 13-2.B](#). The building shall conform to the Lot Area, Siting and Building Height Requirements, Architectural Standards and Accessory Provisions applying to the district in which the property is located.
- C. **New Subdivisions.** A new lot or parcel shall not be created unless it fronts on a street in existence on the effective date of this ordinance, except in the R-3A District, as follows. All subdivisions, including minor and estate subdivisions, shall conform to the requirements of Appendix A of the Code of the City of Palmetto, except as modified by this section. Where the requirements of this section conflict or differ with any other requirements of the city, the requirements of this section shall prevail.
- D. **R-3A District.** An applicant seeking approval of a subdivision in the R-3A District shall submit a plan showing all proposed streets, lots and street extensions necessary to also serve adjacent undeveloped properties within the R-3A District. The plan for the subject property shall comply with the following minimum standards:
1. **Streets and Blocks.**
 - a. Streets shall be designed to implement the requirements of the R-3A District.
 - b. Multiple street connections to and from a subject property shall integrate existing and planned streets and provide access to adjacent properties.
 - c. Planned street extensions shall terminate at property lines to serve future development on adjacent property. A street terminating at a lot line shall interconnect with any future development.
 - d. Streets shall be designed as an interconnected grid network and shall not result in cul-de-sacs or dead end streets, except as required in subparagraph c, above. Where possible, the design of streets should consider terminating vistas, interesting views and variety in the streetscape.
 - e. Blocks that are defined by the street network shall be in the range of 200-400 feet deep by 400-800 feet long.
 - f. Right-of-way widths shall be 50 feet. Pavement widths shall be no greater than 28 feet.
 - g. Streets may intersect at angles less than 90 degrees, provided that adequate

site distance for all turning movements is provided.

h. Alleys for rear access to lots are permitted.

- 2. **Lots.** Lots shall conform to the requirements of the R-3A District and comply with the following:
 - a. A variety of lot sizes meeting or exceeding the district requirements should be provided to facilitate housing diversity and choice and meet the projected requirements of people with different housing needs.
 - b. Lot widths should create a relatively symmetrical street cross section that reinforces the street as a simple, unified public space.
- 3. **Other Requirements**
 - a. Sidewalks are required on both sides of all streets.
 - b. Street lighting shall be designed to enhance vehicle and pedestrian safety and shall use fixtures and supports that are in character with the form-based district.
 - c. Landscaping shall be provided to create transitions between the public realm of the street and sidewalk and the front yards and porches of dwellings. Canopy street trees shall be used to frame the streetscape.
- 4. **Procedure.** A preliminary development plan that shows how the requirements of this section are met shall be approved prior to submittal of a preliminary plat of subdivision, minor subdivision or estate subdivision. The plan shall include the following:
 - a. A preliminary survey, drawn to scale by a licensed surveyor or civil engineer, showing the proposed layout of lots, streets and public spaces.
 - b. The plan shall show compliance with all of the requirements of this section and shall be accompanied by descriptions, specifications and other documents that show how the requirements of this section are met.
 - c. The planning and zoning board shall review the preliminary development plan and shall recommend approval, approval with conditions or denial of the plan to the city council. Upon receipt of the recommendation of the planning and zoning board, the city council shall approve, approve with conditions or deny the preliminary development plan. If the plan is approved with conditions, the applicant shall submit a revised plan reflecting the approved conditions for final approval by the city council prior to submitting a preliminary plat of subdivision, minor plat or estate plat.
 - d. The planning and zoning board and the city council shall find that:
 - 1. The preliminary development plan conforms in all ways with the requirements of this section;
 - 2. The arrangement of streets and lots reflects the intent and character of the R-3A District;
 - 3. Streets are arranged so that they can be extended into adjacent undeveloped properties and will provide for an efficient street grid that reflects the intent and character of the R-3A District.
 - 4. The subdivision is designed to account for development of all of the undeveloped area in the R-3A District and not just the property in

question, so that the completed development will be cohesive and shall be an extension of the currently developed R-3A District areas.

- e. A preliminary plat, minor plat or estate plat shall be submitted for the property in question within one year of approval of the preliminary development plan. The planning and zoning board may approve one extension of up to one year, if the applicant can show that the delay is due to factors beyond the control of the applicant. Upon expiration of one year or upon expiration of any granted extension, the preliminary development plan shall lapse and any future development shall require approval of a new preliminary development plan.
- f. The preliminary and final plats of subdivision (or the minor or estate subdivision) shall conform to the approved preliminary development plan. Any deviation from or amendment to the approved plan shall be approved via the same process as the original approval. Upon approval of the preliminary plat of subdivision, minor plat or estate plat, the Regulating Plan shall be revised accordingly.

Section 10-8 Variances and Deviations

Variances and deviations from the form-based requirements shall be considered according to the requirements of Table 10-8. [Section 10-9](#) describes the procedures for review of variances and deviations.

Variances	Siting requirements	Placement of buildings, projections, garages or parking areas resulting in a RBL or setback less than the requirements.
		Minimum lot requirements (area, width, etc.)
		RBL frontage length percentage
		Location of accessory structures
	General building requirements	Building height and number of stories
		Minimum floor area per dwelling unit
	Parking	Location
		Number of parking spaces
	Exterior Areas	Minimum clear area width
		Location of temporary outdoor display areas
	Landscaping/ Screening	Landscaping/screening (height, number, separation, etc.)
	Other requirements	Height of trash enclosure
Deviations	All others	

Section 10-9 Procedures

- A. **Administrative Approvals.** An administrative approval provides an incentive to applicants who develop projects or sites within form-based districts that fully comply with all of the requirements of this article, without deviations or variances, and do not require conditional or special land use review or approval.

1. The zoning administrator shall have the authority to make an administrative approval. The zoning administrator shall consult with designated representatives of other city departments, as deemed necessary, before making an administrative approval.
 2. Upon receiving a completed application, the zoning administrator shall administratively approve the plan, or shall inform the applicant in writing as to why the administrative approval has not been granted.
 3. Permits for building or site development shall not be submitted or applied for until administrative approval has been granted.
 4. Decisions by the zoning administrator may be appealed to the zoning board of appeals.
 5. The zoning administrator may elect to submit a plan for a level "B" site plan review, in accordance with [Article 20](#), even if it is eligible for administrative approval when the scale or effect of the project is deemed significant enough to warrant such review.
- B. **Variations.** All variations listed in Table 10-8 shall be considered by the zoning board of appeals, in accordance with [Article 23](#).
- C. **Deviations from Form Based District Requirements.** Any deviation from these Building Envelope Standards, Architectural Standards or Accessory Standards, other than those specified for a variance in Table 10-8, shall cause the plan to be reviewed as a level "B" site plan, in accordance with [Article 20](#).
1. A deviation from requirements not listed as variations shall be reviewed under the requirements of this subsection.
 2. The planning and zoning board and city council shall not have the authority to change part of a site plan that meets the Development Requirements of the District.
 3. In determining if a deviation is warranted, the planning and zoning board and city council shall consider the following:
 - a. Deviations shall be permitted when an applicant demonstrates that the resulting design is superior in terms of compatibility with surrounding structures and better fits the character of the area than when it conforms to form-based requirements.
 - b. The city council may also allow deviations when the applicant shows that conformance with the form-based requirements is impractical due to existing building or site layouts or on adjacent sites, where the deviation has no exterior effect, or where the deviation is necessary to meet other laws or regulations.
 - c. The deviation shall be the least necessary to achieve the results in either subparagraphs 1 or 2, above.
 - d. Cost, convenience or franchise/corporate designs shall not, by themselves, be reasons for granting a deviation.
 - e. The planning and zoning board may grant a lesser deviation than requested.
 - f. When approving a deviation, the planning and zoning board may attach conditions necessary to meet the requirements of this section and to uphold

the intent of this article.

- D. **Conditional and Special Use Procedures.** Within the form-based districts, conditional and special land uses shall be considered according to the requirements and procedures specified in the zoning ordinance. Where the requirements of this article conflict with the requirements in Articles 14 and 15, the requirements of this article shall prevail.

Section 10-10 Nonconformities in the Form-based Districts

- A. Existing uses, structures (other than signs) and lots that do not conform to the standards of the form-based districts shall be subject to the regulations of [Article 24](#), except that the following provisions shall apply:
1. **C-2 District.** Any expansion of a nonconforming structure greater than 25 percent of the gross leasable area of the existing building or any expansion or renovation of such structure greater than 50 percent of the assessed value of the structure at the time of the expansion shall require the entire structure to meet the requirements of the form-based district. For any expansion, the more restrictive of these two criteria shall be controlling. For the purposes of this subsection:
 - a. Expansion of a nonconforming structure shall be undertaken only one time per structure without requiring compliance with the code.
 - b. The assessed value shall be determined at the time of the proposed expansion.
 - c. An expansion on the front of a nonconforming building does not increase the extent of nonconformity if the expansion is at the same or less distance to the required build-to line as is the existing structure.
 - d. Façade alterations to existing buildings or expansions that comply with the required build-to line shall also comply with the architectural standards of this article.
 - e. Repair and maintenance work shall be allowed without regard to subparagraph 1, above. Such exempt activities include roof replacement, window replacement and maintenance, mechanical and electrical upgrades, interior fit out (tenant improvement work), parking resurfacing and other site work, such as stormwater improvements, landscaping, and site amenities. Any such expansion or site improvements shall nevertheless not occur outside of the required build-to lines of the property.
 - f. A structure destroyed by any means by more than 50 percent of its value prior to such destruction shall be replaced only by a structure that conforms to the requirements of the form-based district; however, this does not preclude the property owner from seeking variances or deviations as provided by this article.
 - g. Parking lots, bicycle facilities, loading areas, landscaping, screening, and other site improvements shall be considered structures for the purposes of these provisions.
 2. **R-3A and R-3B Districts.**
 - a. Non-residential uses and structures in the R-3A and R-3B Districts shall be subject to the same requirements as for all nonconforming uses and structures

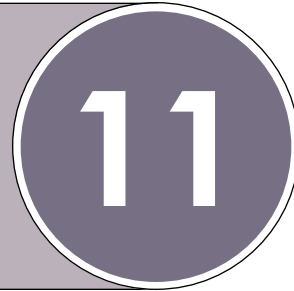
in the C-2 District.

- b. Residential uses: Any expansion or renovation of a residential structure greater than 50 percent of the assessed value of the structure at the time of the expansion shall require the entire structure to meet the requirements of the District.
 - c. A structure destroyed by any means by more than 50 percent of its assessed value prior to such destruction shall be replaced only by a structure that conforms to the requirements of the District. However, this does not preclude the property owner from seeking variances or deviations as provided by this article.
- B. **Nonconforming signs.** Existing signs that do not conform to the requirements of the form-based districts shall be subject to the regulations of the *Palmetto Sign Ordinance*.



Article 11

Overlay Districts



Section 11-1 Intent and Scope

- A. **Intent.** The intent of the overlay districts is to establish regulations in addition to the applicable regulations of the existing (underlying) zoning district that either supplement or replace those existing regulations. The Overlay Districts are applied in specific locations based on the environmental features, historic assets, traffic conditions or other unique characteristics of the area, regardless of the established zoning districts.
- B. **Scope.** Several overlay districts are established, as described in this article, to address the varied and unique needs of specific locations within the city. The boundaries of these districts shall be as described in this article and shown on the zoning map. The requirements of this article are in addition to and shall supplement those imposed on the same lands by any underlying zoning provisions of this ordinance or other ordinances of the City of Palmetto. These regulations supersede all conflicting regulations of the underlying districts to the extent of such conflict.

Section 11-2 Arterial Corridor Overlay

- A. **Purpose.** Certain arterial roadways within the city have been identified in the comprehensive plan as important gateways and areas of economic opportunity. In addition, these streets serve a vital traffic-carrying function for Palmetto and the surrounding communities. Studies by transportation organizations nationally have found a direct correlation between the number of access points and vehicle crashes. Therefore, protection and improvement of these corridors is of significant public benefit. The intent of the Arterial Corridor Overlay District is to establish specific requirements to preserve roadway capacity and safety; ensure that development does not inhibit future improvements to these roadways; protect property values along the corridors; promote economic development; minimize distractions and establish a high-quality and inviting image at the entrances to the city.
- B. **Applicability.**
1. The Arterial Corridor Overlay District shall apply to all property having frontage along the following roads or road segments. However, agricultural uses and single-family homes are exempt from these regulations, but shall conform if the zoning or use changes to a non-agricultural or non-single-family use or district.
 - a. US 29
 - b. SR154
 - c. Weldon Road
 - d. Johnson Road from the eastern city limits to Phipps Road
 - e. Tommy Lee Cook Road
 2. The regulations of this overlay district shall apply in the following circumstances:
 - a. Construction of any new building or structure;
 - b. Enlargement or expansion of any existing building or structure by more than 20 percent of its gross floor area;
 - c. Proposed subdivision of land; or
 - d. Proposed construction or expansion of a parking lot.

- C. **Permitted Uses.** The uses permitted shall be regulated by the underlying zoning district and the review and approval process applicable in the underlying zoning district shall be followed.
- D. **Dimensional Requirements.** The minimum requirements for lot area, width, height and setbacks for the underlying district shall be modified, as shown in table 11-2.

Table 11-2. Arterial Corridor Overlay District Setback Requirements		
Yard	Setback	
	Parking ¹	Building
Front	35 feet	95 feet ²
Rear	5 feet	20 feet
Side	5 feet	20 feet

- 1. Parking refers to areas devoted to parking, drive aisles, loading/unloading, vehicle maneuvering, pads for dumpsters, pavement and similar surfaces. Entry drives into the site from the abutting street(s) or driveways/access roads connecting to adjoining properties may cross this setback area.
- 2. This setback may be reduced to 80 feet if the front yard contains only a single bay of parking (drive aisle and one row of parking spaces) or does not contain any parking.

- E. **Landscaping.** All requirements of [Article 19](#) shall be met.
- F. **Signs.** All requirements of the City of Palmetto Sign Ordinance shall be met.
- G. **General Building Design Standards.**
 - 1. Drive-through window services shall be placed in the side or rear yard.
 - 2. The entrance to all service bays for vehicle repair businesses must be oriented away from view of any arterial or collector streets. All vehicle repair and service shall take place within the fully enclosed area of the building in which the use is located.
 - 3. Chain-link fences and unpainted or unfinished block fences or walls are prohibited. All sides and elevations of buildings, walls, or block fences visible at ground level from a public right-of-way or an adjacent parcel must be architecturally finished (i.e. brick, stucco, or textured concrete masonry units) in accordance with the requirements of [Article 18](#).
 - 4. Doors, windows, or other architectural features shall be used to break large wall planes into smaller components. No more than 30 percent of a continuous facade that is oriented to and visible at ground level from a public right-of-way may remain unbroken by doors, windows or other architectural features.
 - 5. Rooftop equipment, excluding vents and stairwell accesses, visible at ground level from the centerline of abutting public right-of-way, shall be screened from view through use of parapet walls, screens, or other building elements or design features.
 - 6. For properties with multiple tenants and/or multiple structures, pedestrian connections via sidewalk or paved path shall be provided between tenants and/or structures. Sidewalks or paths shall be at least five feet wide, and where applicable, shall align with and connect to that of adjacent and contiguous properties. Sidewalk paving or other pedestrian connections, where applicable,

must continue uninterrupted across the mouth of all curb cuts.

7. Retention ponds smaller than five acres and visible at ground level from public right-of-way or an adjacent parcel shall be landscaped and/or contain special site features, such as fountains and reflecting pools. Existing natural vegetation may be used in lieu of new planting(s).
8. Illuminated tubing (e.g. neon) which outlines a building, fence, or other similar structure or part thereof, measuring more than 20 linear feet, or enclosing any area greater than 20 square feet is prohibited.

H. Access Management.

1. **Driveway location in general.**

- a. All driveways serving townhouse, multiple-family, commercial, office, institutional or industrial uses, hereafter referred to as "commercial driveways," shall comply with the requirements of this subsection.
- b. Driveways for nonresidential uses shall be located so as to minimize interference with the free movement of traffic, to provide adequate sight distance, and to provide the most favorable driveway grade.

2. Driveways, including the radii but not including right turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless otherwise approved by the city or GDOT, as applicable, and upon written certification from the adjacent property owner agreeing to such encroachment.

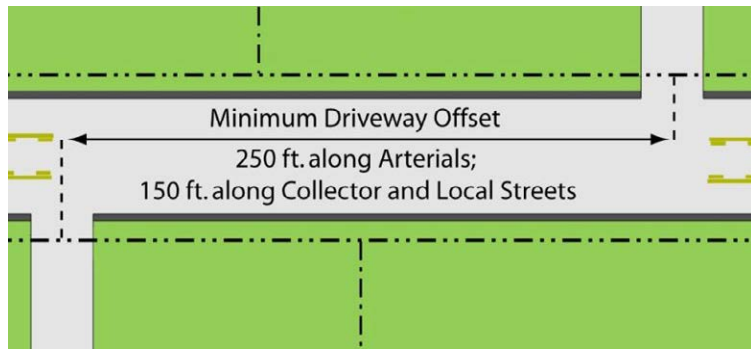
3. **Driveway spacing standards.** Minimum spacing requirements between a proposed commercial driveway and a street intersection, either adjacent or on the opposite side of the street, may be set on a case-by-case basis but in no instance shall the spacing be less than the distances listed in Table 11-2a. Measurements are from the near edge of the proposed driveway, measured at the throat perpendicular to the street, to the near lane edge of the intersecting street or pavement edge for uncurbed sections.

Location of Driveway	Minimum Spacing for a Full Movement Driveway	Minimum Spacing for a Channelized Driveway Restricting Left Turns
Along arterial, intersecting street is an arterial	250 feet	125 feet
Along arterial, intersecting street is not an arterial	200 feet	125 feet
Along non-arterial streets	75 feet	50 feet

**Table 11-2 b.
Minimum Commercial Driveway Spacing From Another Driveway**

Posted Speed Limit (MPH)	Minimum Driveway Spacing Without Right-Turn Lane (In Feet)	Minimum Driveway Spacing With Right-Turn Lane (In Feet)
25	125	125
30	125	219
35	150	244
40	185	294
45	230	369
50	275	419
55	350	444
60	450	494
65	550	550

a. Minimum spacing between two commercial driveways shall be determined based upon posted speed limits along the parcel frontage. The minimum spacing indicated in Table 11-2b. is measured from centerline to centerline.



b. To reduce left-turn conflicts, new commercial driveways shall be aligned with those across the street, where possible. If alignment is not possible, driveways shall be offset from those on the opposite side of the street a minimum of 250 feet along arterial streets and 150 feet along collector and local streets. These standards may be reduced by the reviewing authority where there is insufficient frontage and shared access with an adjacent site is not feasible. Longer offsets may be required depending on the expected inbound left-turn volumes of the driveways.

4. Modification of Requirements.

- a. Given the variation in existing physical conditions along arterials and the intersecting streets, modifications to the spacing and other requirements above may be permitted by the reviewing authority, as part of the site plan review. The reviewing authority shall consider the criteria in subparagraph 3 b. when determining if there is a need for modification, in the following circumstances, and the degree to which any modification is necessary.
 - 1. The modification will allow an existing driveway to remain that does not meet the standards of this section but that has, or is expected to have very low traffic volumes (less than 50 in- and out-bound trips per day) and is not expected to significantly impact safe traffic operations.

2. The use is expected to generate a relatively high number of trips and an additional driveway will improve overall traffic operations.
 3. Practical difficulties exist on the site that make compliance unreasonable (sight distance limitations, existing development, topography, unique site configuration or shape), or existing off-site driveways make it impractical to fully comply with the standards.
 4. Because of restricted turning movements or presence of a median that restricts turning movements, the driveway does not contribute to congestion or an unsafe situation.
- b. The reviewing authority may waive certain requirements of this section upon consideration of the following:
1. The proposed modification is consistent with the general intent of the standards of this overlay zone, the recommendations of the Palmetto Comprehensive Plan, and, if applicable, published GDOT guidelines.
 2. Driveway geometrics have been improved to the extent practical to reduce impacts on traffic flow.
 3. Shared access has been provided, or the applicant has demonstrated it is not practical.
 4. Such modification is the minimum necessary to provide reasonable access, will not impair public safety or prevent the logical development or redevelopment of adjacent sites and is not simply for convenience of the development.
5. **Commercial Driveways Permitted.**
- a. The number of commercial driveways serving a property shall be the minimum number necessary to provide reasonable access and access for emergency vehicles, while preserving traffic operations and safety along the public street.
 - b. Access shall be provided for each separately owned parcel. Access may be via an individual driveway, shared driveway or service drive. Additional driveways may be permitted for property only as follows:
 1. One additional driveway may be allowed for properties with a continuous frontage greater than 300 feet, if the reviewing authority determines there are no other reasonable access alternatives;
 2. The reviewing authority determines additional access is justified without compromising traffic operations along the public street; and
 3. The minimum spacing requirements, specified in Table 11-3 b. can be met.
6. **Commercial Driveway Design.**
- a. All commercial driveways shall be designed according to the standards of the City of Palmetto or Georgia Department of Transportation, as applicable.
 - b. For high traffic generators, or for commercial driveways along streets experiencing or expected to experience congestion, the reviewing authority may require two egress lanes.
 - c. Where a boulevard entrance is proposed by the applicant or required by the reviewing authority, a fully curbed island shall separate the ingress and

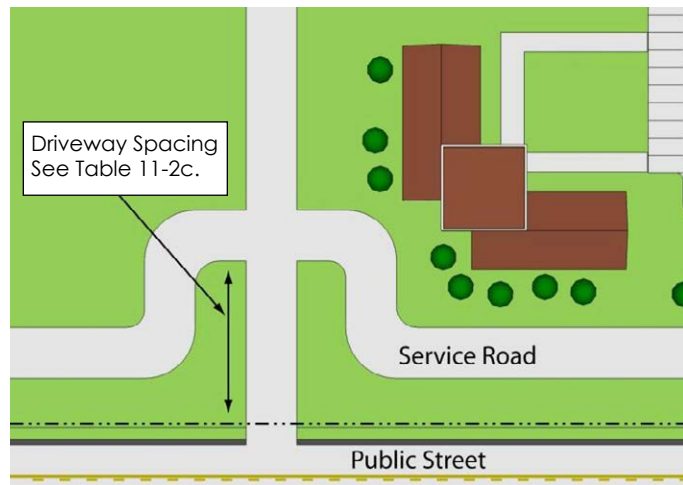
egress lanes. The radii forming the edges on this island shall be designed to accommodate the largest vehicle that will use the driveway. The minimum area of the island shall be one 180 square feet. The reviewing authority may require landscaping, tolerant of street conditions, on the section outside the public right-of-way.

7. Shared Driveways, Frontage Roads and Service Roads.

- a. Where noted above, or where the reviewing authority determines that reducing the number of access points may have a beneficial impact on traffic operations and safety while preserving the property owner’s right to reasonable access, a shared commercial driveway, frontage road or rear service drive connecting two or more properties or uses may be required. In particular, service drives may be required near existing traffic signals or locations having potential for future signalization; along arterial streets with high traffic volumes; and along street segments with a relatively high number of crashes or limited sight distance.
- b. Shared commercial driveways and service roads shall be within a recorded access easement. A draft of the access easement shall be provided to the city for review prior to filing.
- c. The number of access points along a service road shall be according to the standards of this section. The reviewing authority may allow temporary access where the service road is not completed if a financial guarantee is provided which assures elimination of the temporary access upon completion of the service road. Building permits shall not be issued until the financial guarantee has been submitted to the city.

8. Service Road Design Standards.

- a. Location. Service roads shall generally be parallel to the front property line and may be located either in front of, adjacent to, or behind principal buildings. In considering the most appropriate alignment for a service road, the reviewing authority shall consider the setbacks of existing buildings and anticipated traffic flow for the site. However, placement of the service road intersection



with the driveway from the abutting arterial should be as far as possible from the arterial for safe, more efficient operation. The distance between the roadway traffic and the first internal movement shall meet the minimum requirements shown in table 11-2c. For large sites with high volumes or heavy truck traffic, and along high volume roadways, the required distance may be increased to avoid interference with the mainline traffic flow. If no other design alternatives exist, the reviewing authority may permit lesser separation

distances, provided the left turning movement shall be prevented by means of a raised concrete median. Sites shall be designed so interior driveways accommodate at least 100 feet of storage.

Lot Depth (feet)	Minimum Required Distance (feet)
1000 or more	200
500 – 999	Not less than 1/5 lot depth
Less than 500	100

- b. Access Easement. The service road shall be within an access easement permitting traffic circulation between properties. This easement shall be 60 feet wide, except an access easement parallel to a public street right-of-way may be 40 feet wide, if approved by the reviewing authority. The required width shall remain free and clear of obstructions, unless otherwise approved by the reviewing authority.
- c. Construction and Materials. Service roads shall have a base, pavement and curb with gutter in accordance with city standards for public streets, except the width of the service road shall have a minimum pavement width of 26 feet.
- d. Parking. The service road is intended to be used exclusively for circulation, not as a parking maneuvering aisle. The reviewing authority may require the posting of "no parking" signs along the service road. In reviewing the site plan, the reviewing authority may permit temporary parking in the easement area where a continuous service road is not yet available, provided that the layout allows removal of the parking in the future to allow extension of the service road.
- e. Access to Service Road. The reviewing authority shall approve the location of all access points to the service road, based on the driveway spacing standards listed in table 11-3b.
- f. Elevation. The site plan shall indicate the proposed elevation of the service road at the property line and the city shall maintain a record of all service road elevations so their grades can be coordinated.
- g. Landscaping. The area between a service road and the public street right-of-way shall be planted as a landscaped greenbelt as specified in [Section 19-4](#).
- h. Maintenance. Each property owner shall be responsible for maintenance of the easement and service road.

Section 11-3 Watershed Overlay

- A. **Purpose.** In order to protect the health, safety, and welfare of the public and provide a sound economic climate within the city 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 development. Land-disturbing activities associated with development can increase erosion and sedimentation that threatens the storage capacity of reservoirs. In addition,

stormwater runoff, particularly from impervious surfaces, can introduce toxins, nutrients and sediment into drinking water supplies, making water treatment more complicated and expensive and rendering water resources unusable for recreation. 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 public drinking water supplies. The purpose of this article is to establish measures to protect the quality and quantity of the present and future water supply of the city; to minimize the transport of pollutants and sediment to the water supply; and to maintain the yield of the water supply watershed. This article shall apply to all existing and proposed water supply watersheds within the city.

- B. **Applicability.** The city water supply watershed district is hereby designated and shall comprise the land that drains to the city water supply reservoir. The boundaries of these overlays are defined by the ridgelines of the respective watersheds and the boundary of a radius of seven miles upstream of the city water supply reservoir. These overlays shall be further delineated and defined on the Water Supply Watershed Protection District Overlay Map of the city. The map is hereby incorporated into and made a part of this article by reference. The following water supply watershed districts and reservoirs are hereby defined and their boundaries shall be identified on the Water Supply Watershed District Overlay Map.
1. The city water supply watershed district is a small water supply watershed. This water supply watershed contains a reservoir that is owned by the city and is located within the jurisdiction of the city. The city is responsible for the protection of this reservoir. An intake for the city is located on the reservoir. The city has two intakes on Cedar Creek and also lies within one of the City of Newnan's water supply watersheds known as the Line Creek water supply watershed, a small water supply watershed.
 2. The reservoir normal pool level of the city water supply reservoir is at MSL elevation 884.0.
- C. **Regulations.** The following regulations shall apply to the city water supply watershed district identified on the adopted map as a small water supply watershed with a reservoir known as the city water supply reservoir.
1. The corridors of all perennial streams within a seven-mile radius upstream of a governmentally-owned public drinking water supply intake or water supply reservoir must be protected by the following criteria:
 - a. A buffer shall be maintained for a distance of 100 feet on both sides of the stream, as measured from the stream banks.
 - b. No impervious surface shall be constructed within a 150-foot setback area on both sides of the stream, as measured from the stream banks.
 - c. Septic tanks and septic tank drain fields are prohibited in the 150-foot setback area as described in subparagraph 1.b. above.
 2. The impervious surface area, including all public and private structures, utilities, or facilities, of the entire water supply watershed shall be limited to 25 percent or the existing use, whichever is greater.
 3. New facilities which handle hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976, excluding underground storage tanks, in amounts of 10,000 pounds or more on any one

- day, shall perform their operations on impervious surfaces and in conformance with applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.
4. A buffer shall be maintained for a distance of 150 feet from the reservoir boundary. The allowable buffer vegetation and disturbance is specified in the reservoir management plan.
 5. The city water supply reservoir is owned by the city and will be protected by the city.
 6. The city lies outside the seven-mile radius upstream of the City of Newnan's intake. The following regulations apply within the city's jurisdiction:
 - a. The corridors of all perennial streams outside a seven-mile radius upstream of the City of Newnan's drinking water supply intake on Line Creek must be protected by the following criteria:
 1. A buffer shall be maintained for a distance of 50 feet on both sides of the stream, as measured from the stream banks.
 2. No impervious surface shall be constructed within a 75-foot setback area on both sides of the stream, as measured from the stream banks.
 3. Septic tanks and septic tank drain fields are prohibited in the 75-foot setback area as described in subparagraph a. (2) above.
 - b. The impervious surface area, including all public and private structures, utilities, or facilities, of the entire water supply watershed shall be limited to 25 percent or the existing use, whichever is greater.
 - c. New facilities which handle hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976, excluding underground storage tanks, and 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 or the requirements of the Standard Fire Prevention Code.
- D. **Exemptions.** The following uses shall be exempted from the Watershed Overlay regulations:
1. Land uses existing prior to the adoption of this article.
 2. Mining activities permitted by the department of natural resources under the Surface Mining Act.
 3. Utilities may be exempt from the stream corridor buffer and setback area provisions if the utilities to be located in the buffer or setback areas cannot feasibly be located outside these areas and will meet the following conditions:
 - a. The utilities shall be located as far from the stream bank as reasonably possible.
 - b. The installation and maintenance of the utilities shall protect the integrity of the buffer and setback areas to the extent reasonably possible.
 - c. The utilities shall not impair the quality of the drinking water stream.
 4. Specific forestry and agricultural activities in the stream corridor buffer and setback areas, in accordance with the following conditions:
 - a. The activity shall be consistent with best management practices established

by the state forestry commission or the state department of agriculture.

b. The activity shall not impair the quality of the drinking water stream.

E. Administration and Enforcement Procedures.

1. **Site plans.** Application for a local development permit within the city water supply watershed district shall include a site plan, drawn at a scale of not less than 1" = 50', with the following information:
 - a. 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.
 - b. A map of any wetland boundaries occurring within the site must be provided. This boundary may be included on other maps provided by the applicant.
 - c. Location, dimensions and area of all impervious surfaces, both existing and proposed, on the site and adjacent to the site for a distance of 200 feet.
 - d. The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body.
 - e. Elevations of the site and adjacent lands within 200 feet of the site at contour intervals of no greater than two feet and no greater than one foot for slopes less than or equal to two percent.
 - f. Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials.
 - g. All proposed temporary disruptions or diversions of local hydrology.
2. **Activities to comply with site plan.** All development activities or site work conducted after approval of the site plan shall conform to the specifications of the 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 or fill; or alter the overall appearance of the development as proposed, can be amended only with the approval of the zoning administrator. 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.
3. **Exemptions to site plan requirements.** The following activities and developments are exempt from the requirement of subsection E.1. for detailed site plans.
 - a. Single family detached homes constructed within a subdivision of fewer than five (5) lots.
 - b. Repairs to a facility that is part of a previously approved and permitted development.
 - c. Construction of minor structures, such as sheds or additions to single family residences.
4. **Review procedures.** The application, including a fee as established by the city council, shall be made to the zoning administrator. The city may retain expert

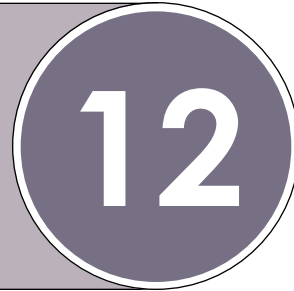
consultants who will review the application for compliance with this article. The applicant will receive written notification from the zoning administrator of the findings and whose decision may be appealed to the city council.

5. **Duration of permit validity.**
 - a. If construction described in the development permit has not commenced within 12 months from the date of issuance, the permit shall expire.
 - b. If construction described in the development permit is suspended or abandoned after work has commenced, the permit shall expire 12 months after the date that work ceased.
 - c. Written notice of pending expiration of the development permit shall be issued by the zoning administrator.
6. **Penalties.**
 - a. When a building or other structure has been constructed in violation of this section, the violator shall be required to remove the structure.
 - b. When removal of vegetative cover, excavation, or fill has taken place in violation of this section, the violator shall be required to restore the affected land to its original contours and to restore vegetation, to the extent practicable.
 - c. If the zoning administrator discovers a violation of this section that also constitutes a violation of any provision of the Clean Water Act, as amended, the city administrator will endeavor to issue written notification of the violation to the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, and/or the landowner.
7. **Suspension, revocation.** The zoning administrator shall suspend or revoke a permit if found that the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope of the work set forth in the permit.
8. **Judicial review.** All final decisions of the city concerning denial, approval or conditional approval of a permit shall be reviewable in the city court.



Article 12

Planned Unit Development District



Section 12-1 Purpose

The Planned Unit Development (PUD) District is established as an optional development tool to permit flexibility in the regulation of land development; to encourage innovation in land use, form of ownership and variety of design, layout and type of structures constructed; to achieve economy and efficiency in the use of land; to preserve farmland, significant natural, historical and architectural features and open space; to promote efficient provision of public services and utilities; to minimize adverse traffic impacts; to provide better housing, employment and shopping opportunities particularly suited to residents; to encourage development of convenient recreational facilities; and to encourage the use and improvement of existing sites when the uniform regulations contained in other zoning districts alone do not provide adequate protection and safeguards for the site and surrounding areas. It is the further intent of the PUD regulations to promote a higher quality of development than can be achieved from conventional zoning requirements in furtherance of the vision and goals of the adopted Palmetto comprehensive plan.

Section 12-2 Qualifying Conditions

In order to qualify for PUD approval, the applicant shall demonstrate, in writing, that each of the following criteria is or will be met by the proposed PUD:

- A. **Recognizable Benefit.** A PUD shall achieve recognizable and substantial benefits that would not be possible under the existing zoning classification(s). At least three of the following benefits shall be accrued to the community as a result of the proposed PUD:
1. preservation of significant natural features,
 2. a complementary mix of land uses or housing types,
 3. extensive open space and recreational amenities,
 4. connectivity of open space with adjacent greenway corridors,
 5. preservation of rural character or small town appeal,
 6. improvements to public streets or other public facilities that mitigate traffic and/or other development impacts,
 7. accommodating transit oriented development,
 8. coordinated development of multiple small parcels, or
 9. removal or renovation of blighted buildings, sites or contamination clean-up.
- B. **Size.** Each PUD shall contain a minimum of 30 acres. If the PUD contains a mix of residential and non-residential (commercial or industrial) uses, the minimum size shall be 60 acres. Sites containing less than the minimum required acres, but no less than 50 percent of the requirement, may be considered for rezoning to PUD, if the city council determines that the site will advance the purposes of the PUD District. When determining the appropriateness of areas less than the applicable minimum required, the city council shall determine that rezoning the area to PUD will not result in a significant adverse effect upon nearby or adjacent city lands; the proposed uses will complement the character of the surrounding area; the purpose and qualifying conditions of the PUD District can be achieved within a smaller area; and the PUD is not being used as a means to circumvent conventional zoning requirements.

- C. **Utilities.** The PUD shall be served by public water and sanitary sewer.
- D. **Ownership.** The PUD application shall be filed by the property owner, lessee or other person with legal interest in the property and written consent by the owner. The proposed development shall be under unified ownership or control, so one person or entity has proprietary responsibility for the full completion of the project. The applicant shall provide sufficient documentation of ownership or control in the form of agreements, contracts, covenants, and/or deed restrictions indicating that the development will be completed in its entirety as proposed.
- E. **Comprehensive Plan.** Proposed uses within the PUD shall be substantially consistent with the future development map of the city’s adopted comprehensive plan.
- F. **Pedestrian Accommodation.** The PUD shall provide for integrated, safe and abundant pedestrian access and movement within the PUD and to adjacent properties.
- G. **Architecture.** Building forms, relationships and styles shall be harmonious and visually integrated through the use of common materials, colors, treatment and scale.
- H. **Traffic.** The PUD shall provide for safe and efficient vehicular movement within, into and out of the PUD site. Traffic calming techniques, parking lot landscaping, and other sustainable design solutions shall be employed to improve traffic circulation, storm water management, pedestrian safety and aesthetic appeal.
- I. **Eligible Districts.** Land within any conventional zoning district (excluding form-based districts) may qualify for PUD zoning.

Section 12-3 PUD Requirements

A. Permitted Uses. In order to achieve the stated purposes of providing flexibility and promoting variety of use and/or housing type, a range of uses may be permitted within a PUD, based on the district(s) in which the PUD site is located at the time of the application. Table 12-3 identifies the permitted uses and related requirements relevant to each zoning district. If the subject property lies within more than one zoning district, the mix of uses shall be proportionate to the land area within each zoning district.

Existing Zoning District	Permitted Uses	Maximum Mix (% acreage) of Uses	Maximum Residential Density	Minimum Open Space	Maximum Lot Cover
RC, R-1, R-2	Single family dwellings, plus all “Permitted,” “Conditional” and “Special” uses in the R-5 district and “Permitted” and “Conditional” uses in the C-1 district	75% single family; 30% two-family or townhomes; 10% allowed C-1 uses; 15% institutional, recreation and/or public/ quasi-public uses. There is no limit to the area devoted to golf courses.	4 units per acre	40%	40%

Table 12-3 PUD Permitted Uses by District¹

Existing Zoning District	Permitted Uses	Maximum Mix (% acreage) of Uses	Maximum Residential Density	Minimum Open Space	Maximum Lot Cover
R-4, R-5, R-6	Single family dwellings, plus all "Permitted," "Conditional" and "Special" uses in the R-6 district and "Permitted" and "Conditional" uses in the C-1 district	50% single family; 70% two-family, townhome or multiple family; 15% allowed C-1 uses; 15% institutional, recreation and/or public/ quasi-public uses. There is no limit to the area devoted to golf courses.	8 units per acre	40%	60%
C-1, C-3, C-4	Single family dwellings, plus all "Permitted," "Conditional" and "Special" uses in the R-6 district and "in the C-2 and C-3 districts	30% single family, 50% two-family, townhome or multiple family; 100% allowed C-2 and C-3 uses; 15% institutional, recreation and/or public/ quasi-public uses. There is no limit to the area devoted to golf courses.	12 units per acre	25%	60%
M-1, M-2	All "Permitted," "Conditional" and "Special" uses in the M-1 and M-2 districts, plus all "Permitted" and "Conditional" uses in the C-1 district	100% allowed M-1 and M-2 uses; 20% allowed C-1 uses	0	20%	80%

1. See section 12-3 D and E for regulations pertaining to previously approved developments.

B. Residential Units Allowed. The maximum number of dwelling units permitted within the PUD shall be computed as the gross area of the underlying residential zoning district(s) multiplied by the "maximum residential density" permitted for that zoning district in Table 12-3. The gross area of the underlying zoning district shall not include existing street rights-of-way, wetlands, water bodies or 100 year flood plain, utility easements or other easements that prohibit buildings. If a property contains more than one residential zoning district with different density limits, the number of units allowed shall be the aggregate of each of the residential districts calculated

separately.

- C. **Minimum lot size and zoning requirements.** Unless altered, in accordance with [Section 12-4 E.](#), the lot area, width, setbacks, height, lot coverage, minimum floor area, parking, landscaping, lighting and other provisions for the district in effect immediately prior to the rezoning to PUD shall be applicable for all uses proposed as part of a PUD. In no case shall a variation of the requirements, however, result in a greater density of residential units than permitted by Section 12-3 B.
- D. **Foxhall Village Planned Unit Development.** Prior to the adoption of this ordinance, the Foxhall Village PUD was proposed and reviewed pursuant to the State of Georgia requirements and procedures for developments of regional impact (DRI). Having undergone that process and having received authorization based on specific development parameters, the property designated as the Foxhall Village PUD is hereby zoned "planned unit development."
 - 1. **Development parameters.** It is recognized that some elements of the previously reviewed project may not fully comport with the provisions of this article. Therefore, the following parameters are established for the Foxhall Village PUD and shall govern its development, except as otherwise specifically provided.

Table 12-3a Foxhall Village Development Parameters				
Land Use	Maximum Permitted			Minimum Requirement
	Acres	Dimension	Units	
Total Area	1,323			
Open Space				390 acres
Total Residential			4,680	
Residential density			3.54/acre	
Single family detached			1,668	1,668 units
Single family attached			2,053	
Multiple family			959	
Commercial land area	80			
Retail floor area		180,000 s.f.		
Office floor area		420,000 s.f.		
Village core building height		4 stories		
Other building height		35 feet		

- 2. **Permitted uses.** In addition to the uses listed in Table 12-3a, the Foxhall PUD shall be permitted to contain community uses, such as a worship center, elementary school, police and/or fire station, parks, public plazas and gathering spaces, trails and pathways and amenity centers.
- 3. **Conditions.**

- a. In order to provide some degree of flexibility, a variation of up to five percent shall be permitted for any of the development parameters specified in [Table 12-3a](#); provided the area of the PUD site shall not be increased or decreased. Any adjustment exceeding five percent shall require city council approval and may be cause for the city to initiate a change in zoning of all or part of the property.
 - b. The PUD zoning of this property is based on its single ownership and the stated intent to develop the entire site as a planned development, consistent with the parameters specified in [Table 12-3a](#). Therefore, any increase or decrease in the area of the proposed PUD or any sale or transfer of any portion of the total property shall nullify the provisions of this subsection, 12-3 D, and may be cause for the city council to initiate a change in zoning of all or part of the property. In any case, the allowed development parameters of [Table 12-3a](#) would no longer be in effect.
4. **Plan review and approval.** The Foxhall PUD shall be subject to the review and approval procedures of [Section 12-5](#), except for rezoning the property, and all other applicable provisions of this article, unless specifically waived or modified herein.
- E. **Existing Planned Developments.** Within the City of Palmetto there are two previously approved planned developments, Weldon Park and Princeton Village, identified on the zoning map as PUD. These developments shall be exempt from the requirements of this article and shall conform to the prior approved development plans for those specific projects. However, any expansion to or modification of the existing approved developments that constitutes a major change as defined in [Section 12-7](#) shall be subject to the applicable requirements of [Section 12-5](#).

Section 12-4 General PUD Provisions

- A. **Conditions.** The planning and zoning board may recommend and the city council may impose reasonable conditions upon the PUD approval. Conditions may include, but are not limited to, those necessary to ensure public services and facilities will be capable of accommodating increased loads; to protect the natural environment and conserve natural resources and energy; to ensure compatibility with adjacent uses of land; be necessary to meet the intent and purpose of this ordinance; be related to the standards established in the ordinance for the proposed PUD; be necessary to ensure compliance with the final development plan and the provisions of this ordinance. The conditions imposed shall be recorded in the minutes of the approval action, and shall remain unchanged except upon amendment of the PUD in accordance with the procedures of [Section 12-7](#).
- B. **Performance Guarantees.** The planning and zoning board may recommend and the city council may require reasonable performance guarantees, in accordance with [Section 21-5](#) of this ordinance to ensure completion of specified improvements within the PUD.
- C. **Interior Streets.** Public or private streets may be required to be extended to exterior lot lines in order to allow connection to existing or planned streets on adjacent parcels, so as to provide for secondary access, continuity of the circulation system and to reduce traffic on collector streets.
- D. **Time Limits.** Each PUD shall be under construction within 12 months after the date

of approval of the final development plan. If this requirement is not met, the city council may, in its discretion, grant one extension not exceeding up to 12 additional months; provided that prior to the expiration of the initial 12 month period, the applicant submits reasonable evidence in writing to the effect that unforeseen difficulties or special circumstances have been encountered, causing delay in commencement of the PUD. If the PUD has not been commenced within the initial 12 month approval period, or within any authorized extension thereof, any building permits issued for the PUD or any part thereof shall be of no further effect. At the expiration of the applicable period of time, the planning and zoning board or city council may initiate proceedings for the rezoning of the lands to some other zoning district.

E. **Variations from Minimum Requirements.** District regulations applicable to a land use in a PUD may be altered from those of the district(s) in effect immediately prior to the PUD rezoning, including but not limited to, modification from the lot area and width, building setbacks, height, lot coverage, signs and parking. The applicant for a PUD shall identify, in writing, all intended variations from the prior zoning being proposed. Variations may be approved during the preliminary development plan review by the city council, after planning and zoning board recommendation. These adjustments may be permitted only if they will result in a higher quality of development or in better integration of the proposed use(s) with surrounding uses. The variations shall also satisfy one or more of the following criteria:

- 1. preserves the best natural features of the site;
- 2. creates, maintains or improves habitat for wildlife;
- 3. creates, improves or maintains open space for the residents;
- 4. enhances the views into the site as well as the view from dwellings to be built on site; and
- 5. results in a better development, consistent with the purposes of PUD expressed in [Section 12-1](#) and the recommendations of the city's comprehensive plan.

F. **Open Space.** Each PUD shall be required to provide open space within the PUD site, in accordance with the following requirements. All flood plains, wetlands, water bodies and steep slopes (25 percent or greater) shall be preserved as open space. However, only one-half of those areas shall be counted as part of the required open space, as outlined below.

- 1. **Areas Not Considered Open Space.** The following land areas shall not be considered as required open space for the purposes of this section:
 - a. the area within any public street right-of-way or private street easement;
 - b. any easement for overhead utility lines, unless adjacent to qualified open space;
 - c. fifty percent of any flood plain, wetland, water body or steep slope (25 percent or greater) area and 50 percent of the area of any golf course;
 - d. the area within a platted lot, unless the lot has been dedicated to open space on the plat, via conservation easement or other means of ensuring that the lot is permanent open space;
 - e. parking and loading areas; and
 - f. storm water detention or retention areas.

2. **Specifications for Required Open Space.** Required open space areas shall meet the following specifications:
- a. shall be for use by all residents of the PUD, subject to reasonable rules and regulations. In the case of a golf course, stable or similar facility, membership shall be available to all residents of the PUD, subject to charges, fees or assessments for use;
 - b. if the site contains a lake, stream or other body of water, the city may require that a portion of the required open space shall abut the body of water;
 - c. where any portion of the PUD site is located within an area zoned RR, a portion of the required open space shall be located along the public street frontage abutting the site. The depth of this area shall be at least 150 feet, not including public street right-of-way, and shall remain in its natural condition or be landscaped to help reduce the view of houses on site from the adjacent street and preserve the rural view;
 - d. leaves scenic views and vistas unblocked or uninterrupted, particularly as seen from public street rights-of-way;
 - e. protects the rural roadside character by establishing buffer zones along scenic corridors and improves public safety and vehicular carrying capacity by avoiding development that fronts directly on to existing roadways;
 - f. shall be configured so the open space is reasonably usable by residents of the PUD;
 - g. the minimum size of a required open space shall be 20,000 square feet; provided, however, the required open space abutting a public street may be less than 20,000 square feet; and, further provided, that the planning and zoning board may recommend and the city council may approve other open space areas of less than 20,000 square feet if those areas are designed and established as pedestrian or bicycle paths or are otherwise determined to be reasonably usable by residents of the PUD;
 - h. shall be of sufficient size and dimension and located, configured, or designed in such a way as to achieve the applicable purposes of this article and enhance the quality of the development. The open space shall neither be perceived nor function simply as an extension of the rear yard of those lots abutting it;
 - i. to the extent practical, open space areas shall be linked with adjacent open spaces, public parks, bicycle paths or pedestrian paths;
 - j. shall be located so as to be reasonably accessible to all residents of the PUD. Pedestrian access points to the required open space areas from the interior of the PUD shall be provided and shall be clearly identified by signs or a visible improved path for safe and convenient access;
 - k. grading shall be minimal, with the intent to preserve existing topography and landscaping where practical; and
 - l. may contain ball fields, tennis courts, swimming pools and related buildings, community buildings, golf courses, and similar recreational facilities. However, no more than 50% of the required open space may contain any of these uses.

Section 12-5 Review Process

The following procedures shall be followed in the establishment of any planned unit development:

- A. **Pre-application Conference.** Prior to filing a formal application for a planned unit development, the applicant shall meet with the zoning administrator and/or other city officials in order to review the general character of the proposed development, i.e., its scope, nature and location. At this time, the applicant shall be advised of the PUD review procedures and the various information, studies, etc., which may be required as part of the review process.
- B. **Preliminary PUD Application.** An application for rezoning to PUD shall be submitted to the zoning administrator on a form for that purpose, along with an application fee in accordance with the schedule of fees established by the city council. In addition, the application shall include the following:
 - 1. **Preliminary development plan.** A preliminary development plan containing the following information shall be submitted:
 - a. general location map;
 - b. legal description of the subject property;
 - c. title block, date, north arrow, scale, name and contact information of applicant and name and contact information of plan preparer;
 - d. current topographical map clearly showing existing topographic conditions, including contour intervals of no more than two (2) feet based on field survey or photo-grammetric methods;
 - e. map showing the existing flood plains as indicated by the Federal Emergency Management Agency;
 - f. location of existing natural features including woods, streams, ponds, wetlands and steep (25 percent or greater) slopes;
 - g. existing land uses within the development site and surrounding areas for a distance of one-half mile, including the approximate location of all buildings, structures, lots and streets;
 - h. location and identification of existing and proposed public, semi-public, or community facilities such as schools, parks, trails, churches, public buildings and dedicated open space;
 - i. existing zoning on all abutting properties;
 - j. approximate location of existing and proposed utilities, including a preliminary utility and drainage concept plan;
 - k. layout and type of uses proposed within the PUD;
 - l. number and type of dwelling units proposed;
 - m. general location of proposed interior streets and access points to abutting streets;
 - n. number and location of off-street parking facilities; and
 - o. perspective drawings of representative building types, indicating the

proposed architectural style and appearance.

2. **Summary of intent.** A written statement containing the following information shall be submitted with the preliminary development plan:
 - a. Statement of how the proposed PUD meets each of the qualifying conditions of [Section 12-2](#);
 - b. statement of the present ownership of all land within the proposed development;
 - c. explanation of the character of the proposed development including a summary of acres by type of use, number and type of dwelling units, gross density calculation for dwelling units, and minimum standards for floor area, lot size, and setbacks;
 - d. a complete description of any requested variations from any applicable spatial or other requirements applying to the property, based on the underlying zoning, in accordance with [Section 12-4E](#).
 - e. general statement of the proposed development schedule and progression of each phase or stage; and
 - f. intended agreements, provisions, and covenants to govern the use of the development, building materials or architectural styles and any common or open space areas, including the provisions which will organize, regulate and sustain the property owners association, where applicable.

C. Preliminary PUD Plan and Rezoning.

1. **Planning and zoning board review.** Upon receipt of the PUD application and related materials, the planning and zoning board shall conduct a work session with the applicant to review the development concept and determine the need for additional information, prior to conducting a public hearing.
2. **Additional information.** If required by the planning and zoning board, the applicant shall submit additional information and/or studies to support the request which may include, but is not limited to:
 - a. A community impact assessment describing the effect and impact, whether adverse or otherwise, that the proposed PUD will or may have upon or with respect to:
 1. adjacent and nearby lands; streams, rivers, wetlands, and the quality and volume of surface and groundwater; wildlife; and trees and other significant vegetation;
 2. population increase in the city and enrollment in the local school system;
 3. fiscal impact of additional costs and revenues to the city and other applicable governmental jurisdictions for police and fire protection, storm water drainage, water supply and sewage disposal, administrative services, and education;
 4. noise, vibration, dust and dirt, litter, smoke, odor, light, and glare; and
 5. such other matters as the planning and zoning board may request to be included.
 - b. traffic impact study, in accordance with the City of Palmetto requirements;
 - c. economic feasibility study for the principal uses of the proposed PUD,

indicating the market to be served, need for the proposed use(s), and expected absorption;

d. analysis of the nature and effect of storm water control and retention facilities, and water supply and distribution systems. This may include hydraulic, hydrologic, and drainage engineering studies.

3. **Public hearing.** Upon completion of its initial review and following receipt of any additional materials, the planning and zoning board shall conduct a public hearing, notice of which shall be in accordance with the requirements of [Section 21-10](#).

4. **Recommendation.** Following the public hearing, the planning and zoning board shall review the PUD request and the preliminary development plan, based on conformance with the standards of [Section 12-6](#) and shall make a recommendation to the city council to approve, disapprove, or approve with modifications the request for PUD zoning and the preliminary development plan.

5. **City council action.** Upon receipt of the planning and zoning board recommendation, the mayor and city council shall review the preliminary development plan, the record of the planning and zoning board proceedings, the standards of [Section 12-6](#) upon which the planning and zoning board made its recommendation and the recommendation of the planning and zoning board and shall approve, disapprove, or approve with modifications the preliminary development plan and rezoning request.

6. **Zoning map.** If the PUD zoning is approved, the zoning administrator shall cause the zoning map to be changed to indicate the planned unit development. If the preliminary development plan is approved with modifications, the applicant shall file with the zoning administrator written notice of consent to the modifications and a properly revised preliminary development plan prior to the map being changed.

D. **Final Development Plan.** Within 12 months of the city council's approval of the preliminary development plan and PUD rezoning, the applicant shall submit a final development plan for the entire PUD or one or more phases to the zoning administrator, in accordance with the requirements for final site plan review as contained in [Section 20-5](#) of this ordinance. If determined to be complete by the zoning administrator, copies of the plan shall be forwarded to the planning and zoning board.

1. **Extension of Time Limit.** One extension of the time period for submitting the final development plan may be granted by the mayor and city council for up to an additional 12 months, if a request is submitted by the applicant, in writing, prior to the expiration of the original 12 month approval period. If an application for final development plan approval has not been submitted prior to the expiration of the original 12 months or an approved extension, the preliminary development plan shall be null and void. In addition, the planning and zoning board or city council may initiate a rezoning of the property to another zoning district.

2. **Review and Recommendation.** The planning and zoning board shall review the final development plan in relation to its conformance with the preliminary development plan and any conditions or modifications attached to the PUD rezoning by the city council. If it is determined that the final plan is not in substantial conformance with the preliminary development plan, the review

process shall be conducted as a preliminary development plan review, in accordance with [Section 12-5 B](#). If the final development plan is consistent with the approved preliminary development plan, the planning and zoning board shall review the final plan in accordance with the standards for final site plan review, [Section 20-6](#) and the PUD standards of [Section 12-6](#). The planning and zoning board shall prepare a record of its findings and shall make a recommendation to the city council to approve, disapprove, or approve with modifications the final development plan.

3. **Council Action.** Upon receipt of the planning and zoning board recommendation, the mayor and city council shall review the final development plan, the record of the planning and zoning board proceedings, the standards of [Section 12-6](#) upon which the planning and zoning board made its recommendation and the recommendation of the planning and zoning board and shall approve, disapprove, or approve with modifications the preliminary development plan and rezoning request.
4. **Phased projects.** If the PUD is to be developed in phases, the final development plan may be submitted for one or more phases of the overall PUD. The applicant must submit a request for final development plan review of the initial phase within 12 months of the council's approval of the PUD rezoning and the preliminary development plan. A tentative schedule for the completion of each phase and the commencement of the next phase shall also be submitted for approval by the planning and zoning board.

E. Subdivision Approval.

1. At the option of the applicant, a preliminary subdivision plat may be filed along with the preliminary development plan in order that tentative approval of the subdivision by the planning and zoning board may be granted, pending the approval by the mayor and council of the preliminary development plan.
2. In no case shall final subdivision approval precede the approval of the preliminary development plan.
3. Site development regulations, specifications, and procedures governing the platting of a planned unit development and plat approval shall be in accordance with the city subdivision regulations.

F. PUD Agreement.

1. Prior to issuance of any building permits or commencement of construction on any portion of the PUD, the applicant shall enter into an agreement with the city, in recordable form, setting forth the applicant's obligations with respect to the PUD.
2. The agreement shall describe all improvements to be constructed as part of the PUD and shall incorporate, by reference, the final development plan with all required modifications, other documents which comprise the approved PUD, and all conditions attached to the approval by the city.
3. A phasing plan shall also be submitted, describing the intended schedule for start and completion of each phase and the improvements to be undertaken in each phase.
4. The agreement shall also establish the remedies of the city in the event of default by the applicant in carrying out the PUD, and shall be binding on all successors in

interest to the applicant.

- 5. All documents shall be executed and recorded in Fulton or Coweta County, as applicable.

Section 12-6 Review Standards

In considering the PUD request, the reviewing body must find that the proposed development meets all applicable requirements and qualifying conditions, as well as the following general standards:

- A. The PUD will comply with the standards, conditions, and requirements of this article.
- B. The PUD will promote the intent and purpose of this article.
- C. The proposed project will be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the proposed project.
- D. The proposed project will be consistent with the public health, safety, and welfare needs of the city.
- E. Granting the PUD rezoning will result in a recognizable and substantial benefit to ultimate users of the project and to the community, which would not otherwise be feasible or achievable under the conventional zoning districts.
- F. The PUD will not result in a significant increase in the need for public services and facilities and will not place a significant burden upon surrounding lands or the natural environment, unless the resulting adverse effects are adequately provided for or mitigated by features of the PUD as approved.
- G. The PUD will be consistent with the city's comprehensive plan and consistent with the intent and purposes of this article. Specifically, the following planning principles shall be adhered to, as applicable:
 - 1. preserving existing views along roads where natural vegetation, open fields and meadows, and woods predominate;
 - 2. protecting and preserving existing natural features and resources including wetlands, woodlands, streams, creeks, steep terrain and rural vistas;
 - 3. creating greenway corridors of preserved open space, buffers adjacent to wetlands, and no disturb zones along streams and creeks; and
 - 4. providing appropriate buffers and transitions with uses adjacent to the PUD.
- H. The PUD will not result in significant adverse effects upon nearby or adjacent lands in the city, and will not change the essential character of the surrounding area.
- I. The PUD will respect or enhance the established or planned character, use and intensity of development within the area of the city where it is to be located.

Section 12-7 Changes to Approved PUD

Changes to an approved PUD shall be permitted only under the following circumstances:

- A. **Notify Zoning Administrator.** The holder of an approved PUD final development plan shall notify the zoning administrator of any desired change to the approved PUD.

- B. **Minor Change Determination.** Minor changes may be approved by the zoning administrator upon determining that the proposed revision(s) will not alter the basic design and character of the PUD, nor any specified modifications imposed as part of the original approval. Minor changes shall include the following:
1. reduction of the size of any building and/or sign;
 2. movement of buildings and/or signs by no more than ten feet;
 3. landscaping approved in the final development plan that is replaced by similar landscaping to an equal or greater extent;
 4. changes in floor plans, of up to five percent of the total floor area, which do not alter the character of the use or increase the amount of required parking;
 5. internal rearrangement of a parking lot that does not affect the number of parking spaces or alter access locations or design; or
 6. changes required or requested by the City of Palmetto or other county, state or federal regulatory agency in order to conform to other laws or regulations.
- C. **Major Change Determination.** A proposed change not determined by the zoning administrator to be minor shall be submitted as an amendment to the PUD and shall be processed in the same manner as the original PUD application for the final development plan. While not required, the planning and zoning board and/or the city council may elect to hold a public hearing in which case the notification requirements of [Section 21-10](#) shall be followed.

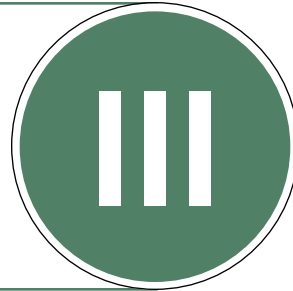
Section 12-8 Appeals

The zoning board of appeals shall have no jurisdiction or authority to accept or consider an appeal from any PUD determination or decision, or any part thereof, nor shall the zoning board of appeals have authority to grant variances for or with respect to a PUD or any part thereof.



Division III

Site Development Regulations





Article 13

General Provisions



Section 13-1 Buildings and Structures

A. Fences and Walls.

1. Fences and walls in any Residential District shall not exceed six feet in height, measured from the natural grade to the uppermost portion of the fence.
2. Fences and walls erected within the required front yard in any Residential District shall not exceed four feet in height. This shall also apply to each front yard of a corner lot.
3. Fences and walls shall not be erected within any public right-of-way.
4. In the Residential Districts, if both sides of the fence are not identical, the finished side shall face the adjoining properties.
5. Chain link fences shall not be erected in any front yard within a Residential District, unless enclosing a retention pond that has been approved by the city.
6. No barbed wire or above-ground electrified fence shall be located in any Residential District, except where surrounding crops, orchards, pastures, or similar land devoted to a bona fide farm or garden.
7. An eight foot high, non-sight obscuring, security fence may be permitted around the perimeter of governmental or public utility service buildings and storage yard, towers, and approved outdoor storage areas in the commercial or industrial districts. The security fence may also include a maximum of two additional feet of barbed wire.
8. Required walls shall be located inside the property line. The design of all walls, including openings for vehicular traffic or other purposes, shall only be as permitted by the zoning administrator.

- B. Unlawful Buildings and Use.** Any building, use, or lot which has been unlawfully constructed, occupied, or created prior to the date of adoption of this ordinance shall continue to be unlawful, unless expressly permitted by this zoning ordinance. Such buildings, uses or lots shall not be considered to be nonconforming buildings or uses or lots of record under this ordinance.

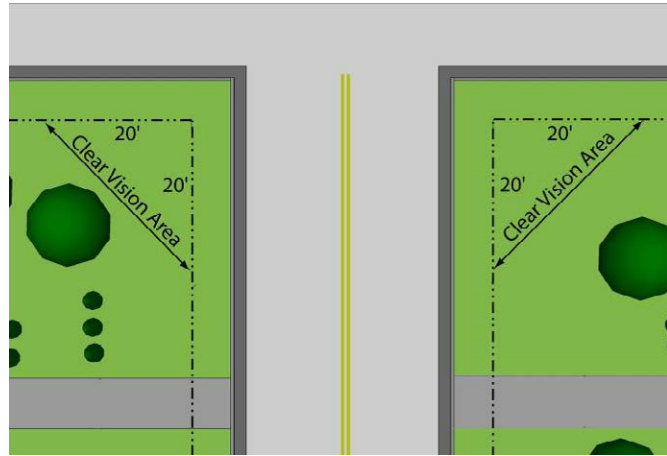
C. Temporary Buildings.

1. Upon application, the zoning administrator may issue a permit for a temporary office building or yard for construction materials and/or equipment which is both incidental and necessary to construction at the site where located. Each permit shall be valid for a period of not more than six calendar months and may be renewed by the zoning administrator for additional successive periods of six months or less at the same location if the temporary building or storage yard is still incidental and necessary to construction at the site where located and provided the applicant possesses a current building permit for property within the development.
2. Upon application, the zoning administrator may issue a permit for a temporary sales office or model home which is both incidental and necessary for the sale or rental of real property in a new subdivision or housing development. Each permit shall specify the location of the office and shall be valid for a period of not more than six calendar months and may be renewed by the zoning administrator for additional successive periods of six months or less each at the same location if the office or model home is still incidental and necessary for the sale or rental of

real property in the subdivision or housing development where it is located.

Section 13-2 Dimensional Provisions

- A. **Clear Vision Corners.** Fences, walls, structures, shrubbery or other potential obstructions to vision, except utility poles, lights and street signs, shall not be permitted to exceed a height of three feet within a triangular area formed by the intersection of the street right-of-way lines and a line connecting two points located on those intersecting right-of-way lines 20 feet from the point of intersection with the right-of-way lines.



- B. **Minimum Lot Frontage.** Any lot with a building, dwelling unit or structure shall have frontage on a public street, private street or approved access easement equal to the lot width required in the district. Any lot created after the effective date of this ordinance shall front upon a public street right-of-way, private street easement, or approved access easement.
- C. **Cul-de-Sac Lots.** In the case of lots abutting cul-de-sac streets, the minimum required lot width shall be measured at the required front setback line. Cul-de-sac lots shall have a minimum width of 40 feet at the front lot line. For lots in the RR zone which have their entire frontage on a cul-de-sac, a minimum lot width of 175 feet shall be achieved at a point 125 feet from the front lot line.
- D. **Encroachment in Right-of-Way.** No buildings, structures, service areas or required off-street parking and loading facilities, except driveways, shall be permitted to encroach on public rights-of-way.
- E. **Height Exceptions.** Farm buildings and related structures such as barns, silos, and grain elevators shall be exempt from height regulations in all districts. Other buildings and structures shall not exceed the maximum height limitations of the zoning district in which they are located; provided structures appurtenant to non-residential buildings including, but not limited to, parapet walls, chimneys, cooling towers, elevator bulkheads, fire towers, stacks, elevated water towers, stage towers, scenery lofts, monuments, cupolas, domes, spires, penthouses housing necessary mechanical appurtenances, and HVAC or similar equipment on the roof of the building may exceed the district height limitations.
- F. **Maximum Width to Depth Ratio.** In all zoning districts, except Residential Districts, no lot or parcel shall be created whose depth exceeds four times its width. In all Residential Districts, no lot or parcel shall be created whose depth exceeds three times its width; provided this prohibition shall not apply to cul-de-sac lots or parcels. Cul-de-sac lots or parcels located in a Residential District shall not exceed a depth of four times their width, as measured at the front setback line.
- G. **Front Setback Requirements.** All yards abutting upon a public street right-of-way or private street easement shall be considered as front yards for setback purposes, except as provided for accessory buildings on double frontage lots.

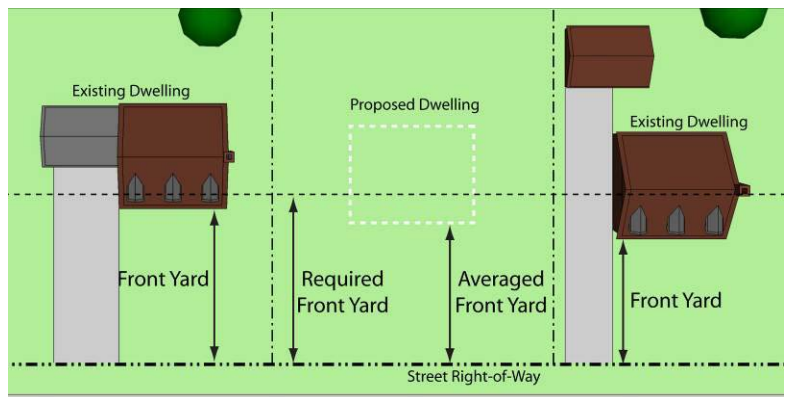
H. **Projections into Required Setbacks.** Certain structures and architectural features may project into the required yard setbacks as follows:

Projection	Front Yard	Rear Yard	Interior Side Yard	Corner Side Yard
Awnings and canopies ¹	3 ft.	5 ft.	3 ft.	3 ft.
Chimneys	2 ft.	2 ft.	2 ft.	2 ft.
Cornices and similar architectural features	3 ft.	3 ft.	3 ft.	3 ft.
Balconies	5 ft.	5 ft.	3 ft.	5 ft.
Barrier-free ramps and other facilities	16 ft.	16 ft.	3 ft.	16 ft.
Bay windows	3 ft.	3 ft.	3 ft.	3 ft.
Eaves, overhanging	3 ft.	3 ft.	3 ft.	3 ft.
Fire escapes, open or enclosed	5 ft.	5 ft.	5 ft.	5 ft.
Gutters	3 ft.	3 ft.	3 ft.	3 ft.
Decks, unroofed porches and stoops	10 ft.	10 ft.	--	10 ft.
Window air conditioning units	--	2 ft.	2 ft.	--
Window wells	4 ft.	4 ft.	4 ft.	4 ft.

1. In the case of vehicle service stations, motels, funeral homes and similar uses canopies may be permitted over a driveway or walkway within the front yard but shall be no closer than 15 feet to the street right-of-way or easement line.

I. **Reduced Front Setback Requirements.** The following setback requirements shall apply to all Residential Districts:

1. Where the established front yards for existing main buildings located within 200 feet of a side lot line of and in the same zoning district as, a subject lot are less than the required front yard for the zoning district of the subject lot, the required front yard for the subject lot shall be the average front yard of the existing main buildings on the same side of the street, on the same block and entirely or partially within 200 feet of the side lot lines of the subject lot.



2. The front yard reduction provided for in this section shall only be permitted if

two or more lots are occupied by main buildings within the area described for computing the average front yard.

3. In no case shall the front yard setback resulting from the application of these provisions, be less than 25 feet.
- J. **Required Yards or Lots.** No lot or lots in common ownership and no yard, court, parking area or other space shall be so divided, altered, or reduced as to make the area or space less than the minimum size required under this ordinance. If already less than the minimum size required, the area or space shall not be further divided or reduced.
- K. **Setbacks Adjacent to Railroad.** Within any non-residential zoning district, setbacks shall not be required for side or rear yards abutting a railroad right-of-way.

Section 13-3 Dwellings

- A. **Illegal Dwellings.** The use of any basement for dwelling purposes is prohibited in any zoning district, unless the basement meets the appropriate city building codes. Buildings erected as garages or accessory buildings shall not be occupied for dwelling purposes.
- B. **Minimum Requirements for Single Family Dwellings Outside Manufactured Home Communities.** Any single-family dwelling on a lot, whether constructed and erected or a manufactured home, shall be permitted only if it complies with all of the following requirements:
 1. If the dwelling unit is a manufactured home, the manufactured home must either be new and certified by the manufacturer and/or appropriate inspection agency as meeting the Mobile Home Construction and Safety Standards of the U.S. Dept. of Housing and Urban Development, as amended, or any similar successor or replacement standards which may be promulgated, or used and certified by the manufacturer and/or appropriate inspection agency as meeting the HUD standards, and found, on inspection by the building inspector or his designee, to be in excellent condition and safe and fit for residential occupancy.
 2. The dwelling unit shall comply with all applicable building, electrical, plumbing, fire, energy and other similar codes which are or may be adopted by the city; provided, however, that if a dwelling unit is required by law to comply with any federal or state standards or regulations for construction which are different than those imposed by city codes, then those applicable state or federal standards or regulations shall apply. Appropriate evidence of compliance shall be provided to the building inspector.
 3. The dwelling unit shall comply with all restrictions and requirements of this ordinance, including, without limitation, the minimum lot area, minimum lot width, minimum residential floor area, required yard and maximum building height requirements of the zoning district in which it is located.
 4. If the dwelling unit is a manufactured home, the manufactured home shall be installed with the wheels removed.
 5. The dwelling unit shall be firmly attached to a permanent continuous foundation constructed on the building site. The foundation shall have a wall of the same perimeter dimensions as the dwelling unit and be constructed of such materials and type as required by the building code for on-site constructed single-family

- dwellings. If the dwelling unit is a manufactured home, its foundation shall fully enclose the chassis, undercarriage and towing mechanism.
6. If the dwelling unit is a manufactured home, it shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the building site by an anchoring system or device complying with applicable rules and regulations of the State of Georgia or any similar or successor agency having regulatory responsibility for manufactured home parks.
 7. In addition to meeting the minimum floor area requirement for single family dwellings for the district in which it is located, the dwelling shall have a minimum core living area of at least 20 feet by 30 feet.
 8. Storage area of no less than 120 square feet shall be provided within a building. This storage area may consist of a basement, closet area, attic or attached garage in a main building, or in a detached accessory building which is in compliance with all other applicable provisions of this ordinance.
 9. The front entry to the dwelling shall be located on the ground floor. Permanently attached steps or porch areas at least three feet in width, but no more than three feet in height, shall be provided where there is an elevation difference greater than eight inches between the first floor entry of the dwelling unit and the adjacent grade.
 10. The exterior finish of the dwelling unit shall not cause reflection that is greater than that from siding coated with clean, white, gloss exterior enamel.
 11. The dwelling unit shall have no less than two exterior doors, with one being in either the rear or the side of the dwelling unit.
- C. **Temporary Dwellings.** No cabin, garage, basement, tent, recreational vehicle, or other temporary structure shall be used in whole or in part for dwelling purposes in any district; provided a manufactured home may be used as a temporary dwelling for a period not to exceed six months upon application to and approval of a permit for such occupancy by the zoning administrator upon determination that the following conditions exist and are met:
1. The permanent dwelling of the resident applicant has become uninhabitable due to damage caused by fire, wind or other natural calamity or emergency.
 2. Due to undue hardship, the applicant is unable to obtain another dwelling unit as a temporary residence.
 3. The temporary dwelling is constructed so as to meet the minimum requirements for the health, safety and welfare of the occupants and the surrounding neighborhood.
 4. The temporary dwelling shall be served by sanitary sewer and potable water, approved by the city.
 5. The temporary dwelling will be removed prior to the issuance of a certificate of occupancy for the new dwelling.

Section 13-4 Parking and Storage

- A. **Outdoor Storage.** Outdoor storage of merchandise, equipment, supplies, products or other materials shall only be permitted in those districts and under such conditions as specifically authorized by this ordinance.

B. **Recreational Vehicle Parking.** It shall be unlawful for any person to park or cause to be parked any mobile home or recreational vehicle on any street, alley, highway, or other public place in the city and to use the same as a dwelling. This provision shall not prohibit the temporary occupancy for periods up to 48 hours of a recreational vehicle; provided the recreational vehicle contains sleeping accommodations, is parked on a lot in a Residential District, and is for the use of the owner of that lot or guests of the owner.

C. **Storage and Repair of Vehicles.**

1. The repair, restoration and maintenance of vehicles in any Residential District, shall be conducted entirely within an enclosed building, except for those activities that can be and are completed in less than 24 hours. All such repair shall take place on private property and may not be conducted within the public right-of-way.
2. It shall be unlawful for the owner, tenant or lessee of any building or lands within the city to permit the open storage or parking of any inoperable motor vehicle, machinery or equipment, or parts thereof, outside of an enclosed garage or enclosed building, for a period of more than 48 hours. An inoperable motor vehicle for purposes of this subsection shall include motor vehicles which, by reason of dismantling, disrepair or other cause, are incapable of being propelled under their own power, or are unsafe for operation on the streets and highways of this state because of the inability to comply with the State Motor Vehicles and Traffic Code, or do not have a current license and registration as required for operation by the State Motor Vehicles and Traffic Code.
3. It shall be unlawful for the owner, tenant or lessee of any lot or building in a Residential District to permit the open storage or parking outside of a building of semi-truck tractors and/or semi-truck trailers, bulldozers, earth carriers, cranes or any other similar equipment or machinery, unless parked for purposes of construction being conducted on that lot.
4. In the RC District, however, the owner, tenant or lessee of any lot may openly store or park semi-truck tractors and/or semi-truck trailers outside of a building for up to 20 days within any 30-day period. Those vehicles shall be parked so as to not block vision of drivers on or entering any adjacent street.

Section 13-5 Uses

- A. **Principal Use per Lot.** A lot or parcel shall not be devoted to more than one principal use, or contain more than one principal building, except for groups of multiple family dwellings, agricultural buildings, or commercial or industrial buildings determined by the zoning administrator to be a principal use collectively, based on meeting all of the following criteria:
1. individual buildings share common parking areas, signs, access and similar features;
 2. buildings are under single ownership;
 3. individual activities support one another (such as auto sales/vehicle repair or gas station/restaurant/convenience store); or
 4. buildings are architecturally unified and compatible.

- B. **Use.** No building, structure or land shall be used or occupied and no building structure or part thereof shall be erected, constructed, reconstructed, moved, enlarged or structurally altered unless in conformity with the regulations of this ordinance.
- C. **Use on a Lot.** Every building, structure or use erected or established within the city shall be located on a legally recorded lot or parcel and shall conform to all applicable requirements of this ordinance.
- D. **Voting Place.** The provisions of this ordinance shall not be construed in any manner that would interfere with the temporary use of any property as a voting place in connection with a municipal, school or other public election.

Section 13-6 Other Provisions

A. Alterations to Grade and Site Clearance.

1. The natural grade upon which a building is to be constructed shall not be altered in such a way that the top of the plates on the front foundation wall is more than 24 inches above the finished grade, nor shall any grade be altered in such a way as to cause adverse effects to neighboring properties.
2. Grading or clearing vegetation for the purpose of preparing a lot or parcel for building construction shall not be permitted prior to receipt of a building permit for construction of a principal use on the property.

- B. **Control of Heat, Glare, Fumes, Odor, Dust, Noise or Vibration.** Every use shall be conducted and operated in a way that does not create a nuisance and is not dangerous by reason of heat, glare, fumes, odor, dust, noise or vibration beyond the lot on which it is located.

C. Domestic Animals.

1. The keeping of household pets, including dogs, cats, fish, birds, hamsters and other animals generally regarded as household pets is permitted as an accessory use in any Residential District. However, no more than three dogs or cats, six months of age or older, in any combination thereof, shall be kept or housed in or at one dwelling unit.
2. Agricultural animals such as, but not limited to, horses, cattle, goats, pigs, sheep and chickens are permitted in the RC District on parcels of three acres or more; provided that the total number of animals permitted on parcels of 10 acres or less shall be limited to one animal per acre. Manure storage areas shall be located at least 75 feet from any adjoining property line.
3. Any area where such permitted animals are kept shall be maintained in a safe and sanitary condition.

- D. **Excavations or Holes.** The construction, maintenance or existence within the city of any unprotected, unbarricaded, open or dangerous excavations, holes, pits or wells which constitute or are likely to constitute a hazard or menace to the public health, safety or welfare is hereby prohibited; provided, this section shall not apply to the following:

1. any excavation for which a permit has been issued by the city and which is properly protected and where warning signs have been posted in a manner approved by the city;

2. any excavation approved and operated as a special land use in accordance with this ordinance for mining extraction operations; and
 3. streams, natural bodies of water or ditches, reservoirs and other bodies of water created or existing by authority of governmental units or agencies.
- E. **Trash, Litter and Junk.** It shall be unlawful for any person to accumulate, place, store or allow or permit the accumulation, placement or storage of trash, litter or junk on premises in the city, except in a lawful sanitary landfill or junkyard.



Article 14

Conditional Use
Requirements



Section 14-1 Conditional uses

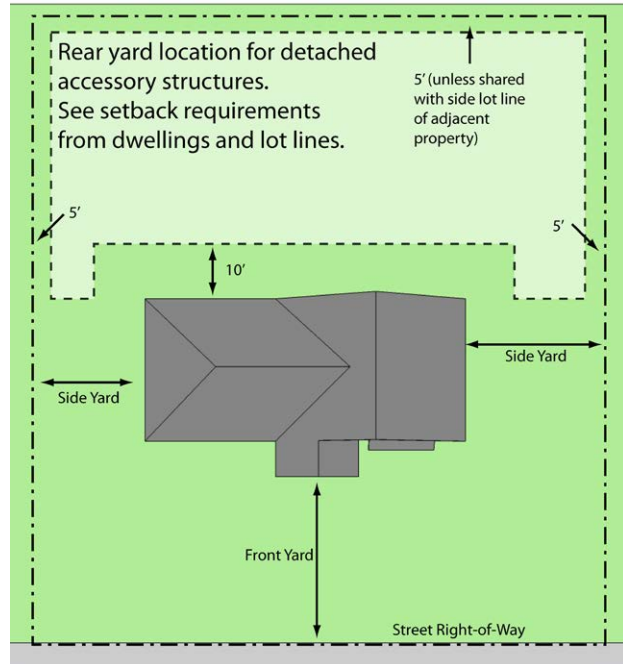
- A. Some land uses are considered generally appropriate in their respective zoning districts; however, controls and safeguards are necessary to ensure their compatibility with permitted principal uses. The conditional use permit procedure is intended to allow consideration of the impact of the proposed conditional use on surrounding property, and the application of controls and safeguards to assure that the conditional use will be compatible with its surroundings.
- B. A conditional use must comply with the area, height and placement requirements for the zoning district in which it is located. In addition, any specific requirements pertaining to the use listed in this article must also be met.
- C. An application for a conditional use shall be filed with the zoning administrator on a form provided for that purpose. The application shall be accompanied by a filing fee, as established by the city council.
- D. A site plan shall be submitted with the application, showing the proposed location of all existing and proposed buildings and structures on the site, access points, drainage, vehicular and pedestrian circulation patterns, parking areas, and the specific location of the use or uses to be made of the development, together with other information necessary to comply with the standards for a conditional use listed in this article and in other pertinent sections of this ordinance.
- E. In granting a conditional use, the zoning administrator must make the following findings:
 - 1. the conditional use will preserve the value, spirit, character and integrity of the surrounding area;
 - 2. the conditional use fulfills all other requirements of this article pertaining to the conditional use in question;
 - 3. granting the conditional use permit will not be harmful to the public health, safety, convenience and comfort; and
 - 4. sufficient setbacks, lot area, buffers or other safeguards are being provided to meet the above standards.
- F. In granting a conditional use, the zoning administrator may impose conditions necessary to ensure that the conditional use meets the requirements of this ordinance and the public health, safety and welfare are protected.
- G. The decision of the zoning administrator, including any conditions imposed upon an approved conditional use, may be appealed to the zoning board of appeals, in accordance with [Article 23](#).
- H. Conditional use specific standards. In addition to the general findings in Section 14-1 E., the specific requirements for individual conditional uses, as listed in the following sections, shall be met.

Section 14-2 Accessory uses and structures

- A. Accessory buildings or garages shall be considered to be part of the principal building if structurally and architecturally integrated into the building, or if attached by an enclosed breezeway or similar enclosed structure not greater than ten feet in length.

- B. Detached accessory buildings shall be located not closer than ten feet to the main building.
- C. The area of accessory buildings is to be included in the maximum lot coverage.
- D. An accessory building or accessory structure shall not be located in any front yard.
- E. An accessory building or accessory structure shall not be constructed or occupied on a lot before the principal building or use on the lot is constructed.
- F. Except as provided in paragraph G below, accessory buildings and accessory structures shall meet the minimum side and rear yard setbacks required for principal buildings.

G. On lots in any Residential District, an accessory building or accessory structure which is no larger than 100 square feet in area and ten feet in height may be located in a rear yard as near as five feet from the side and rear lot lines. However, if the rear lot line of the property on which the accessory building or accessory structure is located is also the side lot line of the neighboring property, then the accessory building or accessory structure shall be set back the same distance from the rear lot line as the required side yard setback for a principal building.



H. A maximum of two accessory buildings shall be permitted on a residential lot; provided the total floor area of all accessory buildings does not exceed the maximum size limits specified in Table 14-3. Accessory buildings in any Residential District shall be limited in building floor area as follows:

Lot Area	Permitted Accessory Building Size
Less than 10,000 square feet	Maximum 576 square feet
10,000 to 30,000 square feet	Maximum 900 square feet
Greater than 30,000 square feet	Maximum 1,200 square feet

- I. Accessory buildings and structures in planned unit developments shall be subject to the same requirements as in the Residential Districts.
- J. Buildings and structures used in active commercial agricultural operations are not considered accessory buildings and shall not be subject to this section, except that no commercial agricultural buildings or structures shall be located within a required yard, and any such building greater than 1200 square feet in area shall be located at least 50 feet from any rear or side lot line.

- K. Swing sets, playground equipment, garden trellises, well-head covers and similar above-ground yard equipment accessory to a residential use shall be exempt from the provisions of this zoning ordinance, except for height limitations, or unless specific provision is made for such equipment by city ordinance.
- L. Buildings accessory to non-residential uses shall meet the minimum setback requirements and height limitations for principal buildings in the respective zoning district.

Section 14-3 Auction houses

An auction house in the C-3 District shall be located on a tract with a minimum area of five acres.

Section 14-4 Boarding and rooming house

- A. The minimum size of a rooming unit shall be 70 square feet, with not less than seven feet in any dimension. An extra 50 square feet shall be required for each additional occupant within the unit.
- B. Twenty-four hour on-site management must be provided.
- C. The rules and residency requirements governing the use shall be submitted with the conditional use application. The management will be solely responsible for the enforcement of all rules that are reviewed and approved as part of a conditional use permit.
- D. The building shall contain a minimum of 250 square feet of common space such as recreation areas, lounges, and living spaces. An additional 10 square feet of common space is required per rooming unit over 11.
- E. There shall be at least one flush water closet, one bathroom lavatory basin, and one bathtub or shower bath for each five persons or fraction thereof, except that in a rooming house, where rooming units are let only to males, flush urinals may be substituted for not more than one-half the required number of flush water closets.
- F. All bathroom facilities shall be so located within the dwelling as to be reasonably accessible to all persons sharing those facilities and from a common hall or passageway; provided that the facilities are not located more than one floor above or below the rooming unit or units served.
- G. Access doors to a rooming unit shall have operating locks to insure privacy.
- H. Every rooming unit shall comply with all the requirements of applicable building, housing, health and fire codes pertaining to a habitable room.

Section 14-5 Building and lumber supply, fence material, rental and related construction oriented retail establishments

- A. All outdoor storage areas shall be fenced with a minimum six-foot high opaque fence.
- B. Junk or discarded material shall not be stored or stacked outdoors.

Section 14-6 Child care centers, commercial preschools and nurseries

- A. At least 150 square feet of indoor or outdoor play area shall be provided per child; however, the total play area shall not be less than 5,000 square feet.

- B. An outdoor play area shall not be located in the required front yard nor abut a public right-of-way. It shall be located away from vehicular traffic and enclosed by a minimum four-foot tall ornamental or black vinyl-coated chain link fence. A six-foot tall privacy fence and/or approved landscaping shall be provided where a play area abuts an adjoining single-family residential lot.
- C. An on-site drive, arranged to allow one way traffic flow, shall be provided for drop-off and loading.

Section 14-7 Child care facilities accessory to a principal use

- A. All licensing and permitting shall be obtained from the State of Georgia.
- B. All applicable rules and regulations of the State of Georgia shall be adhered to.
- C. Monthly inspections shall be performed by the city to determine whether or not the facility is in compliance with these conditions.

Section 14-8 Child caring institution, family

- A. All licensing and permitting shall be obtained from the State of Georgia.
- B. All rules and regulations of the State of Georgia shall be adhered to.
- C. The owner of the dwelling shall reside on the premises.
- D. A family child caring institution shall not be located within 1,320 feet from any other family child caring institution.
- E. The occupants of all properties within 300 feet of the boundary of the lot where the family child caring institution is proposed shall be notified by the applicant, by certified mail, of the request to establish the proposed use. Proof of mailing shall be provided to the city zoning administrator. Monthly inspections shall be performed by the city to determine whether or not said facility is in compliance with these conditions.

Section 14-9 Churches and customary related uses

- A. All buildings, parking areas and outdoor activity areas (ball fields, playgrounds, bleachers, etc.) shall be setback a minimum of 40 feet from any side or rear property line abutting a residential district.
- B. A church shall be located on a tract of land not less than five acres in area with a street frontage of at least 200 feet.

Section 14-10 Club or lodge, private

- A. The minimum lot area shall be five acres.

Section 14-11 Day care, family

- A. All licensing and permitting shall be obtained from the State of Georgia.
- B. All rules and regulations from the State of Georgia shall be adhered to.
- C. The owner of the dwelling shall reside on the premises.
- D. A family day care home shall not be located within 1,320 feet from any other family day care home.

- E. The occupants of all properties within 300 feet of the boundary of the lot where the family day care home is proposed shall be notified by the applicant, by certified mail, of the request to establish the proposed use. Proof of mailing shall be provided to the city zoning administrator.
- F. Monthly inspections shall be performed by the city to determine whether or not said facility is in compliance with these conditions.

Section 14-12 Dwelling units of watchmen and operating personnel and their families

- A. No more than one dwelling unit per main building is permitted.
- B. The dwelling unit shall not exceed one 1,500 square feet GFA
- C. The unit may only be occupied by an employee of the facility and his/her family, who is actively employed in security, maintenance or operations within the facility.

Section 14-13 Foster care home, adult family

At least 1,500 square feet of open space shall be provided for every bed, whether used or intended.

Section 14-14 Golf courses and country clubs

A golf course shall be laid out with a minimum of 18 holes over a distance of at least 5,500 yards and used exclusively for playing golf.

Section 14-15 Greenhouses and nurseries (not including retail sales)

- A. The minimum lot area shall be two acres.
- B. The storage or display of all materials shall conform to the requirements of [Section 14-18](#).

Section 14-16 Home occupations

- A. Only resident occupants and one non-resident employee shall be engaged in the home occupation.
- B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and not more than 25 percent of the gross floor area of the dwelling shall be used in the conduct of the home occupation.
- C. There shall be no change in the outside appearance of the dwelling or other visible evidence of the conduct of the home occupation, except that one sign, not exceeding two square feet, non-illuminated and mounted flat against the wall of the dwelling, may be permitted.
- D. The home occupation shall be operated in its entirety within the principal dwelling.
- E. The direct sale of goods, merchandise, supplies, products or services shall not be permitted to customers on the premises. Phone and internet sales may be permitted, provided the items purchased are shipped directly to the customer so no pick-up is required at the location of the home occupation.
- F. Outdoor storage, activities or displays shall be prohibited.

- G. No traffic shall be generated by the home occupation in greater volume than would normally be expected in a residential neighborhood. Any parking needed to accommodate the home occupation shall be provided off-street behind the required front setback line.
- H. No equipment or process shall be used in the home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises, if the occupation is conducted in a single family dwelling, or detectable outside the dwelling unit if conducted in an attached or multiple family dwelling. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuation in line voltage of the premises.
- I. Uses such as, but not limited to, clinics, hospitals, nurseries, day care centers, ambulance service, amusement arcades, vehicle repair or maintenance, pawn shop, fortune teller, veterinarian offices, permanent basement or garage sales or kennels shall not be considered home occupations.

Section 14-17 Kennels

- A. No portion of a building, pen or structure used to contain animals shall be located closer than 200 feet to any property line.
- B. The minimum lot area shall be five acres.

Section 14-18 Outdoor storage related to a principal use

- A. The sale or outdoor display of merchandise shall not be permitted within the required setback areas.
- B. The zoning administrator may require a fence or wall to be constructed along the rear and/or sides of the lot to keep trash, paper, and other debris from blowing off the premises.
- C. The lot area used for parking shall be hard-surfaced and the display or storage areas shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water.
- D. All lighting shall be shielded from adjacent residential areas.

Section 14-19 Parking garage, structure or lot, commercial (as principal use)

Storage of inoperable vehicles is prohibited. All vehicles within the garage, structure or lot shall be operable and licensed.

Section 14-20 Personal care home, family

- A. All licensing and permitting shall be obtained from the State of Georgia.
- B. All rules and regulations from the State of Georgia shall be adhered to.
- C. The owner of the dwelling shall reside on the premises.
- D. A personal care family home shall not be located within 1,320 feet from any other personal care family home.
- E. The occupants of all properties within 300 feet of the boundary of the lot where

the personal care family home is proposed shall be notified by the applicant, by certified mail, of the request to establish the proposed use. Proof of mailing shall be provided to the city zoning administrator.

- F. Monthly inspections shall be performed by the city to determine whether or not said facility is in compliance with these conditions.

Section 14-21 Personal care home, group

- A. All licensing and permitting shall be obtained from the State of Georgia.
- B. All rules and regulations from the State of Georgia shall be adhered to.
- C. The owner of the dwelling shall reside on the premises.
- D. A personal care group home shall not be located within 1,320 feet from any other personal care group home.
- E. The occupants of all properties within 300 feet of the boundary of the lot where the personal care group home is proposed shall be notified by the applicant, by certified mail, of the request to establish the proposed use. Proof of mailing shall be provided to the city zoning administrator.
- F. Monthly inspections shall be performed by the city to determine whether or not said facility is in compliance with these conditions.

Section 14-22 Private non-commercial recreation

- A. All structures and activity areas (courts, ball fields, playgrounds, etc.) shall be set back a minimum of 40 feet from any side or rear property line abutting a residential district.
- B. Lighting for night-time activity areas shall be directed and shielded so the light source is not visible from any residential use within 150 feet of the light fixture. All lighting, including building and security lighting, shall be located to prevent glare on adjacent properties and streets.

Section 14-23 Public utility structures and lands

- A. The materials, color and design of buildings shall be generally compatible with the surrounding neighborhood.
- B. Buildings and structures shall comply with the setback requirements of the district for principal buildings.
- C. Fencing or screening may be required in order to minimize the visual impact of the facility or improve its compatibility with adjoining properties.

Section 14-24 Restaurant (outdoor seating area)

- A. An outdoor seating area may not be located within a required yard.
- B. The outdoor seating area shall be included in the determination of required parking spaces.
- C. An outdoor seating area shall be surrounded by a decorative fence or enclosure, at least four feet in height, with access only from within the building. A self-closing gate which can only be opened from within the enclosure shall be provided for emergency egress.

Section 14-25 Riding stables and academies

- A. A riding stable and/or academy shall be located on a parcel of not less than five acres
- B. No barn or similar building and no manure storage shall be closer than 200 feet to any property line.
- C. A maximum of ten horses may be kept on five acres. One additional acre of land shall be required for each additional horse above ten.

Section 14-26 Schools (elementary, middle and high)

- A. All buildings, parking areas and outdoor activity areas (ball fields, playgrounds, bleachers, etc.) shall be setback a minimum of 40 feet from any side or rear property line abutting a residential district.
- B. A six-foot high fence shall be constructed along any side or rear property line abutting a residential district.
- C. Lighting for night-time activity areas shall be directed and shielded so the light source is not visible from any residential use within 150 feet of the light fixture. All lighting, including building and security lighting, shall be located to prevent glare on adjacent properties and streets.

Section 14-27 Sewage treatment plants

- A. A sewage treatment plant shall be owned and operated by the City of Palmetto or other regulated utility provider. A treatment facility serving a specific allowed use may be permitted, however, provided that all treatment conforms to applicable city, county, state and federal law.
- B. All buildings, equipment and lagoons shall be located a minimum of 300 feet from any property line.
- C. Odor control measures shall be implemented.

Section 14-28 Tire retreading establishments

No outside storage is permitted.

Section 14-29 Vehicle repair, minor

- A. A building or structure shall be located at least 30 feet from any side or rear lot line abutting a residential district.
- B. Driveways, exclusive of curb returns, shall be at least 22 feet, but not more than 30 feet wide and shall be at least ten feet from any abutting property.
- C. Equipment, including hydraulic hoists, pits, and lubrication, greasing, and other automobile repairing equipment shall be located entirely within an enclosed building. Outdoor storage or display of merchandise, such as tires, lubricants and other accessory equipment is not permitted.
- D. All activities shall occur inside a building. All vehicles that are being worked on shall be located within a building. No vehicle may be stored on the property for more than 30 days.
- E. Above-ground storage tanks gasoline, liquefied petroleum gas, oil or other

flammable liquids or gas are not permitted.

- F. All structures and tanks shall be at least 500 feet from a fire station, police station or place of public assembly.
- G. Floor drains shall not connect to the sanitary sewer system.

Section 14-30 Wind energy conversion systems (single accessory)

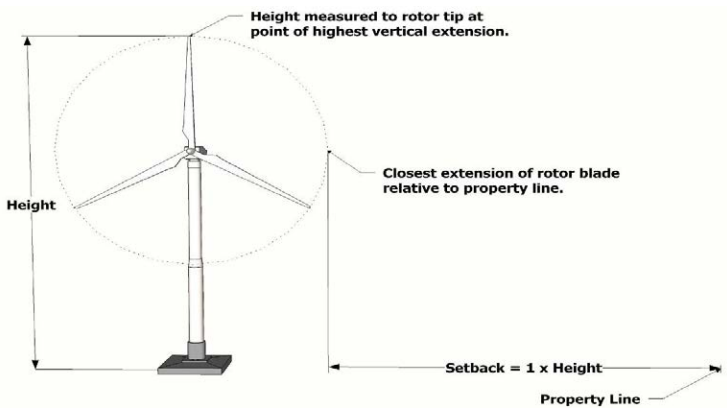
A. General Requirements.

1. The minimum lot area for installation of a wind energy conversion system (WECS) shall be 12,000 square feet.
2. The power rating of a single accessory WECS turbine shall not be greater than 25 kW.
3. A single accessory WECS shall provide energy only to the structures and uses on the same property upon which the tower is located and must be owned or leased by the owner of the same property. However, this does not prevent power generated beyond the needs of the structures or uses on the property to be distributed to a local utility company through net metering. Except for the local utility company, power generated by the WECS may not be provided to any other property or entity.
4. Sound attributed to a single accessory WECS in excess of 55 dB(A) shall not be discernible at the property line.
5. A sign, not exceeding three square feet in area naming the manufacturer may be affixed to the base of the tower or to the nacelle; no other signs are permitted on the WECS.
6. Lights on or directed toward a WECS are not permitted.
7. A single accessory WECS shall be painted in a neutral matte color, such as gray or light blue, to blend with the sky. A building mounted WECS may be painted in colors complementary to those of the building.
8. A single accessory WECS shall have an automatic braking, governing, or feathering system to prevent uncontrolled rotation or over speeding. Emergency shut-off information shall be posted on the tower in a location that can be easily seen.
9. A single accessory WECS shall employ an anti-climbing device or be designed to prevent climbing and other unauthorized access.
10. The installation of a single accessory WECS shall not interfere with signal transmission or reception of an existing fixed broadcast, re-transmission or reception antenna for radio, television or wireless phone or personal communication systems.
11. The applicant shall provide written evidence that the WECS complies with all applicable federal, state and county requirements, in addition to city ordinances.
12. All single accessory WECS installations shall comply with applicable ANSI (American National Standards Institute), National Electric Code and National Building Code standards, as adopted by the State of Georgia, Fulton County and the City of Palmetto.

13. A WECS shall be removed when the device or equipment is no longer operating or when it has been abandoned. A WECS shall be deemed abandoned when it has not produced electrical energy for 12 consecutive months.
14. An existing and approved single accessory WECS may be repaired and maintained; however, a WECS may only be replaced with a new WECS upon approval of the zoning administrator or designee, provided that the new WECS is of the same height, rotor diameter, setback, etc. as the WECS it replaces. A new or replacement WECS shall mean all of the WECS, excluding the tower or support structure.

B. Ground-Mounted Single Accessory WECS.

1. A ground mounted single accessory WECS shall be located on a property at a distance at least equal to its height from all property lines. The setback shall be measured from the property line (considered as a plane extending from the ground to the highest point of the WECS) to the closest extension of the rotor relative to the property line. No part of a single accessory WECS (including guy wire anchors) shall be located within or above a required setback.



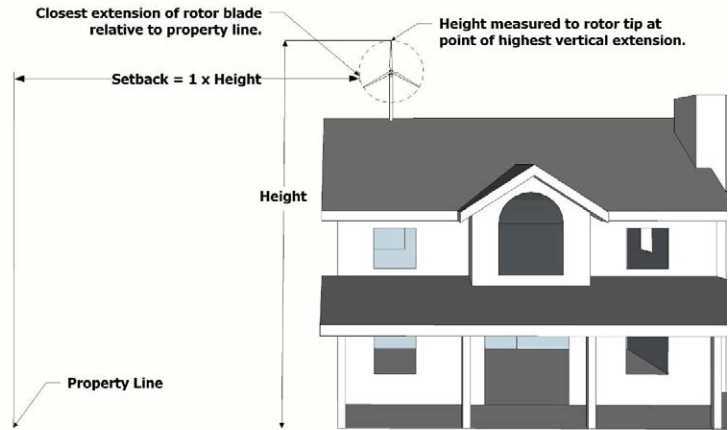
Ground Mounted WECS Height and Setback

2. WECS height shall be limited based on the setback requirements in paragraph 1 above; however, WECS height shall not exceed 50 feet on a property at least 12,000 square feet but less than one acre in area; or 75 feet on a property one acre in area or greater.
3. The minimum rotor blade tip clearance from grade shall be 20 feet.
4. The minimum rotor blade tip clearance from any structure shall be 20 feet.
5. The diameter of the rotor depends on maximum single accessory WECS height and rotor blade tip clearance, but in no case shall it exceed 50 feet.
6. The tower used to support a WECS shall be adequately anchored and meet applicable standards, as certified by an engineer.

C. Building Mounted Single Accessory WECS.

1. The diameter of the rotor shall not exceed 20 feet.
2. WECS height shall not exceed the maximum permitted height for principal buildings in the district, plus 15 feet.
3. A single accessory WECS shall be located from adjoining property lines a distance equal to the combined height of the WECS and the portion of the building on which it is mounted. The setback shall be measured from the property line (considered as a plane extending from the ground to the highest point of the WECS) to the closest extension of the rotor relative to the property line.

4. A building mounted single accessory WECS shall not be mounted to the vertical face of a gable end or dormer that is visible from the street. To the greatest degree possible, the WECS shall be mounted to the building in the least visible location.
5. The mount and the structure used to support a building mounted WECS shall meet applicable standards, as certified by an engineer.



Building Mounted WECS Height and Setback

- D. **Discretionary Conditions.** The zoning administrator may impose other terms and conditions regulating the construction, installation, use, maintenance, repair and removal of a WECS, including, but are not limited to, the following:
1. The preservation of existing trees and other existing vegetation not required to be removed for installation of a WECS.
 2. The reasonable replacement of trees or other vegetation removed or destroyed during the construction or installation of a WECS.
 3. Altering the location of the WECS to prevent impacts on neighboring properties, provided that all other requirements of this section are met.
 4. Requiring a performance bond or letter of credit, in accordance with the requirements of [Section 21-5](#) and conditioned upon the timely and faithful performance of all required conditions, including but not limited to the timely and complete removal of a WECS, regulated under the terms of the section, when required. The performance bond or letter of credit shall remain in effect during and after the operation of a WECS until its operations have ceased and it has been removed.



Article 15

Special Use Requirements



Section 15-1 Special uses

Special uses are generally consistent with the purpose of the zoning district in which they are permitted but, due to unique operational characteristics, may not be desirable or compatible in all locations. Factors such as traffic, hours of operation, noise, odor or similar potential effects require that the special use be evaluated relative to its appropriateness on a case-by-case basis. Therefore, special uses may be permitted within a zoning district, with city approval, following a review of the use and its potential impact on its surroundings. This article establishes the review procedures for special uses and the general standards that must be met for all special uses. Some specific uses are also subject to additional standards and requirements to mitigate their potential negative impacts.

Section 15-2 Scope.

A special use shall be permitted only when the city council has approved the proposed use and the associated site plan, after a review and recommendation by the planning and zoning board, as provided by this article and other applicable provisions of this ordinance. Except as otherwise expressly provided by this ordinance, the general procedures, standards, and requirements in this article shall apply to all special uses and shall be in addition to any other requirements applicable to particular special uses listed in this article. In those cases where the specific requirements of this article are more restrictive than other provisions of this ordinance, the special use requirements shall apply.

Section 15-3 Application and review.

- A. **Application.** A person owning or having an interest in a property may apply for a special use as provided in this ordinance.
- B. **Filing.** An application shall be filed with the zoning administrator at least 30 days prior to the planning and zoning board meeting at which it is first to be considered. Further consideration and scheduling before the planning and zoning board shall not occur unless the application is found to be complete.
- C. **Fees.** A non-refundable fee shall be paid when an application is filed. The application shall not be considered until all fees, established by resolution of the city council, have been paid in full.
- D. **Application requirements.** A completed application, signed by the property owner, and accompanied by the following:
 1. Copies of a site plan that meet the standards and requirements of [Article 20](#).
 2. A statement indicating that the proposed use complies with the general standards for approval in [Section 20-6](#), any specific requirements for the use and with all other applicable ordinance requirements.
- E. **Scheduling for special use and site plan review.** The zoning administrator will review the application and if determined to be complete, shall schedule the special use request before the planning and zoning board.

Section 15-4 General standards for approval of special uses.

The planning and zoning board shall review the facts and circumstances of a special use application and shall make a recommendation of approval only when it meets all

of the standards of this article and any specific standards that apply to the use as listed in [Article 14](#).

- A. The proposed use will comply with the general objectives and land use policies of the City of Palmetto Comprehensive Plan.
- B. The proposed use will be designed, constructed, operated, and maintained so it is appropriate and harmonious with the intended character and appearance of the surrounding area; will be compatible with the intent of the zone district; and will not change the essential character of the surrounding area.
- C. The establishment, maintenance, location, or operation of the use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in that zone district.
- D. The establishment, maintenance, location, or operation of the proposed use will not be detrimental to or endanger the health, safety, or general welfare of any persons; will not be injurious to or conflict with the use or enjoyment of neighboring property for the purposes permitted; and will not result in any significant adverse impact on the natural environment.
- E. The proposed use will not involve activities, processes, materials, and equipment or 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.
- F. Adequate utilities, highways, streets, access, drainage structures, police and fire protection, refuse disposal, schools, and other necessary services or facilities have been or will be provided to serve the proposed use; the proposed use will not place undue demands on public services or facilities that result in exceeding their capacity.
- G. The proposed use will, in all other respects, conform to the applicable regulations of the zone district in which it is located, specific requirements of [Article 14](#), all conditions of approval, and all other applicable provisions of law, ordinance, or statute.

Section 15-5 Conditions of approval.

Reasonable conditions may be imposed when approving a special use to achieve the following:

- A. Ensure public services and facilities affected by the proposed use or activity can accommodate increased service and facility loads resulting from the proposed use.
- B. Ensure that the use is compatible with adjacent land uses and activities.
- C. Protect natural resources, the health, safety, and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners adjacent to or directly affected by the proposed land use or activity, and the community as a whole.
- D. Relate to the valid exercise of governmental police power and purposes that are affected by the proposed use or activity.
- E. Meet the intent and purpose of this ordinance, be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to ensure compliance with those standards.

Section 15-6 Special Land Use Application Procedures.

- A. At the scheduled meeting, or within a reasonable time afterward, the planning and zoning board shall recommend approval, approval with conditions, or denial of the special use request and accompanying site plan. The decision shall be incorporated in a statement of conclusions that specifies the basis for the decision and any conditions imposed related to an approval.
- B. The planning and zoning board shall also review the site plan submitted with the application and shall recommend approval, approval with conditions, or denial of the site plan in accordance with the standards and requirements for site plan review as provided by [Article 20](#).
- C. The city council shall consider the recommendation of the planning and zoning board and shall approve, approve with conditions, or deny the special use request and its accompanying site plan.
- D. Upon approval or approval with conditions of both the special use request and the site plan, the zoning administrator shall issue a special use permit, which is subject to the conditions of approval imposed by the city council.
- E. Land disturbance permits shall not be issued for a special use and construction, grading, tree removal, soil stripping, or other site improvements and changes shall not begin until both the special use request and the required site plan have been approved by the city council and a special use permit has been issued. Construction, or any other site improvements or changes, shall be in strict compliance with the site plan as approved by the city council and any conditions imposed in connection with approval of the special use.
- F. The special use or activity must begin within 12 months of approval or it shall expire. The city council may approve one extension for up to twelve additional months, if a request is made by the applicant in writing prior to the initial expiration.
- G. A special use application that has been denied may not be re-submitted for one year from the date of denial, except when new evidence or information found sufficient by the planning and zoning board justifies an earlier re-application.

Section 15-7 Performance Guarantees.

To assure compliance with this ordinance and any conditions of approval, performance guarantees may be required by the city council for a special use, as authorized by [Article 21-5](#).

Section 15-8 Revocation of Permit.

The city council shall have the authority to revoke a special use permit when the applicant has failed to comply with any of the applicable requirements of this article, other applicable sections of this ordinance, or the conditions of approval. The city council may revoke a previous approval if it finds that a violation exists and has not been remedied. The special use permit may be suspended or revoked according to the following procedures:

- A. Conditions that may result in a suspension or revocation proceeding include, but are not limited to, the following:
 - 1. The special use was not constructed in conformance with the approved plans, or

- the property is not being used in conformance with the approved special use, or
 - 2. Compliance with the special use permit and any conditions have not been consistently demonstrated, and administrative attempts to secure compliance have been unsuccessful; or
 - 3. The special use permit has been issued erroneously based on incorrect or misleading information supplied by the applicant and/or his/her agents; or
 - 4. The operation of the use granted by the special use permit has created a risk or danger to the public health, safety or welfare; or
 - 5. The special use violates any provision of this ordinance or other city, county, state or federal regulations.
- B. If the zoning administrator determines that a special use permit should be suspended or revoked he/she shall prepare a report specifying the factual details of the violation and the reasons to suspend or revoke the permit.
 - C. The zoning administrator shall file the report with the city council and provide a copy to the owner, authorized agent or employee by certified mail, return receipt requested.
 - D. Within 30 days of filing the report with the city council, a hearing date will be set for the city council to consider the alleged violation(s) to determine if the special use permit should be suspended or revoked. The city shall notify the owner, authorized agent or employee personally or by certified mail, return receipt requested, not less than 15 days before the scheduled hearing.
 - E. The owner shall have an opportunity to respond to any allegations made by: questioning adverse witnesses; presenting witnesses on his/her behalf; and presenting arguments, personally or through legal counsel in his/her own behalf.
 - F. The city council shall prepare a written report of its findings within 30 days of completing all hearings and provide them to the owner either personally or by certified mail, return receipt requested. If the city council concludes that the special use permit must be suspended or revoked, the owner shall immediately cease to conduct, operate or carry on the business or use for which the special use permit was granted.

Section 15-9 Appeals.

A decision by the city council regarding a special use permit shall not be appealed to the zoning board of appeals. However, prior to planning and zoning board consideration of a special use, a variance to a dimensional requirement related to the building or property in question may be filed with the zoning board of appeals.

Section 15-10 Accessory dwelling unit

- A. An accessory dwelling unit shall only be located within or attached to a single-family detached dwelling.
- B. The accessory dwelling unit shall share the same sewage disposal and water supply systems as the principal dwelling unit.
- C. A minimum of one (1) off-street parking space shall be provided for the accessory dwelling unit in addition to the off-street parking spaces required for the principal dwelling unit.

- D. The accessory dwelling unit shall be limited in size to a maximum of 25 percent of the total living area of the principal dwelling or 600 square feet, whichever is less.
- E. The accessory dwelling may contain no more than a living area, one bedroom, one bath and a kitchenette (including a small refrigerator, microwave oven, hot plate and sink).
- F. The owner of the principal dwelling shall live in the dwelling.
- G. The accessory dwelling unit shall be occupied by a maximum of two people.
- H. No new access points or driveways shall be created or installed for access to the accessory dwelling unit.

Section 15-11 Automobile, trailer, truck, farm equipment, recreational vehicle or motorcycle sales

- A. The minimum lot size shall be one-half (1/2) acre with a minimum lot width of 200 feet.
- B. Signs shall conform to the requirements of the *Palmetto Sign Ordinance*. Flags, pennants, balloons, ribbons, or other attention getting devices are not permitted.
- C. Temporary or portable structures are not permitted.
- D. Outdoor display.
 1. Vehicles, for sale or otherwise, shall be parked on approved hard surfaces.
 2. Vehicle display areas shall meet the setback requirements for parking areas as required by *Section 17-2*.
 3. Vehicle display or storage shall not be allowed in areas required for visitor, employee or service parking, as required by *Article 17*.
 4. All other merchandise available for sale, including, but not limited to, clothing, accessories, collectibles etc. shall be sold and displayed within an enclosed building.
- E. All service work, including car washing, repair and general maintenance, shall be entirely conducted within an enclosed building.
- F. Audible paging systems or outdoor speakers are not permitted.
- G. The use of spotlights or similar equipment is prohibited.

Section 15-12 Bed and breakfasts

- A. A bed and breakfast shall be operated at all times in accordance with Fulton County and State of Georgia requirements.
- B. A bed and breakfast shall not provide more than five guest rooms plus a common area for use by all guests.
- C. A bed and breakfast establishment shall be located only in a detached single-family dwelling, designed and constructed for single family use, which shall contain at least 1,500 square feet of useable floor area. For each guest room in excess of two, an additional 100 square feet of floor area shall be required.
- D. The bed and breakfast shall be the principal residence of the owner, who shall reside there when the bed and breakfast is in operation. If the owner is not in residence in the dwelling unit for 14 consecutive days or more, the bed and

breakfast shall be closed until the owner returns.

- E. Meals shall be limited to breakfast and evening snack, and shall be served only to guests of the facility and members of the owner's family.
- F. There shall be at least one parking space provided for each guest room, in addition to the parking spaces required to serve the principal residence.
- G. One sign, not exceeding four square feet, shall be allowed for identification purposes only. Sign lighting shall be indirect and shielded from view off site. Internally lighted signs are not permitted.
- H. Cooking facilities in bed and breakfast guest rooms are prohibited.
- I. Exterior refuse storage facilities shall be screened from view on all sides by a six foot solid decorative fence or wall, or by other screening approved by the city council.
- J. The maximum stay for any guest of a bed and breakfast shall be ten consecutive days, not to exceed a total of 30 days in any 12 month period. A guest register accurately showing the names of the guests and the dates and duration of their stays shall be maintained by the owner and made available to the City for inspection upon request.
- K. In addition to the site plan required by this article, a floor plan of the dwelling units and the use of each room shall also be submitted with the special land use application.
- L. A bed and breakfast that has been approved as a special use, may host special events such as wedding receptions, reunions and similar social gatherings, provided the following conditions are satisfied:
 - 1. The owner of the bed and breakfast shall obtain a special event permit from the zoning administrator, specifying the date, time, maximum number of guests and purpose of the special event.
 - 2. The bed and breakfast shall be on a lot or parcel of property at least two acres in size.
 - 3. The special event shall be conducted on the same property as the bed and breakfast.
 - 4. A maximum of two special events may be conducted on the property within any month.
 - 5. Parking shall be provided on the property or off-site at a ratio of one space per three persons invited to the special event. If any of the required parking will be provided off-site, written authorization from the owner of that property shall be required as part of the permit application.
 - 6. Outdoor structures and activity areas such as tents, band shells, toilet facilities, seating or dance floors shall be located a minimum of 100 feet from any dwelling unit other than the bed and breakfast.
 - 7. A sketch plan, drawn to scale, shall be submitted showing the bed and breakfast property, the location of the bed and breakfast; location of parking facilities on- and off-site; the number of parking spaces to be accommodated in each location; location of outdoor activities such as tents, band stand or picnic areas; number and location of toilet facilities; and the location of all dwellings within 200 feet of the bed and breakfast property.

8. The zoning administrator may, in his/her sole discretion, refer the application to the mayor and city council for action. In any case, the zoning administrator or council, as applicable, may attach conditions intended to mitigate the potential impact on surrounding properties. Conditions may include, but are not limited to, event hours, valet parking, maximum number of guests, on-site security, music, lighting, trash removal and sanitary facilities.

Section 15-13 Chemical manufacturing and storage

- A. As part of the application, the applicant shall provide documentation, reports, studies and other materials required by the city specifying the materials to be handled, safety measures, existing soil conditions, methods of protecting groundwater and all other information required by the city in the course of reviewing the proposed use and its location.
- B. The facility shall at all times operate according to all applicable local, Fulton County, State of Georgia and Federal regulations. Adequate safety measures shall be implemented and in use at all times.
- C. There shall be no storage of hazardous materials outdoors, except in tanks or containers designed for that purpose that are inaccessible to anyone not authorized to process or handle such materials, and that meet all applicable safety regulations.
- D. The applicant shall provide a disaster mitigation plan and fire pre-plan, approved by the appropriate authorities, as part of the application for a special use.
- E. Truck routes to and from the facility shall be subject to approval by the city.

Section 15-14 Child caring institutions; family, group and congregate

- A. All licensing and permitting shall be obtained from the State of Georgia.
- B. All rules and regulations of the State of Georgia shall be adhered to.
- C. The owner of the dwelling shall reside on the premises.
- D. The proposed facility shall not be located within 1,320 feet from any other property on which a child caring institution is located.
- E. The occupants of all properties within 300 feet of the boundary of the lot where the facility is proposed shall be notified by the applicant, by certified mail, of the request to establish the proposed use. Proof of mailing shall be provided to the city zoning administrator.
- F. Monthly inspections shall be performed by the city to determine whether or not the facility is in compliance with these conditions and all applicable fire and safety rules.

Section 15-15 Colleges and universities (including student housing)

- A. Primary vehicular access shall be from/to an existing arterial street.
- B. Buildings and parking lots shall be located at least 80 feet from lot lines.
- C. On-site student housing shall have 3,000 square feet of lot area per unit.
- D. Landscaping and screening shall meet the requirements of [Article 19](#).

Section 15-16 Commercial recreation, indoor and outdoor

- A. The front, side and rear yard minimum setbacks shall be 50 feet for all buildings and

outdoor components of the recreational facility; setbacks for any go-cart or vehicle track shall be a minimum of 600 feet from any residential district.

- B. The parking setback shall be 20 feet in the front, side and rear yards from lot lines in non-residential zoning districts and 50 feet from lot lines in residential districts.
- C. Whenever the use abuts a residential district, a transition buffer area of at least 100 feet in width shall be provided.
- D. Building design and materials shall be compatible with the existing or intended character of the surrounding area.
- E. An operations plan describing the nature of the use, hours of operation, etc. shall be provided.
- F. The city council may also establish conditions to minimize negative impacts on nearby uses and traffic operations along public streets, such as, but not limited to hours of operation, noise buffering and location of waste receptacles.

Section 15-17 Concrete and gravel crushing

- A. The site shall have a minimum lot size of five (5) acres.
- B. The site shall have its required frontage on and access to an arterial street.
- C. Dust control measures shall be implemented.
- D. The site shall abut only land located within a M-2 District. No portion of the site shall be located closer than 1,320 feet from any residential district.
- E. A greenbelt, as required in [Section 19-4](#), shall be provided along the entire frontage of the property.
- F. All vehicles shall be power-washed prior to leaving the site. Loads shall be covered to control dust.

Section 15-18 Day care, group

- A. All licensing and permitting shall be obtained from the State of Georgia.
- B. All rules and regulations of the State of Georgia shall be adhered to.
- C. The owner of the dwelling shall reside on the premises.
- D. The proposed facility shall not be located within 1,320 feet from any other property on which a group day care is located.
- E. The occupants of all properties within 300 feet of the boundary of the lot where the facility is proposed shall be notified by the applicant, by certified mail, of the request to establish the proposed use. Proof of mailing shall be provided to the city zoning administrator.
- F. Monthly inspections shall be performed by the city to determine whether or not the facility is in compliance with these conditions and all applicable fire and safety rules.

Section 15-19 Drive-in and drive-through facilities for automated teller machines, banks, pharmacies and similar uses (not including drive-through restaurants)

- A. The drive up or drive through facility must be attached to a building; except that an automated teller machine may be in a stand-alone structure with a canopy or

similar roof to protect users from the elements.

- B. The facility shall be screened from any adjacent residential district or use and lighting shall be limited and fully shielded to prevent glare and light trespass.
- C. Drive-through and stacking lanes and parking lot access shall be clearly identified and delineated.
- D. A drive-through shall have an escape lane to allow a vehicle to pass those waiting to be served. The city council may waive this requirement if the applicant can demonstrate that such a waiver will not adversely impact public safety or inconvenience patrons.
- E. All drive-through service windows shall be located on the side or rear of the building to minimize visibility from a public or private street.
- F. Amplified speakers and sound equipment shall be located at least 60 feet from any adjoining residential property. Additional landscaping and fencing shall be installed between such equipment and the adjoining residential property to minimize associated noise impacts.
- G. A least five stacking spaces shall be provided per each drive through lane.
- H. In addition to the above, a drive up/drive through facility in the CBD-Central Business form-based district shall be subject to the following:
 - 1. All facilities shall be behind the required building line and shall be screened, to the extent possible, from view of the street by the building served. Any portion of the facility visible from the street shall be screened by landscaping.
 - 2. Access to the stacking lanes shall not be from a public street.

Section 15-20 Freight and Intermodal terminals

- A. The site shall have a minimum area of ten acres, provided the city council, after recommendation by the planning and zoning board, may reduce the site area to no less than five acres where the truck terminal operation will be compatible with other surrounding uses.
- B. The site shall be designed so all vehicles are able to enter and leave the site without having to back-out onto the street. Driveways shall be curbed for their full length in the front yard.
- C. The planning and zoning board and city council shall determine that traffic will be no more hazardous nor the volume of traffic any greater than is normal for the road involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and adequacy of interchanges. All access to the site shall be from arterial streets built to a standard to accommodate heavy trucks.

Section 15-21 Group care facility

- A. One on-site parking space shall be provided for each employee in addition to the parking required for the dwelling unit.
- B. If the facility provides day programs for non-residents, a designated passenger loading/unloading area of adequate dimensions shall be provided near a barrier-free entrance to the home.
- C. A landscaped buffer shall be provided along all property lines that abut a less

intense use and around the visible perimeters of all parking and loading/unloading areas.

- D. All exterior lighting of entryways, parking spaces, or loading/unloading areas shall not reflect onto adjacent properties and, preferably, should be motion activated.
- E. At least 1,500 square feet of open space shall be provided for every resident bed, based on licensed capacity.
- F. The owner of the dwelling shall reside on the premises.
- G. The proposed facility shall not be located within 1,320 feet from any other property on which a group care facility is located.
- H. The occupants of all properties within 300 feet of the boundary of the lot where the facility is proposed shall be notified by the applicant, by certified mail, of the request to establish the proposed use. Proof of mailing shall be provided to the city zoning administrator.
- I. Monthly inspections shall be performed by the city to determine whether or not the facility is in compliance with these conditions and all applicable fire and safety rules.

Section 15-22 Heliports

- A. The proposed heliport and all appurtenant facilities and equipment shall be constructed, operated and maintained in accordance with the published rules, regulations and guidelines of the Federal Aviation Administration and the Georgia Department of Transportation, Aviation Programs Division.
- B. The proposed heliport and all appurtenant facilities and equipment shall conform to NFPA Standard 418, Standards for Heliports, 2006 Edition, with the exception that Sec. 9.1.2, exempting certain heliports from the requirement to be equipped with portable fire extinguishers, shall not apply. Portable fire extinguishers shall be required at all heliports, at a location and stored in a manner approved by the Fire Chief.
- C. The use shall be located on a lot having a minimum area of ten acres.
- D. The touchdown and lift-off area (TLOF), as defined in Federal Aviation Administration Advisory Circular 150/5390-2B, or any successor advisory circular, shall comply with the following minimum separation distances:
 - 1. from the boundary of any property zoned Light Industrial (M-11) or Heavy Industrial (M-2): 150 feet.
 - 2. from the boundary of property in any other zoning district: 300 feet.
 - 3. from a building on property, other than property owned by the applicant, zoned Light Industrial (M-11) or Heavy Industrial (M-2): 200 feet.
 - 4. from a building on property in any other zoning district: 500 feet.
- E. A helicopter shall not remain in operation on the ground for a period of time greater than that necessary for startup/shutdown, loading and otherwise essential ground operations (generally no longer than 5 minutes).
- F. As a condition of special use approval, the city council may impose limits on:
 - 1. the size and type of rotorcraft permitted to use the facility;
 - 2. the allowable hours of use of the facility;
 - 3. the frequency of helicopter operations permitted at the facility; and

4. the location, design, type, size, and use of any exterior lighting, buildings, fuel storage or other equipment or facilities associated with the heliport.
- G. The provisions of this section shall not apply to emergency operations conducted by law enforcement, public safety agencies or emergency medical service providers.

Section 15-23 Mineral extraction operations

- A. A special use permit shall be required for mineral extraction operations, including removal of soil sand or gravel, where more than 600 cubic yards will be removed in a one year period. The special use permit may be reviewed annually by the city council to ensure that the operation conforms to all plans, progress, conditions, and sureties. Removal operations shall not begin until the special use is approved and a zoning compliance permit is issued.
- B. Application. In addition to the submittals for a special use outlined in [Section 15-6](#), an application for a mineral extraction permit shall be accompanied by the following:
1. A topographic map with two foot contour intervals including the locations of all streets, buildings, and existing drainage facilities within 300 feet of the property.
 2. A topographic map with two foot contour intervals showing final elevations, including the proposed locations of access drives, parking areas, and equipment.
 3. An estimated schedule for removal and an agreement conforming to all provisions of this section.
 4. A traffic control plan showing proposed truck routes to and from the site.
 5. A written description of proposed post removal use of the property.
 6. A fee, determined by resolution of the city council, to defray review, administration, and inspection costs.
- C. Conditions. A special use permit shall not be issued unless activities comply with all the following conditions. A special use permit may be revoked if the use is found in violation of any part of this section:
1. Activities shall comply with applicable soil erosion and sedimentation control regulations.
 2. Final grades shall not exceed five percent and shall meet existing elevations at all property lines. Grades in excess of five percent may be permitted by the city council if the applicant demonstrates that an increase is essential to implement a plan for future use.
 3. Mineral extraction shall not create permanent depressions that may fill with water. All storm runoff must discharge into existing drainage systems.
 4. Since artificial lakes and water bodies can present threats of ground water pollution and stagnant water, thereby adversely affecting the public health, safety, and welfare, they shall not be created as part of removal operations unless the applicant demonstrates:
 - a. Engineering and geological studies find there will be a positive source of unpolluted underground or stream-fed water in adequate amounts to produce positive water flow at all times;
 - b. Plans for the proposed artificial lake or water body have received all State of

Georgia approvals and conform to all federal, state, county, and municipal standards;

- c. A site plan of the proposed future development has been approved by the city; and
- d. In an artificial lake or water body, a channel or lagoon shall not project beyond the main body of water greater than two times the width of the lagoon or channel.

5. Other conditions may also be imposed, to protect the public health, safety and welfare.

D. The city may require a financial guarantee in accordance with [Section 21-5](#) to ensure compliance with the zoning ordinance and any conditions of approval.

Section 15-24 Open air businesses and outdoor storage related to a principal use

- A. The outdoor storage and display area shall be arranged to provide safe pedestrian and vehicular circulation and safe emergency access. Maneuvering aisles shall be kept free of all obstruction.
- B. A drive shall be provided, graded, paved, and maintained from the street to the rear of the property, to permit free access of emergency service vehicles and firefighting equipment at any time.
- C. The sale or outdoor display of merchandise shall not be permitted within the required setback areas.
- D. Outdoor storage and display areas located on parking lots shall not reduce the available parking spaces to fewer than those required by [Article 17](#).
- E. No outdoor display area or parking serving an outdoor display area shall be located within 50 feet of any residential district boundary line.
- F. The storage of soil, sand, mulch, and similar loosely packaged materials shall be contained and covered to prevent it from blowing into adjacent properties. The outdoor storage of fertilizers, pesticides, and other hazardous materials, unless packaged in approved containers, is prohibited.
- G. The city council may require an obscuring screen around any storage or display area, that meets maximum fence height requirements for the zoning district. Stored materials and stockpiles shall not be piled or stacked higher than the height of the obscuring screen.
- H. All outdoor display and sales areas shall be paved with a permanent, durable, and dustless surface and shall be graded and drained to dispose of all surface water.
- I. All loading and truck maneuvering shall be accommodated on-site or on a dedicated easement. Maneuvering in the public right-of-way is prohibited.
- J. Lighting for security purposes may be required, as determined by the city council. All lighting shall be shielded from adjacent residential areas.

Section 15-25 Personal care home

- A. All licensing and permitting shall be obtained from the State of Georgia.
- B. All rules and regulations of the State of Georgia shall be adhered to.

- C. The owner of the dwelling shall reside on the premises.
- D. The proposed facility shall not be located within 1,320 feet from any other property on which a personal care home is located.
- E. The occupants of all properties within 300 feet of the boundary of the lot where the personal care home is proposed shall be notified by the applicant, by certified mail, of the request to establish the proposed use. Proof of mailing shall be provided to the city zoning administrator.
- F. Monthly inspections shall be performed by the city to determine whether or not the facility is in compliance with these conditions and all applicable fire and safety rules.

Section 15-26 Petroleum tank farms

- A. Minimum lot size shall be 15 acres.
- B. The site shall have the required frontage on and direct access to an arterial street.
- C. An adequate separation zone shall be established between this use and surrounding industrial uses according to the city's fire code.
- D. The site shall be setback a minimum of 200 feet from any lot line in a residential district.
- E. The site shall be fully landscaped and screened, including a fence and a six foot berm around the perimeter of the site.
- F. As part of the application, an impact assessment shall be provided which shall assess the following:
 1. Effect of the proposed use on public utilities.
 2. Historic and archeological significance of the site and adjacent properties.
 3. Alteration of the character of the area by the proposed use.
 4. Effect of the proposed use on the city's tax base and adjacent property values.
 5. Compatibility of the proposed use with the existing topography, and topographic alterations required.
 6. Operating characteristics and standards of the proposed use.
 7. Proposed screening and other visual controls.
 8. Impact of the proposed use on current and projected traffic volumes.
 9. Existing soil conditions and groundwater levels.
 10. Safety controls and procedures to mitigate contamination.

Section 15-27 Power generating plants

The use shall conform to all applicable County of Fulton, State of Georgia and Federal regulations.

Section 15-28 Processing, storage, transfer, disposal or incineration of solid waste, hazardous waste or medical waste

- A. The use shall be located on a site of not less than 30 acres.
- B. All truck access to and from the site shall be from an arterial street.

- C. To ensure that the reasonable use of neighboring properties is not adversely affected and to reduce the potential for adverse health, odor or other environmental impacts, the proposed site shall abut the M-2 district on all sides and shall comply with the following separation distances:
 1. Two thousand six hundred forty (2,640) feet from any property occupied by a hospital, nursing home, senior housing project, or any facility designed for use by the physically infirm, or where large numbers of people congregate, such as recreation centers, parks or playgrounds, public meeting halls, places of religious worship, schools or libraries.
 2. Six hundred sixty (660) feet from any existing residential structure or any residential zoning district boundary.
 3. Additionally, the City shall determine that the proposed use shall not adversely affect nonconforming residential uses and that adequate separation is provided from existing industrial uses that may be particularly sensitive, such as food, beverage or drug processing facilities.
 4. The separation distances specified above may be reduced by not more than 50 percent upon a finding by the planning and zoning board and the city council that the distance is sufficient to prevent any occurrence of health or obnoxious odor problems or pollution of land, water courses or drainage systems.
- D. The minimum width and plant material requirements for greenbelts and landscape buffer zones for the site shall be increased by fifty percent (50%) above the basic greenbelts required in [Section 19-4](#).
- E. Environmental Controls
 1. All processing, treatment, recycling, transfer, unloading and storage shall be within a completely enclosed building or in approved storage tanks. The facility shall be constructed to enclose all equipment which generate significant levels of noise.
 2. All aggregate and bulk materials shall be stored in the building or in concrete bunkers or silos. The bunkers or silos shall be equipped to control fugitive dust and particles.
 3. The required site plan shall indicate that all motor vehicles, which have contained or been in contact with hazardous waste, recycled materials or sludge, shall be washed clean prior to leaving the site. The method and area for washing shall be specified on the site plan.
 4. The facility shall be equipped with an approved waste water recycling system to avoid contaminated water or liquids from being discharged to ground water, surface water or storm sewers. This shall include a wash-out, wash- down, and secondary containment system to recover and recycle impurities and other by-products processed from trucks, machinery products, supplies or waste.
 5. All surface areas involved in the loading, unloading, transfer or storage shall be constructed to prevent the runoff of any hazardous material to unpaved areas or non-designated drainage facilities. Potential waste shall be collected with a secondary containment system and processed or disposed of according to state or federal regulations. Any drainage of fluids shall be on a non-pervious platform so that all liquids will be contained and not discharge to the ground.
- F. All driveways, surface roads and storage areas on the premises shall be paved

with concrete or deep strength asphalt. Deceleration lanes shall be provided in accordance with the City of Palmetto's Engineering Standards. Acceleration or passing lanes may be required by the city engineer. The city council shall take into consideration vehicular turning movements in relation to traffic flow, proximity of curb cuts and intersections.

- G. All areas of the site which are not paved for parking, driveways, loading or operation shall be landscaped and maintained in accordance with [Article 19](#) of this Ordinance.
- H. The facility and all of its operations shall strictly comply with all applicable Fulton County, State of Georgia, federal and local statutes, regulations, rules, orders and ordinances. Systems shall be employed to contain and process all discharged materials from the facility in an environmentally sound manner.
- I. Plans and/or reports shall be filed with the Palmetto Fire Department, indicating the types of materials and where they are located on the site.
- J. All approvals by the city shall be conditioned and subject to the applicant securing all required approvals and permits, as defined by local, Fulton County, State of Georgia and federal statutes and regulations.
- K. The city council shall establish fees to pay its costs of administration and inspections of the site and facility to ensure that the development is being operated in compliance with the conditions of the special land use approval.

Section 15-29 Restaurant

A. Restaurant (alcohol and/or entertainment).

- 1. The primary business activity of the restaurant or cafe shall be the serving of meals. Provision of entertainment and the sale and consumption of alcohol shall be an incidental and subordinate business activity of the restaurant.
- 2. If a distinct or separate part of the establishment is designated or used primarily for the sale and consumption of alcohol, such as a lounge, that part shall not occupy more than one-third (1/3) of the total floor area of the establishment that is accessible to customers.
- 3. Outdoor seating may be permitted where it is determined that:
 - a. The location of the outdoor seating area will be appropriately screened, if necessary.
 - b. Outdoor seating capacity will be included in the computation of required parking.
 - c. An outdoor seating area shall be surrounded by a decorative fence or enclosure, at least four feet in height, with access only from within the building. A self-closing gate, which can only be opened from within the enclosure, shall be provided for emergency egress.
 - d. Hours of operation, noise, and/or lighting will not create nuisance effects upon surrounding properties.

B. Restaurant (drive-in or drive-through)

- 1. Sufficient vehicular stacking capacity for the drive-through portion of the operation shall be provided to ensure that traffic does not extend into the public

right-of-way. A minimum of ten stacking spaces for each service ordering station shall be provided. Stacking spaces shall be located so as not to interfere with vehicular circulation, parking spaces and egress from the property by vehicles not using the drive-through portion of the facility.

2. A minimum of three parking spaces shall be provided in close proximity to the exit of the drive-through portion of the operation, to allow for customers waiting for delivery of orders.
3. Public access to the site shall be located at least 100 feet from any intersection or other driveway on the same side of the street, as measured from the nearest right-of-way line to the nearest edge of said access; provided, that sites located within the Arterial Corridor Overlay District shall comply with all requirements of [Section 11-2](#).
4. Internal circulation and access to/egress from the site shall not substantially impair the movement of other modes of transportation, such as bicycles and pedestrians, to and through the site.
5. Devices for the transmission or broadcasting of voices or music shall be so directed or muffled as to prevent sound or music from being audible beyond the boundaries of the site.

Section 15-30 Salvage yards

- A. All vehicles, parts, material and equipment must be stored within enclosed buildings or within an area completely enclosed by a screening fence at least eight feet in height.
- B. The screening fence must be of such design as to completely obstruct vision. No chain link fence, with or without covering, shall be permitted.
- C. The screening fence shall be set back from all property lines in accordance with the minimum yard requirements of the zoning district.
- D. No materials shall be stacked higher than the screen fence.
- E. All materials shall be stockpiled in neat and orderly rows with adequate aisle space provided between rows to accommodate emergency vehicles and equipment.
- F. No storage area shall be located within 500 feet of a residential district or street adjacent to a residential district.

Section 15-31 Sanitary Landfill

- A. The landfill shall be located on a parcel of land of not less than 200 acres.
- B. All buildings, structures and equipment are to be removed upon the completion of the landfill operation.
- C. The parcel shall be enclosed by a fence six feet high that is of such construction that it provides a visual screen and contains windblown debris.
- D. No burning of waste material will be allowed without a permit from the Georgia Department of Natural Resources.
- E. Where the landfill borders on a public right-of-way or abuts a residential district, the minimum width and plant material requirements for greenbelts and landscape buffer zones for the site shall be increased by fifty percent (50%) above the basic

buffers and greenbelts required in [Sections 19-2](#) and [19-4](#).

- F. The application shall be accompanied by a remediation and redevelopment plan for the site. Once the landfill operation is completed, the land is to be graded to smooth contours suitable for other uses.
- G. An Environmental Impact Assessment shall be submitted as part of the application.
- H. The city council may impose any other regulations which it deems necessary to protect the safety, health, and general welfare of the people of the city and will have the authority to make any change or alterations in such plans and modify any requirements and regulations herein prescribed, provided they are in the best public interest and such that the property may be developed in a reasonable manner, but, in so doing, complying with other applicable provisions of this ordinance.
- I. The city council may require a performance guarantee in an amount necessary to ensure that requirements are fulfilled, subject to [Section 21-5](#).

Section 15-32 Self-storage facilities, indoor and outdoor

- A. The minimum size of the site shall be not less than four acres.
- B. All ingress and egress from the site shall be directly onto an arterial or collector street.
- C. No storage of combustible or flammable liquids, combustible fibers, or explosive materials, as defined in the fire prevention code, or toxic materials, shall be permitted within the self-storage buildings or upon the premises. However, storage of recreational vehicles containing fuel and other automotive fluids is permitted.
- D. The use of the premises shall be limited to storage of personal items and business items and shall not be used for operating any other business, maintaining or repairing vehicles or for any recreational activity or hobby.
- E. Limited retail sales of products and supplies incidental to the principal use, such as packing materials, packing labels, tape, rope, protective covers, locks and chains shall be permitted.
- F. The entire site shall be screened from view in accordance with the requirements of [Section 19-3](#).
- G. A security manager may be permitted to reside on the premises. A minimum of two parking spaces shall be provided for the dwelling unit and the requirements of [Article 17](#) shall be met.

Section 15-33 Sexually-Oriented Businesses

- A. **Intent.** In the development and execution of these zoning regulations, it is recognized that some uses, because of their very nature, may have serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances, thereby causing a deleterious effect upon the adjacent areas. The proximity of sexually oriented businesses to certain uses considered particularly susceptible to the negative impacts of the concentration of sexually oriented uses tends to erode the quality of life, adversely affect property values, disrupt business investment, encourage residents and businesses to move or avoid the community, increase crime, and contribute to a blighting effect on the surrounding area. There is convincing documented

evidence of the deleterious effect that sexually oriented businesses have on both existing businesses around them and the surrounding residential areas to which they be adjacent. Therefore, the following intents are served by these regulations:

1. This section describes the uses regulated and the specific standards necessary to ensure that the adverse effects of these uses will not contribute to the deterioration of the surrounding neighborhood, to prevent undesirable concentration of these uses, and to require sufficient spacing from uses considered most susceptible to negative impacts.
2. These provisions are not intended, nor shall they have the effect of, imposing a limitation or restriction on the content of any communicative materials including, but not limited to, sexually oriented materials that are protected by the First Amendment to the United States Constitution.
3. Additionally, it is not the intent of the provisions of this section, nor shall it have the effect of, restricting or denying access by adults to sexually oriented materials that are protected by said federal and state constitutions.
4. Further, it is not the intent of these provisions, nor shall they have the effect of, denying access by the distributors and exhibitors of sexually oriented entertainment to their target market.
5. These regulations shall not be interpreted as intending to legitimize any activities that are prohibited by federal or state law, or by any other ordinance of the City of Palmetto.

B. **Uses Regulated.** The following uses are regulated by this subsection and defined for purposes of regulating sexually oriented businesses:

1. Adult Arcade
2. Adult Book Store
3. Adult Cabaret
4. Adult Motel
5. Adult Motion Picture Theater

C. **Regulations.**

1. No sexually oriented business shall be permitted in a location in which any principal building or accessory structure, including signs, is within 1,320 feet of any principal building or accessory structure of another sexually oriented business.
2. No sexually oriented business shall be established on a parcel within 1,320 feet of any parcel in a residential district or any parcel used for a single- or multiple-family residence, public park, school, child care facility, church or similar place of worship, public library, city hall, police department or fire department, youth center, or commercially operated school attended by children such as, for example, dance schools, gymnastic centers, etc. The distance between a proposed sexually oriented business and any such zoned area or existing use shall be measured in a straight line from the nearest property line upon which the proposed sexually oriented business is to be located to the nearest property line of that zoned area or existing use.
3. Any sign or advertising for the sexually oriented business must comply with the provisions of this ordinance. No sign or advertising may include photographs, silhouettes, or drawings of any specified anatomical areas or specified sexual

- activities, or obscene representations of the human form and may not include animated or flashing illumination.
4. The entrances to the proposed sexually oriented business at both the exterior and interior walls, in a location visible to those entering and exiting the business, must be clearly marked with lettering at least two inches in height stating:
 5. "Persons under the age of 18 are not permitted to enter the premises;" and
 6. "No alcoholic beverages of any type are permitted within the premises."
 7. No product or service for sale or gift, or any picture or other representation of any product or service for sale or gift, shall be displayed so as to be visible by a person of normal visual acuity from the nearest adjoining roadway or a neighboring property.
 8. Hours of operation shall be limited to 9:00 a.m. to 11:00 p.m., Monday through Saturday.
 9. All off street and on-site parking areas shall comply with this ordinance, based on the primary use (i.e, retail, assembly, etc.) and shall additionally be illuminated at all times.
 10. Any booth, room or cubical available in any sexually oriented business that is used by patrons for the viewing of any entertainment shall:
 - a. Be unobstructed by any door, lock or other entrance and exit control device;
 - b. Have at least one side totally open to a public, lighted aisle so that there is an unobstructed view at all times from the adjoining aisle of any occupant;
 - c. Be illuminated such that a person of normal visual acuity looking into the booth, room or cubical from its entrance adjoining the public lighted aisle can clearly determine the number of people within;
 - d. Have no holes or openings in any side or rear wall not relating to utility, ventilation or temperature control services or otherwise required by any governmental code or authority.
- D. **Conditions of Approval.** Prior to granting approval for the establishment of any sexually oriented business, the city council may impose any conditions or limitations upon the establishment, location, construction, maintenance, or operation of the sexually oriented business which is necessary for the protection of the public interest. Any evidence, bond, or other performance guarantee may be required as proof that the conditions stipulated in connection therewith will be fulfilled.
- E. **Access to Minors.** No person operating a sexually oriented business shall permit any person under the age of 18 to be on the premises of the business as an employee, customer, or otherwise.

Section 15-34 Special Events Facility

- A. The Mayor and Council, upon application by the property owner and recommendation by the Planning and Zoning Board, shall issue a permit for a special event facility to any property owner satisfying the requirements of this section. Any special events facility permit issued under this section shall be issued to the owner of the property and shall not be transferrable. The special events facility permit shall apply only to the parcel or lot of property named in the application submitted by the property owner.

B. General Requirements.

1. The special events facility permit shall allow the use of property for certain special events that meet the requirements of this section. The permit shall become null and void if no events meeting the requirements of this section are held during any period of twelve (12) consecutive months after the issuance of the permit.
2. The property on which the special events are to be conducted shall be at least two (2) acres in size.
3. Parking shall be provided on the property or off-site at a ratio of one space per three guests invited to the special event. If any of the required parking will be provided off-site, written authorization from the owner of that property shall be required as part of the permit application.
4. The property that is the subject of the application shall be served by public highways and/or streets to adequately serve the traffic created by the use of the property for special events, and entrances to the property shall not create a traffic hazard. The property shall be served by public water and shall be served by adequate public safety, refuse disposal, and sewerage disposal.
5. Special events that are held pursuant to a special events facility permit shall end no later than 10:00 p.m. Sunday through Thursday or midnight Friday through Saturday. In addition, events that are held on the nights preceding holidays recognized by the City of Palmetto may extend as late as midnight.
6. All other applicable regulations and laws of the City of Palmetto, including but not limited to the City's noise ordinance, shall apply to any event held pursuant to this section.
7. At least fifteen (15) days prior to the meeting at which the Planning and Zoning Board hears the request, the applicant shall send, by certified mail, written notice to all property owners within 200 feet of the subject property line(s) of the date and time of the Planning and Zoning Board meeting and the purpose of the request. Proof of mailing and a list of names and addresses shall be provided by the applicant to the city clerk.
8. The Planning and Zoning Board may recommend and the Mayor and City Council may attach conditions intended to mitigate the potential impact on surrounding properties. Conditions may include, but are not limited to, event hours, valet parking, maximum number of guests, on-site security, noise levels, lighting, trash removal, and sanitary facilities.

C. Application Requirements.

The application submitted by the property owner shall include the following:

1. The name and address of the property owner(s);
2. An identification of the property that is the subject of the application;
3. A general description of the anticipated special events that will be held under the permit;
4. A sketch plan, drawn to scale, showing the property; the location of any buildings or structures on the property; location of parking facilities on- and off-site; the number of parking spaces to be accommodated in each location; the location of outdoor activities such as tents, band stands or picnic areas; the number and location of toilet facilities; and the location of all dwellings within

- 200 feet of the property;
5. Written authorization from the owners of any property used for off-site parking; and
 6. Any information necessary to show that all other requirements of this section have been met.

Section 15-35 Vehicle repair

A. Vehicle repair, major

1. All main and accessory structures shall be set back a minimum of 75 feet from a single-family residential district.
2. There shall be a minimum lot frontage of 100 feet on an arterial or collector street; and all access to the property shall be from that street.
3. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway. However, if the property is located within the Access Management Overlay District, the requirements of that district shall apply.
4. A raised curb of six inches in height shall be constructed along the perimeter of all paved and landscaped areas.
5. Overhead doors shall not face a public street or residential district. The city council can modify this requirement upon a determination that there is no reasonable alternative and the poor visual impact will be diminished through use of building materials, architectural features and landscaping.
6. Where applicable, vehicle queuing space shall be provided in front of each service bay for at least two vehicles.
7. All maintenance and repair work shall be conducted completely within an enclosed building.
8. There shall be no outdoor storage or display of vehicle components and parts, materials, commodities for sale, supplies or equipment.
9. Storage of wrecked, partially dismantled, or other derelict vehicles, or overnight parking of any vehicle except a tow truck shall be permitted up to 30 days in a designated area. Such area shall be appropriately screened from public view in accordance with the screening requirements of [Section 19-3](#).
10. If the use includes installation of oil or other automotive fluids except for fuel, the applicant shall submit a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent groundwater contamination caused by accidental spills or leakage of gasoline or other hazardous materials, such as special check valves, drain back catch basins, and automatic shut off valves, as approved by the City of Palmetto Fire Department and city engineer.

B. Vehicle repair, minor

1. A building or structure shall be located at least 40 feet from any side or rear lot line abutting a residential district.
2. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No

drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway. However, if the property is located within the Access Management Overlay District, the requirements of that district shall apply.

3. Equipment, including hydraulic hoists, pits, and lubrication, greasing, and other automobile repairing equipment shall be located entirely within an enclosed building. Outdoor storage or display of merchandise, such as tires, lubricants and other accessory equipment is not permitted.
4. Storage of wrecked, partially dismantled, or other derelict vehicles, or overnight parking of any vehicle except a tow truck shall be permitted only in a designated area. Such area shall be appropriately screened from public view in accordance with the requirements of [Section 19-3](#).
5. All activities shall occur inside a building. No vehicle may be stored on the property for more than 30 days.
6. Storage of gasoline, liquefied petroleum gas, oil or other flammable liquids or gas above ground shall not be permitted.
7. Floor drains shall not connect to the sanitary sewer system.
8. There shall be a minimum lot frontage of 75 feet on an arterial or collector street; and all access to the property shall be from that street.
9. If the use includes installation of oil or other automotive fluids except for fuel, the applicant shall submit a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent groundwater contamination caused by accidental spills or leakage of gasoline or other hazardous materials, such as special check valves, drain back catch basins, and automatic shut off valves, as approved by the City of Palmetto Fire Department and city engineer.
10. If the use includes fuel sales, the requirements for a vehicle service station shall also be met.

Section 15-36 Vehicle service stations

- A. There shall be a minimum lot area of one acre and minimum lot width of 150 feet on an arterial street.
- B. Only one driveway shall be permitted from each street, unless the city council determines additional driveways will be necessary to ensure safe and efficient access to the site. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway. However, if the property is located within the Access Management Overlay District, the requirements of that district shall apply.
- C. Pump islands shall be a minimum of 30 feet from any public right-of-way or lot line. Tanks, propane, and petroleum products shall be set back at least 15 feet from any lot line.
- D. Overhead canopies shall be setback at least 20 feet from the right-of-way and constructed of materials consistent with the principal building. The proposed clearance of any canopy shall be noted on the site plan. All signs, logos, or identifying paint scheme shall be in accordance with the [Palmetto Sign Ordinance](#). The canopy shall not exceed 18 feet in height. Lighting in the canopy shall be

- recessed, fully shielded, and directed downward to prevent off-site glare.
- E. The intensity of lighting within a site shall meet the requirements of [Section 18-4](#).
 - F. If the use includes installation of oil or other automotive fluids except for fuel, the applicant shall submit a Pollution Incidence Protection Plan (PIPP). The PIPP shall describe measures to prevent groundwater contamination caused by accidental spills or leakage of gasoline or other hazardous materials, such as special check valves, drain back catch basins, and automatic shut off valves, as approved by the City of Palmetto Fire Department and city engineer.
 - G. In the event that a gasoline station use has been abandoned or terminated for a period of more than 12 months, all underground gasoline storage tanks shall be removed from the premises, in accordance with State requirements.
 - H. A vehicle service station may be combined with other uses, such as convenience store, vehicle wash, and/or restaurants; provided all requirements, including parking, are met for each use and the most restrictive requirements applicable to any single use shall apply.

Section 15-37 Vehicle wash facilities

- A. All washing activities must occur inside a building.
- B. The building exit for washed vehicles must be at least 75 feet from the entrance drive that accesses the site.
- C. Required stacking spaces for waiting vehicles shall not be located within a public or private right-of-way and shall not conflict with maneuvering areas, parking spaces and other activities. Stacking lanes shall be designed to prevent vehicle queues from extending beyond the property.
- D. Wastewater must be recycled, filtered or otherwise cleansed to minimize discharge of soap, wax and solid matter into public sewers.
- E. Only one driveway shall be permitted from any street, unless the city council determines additional driveways will be necessary to ensure safe and efficient access to the site. Driveways or curb openings shall be located at least 100 feet from any intersection and 50 feet from any adjacent residential district boundary line. No drive shall be located nearer than 75 feet, as measured along the property line, to any other driveway. However, if the property is located within the Access Management Overlay District, the requirements of that district shall apply.
- F. For automated drive-through wash facilities, a by-pass lane is required that allows by-passing waiting vehicles.
- G. Overhead doors shall not face a street, except as approved by the city council in these circumstances:
 1. When the doors of a through-garage are located at the front and rear of a building; or
 2. When a garage is located on a corner or through lot; or
 3. When determined that a rear garage door would negatively affect an abutting residential use or district.
- H. A vehicle wash facility building and any accessory buildings and uses, including vacuums, shall be located at least 100 feet from a street right-of-way line and any

residential district boundary.

- I. The property owner or operator must comply with all city noise regulations. Air handling equipment shall be located on a roof, be equipped with intervening noise reduction baffles, be in proper working condition and must also comply with this provision.

Section 15-38 Veterinary hospitals

- A. Buildings within which animals are kept, dog runs, and/or exercise areas shall be set back a minimum of 100 feet from any residential district boundary. No dog runs or animal exercise areas shall be located in a front yard or in any required rear or side yard.

Section 15-39 Wind energy conversion systems

- A. Wind energy conversion systems (single accessory WECS). Where a single accessory wind energy conversion system requires a special use, it shall be evaluated subject to the conditional use requirements of [Section 14-30](#).
- B. Wind energy conversion systems (commercial WECS):
 - 1. **Number.** The permitted number of commercial WECS on a lot shall be limited by the setback and spacing requirements of this section.
 - 2. **Height.** The height of a WECS shall be subject to the placement and required setback provisions of this section; however, the permitted maximum total height of a WECS shall be 250 feet (with the blade in the vertical position). The height shall further be limited by restrictions that may be imposed by the Federal Aeronautics Administration (FAA). The WECS shall not be located and erected to a height that would exceed the height limits imposed by the approach, transitional, horizontal or conical zones of any airport airspace.
 - 3. **Setback.** All commercial WECS towers shall be set back a distance at least equal to one and a half (1 ½) times the WECS height from all property lines forming the perimeter boundary of the contiguous project area, measured to the base of the tower. In addition, no commercial WECS shall be closer than 1,000 feet to any principal structure in a residential zoning district.
 - 4. **Rotor Clearance.** The minimum blade or rotor clearance from the ground shall be 20 feet for a horizontal-axis WECS and ten feet for a vertical-axis WECS. The minimum blade or rotor clearance from a building, tree or utility line shall be 75 feet.
 - 5. **Spacing.** The minimum distance between two commercial WECS shall be equal to the combined height of both WECS.
 - 6. **Tower.** All commercial WECS shall be constructed with a tubular tower. Lattice towers and guy wires shall be prohibited.
 - 7. **Climbing Devices.** All commercial WECS shall be designed to prevent unauthorized access.
 - 8. **Color.** A commercial WECS shall be painted a non-obtrusive light color such as white, beige or light gray that is non-reflective. No striping or contrasting color shall be visible on the blades or tower.
 - 9. **Lighting.** There shall be no lighting on or directed to the WECS, unless a beacon

- is required by the FAA. The site plan and special use application shall include specification of any required lighting.
10. **Electrical Distribution Lines.** All distribution lines from the commercial WECS to any building and/or the electrical grid connection shall be underground. The generator and all other electrical equipment, and controls shall be enclosed within the nacelle, pole or within a building.
 11. **Sign.** There shall be no signs on the WECS other than the name of the manufacturer and applicable safety information. If the facility is fenced, safety information signs shall be placed on the fence.
 12. **Braking Systems.** An accessory WECS shall have an automatic braking, governing, or feathering system to prevent uncontrolled rotation or over speeding. Emergency shut-off information shall be in a location easily accessible and viewable.
 13. **Noise.** Noise emissions from the operation of a WECS shall not exceed 60 decibels on the dBA scale, as measured at the nearest property line or street; however, at any property line adjoining a residential zoning district, noise emissions shall not exceed 45 dBA. Manufacturer's specifications indicating the operating noise levels of the WECS at full RPM shall be provided with the application. The zoning administrator may require the owner to pay for a sound evaluation by a qualified professional following installation to determine compliance with the requirements of this section.
 14. **Electromagnetic Interference.** WECS shall be designed, constructed and operated so as not to cause electromagnetic interference. In the event that electromagnetic interference is experienced, the applicant must provide alternate service to each individual resident or property owner affected.
 15. **Applications.** All applications for special use approval shall be accompanied by the following information, in addition to the special use application required by [Section 15-3](#).
 - a. Location and height of all existing and proposed buildings, structures, electrical lines, towers, security fencing, and other above ground structures associated with the WECS.
 - b. Locations and height of all adjacent buildings, structures, and above ground utilities located within 300 feet of the exterior boundaries of the lot or parcel where the proposed WECS will be located; and any residential dwelling in a residential zoning district within 1,000 feet from the property in question. Specific distances to other on-site buildings, structures, and utilities shall also be provided.
 - c. The location of all existing and proposed overhead and underground electrical transmission or distribution lines shall be shown.
 - d. Existing and proposed setbacks and separation distances for the WECS from all structures located on the property where the WECS will be located.
 - e. The site plan submittal shall contain a written description of the procedures to be used to maintain the WECS. The description shall include maintenance schedules, types of maintenance to be performed, and removal procedures and schedules in the event the WECS becomes obsolete or is abandoned.
 - f. A copy of the manufacturer's installation instructions and blueprints shall be

provided to the city, with sufficient information to show that the requirements of this subsection are met.

- g. Drawings and engineering calculations shall be certified by a registered engineer licensed in the State of Georgia.
- h. A noise modeling and analysis report showing noise levels at property lines at full RPM.
- i. A shadow flicker analysis shall be prepared. The analysis shall identify the locations of shadow flicker that may be caused by the WECS blade rotation and the expected durations of the flicker at these locations from sun-rise to sun-set over the course of a year. The analysis shall identify problem areas where shadow flicker may affect residents, livestock and traffic. The analysis shall also show measures that shall be taken to eliminate or mitigate the problems.

16. **Maintenance.** All commercial WECS must be kept and maintained in good repair and condition at all times. If a commercial WECS is not maintained in operational and reasonable condition or poses a potential safety hazard or nuisance, the applicant shall take expeditious action to correct the situation. The applicant shall keep a maintenance log on each WECS, which the City can review on a monthly basis or as needed.

17. **Abandonment.** Any commercial WECS not used for 12 successive months or longer shall be deemed to be abandoned and shall be promptly dismantled and removed from the property at the applicant's sole cost and expense. All above and below ground materials must be removed. The ground must be restored to its original condition within 60 days of removal.

18. **Transportation.** Any public roads that will be used for transporting WECS equipment shall be identified with the application. The Fulton County Department of Public Works and the City of Palmetto Police Department shall approve the proposed routes on any public road. Any road damage caused by the transportation of WECS equipment shall be repaired to the satisfaction of the jurisdiction in which the damaged road is located. A performance guarantee for road repair shall be required in accordance with the provisions of [Section 21-5](#).

19. **Performance Guarantee.** The applicant shall furnish a performance guarantee to the city in order to ensure full compliance with this subsection and any conditions of approval. At a minimum, the performance guarantee shall be in an amount determined by the city to be sufficient to have the commercial WECS fully removed and the land returned to its original state should the structure or structures become abandoned, dangerous or obsolete, or not in compliance with this ordinance or the special use approval. The performance guarantee shall be kept in full force and effect during the entire time while a commercial WECS exists.

Section 15-40 Wireless communication facilities and towers

A. **Required Approvals:** The placement of wireless communications facilities and towers shall meet the following approval requirements:

- 1. Installation of New Antenna: The installation of new antenna(s) on existing towers, including legal non-conforming towers, and existing alternative structures (such

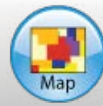
as water towers, buildings, or church steeples) may be approved by the zoning administrator subject to all requirements of this section. Any new antenna that will add either ten percent or 25 feet, whichever is less, above the highest point of any existing tower or alternative structure shall be subject to the provisions of this Chapter for the installation of new towers as described below.

2. **Installation of a New Tower:** The installation of any new tower(s) shall be reviewed as a special use by the planning and zoning board and the city council.
 3. **Installation of New Accessory Structures:** The installation of new accessory structure(s), such as equipment buildings, to support the installation of additional antennas on existing towers or alternative structures may be approved by the zoning administrator.
- B. **Removal:** Any tower unused or left abandoned for 12 consecutive months shall be removed by the property owner at his/her expense. Regardless of the tower ownership, the property owner shall be responsible for removal. Upon the request of the zoning administrator, the operator of any facility to which this article applies shall provide documentation of the use of that facility for the purpose of verifying any abandonment.
- C. **Interference with Public Safety Facilities:** No new wireless communications facilities or tower shall result in any interference with public safety telecommunications.
- D. **Required Documentation for all Facilities:** In addition to the requirements provided in [Section 15-3](#) for the receipt of special use approval and/or a zoning compliance permit, applications for new towers, new antenna, and new related facilities shall include the following. Where the equipment is mounted on an existing building, the comparable information for that structure shall be provided.
1. **Engineer's Report:** A report from a professional engineer licensed in the State of Georgia that:
 - a. Describes the height and design of any new tower and/or antenna including a cross-section, latitude, longitude, and elevation;
 - b. Describes or updates (in the case of new antenna) the tower's capacity, including the type and number of antenna it can accommodate;
 - c. Certifies compliance of the construction specifications with all applicable building codes (including but not limited to, the foundation for the tower, anchors for the guy wires if used, co-location, and strength requirements for natural forces; ice, wind, earth movements, etc.);
 - d. Certifies that the facility will not interfere with established public safety telecommunication facilities; and
 - e. Includes the engineer's seal and registration number.
 2. **Letter of Intent:** A letter of intent committing the tower owner, property owner, antenna owners, and their successors to allow the shared use of the tower.
 3. **Proof of Compliance:** Copies of any required approvals from the Federal Communications Commission (FCC), Federal Aviation Administration (FAA) and all other appropriate state and federal agencies.
 4. **Removal Affidavit:** A letter committing all parties, including the property owner and his/her successors, to remove the tower and all related accessory structures, fences, landscaping, and equipment if the tower is abandoned (unused for a

period of 12 consecutive months). The removal affidavit shall be recorded in the Office of the Fulton County Clerk of Superior Court, with a copy of the recorded affidavit provided to the zoning administrator.

- E. **Determination of New Tower Need:** Any proposal for a new telecommunications tower shall only be approved if the applicant submits verification from a professional engineer licensed in the State of Georgia that the antenna(s) planned for the proposed tower cannot be accommodated on any existing or approved towers or other structures within a two mile radius of the proposed tower location due to one or more of the following reasons:
 - 1. Inadequate Structural Capacity: The antenna(s) would exceed the structural capacity of the existing or approved tower or other structure.
 - 2. Interference: The antennas would cause interference impacting the usability of other existing or planned equipment at the tower site.
 - 3. Inadequate Height: The existing or approved towers or structures within the search radius cannot accommodate the planned equipment at the height necessary.
 - 4. Land Availability: Additional land area is not available (when necessary).
- F. **Design Requirements for new Towers and Related Facilities:** All telecommunications facilities shall meet the following design requirements:
 - 1. Lighting: Tower lighting shall only be as required for safety or security reasons or as required by the FAA or other federal or state authority. All ground level security lighting shall be oriented inward so as not to project onto surrounding properties, and shall have 90 degree cut-off luminaries (shielded downlighting).
 - 2. Co-location: All telecommunication towers shall be designed, and engineered structurally, electrically and in all other respects to accommodate both the applicant's equipment and at least one additional user for every 50 feet in total tower height in excess of 75 feet.
 - a. Each additional user shall be assumed to have an antenna loading equal to that of the initial user.
 - b. Towers must be designed to allow for rearrangement of antennas and to accept antennas mounted at varying heights.
 - 1. Height: All towers and antenna shall conform to all FAA tall structure requirements. The maximum height of all accessory structures shall be 15 feet.
 - 2. Signs: Signs for all telecommunications facilities shall be permitted up to a total of four square feet per user.
- G. **Site Requirements for new Towers and Related Facilities:** All telecommunications facilities shall meet the following site requirements:
 - 1. **Vehicular Access:** Vehicle access drives may be gravel or paved and shall be located within an access easement that is a minimum of 20 feet in width. Any portion of the entrance located in a public right-of-way shall meet the applicable public street or road design, construction, and pavement requirements.
 - 2. **Site Area:** The lot (or lease area) where the tower is located shall be large enough to accommodate all future anticipated accessory structures needed by

- future antenna users. The size of the site shall also be of sufficient area to allow the location of one additional tower and associated support facilities.
- a. The arrangement of the initial tower and the topography of the site shall be considered in determining the sufficiency of the site area.
 - b. At a minimum, the width and depth of the tower site shall be a distance equal to the tower height. The tower shall be placed within the property so that it is no closer to any lot line than one-half (1/2) the tower height.
 - c. All tower supporting and stabilizing wires shall be located within the site area.
3. **Setback:** The required setbacks for the tower and related facilities shall be as follows:
- a. **Side and Rear Setback:** The minimum side and rear setback for all facilities, including the security fence, shall be 25 feet.
 - b. **Front Setback:** The minimum front setback for all facilities shall be as specified by this ordinance for the zoning district in which it is located. No part of a wireless telecommunications facility, including the security fence, and any required guide wires or bracing shall be permitted in any required front setback.
 - c. **Additional Setback from Residential Zoning Districts:** No facility shall be placed closer than one and one-half (1 ½) times the total height of the tower or 200 feet to any property included in any residential zoning district, whichever is greater.
 - d. **Additional Landscaping:** Landscape screening in addition to the requirements of this chapter may be provided in the setback area.
4. **Encroachment:** No part of any telecommunications facility nor associated lines, cables, equipment, wires or braces shall at any time extend across or over any part of a public right-of-way, sidewalk, or property line.
5. **Fencing:** An eight foot high security fence shall completely surround the tower and accessory equipment building site. Barbed wire, concertina wire or sharpened stakes shall be at least six feet above grade.
- a. An area ten feet in width shall remain outside of the fence for the purpose of providing the landscape screening described in subsection H, below.
 - b. In the Single Family and Multiple Family zoning districts the required security fence enclosing the facility shall be 100% opaque and of wood, brick, or stone construction. Opaque, eight foot tall gates shall be provided for access. In no instance shall the use of chain link fencing or gates with screening inserts be considered as opaque.
- H. **Landscape Screening:** Evergreen buffer plantings shall be located and maintained around the outermost perimeter of the security fence of all wireless communications facilities. The landscape plan for the site shall provide plants in a number and design to provide a screen of the fence, all equipment and the base of the tower, as determined by the planning and zoning board and the city council.
- a. If evergreen shrubs are used they shall be planted a maximum of five feet apart on center.
 - b. If evergreen trees are used they shall be planted a maximum of ten feet apart on center.



Article 16

Reserved





Article 17

Parking and Loading



Section 17-1 Off-Street Parking Requirements

- A. **Applicability of Parking Requirements.** For all buildings and uses established after the effective date of this Ordinance, off-street parking shall be provided as required by this article.
1. Whenever use of a building or lot is changed to another classification of use, off-street parking facilities shall be provided, as required by this article.
 2. If the intensity of use of any building or lot is increased, through the addition of floor area, increase in seating capacity, number of employees or other means, additional off-street parking shall be provided for such increase in intensity of use, as required by this article.
 3. Off-street parking facilities in existence on the effective date of this Ordinance shall not be reduced below the requirements of this article, nor shall nonconforming parking facilities that exist as of the effective date of this ordinance be further reduced or made more nonconforming.
 4. An area designated as required off-street parking shall not be changed to another use, unless equal facilities are provided elsewhere in accordance with the provisions of this article.
- B. **Location.** Off-street parking facilities required for all uses other than single and two-family dwellings shall be located on the lot or within 300 feet of the building(s) or use they are intended to serve, as measured along lines of public access from the nearest point of the parking facility to the building(s) or use served. Off-street parking facilities required for single-and two-family dwellings shall be located on the same lot or plot of ground as the building they are intended to serve, and shall consist of a parking strip, parking apron, and/or garage. All residential driveways shall meet city engineering standards. In the C-2 district parking facilities shall be located within 600 feet of the building or use to be served.
- C. **Shared/Common Parking.**
1. Two (2) or more buildings or uses may use a common parking facility provided that the number of parking spaces provided is equal to the required number of spaces for all the uses computed separately. Cumulative parking requirements for mixed-use developments or shared facilities may be reduced by the planning and zoning board where it can be determined that one or more of the factors listed in subsection D. below apply.
 2. Parking facilities for a church or place of worship may be used to meet not more than 50 percent of the off-street parking for theaters, stadiums and other places of public assembly, stores, office buildings and industrial establishments lying within 500feet of a church or place of worship, as measured along lines of public access, provided that the other uses are not normally operating between the hours of 6:00 a.m. and 6:00 p.m. on Sundays and that the church or place of worship makes the spaces available.
- D. **Modification of Parking Requirements.** The reviewing authority may reduce the parking space requirements of this article for any use, based upon one or more of the following conditions:
1. Shared parking by multiple uses where there will be a high proportion of multipurpose visits or uses having peak parking demands during differing times of

the day or days of the week and meeting the following requirements:

- a. Pedestrian connections shall be maintained between the uses.
 - b. For separate lots, shared parking shall be adjacent to each other, with pedestrian and vehicular connections maintained between the lots.
 - c. Unless the multiple uses all are within a unified business center, office park or industrial park all under the same ownership, shared parking agreements shall be filed with the city clerk after approval by the zoning administrator.
2. Convenient municipal off-street parking or on-street spaces are located adjacent to the subject property.
 3. Expectation of walk-in trade is reasonable due to sidewalk connections to adjacent residential neighborhoods or employment centers. To allow for a parking space reduction, the site design shall incorporate pedestrian connections to the site and on-site pedestrian circulation, providing safe and convenient access to the building entrance.
 4. Other forms of travel such as transit are available. In allowing a parking space reduction, the reviewing authority may require that the site design incorporate transit stops, pedestrian connections to nearby transit stops, or bicycle parking facilities.
 5. Where the applicant has provided a parking study, conducted by a qualified traffic engineer, demonstrating that another standard would be more appropriate based on actual number of employees, expected level of customer traffic, or actual counts at a similar establishment.
 6. The reviewing authority may require a parking study to document that any one or more of the criteria 1. through 4. above would be met.

E. Deferred Parking.

1. Where a reduction in the number of parking spaces is not warranted, but an applicant demonstrates that the parking requirements for a proposed use would be excessive, the city council may defer some of the required parking. The site plan shall designate portions of the site for future construction of the required parking spaces, meeting the design and dimensional requirements of this article. Any area so designated shall be maintained in a landscaped appearance and not occupy required greenbelts, or parking lot setbacks, or be used for any other purpose. Landscaping, such as parking lot trees, that would otherwise be required for the deferred spaces shall be installed within the deferred parking area.
2. The deferred parking shall be required to meet ordinance requirements, if constructed. Construction of the additional parking spaces within the deferred parking area may be initiated by the owner or required by the city, based on parking needs or observation, and shall require administrative approval of an amended site plan.

F. Required Off-Street Parking Spaces. The minimum number of required off-street parking spaces shall be provided and maintained on the premises or as otherwise allowed by this article, on the basis of the following schedule. As a condition of approval, the city council may require that a performance guarantee be posted, in accordance with the provisions of [Section 21-5](#).

1. When units or measurements determining the number of required parking spaces result in a fraction over one-half, a full parking space shall be required.
2. In the case of a use not specifically mentioned, the requirement for off-street parking facilities for a specified use which is most similar, as determined by the zoning administrator, shall apply.
3. Each 24 inches of bench, pew, or similar seating facilities shall be counted as one seat, except if specifications and plans filed with the building department specify a maximum seating capacity, that number may be used as the basis for required parking spaces.
4. Unless otherwise indicated, floor area shall be usable floor area (UFA) as defined in [Article 24](#).
5. Where parking requirements are based upon maximum seating or occupancy capacity, the capacity shall be as determined by the building code and fire code.
6. In order to minimize excessive areas of pavement that detract from aesthetics and contribute to high rates of storm water runoff, the minimum parking space requirements of this section shall not be exceeded by more than ten percent, unless approved by the planning and zoning board as part of site plan review. In approving additional parking space, the planning and zoning board shall determine that the parking is necessary, based on documented evidence, to accommodate the use on a typical day.

Table 17-1 Parking Requirements by Use

Use	Number of Parking Spaces
Residential Uses	
Single- family and two-family dwellings	2 spaces per dwelling unit.
Multiple-family residential dwellings	2 spaces per dwelling unit, plus 1 guest parking space for every 4 units, which may be met through on-street parking.
Senior apartments and senior independent living	1.5 spaces per unit, and 1 space per employee. Should units revert to general occupancy, the requirements for multiple family residential dwellings shall apply
Manufactured home parks	2 per manufactured home plus 1 per employee of the manufactured home park. No motorized recreational vehicles shall be parked on individual home sites.
Boarding or rooming house.	1 space per 2 beds, plus 2 additional spaces for owner or employees.
Bed and breakfast	2 for the owner/operator and 1 per leasable room.
Institutional Uses	
Auditoriums, assembly halls, meeting rooms, theaters, and similar places of assembly	1 space per 3 seats, based on maximum seating capacity in the main place of assembly therein, as established by the city fire and building codes
Child day care centers, nursery schools, and day nurseries; adult day care centers	1 per 350 sq. ft. of UFA, plus 1 per employee. Sufficient area shall be designated for drop-off of children or adults in a safe manner that will not result in traffic disruptions

Table 17-1 Parking Requirements by Use

Use	Number of Parking Spaces	
Elementary and middle schools	1 per teacher, employee, or administrator, in addition to the requirements for places of assembly such as auditorium, gymnasium, or stadium	
Nursing and convalescent homes	2 per 3 beds or occupants and 1 space per staff member or employee on the largest shift.	
Hospitals and similar facilities for human care	1 per 2 beds, plus 1 per employee on the largest shift.	
Public buildings such as government offices, libraries, and museums	1 space per 300 sq. ft. of UFA plus 1 space per person working on the premises.	
Churches and customary related uses	1 for every 3 seats in the main place of assembly or 1 for every 6 feet of pew or bench.	
High schools; colleges and universities; business, trade, technical, vocational, or industrial schools; performing and fine arts schools	1 per teacher, employee, or administrator, and 1 for every 10 students, in addition to the requirements for places of assembly such as auditorium, gymnasium, or stadium.	
Retail Uses		
Retail stores except as otherwise specified herein	1 for every 250 sq. ft. of UFA.	
Multi-tenant shopping centers	with 60,000 square feet or less of retail	1 for every 250 sq. ft. of retail UFA.
	with over 60,000 square feet of retail	1 for every 220 sq. ft. of retail UFA.
	with restaurants	If more than 20% of the shopping center's floor area is occupied by restaurants or entertainment uses, parking requirements for these uses shall be calculated separately. Where the amount of restaurant space is unknown, it shall be calculated at 20%.
Agricultural sales, greenhouses and nurseries or roadside stands	1 per employee plus 1 per 100 sq. ft of actual permanent or temporary area devoted primarily to sales.	
Animal grooming, training, day care, and boarding	1 for every 300 sq. ft. of UFA.	
Flea markets	1 for every 150 sq. ft of lot area used for sales or display.	
Furniture and appliance, household equipment, show-room of a plumber, decorator, electrician, hardware, wholesale and repair shop, or other similar uses	1 for every 800 sq. ft of net UFA plus 1 additional space per employee.	
Grocery store/supermarket	1 for every 200 sq. ft of UFA.	
Home improvement centers	1 for every 300 sq. ft of UFA.	
Open air businesses, except as otherwise specified herein	1 for every 500 sq. ft of lot area for retail sales, uses, and services.	

Table 17-1 Parking Requirements by Use

Use		Number of Parking Spaces
Vehicle dealerships, including automobiles, RV's, motorcycles, snowmobiles, ATV's and boats		1 for every 300 sq. ft of floor space of sales room and 1 per automobile service stall, plus 1 per employee
Video rental establishments		1 per 250 sq. ft of UFA
Service Uses		
Motor vehicle service stations (gas stations and truck stops)		1 per employee, plus additional parking required for other uses within an automobile service station, such as the retail floor area, restaurants or vehicle repair stalls. Each automobile fueling position shall count as one quarter 1/4 of a required space for the spaces required for other uses within an automobile service station.
Vehicle repair establishment, major or minor		2 per service stall, plus 1 per employee.
Vehicle quick oil change		2 stacking spaces per service stall, rack or pit plus 1 per employee.
Vehicle wash	Self-service (coin operated)	4 spaces plus 4 stacking spaces for every washing stall.
	Full-service	4 spaces, plus 1 per employee. 15 stacking spaces for every washing stall or line, plus a minimum 30 foot long drying lane to prevent water from collecting on street.
Banks and other financial institutions		1 per 200 sq. ft of UFA for the public, plus 3 per walkup ATM. Drive-up windows/drive-up ATMs shall be provided with 4 stacking spaces per window or drive-up ATM.
Beauty parlor or barber shop		3 parking spaces per chair/station.
Dry cleaners		1 per 500 sq. ft of UFA
Laundromats		1 per 2 combinations of washer-dryer machines plus 1 space per employee.
Mortuary establishment, funeral home		1 for every 50 sq. ft. of assembly room or parlor floor space.
Motel, hotel or other commercial lodging establishment		0.75 per unit, plus 1 per employee. In addition, spaces required for ancillary uses such as lounges, restaurants or places of assembly shall be provided and determined on the basis of the individual requirements for that use.
Restaurants, Bars and Clubs		
Standard sit-down restaurants with liquor license		1 per 75 sq. ft. of UFA.
Standard sit-down restaurants without liquor license		1 per 100 sq. ft. of UFA.
Carry-out restaurant (with no or limited seating for eating on premises)		6 per service or counter station, plus 1 per employee.
Open front restaurant/ice cream stand		6 spaces, plus 1 per employee and 1 per 4 seats.

Table 17-1 Parking Requirements by Use

Use	Number of Parking Spaces
Drive-through restaurant	1 for every 2 employees plus 1 for every 2 seats intended for patrons within the building, plus 1 for every 30 sq. ft. of building floor area within the waiting area, plus 10 stacking spaces per food pickup window.
Bars, lounges, taverns, nightclubs (majority of sales consist of alcoholic beverages)	1 per 75 sq. ft. of UFA.
Private clubs, lodge halls, or banquet halls	1 for every 3 persons allowed within the maximum occupancy load as established by the City fire and building codes.
Recreation	
Athletic clubs, exercise establishments, health studios, sauna baths, martial art schools and other similar uses	1 per 3 persons allowed within the maximum occupancy load as established by City fire and building codes, plus 1 per employee. In those instances where memberships are provided, not less than 1 per each 5 memberships shall be provided plus 1 per employee, or 1 per 2 clothing lockers plus 1 per employee, whichever is the larger.
Billiard parlors	1 per 3 persons allowed within the maximum occupancy load as established by City building and fire codes or 1 per 300 square feet of gross floor area, whichever is greater.
Bowling alleys	8 per bowling lane plus additional for accessory uses such as bars.
Indoor recreation establishments including gymnasiums, tennis courts and handball, roller or ice-skating rinks, exhibition halls, dance halls, and banquet halls	1 space for every 3 persons allowed within the maximum occupancy load as established by the City fire and building codes.
Golf courses open to the public, excepting miniature or "par-3"	6 per 1 golf hole plus 1 per employee plus additional for any bar or restaurant.
Miniature or "par-3" courses	3 per 1 hole plus 1 per employee.
Stadium, sports arenas, sports fields (ball diamonds, soccer fields, etc.) or similar place of outdoor assembly	1 for every 3 seats or 1 for every 6 feet of bench, plus 1 per employee. For fields without spectator seating, there shall be a minimum of 30 spaces per field.
Offices	
Business offices, post offices or professional offices of lawyers, architects or similar professionals	1 for every 250 sq. ft. of UFA, but no less than 5 parking spaces.
Medical offices of doctors, dentists, veterinarians or similar professions	1 for every 200 sq. ft. of UFA.
Industrial Uses	

Table 17-1 Parking Requirements by Use

Use	Number of Parking Spaces
Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing, plumbing or electrical work-shops	1 for every 1½ employees or 550 sq. ft. of UFA, whichever is greater.
Warehouses and storage buildings	1 per employee computed on the basis of the greatest number of persons employed at any one time during the day or night, or 1 for every 1,500 square feet of UFA, whichever is greater.
Mini warehouses/self storage	Unobstructed parking area equal to 1 for every 10 door openings, plus parking for other uses on site such as truck rental.
Truck terminal	1 per employee plus 2 truck spaces of 10 by 70 feet per truck berth or docking space.
Air freight forwarders/distribution facilities	1 per employee.

Section 17-2 Off-Street Parking Facility Design

A. Off-Street Parking Location and Setbacks.

1. **Setback.** Off street parking lots shall meet the setback requirements applicable to parking, as specified in the zoning district or the standards for the use.
2. **Front Yard Limitation.** In the R-5, R-6 and C-3 districts, the required front yard setback shall not be used for off-street parking, loading or unloading, and shall remain open, unoccupied and unobstructed except for landscaping or vehicle access drives.

B. Parking Construction and Development.

The construction of any parking lot shall require approval of a site plan, in accordance with [Article 20 Construction](#) shall be completed and approved by the building department and the city engineer before actual use of the parking lot.

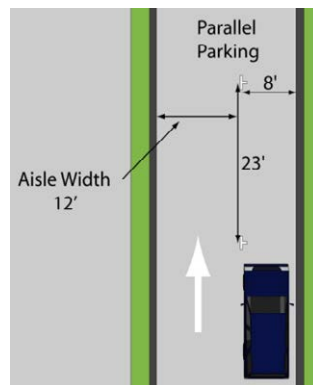
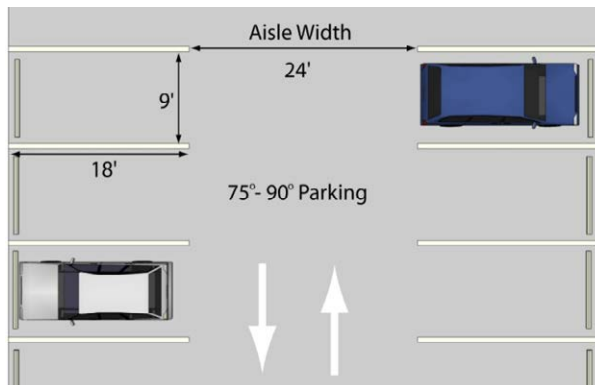
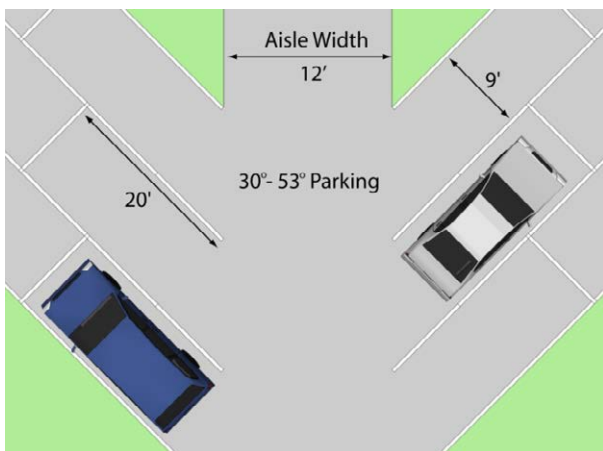
1. **Pavement.** All parking lots and vehicle and equipment storage areas shall be paved with an asphalt or concrete binder, and shall be graded and drained so as to dispose of surface water which might accumulate. The planning and zoning board may approve alternative paving materials, such as permeable/grass pavers, for all or a portion of the parking areas, based upon the review and recommendation of the city engineer. For storage areas, the planning and zoning board may approve a substitute for hard-surfaced pavement upon a determination that there are no adverse effects on adjoining properties.
2. **Drainage.** Surface water from parking areas shall be detained on site in accordance with the city engineering standards.
3. **Dimensions.** Parking space and aisle dimensions shall meet the applicable requirements specified in Table 17-2.
 - a. Angled parking between these ranges shall be to the nearest degree.
 - b. Space length may be reduced by up to two feet if an unobstructed

overhang, such as a landscaped area or sidewalk, of not less than two feet is provided. A sidewalk shall have a minimum width of seven feet where abutting a parking area. There shall be a minimum of seven feet between the parking lot curb and building. Where curbing does not exist, bumper blocks shall be provided to protect pedestrian space adjacent to the building.

- c. All parking lots shall be striped and maintained showing individual parking bays, in accordance with the following dimensions:

Table 17-2 Dimensional Requirements (feet)

Parking Pattern	Parking Space		Maneuvering Lane Width	Total One Row of Parking and Maneuvering Lane	Total Bay (two rows of parking and maneuvering lane)
	Width	Length			
0°(parallel)	8	23	12	20	28
30° to 53°	9	20	12	32	52
54° to 74°	9	20	15	36.5	58
75° to 90°	9	18	24	42	60



- 4. **Stacking spaces.** Waiting/stacking spaces for drive-through uses (such as banks, restaurants, car washes, pharmacies, dry cleaners and oil change establishments) shall be at least 24 feet long and ten feet wide. Stacking spaces shall not block required off-street parking spaces. Where the drive-through

waiting lane provides for a single lane for five or more vehicles an escape lane shall be provided to allow vehicles to exit the waiting lane.

5. **Ingress and Egress.** Adequate vehicular ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided. All parking lots shall provide interior access and circulation aisles for all parking spaces. The use of public streets for maneuvering into or out of off-street parking spaces shall be prohibited. Ingress and egress to a parking lot in a non-residential zoning district shall not be through a residential district, except in instances where access is provided by means of an alley that forms the boundary between a residential and non-residential district.
 6. **Curbing.** A six inch concrete curb, or alternative as determined by the planning and zoning board, shall be provided around all sides of the parking lot to protect landscaped areas, sidewalks, buildings, or adjacent property from vehicles that might otherwise extend beyond the edge of the parking lot. Curb openings are allowed for stormwater drainage, as recommended by the city engineer. Plantings shall be set back two feet from curbs to allow for bumper overhang.
 7. **Landscaping.** Off-street parking areas shall be landscaped in accordance with the requirements of [Article 19](#).
 8. **Fire Lanes.** Fire lanes shall be designated on the site and posted with signage prior to occupancy. Vehicle circulation shall meet turning radius requirements set by the fire department.
- C. **Barrier Free Parking.** Within each parking lot, signed and marked barrier free spaces shall be provided at a convenient location, in accordance with the Barrier Free Parking Space Requirements of the Georgia Department of Transportation. Barrier free spaces shall be located as close as possible to building entrances. Where a curb exists between a parking lot surface and a sidewalk entrance, an inclined approach or curb cut with a gradient of not more than a 1:12 slope and width of a minimum four (4) feet shall be provided for wheelchair access.
- D. **Parking Structures.**
1. **Dimensional Requirements.** Parking stalls and driving aisles shall meet the dimensional requirements specified in Table 17-2.
 2. **Internal arrangement.** Internal arrangement and design shall be reviewed by the city engineer for appropriate grades, traffic circulation, aisle length, column spacing, ceiling height, exit stairwell and elevator location.
 3. **Access Points/Lanes.** Storage areas for entering and exiting traffic should be long enough to minimize backups of traffic onto surrounding streets or within the structure.
 4. **Lighting and Security.** Adequate lighting shall be provided for the safe movement of vehicles and pedestrians and for the security of patrons and parked vehicles.
 5. **Location and Setback Requirements.** Parking structures shall meet the same setback requirements as for main buildings.
 6. **Architecture.** Parking structures shall be architecturally compatible with the buildings they serve and/or the surrounding buildings and shall be subject to the same architectural requirements contained in [Article 18](#). Building materials and colors shall match or complement the principal building. Openings within the

façade of the parking structure shall have proportions similar to the fenestration of the principal building on or adjacent to the site. Structures that are an integral part of a main building shall have the ground level floor area of the parking structure occupied by the main use. Exterior landscaping shall be provided in accordance with [Article 19](#).

- E. **Maintenance.** All parking lots and structures shall be maintained free of trash and debris. Surface, curbing, light fixtures and signage shall be maintained in good condition.
- F. **Limitations on Use of Parking Lots.**
 1. It shall be unlawful for any person, firm, or corporation to use private property for vehicle parking without the express consent, authorization, or ratification of the owner, holder, occupant, lessee, agent or trustee of the property.
 2. Off-street parking areas are intended only for temporary vehicle parking for public safety. Except when land is used as storage space in connection with the business of a repair or service garage or an approved salvage yard, use of parking areas or open land is not permitted for the storage or parking of wrecked or junked cars, or for creating a junk yard or nuisance.
 3. Loading spaces, as required in [Section 17-3](#), and parking spaces, required in [Section 17-1](#), shall be considered separate and distinct requirements and shall be provided as individual components on the site. In no case shall one component be construed as meeting the requirements of the other.
 4. Parking lots and loading areas shall not be used for the storage of trucks or trailers, except for uses specifically approved for such storage in the industrial districts. Overnight parking or storage of commercial vehicles shall be prohibited, except for uses and locations approved for vehicle storage. This shall not be construed to prohibit the parking overnight of commercial fleet vehicles or the short-term parking of trailers in loading bays or staging areas.
 5. It shall be unlawful to use a parking lot or open area to store or park any vehicle for the purpose of displaying vehicles for sale, except in an approved vehicle sales dealership.

Section 17-3 Off-Street Loading Requirements

- A. **Uses Requiring Loading Area.** On the same premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, warehouse, retail sales, consumer services or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets, alleys and parking spaces.
- B. **Loading Area Requirements.** Loading and unloading spaces shall be paved and, unless otherwise adequately provided for, shall be ten feet by 50 feet, with 15 foot height clearance, according to the following schedule:

Table 17-3 Minimum Off-street Loading Requirements	
Building Net GFA	Minimum Truck Loading Spaces
0--1,400 sq. ft.	None
1,401--20,000 sq. ft.	1 space

Table 17-3 Minimum Off-street Loading Requirements

Building Net GFA	Minimum Truck Loading Spaces
20,001--100,000 sq. ft.	1 space plus 1 space for each 40,000 sq. ft. in excess of 20,000 sq. ft.
100,001--500,000 sq. ft.	5 spaces plus one 1 space for each 40,000 sq. ft. in excess of 100,000 sq. ft.
Over 500,000 sq. ft.	15 spaces plus 1 space for each 80,000 sq. ft. in excess of 500,000 square feet.

- C. **Orientation of Overhead Doors.** Overhead doors for truck loading areas shall not face a public right-of-way and shall be screened to not be visible from a public street or an adjacent residential district. This provision shall not apply to industrial uses located in the M-1 and M-2 districts where the building is set back at least 200 feet and a landscaped greenbelt "*" in compliance with [Section 19-4](#) is provided along the front property line.



Article 18

Building Design and Materials



Section 18-1 Building Appearance

- A. **Purpose.** The purpose of this section is to provide exterior building wall material standards to enhance the visual environment of the city, thereby improving property values, stimulating investment in various business districts, encouraging quality industrial, and research and development projects, and enhancing the quality of life for city residents. The provisions of this section are to ensure that quality architecture is used to ensure that buildings retain their value, protect the investment of adjacent landowners, blend harmoniously into the streetscape, and create a positive image for business and employment districts.
- B. **Applicability.** This section shall apply to all new construction, except single-family detached and two-family residential structures, and shall consist of those materials and combinations of materials specified in this section. Architecture shall be reviewed by the zoning administrator or planning and zoning board, as applicable, as a part of site plan review under the requirements of [Article 20](#).
- C. **Building Materials.** Minimum requirements for building materials are as follows. Calculations for material wall percentages do not include areas of the façade used for doors and windows.
 - 1. **Residential.** All multiple-family, townhouse, continuing care, retirement, nursing care and other residential buildings, except single family detached and two-family, located in any district shall meet the following elevation material requirements:

Elevation	Permitted elevation materials	
Front façade and other elevations facing a street	50% minimum brick, face brick or natural stone	Up to 50% may be wood, vinyl, or fiber cement (hardy board) siding, stucco, or other similar quality material approved by the reviewing authority
Side and rear facades that do not face a street	Brick, face brick, natural stone, wood, vinyl, or fiber cement (hardy board) siding, stucco or other similar quality material approved by the reviewing authority	
Basements and foundations	Concrete block, including split face, and scored block, precast concrete, concrete formed in place	

- 2. **Commercial, Office, and Institutional.** All non-residential buildings located in a residential zoning district and all buildings located in the C-1, C-3 and C-4 zoning districts shall meet the following elevation material requirements. Sites in the C-2 form-based district shall meet the architectural requirements in Article 10.

Elevation	Permitted elevation materials	
Front façade and other elevations facing a street, a parking lot or an adjacent residential zoning district	75% minimum brick, face brick or natural stone	Up to 25% may be split face block, scored block, metal, EIFS, wood, vinyl or fiber cement (hardy board) siding, stucco, or other similar quality material approved by the reviewing authority

Elevation	Permitted elevation materials
Side and rear facades that do not face a street, a parking lot or an adjacent residential zoning district	Any masonry material or other similar quality material approved by the reviewing authority

3. **Industrial.** All buildings located in the M-1 and M-2 zoning districts shall meet the following elevation material requirements:

Elevation	Permitted elevation materials (a)(b)	
Front façade and other elevations facing a street or an adjacent residential zoning district (c)	50% minimum brick, face brick, natural stone, cast stone or C-brick	Up to 50% may be any other suitable fire-resistant material that meets the building and fire codes
Side and rear facades that do not face a street, or an adjacent residential zoning district	Any suitable fire-resistant material that meets the building and fire codes and is a color that is compatible with the front façade	

- a. For buildings over 80,000 square feet that are set back more than 100 feet from the front lot line, split face block or tilt-up panels may be substituted for the 50 percent brick required on the building's front façade; provided the amount of required landscape material within the frontage greenbelt is increased by 50 percent.
- b. The building material requirements of this section shall not apply to the façade of a building of any size that is set back more than 300 feet from the front lot line; provided the amount of required landscape material within the frontage greenbelt is increased by 50 percent.
- c. Overhead doors for truck loading areas shall meet the requirements of [Section 17-3 C](#).

D. **Allowance for Other Materials.** The reviewing authority may waive or modify the material requirements of this section if it finds that a proposed building design and the materials or combinations of materials are in keeping with the purpose of this section. The reviewing authority shall also consider the desired character of the area, site visibility, proposed landscaping, building scale and design recommendations of the comprehensive plan. Acceptable substitute materials may include tilt-up panels, split-face block and similar high quality, durable and aesthetically compatible materials. However, metal siding and plain concrete block shall not be permitted.

E. **Design Standards.** Buildings shall have architectural variety, but enhance the overall cohesive community character. At a minimum, the following standards shall be met:

- 1. Buildings shall provide architectural features, details, and ornaments such as archways, colonnades, cornices, peaked roof lines, hip returns, operable window shutters, transoms, gas lights or towers to accent and add interest.

2. Building walls over 100 feet long shall be broken up with varying building lines, vertical architectural features, windows, architectural accents, and trees.
 3. Building entrances shall utilize windows, canopies, and awnings; provide unity of scale, texture, and color; and clearly identify the entry.
 4. Building-mounted mechanical equipment shall be screened in accordance with [Section 18-3](#).
 5. See [Article 10](#) for additional architectural standards for sites in the form-based zoning districts.
- F. **Site Elements.** Signs and other site features shall be designed and located so they are aesthetically consistent and harmonious with the overall development. Sign bases shall be constructed of material which is compatible with the principal building. Mechanical equipment shall be screened in accordance with Section 18-3.
- G. **Existing Buildings.** The following shall apply to additions or remodeling of existing buildings or to accessory buildings on existing sites:
1. Where a new wall material is proposed for an existing building wall, only that portion of the building being altered shall be subject to this section. However, in considering the proposed alteration, the reviewing authority may modify the material requirements of this section to ensure consistency with the architecture of the remainder building.
 2. Where an addition is proposed to an existing building, the reviewing authority may allow the use of existing or compatible wall materials for the addition; provided that the design of the alteration is consistent with the existing building wall design.

Section 18-2 Building Design for Single and Two-family Dwellings

- A. The exterior finish of the front elevations of all new single-family and two-family dwellings shall consist of clay masonry brick; natural stone; traditional three-coat stucco; hardiplank masonry lap siding (lap siding shall show no more than 7.5-inch face and no less than 5-inch face); or natural wood painted or stained. The primary materials on the front elevation shall also be used on the side elevations. The use of architectural details is encouraged and must be approved as part of the "plan book."
- B. Foundations that are exposed above the ground must be parged with cement, stuccoed over, or made of brick or stone.
- C. All single-family detached and two-family detached residential dwellings shall have a minimum roof pitch of six to 12.
- D. Pitched roof materials are limited to architectural composite shingles, natural slate, wood shake or factory finished sheet metal in earth tones.
- E. Garages are required for all single-family dwelling units. Sufficient area shall be provided for storage of two standard size vehicles.
- F. For all proposed developments containing three or more single-family dwelling units, a minimum of 50 percent of the dwelling units shall have attached garages which feature side or rear entrances. A minimum of 50 percent of the remaining dwelling units shall have attached garages which feature front entrances recessed

a minimum horizontal distance of four feet or which feature architectural amenities approved as part of the “plan book.” No development shall have more than two consecutively adjacent dwelling units with front entrance garages which are not recessed or include approved architectural amenities.

Section 18-3 Mechanical Equipment

Ground-, building-, and roof-mounted mechanical equipment and utility structures including, but not limited to, heating units, cooling units, air handling units, refrigeration units, blowers, ventilating fans, water and gas meters, elevator housing, tanks, generators, and utility transformers are subject to the following regulations:

A. Ground- and Building-Mounted Equipment.

1. Mechanical equipment and utilities visible to the public and located on or around any non-residential building shall be screened by landscaping or by decorative walls compatible with the material used on the building.
2. Mechanical equipment may not be located within the required yard setback area, except as may otherwise be permitted by this ordinance. However, in a non-residential district, ground-mounted mechanical equipment shall not be located under any circumstances within 20 feet of a residential district boundary.

B. Roof-Mounted Equipment.

1. All roof-mounted equipment shall be screened by parapet walls or a pitched roof integrated into the architectural design of the building of sufficient height to screen the rooftop equipment and provide sound attenuation. The location, height, and screening methods shall be shown on the site plan.
2. All roof-mounted mechanical units must be set back a minimum of 20 feet from the front of the building and any side of the building facing an adjacent residential district.

Section 18-4 Lighting

A. Purpose. The purpose of this section is to permit reasonable uses of outdoor lighting for night-time safety, utility, security, productivity, enjoyment, and commerce while minimizing the effects of excessive or uncontrolled light to:

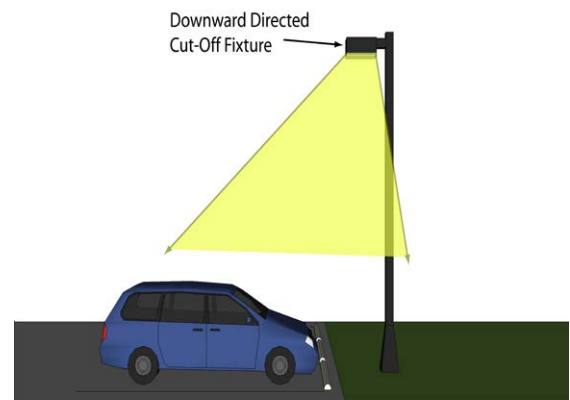
1. Maintain consistent and uniform light levels for traffic and pedestrian safety along roadways, sidewalks, and in parking lots.
2. Ensure uniform lighting for security and law enforcement.
3. Minimize glare, obtrusive light, and artificial sky glow by limiting outdoor lighting that is misdirected, excessive, or unnecessary.
4. Minimize light pollution and light trespass from light sources onto adjacent properties.
5. Preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to “sky glow.”
6. Curtail and reverse the degradation of the nighttime environment and the night sky.
7. Preserve the dark night sky for astronomy.
8. Conserve energy and resources to the greatest extent possible.

- B. **Light Levels.** All outdoor lighting for non-residential uses shall be fully shielded to reduce glare and shall be arranged to reflect light away from adjacent residential districts or uses. Light levels on a site that is subject to site plan approval shall meet the following minimum and maximum requirements for the developed portion of the site containing buildings, drives, and parking lots. In addition, the uniformity ratio between the average and minimum illumination within the developed portion of the site shall not exceed four to one (4:1).

	Min. Illumination (footcandles) ¹	Max. Illumination (footcandles)
Parking lots, loading areas, sidewalks and building entrances	3 fc ²	10 fc ³
Under canopies such as gas stations, drive-thru banks, porte-cochere	3 fc	20 fc
Along front lot line adjacent to the street frontage	0.5 fc	3 fc ⁴
Along a property line adjoining a non-residential use or district	0.5 fc	3 fc ⁵
Along a property line adjoining a residential use or district	0 fc	0.1 fc

1. Lighting levels may be reduced to half (0.5) footcandle with a uniformity ratio of not more than ten to one (10:1) after 12:00 PM, or after established hours of operation.
2. The minimum illumination levels shall not apply to portions of the site that are fenced to restrict public access, such as storage yards.
3. For automobile dealerships and other types of outdoor sales areas the maximum illumination may be increased to fifteen (15) footcandles, provided the limits at the property line are not exceeded.
4. These regulations shall not apply to ornamental street lighting, public street lights, or driveway/ intersection lighting necessary for pedestrian and traffic safety.
5. The light level along a non-residential property line may be increased to up to five (5) footcandles where there is shared access/vehicular connection with the adjacent use or the adjacent use is a similar use (e.a. commercial adjacent to commercial)

- C. **Light Fixtures.** Outdoor lighting on all non-residential sites shall be directed downward and confined to the ground areas of lawns or parking lots except as noted elsewhere in this section. Lighting shall utilize full cutoff fixtures that are recessed sufficiently so the light source is not visible from off site. Bollard lights are permitted to light driveways and pedestrian areas. All lamps shall be metal halide, unless otherwise approved by the city.



- D. **Fixture Height.** Light fixtures shall not be higher than 20 feet within 300 feet of a residential district. Otherwise, fixtures shall be no higher than 30 feet. Height shall be measured from the parking lot grade.

- E. **Ornamental Lighting.** The requirement for downward directed lighting may be waived for street lighting and ornamental lighting which is part of an overall architectural theme.
- F. **Floodlighting Prohibited.** Floodlight type fixtures shall be used only for building accent, landscaping, and sign lighting.
- G. **Sign Lighting.** Illumination of signs shall comply with the requirements of the city sign ordinance. Internally illuminated signs shall be permitted and light fixtures directed at a sign may be permitted where the fixtures are shielded so not to cause visible glare to persons on adjacent streets or adjacent property.
- H. **Photometric Plan.** A photometric plan is required to permit the city to determine potential adverse effects that site lighting may have on adjoining properties and motorists. Any site plan application for new or revised lighting shall include a photometric plan overlaid on the site plan illustrating the planned layout and footcandles of site lighting. The following are required for review:
 1. Lighting plan showing light pole and fixture locations and type designations;
 2. Photometric plan showing horizontal luminance levels in a point by point format with contour lines. Canopy lighting will also be included in luminance levels;
 3. Lighting manufacturers' equipment specifications and data sheets on the photometric plan; and
 4. Any other presentations required to convey the intent of the design.

Section 18-5 Trash Receptacle Enclosures

- A. Trash receptacle enclosures shall be required for all sites, except single family detached and two family dwellings, in the R-4, R-5 R-6, C-1, C-3, C-4, M-1 and M-2 districts and for all non-residential uses in any residential district and shall meet the requirements of this section. Trash receptacle enclosure locations and construction details shall be shown on site plans.
 1. **Location.** Trash receptacle enclosures shall be located in the rear yard or non-required side yard, unless otherwise approved by the site plan reviewing authority. Trash receptacle enclosures for commercial and industrial sites shall be as far as practical from an adjoining residential district boundary.
 2. **Access.** Access to the trash receptacles by refuse vehicles shall be designed to prevent damage to automobiles in designated parking spaces; provided the enclosure doors shall not be highly visible from traffic entering the site from a public road.
 3. **Base.** The trash receptacle base shall be at least nine feet by nine feet, constructed of six inches of reinforced concrete pavement. The base shall extend six feet beyond the dumpster pad or gate to support the front axle of a refuse vehicle. Where grease disposal receptacles are used, curbing shall be provided around the enclosure base to contain any spillage.
 4. **Screening.** Trash receptacles shall have a lid or cover and be enclosed by a wall on three sides with a wood gate on the fourth side. The enclosure shall be constructed of brick or split face block that matches the building color with a height of six feet or at least one foot higher than the dumpster, whichever is greater. Other decorative masonry material may be approved if it matches the

material used on the principal building. Poured concrete with false brick design or plain concrete slag blocks are not permitted.

- B. **Exceptions.** The site plan reviewing authority may waive the requirement for a trash receptacle enclosure for businesses, such as banks, that store all waste material indoors or other uses that provide alternate means of handling waste disposal.

Section 18-6 Mail Box Clusters

- A. The location of mailbox clusters shall not conflict with pedestrian or vehicular circulation. A dedicated pull-off area shall be provided that is out of the main travel lanes.
- B. The design of the mailbox cluster shall be integrated into the design of the overall development by utilizing decorative structures that are compatible with the site design and building architecture.



Article 19

Landscaping and Buffering



Section 19-1 Intent

It is the intent of this section to require landscaping and screening to buffer the negative impacts between incompatible land uses; to minimize the adverse effects of certain outdoor activities upon their surroundings; and to improve the appearance of parking areas and street frontages within the community. It is further intended to preserve and enhance the aesthetic qualities, character, privacy, and land values of property within the City of Palmetto. The requirements of this article shall be applied in addition to those requirements of Chapter 23.5 of the City of Palmetto Code of Ordinances. Where a conflict exists, the more restrictive provision shall apply.

Section 19-2 Buffer Zones

A. Buffer Zones Required.

1. A buffer zone shall be required along common property lines between abutting zoning districts, as specified in table 19-2. The buffer shall be placed on the property within the less restrictive zoning district and shall be required even if the abutting property is undeveloped.

Districts	Required Buffers					
	C-1	C-2	C-3	C-4	M-1	M-2
RC	B	B	A	A	A	A
R-1	B	B	A	A	A	A
R-2	B	B	A	A	A	A
R-3	B	B	A	A	A	A
R-4	C	C	B	B	A	A
R-5	C	C	B	B	A	A
R-6	C	C	B	B	A	A
C-1			C	C	B	B
C-2			C	C	B	B
C-3					C	C
C-4					C	C
M-1						
M-2						

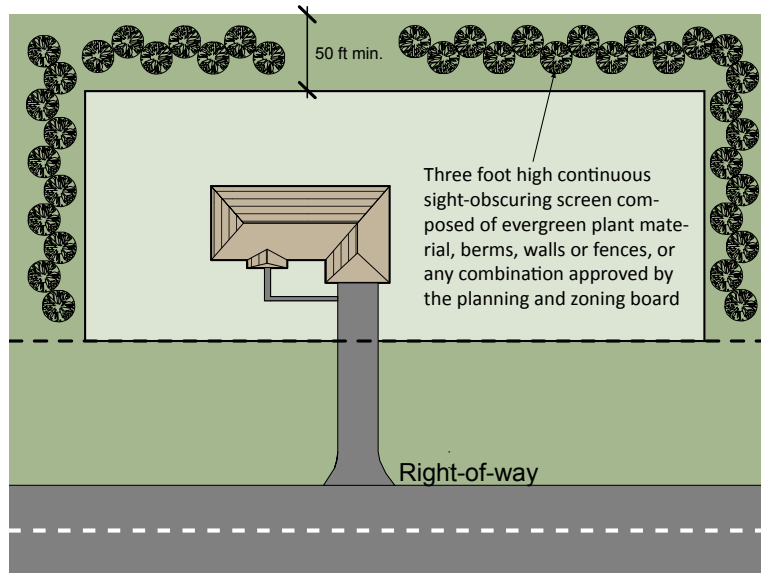
2. A buffer zone shall be required even if the adjacent parcel is unimproved land.
3. When any developed parcel changes to a less restrictive zoning district, a buffer zone shall be provided, if applicable and as required by table 19-2.
4. If existing conditions are such that a parcel cannot comply with the buffer zone requirements, the zoning administrator shall determine the character of the buffer based on the following criteria:
 - a. traffic impacts,
 - b. building and parking lot coverage,
 - c. outdoor sales, display, or manufacturing area,

- d. physical characteristics of the site and surrounding area such as topography, vegetation, etc.,
- e. views and noise levels,
- f. health, safety, and welfare of the City of Palmetto, and
- g. proximity or potential proximity of residential uses.

B. Buffer Zone Development Standards.

1. Buffer Zone Level A shall meet the following requirements:

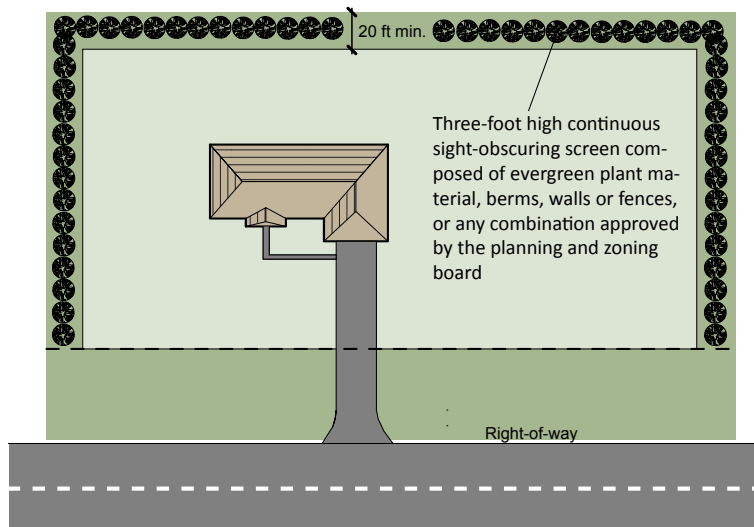
- a. Fifty foot minimum width.
- b. Six foot high continuous sight-obscuring screen composed of evergreen plant material, berms, walls or fences, or any combination approved by the planning and zoning board.



- c. If berms are used for any part of the buffer, all required plant material shall be placed on the top and side slope facing the exterior property line.
- d. All areas within the buffer zone which do not contain trees or planting beds shall be planted and maintained with grass or other living ground cover.
- e. All plant material shall meet the minimum requirements of Chapter 23.5 of the City of Palmetto Code of Ordinances.
- f. All other applicable standards of this ordinance shall be met..

2. Buffer Zone Level B shall meet the following requirements:

- a. Twenty foot minimum width.
- b. Three foot high continuous sight-obscuring screen composed of plant material, berms, walls or fences, or any combination approved by the planning and zoning board.

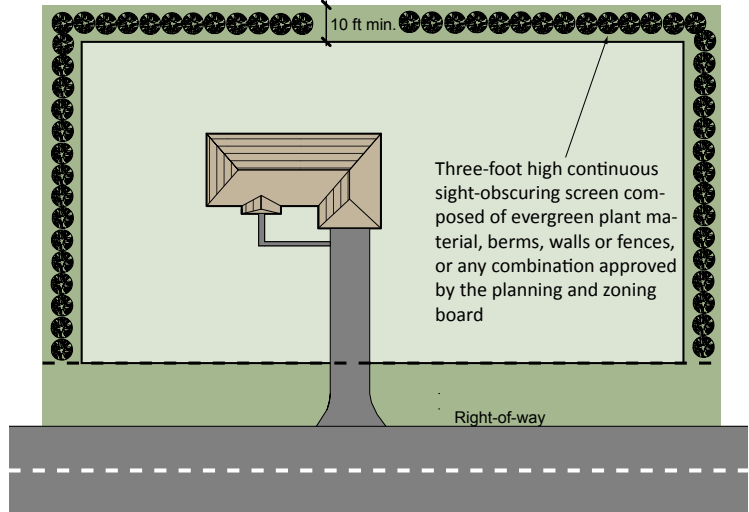


- c. If berms are used for any part of the buffer,

- required plant material shall be placed on the top and side slope facing the exterior property line.
- d. All areas within the buffer zone which do not contain trees or planting beds shall be covered with grass or other living ground cover.
- e. All plant material shall meet the minimum requirements of Chapter 23.5 of the City of Palmetto Code of Ordinances.
- f. All other applicable standards of this ordinance shall be met.

3. Buffer Zone Level C shall meet the following requirements:

- a. Ten foot minimum width.
- b. Three foot high continuous sight-obscuring screen composed of plant material, berms, walls or fences, or any combination approved by the planning and zoning board.



- c. If berms are used for any part of the buffer, required plant material shall be placed on the top and side slope facing the exterior property line.
- d. All areas within the buffer zone which do not contain trees or planting beds shall be covered with grass or other living ground cover.
- e. All plant material shall meet the minimum requirements of Chapter 23.5 of the City of Palmetto Code of Ordinances.
- f. All other applicable standards of this ordinance shall be met.

Section 19-3 Screening

A. Screening Required.

- 1. Screening shall be required as follows, except as may be provided elsewhere in this section.
 - a. Around all trash dumpsters in all districts.
 - b. Around designated outdoor storage areas in the C-3, C-4, M-1, and M-2 districts.
 - c. Around any loading/unloading area or hospital emergency area.
 - d. Around heating and colling units for all developments, including single-family dwellings.
 - e. Around non-amenity detention ponds and other related storm water management facilities.

2. Screening shall be required even if the surrounding area or adjacent parcels are unimproved.
 3. When any developed parcel changes to a more intense land use or a conditional or special land use approval or site plan review is required, screening shall be provided in compliance with this ordinance.
 4. If existing conditions on the subject parcel are such that a parcel cannot comply with the screening requirements, the zoning administrator shall determine the character of the screen based on the following criteria:
 - a. traffic impacts,
 - b. building and parking lot coverage,
 - c. outdoor sales, display, or manufacturing area,
 - d. physical characteristics of the site and surrounding area such as topography, vegetation, etc.,
 - e. views and noise levels,
 - f. health, safety, and welfare of the City of Palmetto, and
 - g. proximity or potential proximity of residential uses.
- B. **Screening Standards.** All required screens shall meet the requirements of Section 23.5-30 of the City of Palmetto Code of Ordinances.

Section 19-4 Greenbelts

- A. **Greenbelts Required.** Greenbelts shall be required in the following situations, except as may be provided elsewhere in this article.
1. Within the front setback area of any non-residential property abutting a public right-of-way.
 2. Around any nonresidential parking lot abutting or within 100 feet of a residential district.
 3. Within any parking lot containing ten spaces or more.
- B. **Greenbelt Standards for Front Setbacks.** Greenbelts shall meet the requirements of Section 23.5-28 of the City of Palmetto Code of Ordinances.
- C. **Parking Lot Greenbelts.** Where greenbelts are required within parking lots, they shall meet the requirements of Section 23.5-27 of the City of Palmetto Code of Ordinances.

Section 19-5 General Requirements

All required buffers, screens and greenbelts shall comply with the following requirements, in addition to all other applicable requirements of this article:

- A. **Minimum Plant Material Standards.**
1. All plant materials shall be hardy to Fullton County, be free of disease and insects, and conform to the approved plant list contained in Appendix A of Chapter 23.5 of the City of Palmetto Code of Ordinances.
 2. Artificial plant material shall not be used within any required landscaped area. This shall not preclude the use of stone, shredded bark, wood chips, lava rock or similar accent materials within planting beds.

3. All plant material shall be installed in such a manner so as not to alter drainage patterns on site or adjacent properties, or obstruct vision for safety of ingress or egress.
4. All plant material shall be planted in a manner so as to not cause damage to utility lines (above and below ground) and public roadways.
5. Existing plant material which complies with the standards and intent of this ordinance and the provisions of Chapter 23.5 may be credited toward meeting the landscape requirements.
6. The overall landscape plan shall not contain more than 33 percent of any one plant species.
7. Plant material shall not be placed closer than four (4) feet to any fence or property line.
8. Where trees are placed in two (2) or more rows, planting shall be staggered in rows.

B. Minimum Standards for Berms.

1. Where possible, berms shall be constructed so as to maintain a side slope not to exceed a one foot rise to a three foot run ratio. When topography or other site conditions prevent construction of berms at this ratio, retaining walls or terracing may be permitted. If a berm is constructed with a retaining wall or by terracing, the earthen slope shall face the exterior of the site.
2. Berm areas not containing planting beds shall be covered with grass or other living ground cover maintained in a healthy condition.
3. Berms shall be constructed in such a manner so as not to alter drainage patterns on site or adjacent properties, or obstruct vision for safety of ingress or egress.

C. Minimum Standards for Screen Walls and Fences.

1. All walls and fences required for screening shall be constructed with new, durable, weather resistant, and easily maintainable materials. Chain link and barbed wire fences are not permitted to serve as screen fencing.
2. Unless otherwise prohibited, the wall or fence may be constructed with openings that do not exceed 20 percent of the wall or fence surface. These openings shall not reduce the intended obscuring effect of the wall or fence.
3. Screen walls or fences shall not be constructed so as to alter drainage on site or adjacent properties, or obstruct vision for safety or ingress or egress.



Article 20

Site Plan



Section 20-1 Purpose

The purpose of this article is to establish a uniform set of requirements for the planning and design of developments within the community in order to achieve the following objectives: to determine compliance with the provisions of this ordinance; to promote the orderly development of the city; to prevent depreciation of land values; to ensure a consistent level of quality throughout the community; to ensure a harmonious relationship between new development and the existing natural and manmade surroundings; to achieve the purposes of the City of Palmetto Comprehensive Plan; to promote consultation and cooperation between applicants and the city in order that applicants may accomplish their objectives in the utilization of land, consistent with the public purposes of this ordinance and the comprehensive plan.

Section 20-2 Applicability

Site plan review shall be required, as applicable, under the following conditions:

- A. **Level "A" Review.** The zoning administrator shall review site plans in connection with the creation of a use or the erection of a building or structure in any of the following circumstances:
1. Any "permitted" or "conditional" use within any zoning district.
 2. Additions to existing buildings in any zoning district.
 3. Changes in the use of any existing building in any zoning district, provided the use is a "permitted" or "conditional" use in that zoning district.
 4. When, in the opinion of the zoning administrator, a project which otherwise qualifies for level "A" site plan review may have an impact on surrounding properties, he may, in his sole discretion, submit the site plan to the planning and zoning board for review. In such cases, the planning and zoning board shall follow the review procedure for level "B" site plans and may require any additional information needed to make an informed decision.
- B. **Level "B" Review.** The city council, after review by the planning and zoning board, shall act upon all site plans, other than those provided for level "A" review, in connection with the creation of a use or the erection of a building or structure in any of the following circumstances:
1. Any "special" use in any district.
 2. Any PUD.
 3. As otherwise required by this Ordinance.

Section 20-3 Exemptions

Site plan review shall not be required for a single or two-family dwelling when permitted by right on a lot on which there exist no other building or use or for any home occupation or accessory building in a residential district.

Section 20-4 Application and Review

The process of reviewing a site plan shall be as follows:

- A. Level "A" reviews shall be performed by the zoning administrator as follows:

1. Five copies of a complete site plan and an electronic version, in a format specified by the city, shall be submitted to the zoning administrator along with an application for that purpose and a fee, as established by the city council.
 2. The zoning administrator shall review the site plan for completeness, and shall obtain comments, as he considers necessary, from city departments or consultants.
 3. The zoning administrator shall consider the site plan, any comments received, and the applicable standards of this ordinance and shall either approve the site plan, as submitted, if all applicable requirements and standards have been met; approve the site plan with conditions; or deny approval of the site plan, if applicable requirements and standards have not been met.
 4. The reasons for the zoning administrator's action, along with any conditions that may be attached, shall be stated in writing and provided to the applicant.
 5. If approved, two copies of the final site plan shall be signed and dated by the zoning administrator and the applicant. One copy shall be kept on file with the city and one copy shall be returned to the applicant or his designated representative. If the plan is approved with conditions, a revised plan shall be submitted reflecting those conditions and signed by the applicant and zoning administrator prior to issuance of any permits.
- B. Level "B" reviews shall be performed by the planning and zoning board as follows:
1. Ten copies of a complete site plan and an electronic version, in a format specified by the city, shall be submitted to the zoning administrator along with an application for that purpose and a fee, as established by the city council.
 2. The zoning administrator shall review the site plan for completeness, and shall obtain comments, as he considers necessary, from the city departments or consultants
 3. Once the zoning administrator determines that the site plan is complete, he shall transmit the site plan, along with comments from city departments and consultants to the planning and zoning board for consideration at its next meeting. The zoning administrator shall not be required to submit any site plan for review which was submitted less than 20 days prior to the next regularly scheduled planning and zoning board meeting.
 4. The planning and zoning board shall consider the site plan and shall recommend that the city council either approve the site plan, as submitted, if all applicable requirements and standards have been met; approve the site plan with conditions; or deny approval of the site plan if applicable requirements and standards have not been met. The planning and zoning board review shall be based on the requirements of this article and, specifically, the review standards of [Section 20-6](#).
 5. The reasons for the planning and zoning board's recommendation, along with any proposed conditions shall be forwarded to the city council for final action on the request. The city council shall makes its decision based on the standards of [Section 20-6](#).
 6. If approved, two copies of the final site plan shall be signed and dated by the mayor and the applicant. One copy shall be kept on file with the city and one copy shall be returned to the applicant or his designated representative. If the

plan is approved with conditions, a revised plan shall be submitted reflecting those conditions and signed by the applicant and the mayor, prior to issuance of any permits.

Section 20-5 Site Plan Requirements

A. **Required Content.** Each site plan submitted shall contain the following information, as applicable:

Table 20-5 Required Site Plan Content		
Required Information	Level "A"	Level "B"
General Information		
Date, north arrow, and scale	X	X
Name and firm address of the professional individual responsible for preparing site plan	X	X
Name and address of the property owner or petitioner	X	X
Location sketch	X	X
Legal description of the subject property	X	X
Size of subject property in acres	X	X
Boundary survey	X	X
Preparer's professional seal	X	X
Existing Conditions		
Existing zoning classification of subject property		X
Property lines and required setbacks (dimensioned)	X	X
Location, width and purpose of all existing easements	X	X
Location and dimension of all existing structures on the subject property	X	X
Location of all existing driveways, parking areas and total number of existing parking spaces on subject property	X	X
Abutting street right-of-way width		X
Location of all existing structures, driveways, and parking areas within 300 feet of the subject property's boundary		X
Existing water bodies (lakes, rivers, creeks, wetlands, etc.)	X	X
Existing landscaping and vegetation on the subject property	X	X
Size and location of existing utilities	X	X
Location of all existing surface water drainage facilities	X	X
Proposed Development		
Location and dimensions of all proposed buildings	X	X
Location of all proposed drives (including dimensions and radii), acceleration/deceleration lanes, sidewalks, walls, fences, signs, exterior lighting, curbing, parking areas (including dimensions of a typical parking space and the total number of spaces to be provided), and unloading areas		X

Table 20-5 Required Site Plan Content

Required Information	Level "A"	Level "B"
Recreation areas, common use areas, dedicated open space and areas to be conveyed for public use		X
Flood plain areas and basement and finished floor elevations of all buildings	X	X
Landscape plan (showing location of proposed materials, size and type)	X	X
Layout and typical dimensions of proposed parcels and lots		X
Number of proposed dwelling units (by type), including typical floor plans for each type of unit		X
Number and location (by code, if necessary) of efficiency and one or more bedroom units		X
All deed restrictions or covenants	X	X
Brief narrative description of the project including proposed use, existing floor area (square feet), size of proposed expansion (square feet), and any change in the number of parking spaces	X	X
Lighting plan, per Section 19-3 H .	X	X
Engineering		
Proposed method of handling sanitary sewage and providing potable water	X	X
Location and size of proposed utilities, including connections to public sewer and water supply systems	X	X
Location and spacing of fire hydrants	X	X
Location and type of all proposed surface water drainage facilities	X	X
Grading plan at no more than two foot contour intervals	X	X
Proposed streets (including pavement width, materials, and easement or right-of-way dimensions)		X
Building Details		
Typical elevation views of all sides of each building type		X
Gross and net floor area	X	X
Elevation views of building additions	X	X
Building height	X	X
Additional Information		
Any other information required by the zoning administrator or planning and zoning board to demonstrate compliance with other applicable provisions of this ordinance	X	X

B. **Information Waiver.** Specific requirements of either a Level "A" or "B" site plan may be waived by the respective reviewer, zoning administrator or planning and zoning board, where it is determined that such information is not applicable to the subject request.

Section 20-6 Review Standards

A site plan shall be approved only upon a finding of compliance with the following standards:

- A. The site plan must comply with all standards of this article and all applicable requirements of this ordinance and all other applicable laws and regulations.
- B. The site must be designed in a manner that is harmonious, to the greatest extent possible, with the character of the surrounding area.
- C. The site must be designed so as to minimize hazards to adjacent property, and to reduce the negative effects of traffic, noise, smoke, fumes and glare to the maximum extent possible.
- D. Unless a more specific design standard is required by the city through a different ordinance, all uses and structures subject to site plan review shall comply with the following design standards:
 1. **Traffic Circulation.** The number, location, size of access and entry points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, and circulation within the site. In reviewing traffic features, the number, spacing, and alignment of existing and proposed access points shall be considered relative to their impact on traffic movement on abutting streets and adjacent properties.
 2. **Stormwater.** Stormwater detention and drainage systems shall be designed so that the removal of surface waters will not adversely affect neighboring properties or public stormwater drainage systems. Unless impractical, stormwater shall be removed from all roofs, canopies and paved areas by underground surface drainage system.
 3. **Landscaping.** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing unnecessary tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas. Provision or preservation of landscaping, buffers or greenbelts may be required to ensure that the proposed uses will be adequately buffered from one another and from surrounding property.
 4. **Screening.** Where non-residential uses abut residential uses, appropriate screening shall be provided, in accordance with Article 19, so as to shield residential properties from noise, headlights and glare.
 5. **Lighting.** Lighting shall be designed so as to minimize glare on adjacent properties and public streets. As a condition of site plan approval, reduction of lighting during non-business hours may be required.
 6. **Utility Service.** All utility service shall be underground, unless impractical.
 7. **Exterior Uses.** Exposed storage areas, machinery, heating and cooling units, service areas, loading areas, utility buildings and structures, and similar accessory areas shall be located so as to have a minimum negative effect on adjacent properties, and shall be screened, if reasonably necessary, to ensure compatibility with surrounding properties.
 8. **Emergency Access.** All buildings and structures shall be readily accessible to emergency vehicles.
 9. **Water and Sewer.** Water and sewer installations shall comply with all city specifications and requirements.

10. **Signs.** Permitted signs shall be located to avoid creating distractions and visual clutter.
11. **Building Design.** New or substantially remodeled buildings shall be reasonably compatible in appearance with, or shall enhance, the established general character of other buildings in the immediate vicinity.

Section 20-7 Conditions

Conditions which are designed to ensure compliance with the intent of this ordinance and the Palmetto City Code may be imposed on site plan approval.

Section 20-8 Changes to Approved Site Plan

Changes to an approved site plan shall be permitted only under the following circumstances:

- A. The holder of an approved site plan shall notify the zoning administrator of any proposed change to an approved site plan.
- B. Changes to a Level "A" site plan may be approved by the zoning administrator.
- C. Minor changes to a Level "B" site plan may be approved by the zoning administrator upon determining that the proposed revision(s) will not alter the basic design nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:
1. Reduction in building size or increase in building size up to five percent of total approved floor area.
 2. Movement of buildings or other structures by no more than ten feet.
 3. Replacement of plant material specified in the landscape plan with comparable materials of an equal or greater size.
 4. Changes in building materials to a comparable or higher quality.
 5. Changes in floor plans which do not alter the character of the use.
 6. Changes required or requested by the city or county, state, or federal regulatory agency in order to conform to other laws or regulations.
- D. A proposed change to a Level "B" site plan, not determined by the zoning administrator to be a minor change, shall be submitted to the planning and zoning board as a site plan amendment and shall be reviewed in the same manner as the original application.

Section 20-9 Expiration

Site plan approval shall expire 12 months after the date of approval, unless substantial construction has been commenced and is continuing. The zoning administrator, in the case of a Level "A" site plan, or the planning and zoning board, in the case of Level "B" site plan, may grant one extension of up to 12 additional months; provided the applicant requests, in writing, an extension prior to the date of expiration of the site plan. The extension shall be approved if the applicant presents reasonable evidence to the effect that the development has encountered unforeseen difficulties beyond the control of the applicant, and the project will proceed within the extension period. If the above provisions are not fulfilled or the extension has expired prior to construction, the site plan approval shall become null and void.

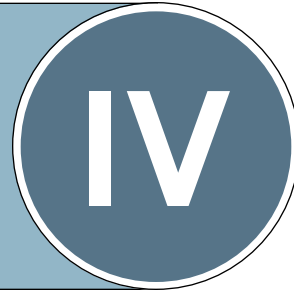
Section 20-10 Appeal

Any person having a special interest in a decision relating to the approval or denial of a site plan or the conditions imposed shall have the right to appeal the decision to the zoning board of appeals.



Division IV

Administrative Provisions





Article 21

Administration and Enforcement

21

Section 21-1 Minimum Requirements

In the interpretation and application of this ordinance, all provisions shall be held to be minimum requirements adopted for the promotion of the public health, morals, safety, comfort, convenience, or general welfare. It is not intended by this ordinance to repeal, abrogate, annul, or in any way to impair or interfere with any existing provision of law or ordinance other than this zoning ordinance; or with any rules, regulation or permits previously adopted or issued or which shall be adopted or issued pursuant to the law relating to the use of buildings or premises; provided, however, that where this ordinance imposes a greater restriction than is required by any existing ordinance or by rules, regulations or permits, the provisions of this ordinance shall control. Nothing in this ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein; and they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety, morals and general welfare.

Section 21-2 Permits and Procedures

- A. **Zoning Compliance Permit.** No building, structure or sign shall be erected, altered, or moved, and no use shall be commenced, unless a zoning compliance permit has been issued by the zoning administrator prior to commencing that work or use.
1. Except upon approval of a variance by the zoning board of appeals or upon the order of a court of competent jurisdiction, no zoning compliance permit shall be issued for the erection, alteration, or use of any building or structure, or for the use of any land which is not in accordance with all provisions of this ordinance and any conditions of approval imposed on the particular building, structure or use.
 2. A record of all zoning compliance certificates shall be kept on file in the office of the zoning administrator.
 3. No vacant land shall be used and no existing use of land or buildings shall be changed to a different class of use, nor shall there be any change that results in an increase in parking space requirements, unless a zoning compliance permit is first obtained for the new or changed use.
- B. **Certificate of Occupancy.** No building or structure erected or altered after the date of adoption of this ordinance shall be occupied or used unless and until a certificate of occupancy has been issued for that building or structure upon completion of construction. A certificate of occupancy shall constitute certification that the building, structure, use, parking, landscaping and all other required improvements fully comply with the applicable provisions of the zoning ordinance and any conditions of approval that may have been imposed by the city.
- C. **Land Disturbance Permit.** No clearing, grubbing, excavating, filling, grading or other land disturbance activities shall occur on a site or portion of a site unless and until a land disturbance permit has been issued.

Section 21-3 Permits and Licenses Void If Used in Conflict

Any permit or license issued in conflict with the provisions of this ordinance shall be considered null and void from the date of issue.

Section 21-4 Fees

A schedule of fees for applications, permits and other purposes required by this ordinance shall be established from time to time by the mayor and council. The schedule shall be available to the public and shall be kept in the office of the zoning administrator.

Section 21-5 Performance Guarantees

- A. As a condition of approval of a site plan, special use, or planned unit development, the planning and zoning board or city council, whichever is designated as the approving authority, may require a financial guarantee of sufficient sum to assure the installation of those features or components of the approved activity or construction that are considered necessary to protect the health, safety, and welfare of the public and of users or inhabitants of the proposed development. Those features or components, referred to as "improvements" may include, but shall not be limited to, streets, curbing, landscaping, fencing, walls, screening, lighting, drainage facilities, sidewalks, driveways, utilities, and similar items.
- B. Performance guarantees shall be processed in the following manner:
 - 1. Prior to the issuance of a building permit, the applicant shall submit an itemized estimate of the cost of the required improvements which are subject to the performance guarantee, which shall then be reviewed by the zoning administrator. The amount of the performance guarantee shall be 100 percent of the cost of purchasing materials and installing the required improvements, plus the cost of necessary engineering and a reasonable amount for contingencies, but not-to-exceed 125 percent of the estimated cost of construction and materials.
 - 2. The required performance guarantee may be in the form of a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the city.
 - 3. Upon receipt of the required performance guarantee, a building permit shall be issued for the subject development or activity, provided it is in compliance with all other applicable provisions of this ordinance and other applicable ordinances of the city.
 - 4. The city, upon the written request of the owner, shall rebate portions of the performance guarantee upon determination that the improvements for which the rebate has been requested have been satisfactorily completed. The portion of the performance guarantee to be rebated shall be in the same amount as stated in the itemized cost estimate for the applicable improvements.
 - 5. When all of the required improvements have been completed, the owner shall send written notice to the city of completion of the applicable improvements. Thereupon, the city shall cause an inspection to be made of all the improvements and approve, partially approve, or reject the improvements with statement of the reasons for any rejections. If partial approval is granted, the cost of the improvement rejected shall be set forth and the owner will be directed to complete the missing items. Where partial approval is granted, the owner shall be released from liability pursuant to relevant portions of the performance guarantee, except for that portion sufficient to secure completion

of the improvements not yet approved. The city may withhold issuance of the certificate of occupancy until all improvements are completed.

6. A record of authorized performance guarantees shall be maintained by the zoning administrator.

Section 21-6 Violations

If any building or structure is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of any provision of this ordinance, the zoning administrator shall, in addition to other remedies provided by law, and after due notice to the person in violation, issue a citation for the violation requiring the presence of the violator in a specially called hearing before the municipal court of the city. The municipal court judge shall give the person a full opportunity to be heard and, if the judge finds that a violation has occurred, the judge shall determine the extent and nature of the violation and the appropriate penalty. Where a violation has been determined to exist with respect to a building, structure or premises, the judge may, in addition to other remedies provided by law, require that public utility service be withheld from that premises until the violation is corrected. The decision of the judge may be appealed as provided by law. Further, upon the determination that a use is in violation of this ordinance, the zoning administrator, or any appropriate authority of the city, may bring an action in the superior court seeking an injunction to prohibit the use.

Section 21-7 Penalties

Any firm, person, corporation or owner of any building, structure, premises or part thereof, where any condition in violation of this ordinance either exists or has been created, and whomever has assisted knowingly in the commission of such violation shall, upon conviction, be guilty and shall be fined not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000.00) or imprisoned for no more than one hundred eighty (180) days or both for each offense. Each day a violation continues shall be deemed as a separate offense. The rights and remedies provided by this section are cumulative and in addition to any other remedies provided by law.

Section 21-8 Public Nuisance, Per Se

Any building or structure which is erected, repaired, altered, or converted; or any use of premises or land which is begun or changed subsequent to the time of passage and in violation of any of the provisions of this ordinance is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction.

Section 21-9 General Responsibility

The provisions of this ordinance shall be administered and enforced by the mayor and city council, planning and zoning board, zoning board of appeals and zoning administrator and their respective designees. The zoning administrator shall, among other duties, issue all permits and notices of violations provided for in this ordinance.

Section 21-10 Changes and Amendments

- A. **Initiation of amendments.** Applications to amend this ordinance may be in the form of proposals to amend the text or proposals to amend the zoning map. An application to amend the text or the zoning map may be initiated by the planning

and zoning board or be submitted to the planning and zoning board by the mayor and council or by any person having an interest in the city. Unless submitted by the mayor and council or the planning and zoning board, all applications for map amendments must be submitted by the owner of the subject property or the authorized agent of the owner. Such authorization shall be notarized and attached to the application.

- B. **Application for amendment.** Each application to amend the text or the zoning map shall be filed with the zoning administrator on forms provided for that purpose along with the application fee and any other required documentation. Only complete applications, containing all required information and exhibits and the required fee, shall be processed by the zoning administrator, in accordance with the public notice and hearing requirements of this ordinance. An application shall not be withdrawn by the applicant after the legal notification has been processed by the city, except as hereinafter provided.
- C. **Public hearing.** A public hearing, notice of which shall be given in accordance with the provisions of *Section 21-10 F.*, shall be conducted by the planning and zoning board. The planning and zoning board shall adopt rules of procedure for the conduct of hearings.
- D. **Planning and zoning board recommendation.** Upon completing the public hearing, the planning and zoning board shall consider the application, testimony of the applicant and public, all reports and supplemental information that may have been provided and shall make a recommendation to the city council to approve or deny the subject application. The applicant may also choose to withdraw the request, without prejudice, prior to a decision by the planning and zoning board. A report of the planning and zoning board's decision shall be submitted to the mayor and council and, by certified mail, to the applicant. The report shall contain the recommendation and findings in support of the recommendation. The planning and zoning board may also recommend amendments to the applicant's request which would reduce the land area for which the application is made, change the district requested to a more restrictive district or recommend conditions of rezoning which may be deemed advisable so that the purpose of this ordinance will be served and the public health, safety and general welfare secured.
- E. **Mayor and council decision.** After receipt of the planning and zoning board's report and recommendation, the mayor and council shall hold a public hearing on the proposed amendment. Following the public hearing, the mayor and council may approve, deny or defer any application. An action to defer shall include a justification of such action and a specific meeting date to which the application is deferred. The mayor and council may, by a two-thirds vote of all members, allow an application to be withdrawn without prejudice with respect to the 12 month limitation of Section 21-11 H. The mayor and council may suggest additions or deletions of conditions of rezoning so the purpose of this ordinance will be served and the public health, safety and general welfare secured. Should the mayor and council suggest additions or deletions of conditions, such application may be referred back to the planning and zoning board for review and recommendation. The decision of the mayor and council shall be contained in a written report prepared by the city clerk. The report shall contain the decision and all grounds for the decision and shall be signed and approved by the mayor. One copy of the report shall become a part of the application file and one shall be sent to the

applicant by certified U.S. mail.

F. **Public notification.**

1. **Legal notice.** Notice of the public hearing before the planning and zoning board and the mayor and council shall be published in the newspaper of general circulation within the city which carries the legal advertisements of the city. The notice shall contain the date, time, place and purpose of the public hearing, as well as the application number and a summary of the proposed amendment. In the case of a map amendment, the location of the subject property, its size, name of the owner, present zoning classification and the proposed change and/or classification shall also be included. This legal notice shall be published in at least two consecutive issues of the newspaper, the first of which shall appear at least 15 but no more than 45 days prior to the date of the public hearing.
2. **Notice to interested parties.** Notice giving the date, time, place and purpose of the public hearing shall be given by certified mail to the applicant. All application files shall be in the custody of the zoning administrator and shall be open to public inspection during regular office hours.
3. **Posting of property for map amendment.**
 - a. **Erection of sign.** Within three working days after acceptance of a complete application, but not less than 15 days prior to the date of the planning and zoning board hearing, the zoning administrator shall cause a sign to be placed in a conspicuous location on the property for which the application was submitted. The location of the sign shall be clearly marked by the applicant prior to its erection. The sign shall be at least 24 by 48 inches in area and six feet high, indicating the application number, current zoning classification, proposed zoning classification and the scheduled date, time and place of the public hearing. The location of the sign shall be clearly visible to passing traffic.
 - b. **Deposit.** At the time the application is filed, the applicant shall deposit with the zoning administrator an amount to be applied to the cost of the sign, in addition to the application fee. The zoning administrator shall record the deposit in the application file and tender the applicant a receipt for that amount. The application shall not be considered complete and shall not be processed until the deposit is made. Upon return of the sign to the zoning administrator, any remaining balance of the deposit shall be returned to the applicant, along with a statement of expenses.

G. **Standards for map amendment (rezoning) evaluation.** All proposed map amendments shall be evaluated with special emphasis on the relationship of the proposal to the city's comprehensive plan and related development policies of the city. The following factors shall be considered by the planning and zoning board and the mayor and council when reviewing a request for rezoning:

1. Whether or not the proposed zoning is consistent with the vision, goals, policies and future land use designation contained in the community agenda element of the city's comprehensive plan.
2. Whether the proposed district and all of the uses permitted within that district are compatible with the physical characteristics of the subject site and will be compatible with the existing and intended surrounding uses in terms of density,

traffic, noise and scale of development.

- 3. Whether, if rezoned, the city is capable of serving the uses allowed, based on the capacity of available infrastructure such as water, sanitary sewer, storm sewer, street network, police and fire protection.
- 4. Whether the property can be reasonably used as currently zoned.
- 5. Whether property values in the immediate vicinity might be expected to be diminished as a result of development of the subject property under the proposed zoning classification.

H. **Limitation on reapplying.** Any application for a zoning amendment which is denied by the mayor and council shall not be reconsidered for a period of 12 months from the date of denial, unless the mayor and council agree by a two-thirds vote of all its members to reconsider the application. This limitation shall not apply to applications initiated by the mayor and council or the planning and zoning board.

Section 21-11 Appeals

Appeals from the decision of the zoning administrator with regard to enforcement of this ordinance shall be made to the zoning board of appeals.



Article 22

Planning and Zoning Board

A large circular graphic with a blue gradient background and a white border. The number "22" is written in white in the center of the circle.

22

Section 22-1 Membership

- A. **Membership and appointments.** The city planning and zoning board shall consist of five members residing within the city, appointed by the mayor and council. None of the members shall hold any other public office, except one member may also be a member of the zoning board of appeals. Members may be removed for cause by the mayor and council, upon written charges, and after public hearing. Any member of the planning and zoning board shall be disqualified to act upon a matter with respect to property in which the member or any member of his or her immediate family has an interest. It shall be deemed cause for removal should any board member, without proper reason as found by the mayor and council, fail to attend three consecutive meetings.
- B. **Term of office.** The term of office for each member shall be for three years; however, in order to achieve staggered terms, for the first planning and zoning board, two members shall be appointed for three years; two for two (2) years and one for one year. Any vacancy in the membership shall be filled for the unexpired term. If a zoning board of appeals member is on the planning and zoning board and ceases to be a member of the zoning board of appeals, his/her membership on the planning and zoning board shall terminate and the mayor and council may name another member of the zoning board of appeals to fill the unexpired term.
- C. **Compensation.** The members may receive compensation for their service as determined by the mayor and council.

Section 22-2 Rules and Procedures

- A. **Officers.** From its members, the planning and zoning board shall elect a chair and a vice-chair, each serving for one year or until re-elected or a successor is elected. The vice-chair shall have the authority to act as chair in the chair's absence. There shall also be appointed a secretary who may be an official or employee of the city.
- B. **Meetings.** The chair may administer oaths and compel the attendance of witnesses by subpoena. The secretary shall keep records of all official actions, including minutes of the meetings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact. All minutes and documentation shall be filed in the office of the city clerk.
- C. **Decisions.** The decisions of the planning and zoning board shall contain a statement of the subject matter being considered, the decision made, and the grounds for the decision reduced to written form.
- D. **Rules of Procedure.** The planning and zoning board shall adopt its own rules of procedure.

Section 22-3 Powers and Duties

In order to protect the public health, safety, morals, convenience, prosperity and general welfare, as well as promote efficiency and economy in the development of the city, the planning and zoning board shall have the power and duty to:

- A. Prepare a comprehensive plan or parts thereof for the development of the city.
- B. Prepare and recommend for adoption to the mayor and council a zoning ordinance and zoning map for the city.

- C. Prepare and recommend for adoption to the mayor and council regulations for the subdivision of land within its political jurisdiction, and to administer the regulations that may be adopted.
- D. Prepare and recommend for adoption to the mayor and council a plat or plats or an official map showing the exact location of the boundary lines of existing, proposed, extended, widened or narrowed streets, public open spaces or public building sites, together with regulations to control the erection of buildings or other structures within such lines, within its political jurisdiction or a specified portion thereof.
- E. Review all applications for text and map amendments and all recommendations for text and map amendments referred to it by the mayor and council and make recommendations thereupon to the mayor and council.
- F. Make recommendations to the mayor and city council regarding special use requests and site plan review.
- G. Perform other duties that may be assigned to it by this ordinance.



Article 23

Zoning Board of Appeals

23

Section 23-1 Membership

- A. **Membership and appointments.** The city zoning board of appeals shall consist of five members residing within the city and appointed by the mayor and council. None of the members shall hold any other public office, except that one member may also be a member of the planning and zoning board. Members may be removed for cause by the mayor and council, upon written charges, and after public hearing. Any member of the zoning board of appeals shall be disqualified to act upon a matter with respect to property in which the member or any member of his or her immediate family has an interest. It shall be deemed cause for removal should any member, without proper reason as found by the mayor and council, fail to attend three consecutive meetings.
- B. **Term of office.** The term of office for each member shall be for three years; however, in order to achieve staggered terms, for the first zoning board of appeals, two members shall be appointed for three years; two for two years and one for one year. Any vacancy in the membership shall be filled for the unexpired term. If a planning and zoning board member is on the zoning board of appeals and ceases to be a member of the planning and zoning board, his/her membership on the zoning board of appeals shall terminate and the mayor and council may name another member of the planning and zoning board to fill the unexpired term.
- C. **Compensation.** The members may receive compensation for their service as determined by the mayor and council.

Section 23-2 Rules and Procedures

- A. **Officers.** From its members, the zoning board of appeals shall elect a chair and a vice-chair, each serving for one year or until re-elected or a successor is elected. The vice-chair shall have the authority to act as chair in the chair's absence. There shall also be appointed a secretary who may be an official or employee of the city.
- B. **Meetings.** Meetings shall be held at the call of the chair. The chair may administer oaths and compel the attendance of witnesses by subpoena. The secretary shall keep records of all official actions, including minutes of the meetings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact. All minutes and documentation shall be filed in the office of the city clerk.
- C. **Decisions.** The decisions of the zoning board of appeals shall contain a statement of the subject matter being considered, the decision made, and the grounds for the decision, reduced to written form.
- D. **Quorum.** Three members shall constitute a quorum for the conduct of business and a majority vote of those present shall be required to pass on any request coming before the zoning board of appeals.
- E. **Rules of Procedure.** The zoning board of appeals shall adopt its own rules of procedure.

Section 23-3 Powers and Duties

- A. **Appeals from Actions of the Zoning Administrator.** The zoning board of appeals shall hear and decide upon appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of these regulations.

1. **Who may appeal.** Appeals may be taken by any person aggrieved, or by an officer, department, board, or bureau of the city affected by any decision of the zoning administrator. Such appeals shall be filed no later than ten (10) days after the date of notification of the decision appealed from by filing with the zoning board of appeals, through the zoning administrator, a notice of appeal specifying the grounds for the appeal. The zoning administrator shall immediately transmit to the zoning board of appeals all materials constituting the record upon which the action appealed from was taken.
2. **Legal proceedings stayed.** An appeal stays all legal proceedings in furtherance of the action appealed from, unless the zoning administrator certifies to the appeals board that a stay would, in his or her opinion, cause imminent peril to life and property. In such a case, proceedings shall only be stayed by restraining order granted by the zoning board of appeals or by a court of record.
3. **Basis of decision.** The zoning board of appeals, in considering the appeal, shall determine if the action of the zoning administrator was in conformance with the requirements of this ordinance and other applicable law. In order to overturn the action of the zoning administrator, the zoning board of appeals shall find that the action meets one or more of the following:
 - a. The action was arbitrary or capricious.
 - b. The action constituted an abuse of discretion or of the powers and duties of the zoning administrator as required by this ordinance.
 - c. The action was based on an erroneous finding of material fact.
 - d. The action was based on an erroneous interpretation of this ordinance or other applicable law.
4. **Extent of authority.** The zoning board of appeals may, in conformity with the provisions of these regulations, reverse or affirm by a majority vote of its membership, the requirement, decision, or determination of the zoning administrator. It may also direct the issuance of a permit over which the zoning administrator has authority. It shall be the duty of the zoning administrator to carry out the decision of the zoning board of appeals.

B. Variances.

1. **Dimensional variances.** In order that the spirit of these regulations shall be observed, public safety and welfare secured, and substantial justice done, the zoning board of appeals may authorize upon appeal in specific cases variances from the dimensional terms of these regulations where it is determined that a variance will not be contrary to the public interest and, owing to special conditions of the property, a literal enforcement of this ordinance will result in practical difficulty or unnecessary hardship. A variance may only be granted in an individual case upon a finding by the zoning board of appeals that all of the following criteria are satisfied:
 - a. there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; and
 - b. the application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and
 - c. the conditions are peculiar to the particular piece of property involved and

not of such a general or recurrent nature as to warrant an amendment to this ordinance; and

- d. relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; and
 - e. a literal interpretation of this ordinance would deprive the applicant of any rights that others in the same zoning district enjoy.
2. **Conditions.** In authorizing a variance, the zoning board of appeals may, in addition to any specific conditions of approval called for in this ordinance, attach other conditions deemed reasonably necessary for the furtherance of the intent and spirit of this ordinance and the protection of the public interest.
- C. **Nonconforming Use and Nonconforming Building or Structure.** The zoning board of appeals may authorize, in specific cases, a change of an existing nonconforming use or the reconstruction of a nonconforming building, in accordance with [Article 24](#).
- D. **Limits of Authority.** The zoning board of appeals shall not have the power to alter or change the zoning district classification of any property; approve a variance within a planned unit development or grant a variance to permit a use of land, building or structure that is prohibited by this ordinance in the zoning district in question.
- E. **Existing Violations.** If an application to the zoning board of appeals is initiated due to an existing violation of this ordinance and the application is denied, the violation shall be corrected within ten days of the denial or as specified by the zoning board of appeals if a greater time period is necessary.
- F. **Application Procedures.** All requests to the zoning board of appeals shall be made on forms provided by the zoning administrator. The completed application forms shall be filed with the zoning administrator, along with a fee as established by the mayor and city council. Upon receipt of the complete application, filing fee and any supporting documentation, the zoning administrator will forward the materials to the zoning board of appeals and shall schedule a public hearing as provided in this article. The zoning administrator shall not accept an incomplete application or one that is not accompanied by the required fee.

Section 23-4 Public Hearings

- A. **Notice of Hearing.** Before making its decision on an appeal, request for a variance, or any other matter authorized by this ordinance, the zoning board of appeals shall hold a public hearing. Notice of the time and place of the hearing shall be sent to the appellant or applicant by certified U.S. Mail at least 15 days prior to the date of the hearing.
- B. **Newspaper Notice.** The zoning board of appeals shall give public notice in a newspaper of general circulation within the city at least 15 days prior to the date of the hearing.
- C. **Testimony.** Any party may appear at the public hearing in person, by agent or attorney to offer testimony regarding the application.

Section 23-5 Time Limitations

- A. **Compliance with Variance.** The owner of property subject to a variance shall have taken substantial steps, as determined by the zoning board of appeals, to implement the variance within 12 months of the date the variance decision

became final. If substantial steps have not been taken, the variance shall no longer be valid. However, upon written application filed prior to the expiration of the variance, the zoning board of appeals may grant one extension of the variance for up to 12 additional months if there is a showing of good cause for the variance to continue.

- B. **Final Decision.** The decision of the zoning board of appeals shall be made final within 30 days of the conclusion of the public hearing. The decision shall be made by a public vote and shall not be final until the resolution of the decision has been duly adopted and approved by the zoning board of appeals.
- C. **Reconsideration of Request.** An application to the zoning board of appeals which has been denied, in whole or in part, shall not be resubmitted to the appeals board within 12 months of the date of the denial, except in circumstances where the applicant submits substantial new evidence or proof of changed conditions regarding the original basis for denial.
- D. **Appeal of Zoning Board of Appeals Decision.** Denial of a request by the zoning board of appeals may only be appealed to a court of competent jurisdiction, in accordance with court procedures. Any appeal must be filed with the court within 30 days from the date the decision of the zoning board of appeals became final.



Article 24

Nonconformities



Section 24-1 Intent

- A. It is recognized that there exist within zoning districts certain lots, buildings, structures and uses which were lawful before this ordinance was passed or amended, but are now prohibited, regulated or restricted under the terms of this ordinance. It is the intent to permit these legal nonconformities to continue until they are removed, but not to encourage their survival.
- B. Nonconforming lots, buildings, structures and uses are declared by this ordinance to be incompatible with the provisions of the districts in which they are located. It is the intent of this ordinance that these nonconformities shall not be enlarged upon, expanded, or extended, except as otherwise permitted in this article, nor be used as grounds for adding other buildings, structures or uses prohibited elsewhere in the district.
- C. Nothing in this ordinance shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently conducted.
- D. Nothing in this ordinance shall be interpreted as authorization for, or approval of, the continuance of the use of a structure or premises in violation of zoning regulation in effect at the time of the adoption of this ordinance.

Section 24-2 Nonconforming Lots of Record

- A. Where a lot of record in existence at the time of adoption or amendment of this ordinance does not meet the minimum requirements for lot width or lot area, the lot of record may be used for any permitted use in the district in which the lot is located, provided that any building or structure constructed on the lot complies with all other requirements for the zoning district. The nonconforming lot may also be used for conditional or special uses, if it meets all applicable requirements of this ordinance for those uses.
- B. If two or more vacant lots of record or combination of lots and portions of lots of record, in existence at the time of the passage of this ordinance, or an amendment thereto, with continuous frontage and under single ownership do not meet the requirements established for lot width or lot area, the lands involved shall be considered to be an undivided parcel for the purposes of this ordinance, and no portion of that parcel shall be used or divided in a manner which diminishes compliance with lot width and area requirements established by this ordinance.

Section 24-3 Nonconforming Uses

- A. A nonconforming use shall not be enlarged or increased, nor extended to occupy a greater area of land or building area than was occupied at the effective date of adoption or amendment of this ordinance.
- B. No part of any nonconforming use shall be moved unless that movement eliminates or reduces the nonconformity.
- C. If a nonconforming use is abandoned for any reason for a period of more than six months, any subsequent use shall conform to the requirements of this ordinance. A nonconforming use shall be determined to be abandoned if one or more of the

following conditions exists, and which shall be deemed to constitute an intent on the part of the property owner to abandon the nonconforming use:

1. Utilities, such as water, gas and electricity to the property, have been disconnected;
2. The property, buildings, and grounds, have fallen into disrepair;
3. Signs or other indications of the existence of the nonconforming use have been removed;
4. Equipment or fixtures necessary for the operation of the nonconforming use have been removed;
5. Other actions which, in the opinion of the zoning administrator, constitute an intention on the part of the property owner or lessee to abandon the nonconforming use.

D. A nonconforming use may be changed to another nonconforming use provided all of the following determinations are made by the zoning board of appeals:

1. The proposed use shall be as compatible or more compatible with the surrounding neighborhood than the previous nonconforming use, considering factors such as hours of operation, traffic, noise and similar external impacts.
2. The proposed nonconforming use shall not be enlarged or increased, nor extended to occupy a greater area of land or building area than the previous nonconforming use.
3. That appropriate conditions and safeguards are provided that will ensure compliance with the intent and purpose of this ordinance.

E. Uses consisting of lots occupied by storage yards, used car lots, auto wrecking, junk yards, golf driving ranges, miniature golf courses and similar open uses, where the only buildings on the property are ancillary to the open use and where the use is nonconforming, shall be subject to the following restrictions, in addition to all other applicable provisions of this article.

1. When a nonconforming open use of land has been changed to a conforming use, it shall not be used again for any other nonconforming use.
2. Nonconforming open uses of land shall only be converted to a conforming use.
3. A nonconforming open use of land shall not be enlarged to cover more land than was occupied by that use when it became nonconforming.
4. When any nonconforming open use of land is discontinued for a period of more than six months, any future use of the land shall be limited to those uses permitted in the zoning district under which the property is governed. Vacancy and/or nonuse of the land, regardless of the intent of the owner or tenant, shall constitute discontinuance under this provision.

Section 24-4 Nonconforming Buildings or Structures

A. Where a lawful building or structure exists at the effective date of this ordinance, or an amendment thereto, that does not comply with the requirements of this ordinance because of restrictions such as lot area, lot coverage, width, height, or setbacks, that building or structure may continue to be occupied and used so long as it remains otherwise lawful, subject to the following provisions:

1. No nonconforming building or structure may be enlarged or altered in a way that increases its nonconformity, except in cases in which the setback of a building or structure is nonconforming by 50 percent or less of the distance required by this ordinance. Only in these cases may the nonconforming setback be extended along the same plane as the existing nonconforming setback, provided that in so doing, the setback itself is not further reduced.
 2. In the event that a nonconforming building or structure is destroyed to an extent of more than 50 percent of its replacement value, exclusive of the foundation, it shall be reconstructed only in conformity with the provisions of this ordinance; provided that the zoning board of appeals may, upon application, permit the reconstruction of the nonconforming building or structure if all of the following conditions are met:
 - a. The prior nonconforming condition(s) shall not be increased.
 - b. All building materials and architectural details shall conform to the requirements of [Article 18](#).
 - c. The new building or structure shall be placed on the original foundation, unless the building or structure could be so located as to reduce the extent of its nonconformity on the lot.
 - d. The application to reconstruct the nonconforming building or structure shall be filed with the zoning administrator within six months of the event in which the building or structure was damaged or destroyed.
 - e. The reconstruction of the building or structure shall not be detrimental to adjacent property and the surrounding neighborhood.
 3. If a nonconforming building or structure is moved for any reason and for any distance, it shall be moved to a location which complies with the requirements of this ordinance.
- B. None of the provisions of this section are meant to preclude normal repairs and maintenance on any nonconforming building or structure that would prevent strengthening or correcting any unsafe condition of the building or structure.

Section 24-5 Unlawful Nonconformities

Any lot, use, building or structure established in violation of the provisions of this ordinance or any prior zoning ordinance or amendment shall not be considered a legal nonconformity and shall not be entitled to the provisions, remedies and safeguards of this article.



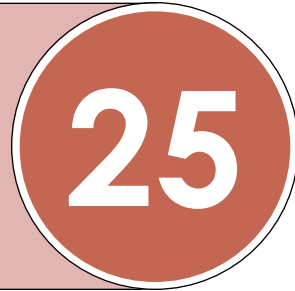
Appendix

A



Article 25

Definitions



Section 25-1 Interpretation

Words used in this ordinance shall have their customary meaning, unless specifically defined here.

Section 25-2 Definitions: A-B

Abut. To directly touch and have common boundaries. Parcels across a public right-of-way or private road easement would not be abutting.

Accessory building. A detached, subordinate structure, the use of which is incidental to, customarily associated with, and related to the principal structure or use of the land, and which is located on the same lot as the principal structure or use.

Accessory dwelling unit. A second dwelling unit subordinate to the principal dwelling that shares ownership and utility connections with the principal dwelling unit on a single family zoned lot.

Accessory use. A use customarily incidental to, subordinate to, and supportive of the principal use of the parcel.

Agribusiness. A business and/or commercial use operated primarily for the support of agricultural needs. It may consist of products, materials, and equipment servicing and sales; storage and/or processing of agricultural products and/or animals (but not including slaughtering, rendering or tanning); veterinarian and/or technical support services.

Agriculture. The use of land for agricultural purposes with the intent of selling any products produced by this activity. Agricultural uses include farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, along with necessary accessory uses. Agricultural use does not include the operation or maintenance of a commercial stockyard or feedlot.

Alley. A minor private or public thoroughfare which is not a street, which affords a secondary means of access to abutting property, is generally used for service purposes and is not intended for general traffic circulation.

Animals.

- A. **Agricultural animal.** Cattle, horses, ponies, chickens, turkey, sheep, goats, hogs and other animals normally raised or kept on a farm, usually for commercial purposes. Wild, vicious or exotic animals shall not be included in this definition.
- B. **Domestic animal.** Any animal customarily kept by humans for companionship including, but not limited to, dogs, cats, birds, fish, ferrets, rabbits, gerbils, hamsters, turtles and the like.

Appeals Board. The City of Palmetto Zoning Board of Appeals.

Applicant. Any person, firm, partnership, joint venture, association, corporation, group or organization who may apply for any permit, approval or decision required by this ordinance.

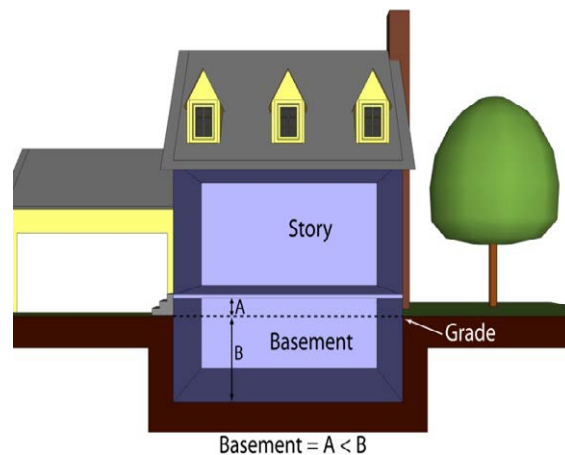
Architectural detail. That portion of a building containing any architectural projection, relief, cornice, column, change of building material or window or door opening.

Architectural feature. A prominent or significant part of element of a building, structure or site.

Awning. A roof like structure, generally made of canvas or plastic, mounted above

a storefront, window or door that projects from the building wall and serves as an architectural detail and provides shelter from sun and rain.

Basement. A room or rooms, or any part of a room having a floor level more than 48 inches below grade. Except when used for business purposes, a basement shall not be counted as a story in height or floor area measurement if the vertical distance between the basement floor and the average level of the finished grade is greater than the distance between the average level of the finished grade and the basement ceiling.



Bed and breakfast. An owner-occupied, owner-operated private single-family residence which shall be the principal residence of the owner and the principal structure on the premises, with bedrooms available for rent to the general public, with breakfast served at no additional cost.

Board. The City of Palmetto Planning and Zoning Board.

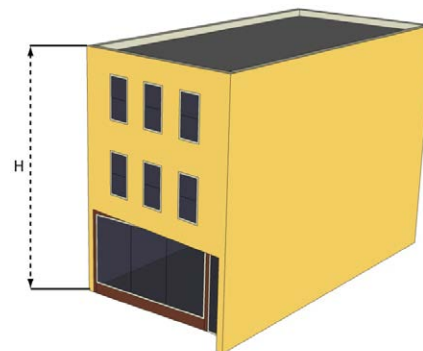
Boarding and rooming house. A building other than a hotel/motel containing a single dwelling unit and three (3) or more rental rooms where lodging is provided, with or without meals, for compensation.

Buffer. That portion of a lot set aside with adequate natural or planted vegetation to accomplish visual and sound screening to separate a potentially incompatible zoning district from an abutting zoning district.

Building. Any structure attached to the ground which has a roof and walls or roof supports and which is designed for the shelter, housing or enclosure of persons, animals or property of any kind.

Building envelope means the maximum three-dimensional volume on a lot within which a structure can be built, as permitted by applicable height and setback requirements.

Building height means the vertical distance of a building measured from the average elevation of the finished grade at the front of the building to the highest point of the building.



Building line. A line established by the wall of the principal structure, or the portion of the wall of the principal structure closest to the lot line, not including open steps, an unroofed porch or patio or roof overhang, that is parallel to the front lot line and extends the width of the lot.

Building official. The person, officer, or official whom the Palmetto city council has designated as its agent for enforcing, in conjunction with the zoning administrator, the regulations of this ordinance relating to building construction and permitting.

Building, principal. The primary building containing the principal use of a lot.

Section 25-3 Definitions: C-D

Certificate of occupancy. A permit authorized and issued by the zoning administrator indicating that the use or the building or land in question is in conformity with this chapter, or that a legal variance has been approved.

Child caring institution. Any institution, society, agency, or facility, whether incorporated or not, which either primarily or incidentally provides full time care for children under 17 years of age outside of their own homes subject to such exceptions as may be provided in the rules and regulations of the state board of human resources.

- A. **Family child caring institution.** A home in a family-type residence, non-institutional in character, which offers care to persons as described above and in which a maximum of six persons reside, inclusive of the caregiver(s).
- B. **Group child caring institution.** A home in a residence or other type building(s), non-institutional in character, which offers care to persons as described above and in which seven to 15 persons reside, inclusive of the caregiver(s).
- C. **Congregate child caring institution.** A home that offers care to persons as described above and in which 16 or more persons reside, inclusive of the caregiver(s).

Church or place of worship. A church, synagogue, temple, mosque or other facility used for public worship where organized services are held by persons of similar beliefs.

Clinic. An establishment where patients are admitted for examination and treatment on an outpatient basis by one (1) or more physicians, dentists, other medical personnel, psychologists, or social workers.

City. The City of Palmetto, Georgia.

Club or lodge, private. An association of persons organized for a common purpose to pursue common goals, interests or activities characterized by certain membership qualifications, payment of fees or dues, regular meetings and a constitution or bylaws.

Co-location. The placement and arrangement of multiple providers' antennas and equipment on a single support structure or equipment area.

Commercial district. The conventional districts, including C-1, C-3 and C-4; and the form-based district, C-2.

Conditional use. A use identified by this ordinance which requires adherence to certain conditions specific to that use, in addition to the requirements of the district in which it is located.

Continuing care retirement community. A community designed for and occupied by persons age 55 and older and persons with disabilities that provides a range of housing and lifestyle choices, including independent living, assisted living, and skilled nursing care in an integrated system. Residents are provided housing, services, healthful activities and care through the continuing care contract.

Convenience store. A small retail outlet which offers commonly needed food and staples, including gasoline and oil, normally through extended hours of operation.

Conventional zoning districts. Zoning districts that employ traditional, as-of-right or self-executing zoning regulation and procedures, and in which district regulations are explicit; uses are specified; and development requirements for lot area, lot width, building height, minimum setbacks, and other site-specific requirements are imposed. Conventional zoning districts are intended to separate incompatible land uses and

generally do not consider form or character as the basis of requirements.

Council. The city council of the City of Palmetto, Georgia

County. Fulton County or Coweta County, Georgia, as applicable.

Cul-de-sac. A short, dead-end street terminating in a vehicular turnaround area.

Day care, adult. A daytime community-based program for functionally impaired adults, that provides a variety of health, social, and related support services in a protective setting.

Day care, child.

- A. **Child care center.** A facility other than a private residence that receives one or more preschool or school age children for care for periods of less than 24 hours a day, and at which the parents or guardians are not immediately available to the children. It includes a facility that provides care for more than four weeks during a calendar year, regardless of the number of hours of care per day. A child care center includes public and private preschools, day nurseries, nursery schools, parent cooperative preschools, drop-in centers, and daycare centers.
- B. **Family daycare home.** A private residence operated by any person who has received a certificate of registration from the state and who receives pay for supervision and care fewer than 24 hours per day, without transfer of legal custody, of three but not more than six children under 18 years of age who are not related by blood, marriage, or adoption to the operator and whose parents or guardians are not residents in the same private residence.
- C. **Group daycare home.** A private residence that receives more than six but not more than 12 minor children, not including children related by blood, marriage, or adoption to an adult residing in the residence, for care for periods of less than 24 hours a day, and at which the parents or guardians are not immediately available to the children. It includes a facility that provides care for more than four weeks during a calendar year, regardless of the number of hours of care per day.

Deck. An open structure at least 12 inches above the ground which may be attached to a building and is commonly used for outdoor leisure activities.

Decorative wall. A masonry wall constructed of materials such as brick, stone, or an architectural grade of concrete that reflects or complements the architectural materials on the same or adjoining properties.

Density. The total number of dwelling units per net or gross acre.

Density, Gross. The number of residential units to be located on a parcel of property divided by the total acreage of the property.

Density, Net. The number of residential units to be located on a parcel of property divided by the total acreage of the property, excluding any area occupied by existing street rights-of-way, wetlands, water bodies, 100 year floodplain, utility easements or other easements that prohibit buildings.

Disturbed area. That area of the land's surface disturbed by any work or activity upon the property by means including but not limited to grading; excavating; stockpiling soil, fill, or other materials; clearing; vegetation removal; removal or deposit of any rock, soil, or other materials; or other activities which expose soil. "Disturbed area" does not include the tillage of land that is zoned for agricultural use.

Drive in or drive through facility. An accessory use for a business (such as banks, restaurants, dry cleaners or pharmacies) where the delivery of customer services is done, usually from within the building via a service window, while patrons are in their motor vehicles.

Driveway An approach and private vehicle travel way providing access from a street to private property.

Dwelling unit. A permanent building, or any part of a permanent building, having cooking and sanitary facilities, designed or used exclusively for residential occupancy by one family as a single housekeeping unit, but not including hotels/motels, trailer coaches, recreational vehicles, tents or portable buildings.

Dwelling, multiple family. A building, or portion of a building, designed, constructed, altered, or used for occupancy by three or more families, living independently of each other and each doing their own cooking in the building, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling, single-family. A detached building or manufactured home designed for the complete living accommodations of one family and containing only one dwelling unit.

Dwelling, two-family. A detached building designed for and occupied exclusively by two families living independently of one another. May also be referred to as a duplex.

Dwelling, townhome. A dwelling designed for occupancy by one family in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

Section 25-4 Definitions: E-F

Façade. The exterior side of a building which faces and is most nearly parallel to a public or private street. The elevation of a façade is the vertical surface area.

Façade variation. Shifts in the plane of walls, setbacks, stepbacks, reveals, overhangs and details in order to create variations in a building's façade.

Family. One or more persons related by blood, marriage or legal adoption; or a group of not more than four unrelated persons occupying a dwelling unit and living as a single housekeeping unit. A family may also include domestic servants and not more than two gratuitous guests. The term "family" does not include any fraternity, sorority, club, hotel, organization or institutional group.

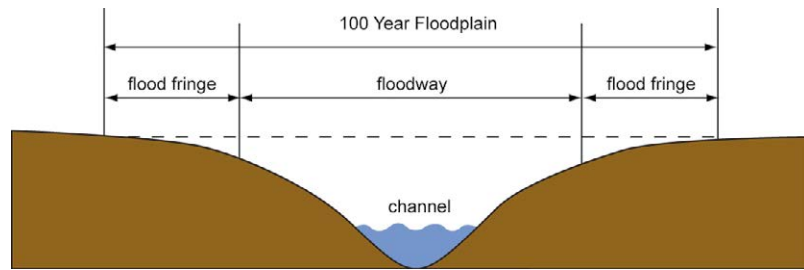
Farm. All of the contiguous, neighboring or associated land operated as a single unit which is devoted to agricultural activities carried on directly by the owner-operator, manager or tenant farmer by his own labor or with the assistance of members of his household or hired employees.

Fence. A barrier or partition of wood, masonry, stone, metal or similar manufactured material or combination of materials, used to prevent or control entrance, confine within, mark a boundary or act as a screen.

Final plat. A map establishing real estate interests for recording with the county clerk and recorder prepared by a Georgia Registered Surveyor, drawn in accordance with the requirements of this ordinance.

Flood hazard area. The area possibly threatened by periodic flooding consisting of the flood plain inclusive of the floodway and the flood fringe area.

Floodplain. The area adjoining a river, stream, water course, or lake, subject to 100-year recurrence interval flood as delineated by the Federal Emergency Management Agency (FEMA). A floodplain shall include the stream channel, the overbank area, or the floodway, and the fringe areas of the floodway.

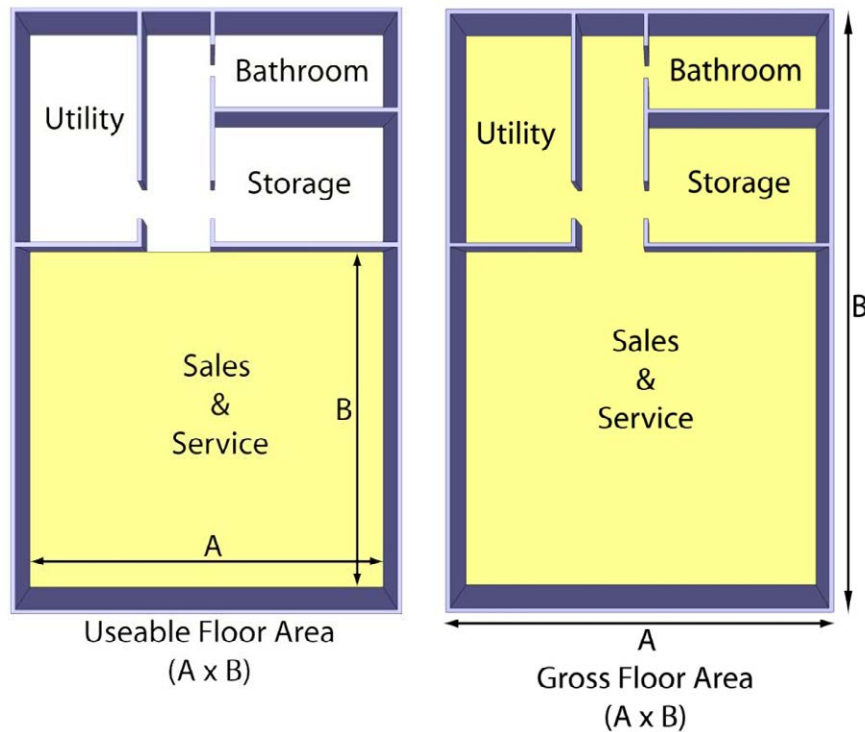


Floodway. The channel of a river, stream or other watercourse and the land areas of the floodplain adjoining the channel that are reasonably required to efficiently carry and discharge the flood water or flood flow of a river or stream and must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floodway fringe. The portions of the floodplain lying outside the floodway.

Floor area, gross. The sum of all gross horizontal areas of the several floors of a building or buildings, measured from the outside dimensions of the structure or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet.

Floor area, gross leasable. The area within a shopping center, commercial or industrial condominium that is available for lease by tenants, not including any common elements such as, but not limited to, hallways and mall public areas.



Floor area, usable. That area to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers, measured from the interior faces of the exterior walls. Areas used principally for the storage or processing of merchandise, for hallways, stairways, and elevator shafts, or for utilities or sanitary facilities shall be excluded from this computation.

Form-based zoning. A method of regulating development to achieve a specific urban form. Form-based zoning creates a predictable public realm primarily by controlling physical form, with a lesser focus on land use. Form-based codes address the relationship between building façades and the public realm, the form and mass

of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards in the form-based zoning chapters, presented in both diagrams and words, designate the appropriate form and scale (and therefore, character) of development, rather than mainly through distinctions in land-use types.

Foster care facility, adult. An establishment that provides supervision, assistance, protection, or personal care and room and board to persons.

- A. **Adult foster care family home.** A private residence with the approved capacity to receive not more than six adults who are provided with foster care for five or more days a week and for two or more consecutive weeks.
- B. **Adult foster care small group home.** An adult foster care facility with the approved capacity to receive not more than 12 adults who are provided with foster care.
- C. **Adult foster care large group home.** An adult foster care facility with the approved capacity to receive at least 13 but not more than 20 adults to be provided with foster care.
- D. **Frontage.** The linear distance where a property line is coterminous with a street right-of-way line.

Section 25-5 Definitions: G-H-I

Garage, parking. A building or part of a building used primarily for the storage of motor vehicles, trailers, recreational vehicles or boats.

Garage, residential. A garage accessory to a dwelling that is under the same ownership as the principal dwelling.

Governing authority. The mayor and council for the city of Palmetto.

Grade, natural. The elevation of the ground level in its natural state, before construction, filling, or excavation.

Grade, finished. The average elevation at ground level at the front wall of the building after construction and grading is complete.

Greenbelt. A landscaped area or vegetative strip that provides aesthetic relief, typically along a roadway.

Greenhouse/nursery. A business where plants are raised, acquired and maintained for transplanting or sale.

Group care facility. A facility providing custodial care and treatment in a protective living environment for persons residing voluntarily or by court placement including, without limitation, correctional and post-correctional facilities, drug or alcohol abuse centers, juvenile detention facilities, and temporary custody facilities.

Home occupation. A vocational activity conducted as an accessory use in a dwelling unit by a member or members of the resident family, which is clearly accessory and incidental to the principal residential use of the dwelling.

Hospital. Any institution receiving inpatients, providing a staffed twenty-four hour emergency care facility and authorized under Georgia law to render medical, surgical, and/or obstetrical care. The term "hospital" shall include a sanitarium with an approved certificate of need (CON) from the state health planning agency for the treatment and care of various forms of mental illness, but shall not include clinics, convalescent homes or rest homes or office facilities for the private practice of medicine, dentistry or

psychiatry.

Hotel/motel. A building under single management that provides rooms or suites intended primarily as sleeping accommodations for public rental on a daily basis for registered guests. A hotel shall maintain a central, internal lobby, and provide daily room cleaning and linen changes. Other supportive facilities may also be included such as, but not limited to, meeting rooms, incidental retail sales, restaurants, lounges, swimming pools, recreational and fitness facilities and similar facilities/services intended principally to serve registered guests.

Household pets. Companion animals commonly kept as pets, whose primary value is personal enjoyment including, but not limited to, dogs, cats, birds, fish, turtles, rodents (bred, such as gerbils, rabbits, hamsters or guinea pigs) and lizards (non-poisonous). Wild, vicious or exotic animals shall not be considered household pets.

Improvements. Street pavements, curbs, gutters, sidewalks, paths, bikeways, sedimentation control facilities, re-vegetation, water mains, sanitary and storm sewers, drainage ways, gas lines, electrical and telephone lines and appurtenances, street signs, trees and lights, lot pin monuments, range point boxes, and any other item required in conformance with the regulations of this ordinance or any conditions of approval.

Improvements agreement. A contractual and legally binding agreement between the city and the applicant which designates all improvements required to be constructed/installed by the approval of an application.

Industrial district. The M-1 and M-2 conventional zoning districts.

Industrialized building. See "Manufactured home."

Section 25-6 Definitions: J-K-L

Junk. Any motor vehicles, machinery, appliances, products or merchandise with parts missing, or scrap metals or other scrap materials that are damaged, deteriorated or in a condition which cannot be used for the purpose for which the product was intended or manufactured.

Junkyard. Property used for indoor or outdoor storage, keeping or abandonment, whether or not for sale or resale, of junk including scrap metal, rags, paper or other scrap materials, used lumber, salvaged materials and equipment; or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.

kennel. Any premises used to board, breed, sell, train, or treat more than three dogs, cats or other domestic pets who are more than six months old.

Loading space. An off-street portion of a parcel designated for the temporary parking of commercial vehicles while loading or unloading materials for use or sale on the parcel.

Lot. A legally described and recorded parcel of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and its accessory uses, together with such yards and open spaces as are required by this ordinance.

Lot area. The total horizontal area within the lot lines of the lot, excluding any road right-of-way or easement dedicated for street purposes.

Lot, corner. A lot where the interior angle of two adjacent sides at the intersection of two streets is less than 135 degrees. A lot abutting a curved street shall be considered a corner lot if the arc is of less radius than 150 feet and the tangents to the curve, at the two points where the lot lines meet the curve or the straight street line extended, form an interior angle of less than 135 degrees.

Lot coverage. The percentage of the lot occupied by buildings, including accessory buildings.

Lot depth. The horizontal distance between the front and rear lot lines, measured along the midpoint between the side lot lines.

Lot, interior. Any lot other than a corner lot.

Lot line, front. The line separating a lot from the street or street right-of-way. On a corner lot, the front lot line shall be established on the plat of subdivision; if no front lot line has been designated, the street upon which the property is addressed shall determine the front lot line. On a through lot, each line separating the lot from a street or street right-of-way shall be a front lot line.

Lot line, rear. The line opposite the front lot line. In the case of a lot that is pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet long, lying farthest from the front lot line and wholly within the lot.

Lot line, side. Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street or street right-of-way is a street side lot line. A side lot line separating a lot from another lot is an interior side lot line.

Lot, through. An interior lot having frontage on two streets that are approximately parallel.

Lot width. The horizontal distance between the side lot lines, measured at the two points where the front setback line intersects the side lot lines.

Section 25-7 Definitions: M-N-O

Manufactured home. A factory-built, single-family structure, transportable in one or more sections, which is built on a permanent chassis in compliance with the National Manufacture Home Construction and Safety Standards Act (42 U.S.C., sec. 4301) and designed to be used as a single-family dwelling with or without a permanent foundation when connected to the required utilities. The term "manufactured home" includes "mobile home." Recreational vehicles and modular homes are not included in this definition.

Manufactured home community. A parcel or tract containing spaces for three or more



manufactured homes with required improvements that are leased for the long-term placement of manufactured homes as year-round residences on a non-recreational basis, which may also include services and facilities for the residents.

Manufactured home space. A designated lot or plot of ground within a manufactured home community used to accommodate a single manufactured home.

Manufactured home subdivision. A parcel or tract of land planned and improved for the placement of three or more mobile homes for permanent use on individually owned private lots.

Mini-warehouse. See “self-storage facility”

Mixed Use. Two or more uses within the same building through superimposition or adjacency, or in multiple buildings by adjacency, or at a close proximity.

Modular home. A factory-fabricated, transportable building unit that is not a manufactured home, placed upon a permanent foundation, and joined to make a single residential structure.

Nonconforming lot. A lot that was legally established and in existence at the time this ordinance or any amendment was adopted but which does not conform to the current regulations of the district in which it is located.

Nonconforming building or structure. A building or structure that was legally established at the time this ordinance or any amendment was adopted and which does not conform to the current regulations of the district in which it is located.

Nonconforming use. A use of a building, structure or land that was legally established and operating at the time this ordinance or any amendment was adopted and which is no longer permitted in the district in which it is located.

Nursing home. See “Personal care home.”

Open air business. Uses operated for profit, substantially in the open air, including, but not limited to:

- A. Outdoor sale, rental or storage services for utility trailers, construction equipment or home equipment;
- B. Outdoor display and sale of garages, motor homes, manufactured homes, farm implements, swimming pools and similar merchandise;
- C. Retail sale of trees, fruits, vegetables, shrubbery, plants, seeds, topsoil, lawn furniture, playground equipment and similar home and garden supplies and equipment; and

Ordinance. The City of Palmetto zoning ordinance.

Ornamental fence. A decorative barrier with a maximum height of four feet, constructed of wood, stone, brick or similar material but not including wire mesh or wood stockade fence.

Overlay zone. A special purpose zoning district that encompasses all or a portion of one or more underlying zones and imposes additional requirements beyond those required by the underlying zone(s).

Section 25-8 Definitions: P-Q-R

Parcel. A separate division of land legally described, surveyed and of record to show the actual boundaries of the parcel.

Parking garage. See “garage, parking.”

Parking structure. A structure or portion thereof composed of two (2) or more floors, with at least one (1) floor above grade, used exclusively for the parking or storage of motor vehicles.

Parking lot. A ground-level open area or plot of ground, usually improved, used for the temporary storage or parking of motor vehicles either for compensation or to provide an accessory service to a business, industrial or residential use.

Parking space. A defined off-street space of adequate size for parking a vehicle with room for opening doors on both sides and maneuvering.

Personal care home. A facility licensed as a rest home, nursing home, convalescent home, home for the aged, or similar use established and operated on a profit or nonprofit basis to provide lodging and/or meals and/or domiciliary care for the aged, infirm, chronically ill, terminally ill, mentally incapacitated, or convalescent persons, but not including hospitals, clinics or similar institutions devoted primarily to diagnosis and treatment. This term does not include buildings devoted to independent living units which include kitchen facilities in which residents have the option of preparing and servicing some or all of their own meals or boarding facilities which do not provide personal care.

- A. **Family personal care home.** A home in a family-type residence, non-institutional in character, which offers care to persons as described above and in which a maximum of six persons reside, inclusive of the caregiver(s).
- B. **Group personal care home.** A home in a residence or other type building(s), non-institutional in character, which offers care to persons as described above and in which seven to 15 persons reside, inclusive of the caregiver(s).
- C. **Congregate personal care home.** A home which offers care to persons as described above and in which 16 or more persons reside, inclusive of the caregiver(s).

Personal service establishment. An establishment or place of business primarily engaged in the provision of frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty and barber shops, shoe repair shops, and tailor shops.

Planned unit development (PUD). A tract or parcel of land developed as a unit under single ownership or unified control that is unique and incorporates one or more of the following: a variety of uses, varied density of development, dedicated open space, preservation of significant natural features, reduced lot sizes or similar attributes.

Porch. A horizontal surface consisting of a deck, slab or other similar construction, covered and attached to a main building and designed for outdoor seating, shelter from the elements or as a means of entry to the building.

Public right-of-way. The publicly owned land in which any street, road, alley or pedestrian/bicycle way or other special purpose way or utility installation is constructed or reserved for public use.

Public utility. A person, firm, corporation, municipal department, or board authorized to furnish and furnishing to the public under municipal or state regulations water, sewage, gas, electricity, communications and power, including but not limited to sewage treatment plants, water pumping facilities, water treatment plants, water storage tanks, electrical substations and bulk gas metering facilities. This definition does not include

wireless communications providers.

Recreation. A use designed for active human recreation that usually involves exertion or competition as part of leisure, amusement, play, exercise, sports or similar recreational endeavors, including, but not limited to, health clubs, sports fields, courts and arenas, swimming pools, racquet clubs, billiard parlors, amusement parks, bowling alleys, miniature golf, golf driving ranges and similar uses. For the purposes of this ordinance, recreation uses are classified as indoor or outdoor recreation and may be further distinguished as commercial or noncommercial recreation. This definition does not include parks and recreation facilities owned by the public or golf courses and country clubs.

Recreational vehicle. Any type of vehicle used temporarily or periodically for recreational or leisure pursuits. Examples include, but are not limited to, travel trailers, motor homes, boats, special purpose automobiles, floats, rafts, trailers, detachable travel equipment of the type adaptable to light trucks, personal watercraft and other vehicles or equipment of a similar nature, as well as any trailer used to transport them.

Recreational campground. An area of land developed and intended for use to provide the traveling public with temporary, short-term, accommodations for recreational vehicles and tents.

Recycling facility. May include the following:

- A. **Collection facility:** A center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. Such a facility does not typically use power-driven processing equipment. Collection facilities may include the following:
 - 1. Reverse vending machine(s).
 - 2. Small collection facilities that occupy an area of not more than one thousand (1,000) square feet, and may include:
 - a. Bulk reverse vending machines or a group of reverse vending machines;
 - b. Kiosk-type units which may include permanent structures; or
 - c. Unattended containers placed for the donation of recyclable materials.
 - 3. Large collection facilities that may occupy an area of more than one thousand (1,000) square feet and may include permanent structures.
- B. **Processing facility:** A "processing facility" is a building or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, or cleaning.

Required building line. The required building setback location running parallel to the front lot line or lines, which is established to create a consistent building façade line on a street.

Residential district. The conventional districts, including RR, R-1, R-2, R-4, R-5 and R-6; and the form-based districts, R-3A and R3-B.

Restaurant, drive-in or drive-through. A business establishment whose method of operation involves the delivery of prepared food to the customer in a motor vehicle, typically through a drive-through window, for consumption off the premises. A drive-through restaurant may also have indoor seating.

Restaurant, standard. A business establishment whose method of operation involves either the delivery of prepared food by servers to customers seated at tables within a building or prepared food is acquired by customers at a counter or cafeteria line and consumed at tables within a completely enclosed building. Standard restaurants may include outdoor seating areas.

Row house. See "Dwelling, townhome."

Section 25-9 Definitions: S-T

Sanitary landfill. An area of land utilized for sanitary disposal by filling with solid waste refuse and garbage, then covering with layers of earth.

Screen. A visual barrier that surrounds a potentially offensive activity.

Self-storage facility. A commercial storage warehouse subdivided into individual bays each having a separate outside entrance and controlled access in a fenced compound with the individual bays offered for lease to the public for storage of customers' goods or wares. A self-storage facility may also include long-term or seasonal outdoor storage of vehicles, such as recreational vehicles.

Setback means the minimum required horizontal distances measured from front, side, and rear lot lines which describe an area beyond which the main walls of a principal building may not extend. A "setback line" shall be the line established by the minimum horizontal distance for each yard. See "Yard" definitions.

Sexually oriented business. An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude modeling studio, sexual encounter center, or massage parlor.

- A. **Adult arcade.** Any place to which the public is permitted or invited wherein coin-operated, slug-operated, or for any form of consideration an electronically, electrically, or mechanically controlled still or motion picture machine, projector, video or disc player, or other image producing device is maintained to show images to five (5) or fewer persons per machine at any one time, and where the image is so displayed or distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."
- B. **Adult bookstore, adult novelty store, or adult video store.** A commercial establishment which, as one of its principal purposes, offers for sale or rental for any form of consideration, any one or more of the following:
1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, discs or other video reproduction, slides, or other visual representations which are distinguished or characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas;" or
 2. Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities."
- C. **Adult cabaret.** A nightclub, bar, restaurant, or similar commercial establishment which regularly features:
1. Persons who appear live in a state of nudity or semi-nudity; or
 2. Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities;" or
 3. Films, motion pictures, video cassettes or discs, slides or other video or photographic

reproductions which are distinguished or characterized by the depiction of “specified sexual activities” or “specified anatomical areas.”

- D. **Adult motel.** A hotel, motel or similar commercial establishment which:
 1. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas;” and has a sign visible from the public right-of-way which advertises the availability of this type of photographic reproduction; or
 2. Regularly offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
 3. Regularly allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.
- E. **Adult motion picture theater.** A commercial establishment where, for any form of consideration, films, motion pictures, videos, slides, or other similar photographic reproduction are regularly shown which are consistently distinguished or characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas.”
- F. **Specified anatomical area.** Means either:
 1. The human male genitals in a discernibly turgid state, even if completely and opaquely covered; or
 2. Less than completely and opaquely covered human genitals, attached pubic hair, buttocks or a female breast below a point immediately above the top of the areola.
- G. **Specified sexual activity.** Means any one (1) of the following:
 1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
 2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, masturbation, or sodomy; or
 3. Excretory functions as a part of or in connection with any of the activities set forth in 1. or 2. above.

Sign. A name, identification, description, display or illustration which is affixed to or represented directly or indirectly upon a building, structure or piece of land and which directs attention to an object, product, place, activity, person, institution, organization or business.

- A. *Animated sign.* Any sign, or part of a sign, that uses any movement or change of lighting or color to depict action or create a special effect or scene.
- B. *Awning or canopy sign.* Any sign that is part of, or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
- C. *Banner.* Any sign of lightweight fabric or similar material possessing characters, letters, illustrations, or ornamentations that is intended to be hung either with or without a frame.
- D. *Beacon.* Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any

- light with one or more beams that rotate or move.
- E. *Billboard*. Any sign which advertises or directs attention to a business, commodity, service, entertainment or any other subject matter not located, carried or provided on the lot or parcel where the sign is located or in the building or structure to which it is affixed.
- F. *Flag*. Any fabric or bunting containing colors, patterns, or symbols.
- G. *Flashing sign*. An illuminated sign on which the artificial lighting is not kept constant in intensity at all times and is not maintained stationary when in use. A revolving, illuminated sign shall be considered a flashing sign.
- H. *Freestanding sign*. Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
- I. *Illuminated sign, external*. A sign illuminated by an external light source.
- J. *Illuminated sign, internal*. A sign illuminated by an internal light source.
- K. *Marquee sign*. A sign that is a part of or attached to a permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.
- L. *Menu Board*. A sign listing available items and pricing information for the establishment at which it is located, typically restaurants, but not designed to be readable from any public thoroughfare or right-of-way or beyond the boundaries of the lot or parcel upon which it is located.
- M. *Moving sign*. A sign which revolves, rotates, swings, undulates, or otherwise attracts attention through the structural movement of parts.
- N. *Mural*. See "wall sign."
- O. *Out-of-store marketing device*. Any facility which is located outside of a principal building in a nonresidential zoning district, which may or may not also include advertising copy or logos. Examples of out-of-store marketing devices include: fuel pumps, bank ATM units, newspaper racks, drink machines, ice boxes, and phone booths.
- P. *Pennant, streamer*. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.
- Q. *Portable sign*. Any sign that is designed to be capable of being transported, either by trailer or on its own wheels.
- R. *Public sign*. Any sign erected by a governmental entity.
- S. *Roof sign*. Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure.
- T. *Sign Permit*. A permit reviewed, approved, and issued by the city clerk for the City of Palmetto to erect a sign.
- U. *Suspended sign*. Any sign which is suspended from the eave or soffit of the building or from the underside of an arcade. May also be referred to as a "hanging sign."
- V. *Temporary sign*. Any sign that is not permanently attached to the ground, a building or another structure and is designed only to be displayed temporarily.
- W. *Wall sign*. Any sign attached parallel to a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface. No wall sign shall extend more than six (6) inches from any wall, building, or structure.
- X. *Window sign*. Any sign that is placed inside a window or upon the window panes

or glass either inside or outside the building, and is visible from the exterior of the structure.

Special event. A civic or social activity or celebration of limited duration that may occur on private property in accordance with all applicable requirements of the City of Palmetto Code of Ordinances and for which the owner of the permit under which the event is held charges a fee. Events include, but are not limited to, haunted houses, carnivals, antique auto sales, grand openings, festivals, home exhibitions, weddings, receptions and bazaars.

Special land use. Those uses of land and structures which are not essentially incompatible with the other uses permitted in a zoning district, but which possess characteristics of operation or locational qualities that may require individual review and restriction.

Story. That part of a building between the surface of any floor and the surface of the floor next above. Where there is no floor above, story shall mean the space between the surface of the floor and the ceiling next above.

Story, half. An uppermost story, lying under a sloping roof, having an area of at least two hundred (200) square feet, with a clear height of seven feet six inches. For the purposes of this ordinance, the usable floor area of a half story is only that area having at least four feet clear height between floor and ceiling.

Street classification. The hierarchy of street types denoting their relative function and traffic-carrying capability.

- A. **Arterial.** A connected network of continuous routes serving intra- and interstate travel, as well as interurban travel. Arterials accommodate high traffic volumes generally at higher speeds. Access to abutting land is subordinate to moving through traffic. The following streets are classified as "arterials":
1. Roosevelt Hwy/Hwy 29
 2. Cascade-Palmetto Hwy/Hwy 154
 3. Johnson Rd
 4. Fayetteville Rd
- B. **Collector.** Those streets which collect traffic from local streets and channel it to arterial streets. Collector streets carry moderate traffic volumes and primarily provide for local traffic movements with a minor amount of through traffic. While traffic movement remains their primary function, collectors do provide for a higher degree of land access than arterials. The following streets are classified as "collectors":
1. Carlton Road
 2. Locke Street
 3. Sims Street
 4. Phipps Road
 5. Church Street
- C. **Local.** A street that provides direct access to adjacent land and access to higher street classifications. All streets not otherwise classified are "local."

Street, private. Any vehicular access not dedicated to the public that has been platted and recorded as a private street.

Street, public. A right-of-way dedicated to the city or other governmental entity and

owned by the city or other governmental entity for public purposes.

Streetscape. The various components that make up the street, both in the right of way and on private lot frontages. It includes pavement, parking spaces, planting areas, street trees, streetlights, sidewalks, front yard fences, front yards, front porches, etc.

Streetwall. An opaque or mostly opaque freestanding wall built along a frontage line, or along the same building line as the principal building façade, usually for the purpose of screening a parking lot or other non-public area from the street or surrounding properties.

Structural alterations. Any change in the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

Structure. Anything constructed, erected, or placed which requires location on or in the ground or is attached to something having a location on the ground, including without limitation, buildings, manufactured homes, gazebos, play structures, decks, towers, fences, and swimming pools.

Subdivision. A legal division of a tract of land into two or more lots, all fronting on a public street, and offered for sale as individual lots.

Tavern or bar. An establishment licensed by the State of Georgia to sell and serve alcoholic beverages on the premises, where revenue from the sale of alcohol is greater than that derived from the sale of food and where more than thirty percent (30%) of the gross floor area is made up of a bar, being a barrier or counter at which alcoholic beverages are sold or served to and consumed by customers. A tavern may also include areas dedicated to the use of stages, dance floors, standing-room areas and pool tables and other mechanical amusement devices.

Townhome. See “dwelling, townhome.”

Trailer park. An area of land on which two or more travel trailers or motor homes are regularly accommodated with or without charge, including any building or other structure, fixture or equipment that is used or intended to be used in connection with providing that accommodation.

Section 25-10 Definitions: U-V-W

Use, principal. The principal purpose for which a lot or the main building thereon is designed, arranged, or intended, and for which it is or may be used, occupied, or maintained.

Variance. A variation, authorized by the zoning board of appeals, from the strict requirements of the zoning ordinance relative to building, lot area or width, setbacks, height or other dimensional provisions of the ordinance.

Vehicle, abandoned. A vehicle which does not bear a current license plate and decal, if applicable, unless the vehicle is stored within a completely enclosed building or is located on a bonafide sales lot and is in satisfactory operating condition.

Vehicle repair, major. General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers; collision service, including body frame or fender straightening or repair; tire recapping or retreading; painting and engine steam cleaning.

Vehicle repair, minor. Incidental body and fender work, painting and upholstering, replacement of parts and motor service to passenger automobiles and trucks not exceeding one-ton capacity, but not including any operation defined as “major vehicle

repair.”

Vehicle service station. A building and premises wherein a primary use is the supply and dispensation of retail gasoline, diesel fuel, oil, grease, batteries, tires and motor vehicle accessories, and where minor repair services may be provided. This service shall not include major vehicle repair.

Vehicle wash. A building or portion of a building that contains facilities for washing vehicles, either using a production line with a conveyor, cleaning devices, blowers, or similar mechanical equipment, or by self-service washing and rinsing equipment.

Veterinary clinic/hospital. A building where care and treatment of small animals, including household pets, is provided.

Wetlands. Those areas that are inundated or saturated by the 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.

Wind Energy Conversion System, Single Accessory. A system consisting of a wind turbine, tower, and associated control or conversion electronics for the purpose of providing electrical power to a lawful principal use. A system having a rated capacity of 10 kilowatts (kW) or less for residential use or 50kW or less for non-residential uses shall be considered a private use, single accessory system for the purposes of the regulations

Wind Energy Conversion System, Commercial. A system consisting of a wind turbine, tower, and associated control or conversion electronics for the purpose of providing electrical power to the utility grid.

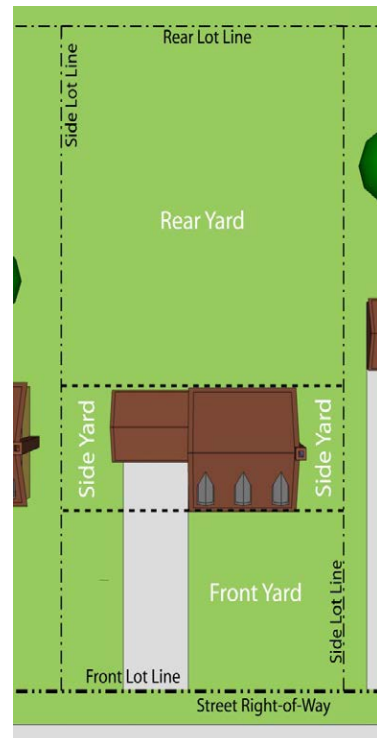
Wireless communications facilities. The plant, equipment and property, including, but not limited to, cables, wires, conduits, ducts, pedestals, antennas, electronics and other appurtenances used or to be used to transmit, receive, distribute, provide or offer wireless communications services.

Wireless communications tower. Any structure, such as a mast, pole, monopole, guyed tower, or lattice tower, that is designed and constructed primarily for the purpose of supporting one or more antennas.

Section 25-11 Definitions: X-Y-Z

Yard. An open space on the same lot with a building or structure, unoccupied and unobstructed between the building and the nearest lot line, except as otherwise provided (see also “building line”).

- A. **Yard, front.** A yard between the front building line and the street right-of-way, extending across the full width of the lot between the side lot lines. On a corner lot, the primary front yard is that yard along the street that abuts the front lot line (see “lot line, front”). The secondary street front yard is also a front yard, but may be distinguished with different setback requirements in a district.
- B. **Yard, rear.** A yard between the rear building line and the rear lot line, extending along the full width of the



lot between the side lot lines. In the case of a corner lot, the rear yard is the yard opposite the primary front yard.

- C. **Yard, side.** A yard lying between the side building line and the side lot line, extending from the front yard to the rear yard.

Zoning administrator. The person designated by the Palmetto mayor and city council as the city's agent for administration of these regulations.

Zoning ordinance (or ordinance). The zoning ordinance of the City of Palmetto, Georgia.

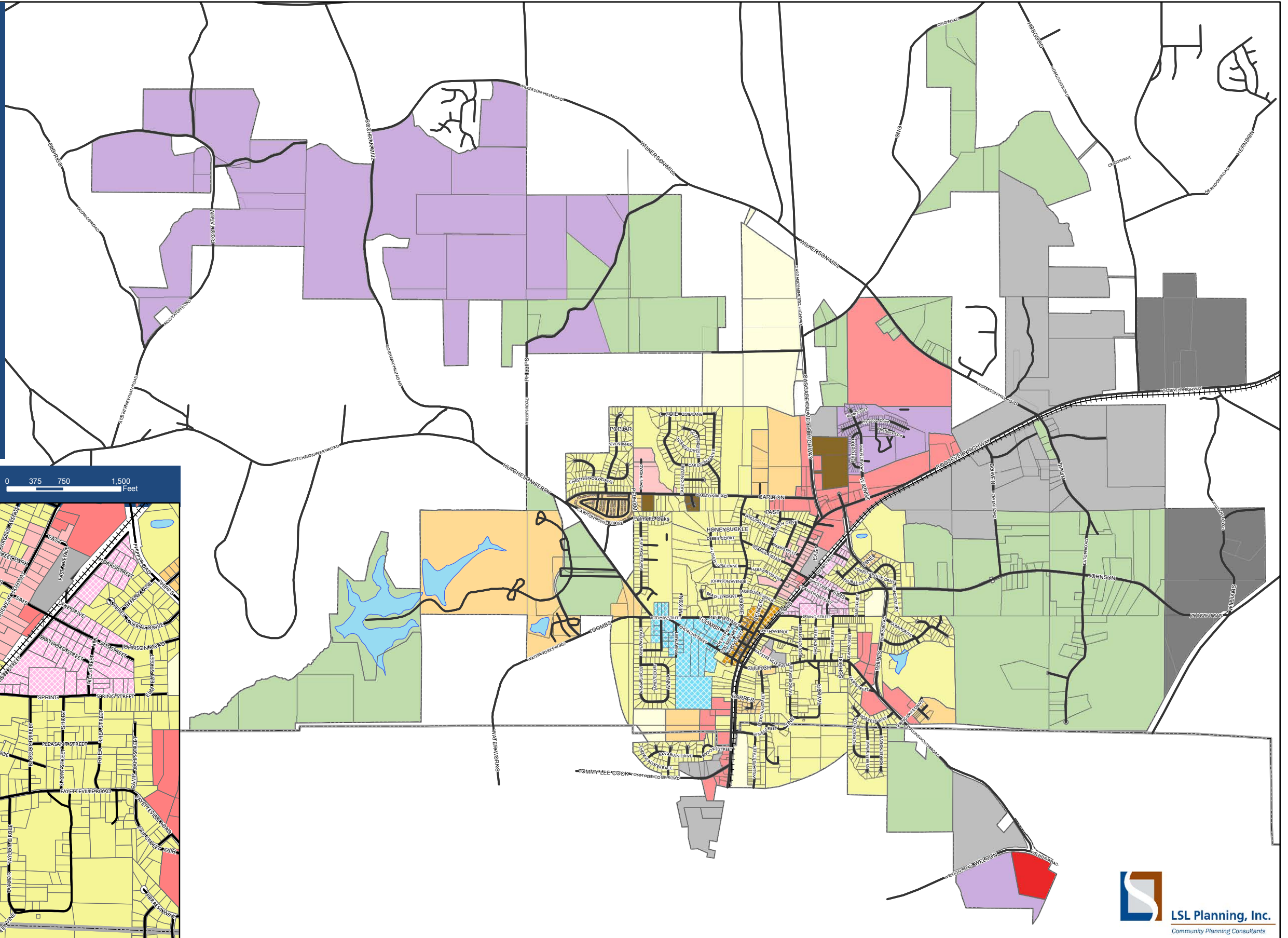
CITY OF PALMETTO, GEORGIA

Zoning Map

Adopted September 6, 2011

Traditional Zoning Districts

- RR - Rural Residential
 - R-1 - Low Density Residential
 - R-2 - Moderate Density Residential
 - R-5 - Medium Density Residential
 - R-6 - High Density Residential
 - PUD - Planned Unit Development
 - C-1 - Neighborhood Commercial
 - C-3 - General Commercial
 - C-4 - Highway Commercial
 - M-1 - Light Industrial
 - M-2 - Heavy Industrial
- Form-Based Districts**
- R-3A - Traditional Residential
 - R-3B - Mill Village Residential
 - C-2 - Central Business District



Downtown Palmetto

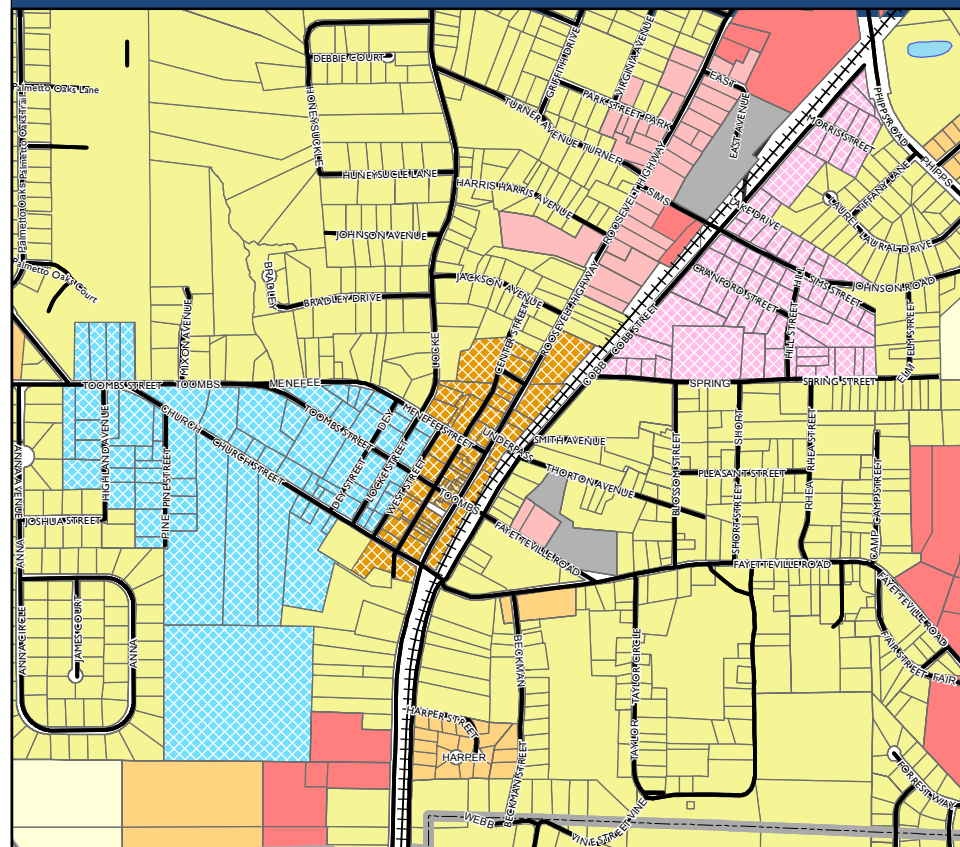


Table A.1 Uses by District

	RR	R-1	R-2	R-4	R-5	R-6	C-1	C-3	C-4	M-1	M-2	R-3A	R-3B	C-2
Golf courses and country clubs	C	C	C	C	C	C								
Public parks/playgrounds	P	P	P	P	P	P						P	P	P
Private non-commercial recreation		C	C	C	C	C								
Recreational campgrounds	S													
Shooting ranges (indoor/outdoor)	S													
Public/Quasi-public														
Cemeteries	P	P	P	P	P	P						P	P	P
Colleges and universities (including student housing)					S	S								
Correctional Facilities										S	S			
Churches and customary related uses	C	C	C	C	C	C	P	P		C		P	P	P
Government buildings	P	P	P	P	P	P				P	P	P	P	P
Schools (elementary, middle and high)		C	C	C	C	C						P	P	P
Public buildings, recreation centers or other similar not-for-profit institutions												P	P	P
Personal Services														
Barber shop							P	P						
Beauty shop							P	P						
Child care centers, commercial preschools and nurseries				C	C	C	C	P						P
Child care centers										C	C			
Dry cleaner, not including a dry cleaning plant							P	P						
Non-commercial laundries or dry cleaning establishments														P
Health spa, fitness club								P						
Health and beauty care														P
Laundromat							S	P						
Photography studio							P	P						P
Repair of consumer goods, electronics, household items, clothing and footwear							P	P						P
Retail Uses														
Appliance sales and repair								P						
Art studio							P	P						
Auction houses								C						
Building and lumber supply, fence material, rental and related construction oriented retail establishments								C						
Convenience stores							P	P	P					P
Nurseries and greenhouses (including retail sales)								P						
Open air business								S						
Beer, wine and package liquor store							P	P						P
Pawn shops, second hand and consignment stores								S						C
Planned shopping centers								P						
Retail establishments such as variety, dry goods, clothing, florists, gift, notions, music, book, hardware or pharmacies, not exceeding 10,000 square feet of floor area							P							P
Retail food establishments which supply groceries, fruits, vegetables, meats, dairy products, baked goods, confections and similar commodities for consumption off the premises, not exceeding 10,000 square feet of floor area							P							P

Table A.1 Uses by District

	RR	R-1	R-2	R-4	R-5	R-6	C-1	C-3	C-4	M-1	M-2	R-3A	R-3B	C-2
Retail establishments whose principal activity is the sale of merchandise within an enclosed building.								P						
Office, Financial and Business Services														
Call centers								P						
Financial institutions							P	P	S					
Financial institutions. Drive in and drive-through uses are not permitted														P
Gunsmith								S						
Laboratory serving professional requirements, e.g. medical, dental, etc								P						
Locksmith shop								P						
Medical or dental office, including clinics								P						
Messenger service								P						
Office equipment sales and service								P						P
Offices, general and professional								P						
Taxicab dispatching								P						
Commercial Establishments														
Auction houses										P				
Business machine sales & service										P				
Central dry cleaning or laundry										P	P			
Glass sales & service										P	P			
HVAC sales & service										P	P			
Machinery and equipment sales & service										P	P			
Mail order businesses and Fulfillment centers										P	P			
Petroleum products sales										P	P			
Sexually oriented businesses										S	S			
Services														
Cleaning services										P	P			
Dry cleaning plants and commercial laundries										S	P			
Locksmith shops										P	P			
Pest control services										P	P			
Tool and equipment rental										P	P			
Repair shops (non-automotive)										P	P			
Offices, Research and Technical Facilities														
Blueprinting and photocopying establishments										P	P			
Offices, general and professional										P	P			P
Printing and publishing facilities										P	P			
Radio, television and recording studios										P				
Research and development laboratories										P	P			
Educational Services														
Schools, commercial and trade										P	P			
Schools, driving										P				
Training centers, engineering or sales										P	P			
Vehicle Sales, Service and Related Uses														

Table A.1 Uses by District

	RR	R-1	R-2	R-4	R-5	R-6	C-1	C-3	C-4	M-1	M-2	R-3A	R-3B	C-2
Auto parts and tire store								P		P	P			
Automobile, trailer, truck, farm equipment, recreational vehicle or motorcycle sales								S	S					
Automobile rental										P				
Boat sales and repair								S	S					
Parking garage, structure or lot, commercial (as principal use)								C	C					
Parking garage, structure or lot, private (as principal use)								P	P					
Tire retreading plant										C	P			
Tire retreading service								C	C					
Truck and trailer rental										P	P			
Truck sales (new/used)										P				
Truck stops										P	P			
Vehicle auctions										P	P			
Vehicle repair, minor								C	S	P	P			
Vehicle repair, major								S	S	S	S			
Vehicle salvage yards											S			
Vehicle service stations								S	S	S	S			
Vehicle wash facilities								S	S	S	S			
Food, Drink, Entertainment and Hospitality														
Banquet facilities, reception halls and similar gathering facilities								S	S					
Commercial recreation, indoor (movie theaters, bowling alleys, ice arenas, billiard parlors and similar uses)								S	S					P
Commercial recreation, outdoor (mini-golf, golf driving ranges, go-cart, amusement parks and similar activities)								S	S					
Food catering service								P						
Hotel/motel									P					S
Performance theaters, concert halls								P						S
Performing arts or martial arts school or studio							P	P						P
Radio, television and recording studio								P						P
Restaurant (standard)							P	P	P					P
Restaurant (drive-in or drive-through)								S	S					
Restaurant (alcohol and/or entertainment)								S	S					S
Restaurant (outdoor seating area)							C	C						C
Restaurants (either freestanding or within multi-tenant building, but not including drive-through)										S	S			
Taverns								S	S	S	S			S
Gyms or fitness clubs, indoor														P
Health Care and Social Assistance														
Laboratory serving professional requirements, e.g. medical, dental, etc.										P	P			P
Medical and dental clinics										P				P
Ambulance service								P	P					
Hospital								S						S

Table A.1 Uses by District

	RR	R-1	R-2	R-4	R-5	R-6	C-1	C-3	C-4	M-1	M-2	R-3A	R-3B	C-2
Institutional Uses														
Business school								P						
Government buildings							P	P	P					
Library							P	P						
Museum, cultural facility								P						
Personal care homes: nursing home, convalescent home rest home, etc.								S						
Philanthropic and charitable institutions					S	P								
Publicly owned recreation center or other similar charitable institution								P						
Manufacturing														
Manufacturing, compounding, processing, packaging, treating or assembly from previously prepared materials										P	P			
Manufacture or assembly of automotive, electrical fixtures and hardware											S			
Building material manufacturing including milling, planning and joining										S	P			
Chemical manufacturing and storage										S	S			
Explosive manufacturing and storage											S			
Foundries											S			
Machine, sheet metal and welding shops										P	P			
Metal stamping, pressing and buffing										S	P			
Paint, rust proofing and rust coating										S	P			
Petroleum tank farms										S	S			
Sawmills										S	P			
Structural and steel fabrication										S	P			
Tool and die shops										P	P			
Construction														
Building materials and lumber supply										S	S			
Concrete and gravel crushing											S			
Contractors' offices and shops (not including outdoor storage)										P	P			
Landscaping services										P	P			
Mining														
Mineral extraction operations	S									S	S			
Transportation and Warehousing														
Airports	S									S	S			
Airstrips	S													
Bottled gas storage and distribution										S	S			
Bus and passenger rail terminals										P	P			
Cartage, express and parcel delivery facilities										S	P			
Freight and intermodal terminals										S	S			
Heliports and helipads										S	S			
Moving companies										P	P			
Parking garage, structure or lot (as principal use)										P	P			
Railroad marshalling and repair yard											S			
Self-storage facilities (indoor)									S	P	P			

