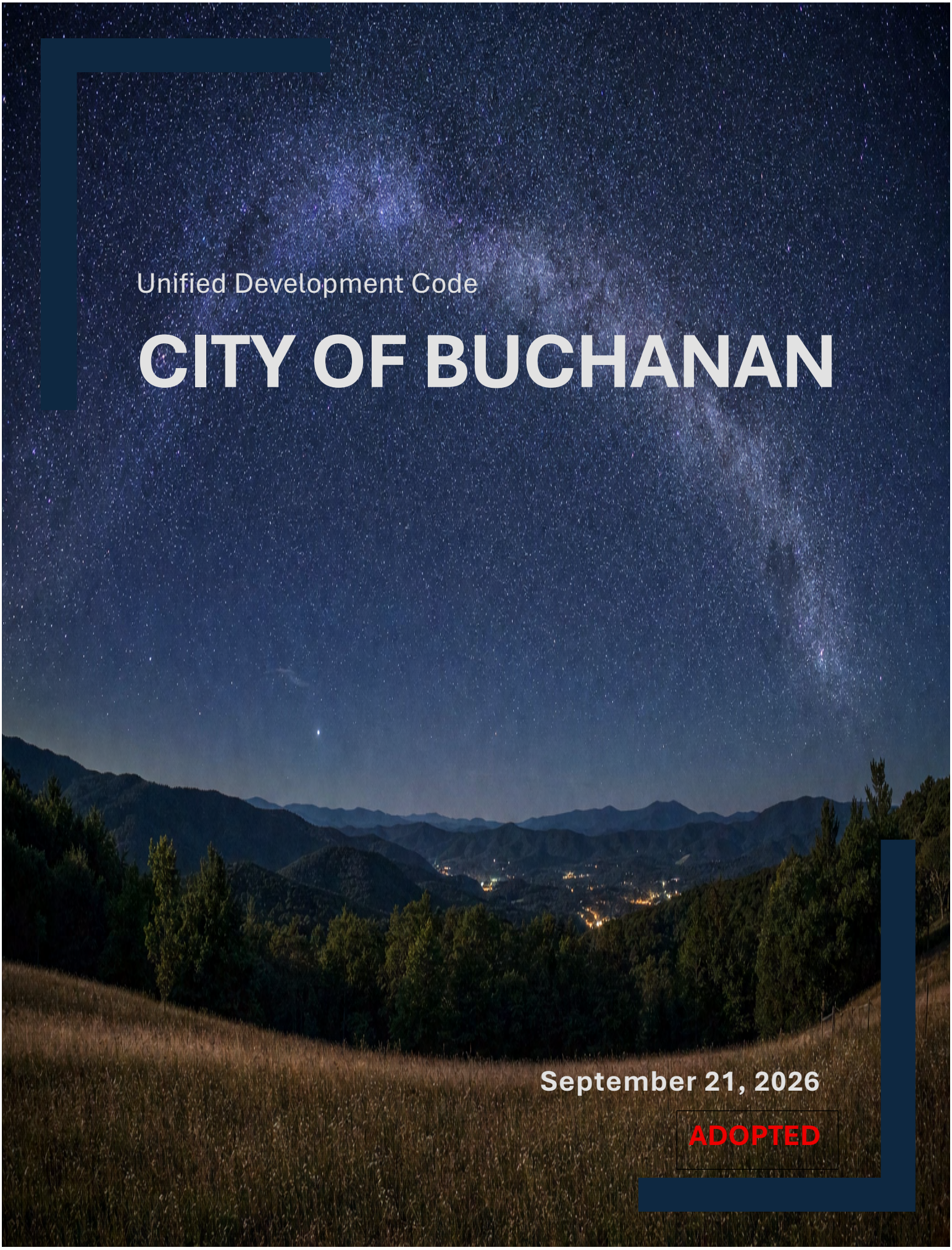


Unified Development Code

CITY OF BUCHANAN

September 21, 2026

ADOPTED

Elected Officials

Steve Holcombe	Mayor
Angie Hood	Mayor Pro-Tem
Matt Cook	Councilmember
Sterling Moore	Councilmember
Ron Moser	Councilmember

Staff and Boards

Sherry Taylor	City Clerk
Maizie Glore	Deputy City Clerk

Planning & Zoning Commission

The adoption of this Zoning Ordinance represents the shared vision, dedication, and collaborative effort of our community's leadership, residents, and stakeholders. We gratefully acknowledge the above individuals and groups whose guidance, public input, and expertise were essential in shaping a framework for sustainable growth, economic vitality, and an enhanced quality of life for our community.

Prepared by:

WEST GEORGIA PLANNING

www.westgeorgiaplanning.com

TABLE OF CONTENTS

CHAPTER I - GENERAL PROVISIONS 1

■ ■ ■ SEC. 1.01 – TITLE 1
■ ■ ■ SEC. 1.02 – PURPOSE AND INTENT 1
■ ■ ■ SEC. 1.04 – APPLICABILITY AND COMPLIANCE 2
■ ■ ■ SEC. 1.07 – INTERPRETATIONS 4
■ ■ ■ SEC. 1.08 – INTERPRETATION OF TERMS OR WORDS 4
■ ■ ■ SEC. 1.09 – OFFICIAL ZONING MAP 5
■ ■ ■ SEC. 1.10 – CONFLICT OF LAW 6
■ ■ ■ SEC. 1.11 – SEVERABILITY 6
■ ■ ■ SEC. 1.12 – REPEAL OF CONFLICTING ORDINANCES 6
■ ■ ■ SEC. 1.13 – EFFECTIVE DATE 6

CHAPTER II - ADMINISTRATION AND REVIEW BODIES 7

■ ■ ■ SEC. 2.01 – ENFORCEMENT 7
■ ■ ■ SEC. 2.02 – PLANNING BOARD 7
■ ■ ■ SEC. 2.03 – ZONING ADMINISTRATOR 9
■ ■ ■ SEC. 2.04 – (RESERVED) 10
■ ■ ■ SEC. 2.05 – (RESERVED) 10
■ ■ ■ SEC. 2.06 – MAYOR AND CITY COUNCIL 10
■ ■ ■ SEC. 2.07 – PROCEDURES FOR CALLING AND CONDUCTING PUBLIC HEARINGS 12
■ ■ ■ SEC. 2.08 – STANDARDS FOR ZONING DECISIONS (CROSS-REFERENCE) 13

CHAPTER III - NONCONFORMITIES 14

■ ■ ■ SEC. 3.01 – INTENT 14
■ ■ ■ SEC. 3.02 – CONTINUANCE 14
■ ■ ■ SEC. 3.03 – UNSAFE OR UNSANITARY BUILDING 14
■ ■ ■ SEC. 3.04 – RESTORATION 14
■ ■ ■ SEC. 3.05 – ABANDONMENT 15
■ ■ ■ SEC. 3.06 – CHANGE TO ANOTHER NONCONFORMING USE NOT ALLOWED 15
■ ■ ■ SEC. 3.07 – CHANGES TO CONFORMING USE 15
■ ■ ■ SEC. 3.08 – ENLARGEMENT 15

■ ■ ■ SEC. 3.09 – DISCONTINUANCE OF NONCONFORMING USES OF LAND 16
■ ■ ■ SEC. 3.10 – LOTS OF RECORD 16
■ ■ ■ SEC. 3.11 – COMBINATION OF ADJOINING AND VACANT LOTS OF RECORD 16
■ ■ ■ SEC. 3.12 – REDUCTION IN BUILDING SETBACK LINE 16

CHAPTER IV - ZONING DISTRICTS AND DIMENSIONAL STANDARDS 17

■ ■ ■ SEC. 4.01 – ESTABLISHMENT OF DISTRICTS 17
■ ■ ■ SEC. 4.02 – DISTRICT INTENT STATEMENTS.....18
■ ■ ■ SEC. 4.03 – SUMMARY SCHEDULE OF DIMENSIONAL STANDARDS 25
■ ■ ■ SEC. 4.04 – PERMITTED AND SPECIAL EXCEPTION USES, GENERALLY.....29
■ ■ ■ SEC. 4.05 – CENTRAL BUSINESS DISTRICT (CBD): SUPPLEMENTARY REGULATIONS 32
■ ■ ■ SEC. 4.06 – COMPREHENSIVE SCHEDULE OF PERMITTED AND SPECIAL EXCEPTION USES 35
■ ■ ■ SEC. 4.07 – DISTRICT DIMENSIONAL CARDS.....52
■ ■ ■ SEC. 4.08 – USE CLASSIFICATIONS AND DEFINITIONS 69

CHAPTER V - PLANNED DEVELOPMENT DISTRICTS.....73

■ ■ ■ SEC. 5.A.01 – PURPOSE AND INTENT 73
■ ■ ■ SEC. 5.A.02 – APPLICABILITY AND MINIMUM DISTRICT SIZE 74
■ ■ ■ SEC. 5.A.03 – RELATIONSHIP TO OTHER CHAPTERS OF THIS CODE 75
■ ■ ■ SEC. 5.A.04 – TWO-STEP APPROVAL: CONCEPT PLAN AND REZONING.....75
■ ■ ■ SEC. 5.A.05 – CONCEPT PLAN SUBMITTAL REQUIREMENTS 76
■ ■ ■ SEC. 5.A.06 – PERMITTED AND SPECIAL EXCEPTION USES 77
■ ■ ■ SEC. 5.A.07 – OPEN SPACE, AMENITY, CIVIC USES, AND COMMERCIAL BALANCE STANDARDS.....77
■ ■ ■ SEC. 5.A.08 – DENSITY, HOUSING MIX, AND DIMENSIONAL STANDARDS 80
■ ■ ■ SEC. 5.A.09 – MASTER DEVELOPMENT AGREEMENT 84
■ ■ ■ SEC. 5.A.10 – DESIGN EXCELLENCE AND ARCHITECTURAL STANDARDS.....85
■ ■ ■ SEC. 5.A.11 – PHASING, INFRASTRUCTURE, AND PRIVATE STREETS.....86
■ ■ ■ SEC. 5.A.12 – AMENDMENTS TO AN APPROVED PUD CONCEPT PLAN.....86
■ ■ ■ SEC. 5.A.13 – CONCEPT PLAN REVIEW CRITERIA 87
■ ■ ■ SEC. 5.A.14 – REQUIRED FINDINGS.....87
■ ■ ■ SEC. 5.A.15 – CONDITIONS OF APPROVAL.....88
■ ■ ■ SEC. 5.A.16 – EFFECT, DURATION, AND LAPSE OF APPROVAL.....88

■ ■ ■ SEC. 5.A.17 – QUANTITATIVE STANDARDS AT A GLANCE....88
■ ■ ■ SEC. 5.B.01 – PURPOSE AND INTENT....89
■ ■ ■ SEC. 5.B.02 – APPLICABILITY AND MINIMUM DISTRICT SIZE....91
■ ■ ■ SEC. 5.B.03 – RELATIONSHIP TO OTHER CHAPTERS OF THIS CODE....91
■ ■ ■ SEC. 5.B.04 – TWO-STEP APPROVAL: CONCEPT PLAN AND REZONING....91
■ ■ ■ SEC. 5.B.05 – CONCEPT PLAN SUBMITTAL REQUIREMENTS....93
■ ■ ■ SEC. 5.B.06 – PERMITTED AND SPECIAL EXCEPTION USES....94
■ ■ ■ SEC. 5.B.07 – USE-SPECIFIC STANDARDS....98
■ ■ ■ SEC. 5.B.08 – SETTLEMENT TYPES AND THE TRANSECT WITHIN THE RHD....106
■ ■ ■ SEC. 5.B.09 – HOUSING TYPES, CLUSTERING AND DENSITY....108
■ ■ ■ SEC. 5.B.10 – DIMENSIONAL STANDARDS BY TRANSECT ZONE....112
■ ■ ■ SEC. 5.B.11 – SUB-HAMLETS, VILLAGES, AND THE COMMERCIAL BALANCE STANDARD....114
■ ■ ■ SEC. 5.B.12 – OPEN SPACE, PERIMETER BUFFERS, AND LAND CONSERVATION....118
■ ■ ■ SEC. 5.B.13 – OUTDOOR ENTERTAINMENT VENUES AND THE CONCERT VILLAGE....124
■ ■ ■ SEC. 5.B.14 – MASTER DEVELOPMENT AGREEMENT....127
■ ■ ■ SEC. 5.B.15 – DESIGN EXCELLENCE AND ARCHITECTURAL STANDARDS....128
■ ■ ■ SEC. 5.B.16 – PHASING, INFRASTRUCTURE, AND PRIVATE STREETS....130
■ ■ ■ SEC. 5.B.17 – AMENDMENTS TO AN APPROVED RHD CONCEPT PLAN....130
■ ■ ■ SEC. 5.B.18 – BLOCK AND STREET STANDARDS WITHIN THE RHD....131
■ ■ ■ SEC. 5.B.19 – CIVIC SPACE STANDARDS WITHIN THE RHD....131
■ ■ ■ SEC. 5.B.20 – SUSTAINABILITY AND STEWARDSHIP....132
■ ■ ■ SEC. 5.B.21 – MOBILITY, TRAILS, AND LOW-SPEED VEHICLES....133
■ ■ ■ SEC. 5.B.22 – FIRE PROTECTION AND EMERGENCY SERVICES IN THE RURAL CONTEXT....134
■ ■ ■ SEC. 5.B.23 – SIGNAGE AND WAYFINDING IN THE RHD....134
■ ■ ■ SEC. 5.B.24 – CONCEPT PLAN REVIEW CRITERIA....134
■ ■ ■ SEC. 5.B.25 – REQUIRED FINDINGS....135
■ ■ ■ SEC. 5.B.26 – CONDITIONS OF APPROVAL....135
■ ■ ■ SEC. 5.B.27 – EFFECT, DURATION, AND LAPSE OF APPROVAL....136

CHAPTER VI – STREETS AND CONNECTIVITY....137

■ ■ ■ SEC. 6.01 – PURPOSE AND INTENT....137
■ ■ ■ SEC. 6.02 – PRIVATE ROADWAY STANDARDS AND EASEMENT DEDICATIONS....138

■ ■ ■ SEC. 6.03 – HIERARCHY OF ROADWAY CLASSIFICATIONS 140
■ ■ ■ SEC. 6.04 – THOROUGHFARE CROSS SECTIONS 142
■ ■ ■ SEC. 6.05 – CONNECTIVITY, BLOCKS, AND ACCESS 151
■ ■ ■ SEC. 6.06 – PARKING PLACEMENT AND THE STREET 151
■ ■ ■ SEC. 6.07 – DESIGN AND CONSTRUCTION STANDARDS FOR PRIVATE ROADWAYS 152
■ ■ ■ SEC. 6.08 – SUPPLEMENTAL CROSS-SECTION AND GEOMETRIC STANDARDS 153

CHAPTER VII - INFILL, SUBDIVISION, AND INFRASTRUCTURE STANDARDS 155

■ ■ ■ SEC. 7.01 – INFILL DEVELOPMENT STANDARDS 155
■ ■ ■ SEC. 7.02 – SUBDIVISION OF LAND, GENERALLY 156
■ ■ ■ SEC. 7.03 – BLOCK AND LOT DESIGN 156
■ ■ ■ SEC. 7.04 – REQUIRED IMPROVEMENTS 159
■ ■ ■ SEC. 7.05 – FARMETTE SUBDIVISIONS 160
■ ■ ■ SEC. 7.06 – CONVEYANCE OF INFRASTRUCTURE AND EASEMENT DEDICATION 161
■ ■ ■ SEC. 7.07 – PERFORMANCE BOND 162
■ ■ ■ SEC. 7.08 – MAINTENANCE BOND 168
■ ■ ■ SEC. 7.09 – PLATS AND RECORDING 173

CHAPTER VIII - DESIGN AND ARCHITECTURAL STANDARDS 175

■ ■ ■ SEC. 8.01 – PURPOSE 175
■ ■ ■ SEC. 8.02 – FRONTAGE TYPES 176
■ ■ ■ SEC. 8.03 – BUILDING TYPES CATALOG 177
■ ■ ■ SEC. 8.04 – MASSING, HEIGHT, AND ROOFS 179
■ ■ ■ SEC. 8.05 – MATERIALS AND COLOR 181
■ ■ ■ SEC. 8.06 – RESIDENTIAL DESIGN STANDARDS 182
■ ■ ■ SEC. 8.07 – MULTI-FAMILY AND TOWNHOME DESIGN STANDARDS 184
■ ■ ■ SEC. 8.08 – NONRESIDENTIAL AND MIXED-USE DESIGN STANDARDS 186
■ ■ ■ SEC. 8.09 – CIVIC AND AGRICULTURAL BUILDINGS 188
■ ■ ■ SEC. 8.10 – LIGHTING AS AN ARCHITECTURAL ELEMENT 189
■ ■ ■ SEC. 8.11 – PATTERN BOOK IN THE PLANNED DEVELOPMENT DISTRICTS 190
■ ■ ■ SEC. 8.12 – ADMINISTRATION AND ENFORCEMENT OF DESIGN STANDARDS 191

CHAPTER IX - DEVELOPMENT STANDARDS 192

■ ■ ■ SEC. 9.01 – OFF-STREET PARKING AND LOADING 192
■ ■ ■ SEC. 9.02 – PARKING DIMENSIONS, ACCESSIBILITY, AND DESIGN 196
■ ■ ■ SEC. 9.03 – LANDSCAPING AND BUFFERS 197
■ ■ ■ SEC. 9.04 – TREE CONSERVATION 222
■ ■ ■ SEC. 9.05 – OUTDOOR LIGHTING AND DARK SKIES 227
■ ■ ■ SEC. 9.06 – OPEN SPACE AND CIVIC SPACE 229
■ ■ ■ SEC. 9.07 – SIGNS 230
■ ■ ■ SEC. 9.08 – RESERVED 232
■ ■ ■ SEC. 9.09 – RESERVED 232
■ ■ ■ SEC. 9.10 – STORMWATER MANAGEMENT 233
■ ■ ■ SEC. 9.11 – EROSION AND SEDIMENT CONTROL 233
■ ■ ■ SEC. 9.12 – NATURAL RESOURCE PROTECTION 234
■ ■ ■ SEC. 9.13 – PEDESTRIAN AND BICYCLE FACILITIES 235
■ ■ ■ SEC. 9.14 – FENCES AND WALLS 235
■ ■ ■ SEC. 9.15 – DISTRICT BUFFER MATRIX 236
■ ■ ■ SEC. 9.16 – OUTDOOR STORAGE AND MECHANICAL SCREENING 237
■ ■ ■ SEC. 9.17– AMENITIES 238
■ ■ ■ SEC. 9.18– DENSITY BONUSES 1

CHAPTER X - SUPPLEMENTARY STANDARDS FOR SPECIFIC USES 237

■ ■ ■ SEC. 10.01 – GENERAL 237
■ ■ ■ SEC. 10.02 – ACCESSORY USES AND STRUCTURES 237
■ ■ ■ SEC. 10.03 – TEMPORARY USES AND STRUCTURES 244
■ ■ ■ SEC. 10.04 – HOME-BASED BUSINESSES AND HOME OCCUPATIONS 245
■ ■ ■ SEC. 10.05 – PLACES OF WORSHIP 248
■ ■ ■ SEC. 10.06 – BED AND BREAKFAST, COUNTRY INNS, AND SHORT-TERM RENTAL LODGING 248
■ ■ ■ SEC. 10.07 – AGRITOURISM AND AGRICULTURAL USES 249
■ ■ ■ SEC. 10.08 – KEEPING OF FARM ANIMALS AND BEES 250
■ ■ ■ SEC. 10.09 – OUTDOOR ENTERTAINMENT VENUES AND SPECIAL EVENTS 256
■ ■ ■ SEC. 10.10 – FENCES, WALLS, AND SCREENING 257
■ ■ ■ SEC. 10.11 – RECREATIONAL VEHICLES AND MANUFACTURED HOMES 258

■ ■ ■ SEC. 10.12 – CHILDCARE FACILITIES 258
■ ■ ■ SEC. 10.13 – PERSONAL CARE HOMES AND NURSING HOMES 258
■ ■ ■ SEC. 10.14 – DRIVE-THROUGH ESTABLISHMENTS 259
■ ■ ■ SEC. 10.15 – OUTDOOR SALES, DISPLAY, AND STORAGE 259
■ ■ ■ SEC. 10.16 – SELF-STORAGE AND MINI-WAREHOUSE FACILITIES 262
■ ■ ■ SEC. 10.17 – VETERINARY CLINICS AND ANIMAL CARE 262
■ ■ ■ SEC. 10.18 – WIRELESS COMMUNICATION FACILITIES 263
■ ■ ■ SEC. 10.19 – ADULT AND SEXUALLY ORIENTED BUSINESSES 263
■ ■ ■ SEC. 10.20 – SALVAGE YARDS, TRANSFER STATIONS, AND HEAVY USES 264
■ ■ ■ SEC. 10.21 – CONVENIENCE STORES, FILLING STATIONS, AND CAR WASHES 265
■ ■ ■ SEC. 10.22 – ELECTRIC VEHICLE CHARGING AND RENEWABLE ENERGY 267
■ ■ ■ SEC. 10.23 – SHIPPING CONTAINERS AND ROOFTOP DECKS 270
■ ■ ■ SEC. 10.24 – ROOFTOP DECKS 271
■ ■ ■ SEC. 10.25– AMUSEMENT AND RECREATION FACILITIES 274
■ ■ ■ SEC. 10.26 – KENNELS AND COMMERCIAL ANIMAL BOARDING 274
■ ■ ■ SEC. 10.27 – FOOD TRUCKS AND MOBILE FOOD VENDORS 274
■ ■ ■ SEC. 10.28 – OUTDOOR DINING AND SIDEWALK CAFES 275
■ ■ ■ SEC. 10.29 – SWIMMING POOLS AND OUTDOOR RECREATION STRUCTURES 275
■ ■ ■ SEC. 10.30– DONATION BINS AND OUTDOOR VENDING 275
■ ■ ■ SEC. 10.31 – CREMATORIES 276
■ ■ ■ SEC. 10.32 – SMOKE SHOPS, VAPE SHOPS, AND MEDICAL MARIJUANA DISPENSARIES 276
■ ■ ■ SEC. 10.33 – OUTDOOR STORAGE OF VEHICLES, BOATS, AND EQUIPMENT 276
■ ■ ■ SEC. 10.34 – WIND AND SOLAR ENERGY SYSTEMS 276
■ ■ ■ SEC. 10.35 –COTTAGE INDUSTRIES, AND ARTISAN USES 276
■ ■ ■ SEC. 10.36 – TATTOO PARLORS AND BODY ART ESTABLISHMENTS 277
■ ■ ■ SEC. 10.37 – SWAP MEETS AND FLEA MARKETS 277
■ ■ ■ SEC. 10.38 – TIRE SALES AND SERVICE 277
■ ■ ■ SEC. 10.39 – PAWNSHOPS AND CHECK CASHING ESTABLISHMENTS 277
■ ■ ■ SEC. 10.40– INDOOR FIRING RANGES 277
■ ■ ■ SEC. 10.41 – CONFERENCE AND CONVENTION CENTERS 278
■ ■ ■ SEC. 10.42 – FILM PRODUCTION FACILITIES 278
■ ■ ■ SEC. 10.43 – MANUFACTURED HOME PARKS 280
■ ■ ■ SEC. 10.44– SHORT-TERM RENTAL PLATFORMS AND REGISTRATION 280

CHAPTER XI - PETITIONS, PERMITS, AND PROCEDURES 282

■ ■ ■ SEC. 11.01 – PURPOSE AND APPLICATION TYPES.....282
■ ■ ■ SEC. 11.02 – DEVELOPMENT PLAN REVIEW.....284
■ ■ ■ SEC. 11.03 – ZONING MAP AND TEXT AMENDMENTS 285
■ ■ ■ SEC. 11.04 – CONDITIONAL USES AND SPECIAL EXCEPTIONS 286
■ ■ ■ SEC. 11.05 – VARIANCES AND ADMINISTRATIVE ADJUSTMENTS 287
■ ■ ■ SEC. 11.06 – PUBLIC NOTICE 288
■ ■ ■ SEC. 11.07 – APPEALS 289
■ ■ ■ SEC. 11.08 – LAND DISTURBANCE, BUILDING PERMITS, AND CERTIFICATES 290
■ ■ ■ SEC. 11.09 – SPECIAL EVENT PERMITS.....291
■ ■ ■ SEC. 11.10 – FEES.....292
■ ■ ■ SEC. 11.11 – PRE-APPLICATION AND COMPLETENESS REVIEW.....292
■ ■ ■ SEC. 11.12 – CONDUCT OF PUBLIC HEARINGS.....293
■ ■ ■ SEC. 11.13 – DECISIONS, CONDITIONS, AND RECORDS.....293
■ ■ ■ SEC. 11.14 – EXPIRATION, EXTENSION, AND RESUBMITTAL 294
■ ■ ■ SEC. 11.15 – VESTED RIGHTS 294
■ ■ ■ SEC. 11.16 – ZONING AMENDMENTS AND MAP ADOPTION PROCEDURES (ANNEXATION) 295
■ ■ ■ SEC. 11.17 – SIGN PERMITS 295
■ ■ ■ SEC. 11.18 – FOOD TRUCK AND MOBILE VENDOR PERMITS 295
■ ■ ■ SEC. 11.19 – INTERPRETATION REQUESTS.....295

CHAPTER XII - VIOLATIONS AND ENFORCEMENT.....297

■ ■ ■ SEC. 12.01 – ENFORCEMENT AUTHORITY 297
■ ■ ■ SEC. 12.02 – VIOLATIONS 297
■ ■ ■ SEC. 12.03 – NOTICE OF VIOLATION AND STOP-WORK ORDERS.....298
■ ■ ■ SEC. 12.04 – CONSTRUCTION PROCESS VIOLATIONS 299
■ ■ ■ SEC. 12.05 – IMMEDIATE PUBLIC RISK VIOLATIONS.....300
■ ■ ■ SEC. 12.06 – ADDITIONAL VIOLATIONS AND ENFORCEMENT ACTIONS.....300
■ ■ ■ SEC. 12.07 – TRIAL FOR VIOLATIONS 301
■ ■ ■ SEC. 12.08 – MONETARY FINES AND PENALTIES.....301
■ ■ ■ SEC. 12.09 – COMPLAINTS AND INVESTIGATIONS.....302
■ ■ ■ SEC. 12.10 – RELATIONSHIP TO OTHER LAWS AND REMEDIES 302

CHAPTER XIII - DEFINITIONS 304

SEC. 13.01 – RULES OF CONSTRUCTION FOR DEFINITIONS 304
SEC. 13.02 – DEFINITIONS 304

APPENDICES 319

APPENDIX A RURAL HAMLET DISTRICT CONCEPT PLAN SUBMITTAL CHECKLIST 319
APPENDIX B DEVELOPMENT APPLICATION CHECKLISTS 325
APPENDIX C THOROUGHFARE ASSEMBLY STANDARDS 331
APPENDIX D DISTRICT QUICK REFERENCE 334
APPENDIX E INDEX OF FIGURES AND TABLES 337
APPENDIX F ENGINEERING AND CONSTRUCTION STANDARDS 341
SEC. F.01 – STREET GEOMETRY 341
SEC. F.02 – INTERSECTION SIGHT DISTANCE 342
SEC. F.03 – PAVEMENT SECTIONS 343
SEC. F.04 – UTILITY LOCATION AND SEPARATION 344
SEC. F.05 – STORMWATER FACILITIES 346
SEC. F.06 – MONUMENTATION AND AS-BUILT RECORDS 347
SEC. F.07 – FIRE ACCESS STANDARDS 348
APPENDIX G DEVELOPMENT PROGRAM WORKSHEETS 350
APPENDIX H ILLUSTRATED GLOSSARY OF MEASUREMENTS 360
APPENDIX I SUPPLEMENTAL ADMINISTRATIVE PROCEDURES 373
SEC. I.01 – PLANNING BOARD RULES OF PROCEDURE 373
SEC. I.02 – ZONING ADMINISTRATOR PROCEDURES FOR ADMINISTRATIVE DECISIONS 373
SEC. I.03 – STANDARD CONDITIONS OF APPROVAL 374
SEC. I.04 – CONDUCT OF HEARINGS: DETAILED PROCEDURES 375
SEC. I.05 – ZONING FEES AND FEE SCHEDULE ADMINISTRATION 376
SEC. I.06 – RECORD OF AMENDMENTS TO THIS CODE 377

CHAPTER I - GENERAL PROVISIONS

■ ■ ■ Sec. 1.01 – TITLE

(1) This ordinance shall be known, cited, and referred to as the "Unified Development Code of the City of Buchanan, Georgia," and is referenced throughout this document as "this Code."

(2) This Code is a comprehensive recodification that consolidates the zoning, subdivision, and land development regulations of the City of Buchanan into a single instrument, adopted under the authority of the Constitution of the State of Georgia and the general statutes of the State, including the Zoning Procedures Law, O.C.G.A. Title 36, Chapter 66.

(3) Upon its adoption, this Code supersedes and replaces the prior Zoning Ordinance of the City of Buchanan in its entirety, together with all amendments thereto, except as expressly preserved herein.

■ ■ ■ Sec. 1.02 – PURPOSE AND INTENT

(1) The districts established by this Code and the regulations adopted herein are intended to promote and protect the public health, safety, morals, order, convenience, prosperity, and general welfare of the present and future residents of the City of Buchanan.

(2) In furtherance of that general purpose, this Code is adopted to accomplish the following objectives, among others:

(a) To guide the growth and development of the City in accordance with its physical, social, economic, and environmental needs and the goals and policies of the adopted Comprehensive Plan;

(b) To secure timing, density, and a distribution of development that will not overburden the City's water supply, sanitary sewer, stormwater, street, public safety, school, and other public facilities and services;

(c) To preserve the rural character, scenic landscapes, tree canopy, dark night skies, and working agricultural lands that distinguish Buchanan and the surrounding hill country of Haralson County;

(d) To encourage a diversified housing market offering a range of dwelling types, sizes, and price points suited to households of differing ages, incomes, and needs;

(e) To strengthen and sustain the economic vitality of the Central Business District as the historic heart of the community, and to support new centers of commerce in walkable, mixed-use settings;

(f) To promote compact, connected, and walkable neighborhoods that conserve open space, reduce sprawl, and shorten the distance between daily destinations;

(g) To protect the value, use, and enjoyment of property by ensuring that new development is compatible in scale, character, and operation with its surroundings;

(h) To safeguard water quality and quantity, floodplains, wetlands, steep slopes, wildlife habitat, and other sensitive natural resources from the adverse effects of development;

(i) To improve the quality of life through the protection of the City's total environment, including the prevention of air, water, noise, and light pollution;

(j) To establish fair, transparent, and predictable procedures for the review of development proposals and for meaningful public participation in land use decisions;

(k) To encourage high-quality materials and architectural styles that reflect the identity of the community and the rural vernacular of west Georgia; and

(l) To accommodate evolving needs and technologies, including agritourism, short-term rural lodging, electric vehicle infrastructure, and renewable energy, in a manner consistent with community character.

■ ■ ■ Sec. 1.03 – JURISDICTION AND TERRITORIAL APPLICATION

(1) This Code applies to all land, water, structures, and uses within the corporate limits of the City of Buchanan, Georgia, as those limits exist on the effective date of this Code and as they may be enlarged by annexation thereafter.

(2) Upon the annexation of any territory into the City, the county zoning regulations previously applicable to that territory shall cease to apply and shall be rendered null and void as to that territory, and the territory shall be assigned an initial zoning classification in accordance with *Chapter XI* of this Code.

(3) Where this Code authorizes the regulation of property lying outside the corporate limits, such as the review of developments of regional impact or the coordination of buffers along a shared boundary, that regulation shall be exercised only to the extent permitted by law and by intergovernmental agreement.

■ ■ ■ Sec. 1.04 – APPLICABILITY AND COMPLIANCE

(1) No building or structure shall be erected, moved, altered, enlarged, or reconstructed, and no land or structure shall be used or occupied, except in conformity with all regulations of this Code applicable to the district in which the building, structure, or land is located.

FIGURE 1.1: EDITOR'S NOTE- NONCONFORMITIES

See also Chapter III:

Nonconformities. A use, structure, or lot that lawfully existed before the effective date of this Code and that does not conform to its terms is governed by Chapter III and is not, by reason of this section alone, rendered unlawful.

(2) Each of the following shall subject the affected property to all applicable provisions of this Code: a change of use; a structural alteration; a change in site layout, access, or flow; the relocation of an existing building; and an enlargement or addition that exceeds thirty-five percent (35%) of the existing gross floor area or site improvements, as determined by the Zoning Administrator.

(3) Properties owned by a municipal, county, state, or federal entity and used for a legitimate public purpose are exempt from the use regulations of this Code, but remain subject to the development, design, buffering, lighting, landscaping, and supplementary standards herein to the maximum extent permitted by law. Public and private utility providers shall comply with this Code except where preempted by state or federal law.

■ ■ ■ Sec. 1.05 – TRANSITION RULES

(1) An application that was complete and properly filed before the effective date of this Code shall be reviewed under the substantive standards of the ordinance in effect at the time of filing, while the administrative procedures of this Code shall govern its processing.

(2) This Code does not abate any action or proceeding, civil or criminal, pending on its effective date, nor does it relieve any person of a penalty, forfeiture, or liability incurred under prior ordinances; such matters may be prosecuted or concluded as though this Code had not taken effect.

(3) Variances, special exceptions, conditional approvals, and conditions of approval lawfully granted before the effective date of this Code remain valid and enforceable subject to their terms.

(4) A development for which a valid preliminary plat or development plan was approved within five (5) years before the effective date of this Code may proceed under the standards in effect at the time of approval, provided that actual construction begins within three (3) years after the effective date and proceeds diligently to completion. For purposes of this subsection, "actual construction" means the placement of construction materials in a permanent position and fastened in a permanent manner; demolition, excavation, grading, and the removal or relocation of an existing building, if substantially begun and diligently carried on, shall also be deemed actual construction.

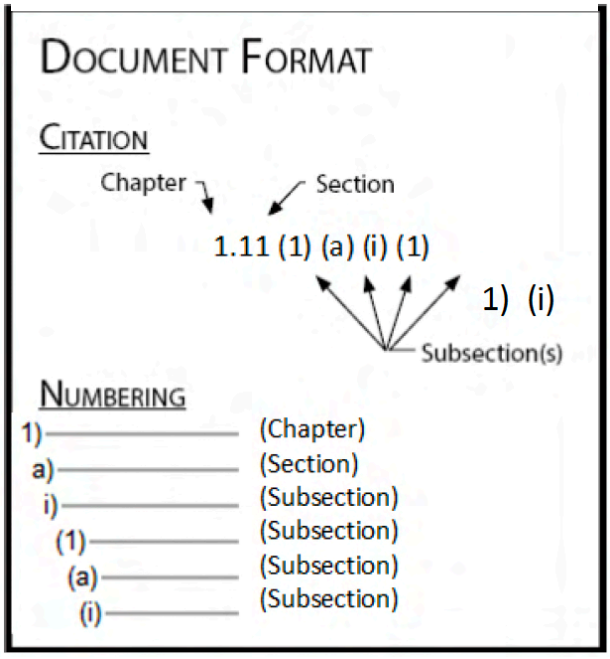
■ ■ ■ Sec. 1.06 – HOW TO USE THIS DOCUMENT; RULES OF INTERPRETATION

(1) **Structure.** This Code is organized into Chapters, Sections, and subsections. Chapters are numbered with Roman numerals; Sections are cited in the form *Sec. 4.05*; and subsections descend through numerals (1), letters (a), and lower-case Roman numerals (i). A citation such as *Sec. 4.05(3)(b)* refers to Chapter IV, Section 4.05, paragraph (3), subparagraph (b).

(2) **Illustrations and tables.** Illustrations, photographs, and concept renderings in this Code communicate intended character and preferred outcomes. Where an illustration and the text of a standard conflict, the text governs. Tables are regulatory and carry the same force and effect as the corresponding text.

(3) **Rules of construction.** In the construction and application of this Code, the following rules apply:

FIGURE 1.2: DOCUMENT FORMATTING



(a) The particular controls the general.

(b) The word "shall" is mandatory; the word "may" is permissive; and the word "should" expresses a preference that is strongly encouraged but not required.

(c) Words used in the present tense include the future; words in the singular include the plural; and words in the plural include the singular.

(d) The word "person" includes an individual, firm, partnership, association, corporation, trust, company, governmental body, or other legal entity.

(e) The word "lot" includes the words "plot," "parcel," and "tract"; the word "building" includes the word "structure"; and the words "used" or "occupied" include "intended, designed, constructed, converted, altered, or arranged to be used or occupied."

(f) Distances are measured horizontally unless otherwise specified, and references to "days" mean calendar days unless business days are specified.

(g) Where a regulation of this Code conflicts with another provision of this Code or with another lawful regulation, the more restrictive provision governs unless the context clearly indicates otherwise.

(4) **Applicable districts.** Zoning district designation identifiers appear in various sections throughout this document. Where a district identifier appears within a section, that section applies to the corresponding district.

FIGURE 1.3: EXAMPLE ZONING DISTRICTS

R-15	•Residential Agriculture
HDR	•High Density Residential
CBD	•Central Business District

■ ■ ■ Sec. 1.07 – INTERPRETATIONS

(1) In their interpretation and application, the provisions of this Code shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and general welfare.

(2) Whenever a provision of this Code requires an interpretation, the Zoning Administrator shall render a written interpretation consistent with the purpose of the relevant district and of this Code as a whole. A written interpretation may be appealed to the Zoning Board of Appeals under Chapter II and the procedures of Chapter XI.

■ ■ ■ Sec. 1.08 – INTERPRETATION OF TERMS OR WORDS

(1) For the purpose of this Code, certain terms and words are defined in Chapter XIII. Words and terms not defined therein shall have their ordinary dictionary meaning or, where used in a technical context, their technical meaning, and shall be interpreted consistently with the building code and the laws of the State of Georgia.

(2) The classification of a use or term under this Code does not by itself authorize a use; a use is authorized only where the comprehensive use schedule of Chapter IV permits it in the applicable district and all applicable standards of this Code are satisfied.

■ ■ ■ Sec. 1.09 – OFFICIAL ZONING MAP

(1) **Official Zoning Map.** The City is hereby divided into the zoning districts shown on the map entitled "Official Zoning Map of the City of Buchanan, Georgia," which, together with all notations, references, and explanatory matter shown thereon, is adopted by reference and made an integral part of this Code. See also *Sec. 11.03 – Zoning Map and Text Amendments*.

(2) **Location and maintenance.** The Official Zoning Map shall be maintained by the City Clerk under the supervision of the Zoning Administrator and may be kept in secure electronic form and displayed in various scales and formats as needed. The certified electronic map of record is the final authority as to the current zoning status of land and water areas within the City. Updated copies may be obtained from the City Clerk's office.

(3) **Alterations.** No change of any nature shall be made to the Official Zoning Map except in conformity with the amendment procedures of Chapter XI. Any unauthorized change is a violation of this Code and is subject to the penalties of Chapter XII.

(4) **Replacement.** If the Official Zoning Map is damaged, destroyed, lost, or becomes difficult to interpret because of the nature or number of changes, the Mayor and City Council may by resolution adopt a new Official Zoning Map that replaces the prior map. The new map may correct drafting errors, omissions, or inaccuracies in the prior version, but such corrections shall not be construed as amendments to the original Official Zoning Map or to any subsequent amendment.

(5) **Rules for interpretation of district boundaries.** Where uncertainty exists as to a district boundary, the following rules apply:

(a) Boundaries shown as following the centerlines of streets, highways, alleys, or rights-of-way shall be construed to follow such centerlines.

(b) Boundaries shown as approximately following platted lot lines shall be construed as following those lot lines.

(c) Boundaries shown as approximately following city limits shall be construed as following those city limits.

(d) Boundaries shown as following railroad lines shall be construed as running midway between the main tracks.

(e) Boundaries shown as following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed as following such centerlines, and as following floodplain lines where shown as approximately following such lines.

(f) Boundaries shown as parallel to or as extensions of the features described above shall be construed accordingly; distances not specifically indicated shall be determined by the scale of the map.

(g) Where physical features on the ground conflict with those shown on the map, or where a matter is not addressed by the rules above, the Zoning Administrator shall interpret the boundary, subject to appeal to the Zoning Board of Appeals.

(h) Where a district boundary divides a lot or parcel, the Zoning Administrator shall determine the applicable zoning. The petitioner may seek a rezoning or replat where a construction or development proposal involves two or more zoning districts.

(i) Where a public road, street, or alley is officially vacated or abandoned, the regulations applicable to the property to which it reverts shall apply to the vacated area.

■ ■ ■ Sec. 1.10 – CONFLICT OF LAW

(1) Whenever the regulations of this Code require a greater width or size of setbacks or other open space, a lower height limit, a greater percentage of lot to be left unoccupied, a lower density of development, a more restrictive use of land, or impose other higher standards than are required by any other lawfully adopted rule, regulation, ordinance, private deed restriction, or private covenant, the regulations of this Code shall govern.

(2) Whenever any other lawfully adopted rule, regulation, ordinance, deed restriction, or covenant imposes a higher or more restrictive standard than this Code, that higher standard shall govern, provided it is not inconsistent with this Code or with state law.

■ ■ ■ Sec. 1.11 – SEVERABILITY

(1) If any chapter, section, subsection, sentence, clause, phrase, table, illustration, or provision of this Code is held to be invalid or unconstitutional by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions of this Code, which shall remain in full force and effect. The Mayor and City Council declare that they would have adopted the remaining provisions irrespective of any portion held invalid.

■ ■ ■ Sec. 1.12 – REPEAL OF CONFLICTING ORDINANCES

(1) The prior Zoning Ordinance of the City of Buchanan, together with all amendments thereto, and all other ordinances or parts of ordinances in conflict with or inconsistent with this Code, are hereby repealed as of the effective date of this Code, to the extent necessary to ensure this Code has full force and effect, except as expressly preserved herein and except to the extent necessary to conclude pending proceedings and to prosecute violations that arose before that date.

■ ■ ■ Sec. 1.13 – EFFECTIVE DATE

(1) This Code shall take effect immediately upon its adoption by the Mayor and City Council and the expiration of any waiting period required by law, at which time it shall be entered in the minutes and recorded as required.

CHAPTER II - ADMINISTRATION AND REVIEW BODIES

■ ■ ■ Sec. 2.01 – ENFORCEMENT

(1) The Zoning Administrator, or his or her designee, shall effect the proper administration and enforcement of this Code. *See also Chapter XII – Violations and Enforcement*.

■ ■ ■ Sec. 2.02 – PLANNING BOARD

(1) **Establishment and continuation.** The Planning Board of the City of Buchanan is continued and re-established in conformance with the Charter and Code of Ordinances of the City. The Board is a single, combined body that exercises both the advisory and planning duties traditionally assigned to a planning commission and the quasi-judicial appeal and variance duties traditionally assigned to a zoning board of appeals. The Zoning Administrator, or his or her designee, shall serve as staff to the Board.

FIGURE 2.1: EDITOR'S NOTE - PLANNING COMMISSION

The City of Buchanan administers its land use regulations through a recommending **Planning Commission and the City Council** which performs both the planning and advisory functions and the appeals and variance functions described in this chapter. Where the Charter of the City of Buchanan, the Code of Ordinances of the City, or rules of procedure duly adopted by the City address a matter covered by this chapter — including the composition, terms, officers, quorum, meeting schedule, or procedures of the commission — the City's own provision controls and the corresponding provision of this chapter yields to the extent of any conflict. This chapter is intended to supplement, and not to displace, the City's existing governance framework.

(2) **Membership.**

(a) The Board shall consist of the number of members established by the Charter or Code of Ordinances of the City, appointed by the Mayor and City Council for staggered terms. Each member shall be a resident or citizen of the City or its planning area as the City's rules require. Where the City's rules fix the membership, term, or eligibility, those rules control.

(b) A vacancy shall be filled for the unexpired term in the same manner as the original appointment.

(c) Members are removable for cause by the City Council upon written notice and after a public hearing. Failure to attend a number of consecutive meetings established by the City's rules may be treated as an automatic resignation, and the Board shall promptly inform the Council so that a replacement may be appointed.

(3) **Officers.** The Board shall elect from its membership a chairperson, a vice-chairperson, and a secretary, each serving a one-year term and eligible for re-election. The chairperson presides at meetings and hearings and exercises the duties normally conferred by parliamentary procedure; the vice-chairperson acts in the chairperson's absence; and the secretary is responsible for the official signatures, minutes, notices, and records of the Board, the clerical duties of which may be performed by the City's

administrative staff. In the absence of both the chairperson and vice-chairperson, the members present may elect a temporary chairperson and proceed with business.

(4) **Quorum and voting.** A majority of the qualified members of the Board constitutes a quorum. A concurring vote of a majority of the members present and voting, a quorum being present, is required for any recommendation, action, or decision of the Board.

(5) **Rules of procedure; meetings; records.**

(a) The Board shall adopt written rules of procedure consistent with this Code and the laws of the State, including rules for the conduct of meetings and public hearings, and shall make them available to the public.

(b) The Board shall hold regular meetings on a published schedule and may hold special meetings as the chairperson may determine. Meetings shall be held at City Hall, or at such time and place as specified in the official meeting notice, and shall be open to the public as required by the Open Meetings Act.

(c) The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if a member is absent or fails to vote, indicating that fact, and shall keep records of its examinations, findings, and other official actions. Minutes and records shall be filed in the office of the Zoning Administrator and are public records.

(6) **Conflict of interest.** A member of the Board who has a financial, familial, or personal interest in a matter before the Board shall disclose that interest to the Board prior to the start of the public hearing or action, and shall not participate in the discussion of, or vote on, that matter. The vote of a member who has a disqualifying conflict shall be voided. Disclosures required by O.C.G.A. Title 36, Chapter 67A, shall be made as required by law.

(7) **Advisory and planning duties.** Acting in its planning capacity and in an advisory capacity to the Mayor and City Council, the Board shall:

(a) Prepare, maintain, monitor, and recommend amendments to the Comprehensive Plan and the Future Development Map;

(b) Conduct public hearings and make recommendations on comprehensive plan amendments, zoning amendments, the Official Zoning Map, subdivisions, development plans, and Concept Plans where this Code so requires;

(c) Recommend changes and amendments to the Official Zoning Map and to the text of this Code;

(d) Maintain and update a current data base to inform decisions on proposed amendments and variances;

(e) Monitor existing and proposed ordinances, laws, and regulations affecting the use of land in Buchanan, and the current and future needs of the City;

(f) Carry on an ongoing comprehensive land use planning program; and

(g) Make recommendations upon all other matters referred to it by the City Council.

(8) **Amendments to Board procedures.** The Board's rules of procedure may be amended by a two-thirds vote of the membership, subject to any ordinance or Charter requirement of the City.

■ ■ ■ Sec. 2.03 – ZONING ADMINISTRATOR

(1) **Designation.** The office of the Zoning Administrator is established. "Zoning Administrator" is a title designated by the City Manager (or, in the absence of that office, by the Mayor and City Council) to a staff member, who serves at the pleasure of the appointing authority and who has the principal responsibility for the administration and enforcement of this Code. The Zoning Administrator may delegate duties to qualified staff and shall be responsible to the Planning and Zoning Board, the City Manager, and the Mayor and City Council as the City requires.

(2) **Basic duties.** The duties of the Zoning Administrator include, but are not limited to:

(a) **Interpretation.** Providing written interpretations of this Code and determinations of district boundaries, use classifications, and the applicability of standards, and providing technical and clerical assistance to the Board, the City Manager, and the Council;

(b) **Applications.** Receiving, reviewing, docketing, and acting upon applications for permits, plans, and certificates authorized by this Code, and referring applications to the Board and the Council as appropriate;

(c) **Land disturbance permits.** Reviewing, approving, or disapproving all land disturbance permits and keeping permanent records of applications and actions taken;

(d) **Inspections.** Conducting inspections of structures and properties to determine compliance with this Code and with the approvals granted under it, and investigating complaints;

(e) **Enforcement.** Issuing notices of violation and stop-work orders as provided in Chapter XII;

(f) **Record keeping.** Maintaining permanent and current records documenting the application of this Code, including all maps, amendments, special exceptions, conditional uses, variances, certificates of occupancy and completion, certificates of appropriateness, and applications and hearings thereon;

(g) **Official Zoning Map.** Maintaining the Official Zoning Map and the records of amendments;

(h) **Public information.** Providing and maintaining a public information service relative to all matters arising under this Code;

(i) **Reports and recommendations.** Reporting the actions and recommendations of the Board to the City Council, and providing professional recommendations and staff support to the Board and the Council; and

(j) **Research and analysis.** Conducting research and collecting and analyzing, on a continuing basis, pertinent data on the growth and development of the City to provide a foundation for a planning program.

(3) **Fee schedule.** The Zoning Administrator shall collect a fee for each application according to the schedule adopted by the City Council under *Sec. 11.10 – Fees*. All fees shall reimburse the City for the reasonable time and cost of processing; in no instance shall a fee be used to discourage or encourage

any particular type of application. The fee schedule shall be made available to the public. Until all applicable fees are paid in full, no action shall be taken on an application or petition.

(4) **Appealing a decision of the Zoning Administrator.** Recourse from a decision of the Zoning Administrator on a matter pertaining to zoning shall be to the Planning and Zoning Board sitting as the Board of Appeals, in accordance with *Sec. 11.07 – Appeals.* Recourse from a decision of the Board shall be to the courts as provided by law.

■ ■ ■ Sec. 2.04 – (RESERVED)

■ ■ ■ Sec. 2.05 – (RESERVED)

■ ■ ■ Sec. 2.06 – MAYOR AND CITY COUNCIL

(1) **Establishment and authority.** The Mayor and City Council are the governing authority of the City and exercise all legislative powers over land use, in accordance with O.C.G.A. § 45-12-200 et seq. and the Charter and Code of Ordinances of the City. The intent of this section is not to establish the validity of the City Council, but to empower the Council as the body to decide all rezoning, annexation, and other final land use decisions assigned to it by this Code.

(2) **Duties.** For the purposes of this Code, the Council has the following specific responsibilities:

(a) **Rezoning.** To grant, approve, or deny all petitions for rezoning as specified in each zoning district and under the procedures of *Chapter XI* and the Council's Rules of Procedure;

(b) **Annexation.** To exercise the zoning decision that accompanies annexation, consistent with Georgia's Zoning Procedures Act (O.C.G.A. § 36-66); adopting any zoning on an annexed property is subject to that Act;

(c) **Comprehensive Plan amendments.** To initiate and adopt amendments to the Comprehensive Plan and the Future Development Map under the procedures of *Chapter XI*;

(d) **Text amendments.** To adopt amendments to the text of this Code, upon the recommendation of the Board, subject to *Chapter XI* and the Zoning Procedures Act;

(e) **Special exceptions and conditional uses.** To hear and decide special exception and conditional use applications assigned to it, and to grant, deny, or condition such uses under the procedures of *Chapter XI*; and

(f) **Planned development and Concept Plans.** To approve, deny, or condition the rezoning to, and the Concept Plan for, Planned Development Districts under *Chapter V*, by separate actions as required by that chapter.

(g) **Variances.** To grant, approve, or deny all petitions for variances under the procedures of Chapter XI.

(3) **Standards for variances.** The council may grant a variance from the dimensional and development standards of this Code only upon written findings that all of the following conditions exist:

(a) There are extraordinary and exceptional conditions pertaining to the particular property because of its size, shape, or topography that are not generally created by the provisions of this Code;

(b) The application of this Code to the particular property would create an unnecessary hardship that is not of the applicant's own making;

(c) The conditions are peculiar to the particular property and are not generally applicable to other property in the district;

(d) Relief, if granted, will not cause substantial detriment to the public good, will not impair the purposes and intent of this Code, and will not alter the essential character of the neighborhood or district; and

(e) The variance, if authorized, represents the minimum variance that will afford relief and the least modification possible of the regulation in issue.

(4) **Limitations on variances.** The Council shall not grant a variance that authorizes a use not permitted in the district, and shall not grant a use variance of any kind. The Council may impose conditions necessary to protect adjacent property and to carry out the purposes of this Code; the violation of a condition under which a variance is granted shall be deemed a violation of this Code and is punishable under Chapter XII.

(5) **Supplementary conditions of approval.** In granting any appeal or variance, the council may prescribe appropriate conditions and safeguards in conformity with this Code.

(6) **Procedures for the quasi-judicial function.** Variance and appeal procedures are set out in *Chapter XI – Petitions, Permits, and Procedures*. The Council shall follow the same rules and notice requirements regarding the conduct and noticing of its hearings as found in this chapter and in *Sec. 2.07 – Public Hearings and Notice*.

(7) **Standards for zoning decisions.** In exercising its legislative power to amend this Code or the Official Zoning Map, and in evaluating a Concept Plan or conditional approval, the Mayor and City Council shall consider the following factors, no one of which is controlling:

(a) Whether the proposal is consistent with the Comprehensive Plan and the policies of this Code;

(b) The existing uses and zoning of nearby property and the extent to which the proposal is compatible with them;

(c) The suitability of the property for its present zoning and for the proposed use;

(d) The extent to which the proposal would adversely affect the capacity or safety of streets, utilities, schools, and other public facilities, and the burden it would place on them;

(e) The effect of the proposal on the natural environment, including air and water quality, drainage, tree canopy, wildlife habitat, and scenic and dark-sky resources;

(f) Whether the proposal would create an isolated district unrelated to adjacent districts, and whether existing conditions or a changed character of the neighborhood justify the proposal; and

(g) The relative gain to the public health, safety, and welfare as compared with the hardship imposed upon the individual property owner.

■ ■ ■ Sec. 2.07 – PROCEDURES FOR CALLING AND CONDUCTING PUBLIC HEARINGS

(1) **Applicability.** Public hearings held by the City Council or the Board as required by this Code with regard to rezoning requests, amendments to the Official Zoning Map, conditional uses and special exceptions, variances, and appeals of administrative decisions shall be called and conducted in accordance with this section and the rules of procedure adopted by the City. The City shall print and make available to the public the procedures for the conduct of public hearings and the standards to be applied in making land use decisions.

(2) **Notice.**

(a) Notice of the time, place, and purpose of a public hearing shall be published in the legal organ of Haralson County not less than fifteen (15) nor more than forty-five (45) days before the hearing.

(b) For an amendment initiated by a property owner that affects a particular parcel, a sign shall be posted on the property in a conspicuous location not less than fifteen (15) days before the hearing, and written notice shall be mailed to the owners of abutting property where required by the City's rules.

(c) The agenda and notice shall comply with the Open Meetings Act, including O.C.G.A. § 50-14-1.

(d) The failure of a property owner to receive a mailed or posted notice shall not invalidate an action where the City has substantially complied with the notice requirements of this Code and of state law.

(3) **Presiding officer.** The presiding officer shall preside over the public hearing. In the case of the City Council, the Mayor shall preside or, in the Mayor's absence, the Mayor Pro Tempore, or, in the absence of both, another member designated to preside. In the case of the Board, the chairperson shall preside.

(4) **Opening of the hearing; report of the Zoning Administrator.** Upon opening the hearing, the presiding officer shall indicate that a public hearing has been called, shall summarize the processes required, and shall call upon the Zoning Administrator to summarize the application and present any recommendations or results of investigations. The Zoning Administrator may be represented at the hearing by written report in lieu of oral testimony.

(5) **Identification of speakers.** Prior to speaking, each speaker — including the applicant, the applicant's agent, and all others — shall identify himself or herself and state a current address for the record. The presiding officer may require a speaker to complete an information card prior to testifying.

(6) **Applicant and those in favor.** Following the report of the Zoning Administrator, the presiding officer shall recognize the applicant or the applicant's agent to present and explain the application, followed by any persons wishing to speak in favor. It is the duty of the applicant to carry the burden of proof that approval of the proposed application will not adversely affect the public health, safety, or general welfare. A minimum period of ten (10) minutes per application shall be allowed for the applicant and anyone in favor to present data, evidence, and opinions; a maximum of fifteen (15) minutes shall be allotted. Where the number of persons wishing to speak in favor is in excess of those who may reasonably be heard, the presiding officer may request that a spokesperson be chosen for the group.

(7) **Questions and opposing comments.** At the conclusion of the applicant's presentation and any testimony in favor, the presiding officer shall call for public comments from those who wish to ask

questions, make comments, or oppose the application. A minimum period of ten (10) minutes per application shall be allowed for the opponents to present data, evidence, and opinions and ask questions; a maximum of fifteen (15) minutes shall be allotted. Where the number of persons wishing to speak in opposition is in excess of those who may reasonably be heard, the presiding officer may request that a spokesperson be chosen.

(8) **Response to questions; content of remarks.** Upon the completion of testimony or remarks by those asking questions and speaking in opposition, the presiding officer may ask the Zoning Administrator to answer questions, recognize a member of the Council or Board to respond, or defer questions to the applicant during rebuttal. Each speaker shall speak only to the merits of the application under consideration and shall refrain from personal attacks; the presiding officer may limit or refuse a speaker who, after being cautioned, continues to violate this procedure.

(9) **Applicant's rebuttal.** Upon the conclusion of public testimony, the applicant or the applicant's agent shall be allowed the remaining time from the total ten minutes allotted to answer questions, rebut testimony, or provide final remarks, if such a time limit is set by the presiding officer.

(10) **Equal time.** In no event shall the presiding officer allow or permit an unequal amount of time to proponents and opponents with respect to testimony regarding an individual application.

(11) **Close of hearing.** After the foregoing procedures are completed, the presiding officer shall close the public hearing. At any time considered appropriate, the presiding officer may reopen the public hearing for a limited time and purpose.

(12) **Decision.** When the public hearing is closed, the Council or the Board may either vote upon the application or may delay its vote to a subsequent meeting subject to the limitations of this Code and state law, provided that notice of the time, date, and location when the application will be considered is announced at the meeting. After hearing the evidence and applying the standards of *Sec. 2.06(3)*, and considering the recommendations of the Zoning Administrator and the Board, the decision-making body shall grant, condition, or deny the application as the public health, safety, and general welfare require.

(13) **Disclosures.** The disclosure of campaign contributions and financial interests required by O.C.G.A. Title 36, Chapter 67A, shall be made as required by law in connection with applications affecting zoning.

(14) **Judicial review.** Decisions of the City Council with regard to variances are final; provided, however, that any person, firm, or corporation aggrieved by a decision on a variance application under the terms of this section may seek judicial review by the Superior Court of Haralson County. Any appeal of a legislative decision shall be taken as provided by law.

■ ■ ■ Sec. 2.08 – STANDARDS FOR ZONING DECISIONS (CROSS-REFERENCE)

(1) The standards governing zoning decisions are stated in *Sec. 2.06(3)*. The standards governing variances are stated in *Sec. 2.06(7)*. The standards governing conditional uses and special exceptions are stated in *Sec. 11.04*.

CHAPTER III - NONCONFORMITIES

■ ■ ■ Sec. 3.01 – INTENT

(1) Within the districts established by this Code there exist lots, structures, uses of land, and uses of structures (and combinations thereof) that were lawful before this Code was adopted, or before a later amendment, but that would be prohibited, regulated, or restricted under the present terms of this Code. It is the intent of this chapter to permit these nonconformities to continue until they are removed, discontinued, or brought fully into conformance, but not to encourage their survival.

(2) It is further the intent of this Code that legal nonconforming uses, buildings, sites, and structures shall not be enlarged upon, expanded, or extended, nor used as grounds for adding other structures or uses prohibited elsewhere in the same district, without the approval of the Mayor and City Council or the Planning and Zoning Board in accordance with *Sec. 2.02 – Planning and Zoning Board* and *Sec. 2.06 – Mayor and City Council*. The gradual elimination of nonconformities, where reasonable, is encouraged in order to preserve the integrity of the districts and the purposes of this Code.

■ ■ ■ Sec. 3.02 – CONTINUANCE

(1) The lawful use of any building or lot existing at the time of the enactment of this Code may be continued, except as hereafter provided, although such use does not conform to the provisions of this Code, so long as it remains otherwise lawful and subject to the limitations of this chapter.

■ ■ ■ Sec. 3.03 – UNSAFE OR UNSANITARY BUILDING

(1) Any building, or portion thereof, declared unsafe or unsanitary by a proper authority may be restored to a safe or sanitary condition. Nothing in this chapter prevents the strengthening or restoring to a safe condition of any structure or part thereof declared unsafe by an official charged with protecting public safety.

■ ■ ■ Sec. 3.04 – RESTORATION

(1) No building damaged by fire, flood, wind, or other casualty to the extent of more than fifty percent (50%) of its fair market value (or replacement value) immediately prior to the damage shall be repaired or rebuilt except in conformity with the regulations of this Code.

FIGURE 3.1: EDITOR'S NOTE - NONCONFORMING STRUCTURE ADDITIONS AND RESTORATION

NONCONFORMING STRUCTURES, IN BRIEF. A nonconforming structure may be maintained and repaired and may even be added to — but only where the addition itself complies with all applicable standards and does not increase the structure's nonconformity. An addition that extends a nonconforming setback, height, or coverage is not allowed. *See Sec. 3.04 (restoration after casualty) and Sec. 3.12 (reduced setback line).*

(2) Where the damage is fifty percent (50%) or less, the structure may be repaired or restored to its prior condition and use, provided that restoration begins within twelve (12) months of the casualty and is diligently completed.

■ ■ ■ Sec. 3.05 – ABANDONMENT

(1) Whenever a nonconforming use has been discontinued or abandoned for a continuous period of one (1) year, such use shall not thereafter be reestablished, and any future use of the land or structure shall be in conformity with this Code. An intent to resume the use does not, by itself, constitute continuation.

■ ■ ■ Sec. 3.06 – CHANGE TO ANOTHER NONCONFORMING USE NOT ALLOWED

(1) No nonconforming use may be changed to another nonconforming use.

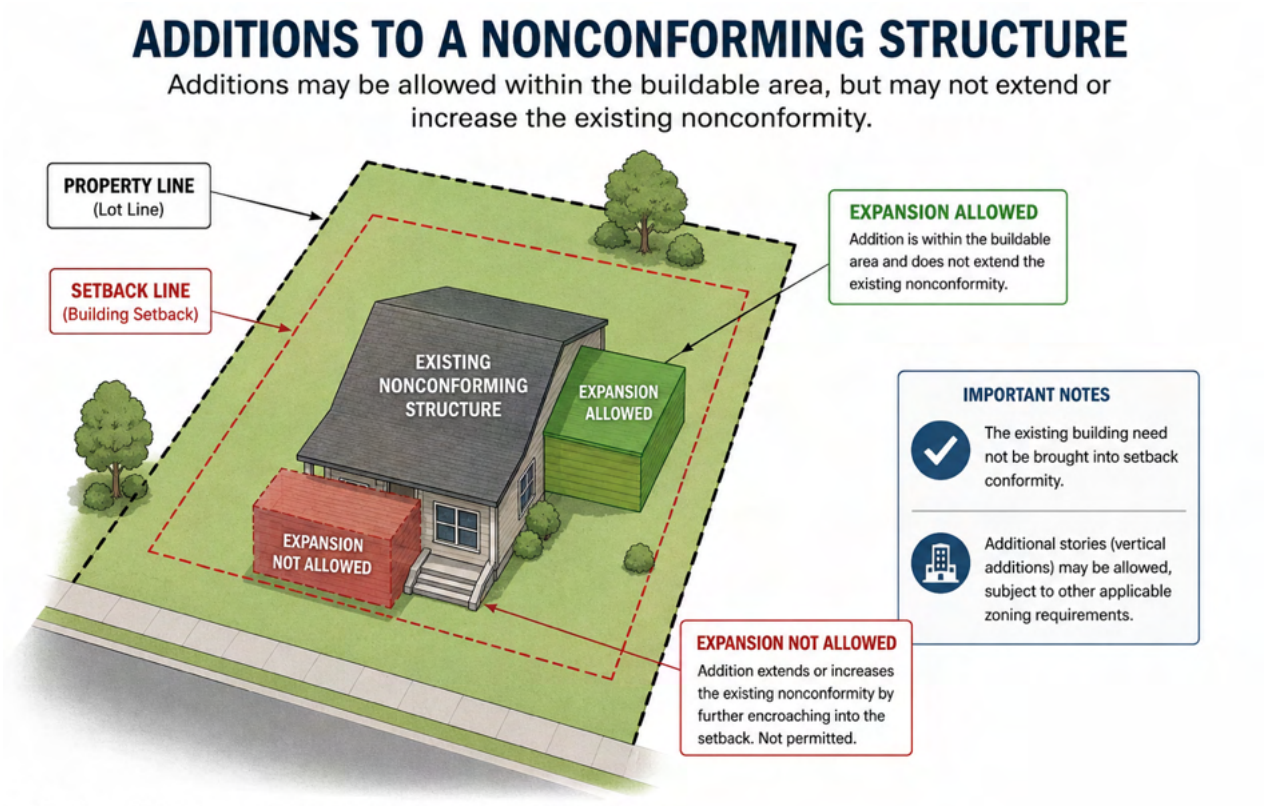
■ ■ ■ Sec. 3.07 – CHANGES TO CONFORMING USE

(1) Once a nonconforming use is changed to a conforming use, no building or land shall thereafter be permitted to revert to any nonconforming use.

■ ■ ■ Sec. 3.08 – ENLARGEMENT

(1) No nonconforming use shall be enlarged, increased, or extended to occupy a greater area of land or of a building than it occupied at the time it became nonconforming, and no nonconforming use shall be moved, in whole or in part, to any other portion of the lot or structure not so occupied at that time.

FIGURE 3.2: ADDITIONS TO A NONCONFORMING STRUCTURE



■ ■ ■ Sec. 3.09 – DISCONTINUANCE OF NONCONFORMING USES OF LAND

(1) Nonconforming uses of land (where no substantial structure is involved) shall be discontinued within three (3) years from the effective date of this Code, or within three (3) years from the date the use becomes nonconforming, whichever is later, in the following situations:

(a) Where no buildings are used in connection with the principal use;

(b) Where the only buildings used are accessory or incidental to the principal use;

(c) Where the use is maintained in connection with a building originally constructed for a conforming use;

(d) Outdoor advertising signs; and

(e) Movable signs and any free-standing signs closer than ten (10) feet to any street right-of-way, and signs attached to trees or utility poles.

■ ■ ■ Sec. 3.10 – LOTS OF RECORD

(1) In any residential zoning district where the owner of a lot of record existing at the time of the adoption of this Code (or such owner's successor in title) does not own sufficient adjoining land to enable conformance with the minimum lot area, width, or frontage requirements of this Code, such lot may be used for a single-family dwelling, provided that the minimum yard, building setback, and all other applicable requirements for the zoning district are maintained to the maximum extent practicable, and provided that the Zoning Administrator finds that a safe and sanitary structure can be built.

■ ■ ■ Sec. 3.11 – COMBINATION OF ADJOINING AND VACANT LOTS OF RECORD

(1) If two (2) or more adjoining and vacant lots of record with continuous frontage are in single ownership at any time after the adoption of this Code, and such lots individually are less than the lot width requirements for the zoning district in which they are located, such groups of lots shall be considered as a single lot, or shall be grouped into several lots of the minimum permitted size, and the resulting lot or lots shall be subject to the dimensional requirements of this Code, unless such combination is impracticable as determined by the Zoning Administrator.

■ ■ ■ Sec. 3.12 – REDUCTION IN BUILDING SETBACK LINE

(1) The building setback requirements of this Code for dwellings shall not apply to any lot where the average existing building setback line on lots located wholly or in part within two hundred (200) feet on each side of such lot, within the same block and in the same zoning district, and fronting on the same side of the street as such lot, is less than the minimum required building setback. In such cases, the minimum building setback on the lot may be equal to the average of the existing setbacks on the aforementioned lots, or not less than ten (10) feet from the street right-of-way, whichever is greater. See *Sec. 7.01 – Infill Development Standards* for additional requirements applicable to infill lots.

CHAPTER IV - ZONING DISTRICTS AND DIMENSIONAL STANDARDS

■ ■ ■ Sec. 4.01 – ESTABLISHMENT OF DISTRICTS

(1) In order to carry out the intent and purpose of this Code, the City of Buchanan is divided into the base zoning districts listed in Table 4.1. These districts, and the descriptive intent statements that accompany them in *Sec. 4.02*, are continued from the prior Zoning Ordinance of the City and are carried forward into this Code without change of substance, so that the established expectations of property owners are preserved.

(2) The Planned Development Districts established in *Chapter V* — the Traditional Planned Unit Development (PUD) and the Rural Hamlet District (RHD) — are additional districts available throughout the City and do not replace any district listed in Table 4.1.

(3) **Uses permitted per lot.** Except as a district expressly allows multiple principal buildings or units, only one (1) principal use (whether a permitted or special exception use) shall occupy a lot. All accessory uses occurring on a lot shall be accessory to a subordinate component of the principal use.

(4) **Accessory uses.** Accessory uses and structures shall be incidental to, and commonly associated with, the operation of the principal use of the lot. Accessory use standards and requirements are listed in *Sec. 10.02 – Accessory Uses and Structures.*

TABLE 4.1 — BASE ZONING DISTRICTS OF THE CITY OF BUCHANAN

Symbol	District	General Category
R-15	Residential Agriculture	Residential / Agricultural
R-20	Residential Estate	Residential
R-12	Low Density Residential	Residential
R-10	Medium Density Residential	Residential
HDR	High Density Residential	Residential
O-R	Office Residential	Mixed / Transitional
MHP	Manufactured Home Park	Residential

Symbol	District	General Category
C-1	Neighborhood Commercial	Commercial
C-2	General Commercial	Commercial
C-3	Commercial Parkway District	Commercial
CBD	Central Business District	Mixed Use / Downtown
M-1	Light Industry	Industrial
M-2	Heavy Industry	Industrial
PUD	Planned Unit Development (Traditional) — *Chapter V, Part A*	Planned / Mixed Use
RHD	Rural Hamlet District — *Chapter V, Part B*	Planned / Mixed Use

■ ■ ■ Sec. 4.02 – DISTRICT INTENT STATEMENTS

(1) The following intent statements describe the purpose and preferred character of each base district and shall guide the interpretation and administration of this Code. The language of these statements is preserved in substance from the prior Zoning Ordinance of the City of Buchanan.

Residential and Agricultural Districts

R-15 — RESIDENTIAL AGRICULTURE.



This district encourages a compatible relationship between low-density residential development and limited mixed uses in fringe areas of the City where development is generally sparse and the growth pattern is not yet well established. Historical land patterns include larger-than-average lots and limited livestock, along with small-scale agricultural and horticultural practices. Multiple buildings may occur per lot or parcel depending on the lot or parcel size.

R-20 — RESIDENTIAL ESTATE.



This district encourages a low-density estate environment for single-family detached homes where the minimum square footage per home is larger than any other zone district in Buchanan. Homes in this district shall maintain a roof pitch not less than four (4) feet to twelve (12) feet. Only one principal building is allowed per lot, along with customary accessory uses.

R-12 — LOW DENSITY RESIDENTIAL.



A district designed to protect single-family detached dwellings, developed at a moderate density, from unrelated and incompatible uses. The lots are characterized by one principal building per lot, with customary accessory uses allowed.

R-10 — MEDIUM DENSITY RESIDENTIAL.



A medium-density zone district allowing a mix of single-family detached homes, multi-family dwellings, and other related compatible uses at an approximate maximum density of six (6) dwelling units per acre. The intensity of the multi-family uses is limited to not more than four (4) dwelling units per building, and the district design limits the permitted uses to one principal building per lot.

HDR — HIGH DENSITY RESIDENTIAL.



A high-density zone district allowing typical residential dwelling types, all multi-family developments, and other uses compatible with such residential character. Multiple buildings per lot are allowed and the maximum density is twelve (12) dwelling units per acre. Accordingly, the provision of both public water and public sewer is required to serve the uses allowed in this zone district.

O-R — OFFICE RESIDENTIAL.



A district generally characterized by low-traffic commercial uses oriented to busy streets where limited residential uses are transitioning to commercial function. A mix of residential and commercial uses is allowed, but the commercial uses are generally less intensive and of smaller scale than uses found in general commercial zones. Residential conversions to commercial function are common, so parking in the side yard or rear yard is desirable.

MHP — MANUFACTURED HOME PARK.



A district designed to encourage the placement of multiple manufactured homes on a large lot. A manufactured home park, based upon allowed density, is similar to a multi-family development; thus issues related to ingress and egress, internal streets, infrastructure, waste collection, recreation, and other support facilities are a consideration, as well as the relationship with other surrounding land uses.

Commercial and Mixed-Use Districts

C-1 — NEIGHBORHOOD COMMERCIAL.



A district catering to retail and service businesses often beneficial to the short-distance needs of neighborhoods. The district can serve as a small-scale transition area between residential areas and more intense commercial areas, but the district is characterized by distinct commercial uses and does not mix residential uses, except loft living. The district can be suitable to locations at intersections where local streets join collector streets.

C-2 — GENERAL COMMERCIAL.



A district offering the broadest and most intense mix of commercial uses in the community, including professional offices, retail and service businesses, institutional uses, light wholesaling, and shopping centers, all oriented to major streets. The district combines large and small tracts with multiple buildings allowed per lot to create maximum shopping and service opportunities for local residents. Cross-access easements for access between uses are desirable to improve traffic safety.

C-3 — COMMERCIAL PARKWAY DISTRICT.



A district allowing a broad and intense mix of commercial uses, but excluding some institutional uses and wholesaling activities. Major streets, often collectors or arterials in nature, characterize this district, and lots are conventional in design with multiple buildings allowed per lot. Cross-access easements for access between uses are desirable to improve traffic safety.

CBD — CENTRAL BUSINESS DISTRICT.



The Central Business District is the traditional center for commercial retail and service uses, financial, office, government, and limited residential uses of the City. The district is characterized by shared parking and loading, and buildings typically occupy the full area of the lot, sharing common walls with adjacent buildings. The CBD is the core activity center around which the City has historically developed and remains central to the development success of the entire community and trade area as a whole. The supplementary regulations of *Sec. 4.06* apply within this district.

Industrial Districts

M-1 — LIGHT INDUSTRY.



This district provides a mix of commercial and light industrial uses that typically create a minimum of environmental pollution in the form of traffic, noise, odors, smoke, fumes, glare, or heat. Tract sizes can be larger than a general commercial area, helping to minimize impacts on adjacent properties. Multiple buildings are allowed per tract.

M-2 — HEAVY INDUSTRY.



This district allows the heaviest, most intense industrial uses. Characterized by large tracts of land occupied by large buildings or multiple buildings per tract, the district is dedicated to full manufacturing, processing, assembly of raw materials, fabrication, or warehousing. Some operations occur continuously, and delivery by truck or rail may be a necessary byproduct of the uses allowed. Uses that emit noise, odors, smoke, dust, fumes, or other incompatibilities shall meet the general environmental requirements of the local, state, or federal governments.

■ ■ ■ Sec. 4.03 – SUMMARY SCHEDULE OF DIMENSIONAL STANDARDS

(1) **Purpose.** The Lot Standards for each district establish the minimum and/or maximum requirements applicable to lots within specific zoning districts. Table 4.2 establishes the minimum lot area, minimum lot width, minimum yard and setback dimensions, and maximum building height and lot coverage for each base district. Where a use type within a district carries a distinct standard, that standard is shown. All dimensions are minimums unless identified as maximums. This schedule continues the dimensional standards of the prior Zoning Ordinance of the City. Appearance and material standards for single-family detached dwellings are set forth in Sec. 8.06 – Residential Design Standards.

(2) **Interpreting the table.** The terms used in Table 4.2 are defined in *Chapter XIII – Definitions*; the following short explanations apply:

(a) **Minimum Lot Size** — the smallest area designated by this Code for placing a use, structure, or building within a district, excluding any street right-of-way or private street easement.

(b) **Minimum Lot Width** — the narrowest allowable width a lot may have to qualify as developable, measured as the shortest horizontal distance between the side property lines at the front setback line.

(c) **Minimum Lot Frontage** — the portion of a lot closest to the street, measured between the side lot lines at the street right-of-way or private street easement.

(d) **Maximum Building Height** — the tallest allowable vertical distance for a building or structure, measured from the average finished grade at the front of the building to the highest point of the roof.

Certain exceptions to the height limits are outlined in the height provisions of Chapter IX – Development Standards.

(e) **Building Lines (Setbacks)** — Front, Side, and Rear setbacks are the horizontal spaces between the respective lot lines and the corresponding setback lines, within which no building or structure may be located above ground except as this Code provides. For corner and through lots, any side facing a street shall meet front setback requirements.

(f) **Permitted Encroachments.** Architectural features such as cornices, eaves, steps, stoops, gutters, fire escapes, chimneys that are part of an exterior wall, and similar features may project no more than thirty-six (36) inches (3 feet) into any minimum yard. Wheelchair ramps and their associated walkways are exempt. Single-family residential and townhomes used for single-family occupancy may extend porches, decks, or patios no more than ten (10) feet into the minimum front or rear yard.

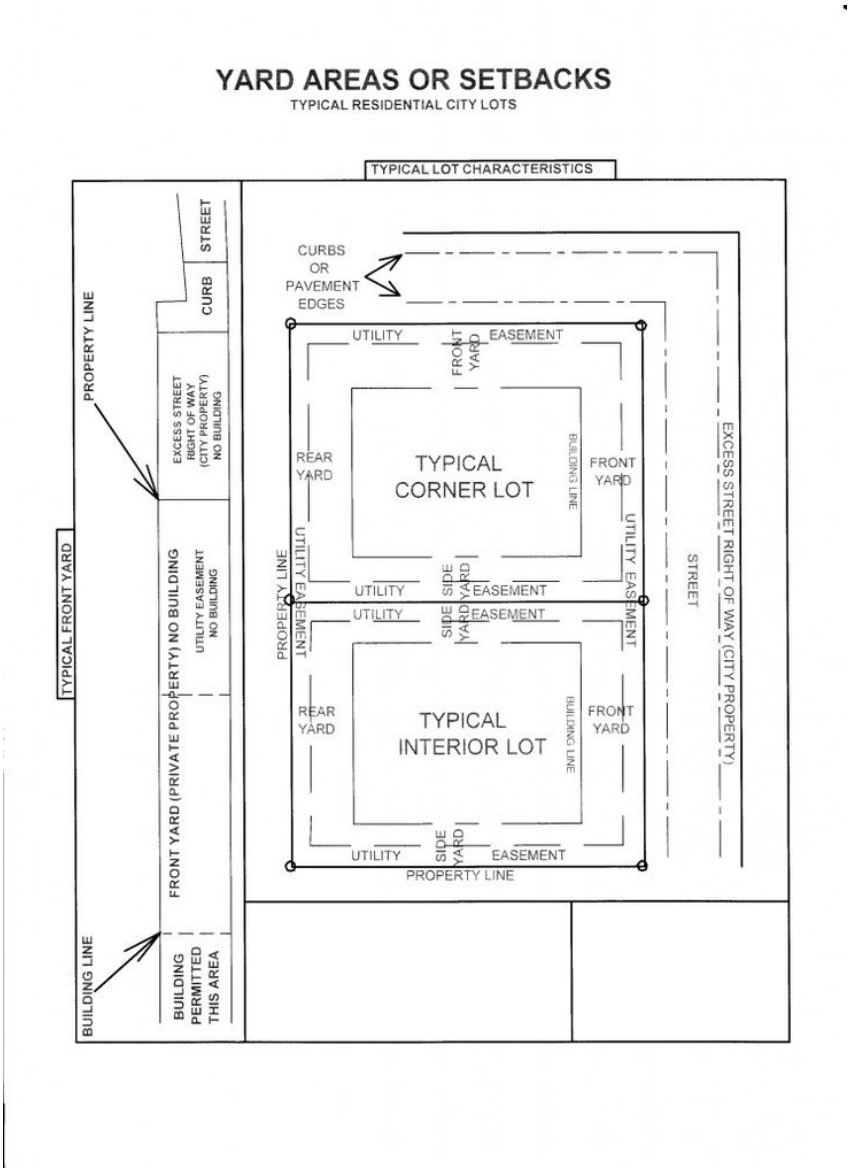


TABLE 4.2 — SUMMARY DIMENSIONAL STANDARDS BY DISTRICT

Dimensions in feet unless otherwise noted.

District / Use[1,2,4]	Min. Lot Area	Lot Width	Front	Side	Rear	Height	Lot Cov.
R-15 Single-Family Detached	1 ac. (no sewer) / 15,000 sf (sewer)	90	30	20	30	2.5 st / 30 ft	25%
R-15 Other	22,500 sf	100	30	20	30	2.5 st / 30 ft	25%
R-20 Single-Family Detached	20,000 sf	110	30	20	30	2.5 st / 30 ft	25%
R-12 All Uses	15,000 sf	90	25	15	20	2.5 st / 30 ft	25%
R-10 Single-Family Detached / Other	12,000 sf	60	25	15	25	2.5 st / 30 ft	30%
R-10 Single-Family Attached/ Townhome/ Multi-Family	6,250 sf/ unit (max 4 units/bldg)	100	20	15	20	2.5 st / 30 ft	30%
HDR Single-Family Detached	10,000 sf	60	20	10	20	3 st / 35 ft	40%
HDR Single-Family Attached/ Townhome/ Multi-Family/Mixed Use	7,500 sf 1st unit + 3,200 sf/add'l (max 12 du/ac)	80	20	10	20	3 st / 35 ft	40%
O-R Single-Family Attached/ Townhome/	7,500 sf 1st unit + 3,200 sf/add'l	80	20	10	20	3 st / 35 ft	40%

District / Use[1,2,4]	Min. Lot Area	Lot Width	Front	Side	Rear	Height	Lot Cov.
Multi-Family/Mixed Use	(max 12 du/ac)						
O-R Single-Family Detached	10,000 sf	60	20	10	20	2.5 st / 30 ft	40%
MHP Manufactured Home Park	5 ac.	80	See Ch. X	See Ch. X	See Ch. X	See Ch. X	40%
C-1 Other Uses	10,000 sf	70	25	10	15	2.5 st / 35 ft	60%
C-2 Other Uses	None	60	25	10	15	2.5 st / 35 ft	60%
C-3 Other Uses	None	50	30	0-12[3]	0–15[3]	3 st / 35 ft	N/A
CBD	None	N/A	N/A	N/A	N/A	See Sec. 4.06	N/A
M-1 Light Industry	None	70	25	20	20	3 st / 45 ft	60%
M-2 Heavy Industry	None	70	25	20	20	3 st / 65 ft	60%

Footnotes to Table 4.2:

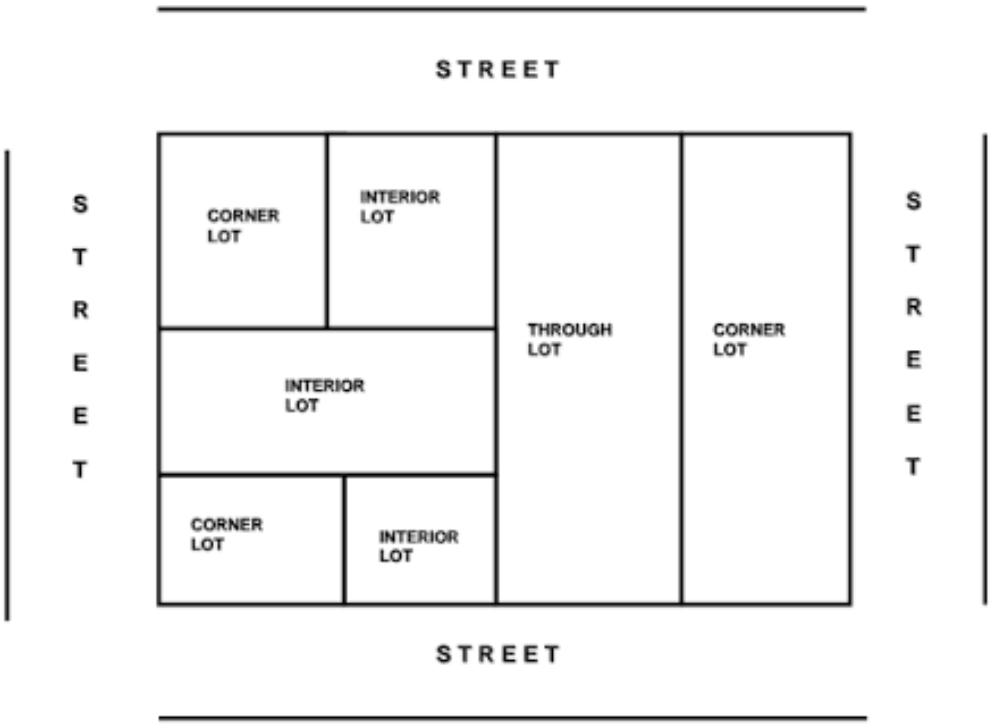
(1) The minimum heated floor area for a single-family dwelling is one thousand five hundred (1,500) square feet.

(2) The minimum heated floor area for multi-family, mixed-use, townhouse, and condominium dwellings is seven hundred (700) square feet for a studio unit, eight hundred fifty (850) square feet for a one-bedroom unit, one thousand (1,000) square feet for a two-bedroom unit, and one thousand two hundred (1,200) square feet for a three-bedroom unit.

(3) In the C-3 district, a rear setback of less than fifteen (15) feet is permitted where the lot abuts an alley, and a zero (0) foot side setback is permitted on one side where the building has a four-hour fire wall (or an approved automatic sprinkler system) on that side and a twelve (12) foot setback on the other.

(4) Additional development standards, including parking, signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards*.

FIGURE 4.14: TYPICAL LOT CROSS SECTION



■ ■ ■ Sec. 4.04 – PERMITTED AND SPECIAL EXCEPTION USES, GENERALLY

(1) **Use table.** The uses allowed in each base district are established by the comprehensive use schedule of *Sec. 4.07.* In that schedule:

(a) A use designated **"P"** is a permitted use, allowed by right subject to all applicable standards and without special permission of the City Council.

(b) A use designated **"S"** is permitted only as a special exception (conditional use), because of its potential incompatibility or negative impact on surrounding land uses, requiring additional review to determine compliance with City standards and its suitability in a given location. Because the public benefit must be balanced against the local impact, special exceptions are permitted only following a public hearing and approval as provided in *Sec. 2.06 – Mayor and City Council* and *Sec. 11.04 – Conditional Uses and Special Exceptions*.

(c) A use followed by a reference to *Chapter X* is additionally subject to the supplementary standards of that chapter.

(d) A blank cell indicates that the use is not permitted within that district.

(2) **Development plan.** A development plan may be required for a use as provided in *Sec. 11.02 – Development Plan Review*.

(3) **Unlisted or questionable uses.** Any use listed within *Sec. 4.05* and *Sec. 4.07* as permitted or special exception, but not designated within a specific zoning district, shall not be permitted within that district. If a use is not listed in the schedule at all, the requirements of the most similar use may be imposed according to a determination by the Zoning Administrator, consistent with *Sec. 11.07 – Appeals* for administrative appeal applications. A use that cannot reasonably be classified by analogy shall be treated as not permitted until this Code is amended to address it.

(4) **Representative summary.** Table 4.3 summarizes the principal categories of use by district as a convenience for the reader; it does not replace the comprehensive use schedule of *Sec. 4.07*, which governs.

TABLE 4.3 — REPRESENTATIVE SUMMARY OF PRINCIPAL USE CATEGORIES BY DISTRICT
P = permitted; S = special exception; blank = not allowed.

Use Category	R-15	R-20 /R-12 / R-10	HDR / O-R	C-1 /C-2 / C-3	CBD	M-1 / M-2	PUD / RHD
Single-family detached	P	P	P				P
Single-family attached / townhome		S (R-10)	P	S	S		P
Two-Family dwelling (duplex)		P (R-10)	P				P
Multi-family		S (R-10)	S (HDR) P (O-R)	S			P
Mixed Use			P (HDR)	S (C-1, C-2)	P		P
Agriculture and horticulture	P	S				S	P

Use Category	R-15	R-20 /R-12 / R-10	HDR / O-R	C-1 /C-2 / C-3	CBD	M-1 / M-2	PUD / RHD
Bed and breakfast / country inn	S	S	S	P	P		P
Retail and personal service			S	P	P	P	P
Professional and administrative office			P	P	P (2nd flr)	P	P
Restaurant, cafe, tavern			S	P	P	S	P
Assembly, banquet, or event space				S	S (2nd flr)	S	S
Lodging (hotel / motel)				S	S		S
Light manufacturing / warehouse				S		P	S
Outdoor entertainment venue				S	S	S	S

■ ■ ■ Sec. 4.05 – CENTRAL BUSINESS DISTRICT (CBD): SUPPLEMENTARY REGULATIONS

Sec. 4.05.1 – Intent of the Supplementary Regulations

(1) The Central Business District is the traditional, pedestrian-oriented commercial core of the City. To reinforce its historic main-street character and to support a wide range of retail, service, civic, cultural, and tourism-related activity, the following supplementary regulations apply to all property in the CBD. The high volume of pedestrian movement generated within the district is to be facilitated as much as practicable by the careful design of frontages, the separation of pedestrian and service traffic, and the shared use of parking and loading. Where these supplementary regulations conflict with a general standard elsewhere in this Code, these regulations govern within the CBD.

(2) **Applicability of development standards to changes of use.** A Site Plan is required for all changes of use except for uses within the CBD. Specifically:

(a) All changes of use proposed within existing structures shall be exempt from all development regulations within this Code except parking, signage, fencing, lighting, and landscaping requirements.

(b) All changes of use proposed within new structures, or within structures expanded beyond thirty-five percent (35%) of the existing structure's square footage, shall be subject to all applicable regulations within this Code.

FIGURE 4.15: DOWNTOWN BUCHANAN



Sec. 4.05.2 – Permitted Uses

(1) The following uses are permitted by right in the CBD, subject to the floor-location and operating standards of this section and to all other applicable provisions of this Code:

(a) Dwelling units that are part of a mixed-use structure and that do not occupy ground-floor street frontage (upper-story residential and loft living);

(b) Lodges and private clubs, and publicly owned buildings and facilities;

(c) Nature preserves and passive recreation;

(d) Commercial service establishments, personal service establishments, and fitness centers;

(e) Food halls, indoor artisan markets, and small-scale retail establishments of less than fifteen thousand (15,000) square feet of gross floor area;

(f) Drug stores and pharmacies;

(g) Coffee shops, restaurants, bars and taverns, microbreweries and brew-pubs, and wine and craft beer boutiques;

(h) Administrative and professional offices, subject to the second-floor location standard of *Sec. 4.06.4*; and

(i) Art galleries, studios, and similar arts-and-culture establishments.

(j) Farmers Markets

Sec. 4.05.3 – Special Exception Uses

(1) The following uses are permitted in the CBD only upon the grant of a special exception under *Sec. 11.04*, subject to the floor-location and operating standards of this section:

(a) Essential services, minor and major;

(b) Bus or train terminals;

(c) Educational institutions;

(d) Hotels and motels;

(e) Banks and financial or investment institutions;

(f) Banquet, assembly, and event halls, subject to the second-floor location standard of *Sec. 4.06.4*;

(g) Commercial outdoor entertainment;

(h) Parking lots and parking structures as a primary use; and

(i) Tattoo parlors.

Sec. 4.05.4 – Houses of Worship Prohibited; Office and Event Uses Limited to Upper Floors

FIGURE 4.16: SPECIAL CBD USE LIMITATIONS.

Houses of worship and other places of religious assembly are **not** a permitted or special exception use in the Central Business District. This limitation is adopted to preserve continuous, active, tax-generating storefront frontage along the downtown street wall, and does not restrict religious assembly in the many other districts of the City where it is allowed under *Sec. 4.07* and *Sec. 10.05*.

Administrative and professional offices, and banquet, assembly, and event spaces, shall be located only on the second or higher floor of a building in the CBD. The ground floor along a primary street frontage shall be reserved for active retail, restaurant, personal service, gallery, and similar pedestrian-oriented uses. An office or event use may occupy ground-floor area only where that area does not front a primary street (such as a rear or interior suite) and only where the primary street frontage is occupied by an active use.

Sec. 4.05.5 – Frontage, Storefront, and Building Standards

(1) Buildings shall be placed at or near the front property line to maintain a continuous street wall. Where an existing pattern of zero-lot-line, party-wall construction exists, new buildings shall continue that pattern.

(2) Ground-floor street-facing facades shall be transparent (clear glazing) for not less than sixty percent (60%) of the facade area between two (2) and eight (8) feet above the adjacent sidewalk. Mirrored or heavily tinted glass does not satisfy this requirement.

(3) Primary building entrances shall face and open directly onto the public sidewalk. Awnings, canopies, and blade signs that enhance the pedestrian environment are encouraged and may project over the right-of-way by permit.

(4) Upper-story residential and office uses shall maintain windows and architectural detail consistent with the historic character of the district, as further described in *Chapter VIII*.

Sec. 4.05.6 – Parking and Loading in the CBD

(1) Uses within the CBD are exempt from the off-street parking requirements of *Chapter IX*. The district relies on shared on-street, public, and consolidated off-street parking located to the rear of buildings.

(2) A change of use within an existing structure in the CBD does not trigger the development standards of this Code other than the standards governing signs, lighting, fencing, and the required landscaping of any new or existing parking area.

(3) Where off-street parking is voluntarily provided, it shall be located to the side or rear of the building, screened from the street, and shall not interrupt the continuity of the storefront frontage.

(4) Loading shall be conducted from an alley or rear service area wherever an alley or rear access is available.

■ ■ ■ Sec. 4.06 – COMPREHENSIVE SCHEDULE OF PERMITTED AND SPECIAL EXCEPTION USES

(1) **Application.** Table 4.4 establishes the uses permitted in each base district and in the Planned Development Districts of *Chapter V*. In the schedule:

(a) **"P"** denotes a use permitted by right, subject to all applicable standards of this Code;

(b) **"S"** denotes a use allowed only as a special exception (conditional use) under *Sec. 11.04*, requiring a public hearing and approval by the Mayor and City Council upon recommendation of the Planning and Zoning Board;

(c) A superscript reference (e.g., [1]) denotes an additional condition or limitation stated in the footnotes below the table;

(d) A blank cell indicates that the use is not permitted in that district; and

(e) References to *Chapter X* indicate that the use is additionally subject to the supplementary standards of that chapter wherever it is allowed.

(2) **Planned Development Districts.** Uses shown for the PUD and RHD columns are additionally subject to an approved Concept Plan under *Chapter V*. A use not listed may be classified by the Zoning Administrator by analogy to the most similar listed use, as provided in *Sec. 4.04(3)*.

(3) **CBD limitations.** Where a use is shown for the Central Business District, the floor-location and operating limitations of *Sec. 4.05* also apply, including the prohibition on houses of worship and the restriction of office and event uses to upper floors only.

(4) **C-3 limitations.** Where a use is shown for the Commercial Parkway District (C-3), the special side and rear setback requirements of Table 4.2, footnote (3), also apply.

(5) **Chapter X standards.** All uses marked with a *Chapter X* reference are subject to the use-specific supplementary standards of that chapter in addition to the district standards. Compliance with *Chapter X* is a condition of the use being permitted or a special exception, as applicable.

TABLE 4.4 — COMPREHENSIVE SCHEDULE OF PERMITTED (P) AND SPECIAL EXCEPTION (S) USES BY DISTRICT

Category rows are in bold.

[2] *= PUD and RHD columns require an approved Concept Plan.*

[3] *= Animal husbandry with outdoor enclosures requires special exception in all districts.*

CBD uses are additionally subject to Sec. 4.05, including the prohibition on houses of worship and the upper-floor limitation on offices and event spaces.

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
AGRICULTURAL															
Agriculture, general (crops, horticulture)	P	S	S	S								S	S	P	P
Animal husbandry / keeping of livestock *(Ch. X)* [3]	P	S											S	S	P
Community garden	P	P	P	P	P	P	P	P	P	P	P			P	P
farm market		S				S					P			P	P
Greenhouse / nursery, commercial	S	S						P	P	P		P	P	S	P
Winery / brewery / distillery (farm-based)	S	S						S	P	P	P	S	S	S	P
Agritourism *(Ch. X)*	S	S						S	P	P	P			S	P
Farmette (min. 15 ac.)															P
Agrihood			P	P	P										P

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
Beekeeping *(Ch. X)*	P	P	P	P	P	P								P	P
Keeping of chickens, ducks, rabbits, similar *(Ch. X)*	P	P												P	P
Keeping of goats, pigs, horses, sheep, similar *(Ch. X)*	S	S												S	P
RESIDENTIAL															
Single-family detached dwelling	P	P	P	P	P	P								P	P
Single-family attached dwelling / townhome				S	P	P		S	S	S	S			P	P
Two-family dwelling (duplex)				P	P	P								P	P
Multi-family dwelling				S	P	S		S	S	S				P	P
Mixed-Use					S	P		S	S		P			P	P

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
Manufactured home (individual lot)	S						P								
Manufactured home park *(Ch. X)*							P								
Accessory dwelling unit (ADU) *(Ch. X)*	P	P	P	P	P	P					P			P	P
Live-work unit					P	P		P	P	P	P			P	P
Personal care home *(Ch. X)*				S	S	S		S	P	P				P	P
Nursing home / assisted living *(Ch. X)*				S	S	S		S	P	P				P	P
LODGING AND TRANSIENT															
Bed and breakfast *(Ch. X)*	S	S	S	S	S	S		P	P	P	P			P	P
Country inn *(Ch. X)*	S	S													P
Hotel / motel								S	P	P	S	S		S	S

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
Glamping / tiny home rental lodging *(Ch. X)*		S													S
Recreational vehicle (RV) site *(Ch. X)*									S						S
Short-term rental of a dwelling *(Ch. X)*	S	S	S	S	S	S		S	S	S	S			S	S
Rooming house / boarding house				S	S	S									
CIVIC AND INSTITUTIONAL															
Place of worship *(Ch. X)*[4]	S	S	S	S	S	S		S	P	P		S		P	P
School, public or private (p-12) *(Ch. X)*	S	S	S	S	S	S		S	P	P	S			P	P
Educational institution, excluding p-12, public					S	S		S	P	P	S			P	P
Educational institution,					S	S		S	P	P	S			P	P

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
excluding p-12, private															
Family day care home *(Ch. X)*	P	P	P	P	P	P	P							P	P
Day care center, child or adult *(Ch. X)*	S	S	S	S	S	P		P	P	P	P			P	P
Library / museum / gallery					S	P		P	P	P	P			P	P
Government building / public facility	S	S	S	S	S	P	S	P	P	P	P	P	P	P	P
Community center / lodge / club	S	S	S	S	S	P		P	P	P	P			P	P
Hospital / clinic / healthcare facility					S	S		S	P	P	S	S		P	P
Medical or dental clinic				S	S	P		P	P	P	P	P		P	P
Cemetery *(Ch. X)*	S	S	S						S	S			S	S	S

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
COMMERCIAL — RETAIL AND SERVICE															
Retail, small-scale (less than 15,000 sf)						S		P	P	P	P	P		P	P
Retail, large-scale (15,000 sf or greater)									P	P		P	P		
Shopping center									P	P		P	P		
Personal service establishment						P		P	P	P	P	P		P	P
Laundry / dry cleaning establishment						P		P	P	P	P	P		P	
Tattoo parlor / body art establishment *(Ch. X)*								S	P	P	S				
Smoke shop / tobacco / vape store *(Ch. X)*								S	P	P					
Medical cannabis retail *(Ch. X)*								S	S	S					

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
Pawnshop *(Ch. X)*									P	P					
Check cashing / payday lending *(Ch. X)*									P	P					
Donation bin / outdoor vending *(Ch. X)*								S	S	S		S	S		
COMMERCIAL — FOOD AND BEVERAGE															
Restaurant / cafe						S		P	P	P	P	S		P	P
Bar / tavern / microbrewery / brew-pub								S	P	P	P	S		P	P
Food hall / indoor artisan market								S	P	P	P			P	P
Food truck / mobile food vendor *(Ch. X)*						S		P	P	P	P	S		P	P
Outdoor dining / sidewalk cafe *(Ch. X)*						S		P	P	P	P	S		P	P

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
Drive-through establishment *(Ch. X)*								S	P	P	S			S	
Convenience store *(Ch. X)*								S	P	P		P	P		S
COMMERCIAL — OFFICE AND PROFESSIONAL															
Professional / administrative office					P	P		P	P	P	S [1]	P	P	P	P
Bank / financial institution						P		P	P	P	S [1]	P		P	P
Health and wellness / spa / fitness center					S	P		P	P	P	P	P		P	P
Arts studio / maker space *(Ch. X)*					S	P		P	P	P	P	P	S	P	P
Conference / convention center *(Ch. X)*									S	S	S			S	
COMMERCIAL — AUTOMOTIVE AND HEAVY															
Motor vehicle sales									P	P		P	P		

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
Motor vehicle repair / service, minor *(Ch. X)*								S	P	P		P	P		
Motor vehicle repair / service, major *(Ch. X)*									S	P		P	P		
Filling station *(Ch. X)*								S	P	P		P	P		S
Car wash *(Ch. X)*								S	P	P		P	P		
Tire sales and service *(Ch. X)*									S	P		P	P		
Truck stop / travel plaza									S	S		S	S		
Rental of motor vehicles or equipment									P	P		P	P		
Boat sales and service									P	P		P	P		
COMMERCIAL — ENTERTAINMENT AND RECREATION															
Banquet / assembly / event space						S		S	P	P	S [1]	S		S	S

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
Outdoor commercial entertainment *(Ch. X)*								S	S	S	S	S		S	S
Outdoor Entertainment venue / concert village *(Ch. X)*									S	S	S	S		S	S
Indoor amusement / recreation facility *(Ch. X)*								S	P	P	S	S		S	
Outdoor amusement / recreation facility *(Ch. X)*									S	S		S		P	P
Theater / performing arts venue								S	P	P	P			P	P
Bowling alley / billiard hall									P	P		S			
Indoor firing range *(Ch. X)*									S	S		S	S		
Swap meet / flea market *(Ch. X)*									S	S					

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
COMMERCIAL — LODGING-ADJACENT															
Funeral home / mortuary						S		S	P	P		S			
Crematory *(Ch. X)*									S			S	S		
COMMERCIAL — ANIMAL CARE															
Veterinary clinic / animal care *(Ch. X)*	S	S				S		S	P	P		P	P	P	P
Kennel / commercial animal boarding *(Ch. X)*	S								S	S		P	P	S	P
COMMERCIAL — SELF-STORAGE AND TRADE															
Self-storage / mini-warehouse *(Ch. X)*									S	S		P	P		
Contractor yard / outdoor equipment storage *(Ch. X)*									S	S		P	P		

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
Wholesale / warehouse-style retail									P	P		P	P		
INDUSTRIAL AND UTILITY															
Light manufacturing / assembly									S			P	P		S
Heavy manufacturing / processing												S	P		
Warehouse / distribution									S			P	P		
Research and development / laboratory									P	P		P	P	S	
Data Processing Center													S		
Printing / publishing establishment								S	P	P		P	P		
Salvage / junk yard *(Ch. X)*													S		

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
Solid waste transfer station *(Ch. X)*												S	S		
Recycling collection center									S	S		P	P		
Outdoor storage of vehicles, boats, equipment *(Ch. X)*									S	S		P	P		
Film production facility *(Ch. X)*									S			P	P		
Shipping container (permanent structure) *(Ch. X)*									S	S		S	S		
Essential services, minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Essential services, major	S	S	S	S	S	S	S	S	S	S	S	P	P	S	S
Wireless communicatio	S	S	S	S	S	S	S	S	S	S	S	P	P	S	S

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
n facility *(Ch. X)*															
Solar energy system, accessory *(Ch. X)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electric vehicle charging station, accessory *(Ch. X)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Small wind energy system, accessory *(Ch. X)*	S	S							S	S		S	S	S	S
PARKS AND RECREATION															
Park / green / playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Trail / greenway	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Golf course / driving range	S	S							S	S				P	P
Nature preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

USE [5, 6]	R-15	R-20	R-12	R-10	HDR	O-R	MHP	C-1	C-2	C-3	CBD	M-1	M-2	PUD [2]	RHD [2]
Outdoor recreation, commercial	S	S						S	S	S		S		P	P
Equestrian facility *(Ch. X)*	S	S							S	S			S	P	P
Swimming pool, community *(Ch. X)*	S	S	S	S	S	S	S	P	P	P		P		P	P
Health club / fitness facility					S	P		P	P	P	P	P		P	P
HOME-BASED AND ACCESSORY USES															
Home-based business *(Ch. X)*	P	P	P	P	P	P	P							P	P
Cottage industry / artisan use *(Ch. X)*	S	S				S		S	S	S		S	S	P	P
Temporary use / structure *(Ch. X)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Footnotes to Table 4.4:

[1] **CBD upper-floor limitation.** Professional and administrative offices and banquet, assembly, and event spaces designated "S" in the CBD column are permitted only as a special exception under *Sec. 4.05.3*,

and are further restricted to the **second floor or higher** of any building in the Central Business District. Ground-floor office and event uses in the CBD are prohibited, except in rear or interior suites not fronting a primary street, as provided in *Sec. 4.05.4*.

[2] **Planned Development District column.** All uses in the PUD and RHD columns are permitted or special exception only in conformity with an approved Concept Plan under *Chapter V, Part A* (Traditional PUD) or *Chapter V, Part B* (Rural Hamlet District). A use not shown may be approved as part of a Concept Plan where the Mayor and City Council find it consistent with the purpose and character of the district, as provided in *Sec. 5.A.06(2)* and *Sec. 5.B.06(2)*.

[3] **Animal husbandry — outdoor enclosures.** Animal husbandry and the keeping of farm animals with outdoor enclosures or free-roam areas require a special exception in all districts other than R-15 and the Rural Hamlet District. The keeping of chickens, ducks, rabbits, and similar small animals and the keeping of bees are governed by the license and standards requirements of *Sec. 10.08*. The keeping of goats, pigs, horses, sheep, cows, and similar large animals is additionally subject to the restrictions of *Sec. 10.08.3*.

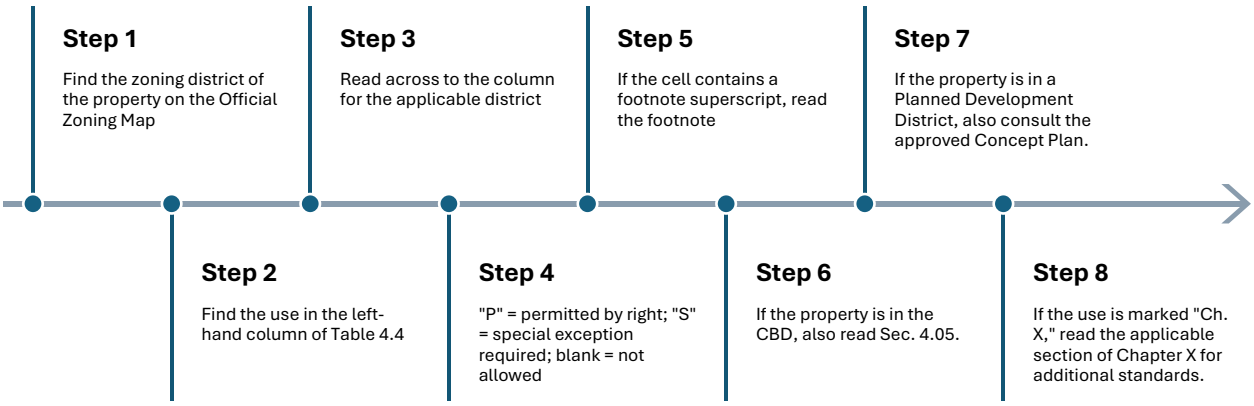
[4] **Houses of worship — CBD prohibited.** Houses of worship and other places of religious assembly are not a permitted or special exception use in the Central Business District, consistent with *Sec. 4.05.4*. The CBD column for "Place of worship" is intentionally blank. Houses of worship are permitted or special exception in all other districts as shown, subject to *Sec. 10.05*.

[5] **Unlisted uses.** Any use not listed in this table that cannot reasonably be classified by analogy to a listed use shall be treated as not permitted until this Code is amended. A use that is reasonably similar in character, function, and impact to a listed use may be classified by the Zoning Administrator under *Sec. 4.04(3),* with written justification, subject to appeal under *Sec. 11.07*.

[6] **Chapter X cross-reference.** All uses marked "*(Ch. X)*" are subject to the supplementary standards of *Chapter X — Supplementary Standards for Specific Uses,* in addition to the district standards of *Chapter IV*. Compliance with *Chapter X* is a condition of the use being permitted or a special exception, as applicable.

FIGURE 4.17: USE TABLE READING GUIDE

To determine whether a use is allowed on a specific property:



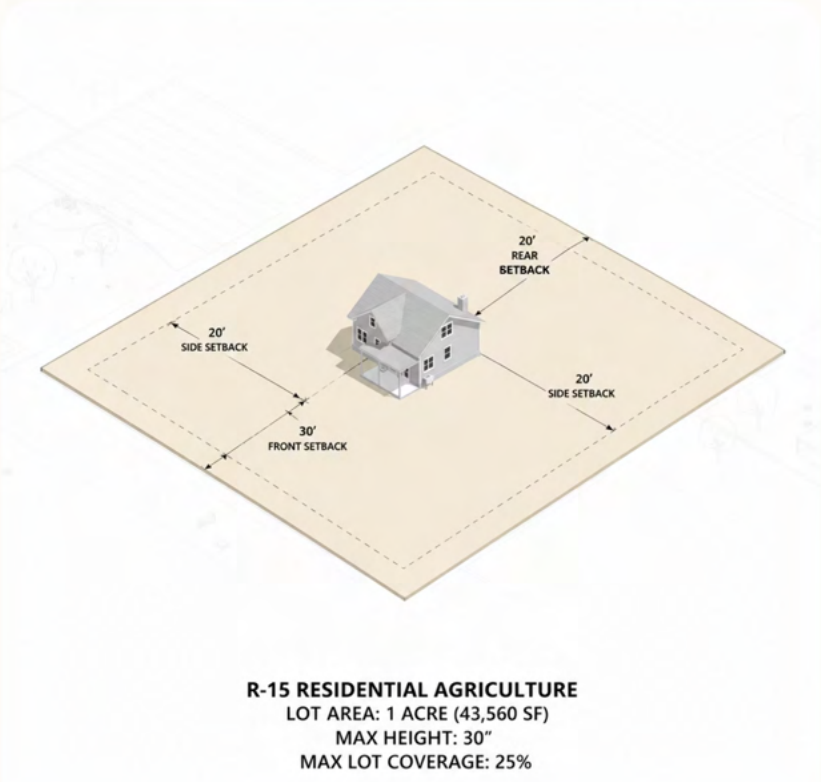
■ ■ ■ Sec. 4.07 – DISTRICT DIMENSIONAL CARDS

(1) The dimensional cards below restate, district by district, the dimensional standards of *Sec. 4.03* in a glanceable form for everyday administration. Each card is accompanied by a representative photograph and an isometric massing diagram. The cards are a convenience; in the event of any conflict, the summary schedule of *Sec. 4.03* governs. Each diagram shown does not reflect all requirements contained in this Code.

RESIDENTIAL

R-15 — Residential Agriculture

This district encourages a compatible relationship between low-density residential development and limited mixed uses in fringe areas of the City where development is generally sparse and the growth pattern is not yet well established. Historical land patterns include larger-than-average lots and limited livestock, along with small-scale agricultural and horticultural practices. Multiple buildings may occur per lot or parcel depending on the lot or parcel size.



R-15 RESIDENTIAL AGRICULTURE
LOT AREA: 1 ACRE (43,560 SF)
MAX HEIGHT: 30"
MAX LOT COVERAGE: 25%



Standard	Requirement
Minimum Lot Area	Single-Family Detached: 1 ac. (without sewer) 15,000 sf (with sewer) Other: 22,500 sf
Minimum Lot Width	Single-Family Detached: 90 ft. Other: 100 ft.
Front Setback	30 ft.
Side Setback	20 ft.
Rear Setback	30 ft.
Maximum Height	2.5 stories / 30 ft.
Maximum Lot Coverage	25%
Minimum Heated Area	1,500 sf

Additional development standards, including parking, signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

RESIDENTIAL

R-20 — Residential Estate

This district encourages a low-density estate environment for single-family detached homes where the minimum square footage per home is larger than any other zone district in Buchanan. Homes in this district shall maintain a roof pitch not less than four (4) feet to twelve (12) feet. Only one principal building is allowed per lot, along with customary accessory uses.





Standard	Requirement
Minimum Lot Area	20,000 sf
Minimum Lot Width	110 ft.
Front Setback	30 ft.
Side Setback	20 ft.
Rear Setback	30 ft.
Maximum Height	2.5 stories / 30 ft.
Maximum Lot Coverage	25%
Roof Pitch	Not less than 4 in 12
Principal Buildings	One per lot
Minimum Heated Square Footage	1,500 sf

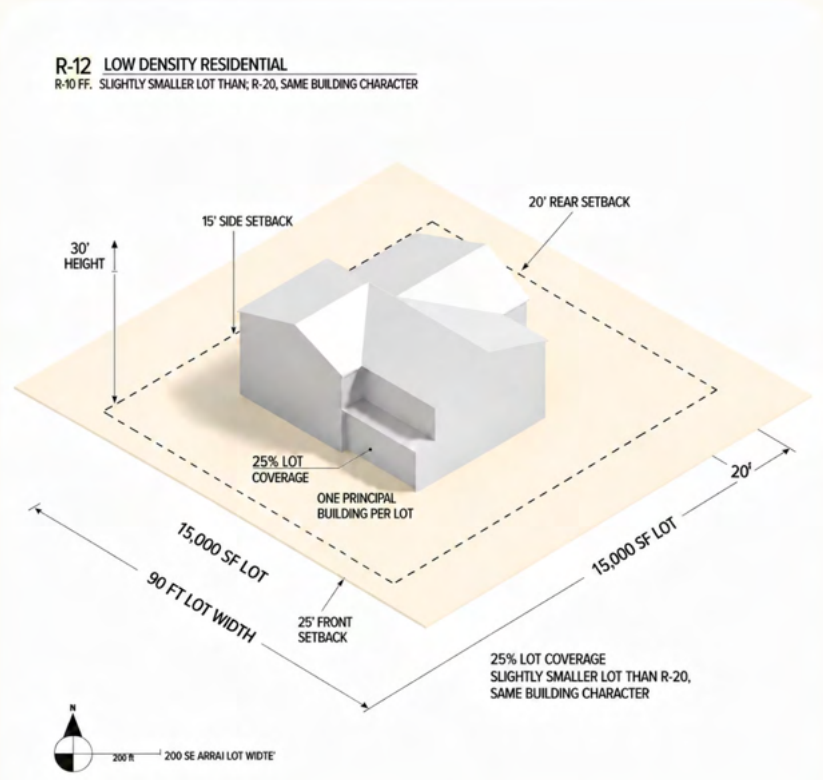
Additional development standards, including parking, signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

RESIDENTIAL

R-12 — Low Density Residential

A district designed to protect single-family detached dwellings, developed at a moderate density, from unrelated and incompatible uses. The lots are characterized by one principal building per lot, with customary accessory uses allowed.





Standard	Requirement
Minimum Lot Area	15,000 sf
Minimum Lot Width	90 ft.
Front Setback	25 ft.
Side Setback	15 ft.
Rear Setback	20 ft.
Maximum Height	2.5 stories / 30 ft.
Maximum Lot Coverage	25%
Heated Square Footage	1,500 sf
Principal Buildings	One per lot

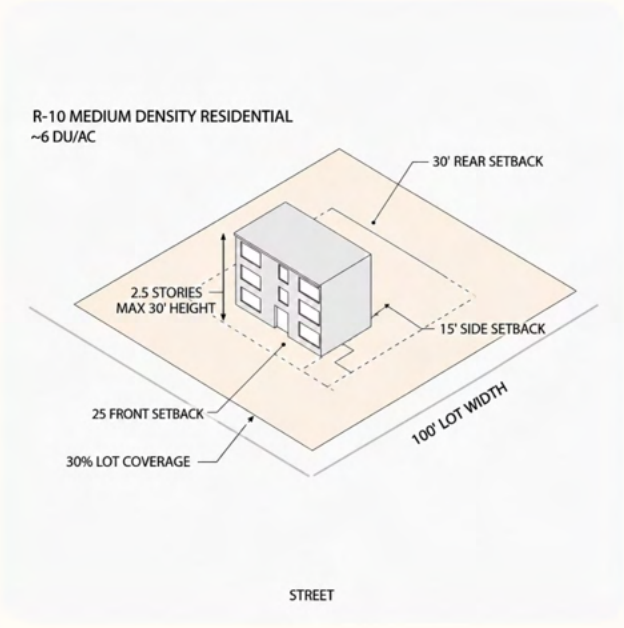
Additional development standards, including parking, signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

RESIDENTIAL

R-10 — Medium Density Residential

A medium-density zone district allowing a mix of single-family detached homes, multi-family dwellings, and other related compatible uses at an approximate maximum density of six (6) dwelling units per acre. The intensity of the multi-family uses is limited to not more than four (4) dwelling units per building, and the district design limits the permitted uses to one principal building per lot.





Standard	Requirement
Minimum Lot Area	Single-Family Detached/ Two-Family (Duplex)/ Other: 12,000 sf Single-family Attached/ Townhome/Multi-Family: 6,250 sf/unit
Minimum Lot Width	Single-Family Detached/ Two-Family (Duplex)/Other: 60 ft. Single-family Attached/ Townhome/Multi-Family: 100 ft.
Front Setback	Single-Family Detached/ Two-Family (Duplex)/ Other: 25 ft. Single-family Attached/ Townhome/ Multi-Family: 20 ft.
Side Setback	15 ft.
Rear Setback	Single-Family Detached/ Two-Family (Duplex)/ Other: 25 ft. Single-family Attached/ Townhome/ Multi-Family: 20 ft.
Maximum Height	2.5 stories / 30 ft.
Maximum Lot Coverage	30%
Heated Square Footage	Single-Family Detached/ Two-Family (Duplex): 1,500 sf Single-Family Attached/ Townhome/Multi-Family: Studio: 700 sf 1BR: 850 sf 2BR: 1,000 sf 3BR: 1,200 sf
Maximum Density	Approx. 6 du/ac.

Additional development standards, including parking, signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

RESIDENTIAL

HDR — High Density Residential

A high-density zone district allowing typical residential dwelling types, all multi-family developments, and other uses compatible with such residential character. Multiple buildings per lot are allowed and the maximum density is twelve (12) dwelling units per acre. Accordingly, the provision of both public water and public sewer is required to serve the uses allowed in this zone district.





Standard	Requirement
Minimum Lot Area	Single-Family Detached/Mixed-Use/Other: 10,000 sf Single-Family Attached/ Townhome/Multi-Family: 7,500 sf (1st unit) +3,200 sf each additional unit
Minimum Lot Width	Single-Family Detached & Other: 60 ft. Single-Family Attached/ Townhome/Multi-Family/ Mixed-Use: 80 ft.
Front Setback	20 ft.
Side Setback	10 ft.
Rear Setback	20 ft.
Maximum Height	3 stories / 35 ft.
Maximum Lot Coverage	40%
Heated Square Footage	Single-Family Detached: 1,500 sf Single-Family Attached/ Townhome/Multi-Family/Mixed-Use: Studio: 700 sf 1BR: 850 sf 2BR: 1,000 sf 3BR: 1,200 sf
Maximum Density	12 du/ac.
Utilities	Public water & sewer required

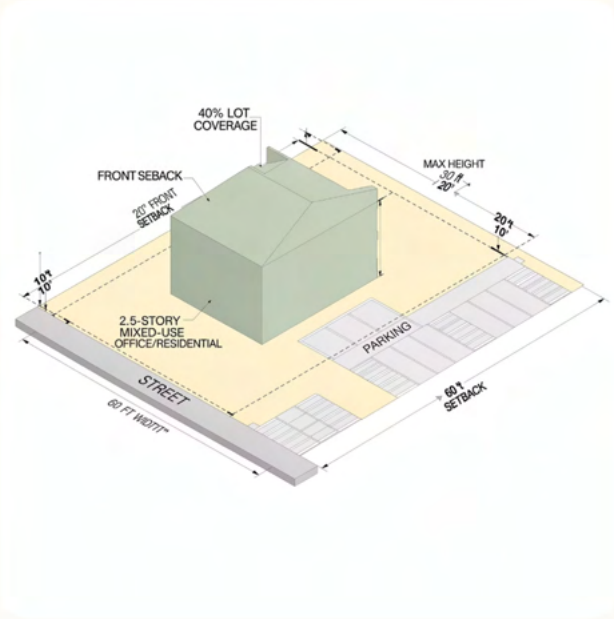
Additional development standards, including parking, signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

RESIDENTIAL

O-R — Office Residential

A district generally characterized by low-traffic commercial uses oriented to busy streets where limited residential uses are transitioning to commercial function. A mix of residential and commercial uses is allowed, but the commercial uses are generally less intensive and of smaller scale than uses found in general commercial zones. Residential conversions to commercial function are common, so parking in the side yard or rear yard is desirable.





Standard	Requirement
Minimum Lot Area	Single-Family Detached/ Two-Family (Duplex)/ Other: 10,000 sf Single-Family Attached/ Townhome/ Multi-family: 7,500 sf (1st unit) +3,200 sf for each additional unit
Minimum Lot Width	Single-Family/ Two-Family (Duplex)/ Other: 60 ft. Single-Family Attached/ Townhome/ Multi-family: 80 ft.
Front Setback	20 ft.
Side Setback	10 ft.
Rear Setback	20 ft.
Maximum Height	Single-Family Detached/ Two-Family (Duplex)/ Other: 2.5 stories / 30 ft. Singe-Family Attached/ Townhome/ Multi-Family: 3 Stories / 35 ft.
Maximum Lot Coverage	40%
Heated Square Footage	Single-Family Detached/Two-Family (Duplex): 1,500 sf Singe-Family Attached/ Townhome/ Multi-Family: Studio: 700 sf 1BR: 850 sf 2BR: 1,000 sf 3BR: 1,200 sf
Density	12 du/ac.
Parking Location	Side or rear preferred

Additional development standards, including parking, signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

RESIDENTIAL

MHP — Manufactured Home Park

A district designed to encourage the placement of multiple manufactured homes on a large lot. A manufactured home park, based upon allowed density, is similar to a multi-family development; thus issues related to ingress and egress, internal streets, infrastructure, waste collection, recreation, and other support facilities are a consideration, as well as the relationship with other surrounding land uses.





Standard	Requirement
Minimum Tract Area	5 ac.
Minimum Lot Width	80 ft.
Maximum Lot Coverage	40%
Density	Per applicable district standards
Internal Standards	Per Sec. 10.11

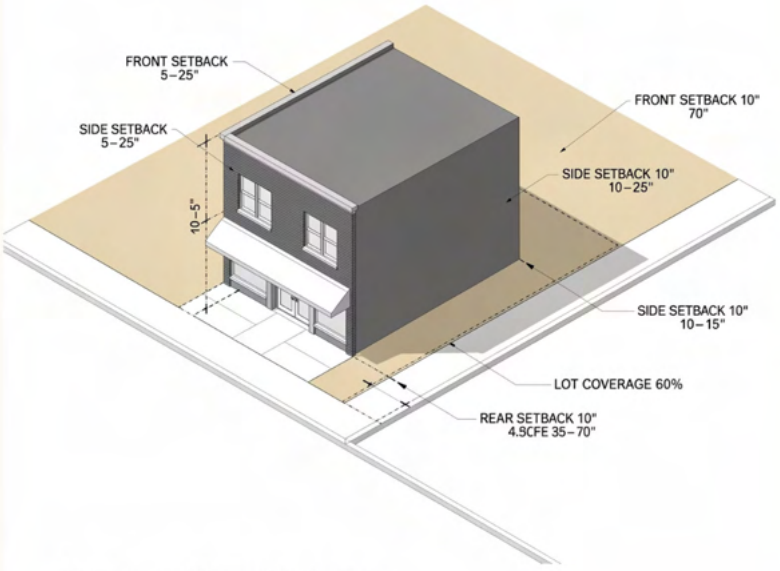
Additional development standards, including parking, signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

COMMERCIAL

C-1 — Neighborhood Commercial

A district catering to retail and service businesses often beneficial to the short-distance needs of neighborhoods. The district can serve as a small-scale transition area between residential areas and more intense commercial areas, but the district is characterized by distinct commercial uses and does not mix residential uses, except loft living. The district can be suitable to locations at intersections where local streets join collector streets.





C-1 Neighborhood Commercial Zoning District.

Standard	Requirement
Minimum Lot Area	10,000 sf
Minimum Lot Width	40 ft.
Front Setback	25 ft.
Side Setback	10 ft.
Rear Setback	15 ft.
Maximum Height	2.5 stories / 35 ft.
Heated Square Footage	Studio: 700 sf 1BR: 850 sf 2BR: 1,000 sf 3BR: 1,200 sf
Density:	6 du/ac.
Maximum Lot Coverage	60%

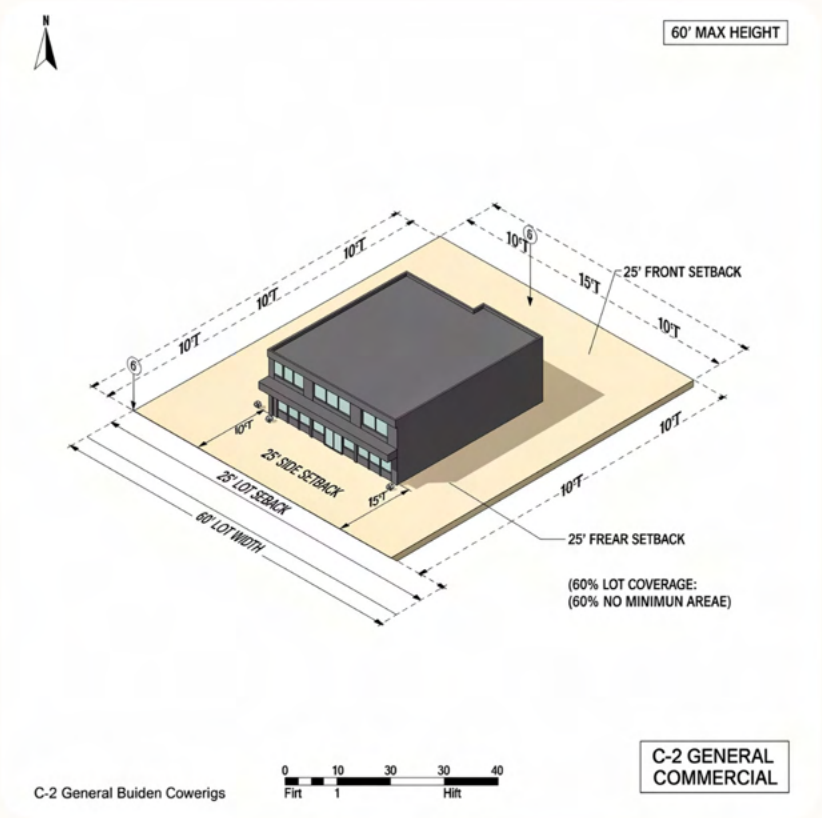
Additional development standards, including parking, signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

COMMERCIAL

C-2 — General Commercial

A district offering the broadest and most intense mix of commercial uses in the community, including professional offices, retail and service businesses, institutional uses, light wholesaling, and shopping centers, all oriented to major streets. The district combines large and small tracts with multiple buildings allowed per lot to create maximum shopping and service opportunities for local residents. Cross-access easements for access between uses are desirable to improve traffic safety.



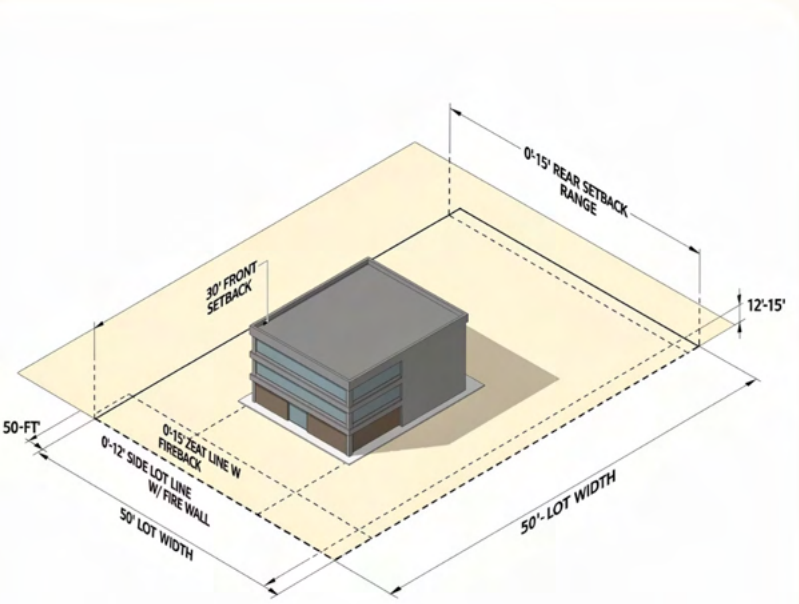


Standard	Requirement
Minimum Lot Area	0.5 ac.
Minimum Lot Width	60 ft.
Front Setback	25 ft.
Side Setback	10 ft.
Rear Setback	15 ft.
Maximum Height	2.5 stories / 35 ft.
Heated Square Footage	Studio: 700 sf 1BR: 850 sf 2BR: 1,000 sf 3BR: 1,200 sf
Density	6 du/ac.
Maximum Lot Coverage	60%

COMMERCIAL

C-3 — Commercial Parkway

A district allowing a broad and intense mix of commercial uses, but excluding some institutional uses and wholesaling activities. Major streets, often collectors or arterials in nature, characterize this district, and lots are conventional in design with multiple buildings allowed per lot. Cross-access easements for access between uses are desirable to improve traffic safety.



C-3 COMMERCIAL PARKWAY
ISOMETRIC MASSING DIAGRAM



Standard	Requirement
Minimum Lot Area	5 ac.
Minimum Lot Width	50 ft.
Front Setback	30 ft.
Side Setback	0–12 ft.
Rear Setback*	0–15 ft.
Maximum Height	3 stories / 35 ft.
Heated Square Footage	Studio: 700 sf 1BR: 850 sf 2BR: 1,000 sf 3BR: 1,200 sf
Density	6 du/ac.

Additional development standards, including parking, signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

*In the C-3 district, a rear setback of less than fifteen (15) feet is permitted where the lot abuts an alley, and a zero (0) foot side setback is permitted on one side where the building has a four-hour fire wall (or an approved automatic sprinkler system) on that side and a twelve (12) foot setback on the other. See Table 4.2, footnote (3).

COMMERCIAL

CBD — Central Business District

The Central Business District is the traditional center for commercial retail and service uses, financial, office, government, and limited residential uses of the City. The district is characterized by shared parking and loading, and buildings typically occupy the full area of the lot, sharing common walls with adjacent buildings. The CBD is the core activity center around which the City has historically developed and remains central to the development success of the entire community and trade area as a whole. The supplementary regulations of *Sec. 4.06* apply within this district.





Standard	Requirement
Minimum Lot Area	None
Minimum Lot Width	None
Setbacks	None (build-to placement per Sec. 4.05)
Maximum Lot Coverage	None
Storefront Transparency	60% minimum at ground floor
Heated Square Footage	Studio: 700 sf 1BR: 850 sf 2BR: 1,000 sf 3BR: 1,200 sf
Density Limit	None
Floor Area Ratio (FAR)	4:1
Upper-Floor Uses	Office and event uses permitted; apartments, lofts and condos permitted only on upper floors.
Parking	Exemption applies per Sec. 4.05
Governing Regulations	Supplementary regs. of Sec. 4.05

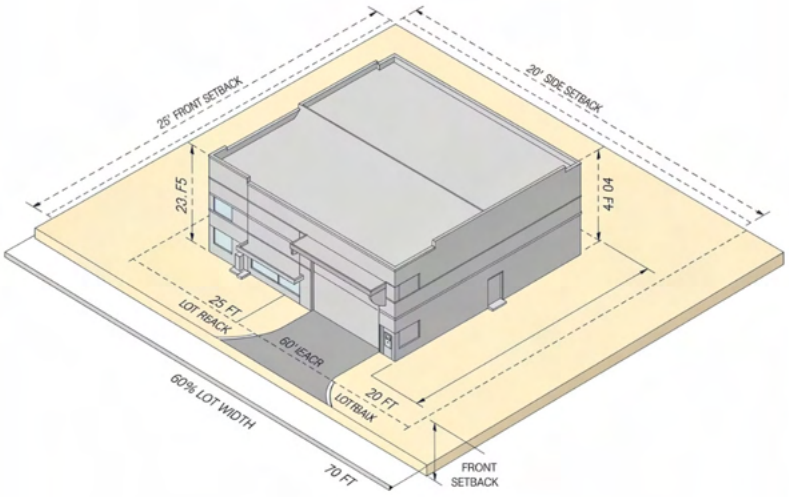
Additional development standards, including signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

INDUSTRIAL

M-1 — Light Industry

This district provides a mix of commercial and light industrial uses that typically create a minimum of environmental pollution in the form of traffic, noise, odors, smoke, fumes, glare, or heat. Tract sizes can be larger than a general commercial area, helping to minimize impacts on adjacent properties. Multiple buildings are allowed per tract.





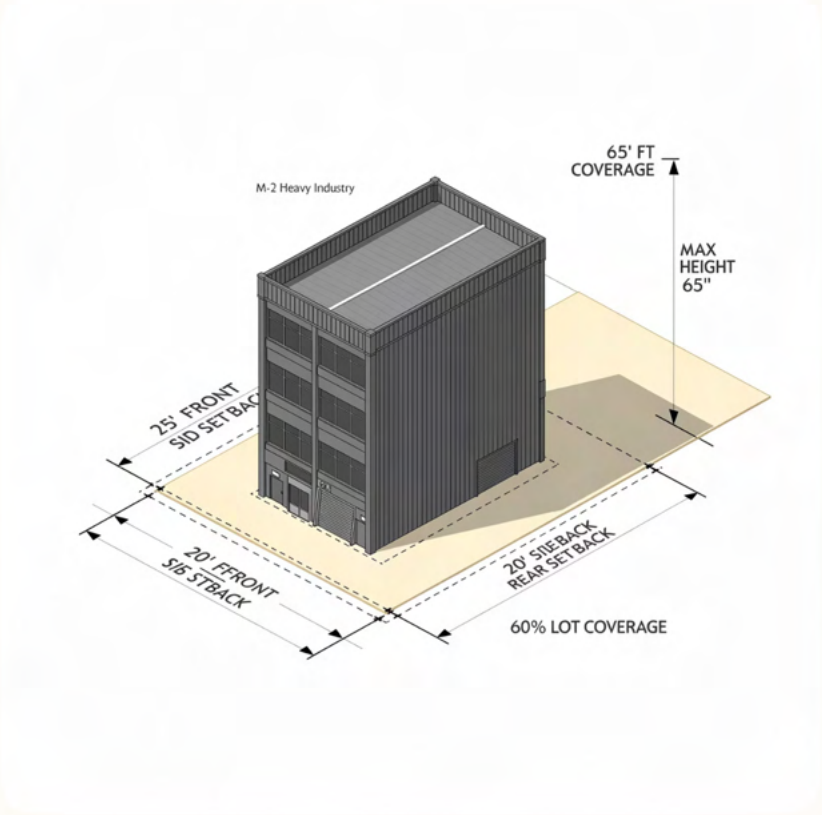
Standard	Requirement
Minimum Lot Area	1 ac.
Minimum Lot Width	70 ft.
Front Setback	25 ft.
Side Setback	20 ft.
Rear Setback	20 ft.
Maximum Height	3 stories / 45 ft.
Maximum Lot Coverage	60%

Additional development standards, including signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

INDUSTRIAL

M-2 — Heavy Industry

This district allows the heaviest, most intense industrial uses. Characterized by large tracts of land occupied by large buildings or multiple buildings per tract, the district is dedicated to full manufacturing, processing, assembly of raw materials, fabrication, or warehousing. Some operations occur continuously, and delivery by truck or rail may be a necessary byproduct of the uses allowed. Uses that emit noise, odors, smoke, dust, fumes, or other incompatibilities shall meet the general environmental requirements of the local, state, or federal governments.





Standard	Requirement
Minimum Lot Area	5 ac.
Minimum Lot Width	100 ft.
Front Setback	25 ft.
Side Setback	20 ft.
Rear Setback	20 ft.
Maximum Height	3 stories / 65 ft.
Maximum Lot Coverage	60%
Performance Standards	Environmental standards apply

Additional development standards, including signs, landscaping, and lighting, are set forth in *Chapter IX – Development Standards.*

SPECIAL DISTRICTS

PUD — Planned Unit Development (Traditional)



The Traditional Planned Unit Development district is established to provide a means by which the City of Buchanan may authorize the development of land as a unified, comprehensively planned project that achieves a higher quality of design, a more efficient use of land, and a greater variety of housing types and community amenities than would be achievable lot-by-lot under the standards of the base districts. In exchange for this flexibility, a PUD development is held to higher standards of architectural design, connectivity, open space, and community benefit than the base districts require.

Traditional PUD Standards	Requirement
Minimum District Size	50 acres
Minimum Open Space	25% of total land area (excl. private yards, streets, parking, HOA amenities)
Trail Network	1 linear ft per 150 sf of required open space
Perimeter Buffer	15–30 ft per abutting condition (Table 5.A.1)
Community Amenity	Min. 1 ac or 5,000 sf nonresidential/civic/agricultural use per 50 du; HOA clubhouses do not qualify
Max Gross Density	8 du/ac
Connectivity	Sidewalks both sides all interior streets; along all abutting ROW; stub streets to adjacent properties ⩽1,000 ft intervals
Streets	All private; access & infrastructure easements dedicated to City per Chapter VI
Housing Mix	Min. 2 distinct types (SF detached, townhome, or multifamily) for 50+ unit developments; ADUs do not count
Min. Lot Sizes	SF detached: 10,000 sf; Townhome: 1,000 sf/unit; Multifamily: 7,500 sf + 1,500 sf/unit
Min. Townhome Width	22 ft
Architectural Design	Chapter VIII applies in full to every building without exception

SPECIAL DISTRICTS

RHD — Rural Hamlet District



The Rural Hamlet District (RHD) is established to allow the development of large tracts of rural land as unified, master-planned communities that are walkable, connected, and new-urbanist in form, while remaining unmistakably rural and agricultural in character. The district draws on the tradition of the Georgia hamlet and on the example of communities such as Serenbe in Chattahoochee Hills and Tributary in Douglasville — places where a small footprint of compact, beautifully designed building is exchanged for the permanent preservation of the surrounding countryside.

The district recognizes that Buchanan lies beyond comfortable commuting distance of metropolitan Atlanta, and that a successful rural community here cannot rely on bedroom commuters alone. It therefore deliberately blends housing with agriculture, hospitality, wellness, arts, culture, outdoor recreation, and entertainment, so that the community can support itself economically and become a destination in its own right — drawing visitors from across the region to its farms, its businesses, its festivals, its wellness retreats, and outdoor entertainment experiences under some of the clearest night skies in west Georgia.

Within the RHD, development is arranged as a family of compact sub-hamlets, also called villages, each with a walkable mixed-use center, surrounded by housing of varying types, and set within a generous matrix of farmland, forest, meadow, and trails. The villages are connected to one another by a network of trails and tree-lined private streets, so that a resident or visitor can move among them on foot, by bicycle, or by low-speed vehicle as readily as by car.

RHD Standards — Site & Open Space	Requirement
Minimum District Size	75 acres
Minimum Open Space	50% of total land area (incl. buffers, farmettes, agrihoods, trails, greens, civic space; private yards, streets, parking & HOA amenities excluded)
Perimeter Buffer	150 ft min. along all exterior boundaries; no interior buffers required
Farmettes	Min. 15-ac lots; at least 90% open space
Transient Lodging	Max. 1 unit per 2 ac of designated lodging/agritourism open space; not to exceed 300 units across master parcel or 75 units per sub-hamlet
Gross Residential Density	Min. 1 du/gross ac — max. 4 du/gross ac

SPECIAL DISTRICTS

RHD — Rural Hamlet District (continued)

RHD Standards — Use, Design & Infrastructure	Requirement
Commercial Balance	Min. 50 sf nonresidential floor area per du and 10,000 sf per center; 1 ac commercial/civic/mixed-use per 75 du or per 40 developed ac (whichever greater); not to exceed 30% developable area; min. 3 distinct use types per center
Mixed-Use Requirement	Min. 25% of all nonresidential buildings per sub-hamlet center shall be mixed-use (active commercial ground floor + residential/office/lodging upper floor)
Streets	All private; access & infrastructure easements dedicated to City in lieu of roadways
Concert Village	Special exception required; min. 500 ft from exterior property line; max. 12 major events/year unless Council approves more
Architectural Design	Chapter VIII in full; pattern book and town architect required
Governing Chapter	Chapter V, Part B

RHD Standards — Housing & Lots	Requirement
Min. Lot Sizes — SF Detached	10,000 sf
Min. Lot Sizes — Townhome	1,000 sf per unit
Min. Lot Sizes — Multifamily	7,500 sf + 1,500 sf per unit
Min. Townhome Width	22 ft
Housing Mix	Min. 2 distinct types (SF detached, townhome, or multifamily) for 50+ unit developments; ADUs do not count
Connectivity	Sidewalks both sides all interior streets; along all abutting ROW; stub streets to adjacent properties at intervals not exceeding 1,000 ft

■ ■ ■ Sec. 4.08 – USE CLASSIFICATIONS AND DEFINITIONS

(1) The following classifications define the use categories listed in the comprehensive use schedule of *Sec. 4.06* and guide the classification of proposed uses. Where a proposed use is not listed, the Zoning Administrator shall classify it by analogy to the most similar listed use, considering its function, its physical characteristics, and its effects on traffic, parking, noise, hours of operation, and surrounding uses. A use that cannot reasonably be classified by analogy shall be treated as not permitted until this Code is amended to address it. Terms are further defined in *Chapter XIII – Definitions*.

Accessory dwelling unit. A subordinate dwelling on the same lot as a principal dwelling, subject to *Sec. 10.02*.

Agriculture, general. The cultivation of crops, horticulture, and the keeping of livestock, including the sale of products grown or raised on the premises.

Agrihood. A neighborhood organized around a working farm as its central shared amenity, as defined in *Chapter V, Part B*.

Agritourism. A visitor-serving enterprise at a working agricultural operation, as defined in *Chapter V, Part B*, and subject to *Sec. 10.07*.

Animal husbandry. The keeping and breeding of farm animals, subject to *Sec. 10.08*.

Arts studio or maker space. A space for the creation, exhibition, or sale of art and craft, including shared fabrication.

Bank or financial institution. An establishment for banking, lending, or financial services.

Banquet, assembly, or event space. A facility for gatherings, receptions, performances, and events.

Bar, tavern, or microbrewery. An establishment serving alcoholic beverages, which may produce beer on the premises.

Bed and breakfast. An owner-occupied lodging with a limited number of guest rooms, subject to *Sec. 10.06*.

Car wash. A facility for washing motor vehicles, subject to *Sec. 10.21*.

Cemetery. Land used for the interment of the dead, with associated structures.

Community center, lodge, or club. A facility for the social, recreational, or civic activities of a membership or community.

Community garden. Land cultivated collectively for personal or shared use, not principally for wholesale.

Contractor yard or storage. The outdoor storage of materials, equipment, or vehicles for a contracting business.

Country inn. A small rural lodging establishment offering guest rooms and often dining.

Day care center. A licensed facility providing care for children or adults beyond a family day care home, subject to *Sec. 10.12*.

Equestrian facility. A facility for the keeping, riding, training, or showing of horses.

Essential services. Utility and public-safety facilities necessary to serve development, minor or major by scale.

Farm stand. A structure for the seasonal sale of agricultural products grown or produced on the premises or within the community.

Farmette. A large rural homestead on a lot of not less than fifteen (15) acres with at least seventy percent (70%) open space, as defined in *Chapter V, Part B*.

Filling station or convenience store. An establishment selling fuel and convenience goods, subject to *Sec. 10.21*.

Funeral home or mortuary. An establishment for funeral services and the preparation of the dead.

Glamping. Transient lodging in tents, yurts, or similar structures on permanent platforms, subject to *Chapter V, Part B*.

Golf course or driving range. A facility for the game of golf and associated practice.

Government building or public facility. A building or facility owned or operated by a governmental entity for a public purpose.

Greenhouse or nursery, commercial. An establishment for the commercial propagation and sale of plants.

Health and wellness use. A use devoted to health, fitness, therapy, or restorative activity, including spas, studios, and retreats.

Heavy manufacturing or processing. The intensive fabrication, processing, or assembly of products or materials.

Hospital or clinic. A facility for the diagnosis, treatment, and care of human patients.

Hotel or motel. A lodging establishment offering guest rooms with associated services.

Library, museum, or gallery. A civic or cultural institution for the keeping and display of collections or knowledge.

Light manufacturing or assembly. The fabrication or assembly of products with minimal external impact.

Live-work unit. A dwelling that includes integrated space for the occupant to conduct a business.

Manufactured home. A factory-built dwelling constructed to federal standards and installed on a lot or in a park.

Motor vehicle repair or service. The maintenance and repair of motor vehicles.

Motor vehicle sales. The display and sale of motor vehicles.

Multi-family dwelling. A building containing three or more dwelling units.

Nature preserve. Land set aside for the protection of natural features and habitat.

Nursing home or assisted living. A licensed residential facility providing care to persons who need help with daily living, subject to *Sec. 10.13*.

Outdoor commercial entertainment. A commercial recreational or entertainment use conducted outdoors, including an amphitheater or venue.

Outdoor entertainment venue. A venue for outdoor performances and events, including a concert village, subject to *Chapter V, Part B*.

Outdoor recreation, commercial. A commercial use for outdoor recreation, including adventure, water, and equestrian activities.

Park, green, or playground. Public or common open space for recreation.

Personal service establishment. A business providing services to individuals, such as a salon, barber, tailor, or repair shop.

Place of worship. A building or property used for religious assembly and related activities.

Professional or administrative office. A place of business for professional, administrative, or clerical work.

Recreational vehicle site. A site for the transient placement of a recreational vehicle, subject to *Chapter V, Part B* and *Sec. 10.11*.

Restaurant or cafe. An establishment for the preparation and sale of food and beverages for consumption on or off the premises.

Retail, large-scale. A retail establishment of fifteen thousand (15,000) or more square feet of gross floor area.

Retail, small-scale. A retail establishment of less than fifteen thousand (15,000) square feet of gross floor area.

Salvage or junk yard. A facility for the storage, dismantling, or sale of salvage, scrap, or junk, subject to *Sec. 10.20*.

School. An institution for instruction, public or private, at any level.

Self-storage or mini-warehouse. A facility offering individual storage units for rent, subject to *Sec. 10.16*.

Short-term rental. The rental of a dwelling for fewer than thirty (30) consecutive days, subject to *Sec. 10.06*.

Single-family attached dwelling. A dwelling for one household sharing one or more party walls with adjacent dwellings, including townhomes.

Single-family detached dwelling. A freestanding dwelling for one household on its own lot.

Solar energy system, accessory. A solar energy system accessory to a principal use, subject to *Sec. 10.22*.

Solid waste transfer station. A facility where solid waste is transferred between vehicles for transport, subject to *Sec. 10.20*.

Tiny home. A compact dwelling of small floor area, permanent or transient as the context provides.

Trail or greenway. A linear path or corridor for walking, bicycling, and recreation.

Two-family dwelling. A building containing two dwelling units (a duplex).

Veterinary clinic or animal care. A facility for the medical treatment and boarding of animals, subject to *Sec. 10.17*.

Warehouse or distribution. The storage and distribution of goods.

Winery, brewery, or distillery (farm). An establishment that produces wine, beer, or spirits, often with a tasting room, and that may incorporate agricultural production.

Wireless communication facility. A structure and equipment for wireless communication, subject to *Sec. 10.18*.

(2) The classification of a use under this section does not by itself authorize the use; a use is authorized only where the comprehensive use schedule of *Sec. 4.06* permits it in the applicable district and all applicable standards of this Code are satisfied.

CHAPTER V - PLANNED DEVELOPMENT DISTRICTS

FIGURE 5.1: EDITOR'S NOTE – TWO TYPES OF PLANNED DEVELOPMENTS.

Chapter V establishes two distinct planned development districts, each available to qualifying tracts anywhere in the City or annexed into the City:

Part A — Traditional Planned Unit Development (PUD). A master-planned district for conventional residential, mixed-use, and commercial developments of fifty (50) or more acres that are held to higher standards of connectivity, design, and community amenity than the base districts alone require.

Part B — Rural Hamlet District (RHD). A master-planned district for large rural tracts of seventy-five (75) or more acres, organized as walkable, new-urbanist villages set within permanently preserved farmland, forest, and open space.

Both types require a two-step approval (rezoning + Concept Plan) and a binding master development agreement. Neither type replaces any base district listed in *Chapter IV*. The standards of each part are independent; where this chapter is silent, the general provisions of this Code apply.

PART A

Traditional Planned Unit Development (PUD)

■ ■ ■ Sec. 5.A.01 – PURPOSE AND INTENT

(1) The Traditional Planned Unit Development district is established to provide a means by which the City of Buchanan may authorize the development of land as a unified, comprehensively planned project that achieves a higher quality of design, a more efficient use of land, and a greater variety of housing types and community amenities than would be achievable lot-by-lot under the standards of the base districts. In exchange for this flexibility, a PUD development is held to higher standards of architectural design, connectivity, open space, and community benefit than the base districts require.

(2) The PUD district is intended to accomplish the following objectives:

(a) To encourage creative, well-designed residential, commercial, and mixed-use development that responds thoughtfully to its site, its natural features, and its neighbors;

(b) To provide a full range of housing types and sizes within a single development, serving households of differing ages, incomes, and needs;

(c) To ensure that new development is physically connected to surrounding neighborhoods, streets, and sidewalk networks, rather than isolated behind a single entrance;

(d) To require a meaningful provision of open space, civic space, and community amenity — including future retail, agricultural, or civic uses — so that a PUD functions as a complete neighborhood rather than merely a subdivision;

(e) To protect natural features, tree canopy, drainage corridors, and sensitive lands through creative site planning that concentrates development on the most appropriate portions of the tract; and

(f) To establish a clear, predictable, two-step approval process that gives the community and the developer certainty about what is expected and what will be delivered.

(3) Architectural design required. All buildings and structures within a Traditional PUD shall comply with the design and architectural standards of *Chapter VIII – Design and Architectural Standards* of this Code. Compliance with *Chapter VIII* is not optional and is not waived by the approval of a Concept Plan. The Concept Plan shall include a design character document, as required by *Sec. 5.A.05(1)(f)*, that translates the standards of *Chapter VIII* into community-specific guidance. Where the design character document imposes a higher or more specific standard than *Chapter VIII*, the design character document governs within the PUD.

FIGURE 5.2: EDITOR'S NOTE - THE PUD IS NOT A VARIANCE.

Approval of a PUD does not grant relief from the standards of this Code that are not expressly modified by the approved Concept Plan. The PUD is a planning tool, not a shortcut. Its flexibility is earned by the quality of the plan submitted and the community benefits it delivers. Architectural design standards apply in full.

■ ■ ■ Sec. 5.A.02 – APPLICABILITY AND MINIMUM DISTRICT SIZE

(1) The PUD district may be applied only to a master parcel — meaning a single tract or an assemblage of contiguous tracts under unified ownership or under a binding master development agreement — with a minimum gross area of fifty (50) acres.

(2) A master parcel may include land that lies within the City and land that is contiguous to the City and proposed for annexation, provided that all land governed by an approved PUD Concept Plan is brought within the corporate limits before the approval of any final plat or the issuance of any building permit for that land.

(3) The standards of this part apply to the master parcel as a whole. Where the master parcel is developed by more than one builder or sub-developer, each sub-developer shall develop its property in conformity with the approved Concept Plan and the master development agreement required by *Sec. 5.A.09*, and in coordination with adjacent properties so that streets, sidewalks, trails, open space, and infrastructure connect seamlessly.

(4) The base district from which land is rezoned to PUD is unaffected on land not included in the PUD master parcel. Approval of a PUD does not alter the standards of any abutting base district.

■ ■ ■ Sec. 5.A.03 – RELATIONSHIP TO OTHER CHAPTERS OF THIS CODE

(1) The PUD is a comprehensive district. Where a standard of this part addresses a subject, that standard governs within the PUD. Where this part is silent, the general provisions of this Code apply. In particular:

(a) All streets within a PUD are private streets and shall be designed and built to the classifications and standards of *Chapter VI*, including the dedication of access and infrastructure easements in lieu of street right-of-way;

(b) All building shall comply with the design and architectural standards of *Chapter VIII — Design and Architectural Standards*. This requirement applies to every building and structure within the PUD without exception, and is not modified or waived by the approval of a Concept Plan;

(c) Open space, landscaping, tree conservation, lighting, and signage shall comply with *Chapter IX* as modified by this part; and

(d) Supplementary use standards in *Chapter X* apply to individual uses except where this part establishes a more specific standard for the same use within the PUD.

■ ■ ■ Sec. 5.A.04 – TWO-STEP APPROVAL: CONCEPT PLAN AND REZONING

(1) Approval of a PUD development proceeds in two distinct steps. The first step is approval of the zoning map amendment placing the master parcel in the PUD district (the rezoning). The second step is approval of a Concept Plan that establishes the binding framework for the development. The two steps are separate decisions, each requiring its own application, public notice, and public hearing, governed by the standards below.

(2) The Mayor and City Council may consider the two applications concurrently, but shall act on them by separate motions. Approval of the rezoning does not entitle the applicant to approval of any particular Concept Plan.

Sec. 5.A.04.1 – Step One: Rezoning to PUD

(1) An application to rezone a master parcel to the PUD shall be filed and processed as a zoning map amendment under *Chapter XI*, with the additional submittal items of *Sec. 5.A.05*.

(2) In acting on the rezoning, the Mayor and City Council shall apply the standards for zoning decisions in *Sec. 2.06* and shall determine whether the PUD is an appropriate classification for the master parcel and consistent with the Comprehensive Plan.

(3) Approval of the rezoning establishes the PUD classification and the maximum development program — including the maximum number of dwelling units and the general mix of uses — but does not by itself authorize any land disturbance, subdivision, or construction. A Concept Plan approved under Step Two is required before any such activity.

(4) The City Council may attach conditions to the rezoning, including conditions establishing the maximum dwelling unit count, the minimum nonresidential program, phasing thresholds, connectivity requirements, and the framework for the master development agreement.

Sec. 5.A.04.2 – Step Two: Concept Plan Approval

(1) After or concurrently with the rezoning, the applicant shall submit a Concept Plan for the master parcel. The Concept Plan is reviewed by the Planning and Zoning Board, which makes a recommendation, and approved by the Mayor and City Council after a public hearing.

(2) The Concept Plan is a binding master plan. Once approved, it governs the location and extent of land uses, open space, buffers, the street and trail network, the general distribution of housing types and nonresidential uses, the phasing of development, and the framework for infrastructure and its conveyance.

(3) No land disturbance permit, preliminary plat, final plat, or building permit shall be issued for any part of the master parcel except in conformity with an approved Concept Plan and the master development agreement.

(4) Following Concept Plan approval, each phase proceeds through the ordinary subdivision and development plan review of *Chapters VII and XI*, where the City confirms conformity with the Concept Plan and the detailed standards of this Code. Detailed review does not reopen matters fixed by the Concept Plan except through the amendment procedure of *Sec. 5.A.12*.

■ ■ ■ Sec. 5.A.05 – CONCEPT PLAN SUBMITTAL REQUIREMENTS

(1) A Concept Plan application shall include, at a minimum, the following, prepared by a qualified team including a registered land planner or landscape architect and a professional engineer:

(a) An existing conditions analysis mapping topography, hydrology, floodplains, wetlands, soils, significant tree stands, scenic views, and cultural features;

(b) A land use and open space framework plan showing the master parcel, required buffers, the open space network, and the general distribution of uses;

(c) A street and trail network plan keyed to the street classifications of *Chapter VI*, demonstrating connectivity to all adjacent streets, sidewalks, and trails, including stub-street and sidewalk connections to all abutting properties and rights-of-way, whether public or private;

(d) A development program table stating the total acreage, the open space acreage and percentage, the maximum number of dwelling units by type, and the minimum nonresidential, civic, or agricultural amenity floor area or acreage;

(e) A community amenity analysis demonstrating compliance with the amenity and commercial standards of *Sec. 5.A.07*;

(f) A design character document demonstrating how the design and architectural standards of *Chapter VIII* will be met throughout the PUD, including illustrative elevations, materials, streetscape sections, and

a description of the architectural review process that will govern building permit issuance within the development;

(g) An infrastructure and services plan addressing water, wastewater, stormwater, lighting, fire protection and emergency access, and solid waste, and identifying which facilities are to be private and the easements to be dedicated to the City under *Chapter VI*;

(h) A phasing plan consistent with *Sec. 5.A.11*; and

(i) A draft master development agreement consistent with *Sec. 5.A.09*.

■ ■ ■ Sec. 5.A.06 – PERMITTED AND SPECIAL EXCEPTION USES

(1) The PUD is intended to accommodate a broad mix of uses that together create a complete, connected community. The uses allowed within an approved PUD Concept Plan are those listed for the PUD column of Table 4.4 of *Sec. 4.06*. A use marked "P" is permitted; a use marked "S" requires special exception review under *Chapter XI* in addition to Concept Plan approval.

(2) The precise mix, location, and intensity of uses shall be established by the approved Concept Plan. A use not listed in Table 4.4 may be approved as part of a Concept Plan where the Mayor and City Council find it consistent with the purpose and character of the district.

(3) All uses are subject to the use-specific supplementary standards of *Chapter X* and to the standards of the approved Concept Plan and master development agreement.

■ ■ ■ Sec. 5.A.07 – OPEN SPACE, AMENITY, CIVIC USES, AND COMMERCIAL BALANCE STANDARDS

(1) **Minimum open space.** Not less than twenty percent (20%) of the total land area of the master parcel shall be preserved as usable open space.

(a) Open space shall include parks, greens, squares, playgrounds, trails, greenways, natural areas, and stormwater facilities designed as landscape amenities. Private yards, streets, parking areas, and HOA-owned private amenity facilities such as clubhouses, pools, and tennis courts do not count toward the open space minimum.

(b) Open space shall be configured as a connected network that links neighborhoods, common areas, and the perimeter buffer, and provides continuous corridors for walking and recreation.

(c) Open space shall be permanently protected by a recorded instrument approved by the City and shall be owned and maintained by a property owners association or other entity identified in the master development agreement.

(2) **Trail network requirement.** Every PUD shall provide an internal trail network distributed throughout the open space network at a minimum ratio of one (1) linear foot of improved trail for every one-hundred fifty (150) square feet of required open space.

(a) *Example:* A 50-acre PUD with the 15% open space minimum (326,700 sf of open space) shall provide a minimum of approximately 2,175 linear feet (approximately 0.4 miles) of improved trail.

(b) Trails shall be a minimum of six (6) feet in width, constructed of a durable all-weather surface (compacted gravel, crusher run, asphalt, concrete, or approved equivalent), and shall connect to the sidewalk network and to any existing trail systems abutting the master parcel.

(c) Trails shall be distributed throughout the open space network rather than concentrated in a single location, and the Concept Plan shall demonstrate that trails provide access to all major open space areas within the development.

(d) Trails are distinct from required sidewalks. A trail may not substitute for a required sidewalk on a street, and a sidewalk may not be counted as a trail for purposes of this subsection.

(3) **Community amenity requirement.** Every PUD shall provide meaningful community amenities beyond the required open space and trail minimums. The amenities shall be selected from the list provided in, and designed in accordance with, *Sec. 9.17* and identified on the Concept Plan.

(4) **Civic uses requirement.** All PUDs must provide one of the following community civic uses, or a combination:

(a) **Future retail or commercial component.** A minimum of one (1) acre of land or five thousand (5,000) square feet of nonresidential floor area designated and reserved within the Concept Plan for retail, service, office, or civic use for every fifty (50) dwelling units approved. The commercial component shall be located at a prominent, accessible location within the development and shall be delivered in proportion to the residential phasing under *Sec. 5.A.11*.

(b) **Agricultural amenity component.** A minimum of two (2) acres designated for community garden, working farm, orchard, apiary, or agritourism use, with supporting infrastructure (water access, paths, storage), provided as a shared amenity for residents.

(c) **Cultural component.** A dedicated community hall, arts facility, library branch, or similar public-facing facility of not less than three thousand (3,000) square feet, constructed and conveyed to a homeowners association for public-facing use, a nonprofit, or the City. This provision does not include private HOA amenity facilities such as clubhouses, fitness rooms, pools, tennis courts, or other facilities whose primary purpose is the private recreational use of residents and their guests. The qualifying civic or cultural component must be accessible and open to the general public, or conveyed to a public or nonprofit entity, to satisfy this standard.

(d) **Combination.** A combination of the above, as approved by the City Council in the Concept Plan, that achieves the equivalent community benefit.

(4) **Connectivity to surrounding communities.** Every PUD shall provide physical connections to the surrounding street, sidewalk, and trail network as follows:

(a) **Stub streets.** Stub streets shall be provided at all boundaries of the master parcel where a future street connection to an adjacent property is practicable, as determined by the Zoning Administrator. A stub street shall terminate at the parcel boundary with a temporary turnaround and a sign reading "FUTURE STREET CONNECTION." Stub streets shall be spaced not more than one thousand (1,000) linear feet apart along any boundary.

(b) **Perimeter sidewalks.** Sidewalks of not less than five (5) feet in width shall be constructed along the full frontage of the master parcel abutting any right-of-way, whether public or private, regardless of whether existing sidewalk infrastructure is present on the abutting right-of-way. The obligation to construct a perimeter sidewalk is not conditioned upon the existence of a connecting sidewalk network outside the master parcel.

(c) **Interior sidewalks.** Sidewalks of not less than five (5) feet in width shall be provided on both sides of all interior streets within the PUD, connecting to building entrances, open space areas, civic spaces, and the perimeter sidewalk network.

(d) **Street connections.** Where a public or private street abuts the master parcel, a street connection or access point shall be provided at an interval not to exceed one thousand (1,000) linear feet of parcel frontage, unless topography, natural features, or safety considerations make a closer interval impracticable, as determined by the Zoning Administrator.

(e) **Trail connections.** The internal trail network shall connect to any existing or planned trail, greenway, or path system abutting or within one hundred (100) feet of the master parcel boundary.

(5) **Perimeter buffers.** The following minimum buffers shall be provided along the exterior boundaries of the master parcel:

FIGURE 5.3: EDITOR'S NOTE - WHY CONNECTIVITY MATTERS.

A PUD that connects only through a single entrance forces all traffic — vehicular and pedestrian — through one chokepoint, increases car dependence, and isolates the development from its neighbors. The connectivity standards of this section ensure that residents can walk, bike, or drive to adjacent neighborhoods, schools, and commercial areas without returning to a single point of entry. Sidewalks on both sides of every interior street ensure that no resident, child, or visitor must walk in the street to reach a neighbor, a park, or a bus stop. These standards represent the single most important quality improvement of the PUD over a conventional subdivision.

TABLE 5.A.1 — PUD PERIMETER BUFFER REQUIREMENTS

Abutting Condition	Minimum Buffer Width	Buffer Type (per Sec. 9.02)
Abutting a residential district or use	25 ft	Type B (moderate)
Abutting a commercial or mixed-use district	15 ft	Type A (light)
Abutting an industrial district	30 ft	Type C (heavy)

Abutting Condition	Minimum Buffer Width	Buffer Type (per Sec. 9.02)
Abutting a public or private street right-of-way	15 ft	Type A (light) + street trees
Abutting agricultural or rural land	20 ft	Type B (moderate)

■ ■ ■ Sec. 5.A.08 – DENSITY, HOUSING MIX, AND DIMENSIONAL STANDARDS

(1) **Maximum gross density.** The maximum gross residential density across the master parcel shall not exceed eight (8) dwelling units per gross acre, or the maximum density of the highest-intensity residential base district permitted within the Concept Plan, whichever is less.

(2) **Residential lot size minimums.** The following minimum lot sizes apply to residential uses within a PUD:

TABLE 5.A.2 — MINIMUM RESIDENTIAL LOT SIZES IN A PUD

Dwelling Type	Minimum Lot Size	Notes
Single-family detached	10,000 sf	Per dwelling unit
Single-family attached / townhome	1,000 sf per unit	Per townhome standards, Sec. 5.A.08(3)
Multi-family	7,500 sf for first unit + 1,500 sf per additional unit	Per multifamily standards, Sec. 5.A.08(4)
Accessory dwelling unit	No separate lot required	ADU remains accessory to principal dwelling on same lot

(2) **Townhome standards.** Single-family attached dwellings and townhomes within a PUD shall meet the following dimensional standards:

TABLE 5.A.3 — PUD TOWNHOME DIMENSIONAL STANDARDS

Standard	Requirement
Minimum lot width per unit	22 ft
Minimum side setback (end units only)	5 ft
Minimum rear setback	20 ft
Maximum building height	3 stories / 40 ft
Minimum heated floor area	1,200 sf
Maximum lot coverage	60%
Parking	Rear or alley access preferred; front-loaded garage permitted only where alley is not provided
Minimum ground-floor facade width	22 ft
Architectural standards	Chapter VIII applies in full; see Sec. 8.07

(4) **Multi-family standards.** Multi-family dwellings within a PUD shall meet the following dimensional standards:

TABLE 5.A.4 — PUD MULTI-FAMILY DIMENSIONAL STANDARDS

Standard	Requirement
Minimum lot width	60 ft
Minimum side setback	10 ft

Standard	Requirement
Minimum rear setback	20 ft
Maximum building height	3 stories / 40 ft
Minimum heated floor area — studio / 1-BR	600 sf / 750 sf
Minimum heated floor area — 2-BR	950 sf
Minimum heated floor area — 3-BR	1,100 sf
Maximum lot coverage	50%
Minimum usable common open space per unit	100 sf (not counting required parking or drives)
Architectural standards	Chapter VIII applies in full; see Sec. 8.07

(5) **Mixed-use building standards.** Mixed-use buildings within a PUD — meaning buildings containing both nonresidential uses on the ground floor and residential or office uses on upper floors — shall meet the following standards:

TABLE 5.A.5 — PUD MIXED-USE BUILDING STANDARDS

Standard	Requirement
Minimum lot width	22 ft
Minimum side setback	0 ft where party wall construction; 5 ft otherwise
Minimum rear setback	10 ft; 0 ft where alley provides rear access
Maximum building height	4 stories / 50 ft

Standard	Requirement
Ground floor minimum ceiling height	12 ft (floor to ceiling)
Ground floor use	Active retail, restaurant, personal service, gallery, or civic use required along primary street frontage
Upper floor uses	Residential, office, lodging, or civic
Ground floor transparency	Not less than 60% of ground-floor street-facing facade between 2 ft and 8 ft above grade shall be clear glazing
Minimum ground-floor commercial depth	20 ft
Parking	Rear or interior of block; not between building and primary street
Architectural standards	Chapter VIII applies in full; see Sec. 8.08

(6) **Single-family detached standards.** Single-family detached dwellings within a PUD shall meet the following dimensional standards:

TABLE 5.A.6 — PUD SINGLE-FAMILY DETACHED DIMENSIONAL STANDARDS

Standard	Requirement
Minimum lot size	10,000 sf
Minimum lot width	60 ft
Minimum front setback	20 ft
Minimum side setback	7.5 ft

Standard	Requirement
Minimum rear setback	25 ft
Maximum building height	2.5 stories / 35 ft
Maximum lot coverage	40%
Architectural standards	Chapter VIII applies in full; see Sec. 8.06

(7) **Housing mix.** Where a PUD includes more than fifty (50) dwelling units, the Concept Plan shall provide not fewer than two (2) distinct housing types drawn from the following eligible types: single-family detached, single-family attached/townhome, or multi-family dwelling. Accessory dwelling units (ADUs) shall not be counted as a distinct housing type for purposes of satisfying this requirement, though ADUs are permitted within a PUD as an accessory use and are encouraged as a means of providing additional housing variety.

■ ■ ■ Sec. 5.A.09 – MASTER DEVELOPMENT AGREEMENT

(1) Before the approval of the first final plat or the issuance of the first building permit within the master parcel, the owner shall record a master development agreement, approved by the City, that runs with the land and binds all current and future owners and sub-developers.

(2) The master development agreement shall, at a minimum:

(a) Require each sub-developer to develop in conformity with the Concept Plan and to coordinate the design and connection of streets, sidewalks, trails, open space, and infrastructure with adjacent properties and with the broader community network;

(b) Establish the property owners association or other entity responsible for open space, private streets, and shared infrastructure, and secure its funding mechanism;

(c) Allocate responsibility for the delivery and maintenance of perimeter buffers, the open space network, and the required community amenity;

(d) Establish an architectural review process consistent with *Chapter VIII*, identifying the qualified design professional or committee responsible for reviewing each building for conformity with the design character document before a building permit is issued; and

(e) Provide for the dedication of access and infrastructure easements to the City under *Chapter VI*.

■ ■ ■ Sec. 5.A.10 – DESIGN EXCELLENCE AND ARCHITECTURAL STANDARDS

(1) **Mandatory compliance.** All buildings and structures within a Traditional PUD shall comply in full with the design and architectural standards of *Chapter VIII – Design and Architectural Standards*. This requirement is mandatory and is not waived or modified by the approval of a Concept Plan, except where the approved design character document imposes a higher or more specific standard, in which case that higher standard governs.

(2) **Design character document.** The Concept Plan shall include a design character document, required by *Sec. 5.A.05(1)(f)*, that applies and extends the standards of *Chapter VIII* to the specific development. The design character document shall address:

(a) Building form, massing, and height transitions between uses and between the development and adjacent properties;

(b) Roof forms, pitches, and materials appropriate to the building type and the character of the community;

(c) Exterior materials and color palettes, consistent with Table 8.05 of *Chapter VIII*;

(d) Fenestration proportions, porch and entry design, and frontage types for each building type;

(e) Streetscape design including street trees, lighting, furniture, and paving materials; and

(f) The design of civic and amenity buildings, open space features, and entry features.

(3) Architectural review process. The master development agreement shall establish an architectural review process under which every building permit application within the PUD is reviewed for conformity with the design character document before the permit is issued. The City may require that this review be conducted by a qualified town architect or design review committee identified in the master development agreement.

FIGURE 5.4: EDITOR'S NOTE - DESIGN QUALITY IS NOT OPTIONAL.

DESIGN QUALITY IS NOT OPTIONAL. The flexibility that the PUD affords — in density, mix of uses, and dimensional standards — is granted in exchange for a commitment to design quality that exceeds what the base districts require. Every building in a PUD must be reviewed against the design character document and the standards of Chapter VIII before a permit is issued. A building permit shall not be issued for any structure within a PUD unless the Zoning Administrator has confirmed that the design character document review required by this section has been completed.

■ ■ ■ Sec. 5.A.11 – PHASING, INFRASTRUCTURE, AND PRIVATE STREETS

(1) Development shall proceed in phases in accordance with the phasing plan of the approved Concept Plan. The phasing plan shall ensure that open space, perimeter buffers, civic space, the required community amenity, and supporting infrastructure are delivered in reasonable proportion to residential development rather than deferred to the end of the project. Specifically:

(a) Not less than fifty percent (50%) of the required open space shall be graded, improved, and accessible before or concurrently with the issuance of the certificate of occupancy for the fiftieth (50th) dwelling unit;

(b) The required trail network shall be substantially complete before or concurrently with the issuance of the certificate of occupancy for the one hundredth (100th) dwelling unit, or at final buildout, whichever occurs first; and

(c) The required community amenity component shall be delivered before or concurrently with the issuance of the certificate of occupancy for the dwelling unit that represents seventy-five percent (75%) of the total approved dwelling unit count.

(2) All streets within a PUD are private streets and shall be designed and built to the classifications and standards of *Chapter VI*. At the time of conveyance of infrastructure, the owner shall dedicate to the City a perpetual easement over the roadways for access to the infrastructure; the City shall accept easement dedications only and shall not accept the roadways themselves.

(3) Water, wastewater, and stormwater systems shall be designed to City and state standards. Where the City is to own or operate any portion of a utility system, the owner shall convey the necessary facilities and dedicate access and utility easements as provided in *Chapter VI*.

(4) Each phase shall provide adequate emergency access and fire protection and shall connect to the street, sidewalk, and trail network of prior phases and of adjacent properties, so that the development remains connected as it grows.

■ ■ ■ Sec. 5.A.12 – AMENDMENTS TO AN APPROVED PUD CONCEPT PLAN

(1) A **minor amendment** to an approved Concept Plan — one that does not increase the total dwelling units, reduce the open space below fifteen percent (15%), reduce the required community amenity, materially alter the street and trail network, or reduce connectivity to surrounding properties — may be approved administratively by the Zoning Administrator.

(2) A **major amendment**, including any change that exceeds the thresholds of subsection (1), shall be reviewed and approved in the same manner as the original Concept Plan, with notice and a public hearing before the Planning and Zoning Board and the Mayor and City Council.

(3) The City may revoke or withhold further approvals where development has not proceeded in conformity with the approved Concept Plan or the master development agreement.

■ ■ ■ Sec. 5.A.13 – CONCEPT PLAN REVIEW CRITERIA

(1) In reviewing a PUD Concept Plan, the Planning and Zoning Board and the Mayor and City Council shall evaluate the proposal against the following criteria, in addition to the standards for zoning decisions in *Sec. 2.06*:

(a) **Design quality:** whether the design character document demonstrates building and streetscape quality consistent with *Chapter VIII* and the character of the surrounding community, and whether an adequate architectural review process is established;

(b) **Open space and natural features:** whether the required open space is provided, configured as a connected network, and protective of significant natural features;

(c) **Community amenity:** whether the development provides a meaningful retail, agricultural, or civic amenity in proportion to its residential program, and whether private HOA facilities have been correctly excluded from the amenity calculation;

(d) **Connectivity:** whether the street and trail network is interconnected internally and connects to the surrounding community with stub streets, sidewalks on both sides of all interior streets, sidewalks along all abutting rights-of-way, and trail linkages;

(e) **Housing diversity:** whether the plan provides a genuine mix of at least two eligible housing types and serves a range of households;

(f) **Infrastructure and phasing:** whether infrastructure is adequate, whether facilities are conveyed and easements dedicated as required, and whether phasing delivers amenities in proportion to housing; and

(g) **Compatibility and impact:** whether the development is compatible with neighboring land and adequately mitigates impacts on traffic, services, schools, and the environment.

■ ■ ■ Sec. 5.A.14 – REQUIRED FINDINGS

(1) The Mayor and City Council shall approve a PUD Concept Plan only upon written findings that the plan:

(a) Is consistent with the Comprehensive Plan and the purposes of this part;

(b) Meets the quantitative standards of this part, including the minimum tract size of fifty (50) acres, the fifteen percent (15%) open space requirement, the trail network requirement, the community amenity standard, the connectivity requirements, and the density limit;

(c) Provides adequate infrastructure, emergency access, and an acceptable plan for the conveyance of infrastructure and dedication of easements;

(d) Demonstrates acceptable design quality through a design character document consistent with *Chapter VIII*, and establishes a binding architectural review process; and

(e) Will not be detrimental to the public health, safety, and welfare, and is compatible with surrounding land uses.

■ ■ ■ Sec. 5.A.15 – CONDITIONS OF APPROVAL

(1) The Mayor and City Council may attach conditions to the approval of a PUD Concept Plan as necessary to ensure compliance with this part and to protect the public interest, including conditions that:

(a) Establish maximum dwelling unit counts and minimum nonresidential or amenity floor area;

(b) Fix phasing thresholds tying the delivery of open space, community amenity, and infrastructure to residential development;

(c) Require specific elements of the master development agreement and the architectural review process;

(d) Require stub streets, sidewalk connections, or trail linkages at specific boundary locations; and

(e) Require financial security for open space, buffers, and infrastructure.

■ ■ ■ Sec. 5.A.16 – EFFECT, DURATION, AND LAPSE OF APPROVAL

(1) An approved Concept Plan is binding on the master parcel and runs with the land, together with the recorded master development agreement.

(2) If no land disturbance permit or final plat is obtained within five (5) years after Concept Plan approval, or if development ceases for a continuous period established by the conditions of approval, the City may review the approval and require an updated Concept Plan reflecting current standards for the undeveloped portion.

(3) Completed phases that conform to the approved Concept Plan are not affected by a lapse as to undeveloped land.

■ ■ ■ Sec. 5.A.17 – QUANTITATIVE STANDARDS AT A GLANCE

(1) For a summary of the regulations within this chapter, please refer to the PUD District dimensional card within *Sec. 4.07*.

PART B

Rural Hamlet District (RHD)

A district for large, master-planned, walkable communities organized as a constellation of rural villages set within preserved farmland, forest, and open space.

FIGURE 5.5: THE LANDSCAPE OF INTENTION



The Rural Hamlet District is conceived for large, wooded, bucolic tracts in the rolling hill country of west Georgia, where development is clustered into compact villages and the majority of the land is kept in forest, meadow, and working agriculture.

■ ■ ■ Sec. 5.B.01 – PURPOSE AND INTENT

(1) The Rural Hamlet District (RHD) is established to allow the development of large tracts of rural land as unified, master-planned communities that are walkable, connected, and new-urbanist in form, while remaining unmistakably rural and agricultural in character. The district draws on the tradition of the Georgia hamlet and on the example of communities such as Serenbe in Chattahoochee Hills and Tributary in Fort Mill — places where a small footprint of compact, beautifully designed building is exchanged for the permanent preservation of the surrounding countryside.

(2) The district recognizes that Buchanan lies beyond comfortable commuting distance of metropolitan Atlanta, and that a successful rural community here cannot rely on bedroom commuters alone. It therefore deliberately blends housing with agriculture, hospitality, wellness, arts, culture, outdoor recreation, and entertainment, so that the community can support itself economically and become a destination in its own right — drawing visitors from across the region to its farms, its festivals, its wellness retreats, and its outdoor concert experiences under some of the clearest night skies in west Georgia.

(3) Within the RHD, development is arranged as a family of compact sub-hamlets (also called villages) each with a walkable mixed-use center, surrounded by housing of varying types, and set within a generous matrix of farmland, forest, meadow, and trails. The villages are connected to one another by a network of trails and tree-lined private streets, so that a resident or visitor can move among them on foot, by bicycle, or by low-speed vehicle as readily as by car.

(4) It is further the intent of this district to:

(a) Preserve not less than fifty percent (50%) of the land of any RHD development as permanent open space, including working farms, forest, meadow, greens, and trails;

(b) Protect the rural edge of the community by surrounding each development with a deep, naturally vegetated perimeter buffer that screens building from public roads and neighboring property;

(c) Concentrate building into compact, mixed-use centers so that daily needs, gathering places, and employment are within a short walk of homes;

(d) Require a meaningful measure of commercial, civic, and cultural floor area in proportion to the housing and the land developed, so that each village is a real place and not a subdivision;

(e) Celebrate the exceptional natural setting of the west Georgia hill country — with its views toward the foothills of the Appalachian Mountains, its wooded ridgelines, its clear streams, and its brilliant dark night skies — including by allowing a signature outdoor entertainment and concert village suited to a region far from the light pollution of the city; and

(f) Demand architecture and landscape design of exceptional quality, executed under the architectural standards of *Chapter VIII* and a binding master plan and pattern book.

FIGURE 5.6: EDITOR'S NOTE - GENERIC DISTRICT

A GENERIC DISTRICT, NOT A SINGLE PROPERTY. The RHD is a generic zoning district available to any qualifying tract in the City or annexed into the City. The below standards are written so that the district may be used by any landowner whose property meets the minimum size and the standards herein. No standard of this part identifies or is limited to any particular parcel.

■ ■ ■ Sec. 5.B.02 – APPLICABILITY AND MINIMUM DISTRICT SIZE

(1) The RHD may be applied only to a master parcel, meaning a single tract or an assemblage of contiguous tracts under unified ownership or under a binding master development agreement, with a minimum gross area of **seventy-five (75) acres.**

(2) A master parcel may include land that lies within the City and land that is contiguous to the City and proposed for annexation, provided that all land governed by an approved RHD Concept Plan is brought within the corporate limits before the approval of any final plat or the issuance of any building permit for that land.

(3) The standards of this part apply to the master parcel as a whole. Where the master parcel is developed by more than one builder or sub-developer, each sub-developer shall develop its property in conformity with the approved Concept Plan and the master development agreement required by *Sec. 5.B.14*, and in coordination with adjacent properties so that streets, trails, open space, and infrastructure connect seamlessly across ownership and phase lines.

(4) The base district from which land is rezoned to RHD is unaffected on land not included in the RHD master parcel. Approval of an RHD does not alter the standards of any abutting base district.

■ ■ ■ Sec. 5.B.03 – RELATIONSHIP TO OTHER CHAPTERS OF THIS CODE

(1) The RHD is a comprehensive, largely self-contained district. Where a standard of this part addresses a subject, that standard governs within the RHD. Where this part is silent, the general provisions of this Code apply. In particular:

(a) All streets within an RHD are private streets and shall be designed and built to the classifications and standards of *Chapter VI*, including the dedication of access and infrastructure easements in lieu of street right-of-way;

(b) All building shall comply with the design and architectural standards of *Chapter VIII*, which the Concept Plan shall translate into a set of community-specific pattern standards and a pattern book as required by *Sec. 5.B.15*. Compliance with *Chapter VIII* is mandatory and is not waived by Concept Plan approval. Where the pattern book imposes a higher or more specific standard, the pattern book governs within the RHD;

(c) Open space, landscaping, tree conservation, lighting, and signage shall comply with *Chapter IX* as modified by this part, including the dark-sky lighting standards that are central to the character of the district; and

(d) Supplementary use standards in *Chapter X* apply to individual uses except where this part establishes a more specific standard for the same use within the RHD.

■ ■ ■ Sec. 5.B.04 – TWO-STEP APPROVAL: CONCEPT PLAN AND REZONING

(1) Approval of an RHD development proceeds in two distinct steps. The first step is approval of the zoning map amendment that places the master parcel in the RHD (the rezoning). The second step is approval of a Concept Plan that establishes the binding framework for the community. The two steps are separate

decisions, each requiring its own application, public notice, and public hearing, governed by the standards below.

(2) The Mayor and City Council may consider the two applications concurrently, but shall act on them by separate motions. Approval of the rezoning does not entitle the applicant to approval of any particular Concept Plan.

Sec. 5.B.04.1 – Step One: Rezoning to RHD

(1) An application to rezone a master parcel to the RHD shall be filed and processed as a zoning map amendment under *Chapter XI*, with the additional submittal items of *Sec. 5.B.05*.

(2) In acting on the rezoning, the Mayor and City Council shall apply the standards for zoning decisions in *Sec. 2.06* and shall determine whether the RHD is an appropriate classification for the master parcel and consistent with the Comprehensive Plan.

(3) Approval of the rezoning establishes the RHD classification and the maximum development program, including the maximum number of dwelling units and the general mix of uses, but does not by itself authorize any land disturbance, subdivision, or construction. A Concept Plan approved under Step Two is required before any such activity.

(4) The City Council may attach conditions to the rezoning, including conditions establishing the maximum dwelling unit count, the minimum nonresidential program, phasing thresholds, and the framework for the master development agreement.

Sec. 5.B.04.2 – Step Two: Concept Plan Approval

(1) After or concurrently with the rezoning, the applicant shall submit a Concept Plan for the master parcel. The Concept Plan is reviewed by the Planning and Zoning Board, which makes a recommendation, and approved by the Mayor and City Council after a public hearing.

(2) The Concept Plan is a binding master plan. Once approved, it governs the location and extent of villages, centers, open space, buffers, the street and trail network, the general distribution of housing types and nonresidential uses, the phasing of development, and the framework for infrastructure and its conveyance.

(3) No land disturbance permit, preliminary plat, final plat, or building permit shall be issued for any part of the master parcel except in conformity with an approved Concept Plan and the master development agreement.

(4) Following Concept Plan approval, each phase or village proceeds through the ordinary subdivision and development plan review of *Chapters VII and XI*, where the City confirms conformity with the Concept Plan and the detailed standards of this Code. Detailed review does not reopen matters fixed by the Concept Plan except through the amendment procedure of *Sec. 5.B.17*.

■ ■ ■ Sec. 5.B.05 – CONCEPT PLAN SUBMITTAL REQUIREMENTS

(1) A Concept Plan application shall include, at a minimum, the following, prepared by a qualified team including a registered land planner or landscape architect, a professional engineer, and a registered architect:

(a) An existing conditions and natural resources analysis mapping topography, hydrology, floodplains, wetlands, soils, significant tree stands, scenic views, ridgelines, wildlife corridors, and cultural features;

(b) A land use and open space framework plan showing the master parcel, the perimeter buffer, the open space network, the villages and their centers, and the general distribution of housing types and nonresidential uses;

(c) A regulating plan and street and trail network plan keyed to the street classifications of *Chapter VI*;

(d) A development program table stating the total acreage, the open space acreage and percentage, the maximum number of dwelling units by type, the minimum nonresidential and civic floor area, and the number of transient lodging units (glamping, tiny home rental, country inn, hotel, and recreational vehicle sites);

(e) A village balance analysis demonstrating compliance with the commercial proportion standards of *Sec. 5.B.11*;

(f) A pattern book demonstrating how the design and architectural standards of *Chapter VIII* will be met, including illustrative elevations, materials, streetscape sections, and building-type standards consistent with *Sec. 5.B.15*;

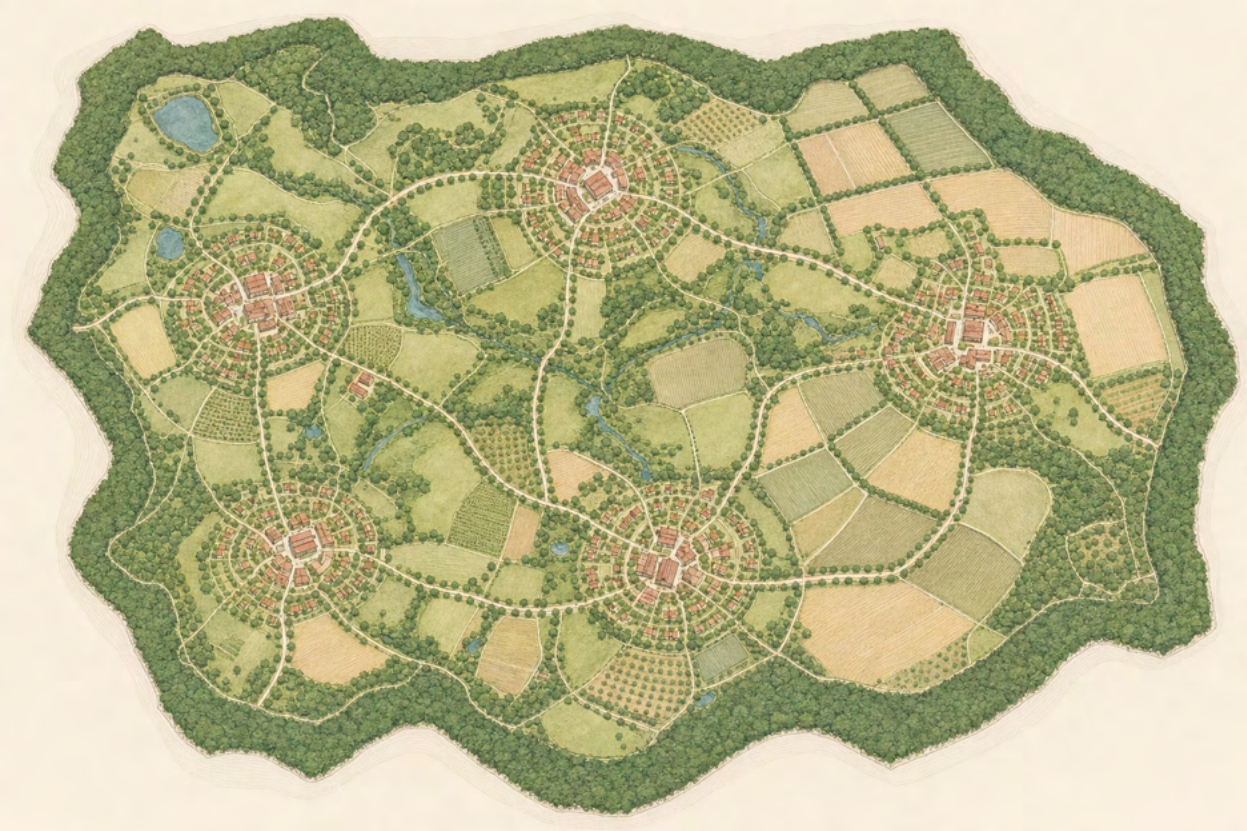
(g) An infrastructure and services plan addressing water, wastewater, stormwater, dark-sky-compliant lighting, fire protection and emergency access, and solid waste, and identifying which facilities are to be private and the easements to be dedicated to the City under *Chapter VI*;

(h) A phasing plan that ties the delivery of open space, centers, nonresidential floor area, and infrastructure to residential development, consistent with *Sec. 5.B.16*;

(i) A draft master development agreement consistent with *Sec. 5.B.14*; and

(j) A sound management and event operations plan where an outdoor entertainment venue or concert village is proposed, consistent with *Sec. 5.B.13*.

FIGURE 5.7: THE RURAL HAMLET



A Concept Plan diagram organizing the master parcel into several walkable villages connected by trails and private streets, each ringed by housing and then by farmland and forest, with a continuous green buffer around the whole community.

■ ■ ■ Sec. 5.B.06 – PERMITTED AND SPECIAL EXCEPTION USES

(1) The RHD is intended to accommodate a broad and intentionally mixed palette of uses that work together to create complete rural villages. The following uses are allowed within an approved Concept Plan. A use marked **(P)** is permitted by right; a use marked **(S)** requires special exception review under *Chapter XI* in addition to Concept Plan approval. All uses are subject to the use-specific standards of *Sec. 5.B.07* and to the standards of the approved Concept Plan and master development agreement.

(2) Uses customarily incidental and accessory to a permitted use are allowed. A use not listed in Table 5.B.1 may be approved as part of a Concept Plan where the Mayor and City Council find it consistent with the rural, agricultural, and walkable character of the district.

TABLE 5.B.1 — PERMITTED (P) AND SPECIAL EXCEPTION (S) USES IN THE RURAL HAMLET DISTRICT

Use	Status	Notes
RESIDENTIAL		
Single-family detached dwellings	P	All village and neighborhood areas
Single-family attached dwellings	P	Village and center areas
Townhomes	P	Village and center areas
Multi-family dwellings	P	Within or adjacent to village centers
Accessory dwelling units	P	Throughout; encouraged for housing diversity
Live-work units	P	Within village centers and mixed-use streets
Tiny homes (permanent)	P	Per Concept Plan designation
AGRICULTURAL AND RURAL		
Farming, horticulture, and agricultural uses	P	Throughout; Sec. 5.B.07.6
Farmettes (minimum 15-acre lots)	P	Rural and agricultural areas; Sec. 5.B.07.7
Agrihood farm and supporting residences	P	Sec. 5.B.07.8
Animal husbandry	P	Per Concept Plan and Sec. 10.08
Community gardens	P	Throughout

Use	Status	Notes
Farm stands and farm markets	P	Throughout
Greenhouse / nursery, commercial	P	Agricultural areas
Winery / brewery / distillery (farm)	P	Agricultural and center areas
LODGING AND TRANSIENT		
Glamping and tiny home rental lodging	S	30-day max; capped; Sec. 5.B.07.1
Recreational vehicle (RV) sites	S	Transient; capped; Sec. 5.B.07.3
Country inns and bed and breakfast lodging	P	Sec. 5.B.07.4
Hotels	S	Within village centers; Sec. 5.B.07.4
Short-term rental of a dwelling	P	Per Sec. 10.06
HOSPITALITY, WELLNESS, AND CULTURE		
Health and wellness uses	P	Sec. 5.B.07.5
Arts and culture uses	P	Sec. 5.B.07.5
Agritourism	P	Sec. 5.B.07.2
Outdoor entertainment venues and concert village	S	Sec. 5.B.13
Outdoor recreation and outdoors-related uses	P	Trails, fields, equestrian, climbing, water

Use	Status	Notes
Equestrian facility	P	Agricultural and rural areas
Golf course / driving range	S	Per Concept Plan
COMMERCIAL AND MIXED-USE		
Retail, small-scale (<15,000 sf)	P	Village centers; Sec. 5.B.11
Personal service establishment	P	Village centers
Restaurant / cafe	P	Village centers
Bar / tavern / microbrewery	P	Village centers
Professional / administrative office	P	Village centers; upper floors preferred
Bank / financial institution	P	Village centers
Food hall / indoor artisan market	P	Village centers
Commercial and agricultural mixed-uses	P	Village centers; Sec. 5.B.11
CIVIC AND INSTITUTIONAL		
Civic, institutional, and educational uses	P	Village centers and greens
Place of worship	P	Village centers and greens as civic use
Day care center (child or adult)	P	Village centers
Community center / lodge / club	P	Village centers and greens

Use	Status	Notes
Government building / public facility	P	Village centers
Library / museum / gallery	P	Village centers
INDUSTRIAL AND UTILITY		
Home-based businesses	P	Per Chapter X
Light manufacturing / assembly	S	Where compatible with village character
Essential services, minor	P	Throughout
Essential services, major	S	Per Concept Plan
Wireless communication facility	S	Stealth design required
Solar energy system, accessory	P	Per Sec. 10.22 and Concept Plan
PARKS AND RECREATION		
Parks / greens / playgrounds	P	Throughout
Trails and greenways	P	Throughout
Nature preserve	P	Throughout
Outdoor recreation, commercial	P	Throughout

■ ■ ■ Sec. 5.B.07 – USE-SPECIFIC STANDARDS

Sec. 5.B.07.1 – Glamping and Tiny Home Rental Lodging

(1) Glamping accommodations (including tents, yurts, safari tents, cabins, and similar structures on permanent platforms) and tiny homes offered for short-term rental are a transient lodging use. No guest

shall occupy a glamping or tiny home rental unit for more than thirty (30) consecutive days, and no such unit shall be used as a person's primary residence.

FIGURE 5.8: GLAMPING CLUSTER



(2) The total number of glamping and tiny home rental units across the entire master parcel shall not exceed the lesser of:

(a) One (1) unit for every two (2) acres of land designated on the Concept Plan for lodging and agritourism open space; or

(b) Three hundred (300) units across the entire master parcel, with no more than seventy-five (75) units within any single sub-hamlet.

(3) Units shall be clustered, screened by vegetation, and served by private streets or lanes and by pedestrian paths. Each cluster shall provide a central facility for sanitation and shall connect to approved water and wastewater systems.

(4) Glamping and tiny home clusters shall observe the perimeter buffer of *Sec. 5.B.12* and shall be set back not less than one hundred (100) feet from any exterior property line and not less than fifty (50) feet from any permanent dwelling not part of the lodging operation.

(5) The design of all glamping and tiny home rental structures shall be consistent with the architectural character standards of *Chapter VIII* and the pattern book, with an emphasis on authentic materials, low visual impact, and integration with the natural landscape.

Sec. 5.B.07.2 – Agritourism

(1) Agritourism means a commercial enterprise at a working farm, ranch, vineyard, orchard, or agricultural operation conducted for the enjoyment and education of visitors and that generates supplemental income for the operation. Permitted agritourism activities include farm stays, u-pick operations, tastings and sales of products grown or produced on the master parcel, hayrides, corn mazes, petting farms, educational tours, seasonal festivals, farm-to-table dining, cooking classes, and similar activities.

(2) Structures associated with agritourism, including barns, pavilions, tasting rooms, and farm stands, are permitted and shall be designed in the agricultural vernacular described in *Chapter VIII* and the pattern book.

(3) Parking for agritourism may be provided on stabilized turf or pervious surfaces and may be seasonal, provided that safe access and emergency circulation are maintained at all times.

(4) Amplified sound associated with agritourism is subject to the operating standards of *Sec. 5.B.13* where it rises to the level of an outdoor entertainment venue, including where seasonal festivals involve amplified music before audiences of fifty (50) or more persons.

FIGURE 5.9: AGRITOURISM EXAMPLE



Sec. 5.B.07.3 – Recreational Vehicle (RV) Sites

(1) Recreational vehicle sites are a transient lodging use. No recreational vehicle shall be occupied on a site for more than thirty (30) consecutive days, and no recreational vehicle site shall be used as a primary residence. This use is entirely distinct from a manufactured home park, which is not permitted in the RHD.

(2) Recreational vehicle sites shall be counted toward the transient lodging program of the Concept Plan and shall not exceed one (1) site for every two (2) acres of designated lodging and agritourism open space, within the overall caps of *Sec. 5.B.07.1(2)* when combined with glamping and tiny home units.

(3) Sites shall be landscaped, screened from public roads and from permanent dwellings, and served by approved utility connections, with paved or stabilized pads and internal lanes built to *Chapter VI* standards.

(4) A temporary expansion of recreational vehicle and tent camping is permitted in association with a permitted major event under *Sec. 5.B.13*, subject to the conditions of the event permit.

FIGURE 5.10: RV SITES



Sec. 5.B.07.4 – Country Inns, Bed and Breakfast Lodging, and Hotels

(1) Country inns and bed and breakfast establishments are permitted throughout the district and are encouraged within and adjacent to village centers and in association with agritourism and wellness uses.

(2) Hotels are permitted as a special exception and shall be located within a village center, designed at a scale and in materials consistent with the village character and the pattern book, and shall not exceed the height established for the center by the Concept Plan.

(3) All lodging uses shall provide off-street parking located to the rear or interior of the block and screened from the street and from residential frontages.

(4) All lodging structures shall comply with the design and architectural standards of *Chapter VIII* and the pattern book. Hotels shall be of exceptional design and shall be reviewed by the town architect or architectural review process required by *Sec. 5.B.15*.

FIGURE 5.11: COUNTRY INN EXAMPLE



Sec. 5.B.07.5 – Health and Wellness Uses; Arts and Culture Uses

(1) Health and wellness uses include spas, retreats, fitness and movement studios, medical and integrative wellness offices, therapeutic gardens, flotation and sensory facilities, and similar establishments oriented to the physical and mental restoration of guests and residents.

(2) Arts and culture uses include galleries, studios, maker spaces, performance and rehearsal spaces, museums, arts residencies, craft production, and similar establishments.

FIGURE 5.12: EXAMPLE OF A HEALTH AND WELLNESS RETREAT AND A BARN CONVERTED INTO AN ART GALLERY





(3) Both categories are permitted throughout the district and are strongly encouraged within village centers, on greens, and within adaptively reused agricultural structures such as barns and farm buildings.

(4) Health and wellness uses that involve outdoor programming, such as forest bathing, yoga platforms, outdoor pools, and meditation gardens, shall be sited and screened to protect the privacy of participants and to minimize impact on adjacent residential uses.

Sec. 5.B.07.6 – Farming and Agricultural Uses

(1) Farming, horticulture, viticulture, animal husbandry consistent with *Chapter X*, community gardens, greenhouses, nurseries, and the processing and sale of products grown or raised on the master parcel are permitted throughout the district, including within the open space network.

(2) Agriculture is an integral and permanent component of the district. The Concept Plan shall designate land for working agriculture and shall provide for its long-term stewardship through the open space management plan of *Sec. 5.B.12.2*.

(3) The keeping of farm animals and bees shall comply with the standards of *Sec. 10.08*, except that the Concept Plan may establish tailored standards appropriate to the agricultural character of the district and more permissive than those of *Sec. 10.08* where the master development agreement provides for adequate management.

Sec. 5.B.07.7 – Farmettes

(1) A farmette is a large rural residential lot intended for a single homestead combined with small-scale farming. A farmette lot shall have a minimum area of fifteen (15) acres.

(2) Not less than ninety percent (90%) of the area of each farmette shall be maintained as open space in the form of pasture, cultivated land, orchard, woodland, or managed meadow. Building, lawn, and impervious surface shall be confined to the remaining thirty percent (10%) and clustered to preserve the rural and scenic character of the lot.

(3) The open space of a farmette counts toward the district open space requirement of *Sec. 5.B.12*, subject to a recorded conservation restriction or equivalent instrument approved by the City.

(4) Farmettes shall be located in the rural and agricultural areas designated by the Concept Plan, typically at the edges of the community, as a transition to the perimeter buffer and to neighboring rural land.

(5) Farmette buildings shall comply with the architectural standards of *Chapter VIII* and the pattern book. The farmhouse, barn, and accessory agricultural structures shall be of durable, authentic materials consistent with the agrarian vernacular of west Georgia.

FIGURE 5.13: EXAMPLE OF A FARMETTE



Sec. 5.B.07.8 – Agrihoods

(1) An agrihood is a neighborhood organized around a working farm that functions as the central shared amenity of the neighborhood. Where the Concept Plan designates an agrihood, it shall identify the farm, its supporting structures, and the homes that share in it.

(2) The farm at the center of an agrihood counts toward the district open space requirement of *Sec. 5.B.12* and shall be protected and managed under the open space management plan of *Sec. 5.B.12.2*.

(3) Supporting uses — such as a farm stand, market, community kitchen, education barn, and farm-to-table dining — are permitted as part of an agrihood and count toward the commercial balance standard of *Sec. 5.B.11* where they are located within or adjacent to a village center.

(4) All agrihood structures shall comply with the design and architectural standards of *Chapter VIII* and the pattern book.

FIGURE 5.14: A DEPICTION OF HOMES SURROUNDING A FARM



■ ■ ■ Sec. 5.B.08 – SETTLEMENT TYPES AND THE TRANSECT WITHIN THE RHD

(1) Within an RHD master parcel, development intensity shall be organized along a transect from the most rural edges to the most active centers. The Concept Plan shall assign each area of the community to one of the settlement and transect zones below, and shall apply building types, frontages, and thoroughfares appropriate to each zone. This gradient is what allows a compact, lively center to coexist with deep countryside within a single community.

(2) The Concept Plan shall designate the transect zone of each area of the master parcel on the regulating plan required by *Sec. 5.B.05(1)(c)*. Transect zone boundaries shall be drawn so as to create gradual, logical transitions between zones; abrupt transitions from T2 to T5 without intervening zones are not permitted unless natural features justify the transition.

(3) Uses, building types, and thoroughfare classifications shall be consistent with the character of their assigned transect zone as described in Table 5.B.2 and as further developed in the pattern book required by *Sec. 5.B.15*.

FIGURE 5.15: RURAL-TO-CENTER TRANSECT DIAGRAM



T1 Preserved Open Lands → T2 Rural → T3 Neighborhood Edge → T4 Neighborhood General → T5 Village Center

TABLE 5.B.2 — TRANSECT AND SETTLEMENT ZONES WITHIN A RURAL HAMLET DISTRICT MASTER PARCEL

Transect Zone	Character	Typical Building Types	Typical Thoroughfares
T1 — Preserved Open Lands	Forest, meadow, farmland, perimeter buffer	None; agricultural structures only	Rural Road, Passage/Trail
T2 — Rural	Farmettes, agrihood farms, scattered homesteads	Farmhouse, barn, farmette	Rural Road, Lane

Transect Zone	Character	Typical Building Types	Typical Thoroughfares
T3 — Neighborhood Edge	Predominantly residential, larger lots	Cottage, sideyard house, farmhouse	Neighborhood Street, Lane
T4 — Neighborhood General	Compact residential approaching the center	Cottage, townhouse, small multi-family	Neighborhood Street, Avenue
T5 — Village Center	Mixed-use heart of a sub-hamlet	Shopfront, liner, civic, lodging	Main Street, Avenue, Boulevard, Alley

■ ■ ■ Sec. 5.B.09 – HOUSING TYPES, CLUSTERING AND DENSITY

(1) Housing Types. The RHD is intended to deliver a broad mix of housing types so that residents of differing ages, household sizes, and incomes can live within the same community. The Concept Plan shall provide a genuine mix of the housing types listed in Table 5.B.4, and no single type shall so dominate the program as to defeat the intended variety. Where the master parcel contains more than one hundred (100) dwelling units, not fewer than three (3) distinct housing types shall be provided.

(2) Density. Gross residential density across the master parcel shall be a minimum of one and one half (1.5) dwelling units per gross acre and a maximum of four (4) dwelling units per gross acre, with greater intensity permitted locally within village centers and lesser intensity in the rural areas, so long as the overall open space, clustering and commercial balance standards are simultaneously met.

(a) Residential density calculation. The residential density of a site shall be calculated as follows.

1. Accessory dwellings shall not count toward minimum or maximum residential units per acre.

2. The non-residential area of live-work units shall not count toward density calculations.

(b) Hamlets are eligible for density bonuses as regulated in *Sec.9.18*. All density bonuses shall be assigned at the time of Concept Plan approval or through re-approval of the Concept Plan.

(3) Balance. The Concept Plan shall demonstrate that the housing mix, the commercial balance standard of *Sec. 5.B.11*, and the open space requirement of *Sec. 5.B.12* are simultaneously satisfied.

(4) Clustering.

(a) Development within each hamlet district must be clustered as specified in this subsection to promote walking, minimize the fragmentation of open space, and to adhere to the design principles pertaining to the mixed-use hamlet development types specified in this subsection.

(b) General hamlet clustering requirements. The following standards apply within hamlet (RHD) districts:

(i) All lots must be contiguous or directly across a thoroughfare from other lots (i.e., clustered). Clusters maybe mixed-use clusters or residential clusters, as described below.

(ii) Mixed-use clusters must meet the following requirements:

1. The cluster must contain at least 5,000 square feet of existing or planned non-residential floor area.
2. The cluster must contain at least 100 existing or planned dwelling units.
3. Single-family detached lots in the cluster may not exceed 21,780 square feet in area.
4. No more than one percent of single family detached lots (rounded up to the nearest whole number of lots) may exceed 43,560 square feet in area.

(iii) Residential clusters within a district must meet the following requirements:

1. The residential cluster must contain at least 20 dwelling units.
2. Fifty percent of the lots in the residential cluster must be no more than 1,500 feet from an established mixed-use cluster that meets the standards of "2(b), above.
3. The residential cluster must be connected to the established mixed-use cluster via an internal thoroughfare, and/or a publicly accessible regional trail, and/or an unpaved road. Such connection must be located entirely within the district and may not utilize a public thoroughfare adjoining a district boundary.
4. Single-family detached lots in the residential cluster may not exceed 21,780 square feet in area.
5. No more than one percent of single family detached lots (rounded up to the nearest whole number of lots) may exceed 43,560 square feet in area.
6. Though residential clusters are not required to include commercial uses, they may contain any uses allowed in the district.

(iv) Exceptions:

1. Up to ten percent of the total single-family lots may be fully or partially within 150 feet of the edge of a mixed-use or residential cluster. These lots may not exceed 43,560 square feet in area.
2. Up to four percent of the total single-family lots may be fully or partially within 300 feet of the edge of a mixed-use or residential cluster. These lots may not exceed 43,560 square feet in area.
3. District conservation lots, as regulated in subsection 3, below.

4. Up to five percent of commercial lots may be within any distance of the edge of a mixed-use or residential cluster subject to approval of city council, provided such commercial lots are only used for accommodation, restaurant, or personal or household service uses. In rendering its decision to allow such commercial lots and uses, the city council must find that all commercial lots and uses, though their programming, layout, and design, relate to the rural and/or agricultural character of the site.

(v) When a district is subdivided by a public thoroughfare, the city council will adopt conditions it finds appropriate to limit the number of residential units on the property across the thoroughfare from the portion of the district containing the mixed-use cluster, or other such conditions, in the interest of the public's health, safety, and welfare.

(c) District conservation lot requirements. The following standards are for what shall be known as "district conservation lots."

(i) Intent. The intent of these district conservation lot standards is to:

6. Provide more development options where proximity to a mixed-use cluster has created demand;
7. Minimize the fragmentation of open space;
8. Provide design flexibility; and
9. Increase opportunities for viable agriculture and forestry uses.

(ii) General standards. Developments utilizing these district conservation lot standards must meet the following requirements:

6. Each district conservation lot area must be a single phase and must meet the requirements of this section based on such phase. The phase must include any developable lots and any required open space.
7. Developments may contain multiple phases of district conservation lot areas, but the total of all district conservation lot areas may not exceed 400 acres or 30 percent of the district, whichever is less.
8. District conservation lot areas must be located wholly or partially within 1.5 miles of the edge of an established mixed-use cluster.
9. No district conservation lot areas may be platted before a mixed-use cluster located within 1.5 miles in the same hamlet district meets all the following:
    a. The mixed-use cluster must contain at least 5,000 square feet of existing commercial floor area holding a valid certificate of occupancy.
    b. The mixed-use cluster must have approved final plats for at least 80 percent of its lots.

(iii) Connectivity standards. District conservation lots must directly connect to a mixed-use cluster via an internal thoroughfare, and/or a publicly accessible regional trail, and/or an unpaved private road. Such connection must be located entirely within the hamlet district and may not utilize a public thoroughfare adjoining a district boundary.

(iv) Use, density, lot size, and open space standards.

6. Only residential and agricultural uses are allowed in district conservation lot areas.
7. District conservation lot areas must meet the following standards based on the proposed minimum lot size:

Table 5.B.3 – District Conservation Lot Standards

Minimum Density	Maximum Developable Lot Size	Minimum Required Open Space	Proximity
One lot per 10 acres	1 acre	90%	Only allowed within a 1.5-mile radius of a mixed-use cluster
One lot per 20 or more acres	2 acres	90%	Allowed in a District Conservation Lot phase.

8. Within a single RHD (hamlet district), open space within District Conservation Lot areas may be counted towards district requirements.
9. When a district conservation lot is sold to an end-user who also owns a portion of the open space adjacent to the developable district conservation lot area, that adjacent open space must be protected by a conservation easement meeting the requirements of Section 5.B.09.4.c before the issuance of the first certificate of occupancy on that district conservation lot.

TABLE 5.B.4 — HOUSING TYPES AND INDICATIVE NET DENSITIES WITHIN THE RHD
Precise standards are set by the Concept Plan and pattern book.

Housing Type	Typical Net Density	Typical Lot / Unit
Farmette	1 unit per 15+ ac (90% open space)	15-acre minimum lot
Estate / large-lot detached	0.5 to 1 du per ac	1 to 2 acre lot
Cottage / detached (neighborhood)	3 to 8 du per ac	40 to 100 ft lot width
Townhouse / attached	8 to 14 du per ac	20 to 30 ft lot width
Multi-family / liner	14 to 24 du per ac	Within or adjacent to centers

Housing Type	Typical Net Density	Typical Lot / Unit
Live-work / upper-story	Varies	Within mixed-use buildings

■ ■ ■ Sec. 5.B.10 – DIMENSIONAL STANDARDS BY TRANSECT ZONE

(1) Within an RHD master parcel, the Concept Plan and pattern book shall establish dimensional standards for each transect zone consistent with the ranges in Table 5.B.5. These ranges are intended to produce compact, walkable building in the centers and progressively more open patterns toward the rural edge. Where the pattern book sets a specific standard within these ranges, that standard governs.

(2) Building height in a village center may be increased by the Concept Plan where the additional height is compatible with the center's character and is offset by additional open space or civic benefit, subject to the approval of the Mayor and City Council.

(3) The frontage buildout standard, meaning the minimum percentage of the lot frontage occupied by building facade within the build-to zone, ensures that streets in the more urban transect zones are spatially defined and walkable.

(4) Accessory structures and agricultural buildings may follow distinct standards established by the pattern book appropriate to their function, scale, and location within the transect.

TABLE 5.B.5 — DIMENSIONAL STANDARD RANGES BY TRANSECT ZONE WITHIN THE RHD
Precise standards are fixed by the Concept Plan and pattern book.

Standard	T2 Rural	T3 Neighborhood Edge	T4 Neighborhood General	T5 Village Center
Min. lot width	100 ft +	60 to 100 ft	30 to 60 ft	16 to 40 ft
Front setback / build-to	30 ft +	15 to 30 ft	8 to 20 ft	0 to 12 ft
Side setback	20 ft	10 ft	5 ft	0 to 5 ft
Rear setback	30 ft	20 ft	15 ft	5 to 15 ft (alley)

Standard	T2 Rural	T3 Neighborhood Edge	T4 Neighborhood General	T5 Village Center
Max. building height	2.5 stories	2.5 stories	3 stories	3 to 4 stories
Frontage buildout (min.)	N/A	40%	60%	80%
Required frontage type	Porch / agrarian	Porch and yard	Porch / stoop	Shopfront / stoop
Parking location	Side or detached	Side or rear	Rear or alley	Rear, interior, or on-street

■ ■ ■ Sec. 5.B.11 – SUB-HAMLETS, VILLAGES, AND THE COMMERCIAL BALANCE STANDARD

FIGURE 5.16: SUB-HAMLET CONCEPT DIAGRAM



A compact, walkable center surrounded by rings of housing types (townhomes → cottages → estate lots), then farmland and forest, with trails connecting to adjacent sub-hamlets.

Sec. 5.B.11.1 – Structure of Sub-Hamlets

(1) Development within the RHD shall be organized into one or more sub-hamlets, also called villages. Each sub-hamlet shall have a walkable center containing a mix of commercial, civic, and cultural uses, surrounded by a range of housing types, and set within open space, with the centers of adjacent sub-hamlets connected to one another by trails and tree-lined private streets.

(2) A sub-hamlet shall be sized so that the great majority of its dwellings lie within approximately a one-quarter mile — or five-minute — walk of its center. Where a development is large enough to require more than one center, the Concept Plan shall establish multiple sub-hamlets rather than a single large center that exceeds walkable scale.

(3) Each sub-hamlet center shall include at least one publicly accessible civic space — such as a green, square, commons, or market — designed under *Chapter IX* and *Sec. 5.B.19*.

FIGURE 5.17 VILLAGE CENTER EXAMPLE



An example of a village center main street with mixed-use shopfronts at grade with residences above, outdoor dining, street trees, and a green.

Sec. 5.B.11.2 – Commercial Balance Standard

(1) To ensure that each sub-hamlet is a complete place and not merely a residential subdivision, every sub-hamlet shall provide a minimum amount of nonresidential floor area in proportion both to the housing it contains and to the land it develops. The following standards apply at the buildout of each sub-hamlet and shall be demonstrated in the village balance analysis required with the Concept Plan.

TABLE 5.B.6 — COMMERCIAL BALANCE STANDARD FOR SUB-HAMLETS
Measured per dwelling unit and per developed acre.

Measure	Minimum Required Nonresidential Provision
Per dwelling unit	At least fifty (50) square feet of gross nonresidential floor area per dwelling unit within the sub-hamlet, and not less than fifteen thousand (10,000) square feet per sub-hamlet center. Non-

Measure	Minimum Required Nonresidential Provision
	residential includes all use categories except residential and agricultural uses
Per developed acreage	At least one (1) acre of land designated for commercial, civic, cultural, or mixed use for every seventy-five (75) dwelling units, or for every forty (40) acres of developed (non-open-space) land, whichever yields the greater commercial land area
Center location	All required nonresidential floor area shall be located within a sub-hamlet center or along a designated mixed-use street, not dispersed along the perimeter or on isolated pads
Mix within centers	Each sub-hamlet center shall contain at least three (3) distinct nonresidential use types drawn from retail, food and beverage, personal service, office, lodging, wellness, arts and culture, civic, or agricultural market uses
Minimum and Maximum Nonresidential square footage	Each RHD (hamlet) district shall have a minimum nonresidential area square footage per gross acre of fifty (50) square feet and a maximum nonresidential area of 30% of the developable area. Numbers are expressed as total gross square feet of non-residential floor space at build out per gross acre of land. Example: A development with 75 gross acres of land in a RHD district would have a minimum required non-residential floor area of 3,000 gross square feet

(2) The commercial floor area required by this section may be satisfied by mixed-use buildings in which nonresidential space occupies the ground floor and residential or office space occupies the upper floors. Agricultural market and agritourism floor area located within or adjacent to a center counts toward the requirement.

(3) The City may, as a condition of Concept Plan approval, require that a minimum share of the required nonresidential floor area be delivered before or concurrently with defined residential phasing thresholds under *Sec. 5.B.16*.

(4) Mixed-use building requirement. In every sub-hamlet center that contains commercial uses, not less than twenty-five percent (25%) of all buildings within the center that are not exclusively nonresidential in use shall be mixed-use buildings, meaning buildings that contain active commercial, civic, or cultural

uses on the ground floor and residential, office, or lodging uses on one or more upper floors. This requirement applies at the buildout of each sub-hamlet center and shall be demonstrated in the village balance analysis required with the Concept Plan.

(a) For purposes of this subsection, a building is "exclusively nonresidential" if one hundred percent (100%) of its gross floor area is occupied by commercial, civic, cultural, or office uses and no dwelling units, lodging rooms, or live-work units are present. Such buildings, including standalone retail pavilions, civic halls, and agricultural market structures, are exempt from the mixed-use building requirement but shall not be counted in the denominator when calculating the twenty-five percent (25%) threshold.

(b) A building is counted as a mixed-use building for purposes of this subsection only where the ground-floor commercial, civic, or cultural space occupies not less than sixty percent (60%) of the ground-floor footprint of the building, and where at least one (1) full floor of residential, office, or lodging use is provided above.

(c) The twenty-five percent (25%) mixed-use building threshold shall be calculated based on the number of buildings within the designated sub-hamlet center boundary, as shown on the approved regulating plan. Buildings located on mixed-use streets designated by the Concept Plan but outside the formal center boundary may be counted toward the threshold at the discretion of the Zoning Administrator, where they are physically integrated with and functionally part of the center.

(d) The Concept Plan shall include a mixed-use building compliance diagram for each sub-hamlet center, showing the location of all buildings, their proposed use classification (exclusively nonresidential, mixed-use, or residential), and the calculation demonstrating that the twenty-five percent (25%) threshold is met at buildout.

(e) Where phasing results in a center that is not yet at buildout, the mixed-use building requirement shall apply proportionally: for every two (2) non-exclusively-nonresidential buildings constructed within the center, at least one (1) shall be a mixed-use building as defined in this subsection. This proportional standard applies at each phase of development until the center reaches buildout, at which point the full twenty-five percent (25%) threshold shall be satisfied.

FIGURE 5.18: EDITOR'S NOTE - WHY MIXED-USE BUILDINGS MATTER.

WHY MIXED-USE BUILDINGS MATTER. A village center where all the housing sits behind or above the center rather than within it tends to feel empty after business hours and fails to generate the foot traffic that keeps small businesses alive. Requiring that at least half of the non-exclusively-commercial buildings in a center be mixed-use, with residents or hotel guests living directly above the shops and cafes, ensures that the center has eyes on the street around the clock, that the investment in ground-floor commercial is protected by built-in customers upstairs, and that the walkable, main-street character of the village is genuine rather than cosmetic.

■ ■ ■ Sec. 5.B.12 – OPEN SPACE, PERIMETER BUFFERS, AND LAND CONSERVATION

Sec. 5.B.12.1 – Minimum Open Space

(1) Not less than **fifty percent (50%)** of the total land area of the master parcel shall be preserved as open space. The perimeter buffer required by *Sec. 5.B.12.3* counts toward this open space requirement. Qualifying open space may include the areas specified in Table 5.B.7.

(2) Open space shall be configured as a connected network that links the sub-hamlets, reaches the perimeter buffer, and provides continuous corridors for walking, wildlife movement, and the management of stormwater.

(3) All RHD districts shall also be subject to all applicable portions of *Sec. 9.06*.

(4) Open spaces intended for public assembly or gathering shall provide points of access for emergency vehicles.

(5) Land permanently protected as regulated in this section or Sec. 9.06 prior to being rezoned to RHD shall not be allowed to count toward required open space, nor shall it count toward total district area for the purpose of calculating open space requirements though it shall be included for the purpose of meeting district size minimums and for calculating density controls in *Sec. 5.B.09*.

(6) All portions of open spaces used to satisfy RHD zoning district requirements shall be at least 50 feet in length and width, except where providing a buffer required under *Sec. 5-B.12.3,* a required stream buffer, or within portions of the site that are less than 50 feet in length or width.

(7) Except for agriculture, open space must not be isolated. Pedestrian circulation networks must provide access from the open space to existing and proposed thoroughfare networks, both inside and outside of the district.

(8) Paths located in floodplains, stream buffers, or within 25 feet of wetlands shall be constructed of pervious materials. Boardwalks may be approved by the zoning administrator where appropriate.

(9) Concurrency. It is the intent of this subsection that required open space is preserved as phases within a district are completed rather than at full build out. The following shall apply within individual RHD zoned properties.

(a) Nine percent of the property that is intended to be protected as open space must be permanently protected according to the requirements of this section prior to the issuance of the initial land disturbance permit.

(b) When building permits have been issued on 80 percent of the density units allocated to an individual phase, then at least 80 percent of the open space required for that phase must be permanently protected according to the requirements of this section.

(c) Prior to the issuance of building permits on the last 10 percent of the density units allocated to an individual phase or when the master developer of the phase is no longer actively marketing lots in that phase and there have been no sales of lots to home owners, home builders, or commercial developers

within the preceding 180 days, then 100 percent of the open space required for that phase musts be permanently protected.

(d) An open space progress report shall be submitted for multi-phase developments to ensure consistency with the approved rezoning and any associated conditions and to demonstrate compliance with the city's UDC and comprehensive plan.

(i) This report shall identify all required open spaces permanently protected within each phase where there are active development or building permits for new construction, a timeline for anticipated open space protection concurrent with remaining building permits for new construction, and a compliance statement detailing consistency with the applicable district regulations and conditions of approval.

(ii) This report shall be submitted to the city zoning administrator upon issuance of 50 percent of building permits for new construction within a phase, but no less frequently than annually (no later than the 15th of January of each calendar year).

(iii) The zoning administrator shall review the report and, upon acceptance of the report, place the item on the agenda of the next available regular meeting of the city council.

(iv) The developer or a designated representative shall present the report and respond to questions from council members.

(5) Failure to meet the above standards may result in the city withholding further development permits, building permits, and/or certificates of occupancy in the entire development until the standards are met.

(6) An open space management plan shall be submitted with the preliminary plat application. The open space management plan shall include the anticipated ownership and use of all protected open space parcels, along with a financial plan that demonstrates that the management expenses, taxes, and insurance will be covered by income derived from the property or other source of revenue.

FIGURE 5.19: OPEN SPACE DIAGRAM



TABLE 5.B.7 — OPEN SPACE TYPES AND ELIGIBILITY TOWARD THE 50% REQUIREMENT

Open Space Type	Purpose	Counts Toward 50%
Working farm / agricultural land	Food production, agrihood, agritourism	Yes
Forest and woodland	Habitat, scenery, recreation, buffer	Yes
Meadow and managed grassland	Scenery, habitat, stormwater	Yes
Perimeter buffer	Screening and rural edge	Yes

Open Space Type	Purpose	Counts Toward 50%
Greens, squares, and commons	Civic gathering	Yes
Parks and playgrounds	Active recreation	Yes
Trails and greenways	Connection and recreation	Yes
Stormwater amenities	Designed landscape and water quality	Yes, where designed as amenity
Greenhouse or Nursery	Functional passive open space	Yes
Farming, horse stables, keeping and raising of farm animals, livestock quarters and enclosures	Animal husbandry	Yes
Utility crossings, transit rights-of-way	Activation of otherwise unusable land area	Yes
Floodplains, wetlands, and water bodies	Protection of state waters	Yes
Critical wildlife habitat	Wildlife conservation	Yes
Botanical gardens and nature preserves	Functional passive open space	Yes
Amphitheater without significant hardscape area	Landscape preservation	Yes
Pedestrian ways, pedestrian trails, pedestrian paths, including those used by bicycles and/or horses	Rural landscape preservation and passive transportation routes	Yes

Open Space Type	Purpose	Counts Toward 50%
Roadside stands up to 800 square feet footprint	Support farm economy and fresh food access	Yes
Required stream buffers	Ecology preservation	Yes
Sites of historic, cultural, or archeological significance, including burial grounds	Historic preservation	Yes
District geothermal or ground source loop fields, water wells	Passive infrastructural requirements	Yes
Areas with steep slopes	Landscape preservation	Yes
Unpaved thoroughfares or driveways	Rural landscape preservation	Yes
Campsites without utility connections	Passive recreation activation	Yes
Solar farms (total solar panel area shall not exceed five percent of total required open space area)	Passive utility, ecology	Yes
Timber harvesting areas (not to exceed 30 percent of the total required open space)	Adaptive Reuse	Yes
Golf courses (not to exceed 30 percent of the total required open space)	Active Recreation	Yes
Conservation areas	Ecology	Yes
The qualifying open space of farmettes and agrihoods.	Conservation district lots	Yes
Private yards	Private use	No

Open Space Type	Purpose	Counts Toward 50%
Streets and parking	Circulation	No
HOA private amenity facilities	Private recreational use	No

Sec. 5.B.12.2 – Open Space Ownership and Management

(1) Open space shall be permanently protected by a recorded conservation easement, plat dedication, or equivalent instrument approved by the City, and shall be owned and managed by a property owners association, a land trust, a farm operator, or another entity identified in the master development agreement.

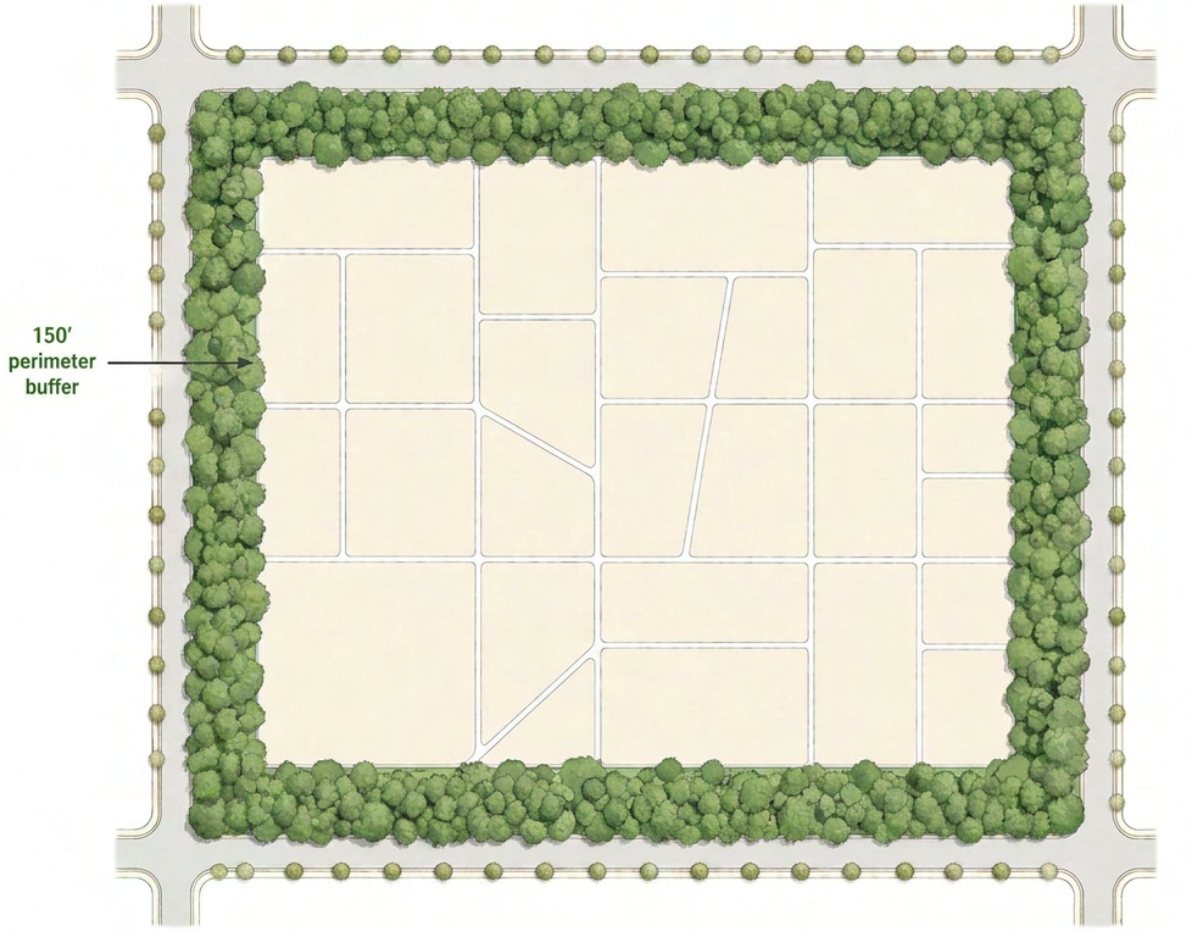
(2) The Concept Plan shall include an open space management plan addressing the long-term stewardship of farmland, forest, meadow, and civic space, including responsibility for maintenance, agricultural operations, invasive species control, prescribed management where appropriate, and public access where provided.

Sec. 5.B.12.3 – Perimeter Buffer

(1) A naturally vegetated perimeter buffer with a minimum width of **one hundred fifty (150) feet** shall be provided along all exterior boundaries of the master parcel, including all boundaries adjacent to public roads and all exterior property lines shared with land outside the master parcel.

(2) The perimeter buffer shall remain in a natural, forested, or managed meadow condition, supplemented with native planting where existing vegetation is insufficient to screen building from public roads and neighboring property. Clearing within the buffer is limited to that necessary for trails, utility and access crossings, stormwater management, agricultural use, and approved view corridors.

FIGURE 5.20: PERIMETER BUFFER CROSS-SECTION



A 150-ft band of dense native forest and understory planting between the property line (adjacent to a public road) and the first building pad within the community. No interior buffers are applicable in the RHD District, as shown.

(3) No interior buffers are required between individual parcels, phases, or sub-developments within the master parcel. Because the entire community is planned and built as a single, connected, walkable place under a master development agreement, internal boundaries are designed to join rather than to separate. Buffers are required only at the exterior edge of the community as provided in subsection (1).

(4) The perimeter buffer counts toward the open space requirement of *Sec. 5.B.12.1* and shall be included within the permanently protected open space.

■ ■ ■ Sec. 5.B.13 – OUTDOOR ENTERTAINMENT VENUES AND THE CONCERT VILLAGE

(1) **Intent.** The exceptional rural setting of the district, remote from urban light and noise and open to wide views and brilliant night skies, makes it uniquely well suited to outdoor entertainment at a scale that would be incompatible with most other districts. The property's wooded hills, with views toward the foothills of the Appalachian Mountains, provide a natural amphitheater setting of regional significance.

The district therefore allows, as a special exception use, an outdoor entertainment venue and an associated concert village, together with the structures, lodging, and parking needed to support it, subject to the following standards designed to protect neighbors, the night sky, and the rural experience.

FIGURE 5.21: OUTDOOR ENTERTAINMENT



(2) **Special exception required.** An outdoor entertainment venue, including a stage, amphitheater, performance lawn, and associated structures, is permitted only within an approved Concept Plan and only upon the grant of a special exception under *Chapter XI* that establishes the venue capacity, the permitted frequency and hours of events, and the operating conditions of this section.

(3) **Setback and orientation.** A permanent stage or amphitheater shall be located not less than five hundred (500) feet from any exterior property line of the master parcel and shall be oriented and bermed so as to direct sound away from off-site dwellings and toward the interior of the community.

(4) **Sound management.**

(a) Amplified sound shall comply with a sound management plan approved with the special exception permit. The plan shall establish maximum sound levels measured at the perimeter buffer line and at the nearest off-site dwelling, and shall set curfews for amplified sound.

(b) The sound management plan may provide for a limited number of major events each year, not to exceed twelve (12) major events per calendar year unless a greater number is expressly approved by the

City Council as a condition of the special exception, with extended hours under a special event permit issued under *Sec. 11.09*.

(c) For all other events, amplified sound shall cease by 11:00 p.m. Sunday through Thursday and by midnight on Friday and Saturday, unless a special event permit expressly authorizes a later curfew for a specific event.

(5) **Dark-sky lighting.** All venue and event lighting shall comply with the dark-sky standards of *Sec. 9.04*. Fixed lighting shall be full cutoff and shielded, and temporary event lighting shall be directed downward and away from the night sky and the perimeter, in recognition that the clarity of the night sky is a defining asset of the district and of the concert experience.

(6) **Parking and traffic.** Event parking shall be accommodated within the master parcel on designated fields or lots of stabilized turf or pervious surface, with safe pedestrian routes, traffic management, and emergency access. Off-site or shoulder parking on public roads is prohibited. A traffic management plan shall be submitted with the special exception application and updated annually before the first major event of each calendar year.

(7) **Temporary lodging.** Temporary lodging during major events, including tent and recreational vehicle camping, is permitted within the caps and standards of *Sec. 5.B.07.1* and *Sec. 5.B.07.3* as supplemented by the conditions of the event permit.

(8) **Associated structures.** Permanent structures associated with the venue, such as box offices, pavilions, restrooms, concession and vendor buildings, and back-of-house facilities, shall be designed in the architectural vernacular of the district under *Chapter VIII* and the pattern book.

FIGURE 5.22: EXAMPLE AMPHITHEATER



A smaller hillside amphitheater serving day-to-day community performances, farmers markets, and festivals between major events — intimate, wooded, approachable.

■ ■ ■ Sec. 5.B.14 – MASTER DEVELOPMENT AGREEMENT

(1) **Purpose.** Because an RHD community is built over time and often by several builders or sub-developers, a master development agreement binds the master parcel and all sub-developers to the approved Concept Plan and to one another, so that the community is realized as a single, connected, walkable place.

(2) **Timing.** Before the approval of the first final plat or the issuance of the first building permit within the master parcel, the owner shall record a master development agreement, approved by the City, that runs with the land and binds all current and future owners and sub-developers.

(3) **Required contents.** The master development agreement shall, at a minimum:

(a) Require each sub-developer to develop in conformity with the Concept Plan and to coordinate the design and connection of streets, trails, open space, and infrastructure with adjacent properties;

(b) Establish the property owners association or other entity responsible for open space, private streets, and shared infrastructure, and secure its funding mechanism in perpetuity;

(c) Allocate responsibility for the delivery and maintenance of the perimeter buffer, the open space network, and the required nonresidential program;

(d) Establish the architectural review process that will administer the pattern book under *Chapter VIII* and *Sec. 5.B.15*, including the identification of a qualified town architect or architectural review committee; and

(e) Provide for the dedication of access and infrastructure easements to the City under *Chapter VI*.

(4) **Prohibition on independent development.** No sub-developer shall develop its property independently of the master plan. Each sub-developer shall develop in conjunction with adjacent properties, in a walkable, connected, new-urbanist fashion, under the common framework of the master development agreement.

■ ■ ■ Sec. 5.B.15 – DESIGN EXCELLENCE AND ARCHITECTURAL STANDARDS

FIGURE 5.23: EXCEPTIONAL DESIGN REQUIRED.

EXCEPTIONAL DESIGN REQUIRED. All building within the RHD shall be of exceptional design and shall comply in full with the architectural standards of *Chapter VIII — Design and Architectural Standards.* This requirement is mandatory and is not waived or modified by Concept Plan approval. The Concept Plan shall include a pattern book that applies and extends the standards of *Chapter VIII* to the specific community, and an architectural review process established by the master development agreement shall review every building for conformity with the pattern book before a building permit is issued. A building permit shall not be issued for any structure within the RHD unless the town architect or architectural review committee has confirmed conformity with the pattern book.

(1) **Mandatory compliance.** All buildings and structures within the RHD shall comply in full with the design and architectural standards of *Chapter VIII*. Where the pattern book imposes a higher or more specific standard, the pattern book governs within the RHD.

(2) **Pattern book required.** The Concept Plan shall include a pattern book, required by *Sec. 5.B.05(1)(f)*, that applies and extends the standards of *Chapter VIII* to the specific community. The pattern book shall address:

(a) Building types, massing, roofs, materials, and color for each transect zone;

(b) Fenestration proportions, porch and entry design, and frontage types appropriate to each building type and transect zone;

(c) The design of civic buildings, agricultural structures, glamping and lodging structures, and the concert village and associated facilities;

(d) Streetscape design including street trees, lighting, furniture, and paving materials by thoroughfare classification; and

(e) Community-specific materials and color palettes in the rural vernacular of the west Georgia hill country.

(3) **Town architect.** The City may require, as a condition of Concept Plan approval, that the pattern book and the architectural review process be administered by a qualified town architect retained by the master developer. The town architect shall review every building permit application within the RHD for conformity with the pattern book before the permit is issued, and shall certify conformity to the Zoning Administrator.

(4) **Agricultural and civic buildings.** Agricultural buildings — such as barns, markets, tasting rooms, and event structures — shall be designed in an authentic agrarian vernacular with simple forms, durable materials, and large doors and openings appropriate to their function. Civic buildings may depart from the standards for ordinary building in order to express their civic importance, but shall be of exceptional design and shall terminate vistas and frame civic spaces where possible.

FIGURE 5.24: QUALITY AND COHESION IN VILLAGE CENTERS



A village green framed by mixed-use buildings — shopfronts at grade, residences above, a civic building anchoring the corner, and a green in the foreground. Quality of design is evident.

■ ■ ■ Sec. 5.B.16 – PHASING, INFRASTRUCTURE, AND PRIVATE STREETS

(1) **Phasing plan.** Development shall proceed in phases in accordance with the phasing plan of the approved Concept Plan. The phasing plan shall ensure that open space, the perimeter buffer, civic space, the required nonresidential program, and supporting infrastructure are delivered in reasonable proportion to residential development rather than deferred to the end of the project. Specifically:

(a) The perimeter buffer shall be established, cleared of invasive species, supplemented with native planting where needed, and maintained, before or concurrently with any land disturbance within two hundred (200) feet of the exterior boundary;

(b) Not less than twenty-five percent (25%) of the total required open space shall be improved and accessible before or concurrently with the issuance of the certificate of occupancy for the fiftieth (50th) dwelling unit;

(c) The required nonresidential floor area for each sub-hamlet shall be delivered before or concurrently with the issuance of the certificate of occupancy for the dwelling unit that represents seventy-five percent (75%) of the total approved dwelling unit count for that sub-hamlet; and

(d) Each phase shall connect to the trail and street network of prior phases so that the community remains connected as it grows.

(2) **Private streets.** All streets within the RHD shall be private streets designed and built to the classifications and standards of *Chapter VI*. At the time of conveyance of infrastructure, the owner shall dedicate to the City a perpetual easement over the roadways for access to the infrastructure; the City shall accept easement dedications only and shall not accept the roadways themselves. Private streets shall meet the same construction and geometric requirements as public streets of the same classification.

(3) **Utilities.** Water, wastewater, and stormwater systems shall be designed to City and state standards. Where the City is to own or operate any portion of a utility system, the owner shall convey the necessary facilities and dedicate access and utility easements as provided in *Chapter VI*.

(4) **Emergency access.** Each phase shall provide adequate emergency access and fire protection consistent with *Sec. 5.B.21*.

■ ■ ■ Sec. 5.B.17 – AMENDMENTS TO AN APPROVED RHD CONCEPT PLAN

(1) A **minor amendment** to an approved Concept Plan is an amendment that does not increase the total dwelling units, reduce the open space below fifty percent (50%), reduce the perimeter buffer, reduce the required nonresidential program, or materially alter the street and trail network and may be approved administratively by the Zoning Administrator.

(2) A **major amendment**, including any change that exceeds the thresholds of subsection (1), shall be reviewed and approved in the same manner as the original Concept Plan, with notice and a public hearing before the Planning and Zoning Board and the Mayor and City Council.

(3) The City may revoke or condition further approvals where development has not proceeded in conformity with the approved Concept Plan or the master development agreement.

■ ■ ■ Sec. 5.B.18 – BLOCK AND STREET STANDARDS WITHIN THE RHD

(1) Blocks in the neighborhood and center zones shall be small and walkable, with perimeters generally not exceeding **one thousand eight hundred (1,800) feet** in centers and **two thousand four hundred (2,400) feet** in neighborhoods, and shall be served by the connected private street network of *Chapter VI*.

(2) Alleys shall be provided in village centers and wherever lots are too narrow for front access without driveways dominating the frontage.

(3) The street and block pattern shall respond to topography, hydrology, and significant trees, bending and breaking as needed to preserve natural features and create memorable places and views.

(4) Where a block perimeter exceeds the recommended maximum, a mid-block pedestrian passage of not less than twelve (12) feet in width shall be provided to maintain direct walking routes.

■ ■ ■ Sec. 5.B.19 – CIVIC SPACE STANDARDS WITHIN THE RHD

(1) Each sub-hamlet shall provide civic space according to the minimums in Table 5.B.7, and located at prominent, accessible points within the center.

TABLE 5.B.8 — MINIMUM CIVIC SPACE PROVISION PER SUB-HAMLET WITHIN THE RHD

Civic Space Type	Minimum per Sub-Hamlet	Character
Green or square	1, minimum 0.5 acre	Framed by frontages; informal or formal lawn; the social heart of the sub-hamlet
Commons or market	1 (may be combined with green)	Gathering, market, and event space; flexible surface
Pocket parks / playgrounds	As needed for walking access	Distributed through neighborhoods within 5-min walk of dwellings
Trailheads	At least 1 connecting to the greenway network	Access to the open space network; with wayfinding signage

(2) Civic spaces shall be framed on at least two sides by building frontages (storefronts, porches, or civic facades) and shall be accessible directly from a primary street or pedestrian route. Civic spaces shall not be hidden behind buildings or located where they are not visible from the primary street network.

FIGURE 5.25: FARMER'S MARKET



■ ■ ■ Sec. 5.B.20 – SUSTAINABILITY AND STEWARDSHIP

(1) RHD development shall be designed to conserve water and energy, to manage stormwater through natural systems wherever practicable, to protect soil and water quality, and to maintain the working agricultural capacity of the land.

(2) The open space management plan required by *Sec. 5.B.12.2* shall provide for the ongoing stewardship of farmland and forest, including invasive species control, prescribed management where appropriate, the maintenance of trails and civic spaces, and the protection of wildlife corridors and native plant communities.

(3) Dark-sky-compliant lighting under *Sec. 9.04* is required throughout the RHD, in recognition that the clarity of the night sky is a defining, marketable, and irreplaceable asset of the community and of the concert venue experience.

(4) The Concept Plan shall address the long-term sustainability of agricultural operations, including soil health, water access, and the economic model for maintaining working farms within the open space network.

■ ■ ■ Sec. 5.B.21 – MOBILITY, TRAILS, AND LOW-SPEED VEHICLES



A continuous trail and greenway network, the connective tissue of the community, shall connect every sub-hamlet, center, farm, and major open space to the rest of the city

(1) The Concept Plan shall provide a continuous network of trails and greenways connecting all sub-hamlets, centers, and major open spaces, designed under *Chapter VI* as Passages.

(2) Low-speed vehicles, such as golf carts and neighborhood electric vehicles, may be accommodated on the private street network and on designated paths, subject to a circulation and safety plan approved with the Concept Plan.

(3) Each village center shall be designed so that the great majority of dwellings within the sub-hamlet are within an approximately five-minute walk, and centers shall be linked to one another by trails and tree-lined streets.

(4) Trail standards within the RHD:

(a) Primary trails connecting sub-hamlet centers shall be not less than ten (10) feet in width, constructed of a durable all-weather surface, and lit at intersections with dark-sky-compliant fixtures;

(b) Secondary trails through open space, forest, and agricultural areas may be a minimum of six (6) feet in width and may use natural or compacted surfaces appropriate to their context and use; and

(c) The total trail network shall be distributed throughout the open space to provide access to all major open space types within the master parcel.

■ ■ ■ Sec. 5.B.22 – FIRE PROTECTION AND EMERGENCY SERVICES IN THE RURAL CONTEXT

(1) The Concept Plan shall address fire protection and emergency access in the rural setting, including water supply for firefighting, which may include cisterns, ponds, or dry hydrants where a pressurized system is not available, apparatus access on all private streets, and wildfire risk reduction at the forest edge.

(2) All private streets shall meet the fire apparatus access requirements of the applicable fire code, including minimum unobstructed width and turning radii, notwithstanding their classification under *Chapter VI*.

(3) Gates and barriers, where used, shall provide for emergency access in conformity with an emergency access plan approved by the City and the fire authority having jurisdiction.

(4) Each phase of development shall provide all fire protection improvements required for that phase before the issuance of the first certificate of occupancy within the phase.

■ ■ ■ Sec. 5.B.23 – SIGNAGE AND WAYFINDING IN THE RHD

(1) Signage within an RHD development shall be coordinated through a master sign program approved with the Concept Plan, designed in the community vernacular and consistent with the dark-sky standards of *Sec. 9.04*.

(2) Wayfinding for trails, centers, agritourism destinations, and venues shall be provided in a consistent, attractive family of signs that reinforces the identity of the community and assists visitors in navigating between sub-hamlets.

(3) Off-premises and billboard signage is prohibited within the RHD. No sign within the RHD shall be internally illuminated with a bright cabinet or LED face inconsistent with the dark-sky and rural character standards of this part.

■ ■ ■ Sec. 5.B.24 – CONCEPT PLAN REVIEW CRITERIA

(1) In reviewing an RHD Concept Plan, the Planning and Zoning Board and the Mayor and City Council shall evaluate the proposal against the following criteria, in addition to the standards for zoning decisions in *Sec. 2.06*:

(a) **Open space and rural character:** whether at least fifty percent (50%) of the land is preserved as connected open space, whether the perimeter buffer is provided, and whether the design conserves significant natural features, working agriculture, scenic views, ridgelines, and the night sky;

(b) **Settlement structure:** whether development is organized into compact, walkable sub-hamlets with defined centers, and whether the great majority of dwellings lie within a five-minute walk of a center;

(c) **Commercial balance:** whether each sub-hamlet meets the commercial balance standard of *Sec. 5.B.11.2* so that it functions as a real place with daily destinations and not merely as housing;

(d) **Connectivity:** whether the street and trail network is interconnected, whether streets are private and built to the standards of *Chapter VI*, and whether trails connect all centers and major open spaces;

(e) **Housing diversity:** whether the plan provides a genuine mix of at least three (3) housing types where the master parcel contains more than one hundred (100) dwelling units;

(f) **Design excellence:** whether the pattern book demonstrates exceptional design consistent with *Chapter VIII* and the rural vernacular of west Georgia, and whether an adequate architectural review process is established;

(g) **Infrastructure and phasing:** whether infrastructure is adequate, whether facilities are conveyed and easements dedicated as required, and whether the phasing plan delivers open space, centers, and the nonresidential program in proportion to housing;

(h) **Compatibility and impact:** whether the development is compatible with neighboring land and adequately mitigates impacts on traffic, services, schools, and the environment; and

(i) **Master agreement:** whether a binding master development agreement ensures that all sub-developers build the community as a single, connected, walkable place.

■ ■ ■ Sec. 5.B.25 – REQUIRED FINDINGS

(1) The Mayor and City Council shall approve an RHD Concept Plan only upon written findings that the plan:

(a) Is consistent with the Comprehensive Plan and the purposes of this part;

(b) Meets the quantitative standards of this part, including the minimum district size, the fifty percent (50%) open space requirement, the one-hundred-fifty-foot (150 ft) perimeter buffer, the commercial balance standard, and the gross density limit of four (4) dwelling units per gross acre;

(c) Provides adequate infrastructure and emergency access, and an acceptable plan for the conveyance of infrastructure and the dedication of easements;

(d) Demonstrates exceptional design through an acceptable pattern book consistent with *Chapter VIII*, and establishes a binding architectural review process administered by a qualified town architect or review committee; and

(e) Will not be detrimental to the public health, safety, and welfare, and is compatible with surrounding land.

■ ■ ■ Sec. 5.B.26 – CONDITIONS OF APPROVAL

(1) The Mayor and City Council may attach conditions to the approval of an RHD Concept Plan as necessary to ensure compliance with this part and to protect the public interest, including conditions that:

(a) Establish maximum dwelling unit counts, minimum nonresidential floor area, and transient lodging caps;

(b) Fix phasing thresholds tying the delivery of open space, centers, nonresidential floor area, and infrastructure to residential development;

(c) Require specific elements of the master development agreement and the architectural review process, including the retention of a town architect;

(d) Establish the operating conditions, sound management plan, curfews, and annual event limits for any outdoor entertainment venue under *Sec. 5.B.13*; and

(e) Require financial security for open space, buffers, and infrastructure.

■ ■ ■ Sec. 5.B.27 – EFFECT, DURATION, AND LAPSE OF APPROVAL

(1) An approved Concept Plan is binding on the master parcel and runs with the land, together with the recorded master development agreement.

(2) If no land disturbance permit or final plat is obtained within five (5) years after Concept Plan approval, or if development ceases for a continuous period established by the conditions of approval, the City may review the approval and require an updated Concept Plan reflecting current standards for the undeveloped portion.

(3) Completed phases that conform to the approved Concept Plan are not affected by a lapse as to undeveloped land.

CHAPTER VI – STREETS AND CONNECTIVITY

FIGURE 6.1: STREET TYPES AND HIERARCHY



New development should be served by an interconnected hierarchy of thoroughfares: a tree-lined boulevard entry, an avenue connecting neighborhoods, a main street commercial frontage, neighborhood streets with porches and sidewalks, and a rear alley. Each is a well-proportioned place, not merely a conduit for vehicles.

■ ■ ■ Sec. 6.01 – PURPOSE AND INTENT

(1) This chapter establishes the policy of the City of Buchanan that all new roadways constructed within the City be built to the standards set below and dedicated to the public, except for gated roadways. It further establishes a hierarchy of roadway classifications grounded in new urbanist and traditional neighborhood design principles, so that new streets are not merely conduits for vehicles but are well-proportioned places that support walking, bicycling, gathering, and commerce.

(2) The classifications and standards of this chapter apply throughout the City to all new development in all districts, and are an integral part of the Planned Development Districts of *Chapter V*. These standards apply equally to the Traditional PUD and to the Rural Hamlet District.

(3) The City adopts the following principles for the design of its thoroughfares:

(a) Streets shall form a connected network of relatively small blocks that disperses traffic, shortens walking distances, and offers multiple routes, rather than a system of disconnected cul-de-sacs feeding a few over-burdened collectors;

(b) Streets shall be designed for low, safe speeds appropriate to their context, using lane widths, on-street parking, street trees, and tight geometry — rather than signage alone — to manage speed;

(c) Buildings shall front and engage the street, with parking placed to the side, rear, or interior of the block, so that the street is defined by porches, stoops, and storefronts rather than by garages and surface parking lots;

(d) Every street classification shall accommodate pedestrians safely and comfortably, and the network shall be supplemented by a continuous system of trails and greenways that is distinct from the sidewalk network; and

(e) The design of a street shall respond to its place along the rural-to-urban transect, from open rural roads with swale drainage to compact main streets with wide sidewalks and street trees in planters.

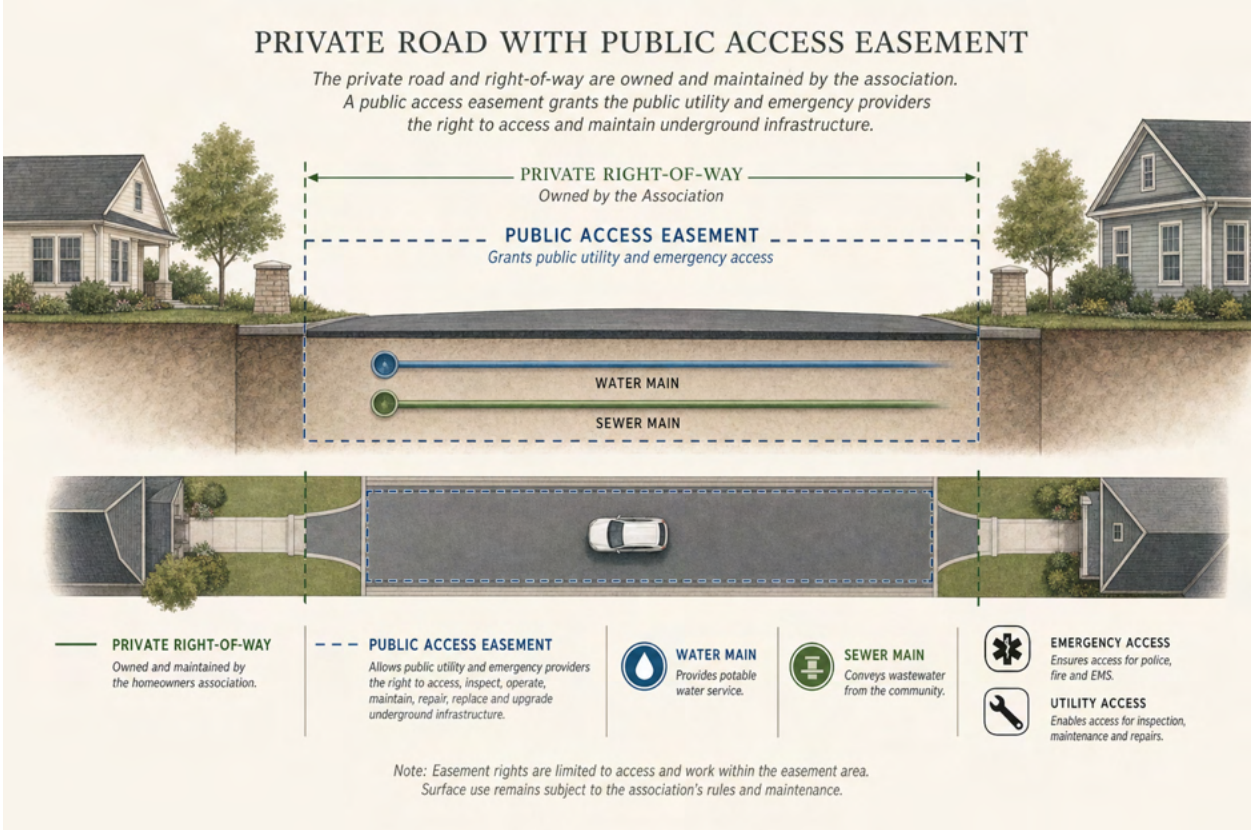
FIGURE 6.2: CONNECTED BLOCK NETWORK VS. DISCONNECTED CUL-DE-SAC SYSTEM



The connected network disperses traffic across many routes while the cul-de-sac system funnels all movement through a single collector.

■ ■ ■ Sec. 6.02 – PRIVATE ROADWAY STANDARDS AND EASEMENT DEDICATIONS

FIGURE 6.3: EASEMENT DEDICATION PROGRAM



A private roadway with the access and infrastructure easement overlay indicated. The City accepts the easement (and the infrastructure within and beneath the road) but not title to the roadway itself.

(1) **All new gated and RHD roadways are private.** All new roadways constructed in the City of Buchanan on or after the effective date of this Code shall be public roadways, except gated communities and roadways within a RHD development. The City shall not accept the dedication of any new roadway within an RHD development or gated community as a public street.

(2) **Ownership and maintenance.** Private roadways shall be owned and maintained by a property owners association or other private entity identified in a recorded instrument approved by the City. The instrument shall obligate the entity to maintain the roadway, its drainage, and its appurtenances in good condition in perpetuity, and shall establish a funding mechanism, such as mandatory assessments, for that maintenance. The maintenance obligation shall be disclosed in all deeds conveying property served by the private roadway.

(3) **Easement dedication required.** At the time of conveyance of infrastructure located within or beneath a private roadway, the owner shall grant and dedicate to the City a perpetual easement over the roadway and the land beneath it for access to the infrastructure, including the right to enter, inspect, operate, maintain, repair, and replace any public infrastructure and to provide emergency and public safety access at all times. The City shall accept such easement dedications and shall not accept the roadway itself.

(4) **Easement specifications.** The easement dedicated under subsection (3) shall:

(a) Be of sufficient width to encompass the full roadway section and all infrastructure within it;

(b) Be recorded in the land records of Haralson County and run with the land;

(c) Provide for unobstructed access for the City and for utility and emergency service providers at all times; and

(d) Be shown on the final plat with a metes-and-bounds description certified by a registered land surveyor.

(5) **No obstruction of access.** Notwithstanding that roadways are private, no gate, barrier, fence, landscaping, or other obstruction shall be placed across or within a private roadway in a manner that impedes emergency access or the City's access to infrastructure, except in conformity with an emergency access plan approved by the City and the fire authority having jurisdiction.

(6) **Existing public streets.** This section does not require the conversion of any existing public street to private status. Existing public streets remain public and are unaffected by this chapter. This chapter applies prospectively to all new roadways constructed after the effective date of this Code.

FIGURE 6.4: PRIVATE ROAD VS PUBLIC ROAD STANDARDS

THE SAME REQUIREMENTS AS PUBLIC ROADS. All private roadways shall be designed, constructed, and maintained to the same geometric, structural, drainage, utility, fire access, and construction standards that would apply to a public roadway of the same classification. A private roadway shall not be built to a lesser standard merely because it is private. The City shall review and approve the construction plans for every private roadway and shall inspect its construction under the same process used for public infrastructure, even though title to the roadway remains private and only easements are dedicated. The private nature of a roadway is a matter of ownership and maintenance responsibility, not of construction quality or public access for emergency services.

■ ■ ■ Sec. 6.03 – HIERARCHY OF ROADWAY CLASSIFICATIONS

(1) The following hierarchy of private thoroughfare types is established for the City of Buchanan. Every new roadway shall be designated as one of these classifications on the development plan or Concept Plan and shall be designed to the corresponding standards of this chapter. The classifications progress from the most rural and open to the most urban and compact, matched to their context along the rural-to-urban transect.

(2) The designation of a thoroughfare classification on an approved plan is binding. A change of classification constitutes a major amendment to the plan under *Sec. 5.A.12* or *Sec. 5.B.17* as applicable, and requires review and approval in the same manner as the original plan.

TABLE 6.1 — HIERARCHY OF ROADWAY CLASSIFICATIONS AND PRINCIPAL DESIGN PARAMETERS

Classification	Role and Context	Easement Width	Pavement Width	Travel Lanes	On-Street Parking	Target Speed
Boulevard	Primary ceremonial entry and connector; divided by a landscaped median	100 to 120 ft	Two carriageways	One or two each way	Both sides	25 to 30 mph
Avenue	Major connector linking villages and centers; tree-lined	80 to 100 ft	30 to 36 ft	Two	Both sides	25 mph
Main Street	Mixed-use commercial street at the heart of a center	60 to 80 ft	28 to 34 ft	Two	Both sides (often angled)	20 mph
Neighborhood Street	Primary residential street	40 to 60 ft	22 to 28 ft	Two (yield)	None, One or both sides optional	20 mph
Lane	Minor low-volume residential street	30 to 40 ft	18 to 22 ft	One to two (yield)	One side optional	15 to 20 mph
Rural Road	Open-section road through farmland and forest; swale drainage	40 to 60 ft	20 to 24 ft	Two	None or informal	25 mph
Alley	Rear service access for parking, garages, and utilities	20 to 24 ft	12 to 16 ft	One (shared)	None	10 to 15 mph

Classification	Role and Context	Easement Width	Pavement Width	Travel Lanes	On-Street Parking	Target Speed
Passage / Trail	Pedestrian and bicycle connector; non-vehicular	12 to 20 ft	10 to 14 ft path	None	None	Walking / cycling

(3) **Complete cross-sections required.** Each classification shall be designed as a complete cross section, including the carriageway, any on-street parking, a planting or amenity zone with street trees, and a pedestrian way (sidewalk or path), except for the Alley and Rural Road, which may use the alternative sections described in *Sec. 6.04*. Curb and gutter is required on urban sections (Boulevard, Avenue, Main Street, Neighborhood Street, and Lane within centers); open swale drainage is permitted on Rural Roads and on Lanes in rural areas.

■ ■ ■ Sec. 6.04 – THOROUGHFARE CROSS SECTIONS

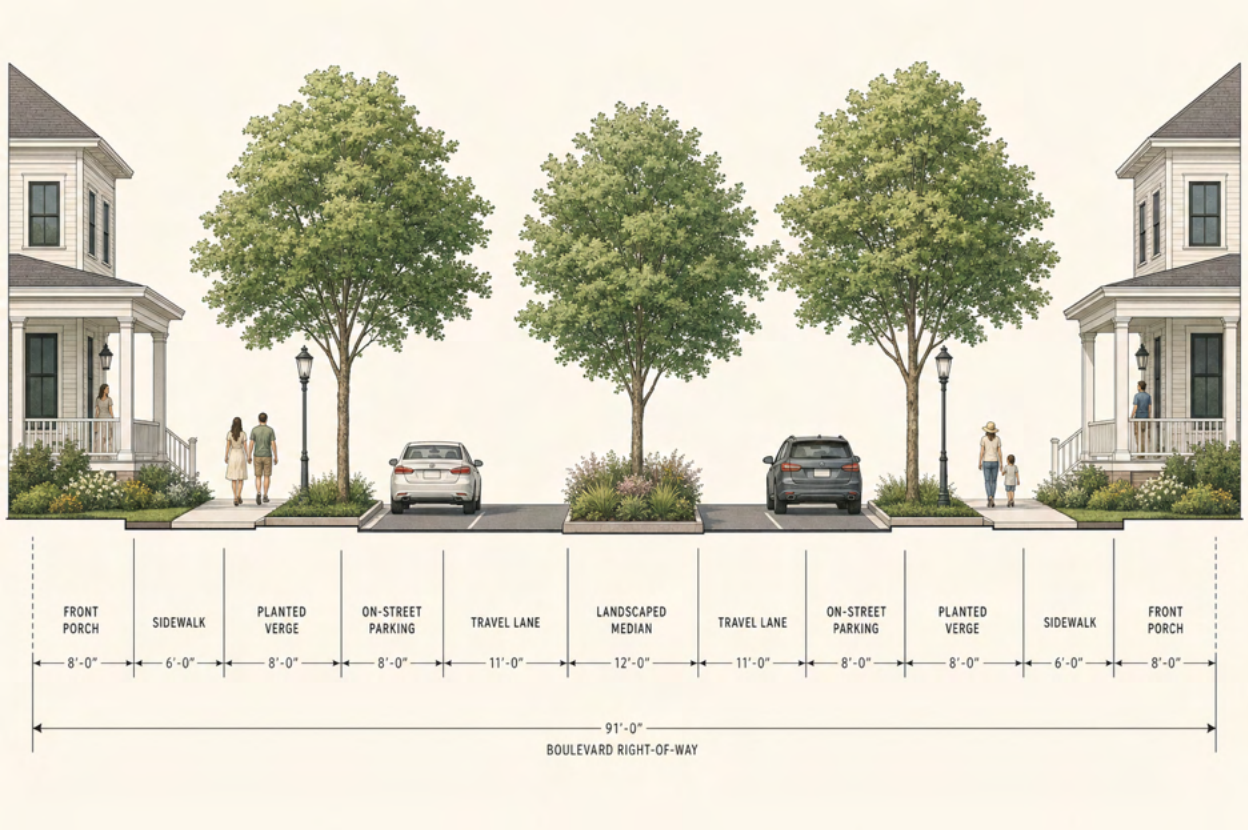
Sec. 6.04.1 – Boulevard

(1) The Boulevard is the primary ceremonial thoroughfare of a development, appropriate as the main entry drive of a Rural Hamlet District or a Traditional PUD. It carries a landscaped central median planted with canopy trees, a single travel lane in each direction (or two where warranted by projected traffic volume), on-street parallel parking on both sides, a continuous planting verge with regularly spaced canopy street trees, and sidewalks not less than **six (6) feet** wide on both sides.

(2) The median shall be not less than **fourteen (14) feet** in width to allow for adequate tree planting and maintenance, and may widen at intersections to form roundabouts or planted islands that reinforce the ceremonial character of the roadway.

(3) Curb and gutter is required. Drainage shall be conveyed to an approved stormwater system.

FIGURE 6.5: BOULEVARD CROSS-SECTION



A boulevard consists of a divided roadway with a landscaped central median planted with canopy trees, a single travel lane in each direction, on-street parallel parking on both sides, a continuous planting verge with regularly spaced canopy street trees, and sidewalks not less than 6 ft wide on both sides. The median widens at intersections to form planted islands or roundabouts.

Sec. 6.04.2 – Avenue

(1) The Avenue is a major connector thoroughfare linking village centers and neighborhoods. It carries two travel lanes, on-street parking on both sides, a continuous planting verge with canopy street trees at regular intervals, and sidewalks not less than five (5) feet wide on both sides.

(2) The Avenue is appropriate for use as a primary connector within a Rural Hamlet District between sub-hamlet centers, and as a major internal street within a Traditional PUD connecting neighborhoods to amenity areas.

(3) Curb and gutter is required. The planting verge shall be not less than six (6) feet wide to accommodate canopy trees at maturity without conflict with the curb or sidewalk.

FIGURE 6.6: AVENUE CROSS-SECTION



An avenue consists of two travel lanes, on-street parking on both sides, a continuous planting verge with canopy street trees, and sidewalks not less than 5 ft wide on both sides. Buildings set back behind the planting verge with porches or stoops facing the street.

Sec. 6.04.3 – Main Street

(1) The Main Street is the commercial heart of a village center or mixed-use area. Buildings are built to or near the sidewalk to form a continuous street wall consistent with the build-to standards of the applicable district. Sidewalks shall be not less than ten (10) feet wide in commercial frontages to accommodate walking, outdoor dining, and display.

(2) On-street parking, which may be parallel or angled depending on the width of the easement, is provided on both sides. Street trees are placed in wells or planters that do not obstruct the walking zone. Planters shall be not less than four (4) feet in their smallest dimension to support healthy tree growth.

(3) Curb and gutter is required. No driveways or curb cuts shall interrupt the Main Street frontage except at designated intersections and alley openings.

(4) The Main Street classification is required within all sub-hamlet centers in the Rural Hamlet District and is encouraged within the commercial amenity areas of Traditional PUDs.

FIGURE 6.7: MAIN STREET CROSS-SECTION

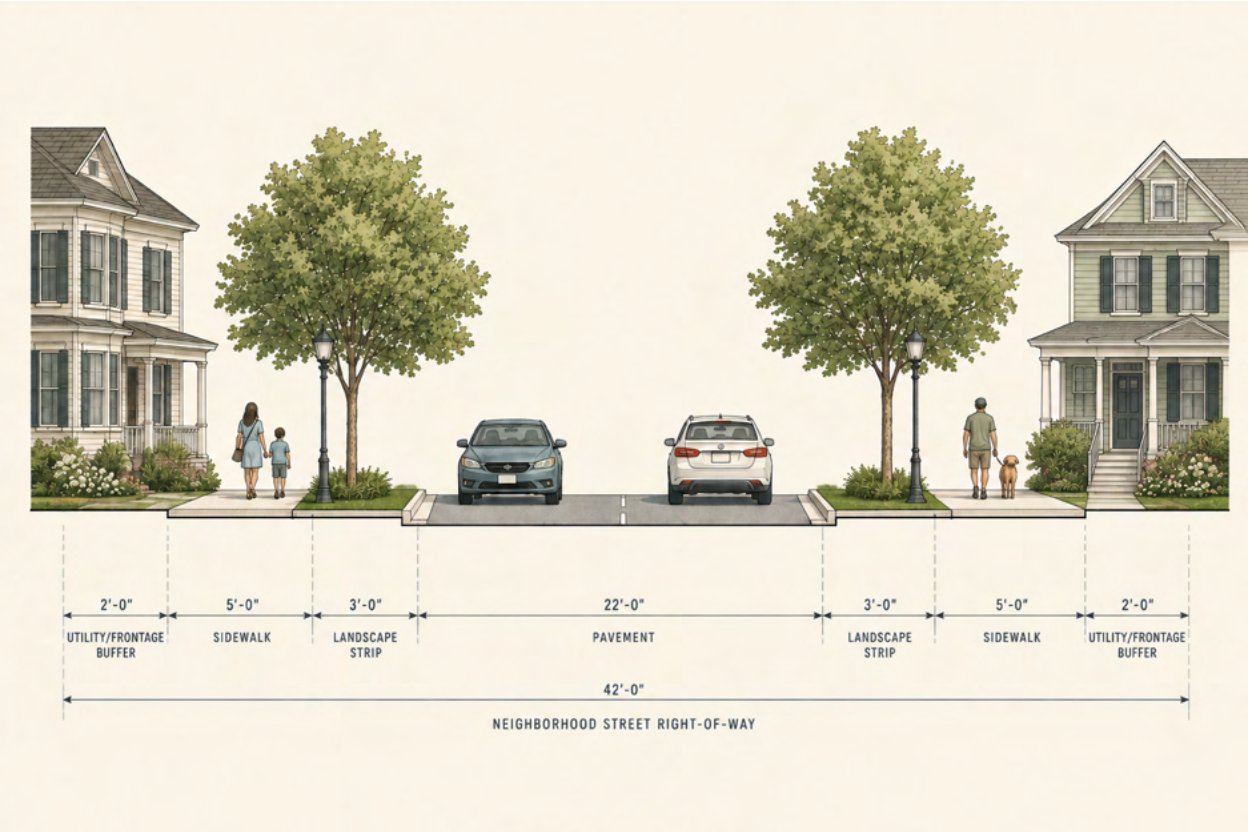


Buildings built to or near the sidewalk edge forming a continuous street wall; wide sidewalks of not less than 10 ft; on-street parking (parallel or angled) on both sides; street trees in planters or wells; active storefronts with awnings.

Sec. 6.04.4 – Neighborhood Street

(1) The Neighborhood Street is the primary residential street within a development. It is designed as a slow, two-way yield street with on-street parking on one or both sides, a planting verge with canopy street trees at regular intervals, and sidewalks on both sides not less than five (5) feet wide.

FIGURE 6.8: NEIGHBORHOOD STREET CROSS-SECTION



A *slow, two-way yield street with on-street parking, a planting verge with canopy street trees, and sidewalks on both sides serving front-porch homes. Target speed is 20 mph achieved through geometry, not signage.*

(2) The narrow carriageway, not more than twenty-eight (28) feet where parking is provided on both sides, is intentional and achieves the target speed of twenty (20) miles per hour through geometry rather than signage alone.

(3) Curb and gutter is required within Traditional PUDs and within the neighborhood and center transect zones (T3–T5) of a Rural Hamlet District. Open swale drainage is permitted on Neighborhood Streets within T2 Rural zones.

Sec. 6.04.5 – Lane

(1) The Lane is a minor, low-volume residential thoroughfare serving a small number of dwellings, generally not more than twenty-four (24) units. It carries a narrow carriageway, optional parking on one side, and at least one sidewalk of not less than five (5) feet in width or an adjacent trail of not less than six (6) feet in width.

(2) The Lane is appropriate for cottage clusters, farmette access, agritourism areas, glamping clusters, and other low-intensity uses in rural transect zones.

FIGURE 6.9: LANE CROSS-SECTION



A narrow, low-volume residential street with a single travel way, optional parking on one side, at least one sidewalk or adjacent trail, and an intimate, tree-canopied character suited to cottage-scale development.

(3) Curb and gutter is required within centers and neighborhoods; open swale drainage is permitted in rural areas.

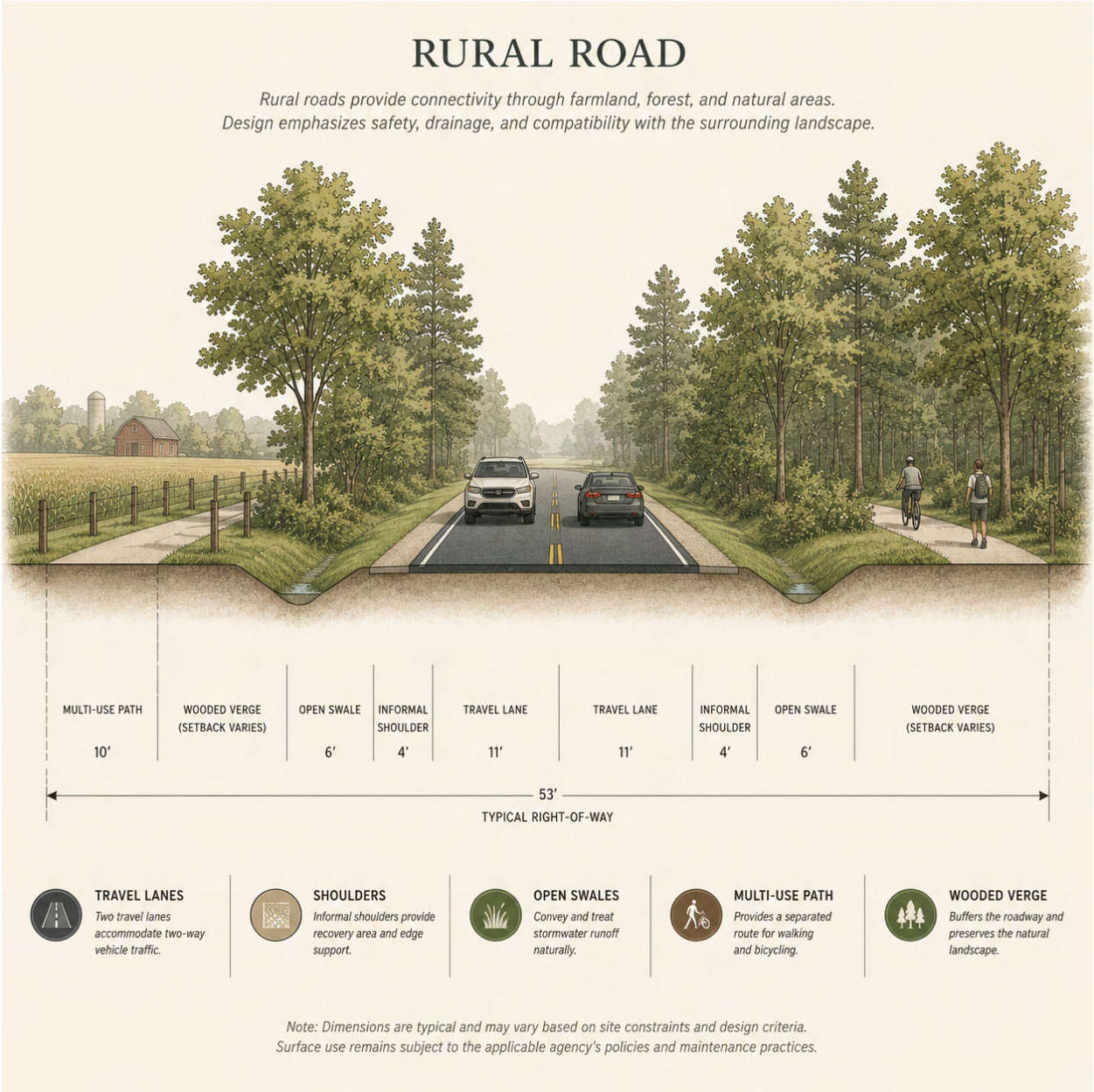
Sec. 6.04.6 – Rural Road

(1) The Rural Road is an open-section thoroughfare that moves through the T1 and T2 transect zones, farmland, forest, and meadow, with swale drainage, informal edges, and an adjacent multi-use path of not less than eight (8) feet in width in lieu of a curbside sidewalk.

(2) The Rural Road is appropriate for primary access routes entering the master parcel from a public road, for roads connecting sub-hamlets through open agricultural land, and for farm access roads within the open space network.

(3) No curb and gutter is required. Drainage shall be managed through vegetated open swales consistent with the rural character of the road. The multi-use path may be set back from the edge of the carriageway and routed through the landscape rather than running parallel at the edge of the road, where topography and natural features make a more interesting alignment practicable.

FIGURE 6.10: RURAL ROAD CROSS-SECTION



An open-section road through farmland and forest with a two-lane carriageway, open swale drainage on both sides, an informal shoulder, and an adjacent multi-use path set back from the edge of the carriageway within the wooded verge.

(4) Informal parking areas of stabilized turf or pervious surface may be provided adjacent to Rural Roads to serve agritourism, trailhead, and event uses.

Sec. 6.04.7 – Alley

(1) Alleys are encouraged throughout all districts and are required in village centers of the Rural Hamlet District and wherever lots are too narrow to accommodate front access without dominating the primary street frontage with driveways and garage doors.

(2) The Alley provides rear access to parking, garages, carriage houses, service areas, and utilities, and shall be designed for shared, very-low-speed movement. The carriageway shall be not less than twelve (12) feet in unobstructed width.

(3) Utilities and infrastructure shall be located within alleys wherever alleys are provided, in order to keep utility conflicts, manholes, and service equipment off the primary street frontage.

(4) No sidewalk is required within an alley. Adequate lighting at dark-sky-compliant standards shall be provided at alley intersections with streets.

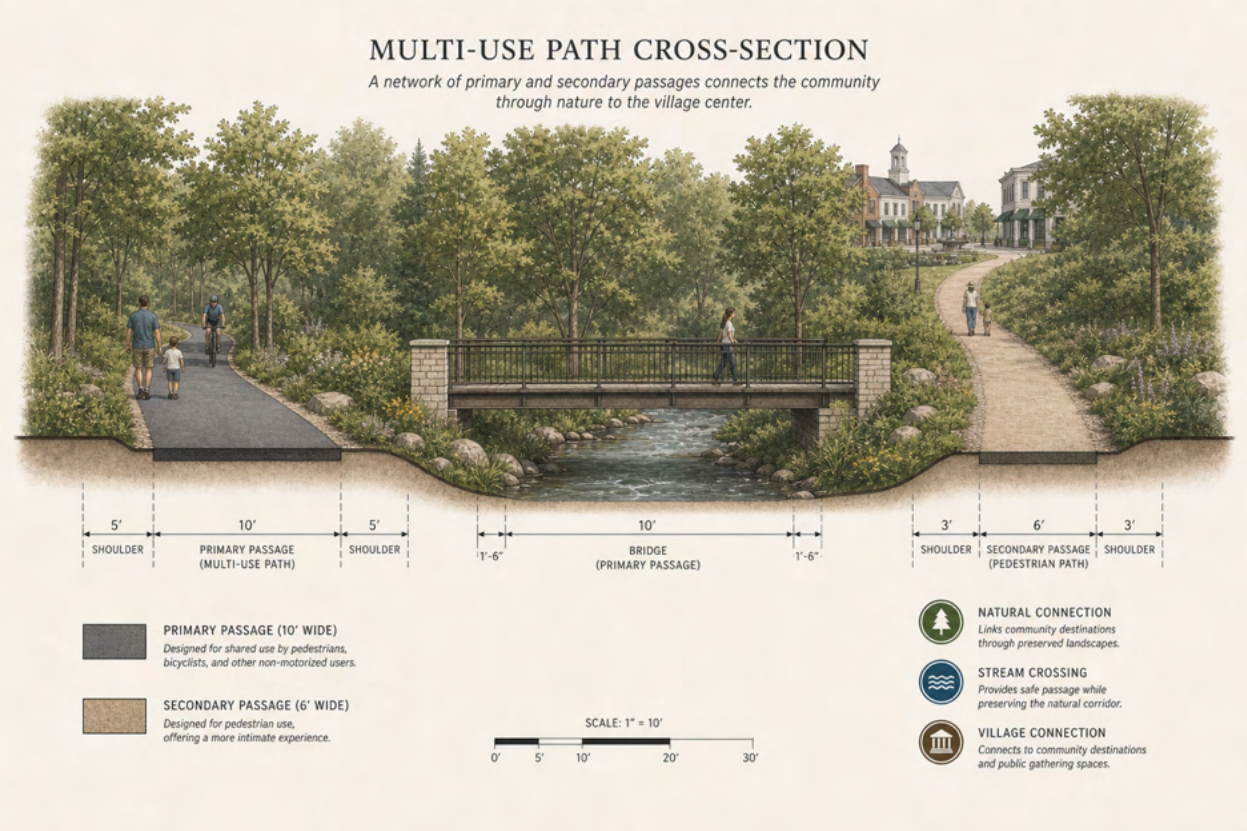
FIGURE 6.11: ALLEY CROSS-SECTION



A narrow rear lane providing access to garages, carriage houses, parking pads, service areas, and utilities. No sidewalk required. Utilities and infrastructure shall be located in alleys wherever alleys are provided, keeping the primary street frontage free of utility conflicts.

Sec. 6.04.8 – Passage / Trail

FIGURE 6.12: A CONTINUOUS TRAIL AND GREENWAY NETWORK



A paved multi-use path winding through a wooded landscape, crossing a small bridge over a stream, connecting to a village center in the distance.

(1) The Passage is a pedestrian and bicycle connector, including trails, greenways, and mid-block paths, that links streets, open space areas, and centers. It is not a vehicular roadway and shall be designed to exclude motor vehicles except for maintenance and emergency access.

(2) Primary Passages connecting sub-hamlet centers shall be not less than ten (10) feet in width, constructed of a durable all-weather surface (asphalt, concrete, compacted gravel, or approved equivalent), and lit at intersections with dark-sky-compliant fixtures.

(3) Secondary Passages through open space, forest, and agricultural areas may be not less than six (6) feet in width and may use natural or compacted surfaces appropriate to their context.

(4) The Passage and trail network is a required element of every Planned Development District and is the primary connective tissue of the Rural Hamlet District. It shall connect all sub-hamlet centers, major open spaces, and trailheads, and shall link to any existing or planned trail system abutting the master parcel.

■ ■ ■ Sec. 6.05 – CONNECTIVITY, BLOCKS, AND ACCESS

(1) **Block size.** New development shall be organized into an interconnected network of streets and blocks. Block perimeters in centers and neighborhoods should generally not exceed two thousand (2,000) feet, and dead-end streets and cul-de-sacs are strongly discouraged except where topography, natural features, or the perimeter buffer make connection impracticable. Where a cul-de-sac is approved as the only practicable option, it shall terminate in a turnaround with a minimum outside radius of forty (40) feet and shall include a pedestrian path connecting to the adjacent street or trail network.

(2) **Stub streets.** Where a street stubs to the boundary of a phase or an adjacent property within the master parcel, it shall be designed and signed to connect to the adjoining development, so that the network is continuous across ownership and phase lines. Stub streets shall terminate at the parcel boundary with a temporary turnaround and a sign reading "FUTURE STREET CONNECTION."

(3) **Mid-block passages.** Mid-block pedestrian passages shall be provided wherever blocks exceed the recommended perimeter, so that walking routes remain direct and convenient. Mid-block passages shall be not less than twelve (12) feet in width and shall connect through to the sidewalk network on both ends.

(4) **Access management.** Driveways and curb cuts shall be minimized along all street classifications and shall be consolidated through shared access and alleys wherever practicable, so that the pedestrian way is interrupted as infrequently as possible. Along Main Streets and Boulevards, no individual driveway or curb cut is permitted except at alley openings and designated intersections.

■ ■ ■ Sec. 6.06 – PARKING PLACEMENT AND THE STREET

(1) **Parking behind buildings.** Off-street surface parking shall be located to the side, rear, or interior of the block and shall be screened from the street by buildings, liner uses, walls, or landscaping. Parking shall not be placed between a building and the primary street frontage in any district or any Planned Development District.

(2) **On-street parking credit.** On-street parking on the thoroughfare network counts toward the off-street parking requirements of *Chapter IX* for adjacent uses, in recognition of the efficiency of shared, on-street parking supply. The credit shall be calculated as provided in *Sec. 9.01*.

(3) **Driveways and curb cuts.** Driveways and curb cuts shall be minimized along all classifications and consolidated through shared access and alleys, so that the pedestrian way is interrupted as little as possible. Along Main Streets and Avenues, driveways shall be prohibited except at alley openings and designated intersection approaches.

FIGURE 6.13: PARKING PLACEMENT DIAGRAM



Parking is located in the interior of each block or behind buildings and screened from the street. The street frontage is defined by building facades, porches, and storefronts.

(4) **Structured parking.** Where structured parking is provided, it shall be lined on the ground floor with active uses — retail, residential, or office — along any primary street frontage, so that the parking structure does not interrupt the street wall. Blank parking structure facades facing primary streets are prohibited.

■ ■ ■ Sec. 6.07 – DESIGN AND CONSTRUCTION STANDARDS FOR PRIVATE ROADWAYS

(1) **Engineering standards.** Every private roadway shall be designed by a professional engineer licensed in the State of Georgia and built to the geometric, structural pavement, drainage, sight distance, and intersection standards adopted by the City for public roadways of the same classification, and to the fire apparatus access standards of the applicable fire code. The private nature of a roadway does not reduce the applicable engineering standard.

(2) **Plan review and inspection.** Construction plans for private roadways, including the dedication of access and infrastructure easements under *Sec. 6.02*, shall be reviewed and approved by the City before any land disturbance. Construction shall be inspected by the City or its designated agent under the same process used for public infrastructure. A private roadway shall not be opened to use until it has passed final inspection and the access and infrastructure easement has been recorded.

(3) **Street trees, lighting, and signage.** Street trees, lighting, and signage within private roadways shall comply with *Chapter IX*, including the dark-sky lighting standards of *Sec. 9.04*. Street lighting shall be provided at all intersections and along all pedestrian routes at a level sufficient for safety without creating light trespass or skyglow. All street trees shall be selected from the approved species lists of *Sec. 9.08* and shall be of the minimum caliper specified therein.

(4) **Maintenance bond.** A maintenance bond or other security in a form approved by the City, consistent with *Sec. 7.06,* shall be required to guarantee the private roadway and its drainage for a period of not less than **two (2) years** after completion and acceptance. The maintenance obligation shall be secured by the recorded instrument required by *Sec. 6.02(2)*.

(5) **Geometric standards.** Private roadways shall be designed to the minimum geometric standards of *Appendix F — Engineering and Construction Standards*. These standards include minimum centerline radius, maximum and minimum grade, and minimum tangent length between reverse curves, by classification, and are incorporated herein by reference.

(6) **Intersection sight distance.** Intersections shall provide sight distance adequate for the design speed, measured from a driver eye height and object height as specified in *Appendix F*. No vegetation, fencing, signage, or structure shall be placed within the sight triangle at any intersection.

(7) **Utility location.** Dry utilities, including electric, communications, and gas, shall be placed underground within all private roadways. Overhead utility lines are prohibited within the easement of any Boulevard, Avenue, Main Street, or Neighborhood Street. Water, sanitary sewer, and stormwater infrastructure shall be located within the private street section or within dedicated easements, with the horizontal and vertical separations required by state and City standards.

(8) **Fire access.** All private roadways shall meet the fire apparatus access requirements of the applicable fire code, including minimum unobstructed width and turning radii, notwithstanding their classification under this chapter. Where a private roadway serves as the only access to a building or cluster of buildings, it shall be designed as a fire apparatus access road consistent with the fire code and with the emergency access plan required by *Sec. 5.B.22* (for the RHD) or the Concept Plan (for the PUD).

■ ■ ■ Sec. 6.08 – SUPPLEMENTAL CROSS-SECTION AND GEOMETRIC STANDARDS

(1) The supplemental engineering parameters for each classification — including design speed, minimum curb radius at corners, sidewalk and path widths, street tree requirements, and drainage type — are set forth in *Appendix C — Thoroughfare Assembly Standards* and *Appendix F — Engineering and Construction Standards,* and are incorporated herein by reference.

(2) Table 6.2 provides a summary reference of key supplemental parameters. In the event of any conflict between Table 6.2 and the detailed standards of Appendices C and F, the Appendices govern.

TABLE 6.2 — SUPPLEMENTAL THOROUGHFARE ASSEMBLY PARAMETERS BY CLASSIFICATION

Classification	Design Speed	Min. Curb Radius (corner)	Sidewalk / Path	Street Trees	Drainage
Boulevard	25 to 30 mph	15 to 20 ft	6 ft both sides	Median and both verges	Curb and gutter
Avenue	25 mph	15 ft	5 ft both sides	Both verges	Curb and gutter
Main Street	20 mph	10 to 15 ft	10 ft both sides	Wells / planters	Curb and gutter
Neighborhood Street	20 mph	10 to 15 ft	5 ft both sides	Both verges	Curb and gutter
Lane	15 to 20 mph	10 ft	5 ft one side or adjacent trail	One verge	Curb or swale
Rural Road	25 mph	15 ft	8 ft adjacent multi-use path	Informal	Swale
Alley	10 to 15 mph	5 ft	None	None	Center or edge drain
Passage / Trail	N/A	N/A	6 to 10 ft path		

CHAPTER VII - INFILL, SUBDIVISION, AND INFRASTRUCTURE STANDARDS

■ ■ ■ Sec. 7.01 – INFILL DEVELOPMENT STANDARDS

(1) Purpose. Infill development, meaning new construction on a vacant or underused lot within an established, largely built-out area of the City, shall be compatible with the established character of its block and neighborhood. Compatibility is measured by the relationship of the new building to its neighbors in setback, height, massing, roof form, frontage, and materials, and not by strict stylistic uniformity. Contemporary and creative architecture is not discouraged; what is discouraged is new building that ignores or overwhelms its context.

FIGURE 7.1: EDITOR'S NOTE - INFILL DEVELOPMENT

INFILL COMPATIBILITY, IN BRIEF. New buildings should look like good neighbors. They should sit at a similar distance from the street, rise to a similar height, carry porches, entries, and windows that face the street, and use materials and roof forms drawn from the surrounding block — while still allowing fresh and creative interpretation. The goal is a street that reads as a coherent whole, not a collection of unrelated objects.

(2) **Front setback.** The front setback of an infill building shall fall within the range established by the existing buildings on the same block face. Generally, the infill setback shall be within ten (10) feet of the average of the setbacks of the two nearest buildings on each side of the infill lot. Where the infill lot is a corner lot or an end lot with only one neighboring building, the setback shall be within ten (10) feet of that building's setback. *See also Sec. 3.12 – Reduction in Building Setback Line* for lots where the average existing setback is less than the minimum required.

(3) **Height.** The height of an infill building shall not exceed the taller of the two abutting buildings by more than one (1) full story, and transitions in height shall be handled with stepbacks or articulated facades where a taller infill building abuts a lower existing one.

(4) **Width, roof, and proportions.** The width, roof pitch, and horizontal and vertical proportions of an infill building shall relate to the prevailing pattern of the block face. Blank walls facing the primary street are prohibited. Garage openings shall not dominate the primary street frontage.

(5) **Materials.** Exterior materials shall be compatible with those of neighboring buildings in texture, reflectivity, and scale. Materials that are highly reflective, visually jarring, or entirely absent from the surrounding block are discouraged.

(6) **Infill in the Central Business District.** Infill within the Central Business District shall additionally comply with the storefront, frontage, and transparency standards of *Sec. 4.05,* including the sixty percent (60%) ground-floor glazing requirement and the build-to placement standard.

(7) **Infill in Planned Development Districts.** Infill within an approved Traditional PUD or Rural Hamlet District shall comply with the approved Concept Plan, the design character document or pattern book, and the architectural review process required by *Sec. 5.A.10* and *Sec. 5.B.15* respectively. The standards of this section apply to infill in the base districts only.

(8) **Architectural standards.** All infill development shall comply with the design and architectural standards of *Chapter VIII – Design and Architectural Standards*. Compliance with *Chapter VIII* is not reduced or waived by the infill compatibility standards of this section; both apply.

■ ■ ■ Sec. 7.02 – SUBDIVISION OF LAND, GENERALLY

(1) **Compliance required.** No land shall be subdivided, and no lot shall be created, except in conformity with this Code and the subdivision procedures of *Chapter XI*. Every lot created by subdivision shall have frontage on a public or private street built to the standards of *Chapter VI*, or on an approved access easement where this Code expressly permits.

(2) **Minor and major subdivisions.**

(a) A **minor subdivision** creates a small number of lots — generally not more than four (4) — requires no new street or extension of infrastructure, and does not involve a variance or other discretionary approval. A minor subdivision may be approved administratively by the Zoning Administrator as provided in *Chapter XI*.

(b) A **major subdivision** involves the creation of five (5) or more lots, or the construction of a new street, or the extension of infrastructure. A major subdivision requires preliminary plat and final plat approval by the Planning and Zoning Board and the Mayor and City Council, as provided in *Chapter XI*.

(3) **Lot design.** Lots shall be designed to be usable, to drain properly, to avoid unnecessary disturbance of sensitive natural features, and to conform to the dimensional standards of their district or, in the Planned Development Districts, to the approved Concept Plan.

(4) **Replat.** The replat of an existing recorded lot or subdivision shall follow the same procedures as the original subdivision, except that a replat that does not create additional lots, does not alter any street or easement, and does not affect any other lot in the subdivision may be approved administratively by the Zoning Administrator.

■ ■ ■ Sec. 7.03 – BLOCK AND LOT DESIGN

(1) **Block standards.** Blocks shall be designed to support walkability and connectivity, with perimeters in neighborhoods and centers that generally do not exceed two thousand (2,000) feet, and with mid-block pedestrian passages where blocks are long. Long, narrow blocks oriented perpendicular to a primary street are preferred over square blocks where site conditions allow, as they provide more street frontage per unit of land.

(2) **Lot standards.**

(a) Lots shall have direct access to a thoroughfare classified under *Chapter VI* or to an approved access easement, shall be of a depth and width suited to their intended building type, and shall avoid double

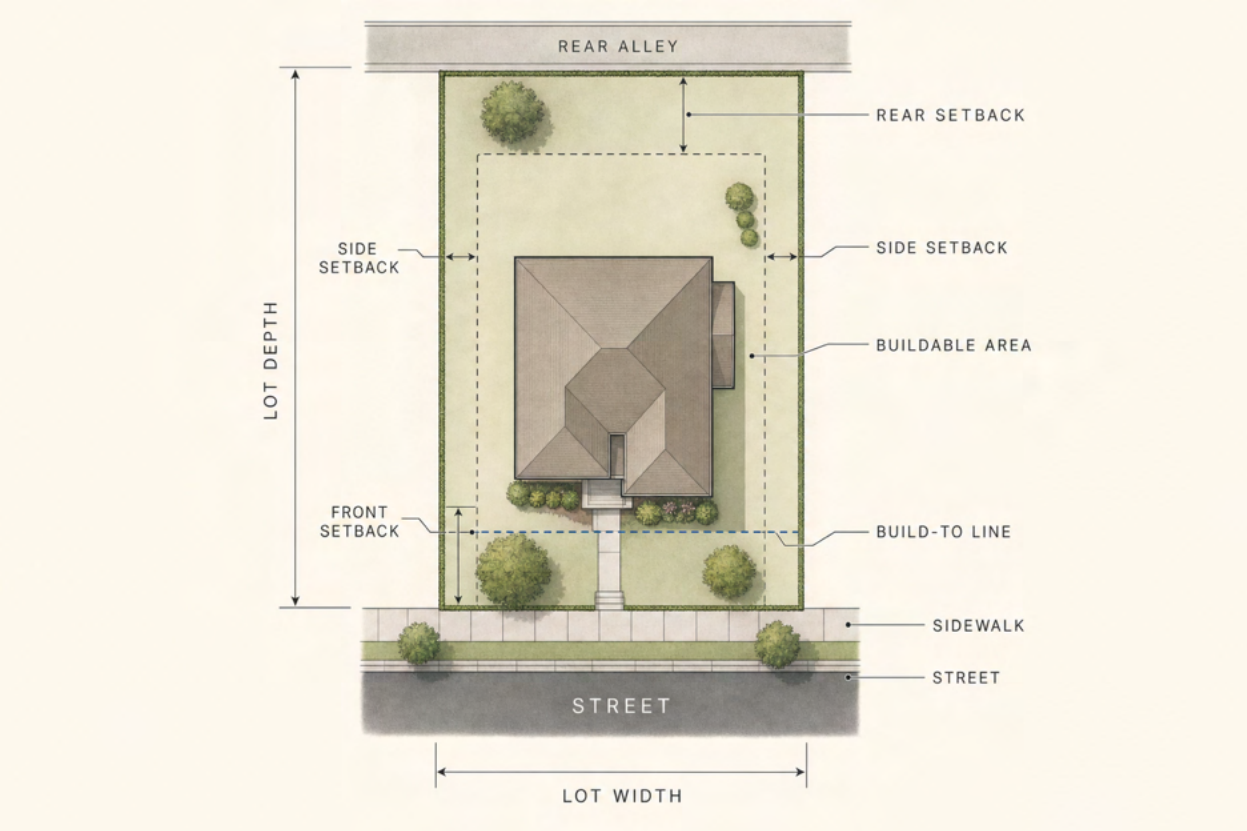
frontage except where a reverse-frontage lot with a landscape buffer is used along a higher-classification thoroughfare.

(b) Side lot lines shall be substantially at right angles to straight street lines and radial to curved street lines wherever practicable.

(c) Lots intended for alley-loaded building types shall be served by an alley designed and built to the Alley standards of *Sec. 6.04.7*.

(d) Flag lots (lots with narrow panhandle access strips) are strongly discouraged and shall not be approved where a conventional lot with direct street frontage is practicable. Where a flag lot is approved, the access strip shall be not less than twenty (20) feet in width and shall be paved or otherwise improved to provide safe and accessible vehicle and pedestrian access.

FIGURE 7.2: BUILDING LOT DIAGRAM



(3) **Lot types.** The following lot types are recognized:

(a) **Interior lot** — a lot bounded by streets on one side only, the typical residential lot;

(b) **Corner lot** — a lot abutting two or more streets at their intersection; corner lots shall provide the required front setback on both street frontages, and any side facing a street shall meet the front setback requirement;

(c) **Through lot** — a lot with frontage on two parallel or approximately parallel streets, which shall be discouraged except where a landscape buffer separates the rear frontage from the higher-classification street; and

(d) **Reverse-frontage lot** — a through lot where the primary entry faces the lower-classification street and a landscape buffer screens the rear from the higher-classification street.

FIGURE 7.3: EXAMPLES OF LOT TYPES



Plan diagram showing interior, corner, through, and reverse-frontage lots within a block, with annotations identifying each type and the location of the primary street, the front setback, and any required buffer.

■ ■ ■ Sec. 7.04 – REQUIRED IMPROVEMENTS

(1) **General obligation.** As a condition of subdivision and development approval, the developer shall design and construct, at the developer's expense, all improvements necessary to serve the development and to meet the standards of this Code. Required improvements shall be shown on the construction plans submitted with the preliminary plat or development plan application.

(2) **Specific required improvements.** Required improvements include, at a minimum:

(a) **Streets and roadways.** All streets serving the development, built under the standards of *Chapter VI*, together with sidewalks on both sides of all streets, trails, street trees at the intervals and species required by *Sec. 9.04*, and street lighting at intersections and along pedestrian routes compliant with the dark-sky standards of *Sec. 9.05*, except as modified by the applicable thoroughfare cross-section under Sec. 6.04, by the private roadway standards of Sec. 6.07, or by the standards of a Planned Development District under chapter V

(b) **Water and sewer.** Water distribution facilities and, where required by this Code or by the location of the development, sanitary sewer collection facilities, built to the standards of the City and the State of Georgia, or approved on-site systems where public systems are not available;

(c) **Stormwater management.** Stormwater management facilities designed to City and state standards, and, where feasible, designed as landscape amenities and open space consistent with *Sec. 9.10 and 9.06*;

(d) **Dry utilities.** Electric, communications, and gas utilities, placed underground wherever practicable and in all urban thoroughfare sections as required by *Appendix C*; and

(e) **Monuments, signs, and appurtenances.** Survey monuments at lot corners and subdivision boundary points, street signs at all intersections, and other appurtenances required by this Code.

(f) Erosion control and stabilization. Temporary and permanent erosion and sediment control measures and site stabilization meeting the requirements of Sec. 9.11 and the rules of the Georgia Erosion and Sedimentation Act. Improvements under this subsection are required improvements but are not public improvements under Sec. 7.04(5), and are secured separately under Sec. 7.07.10.

(g) Landscaping. Buffer yards, perimeter landscape strips, and street trees required under Sec. 9.03, and replacement trees required under Sec. 9.04, located within common areas, rights-of-way, or easements. Landscaping required on individual lots under Table 9.4B is not a required improvement under this subsection and is instead a condition of the certificate of occupancy for the lot on which it is required.

(3) **Timing of improvements.** Required improvements shall be completed before the recording of the final plat, before the issuance of any land disturbance permit for work described in Sec. 7.04(4), or before the issuance of the first certificate of occupancy within the development or within the applicable phase, whichever occurs furst, unless the city has accepted a financial guarantee under Sec. 7.07 guaranteeing completion within the period required by Sec. 7.07.1(2)

(4) Offsite and existing public infrastructure.

(a) Where a development requires the construction, replacement, relocation, or upgrade of public infrastructure located outside the boundaries of the development, or of existing public infrastructure located within it, such work is a required public improvement under this section.

(b) A financial guarantee under Sec. 7.07 shall be required for all work described in subsection (a) at the time of issuance of the land disturbance permit authorizing that work, regardless of any phasing approved under Sec. 7.07.3(4), and shall not be released until the improvement is complete, inspected, and accepted by the City.

(c) Where the City requires an improvement under this subsection to be sized or extended beyond the capacity reasonably necessary to serve the development, the City shall provide for credit, reimbursement, or cost participation proportionate to the excess capacity, by written agreement executed before construction begins.

(5) Public improvements defined. For purposes of Secs. 7.07 and 7.08, "public improvements" means all required improvements under this section that:

(a) will be conveyed to or accepted by the City under Sec. 7.06;

(b) are located within, beneath, or serve infrastructure located within any right-of-way, access easement, infrastructure easement, utility easement, or drainage easement dedicated to or accepted by the City under Sec. 7.06, including private roadways subject to an access and infrastructure easement under Sec. 7.06(2) and their pavement, base, drainage, and appurtenances;

(c) provide access required for emergency response or for the City's operation, maintenance, repair, or replacement of its infrastructure; or

(d) are required under Sec. 7.04(4).

The term does not include: dry utility facilities under Sec. 7.04(2)(d) to be owned and maintained by a utility provider; on-site wastewater systems serving a single lot; erosion and sediment control and stabilization improvements under Sec. 7.04(2)(f), which are secured separately under Sec. 7.07.10; or buildings, dwellings, lots, or private site improvements not described above.

■ ■ ■ Sec. 7.05 – FARMETTE SUBDIVISIONS

(1) Farmette subdivisions shall only be permitted in the RHD and R-20 zoning district and may be created by following the minor subdivision procedures when consisting of five or fewer lots. When a farmette subdivision results in six or more lots the major subdivision process must be followed.

(2) The subdivision shall provide an entrance on each road frontage but shall provide no more than one entrance per 1,500 feet of frontage on each road.

(3) Subdivisions with more than 20 lots must provide two entrances. The zoning administrator may waive the requirement for a second entrance if the applicant provides evidence that a second entrance is not possible due to the presence of natural constraints or limited frontage. The zoning administrator may require a 20-foot no-access easement and planting strip along the thoroughfare to ensure that lots fronting on the thoroughfare do not have access thereto.

(4) All lots shall meet the buffer requirements of subsection 9.03 along all abutting external thoroughfares. Farmette lot layout should be designed in a way as to encourage an interconnected network of permanent open spaces.

(5) The maximum allowed land disturbance area for residential uses and residential accessory uses on each lot shall be ten percent of the lot area, not to exceed two acres. This does not include driveways.

(6) The maximum allowed land disturbance area for agricultural structures on each lot shall be four percent of the lot area, unless otherwise approved by the city council.

(7) A conservation easement pursuant to the Georgia Uniform Conservation Easement Act and the Conservation Easement requirements of Section 5.B.12 must be placed on the portion of the property that is not the residential use disturbance area.

(8) In farmette subdivisions, private drives serving more than five lots must be built to public thoroughfare standards. Gravel thoroughfares are acceptable.

■ ■ ■ Sec. 7.06 – CONVEYANCE OF INFRASTRUCTURE AND EASEMENT DEDICATION

(1) **Public infrastructure.** Public infrastructure that the City will own or operate, including streets, water and sanitary sewer mains and their appurtenances, shall be conveyed to the City upon completion, inspection, and acceptance, together with the access and utility easements necessary to operate and maintain it.

(2) **No acceptance of private roadways.** Consistent with *Chapter VI*, at the time of conveyance of infrastructure within or beneath a private roadway, the owner shall dedicate to the City a perpetual access and infrastructure easement over the full width of the roadway, and the City shall accept that easement dedication in lieu of the roadway itself.

(3) **Easement requirements.** All easements required by this Code shall:

(a) Be shown on the final plat with a metes-and-bounds description certified by a registered land surveyor;

(b) Be recorded in the land records of Haralson County simultaneously with or before the recording of the final plat;

(c) Be of sufficient width to allow the City and utility and emergency providers to access, operate, maintain, repair, and replace the infrastructure they serve; and

(d) Run with the land and be binding on all current and future owners of the property subject to the easement.

(4) **Utility easements.** In addition to the access and infrastructure easement over private roadways, separate utility easements shall be dedicated wherever water, sewer, stormwater, or dry utility infrastructure is located outside of a private street easement. The minimum width of a utility easement shall be determined by the Zoning Administrator based on the type, size, and depth of the infrastructure, and in no case shall a utility easement be less than fifteen (15) feet in width for a single utility line.

(5) **Drainage easements.** Drainage easements shall be dedicated over all stormwater facilities, including detention and retention ponds, bioretention areas, vegetated swales, and drainage channels. The drainage easement shall include sufficient width for maintenance access on at least one side of the facility.

(6) Entry for completion and repair. Each easement dedicated under this section shall expressly include the right of the City, its employees, agents, and contractors, and any surety or financial institution completing improvements following a default under Sec. 7.07.6 or Sec. 7.08.7, to enter the property to construct, complete, inspect, repair, replace, or stabilize required improvements, and to use adjacent common areas, open space, and undeveloped portions of the development as reasonably necessary for staging, access, grading, and stabilization incidental to that work. This right is in addition to the operation and maintenance rights under subsection (3)(c) and shall be recited in the recorded easement instrument.

■ ■ ■ Sec. 7.07 – PERFORMANCE BOND

Sec. 7.07.1 – Requirement

(1) No final subdivision plat shall be approved for recording, no land disturbance permit shall be issued, and no building permit shall be issued to the developer or to any affiliate of the developer for any development requiring the installation of public improvements as defined in Sec. 7.04(5), unless the developer has submitted and the City has accepted a performance bond in accordance with this section. The performance bond shall remain in full force and effect until a certificate of completion has been issued by the City Administrator and a full release has been authorized pursuant to *Sec. 7.07.7*.

(2) Completion period. Required public improvements secured by a performance bond shall be completed within 24 months of the date the City accepts the bond. The Zoning Administrator may grant one written extension of up to 12 months for good cause shown, including delay attributable to weather, utility provider scheduling, or permitting by another agency. As a condition of any extension, the developer shall submit an updated construction cost estimate under Sec. 7.07.3 and shall increase the bond amount if required under Sec. 7.07.4(1)(a).

Sec. 7.07.2 – Eligible Forms

(1) A developer required to furnish a performance bond under this section shall provide one of the following forms of financial guarantee. No form of financial guarantee other than those specifically enumerated herein shall be accepted. The developer shall designate the form of bond at the time of submission, and no substitution of form shall be permitted after acceptance without prior written approval of the City Administrator.

(a) **Surety bond.** A performance bond executed by a corporate surety licensed to do business in the State of Georgia and listed as an acceptable surety on federal bonds in the current U.S. Department of the Treasury Circular 570, with a current A.M. Best financial strength rating of not less than "A-" and a financial size category of not less than Class VII. The surety bond shall name the City of Buchanan as obligee and shall be conditioned upon the completion of all required public improvements in accordance with City-approved plans and specifications. The bond shall include a provision requiring not less than

sixty (60) days' prior written notice to the City before cancellation, termination, or material modification. The bond form shall be subject to approval by the City Attorney prior to acceptance.

(b) **Cash bond.** A deposit of funds with the City in the full bond amount, by certified check, cashier's check, or wire transfer. Cash bond proceeds shall be held by the City Finance Director in a designated account segregated from the City's general operating funds. Interest earned on deposited funds shall accrue to the benefit of the developer unless and until a default occurs, in which case accrued interest shall be retained by the City. The City shall provide a written receipt acknowledging the amount and date of deposit.

(c) **Irrevocable letter of credit.** An unconditional, irrevocable letter of credit issued by a federally insured financial institution authorized to do business in the State of Georgia and acceptable to the City Administrator, naming the City of Buchanan as beneficiary. The issuing institution shall maintain total assets of not less than $250,000,000 and a composite regulatory capital classification of “well capitalized”. The letter of credit shall be presentable and payable at an office of the issuing institution located within the State of Georgia, or shall permit presentation by overnight courier or electronic means acceptable to the City Attorney, and shall be governed by the International Standby Practices (ISP98) or the Uniform Customs and Practice for Documentary Credits (UCP 600). The letter of credit shall be payable upon written demand by the City without requirement that the City demonstrate default beyond a statement that the developer has failed to complete required improvements. The letter of credit shall have an initial term of not less than one (1) year and shall include an evergreen renewal clause requiring the issuing institution to provide not less than ninety (90) days' prior written notice of non-renewal. Upon receipt of a non-renewal notice, the City may draw upon the letter of credit in full unless the developer substitutes another accepted form of bond within thirty (30) days. The letter of credit form shall be subject to approval by the City Attorney.

(d) **Certificate of deposit.** A certificate of deposit issued by a federally insured financial institution authorized to do business in the State of Georgia, assigned to the City of Buchanan pursuant to a written assignment agreement approved by the City Attorney.. The face amount of any single certificate shall not exceed the maximum amount insured by the Federal Deposit Insurance Corporation per depositor per institution; where the required bond amount exceeds that limit, the developer shall provide certificates at multiple institutions or another eligible form. The assignment agreement shall include the issuing institution's written acknowledgment of the assignment and its agreement not to permit withdrawal, redemption, or early termination without the City's prior written consent. The certificate of deposit shall have an initial term of not less than one (1) year. Not less than sixty (60) days prior to maturity, the developer shall renew the certificate for an additional term acceptable to the City Administrator or substitute another eligible form of bond. Interest shall accrue within the instrument pending release. Early withdrawal penalties, if any, shall be the sole responsibility of the developer.

Sec. 7.07.3 – Bond Amount

(1) The performance bond amount shall be determined by the City Administrator based on a construction cost estimate submitted by the developer and prepared by a licensed professional engineer in a format acceptable to the City Administrator. The estimate shall be limited to the public improvements shown on the City-approved construction plans for the development or phase. The bond amount shall be not less

than **one hundred twenty-five percent (125%)** of the total estimated cost of all required public improvements.

(2) The City Administrator may require a bond amount up to one hundred fifty percent (150%) of the construction cost estimate upon written findings, provided to the developer, that one or more of the following conditions is present:

(a) the approved schedule for completion of public improvements extends beyond eighteen (18) months from bond acceptance, or the development is approved in more than two (2) phases;

(b) the improvements include work described in Sec. 7.04(4);

(c) the improvements include deep utility installation, rock excavation, retaining structures, stream or wetland crossings, or bridge structures;

(d) historical cost data for comparable projects within the City or Haralson County indicates that the submitted estimate understates probable cost;

(e) the developer, or any affiliate or principal of the developer, has previously defaulted on a financial guarantee held by the City or by another Georgia local government, or has had such a guarantee called; or

(f) documented volatility in the cost of materials required for the improvements.

(3) The City Administrator may commission an independent review of any submitted cost estimate at the developer's expense. Where the City's review results in a determination materially different from the developer's estimate, the City Administrator shall provide the review to the developer in writing. If the developer objects within ten (10) business days, the developer and the City shall each designate a licensed professional engineer, and those two engineers shall jointly designate a third licensed professional engineer whose determination of the estimated cost shall govern. The cost of the third engineer shall be shared equally. Failing timely objection, the City's determination shall govern.

(4) Phasing. Where a development is approved in phases, the performance bond shall secure only the public improvements within the phase for which a final plat is being recorded or a land disturbance permit issued, together with any improvements described in Sec. 7.04(4) and any improvements in earlier phases not yet accepted. A separate bond shall be submitted and accepted for each subsequent phase before a final plat is recorded or a land disturbance permit issued for that phase. Nothing in this subsection authorizes the recording of a final plat for any phase in which public improvements are neither complete nor secured.

Sec. 7.07.4 – Adjustment of Bond Amount

(1) The bond amount shall be subject to adjustment as follows:

(a) **Upward adjustment.** If the City Administrator determines that the projected cost of completing required improvements has materially increased above the accepted construction cost estimate, the City Administrator may require the developer to increase the bond amount within thirty (30) days of written notice. Failure to increase the bond amount within the specified period shall constitute a default under *Sec. 7.07.6*.

(b) **Downward adjustment.** As portions of required improvements are completed and accepted by the City pursuant to the partial release procedures of *Sec. 7.07.7*, the bond amount may be reduced in proportion to the value of accepted improvements, provided that the remaining bond amount is at all times sufficient to cover the cost of completing all remaining improvements at not less than one hundred twenty-five percent (125%) of the then-current estimated completion cost, and provided further that in no event shall the bond be reduced below twenty-five percent (25%) of the original bond amount prior to final acceptance of all required public improvements.

Sec. 7.07.5 – Submission and Acceptance

(1) The developer shall submit the performance bond to the City Administrator prior to or concurrent with the application for the applicable permit or approval. The submission shall include:

(a) The bond instrument in its accepted form;

(b) A construction cost estimate meeting the requirements of *Sec. 7.07.3*;

(c) Evidence of the surety's licensure and rating or the issuing institution's eligibility, as applicable; and

(d) A completed bond submission form as prescribed by the City Administrator.

(2) The City Administrator shall review the submission within fifteen (15) business days and may require clarification or supplemental documentation. Acceptance shall be evidenced by the written signature of the City Administrator on the bond submission form.

(3) A bond that does not conform to the requirements of this section shall be rejected in writing with a statement of specific deficiencies. The developer shall have fifteen (15) business days from receipt of a rejection notice to submit a corrected or substitute bond.

Sec. 7.07.6 – Default

(1) The developer shall maintain the performance bond in full force and effect in the full bond amount continuously from acceptance through full release. The following events shall constitute a default under this section:

(a) The developer fails to commence construction of required improvements within the time specified in the development agreement or applicable permit conditions;

(b) The developer fails to complete construction of required improvements by the deadline required under Sec. 7.07.1(2) or specified in the development agreement or permit conditions, as the same may be extended in writing by the City Administrator for good cause;

(c) The developer abandons, discontinues, or suspends construction of required improvements for more than sixty (60) consecutive days without written authorization from the City Administrator, excluding periods of suspension caused by adverse weather, labor disputes, natural disaster, scheduling by a utility provider, permitting or approval by another governmental agency, or other cause beyond the developer's reasonable control, provided the developer gives the Zoning Administrator written notice of the cause within fifteen (15) days of its onset;

(d) The developer fails to maintain the bond in full force and effect in the full bond amount, or fails to substitute a conforming bond within the time required following notice of cancellation, non-renewal, or impairment;

(e) The developer fails to cure any other material violation of this section within thirty (30) days after written notice from the City Administrator; or

(f) The developer makes an assignment for the benefit of creditors, has a receiver appointed for its business or property, or becomes the subject of a proceeding under the United States Bankruptcy Code, to the extent that treating such event as a default is enforceable under applicable law. Nothing in this subsection limits the City's right to draw upon or demand payment under a financial guarantee where that right is independent of the developer's obligations.

(2) Upon the occurrence of a default, the City Administrator shall provide written notice to the developer and, where applicable, to the surety or issuing institution, identifying the default, specifying required corrective action, and stating the cure period, which shall be not less than thirty (30) days unless a shorter period is necessary due to a public health or safety emergency.

(3) If the developer fails to cure the default within the specified period, the City may:

(a) Draw upon or demand payment under the bond;

(b) Enter the subject property to complete required improvements;

(c) Withhold additional permits or approvals for the developer or any affiliate of the developer within the corporate limits of the City;

(d) Pursue any available legal or equitable remedy; or

(e) Exercise any combination of the foregoing.

(4) If the cost of completing required improvements following a default exceeds the bond amount, the City may recover the deficiency from the developer, together with interest at the maximum lawful rate from thirty (30) days after written demand, and all administrative and legal costs incurred under Sec. 7.07.9.

Sec. 7.07.7 – Release

(1) Upon completion of all or a portion of required improvements, the developer may submit a written request to the City Administrator for a full or partial release of the performance bond. The request shall include:

(a) Certification by a licensed professional engineer that the completed improvements conform in all material respects to the City-approved plans and specifications;

(b) As-built drawings for all completed improvements in a format acceptable to the City Administrator; and

(c) Such other documentation as the City Administrator may reasonably require.

(2) The City Administrator shall conduct or cause to be conducted an inspection of the completed improvements within fifteen (15) business days of receipt of a complete release request, and shall issue a written determination granting or denying the requested release within ten (10) business days after the inspection. A denial shall state the specific deficiencies requiring correction.

(a) **Partial release.** The City Administrator shall authorize a partial release upon certification that identified portions of the required improvements have been satisfactorily completed and accepted. The amount of any partial release shall not exceed the proportionate value of accepted improvements, and the remaining bond amount shall at all times be not less than one hundred twenty-five percent (125%) of the estimated cost to complete all remaining improvements, and not less than twenty-five percent (25%) of the original bond amount prior to final acceptance of all required public improvements.

(b) **Full release.** A full release of the performance bond shall be authorized only upon: (i) satisfactory completion and final acceptance of all required improvements; (ii) receipt of all required as-built drawings, warranties, and maintenance documentation; (iii) recording of all easements required under Sec. 7.06 and (iv) submission and acceptance by the City of a maintenance bond meeting the requirements of *Sec. 7.08*. All releases, whether partial or full, shall be evidenced by a written release authorization signed by the City Administrator. For cash bonds and pledged securities, disbursement of funds shall occur within fifteen (15) business days of the written release authorization.

Sec. 7.07.8 – Transfer of Developer Obligations

(1) The developer shall notify the Zoning Administrator in writing within ten (10) days of any transfer of the subject property, or of any controlling interest in the developer, occurring before full release of the performance bond. If the subject property is transferred to a new owner or developer prior to full release of the performance bond, the City Administrator shall, as a condition of approving any continued development activity, require the new owner or developer to submit a new performance bond in conformance with this section. The original developer shall remain liable under the existing bond until a replacement bond is accepted and a written release of the original developer's obligations is issued by the City Administrator.

Sec. 7.07.9 – Fees

(1) The developer shall pay all bond review fees, inspection fees, and — in the event of default — all administrative costs incurred by the City in connection with the default and the completion of required improvements, in accordance with the City of Buchanan fee schedule as adopted and amended from time to time by resolution of the City Council.

Sec. 7.07.10 - Erosion Control and Stabilization Security

(1) Requirement. No land disturbance permit shall be issued unless the developer has submitted and the City has accepted a financial guarantee securing the erosion and sediment control and stabilization improvements required under Sec. 7.04(2)(f). This guarantee is separate from and in addition to any performance bond required under Sec. 7.07.1, and shall not be reduced, offset, or released on account of any partial or full release of a performance bond.

(2) Amount. The amount shall be $3,000 per acre of proposed land disturbance, or fraction thereof, subject to a minimum of $5,000 and a maximum of $100,000 per permit. The Zoning Administrator shall not require an amount in excess of the maximum absent written findings that the site presents extraordinary risk of off-site sedimentation by reason of slope, proximity to state waters, or soil condition.

(3) Eligible forms. A guarantee under this section shall be in one of the forms enumerated in Sec. 7.07.2.

(4) Use. Upon written notice and a cure period of not less than ten (10) days — or immediately where necessary to abate an active discharge to state waters or a condition presenting a threat to public health or safety — the City may draw upon the guarantee to install, repair, maintain, or replace erosion and sediment control measures, to stabilize disturbed areas, and to remove sediment deposited off site. The City may exercise the entry rights provided in Sec. 7.06(6) for these purposes.

(5) Release. The guarantee shall be released upon written request following the Zoning Administrator's determination that all disturbed areas have achieved permanent stabilization and that temporary measures have been removed. Partial release proportionate to permanently stabilized area may be authorized, provided not less than twenty-five percent (25%) of the original amount is retained until final stabilization of the entire site.

(6) Relationship to state law. This section is adopted under the City's home rule authority and supplements, and does not supersede, the requirements of Sec. 9.11 and the Georgia Erosion and Sedimentation Act, O.C.G.A. § 12-7-1 et seq.

Sec. 7.07.11 – Construction Damage to Public Improvements

(1) Deferred final course. The final asphalt surface course on all streets, and the final installation of sidewalks abutting individual lots, may be deferred until certificates of occupancy have been issued for not less than [75%] of the lots served. Improvements so deferred remain secured by the performance bond, which shall not be reduced below the cost of the deferred work, and the warranty period under Sec. 7.08.4 for deferred improvements shall commence upon their acceptance.

■ ■ ■ Sec. 7.08 – MAINTENANCE BOND

Sec. 7.08.1 – Requirement

(1) As a condition of final acceptance of public improvements and prior to the release of any performance bond required under *Sec. 7.07*, the developer shall provide a maintenance bond to the City in accordance with this section. The maintenance bond shall guarantee all public improvements required as a condition of development approval against defects in materials and workmanship, for the duration specified in *Sec. 7.08.4.* No certificate of completion shall be issued for required improvements until a maintenance bond meeting the requirements of this section has been submitted and accepted by the City.

Sec. 7.08.2 – Eligible Forms

(1) A developer required to furnish a maintenance bond under this section shall provide one of the following forms of financial guarantee. No form of financial guarantee other than those specifically enumerated herein shall be accepted. The developer shall designate the form of bond at the time of submission, and no substitution of form shall be permitted after acceptance without prior written approval of the City Administrator, except as expressly provided in subsections (c) and (d).

(a) **Surety bond.** A maintenance bond executed by a corporate surety licensed to do business in the State of Georgia and listed in the current U.S. Department of the Treasury Circular 570, with a current A.M. Best financial strength rating of not less than "A-" and a financial size category of not less than Class VII. The surety bond shall name the City of Buchanan as obligee and shall be conditioned upon the developer's obligation to repair or replace, at the developer's sole expense, any defect in required improvements arising from materials or workmanship during the warranty period. The bond shall include a provision requiring not less than sixty (60) days' prior written notice to the City before cancellation, termination, or material modification. The bond form shall be subject to approval by the City Attorney prior to acceptance.

(b) **Cash bond.** A deposit of funds with the City in the full maintenance bond amount, by certified check, cashier's check, or wire transfer. Cash bond proceeds shall be held by the City Finance Director in a designated account segregated from the City's general operating funds. Interest earned on deposited funds shall accrue to the benefit of the developer unless and until a default occurs, in which case accrued interest shall be retained by the City. The City shall provide a written receipt acknowledging the amount and date of deposit.

(c) **Irrevocable letter of credit.** An unconditional, irrevocable letter of credit issued by a federally insured financial institution authorized to do business in the State of Georgia and acceptable to the City Administrator, naming the City of Buchanan as beneficiary. The issuing institution shall meet the standards of Sec. 7.07.2(c), and the letter of credit shall be presentable and payable as provided in that subsection. The letter of credit shall be payable upon written demand by the City without requirement that the City demonstrate default beyond a statement that the developer has failed to perform its obligations under Sec. 7.08.6, shall have an initial term covering the full warranty period required under *Sec. 7.08.4*, and shall include an evergreen renewal clause requiring the issuing institution to provide not less than ninety (90) days' prior written notice of non-renewal. The letter of credit shall recite that the warranty period commences on the date of the certificate of completion and shall remain effective for not less than the warranty period plus ninety (90) days. If the issuing institution provides notice of non-renewal, the City may draw upon the letter of credit in full unless the developer substitutes another accepted form of bond within thirty (30) days. The letter of credit form shall be subject to approval by the City Attorney.

(d) **Certificate of deposit.** A certificate of deposit issued by a federally insured financial institution authorized to do business in the State of Georgia, assigned to the City of Buchanan pursuant to a written assignment agreement approved by the City Attorney, and meeting the insured-amount and depository-acknowledgment requirements of Sec. 7.07.2(d). The certificate shall have a term covering the full warranty period plus ninety (90) days. Where the certificate matures before the end of that period, the developer shall, not less than sixty (60) days prior to maturity, renew the certificate for an additional term

acceptable to the Zoning Administrator or substitute another eligible form. Early withdrawal penalties, if any, shall be the sole responsibility of the developer.

Sec. 7.08.3 – Bond Amount

(1) The maintenance bond amount shall be not less than **fifteen percent (15%)** of the greater of (i) total final construction cost of all required public improvements, as reflected in the final construction cost certification submitted by the developer at project completion and acceptable to the City Administrator, or (ii) the construction cost estimate accepted under Sec. 7.07.3.

(2) The City Administrator may require a maintenance bond amount up to twenty-five percent (25%) of the final construction cost upon written findings, provided to the developer, that one or more of the following conditions is present: (a) the improvements include any facility described in Sec. 7.08.4(2); (b) inspection records document repeated or uncorrected deficiencies during construction; (c) the developer, or any affiliate or principal of the developer, has previously failed to perform warranty obligations owed to the City or to another Georgia local government; or (d) the improvements were constructed during conditions adverse to material performance, including placement of pavement or utilities during freezing or saturated conditions.

(3) The City Administrator may independently verify the final construction cost at the developer's expense.

Sec. 7.08.4 – Warranty Period

(1) The maintenance bond shall be in full force and effect for a warranty period of not less than **two (2) years** from the date of final acceptance of the improvements by the City, as evidenced by a certificate of completion issued by the City Administrator.

(2) The City Administrator may require a warranty period of up to three (3) years for improvements that, in the upon written findings, are subject to elevated risk of latent defects, including but not limited to storm drainage systems, retaining structures, and pavement sections constructed on subgrade of uncertain bearing capacity.

(3) The maintenance bond shall remain in effect for the full warranty period without reduction. No partial release of the maintenance bond shall be authorized prior to expiration of the warranty period.

(4) Defects noticed before expiration. Any defect of which the City gives written notice under Sec. 7.08.6(2) during the warranty period shall remain secured by the maintenance bond until the defect is fully remedied and accepted, notwithstanding expiration of the warranty period in the interim. The warranty period as to the affected improvement shall be tolled from the date of notice until acceptance of the corrective work.

(5) Phasing. Where public improvements are accepted by phase, a separate maintenance bond shall be submitted and accepted for each phase, and the warranty period for each phase shall run from the date of final acceptance of that phase.

Sec. 7.08.5 – Submission and Acceptance

(1) The developer shall submit the maintenance bond to the City Administrator concurrently with the request for final acceptance of required improvements and the release of any performance bond. The submission shall include:

(a) The bond instrument in its accepted form;

(b) A final construction cost certification prepared by a licensed professional engineer and acceptable to the City Administrator;

(c) Evidence of the surety's licensure and rating or the issuing institution's eligibility, as applicable;

(d) A completed bond submission form as prescribed by the City Administrator; and

(e) Evidence that the professional engineer of record for the improvements maintained professional liability insurance in an amount not less than $1,000,000 per claim in force during the design of the improvements, together with the policy period and carrier.

(2) The City Administrator shall review the submission within fifteen (15) business days and may require clarification or supplemental documentation. Acceptance shall be evidenced by the written signature of the City Administrator on the bond submission form.

(3) A bond that does not conform to the requirements of this section shall be rejected in writing with a statement of specific deficiencies, and the developer shall have fifteen (15) business days to submit a corrected or substitute bond.

Sec. 7.08.6 – Developer Obligations During Warranty Period

(1) During the warranty period, the developer shall promptly repair or replace, at the developer's sole expense, any public improvement found by the City Administrator to be defective in materials, workmanship, or design.

(2) Upon identification of a defect, the City Administrator shall provide written notice to the developer describing the defect and the corrective action required. The developer shall:

(a) Respond in writing within ten (10) business days acknowledging receipt of the notice; and

(b) Submit a corrective action plan acceptable to the City Administrator within twenty (20) business days.

(3) Corrective work shall be completed within the time specified in the corrective action plan, which shall in no event exceed ninety (90) days from the date of the original defect notice, unless a shorter period is necessary due to a public health or safety emergency; provided that the Zoning Administrator may require completion within a shorter period, including immediately, where necessary to address a condition presenting a threat to public health or safety.

Sec. 7.08.7 – Default

(1) The following events shall constitute a default under this section:

(a) The developer fails to respond to a written defect notice within the time specified in *Sec. 7.08.6*;

(b) The developer fails to submit a corrective action plan acceptable to the City Administrator within the time specified in *Sec. 7.08.6*;

(c) The developer fails to complete corrective work within the time specified in the corrective action plan;

(d) The developer fails to maintain the maintenance bond in full force and effect for the full warranty period, including failure to renew or substitute a bond upon notice of cancellation or non-renewal; or

(e) The developer makes an assignment for the benefit of creditors, has a receiver appointed for its business or property, or becomes the subject of a proceeding under the United States Bankruptcy Code during the warranty period, to the extent that treating such event as a default is enforceable under applicable law. Nothing in this subsection limits the City's right to draw upon or demand payment under a financial guarantee where that right is independent of the developer's obligations.

(2) Upon the occurrence of a default, the City Administrator shall provide written notice to the developer and, where applicable, to the surety or issuing institution, identifying the default and specifying a cure period of not less than fifteen (15) days, unless a shorter period is necessary due to a public health or safety emergency.

(3) If the developer fails to cure the default within the specified period, the City may:

(a) Draw upon or demand payment under the maintenance bond;

(b) Enter the subject property to perform or cause to be performed the required corrective work;

(c) Withhold additional permits or approvals for the developer within the corporate limits of the City; or

(d) Pursue any available legal or equitable remedy.

(4) If the cost of performing corrective work exceeds the maintenance bond amount, the City may recover the deficiency from the developer together with interest at the maximum lawful rate if not paid within thirty (30) days of written demand, and all administrative and legal costs incurred under Sec. 7.08.10. All notices and demands under this section shall be in writing.

Sec. 7.08.8 – Release

(1) Upon expiration of the full warranty period without unremedied defect, the developer may submit a written request to the City Administrator for release of the maintenance bond.

(2) The City Administrator shall conduct or cause to be conducted a final inspection of all required improvements within fifteen (15) business days of receipt of the release request.

(3) If the inspection confirms that no material defects exist and all obligations under *Sec. 7.07.6* have been satisfied, the City Administrator shall issue a written release authorization within ten (10) business days after the inspection. For cash bonds, disbursement of funds, including any accrued interest, shall occur within fifteen (15) business days of the written release authorization.

(4) If the inspection reveals unremedied defects, the City Administrator shall issue written notice of the defects and the warranty period shall be tolled until the defects are fully remedied and a final inspection confirms completion.

Sec. 7.08.9 – Relation to Performance Bond

(1) The maintenance bond required under this section is separate from and in addition to the performance bond required under *Sec. 7.07,* and to the erosion control and stabilization security required under Sec. 7.07.10. Acceptance of the maintenance bond is a prerequisite to the release of the performance bond. The maintenance bond does not relieve the developer of any obligation to repair or replace defective improvements that are identified before the maintenance bond is submitted or that arise from causes other than defects in materials, workmanship, or design, including but not limited to damage caused by the developer's or any homebuilder's construction activities.

(2) Other remedies not limited. The warranty period established by Sec. 7.08.4 is a condition of the maintenance bond and does not limit, shorten, or waive any right or remedy otherwise available to the City at law or in equity, including any claim arising within the periods provided by O.C.G.A. § 9-3-51 or other applicable law.

Sec. 7.08.10 – Fees

(1) The developer shall pay all bond review fees, inspection fees, and, in the event of default, all administrative costs incurred by the City in connection with the default and the performance of corrective work, in accordance with the City of Buchanan fee schedule as adopted and amended from time to time by resolution of the City Council.

Sec. 7.08.11 – Transfer of Developer Obligations

(1) The developer shall notify the Zoning Administrator in writing within ten (10) days of any transfer of the subject property, or of any controlling interest in the developer, occurring during the warranty period. Where such a transfer occurs before release of the maintenance bond, the Zoning Administrator shall, as a condition of approving any continued development activity or issuing any further permit, require the transferee to submit a maintenance bond conforming to this section. The original developer shall remain liable under the existing bond until a replacement bond is accepted and a written release is issued by the Zoning Administrator.

■ ■ ■ Sec. 7.09 – PLATS AND RECORDING

(1) **Approval required before recording.** No plat shall be recorded in the land records of Haralson County until it has been approved as provided in *Chapter XI* and signed by the authorized officials of the City. Recording of an unapproved plat is a violation of this Code subject to the penalties of *Chapter XII*.

(2) **Required plat contents.** Every final plat shall show, at a minimum:

(a) All lots, blocks, and their dimensions, with lot and block numbers;

(b) All streets, alleys, and passages, with their classification under *Chapter VI* and their easement widths;

(c) All utility, drainage, access, and infrastructure easements, with their widths and purposes;

(d) All open space, buffers, and civic spaces, with a notation indicating ownership, management responsibility, and any recorded conservation restriction;

(e) All survey monuments and their descriptions;

(f) The metes-and-bounds description of the subdivision boundary, certified by a registered land surveyor;

(g) A vicinity map showing the location of the subdivision relative to surrounding streets and landmarks;

(h) The applicable zoning district and any Concept Plan approval reference; and

(i) All signature blocks, certification statements, and notarial acknowledgments required by state law and by the City.

(3) **Effect of recording.** The recording of a final plat that dedicates easements to the City constitutes the conveyance of those easements upon the City's acceptance, and does not transfer ownership of any private roadway to the City. The City's acceptance of an easement shall be evidenced by the signature of an authorized City official on the plat.

(4) **Preliminary plat.** A preliminary plat shall be submitted for all major subdivisions prior to the final plat. The preliminary plat shall show the proposed layout of lots, streets, easements, open space, and infrastructure in sufficient detail to evaluate compliance with this Code, but need not include final engineering. Preliminary plat approval is a condition of final plat approval and does not constitute recording or approval of the final plat.

(5) **Plat corrections.** A recorded plat may be corrected to fix a drafting or surveying error by an affidavit of correction filed by the registered land surveyor of record, without further approval by the City, where the correction does not alter any lot line, easement, or street, and does not affect the rights of any lot owner. Any correction that affects a lot line, easement, or street shall be processed as a replat under *Sec. 7.02(4)*.

(6) **Digital submission.** In addition to the paper or Mylar original required for recording, the applicant shall submit a digital copy of the approved final plat in a format compatible with the City's geographic information system, for incorporation into the Official Zoning Map records.

CHAPTER VIII - DESIGN AND ARCHITECTURAL STANDARDS

FIGURE 8.1: ARCHITECTURAL QUALITY



A collage of exemplary building types for the Buchanan context — a farmhouse with a deep front porch; a cottage on a tree-lined street; a mixed-use shopfront building on a main street; a civic hall anchoring a green; a country inn; and a restored barn serving as a market. New building should draw on these precedents while allowing fresh interpretation.

■ ■ ■ Sec. 8.01 – PURPOSE

(1) The design and architectural standards of this chapter are intended to ensure that new building and substantial renovation contributes positively to the character, walkability, and lasting value of the City of Buchanan, while preserving room for creative and contemporary architecture. These standards establish a floor of quality that applies in all districts to all new construction, substantial additions, and substantial renovations. They do not dictate a single style; they establish principles of proportion, material, frontage, and composition that produce enduring buildings regardless of stylistic expression.

(2) In the Planned Development Districts of *Chapter V*, these standards are translated into a community-specific design character document (for the Traditional PUD) or a pattern book (for the Rural Hamlet District), as required by *Sec. 5.A.10* and *Sec. 5.B.15* respectively. Where those documents impose a higher or more specific standard than this chapter, the more specific standard governs within the PUD or RHD.

(3) **Mandatory compliance.** Compliance with this chapter is mandatory for all new buildings and structures, all additions that increase gross floor area by more than thirty-five percent (35%), and all exterior renovations that affect more than fifty percent (50%) of any street-facing facade. Compliance is not waived by the approval of a Concept Plan, a special exception, a variance, or any other discretionary approval under this Code.

(4) **Relationship to other standards.** The standards of this chapter apply in addition to, and do not replace, the dimensional standards of *Chapter IV*, the development standards of *Chapter IX*, and the supplementary use standards of *Chapter X*. Where this chapter conflicts with a dimensional standard of *Chapter IV*, the dimensional standard governs. Where this chapter establishes a higher standard than another provision, this chapter governs.

■ ■ ■ Sec. 8.02 – FRONTAGE TYPES

FIGURE 8.2: FRONTAGE TYPES DIAGRAM



Shown left to right: (1) porch and yard; (2) stoop; (3) shopfront; (4) civic forecourt. Each panel shows the relationship of the building to the sidewalk, the entry, and the street.

(1) **Purpose.** Every building shall present an appropriate frontage to the primary street. The frontage type defines how a building meets the street, the nature of the transition between the public sidewalk and the private building entry, and is the single most important determinant of whether a street feels walkable and welcoming. The following frontage types are established. The applicable frontage type for each building type and transect zone is specified in *Sec. 8.03* and in the standards of *Chapter V*.

(2) **Porch and yard.** A residential frontage with a shallow planted yard and a deep covered front porch. The porch shall be not less than five (5) feet in depth, measured from the building face to the outer edge of the porch floor, and shall extend across not less than fifty percent (50%) of the building facade width, measured across the façade of the principal. The porch shall be roofed and supported by columns or posts of substantial dimension. This frontage type is suited to neighborhood streets and lanes in residential and rural transect zones.

(3) **Stoop.** A frontage in which the building is set close to the sidewalk and entered by a raised stoop, a small platform with steps, providing a transition between the public sidewalk and the elevated ground floor. The stoop shall be not less than four (4) feet in depth and five (5) feet in width. This frontage type is suited to townhomes, small apartment buildings, and live-work units in neighborhood general and village center zones.

(4) **Shopfront.** A frontage built to or near the sidewalk edge, with a transparent ground floor, an awning or canopy, and a primary entrance directly from the sidewalk. The shopfront shall provide not less than sixty percent (60%) clear glazing of the ground-floor facade area between two (2) and eight (8) feet above the adjacent sidewalk. Mirrored or heavily tinted glass does not satisfy this requirement. Awnings shall be of durable fabric or metal, shall project not less than three (3) feet over the sidewalk, and shall be mounted at a consistent height along a continuous frontage. This frontage type is required on Main Streets and is suited to all commercial and mixed-use buildings.

(5) **Forecourt and civic frontage.** A frontage with a formal entry court, a colonnade, or a prominent civic facade set back slightly from the street to create a defined outdoor room. This frontage type is suited to civic buildings, institutional uses, and important corner buildings in village centers. The forecourt shall be hard-surfaced, not less than twenty (20) feet in depth, and framed on at least two sides by the building or by low walls, hedges, or columns.

(6) **Agrarian frontage.** A frontage appropriate to agricultural and rural buildings, barns, tasting rooms, farm stands, and similar structures, characterized by large openings, overhanging eaves, simple volumes, and materials that read as authentic farm construction. No minimum glazing is required, but openings shall be generously proportioned and shall animate the building face.

■ ■ ■ Sec. 8.03 – BUILDING TYPES CATALOG

(1) **Purpose.** To support a coherent and varied built environment, the following building types are recognized. A Concept Plan, development plan, or pattern book shall assign building types to blocks and frontages, and each building shall conform to the standards of its type as established in this chapter and the applicable district standards. Building types are organized by use and context; a single building may incorporate more than one type where the uses and the design are compatible.

(2) **Building type assignment.** The Concept Plan or development plan shall assign a building type to each lot or building pad. Where no specific building type is assigned, the Zoning Administrator shall determine the applicable type based on the use, the frontage, and the character of the surrounding buildings.

TABLE 8.1 — RECOGNIZED BUILDING TYPES AND THEIR CHARACTERISTICS

Building Type	Typical Use	Frontage Type	Parking Location	Stories
Cottage / bungalow	Single-family detached	Porch and yard	Side or rear drive	1 to 2
Farmhouse	Single-family / farmette	Porch and yard	Side or detached	1.5 to 2.5
Sideyard house	Single-family detached	Porch / wall	Rear or alley	2
Townhouse	Single-family attached	Stoop	Rear or alley	2 to 3
Duplex / two-family	Two-family dwelling	Porch and yard / stoop	Side or rear	1.5 to 2.5
Liner / courtyard building	Multi-family	Stoop / shopfront	Interior court / rear	2 to 3
Mixed-use shopfront	Retail below, residence or office above	Shopfront	Rear or shared	2 to 3
Civic building	Institution / assembly	Forecourt / civic	Shared / rear	1 to 3
Agricultural / barn structure	Farming, market, event	Agrarian	Adjacent / field	1 to 2
Live-work building	Dwelling with integrated workspace	Shopfront / stoop	Rear or alley	2 to 3
Country inn / lodge	Lodging	Porch and yard / civic	Rear or side	2 to 3

Building Type	Typical Use	Frontage Type	Parking Location	Stories
Hotel / boutique inn	Lodging, village center	Shopfront / civic	Rear or structured	3 to 4

(3) **Mixed building types.** A building that combines uses, such as a mixed-use shopfront with a civic use at grade and residences above, may be assigned a composite type where the design is consistent with the standards of both types. In the event of conflict, the standards applicable to the primary ground-floor use govern.

■ ■ ■ Sec. 8.04 – MASSING, HEIGHT, AND ROOFS

(1) **Building composition.** Buildings shall be composed with a clear relationship of base, body, and roof. The base shall be distinguished from the body by a change in material, color, texture, or projection. Large buildings shall be divided into modules that read at the scale of the street, generally not more than forty (40) feet of unbroken facade width at the primary street frontage without a change in plane, material, or roofline.

(2) **Roof forms.** Roof forms shall be simple and durable. Gable, hip, shed, and gambrel roofs are preferred. Flat roofs are permitted on commercial and mixed-use buildings where the roofline is articulated with a parapet of sufficient height and detail to screen mechanical equipment and provide a finished appearance. The following roof pitch minimums apply:

(a) Single-family detached dwellings: not less than 5 in 12 in the R-15, R-20, and R-12 districts and in the T2 and T3 transect zones of Planned Development Districts;

(b) Single-family detached dwellings in R-10, HDR, and O-R districts and in the T4 transect zone: not less than 4 in 12;

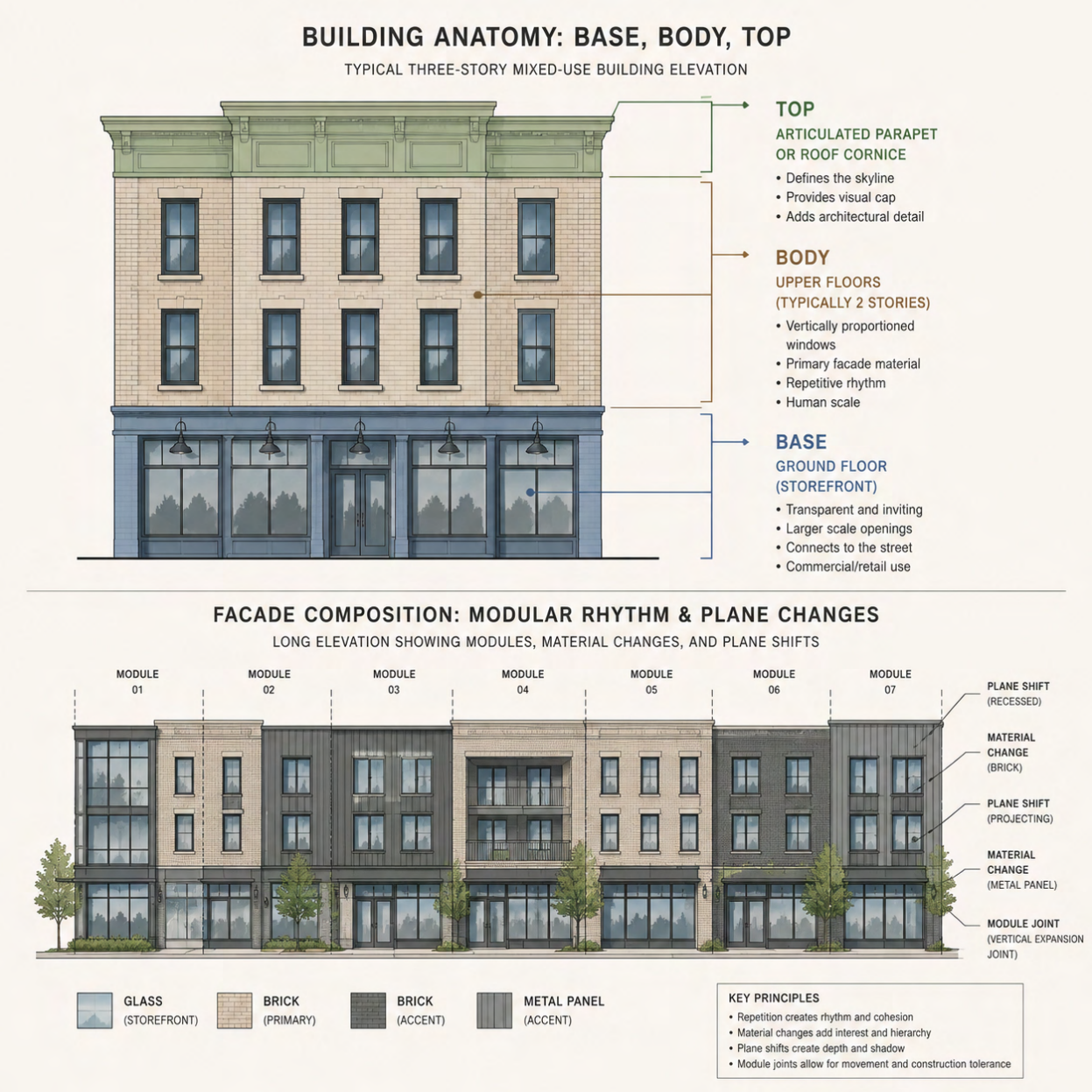
(c) Townhomes and multi-family buildings: not less than 4 in 12, or a flat roof with a parapet of not less than 36 inches in height above the highest point of the roof deck;

(d) Commercial, mixed-use, and civic buildings: roof pitch as determined by the design, provided that flat roofs are screened by a parapet as provided in subsection (2); and

(e) Agricultural buildings: not less than 3 in 12, in keeping with the agrarian vernacular.

(3) **Roof materials.** Permitted roof materials include wood shake, architectural asphalt shingle, standing-seam metal, concrete or clay tile, fiberglass shingle, slate or simulated slate, and approved equivalents. Bright or highly reflective roofing materials — including uncoated galvanized metal — are not permitted on any roof visible from a public or private street. Low-quality rolled roofing is not permitted on any slope visible from a street.

FIGURE 8.3: BUILDING COMPOSITION DIAGRAM



A three-story mixed-use building annotated to show the base (ground floor with shopfront glazing), the body (upper floors with vertically proportioned windows), and the top (articulated parapet or roof cornice). A second diagram shows a long facade broken into modules with changes in plane and material.

(4) **Roof-mounted equipment.** Mechanical equipment, HVAC units, solar arrays, and similar roof-mounted elements shall be screened from view from any street or adjacent property at grade level. Screening shall be achieved through the use of a parapet, equipment screen wall, or roof well of sufficient height and design to be architecturally integrated with the building. Equipment screens shall be of durable materials consistent with the building's exterior palette.

(5) **Height transitions.** Where a taller building abuts or is adjacent to a lower-scale neighboring building, the taller building shall incorporate stepbacks, setbacks, or changes in massing on the facades facing the lower building, so that the transition in height is gradual and the lower building is not overwhelmed. The rate of stepback shall be not less than one (1) foot of horizontal setback for each one (1) foot of height above the eave line of the adjacent lower building, measured from the shared property line.

■ ■ ■ Sec. 8.05 – MATERIALS AND COLOR

(1) **Purpose.** Exterior materials shall be durable, of high quality, and appropriate to the rural, small-town, and historic character of the City. Materials shall be selected to age gracefully, to require reasonable maintenance, and to contribute to a coherent and attractive streetscape. The following palette guides material selection in all districts. In the Planned Development Districts, the design character document or pattern book shall establish the community-specific material and color palette consistent with this section.

TABLE 8.2 — REQUIRED AND DISCOURAGED EXTERIOR MATERIALS AND COLORS

Element	REQUIRED	Discouraged or Prohibited
Walls	Brick; stone; wood or fiber-cement siding (lap, board-and-batten, shingle); stucco; EIFS on upper floors only	Vinyl as a primary material on any street-facing facade; unfinished or painted concrete masonry unit (CMU) on street-facing facades; highly reflective metal panels as a primary wall material
Roofs	Standing-seam metal; architectural asphalt shingle; slate or simulated slate; wood shake; clay or concrete tile	Bright, highly reflective, or uncoated galvanized metal; low-quality rolled roofing on any visible slope
Windows	Windows of any durable material, including wood, clad-wood, composite, fiberglass, or vinyl, provided that on all street-facing facades the sash is set back not less than two (2) inches from the adjacent wall plane, the frame carries a factory-applied finish compatible with the building palette, and the unit is vertically proportioned with true or simulated divided lights	Flush-mounted or undivided units on street-facing facades; Unframed mirrored glass; heavily tinted glass on ground floors; horizontal sliding sash on primary street-facing facades

Element	REQUIRED	Discouraged or Prohibited
Porches and trim	Wood or quality composite with substantial dimension; turned, boxed, or tapered columns of appropriate scale	Shutters that are undersized for the window opening or mounted so as not to appear operable; Thin, undersized columns and trim that appear inadequate for the building's scale; untreated wood left to weather without finish
Color	Muted, natural, and historically grounded palettes; earth tones; white and off-white; deep greens, navies, and burgundies	Saturated fluorescent or neon colors on large building areas; color combinations with no relationship to the building's context
Foundations	Brick, stone, stucco, or painted concrete masonry	Exposed unfinished concrete block or poured concrete on any visible facade

(2) **Material continuity.** Materials shall wrap the corners of a building so that the quality of the primary street-facing facade is carried to all sides visible from a street, a parking lot, or an adjacent property. Changes of material shall occur at inside corners, at floor lines, or at other logical architectural transitions — not at outside corners or in the middle of a wall plane.

(3) **Limited palette.** A limited, coordinated palette of not more than three (3) primary materials and three (3) primary colors shall be used on each building. Accent materials and colors are permitted but shall not exceed twenty percent (20%) of any facade area. In the Rural Hamlet District, the pattern book shall establish the community palette.

(4) **EIFS limitations.** Exterior Insulation and Finish System (EIFS) is permitted only on the upper floors of commercial and mixed-use buildings, and shall not be used on the ground floor of any building or on any facade that is subject to frequent pedestrian contact or potential physical damage. Where EIFS is used, it shall be scored, textured, or otherwise detailed to resemble the material it represents.

■ ■ ■ Sec. 8.06 – RESIDENTIAL DESIGN STANDARDS

(1) **Applicability.** The standards of this section apply to all single-family detached dwellings, duplexes, and accessory dwelling units in all districts. They absorb and supersede the appearance standards formerly contained in the prior zoning ordinance of the City of Buchanan.

(2) **Minimum dwelling dimensions.**

(a) In the R-15, R-20, and R-12 districts: minimum dwelling width of twenty-four (24) feet measured at the narrowest point of the principal structure, exclusive of garages, porches, and carports.

(b) In the R-10, HDR, and O-R districts, and in all Planned Development Districts: minimum dwelling width of twenty (20) feet measured at the narrowest point of the principal structure, exclusive of garages and porches..

(3) **Minimum heated floor area.** The minimum heated floor area for a single-family dwelling shall be one thousand five hundred (1,500) square feet in all districts. This minimum applies to the principal dwelling and does not apply to accessory dwelling units.

(4) **Permanent foundation.** Every single-family dwelling shall be placed on a permanent foundation consistent with the applicable building code. Dwellings on temporary supports, piers without skirting, or wheel mounts not concealed by a permanent perimeter enclosure are not permitted outside of an approved manufactured home park or glamping area.

(5) **Primary entrance.** Each dwelling shall have a clearly defined primary entrance facing the primary street, articulated by a porch, stoop, or covered entry of adequate scale. Blank street-facing walls, meaning walls without windows, doors, or architectural articulation, are prohibited on any facade facing a street.

(6) **Garage placement and design.**

(a) Garages and off-street parking shall be placed to the rear or side of the principal dwelling, accessed from an alley or a side driveway wherever an alley or side access is available or practicable.

(i) For the purposes of subsection (a), side access is not practicable where the configuration of the lot, the required side setback, or existing topography will not accommodate a side-entry driveway with a clear approach of not less than twenty (20) feet in depth and maneuvering room sufficient to enter and leave the garage in a forward motion. Where side access is not practicable, a front-loaded garage is permitted subject to subsection (b).

(b) Where a front-loaded garage is unavoidable (because no alley or side access exists and the lot configuration does not permit side access) the garage door face shall be set back not less than four (4) feet behind the front facade of the principal dwelling, and the garage opening width shall not exceed fifty percent (50%) of the total facade width of the principal dwelling.

(c) A front-loaded garage shall not be the dominant visual element of the street-facing facade. A porch, stoop, or covered entry of not less than six (6) feet in depth shall be provided on the primary facade to counterbalance the garage presence.

(7) **Porches.** Front porches shall be of usable depth, generally not less than five (5) feet clear, and shall be proportioned to the facade width. Porches shall be covered by a roof that is structurally part of the building, supported by columns or posts of substantial dimension consistent with Table 8.2. Decorative-only symbolic porches of insufficient depth for occupancy do not satisfy this requirement.

(8) **Windows and doors.** Windows and doors shall be vertically proportioned, meaning taller than wide, on all street-facing facades. The ground floor shall provide generous glazing facing the street, generally not less than fifteen percent (15%) of the street-facing wall area. Blank gable walls facing a street shall include at least one window of not less than four (4) square feet in area, or shall provide equivalent

architectural articulation, such as a gable vent or louver, gable trim, brackets, or a change in siding pattern, so that no unarticulated plane faces the street.

(9) **Exterior materials and roof.** Exterior siding, roof materials, and foundation treatment shall comply with Table 8.2. In the R-15, R-20, and R-12 districts, the minimum roof pitch is 5 in 12. In the R-10, HDR, and O-R districts, the minimum roof pitch is 4 in 12**.** These minimums also apply to single-family detached dwellings in all Planned Development Districts unless the pattern book or design character document establishes a higher standard.

(10) **Accessory dwelling units.** Accessory dwelling units shall be compatible with the principal dwelling in materials, color, and roof form, and shall be clearly subordinate in scale. An ADU shall not be taller than the principal dwelling.

■ ■ ■ Sec. 8.07 – MULTI-FAMILY AND TOWNHOME DESIGN STANDARDS

(1) **Applicability.** The standards of this section apply to all multi-family dwellings, including apartment buildings, condominium buildings, and liner buildings, and to all townhome and single-family attached developments in all districts.

(2) **Street-scale composition.** Multi-family and townhome buildings shall be composed at the scale of the street. Buildings shall be divided into modules, by changes in plane, material, roofline, or color, that read as a series of individual units or smaller buildings. The maximum unbroken facade length along a primary street frontage shall be forty (40) feet without a change in plane of not less than two (2) feet in depth, a change in material, or a change in roofline.

FIGURE 8.4: MULTI-FAMILY BUILDING FACADE ARTICULATION



A building should be broken into modules by changes in plane and material, with individual entry stoops, varied window patterns, and a roofline that steps up and down to read as several smaller buildings from the street.

(3) **Individual entries.** Each ground-floor dwelling unit in a townhome building that faces a street shall have an individual entry door opening directly onto the sidewalk or onto a stoop, not into an interior corridor. Interior corridor access may be used for upper-floor units and for buildings that are not street-facing.

(4) **Parking.** Parking shall be located within or behind buildings, in courts screened from the street, or in structures lined with active uses. Parking shall not occupy the street frontage of a multi-family or townhome building. Structured parking visible from a street shall be screened by a liner of active uses, retail, residential, or office, not less than twenty (20) feet in depth along the street-facing frontage.

(5) **Common open space.** Usable common open space, such as courtyards, rooftop terraces, greens, or gardens, shall be provided for residents of multi-family developments at not less than one hundred (100) square feet per dwelling unit. This common open space shall be in addition to required parking areas, driveways, and private balconies, and shall be accessible to all residents of the building.

(6) **Townhome-specific standards.**

(a) Each townhome unit shall have an individual entry facing the primary street, articulated by a stoop of not less than four (4) feet in depth.

(b) Townhome units shall be not less than twenty-two (22) feet in width, measured at the primary facade.

(c) End units of a townhome row shall provide a window or architectural articulation on the exposed side wall so that the end of the row does not present a blank wall to the street or to an adjacent property.

(d) Garages shall be accessed from the rear or from an alley wherever possible. Where a front-loaded garage is unavoidable, the garage door shall be recessed not less than four (4) feet behind the primary facade of the unit.

(7) **Rooftop terraces and amenities.** Rooftop terraces, pools, and similar amenities are permitted on multi-family buildings where they are designed for safety and privacy, equipped with appropriate screening from adjacent taller buildings and from the street, and where mechanical equipment is fully screened. Lighting on rooftop amenities shall comply with the dark-sky standards of *Sec. 9.04*.

■ ■ ■ Sec. 8.08 – NONRESIDENTIAL AND MIXED-USE DESIGN STANDARDS

(1) **Applicability.** The standards of this section apply to all nonresidential buildings, including commercial, office, industrial, civic, and institutional buildings, and to all mixed-use buildings in all districts.

(2) **Build-to requirement.** Nonresidential and mixed-use buildings shall be built to or near the sidewalk edge to define and activate the street. In the Central Business District, the build-to requirement is absolute: buildings shall be placed at or within five (5) feet of the front property line. In commercial districts (C-1, C-2, C-3), buildings shall be placed within the required front setback in a manner that is consistent with the established street wall of the block.

FIGURE 8.5: STREET WALL DESIGN



A block of commercial buildings with consistent build-to placement creating a continuous street wall, creating a consistent, walkable environment.

(3) **Facade articulation.** Building facades shall be articulated with a clear base, middle, and top, and with windows, doors, awnings, pilasters, cornices, and other architectural elements that create visual interest and a pedestrian scale. The following minimums apply:

(a) No horizontal facade section longer than twenty-five (25) feet shall be without a window, door, architectural projection, or change in material;

(b) Ground-floor commercial facades shall provide not less than sixty percent (60%) clear glazing between two (2) and eight (8) feet above grade on all street-facing frontages, consistent with *Sec. 4.05.5* for the CBD and *Sec. 5.B.11.2* for village centers; and

(c) Upper-floor facades shall maintain a window-to-wall ratio of not less than twenty-five percent (25%) on all street-facing facades.

(4) **Primary entrances.** Primary building entrances shall face and open directly onto the public sidewalk or private street. Entrances accessible only from a parking lot, an alley, or an interior court shall not be the sole means of pedestrian access from the street.

(5) **Service and mechanical.** Service areas, loading docks, mechanical equipment, refuse enclosures, and utility connections shall be located to the rear or interior of the site and screened from all public

streets and from adjacent residential uses. Refuse enclosures shall be of masonry or metal construction consistent with the building's exterior materials.

(6) **Awnings and canopies.** Awnings and canopies are encouraged on commercial and mixed-use buildings and shall:

(a) Project not less than three (3) feet over the sidewalk;

(b) Provide a minimum clearance of eight (8) feet above the sidewalk;

(c) Be of durable fabric, metal, or glass — not vinyl or backlit translucent plastic; and

(d) Be mounted at a consistent height along a continuous commercial frontage to reinforce the unity of the street wall.

(7) **Parking structures.** Parking structures shall be lined on all street-facing facades with active uses (retail, residential, or office space) not less than twenty (20) feet in depth. Blank parking structure facades facing a primary street are prohibited. The liner uses shall comply with the shopfront frontage standards of *Sec. 8.02(4)*.

(8) **Industrial and heavy commercial buildings.** Industrial buildings in the M-1 and M-2 districts are encouraged to comply with the facade articulation and material standards of this section on all facades visible from a public or private street. Where compliance with the full standards is impracticable given the functional requirements of the use, the Zoning Administrator may approve an alternative facade treatment that achieves a comparable level of quality, provided that blank, unfinished walls are not visible from a street.

(9) **Central Business District.** Nonresidential and mixed-use buildings in the Central Business District shall comply with the storefront, transparency, and frontage standards of *Sec. 4.05.5* in addition to the standards of this section. In the event of conflict, *Sec. 4.05.5* governs within the CBD.

■ ■ ■ Sec. 8.09 – CIVIC AND AGRICULTURAL BUILDINGS

(1) **Civic buildings.** Civic buildings, including halls, libraries, schools, places of worship in the Rural Hamlet District, community centers, and government facilities, may depart from the standards for ordinary commercial building in order to express their civic importance. Such departures shall be purposeful and shall result in a building of exceptional quality and civic presence. Civic buildings shall:

(a) Be located to terminate vistas, frame civic spaces, and anchor corners wherever site conditions permit;

(b) Be of exceptional design and durable materials (brick, stone, timber, or equivalent) appropriate to a building intended to serve the community for generations;

(c) Provide a prominent, clearly identifiable public entrance facing the primary street or civic space; and

(d) Be of a scale and massing appropriate to their role in the street or village center.

FIGURE 8.6: A CIVIC BUILDING ANCHORING A VILLAGE GREEN



A timber-frame community hall with a prominent entry porch, a cupola, and a clock visible from the surrounding streets. Dignified, durable, and clearly public in character.

(2) **Agricultural buildings.** Agricultural buildings, including barns, farm markets, tasting rooms, agritourism pavilions, and event structures within the Rural Hamlet District and the R-15 district, shall be designed in an authentic agrarian vernacular, with:

(a) Simple, honest forms — gable or shed roofs with generous overhangs, wide doors and openings, and exposed structural elements where appropriate;

(b) Durable materials — board-and-batten wood or fiber-cement siding, standing-seam metal roofing, stone or brick foundations, and heavy timber or steel framing;

(c) A minimum roof pitch of 3 in 12 for gable roofs and a minimum 1 in 12 for shed roofs; and

(d) Lighting that complies with the dark-sky standards of *Sec. 9.04*, with fixtures that emphasize the natural and rural character of the building and its setting.

■ ■ ■ Sec. 8.10 – LIGHTING AS AN ARCHITECTURAL ELEMENT

(1) Exterior lighting on all buildings shall be designed as an integral component of the architectural composition, not as an afterthought. Lighting shall illuminate the building and its entries without creating glare, light trespass, or skyglow, and shall comply with the dark-sky standards of *Sec. 9.04*.

(2) Facade lighting, including wall sconces, under-awning lighting, and accent lighting at entries, is encouraged on commercial and mixed-use buildings as a means of animating the street after dark. All facade lighting shall be directed downward or toward the building surface and shall not project light above the horizontal.

(3) Canopy and soffit lighting, where used, shall be fully recessed so that no lamp or lens is visible below the plane of the canopy or soffit.

(4) Illuminated signage shall comply with *Sec. 9.06* and the dark-sky standards of *Sec. 9.04*. Internally illuminated cabinet signs are discouraged in all districts and are prohibited in the Rural Hamlet District and along Main Streets within Planned Development Districts.

■ ■ ■ Sec. 8.11 – PATTERN BOOK IN THE PLANNED DEVELOPMENT DISTRICTS

(1) **Rural Hamlet District.** In the Rural Hamlet District, the Concept Plan shall include a pattern book as required by *Sec. 5.B.15* that applies and extends the standards of this chapter to the specific community. The pattern book shall be more detailed and more demanding than the baseline standards of this chapter, and shall establish community-specific standards for every building type, frontage type, thoroughfare section, and open space type within the RHD. The pattern book and the architectural review process required by *Sec. 5.B.15* shall be administered by a qualified town architect retained by the master developer.

(2) **Traditional PUD.** In the Traditional PUD, the Concept Plan shall include a design character document as required by *Sec. 5.A.10* that applies and extends the standards of this chapter to the specific development. The design character document shall address building form, massing, materials, color, and streetscape, and shall establish a binding architectural review process under the master development agreement.

(3) **Hierarchy.** Where the pattern book or design character document imposes a higher or more specific standard than this chapter, the pattern book or design character document governs within the applicable Planned Development District. Where this chapter imposes a higher or more specific standard than the pattern book or design character document, this chapter governs.

FIGURE 8.7: EDITOR'S NOTE - EXCEPTIONAL DESIGN

EXCEPTIONAL DESIGN IS REQUIRED IN PLANNED DEVELOPMENT DISTRICTS. The flexibility granted by a Planned Development District (in uses, densities, and dimensional standard) is earned by a commitment to design quality that exceeds what the base districts alone require. Every building in a PUD or RHD must be reviewed against the design character document or pattern book and the standards of this chapter before a building permit is issued. Design quality is not optional, and it is not negotiable.

■ ■ ■ Sec. 8.12 – ADMINISTRATION AND ENFORCEMENT OF DESIGN STANDARDS

(1) **Review by the Zoning Administrator.** The Zoning Administrator shall review all building permit applications for compliance with the standards of this chapter as part of the development plan review required by *Sec. 11.02.* No building permit shall be issued for any new building, substantial addition, or substantial exterior renovation unless the Zoning Administrator has confirmed that the application complies with the applicable standards of this chapter.

(2) **Architectural review in Planned Development Districts.** In addition to review by the Zoning Administrator, every building permit application within a Traditional PUD or a Rural Hamlet District shall be reviewed by the architectural review process established by the master development agreement under *Sec. 5.A.09(2)(d)* and *Sec. 5.B.14(3)(d)*. The Zoning Administrator shall not issue a building permit for any structure within a PUD or RHD unless the architectural review process has been completed and conformity with the design character document or pattern book has been certified.

(3) **Submittal requirements.** Building permit applications shall include sufficient architectural drawings, including exterior elevations of all street-facing facades, a roof plan, and material and color specifications, to demonstrate compliance with this chapter. The Zoning Administrator may require additional drawings, samples, or mock-ups where the application does not clearly demonstrate compliance.

(4) **Nonconforming design.** Where a building permit application does not comply with the standards of this chapter, the Zoning Administrator shall issue a written notice of deficiency identifying each nonconforming element and the applicable standard. The applicant shall resubmit a revised application addressing all deficiencies before a permit may be issued.

(5) **Appeals.** A decision of the Zoning Administrator on a design standards matter may be appealed to the Planning and Zoning Board sitting as the Board of Appeals under *Sec. 11.07*.

CHAPTER IX - DEVELOPMENT STANDARDS

■ ■ ■ Sec. 9.01 – OFF-STREET PARKING AND LOADING

(1) **Purpose.** Off-street parking shall be provided in accordance with the minimum standards of this section, except in the Central Business District, which is exempt under *Sec. 4.05.6*, and except as on-street and shared parking reduce the requirement as provided in this section. The standards are minimums; the City encourages shared parking arrangements, parking maxima, and design approaches that avoid an oversupply of pavement.

(2) **Minimum parking schedule.** Table 9.1 establishes the minimum off-street parking requirements by use. On-street parking on the adjacent thoroughfare and shared parking under *Sec. 9.01(4)* count toward the requirement.

TABLE 9.1 — MINIMUM OFF-STREET PARKING BY USE

Use	Minimum Off-Street Parking
Single-family and townhome dwelling	2 spaces per dwelling unit
Multi-family dwelling	1.5 spaces per unit, plus 1 visitor space per 10 units
Accessory dwelling unit	1 space per unit
Retail and personal service	1 space per 300 sf of gross floor area
Restaurant and bar	1 space per 150 sf of gross floor area
Office (professional / administrative)	1 space per 350 sf of gross floor area
Medical or dental clinic	1 space per 200 sf of gross floor area
Bank / financial institution	1 space per 300 sf of gross floor area

Use	Minimum Off-Street Parking
Lodging (inn, hotel, bed and breakfast)	1 space per guest room, plus staff spaces
Assembly and event space	1 space per 4 seats, or 1 per 200 sf where fixed seating is not provided
Fitness center / wellness	1 space per 250 sf of gross floor area
Agritourism and outdoor venue	As approved in the development or event plan; on stabilized surfaces
Shopping center	1 space per 250 sf of gross leasable area
Industrial / manufacturing	1 space per 1,000 sf, plus 1 per employee on the largest shift
Warehouse / distribution	1 space per 2,000 sf, plus 1 per employee on the largest shift
Self-storage / mini-warehouse	1 space per 50 units, plus office spaces
Place of worship	1 space per 4 seats in the main assembly area
School (elementary / middle)	2 spaces per classroom, plus assembly requirement
School (high school)	1 space per 5 students, plus staff spaces
Day care center	1 space per employee, plus 1 per 8 children, with a drop-off area
Nursing home / assisted living	1 space per 3 beds, plus staff spaces
Hospital	1 space per bed, plus staff spaces
Library / museum / gallery	1 space per 400 sf of gross floor area

Use	Minimum Off-Street Parking
Theater / auditorium	1 space per 4 seats
Funeral home	1 space per 50 sf of assembly area
Veterinary clinic	1 space per 300 sf of gross floor area
Bed and breakfast / country inn	1 space per guest room, plus 1 per resident operator
Kennel / commercial animal boarding	1 space per 400 sf of gross floor area
Car wash	3 spaces per wash bay, plus stacking
Furniture / large-item retail	1 space per 600 sf of gross floor area
Park / outdoor recreation	As determined by the development plan

(3) **Unlisted uses.** Where a use is not listed in Table 9.1, the Zoning Administrator shall apply the requirement of the most similar listed use, with written justification. The applicant may submit a parking demand study prepared by a qualified traffic engineer in lieu of the standard requirement, subject to approval by the Zoning Administrator.

(4) **Parking reductions and shared parking.**

(a) **On-street parking credit.** On-street parking spaces located on the thoroughfare directly abutting the subject property may be credited toward the off-street parking requirement at a ratio of one (1) on-street space for each one (1) required off-street space, up to a maximum reduction of twenty-five percent (25%) of the required off-street spaces.

(b) **Shared parking.** Where two or more uses share a parking facility, the total required parking may be reduced where the uses have demonstrably different peak parking demands. A shared parking reduction shall be supported by a parking demand analysis prepared by a qualified traffic engineer and approved by the Zoning Administrator. The reduction shall not exceed thirty percent (30%) of the combined requirement of all uses without a more detailed study.

(c) **Transit and trail proximity.** Where a use is located within one quarter (¼) mile of a public transit stop or a dedicated trail or greenway, the Zoning Administrator may approve a reduction of up to ten percent (10%) in the required off-street parking.

(d) **CBD exemption.** Uses within the Central Business District are exempt from all off-street parking requirements, as provided in *Sec. 4.05.6*.

(5) **Parking lot design.** Parking lots shall:

(a) Be screened from the primary street by buildings, liner uses, low walls, or landscaping of not less than thirty (30) inches in height at installation;

(b) Be divided by landscaped islands containing canopy trees at a ratio of not less than one (1) canopy tree per ten (10) parking spaces, with islands not less than nine (9) feet in width to support healthy root growth;

(c) Provide safe, direct, and clearly delineated pedestrian routes from the parking area to all building entrances, crossing drive aisles at marked crosswalks with clearly differentiated paving or paint;

(d) Not be placed between a building and the primary street frontage in any district or Planned Development District; and

(e) Be designed and graded to drain to a stormwater management facility rather than directly to a street or adjacent property.

(6) **Loading spaces.** Loading spaces shall be provided for uses that regularly receive deliveries, in accordance with Table 9.2, and shall be located to the rear or side of the building and screened from all public and private streets and from residential uses. Uses in the CBD Zone shall be exempt.

TABLE 9.2 — MINIMUM OFF-STREET LOADING SPACES BY GROSS FLOOR AREA

Gross Floor Area of Use	Minimum Loading Spaces
Less than 10,000 sf	None required
10,000 to 40,000 sf	1
40,001 to 100,000 sf	2
100,001 to 200,000 sf	3
Each additional 100,000 sf	1 additional

(7) **Bicycle parking.** Bicycle parking shall be provided at all multi-family, commercial, civic, and recreational uses. The minimum requirement is one (1) bicycle parking space per ten (10) required vehicle spaces, with a minimum of two (2) bicycle spaces per building. Bicycle parking shall be located within

fifty (50) feet of the primary building entrance, shall be covered where practicable, and shall consist of a fixed rack or structure to which a bicycle frame and wheel can be secured.

■ ■ ■ Sec. 9.02 – PARKING DIMENSIONS, ACCESSIBILITY, AND DESIGN

(1) **Stall and aisle dimensions.** Off-street parking facilities shall be designed to the minimum dimensions in Table 9.3. Compact spaces, where permitted, may be reduced by one (1) foot in width and two (2) feet in length for up to twenty-five percent (25%) of the total spaces required.

TABLE 9.3 — MINIMUM PARKING STALL AND AISLE DIMENSIONS BY PARKING ANGLE

Parking Angle	Stall Width	Stall Depth	Aisle Width (one-way)	Aisle Width (two-way)
90 degrees	9 ft 0 in	18 ft 0 in	24 ft	24 ft
60 degrees	9 ft 0 in	21 ft 0 in	18 ft	22 ft
45 degrees	9 ft 0 in	19 ft 6 in	14 ft	22 ft
30 degrees	9 ft 0 in	17 ft 0 in	12 ft	20 ft
Parallel	8 ft 0 in	22 ft 0 in	12 ft	20 ft

(2) **Accessible parking.** Accessible parking spaces shall be provided in accordance with Table 9.4 and with all applicable accessibility codes and state and federal law. Accessible spaces shall be located on the shortest accessible route to the primary building entrance and shall be sized, marked, and signed as required by law. Van-accessible spaces shall provide a minimum of an eight (8) foot access aisle adjacent to a minimum nine (9) foot stall.

TABLE 9.4 — REQUIRED ACCESSIBLE PARKING SPACES

Total Spaces in Lot	Minimum Accessible Spaces	Of Which Van-Accessible
1 to 25	1	1
26 to 50	2	1

Total Spaces in Lot	Minimum Accessible Spaces	Of Which Van-Accessible
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	2
301 to 400	8	2
401 to 500	9	2
501 to 1,000	2% of total	1 per 6 accessible spaces
Over 1,000	20 plus 1 per 100 over 1,000	1 per 6 accessible spaces

(3) **Drive-through stacking.** Drive-through facilities shall provide stacking spaces sufficient to prevent vehicle queuing into the street or into parking aisles. The minimum stacking requirements are:

(a) Restaurant drive-through: not fewer than five (5) stacking spaces per lane;

(b) Bank, pharmacy, or ATM: not fewer than three (3) stacking spaces per lane; and

(c) Other drive-through uses: as determined by the Zoning Administrator based on the most similar listed use.

(d) Each stacking space shall be not less than nine (9) feet in width and twenty (20) feet in length, exclusive of the service window or menu board area.

■ ■ ■ Sec. 9.03 – LANDSCAPING AND BUFFERS

(1) **Purpose.** Landscaping shall soften and screen development, manage stormwater, shade the public realm, improve air quality, and reinforce Buchanan's rural and small-town character. Buffer yards shall screen uses of differing intensity and protect adjoining properties.

(2) **General landscaping requirements.**

(a) Required landscaping shall be installed before a certificate of occupancy or certificate of completion, unless a landscape security instrument under Sec. 7.06 guarantees installation within six (6) months after certificate issuance.

(b) Required landscaping shall be maintained in a healthy, living condition. Dead, diseased, or severely damaged plant material shall be replaced within one (1) growing season. Failure to maintain required landscaping is a code violation subject to Chapter XII.

(c) Landscaping shall favor native and regionally adapted species, be designed for low water use after establishment, and be selected from the approved species lists in this section. Invasive species listed in subsection (8) shall not be used in required landscaping.

(d) Any property subject to this section shall submit a landscape plan with Development Plan or Plat review. The plan shall be prepared and sealed by a Georgia-registered landscape architect unless waived by the Director. Plans shall be on 24" x 36" sheets at a minimum scale of 1" = 50' and shall include a landscape credit summary showing required and provided credits, plus:

(i) North arrow and scale.

(ii) The name of applicant/owner.

(iii) The name, address and phone number of the person or firm responsible for the preparation of the plan.

(iv) The dates the plans are submitted and/or revised.

(v) All existing and proposed buildings and other structures, paved areas, planted areas, underground utilities, utility poles, fire hydrants, light standards, signs, fences and other permanent features to be added and/or retained on the site.

(vi) All existing plant material to be removed or retained and all new landscaping materials to be installed.

(vii) All existing and proposed streets, sidewalks, curbs and gutters, railroad tracks, drainage ditches and other public or semi-public improvements within and immediately adjacent to the site.

(viii) All property lines and easements.

(ix) Any other information which is deemed appropriate by the Director.

(x) Details shall be shown for the planting of the types of trees, shrubs and ground cover within the buffer yard or landscaped area.

(xi) North arrow and scale.

(xii) The name of applicant/owner.

(xiii) The name, address and phone number of the person or firm responsible for the preparation of the plan.

(xiv) The dates the plans are submitted and/or revised.

(xv) All existing and proposed buildings and other structures, paved areas, planted areas, underground utilities, utility poles, fire hydrants, light standards, signs, fences and other permanent features to be added and/or retained on the site.

(xvi) All existing plant material to be removed or retained and all new landscaping materials to be installed.

(xvii) All existing and proposed streets, sidewalks, curbs and gutters, railroad tracks, drainage ditches and other public or semi-public improvements within and immediately adjacent to the site.

(xviii) All property lines and easements.

(xix) Any other information which is deemed appropriate by the Zoning Administrator.

(xx) Details shall be shown for the planting of the types of trees, shrubs and ground cover within the buffer yard or landscaped area.(3) **Residential Landscaping.** Landscaping required by this subsection shall be installed before issuance of a certificate of occupancy. An extension of up to one hundred twenty (120) days may be granted for seasonal planting conditions. Rural Hamlet Districts shall be exempt from subsections (a) and (b).

Table 9.4B: Residential Landscaping Summary

Development Type	Minimum Requirement
Major subdivision perimeter	20-foot landscape strip, trees, shrubs, and perimeter fence/wall/mound option
Individual lot front/side yards	Table 9.4B package
Corner lots	Additional streetside-yard planting
Townhomes	Table 9.4B applies
Rear yards	Sodded

(a) Major Subdivision Perimeter Landscaping. Major subdivisions adjacent to a public right-of-way shall provide:

(i) A twenty (20) foot landscape strip designated as common area or landscape easement;

(ii) Five (5) trees per one hundred (100) linear feet, staggered, with no two (2) trees closer than twenty (20) feet;

(iii) Ten (10) shrubs per one hundred (100) linear feet; and

(iv) A mix of deciduous canopy trees and evergreen trees, with up to twenty-five percent (25%) ornamental trees.

Trees and shrubs shall be prorated and rounded up for partial frontage. Plantings should be at least fifty percent (50%) evergreen and may be combined with perimeter fences, walls, or mounds.

(b) Subdivision Perimeter Fences, Walls and Mounds. One of the following shall be provided in addition to *Subsection 9.03(3)(a)*.

(i) Decorative fences or walls of masonry, stone, wood, decorative metal, or approved synthetic material, 36 to 72 inches high, transparent or opaque, located only in common area or landscape easement; or

(ii) Mounds at least three (3) feet high with a maximum 3:1 side slope. Continuous levee-like mounds are not permitted.

(c) Common area. Where a common area is shown on the plat of a residential project, a property owner's association or homeowners' association shall be formed and shall maintain the area under Sec. 9.06(4).

(d) Individual Lot Landscaping. Front and side yard landscaping shall comply with Table 9.4B and the following:

(i) Front and side shrub counts are combined;

(ii) Existing front-yard trees count if they are at least two (2) inches caliper measured six (6) inches above grade and are part of the final landscape package;

(iii) Corner lots shall include a streetside-yard plan with one (1) evergreen tree and twelve (12) shrubs;

(iv) Trees shall not interfere with adjacent property use at maturity;

(v) Plant material shall remain outside the Sight Visibility Triangle under Sec. 9.14(4);

(vi) Trees shall not be planted in the right-of-way;

(vii) Townhomes with side-by-side units shall comply with Table 9.4B; and

(viii) Front and side yards may use sod, a pollinator garden, natural woodlands, or a combination, but rear yards shall be sodded.

(4) **Street trees.** Street trees shall be planted along all thoroughfares at intervals appropriate to species and street classification, consistent with Chapter VI. Required planting is:

Table 9.4C: Individual Residential Lot Landscape

Housing Type	Number of Trees	Minimum Number of Shrubs	Front Yard Sod or pollinator gardens
Single-Family Attached	2	8	yes
Single-Family Detached/Townhomes	1	6	yes

(i) One (1) canopy tree per thirty (30) linear feet of street frontage or fraction thereof, on Boulevards, Avenues, Main Streets, and Neighborhood Streets, planted at intervals of not less than twenty-five (25) nor more than forty (40) feet;

(ii) One (1) tree per forty (40) linear feet on Lanes; and

(iii) One (1) tree per fifty (50) linear feet on Rural Roads, informally placed.

Street trees shall be at least two and one-half (2.5) inches caliper at installation, measured six (6) inches above the root flare, and shall be selected from Table 9.5. They shall be planted in a continuous verge at least six (6) feet wide or in tree wells at least four (4) feet by four (4) feet where needed, with structural soil beneath pavement.

TABLE 9.5 — BUFFER YARD TYPES AND MINIMUM SCREENING

Buffer Type	Minimum Width	Planting and Screening Requirements
Type A — Light	10 ft	Canopy and understory trees with groundcover; no wall required; provides visual softening without full screening
Type B — Moderate	20 ft	Double row of canopy and evergreen trees with shrubs; or a masonry wall plus plantings; provides substantial visual screening
Type C — Heavy	30 ft	Dense evergreen and canopy planting with shrubs and a six-foot opaque masonry or wood wall or earthen berm; provides full visual and acoustic screening
Perimeter buffer (RHD)	150 ft	Natural, forested, or managed meadow condition per Sec. 5.B.12.3; no wall required
Perimeter buffer (PUD)	15 to 30 ft	Per Table 5.A.1; Type A, B, or C depending on abutting condition

(5) **Buffer Yard Standards.** Buffer yard standards apply where dissimilar uses or zoning classifications meet, as shown in Table 7.8. Required buffer yards shall be installed even if streets, alleys, or other features are present. No new street, access drive, or alley shall be located in a required buffer yard. Existing mature vegetation may be credited.

Table 9.5B: Buffer Yard Administration

Item	Rule
Responsibility	Developer/owner installs buffer yard
Location	Entirely on subject property; may overlap setbacks
Planting pattern	Regular or irregular patterns allowed
Tree spacing	No two non-evergreen buffer trees closer than 20 feet
Prohibited locations	No easements, rights-of-way, or septic fields
Ground cover	Grass or other ground-covering vegetation required
Non-vegetative substitute	Requires Zoning Administrator approval
Maintenance	Keep neat; replace dead/unhealthy material by next spring or fall planting season

(a) Responsibility. The developer or owner of the property being developed or changed in use shall install the buffer yard. The adjacent property owner shall not be required to participate.

(b) Location. Required buffer yards shall be located entirely on the subject property and may overlap required setbacks.

(c) Planting location. Buffer yard trees may be placed in regular or irregular patterns. No two (2) buffer yard trees, excluding evergreen trees, shall be closer than twenty (20) feet. No buffer yard material shall be placed in an easement, right-of-way, or septic field.

(d) Tree size. Broadleaf/deciduous trees shall be at least two and one-half (2.5) inches caliper at planting. Evergreen conifers shall be at least four (4) feet high at planting.

(e) Ground cover. All unplanted buffer yard areas shall be covered with grass or other ground-covering vegetation. Non-vegetative surfaces require Zoning Administrator approval.

(f) Application. Landscaping required by this section may not count toward other ordinance requirements unless approved by the Zoning Administrator.

(g) Maintenance. Landscape materials shall be maintained in a neat and orderly condition and free of debris. Dead or unhealthy plant material shall be replaced by the next spring or fall planting season. Pruning, limbing-up, topping, and other growth-inhibiting measures may be used only for public safety or vegetation health.

(6) **Buffers.** Buffers shall be required between the Rural Hamlet District and the rural (R-20) district, and where a hamlet abuts a thoroughfare, except as provided in subsection (g). The purpose is to preserve rural views and rural character. Adjacent to SR 27, buffers may be wooded. Adjacent to other roads, buffers may be wooded, open, or agricultural. Buffers shall not include buildings or pavement, except as allowed in subsection (g). If a buffer is not wooded, native trees and native plants shall be provided at a density sufficient to screen buildings and parking year-round.

FIGURE 9.1: CLEARCUTTING PROHIBITED

WHY CLEARCUTTING IS PROHIBITED. Clearcutting a development site destroys irreplaceable mature tree canopy, eliminates wildlife habitat, destabilizes soil, generates erosion and sediment, floods downstream properties, and strips the site of the natural features that give it value and character. It is also frequently done prematurely to avoid tree protection requirements. The City of Buchanan prohibits this practice in all districts and imposes enhanced penalties for premature clearing, including mandatory on-site restoration at replacement ratios that reflect the full value of what was lost.

(d) *Other standards*.

(i) No parking of vehicles or placement of structures in required buffers;

(ii) No grading or retaining walls in required buffers;

(iii) Fences and walls are allowed under Sec. 9.14 but do not satisfy the visual screening requirement; and

(iv) Buildings shall be set back at least ten (10) feet from required buffers.

(v) Required buffer depths shall be the greater of the applicable standards.

(e) Required buffers shall have the minimum depths listed in the following table. Where there are conflicting requirements, the greater requirement shall apply.

(f) Buffer Yard Widths and Types. The buffer yard requirement may be included as part of the minimum setback requirements unless approved by the Zoning Administrator. Plant material shall be selected from *Tables 9.9 – 9.17* unless approved by the Zoning Administrator. The following buffer yard types establish the minimum screening required between uses of differing intensity. The required buffer type is determined by the district buffer matrix of *Sec. 9.15*. The buffer is provided on the lot of the more intensive use. A dash (—) in *Sec. 9.15* indicates that no buffer is required between those uses.

(g) *Exceptions*.

(i) No buffer is required in any R-20, except as specified Sec.7.05 for farmette subdivisions.

(ii) Thoroughfares and utility crossings may cross and interrupt buffers where approved by the zoning administrator. Such crossings must be designed to minimize the impact on the visual effectiveness of the buffer.

(iii) Signs which conform to the requirements of article VIII may be located in buffers.

(iv) Where existing topography is adequate to provide an effective visual buffer, the zoning administrator may reduce the requirements of this section.

(v) Where adjacent property owners agree to the reduction of the buffer, in written recordable form acceptable to the city attorney, the zoning administrator may reduce the requirements of this section.

(vi) Along existing roads (except SR 27), openings within the buffer are allowed for up to 20 percent of the total length that a district fronts an individual thoroughfare, but not to exceed 250 feet per thoroughfare for any RHD zone. This opening may be open land, rather than wooded, and may contain agricultural uses, but may not include any structures or pavement. Any buildings visible from a thoroughfare through such an opening must be designed consistently with an architectural style found within 250 miles of the site between the years of 1800 and 1935.

(7) Preservation of Existing Vegetation. Retained vegetation meeting the species and location requirements of this section may count toward required landscaping, subject to Zoning Administrator approval. No construction activity shall occur within the drip line of retained vegetation counted for credit.

(a) Clear Cutting. Clear-cutting means the removal of trees from a forested area to the extent that soil erosion or eroded soil deposition is likely on adjacent land, roads, or waterways. Removal of all trees from a forested area at one time, regardless of species, quality, age, or spacing, is clear-cutting. Clear-cutting is prohibited except for the following, which shall be shown to the City Engineer on a drawing before clearing begins:

(i) For the placement and maintenance of a building within thirty feet (30') of each exterior wall;

(ii) Installation of a private septic system; and

(iii) A twenty-foot (20') wide roadway construction path, or greater if allowed by other regulation.

(b) Protected Trees. Healthy, self-supporting trees meeting the following minimum sizes are protected trees: deciduous, six (6) inch caliper; evergreen, eight (8) inch caliper; and ornamental, two (2) inch caliper. No protected tree may be removed, destroyed, moved, or caused to be removed in preparation for development without a Land Disturbance Permit. Protected trees over eight (8) inches caliper may count toward required landscape materials at the rate of two (2) required shade or evergreen trees or four (4) required ornamental trees. Preserved trees do not count toward mitigation caliper for removed trees.

(i) Exemptions. The requirements of this subsection shall be followed except:

(a) During emergencies such as tornadoes, ice storms, floods, or other extreme acts of nature;

(b) Where a tree creates an imminent danger to the environment, property, public health, safety, or welfare;

(c) To necessary removal by a public agency or utility company within plotted or dedicated utility easements;

(d) In an area where a permanent structure is located or will be located within a lot building area;

(e) On developed single-family lots;

(f) To trees less than twelve (12) caliper inches on lots under 20,000 square feet;

(g) To dead, substantially injured, diseased, or damaged trees; and

(h) To government agencies, tree farms, nurseries, and agricultural uses where removal is part of normal business activity.

(ii) Development Plans. Land Disturbance Permit or Development Plan Review applications requiring protected tree removal shall include a protected tree plan or show:

(a) A scale map or plot plan showing all protected trees and tree stands;

(b) Which trees will be removed, replaced, or counted toward landscaping; and

(c) Methods of protection.

(8) Landscape materials, credits, and species tables. Required landscaping shall be measured in Landscape Credits. Each plant installed shall earn the credit value shown in Table 9.9 at the time of planting. Trees planted to satisfy a replacement obligation under Sec. 9.04(4) shall earn credits under this subsection, provided that credits so earned shall not satisfy more than [fifty percent (50%)] of the landscaping otherwise required for the development or phase. Preserved existing trees shall also earn credit values as shown. Non-qualifying trees listed in Table 9.22 shall not be used in required landscaping and shall not earn credits, except that a preserved tree of a non-qualifying species that is not an invasive species shall earn preservation credit at one (1) credit per inch of diameter at breast height.

Table 9.9: Landscape Credit Values

Landscape Material	Minimum Installation Size	Credit Value
Canopy (shade) tree	2.5 in caliper, 10 ft height	4 per caliper inch
Understory / ornamental tree	1.5 in caliper, 6 ft height	5
Evergreen tree	6 ft height	5
Large shrub	5 gal, 30 in height	2
Small shrub	3 gal, 18 in height	1
Ornamental grass / perennial	1 gal	0.5
Preserved specimen tree	Existing, healthy, non-qualifying species excluded	2 credits per inch of diameter at breast height
Preserved tree, 8 to 23 inches DBH	Existing, healthy	1 credit per inch of diameter at breast height

Several varieties of each species listed in the tables below may be substituted upon written approval of the Zoning Administrator. All species shall be matched to location, soil, and exposure. Species from Table 9.22 shall not be planted in any required landscaping.

TABLE 9.10 — TREES FOR PLANTING ON STREETS, HIGHWAYS, AND PARKING LOTS

Generally with high canopies, shade-producing, and hardy.

D = Deciduous; E = Evergreen

Botanic Name	Common Name	Type	Mature Height	Tree Category
Acer campestre	Hedge Maple	D	30'–40'	Ornamental
Acer ×freemanii	Freeman Maple	D	50'–60'	Shade
Acer rubrum	Red Maple	D	40'–60'	Shade
Acer saccharum	Sugar Maple	D	50'–70'	Shade

Botanic Name	Common Name	Type	Mature Height	Tree Category
Carpinus betulus 'Fastigiata'	Upright European Hornbeam	D	30'–40'	Shade
Carpinus caroliniana	American Hornbeam	D	25'–30'	Ornamental
Crataegus phaenopyrum	Washington Hawthorn	D	25'–30'	Ornamental
Ginkgo biloba (male only)	Ginkgo	D	40'–60'	Ornamental
Gleditsia triacanthos inermis	Thornless Honeylocust	D	30'–60'	Shade
Gleditsia triacanthos 'Imperial'	Imperial Honeylocust	D	30'–60'	Shade
Koelreuteria paniculata	Golden Rain Tree	D	30'–40'	Shade
Liquidambar styraciflua	American Sweetgum	D	40'–60'	Ornamental
Liriodendron tulipifera	Tulip Tree	D	70'–80'	Shade
Platanus ×acerifolia 'Bloodgood'	Bloodgood London Planetree	D	70'–85'	Shade
Pyrus calleryana 'Aristocrat'	Aristocrat Pear	D	35'–45'	Shade
Quercus alba	White Oak	D	60'–80'	Shade

Botanic Name	Common Name	Type	Mature Height	Tree Category
Quercus bicolor	Swamp White Oak	D	40'–50'	Shade
Quercus coccinea	Scarlet Oak	D	60'–80'	Shade
Quercus palustris	Pin Oak	D	50'–80'	Shade
Quercus phellos	Willow Oak	D	50'–70'	Shade
Quercus robur	English Oak	D	50'–70'	Shade
Quercus rubra	Red Oak	D	40'–60'	Shade
Sorbus alnifolia	Korean Mountain Ash	D	20'–30'	Ornamental
Sorbus 'Aria'	White Beam Mountain Ash	D	25'–40'	Ornamental
Taxodium distichum	Bald Cypress	D	50'–100'	Shade
Tilia americana	Basswood Linden	D	40'–60'	Shade
Tilia cordata 'Green Spire'	Little-Leaf Linden	D	40'–50'	Shade
Tilia tomentosa	Silver Linden	D	40'–50'	Shade
Zelkova serrata 'Village Green'	Village Green Zelkova	D	40'–60'	Shade

TABLE 9.11 — TREES FOR PLANTING ON STREETS AND HIGHWAYS THAT MINIMIZE CONFLICT WITH OVERHEAD UTILITIES

D = Deciduous; E = Evergreen

Botanic Name	Common Name	Type	Mature Height	Tree Category
Acer campestre	Hedge Maple	D	30'–40'	Ornamental
Carpinus caroliniana	American Hornbeam	D	25'–30'	Ornamental
Cercis canadensis	Eastern Redbud	D	20'–25'	Ornamental
Crataegus crus-galli	Cockspur Hawthorn	D	15'–25'	Ornamental
Crataegus phaenopyrum	Washington Hawthorn	D	20'–25'	Ornamental
Malus hybrids	Flowering Crabapple	D	15'–30'	Ornamental
Prunus 'Newport'	Newport Plum	D	15'–20'	Ornamental
Prunus maackii	Amur Chokecherry	D	25'–30'	Ornamental
Prunus virginiana	Chokecherry	D	20'–25'	Ornamental
Sorbus alnifolia	Korean Mountain Ash	D	20'–30'	Ornamental
Sorbus 'Aria'	White Beam Mountain Ash	D	25'–40'	Ornamental

TABLE 9.12 — ORNAMENTAL TREES FOR USE IN SITE INTERIOR OR BUFFER

D = Deciduous; E = Evergreen

Botanic Name	Common Name	Type	Mature Height	Tree Category
Acer ginnala	Amur Maple	D	15'–20'	Ornamental
Acer griseum	Paperbark Maple	D	20'–30'	Ornamental
Acer palmatum	Japanese Maple	D	15'–20'	Ornamental
Amelanchier canadensis	Juneberry	D	30'–35'	Ornamental
Amelanchier ×grandiflora	Apple Serviceberry	D	25'–30'	Ornamental
Amelanchier laevis	Allegheny Serviceberry	D	25'–30'	Ornamental
Betula nigra	River Birch	D	40'–60'	Ornamental
Betula papyrifera	Paper Birch	D	40'–60'	Ornamental
Cercidiphyllum japonicum	Katsura Tree	D	25'–40'	Ornamental
Cercis canadensis	Eastern Redbud	D	20'–30'	Ornamental
Cornus kousa	Japanese Dogwood	D	20'–25'	Ornamental
Cotinus coggygria	Smoke Tree	D	15'–20'	Ornamental
Magnolia ×loebneri	Loebner Magnolia	D	12'–15'	Ornamental
Magnolia ×soulangeana	Saucer Magnolia	D	15'–20'	Ornamental
Magnolia stellata	Star Magnolia	D	10'–15'	Ornamental
Prunus sargentii 'Columnaris'	Columnar Sargent Cherry	D	25'–30'	Ornamental

Botanic Name	Common Name	Type	Mature Height	Tree Category
Prunus serrulata	Oriental Cherry	D	15'–25'	Ornamental
Prunus virginiana	Canada Red Select Cherry	D	20'–25'	Ornamental
Salix matsudana 'Tortuosa'	Corkscrew Willow	D	25'–30'	Ornamental

TABLE 9.13 — EVERGREEN TREES FOR USE IN SITE INTERIOR OR BUFFER

D = Deciduous; E = Evergreen

Botanic Name	Common Name	Type	Mature Height	Tree Category
Abies concolor	White Fir	E	30'–50'	Evergreen
Picea abies	Norway Spruce	E	50'–60'	Evergreen
Picea glauca var. *densata*	Black Hills Spruce	E	50'–60'	Evergreen
Picea omorika	Serbian Spruce	E	50'–60'	Evergreen
Picea pungens	Colorado Spruce	E	60'–75'	Evergreen
Picea pungens 'Glauca'	Colorado Blue Spruce	E	60'–75'	Evergreen
Pinus nigra	Austrian Pine	E	30'–60'	Evergreen
Pinus ponderosa	Ponderosa Pine	E	40'–50'	Evergreen
Pinus strobus	Eastern White Pine	E	50'–100'	Evergreen

Botanic Name	Common Name	Type	Mature Height	Tree Category
Tsuga canadensis	Canada Hemlock	E	60'–75'	Evergreen

TABLE 9.14 — VINES FOR WALLS AND FENCES

D = Deciduous; E = Evergreen

Botanic Name	Common Name	Type
Aristolochia durior	Dutchman's Pipe	D
Campsis radicans	Trumpetvine	D
Celastrus scandens	American Bittersweet	D
Clematis ×jackmanii	Clematis Hybrids	D
Clematis lanuginosa	Clematis Hybrids	D
Lonicera ×brownii	Dropmore Scarlet Honeysuckle	D
Lonicera ×heckrottii	Everblooming Honeysuckle	D
Parthenocissus quinquefolia	Virginia Creeper	D
Parthenocissus tricuspidata	Boston Ivy	D

TABLE 9.15 — SMALL SHRUBS APPROVED FOR SCREENS, HEDGES, AND SPECIMEN PLANTING

D = Deciduous; E = Evergreen

Botanic Name	Common Name	Type	Mature Height
Aronia melanocarpa	Black Chokeberry	D	4'–6'
Berberis thunbergii	Japanese Barberry	D	3'–5'
Buxus microphylla 'Koreana'	Korean Boxwood	E	2'–3'
Chaenomeles species	Flowering Quince	D	2'–6'
Cotoneaster divaricata	Spreading Cotoneaster	D	5'–6'
Euonymus fortunei	Euonymus	E	4'–6'
Hydrangea macrophylla	Nikko Blue Hydrangea	D	3'–4'
Ilex crenata	Japanese Holly	E	3'–5'
Mahonia aquifolium	Oregon Grape	E	3'–6'
Physocarpus opulifolius intermedius	Dwarf Ninebark	D	4'–5'
Prunus glandulosa	Dwarf Flowering Almond	D	4'–6'
Rhus aromatica	Fragrant Sumac	D	4'–6'
Symphoricarpos albus	White Snowberry	D	5'–6'
Weigela florida	Flowering Weigela	D	4'–5'
Weigela 'Vaniceki'	Cardinal Shrub	D	4'–5'

TABLE 9.16 — LARGE SHRUBS APPROVED FOR SCREENS, HEDGES, AND SPECIMEN PLANTING

D = Deciduous; E = Evergreen

Botanic Name	Common Name	Type	Mature Height
Caragana arborescens	Siberian Peashrub	D	12'–15'
Cornus alba 'Elegantissima'	Variegated Dogwood	D	6'–10'
Cornus alternifolia	Pagoda Dogwood	D	15'–20'
Cornus sericea 'Baileyi'	Redtwig Dogwood	D	8'–10'
Cotinus coggygria	Smoke Tree	D	8'–10'
Cotoneaster acutifolius	Peking Cotoneaster	D	4'–8'
Euonymus alatus 'Compactus'	Burning Bush	D	7'–10'
Forsythia ×intermedia Hybrids	Hybrid Forsythia	D	7'–10'
Forsythia suspensa	Weeping Forsythia	D	8'–10'
Hamamelis virginiana	Common Witch Hazel	D	10'–15'
Hibiscus syriacus	Rose of Sharon	D	4'–12'
Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	D	4'–15'
Hydrangea paniculata 'Grandiflora'	Peegee Hydrangea	D	6'–10'
Ilex ×meserveae	Blue Holly	E	6'–8'
Ilex opaca	American Holly	E	8'–15'
Juniperus chinensis	Chinese Juniper	E	6'–15'
Juniperus scopulorum	Rocky Mountain Juniper	E	6'–15'

Botanic Name	Common Name	Type	Mature Height
Ligustrum amurense	Amur Privet	D	4'–8'
Ligustrum 'Vicaryi'	Golden Vicary Privet	D	4'–12'
Myrica pennsylvanica	Northern Bayberry	D	5'–10'
Philadelphus coronarius	Sweet Mockorange	D	8'–10'
Philadelphus virginalis	Minnesota Snowflake	D	6'–8'
Picea glauca 'Conica'	Dwarf Alberta Spruce	E	6'–10'
Prunus cistena	Cistena Plum	D	6'–8'
Prunus triloba	Flowering Almond	D	8'–10'
Rhamnus frangula	Alder Buckthorn	D	12'–15'
Rhus glabra	Smooth Sumac	D	8'–10'
Rhus typhina	Staghorn Sumac	D	8'–12'
Salix caprea	French Pussy Willow	D	15'–20'
Sambucus canadensis	American Elderberry	D	6'–8'
Shepherdia argentea	Silver Buffaloberry	D	5'–8'
Sorbaria sorbifolia	False Spiraea	D	6'–8'
Syringa ×chinensis	Chinese Lilac	D	6'–8'
Syringa ×hyacinthiflora Hybrids	Hybrid Canadian Lilac	D	8'–12'

Botanic Name	Common Name	Type	Mature Height
Syringa vulgaris	Common Lilac	D	8'–12'
Syringa vulgaris Hybrids	Hybrid French Lilac	D	8'–12'
Taxus cuspidata 'Capitata'	Upright Japanese Yew	E	10'–25'
Taxus 'Hicksii'	Hick's Yew	E	10'–12'
Viburnum dentatum	Arrowwood Viburnum	D	10'–15'
Viburnum lantana	Wayfaring Tree	D	8'–15'
Viburnum lentago	Nannyberry	D	8'–15'
Viburnum opulus	European Cranberry Bush	D	10'–12'
Viburnum plicatum f. *tomentosum*	Doublefile Viburnum	D	8'–10'
Viburnum prunifolium	Black Haw Viburnum	D	10'–12'
Viburnum rhytidophyllum	Leatherleaf Viburnum	D	6'–15'
Viburnum trilobum	American Cranberry Bush	D	8'–12'

TABLE 9.17 — LOW SPREADING SHRUBS APPROVED FOR BORDERS, PARKING ISLANDS, AND GROUNDCOVER

D = Deciduous; E = Evergreen

Botanic Name	Common Name	Type	Mature Height
Berberis mentorensis	Mentor Barberry	E	3'–4'

Botanic Name	Common Name	Type	Mature Height
Berberis thunbergii Hybrids	Japanese Barberry	D	2'–4'
Berberis verruculosa	Warty Barberry	E	2'–3'
Buxus sempervirens	Boxwood	E	2'–3'
Cotoneaster apiculata	Cranberry Cotoneaster	D	2'–3'
Cotoneaster horizontalis	Rockspray Cotoneaster	D	1'–3'
Daphne ×burkwoodii	Burkwood Daphne	D	3'–4'
Deutzia gracilis	Slender Deutzia	D	2'–3'
Euonymus fortunei 'Sarcoxie'	Sarcoxie Euonymus	E	3'–4'
Forsythia viridissima 'Bronxensis'	Dwarf Forsythia	D	1'–2'
Hypericum patulum	St. John's Wort	D	2'–3'
Juniperus (spreading varieties)	Juniper	E	1'–3'
Mahonia aquifolium 'Compacta'	Dwarf Oregon Grape	E	2'
Microbiota decussata	Siberian Cypress	E	1'
Philadelphus virginalis	Miniature Snowflake	D	2'–3'
Picea abies 'Nidiformis'	Birdnest Spruce	E	2'
Picea abies 'Pumila'	Dwarf Norway Spruce	E	2'–3'
Picea pungens 'Globosa'	Blue Globe Spruce	E	3'–4'

Botanic Name	Common Name	Type	Mature Height
Pinus mugo	Mugho Pine	D	3'–4'
Potentilla fruticosa Hybrids	Bush Cinquefoil	D	2'–3'
Rhus aromatica 'Low Grow'	Low Grow Fragrant Sumac	D	1'–2'
Ribes alpinum	Alpine Currant	D	3'–5'
Spiraea bumalda	Spirea	D	2'–3'
Spiraea japonica	Japanese Spirea	D	2'–3'
Spiraea nipponica	Nippon Spirea	D	2'–3'
Symphoricarpos orbiculatus	Coral Berry	D	3'–4'
Syringa patula 'Miss Kim'	Dwarf Korean Lilac	D	3'–5'
Taxus cuspidata 'Nana'	Dwarf Japanese Yew	E	2'–3'
Taxus ×media	Spreading Yew	E	2'–4'
Viburnum opulus 'Nana'	European Cranberry Bush	D	1'–2'

TABLE 9.22 — NON-QUALIFYING TREES

Trees listed in this table shall not be planted in required landscaping, shall not earn landscape unit credit, and shall not be used as required street trees or replacement trees. Their removal does not trigger replacement obligations.

Common Name	Botanical Name	Negative Feature(s)
Boxelder	*Acer negundo*	Aggressive; shallow roots; weak wood

Common Name	Botanical Name	Negative Feature(s)
Norway Maple	*Acer platanoides*	Invasive
Silver Maple	*Acer saccharinum*	Aggressive; shallow roots; weak wood
Tree of Heaven	*Ailanthus altissima*	Seeds; suckers; weak wood; invasive
Mimosa	*Albizia julibrissin*	Invasive
European White Birch	*Betula pendula*	Insect-prone; invasive
Hackberry	*Celtis occidentalis*	Disease-prone
Camphor Tree	*Cinnamomum camphora*	Invasive
Russian Olive	*Elaeagnus angustifolia*	Poor form; disease-prone; invasive
Ash (all species)	*Fraxinus* spp.	Disease-prone (Emerald Ash Borer)
Ginkgo (female only)	*Ginkgo biloba* (female)	Malodorous fruit
White Lead Tree	*Leucaena leucocephala*	Invasive
Chinaberry Tree	*Melia azedarach*	Invasive
Mulberry (all species)	*Morus* species	Fruits; shallow roots; invasive
Princess Tree	*Paulownia tomentosa*	Invasive
Senegal Date Palm	*Phoenix reclinata*	Invasive
White Poplar	*Populus alba*	Suckers; shallow roots; weak wood; invasive

Common Name	Botanical Name	Negative Feature(s)
Cottonwood	*Populus deltoides*	Weak wood; shallow roots; seeds
Lombardy Poplar	*Populus nigra* 'Italica'	Insects; disease; short-lived
(Wild) Black Cherry	*Prunus serotina*	Disease-prone
Bradford Pear	*Pyrus calleryana* 'Bradford'	Weak branching; low branches; invasive
Brazilian Pepper Tree	*Schinus terebinthifolius*	Invasive
Tallow Tree	*Triadica sebifera*	Invasive
American Elm*	*Ulmus americana**	Insects; disease
Siberian Elm	*Ulmus pumila*	Weak wood; seeds
Leyland Cypress	×*Cuprocyparis leylandii*	Overplanting; disease-prone in humid climates
Emerald Green Arborvitae	*Thuja occidentalis* 'Smaragd'	Overplanting
Hetz Midget Arborvitae	*Thuja occidentalis* 'Hetz Midget'	Overplanting

Note: Suitable disease-resistant cultivars and hybrids exist as substitutes for American Elm and may be approved by the Zoning Administrator upon written application.

Prohibited invasive species. Species identified by the Georgia Exotic Pest Plant Council (GA-EPPC), and any species listed by the City as prohibited invasive species, shall not be planted in required landscaping and should be removed from preserved open space and buffer areas where practicable. Their presence shall not satisfy any landscape credit requirement.

FIGURE 9.2: DO NOT PLANT LIST

PROHIBITED INVASIVE SPECIES (do not plant):

- Chinese privet (*Ligustrum sinense*) and all other privets
- Chinese and Japanese wisteria (*Wisteria sinensis*, *W. floribunda*)
- Kudzu (*Pueraria montana*)
- Bradford / callery pear (*Pyrus calleryana*)
- Autumn olive and Russian olive (*Elaeagnus* spp.)
- Cogongrass (*Imperata cylindrica*)
- Tree of heaven (*Ailanthus altissima*)
- Japanese stiltgrass (*Microstegium vimineum*)
- English ivy (*Hedera helix*)
- Japanese honeysuckle (*Lonicera japonica*)
- Nandina / heavenly bamboo (*Nandina domestica*)
- Mimosa / silk tree (*Albizia julibrissin*)
- Winter creeper (*Euonymus fortunei*)
- Multiflora rose (*Rosa multiflora*)

(9) **Assurance of installation/completion.** Plant material used for buffer yards, medians, entrances, ponds, or perimeter landscaping shall be designated as Common Area or a landscape easement and shall be installed before subdivision plat recordation. No final Certificate of Occupancy shall issue until all landscape plan materials are installed. A temporary Certificate of Occupancy may be issued for up to six (6) months if planting is delayed by weather and a performance bond equal to the installed landscaping cost is submitted. The City Engineer shall calculate the bond amount.

(10) **Bonding.** The applicant may post a bond if buffer yard and landscaping installation will be completed at the end of the project. If the applicant fails to install the approved landscape plan within one (1) complete growing season, the City may contract for installation at the prevailing wage rate. "Prevailing wage rate" means the rate at which the City pays a contractor for the work.

(11) **Utility easement conflicts.** Required plant material shall be placed outside drainage and utility easements and overhead utilities. Plant material shall not be placed in the road or street right-of-way without City Engineer approval.

(12) **Parking area landscaping.** Parking lots shall be screened from public and private street rights-of-way by a landscape screen at least twenty (20) feet wide. Parking areas adjacent to other developed

parcels shall have a planting area at least ten (10) feet wide. Trees for interior drives shall comply with Sec. 7.05(8).

Table 9.3.D: Parking Area Landscape Screening

Condition	Requirement
Street frontage	20-foot landscape screen
Adjacent developed parcel	10-foot planting area
Interior drives	Trees per Sec. 7.05(8)
Perimeter screening option 1	Planting
Perimeter screening option 2	Landscape berm

(a) Planting. Provide one (1) tree per thirty (30) linear feet of landscaped area. Trees may be deciduous, evergreen, or a combination. The tree requirement may be reduced or eliminated if street trees under Sec. 7.05(8) are within thirty (30) feet of the parking area edge. Provide one (1) shrub every three (3) feet to form a continuous screen at least thirty-six (36) inches high within two (2) years. Spacing may be wider with Zoning Administrator approval. At least fifty percent (50%) of shrubs shall be evergreen; or

(b) Landscape berm. A landscaped berm at least three (3) feet high shall be provided along the landscaped area. Trees shall be provided, and shrubs shall be added where the berm tapers below thirty-six (36) inches.

Parking lots adjacent to residential uses or zoning districts shall be screened to a minimum height of four (4) feet under Tables 7.8 and 7.9.

Interior landscaping is required for parking areas with more than twenty-five (25) vehicular parking spaces, including loading, unloading, and storage areas. Five percent (5%) of vehicular use area shall be landscaped. The minimum landscape area shall be 180 square feet, with trees planted at least four (4) feet from the curb or pavement edge. The areas shall be dispersed throughout the parking area, and shrubs, ground cover, and other live plant material shall fill the remainder. Provide one (1) broadleaf/deciduous shade tree per 180 square feet of landscaped area, with maximum spacing of 100 feet between canopy trees. Trees shall have a clear trunk to at least five (5) feet at maturity, and remaining plant material shall not exceed three and one-half (3.5) feet in height. Vehicle overhang may extend no more than two (2) feet over landscaped areas if wheel stops prevent greater overhang.

(13) **Retention pond landscaping.** Shrubs and emergent vegetation are encouraged around pond perimeters. Native Georgia plant material is preferred over nonnative manicured turf. Pond edge seed mixes may be used, and pond edge landscaping may be established from seed. Maintenance shall continue as needed, recognizing that plantings may take up to three (3) years to mature. Denser ground cover shall be planted around outfalls and drainage outlets.

(14) **Waste containers, recycling containers, service structures screening requirements.** Except in single-family residential districts, no owner, tenant, or occupant may store outside an enclosed building any dumpsters, compactors, grease dumpsters, or other waste or garbage containers exceeding 120 gallons total capacity, except for collection purposes otherwise permitted, unless screened as follows:

(a) Containers shall be placed on a concrete pad enclosed by a three-sided masonry or wood structure that screens them to twelve (12) inches above the container height. The enclosure shall use materials similar to the principal structure, shall be at least twenty (20) feet from any dwelling on an adjacent residential lot, shall not be in a front or side yard, shall be at least five (5) feet from rear or side lot lines if in a rear yard, and on corner lots shall not be closer to the street than the building itself.

(b) Any service structure visible from the first floor of a residence or from any street shall be screened. Service structures include loading docks, propane tanks, dumpsters, electrical transformers, above-ground utility vaults, ground-mounted utility equipment, and similar site-serving equipment.

(i) Screening. Provide continuous planting, hedge, fence, or earth wall with 100 percent opacity. If frequent access is required, screening may omit one side. Screening shall be six (6) feet high or one (1) foot higher than the structure, whichever is greater, but not more than ten (10) feet high.

(ii) Curbs. Where screening surrounds a mechanically emptied or removed dumpster or waste collection unit, provide a curb inside the screening on the sides where screening is provided. The curb shall be at least one (1) foot from the screening material and designed to prevent damage.

(c) The enclosure opening shall have a solid door that remains closed when not in use and is maintained in good condition.

(15) **Mechanical equipment buffering standards.** Outdoor storage areas for completed products manufactured on-site, production materials, building-mounted utilities, outdoor refrigeration units, and ground-mounted mechanical equipment shall be screened as follows. This subsection does not apply to merchandise for sale that is temporarily or seasonally placed outdoors.

(a) Ground level. Provide a six (6) foot high, 100 percent (100%) opaque fence of wood, brick, or stone. Provide opaque six (6) foot gates. Gates shall generally remain closed except when immediate access is required. Evergreen planting shall be provided around the fence perimeter. Evergreen shrubs shall be at least two (2) feet high at planting and planted at a maximum of three (3) feet on center, unless wider spacing is approved by the Zoning Administrator. On multifamily buildings where HVAC units are directly adjacent to each unit, fencing is not required; only the landscape screening in Sec. 9.03(15)(a)(ii) applies.

(b) Roof-mounted. Rooftop equipment such as HVAC units shall be screened from public streets by parapets, dormers, or other screens matching the exterior materials of the structure.

(16) **Replacement trees.** Anyone who removes, damages, or causes the removal of a public tree from a tree lawn or other public place shall replace it at his or her own expense with a species from Table 9.10 or Table 9.11.

■ ■ ■ Sec. 9.04 – TREE CONSERVATION

(1) **Purpose.** Development shall conserve significant existing trees and tree stands to the maximum extent practicable. Tree removal shall be minimized and mitigated. Clearcutting is prohibited in all districts under subsection (7).

(2) **Tree protection during construction.** Trees shown for preservation on an approved tree protection plan shall be fenced at the critical root zone, generally one (1) foot per inch of trunk diameter at breast

height from the trunk center. No grading, excavation, fill, equipment staging, or material storage shall occur within the critical root zone. Fencing shall be installed before land disturbance begins and remain until construction is complete.

(3) **Specimen trees.** A specimen tree is a tree meriting special protection because of its species, size, age, form, or condition. Presumptive specimen trees are:

(a) Trees twenty-four (24) inches or greater in trunk diameter at breast height;

(b) Trees of species listed as rare, threatened, or special concern in Georgia; and

(c) Trees designated as heritage trees by the Mayor and City Council.

A specimen tree may not be removed without prior written approval of the Zoning Administrator.

(4) **Tree replacement.** If an approved specimen tree is removed, it shall be replaced at a ratio of three (3) caliper inches of replacement tree for every one (1) caliper inch of removed specimen tree. Replacement trees shall be at least two and one-half (2.5) inches caliper at installation and shall come from the approved species lists of Sec. 9.03. If the site cannot accommodate the required replacement trees, the applicant shall contribute to the tree bank under subsection (8).

(5) **Tree canopy minimums.** Each development shall be designed to establish minimum projected tree canopy as follows, measured in the aggregate across the development or phase rather than lot by lot:

(a) Residential developments: twelve (12) canopy trees per gross acre;

(b) Commercial and industrial developments: fifteen (15) canopy trees per gross acre; and

(c) Planned Development Districts: canopy standards in the Concept Plan and pattern book shall control, consistent with Chapter V, provided that where the Concept Plan and pattern book do not establish a canopy standard, subsection (a) or (b) shall apply according to the predominant use.

(d) What counts. Street trees, trees required on individual lots under Sec. 9.03, and replacement trees planted under Sec. 9.04(4) all count toward the number required by this subsection. A preserved healthy tree of eight (8) inches or greater diameter at breast height counts as three (3) trees, and one of twenty-four (24) inches or greater counts as five (5) trees.

(e) (e) Compliance. The required number shall be shown on the landscape plan and verified once at issuance of the certificate of completion. Where the development cannot accommodate the required number at the spacing required by this Code, the Zoning Administrator shall reduce the number to what the site will accommodate, and the balance shall be planted off site or paid into the tree bank under Sec. 9.04(8).

(6) **Non-qualifying trees.** Trees listed in Table 9.22 are non-qualifying for replacement, landscape credit, and street tree requirements. Their removal does not trigger replacement, and they shall not be used as required landscaping or street trees.

(7) **Prohibition on clearcutting**

(a) General prohibition. Clearing of trees and native vegetation from a site before or in preparation for development is prohibited in all districts except as authorized by an approved land disturbance permit issued under Sec. 11.08 and in compliance with this subsection. Clearing that exceeds the limits of disturbance shown on approved construction plans, or that occurs before issuance of a land disturbance permit except as permitted by subsection (d), is prohibited.

(b) Seventy-percent threshold. No land disturbance permit, grading permit, or building permit shall be issued for a development proposing clearing of more than seventy percent (70%) of existing tree canopy coverage as determined under subsection (g) unless an approved tree replacement plan demonstrates compliance with subsection (4) and subsection (5), or an approved contribution to the tree bank under Sec. 9.04(8), or a combination of the two.

(c) Tree survey required. An applicant for any land disturbance permit shall submit a tree survey prepared by a certified arborist or registered landscape architect identifying all specimen trees under subsection (3) and all other trees six (6) inches or greater in diameter at breast height within the proposed limits of disturbance. If more than seventy percent (70%) of existing canopy is proposed for clearing, the applicant shall also submit a tree disposition plan showing:

(i) The clearing is the minimum necessary to construct the improvements shown on approved construction plans, including building envelopes, streets and their full construction width, utilities, stormwater management facilities required under Sec. 7.04(2)(c), and grading necessary to establish lot and street drainage;

(ii) All practicable design alternatives to preserve additional canopy have been considered; and

(iii) Replacement planting or tree bank contribution meets or exceeds subsection (4).

The Zoning Administrator shall approve or deny a tree disposition plan in writing within fifteen (15) business days of a complete submittal, stating the basis for any denial. A denial may be appealed under Sec. 11.07.

(d) Premature clearing prohibited. No tree removal on a site under development review shall occur more than ninety (90) days before issuance of a land disturbance permit. Premature clearing to avoid tree protection requirements is a code violation subject to Chapter XII, including stop-work orders, mandatory restoration, and per-tree fines based on replacement value, which for purposes of this subsection means the per-caliper-inch in-lieu contribution amount in effect under Sec. 9.04(8)(c) applied to the replacement obligation that would have arisen under subsection (4). Restoration and fines under this subsection are in addition to the replacement obligation itself. The exemptions in subsection (f) apply to this subsection.

(e) Rural Hamlet District. Clearing within the RHD master parcel shall be limited to the minimum necessary for approved building pads, roads, and infrastructure, and shall comply with the approved Concept Plan, tree protection plan, and open space management plan of Sec. 5.B.12.2. The perimeter buffer of Sec. 5.B.12.3 shall remain natural except as expressly permitted. The seventy-percent threshold of subsection (b) does not apply within the RHD; clearing is instead governed by this subsection and the approved Concept Plan.

(f) Exemptions. This subsection does not apply to:

(i) Selective removal of dead, diseased, dying, structurally hazardous, or invasive trees, documented by a certified arborist and reported to the Zoning Administrator;

(ii) Agricultural operations on land in active agricultural use, to the extent needed to continue that use, provided no clearing occurs within Sec. 9.03 buffers or a state water buffer;

(iii) Emergency removal of trees posing an immediate threat to public safety, with documentation and reporting within five (5) business days; and

(iv) Approved forestry uses conducted in accordance with the Georgia Forestry Commission's Best Management Practices, on land classified and taxed as forest or timber land and not undertaken in preparation for development on a site under development review.

(g) Canopy baseline. Existing tree canopy coverage shall be the greater of (i) canopy present on the site at the time of application, or (ii) canopy present five (5) years before the date of application, as determined from aerial imagery, a prior tree survey, or other reliable evidence. Canopy removed within that period other than under an exemption in subsection (f) shall be included in the baseline and in the replacement obligation under subsection (4).

(8) **Tree bank (in-lieu-of contribution)**

(a) Establishment. The City of Buchanan hereby establishes a Tree Bank Fund, administered by the City Administrator, for monetary contributions in lieu of on-site replacement where full replacement is impracticable, and for tree planting on public property, rights-of-way, easements, parks, greenways, and other public lands.

(b) Eligibility. An applicant may contribute in lieu of some or all required replacement trees where:

(i) The applicant submits a planting plan demonstrating that the required replacement, together with landscaping required under Sec. 9.03, exceeds the planting area available on the site at the minimum spacing required by this Code, accounting for building envelopes, driveways, sidewalks, utility easements, sight triangles, and required clearances. The Zoning Administrator shall approve or deny in writing within ten (10) business days of a complete submittal, and a denial may be appealed under Sec. 11.07; or

(ii) Zoning Administrator finds in writing that in-lieu contribution will provide greater community benefit than on-site replacement because the proposed public planting location will serve a greater number of residents, will restore canopy along a thoroughfare identified as deficient, or will advance a canopy objective of the Comprehensive Plan.

(c) In-lieu contribution amount. The contribution per caliper inch of replacement tree not planted on site shall be set by resolution of the Mayor and City Council and updated at least every three (3) years. The amount shall be no less than and no more than 150% of the installed cost of a two and one-half inch (2.5") caliper replacement tree of an approved species, including soil preparation, staking, and a one-year warranty, stated on a per-caliper-inch basis. The resolution shall recite the cost basis on which the amount is set.

(d) Partial in-lieu contributions. On-site planting and in-lieu contributions may be combined, provided the total replacement obligation in caliper inches is satisfied. In lieu of all or part of a contribution, an applicant may plant replacement trees on public property at a location and of a species approved by the City, crediting the caliper inches so planted against the replacement obligation.

(e) Use of funds. Tree Bank funds shall be used only for:

1. Tree purchase and planting on public property, rights-of-way, easements, parks, greenways, trails, and public open space;
2. Street trees along thoroughfares lacking canopy; and
3. Management of public trees, including maintenance, inspection, and replacement of failing trees.

Not more than twenty percent (20%) of contributions received in any fiscal year may be applied to subsection (e)(3).

(f) Timing of payment. Contributions shall be paid before recording of the final plat for the phase in which the removal occurs, or, where no plat is required, before issuance of the first certificate of occupancy within that phase.

(g) Fund accounting. Contributions shall be held in an account segregated from the City's general operating funds, shall not lapse to the general fund at the close of any fiscal year, and shall accrue interest to the fund. The Finance Director shall report annually to the Mayor and City Council on receipts, expenditures, and the number and location of trees planted.

(h) Priority locations. The City Administrator shall maintain a priority planting list for expenditure of Tree Bank funds, with preference given to neighborhoods with below-average canopy, thoroughfares with inadequate shade, and parks and civic spaces with insufficient tree cover.

(i) Reporting. The City Administrator shall report annually to the Mayor and City Council on the Tree Bank balance, the number of trees planted, and their locations.

(h) No entitlement. In-lieu contribution is discretionary, not a right. The Zoning Administrator may deny it where on-site planting is practicable and denial is consistent with this section. A denial may be appealed to the City Council under Sec. 11.07.

(9) **Rural Hamlet District**

Forest preservation within the open space network and perimeter buffer of an RHD development satisfies and exceeds the canopy standards of subsection (5) for preserved land. The pattern book shall address tree protection and canopy standards within developed transect zones. Tree bank contributions shall not substitute for forest preservation required in the perimeter buffer or open space network.

■ ■ ■ Sec. 9.05 – OUTDOOR LIGHTING AND DARK SKIES

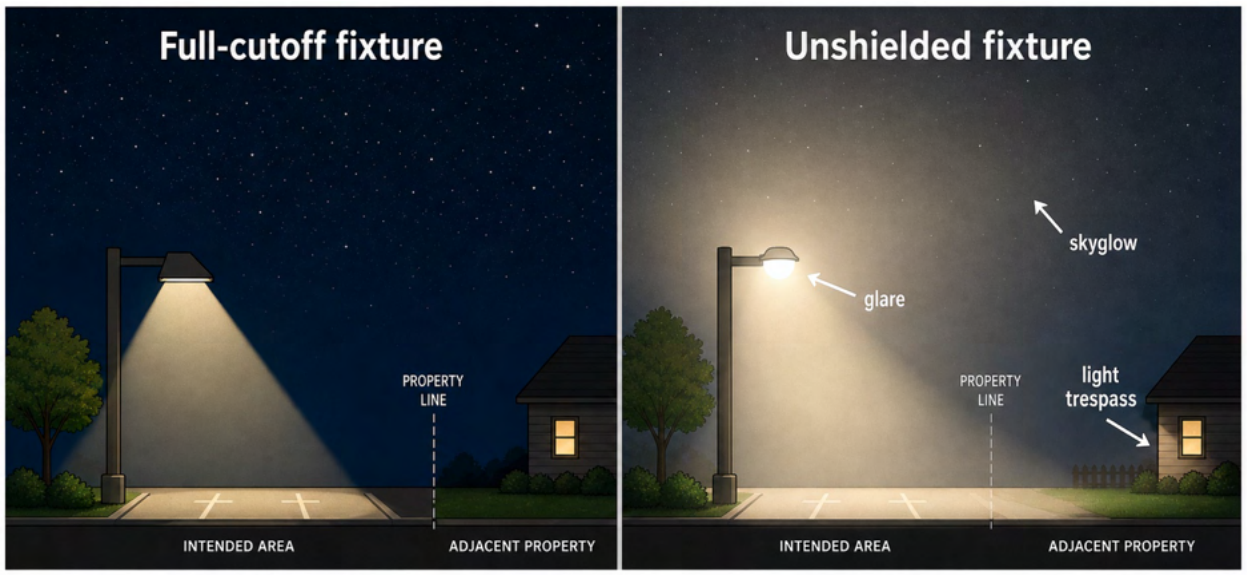
(1) **Purpose.** To protect the night sky, conserve energy, preserve the rural experience, and support the unique dark-sky character of the Rural Hamlet District and the community as a whole, all outdoor lighting within the City of Buchanan shall comply with the following standards.

(2) **Full cutoff required.** All outdoor light fixtures shall be full cutoff and fully shielded so that no light is emitted above the horizontal plane of the fixture and all light is directed downward onto the intended surface. Full cutoff fixtures with a flat lens are preferred. Drop-lens and sag-lens fixtures that allow upward light emission are prohibited.

(3) **Minimum necessary illumination.** Light levels shall be the minimum necessary for the intended safety and functional use. Overlighting of sites, meaning illumination levels substantially in excess of the recommended footcandle levels for the use, is discouraged and shall not be approved as a means of deterring crime or creating visual interest at the expense of dark-sky quality.

(4) **Color temperature.** Warm color temperatures shall be used for all outdoor lighting. The maximum correlated color temperature (CCT) for any outdoor fixture is 3,000 kelvin (3000K). Fixtures with a CCT above 3,000K are prohibited for all exterior applications. Fixtures of 2,700K or lower are preferred, particularly in the Rural Hamlet District and along rural thoroughfares.

FIGURE 9.3: DARK-SKY LIGHTING DIAGRAM



(5) **Light trespass.** Light trespass, meaning light that falls beyond the boundaries of the property generating it, shall not exceed the maximum values in Table 9.6, measured in horizontal footcandles at the property line.

TABLE 9.19 — MAXIMUM PERMITTED LIGHT TRESPASS AT THE PROPERTY LINE

Adjacent Condition	Maximum Foot-Candles at Property Line
Abutting a residential district or use	0.10
Abutting the Rural Hamlet District perimeter buffer	0.05
Abutting a commercial or mixed-use district	0.30
Abutting an industrial district	0.50
Abutting a public or private street right-of-way or easement	0.50

(6) **Pole heights.** Light pole heights shall be appropriate to the context. In residential areas and along pedestrian routes, poles shall not exceed fourteen (14) feet in height. In commercial parking lots and along major thoroughfares, poles shall not exceed twenty-five (25) feet in height. In the Rural Hamlet District, light poles are discouraged except at intersections and along primary trails; pedestrian-scale bollard and path lighting is preferred.

(7) **Prohibited fixtures.** The following fixture types are prohibited in all districts:

(a) Unshielded mercury vapor, metal halide, or high-pressure sodium fixtures with drop or sag lenses;

(b) Searchlights, laser displays, and aerial illumination devices, except for temporary special events approved under *Sec. 11.09*;

(c) Flashing, strobing, or rotating lights, except for permitted safety and emergency equipment; and

(d) Internally illuminated cabinet signs and LED message boards with a brightness inconsistent with the dark-sky standards of this section.

(8) **Event and venue lighting.** Event and venue lighting in the Rural Hamlet District shall comply with *Sec. 5.B.13(5)* and shall be directed downward and away from the night sky and the perimeter buffer.

(9) **Facade lighting.** Facade uplighting, meaning fixtures directed upward to illuminate a building façade, is discouraged and shall be limited to ground-mounted fixtures with tight cutoff optics that minimize spill above the illuminated surface, used sparingly and only to highlight a significant architectural feature.

■ ■ ■ Sec. 9.06 – OPEN SPACE AND CIVIC SPACE

(1) **Purpose.** Residential and mixed-use development shall provide usable open space and amenities for residents and the public, scaled to the size and intensity of the development, and designed as positive outdoor places rather than leftover land.

(2) **General Provisions.**

(a) Open Space shall be large, contiguous areas to the greatest extent possible.

(b) Connectivity between the open space and adjacent development, greenways, parks and the like shall be provided by a minimum twenty (20) foot wide accessway.

(c) Where significant natural assets exist in a proposed development, the Zoning Administrator, City Council or requisite board may require preservation. Areas devoted to natural or improved flood control channels and those sections subject to problems of flowage, floodway or drainage easements should be left in their unimproved, natural state.

(d) The City shall pursue enforcement of standards and impose penalties in accordance with *Chapter XII: Violations and Enforcement* upon failure to maintain designated open space and any improvements within the open space.

(e) Further subdivision of the open space or its use for other than conservation, agricultural, or passive recreation shall be prohibited. Structures and buildings accessory to the conservation, agricultural or passive recreation may be erected on the open space, are subject to the standards in *Sec. 10.02*. Any restrictions on the established open space shall be recorded in a conservation easement to which the City is a signatory party.

(3) **Minimum open space schedule.** Except in the Rural Hamlet District, which is governed by *Chapter V, Part B* and in the Traditional PUD which is governed by *Chapter V, Part A*, residential and mixed-use development shall provide usable open space and amenities in accordance with Table 9.7.

TABLE 9.20 — MINIMUM OPEN SPACE AND AMENITIES BY DEVELOPMENT TYPE
(Outside the Planned Development Districts)

Development Type	Minimum Usable Open Space
Single-family subdivision (10 to 50 lots)	20% of site
Single-family subdivision (over 50 lots)	20% of site
Townhome / multi-family (10 to 50 units)	15% of site
Townhome / multi-family (over 50 units)	20% of site

Development Type	Minimum Usable Open Space
CBD	Exempt
Industrial	2%*

***Sites under 3 acres are exempt.**

(3) **Civic space design standards.** Civic spaces required by this section or by *Chapter V* shall be designed as positive, framed outdoor rooms, bounded on at least two sides by streets or building frontages, located where they are visible and accessible from the primary street network, and designed with durable materials, landscaping, seating, and lighting consistent with *Sec. 9.05*.

(4) **Open space ownership and maintenance.** Required open space in residential subdivisions and multi-family developments shall be owned and maintained by a property owners association, a homeowners association, or another entity established to ensure perpetual maintenance. Such homeowner's or maintenance association agreements, guaranteeing continuing maintenance, and giving lien to the City in the event of lack of such maintenance, shall be submitted to the Zoning Administrator for approval prior to the approval of the final plat and documented in the recorded covenants or master development agreement.

■ ■ ■ Sec. 9.07 – SIGNS

(1) **Purpose.** Signs shall be designed to be legible, attractive, and in keeping with the character of their district. Signs shall not be excessive in number, size, height, or illumination, and shall not create visual clutter or distraction that detracts from the architectural character of the building or the street.

(2) **Sign permit required.** A sign permit is required for all signs except those exempted by this section. Applications for sign permits shall be submitted to the Zoning Administrator with sufficient drawings to demonstrate compliance with this chapter. *See Sec. 11.01 for permit types.*

(3) **Exempted signs.** The following signs do not require a permit:

(a) One non-illuminated nameplate or address sign per dwelling, not exceeding two (2) square feet;

(b) Temporary real estate signs not exceeding six (6) square feet in residential districts and thirty-two (32) square feet in commercial and industrial districts, removed within seven (7) days of the sale, lease, or rental of the property;

(c) Temporary construction signs not exceeding thirty-two (32) square feet, removed upon issuance of the certificate of occupancy;

(d) Political signs on private property, governed by applicable law; and

(e) Official government signs, traffic control signs, and legal notices.

(4) **General sign standards.** The following standards apply to all signs in all districts:

(a) Signs shall be of durable materials appropriate to the building and district — painted wood, metal, carved stone, and quality composite materials are preferred;

(b) Signs shall not obstruct windows, architectural details, or building entries;

(c) Signs shall not rotate, flash, strobe, or move, except for barber poles and clocks;

(d) Sign illumination shall comply with the dark-sky standards of *Sec. 9.05*; and

(e) No sign shall be attached to a tree, utility pole, fence post, or traffic control device.

(5) **Sign standards by type.** Table 9.8 establishes the maximum area, height, and district applicability of the principal sign types.

TABLE 9.24 — SIGN STANDARDS BY TYPE

Sign Type	Max. Area	Max. Height	Districts / Notes
Wall sign	1.5 sf per linear ft of tenant frontage	Below the eave or parapet	Commercial, mixed-use, industrial; one per frontage
Projecting / blade sign	8 sf	Below second-floor sill	Main streets and centers; pedestrian scale; extends max. 4 ft from wall
Ground / monument sign	32 sf	6 ft	Commercial and civic; externally lit; landscaped base required
Window sign	25% of window area	N/A	Within transparent storefronts; not internally illuminated cabinet
Residential / subdivision entry	24 sf per sign face	6 ft	At neighborhood and community entries; max. one per entry
Agricultural / farm sign	32 sf	8 ft	R-15, RHD; farm identification and products

Sign Type	Max. Area	Max. Height	Districts / Notes
Wayfinding / directional	4 sf	5 ft	Per approved master sign program; no advertising content
Temporary sign	32 sf commercial; 6 sf residential	6 ft	Time-limited per permit conditions; removed after event
Awning sign	50% of awning valance	N/A	Lettering on awning valance only; no backlit awnings

(6) **Discouraged and prohibited sign types.** The following sign types are discouraged or prohibited as indicated:

(a) **Prohibited in all districts:** billboards and off-premises signs; signs painted on roofs; signs affixed to vehicles parked for the primary purpose of advertising;

(b) **Prohibited in residential, mixed-use, and rural districts:** pole signs; internally illuminated plastic cabinet signs; electronic message centers and LED changeable-copy signs;

(c) **Prohibited in the Rural Hamlet District:** all internally illuminated signs; off-premises signs; any sign inconsistent with the master sign program; and

(d) **Discouraged in all districts:** internally illuminated cabinet signs; pole signs above six (6) feet in height; signs with exposed raceways or visible conduit on street-facing facades.

(7) **Central Business District and village centers.** In the Central Business District and in the village centers of the Rural Hamlet District, signs shall reinforce the pedestrian, main-street character of the district. Wall signs, projecting blade signs, and awning signs are preferred. Ground signs are discouraged and shall not be permitted where a wall or blade sign is practicable.

(8) **Master sign program.** In Planned Development Districts, all signage shall be coordinated through a master sign program approved with the Concept Plan, consistent with *Sec. 5.A.05* and *Sec. 5.B.23*. Individual sign permit applications within a PUD or RHD shall demonstrate conformance with the master sign program.

■ ■ ■ Sec. 9.08 – RESERVED

■ ■ ■ Sec. 9.09 – RESERVED

■ ■ ■ Sec. 9.10 – STORMWATER MANAGEMENT

(1) **Purpose.** Development shall manage stormwater to protect water quality, control the rate and volume of runoff, and prevent downstream flooding and erosion, in accordance with the standards of the State of Georgia and the City of Buchanan.

(2) **Green infrastructure preferred.** Green infrastructure, including bioretention cells, rain gardens, vegetated swales, permeable pavement, constructed wetlands, and ponds designed as landscape amenities, is preferred over piped systems wherever practicable. Stormwater facilities may be credited toward open space requirements where designed as landscape amenities accessible or visible to residents or the public, as provided in *Sec. 9.06*.

(3) **Performance standards.** Post-development runoff rates shall not exceed pre-development rates for the design storms required by the City and the State. Water quality treatment shall be provided for the water quality volume (WQv) of runoff from all new impervious surfaces in accordance with the Georgia Stormwater Management Manual.

(4) **Stormwater management plan.** A stormwater management plan shall be submitted with all development plan applications for sites disturbing one (1) or more acres, and for smaller sites where the Zoning Administrator determines that a plan is necessary to protect downstream property or water quality. The plan shall include:

(a) Pre- and post-development hydrologic calculations for the design storms required by the City;

(b) Design drawings for all stormwater facilities; and

(c) A long-term operation and maintenance agreement for all facilities, executed by the property owner and recorded before the issuance of the land disturbance permit.

(5) **Integration with open space.** In the Rural Hamlet District, the stormwater system shall be integrated with the open space network, and stormwater facilities shall be designed as landscape amenities consistent with the pattern book and the open space management plan of *Sec. 5.B.12.2*.

■ ■ ■ Sec. 9.11 – EROSION AND SEDIMENT CONTROL

(1) Land-disturbing activity shall employ best management practices for erosion and sediment control, consistent with the Georgia Erosion and Sedimentation Act (O.C.G.A. § 12-7-1 et seq.) and the City's requirements, and shall not begin until a land disturbance permit is issued under *Sec. 11.08*.

(2) Disturbed areas shall be stabilized as rapidly as practicable during construction, and all sediment shall be retained on site. Temporary erosion controls shall be inspected after each significant rainfall event and repaired or replaced as needed.

(3) State water quality buffers along streams and other state waters shall be observed and protected during and after construction. No clearing, grading, or other land disturbance shall occur within a state water buffer except as authorized by state law.

■ ■ ■ Sec. 9.12 – NATURAL RESOURCE PROTECTION

(1) **Purpose.** To preserve the environmental quality, rural beauty, and ecological integrity that distinguish Buchanan and its surroundings, development shall protect the natural resources identified in Table 9.16. These standards apply in all districts and are reinforced in the Rural Hamlet District by the open space and buffer requirements of *Chapter V, Part B*.

TABLE 9.18 — NATURAL RESOURCE PROTECTION STANDARDS

Resource	Protection Standard
Floodplain	No habitable building within the regulatory floodplain; floodplain maintained as open space and managed per the City's flood damage prevention ordinance
Wetlands	Protected per state and federal law; development setback and undisturbed buffer maintained; wetland delineation required before site plan approval for sites with potential wetland areas
Stream and water quality buffers	Undisturbed buffer maintained along state waters as required by O.C.G.A. § 12-7-1 et seq. and the Georgia DNR; expanded where practicable
Steep slopes	Development on slopes exceeding twenty-five percent (25%) avoided or carefully engineered to prevent erosion and landslide; grading plans on steep slopes subject to geotechnical review
Tree canopy	Significant trees and stands conserved per Sec. 9.04; tree canopy maintained or replanted to the minimum standards of that section; Clearcutting is prohibited in all districts per Sec. 9.04(7). Significant trees and stands conserved per Sec. 9.04; tree canopy maintained or replanted to the minimum standards of that section. In the RHD, all clearing limited to the minimum necessary for approved improvements per the Concept Plan.
Ridgelines and scenic views	Development on prominent ridgelines discouraged; building height and siting on ridgelines shall minimize visual impact from public roads and from the Rural Hamlet District's scenic view corridors

Resource	Protection Standard
Dark sky and night sky resources	Night sky protected through the lighting standards of Sec. 9.05; particularly in and adjacent to the Rural Hamlet District
Agricultural soils	Prime agricultural soils as mapped by the USDA Natural Resources Conservation Service shall be considered in the siting of development within the Rural Hamlet District, with a preference for preserving prime farmland in the agricultural open space network

■ ■ ■ Sec. 9.13 – PEDESTRIAN AND BICYCLE FACILITIES

(1) **Sidewalks.** Sidewalks or paths shall be provided along all thoroughfares as required by their classification under *Chapter VI*, and shall connect to building entrances, civic spaces, open space areas, and the trail network. Sidewalks shall comply with the width standards of *Sec. 6.04* for the applicable thoroughfare classification.

(2) **Accessibility.** Crosswalks, curb ramps, truncated dome detectable warning surfaces, and other accessibility features shall be provided at all intersections and pedestrian crossings in conformance with the applicable accessibility standards and the Manual on Uniform Traffic Control Devices (MUTCD). The pedestrian network shall be continuous, direct, and accessible.

(3) **Bicycle facilities.** Bicycle facilities shall be provided in commercial, civic, multi-family, and recreational developments as required by *Sec. 9.01(7)*. Where a dedicated bicycle lane or path is shown on an adopted bicycle plan for the City, it shall be provided as a required improvement with any development abutting its alignment.

(4) **Trail connections.** Where a trail or greenway is shown on an adopted trail plan for the City or on an approved Concept Plan, development abutting the trail alignment shall provide a trail connection and dedicate the necessary easement as a required improvement.

■ ■ ■ Sec. 9.14 – FENCES AND WALLS

(1) **Purpose.** Fences and walls shall be of durable, attractive materials, finished on the side facing a neighboring property or a street, and shall not obstruct sight distance at intersections and driveways.

(2) **Height limitations.** Maximum fence and wall heights by location are established in Table 9.17.

TABLE 9.20 — MAXIMUM PERMITTED FENCE AND WALL HEIGHTS BY LOCATION

Location	Maximum Height	Notes
Front yard, residential	4 ft	Open or picket styles preferred; solid fences discouraged in front yards
Side and rear yard, residential	6 ft	Finished side shall face neighbor or street
Required screening wall	8 ft	Opaque; durable masonry, brick, stone, or quality composite material
Agricultural fencing	8 ft	Wire, board, split-rail, or equivalent farm fencing permitted
Commercial and industrial	8 ft	Security fencing shall be screened with landscaping where visible from a street
Pool enclosures	Per applicable building and safety code	Safety barrier required

(3) **Prohibited materials.** Barbed wire and razor wire are prohibited except for agricultural fencing in agricultural districts and for secured industrial uses in the M-1 and M-2 districts where not visible from a public or private street. All chain-link fencing within rear yard areas of residential zoned properties shall be vinyl coated. Chain link fences are not permitted within front yard area, discouraged along primary street frontages in all districts and is prohibited as a primary perimeter fence in the Central Business District and in all Planned Development Districts.

(4) **Sight distance.** No fence, wall, plant material, sign, or other obstruction shall be placed within the sight triangle at any street intersection or driveway access. The sight triangle shall be determined based on the design speed of the intersecting streets, consistent with *Appendix F*.

■ ■ ■ Sec. 9.15 – DISTRICT BUFFER MATRIX

(1) The required buffer yard type between a proposed use or development and an abutting district is determined by Table 9.18, using the buffer yard types of *Sec. 9.03(4)*. The buffer shall be provided on the lot of the more intensive use. A dash (—) indicates that no buffer is required.

TABLE 9.21 — BUFFER YARD TYPE REQUIRED BETWEEN A PROPOSED USE AND AN ABUTTING DISTRICT

Proposed Use / District	Abuts Residential / RHD	Abuts O-R / Mixed	Abuts Commercial	Abuts Industrial
Residential	—	—	A	B
Office Residential (O-R)	A	—	—	A
Neighborhood Commercial (C-1)	B	A	—	A
General / Parkway Commercial (C-2, C-3)	C	B	—	A
Central Business District (CBD)	B	A	—	A
Light Industry (M-1)	C	C	B	—
Heavy Industry (M-2)	C	C	C	—
Traditional PUD	Per Table 5.A.1	Per Table 5.A.1	Per Table 5.A.1	Per Table 5.A.1
Rural Hamlet District (RHD)	150 ft perimeter buffer	150 ft perimeter buffer	150 ft perimeter buffer	150 ft perimeter buffer

■ ■ ■ Sec. 9.16 – OUTDOOR STORAGE AND MECHANICAL SCREENING

(1) **Outdoor storage.** Outdoor storage of materials, equipment, merchandise, or vehicles shall be screened from all public and private streets and from all abutting residential uses by an opaque fence, wall, or dense evergreen landscaping not less than the height of the stored materials. Outdoor storage shall not be located in a required front yard or within a required buffer.

(2) **Mechanical equipment screening.** All ground-mounted mechanical equipment, including HVAC units, transformers, generators, and utility meters, shall be screened from view from any public or private street and from any abutting residential property by a masonry wall, a solid wood or composite fence, or dense evergreen landscaping of sufficient height to conceal the equipment. Screening shall be of materials consistent with the building's exterior palette.

(3) **Refuse enclosures.** All refuse and recycling containers serving commercial, multi-family, and institutional uses shall be screened on three sides by a masonry or solid fence enclosure not less than **six (6) feet** in height, with a solid gate on the fourth side. Enclosures shall be located to the rear or side of the building, shall not be visible from the primary street, and shall be maintained in a clean and orderly condition.

■ ■ ■ Sec. 9.17– AMENITIES

(1) **Minimum Number of Amenities Required.** All developments shall incorporate recreational amenities from the list in *Subsection 9.17(2)* below in the following amounts:

(a) Development with fewer than twenty-five (25) units shall be exempt from this requirement. However, the Zoning Administrator may require an amenity not listed below to provide enhanced resident enjoyment and engagement.

(b) Developments with twenty-five (25) to one-hundred (100) dwelling units shall provide at least one amenity;

(c) Developments with one-hundred-one (101) to one-hundred and seventy-five (175) dwelling units shall provide at least two amenities; and

(d) Developments with more than one-hundred and seventy-six (176) dwelling units shall provide at least three (3) amenities.

(2) **Allowable Amenities.**

a. Swimming pool with bathroom facilities;
b. Golf course or Putting green;
c. Resident clubhouse;
d. Pet park, minimum of two-thousand (2,000) square feet;
e. Community center (meeting room, assembly hall, etc.);
f. Community garden with raised beds;
g. Rooftop terrace;
h. Library/study;
i. Computer resource center/internet café;
j. Learning center/childcare;
k. Movie theater/virtual rooms
l. Koi pond/water gardens
m. Pocket parks Basketball, volleyball, or other sport court;
n. Nature trails Fitness center and/or recreation building;
o. Two tot lots with a minimum size of five- hundred (500) square feet per lot;

p. Two picnic areas, with a minimum size of five-hundred (500) square feet per area, and including a minimum of two picnic tables and one (1) grill/pit per area;

q. Exercise Room or area to measure no less than four-hundred (400) square feet.

r. Other amenity approved by city.

(3) **Amenity Standards.**

(a) Each development shall satisfy its amenity area requirements by installing the types of facilities that are most likely suited to and used by the age bracket of persons likely to reside in that development;

(b) All sports courts shall have a minimum size of thirty-six hundred (3,600) square feet and shall be provided as second mandatory space in projects with more than one-hundred (100) units. The minimum dimensions for the court active play area should be 72'X42' feet (i.e. the dimensions for a youth basketball league half court). Substitution of the required court for a resident clubhouse would be acceptable.

■ ■ ■ Sec. 9.18– DENSITY BONUSES

(1) The following density bonuses may be used to achieve a maximum twenty (20%) for properties zoned CBD, PUD and RHD.

(a) Structured Parking Bonus. The City may allow a two percent (2%) increase in permitted density for each five percent (5%) of units provided with structured parking.

(b) Recreation/Open Space Bonus. The City may approve a one (1%) percent increase in permitted density for each one (1%) percent of useable recreation space set aside provided above the minimum amount required per Sec. 9.06 – *Open Space Requirement*.

(i) Recreation areas shall be landscaped and provided with sufficient natural or manmade screening or buffer areas to minimize any negative impacts upon adjacent residential uses;

(ii) Each recreation area shall be centrally located and easily accessible by walkways;

(iii) Each recreation area shall be constructed on land that is reasonably flat, dry, and capable of serving the purpose that it was intended for.

(c) Amenity Bonus. The City may approve a five (5%) percent density bonus for every amenity provided in excess of the required amenities in Subsection 9.17(2) Allowable Uses.

(d) Architectural Bonus. The city may approve up to a ten percent (10%) increase in permitted density for multi- family development when an amount equal to sixty (60%) percent of the total net exterior wall area of each building elevation (excluding gables, windows, doors, and related trim), has brick and/or stone as its primary exterior building material. For the purposes of this section, fiber cement siding and hard-coat stucco shall not be included. For more contemporary- designed structures, the use of alternative high-quality finishes may be employed at the discretion of the Zoning Administrator.

(e) Electric Vehicle Charging Stations. The city may approve a 3% density bonus for every electric vehicle charging station provided in excess of the number required by Section 10.22 *Electric Vehicle Charging Stations*.

(f) Historic Preservation. Historic building preservation bonus. Five additional density units are allowed for each building that is preserved as follows:
  (a) The building was constructed before 1920;
  (b) The building exceeds 320 square feet;
  (c) The building is preserved and maintained utilizing the "restoration standards and guidelines" identified in The Secretary of the Interior's Standards for the Treatment of Historic Properties; and
  (d) The building restoration shall be completed before the additional density bonus is allowed.

(2) Density Bonuses for Single-Family Detached Development (in all other zones):
  (a) The city may approve a five (5%) percent density bonus for every amenity provided in excess of the required amenities indicated in subsection 7.14(2) above, not to exceed a maximum of density bonus of twenty (20%) percent.

CHAPTER X - SUPPLEMENTARY STANDARDS FOR SPECIFIC USES

■ ■ ■ Sec. 10.01 – GENERAL

(1) The standards of this chapter apply to the specific uses identified, in addition to the standards of the district in which the use is located and the design standards of *Chapter VIII*. Where a use is allowed in the Rural Hamlet District and *Chapter V, Part B* establishes a more specific standard for that use, the standard of *Chapter V, Part B* governs within the RHD. Where a use is allowed in the Traditional PUD and the approved Concept Plan or design character document establishes a more specific standard, that standard governs within the PUD.

(2) The use-specific standards of this chapter do not authorize any use in any district. A use is authorized only where the comprehensive use schedule of *Sec. 4.06* permits it in the applicable district and all applicable standards of this Code and this chapter are satisfied.

(3) Where a standard of this chapter conflicts with a standard of *Chapter IV* (dimensional standards), *Chapter VIII* (design standards), or *Chapter IX* (development standards), the more restrictive standard governs unless the context clearly indicates otherwise.

■ ■ ■ Sec. 10.02 – ACCESSORY USES AND STRUCTURES

(1) **General.** An accessory use or structure shall be customarily incidental and subordinate to the principal use on the same lot, shall be located on the same lot as the principal use, and shall not be established before the principal use is established.

(2) **Dimensional standards.** Accessory structures shall not exceed the height of the principal structure except for agricultural structures, be compatible in design and materials with the principal structure consistent with *Chapter VIII,* and be located no closer to the front lot line than the front building façade line of the principal use.

(a) Separation. Any detached accessory structure shall be located:

(i) a minimum of five (5) feet from any accessory or principal structure in residential zoning districts.

(ii) a minimum of ten (10) feet from any accessory or principal structure in non-residential districts.

(b) Placement. Accessory structures shall not encroach upon any required landscaping buffer yards or easements. No accessory structures shall be placed in any operable septic fields or septic field easements. Accessory structures shall observe the setbacks of their district as established in *Sec. 4.03* except as this Code expressly provides otherwise, shall not exceed the height of the principal structure except for agricultural structures,

(3) **Accessory dwelling units.** Accessory dwelling units are permitted where the district allows them, subject to the following standards:

(a) Not more than one (1) ADU shall be permitted per principal dwelling and parcel.
(b) The ADU shall be clearly subordinate to the principal dwelling and shall not exceed 850 square feet or fifty percent (50%) of the gross floor area of the principal dwelling, whichever is less.
(c) The ADU shall be located on the same parcel as the principal dwelling and shall not be separately conveyed or subdivided from it.
(d) The property containing the ADU shall be owner-occupied.
(e) The ADU shall provide one (1) additional off-street parking space, unless waived by the Zoning Administrator where adequate parking already exists.
(f) The ADU shall be connected to approved water, sewer, electrical, and other required utilities, and shall comply with all applicable building, fire, and safety codes.
(g) The ADU shall not be used for short-term rental unless specifically authorized by the City.

(4) **Storage and utility accessory structures.** Storage sheds, detached garages, carports, and similar utility structures shall be located to the rear or side of the principal building, shall not be visible as the dominant element of the street-facing facade, and shall comply with the accessory structure setbacks of the applicable district.

(5) **Permitted accessory uses and structures.** The Zoning Administrator shall determine whether or not accessory uses are permitted based on consistency of each use with the intent of the district in which it is located. Accessory uses and structures may include but are not limited to the following:

(a) Appurtenant Features. Such appurtenant features as walks, driveways, curbs, drainage installations, mailboxes, lamp posts, bird baths, and structures of like nature.

(b) Fixed Structures. Outdoor fireplaces, doghouses, children's play equipment when the lot requirements are adhered to.

(c) Walls. Fences, walls, structural screens, retaining walls when they do not hinder vision clearance triangles or intersection visibility.

(d) Plant Material. Trees, shrubs, flowers, or other plant material in any required front, side or rear yard provided that sight visibility triangles are not hindered.

(e) Animals. Domestic pets provided the keeping of the animals is not for profit and not construed as a kennel. This section shall not be interpreted to permit horses and stables.

(f) Sports Equipment. Portable sports goals provided they are not in the right-of-way.

(g) Accessory Dwelling Units. Consistent with the regulations of subsection (3), above.

(h) Family-Care Homes

(i) Day-Care Home Standards. Child daycare homes shall meet the definition established by *O.C.G.A. 591-1-1* and shall be consistent with all applicable regulations of the State of Georgia. However, home daycare in residential districts requires a special exception, and activities

associated with the operation shall not adversely impact the quality of life of adjacent property owners.

(ii) Family Foster Homes. Foster family homes where children unrelated to the residents by blood or adoption are cared for.

(iii) Elder Day Care homes. Elderly day cares homes shall be permitted provided that the maximum number of elderly persons receiving care, protection and supervision in any such home shall not exceed six (6) at any given time.

(i) Home Occupation/Home-Based Business. Home-based businesses shall comply with all applicable provisions of the home-Based Business Standards of *Sec10.34*.

(j) Off-Street Motor Vehicle Parking and Loading Areas

(i) Private residential garages and carports for the storage of motor vehicles are permitted, provided that such structures are accessory to private, residential uses, are used for the storage of motor vehicles, and are clearly accessory and not for commercial purposes.

(ii) Storage or parking of recreational vehicles (including travel trailer, boat trailer and the like) in the open is permitted, subject to the standards in *Subsection 10.15*.

(k) Multi-Family Dwelling Accessory Uses and Structures. Where multi-family dwellings are permitted, customary incidental uses and accessory structures including but not limited to management offices, sales offices, storage facilities, day-care centers, self-service laundries, fitness centers, community centers, and recreation centers, shall also be permitted, subject to the following standards:

(i) Subordinate Role. The accessory uses and structures shall be subordinate to the principal character of the development.

(ii) Design Focus. The accessory uses and structures shall be located, designed and intended to serve only the needs of the development.

(iii) Visibility. The accessory uses and structures shall present no visible evidence of their business nature to areas outside the multi-family or manufactured home park facility.

(iv) Parking. Parking for accessory uses and structures shall be consistent with the Parking Standards of Section *9.01 – Off-Street Parking and Loading*.

(v) Display. There shall be no exterior display of vending machines and the like outside of facilities associated with multifamily or manufactured home park development.

(l) Swimming pools, consistent with Sec. 10.28.

(m) Waste/Recycling Containers. All dumpsters and other waste/recycling containers shall be screened consistent with *Section 9.03 – Landscaping Standards*.

(n) Outdoor Storage, sales and display, consistent with *Sec. 10.15*.

(o) Park & Recreation Facility Accessory Uses & Structures. Where park and recreation facilities are permitted, customary accessory uses & structures including but not limited to rest rooms, groceries,

refreshment stands, restaurants, laundries, and sporting goods sales are also permitted, subject to the following standards:

(i) Area. The maximum cumulative area occupied by accessory uses and structures, including any parking intended for accessory structure use that is separate from park and recreation area primary parking, shall not exceed ten (10%) percent of the park and recreation site.
(ii) Subordinate Role. The accessory uses and structures shall be subordinate to the recreational character of the development.
(iii) Design Focus. The accessory uses and structures shall be located, designed and intended to serve only the needs of the park and recreation facility.
(iv) Visibility. The accessory uses and structures shall present no visible evidence of their business nature to areas outside the park or recreation park facility.
(v) Parking. Parking for accessory uses and structures shall be consistent with the standards of *Section 9.01 – Off-Street Parking and Loading*.

(p) Solar and wind power conversion equipment, consistent with the regulations within *Sec. 10.33*.

(t) Communication Facilities. Satellite dishes or satellite or television antennas or amateur radio equipment in accordance with *Section 10.18– Wireless Communication Facilities*.
(u) Building Features. Buildings and structures such as awnings, canopies, porte-cocheres, and similar provided that:
    (i) The bottom of the structure shall be no less than eight (8) feet above the grade over a pedestrian way, or no less than twelve (12) feet above the grade over a driveway or interior access drive (e.g. drive through window); and
    (ii) The maximum projection of an awning and / or canopy shall not extend more than eight (8) feet from or behind the facade of its supporting building.
(v) Garage or yard Sales. A garage or yard sale is defined as a public or private sale or auction conducted by the owner or occupier of a premises, and conducted with a residence, garage, other accessory buildings or outside thereof, of six (6) or more items of personal property owned or in the possession of the owner or occupier of the premises, which personal property was not acquired by the owner or occupier for the purpose of resale.
    (i) Conducted a maximum of three (3) times in any one (1) calendar year or on any premises located in any residential zone, not be conducted for more than three consecutive days, and
    (ii) All personal property exhibited for sale outside any structure during a garage or yard sale or auction shall be removed from the outside and placed within a structure immediately following the last day of the sale. All signs erected for a garage or yard sale or auction shall likewise be removed within twenty-four (24) hours following the last day of the sale.
(w) Roadside Stands.
    (i) Location.
        (1) Stands shall be permitted as a special exception use on commercial properties zoned CBD, RHD, C-1, C-2, or C-3 provided the proposed location will not:
            (a) result in increased traffic inappropriate to the area;
            (b) produce noise that disturbs the adjacent neighbors;

(c) depreciates the value of the neighboring properties.

(ii) Commercial Activities.

(1) The area where the products are displayed shall not exceed eighty-hundred (800) square feet.

(2) The stand shall not occupy a designated parking space or isle, nor reduce the number of parking spaces required by the primary use on the lot of which it is located.

(3) Sales areas for accessory products shall be limited to twenty-five (25%) percent of the gross sales area.

(4) Accessory products include those products related to the care and culture of products produced on the farm, such as pottery, baskets, and garden accessories.

(5) Items sold shall be limited to farm produce, ornamental plants, flowers, hanging baskets, hand-crafted items, T-shirts displaying exclusively the name of the farm stand or other identifying information concerning the owner or operator of the farm stand, vegetable plants, herbs, honey, maple syrup, jams, jellies, bottled water, locally-produced juices and cider, locally-produced milk and other dairy products, relishes, pottery, locally-produced baked goods, locally-produced eggs, nuts, and similar items. Items which shall not be sold include, without limitation, tobacco products, alcoholic beverages, clothing (except as expressly allowed), bottled or canned beverages (except as expressly allowed), pet and animal feed, cooked foods, and repackaged relabeled goods. Barbeque smokers shall be permitted pending issuance of a Serve Safe Certification and all required inspections from the Haralson County Health Department.

(iii) Operations.

(1) The stand shall be at least fifty (50) feet from an intersection and shall be at least twenty-five (25) feet from the edge of the legal right-of way line of any adjoining street.

(2) The stand shall be portable, shall be maintained in good condition, and shall be removed during seasons when products are not being offered for sale; except that, a stand may remain in place throughout the year if it would be located a minimum of one-hundred (100) feet from the existing street right-of-way line.

(3) Parking for vehicles shall be provided outside of the existing street right-of-way and in compliance with the provisions of *Section 9.01 – Off-Street Parking* and Loading of this Ordinance. Parking shall be provided for a minimum of five vehicles.

(4) Such activities shall be conducted only between the hours of 7:00 a.m. and sunset;

(5) Roadside stands shall be adequately served by public streets and highways. In no instance shall site access materially impede traffic flow on adjacent streets and highways, create a traffic hazard, or alter area traffic patterns.

(iv) Signage.

(1) Signage related to the operation of a "roadside stand". Such signage shall relate to the sale of items produced on the premises. Such signage shall not be illuminated and shall be removed at the end of seasonal sales.

(a) Maximum number: One (1).

(b) Permitted placement: Building, ground or pole.

(c) Maximum area: Twenty (20) square feet.

(d) Minimum setback from street right-of- way: Ten (10) feet.

(e) Maximum pole or ground sign height: Six (6) feet from ground to top of sign.

(v) Exemptions. Roadside stands that operate less than fourteen (14) cumulative days per calendar year may be approved by the Zoning Administrator, subject to the regulations of Subsection 8.02. (u)(iii-iv), above.

(x) Postal Service Delivery and Collection Structures

(i) Single-Point Delivery – Mailboxes

(1) All mailboxes on public or private streets shall comply with United States Postal Service (USPS) standards. The approved subdivision plat or development permit shall identify the USPS-approved delivery method, such as individual mailbox delivery or centralized delivery through cluster mailbox units. Property owners are responsible for mailbox maintenance and repair.

(2) Non-cluster individual mailboxes shall be placed no more than six inches from the face of curb, or from the edge of pavement where no curb and gutter exists, consistent with USPS installation requirements. No mailbox shall extend beyond the face of curb or edge of pavement.

(3) Monument-type mailboxes, including brick, stone, or masonry-veneered mailboxes, shall be constructed with a hollow core. Concrete block construction is prohibited.

(ii) Centralized Mail Delivery and Collection – Cluster Box Units (CBUs)

(1) General

(a) Where required by USPS, CBUs for commercial, industrial, and residential developments shall meet or exceed USPS standards and the requirements of this section.

(b) Before plans or plats are finalized with the Community Development Department, developers and builders shall notify USPS of the proposed development so USPS may determine the appropriate delivery method, considering input from involved parties.

(c) The developer is responsible for installing CBU units and any associated shelters, lighting, parking, access improvements, and related amenities.

(d) CBUs shall be installed in accordance with manufacturer specifications.

(2) Location

(a) CBUs shall be located in one or more of the following locations:

(i) Within a primary building, such as an apartment building, or within an accessory facility serving the development, such as a clubhouse;

(ii) As a stand-alone facility within twenty-five (25) feet of a parking area serving such buildings or facilities; and/or

(iii) Within a common area or access easement, subject to Public Works Department approval before installation. CBU areas within common open space may count toward required open space.

(b) CBUs and associated improvements shall not adversely affect sight distance at any driveway or road intersection, as determined by the City Engineer.
(c) Where feasible, CBUs should be located within an amenity center if one is proposed.
(d) Access to CBUs shall comply with the Americans with Disabilities Act and the Georgia Accessibility Code. Sidewalks required by this Ordinance shall be incorporated into the mailbox area.
(e) CBUs and shelters, if any, are exempt from standard setback requirements. Shelters and other structures shall be submitted to the Building Official for review and shall comply with applicable building codes.
(f) CBUs are prohibited within the public right-of-way.

(3) Parking
(a) Parking shall be provided for each CBU location as follows, including at least one handicap-accessible space:

TABLE 10.1: MAILBOX (CBU) MATRIX

Number of Mailboxes per Location	Minimum Number of Parking Spaces
50 or less	2
51 – 80	3
80 – 110	4
111 or more	4 plus 1 per each additional 25 mailboxes

(b) No separate parking is required for CBUs located within a facility with parking or within twenty-five (25) feet of a parking area serving another facility, including clubhouses, leasing offices, or designated visitor parking bays.
(c) Required accessible parking shall be located in accordance with USPS requirements.

(4) Pedestrian Access
(a) Walkways or sidewalks shall connect mail stations to parking areas and to the development's overall pedestrian circulation system.

(5) Maintenance
(a) For townhome and detached residential developments, homeowners are responsible for maintaining CBUs and associated shelters, lighting, parking, access improvements, and related amenities.
(b) A homeowners' association is strongly encouraged where individual mail delivery is unavailable.

(6) Exemptions

(a) New homes built or established within a block of existing homes may receive the same type of mail delivery as the existing homes only after USPS completes an operational efficiency analysis.
(b) Where new delivery extends beyond one block, delivery shall comply with USPS mode-of-delivery requirements for establishment or extension of delivery service, typically centralized mail service.

(6) **Accessory Uses That Are Not Permitted.** The following accessory uses are not permitted in any zoning district within Buchanan City Limits.

(a) Outdoor storage or property that is unusable, discarded or in a state of disrepair such as, but not limited to: junk, lumber, building materials, parking of inoperative vehicles, abandoned or unlicensed motor vehicles, motor vehicle parts or similar items, shall not be permitted in any District unless specifically permitted by the specific zoning district regulations. For permissible outdoor storage, refer to *Sec 10.15 – Outdoor Sales, Display, and Storage*.
(b) All wild and exotic animals that are inherently dangerous to humans shall be prohibited.
(c) Motor vehicles used for storage.
(d) Collection or donation bins, boxes, or structures where the owner/operator of the structure is located off site.

■ ■ ■ Sec. 10.03 – TEMPORARY USES AND STRUCTURES

(1) **Permit required.** Temporary uses, including seasonal sales, construction offices and trailers, model homes, temporary special events, and similar uses, are permitted for a limited time upon issuance of a temporary use permit by the Zoning Administrator, and shall be removed upon the expiration of the permit.

(2) **Standards.** A temporary structure shall be safely anchored, shall meet all applicable life safety requirements, shall not create a nuisance or hazard to neighboring properties or the public, and shall not be located within required setbacks, required buffer yards, or required parking areas.

(3) **Duration.** Temporary use permits shall not exceed the following durations without renewal:

(a) Seasonal sales (produce, Christmas trees, fireworks, and similar): not more than ninety (90) days per calendar year;

(b) Construction trailers and offices: for the duration of an active building permit, removed within thirty (30) days of certificate of occupancy issuance;

(c) Model homes: for the duration of active sales activity, not to exceed three (3) years; and

(d) Special events: as established by the special event permit under *Sec. 11.09*.

(4) **Construction Dumpsters.** Dumpsters for construction-related debris shall be permitted as temporary structures during times of construction activity. Dumpsters shall not be located in any required setback, buffer yard, easement, or right-of-way.

(a) Standards

(i) Adequate access and off-street parking facilities shall be provided which shall not interfere with traffic movement on adjacent streets.

(ii) No public address systems or other noise-producing devices shall be permitted in a residential district.

(iii) Any flood lights or other lighting shall be directed upon the premises and shall not be detrimental to adjacent properties.

(iv) No banners, pennants, or unnecessary signs shall be permitted unless as otherwise specified.

(v) The lot shall be put in clean condition devoid of temporary use remnants upon termination of the temporary period.

(5) **Residential Temporary Use and Structure Standards Applicable to the Single-Family Residential Districts.** The following temporary uses and structures are permitted as described below; no permit shall be required unless otherwise specified.

(a) Garage/Yard Sales. Yard sales, garage sales, flea market sales and other similar permitted sales conducted in residential districts, shall be regulated by Section 10.02(2)(v). Garage/yard sales shall be distinguished from flea markets in that garage/yard sales are clearly incidental to residential uses, while flea markets are commercial businesses and primary uses. In no instance shall this provision be interpreted as permitting the operation of a flea market.

(b) Children's Roadside Stands. Children's roadside stands shall be permitted but shall not be located in any public right-of-way.

■ ■ ■ Sec. 10.04 – HOME-BASED BUSINESSES AND HOME OCCUPATIONS

(1) Purpose. The purpose of this section is to provide standards for the operation of home-based businesses in order to protect the residential character of the neighborhood, preserve property values, and prevent the hazards to persons and property that result from residential-commercial land use conflicts, plus clearly establishing the secondary or incidental status of the home-based business in relation to the primary use for dwelling purposes.

(2) Classifications. Home-based businesses shall be either permitted uses or special exception uses consistent with *Table 4.3: Permitted and Special Exception Land Uses* and shall abide by the provisions of this section. Home-based businesses are classified as either Home Occupation or Home Business, and their requirements are described as follows:

(a) General Requirements.

(i) Business Equipment. There shall be no equipment or process used in the home occupation or business which creates noise, vibration, glare, smoke, fumes, odors, electrical interference which is detectable at the property lines of the parcel on which the dwelling is located, or any other obvious objectionable activity.

(ii) Operator. At least one (1) person residing within the dwelling must be the primary operator of the home occupation or business.

(iii) Outdoor Storage/Display. The home occupation or business must not involve any exterior storage of any kind, or the display of products, equipment or materials.

(iv) Structural Alterations. The home occupation or business must not require any structural or aesthetic alterations to any structures that change its residential character.

(1) The dwelling shall not be altered in its appearance, and the home occupation or business shall not be conducted in such a manner as to differentiate the dwelling from the residential character of the area by use of colors, materials, construction, or lighting.

(2) The home occupation or business must not require increasing or enhancing the size, capacity, or flow of the water, gas, septic, sewer, or electrical system beyond what is standard for a residence.

(3) There shall be no alterations to the interior of the dwelling to accommodate a home occupation or business which would render the structure undesirable for residential use.

(v) Entrances. The home occupation shall not require any additional entrances to the structure.

(vi) Deliveries. The home occupation or business must not require the use of commercial vehicles for pickup and deliveries other than from the U.S. Postal Service, UPS, and other express couriers.

(b) Home Occupation. Home occupations are those which meet the following standards; representing requirements which permit minimal business practices within residential zoning districts while maintaining residential character. Home occupations shall be permitted without City approval.

(i) Business Type. The home occupation shall not involve retail sales or manufacturing and shall be limited to small home-office operations.

(ii) Business Equipment. The equipment used for the home occupation shall be limited to computers, fax business office equipment.

(1) There shall be no electrical or mechanical equipment utilized in the home occupation which will create any visual or audible interference with radio or television reception.

(iii) Employees. The home occupation must not involve the on-site employment of any person other than those residing at the location of the home occupation.

(iv) Business Area. The home occupation must utilize no more than twenty-five (25%) percent (of the total floor area of the dwelling. The home occupation shall not be conducted in any accessory structure.

(v) Customers/Parking. The home occupation must not involve clients, associates, or persons shopping, meeting, or otherwise doing business at the location of the home occupation, and therefore not require the addition of any off-street parking spaces.

(vi) Signs. No signs of any type, including signs located on vehicles, shall be permitted advertising the home occupation.

(c) Home Business. Home businesses are those which meet the following standards; representing requirements which permit reasonable business practices in certain residential zoning districts while maintaining residential character. Home businesses shall be special exception uses as regulated in *Section 11.04 – Special Exception Procedure*, and shall therefore require a Special Exception Permit.

(i) Employees. The home business must not involve the on-site employment of more than one (1) person who does not reside at the location of the home business.

(ii) Business Area. The home business shall be limited to the lesser of fifteen-hundred (1,500) square feet or twenty-five (25%) percent of the livable area for operation of the business, including storage, in the dwelling and/or any accessory structures.

(iii) Customer/Parking. The home business must not require that more than two (2) additional parking spaces be added to the parcel on which the residence is located. All parking spaces shall be consistent with *Section 9.01 – Off-Street Parking and Loading*.

(iv) Signs. One (1) sign for the home business shall be permitted in accordance with the Buchanan Sign Ordinance. The sign shall not exceed six (6) square feet and shall not be illuminated, animated, or flashing. No off-site signs shall be permitted.

(v) Commercial Vehicles. One (1) vehicle which does not exceed sixteen-thousand (16,000) pounds Gross Vehicle Weight is permitted.

(vi) Business activities shall be conducted above ground floor, with the exception of incidental storage or production associated with the Home Business.

(3) Prohibited Home-Based Businesses. The following uses, by the nature of the investment or operation, have a pronounced tendency, once started, to increase beyond the limits specified above for Home Businesses and impair the use, value, and quiet enjoyment of adjacent residential properties. Therefore, the following uses or similar uses shall not be permitted as Home Businesses. Uses that produce noxious odors shall also be prohibited.

(a) Auto/Vehicle Sales, Service and Repair
(b) Barber/Beauty Shop greater than a one (1) chair operation
(c) Commercial Kennel
(d) Freight, Trucking
(e) Heavy Manufacturing
(f) Landscaping/Nursery, Plant Materials
(g) Restaurants, Eating or Drinking Establishments
(h) Salvage Yards
(i) Veterinary Clinic/Animal Hospital
(j) Well Drilling/Contractor Storage Yard
(k) Medical, Dental, Law, Insurance, or Real Estate Offices
(l) Houses of Worship
(m) Boarding House
(n) Trailer Rentals
(o) Welding Shops (not including private artstudios)
(p) Private Clubs

(4) Special Exception Application Procedure. The special exception application procedure shall comply with *Section 11.04 – Special Exception Procedure*.

(5) Interpretation. The Zoning Administrator, or other designated person(s), may determine to what extent any proposed or existing home occupation or home business is consistent with the requirements of this section. The decision made by the Zoning Administrator may be appealed to the City Council in accordance with Chapter II: Administration.

■ ■ ■ Sec. 10.05 – PLACES OF WORSHIP

(1) **Applicability.** Places of worship are permitted and special exception uses in the residential, office-residential, and commercial districts as provided in *Sec. 4.06,* and as civic uses within the centers and greens of the Rural Hamlet District as provided in *Chapter V, Part B,* subject to the standards of this section.

(2) **CBD prohibition.** Places of worship are not permitted in the Central Business District, as provided in *Sec. 4.05.4,* in order to preserve continuous active storefront frontage in the downtown core.

(3) **Development standards.** A place of worship shall:

(a) Provide off-street parking consistent with *Sec. 9.01*, using the rate of one (1) space per four (4) seats in the main assembly area;

(b) Provide safe vehicular access and a drop-off area separated from parking aisles;

(c) Provide a Type B buffer yard along all boundaries abutting residential uses;

(d) Ensure that exterior lighting complies with the dark-sky standards of *Sec. 9.05*; and

(e) Be designed at a scale and in materials compatible with the surrounding context, consistent with *Chapter VIII*.

(4) **Accessory uses.** Day care centers, schools, and community gathering spaces operated by a place of worship as accessory uses shall comply with the applicable supplementary standards of this chapter for those uses.

■ ■ ■ Sec. 10.06 – BED AND BREAKFAST, COUNTRY INNS, AND SHORT-TERM RENTAL LODGING

(1) **Bed and breakfast establishments.** Bed and breakfast establishments are permitted and special exception uses as provided in *Sec. 4.06* and shall:

(a) Be owner-occupied or operator-occupied;

(b) Provide not more than ten (10) guest rooms without a special exception;

(c) Provide one (1) off-street parking space per guest room plus one (1) space for the resident operator;

(d) Comply with all applicable life safety, building, and health department requirements; and

(e) Be designed at a scale and in materials compatible with the surrounding context, consistent with *Chapter VIII*.

(2) **Country inns.** Country inns are permitted as provided in *Sec. 4.06* and shall comply with the standards of subsection (1) except that the owner-occupancy requirement may be waived where the inn is operated by a resident manager and the design is consistent with the rural character of the district.

(3) **Short-term rental of a dwelling.** Short-term rental, meaning the rental of a dwelling or portion thereof for fewer than thirty (30) consecutive days, shall be subject to the following:

(a) The short-term rental shall be registered with the City of Buchanan before commencement and shall be renewed annually;

(b) The operator shall comply with all applicable hotel-motel tax, business license, and life safety requirements;

(c) The short-term rental shall not generate noise, parking demand, or other impacts beyond those normal to a residential use; and

(d) The City may revoke a short-term rental registration upon documented violations of this subsection or the City's Code of Ordinances.

(4) **Rural Hamlet District.** In the Rural Hamlet District, glamping, tiny home rental, and recreational vehicle lodging are governed by the caps and standards of *Sec. 5.B.07.1* through *Sec. 5.B.07.3,* and all transient lodging shall conform to the transient lodging program of the approved Concept Plan.

■ ■ ■ Sec. 10.07 – AGRITOURISM AND AGRICULTURAL USES

(1) **Agritourism.** Agritourism is permitted in association with a working farm as provided in *Sec. 4.06* and in *Sec. 5.B.07.2,* and includes farm stays, u-pick operations, tastings and sales of farm products, seasonal festivals, educational tours, hayrides, corn mazes, and farm-to-table dining.

(2) **Design standards.** Agritourism structures shall be designed in the agricultural vernacular consistent with *Sec. 8.09(2),* and parking may be provided on stabilized turf or pervious surfaces.

(3) **Amplified sound.** Where agritourism activities include regular amplified sound or large gatherings, they shall comply with the special event and outdoor entertainment standards of *Sec. 10.09* and, in the Rural Hamlet District, with *Sec. 5.B.13*.

FIGURE 10.1: FARM MARKETS AND AGRITOURISM USES



A u-pick berry operation with a farm stand and parking on stabilized turf. Rural in character, seasonal, and visitor-friendly.

■ ■ ■ Sec. 10.08 – KEEPING OF FARM ANIMALS AND BEES

Sec. 10.08.1 – Purpose

(1) The regulations of this section are established to permit the keeping of farm animals on existing agricultural properties and bees in a manner that prevents nuisances to occupants of nearby properties and prevents conditions that are unsanitary or unsafe.

Sec. 10.08.2 – Chickens, Ducks, Rabbits, and Similar Small Animals

(1) **Where permitted.** The keeping of chickens, ducks, rabbits, and similar small farm animals, and cages, coops, and enclosures for the keeping of such animals, shall be permitted only on existing farms and agricultural properties established prior to the effective date of this Code within the City, subject to the standards of this section. Residential properties that are not existing farms or primarily agricultural in nature are prohibited from the keeping of such animals.

(2) **Minimum lot size.** Such properties shall be at least ten (10) acres in total area.

(3) **Number.** No more than one (1) such animal shall be kept on a parcel of land for each eight hundred (800) square feet of parcel or lot area.

(4) **Setbacks.** The coops or cages housing such animals:

(a) May not be located in a required front yard or side street yard area;

(b) Shall not be located within ten (10) feet of a side or rear yard line, except where the rear lot line forms the side lot line or front lot line of an abutting property, in which case the setback from such rear lot line shall be five (5) feet;

(c) Shall not be closer than twenty-five (25) feet from the primary structure of any adjacent lot; and

(d) Shall not be located closer than fifteen (15) feet from the primary structure on the same lot. There shall be no separation requirements between accessory structures on the same lot so long as all other zoning requirements are satisfied.

(5) **Prohibitions.** No roosters, geese, or turkeys may be kept on site. No predatory birds may be kept on any property under the regulations of this section.

(6) **Coops and cages.** All animals shall be provided with a covered, predator-proof coop or cage or other shelter that is thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals, exclusive of areas used for storage of materials or vehicles. The total area of all coops or cages on a lot shall not be greater than thirty-two (32) square feet for up to six (6) animals. Coops and cages, singly or in combination, shall not exceed fifteen (15) feet in height.

(7) **Enclosures and fences.** Chickens and other birds shall have access to an outdoor enclosure adequately fenced or otherwise bounded to contain the birds on the property and to prevent access by dogs and other predators, providing at least ten (10) square feet of area for each bird.

(8) **Non-residential districts.** In zoning districts other than residential districts and the CBD, all regulations applicable to existing farm and agricultural properties above shall apply, except that the number of such animals shall be limited to one (1) animal for each four hundred (400) square feet of lot area.

Sec. 10.08.3 – Goats, Pigs, Horses, Sheep, Cows, Alpacas, Llamas, and Similar Large Animals

(1) **General prohibition in residential districts.** The keeping of goats, pigs, horses, sheep, cows, alpacas, llamas, or similar farm animals, and stables and enclosures for their keeping, shall be prohibited on residentially zoned properties, except as provided in subsection (2).

(2) **Exceptions.**

(a) Animals used for clearance of vegetation shall be allowed for no more than fourteen (14) consecutive days.

(b) Existing farms and properties that are primarily agricultural in nature at the time of the passage of this chapter, and that are at least ten (10) acres in lot area, shall be permitted to keep one (1) such animal for every five thousand four hundred (5,400) square feet of lot area.

(3) **Stables, barns, and similar buildings.** Barns and other structures that provide quarters for goats, pigs, horses, sheep, cows, alpacas, llamas, or similar farm animals shall not be located in a required

front yard area and shall be setback from side and rear yard property lines by a minimum of one hundred fifty (150) feet.

(4) **Free roam areas.** All such animals shall be kept within an outside enclosure that is adequately fenced or bounded, providing at least one thousand (1,000) square feet of lot area per animal.

Sec. 10.08.4 – Bees

FIGURE 10.2: BEE HIVE SITE LAYOUT EXAMPLE

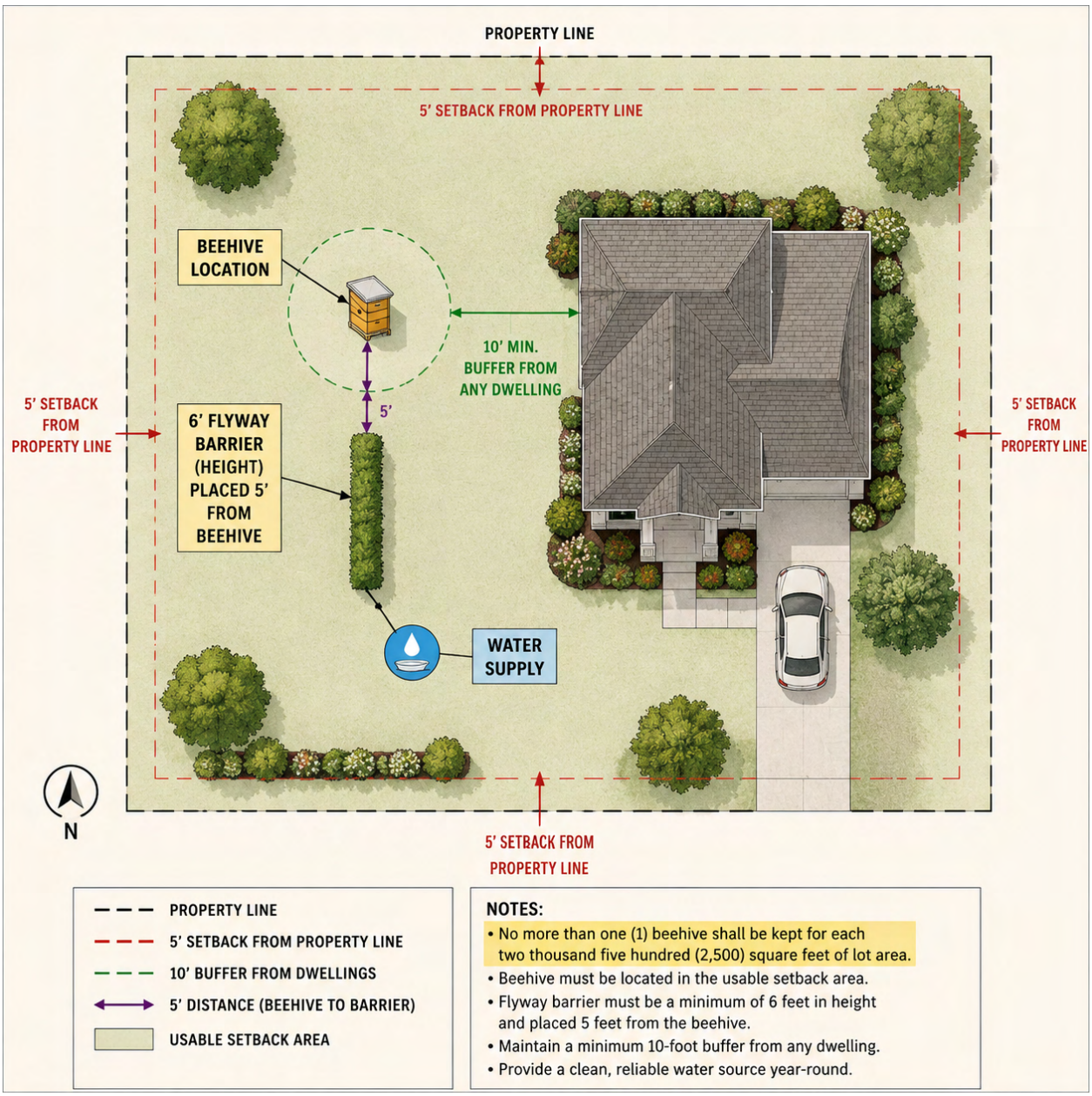


Diagram showing a beehive on a residential lot with the six-foot flyway barrier, the setbacks from lot lines and dwellings, and the water supply location.

(1) **In residential districts.** In residential districts, the following regulations apply to the keeping of bees:

(a) **Number.** No more than one (1) beehive shall be kept for each two thousand five hundred (2,500) square feet of lot area, and no beehive shall be kept on a lot less than two thousand five hundred (2,500) square feet in area.

(b) **Location and setbacks.** No beehive shall be kept closer than five (5) feet to any lot line or closer than ten (10) feet to a dwelling or the permitted placement of a dwelling on another parcel. No beehive shall be kept in a required front yard or side street yard. The front of any beehive shall face away from the property line of the residential property closest to the beehive.

(c) **Flyway barrier.** A solid fence or dense hedge (known as a "flyway barrier") at least six (6) feet in height shall be placed along the side of the beehive that contains the entrance to the hive. The flyway barrier shall be located within five (5) feet of the hive and shall extend at least two (2) feet on either side of the hive. No flyway barrier shall be required where:

(i) All beehives are located at least twenty (20) feet from all property lines; or

(ii) Beehives are located on porches or balconies at least ten (10) feet above grade, except where such porch or balcony is located less than five (5) feet from a property line.

(d) **Water supply.** A supply of fresh water shall be maintained in a location readily accessible to all bee colonies on the site throughout the day to prevent bees from congregating at neighboring swimming pools or other sources of water on nearby properties.

(e) **Prohibited species.** No Africanized bees may be kept on any property under the regulations of this section.

(2) **In non-residential districts.** In zoning districts other than residential districts, all regulations applicable in residential districts shall apply except that the number of beehives shall be limited to one (1) for each one thousand (1,000) square feet of lot area.

Sec. 10.08.5 – Lots Without a Residence

(1) Notwithstanding the accessory use and structure standards of *Sec. 10.02,* farm animals or bees may be kept on a lot that is vacant or has no occupied residence only if the applicant submits written documentation satisfactory to the Zoning Administrator demonstrating that the use will be managed in a manner that prevents the creation of nuisances or unsanitary or unsafe conditions. Where the applicant is not the property owner, the application shall be accompanied by a signed statement from the property owner granting permission.

Sec. 10.08.6 – Sanitation and Nuisances

(1) Farm animals shall be kept only in conditions that limit odors, noise, and the attraction of insects and rodents so as not to cause a nuisance to occupants of nearby buildings or properties and not to cause health hazards. Farm animals shall not be kept in a manner that is injurious or unhealthful to the animals being kept on the property.

(2) It shall be unlawful for any person or party operating or occupying any building or premises to keep or allow to be kept any animal or bird that makes noise so as to habitually disturb the peace and quiet of any person in the vicinity of the premises.

Sec. 10.08.7 – Slaughtering of Animals

(1) Chickens, ducks, rabbits, and similar small animals may be slaughtered on site only inside a garage or other building, and only for use by the occupants of the premises and not for sale. No other farm animal may be slaughtered on site.

Sec. 10.08.8 – Application and Licensing

(1) **Application required.** Anyone proposing to keep farm animals or bees on a property in the City of Buchanan, or to expand such use, shall apply for approval from the Zoning Administrator, who shall determine whether the application complies with the regulations of this section.

(2) **Application contents.** The application shall include, at a minimum:

(a) The name, phone number, and address of the applicant;

(b) The location of the subject property;

(c) The size of the property;

(d) The number of animals or beehives to be kept on the property;

(e) A description of any proposed cages, coops, beehives, fences, or enclosures;

(f) A scaled drawing showing the precise location and setbacks of cages, coops, enclosures, beehives, stables, and fences in relation to property lines and to structures on adjacent properties;

(g) A description of the manner by which feces and other waste materials will be removed from the property or treated so as not to result in unsanitary conditions or the attraction of insects or rodents;

(h) In the case of a lot that is vacant or has no occupied residence, documentation demonstrating that the use will be managed to prevent the creation of nuisances or unsanitary or unsafe conditions;

(i) A signed statement from the property owner, if the applicant is not the property owner, granting permission to engage in the keeping of farm animals or bees as described in the application; and

(j) The addresses of all properties directly adjoining the subject property.

(3) **License approval standards.** In evaluating an application for an initial license or a license renewal, the Zoning Administrator shall consider any evidence ascertained through inspections of the property or through the submission of evidence regarding nuisances or conditions that are unsafe or unsanitary relative to the subject property, and in particular any recorded violations. The Zoning Administrator may deny a license on consideration of such evidence.

(4) **Building permits.** A building permit shall be required for installation of a fence or for construction of a stable or other structure routinely requiring such a permit, except that:

(a) No building permit shall be required for cages, coops, or beehives that are not permanently attached to the ground or to another structure and do not exceed thirty-two (32) square feet in area nor eight (8) feet in height;

(b) No building permit shall be required for an enclosure barrier that is not permanently attached to the ground and does not exceed three (3) feet in height; and

(c) No building permit shall be required for a flyway barrier not exceeding six (6) feet in height and six (6) feet in length.

(5) **License expiration and renewal.** A license issued under this section shall expire at the end of the calendar year and shall be renewed once every two (2) years during November or December before the end of the calendar year. A renewal application need not include drawings and other information regarding conditions that have not changed since submission of such information in a prior application.

Sec. 10.08.9 – Enforcement and Penalties

(1) **Enforcement authority.** The Zoning Administrator or any authorized City employee shall have the authority to inspect any property to determine compliance with the regulations of this section regarding sanitation, nuisances, and operational practices in the keeping of farm animals or bees.

(2) **Violation notice.** If the Zoning Administrator determines that an individual is in violation of the provisions of this section, the Zoning Administrator shall issue a violation notice to the individual, noting the nature of the violation. If the violation is not corrected within seven (7) days of issuance of the violation notice, the recipient shall be subject to the following penalties:

(a) For a first offense: a fine of fifty dollars ($50.00);

(b) For a second offense occurring within four (4) months of the first offense: a fine of seventy-five dollars ($75.00); and

(c) For a third and any subsequent offense occurring within the period of the current two-year license: any farm animals or beehives associated with the violation shall be removed from the property by the individual or shall be removed and impounded.

(3) **Additional remedies.** The penalties of this section are in addition to, and not in lieu of, the general enforcement remedies of *Chapter XII*.

Sec. 10.08.10 – Application to the Rural Hamlet District

(1) In the Rural Hamlet District, the keeping of farm animals and bees is integral to the agricultural character of the district. The Concept Plan may establish standards tailored to the rural and agricultural character of the RHD that are more permissive than those of *Sec. 10.08.2* through *Sec. 10.08.4*, provided that the master development agreement provides for adequate management of nuisance, sanitation, and safety concerns. Where the Concept Plan establishes tailored standards, those standards govern within the RHD in lieu of this section, except that *Sec. 10.08.6* (sanitation and nuisances), *Sec. 10.08.7* (slaughtering), and *Sec. 10.08.9* (enforcement and penalties) apply in all districts without modification.

■ ■ ■ Sec. 10.09 – OUTDOOR ENTERTAINMENT VENUES AND SPECIAL EVENTS

FIGURE 10.3: AN OUTDOOR ENTERTAINMENT VENUE



A stage set into a hillside, a crowd on a sloped lawn, trees framing the sides, dark sky visible above. Community and economic asset when well-managed.

(1) **Special event permit required.** An outdoor entertainment venue, and any special event that exceeds the ordinary scale and impact of the underlying use, shall require a special event permit under *Sec. 11.09* and, in the Rural Hamlet District, shall comply with the additional requirements of *Sec. 5.B.13*.

(2) **Review criteria.** The Zoning Administrator shall evaluate a special event permit application with respect to:

(1) **Permanent venues.** A permanent outdoor entertainment venue — meaning a venue with a fixed stage, amphitheater, or performance structure — shall comply with the special exception standards of *Sec. 11.04* in addition to the special event permit requirements of this section, and shall comply with *Sec. 5.B.13* where located in the Rural Hamlet District.

(2) **Special Event.** A Special event is an activity, not incidental to the primary use, conducted outside over the course of an established 180-day period. An activity conducted for more than the established 180-day period in a 12-month span shall be considered permanent.

(a) Special event permits are required for festivals, concerts, or other similar events that draw crowds in excess of fifty (50) people at one location.

(b) Review Criteria:
  (i) **Sound management.** The management of amplified sound, including maximum decibel levels measured at the property line, curfews for amplified sound, and the identity of a sound management contractor for large events;
  (ii) **Lighting.** The use of lighting consistent with the dark-sky standards of *Sec. 9.05*, including the prohibition on searchlights and the requirement for full-cutoff temporary fixtures;
  (iii) **Traffic and parking.** A traffic management plan and a parking plan demonstrating adequate on-site capacity; off-site or shoulder parking on public roads is prohibited;
  (iv) **Sanitation.** Adequate portable or permanent sanitation facilities for the expected attendance;
  (v) **Security.** A security plan for events with an expected attendance of more than five hundred (500) persons; and
  (vi) **Emergency access.** Unobstructed emergency vehicle access to all areas of the venue at all times during the event.

(e) Private rental of City parks for the purpose of hosting vendors, including but not limited to merchandise, craft, or food vendors, is prohibited. Vendors shall only be permitted in City parks as part of City-sponsored events.

(f) Food trucks and food vendors may be allowed at special events in accordance with applicable health and safety regulations, but only when expressly authorized by the City as part of a permitted or City-sponsored event.

(g) Exempt Events. Events that occur at City owned facilities and/or take place on the City right-of-way (public events, marathons, and other similar activities) shall be exempt from this ordinance and shall obtain permission from the City Council.

[16]

■ ■ ■ Sec. 10.10 – FENCES, WALLS, AND SCREENING

(1) Fences and walls shall comply with the height, material, and sight-distance standards of *Sec. 9.14*. The standards of this section supplement those of *Sec. 9.14* for specific use types.

(2) **Residential fences.** Fences in residential districts shall be of wood, aluminum, vinyl, wrought iron, brick, stone, or quality composite materials. Chain-link fencing is permitted in rear and side yards of residential properties but shall not be used as a primary perimeter fence visible from the street. Razor wire and barbed wire are prohibited.

(3) **Commercial and industrial fences.** Security fencing in commercial and industrial districts shall be screened with landscaping consistent with *Sec. 9.03* where visible from a public or private street. Razor wire and barbed wire are permitted in the M-1 and M-2 districts only where not visible from a public or private street.

(4) **Pool enclosures.** Swimming pool enclosures shall comply with all applicable building code and safety requirements and shall be not less than four (4) feet in height. Pool enclosures shall not be subject to the maximum height limits of *Sec. 9.14* to the extent that a greater height is required by the applicable safety code.

■ ■ ■ Sec. 10.11 – RECREATIONAL VEHICLES AND MANUFACTURED HOMES

(1) **Recreational vehicles.** Recreational vehicles may be used for transient lodging only as provided in *Sec. 5.B.07.3* (within the Rural Hamlet District) or as otherwise authorized by a temporary use permit under *Sec. 10.03.* Recreational vehicles shall not be used as a permanent dwelling in any district. The parking or storage of a recreational vehicle as an accessory use to a dwelling shall comply with *Sec. 10.32*.

(2) **Manufactured homes.** Manufactured homes are permitted only in the districts that allow them as provided in *Sec. 4.06,* subject to the following:

(a) All manufactured homes shall be installed on a permanent perimeter foundation or skirting of brick, masonry, or compatible material that fully encloses the undercarriage;

(b) All manufactured homes shall comply with the applicable appearance and design standards of *Sec. 8.06* and the dimensional standards of *Sec. 4.03*; and

(c) Manufactured home parks shall comply with the standards of the MHP district and any additional requirements of this Code.

(3) **Manufactured home parks in the RHD.** Manufactured home parks are not permitted in the Rural Hamlet District.

■ ■ ■ Sec. 10.12 – CHILDCARE FACILITIES

(1) **Family day care homes.** A family day care home serving not more than six (6) children in a residential dwelling is permitted as an accessory use in residential districts subject to state licensing requirements, provided that:

(a) A minimum of one hundred (100) square feet of usable outdoor play area per child is provided and is enclosed by a fence not less than four (4) feet in height; and

(b) A safe drop-off and pick-up area is provided that does not require vehicles to back into the street.

(2) **Day care centers.** A day care center serving more than six (6) children or any number of adults is permitted as provided in *Sec. 4.06* and shall:

(a) Provide a minimum of seventy-five (75) square feet of usable outdoor play area per child, enclosed by a fence not less than four (4) feet in height, located to the rear or side of the building;

(b) Provide a dedicated on-site drop-off and pick-up area that accommodates vehicle queuing without impacting the public or private street;

(c) Provide a Type A buffer along all boundaries abutting residential uses; and

(d) Comply with all state licensing and facility requirements.

■ ■ ■ Sec. 10.13 – PERSONAL CARE HOMES AND NURSING HOMES

(1) Personal care homes, assisted living facilities, and nursing homes are permitted as provided in *Sec. 4.06,* subject to:

(a) State licensing and all applicable state regulations;

(b) Off-street parking at the rate of one (1) space per three (3) beds plus staff spaces;

(c) All applicable life safety and building code requirements;

(d) A residential or campus design compatible with the surrounding context, consistent with *Chapter VIII*; and

(e) Usable outdoor amenity space for residents of not less than fifty (50) square feet per bed.

(2) Service and delivery areas shall be screened from the street and from abutting residential uses by a Type B buffer or a masonry screening wall, consistent with *Sec. 9.03*.

■ ■ ■ Sec. 10.14 – DRIVE-THROUGH ESTABLISHMENTS

(1) **Stacking.** A drive-through facility shall provide stacking spaces sufficient to prevent vehicle queuing into the street or into required parking aisles, as provided in *Sec. 9.02(3)*.

(2) **Speaker placement.** Drive-through lanes and order speakers shall be located and oriented so as not to direct amplified sound toward abutting residential uses, and the volume of speakers shall be the minimum necessary for clear communication.

(3) **Design.** Drive-in establishments/uses shall be shown on site development plans where they are proposed as an accessory use to a principal use. Drive-in establishments/uses as stand-alone accessory uses shall not be located within the front yard of the principal building.

(a) Stacking space design shall conform with the following minimum requirements:

(i) Minimum Size: Eight (8) feet by twenty (20) feet per space.

(ii) Minimum Setback from property line: Twenty (20) feet.

(iii) Minimum Setback from street line: Forty (40) feet.

(iv) Minimum drive-through lane turning radius: Forty-five (45) feet.

(4) **Pedestrian circulation.** Drive-through facilities shall maintain safe pedestrian circulation across the site, with clearly marked crosswalks at all pedestrian crossing points of drive-through lanes.

(5) **Prohibited in CBD and village centers.** Drive-through facilities are not permitted in the Central Business District and in the village centers of the Rural Hamlet District.

■ ■ ■ Sec. 10.15 – OUTDOOR SALES, DISPLAY, AND STORAGE

(1) **General Provisions.** The following shall apply to all districts whether the use is permitted, Special Exception, accessory, or temporary:

(a) Approved and documented permanent outdoor sales, display, and storage areas shall be permitted accessory uses, tied to the primary use.

(b) Outdoor sales, display, and storage shall not be located in any setbacks, easements, right-of-way, or off-street parking or loading areas.

(i) Motor vehicle sales and display may be permitted in off-street parking areas.

(c) Lighting shall comply with *Section 9.05 – Outdoor Lighting*.

(2) **Location.** Outdoor sales, display, and storage shall be located behind the front or exterior wall of the main building facing any street and shall comply with all lot requirements of this ordinance and with intersection visibility standards as set forth in Sec.*9.14(4)*.

(3) **Sales And Display Areas.** Outdoor sales and display areas in compliance with the following requirements may be permitted in association with retail commercial uses.

(a) All outdoor sales and display areas, regardless of size, shall be hard-surfaced, dust-free pavement and take into consideration soil conditions and traffic loading. Pervious pavements and pavers including durable materials, suitable for parking such as cobblestones, brick, concrete formed blocks or cut stone, the system of which is specifically installed and designed for vehicular loads shall also be considered. Sales and display areas shall be of concrete, asphaltic pavement, or other permanent paving material and shall be maintained in good condition.

(b) The max area for outdoor sales and display shall not exceed ten (10%) percent of the primary structure or primary tenant space.

(c) Every approved permanent outdoor sales and display area shall be in close proximity to the facade of the primary structure.

(d) Outdoor sale and display of merchandise within an area of five-hundred (500) square feet or less shall not block handicapped parking areas, parking lot access aisles, and shall maintain a forty- eight (48) inch clearance on all sidewalks.

(4) **Outdoor Storage**. Outdoor storage, in compliance with the requirements of this section is a permitted use and shall be considered primary or accessory to the principal use.

(a) General Standards that are applicable to all outdoor storage.

(i) Screening. Outdoor storage of the types described below shall be screened with an opaque fence, split face block wall, continuous evergreen screen, or a combination of the three. The screen must measure a minimum of six (6) feet in height.

(ii) Primary. Outdoor storage shall be permitted as a primary part of a permitted use in the LI and HI zoning districts. A building must be present on the lot and utilized by the business that has the outdoor storage.

(iii) Accessory. Outdoor storage is accessory to a permitted principal use in all nonresidential districts when it does not exceed the greater of twenty-five (25%) of the building footprint or six hundred (600) square feet.

(iv) All outdoor storage areas shall be paved. Construction equipment and farm equipment rental, and heavy equipment dealership uses are exempt from paving, but shall install gravel in all exterior equipment display and/or storage areas

TABLE 10.2: OPEN STORAGE BY DISTRICT AND LOCATION	
Base District	Permissibility of Open Storage
Historic Central Business District (HCBD) and Commercial Zones and Properties	All storage must be within an enclosed building except as specified for accessory outdoor display (limited to garden centers, plant nurseries, and lumber supply areas for home centers). Accessory outdoor display is subject to screening standards and to review and approval of a Special Use Permit.
All Residential Zones and Properties	All storage, except as specified in this section, must be within an enclosed building, carport, or loading area.
M-1	Not permitted in front or street-facing side yards. Permitted in interior side and rear yards, or outside of required yards, subject to the standards of this Section.
M-2	Permitted anywhere on a lot, subject to the standards of this Section.

(b) Bulk Storage.

(i) In any district in which bulk storage is permitted, structures, buildings, or aboveground tanks used for bulk storage of flammable or explosive liquids, gases, or other materials, shall be located no closer than fifty (50) feet to the property line.

(ii) Additional information regarding evidence of safety measures may be required in order to determine the public safety therein.

(5) **Vehicle Display and Sales**. Motor vehicle dealerships shall be exempt from *Subsection 10.15(2-3)*. the following regulations shall apply:

(a) Perimeter Landscaping. Perimeter landscaping shall be required on all portions of the lot dedicated to display and sales. This shall included trees shrubs from the list provided in *Sec. 9.08* at a rate of three (3) shrubs and two (2) tree per 40 feet of frontage. The plantings shall be placed along street frontage outside of the right-of-way on all primary and secondary street frontages.

(b) Preparation, Repair, and Maintenance. The outdoor display, storage and parking of vehicles for sale shall be allowed, provided that all preparation, repair and maintenance of the vehicles shall be enclosed.

(i) Special Lot Standards:

(1) Minimum Front Setback: twenty-five (25) feet

(2) Minimum Side Setback: ten (10) feet

(3) Minimum Rear Setback: fifteen (15) feet

c) All outdoor sales and display areas, regardless of size, shall be hard-surfaced. Pavement type and thickness shall be approved by the City Engineer, taking into consideration soil conditions and traffic loading. Sales and display areas shall be of concrete, asphaltic pavement, or other permanent paving material and shall be maintained in good condition. Pavers may also be used if approved by the City Engineer. Pavers shall include durable materials, suitable for parking such as cobblestones, brick, concrete formed blocks or cut stone, the system of which is specifically installed and designed for vehicular loads.

d) No outdoor storage shall occur within any setback, easement, or right-of-way.

■ ■ ■ Sec. 10.16 – SELF-STORAGE AND MINI-WAREHOUSE FACILITIES

(1) **Street-facing facade.** Self-storage facilities shall present a street-facing facade designed to resemble a commercial or office building, with architectural articulation, fenestration, and materials consistent with *Chapter VIII*. Roll-up doors shall be oriented to the interior of the site and shall not face a public or private street.

(2) **Design.**

(a) Vehicular ingress-egress shall provide for safe access by customers and emergency vehicles. Access aisles within the site shall be a minimum of twenty (20) feet wide.

(b) An eight (8) foot tall, opaque masonry fence or wall, located along the front setback line and the side and rear property lines, shall be provided around the perimeter of any storage facility. An additional opaque fence or wall shall be provided along the setback line abutting a residential district, in addition to a buffer. The fencing shall meet the following requirements:

(i) Minimum height of the fence or wall shall be six (6) feet.

(ii) Signs or other advertising mediums shall not be placed upon, attached to, or painted on exterior fences or walls.

(3) **Prohibited activities.** No commercial or industrial activity other than the rental and access of storage units shall be conducted from a self-storage facility. The storage of hazardous materials, flammable liquids in excess of permitted quantities, and living organisms is prohibited.

(4) **Lighting.** Exterior lighting shall comply with the dark-sky standards of *Sec. 9.05* and shall be designed to illuminate the site for security without creating light trespass onto adjacent properties.

■ ■ ■ Sec. 10.17 – VETERINARY CLINICS AND ANIMAL CARE

(1) Any structure or area occupied by animals on the premise of the veterinary clinic shall be located at least three-hundred (300) feet from any lot in any residential district except that air-conditioned, soundproofed buildings may be located one-hundred (100) feet from such residential lot or lots.

(2) For non-sound proofed animal confinements, an external solid fence not less than six (6) feet in height shall be located within fifty (50) feet of the animal confinement and shall be composed of concrete block,

brick or other material approved by the Zoning Administrator. In all cases, animals shall be confined in an enclosed building from 10:00 p.m. to 6:00 a.m.

(3) Odor, noise, and waste management shall comply with all applicable state and local health and environmental regulations so as not to create a nuisance to adjacent properties.

■ ■ ■ Sec. 10.18 – WIRELESS COMMUNICATION FACILITIES

(1) **Co-location preferred.** Wireless communication facilities shall be located, designed, and screened to minimize visual impact. Co-location on existing structures — including buildings, water towers, and existing towers — is strongly preferred. A new tower shall not be approved where co-location on an existing structure is technically and economically feasible.

(2) **Setback.** New wireless communication towers shall be set back from all residential districts and uses a horizontal distance not less than thirteen hundred (1,300) feet, measured from the base of the tower to the nearest residential property line.

(3) **Design.** Towers shall use stealth design — including monopoles, flag poles, or tree-form designs — wherever practicable to minimize visual impact from public streets, parks, and scenic viewsheds. Lattice towers are discouraged and shall be approved only where stealth design is technically infeasible.

(4) **Landscaping and Fencing.** A fence shall be required around the cellular or wireless communications tower and its support structure(s), unless the antenna is mounted on an existing structure. The fence shall be a minimum of eight (8) feet in height and shall be erected to prevent access by non-authorized personnel. Landscaping shall be required to screen as much of the freestanding cellular or wireless communications tower, support structures, and surrounding fence as possible and any other ground-level features and, in general, to soften the appearance of the cellular communications site. The Zoning Administrator may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if they achieve the same degree of screening as the required landscaping.

(4) **Co-location readiness.** All new towers shall be designed and constructed to accommodate not less than two (2) additional co-locations by other carriers.

(5) **Decommissioning.** Wireless communication facilities that are no longer in active use shall be removed within one hundred eighty (180) days of cessation of operation, and the site restored to its pre-installation condition at the owner's expense.

■ ■ ■ Sec. 10.19 – ADULT AND SEXUALLY ORIENTED BUSINESSES

(1) **Special Exception Required.** All sexually-oriented businesses use shall be permitted only as a Special Exception and shall require a Sexually-Oriented Business License to be obtained prior to establishment, location, or operation, and renewed annually.

(1) **Location of Sexually-Oriented Businesses**

(a) A sexually oriented business shall not be located, established, operated within, or enlarged so as to be within, one-thousand (1,000) feet of:

(i) A church;

(ii) A public or private elementary or secondary school;

(iii) A boundary of any residential district;

(iv) A public park adjacent to any residential district;

(v) A public library;

(vi) A public or private recreation facility;

(vii) The property line of a lot devoted to residential use; or

(viii) Any other sexually-oriented business.

(2) For the purpose of this Ordinance, measurement shall be made in a straight line, withoutregard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually-oriented business use is conducted, to the nearest property line of the premises of any non-sexually-oriented business use listed in Subsection 10.19(2)(a) above. The distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.

(3) The establishment of more than one sexually-oriented business use in the same building, structure, or portion thereof, or the increase of floor areas of any sexually oriented business in any building, structure, or portion thereof containing another sexually oriented business use, shall not be permitted.

■ ■ ■ Sec. 10.20 – SALVAGE YARDS, TRANSFER STATIONS, AND HEAVY USES

(1) Salvage or junk yards and solid waste transfer stations are permitted only in the M-2 Heavy Industry district as provided in *Sec. 4.06,* and shall:

(a) Be located on a lot of no less than ten (10) acres;

(b) Be fully screened by an opaque fence or masonry wall of not less than eight (8) feet in height, supplemented by a Type C buffer of dense evergreen landscaping on the outside of the fence;

(c) Be set back not less than two hundred (200) feet from any residential district or use and not less than fifty (50) feet from any public or private street;

(d) Driveways within the site shall be dust free. Driveway access to the public right-of-way shall be permanently paved and shall be a minimum of twenty-five (25) feet in width;

(e) Storage Yard Maintenance;

(i) The lot area surface used for storage shall be gravel, at a minimum.

(ii) Unusable items that cannot be reused shall be disposed of on a regular basis and shall not be allowed to collect on the premises.

(iii) All tires not mounted on a vehicle shall be neatly stacked or placed in racks. If stacked, the stacks shall not be stacked over six feet in height.

(iv) No garbage or other foul-smelling waste likely to attract vermin shall be kept on the premises. Gasoline, oil or other hazardous materials that are removed from scrapped vehicles or parts of vehicles kept on the premises shall be disposed of in accordance with applicable federal, state and local regulations.

(d) Maintain managed drainage to prevent contaminated runoff from leaving the site;

(e) Nuisance Control. Weeds shall be cutor removed before they reach six (6) inches in height. All uses shall comply with the performance standards established for the M-2 zoning district.

(f) Buffer. No such use shall be established within five-hundred (500) feet of a residential use.

(g) Abandonment. The applicant shall provide a written statement that the area will be cleaned up to the satisfaction of the Zoning Administrator should the salvage yard be abandoned, moved in whole or in part. A salvage yard which remains idle or unused for a continuous period of one year, whether or not fixtures or equipment are removed, shall constitute abandonment. The casual, intermittent, temporary or illegal operation of a salvage yard shall not be sufficient evidence to establish continuous use. If the owner fails to clean up and restore the salvage yard within one year of cessation of operation or abandonment, the Building Official shall have the premises cleaned up and shall use the bond to pay for the costs of cleanup incurred by the City.

(h) Comply with all applicable state and federal environmental regulations.

(i) Guarantee Required. The applicant shall post and maintain a guarantee with the City Clerk. This guarantee, approved in form by the City attorney, will assure the City that the applicant shall complete the plan for restoration for reuse, within one (1) year of discontinuance of the salvage yard. The amount of the guarantee shall be not less than the estimated cost of the restoration, and the amount of the estimate shall be approved by the Zoning Administrator. If the restoration is not completed within the specified time, the City may use the bond or any portion thereof to complete the restoration. Failure to maintain a guarantee shall be grounds for revocation of the Special Exception authorizing the use.

■ ■ ■ Sec. 10.21 – CONVENIENCE STORES, FILLING STATIONS, AND CAR WASHES

(1) **Convenience Stores.**

(a) Site Development Standards. All newly constructed convenience stores within the city shall be required to construct on a minimum acreage and have larger setback standards than the underlying zone may require.

(i) Permitted Uses. All convenience stores shall be permitted in zones that permit retail businesses. Convenience stores that include associated gasoline service stations and fuel pumps are prohibited in the CBD and RHD Zoning District.

(ii) Minimum Lot Size.

(1) Fuel Sales: Twenty thousand (20,000) square feet

(2) No Fuel Sales: Fifteen thousand (15,000) square feet

(iii) Building Setbacks. Shall conform to the underlying zoning district standards, but not less than:

(1) Twenty-five (25) feet from any residential property line.

(2) Fifteen (15) feet from any public street right-of-way.

(b) Operational Regulations. All convenience stores shall abide by the following regulations:

(i) Hours of Operation. Convenience stores located within five hundred (500) feet of a residential district shall not operate between the hours of 12:00AM and 5:00AM, unless a conditional use permit is obtained.

(ii) Outdoor Display and Vending. Outdoor displays of merchandise (e.g., propane tanks, firewood, ice machines) shall be limited to designated areas shown on an approved development plan. No vending machines shall be located outside the building façade facing a residential property.

(iii) Refuse and Recycling. Dumpster and recycling areas shall be fully enclosed by an opaque masonry or wood fence, at least 6 feet in height, and located to the rear or side of the principal building.

(iv) Security Measures. Premises shall have security cameras covering parking areas, entrances, and fuel pump islands (if applicable), recorded and stored for at least 30 days.

(c) To prevent overconcentration and associated land use conflicts, convenience stores shall be subject to the following minimum distance requirements from other convenience stores:

(i) A new convenience store shall not be located within fifteen hundred (1,500) linear feet of any existing convenience store, measured in a straight line from the nearest point of the building footprint of each establishment.

(ii) Within three hundred (300) feet of a residentially zoned property (unless located within a mixed-use district with a development plan approved by the Zoning Administrator).

(2) **Gasoline Filing Stations.**

(a) Canopy design. Filling station canopies shall be architecturally integrated with the principal building, of a height and scale compatible with the surrounding context, and designed with recessed, flush-mounted canopy lighting compliant with the dark-sky standards of *Sec. 9.05*. Canopy fascias shall be of materials consistent with the principal building facade.

(b) Screening. Fuel dispensers, above-ground storage tanks, and equipment shall be screened from abutting residential uses by a Type B buffer or a masonry screening wall.

(c) EV Charging Stations. EV charging stations shall be installed to the schedule provided in *Sec. 10.22 -Electric Vehicle Charging and Renewable Energy*.

(3) **Car wash standards.** Car washes shall:

(a) Manage water, noise, and vacuum equipment so as not to disturb abutting residential uses;

(b) Provide adequate on-site stacking to prevent vehicle queuing into the street;

(c) Recycle wash water to the maximum extent practicable; and

(d) Screen vacuum stations and drying areas from abutting residential uses by a fence or wall of not less than six (6) feet in height.

■ ■ ■ Sec. 10.22 – ELECTRIC VEHICLE CHARGING AND RENEWABLE ENERGY

(1) **Electric vehicle charging.**

(a) Purpose. To provide standards relating to electric vehicle infrastructure and to guide the development of electric vehicle infrastructure in order to protect the public health, safety, and welfare and avoid significant impacts on resources and adjacent uses. By enacting this ordinance, it is the intent of the City of Buchanan to:

(i) Respond to and/or prepare for the increased need for electric vehicle infrastructure resulting from increased ownership and usage of electric vehicles;

(ii) Encourage the establishment of convenient, cost-effective electric vehicle infrastructure that such use necessitates.

(iii) Encourage the location of electric vehicle infrastructure, to the extent possible, in areas where any potential adverse impacts on the community will be minimized;

(b) Applicability.

(i) This ordinance shall apply to all electric vehicle infrastructure installed, constructed or modified after the effective date of this ordinance.

(ii) Electric vehicle infrastructure in place prior to this effective date of this ordinance shall not be required to meet the requirements of this ordinance, unless substantial modification to the infrastructure is proposed.

(iii) All electric vehicle infrastructure shall be designed, built and installed in accordance with applicable local, state and federal codes, regulations and standards.

(c) Requirements for Electric Vehicle Infrastructure.

(i) Permitted Locations

(1) Level-1 and Level-2 electric vehicle charging stations are permitted in every zoning district, when accessory to the primary permitted use. Such stations located at one-family, multifamily, and mobile home park dwellings shall be designated as private restricted use only. Installation shall be subject to permit approval administered by the city.

(2) Level-3 electric vehicle charging stations are permitted in the CBD and Commercial districts, when accessory to the primary permitted use. Installation shall be subject to permit approval administered by the Community Development Department.

(3) If the primary use of the parcel is the retail electric charging of vehicles, then the use shall be considered a gasoline service station for zoning purposes. Installation shall be subject to Special Exception approval and located in zoning districts which permit gasoline service stations.

(a) Application and Approval

(i) Charging stations located at one-family, multifamily, and mobile home park dwellings as accessory uses shall comply with the requirements of this ordinance and any applicable permitting requirements.

(ii) Charging stations located at commercial sites and as accessory uses shall comply with site review and permitting requirements.

(iii) Charging stations located at commercial sites and as primary uses shall be subject to Special Exception approval and located in zoning districts which permit gasoline service stations (filling stations). Site review and permitting requirements shall also apply.

(b) General Requirements for Residential and Non-Residential Development

(i) Electric vehicle charging stations within single family residences are exempt from the below general requirements. This does not exempt electrical or other permit obligations.

(ii) Parking.

(1) An electric vehicle charging station space may be included in the calculation for minimum required parking spaces required in accordance with *Section 9.01 Off-Street Parking and Loading*.

(2) Public electric vehicle charging stations are reserved for parking and charging electric vehicles only. Electric vehicles may be parked in any space designed for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.

(c) Accessible Spaces. A minimum of one accessible electric vehicle charging station is required for each ten (10) electric vehicle parking spaces in any parking facility that is required to have at least one electric vehicle parking space. Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and connected to a barrier-free accessible route of travel. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons.

(d) Required For Certain Uses. Electric vehicle charging spaces are required to be installed at all multifamily developments, commercial properties with more than 100 parking spaces, as well as all filling stations, constructed after the passage of this chapter.

(i) Multifamily developments of more than 20 units shall provide electric vehicle charging station infrastructure (wiring, conduit, etc.) at a rate of 5% of all parking spaces.

(ii) Commercial properties shall provide electric vehicle parking spaces at a rate of at least one (1) space per one-hundred (100) parking spaces.

(iii) Filling stations shall provide electric vehicle charging stations at a rate of at least one (1) charging station per twelve (12) gasoline pumps approved after the passage of this chapter.

(e) Location and Design.

(i) Lighting. Site lighting shall be provided where an electric vehicle charging station is installed, unless charging is for daytime purposes only.

(ii) Size. The minimum width for a parking space for charging electric vehicles is nine (9) feet.

(f) Equipment Standards and Protection.

(i) Battery charging station outlets and connector devices shall be no less than thirty-six (36) inches and no higher than forty-eight (48) inches from the surface where mounted. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.

(ii) Adequate battery charging station protection, such as concrete-filled steel bollards, shall be used. Curbing may be used in lieu of bollards, if the battery charging station is setback a minimum of twenty-four (24) inches from the face of the curb.

(g) Usage Fees. The property owner or operator is not restricted from collecting a service fee for the use of an electric vehicle charging station made available to visitors of the property.

(h) Signage.

(i) Information shall be posted identifying voltage and average levels and any time of use, fees, or safety information related to the electric vehicle charging station.

(ii) Each electric vehicle charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. For purposes of this subsection, "charging" means that any electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment. Restrictions shall be included on the signage, if removal provisions are to be enforced by the property owner.

(i) Maintenance. Electric vehicle charging stations shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting when it is not functioning or other problems are encountered.

(j) Emergency Disconnect. For Electric Vehicle Charging Stations rated at more than 60 amps or more than 150 volts to ground, a means of disconnect must be installed in a readily accessible location and within sight of the electric charging connector. If the disconnect is not in sight of the equipment, it must be capable of being locked in the open position.

(k) Decommissioning. Unless otherwise directed by the City of Buchanan, within ninety (90) days of cessation of use of the electric vehicle charging station, the property owner or operator shall restore the site to its original condition. Should the property owner or operator fail to complete said removal within ninety (90) days, the City of Buchanan shall conduct the removal and disposal of improvements at the property owner or operator's sole cost and expense.

(2) **Roof-mounted solar.** Roof-mounted solar energy systems are permitted as an accessory use in all districts. Solar panels on street-facing roof slopes shall be flush-mounted and shall not extend above the roofline. Panel frames shall be of a color compatible with the roof material.

(3) **Ground-mounted solar.** Ground-mounted solar energy systems are permitted as an accessory use subject to the following:

(a) Ground-mounted solar systems shall comply with all applicable setbacks of the district;

(b) Systems visible from a public or private street shall be screened by dense evergreen landscaping or a fence consistent with *Sec. 9.14*; and

(c) In the Rural Hamlet District, ground-mounted solar shall be limited, screened, and located so as not to occupy prime agricultural land or scenic view corridors identified in the Concept Plan.

(4) **Small wind energy systems.** Small wind energy systems may be permitted as a special exception in agricultural and industrial districts, subject to height, setback, noise, shadow flicker, and safety standards established as conditions of the special exception approval, and shall not be located so as to impair scenic or dark-sky resources.

■ ■ ■ Sec. 10.23 – SHIPPING CONTAINERS AND ROOFTOP DECKS

(1) Shipping containers shall be considered primary structures under the terms of this ordinance and follow all regulation and restrictions specified herein.
   (a) Shipping containers are required to have foundations for footings. All Shipping containers must be located on a structural foundation and have appropriate footings.
(2) Shipping containers are only permitted in the CBD, C-1, C-2 and RHD zoning districts as Special Exception Uses, requiring annual renewal by the Zoning Administrator.
   (a) Shipping Containers located in commercial zoning districts may only be used for retail, bar/tavern or restaurant uses. Shipping containers shall not be used as ancillary storage or for other non-customer facing functions.
   (b) The containers shall not be used for residential purposes.
(3) General Temporary Use and Structure Standards. Shipping Containers that are used for temporary occupancy or to be used in conjunction with two or more containers as a cooperative commercial or industrial space shall meet all requirements within this section.
   (a) All temporary structures shall conform to the following requirements:
      (i) Applicable Development Standards. Temporary structures must meet all development standards for a permanent accessory structure unless otherwise specified in this section.
      (ii) Temporary Structure Time Limits. Any temporary structure used for a permitted primary use may be permitted for up to two (2) years, unless otherwise specified by this ordinance.
      (iii) All temporary uses shall occur outside of the right-of-way.
   (b) Temporary Use and Structure Standards. Temporary uses and structures are permitted in any zoning district provided that the use is a permitted use in that zoning district.
      (i) Permit Requirements. All temporary uses and structures shall require a permit unless otherwise specified in this section. No temporary use or structure, or the related signs, lighting, parking, etc., shall be constructed or placed upon a site prior to all necessary permits being obtained.
      (ii) Time Limits. Temporary uses and/or structures that seek extensions of the initial time limits established in this section shall be subject to administrative approval. One (1) year extensions may be granted by the Zoning Administrator who may impose reasonable conditions as part of the approval. A bi-annual renewal of the Temporary Structure Permit by the Zoning Administrator is required.

(iii) Removal. All temporary uses and/or structures must be removed and the site reverted to its original condition within the duration of the permit or any extension thereof.

(4) Dimensions. Shipping containers may not be more than the standard high cab dimensions (40 feet wide and no more than 8 feet in depth). Rooftop patios and steps leading to the roof of the container are permitted and may exceed the height restrictions stated, but require review and approval from the authority having jurisdiction.

(5) Quantity. No more than four containers are permissible on a lot at one time. Should additional containers be desired, a site plan shall be prepared and approved by the City Council prior to the colocation of more than one container on a single site. Shipping containers may be stacked vertically, however the peak height shall not exceed 24' from finished elevation of the main level shipping container. No more than two (2) shipping containers may be stacked vertically on any given lot.

(6) Location. The containers are permitted no closer than 5 feet to the front, side and rear property lines. All shipping containers shall be at least 5 feet from another structure, including other shipping containers. All containers shall be located on a hard, dustless surface. Each container project used for commercial purposes is required to have an exterior patio that serves as additional public space.

(7) Architectural Standards.

(a) All shipping containers used for commercial purposes shall be painted an attractive design.

(b) The use of awnings, canopies and porte-cocheres are encouraged and shall contribute to the overall design aesthetic.

(c) Exterior façade walls shall be cladded in metal, finished wood, cementitious siding, or a combination of.

(d) If shipping containers are used as accessory structures to a primary structure on site, they must be architecturally compatible and similar to the principal structure.

i) A covered walkway or breezeway is allowed between a primary structure and accessory structure. Such connection shall not be exempt the accessory structure from compliance with the standards of this section.

(e) The name of the business shall be clearly identified via signage on the primary façade of the container.

(f) The use of Shipping Containers as stated in this section will be exempt from the design standards of *Section 8.08 Non-residential Design Standards*.

(g) All proposed uses of shipping containers must be presented to the Zoning Administrator through the use of renderings and floor plans and approved in order to proceed.

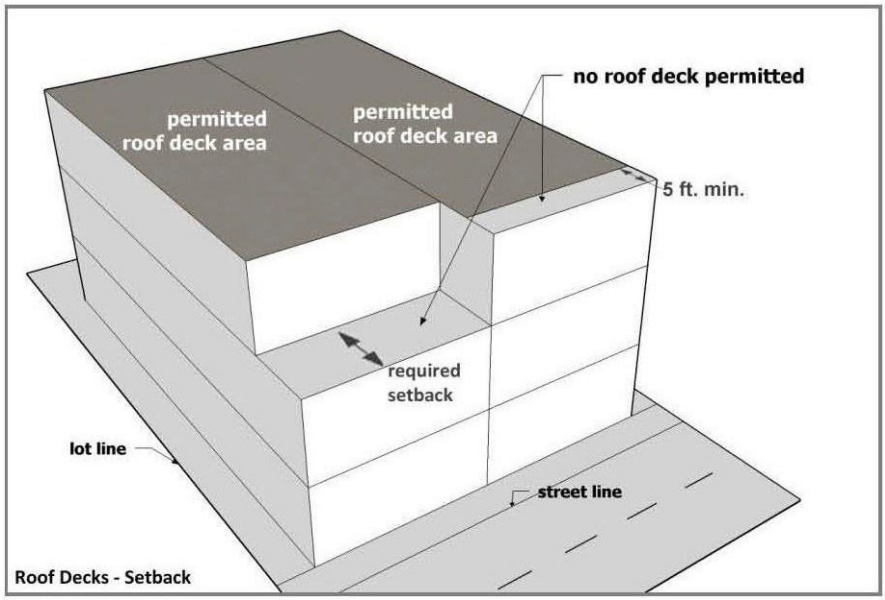
■ ■ ■ Sec. 10.24 – ROOFTOP DECKS

(6) Roof decks are permitted for residential uses in all zoning districts. Roof decks for non-residential uses are prohibited, except in the HCBD District, where special exception approval in accordance with the procedures is required. Roof decks are prohibited on accessory structures.

(7) Setbacks. Roof decks must be set back at least five (5) feet from the extreme front building line. In cases where the top story is already set back at least five (5) feet from the front building line of the building, the roof deck does not require an additional setback. A roof deck may not be constructed in the front setback. See Figure 10.4.

(8) Height. A roof deck and associated railings and fencing is considered a permitted appurtenance and is not subject to the building height limitations of the subject zoning district.

FIGURE 10.4: ROOFTOP DECK SETBACK DIAGRAM



(9) Roof Deck Access Structures (Pilot House Structures). A roof deck access structure meeting the following requirements is considered a building appurtenance and is not subject to the building height limitations of the subject zoning district. See Figure 10.5.

(a) The roof deck access structure may only serve to enclose the access stairs, elevators, or other means of access.

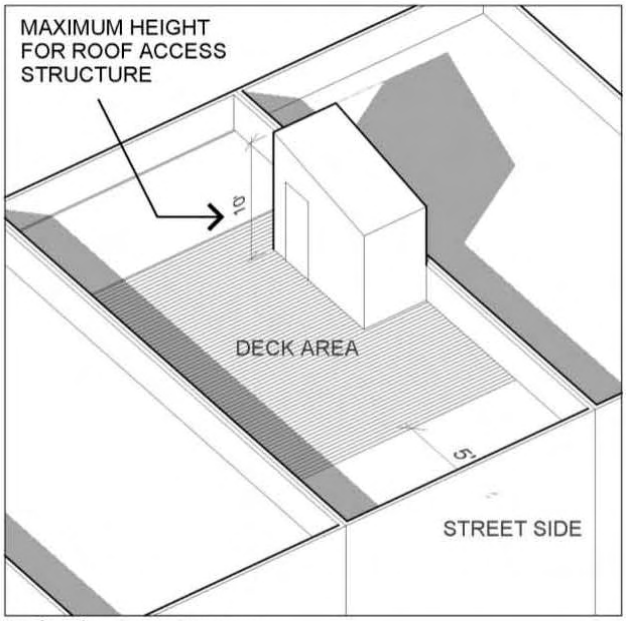
(b) The roof deck access structure may not exceed one-hundred twenty-five (125) square feet in area, however roof deck access structures that also contain an elevator are permitted an additional forty (40) square feet of area.

(c) The roof deck access structure may not exceed ten (10) feet in height above the surface of the roof deck.

5) Roof deck access structures must meet the same setback requirements as the associated roof deck, provided that any part of the roof deck access structure located more than forty-two (42) inches above the surface of the roof deck must be set back an additional five (5) feet from the required setback of the associated roof deck. The roof deck access structure must be set back five (5) feet from the rear building line.

6) Fences, Guard Rails, and Privacy Screens. Fences or guard rails used to enclose roof decks may not exceed 42 in. in height, except that privacy screens up to 60 in. in height and no more than fifty percent (50%) opaque may be installed on the sides of the roof decks that are parallel to side lot lines and located within 18 in. of a side lot line that is not also a street line.

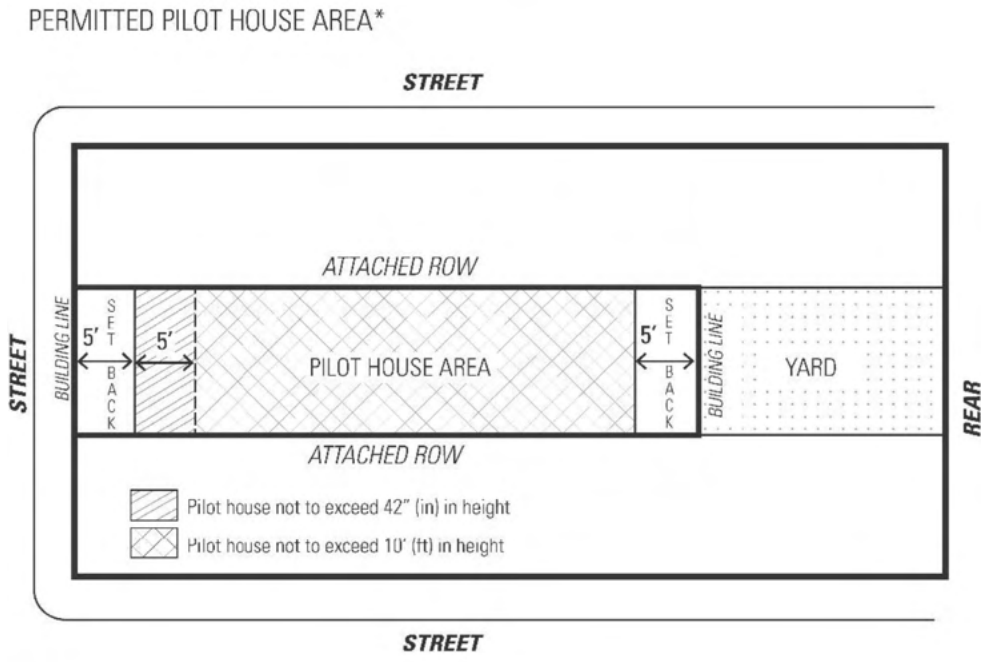
FIGURE 10.5: ROOF DECK ACCESS STRUCTURE DIAGRAM



Roof Decks - Access Structures

For illustrative purposes only, the following diagrams show the permissible area for a roof deck access structure:

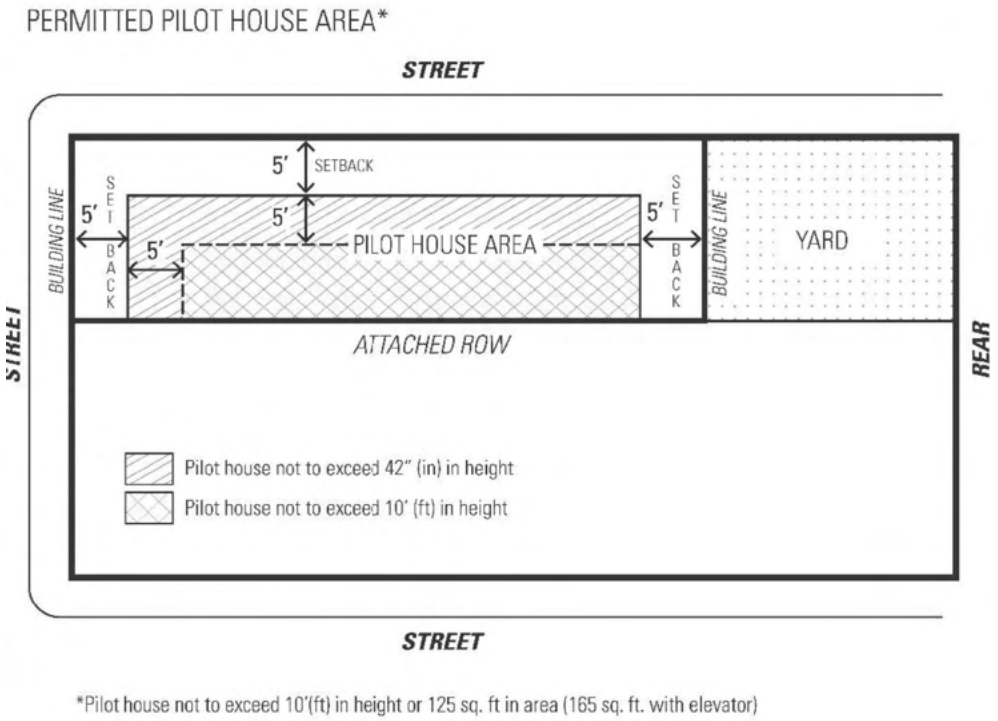
Permitted Roof Deck Access Structure Area, Attached Dwelling:



*Pilot house not to exceed 10'(ft) in height or 125 sq. ft in area (165 sq. ft. with elevator)

Note: Height limitation applies everywhere.

Permitted Roof Deck Access Structure Area, Corner Lot:



Note: Height limitation applies everywhere.

■ ■ ■ Sec. 10.25– AMUSEMENT AND RECREATION FACILITIES

(1) Commercial amusement and recreation facilities, including amusement parks, water parks, go-kart tracks, laser tag facilities, and similar uses, are permitted only as special exceptions in the districts indicated in *Sec. 4.06,* subject to conditions governing hours of operation, noise, lighting, traffic, parking, and buffering from residential uses. City Council may establish a 1,000' buffer from residential zones.

(2) Outdoor recreation uses in the Rural Hamlet District shall be designed to fit the rural setting and the open space network, and are governed by *Chapter V, Part B*.

■ ■ ■ Sec. 10.26 – KENNELS AND COMMERCIAL ANIMAL BOARDING

(1) Kennels and commercial animal boarding facilities shall:

(a) Conduct all boarding, grooming, and treatment activities indoors except for screened, sound-attenuated outdoor runs compliant with *Sec. 10.17(1)*;

(b) Manage noise, odor, and waste so as not to create a nuisance to adjacent properties; and

(c) Be set back and buffered from residential uses by a Type C buffer.

■ ■ ■ Sec. 10.27 – FOOD TRUCKS AND MOBILE FOOD VENDORS

(1) Mobile food vendors are permitted in commercial and mixed-use districts, at special events, and within designated areas of the Rural Hamlet District, subject to a permit from the Zoning Administrator

and health department approval. Permits shall expire after twelve (12) months post issuance and may be renewed.

(2) Mobile food vendors shall comply with the following standards:

(a) Vendors shall not occupy required parking spaces, fire access lanes, or required pedestrian ways;

(b) Vendors shall not create a nuisance for adjacent permanent uses through noise, odor, waste, or traffic;

(c) Waste and wastewater shall be managed and disposed of in an approved manner; and

(d) Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m.

■ ■ ■ Sec. 10.28 – OUTDOOR DINING AND SIDEWALK CAFES

(1) Outdoor dining and sidewalk cafes are encouraged in commercial centers, the Central Business District, and the village centers of the Rural Hamlet District, provided that:

(a) A clear pedestrian path of not less than five (5) feet in width is maintained on all sidewalks at all times;

(b) Furniture, barriers, and enclosures are of quality materials consistent with the character of the district and *Chapter VIII*;

(c) Amplified music or entertainment associated with outdoor dining complies with the sound standards of *Sec. 10.09*; and

(d) Where outdoor dining occupies a public sidewalk or private street easement, it shall be authorized by a revocable encroachment permit and shall maintain required clearances.

■ ■ ■ Sec. 10.29 – SWIMMING POOLS AND OUTDOOR RECREATION STRUCTURES

(1) **Private pools.** Private swimming pools shall be enclosed by a six (6) foot privacy fence meeting the requirements of the applicable building and safety code, shall observe the accessory structure setbacks of the applicable district, and shall manage pump and equipment noise so as not to disturb adjacent dwellings.

(2) **Community pools and recreation structures.** Community recreation structures — including pools, pavilions, courts, and playgrounds — shall be designed and located to serve residents and the public while minimizing noise and lighting impacts on adjacent dwellings. Lighting of community recreational facilities shall comply with the dark-sky standards of *Sec. 9.05*.

■ ■ ■ Sec. 10.30– DONATION BINS AND OUTDOOR VENDING

(1) Donation collection bins and outdoor vending machines are permitted only as an accessory use in commercial and industrial districts, shall be anchored, maintained in a clean and functional condition, and shall not occupy required parking, required landscaping, or required pedestrian ways.

(2) No donation bin or vending machine shall be placed within a required front yard or within a required buffer yard.

■ ■ ■ Sec. 10.31 – CREMATORIES

(1) **Crematories.** Crematories are permitted only in association with an approved funeral home or cemetery in the districts indicated in *Sec. 4.06,* and shall comply with all applicable state and federal emission standards and shall be set back not less than three hundred (300) feet from any residential district or use.

■ ■ ■ Sec. 10.32 – SMOKE SHOPS, VAPE SHOPS, AND MEDICAL MARIJUANA DISPENSARIES

(1) **Smoke shops, tobacco stores, and vape shops.** Smoke shops, tobacco stores, vape shops, and similar limited retail uses are permitted uses in the C-2 and C-3 zones only. Such uses shall not be located within the Central Business District storefront frontage zone, consistent with the active ground-floor use requirements of *Sec. 4.05.4.* Smoke shops, tobacco stores, and vape shops that are legally existing in other zoning districts on the effective date of the ordinance codified in this chapter may continue to operate as legal nonconforming uses in accordance with Chapter III: Nonconformities, and shall not be required to obtain a Special Exception. However, any change or expansion of the legal nonconforming use is prohibited.

(2) **Medical cannabis retail.** Where authorized by state law, medical cannabis retail establishments shall comply with the licensing and separation standards of state law and shall not be located within five hundred (500) feet of a school, place of worship, or park.

■ ■ ■ Sec. 10.33 – OUTDOOR STORAGE OF VEHICLES, BOATS, AND EQUIPMENT

(1) The outdoor storage of recreational vehicles, boats, trailers, and equipment as an accessory use to a dwelling shall be:

(a) Located in a side or rear yard only, not in a required front yard;

(b) Screened from the street by a fence, wall, or dense landscaping of not less than six (6) feet in height; and

(c) Located so as not to block required parking spaces, access drives, or fire apparatus access.

(2) Commercial outdoor storage of vehicles and equipment is permitted only in the commercial and industrial districts indicated in *Sec. 4.06,* fully screened from streets and residential districts by a Type C buffer.

■ ■ ■ Sec. 10.34 – WIND AND SOLAR ENERGY SYSTEMS

(1) Roof-mounted solar energy systems are permitted as an accessory use in all districts and shall comply with *Sec. 10.22(2)*.

(2) Ground-mounted solar energy systems shall comply with *Sec. 10.22(3)*.

(3) Small wind energy systems shall comply with *Sec. 10.22(4)*.

■ ■ ■ Sec. 10.35 –COTTAGE INDUSTRIES, AND ARTISAN USES

(1) In addition to home-based businesses under *Sec. 10.04,* cottage industries and artisan uses — such as small craft studios, value-added agricultural processing, textile production, and similar creative enterprises — are encouraged in the Rural Hamlet District where they reinforce the working, creative character of the community.

(2) Cottage industries and artisan uses within the RHD shall be subject to standards established by the Concept Plan and the master development agreement that protect neighbors from noise, odor, traffic, and other off-site effects, and shall comply with *Chapter VIII* for any associated building or structure.

■ ■ ■ Sec. 10.36 – TATTOO PARLORS AND BODY ART ESTABLISHMENTS

(1) Tattoo parlors and body art establishments are permitted in the commercial districts as provided in *Sec. 4.06* and in the CBD as a special exception under *Sec. 4.05.3,* subject to all applicable state licensing requirements.

(2) Such establishments shall not be located within five hundred (500) feet of a school or place of worship.

■ ■ ■ Sec. 10.37 – SWAP MEETS AND FLEA MARKETS

(1) Swap meets and flea markets, meaning regularly recurring outdoor or indoor markets at which multiple vendors offer goods for sale to the general public, are permitted as special exceptions in the C-2 and C-3 districts as provided in *Sec. 4.06,* subject to:

(a) An approved site plan demonstrating adequate parking, traffic circulation, and sanitation;

(b) Hours of operation limited to 7:00 a.m. to 7:00 p.m.;

(c) Amplified sound compliant with *Sec. 10.09*; and

(d) A Type B buffer from all abutting residential uses.

■ ■ ■ Sec. 10.38 – TIRE SALES AND SERVICE

(1) Tire sales and service establishments are permitted in the commercial and industrial districts as provided in *Sec. 4.06* and shall:

(a) Store all used and new tire inventory within an enclosed building or within a fully screened outdoor area not visible from a public or private street;

(b) Manage noise from tire-mounting equipment so as not to disturb abutting residential uses; and

(c) Dispose of used tires in compliance with all applicable state environmental regulations.

■ ■ ■ Sec. 10.39 – PAWNSHOPS AND CHECK CASHING ESTABLISHMENTS

(1) Pawnshops and check cashing or payday lending establishments are permitted in the commercial districts as provided in *Sec. 4.06,* subject to all applicable state licensing requirements, and shall not be located within the Central Business District.

■ ■ ■ Sec. 10.40– INDOOR FIRING RANGES

(1) Indoor firing ranges are permitted as a special exception in the C-2, C-3, M-1, and M-2 districts as provided in *Sec. 4.06,* subject to:

(a) Compliance with all applicable state and federal regulations governing firearms and ammunition;

(b) Sound attenuation construction sufficient to ensure that gunshot noise is not audible at the nearest residential property line; and

(c) A lead management and ventilation plan approved by the Georgia Department of Public Health.

■ ■ ■ Sec. 10.41 – CONFERENCE AND CONVENTION CENTERS

(1) Conference and convention centers are permitted as special exceptions in the C-2, C-3, and CBD districts as provided in *Sec. 4.06,* subject to:

(a) An approved traffic impact study and traffic management plan;

(b) Adequate off-street parking as provided in *Sec. 9.01*;

(c) A Type B buffer from all abutting residential uses; and

(d) Compliance with the design standards of *Chapter VIII*.

■ ■ ■ Sec. 10.42 – FILM PRODUCTION FACILITIES

(1) Permissible Districts. All Districts
(2) Standards
  (a) Application.
    (i) Applicant must request permission to use City property including but not limited to, parks, streets, alleys, sidewalks, or buildings owned by the City, for a film production prior to submission of the application.
    (ii) Rush approvals (permits requested within less than fourteen (14) days of production) will be assessed due to increased demand for staff time and coordination. The application shall include, but not be limited to, the following:
      (1) The filming project name;
      (2) The name and contact information of the applicant, including postal address, email address, and telephone number;
      (3) A valid photo identification of the applicant;
      (4) The name and contact information of the producer (if the applicant is not the producer);
      (5) The dates, times and locations of the filming for which permit is being requested, and a general description of the filming activity that will occur at each location;
      (6) Where the producer is a student, an official letter or document from his/her school confirming that s/he is currently enrolled there. In addition, the student identification card and a valid driver's license. Where the student does not have a driver's license, s/he may present a different form of identification that includes his/her photo.
  (b) Public Works/Public Safety.

(i) If roads are to be blocked or traffic disrupted in any manner, off-duty City of Buchanan police officers must be hired and compensated at a minimum of three hours per day. (Note: Closure of State roads requires a 45-day lead time and approval from the Georgia Department of Transportation.)

(ii) Removal, cutting or trimming of vegetation in the public right-of-way is prohibited unless specifically approved by the permit.

(iii) No film activity which involves the use of explosives, pyrotechnics, fire, smoke-making machines or other special effects may be undertaken unless specifically approved by the Haralson County Fire Department.

(iv) Tents or temporary membrane structures having an area in excess of five-thousand (5,000) square feet require an inspection by the County Fire Marshall of the county where filming will take place.

(v) Emergency vehicle access shall be maintained at all times. EMS personnel are required on-site for productions with stunts being performed.

(vi) The County Fire Marshall shall have full access to any film production to ensure safety for crew members, the public, and surrounding properties.

(c) Permit Issuance.

(i) If permission is granted by the City, a written permit will be issued including time, date and location of filming and acceptable activities within the scope of the permit.

(ii) A producer and/or applicant that receives a permit is responsible for knowing and complying with this ordinance and all other laws, including other ordinances and regulations that establish prerequisites, authorizations and other required permissions applicable to the filming.

(iii) Upon receipt of the permit, the production company must provide a certificate of insurance naming the City of Buchanan as an additional insured. The City requires an insurance policy rider for general liability and worker's compensation for one-million dollars ($1,000,000) each occurrence and aggregate with endorsement naming the City of Buchanan as additional insured.

(iv) Upon receipt of the permit, the production company must notify affected businesses and property owners within five-hundred (500) feet of production. Compensation may be necessary if business and home environments are greatly disrupted.

(v) The City shall require the production company to have the permit on site at all times.

(vi) Notwithstanding any other part of this Code, any producer that performs filming without receiving a permit, violates the material terms of a permit, or is otherwise in violation of this Ordinance, shall be subject to the provisions of Chapter X: Violations and Enforcement of this ordinance.

(d) Film Production Wrap-Up. Upon completion of work, all materials and debris shall be entirely removed and the right-of-way left in the same condition it was in immediately prior to filming. Any costs for clean-up by the City will be charged to the permit holder who will be invoiced by the City for such costs. Invoices for such costs must be paid in full within thirty (30) days from the date of issuance by the City.

(e) Advertising.

(i) The City of Buchanan logo, its buildings, or the name of the City may not be included in the film or its marketing and advertising without written permission.

(ii) Where permitted filming includes advertising signs or other displays of commercial speech, the signs and/or displays must be removed upon the expiration of the permit.

(f) Indemnification. The producer must sign an indemnification provision on the permit whereby the producer agrees to indemnify the City and its officials and employees from all claims, losses and expenses, including attorneys' fees and costs, that may arise from the permit and any of the activities performed pursuant to the permit by, on behalf of, or at the direction of the producer, except to the extent that claims, losses and/or expenses are caused by the gross negligence or intentional misconduct of the City, its officials and or employees.

(g) Exception. A permit shall not be required for filming on private property or for the filming of public events such as rallies, protests, demonstrations, or other events held on City property and open to the public at large.

■ ■ ■ Sec. 10.43 – MANUFACTURED HOME PARKS

(1) Manufactured home parks are permitted only in the MHP district as provided in *Sec. 4.06* and shall comply with the following standards in addition to the dimensional requirements of *Sec. 4.03*:

(a) **Minimum tract size.** Not less than five (5) acres;

(b) **Internal streets.** All internal streets shall be private streets built to the Lane classification standards of *Chapter VI*;

(c) **Individual spaces.** Each manufactured home space shall be not less than four thousand (4,000) square feet in area and shall provide not less than twenty (20) feet of frontage on an internal street;

(d) **Utilities.** All utilities shall be underground. Individual water, sewer, and electrical connections shall be provided to each space;

(e) **Common open space.** Not less than ten percent (10%) of the gross tract area shall be provided as usable common open space, including play areas and community gathering space;

(f) **Perimeter buffer.** A Type C buffer shall be provided along all exterior boundaries of the manufactured home park;

(g) **Parking.** Not less than two (2) off-street parking spaces shall be provided per manufactured home space; and

(h) **Design.** All manufactured homes shall comply with the appearance and foundation standards of *Sec. 8.06*.

■ ■ ■ Sec. 10.44– SHORT-TERM RENTAL PLATFORMS AND REGISTRATION

(1) The short-term rental of any dwelling or lodging unit — whether listed on an online platform, rented directly, or otherwise made available for occupancy for fewer than thirty (30) consecutive days — shall be registered with the City of Buchanan before commencement of the rental activity, as provided in *Sec. 10.06(3)*.

(2) The operator of a short-term rental shall maintain a current registration at all times. Operating a short-term rental without a valid registration is a violation of this Code subject to the penalties of *Chapter XII*.

(3) The City may adopt by resolution a short-term rental registration fee and a schedule of fines for violations, consistent with *Sec. 11.10*.

CHAPTER XI - PETITIONS, PERMITS, AND PROCEDURES

■ ■ ■ Sec. 11.01 – PURPOSE AND APPLICATION TYPES

(1) **Purpose.** This chapter establishes the procedures for the submission, review, and decision of all development applications authorized by this Code. Procedures are designed to be fair, transparent, and predictable, to provide meaningful opportunity for public participation, and to result in written decisions that are consistent with the standards of this Code and the laws of the State of Georgia.

(2) **Principal application and permit types.** Table 11.1 summarizes the principal application and permit types authorized by this Code, the bodies that review them, and the bodies that make the final decision. The Rural Hamlet District two-step approval is governed by *Sec. 5.B.04* and the Traditional PUD two-step approval is governed by *Sec. 5.A.04*.

TABLE 11.1 — PRINCIPAL APPLICATION AND PERMIT TYPES

Application / Permit	Reviewed By	Decision By
Zoning map amendment (rezoning)	Planning Board (recommends)	Mayor and City Council
Text amendment to this Code	Planning Board (recommends)	Mayor and City Council
Traditional PUD Concept Plan	Planning Board (recommends)	Mayor and City Council
RHD Concept Plan	Planning Board (recommends)	Mayor and City Council
Conditional use / special exception	Planning Board (recommends)	Mayor and City Council
Variance	Mayor and Council	Mayor and Council
Administrative adjustment	Zoning Administrator	Zoning Administrator

Application / Permit	Reviewed By	Decision By
Development plan / site plan review	Zoning Administrator and staff	Zoning Administrator
Major subdivision (preliminary and final plat)	Planning Board (recommends)	Mayor and City Council
Minor subdivision	Zoning Administrator	Zoning Administrator
Land disturbance permit	Zoning Administrator and engineer	Zoning Administrator
Building permit	Building Official	Building Official
Certificate of occupancy	Building Official	Building Official
Certificate of completion	Zoning Administrator	Zoning Administrator
Sign permit	Zoning Administrator	Zoning Administrator
Special event permit	Zoning Administrator (major events to Council)	As provided in Sec. 11.09
Short-term rental registration	Zoning Administrator	Zoning Administrator
Farm animal / bee keeping license	Zoning Administrator	Zoning Administrator
Temporary use permit	Zoning Administrator	Zoning Administrator
Administrative appeal	Mayor and Council	Mayor and Council

Application / Permit	Reviewed By	Decision By
Tree bank in-lieu contribution	Zoning Administrator	Zoning Administrator
Interpretation request	Zoning Administrator	Zoning Administrator

(3) **Pre-application conference encouraged.** An applicant for any rezoning, Concept Plan, major subdivision, special exception, or development plan is encouraged to request a pre-application conference with staff before filing to review applicable standards, required submittals, fees, and the review process. A pre-application conference does not constitute a formal determination and does not bind the City.

■ ■ ■ Sec. 11.02 – DEVELOPMENT PLAN REVIEW

(1) **When required.** A development plan (also called a site plan) is required for:

(a) All new construction of a nonresidential building or structure;

(b) All new construction of a multi-family, townhome, or mixed-use building;

(c) Any addition to an existing building that increases gross floor area by more than thirty-five percent (35%);

(d) Any change of use that triggers the applicability provisions of *Sec. 1.04(2)*; and

(e) Any new development within a Planned Development District, as provided in *Chapter V*.

(2) **Exemptions.** The following are exempt from the development plan requirement:

(a) Single-family detached and two-family dwellings and their accessory structures on individual lots;

(b) Changes of use within existing structures in the Central Business District, as provided in *Sec. 4.05.1(2)*; and

(c) Interior renovations that do not affect the site layout, access, parking, or exterior appearance of a building.

(3) **Required contents.** A development plan shall include, at a minimum:

(a) A boundary survey and site plan drawn to an appropriate engineering scale, showing the property lines, existing and proposed buildings and structures, setbacks, parking areas, driveways, landscaping, lighting, and stormwater facilities;

(b) Exterior elevation drawings of all street-facing building facades, with materials and colors identified, demonstrating compliance with *Chapter VIII*;

(c) A parking and circulation plan demonstrating compliance with *Chapter IX*;

(d) A landscaping plan demonstrating compliance with *Chapter IX*, including a tree protection plan where required by *Sec. 9.04*;

(e) A lighting plan demonstrating compliance with the dark-sky standards of *Sec. 9.05*;

(f) A stormwater management concept demonstrating compliance with *Sec. 9.10*; and

(g) A statement of compliance with all applicable standards of this Code and with any conditions of an approved Concept Plan, special exception, or variance applicable to the property.

(4) **Review and decision.** The Zoning Administrator shall review the development plan for compliance with all applicable standards and shall approve, approve with conditions, or deny the plan in writing within a reasonable time after acceptance of a complete application. The decision shall state the basis for any conditions or denial.

(5) **Appeal.** A decision of the Zoning Administrator on a development plan may be appealed to the City Council under *Sec. 11.07*.

■ ■ ■ Sec. 11.03 – ZONING MAP AND TEXT AMENDMENTS

(1) **Initiation.** An amendment to the Official Zoning Map or to the text of this Code may be initiated by the Mayor and City Council, the Planning Board, or a property owner, and shall be processed with the notice and public hearings required by *Sec. 2.07* and the Zoning Procedures Law (O.C.G.A. Title 36, Chapter 66).

(2) **Application contents.** An application for a zoning map amendment initiated by a property owner shall include:

(a) A completed application form and the applicable fee;

(b) A boundary survey and legal description of the subject property;

(c) A statement of the current and proposed zoning district;

(d) A statement of consistency with the Comprehensive Plan and the standards for zoning decisions of *Sec. 2.06(3)*;

(e) Conceptual site information sufficient to evaluate the proposal against the standards of *Sec. 2.06(3)*; and

(f) Campaign contribution and conflict-of-interest disclosures as required by O.C.G.A. Title 36, Chapter 67A.

(3) **Review process.** Upon acceptance of a complete application, the Zoning Administrator shall:

(a) Schedule the application for review by the Planning Board at the next available regular meeting for which proper notice can be given;

(b) Prepare a staff report evaluating the application against the standards of *Sec. 2.06(3)*; and

(c) Transmit the application and staff report to the Planning Board and to the Mayor and City Council.

(4) **Planning Board recommendation.** The Planning Board shall hold a public hearing on the application, receive testimony from the applicant and the public, and make a written recommendation to the Mayor and City Council within the time required by state law.

(5) **City Council decision.** The Mayor and City Council shall hold a separate public hearing on the application, receive the recommendation of the Planning Board, and make the final decision applying the standards of *Sec. 2.06(3)*. The Council acts by ordinance for text amendments and by resolution for map amendments.

(6) **Conditions.** The City Council may approve a rezoning subject to conditions that run with the land and that are reasonably related to the impacts of the proposed development and the standards of this Code.

(7) **Protest petition.** A written protest petition against a proposed zoning amendment, signed by the owners of twenty percent (20%) or more of the area of the lots included in the proposed change, or by the owners of twenty percent (20%) or more of the area within one hundred fifty (150) feet of the proposed change (not counting publicly owned property), shall require for its defeat a vote of at least three-fourths (3/4) of all the members of the City Council, as provided by Georgia law.

(8) **Time limitation on resubmittals.** A zoning map amendment application that has been denied by the City Council shall not be resubmitted for the same or substantially similar rezoning within twelve (12) months of the denial, except upon a showing of a substantial change in conditions affecting the property or the surrounding area.

■ ■ ■ Sec. 11.04 – CONDITIONAL USES AND SPECIAL EXCEPTIONS

(1) **Purpose.** A conditional use or special exception is a use that may be appropriate in a district only where specific standards are met, impacts are mitigated, and compatibility with surrounding uses is demonstrated. The special exception process provides the opportunity for the City to impose conditions that ensure compatibility and protect the public interest.

(2) **Procedures for special exceptions.**

(a) An application for a special exception shall be filed with the Zoning Administrator on the prescribed form, accompanied by the applicable fee and all required submittals.

(b) The application shall be reviewed by the Planning Board, which shall hold a public hearing and make a written recommendation to the Mayor and City Council.

(c) The Mayor and City Council shall hold a public hearing and make the final decision.

(3) **Required findings.** The reviewing body shall approve a special exception only upon written findings that:

(a) The proposed use satisfies all applicable standards of this Code and any supplementary standards of *Chapter X*;

(b) The proposed use is compatible with surrounding uses and the character of the district and the neighborhood;

(c) The proposed use is adequately served by existing or proposed infrastructure and access, and will not create undue burdens on streets, utilities, schools, or other public facilities; and

(d) The proposed use will not be detrimental to the public health, safety, and welfare.

(4) **Conditions.** The reviewing body may impose conditions on a special exception approval as necessary to ensure compatibility, protect adjacent properties, and carry out the purposes of this Code. Conditions shall be reasonably related to the impacts of the proposed use. A violation of a condition of a special exception approval is a violation of this Code subject to the penalties of *Chapter XII*.

(5) **Development plan required.** Approval of a special exception does not authorize any land disturbance or construction. A development plan approved under *Sec. 11.02* is required before any building permit or land disturbance permit may be issued.

(6) **Expiration.** A special exception approval that is not exercised within two (2) years of the date of approval — meaning that no land disturbance permit or building permit has been issued and no substantial construction has begun — shall expire. The Mayor and City Council may, upon written request filed before expiration, extend the approval for one additional period of up to one (1) year for good cause shown.

■ ■ ■ Sec. 11.05 – VARIANCES AND ADMINISTRATIVE ADJUSTMENTS

Sec. 11.05.1 – Variances

(1) **Authority and standards.** The City Council, may grant a variance from the dimensional and development standards of this Code only upon the findings required by *Sec. 2.02(9)*. The council shall not grant a use variance of any kind, and shall not grant a variance that authorizes a use not permitted in the district.

(2) **Application.** An application for a variance shall be filed with the Zoning Administrator on the prescribed form, accompanied by the applicable fee. The application shall include:

(a) A written statement explaining the extraordinary conditions of the property that justify the variance and the hardship that would result from strict application of this Code;

(b) A site plan or survey showing the subject property, existing and proposed structures, and the dimensional standard from which relief is sought; and

(c) Any additional information required by the Zoning Administrator to evaluate the application against the findings of *Sec. 2.02(9)*.

(3) **Public hearing.** The Board shall hold a public hearing on the application with the notice required by *Sec. 2.07*. The decision of the Board shall be in writing and shall state the findings supporting the grant or denial of the variance.

(4) **Conditions.** The Board may impose conditions on a variance as necessary to protect adjacent property and to carry out the purposes of this Code, consistent with *Sec. 2.02(11)*.

(5) **Expiration.** A variance that is not exercised within two (2) years of the date of approval shall expire. The council may, upon written request filed before expiration, extend the approval for one additional period of up to one (1) year for good cause shown.

(6) **Limitation on successive applications.** A variance application that has been denied shall not be resubmitted for the same or substantially similar variance within twelve (12) months of the denial, except upon a showing of a substantial change in the conditions affecting the property.

Sec. 11.05.2 – Administrative Adjustments

(1) **Authority.** The Zoning Administrator may grant a minor administrative adjustment of a dimensional standard of this Code without a public hearing where the adjustment meets all of the following criteria:

(a) The adjustment does not exceed **ten percent (10%)** of the applicable dimensional standard (e.g., a required setback of twenty feet may be administratively adjusted to not less than eighteen feet);

(b) The adjustment is consistent with the purpose of the standard from which relief is sought and will not impair the intent of the applicable district;

(c) The adjustment has no material adverse effect on neighboring property; and

(d) The conditions justifying the adjustment are physical characteristics of the lot, such as lot size, shape, topography, or the location of easements, and not the preferences of the applicant.

(2) **Procedure.** An application for an administrative adjustment shall be filed in writing with the Zoning Administrator. The Zoning Administrator shall render a written decision within fifteen (15) business days of receipt of a complete application. A decision granting an administrative adjustment shall state the specific standard adjusted, the adjusted dimension, and the basis for the adjustment.

(3) **Appeal.** A decision of the Zoning Administrator on an administrative adjustment may be appealed to the City Council under *Sec. 11.07*.

(4) **Limitations.** An administrative adjustment may not be used to reduce a required buffer yard, to increase the maximum density or intensity of a use, to authorize a use not permitted in the district, or to circumvent the variance standards of *Sec. 2.02(9)*. Cumulative administrative adjustments on the same property shall not collectively exceed ten percent (10%) of any single dimensional standard.

Sec. 11.06 – PUBLIC NOTICE

(1) **General.** Where this Code or state law requires notice of a public hearing, notice shall be given as provided in *Sec. 2.07* and as required by the Zoning Procedures Law (O.C.G.A. Title 36, Chapter 66). The City shall maintain a record of the notice given for each application.

(2) **Published notice.** Notice of the time, place, and purpose of a public hearing shall be published in the legal organ of Haralson County not less than fifteen (15) nor more than forty-five (45) days before the hearing, as required by state law.

(3) **Posted notice.** For applications initiated by a property owner that affect a specific parcel, a sign shall be posted on the property in a location conspicuous from the primary street not less than fifteen (15) days before the hearing. The sign shall state the nature of the application and the date, time, and place of the

hearing. The Zoning Administrator shall provide the sign and shall confirm that posting has occurred before the hearing is opened.

(4) **Mailed notice.** Written notice shall be mailed to the owners of record of all abutting properties not less than fifteen (15) days before the hearing for applications for special exceptions, variances, and Concept Plan approvals. Mailed notice shall be sent by first-class mail to the address shown in the records of the Haralson County Tax Commissioner.

(5) **Failure to receive notice.** The failure of a property owner to receive mailed or posted notice shall not invalidate an action where the City has substantially complied with the notice requirements of this Code and of state law.

(6) **Open Meetings Act.** All public hearings shall be held in compliance with the Georgia Open Meetings Act (O.C.G.A. § 50-14-1 et seq.).

■ ■ ■ Sec. 11.07 – APPEALS

(1) **Administrative appeals.** An appeal from an administrative decision of the Zoning Administrator — including a decision on a development plan, a permit, an interpretation, an administrative adjustment, or a tree bank contribution request — may be taken to the City Council by a person aggrieved by the decision.

(2) **Time for appeal.** An appeal shall be filed with the Zoning Administrator within thirty (30) days of the date of the written decision being appealed. An appeal filed after this period shall be dismissed as untimely.

(3) **Stay of proceedings.** An appeal filed under this section stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the council that a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed except by a restraining order granted by a court of competent jurisdiction.

(4) **Record on appeal.** The appellant shall file with the Zoning Administrator a written notice of appeal stating the grounds for the appeal. The Zoning Administrator shall transmit to the council all documents and materials constituting the record of the action appealed from.

(5) **Hearing.** The Council shall hold a public hearing on the appeal with the notice required by *Sec. 11.06*. At the hearing, the Council may take testimony and receive evidence relevant to the decision appealed from. The Council shall decide the appeal within a reasonable time.

(6) **Decision.** The Council may reverse, affirm wholly or in part, or modify the decision appealed from, and to that end the Council has all the powers of the Zoning Administrator with respect to the decision being reviewed. The decision shall be in writing and shall state the grounds for the decision.

(7) **Judicial review.** A decision of the City Council may be appealed to the Superior Court of Haralson County by petition for certiorari filed within thirty (30) days of the date of the Council's written decision, or within such other period as may be provided by law.

(8) **Legislative decisions.** A legislative decision of the Mayor and City Council on a rezoning, text amendment, or Concept Plan approval may be challenged only as provided by the laws of the State of Georgia. The appeal procedures of this section do not apply to legislative decisions.

■ ■ ■ Sec. 11.08 – LAND DISTURBANCE, BUILDING PERMITS, AND CERTIFICATES

Sec. 11.08.1 – Land Disturbance Permit

(1) **Requirement.** A land disturbance permit is required before any clearing, grading, filling, excavation, or other land disturbance activity on any property within the City, except as exempted in subsection (2).

(2) **Exemptions.** The following activities are exempt from the land disturbance permit requirement:

(a) Normal maintenance of existing lawns, landscaping, and gardens, including the removal of invasive species;

(b) Agricultural tilling and cultivation on land in active agricultural use;

(c) Emergency work necessary to protect life or property from imminent hazard, provided that the Zoning Administrator is notified within five (5) business days; and

(d) Minor grading of not more than fifty (50) cubic yards that does not alter drainage patterns or affect any required buffer, easement, or protected natural feature.

(3) **Required submittals.** A land disturbance permit application shall include:

(a) A grading and drainage plan prepared by a professional engineer;

(b) An erosion and sediment control plan compliant with the Georgia Erosion and Sedimentation Act and *Sec. 9.11*;

(c) A tree protection plan consistent with *Sec. 9.04*; and

(d) For Planned Development Districts, evidence of conformity with the approved Concept Plan and phasing plan.

(4) **Inspections.** The City shall inspect the land disturbance activity at such intervals as the Zoning Administrator determines necessary to confirm compliance with the approved plans and the standards of this Code.

Sec. 11.08.2 – Building Permit

(1) **Requirement.** A building permit is required before the construction, erection, moving, alteration, repair, or demolition of any building or structure within the City, as provided by the applicable building code.

(2) **Design review required.** No building permit shall be issued for any building or structure until the Zoning Administrator has confirmed that the proposed building complies with the design and architectural standards of *Chapter VIII* and with any applicable design character document or pattern book. In Planned Development Districts, the architectural review process required by the master development agreement shall be completed and conformity certified before a building permit is issued.

(3) **Conformity with approvals.** No building permit shall be issued for any building or use that does not conform to this Code, to all applicable conditions of approval, and, in Planned Development Districts, to the approved Concept Plan and master development agreement.

Sec. 11.08.3 – Certificate of Occupancy

(1) **Requirement.** A certificate of occupancy is required before any building or structure (or change of use of any building or structure) is occupied or used, issued by the Building Official only upon confirmation that the building and its site comply with this Code, the building code, and all applicable conditions of approval.

(2) **Landscaping.** A certificate of occupancy shall not be issued unless all required landscaping has been installed and accepted, or unless an approved landscape security instrument has been submitted under *Sec. 7.07*.

(3) **Stormwater.** A certificate of occupancy shall not be issued unless all required stormwater management facilities have been constructed, inspected, and accepted, and the required operation and maintenance agreement has been recorded.

Sec. 11.08.4 – Certificate of Completion

(1) A certificate of completion shall be issued by the Zoning Administrator upon the satisfactory completion of all required site improvements, including landscaping, parking, lighting, stormwater facilities, and required open space, where a certificate of occupancy is not required. The certificate of completion triggers the start of the maintenance bond warranty period under *Sec. 7.07*.

■ ■ ■ Sec. 11.09 – SPECIAL EVENT PERMITS

(1) **Requirement.** A special event permit is required for any organized gathering that:

(a) Exceeds the ordinary scale and impact of the principal use of the property;

(b) Involves amplified sound directed toward the public;

(c) Involves the temporary use of land for parking, camping, or vending beyond what is approved for the permanent use; or

(d) Has an expected attendance of more than one hundred (100) persons.

(2) **Application.** A special event permit application shall be filed with the Zoning Administrator not less than thirty (30) days before the event. The application shall include (*items in italics shall be submitted only at the Zoning Administrator's request)*:

(a) The name, address, and contact information of the event organizer;

(b) A description of the event, including its nature, expected attendance, dates, and hours;

(c) A site plan showing the layout of the event, including stage or performance areas, vendor areas, parking, sanitation facilities, emergency access routes, and any temporary structures;

(d) A sound management plan including the type and location of amplification equipment and the proposed maximum sound levels at the property line;

(e) A traffic management and parking plan;

(f) A sanitation plan demonstrating adequate facilities for the expected attendance; and

(g) A security plan for events with an expected attendance of more than five hundred (500) persons.

(3) **Annual event permits.** All applicants for festivals and/or any other yearly event must submit their application by the 1st of February of each year. This will allow us to have a yearly calendar set for all city events.

(4) **Emergency access.** All special events shall maintain unobstructed emergency vehicle access to all areas of the event site at all times. The Zoning Administrator may require coordination with the fire authority and law enforcement before a permit is issued.

(5) **Revocation.** A special event permit may be revoked by the Zoning Administrator during an event upon a finding that the event is being conducted in violation of the permit conditions, this Code, or the Code of Ordinances, or that continued operation poses a risk to public health, safety, or welfare.

■ ■ ■ Sec. 11.10 – FEES

(1) The Mayor and City Council shall establish by resolution a schedule of fees for all applications, permits, and certifications authorized by this Code, sufficient to recover the reasonable cost of review, inspection, and administration. The fee schedule shall be made available to the public at the City's offices and on the City's website.

(2) All applicable fees shall be paid in full before any application is accepted as complete and before any permit is issued. No action shall be taken on an incomplete or unpaid application.

(3) The fee schedule shall be reviewed and updated by the City Council not less than every three (3) years to reflect current costs of administration.

(4) The City Council may by resolution establish reduced fees for applications by nonprofit organizations, governmental entities, or for projects that provide demonstrable community benefit, provided that such reductions do not prevent the City from recovering its reasonable administrative costs.

■ ■ ■ Sec. 11.11 – PRE-APPLICATION AND COMPLETENESS REVIEW

(1) **Pre-application conference.** An applicant for a rezoning, Concept Plan, major subdivision, special exception, or development plan is encouraged to request a pre-application conference with staff before filing. The Zoning Administrator shall make staff available for pre-application conferences within fifteen (15) business days of a written request. A pre-application conference does not constitute a formal determination, does not bind the City, and does not start the application review clock.

(2) **Completeness review.** Within ten (10) business days after an application is filed, the Zoning Administrator shall determine whether the application is complete. An application is complete when all required submittals have been received and all applicable fees have been paid.

(3) **Incomplete applications.** An incomplete application shall be returned to the applicant with a written statement identifying each deficiency. The review clock shall not begin until a complete application is accepted. An applicant shall have sixty (60) days from receipt of a deficiency notice to submit a corrected application; failure to do so shall result in the application being deemed withdrawn.

(4) **Minor deficiencies.** An applicant may request that minor missing items be addressed during review where doing so does not prejudice the review or the public. The Zoning Administrator may accept an application as substantially complete and begin review while noting outstanding minor items, provided that all deficiencies are resolved before the application is scheduled for a public hearing.

■ ■ ■ Sec. 11.12 – CONDUCT OF PUBLIC HEARINGS

(1) **Rules of procedure.** Public hearings shall be conducted in accordance with the rules adopted by the Mayor and City Council and the Planning Board, which shall provide a fair and equal opportunity for proponents and opponents to be heard, reasonable and equal time limits, and the orderly presentation of evidence and testimony, consistent with *Sec. 2.07*.

(2) **Campaign contribution disclosures.** The disclosure of campaign contributions and financial interests required by O.C.G.A. Title 36, Chapter 67A, shall be made as required by law in connection with applications affecting zoning. Disclosures shall be made in writing on the prescribed form before the public hearing is opened.

(3) **Evidence and record.** The reviewing body shall base its decision on the standards of this Code and the evidence in the record. The record shall include the application materials, the staff report, all written communications received before the hearing, and the transcript or summary minutes of the hearing. All documents and materials submitted at or before the hearing shall be made part of the record.

(4) **Ex parte communications.** Members of the Planning Board and the Mayor and City Council shall avoid ex parte communications regarding the merits of a pending quasi-judicial application outside the public hearing. Any ex parte communication that occurs shall be disclosed on the record at the beginning of the public hearing.

(5) **Continuances.** A public hearing may be continued to a date certain by the presiding officer where additional time is needed to receive evidence or where a quorum cannot be maintained, provided that the continuance is announced publicly before the hearing is adjourned and that proper notice is given of the continued hearing date.

■ ■ ■ Sec. 11.13 – DECISIONS, CONDITIONS, AND RECORDS

(1) **Written decisions.** Each decision of the Zoning Administrator, the Planning Board, or the Mayor and City Council on an application under this Code shall be in writing, shall state whether the application is approved, approved with conditions, or denied, and shall set out any conditions of approval and the findings supporting the decision.

(2) **Conditions.** Conditions shall be:

(a) Reasonably related to the impacts of the proposed development and to the standards of this Code;

(b) Specific and capable of compliance monitoring; and

(c) For rezonings and Concept Plan approvals, made a part of the recorded approval and binding on all future owners of the property.

(3) **Records.** The City shall maintain a permanent record of each application and decision, including the application materials, staff report, public hearing record, the decision and conditions, and all subsequent amendments, extensions, and revocations. Records shall be available for public inspection at the offices of the Zoning Administrator.

(4) **Effective date of decisions.** A decision of the Planning Board or the Mayor and City Council is effective upon the date of the written decision, unless a different effective date is stated in the decision or required by law.

■ ■ ■ Sec. 11.14 – EXPIRATION, EXTENSION, AND RESUBMITTAL

(1) **Expiration.** An approval that is not acted upon within the time established by this Code or by the conditions of approval expires, and the property returns to its status under the standards then in effect. Unless otherwise specified:

(a) A special exception approval expires as provided in *Sec. 11.04(6)*;

(b) A variance approval expires as provided in *Sec. 11.05.1(5)*;

(c) A Concept Plan approval expires as provided in *Sec. 5.A.16* and *Sec. 5.B.27*; and

(d) A development plan approval expires eighteen (18) months after the date of approval if no land disturbance permit or building permit has been issued, unless extended under subsection (2).

(2) **Extension.** The reviewing body may grant a reasonable extension of an approval for good cause shown, upon a written request filed before the expiration date. An extension shall not be granted for more than one (1) additional year without a new public hearing. Extensions of Concept Plan approvals shall follow the procedures of *Sec. 5.A.16* and *Sec. 5.B.27*.

(3) **Resubmittal after denial.** A denied application shall not be resubmitted in substantially the same form within twelve (12) months of the date of denial, except where the reviewing body finds a material change in the conditions affecting the property or the surrounding area. A finding of material change shall be made in writing before a resubmitted application is accepted.

■ ■ ■ Sec. 11.15 – VESTED RIGHTS

(1) Nothing in this Code impairs a vested right lawfully established under Georgia law. A right to develop under a prior standard vests as provided by law — generally upon the issuance of a valid permit and substantial good-faith reliance upon it — or as otherwise established by the transition rules of *Sec. 1.05*.

(2) A claim of vested rights shall be submitted in writing to the Zoning Administrator, who shall render a written determination as to whether a vested right exists and, if so, its scope and duration. A determination of the Zoning Administrator on a vested rights claim may be appealed under *Sec. 11.07*.

(3) A vested right, if established, entitles the holder to complete the development as vested, but does not extend to expansions, additions, or changes of use beyond the scope of the vested approval.

■ ■ ■ Sec. 11.16 – ZONING AMENDMENTS AND MAP ADOPTION PROCEDURES (ANNEXATION)

(1) **Annexation zoning.** Upon the annexation of any territory into the City, the Mayor and City Council shall assign an initial zoning classification to the annexed territory in accordance with the Zoning Procedures Law (O.C.G.A. § 36-66-4). The zoning of annexed territory shall be initiated simultaneously with or immediately following the annexation action.

(2) **Interim zoning.** Pending the assignment of a permanent zoning classification, annexed territory shall be subject to the standards of the most comparable City zoning district as determined by the Zoning Administrator, or the standards of the county from which it was annexed, whichever is more restrictive with respect to new development.

(3) **Consistency with Comprehensive Plan.** The initial zoning classification of annexed territory shall be consistent with the Future Development Map of the Comprehensive Plan, or the City Council shall initiate an amendment to the Comprehensive Plan concurrently with the zoning action.

■ ■ ■ Sec. 11.17 – SIGN PERMITS

(1) **Requirement.** A sign permit is required for all signs except those exempted by *Sec. 9.07(3)*.

(2) **Application.** A sign permit application shall include:

(a) A drawing of the proposed sign showing dimensions, materials, colors, and illumination method;

(b) A site plan or elevation showing the location of the sign on the building or lot; and

(c) The applicable fee.

(3) **Review.** The Zoning Administrator shall approve, approve with conditions, or deny a sign permit application within ten (10) business days of receipt of a complete application. A sign permit shall not be issued for any sign that does not comply with *Sec. 9.07* and the applicable district standards.

(4) **Master sign program.** In Planned Development Districts, all sign permit applications shall demonstrate conformance with the master sign program approved with the Concept Plan, consistent with *Sec. 5.A.05* and *Sec. 5.B.23*. No sign permit shall be issued within a PUD or RHD without confirmation of master sign program conformance.

■ ■ ■ Sec. 11.18 – FOOD TRUCK AND MOBILE VENDOR PERMITS

(1) Mobile food vendors operating in locations other than an approved permanent vendor location shall obtain a mobile vendor permit from the Zoning Administrator before commencing operations, in addition to any business license and health department approval required by the Code of Ordinances.

(2) A mobile vendor permit shall be issued for a specific location and a specific period, not to exceed one (1) year. Mobile vendor permits are not transferable to other locations or operators.

(3) The Zoning Administrator shall confirm that the proposed vending location complies with *Sec. 10.26* before issuing a permit.

■ ■ ■ Sec. 11.19 – INTERPRETATION REQUESTS

(1) Any person may request a written interpretation of this Code from the Zoning Administrator regarding the classification of a use, the application of a dimensional standard, the location of a district boundary, or the meaning of a term or provision.

(2) An interpretation request shall be filed in writing with the Zoning Administrator, describing the specific question and the factual context. The Zoning Administrator shall render a written interpretation within twenty (20) business days of receipt of a complete request.

(3) A written interpretation of the Zoning Administrator is binding on the administration of this Code unless reversed on appeal. An interpretation may be appealed to the Planning Board sitting as the Board of Appeals under *Sec. 11.07*.

(4) The Zoning Administrator shall maintain a record of all written interpretations, which shall be available for public inspection. Where a pattern of interpretation questions indicates an ambiguity in this Code, the Zoning Administrator shall recommend a text amendment to the Planning Board to resolve the ambiguity.

CHAPTER XII - VIOLATIONS AND ENFORCEMENT

■ ■ ■ Sec. 12.01 – ENFORCEMENT AUTHORITY

(1) **Zoning Administrator.** The Zoning Administrator is the primary enforcement officer of this Code and is authorized to:

(a) Enter upon any land or premises within the City at reasonable times, with the consent of the owner or occupant or with lawful authority, to inspect for compliance with this Code and with all approvals, conditions, and permits issued under it;

(b) Issue written notices of violation, stop-work orders, and orders to correct or remove violations as provided in this chapter;

(c) Initiate and prosecute enforcement proceedings before the municipal court or other tribunal of competent jurisdiction; and

(d) Request the assistance of the City Police Department, the Haralson County Sheriff's Office, or other law enforcement in the enforcement of this Code.

(2) **City Attorney.** The City Attorney is authorized to institute appropriate legal proceedings — including actions for injunction, mandamus, abatement, and other equitable or legal relief — in any court of competent jurisdiction to prevent, correct, restrain, or abate a violation of this Code.

(3) **Other authorized officers.** The Mayor and City Council may by resolution designate other City employees or officers as enforcement agents for specific provisions of this Code.

(4) **Private remedies not affected.** Nothing in this chapter limits the right of any person to seek judicial relief from a violation of this Code that causes or threatens injury to that person's property or interests.

■ ■ ■ Sec. 12.02 – VIOLATIONS

(1) **General.** It is a violation of this Code to:

(a) Erect, construct, reconstruct, alter, move, or maintain any building, structure, or use in a manner that does not comply with this Code or with any permit, plan, condition, or approval issued or granted under it;

(b) Use or occupy any land, building, or structure for a use not authorized in the applicable district under *Chapter IV* or *Chapter V*;

(c) Subdivide land, create a lot, or record a plat in violation of this Code or of the subdivision procedures of *Chapter XI*;

(d) Fail to comply with any condition of a rezoning, Concept Plan, special exception, variance, development plan, or other approval granted under this Code;

(e) Fail to comply with the terms of a recorded master development agreement, access and infrastructure easement, or conservation restriction required by this Code;

(f) Obstruct, hinder, or interfere with the Zoning Administrator or any authorized enforcement officer in the performance of duties under this Code; or

(g) Remove, deface, or alter any required notice, posting, or sign placed by or at the direction of the Zoning Administrator.

(2) **Each day a separate offense.** Each day that a violation continues constitutes a separate and distinct offense. Where a violation involves the unauthorized construction or use of a structure, each day from the date of the first notice of violation until the date of full compliance shall constitute a separate offense.

(3) **Responsibility.** The owner of land, the owner of a structure, the occupant or user of land or a structure, and any contractor, agent, architect, or other person who participates in, assists with, directs, creates, or maintains a violation of this Code may each be held responsible for that violation.

■ ■ ■ Sec. 12.03 – NOTICE OF VIOLATION AND STOP-WORK ORDERS

(1) **Notice of violation.**

(a) Upon finding a violation of this Code, the Zoning Administrator shall issue a written notice of violation to the owner of the property, the operator of the use, or any other responsible party, as appropriate.

(b) The notice of violation shall describe:

(i) The nature of the violation, including the specific provision of this Code that is violated;

(ii) The location of the violation;

(iii) The corrective action required to bring the property or use into compliance; and

(iv) The date by which the corrective action shall be completed, which shall be a reasonable period given the nature of the violation, not to exceed thirty (30) days for most violations, unless a shorter or longer period is warranted by the circumstances.

(c) The notice of violation shall be delivered by personal service, by first-class mail to the address of the property owner as shown in the Haralson County tax records, or by posting in a conspicuous place on the property. Service by mail is complete upon mailing.

(2) **Stop-work order.**

(a) Where work is proceeding in violation of this Code, of an approved development plan, of a building permit, or of a land disturbance permit, the Zoning Administrator may issue a stop-work order halting all work on the project.

(b) A stop-work order shall be posted in a conspicuous place on the property and shall describe the violation and the conditions under which work may resume.

(c) Work shall not resume until the violation is corrected and the Zoning Administrator has issued a written authorization to resume.

(d) Failure to comply with a stop-work order is a violation of this Code subject to enhanced penalties under *Sec. 12.04*.

(3) **Emergency orders.** Where a violation presents an immediate and serious threat to public health, safety, or welfare — including unauthorized clearcutting, contamination of a water supply, or obstruction of emergency access — the Zoning Administrator may issue an emergency stop-work order or emergency abatement order without prior notice, subject to notice being given as soon as practicable thereafter. An emergency order may be appealed to the City Council under *Sec. 11.07,* but the appeal shall not stay the emergency order.

■ ■ ■ Sec. 12.04 – CONSTRUCTION PROCESS VIOLATIONS

(1) **Purpose.** This section establishes procedures and penalties applicable to violations that arise during the construction process, including work without a permit, work that deviates from approved plans, and failures to call for required inspections.

(2) **Work without a permit.** Where work requiring a building permit, land disturbance permit, or development plan approval is commenced without the required approval, the Zoning Administrator shall:

(a) Issue a stop-work order immediately upon discovery;

(b) Require the responsible party to file the required application and pay all applicable fees, plus an after-the-fact review fee as established in the fee schedule; and

(c) Require the restoration of any work that cannot be approved under this Code, at the responsible party's expense.

(3) **Deviation from approved plans.** Where work in progress deviates materially from the approved development plan or building permit, the Zoning Administrator shall issue a stop-work order and shall require the responsible party to:

(a) Submit revised plans demonstrating how the deviation will be corrected or how an amendment to the approval can be obtained; and

(b) Obtain an amended approval before work on the affected portion resumes.

(4) **Premature clearing.** Unauthorized clearing of trees in violation of *Sec. 9.04(7)* — including clearcutting and premature clearing before the issuance of a land disturbance permit — is subject to the following enhanced penalties, in addition to the general penalties of *Sec. 12.07*:

(a) A mandatory restoration plan prepared by a certified arborist or registered landscape architect, demonstrating replanting at the replacement ratios of *Sec. 9.04(4)* or a contribution to the Tree Bank under *Sec. 9.04(8)*, shall be submitted within thirty (30) days of the notice of violation;

(b) The restoration plan shall be implemented at the responsible party's expense within one (1) growing season of approval; and

(c) A fine of not less than two hundred fifty dollars ($250.00) per caliper inch of unlawfully removed tree, in addition to the daily fines of Section 12.07 shall be assessed. Where the caliper inch count of removed

trees cannot be determined, a fine of not less than five hundred dollars ($500.00) per tree shall be assessed.

■ ■ ■ Sec. 12.05 – IMMEDIATE PUBLIC RISK VIOLATIONS

(1) **Emergency abatement.** Where a violation of this Code creates an immediate risk to public health, safety, or welfare, including but not limited to an unsafe structure, an unauthorized obstruction of a public way or emergency access route, a discharge of pollutants threatening water quality, or a use that creates an immediate fire or safety hazard, the City may take emergency abatement action without prior notice or hearing.

(2) **Procedure.** Emergency abatement shall be authorized in writing by the Zoning Administrator or the City Administrator and shall be limited to the minimum action necessary to address the immediate risk. Notice of the emergency abatement action shall be given to the owner or responsible party as soon as practicable after the action is taken.

(3) **Cost recovery.** The City may recover all costs of emergency abatement from the owner or responsible party. The cost of abatement shall constitute a lien upon the property, recorded in the manner provided by Georgia law, until paid.

(4) **Post-abatement hearing.** The owner or responsible party may request a hearing before the City Council to contest the necessity or scope of the emergency abatement action. The request shall be filed within fifteen (15) days of the notice of abatement. The hearing shall not restore the condition that necessitated the abatement, but may result in a determination that the abatement was unnecessary or excessive, and an appropriate adjustment of costs.

■ ■ ■ Sec. 12.06 – ADDITIONAL VIOLATIONS AND ENFORCEMENT ACTIONS

(1) **Revocation of permits and approvals.** The Zoning Administrator may revoke any permit, approval, or certificate issued under this Code upon a written finding that:

(a) The permit, approval, or certificate was issued on the basis of incorrect, incomplete, or fraudulent information provided by the applicant;

(b) The work or use authorized by the permit, approval, or certificate is being carried out in a manner that violates this Code or the conditions of the approval; or

(c) The holder of the permit, approval, or certificate has failed to comply with a notice of violation or a stop-work order.

(2) **Withholding of future permits.** The Zoning Administrator may withhold the issuance of any building permit, land disturbance permit, certificate of occupancy, or other approval for any property where there is an outstanding uncorrected violation of this Code, until the violation is resolved.

(3) **Lien for costs.** Where the City incurs costs in abating a violation, completing required improvements after a developer default, or otherwise enforcing this Code, those costs may be assessed against the property and shall constitute a lien upon the property until paid, as provided by Georgia law.

(4) **Injunctive relief.** The City Attorney may seek injunctive relief in the Superior Court of Haralson County to prevent, restrain, or abate a violation of this Code without being required to show that monetary damages would be an inadequate remedy.

(5) **Abatement as a nuisance.** Any structure erected, altered, or used in violation of this Code is hereby declared a public nuisance and may be abated through the procedures provided by the Code of Ordinances of the City and the laws of the State of Georgia.

■ ■ ■ Sec. 12.07 – TRIAL FOR VIOLATIONS

(1) **Municipal court jurisdiction.** Violations of this Code are subject to prosecution in the Municipal Court of the City of Buchanan or in any other court of competent jurisdiction.

(2) **Summons and complaint.** Upon the failure of a responsible party to correct a violation within the time specified in a notice of violation, or upon the failure of a responsible party to comply with a stop-work order or other enforcement order, the Zoning Administrator may issue a citation and summons requiring the responsible party to appear before the municipal court.

(3) **Burden of proof.** In any proceeding for a violation of this Code, the City shall bear the burden of proving the violation by a preponderance of the evidence.

(4) **Each offense.** Each day a violation continues after the expiration of the correction period specified in the notice of violation constitutes a separate offense for purposes of prosecution and assessment of fines.

■ ■ ■ Sec. 12.08 – MONETARY FINES AND PENALTIES

(1) **General fines.** Any person convicted of a violation of this Code in the Municipal Court of the City of Buchanan shall be subject to a fine of not less than one hundred dollars ($100.00) and not more than one thousand dollars ($1,000) per offense, or imprisonment not to exceed sixty (60) days, or both, as provided by the Charter and Code of Ordinances of the City of Buchanan and O.C.G.A. § 36-35-6. Each day of continuing violation constitutes a separate offense.

(2) **Enhanced penalties for specific violations.** The following violations are subject to enhanced minimum penalties in recognition of their potential for serious or irreversible harm:

(a) **Unauthorized clearcutting or premature clearing:** as provided in *Sec. 12.04(4)*, a mandatory minimum fine of two hundred fifty dollars ($250.00) per caliper inch of unlawfully removed tree, in addition to daily fines, plus mandatory restoration;

(b) **Work without a permit where the resulting structure or use cannot be approved:** a mandatory minimum fine of five hundred dollars ($500.00) per day, in addition to mandatory removal or restoration at the responsible party's expense;

(c) **Failure to comply with a stop-work order:** a mandatory minimum fine of five hundred dollars ($500.00) per day of continued work after issuance of the stop-work order;

(d) **Obstruction of the Zoning Administrator or authorized enforcement officer:** a mandatory minimum fine of two hundred fifty dollars ($250.00) per incident; and

(e) **Violation of a condition of a Concept Plan, master development agreement, or special exception:** a mandatory minimum fine of two hundred fifty dollars ($250.00) per day.

(3) **Cumulative remedies.** The penalties and remedies of this chapter are cumulative and not exclusive. The City may pursue one or more remedies simultaneously, and the use of one remedy does not bar the use of any other remedy available at law or in equity. The assessment of a fine does not relieve the responsible party of the obligation to correct the violation.

(4) **Mitigation.** The municipal court may consider mitigating factors, including prompt action to correct the violation after notice, absence of prior violations, and good-faith efforts to comply, in setting a fine within the applicable range.

(5) **Deference to Code of Ordinances.** Where the Code of Ordinances of the City of Buchanan establishes a different maximum penalty or different enforcement procedures for a matter also addressed by this Code, the Code of Ordinances controls. This Code does not supersede or expand the penalty jurisdiction of the Municipal Court beyond that established by the Charter, the Code of Ordinances, and applicable state law.

■ ■ ■ Sec. 12.09 – COMPLAINTS AND INVESTIGATIONS

(1) **Complaint procedure.** Any person may file a complaint with the Zoning Administrator alleging a violation of this Code. Complaints shall be filed in writing and shall identify the property, describe the alleged violation, and provide the complainant's name and contact information. Anonymous complaints may be investigated at the Zoning Administrator's discretion but shall not by themselves constitute sufficient basis for the issuance of a notice of violation.

(2) **Investigation.** Upon receipt of a complaint or upon the Zoning Administrator's own observation of a potential violation, the Zoning Administrator shall investigate the matter and determine whether a violation exists. The investigation may include a site inspection, a review of permits and approvals on file, and consultation with other City departments.

(3) **Disposition.** The Zoning Administrator shall notify the complainant of the disposition of the complaint, whether a violation was found, whether a notice of violation was issued, and the outcome, within thirty (30) days of completing the investigation.

(4) **No duty to prosecute.** Nothing in this section creates a legal duty on the part of the City or the Zoning Administrator to prosecute every alleged or observed violation. The City retains discretion in its enforcement priorities, consistent with the public interest.

■ ■ ■ Sec. 12.10 – RELATIONSHIP TO OTHER LAWS AND REMEDIES

(1) The enforcement provisions of this chapter supplement and do not replace the enforcement provisions of the Code of Ordinances of the City of Buchanan, the Georgia Building Code, the Georgia Erosion and Sedimentation Act, and other applicable state and local laws. A violation of this Code may also constitute a violation of other applicable laws, and the City may pursue enforcement under all applicable authorities.

(2) The provisions of this chapter shall be interpreted consistently with the Charter and Code of Ordinances of the City of Buchanan. Where a conflict exists between this chapter and the Code of Ordinances with respect to enforcement procedures, penalties, or the jurisdiction of the Municipal Court, the Code of Ordinances and the Charter control.

CHAPTER XIII - DEFINITIONS

■ ■ ■ Sec. 13.01 – RULES OF CONSTRUCTION FOR DEFINITIONS

(1) Words and terms defined in this chapter have the meanings given. Words not defined have their ordinary dictionary meaning, or where used in a technical context, their accepted technical meaning in the relevant field.

(2) The definitions of this chapter apply throughout this Code. Where a term is defined both in this chapter and in a specific section of this Code, the more specific definition governs in that section.

(3) The rules of interpretation of *Sec. 1.06* apply to the construction of definitions. In particular, words in the singular include the plural, words in the present tense include the future, and "shall" is mandatory while "may" is permissive.

(4) Defined terms appearing in this chapter are printed in *italics* when used in a definition. Cross-references to sections of this Code are provided where a term is more fully described in a specific section.

■ ■ ■ Sec. 13.02 – DEFINITIONS

— A —

Abutting. Sharing a common boundary or property line; touching at a point or along a line. Properties separated only by a street, alley, or right-of-way are considered abutting for purposes of notice requirements but not for purposes of buffer and setback measurements unless this Code expressly provides otherwise.

Access and infrastructure easement. A perpetual easement dedicated to the City over a private roadway and the land beneath it, providing the City the right to access, operate, maintain, repair, and replace public infrastructure and to provide emergency and public safety access, accepted by the City in lieu of the roadway itself. *See Sec. 6.02 and Sec. 7.05*.

Accessory dwelling unit (ADU). A subordinate dwelling unit located on the same lot as a principal single-family dwelling, either attached to or detached from the principal dwelling, with its own kitchen, bath, and sleeping facilities. *See Sec. 10.02(3)*.

Accessory structure. A structure that is customarily incidental and subordinate to the principal use or structure on the same lot, and that does not constitute a separate principal use. A detached garage, storage shed, swimming pool, carport, and gazebo are examples of accessory structures.

Accessory use. A use that is customarily incidental and subordinate to the principal use of a lot and that is located on the same lot as the principal use.

Adult or sexually oriented business. A business that offers goods, services, or entertainment of a sexual nature, as more specifically defined and regulated by the Code of Ordinances of the City of Buchanan.

Agrihood. A neighborhood organized around a working farm that functions as the central shared amenity of the neighborhood, as provided in *Sec. 5.B.07.8*.

Agriculture, general. The use of land for the cultivation of crops, horticulture, viticulture, the keeping of livestock, and related activities, including the sale of products grown or raised on the premises.

Agritourism. A commercial enterprise at a working farm, ranch, vineyard, orchard, or agricultural operation conducted for the enjoyment and education of visitors and that generates supplemental income for the operation. *See Sec. 5.B.07.2 and Sec. 10.07*.

Alley. A narrow private thoroughfare providing rear access to parking, garages, service areas, and utilities, classified under *Chapter VI* and designed to standards set forth in *Sec. 6.04.7*.

Amendment. A change to the text of this Code or to the Official Zoning Map, adopted by the Mayor and City Council following the procedures of *Sec. 11.03*.

Amenity. A feature provided for the use and enjoyment of residents, workers, or the public, such as a green, square, park, playground, trail, pool, or community building.

Amphitheater. An outdoor venue with tiered, sloped, or fixed seating arranged to face a stage or performance area.

Animal husbandry. The keeping and breeding of farm animals, subject to *Sec. 10.08*.

Applicant. A person who files an application for a permit, approval, or other authorization under this Code. The applicant must be the owner of the subject property or the authorized agent of the owner.

Approved species list. The lists of approved trees, shrubs, vines, and groundcovers set forth in *Sec. 9.08,* from which required landscaping and street trees shall be selected.

Avenue. A major private connector thoroughfare, tree-lined, linking village centers and neighborhoods, as classified in *Chapter VI* and designed to the standards of *Sec. 6.04.2*.

— B —

Bed and breakfast. An owner-occupied or operator-occupied lodging establishment offering a limited number of guest rooms — generally not more than ten (10) — and, typically, a morning meal to overnight guests. *See Sec. 10.06*.

Berm. A mounded earthwork used for screening, buffering, sound attenuation, or landscape design.

Block. The land bounded by streets, alleys, or a combination of streets, alleys, and the exterior boundary of a development, within which lots are arranged.

Block perimeter. The total length of all street frontages of a block, measured along the centerlines of the bounding streets or private streets.

Boulevard. A primary private ceremonial thoroughfare divided by a landscaped median, as classified in *Chapter VI* and designed to the standards of *Sec. 6.04.1*.

Buffer yard. A landscaped or naturally vegetated area of defined width established along the boundary of a lot to separate and screen uses or districts of differing intensity. *See Sec. 9.03*.

Build-to line. A line at or near the front property line at which the facade of a building is required to be placed, in order to define and activate the street.

Buildable area. The portion of a lot within which a building may be constructed, after applying all required setbacks, buffer yards, easements, and other dimensional restrictions.

Building. Any structure with a roof supported by columns or walls, intended for the shelter, housing, or enclosure of persons, animals, or property. The word "building" includes the word "structure" as provided in *Sec. 1.06(3)(e)*.

Building height. The vertical distance measured from the average finished grade at the building line to the highest point of the roof, exclusive of chimneys, steeples, antenna, flagpoles, and similar features that do not add habitable floor area. *See Sec. 8.04*.

Building line. The line established by the required front setback, parallel to the street, at which the front of a principal building shall be located.

Building Official. The officer or other designated authority charged with the administration and enforcement of the adopted building code, or a duly authorized representative.

Building permit. A permit issued by the Building Official authorizing the construction, reconstruction, alteration, repair, or demolition of a building or structure.

Building types catalog. The catalog of recognized building types established in *Sec. 8.03,* which assigns frontage types, parking locations, and story ranges to each type.

— C —

Caliper. The diameter of the trunk of a nursery tree, measured at six (6) inches above the root flare for trees up to four (4) inches in caliper, and at twelve (12) inches above the root flare for larger trees, used to specify tree size for installation and replacement purposes.

Carriage house. A small accessory building, often with a dwelling unit above a garage, accessed from an alley or rear lane.

Central Business District (CBD). The traditional downtown commercial core district of the City of Buchanan, designated as "CBD" in *Sec. 4.01* and governed by the supplementary regulations of *Sec. 4.05*.

Certificate of occupancy. A document issued by the Building Official authorizing the occupancy or use of a building or premises after confirming compliance with this Code and the applicable building code. *See Sec. 11.08(3)*.

Certificate of completion. A document issued by the Zoning Administrator upon satisfactory completion of all required site improvements. *See Sec. 11.08(4)*.

Civic space. A publicly accessible outdoor space — such as a green, square, commons, plaza, or park — designed as a focal point of a neighborhood or center and framed by streets or building frontages. *See Sec. 9.06 and Sec. 5.B.19*.

Clearcutting. The wholesale clearing of all or substantially all trees and native vegetation from a site prior to or in preparation for development. Clearcutting is prohibited as provided in *Sec. 9.04(7)*.

Cluster development. A pattern of development in which building is concentrated on a portion of a site in exchange for the permanent preservation of the remainder as open space.

Commercial balance standard. The requirement of *Sec. 5.B.11.2* that each sub-hamlet within a Rural Hamlet District provide a minimum amount of nonresidential floor area in proportion to its housing and developed land.

Common open space. Open space owned and maintained in common by the residents of a development, or by a designated entity, for their shared use and benefit.

Community garden. Land cultivated collectively by a group of people for personal or shared use, not principally for wholesale distribution or sale.

Comprehensive Plan. The officially adopted long-range plan of the City of Buchanan for its physical, social, and economic development, as amended from time to time.

Concept Plan. The binding master plan for a Traditional PUD or Rural Hamlet District development, approved under *Sec. 5.A.04* or *Sec. 5.B.04* respectively.

Conditional use. See *special exception*.

Connectivity index. A measure of the connectedness of a street network, expressed as the ratio of street links to nodes. A connectivity index of not less than 1.4 is encouraged for neighborhood and center street networks. *See Sec. 6.05(3)*.

Conservation easement. A recorded legal instrument that permanently restricts the use of land in order to protect its open space, agricultural, scenic, or natural values, consistent with O.C.G.A. § 44-10-1 et seq.

Correlated color temperature (CCT). A measure of the color appearance of light emitted by a fixture, expressed in kelvins. Lower CCT values (warmer light) are required by the dark-sky standards of *Sec. 9.05*.

Country inn. A small lodging establishment in a rural setting offering guest rooms and often dining, as provided in *Sec. 5.B.07.4* and *Sec. 10.06*.

Critical root zone. The area of soil around a tree that must be protected from disturbance during construction, generally defined as a radius of one (1) foot per inch of trunk diameter measured at breast height from the center of the trunk. *See Sec. 9.04(2)*.

Cul-de-sac. A street with a single point of access and a closed end, generally terminating in a turnaround. Cul-de-sacs are strongly discouraged and permitted only where topography or natural features make connection impracticable, as provided in *Sec. 6.05(1)*.

— D —

Dark-sky lighting. Outdoor lighting that is full cutoff and fully shielded so as to direct all light downward onto the intended surface, minimizing skyglow, glare, and light trespass, consistent with the standards of *Sec. 9.05*.

Day care center. A facility licensed by the State of Georgia providing care for more than six (6) children or any number of adults on a regular basis. *See Sec. 10.12*.

Density. The number of dwelling units per unit of land area, expressed as dwelling units per acre (du/ac), measured gross (including all land in the development) or net (excluding streets and common areas) as specified.

Design character document. The community-specific document required with a Traditional PUD Concept Plan that applies and extends the design and architectural standards of *Chapter VIII* to the specific development. *See Sec. 5.A.10*.

Development. The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or structure; the subdivision of land; or the excavation, grading, filling, or other land disturbance of a site.

Development plan. A plan — also called a site plan — showing the proposed layout and improvement of a site, required for review under *Sec. 11.02*.

District. A portion of the City of Buchanan within which uniform zoning regulations apply, as established by *Chapter IV* and *Chapter V* and shown on the Official Zoning Map.

Drive-through. A facility that allows customers to receive goods or services while remaining in their vehicles, subject to the stacking and design standards of *Sec. 9.02(3)* and *Sec. 10.14*.

Dwelling unit. One or more rooms designed for occupancy by one household as a single housekeeping unit, with a single kitchen and facilities for living, sleeping, and sanitation.

Dwelling, multi-family. A building containing three (3) or more dwelling units.

Dwelling, single-family attached. A dwelling for one household sharing one or more party walls with adjacent dwellings on separate lots, including townhomes.

Dwelling, single-family detached. A freestanding dwelling for one household on its own lot, not sharing walls with another dwelling.

Dwelling, two-family (duplex). A building containing two (2) dwelling units, each with separate entrances.

— E —

Easement. A right granted to one party to use land owned by another party for a specific purpose, including access, drainage, utilities, or conservation.

Easement, access and infrastructure. See *access and infrastructure easement*.

Effective date. The date on which this Code takes effect, as provided in *Sec. 1.13*.

Essential services, minor. Small-scale utility and public safety facilities necessary to serve development — such as water distribution lines, sewer lines, electrical distribution lines, and small pump stations — that do not require a separate building.

Essential services, major. Large-scale utility and public safety facilities — such as water treatment plants, wastewater treatment facilities, electrical substations, and fire stations — that involve significant structures or land area.

Exterior Insulation and Finish System (EIFS). A type of exterior wall cladding system consisting of foam insulation covered with a synthetic stucco finish, subject to the limitations of *Sec. 8.05(4)*.

— F —

Facade. The exterior face or elevation of a building, particularly the face fronting a street or public space.

Family day care home. A dwelling in which care is provided for not more than six (6) children on a regular basis, as an accessory use, subject to state licensing. *See Sec. 10.12(1)*.

Farm stand. A structure for the seasonal retail sale of agricultural products grown or produced on the premises or within the community.

Farmette. A large rural residential lot of not less than fifteen (15) acres, of which at least seventy percent (70%) is maintained as open space, intended for a single homestead combined with small-scale farming. *See Sec. 5.B.07.7*.

Fence. A structure of wood, metal, masonry, or other materials erected as an enclosure, barrier, or screen. *See Sec. 9.14 and Sec. 10.10*.

Fill. Material, including soil, rock, and debris, deposited to raise the grade of a site.

Filling station. An establishment primarily engaged in the retail sale of motor vehicle fuel, which may include convenience retail sales and vehicle service. *See Sec. 10.21*.

Flag lot. A lot with a narrow panhandle access strip connecting the main body of the lot to a street. Flag lots are strongly discouraged. *See Sec. 7.03(2)(d)*.

Floodplain. Land subject to inundation by the base flood (the flood having a one percent annual chance of being equaled or exceeded), as determined by the Federal Emergency Management Agency and shown on the Flood Insurance Rate Map.

Floor area, gross. The total horizontal area of all floors of a building, measured to the exterior faces of the walls, including all occupied spaces and excluding parking structures.

Floor area ratio (FAR). The ratio of the total gross floor area of all buildings on a lot to the area of the lot.

Flyway barrier. A solid fence or dense hedge at least six (6) feet in height placed along the entrance side of a beehive to direct bees upward and away from neighboring properties, as required by *Sec. 10.08.4(1)(c)*.

Forecourt. A frontage type consisting of a formal entry court set back from the street, framed by the building or low walls, appropriate for civic and institutional buildings. *See Sec. 8.02(5)*.

Frontage. The portion of a lot that abuts a street. Also refers to the facade of a building that faces a street.

Frontage buildout. The minimum percentage of a lot's frontage within the build-to zone that must be occupied by building facade, used in the Rural Hamlet District to ensure that streets in the more urban transect zones are spatially defined. *See Sec. 5.B.10*.

Frontage type. The manner in which a building meets the street, as established in *Sec. 8.02:* porch and yard; stoop; shopfront; forecourt and civic frontage; or agrarian frontage.

Full cutoff fixture. An outdoor light fixture designed and installed so that no light is emitted at or above the horizontal plane of the fixture, required by the dark-sky standards of *Sec. 9.05*.

— G —

Glamping. Transient lodging in tents, yurts, safari tents, or similar structures on permanent platforms, offered for short-term rental. *See Sec. 5.B.07.1*.

Grade, finished. The elevation of the ground surface after grading and landscaping.

Grade, natural. The elevation of the ground surface in its undisturbed condition before any grading or fill.

Green. A landscaped civic open space, generally informal in character, framed by streets and building frontages, provided as an amenity within a neighborhood or center.

Greenway. A linear open space corridor, often containing a trail, that connects parks, neighborhoods, open spaces, and natural areas for pedestrian and bicycle use.

Gross floor area. See *floor area, gross*.

— H —

Hamlet. See *sub-hamlet*.

Hardship. An extraordinary condition pertaining to a specific property — because of its size, shape, topography, or other characteristic — not created by the property owner, that prevents reasonable use of the property under the strict terms of this Code, as required for a variance under *Sec. 2.02(9)*.

Home-based business. A business conducted as an accessory use within a residential dwelling by a resident of the dwelling, subject to *Sec. 10.04*.

Hotel. A lodging establishment offering guest rooms, typically accessed from interior corridors, providing ancillary services, and operated on a transient basis.

Housing mix. The requirement that a Planned Development District provide a variety of dwelling types, as provided in *Sec. 5.A.08(7)* (Traditional PUD) and *Sec. 5.B.09(1)* (Rural Hamlet District).

— I —

Impervious surface. A surface that significantly impedes or prevents the natural infiltration of water into the ground, including buildings, paved parking areas, driveways, sidewalks, and compacted gravel areas.

Infill development. New construction on a vacant or underused lot within an established, largely built-out area of the City. *See Sec. 7.01*.

Infrastructure. The water, wastewater, stormwater, transportation, electrical, communications, and other utility systems that serve development.

Interior lot. A lot bounded by a street on one side only, as distinguished from a corner lot or through lot.

— L —

Land disturbance. Any clearing, grading, excavation, filling, or other alteration of the land surface.

Land disturbance permit. A permit issued by the Zoning Administrator authorizing land-disturbing activity on a site, subject to approved erosion control, stormwater, and tree protection plans. *See Sec. 11.08(1)*.

Lane. A minor, low-volume private residential thoroughfare, as classified in *Chapter VI* and designed to the standards of *Sec. 6.04.5*.

Landscape unit. A unit of measure for required landscaping, assigned to each plant type at installation as provided in *Sec. 9.08(1)*.

Light trespass. Light from an outdoor fixture that falls beyond the boundaries of the property on which the fixture is located, subject to the limits of *Sec. 9.05(5)*.

Live-work unit. A dwelling unit that includes integrated space designed for the occupant to conduct a business, with both the residential and work components occupied by the same person.

Loading space. An off-street space, exclusive of required parking, for the loading and unloading of goods from vehicles.

Lot. A parcel of land occupied or intended for occupancy by a use, with the frontage, area, and yards required by this Code. The word "lot" includes the words "plot," "parcel," and "tract" as provided in *Sec. 1.06(3)(e)*.

Lot area. The total horizontal area within the lot lines, exclusive of any area within a private street easement or right-of-way.

Lot coverage. The percentage of a lot covered by buildings and structures, measured as the ratio of the footprint of all buildings to the total lot area.

Lot, corner. A lot abutting two or more streets at their intersection.

Lot, flag. See *flag lot*.

Lot, interior. See *interior lot*.

Lot, reverse frontage. A through lot where the primary building entrance faces the lower-classification street and a landscape buffer screens the rear from the higher-classification street.

Lot, through. A lot with frontage on two parallel or approximately parallel streets.

Lot of record. A lot that was lawfully created and recorded in the land records of Haralson County before the effective date of this Code.

Lot width. The horizontal distance between the side lot lines, measured at the building line (the required front setback line).

— M —

Main Street. A mixed-use commercial private thoroughfare at the heart of a village center or mixed-use area, as classified in *Chapter VI* and designed to the standards of *Sec. 6.04.3*.

Manufactured home. A dwelling constructed in a factory to the standards of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.), transported to the site, and installed on a lot or in a park.

Manufactured home park. A development designed for the placement of multiple manufactured homes on a single tract under common ownership, governed by the MHP district. Manufactured home parks are not permitted in the Rural Hamlet District.

Master development agreement. The recorded agreement that binds a Planned Development District master parcel and all sub-developers to the approved Concept Plan, the design character document or pattern book, and the standards of this Code, as provided in *Sec. 5.A.09* (Traditional PUD) and *Sec. 5.B.14* (Rural Hamlet District).

Master parcel. A single tract or assemblage of contiguous tracts under unified ownership or a binding master development agreement, governed as a whole under the Traditional PUD or Rural Hamlet District.

Mixed-use building. A building containing active commercial, civic, or cultural uses on the ground floor and residential, office, or lodging uses on one or more upper floors, as required in village centers of the Rural Hamlet District by *Sec. 5.B.11.2(4)*, and in the Central Business Zone by *Sec. 4.07*.

Mixed-use street. A street within a Planned Development District designated by the Concept Plan for mixed-use building types, on which commercial ground-floor uses are required or encouraged.

— N —

Neighborhood Street. The primary private residential thoroughfare, as classified in *Chapter VI* and designed to the standards of *Sec. 6.04.4*.

Non-qualifying tree. A tree species listed in Table 9.22 that shall not be planted in required landscaping, shall not earn landscape unit credit, and shall not be used as a street tree or replacement tree.

Nonconformity. A lot, structure, or use that was lawful when established but that does not conform to the current requirements of this Code, governed by *Chapter III*.

Notice of violation. A written notice issued by the Zoning Administrator describing a violation of this Code, the corrective action required, and the deadline for compliance. *See Sec. 12.03*.

— O —

Official Zoning Map. The map designated as the "Official Zoning Map of the City of Buchanan, Georgia," adopted by reference as part of this Code, showing the district classification of all land in the City. *See Sec. 1.09*.

Open space. Land permanently preserved in a natural, agricultural, or designed civic condition, as defined in *Sec. 5.B.12.1(2)* for the Rural Hamlet District and *Sec. 9.06* for other districts.

Open space management plan. The plan required with a Rural Hamlet District Concept Plan that addresses the long-term stewardship of farmland, forest, meadow, and civic space within the open space network. *See Sec. 5.B.12.2*.

Outdoor entertainment venue. A venue for outdoor performances, concerts, and events, including a concert village, stage, and amphitheater, subject to the standards of *Sec. 5.B.13* (Rural Hamlet District) and *Sec. 10.09*.

— P —

Parcel. See *lot*.

Parking, off-street. Parking provided on a lot, outside the roadway easement.

Parking, on-street. Parking provided within a thoroughfare, parallel or angled to the curb, which may count toward off-street parking requirements as provided in *Sec. 9.01(4)(a)*.

Passage. A pedestrian and bicycle connector — including trails, greenways, and mid-block paths — as classified in *Chapter VI* and designed to the standards of *Sec. 6.04.8*.

Pattern book. The community-specific document required with a Rural Hamlet District Concept Plan that applies and extends the design and architectural standards of *Chapter VIII* to the specific community. *See Sec. 5.B.15*.

Performance bond. A surety instrument guaranteeing the completion of required improvements, as provided in *Sec. 7.06*.

Perimeter buffer. The naturally vegetated buffer of not less than one hundred fifty (150) feet required along the exterior boundary of a Rural Hamlet District master parcel, as provided in *Sec. 5.B.12.3*.

Person. An individual, firm, partnership, association, corporation, trust, company, governmental body, or other legal entity, as provided in *Sec. 1.06(3)(d)*.

Place of worship. A building or property used principally for religious assembly and related activities, subject to *Sec. 10.05*.

Plat. A map of a subdivision showing lots, blocks, streets, easements, and other features, prepared and recorded in accordance with *Sec. 7.08*.

Premature clearing. The removal of trees from a development site before the issuance of a land disturbance permit, carried out for the purpose of avoiding tree protection requirements, prohibited and subject to enhanced penalties under *Sec. 9.04(7)(c)* and *Sec. 12.04(4)*.

Principal building. The primary building on a lot, housing the principal use.

Principal use. The primary use of a lot, to which all accessory uses are subordinate.

Private roadway. A thoroughfare that is owned and maintained by a private entity — such as a property owners association — and over which the City accepts only a perpetual access and infrastructure easement, as provided in *Chapter VI*.

Property owners association. An organization of the owners of property within a development, responsible for the ownership and maintenance of common areas, open space, private streets, and shared facilities.

Public hearing. A formal meeting, noticed and conducted as required by this Code and the Zoning Procedures Law, at which the public may provide testimony on a proposed action.

— R —

Recreational vehicle (RV). A vehicular or portable unit designed for temporary occupancy, including motorhomes, travel trailers, fifth-wheel trailers, and camper vans. Recreational vehicles shall not be used as permanent dwellings. *See Sec. 5.B.07.3 and Sec. 10.11*.

Regulating plan. A plan required with a Rural Hamlet District Concept Plan that assigns thoroughfare types, frontage requirements, transect zones, and the location of centers and open space within the master parcel. *See Sec. 5.B.05(1)(c)*.

Rezoning. An amendment to the Official Zoning Map that changes the district classification of a parcel of land, processed under *Sec. 11.03*.

Right-of-way. Land dedicated or reserved for a public street, trail, or utility. Within the Rural Hamlet District and Traditional PUD, the equivalent function is served by private street easements.

Rural Hamlet District (RHD). The Planned Development District established by *Chapter V, Part B* for large, walkable, master-planned rural communities. *See Sec. 5.B.01*.

Rural Road. An open-section private thoroughfare through farmland and forest, with swale drainage and an adjacent multi-use path, as classified in *Chapter VI* and designed to the standards of *Sec. 6.04.6*.

— S —

Setback. The minimum required horizontal distance between a building or structure and a lot line, within which no building or structure may be located above ground except as this Code expressly permits.

Setback, front. The required minimum distance between the front lot line and the nearest face of the principal building.

Setback, rear. The required minimum distance between the rear lot line and the nearest face of the principal building.

Setback, side. The required minimum distance between a side lot line and the nearest face of the principal building.

Short-term rental. The rental of a dwelling unit or a portion thereof for fewer than thirty (30) consecutive days, subject to *Sec. 10.06(3)* and *Sec. 10.43*.

Sight triangle. The triangular area at a street intersection or driveway access within which no obstruction shall be placed that would limit a driver's sight distance, determined based on the design speed of the intersecting streets. *See Sec. 9.14(4) and Appendix F*.

Sign. Any device, structure, surface, or object used to convey information, identification, direction, or advertising that is visible from a public or private street or open space.

Sign permit. A permit issued by the Zoning Administrator authorizing the installation of a sign, required for all signs except those exempted by *Sec. 9.07(3)*.

Site plan. See *development plan*.

Special event. An organized gathering that exceeds the ordinary scale, impact, or operating characteristics of the underlying permitted use of a property and requires a special event permit under *Sec. 11.09*.

Special exception. A use that is permitted in a district only upon individual review and the satisfaction of specific standards and conditions, designated "S" in the use schedule of *Sec. 4.06*. Also referred to as a conditional use. *See Sec. 11.04*.

Specimen tree. A large, healthy, or otherwise significant tree that merits special protection because of its species, size, age, form, or condition, as defined in *Sec. 9.04(3)*.

Stacking space. A space in a vehicle queue for a drive-through facility, measured to prevent queuing into streets or parking aisles. *See Sec. 9.02(3)*.

Stop-work order. A written order issued by the Zoning Administrator halting all work on a development site due to a violation of this Code, as provided in *Sec. 12.03(2)*.

Stoop. A raised platform with steps at the entrance of a building set close to the sidewalk, used as a frontage type for townhomes and small apartment buildings. *See Sec. 8.02(3)*.

Stormwater management. The control and treatment of runoff from development to protect water quality, control runoff rates and volumes, and prevent flooding and erosion, as required by *Sec. 9.10*.

Story. That portion of a building between the surface of a floor and the ceiling or floor above it, used to measure building height.

Street. See *thoroughfare*.

Street tree. A tree planted within or adjacent to a private street easement to provide canopy, shade, and spatial definition, consistent with the standards of *Sec. 9.03(3)*.

Structure. Anything constructed or erected that requires location on or in the ground or attachment to something on the ground, including buildings, retaining walls, fences, signs, decks, and similar improvements.

Sub-developer. A builder or developer who acquires and develops a portion of a Planned Development District master parcel under and subject to the master development agreement.

Sub-hamlet. A compact, walkable settlement within a Rural Hamlet District master parcel, with a mixed-use center surrounded by housing and set within open space. Multiple sub-hamlets compose the community. *See Sec. 5.B.11*.

Subdivision. The division of a tract of land into two (2) or more lots, sites, or parcels for the purpose of sale, lease, or development, subject to the procedures of *Chapter VII* and *Chapter XI*.

Substantial improvement. Any reconstruction, rehabilitation, addition, or other improvement of a building or structure the cost of which exceeds fifty percent (50%) of the market value of the structure before the improvement begins.

— T —

Thoroughfare. Any private street, road, lane, alley, or passage by which people and vehicles move, classified under *Chapter VI*.

Tiny home. A compact, permanent or transient dwelling of small floor area, as provided in this Code.

Town architect. A qualified design professional retained to administer the pattern book and the architectural review process within a Rural Hamlet District or Traditional PUD, as provided in *Sec. 5.B.15(3)* and *Sec. 5.A.10(3)*.

Townhome. A single-family attached dwelling, typically two or more stories in height, sharing party walls with adjacent units and having its own ground-floor entrance.

Traditional Planned Unit Development (PUD). The Planned Development District established by *Chapter V, Part A* for master-planned residential, mixed-use, and commercial developments of fifty (50) or more acres. *See Sec. 5.A.01*.

Transect. A cross-section of the rural-to-urban gradient, from preserved nature and farmland at the edges to a compact mixed-use center, used to organize development intensity within the Rural Hamlet District. *See Sec. 5.B.08*.

Transient lodging. Lodging occupied for fewer than thirty (30) consecutive days, including glamping, tiny home rentals, recreational vehicle sites, bed and breakfasts, inns, and hotels.

Tree bank. The fund established by the City of Buchanan to receive monetary contributions in lieu of on-site tree replacement, used for the planting of trees on public property and rights-of-way. *See Sec. 9.04(8)*.

Tree unit. See *landscape unit*.

— U —

Use. The purpose for which land or a building is designed, arranged, or intended, or for which it is occupied or maintained.

Use, accessory. See *accessory use*.

Use, nonconforming. A use that was lawful when established but does not conform to the current requirements of this Code, governed by *Chapter III*.

Use, permitted. A use authorized by right in a district, designated "P" in the use schedule of *Sec. 4.06,* subject to all applicable standards.

Use, principal. See *principal use*.

— V —

Variance. A relaxation of a dimensional or development standard granted by the Planning Board sitting as the Board of Appeals, upon the written findings of *Sec. 2.02(9)*. A variance shall not authorize a use not permitted in the district.

Vested right. A right to develop under the standards in effect at the time a valid permit was issued, upon which the permit holder has substantially relied in good faith, as provided in *Sec. 1.05* and *Sec. 11.15*.

Village center. The compact, walkable, mixed-use heart of a sub-hamlet within a Rural Hamlet District, containing the nonresidential and civic uses required by the commercial balance standard of *Sec. 5.B.11.2*.

Violation. An action or condition that fails to comply with any provision of this Code, as defined in *Sec. 12.02*.

— W —

Walkability. The quality of an environment that makes walking safe, convenient, comfortable, and interesting, achieved through connected streets, short blocks, active frontages, sidewalks, and a mix of uses within walking distance.

Warranty period. The period during which the maintenance bond is in effect and the developer is obligated to repair defects in required public improvements, as provided in *Sec. 7.07.4*.

Wellness use. A use devoted to health, fitness, therapy, or restorative activity, including spas, studios, wellness retreats, therapeutic gardens, and integrative medicine practices. *See Sec. 5.B.07.5*.

Wireless communication facility. A structure and equipment for the transmission and reception of wireless communication signals, subject to *Sec. 10.18*.

— Y —

Yard. An open, unoccupied space on a lot between a building and a lot line, extending the full width of the lot as specified.

Yard, front. The yard between the front lot line and the nearest face of the principal building, extending the full width of the lot.

Yard, rear. The yard between the rear lot line and the nearest face of the principal building, extending the full width of the lot.

Yard, side. The yard between a side lot line and the nearest face of the principal building, extending from the front yard to the rear yard.

— Z —

Zoning Administrator. The official designated by the City Manager or Mayor and City Council to administer and enforce this Code, as provided in *Sec. 2.03*.

Zoning district. See *district*.

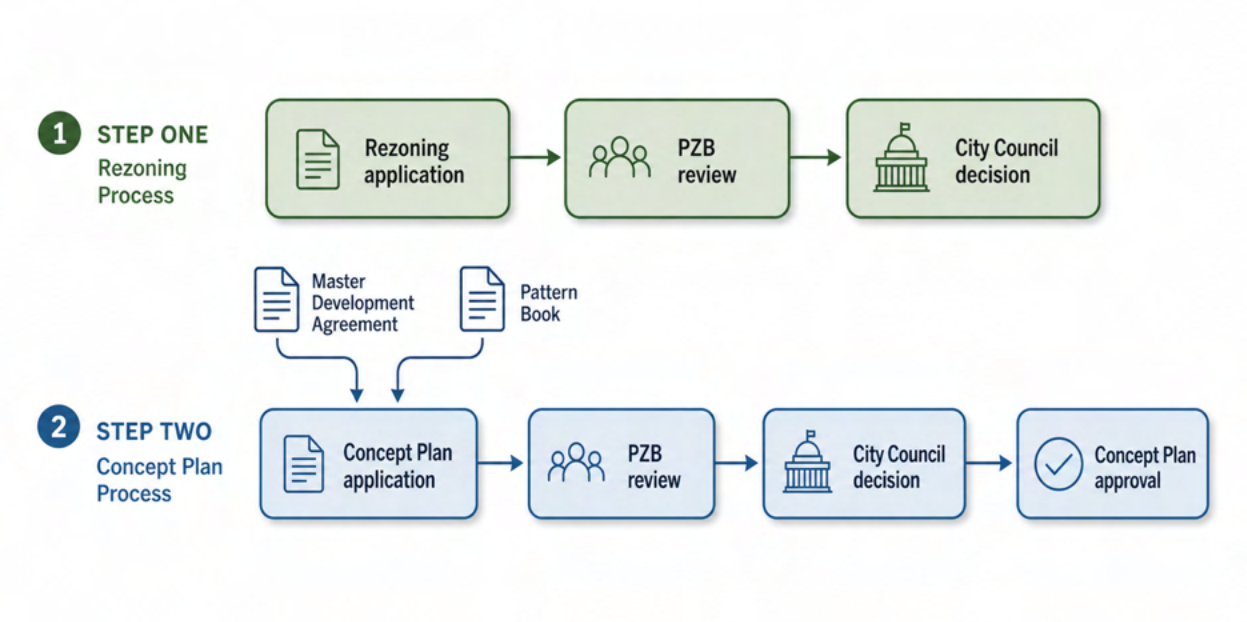
Zoning map. See *Official Zoning Map*.

APPENDICES

APPENDIX A
Rural Hamlet District Concept Plan Submittal Checklist

A checklist to assist applicants and staff in assembling a complete RHD Concept Plan application under Chapter V, Part B. This checklist is a convenience and does not alter the requirements of this Code. A complete application must satisfy all requirements of Sec. 5.B.05.

FIGURE 14.1: THE RHD APPLICATION FLOW CHART



Part 1 — Application Essentials

☐ Completed application form, signed by the property owner or authorized agent.

☐ Applicable fee, paid in full, per the adopted fee schedule.

☐ Legal description and boundary survey of the master parcel, certified by a registered land surveyor, with total acreage stated.

☐ Proof of unified ownership or a draft master development agreement binding all owners of parcels within the master parcel.

☐ Evidence that the master parcel meets the minimum gross area of seventy-five (75) acres.

☐ Campaign contribution and conflict-of-interest disclosures as required by O.C.G.A. Title 36, Chapter 67A.

Part 2 — Existing Conditions and Natural Resources Analysis

Required by Sec. 5.B.05(1)(a)

☐ Topographic map showing existing contours at two-foot intervals or as appropriate to site complexity.

☐ Hydrology map showing streams, drainage ways, floodplains, wetlands, and state water quality buffers.

☐ Soils map from the USDA Natural Resources Conservation Service, identifying prime agricultural soils, hydric soils, and soils with significant development constraints.

☐ Significant tree stands and individual specimen trees, mapped and described.

☐ Scenic views and view corridors from public roads and from within the site, with photographs.

☐ Ridgelines and elevated terrain with potential for visual prominence.

☐ Cultural and historic features, including structures, cemeteries, and archaeological sites.

☐ Wildlife corridors and habitat areas of significance.

☐ Written narrative summarizing existing conditions and describing how the development design responds to them.

Part 3 — Land Use and Open Space Framework Plan

Required by Sec. 5.B.05(1)(b)

☐ A land use framework plan drawn to an appropriate scale showing:

- ☐ The master parcel boundary.
- ☐ The perimeter buffer (minimum 150 ft), delineated on all exterior boundaries.
- ☐ The open space network, including working farms, forest, meadow, greens, parks, trails, and civic spaces, with each area labeled by open space type per Table 5.B.6.
- ☐ The location of each sub-hamlet and its center.
- ☐ The general distribution of housing types and nonresidential uses within each sub-hamlet.
- ☐ The transect zone designation for each area of the master parcel, consistent with Table 5.B.2.

☐ Open space acreage tabulation confirming that open space (including the perimeter buffer) equals or exceeds fifty percent (50%) of the master parcel.

Part 4 — Regulating Plan and Street and Trail Network Plan

Required by Sec. 5.B.05(1)(c)

☐ A regulating plan showing:

☐ The transect zone of each area, keyed to Table 5.B.2.

☐ Building frontage requirements by block face and transect zone.

☐ Build-to lines and setback ranges by transect zone.

☐ Parking location requirements by block and transect zone.

☐ Alley locations within village centers.

☐ A street and trail network plan showing:

☐ All proposed private streets classified by thoroughfare type per Chapter VI and Table 6.1.

☐ All proposed trails and greenways classified as Primary Passages or Secondary Passages per Sec. 6.04.8.

☐ Block perimeters demonstrating compliance with the block size standards of Sec. 5.B.18.

☐ Connections to all abutting public and private streets.

Part 5 — Development Program Table

Required by Sec. 5.B.05(1)(d)

☐ A development program table (see Appendix G, Part 1 and Part 2) containing:

☐ Total master parcel acreage.

☐ Open space acreage by type and as a percentage of total area.

☐ Maximum dwelling units by type (farmette, estate/large-lot, cottage/detached, townhouse/attached, multi-family, live-work/upper-story).

☐ Gross residential density (total dwelling units ÷ total master parcel acreage), demonstrating compliance with the 2.0 du/ac maximum.

☐ Minimum nonresidential and civic floor area.

☐ Transient lodging count (glamping, tiny home rental, recreational vehicle sites) demonstrating compliance with the caps of Sec. 5.B.07.1(2).

Part 6 — Village Balance Analysis

Required by Sec. 5.B.05(1)(e)

☐ A village balance analysis for each sub-hamlet (see Appendix G, Part 3) demonstrating compliance with the commercial balance standard of Sec. 5.B.11.2, including:

☐ Number of dwelling units per sub-hamlet.

☐ Nonresidential floor area provided (minimum 40 sf per dwelling unit, minimum 5,000 sf per center).

☐ Commercial or civic land area provided (minimum 1 acre per 75 dwelling units or per 40 developed acres, whichever is greater).

☐ Number and types of distinct nonresidential uses within each center (minimum 3).

☐ Mixed-use building compliance diagram demonstrating that not less than 50% of non-exclusively-nonresidential buildings in each center are mixed-use buildings per Sec. 5.B.11.2(4).

Part 7 — Pattern Book

Required by Sec. 5.B.05(1)(f) and Sec. 5.B.15

☐ A pattern book prepared by a registered architect and registered landscape architect, addressing:

☐ Building types by transect zone, consistent with Table 8.1.

☐ Building massing, height, and roof standards by transect zone, consistent with Sec. 8.04.

☐ Exterior materials and color palettes for each building type, consistent with Table 8.2.

☐ Frontage type standards for each building type and transect zone.

☐ Porch, stoop, shopfront, and entry design standards.

☐ Standards for agricultural buildings, glamping and lodging structures, and the concert village and associated facilities.

☐ Streetscape sections for each thoroughfare classification, showing street trees, lighting, furniture, and paving.

☐ Community-specific materials and color palette statement.

☐ Illustrative elevations of representative buildings in each transect zone.

☐ Description of the architectural review process, including the identity or qualifications of the town architect or architectural review committee.

Part 8 — Infrastructure and Services Plan

Required by Sec. 5.B.05(1)(g)

☐ Water supply plan, identifying source, supply capacity, distribution system, and fire flow capacity.

☐ Wastewater plan, identifying treatment method (public sewer, on-site system, or other approved system), capacity, and compliance with state requirements.

☐ Stormwater management plan concept, demonstrating integration with the open space network and compliance with Sec. 9.10.

☐ Dark-sky-compliant lighting plan concept, demonstrating compliance with Sec. 9.05.

☐ Fire protection and emergency access plan, addressing apparatus access on all private streets, water supply for firefighting (cisterns, ponds, dry hydrants, or pressurized system), and wildfire risk management at the forest edge, consistent with Sec. 5.B.22.

☐ Solid waste management plan identifying collection points and service access.

☐ Identification of which infrastructure facilities are to be private and which are to be conveyed to the City, and the easements to be dedicated under Chapter VI.

Part 9 — Phasing Plan

Required by Sec. 5.B.05(1)(h)

☐ A phasing plan showing:

☐ The boundaries and sequence of each development phase.

☐ The open space, perimeter buffer, and civic space to be established in each phase, demonstrating that the perimeter buffer is established before disturbance within 200 ft of the boundary, and that 25% of required open space is improved before the 50th certificate of occupancy.

☐ The nonresidential floor area to be delivered in each phase, demonstrating that required nonresidential floor area is delivered before 75% of the sub-hamlet's dwelling units receive certificates of occupancy.

☐ The street, trail, and utility infrastructure to be constructed in each phase.

☐ The connections between phases and to the external street network.

Part 10 — Draft Master Development Agreement

Required by Sec. 5.B.05(1)(i) and Sec. 5.B.14

☐ A draft master development agreement, reviewed and approved as to form by the City Attorney, that addresses at a minimum:

☐ Obligation of each sub-developer to conform to the Concept Plan.

☐ Establishment and funding of the property owners association, maintenance association, or homeowners association.

☐ Allocation of responsibility for open space, perimeter buffer, and nonresidential program delivery.

☐ Architectural review process and town architect requirements.

☐ Easement dedication framework consistent with Chapter VI.

Part 11 — Sound Management Plan (where applicable)

Required by Sec. 5.B.05(1)(j) and Sec. 5.B.13

☐ Where an outdoor entertainment venue or concert village is proposed, a sound management plan addressing:

☐ Stage and amphitheater location (minimum 500 ft from exterior property line).

☐ Maximum sound levels at the perimeter buffer line and at the nearest off-site dwelling.

☐ Curfew for amplified sound (11:00 p.m. Sun–Thu; midnight Fri–Sat).

☐ Proposed number and parameters of major events per calendar year (maximum 12 without City Council approval of additional).

☐ Traffic management plan for major events.

☐ Temporary lodging plan for major events.

Part 12 — Open Space Management Plan

Required by Sec. 5.B.12.2

☐ An open space management plan addressing:

☐ Long-term stewardship of farmland, including soil health and agricultural operations.

☐ Forest and woodland management, including invasive species control.

☐ Meadow management.

☐ Maintenance of trails, greens, and civic spaces.

☐ Wildlife corridor protection.

☐ Responsible entity and funding mechanism.

APPENDIX B
Development Application Checklists

General checklists for the most common development applications. These checklists are a convenience and do not alter the requirements of this Code or of Chapter XI.

B-1: Zoning Map Amendment (Rezoning)

Required by Sec. 11.03

☐ Completed application form and applicable fee.

☐ Boundary survey and legal description of the subject property.

☐ Statement of the current and proposed zoning district.

☐ Statement of consistency with the Comprehensive Plan, addressing each standard for zoning decisions of Sec. 2.06.

☐ Conceptual site plan or information sufficient to evaluate the proposal against the standards of Sec. 2.06.

☐ Campaign contribution and conflict-of-interest disclosures (O.C.G.A. Title 36, Chapter 67A).

☐ List of abutting property owners (for mailed notice).

B-2: Traditional PUD Concept Plan

Required by Sec. 5.A.05

☐ Completed application form and applicable fee.

☐ Boundary survey and legal description of the master parcel, with total acreage demonstrating the 50-acre minimum.

☐ Proof of unified ownership or draft master development agreement.

☐ Existing conditions analysis per Sec. 5.A.05(1)(a).

☐ Land use and open space framework plan per Sec. 5.A.05(1)(b), demonstrating minimum 15% open space.

☐ Street and trail network plan per Sec. 5.A.05(1)(c), showing stub streets and sidewalk connections to all abutting rights-of-way.

☐ Development program table per Sec. 5.A.05(1)(d).

☐ Community amenity analysis per Sec. 5.A.05(1)(e), demonstrating compliance with Sec. 5.A.07(3) and confirming HOA private facilities are excluded.

☐ Design character document per Sec. 5.A.05(1)(f), demonstrating compliance with Chapter VIII.

☐ Infrastructure and services plan per Sec. 5.A.05(1)(g).

☐ Phasing plan per Sec. 5.A.05(1)(h).

☐ Draft master development agreement per Sec. 5.A.05(1)(i).

☐ Campaign contribution and conflict-of-interest disclosures.

B-3: Special Exception (Conditional Use)

Required by Sec. 11.04

☐ Completed application form and applicable fee.

☐ Boundary survey or site plan of the subject property.

☐ Statement describing the proposed use, its location within the site, its hours of operation, and its anticipated traffic, noise, and other impacts.

☐ Narrative demonstrating that the use satisfies the applicable supplementary standards of Chapter X.

☐ Site plan showing building locations, parking, access, landscaping, and buffering.

☐ Exterior elevations of any proposed new building or addition, demonstrating compliance with Chapter VIII.

☐ Any additional information required by the Zoning Administrator to evaluate the application.

☐ Campaign contribution and conflict-of-interest disclosures.

B-4: Variance

Required by Sec. 11.05(1)

☐ Completed application form and applicable fee.

☐ Written statement identifying:

  ☐ The specific dimensional standard from which relief is sought.

  ☐ The extraordinary conditions of the property (size, shape, topography) that create the hardship.

  ☐ Why strict application of the standard creates an unnecessary hardship not of the applicant's own making.

  ☐ Why the conditions are peculiar to the property and not general to the district.

  ☐ Why the variance, if granted, will not cause substantial detriment to the public good.

☐ Why the variance represents the minimum relief necessary.

☐ Site plan or survey showing the property, existing structures, and the requested deviation.

B-5: Development Plan (Site Plan)

Required by Sec. 11.02

☐ Completed application form and applicable fee.

☐ Boundary survey or site survey showing the property lines, dimensions, and area.

☐ Existing and proposed buildings and structures, with dimensions and setbacks.

☐ Parking layout, dimensions, and calculations demonstrating compliance with Chapter IX.

☐ Access drives, driveways, and curb cut locations.

☐ Landscaping plan (species, sizes, quantities, landscape units) consistent with Sec. 9.03 and Sec. 9.08.

☐ Lighting plan with fixture schedule and photometric calculations demonstrating compliance with Sec. 9.05.

☐ Stormwater management concept per Sec. 9.10.

☐ Tree protection plan per Sec. 9.04, where applicable.

☐ Sign locations where signs are proposed.

☐ Exterior elevations of all street-facing facades, with material and color specifications, demonstrating compliance with Chapter VIII.

☐ In Planned Development Districts: certification of conformance with the Concept Plan and the design character document or pattern book.

B-6: Major Subdivision (Preliminary Plat)

Required by Sec. 7.02 and Sec. 11.01

☐ Completed application form and applicable fee.

☐ Preliminary plat drawn to an appropriate engineering scale, showing:

☐ All proposed lots, blocks, and their dimensions.

☐ All proposed private streets classified by Chapter VI thoroughfare type.

☐ All proposed utility, drainage, access, and infrastructure easements.

☐ All proposed open space, buffer yards, and civic spaces.

☐ Stub streets at all boundaries where future connections are required.

☐ The applicable zoning district and any Concept Plan reference.

☐ Construction plans for required improvements, including private streets and utility systems, prepared by a professional engineer.

☐ Erosion and sediment control plan.

☐ Stormwater management plan.

☐ Draft easement dedications to be recorded with the final plat.

☐ Performance bond or other security per Sec. 7.06.

B-7: Minor Subdivision

Required by Sec. 7.02(2)(a)

☐ Completed application form and applicable fee.

☐ Survey or plat showing the subject parcel, proposed lot lines, and resulting lots with dimensions and areas.

☐ Statement confirming that no new street, extension of infrastructure, or variance is required.

☐ Demonstration that all resulting lots meet the minimum lot area, width, and frontage of the applicable district.

B-8: Land Disturbance Permit

Required by Sec. 11.08(1)

☐ Completed application form and applicable fee.

☐ Grading and drainage plan prepared by a professional engineer.

☐ Erosion and sediment control plan per Sec. 9.11.

☐ Stormwater management concept per Sec. 9.10.

☐ Tree protection plan per Sec. 9.04, identifying all trees to be preserved and the critical root zone protection measures.

☐ In Planned Development Districts: certification of conformance with the approved Concept Plan and phasing plan.

B-9: Sign Permit

Required by Sec. 11.17

☐ Completed application form and applicable fee.

☐ Drawing of the proposed sign showing dimensions, materials, colors, letter height, and illumination method.

☐ Site plan or building elevation showing the location of the sign on the lot or building.

☐ In Planned Development Districts: demonstration of conformance with the master sign program.

B-10: Special Event Permit

Required by Sec. 11.09

☐ Completed application form and applicable fee, filed not less than 30 days before the event (60 days for major events in the RHD).

☐ Description of the event (nature, attendance, dates, hours).

☐ Site plan showing event areas, temporary structures, parking, traffic, and pedestrian routes.

☐ Sound management plan with proposed amplified sound levels and curfews.

☐ Lighting plan (dark-sky compliant per Sec. 9.05).

☐ Traffic and parking management plan.

☐ Sanitation plan.

☐ Security plan (for events with expected attendance over 500 persons).

☐ For major events in the Rural Hamlet District: documentation of compliance with the sound management plan approved with the outdoor entertainment venue special exception.

B-11: Short-Term Rental Registration

Required by Sec. 10.06(3) and Sec. 10.43

☐ Completed registration form and applicable fee.

☐ Address of the dwelling unit being offered for short-term rental.

☐ Name, address, and contact information of the owner or operator.

☐ Evidence of compliance with applicable hotel-motel tax registration.

☐ Evidence of any applicable business license.

☐ Signed acknowledgment of the operating standards of Sec. 10.06(3).

B-12: Farm Animals and Bees License

Required by Sec. 10.08.8

☐ Completed application form and applicable fee.

☐ Name, phone number, and address of the applicant.

☐ Location of the subject property and total acreage.

☐ Number of animals or beehives to be kept.

☐ Description of all proposed cages, coops, beehives, fences, or enclosures.

☐ Scaled drawing showing the precise location and setbacks of all structures in relation to property lines and structures on adjacent properties.

☐ Waste management description.

☐ Where the lot is vacant or has no occupied residence: documentation demonstrating nuisance prevention.

☐ Signed statement from property owner if applicant is not the owner.

☐ Addresses of all directly adjoining properties.

APPENDIX C
Thoroughfare Assembly Standards

Supplemental design parameters for each private thoroughfare classification, to be applied with the engineering standards of Appendix F and the adopted construction details of the City.

FIGURE 14.2: THOROUGHFARES

All thoroughfares shall additionally comply with the fire apparatus access requirements of the applicable fire code, including minimum unobstructed width and turning radii, notwithstanding their classification, and shall be designed and built to the same standards as a public roadway of the same classification, as required by Chapter VI.

TABLE C.1 — SUPPLEMENTAL THOROUGHFARE ASSEMBLY PARAMETERS BY CLASSIFICATION

Classification	Design Speed	Min. Curb Radius (corner)	Sidewalk / Path	Street Trees	Drainage	Utility Location
Boulevard	25 to 30 mph	15 to 20 ft	6 ft both sides	Median and both verges; 30 ft o.c.	Curb and gutter	Underground; in median or verge
Avenue	25 mph	15 ft	5 ft both sides	Both verges; 30 ft o.c.	Curb and gutter	Underground; in verge
Main Street	20 mph	10 to 15 ft	10 ft both sides	Wells or planters; 25 ft o.c.	Curb and gutter	Underground; in alley preferred
Neighborhood Street	20 mph	10 to 15 ft	5 ft both sides	Both verges; 30 ft o.c.	Curb and gutter	Underground; in verge
Lane	15 to 20 mph	10 ft	5 ft one side or adjacent trail	One verge; 40 ft o.c.	Curb or open swale	Underground

Classification	Design Speed	Min. Curb Radius (corner)	Sidewalk / Path	Street Trees	Drainage	Utility Location
Rural Road	25 mph	15 ft	8 ft adjacent multi-use path	Informal; 50 ft o.c. approx.	Open vegetated swale	Underground
Alley	10 to 15 mph	5 ft	None	None	Center or edge drain	Underground; preferred location for all utilities
Passage / Trail	Walking / cycling	N/A	6 to 10 ft path	As designed	As designed	None typically

Notes to Table C.1:

(1) Street tree spacing shown is a target interval. Spacing shall be adjusted to avoid conflicts with utilities, driveways, and intersection sight triangles. Species shall be selected from the approved canopy tree list of Table 9.10 or the under-utility tree list of Table 9.11 where overhead conflicts exist.

(2) All curb and gutter sections shall be Portland cement concrete, minimum six (6) inches in depth, or as specified in the City's standard construction details.

(3) Sidewalks shall be Portland cement concrete, minimum four (4) inches in depth on a compacted base, consistent with ADA accessibility requirements.

(4) Multi-use paths shall be asphalt, Portland cement concrete, or compacted crusher run, minimum three (3) inches in depth on a compacted aggregate base, eight (8) feet in minimum width on Rural Roads and ten (10) feet for primary Passages.

(5) Open swale sections shall be vegetated with native grasses or ground cover species from the approved lists of Sec. 9.08 and shall be designed to convey the design storm without erosion.

(6) Utility locations shall be coordinated with the City's utility standards and with the easement dedication requirements of Sec. 6.02 and Sec. 7.05.

Pavement Section Reference

All pavement sections shall be designed by a professional engineer based on subgrade conditions and projected traffic loading. The following minimum sections are provided as reference; the engineer's design governs where it exceeds the minimums.

TABLE C.2 — MINIMUM PAVEMENT SECTIONS BY CLASSIFICATION

Classification	Minimum Asphalt Surface	Minimum Base Course	Subgrade Preparation
Boulevard	2.5 in compacted	8 in compacted aggregate	Proof-rolled; unstable material removed
Avenue	2.5 in compacted	8 in compacted aggregate	Proof-rolled
Main Street	2.5 in compacted	8 in compacted aggregate	Proof-rolled
Neighborhood Street	2.0 in compacted	6 in compacted aggregate	Proof-rolled
Lane	2.0 in compacted	6 in compacted aggregate	Proof-rolled
Rural Road	2.0 in compacted	6 in compacted aggregate	Proof-rolled; swale areas seeded
Alley	2.0 in compacted	6 in compacted aggregate	Proof-rolled
Passage / Trail (paved)	2.0 in compacted asphalt or 4 in concrete	4 in compacted aggregate	Compacted subbase

APPENDIX D
District Quick Reference

A one-look summary of the City's districts. In the event of any conflict between this appendix and the regulations of Chapters IV and V, the chapters govern.

TABLE D.1 — BASE DISTRICT QUICK REFERENCE SUMMARY

District	Symbol	Primary Purpose	Characteristic Density / Intensity	Min. Lot	Key Setbacks (F/S/R)	Max. Height
Residential Agriculture	R-15	Rural residential and limited agriculture	~1 du/5 ac (no sewer); 5 ac min. with sewer	5 ac (no sewer)	30/20/30 ft	2.5 st / 30 ft
Residential Estate	R-20	Large-lot estate housing	~2 du/ac; 20,000 sf min.	20,000 sf	30/20/30 ft	2.5 st / 30 ft
Low Density Residential	R-12	Single-family residential	~3 du/ac; 12,000 sf min.	12,000 sf	25/20/20 ft	2.5 st / 30 ft
Medium Density Residential	R-10	Mixed single-family and limited multi-family	Up to ~6 du/ac	12,000 sf (SF); 6,250 sf/unit (MF)	25/20/25 ft	2.5 st / 30 ft
High Density Residential	HDR	High-density residential; all multi-family	Up to 12 du/ac; public water and sewer required	10,000 sf (SF); 7,500 sf + 3,200/ unit (MF)	20/10/20 ft	3 st / 30 ft

District	Symbol	Primary Purpose	Characteristic Density / Intensity	Min. Lot	Key Setbacks (F/S/R)	Max. Height
Office Residential	O-R	Low-traffic commercial transitioning from residential	Low-intensity mixed	10,000 sf	20/10/20 ft	2.5 st / 30 ft
Manufactured Home Park	MHP	Manufactured home parks	By park standards	5 ac (park)	See Ch. X	See Ch. X
Neighborhood Commercial	C-1	Small-scale retail and service	Small-scale commercial	10,000 sf	5–25/ 10/ 10–15 ft	2.5 st / 35 ft
General Commercial	C-2	Full commercial mix	Broad commercial	None	25/10/15 ft	2.5 st / 35 ft
Commercial Parkway	C-3	Auto-oriented commercial	Parkway commercial	None	30/0–12/0–15 ft	3 st / 35 ft
Central Business District	CBD	Downtown mixed-use	Compact; pedestrian; mixed	None	Build-to; see Sec. 4.05	See Sec. 4.05
Light Industry	M-1	Light manufacturing and commercial	Light industrial	None	25/20/20 ft	3 st / 45 ft
Heavy Industry	M-2	Heavy manufacturing	Heavy industrial	None	25/20/20 ft	3 st / 65 ft

TABLE D.2 — PLANNED DEVELOPMENT DISTRICT QUICK REFERENCE

District	Symbol	Primary Purpose	Min. Size	Key Standards
Traditional Planned Unit Development	PUD	Master-planned residential, mixed-use, and commercial development	50 acres	15% open space; trail network; community amenity; 2 housing types; connectivity; all streets private; Chapter VIII mandatory
Rural Hamlet District	RHD	Walkable rural hamlet communities	75 acres	50% open space; 150 ft perimeter buffer; commercial balance; 2 du/ac max; no interior buffers; all streets private; pattern book; town architect; Chapter VIII mandatory

APPENDIX E
Index of Figures and Tables

A reference list of all figures and regulatory tables in this Code. Figure numbers are sequential by chapter. Tables are numbered by chapter. Figures communicate intended character; where a figure conflicts with the text, the text governs. Tables are regulatory and carry the same force as the corresponding text.

Figures

Figure 1.1: Editor's Note- Nonconformities 2
Figure 1.2: Document Formatting 3
Figure 1.3: Example Zoning Districts 4
Figure 2.1: Editor's Note - Planning Commission 7
Figure 3.1: Editor's Note - Nonconforming structure Additions and Restoration 14
Figure 3.2: Additions to a Nonconforming Structure 15
Figure 4.14: Typical Lot Cross Section 29
Figure 4.15: Downtown Buchanan 32
Figure 4.16: Special CBD Use Limitations. 34
Figure 4.17: Use Table Reading Guide 51
Figure 5.1: Editor's Note – Two Types of Planned Developments. 73
Figure 5.2: Editor's Note - The PUD is not a Variance. 74
Figure 5.3: Editor's Note - Why Connectivity Matters. 79
Figure 5.4: Editor's Note - Design Quality is not optional. 85
Figure 5.5: The Landscape of Intention 89
Figure 5.6: Editor's Note - Generic District 90
Figure 5.7: The Rural Hamlet 94
Figure 5.8: Glamping Cluster 99
Figure 5.9: Agritourism Example 100
Figure 5.10: RV sites 101
Figure 5.11: Country Inn Example 102
Figure 5.12: Example of a Health and Wellness Retreat and a Barn converted into an Art Gallery 103
Figure 5.13: Example of a Farmette 105
Figure 5.14: A Depiction of homes surrounding a farm 106
Figure 5.15: Rural-to-center transect diagram 107
Figure 5.16: Sub-Hamlet Concept Diagram 114
Figure 5.17 Village Center example 115
Figure 5.18: Editor's Note - Why Mixed-Use Buildings Matter. 117
Figure 5.19: Open Space Diagram 120
Figure 5.20: Perimeter Buffer Cross-Section 124
Figure 5.21: Outdoor Entertainment 125
Figure 5.22: Example amphitheater 127
Figure 5.23: Exceptional Design Required. 128

Figure 5.24: Quality and Cohesion in Village Centers....129
Figure 5.25: Farmer's Market....132
Figure 6.1: Street Types and Hierarchy....137
Figure 6.2: Connected Block Network vs. Disconnected Cul-De-Sac System....138
Figure 6.3: Easement Dedication Program....139
Figure 6.4: Private Road vs Public Road Standards....140
Figure 6.5: Boulevard Cross-Section....143
Figure 6.6: Avenue Cross-Section....144
Figure 6.7: Main Street cross-section....145
Figure 6.8: Neighborhood Street Cross-Section....146
Figure 6.9: Lane Cross-Section....147
Figure 6.10: Rural Road Cross-Section....148
Figure 6.11: Alley Cross-Section....149
Figure 6.12: A Continuous Trail and Greenway Network....150
Figure 6.13: Parking Placement Diagram....152
Figure 7.1: Editor's Note - Infill Development....155
Figure 7.2: Building Lot Diagram....157
Figure 7.3: Examples of Lot Types....158
Figure 8.1: Architectural Quality....175
Figure 8.2: Frontage Types Diagram....176
Figure 8.3: Building Composition Diagram....180
Figure 8.4: Multi-Family Building Facade Articulation....185
Figure 8.5: Street Wall Design....187
Figure 8.6: A civic building anchoring a village green....189
Figure 8.7: Editor's Note - Exceptional Design....190
Figure 9.1: Clearcutting Prohibited....202
Figure 9.3: Do not Plant List....220
Figure 9.3: Dark-sky lighting diagram....227
Figure 10.1: Farm markets and agritourism uses....250
Figure 10.2: Bee Hive Site Layout Example....252
Figure 10.3: An Outdoor Entertainment Venue....256
Figure 10.4: Rooftop Deck Setback Diagram....272
Figure 10.5: Roof Deck Access Structure Diagram....273
Figure 14.1: The RHD Application Flow Chart....319
Figure 14.2: Thoroughfares....331
Figure 14.3: Private Roadways....341
Figure 14.4: Official Zoning Map (For Reference Only)....361
Figure 14.5: Lot and Yard Measurements....362
Figure 14.6: Building Height Measurement....363
Figure 14.7: Lot Width Measurement....364
Figure 14.8: Lot Coverage....365
Figure 14.9: Frontage Types....366

Figure 14.10: Thoroughfare Cross-Section Glossary 367
Figure 14.11: Sight Triangle 368
Figure 14.12: Buffer Yard Cross-Sections 369
Figure 14.13: Critical Root Zone 370
Figure 14.14: Open Space Types Within the RHD 371

Tables

TABLE 4.1 — BASE ZONING DISTRICTS OF THE CITY OF BUCHANAN 17
TABLE 4.2 — SUMMARY DIMENSIONAL STANDARDS BY DISTRICT 27
TABLE 4.3 — REPRESENTATIVE SUMMARY OF PRINCIPAL USE CATEGORIES BY DISTRICT 30
TABLE 4.4 — COMPREHENSIVE SCHEDULE OF PERMITTED (P) AND SPECIAL EXCEPTION (S) USES BY DISTRICT 35
TABLE 5.A.1 — PUD PERIMETER BUFFER REQUIREMENTS 79
TABLE 5.A.2 — MINIMUM RESIDENTIAL LOT SIZES IN A PUD 80
TABLE 5.A.3 — PUD TOWNHOME DIMENSIONAL STANDARDS 81
TABLE 5.A.4 — PUD MULTI-FAMILY DIMENSIONAL STANDARDS 81
TABLE 5.A.5 — PUD MIXED-USE BUILDING STANDARDS 82
TABLE 5.A.6 — PUD SINGLE-FAMILY DETACHED DIMENSIONAL STANDARDS 83
TABLE 5.B.1 — PERMITTED (P) AND SPECIAL EXCEPTION (S) USES IN THE RURAL HAMLET DISTRICT 95
TABLE 5.B.2 — TRANSECT AND SETTLEMENT ZONES WITHIN A RURAL HAMLET DISTRICT MASTER PARCEL 107
TABLE 5.B.4 — HOUSING TYPES AND INDICATIVE NET DENSITIES WITHIN THE RHD 111
TABLE 5.B.5 — DIMENSIONAL STANDARD RANGES BY TRANSECT ZONE WITHIN THE RHD 112
TABLE 5.B.6 — COMMERCIAL BALANCE STANDARD FOR SUB-HAMLETS 115
TABLE 5.B.7 — OPEN SPACE TYPES AND ELIGIBILITY TOWARD THE 50% REQUIREMENT 120
TABLE 5.B.8 — MINIMUM CIVIC SPACE PROVISION PER SUB-HAMLET WITHIN THE RHD 131
TABLE 6.1 — HIERARCHY OF ROADWAY CLASSIFICATIONS AND PRINCIPAL DESIGN PARAMETERS 140
TABLE 6.2 — SUPPLEMENTAL THOROUGHFARE ASSEMBLY PARAMETERS BY CLASSIFICATION 154
TABLE 8.1 — RECOGNIZED BUILDING TYPES AND THEIR CHARACTERISTICS 178
TABLE 8.2 — REQUIRED AND DISCOURAGED EXTERIOR MATERIALS AND COLORS 181
TABLE 9.1 — MINIMUM OFF-STREET PARKING BY USE 192
TABLE 9.2 — MINIMUM OFF-STREET LOADING SPACES BY GROSS FLOOR AREA 195
TABLE 9.3 — MINIMUM PARKING STALL AND AISLE DIMENSIONS BY PARKING ANGLE 196
TABLE 9.4 — REQUIRED ACCESSIBLE PARKING SPACES 196
TABLE 9.5 — BUFFER YARD TYPES AND MINIMUM SCREENING 200
TABLE 9.10 — TREES FOR PLANTING ON STREETS, HIGHWAYS, AND PARKING LOTS 205
TABLE 9.11 — TREES FOR PLANTING ON STREETS AND HIGHWAYS THAT MINIMIZE CONFLICT WITH OVERHEAD UTILITIES 208
TABLE 9.12 — ORNAMENTAL TREES FOR USE IN SITE INTERIOR OR BUFFER 208

TABLE 9.13 — EVERGREEN TREES FOR USE IN SITE INTERIOR OR BUFFER 210
TABLE 9.14 — VINES FOR WALLS AND FENCES 211
TABLE 9.15 — SMALL SHRUBS APPROVED FOR SCREENS, HEDGES, AND SPECIMEN PLANTING 211
TABLE 9.16 — LARGE SHRUBS APPROVED FOR SCREENS, HEDGES, AND SPECIMEN PLANTING 212
TABLE 9.17 — LOW SPREADING SHRUBS APPROVED FOR BORDERS, PARKING ISLANDS, AND GROUNDCOVER 215
TABLE 9.22 — NON-QUALIFYING TREES 217
TABLE 9.19 — MAXIMUM PERMITTED LIGHT TRESPASS AT THE PROPERTY LINE 228
TABLE 9.20 — MINIMUM OPEN SPACE AND AMENITIES BY DEVELOPMENT TYPE 229
TABLE 9.24 — SIGN STANDARDS BY TYPE 231
TABLE 9.18 — NATURAL RESOURCE PROTECTION STANDARDS 234
TABLE 9.20 — MAXIMUM PERMITTED FENCE AND WALL HEIGHTS BY LOCATION 236
TABLE 9.21 — BUFFER YARD TYPE REQUIRED BETWEEN A PROPOSED USE AND AN ABUTTING DISTRICT 237
Table 10.1: Mailbox (CBU) Matrix 243
Table 10.2: Open Storage By District and Location 261
TABLE 11.1 — PRINCIPAL APPLICATION AND PERMIT TYPES 282
TABLE C.1 — SUPPLEMENTAL THOROUGHFARE ASSEMBLY PARAMETERS BY CLASSIFICATION 331
TABLE C.2 — MINIMUM PAVEMENT SECTIONS BY CLASSIFICATION 333
TABLE D.1 — BASE DISTRICT QUICK REFERENCE SUMMARY 334
TABLE D.2 — PLANNED DEVELOPMENT DISTRICT QUICK REFERENCE 336
TABLE F.1 — MINIMUM STREET GEOMETRY BY CLASSIFICATION 341
TABLE F.2 — MINIMUM INTERSECTION SIGHT DISTANCE BY DESIGN SPEED 343
TABLE F.3 — MINIMUM UTILITY SEPARATION REQUIREMENTS 345
TABLE F.4 — MINIMUM UTILITY EASEMENT WIDTHS 346
TABLE G.1 — RHD LAND BUDGET WORKSHEET 350
TABLE G.2 — RHD RESIDENTIAL PROGRAM AND GROSS DENSITY CHECK 352
TABLE G.3 — RHD COMMERCIAL BALANCE AND CIVIC SPACE CHECK (PER SUB-HAMLET) 353
TABLE G.4 — RHD TRANSIENT LODGING PROGRAM AND APPLICABLE CAPS 354
TABLE G.5 — TRADITIONAL PUD DEVELOPMENT PROGRAM WORKSHEET 356

APPENDIX F
Engineering and Construction Standards

Supplemental engineering parameters for the design and construction of private streets, utilities, and stormwater facilities, to be applied with the City's adopted construction details and the standards of Chapter VI.

FIGURE 14.3: PRIVATE ROADWAYS

All private roadways shall be designed by a professional engineer licensed in the State of Georgia and constructed to the standards of this appendix and Chapter VI. Private roadways shall not be built to a lesser standard than a public roadway of the same classification merely because they are privately owned. The City shall review and approve construction plans and shall inspect construction before any roadway is opened to use.

■ ■ ■ Sec. F.01 – STREET GEOMETRY

(1) **Purpose.** Private streets shall be designed to the following minimum geometric standards by classification, in addition to the cross-section standards of Chapter VI. These standards apply equally to all private streets, consistent with the requirement of *Sec. 6.02* that private roadways meet the same construction and geometric standards as public roadways of the same classification.

(2) **Geometric standards.** The minimum geometric design parameters for each thoroughfare classification are established in Table F.1. Where a professional engineer's design requires a higher standard than the minimums stated, the engineer's design governs.

TABLE F.1 — MINIMUM STREET GEOMETRY BY CLASSIFICATION

Classification	Min. Centerline Radius	Max. Grade	Min. Grade	Min. Tangent Between Reverse Curves	Min. Stopping Sight Distance
Boulevard	250 ft	8%	0.5%	100 ft	200 ft
Avenue	200 ft	8%	0.5%	100 ft	200 ft
Main Street	150 ft	6%	0.5%	50 ft	155 ft

Classification	Min. Centerline Radius	Max. Grade	Min. Grade	Min. Tangent Between Reverse Curves	Min. Stopping Sight Distance
Neighborhood Street	100 ft	10%	0.5%	50 ft	155 ft
Lane	60 ft	12%	0.5%	25 ft	130 ft
Rural Road	150 ft	10%	0.5%	50 ft	200 ft
Alley	50 ft	12%	0.5%	None	N/A
Passage / Trail	As designed	10% max (5% preferred)	0.5%	N/A	N/A

Notes to Table F.1:

(a) Maximum grade applies to the through carriageway. Grades within fifty (50) feet of an intersection shall not exceed five percent (5%) on arterials and collectors or eight percent (8%) on local streets and lanes.

(b) Minimum grade of 0.5% applies to all curb and gutter sections to ensure adequate drainage. Open swale sections may use a minimum grade of 0.3% where the swale is vegetated and designed for sheet flow.

(c) Stopping sight distance is measured from a driver eye height of 3.5 feet to an object height of 2.0 feet, consistent with AASHTO design standards.

(d) Passages and trails shall be designed for the posted speed or, where no speed is posted, for walking and cycling at a maximum gradient of five percent (5%) preferred and ten percent (10%) maximum, with rest areas at grade breaks on longer sustained climbs.

■ ■ ■ Sec. F.02 – INTERSECTION SIGHT DISTANCE

(1) **Purpose.** Intersections shall provide unobstructed sight distance adequate for drivers to perceive and respond to cross traffic, pedestrians, and cyclists. No vegetation, fencing, structure, sign, or parked vehicle shall be located within the sight triangle at any intersection or driveway, as provided in *Sec. 9.14(4)*.

(2) **Minimum sight distance values.** Table F.2 establishes the minimum intersection sight distance by the design speed of the through street, measured from a driver position set back fifteen (15) feet from the edge of the through lane, at a driver eye height of 3.5 feet, to an object height of 3.5 feet in the through lane.

TABLE F.2 — MINIMUM INTERSECTION SIGHT DISTANCE BY DESIGN SPEED

Design Speed of Through Street	Minimum Intersection Sight Distance
15 mph	170 ft
20 mph	225 ft
25 mph	280 ft
30 mph	335 ft
35 mph	390 ft
40 mph	445 ft

Notes to Table F.2:

(a) Where a stop or yield control is present at the intersection, the stopping sight distance of the controlled approach governs for the driver on the controlled approach. The values in Table F.2 apply to the uncontrolled through movement.

(b) At intersections with Main Streets and Boulevards — where pedestrian volumes are high — a pedestrian sight triangle shall also be maintained to provide visibility between drivers and pedestrians at each crosswalk.

(c) Driveway sight triangles shall be determined based on the design speed of the adjacent street, using the values in Table F.2 modified as appropriate for the driveway approach.

■ ■ ■ Sec. F.03 – PAVEMENT SECTIONS

(1) **Design basis.** Pavement sections shall be designed by a professional engineer based on projected traffic loading (expressed as equivalent single axle loads, or ESALs), subgrade soil conditions, and climate exposure. At a minimum, a geotechnical investigation shall be conducted for any street expected to carry truck traffic or serving more than fifty (50) dwelling units.

(2) **Minimum sections.** The minimum pavement sections of Table C.2 of *Appendix C* apply. Where the engineer's design results in a greater section, the greater section shall be constructed. Permeable and alternative pavements, including pervious asphalt, pervious concrete, and structural permeable pavers, are encouraged in parking areas, alleys, and low-speed lanes where soil permeability permits and structural adequacy can be demonstrated.

(3) **Subgrade preparation.** Subgrade shall be prepared to the following standards:

(a) All topsoil, organic material, and unsuitable material shall be removed from the subgrade within the roadway section;

(b) The subgrade shall be proof-rolled with a loaded tandem-axle truck or equivalent in the presence of the City's inspector; areas of pumping or deflection shall be undercut and replaced with approved material;

(c) The subgrade shall be compacted to not less than ninety-five percent (95%) of the maximum dry density as determined by ASTM D698 (Standard Proctor) for the upper twelve (12) inches of subgrade; and

(d) A geotextile separator fabric shall be placed between the subgrade and the aggregate base course where the subgrade CBR is less than five (5).

(4) **Aggregate base course.** Aggregate base course shall be graded aggregate base (GAB) or crusher run meeting the Georgia Department of Transportation specifications for Type 1 or Type 2 base, compacted to not less than one hundred percent (100%) of the maximum dry density (ASTM D698) in lifts not exceeding six (6) inches compacted depth.

(5) **Asphalt surface course.** Asphalt surface course shall be Georgia DOT Type E or Type F mix (or approved equivalent) compacted to not less than ninety-two percent (92%) of maximum theoretical density. A tack coat of emulsified asphalt shall be applied between the base course and the surface course and at all joints.

(6) **Concrete pavement.** Where Portland cement concrete pavement is used in lieu of asphalt, as preferred for Main Streets, entry Boulevards, and pedestrian-priority areas, the minimum slab thickness shall be six (6) inches on a four-inch granular subbase, with transverse joints at intervals not exceeding fifteen (15) feet, and with reinforcement where warranted by subgrade conditions.

(7) **Inspection.** The City or its designated inspector shall inspect the subgrade preparation, base course, and surface course at each stage of construction. No subsequent layer shall be placed before the City's inspector has approved the preceding layer in writing.

■ ■ ■ Sec. F.04 – UTILITY LOCATION AND SEPARATION

(1) **Underground utilities required.** All utilities, including water, sanitary sewer, stormwater, electric, gas, communications, and cable, shall be placed underground within the private street section or within dedicated utility easements. Overhead utility lines are prohibited within the easement of any Boulevard, Avenue, Main Street, or Neighborhood Street, consistent with *Sec. 6.07(7)*.

(2) **Preferred utility corridor.** Utilities shall be located within alleys wherever alleys are provided, to keep the primary street section free of utility conflicts and to preserve the integrity of tree root zones within the street verge. Where no alley exists, utilities shall be located within the street verge or within a dedicated utility easement adjacent to the street.

(3) **Minimum horizontal and vertical separations.** Utility separations shall comply with the standards of the Georgia Environmental Protection Division, the applicable utility authority, and the following minimums:

TABLE F.3 — MINIMUM UTILITY SEPARATION REQUIREMENTS

Utility Pair	Minimum Horizontal Separation	Minimum Vertical Separation (crossing)
Water main and sanitary sewer	10 ft	18 in (water above sewer preferred)
Water main and storm drain	5 ft	12 in
Water main and electric or gas	3 ft	12 in
Sanitary sewer and storm drain	5 ft	12 in
Electric and communications	3 ft	12 in
Any utility and tree root zone	8 ft preferred (structural soil mix where less)	N/A

(a) Where the minimum separation between water and sanitary sewer cannot be maintained due to site constraints, the engineer shall use pressure-rated pipe for the sanitary sewer within ten (10) feet of the crossing and shall encase the water main in concrete for not less than ten (10) feet on each side of the crossing, subject to review and approval by the City.

(b) Utilities crossing a private street shall cross at an angle of not less than sixty (60) degrees from the street centerline to minimize the length of pavement disturbed in the event of a future repair.

(4) **Fire hydrants.** Fire hydrants or approved alternative water supply for firefighting shall be provided at the spacing required by the applicable fire code — generally not more than five hundred (500) feet between hydrants in developed areas. In rural areas of a Rural Hamlet District where a pressurized water system is not available, cisterns, dry hydrants, or wet ponds meeting the requirements of the fire authority having jurisdiction may be used as approved alternatives.

(5) **Easements.** All utility infrastructure located outside of the private street section shall be within a dedicated utility easement of sufficient width for maintenance, as provided in *Sec. 7.05(4)*. Minimum utility easement widths are:

TABLE F.4 — MINIMUM UTILITY EASEMENT WIDTHS

Utility Type	Minimum Easement Width
Water or sewer main (single line)	15 ft
Water or sewer main (two lines)	20 ft
Storm drain pipe (single line)	20 ft
Open drainage channel or swale	20 ft plus 2:1 side slopes from top of bank
Overhead electric (not permitted on new streets)	30 ft
Underground electric or gas (single line)	10 ft
Access and infrastructure easement over private street	Full width of the street section

■ ■ ■ Sec. F.05 – STORMWATER FACILITIES

(1) **Design standard.** Stormwater facilities shall be designed consistent with the standards of the State of Georgia Stormwater Management Manual (GSMM), the Georgia EPD NPDES General Permit for Stormwater Discharges from Construction Activities, and the City's requirements, providing water quality treatment and the control of runoff rate and volume for the following minimum design storms:

(a) Water quality volume (WQv): the 1-inch storm event, managed to remove eighty percent (80%) of the average annual post-development total suspended solids load;

(b) Channel protection volume (Cpv): the 1-year, 24-hour storm event, managed to protect stream channels from increased erosive velocities;

(c) Overbank flood protection (Qp25): the 25-year, 24-hour storm event, managed so that post-development peak discharge does not exceed pre-development peak discharge; and

(d) Extreme flood protection (Qp100): the 100-year, 24-hour storm event, routed through the stormwater system without causing structural damage or loss of life.

(2) **Green infrastructure preferred.** Stormwater facilities designed as landscape amenities, including bioretention cells, rain gardens, constructed wetlands, vegetated swales, and retention ponds with naturalized edges, are strongly preferred over piped and concrete systems. Such facilities may be credited toward open space requirements as provided in *Sec. 9.06(2),* where they are designed as amenities and are accessible or visible as part of the open space network.

(3) **Stormwater management plan.** A stormwater management plan shall be submitted with all land disturbance permit applications for sites disturbing one (1) or more acres, consistent with *Sec. 9.10(4).* The plan shall include:

(a) Pre- and post-development hydrologic calculations using NRCS curve number methods or an approved hydrologic model, for each of the design storms required by subsection (1);

(b) Design drawings and specifications for all stormwater management facilities, including inlet and outlet structures, emergency spillways, and energy dissipators;

(c) A long-term operation and maintenance (O&M) plan, identifying the responsible party, the maintenance activities and their frequency, and the funding mechanism; and

(d) A recorded stormwater management facility maintenance agreement, executed by the property owner and the City, before issuance of a land disturbance permit.

(4) **Integration with open space.** In the Rural Hamlet District, stormwater facilities shall be integrated with the open space network and designed as landscape amenities consistent with the pattern book and the open space management plan of *Sec. 5.B.12.2.* Detention ponds shall be designed with naturalized edges, native aquatic plantings, and a minimum of ten (10) feet of buffer around the ordinary high water mark.

(5) **Floodplain.** No habitable building shall be constructed within the regulatory floodplain (the 100-year floodplain as delineated on the FEMA Flood Insurance Rate Map). Floodplain areas shall be preserved as open space and managed per the City's flood damage prevention ordinance.

■ ■ ■ Sec. F.06 – MONUMENTATION AND AS-BUILT RECORDS

(1) **Survey monuments.** Permanent survey monuments shall be set at the corners of the subdivision and at the angle points and points of curvature of the subdivision boundary, consistent with the requirements of the Georgia Board of Engineers and Land Surveyors. Monuments shall be set in concrete, flush with the finished grade, and identified with a survey cap bearing the surveyor's license number.

(2) **As-built records.** Upon completion of required improvements, including private streets, utilities, stormwater facilities, and easements, the developer shall provide record (as-built) drawings to the City, certified by a professional engineer or registered land surveyor, before:

(a) The release of performance security under *Sec. 7.06*;

(b) The City's acceptance of any utility conveyance or easement dedication; and

(c) The final release of any maintenance bond under *Sec. 7.07*.

(3) **Digital submission.** As-built drawings shall be submitted in a digital format compatible with the City's geographic information system (GIS), in addition to any paper or PDF submission required by the City. The GIS submission shall include the location of all utilities, easements, and infrastructure in a georeferenced coordinate system consistent with the City's GIS standards.

(4) **Coordination with the Official Zoning Map.** Upon recording of a final plat or acceptance of infrastructure, the Zoning Administrator shall update the digital records of the City to reflect any new streets, easements, or open space dedications shown on the plat.

■ ■ ■ Sec. F.07 – FIRE ACCESS STANDARDS

(1) **Applicability.** All private streets and access roads shall meet the fire apparatus access requirements of the International Fire Code (IFC) as adopted by the State of Georgia and the City of Buchanan, notwithstanding their classification under *Chapter VI*. Where the IFC standard is more stringent than the Chapter VI standard, the IFC standard governs.

(2) **Minimum requirements.** Fire apparatus access roads shall:

(a) Provide an unobstructed travel width of not less than twenty (20) feet, exclusive of parking on either side. Where parking is permitted on one side, the minimum travel width shall be not less than twenty-six (26) feet. Where parking is permitted on both sides, the minimum travel width shall be not less than thirty-two (32) feet;

(b) Provide a minimum vertical clearance of thirteen feet six inches (13'6") at all overhead obstructions, including canopies, signs, and tree branches;

(c) Support the imposed load of fire apparatus, which shall be assumed to be a minimum of seventy-five thousand (75,000) pounds gross vehicle weight;

(d) Be provided to within one hundred fifty (150) feet of all portions of the exterior walls of the first floor of every building, measured along the travel path of fire apparatus; and

(e) Provide turnarounds at dead ends, consisting of a cul-de-sac with a minimum outside turning radius of fifty (50) feet, a hammerhead meeting IFC specifications, or another configuration approved by the fire authority having jurisdiction.

(3) **Gates and barriers.** Gates and barriers on fire apparatus access roads shall be equipped with an approved emergency access system (Knox Box or equivalent) and shall provide for emergency access at all times, consistent with *Sec. 5.B.22(3)* for the Rural Hamlet District.

(4) **Rural Hamlet District.** In the Rural Hamlet District, where structures are set within the forest and topography may complicate apparatus access, the fire protection and emergency access plan required by *Sec. 5.B.22* shall address wildfire interface design, defensible space requirements, and any variations from the standard requirements of this section, subject to the approval of the fire authority having jurisdiction.

APPENDIX G
Development Program Worksheets

Worksheets to assist applicants in organizing and verifying the quantitative program of a Concept Plan for the Rural Hamlet District and the Traditional PUD. Applicants shall complete the applicable worksheet and submit it with the Concept Plan. These worksheets are a convenience; the regulatory standards of Chapter V govern.

Part 1 — RHD Land Budget

Demonstrates compliance with the 50% open space requirement of Sec. 5.B.12.1.

TABLE G.1 — RHD LAND BUDGET WORKSHEET

Open space, including the perimeter buffer, must total at least 50% of the master parcel area.

Land Category	Acres	Percent of Master Parcel
Total master parcel area	_____	100%
OPEN SPACE		
Perimeter buffer (min. 150 ft, all exterior boundaries)	_____	_____
Working farms and agricultural land	_____	_____
Forest and woodland preserved	_____	_____
Meadow and managed grassland	_____	_____
Greens, squares, parks, and civic spaces	_____	_____

Land Category	Acres	Percent of Master Parcel
Trails and greenways	_____	_____
Stormwater amenities (credited as open space)	_____	_____
Farmette open space (70% of farmette acreage)	_____	_____
Agrihood farm area	_____	_____
Subtotal — Open Space (must be ≥ 50%)	_____	_____
DEVELOPED LAND		
Residential lots and building pads	_____	_____
Streets, private roadway easements, and parking	_____	_____
Commercial, civic, and mixed-use areas	_____	_____
HOA private amenity facilities (not counted as open space)	_____	_____
Subtotal — Developed Land	_____	_____
Check: Open Space + Developed Land = Total Parcel?	_____	100%

Part 2 — RHD Residential Program and Gross Density Check

Demonstrates compliance with the 2.0 du/ac gross density limit of Sec. 5.B.09(2) and the housing mix requirement of Sec. 5.B.09(1).

TABLE G.2 — RHD RESIDENTIAL PROGRAM AND GROSS DENSITY CHECK

Housing Type	Number of Units	Net Acres Occupied
Farmette (min. 15 ac, 70% open space)	_____	_____
Estate / large-lot detached (1 to 2 ac lots)	_____	_____
Cottage / detached neighborhood	_____	_____
Townhouse / attached	_____	_____
Multi-family / liner	_____	_____
Live-work / upper-story (within mixed-use buildings)	_____	_____
Total dwelling units	_____	_____
Total master parcel gross acres	_____	N/A
Gross density check (Total DU ÷ Total Gross Acres; max. 2.0 du/ac)	_____ du/ac	
Number of distinct housing types provided (min. 3 for >100 DU)	_____	

Part 3 — RHD Commercial Balance and Civic Space Check

Completed separately for each sub-hamlet. Demonstrates compliance with the commercial balance standard of Sec. 5.B.11.2 and the mixed-use building requirement of Sec. 5.B.11.2(4).

TABLE G.3 — RHD COMMERCIAL BALANCE AND CIVIC SPACE CHECK (PER SUB-HAMLET)

Complete one table per sub-hamlet.

Sub-Hamlet Name / Identifier: _____

Measure	*Required*	*Provided*
Dwelling units in this sub-hamlet	—	_____
Required nonresidential floor area (40 sf × DU; min. 5,000 sf)	_____ *sf*	_____ *sf*
Developed (non-open-space) acres in sub-hamlet	—	_____
Commercial/civic land required (1 ac per 75 DU or per 40 acres, greater)	_____ *ac*	_____ *ac*
Distinct nonresidential use types in center (min. 3)	*3*	_____
Minimum civic space (green or square; min. 0.5 ac)	*0.5 ac*	_____ *ac*
Total buildings in sub-hamlet center that are not exclusively nonresidential	—	_____
Of those, number that are mixed-use buildings (commercial ground floor + residential/office upper floor)	—	_____
Mixed-use building percentage (must be ≥ 50%)	*≥ 50%*	_____ *%*

Mixed-use building definition: a building with active commercial, civic, or cultural use occupying ≥ 60% of the ground floor footprint, and at least one full floor of residential, office, or lodging above.

Part 4 — RHD Transient Lodging Program and Caps

Demonstrates compliance with the transient lodging caps of Sec. 5.B.07.1(2).

TABLE G.4 — RHD TRANSIENT LODGING PROGRAM AND APPLICABLE CAPS

Lodging Type	*Number of Units or Sites*	*Applicable Cap*
Glamping units (tents, yurts, safari tents, platforms)	_____	*1 per 2 acres of designated lodging / agritourism open space*
Tiny home rental units	_____	*Combined with glamping within the same per-acre cap*
Recreational vehicle (RV) sites	_____	*Combined with glamping and tiny home units within the same per-acre cap*
Combined transient total (glamping + tiny home + RV)	_____	*Max 300 district-wide; max 75 per sub-hamlet*
Designated lodging / agritourism open space (acres)	_____ *ac*	—
Per-acre cap check (designated acres ÷ 2; must be ≥ combined transient total)	_____	—
Country inn and bed and breakfast rooms	_____	*Within village centers and agritourism areas*
Hotel rooms	_____	

Part 5 — RHD Infrastructure and Easements Confirmation

Confirms that required infrastructure and easement commitments are addressed in the Concept Plan submittal.

Item	Confirmed
All streets designated private and classified under Chapter VI thoroughfare hierarchy	☐ Yes ☐ No
Access and infrastructure easements to be dedicated to the City in lieu of roadways: confirmed	☐ Yes ☐ No
Water, wastewater, and stormwater systems designed to City and state standards: confirmed	☐ Yes ☐ No
Fire and emergency access on all private streets per the fire code and Sec. 5.B.22: confirmed	☐ Yes ☐ No
Phasing plan ties open space, centers, nonresidential program, and infrastructure to housing: confirmed	☐ Yes ☐ No
Master development agreement and pattern book submitted with Concept Plan: confirmed	☐ Yes ☐ No
Sound management plan submitted where outdoor entertainment venue is proposed: ☐ Applicable ☐ Not applicable	☐ Yes ☐ N/A
Open space management plan submitted: confirmed	☐ Yes ☐ No
Tree protection plan submitted: confirmed	☐ Yes ☐ No

Part 6 — Traditional PUD Development Program Worksheet

Demonstrates compliance with the standards of Chapter V, Part A for the Traditional PUD.

TABLE G.5 — TRADITIONAL PUD DEVELOPMENT PROGRAM WORKSHEET

Section 1 — Land Budget

Land Category	Acres	Percent of Master Parcel
Total master parcel area	_____	100%
OPEN SPACE		
Parks, greens, squares, and playgrounds	_____	_____
Trails and greenways	_____	_____
Natural areas and stormwater amenities	_____	_____
Subtotal — Open Space (must be ≥ 15%)	_____	_____
DEVELOPED LAND		
Residential lots and building pads	_____	_____
Streets and parking	_____	_____
Commercial, civic, and mixed-use areas	_____	_____
HOA private amenity facilities (not open space)	_____	_____
Perimeter buffer areas	_____	_____
Subtotal — Developed Land	_____	_____

Section 2 — Residential Program

Housing Type	Number of Units
Single-family detached (min. 10,000 sf lot)	_____
Single-family attached / townhome (min. 22 ft wide)	_____
Multi-family	_____
Total dwelling units	_____
Total master parcel gross acres	_____
Gross density (Total DU ÷ Total Gross Acres; max. 8.0 du/ac)	_____ du/ac
Number of distinct eligible housing types (min. 2 for >50 DU; ADUs do not count)	_____

Section 3 — Trail Network Check

Item	Required	Provided
Required open space area (sq ft)	_____	_____
Minimum trail length (1 linear ft per 150 sf of required open space)	_____ lf	_____ lf
Minimum trail width	6 ft	_____ ft
Trails connect to all major open space areas	Yes	☐ Yes ☐ No
Trails connect to abutting trail systems within 100 ft	Yes (where applicable)	☐ Yes ☐ N/A

Section 4 — Community Amenity Check

Amenity Type	Required	Provided
Future retail or commercial component (1 ac or 5,000 sf per 50 DU)	_____ ac or sf	_____ ac or sf
Agricultural amenity component (min. 2 ac, where selected)	2 ac	_____ ac
Civic or cultural component (min. 3,000 sf, publicly accessible; HOA clubhouses excluded)	3,000 sf	_____ sf
Is the amenity type a combination?	☐ Yes ☐ No	—
Amenity delivery phasing (delivered before 75% of DU certificates of occupancy)	Required	☐ Confirmed

Section 5 — Connectivity Check

Connectivity Requirement	Required	Confirmed
Stub streets to all abutting properties (≤1,000 ft intervals)	Yes	☐ Yes ☐ N/A
Sidewalks (min. 5 ft) along all abutting rights-of-way, public or private, regardless of existing conditions	Yes	☐ Yes
Sidewalks on both sides of all interior streets	Yes	☐ Yes
Street connections at ≤1,000 ft intervals along abutting street frontage	Yes	☐ Yes
Trail connections to abutting systems within 100 ft	Yes (where applicable)	☐ Yes ☐ N/A

Section 6 — Perimeter Buffer Confirmation

Abutting Condition	Required Buffer	Provided Width
Abutting residential district or use	25 ft Type B	_____ ft
Abutting commercial or mixed-use district	15 ft Type A	_____ ft
Abutting industrial district	30 ft Type C	_____ ft
Abutting public or private right-of-way	15 ft Type A + street trees	_____ ft
Abutting agricultural or rural land	20 ft Type B	_____ ft

APPENDIX H
Illustrated Glossary of Measurements

A visual reference for the dimensional terms and measurement conventions used throughout this Code. Where an illustration conflicts with the text, the text governs.

FIGURE 14.4: OFFICIAL ZONING MAP (FOR REFERENCE ONLY)

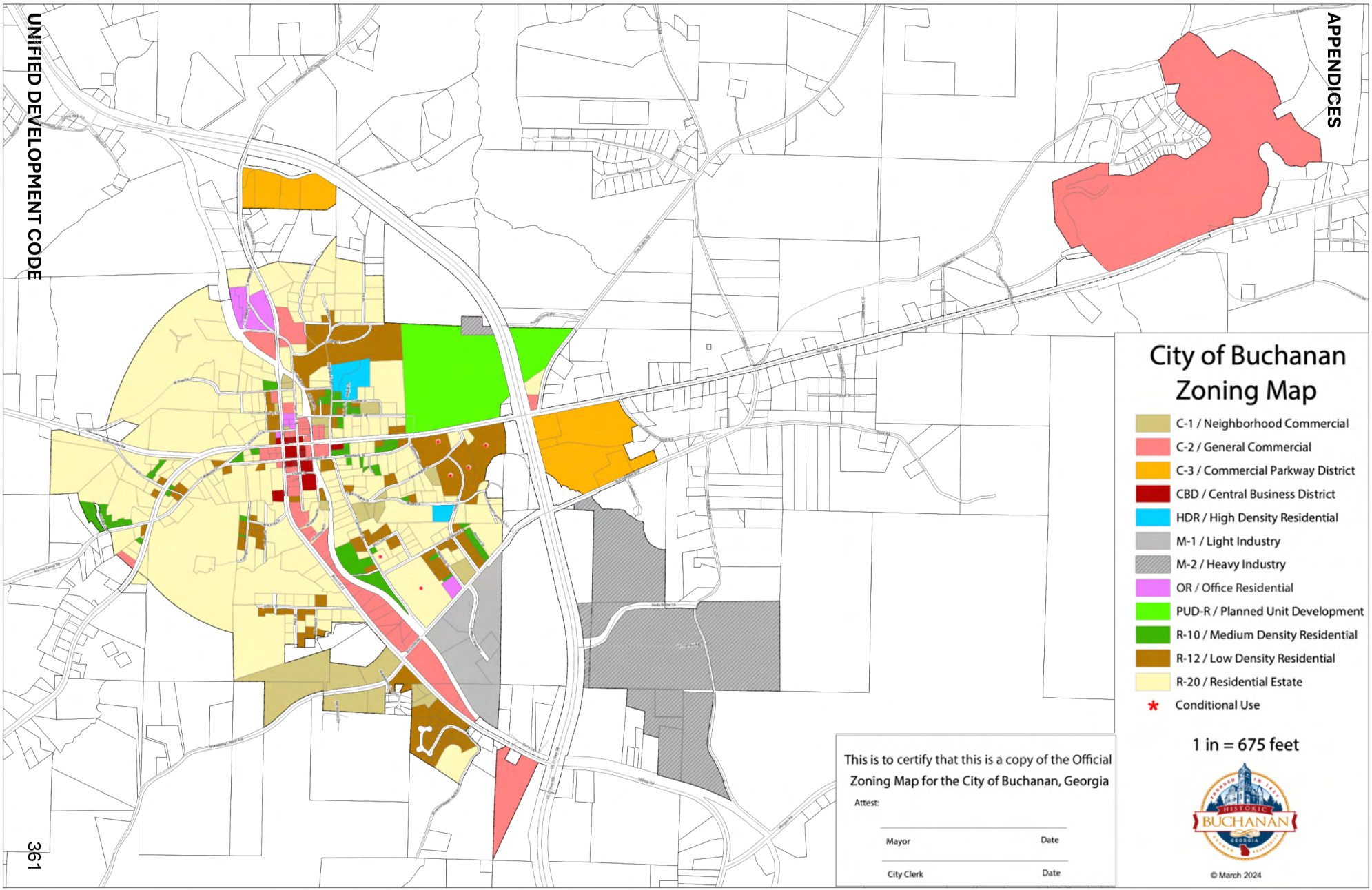
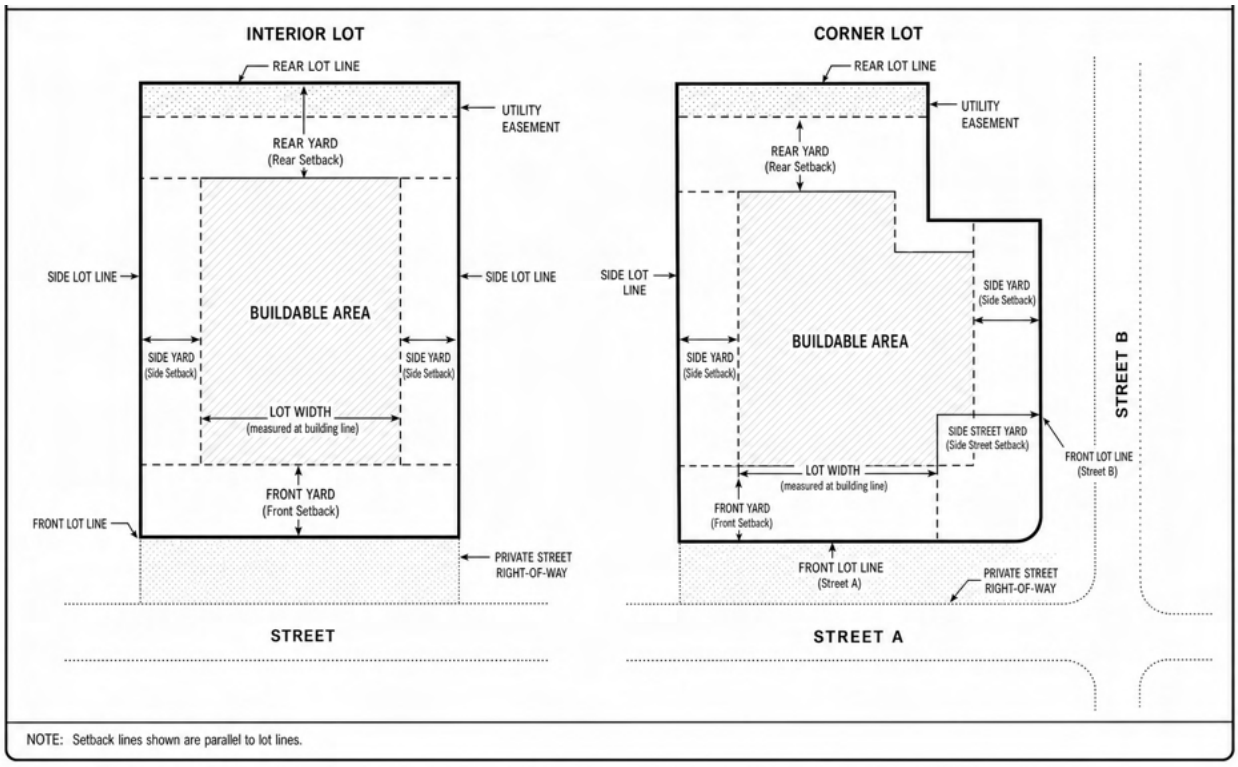
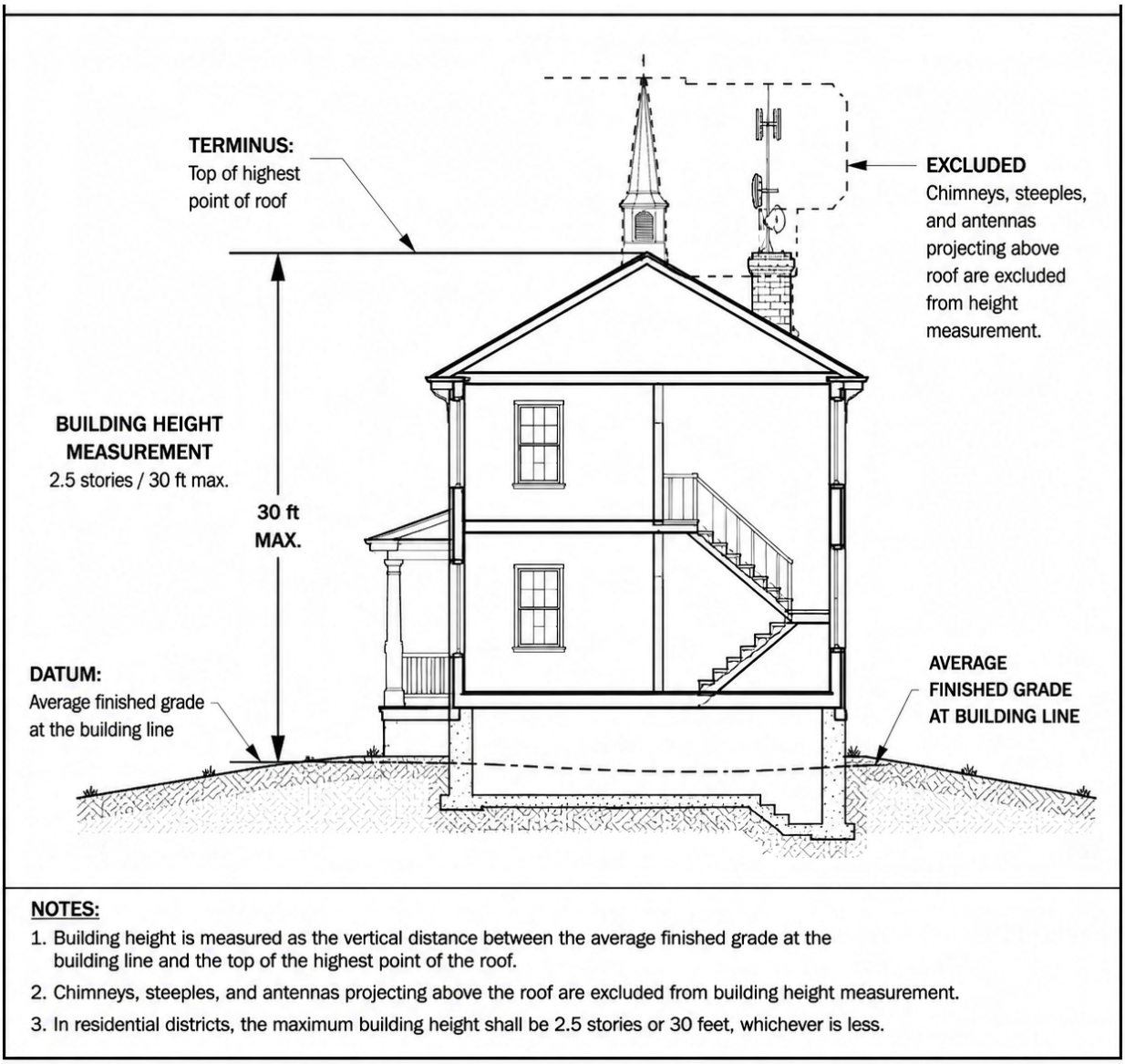


FIGURE 14.5: LOT AND YARD MEASUREMENTS



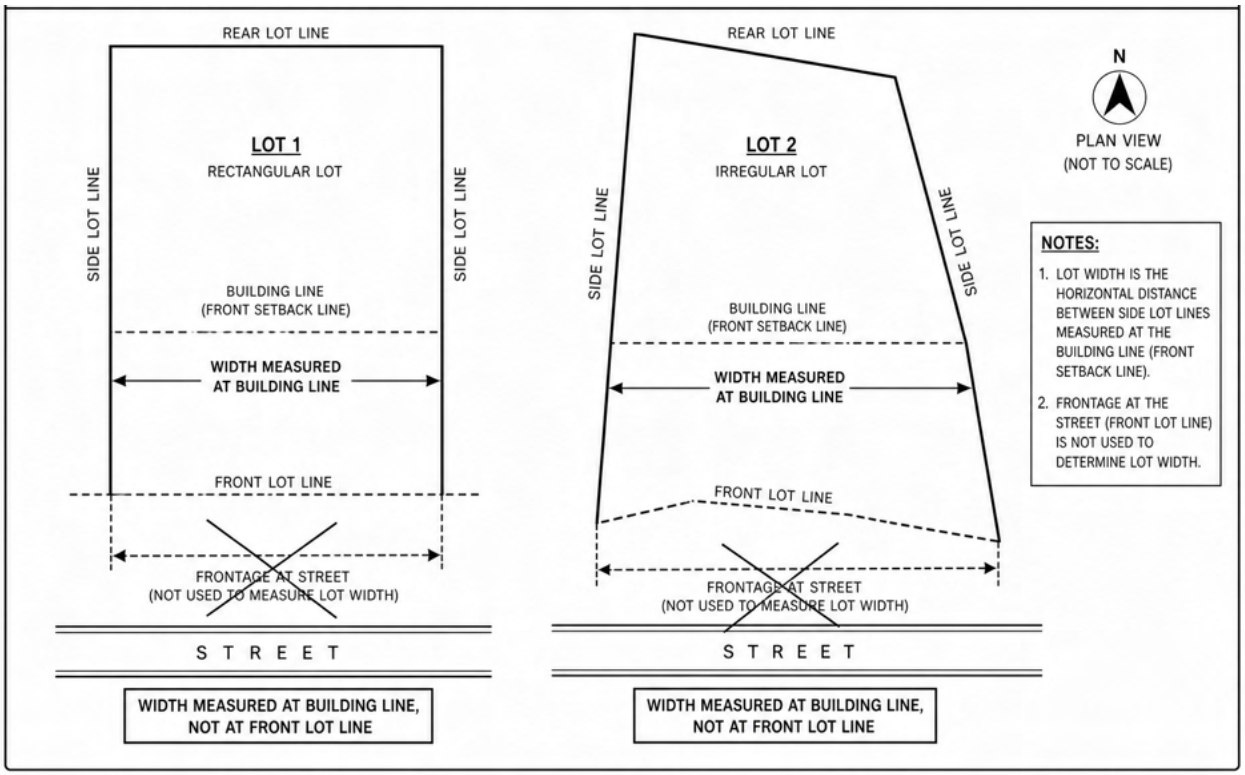
A plan view of a typical interior lot and a corner lot, annotated to show: the front lot line, rear lot line, and side lot lines; the front yard (depth = front setback); the rear yard (depth = rear setback); the side yard (width = side setback); the building line (front setback line); the buildable area; the utility easement along the rear lot line; the private street easement or right-of-way; and the lot width measured at the building line.

FIGURE 14.6: BUILDING HEIGHT MEASUREMENT



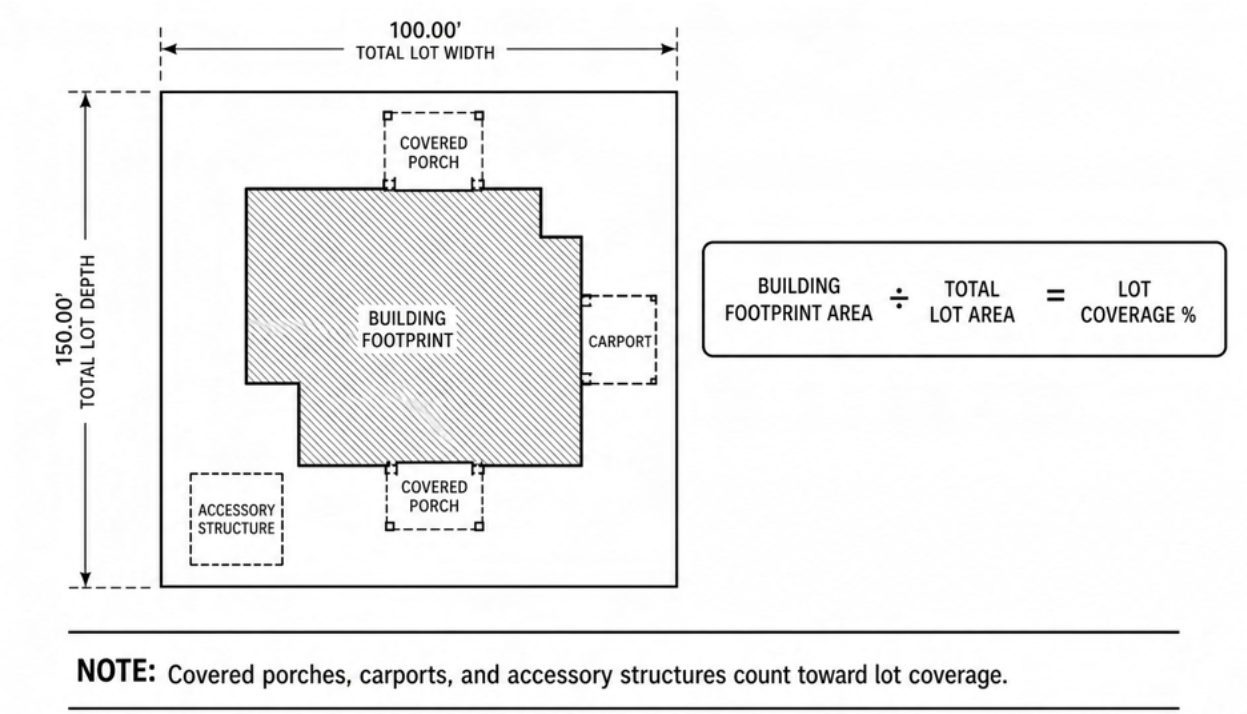
A cross-section of a two-story building showing: average finished grade at the building line (the datum from which height is measured); the top of the highest point of the roof (the terminus); the measurement line between them; chimneys, steeples, and antennas excluded from the measurement; and an annotation showing "2.5 stories / 30 ft max." for a residential district.

FIGURE 14.7: LOT WIDTH MEASUREMENT



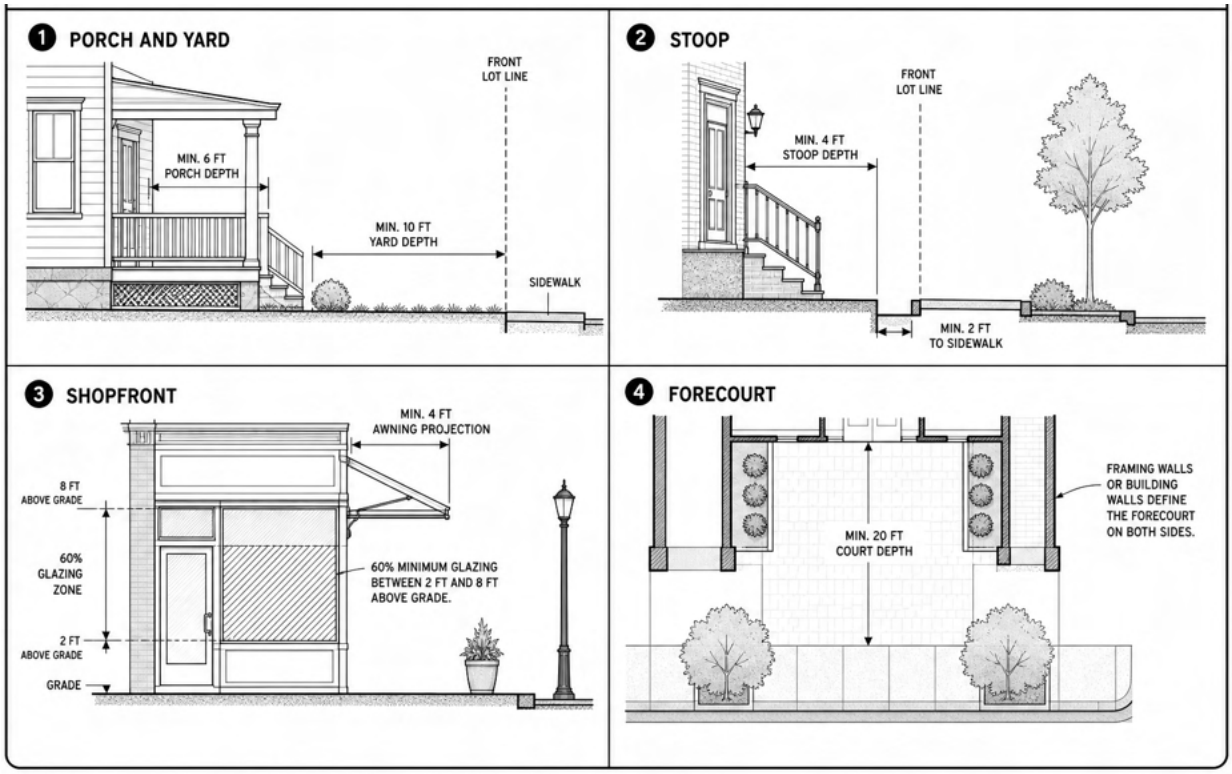
A plan view showing lot width measured at the building line (front setback line), not at the front lot line, for both rectangular and irregularly shaped lots.

FIGURE 14.8: LOT COVERAGE



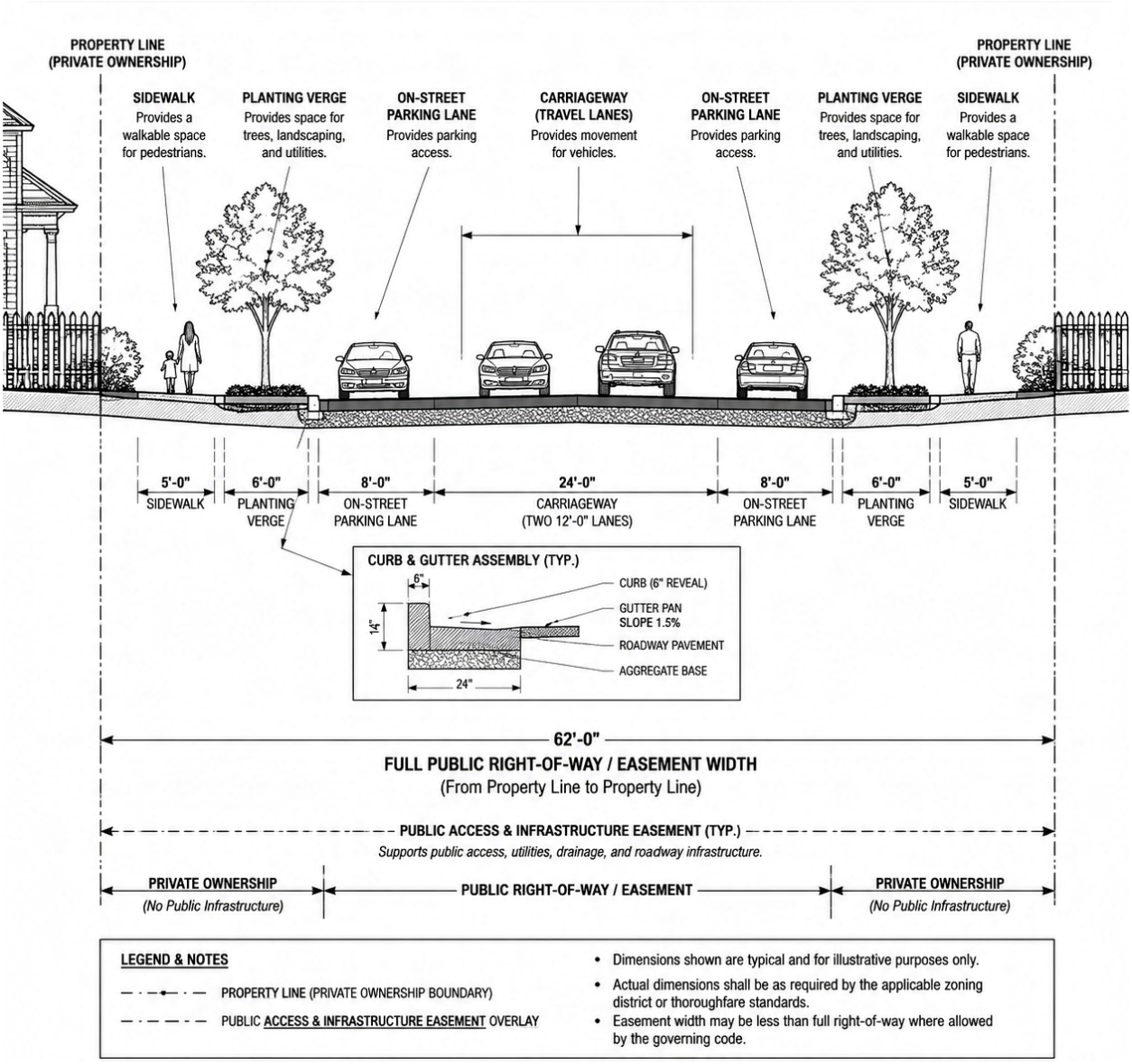
A plan view showing a lot with its building footprint shaded; the calculation "building footprint area ÷ total lot area = lot coverage %" annotated; and the clarification that covered porches, carports, and accessory structures count toward coverage.

FIGURE 14.9: FRONTAGE TYPES



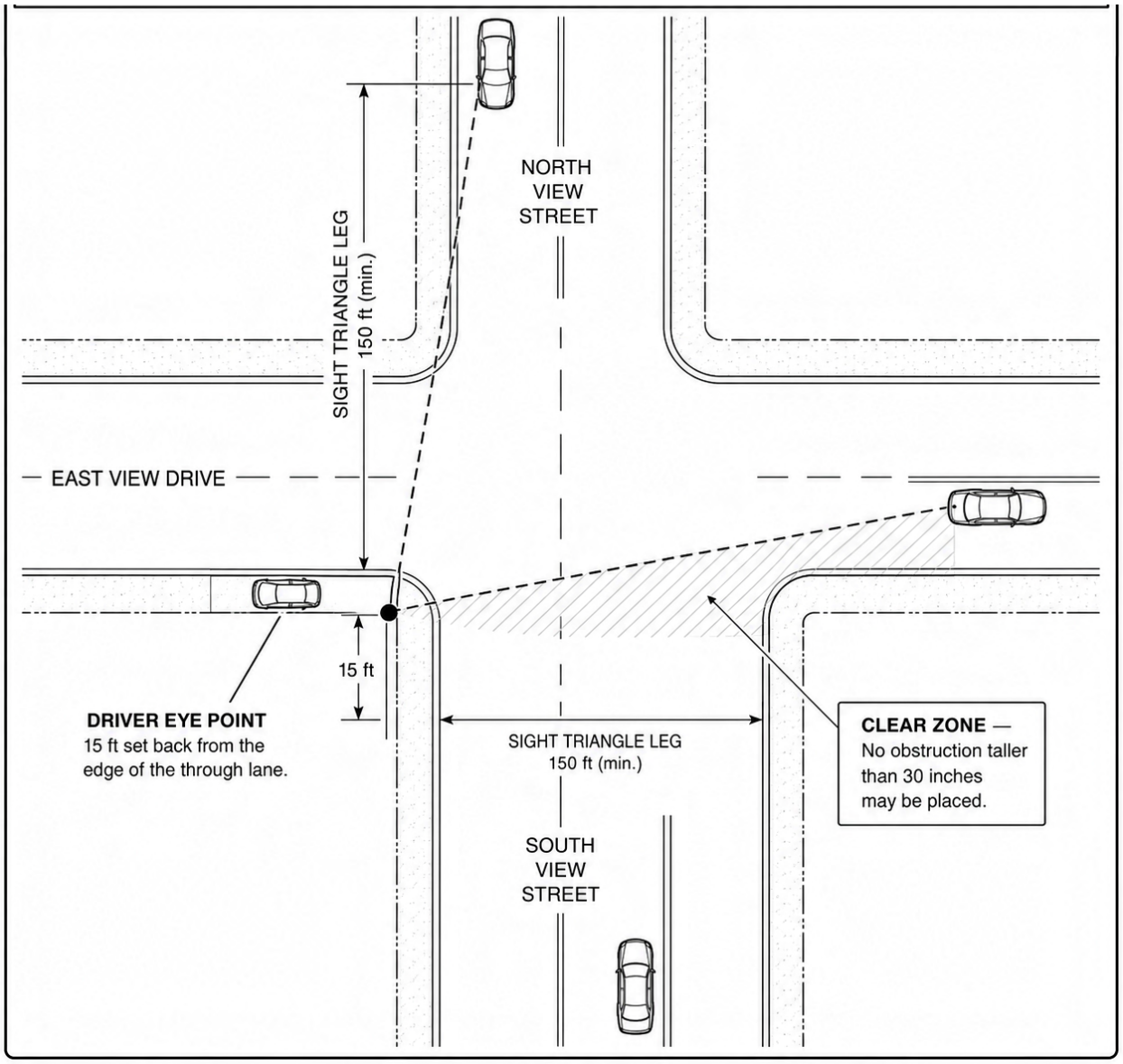
Frontage Types: (1) porch and yard showing the porch depth (min. 6 ft) and the yard between the porch edge and the front lot line; (2) stoop showing the stoop depth (min. 4 ft) and proximity to the sidewalk; (3) shopfront showing the 60% glazing zone between 2 ft and 8 ft above grade and the awning projection; (4) forecourt showing the court depth (min. 20 ft) and the framing walls.

FIGURE 14.10: THOROUGHFARE CROSS-SECTION GLOSSARY



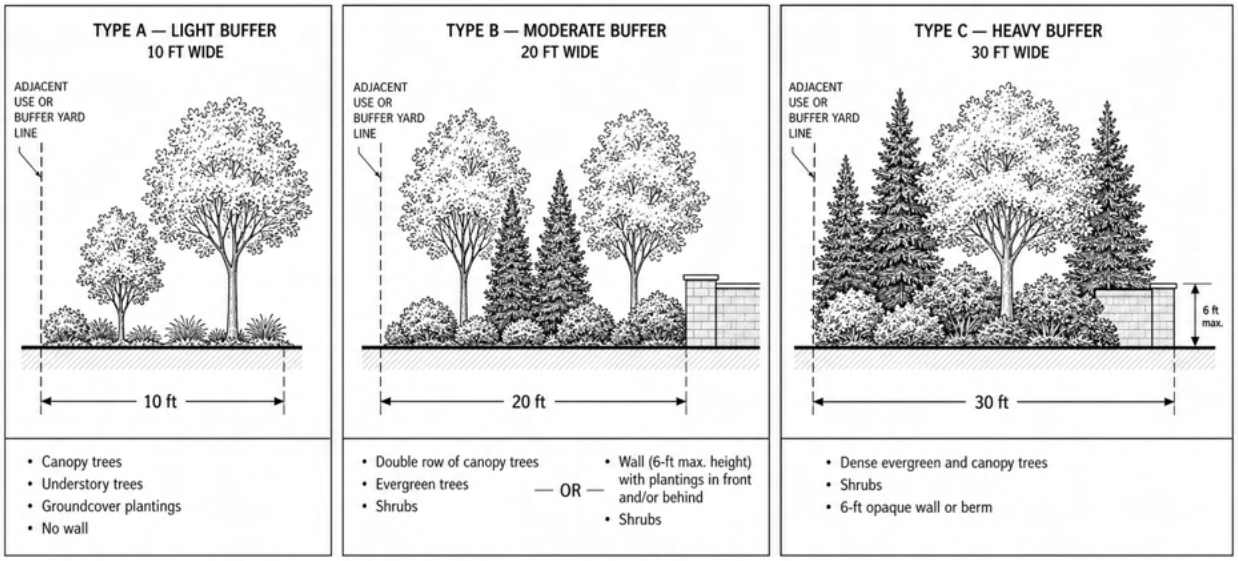
A single composite cross-section labeled with: carriageway width; on-street parking width; planting verge width; sidewalk width; curb and gutter; the full easement width; and the private ownership boundary of the roadway versus the public access and infrastructure easement overlay.

FIGURE 14.11: SIGHT TRIANGLE



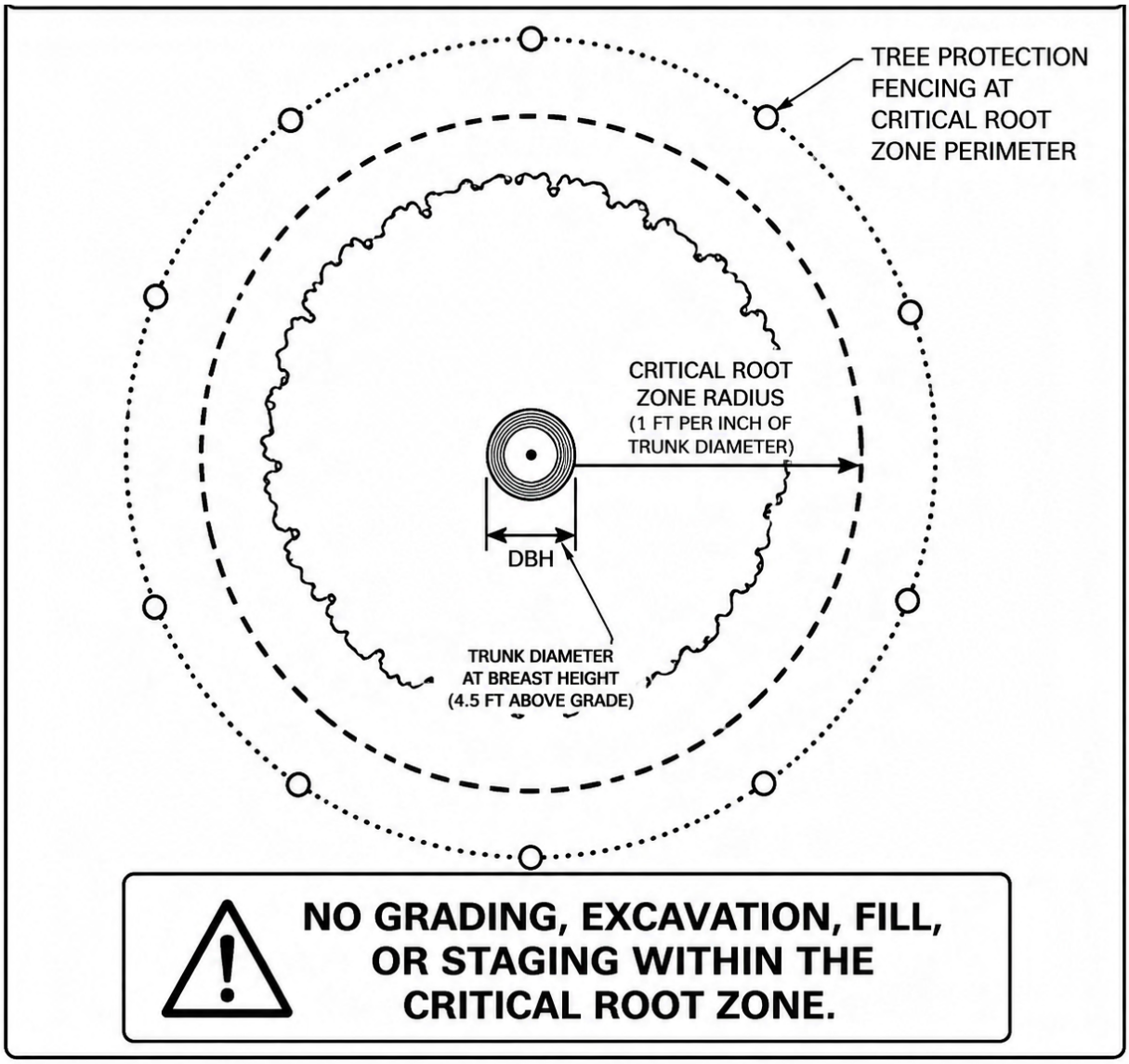
A plan view of a four-way intersection showing the sight triangle at one corner, with the driver eye point set back 15 ft from the edge of the through lane, the sight lines drawn to each direction, and the clear zone within which no obstruction taller than 30 inches may be placed.

FIGURE 14.12: BUFFER YARD CROSS-SECTIONS



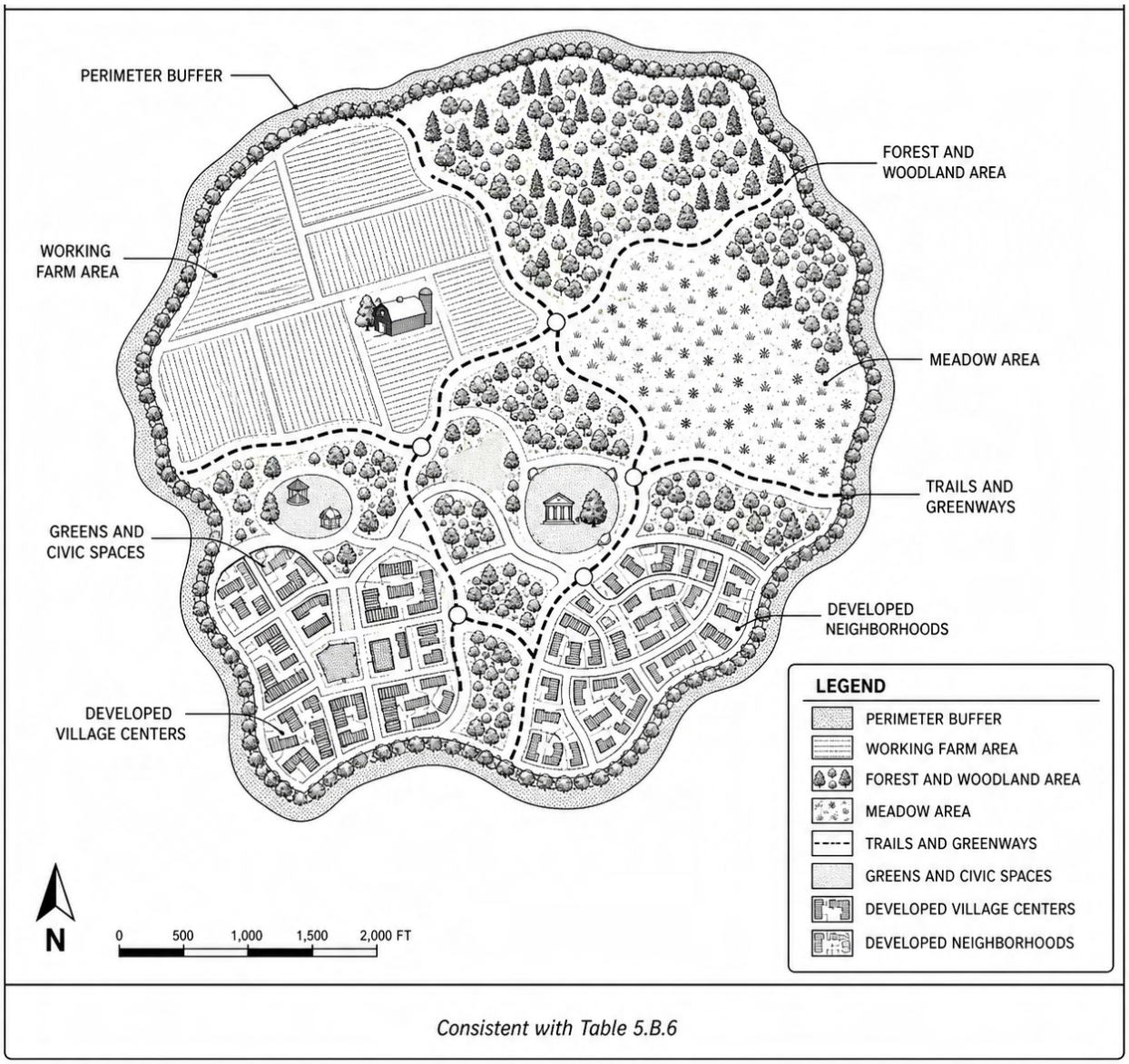
Three cross-sections side by side: (left) Type A Light buffer (10 ft, canopy and understory trees, groundcover, no wall); (center) Type B Moderate buffer (20 ft, double row canopy and evergreen trees with shrubs or wall plus plantings); (right) Type C Heavy buffer (30 ft, dense evergreen and canopy with shrubs and a 6-ft opaque wall or berm).

FIGURE 14.13: CRITICAL ROOT ZONE



A plan view of a preserved tree showing the trunk diameter measurement at breast height (4.5 ft above grade), the critical root zone radius (1 ft per inch of trunk diameter), the tree protection fencing at the critical root zone perimeter, and the note "no grading, excavation, fill, or staging within the critical root zone."

FIGURE 14.14: OPEN SPACE TYPES WITHIN THE RHD



A master plan diagram showing the full open space typology: perimeter buffer (outermost ring), working farm, forest and woodland, meadow, trails and greenways, greens and civic spaces, and the developed village centers and neighborhoods. All labeled and color-coded consistent with Table 5.B.6.

Measurement Conventions Summary

(1) **Lot area** is the total horizontal area within the lot lines, exclusive of any area within a private street easement or right-of-way.

(2) **Lot width** is measured between the side lot lines at the building line (the front setback line), not at the front lot line.

(3) **Setbacks** are measured horizontally from the lot line to the nearest point of the building or structure, exclusive of permitted projections such as eaves, steps, unenclosed porches, and ramps as provided in *Sec. 4.03(2)(f).*

(4) **Building height** is measured from the average finished grade at the building line to the highest point of the roof, exclusive of chimneys, steeples, antennas, flagpoles, parapet walls not exceeding forty-two (42) inches, and similar features that do not add habitable floor area.

(5) **Lot coverage** is the percentage of the lot covered by buildings and structures, calculated as the total footprint of all buildings and structures divided by the total lot area. Covered but unenclosed structures, including covered porches, carports, and pergolas, count toward lot coverage.

(6) **Gross floor area** is the total horizontal area of all floors measured to the exterior faces of the walls, including all occupied and heated spaces. Parking structures, unfinished basements, and mechanical spaces in attics are excluded from gross floor area for parking calculation purposes.

(7) **The build-to line** is the line at or near the front lot line at which the front facade of a building is required to be placed in mixed-use and commercial zones, and toward which the front facade is required to be within a specified range in neighborhood zones. The build-to line is distinct from the setback line; the setback establishes the minimum distance from the lot line, while the build-to line establishes a target placement for the facade.

(8) **Frontage buildout** is the percentage of a lot's frontage within the build-to zone that is occupied by building facade. In the Rural Hamlet District, minimum frontage buildout requirements by transect zone are established in *Sec. 5.B.10,* Table 5.B.4.

APPENDIX I
Supplemental Administrative Procedures

Additional procedural detail supporting Chapters II and XI.

■ ■ ■ Sec. I.01 – PLANNING BOARD RULES OF PROCEDURE

(1) **Adoption of rules.** The Planning Board shall adopt written rules of procedure governing the conduct of its meetings, the election of officers, the establishment of a quorum, the order of business, the conduct of public hearings, and the keeping of minutes, consistent with this Code, the Charter and Code of Ordinances of the City of Buchanan, and the laws of the State of Georgia. The rules shall be adopted at the Board's first meeting of each year and shall be made available to the public.

(2) **Regular meetings.** The Board shall hold regular meetings on a published schedule not less than once per month, and may hold special meetings on proper notice. All meetings shall be open to the public as required by the Georgia Open Meetings Act (O.C.G.A. § 50-14-1 et seq.).

(3) **Quorum.** A majority of the qualified members of the Board constitutes a quorum. No business shall be conducted in the absence of a quorum.

(4) **Voting.** A concurring vote of a majority of the members present and voting, a quorum being present, is required for any recommendation, action, or decision of the Board. The Board's rules shall specify how abstentions are counted.

(5) **Conflict of interest.** A member of the Board with a financial, familial, or personal interest in a matter before the Board shall disclose the interest to the Board at the beginning of the hearing, shall not participate in the deliberation or vote on the matter, and shall vacate the dais during consideration of the matter. The disclosure shall be entered in the minutes.

(6) **Minutes.** The Board shall keep minutes of each meeting showing the members present, the matters considered, the votes taken, and the decisions made. Minutes shall be reviewed and approved at the following meeting and shall be maintained as public records.

(7) **Continuances.** Where a public hearing before the Board is continued to a date certain, the continuation shall be announced publicly before adjournment and entered in the minutes. Where the continuance exceeds forty-five (45) days, the notice requirements of *Sec. 11.06* shall be repeated.

■ ■ ■ Sec. I.02 – ZONING ADMINISTRATOR PROCEDURES FOR ADMINISTRATIVE DECISIONS

(1) **Written decisions.** The Zoning Administrator shall issue all interpretations, administrative adjustments, development plan approvals or denials, and permit decisions in writing. Written decisions shall state the basis for the decision and any conditions imposed.

(2) **Record keeping.** The Zoning Administrator shall maintain a permanent record of all applications, decisions, conditions, and correspondence relating to each application. Records shall be indexed by

address and by the applicant's name, and shall be available for public inspection during regular business hours.

(3) **Interpretation log.** The Zoning Administrator shall maintain a log of all written interpretations issued under *Sec. 1.07* and *Sec. 11.19,* organized by the section of the Code interpreted and the date of the interpretation. The log shall be made available to the public and shall be reviewed by the Board annually for patterns suggesting the need for text amendments.

(4) **Fee collection.** The Zoning Administrator shall collect all fees required by this Code and the adopted fee schedule before accepting an application as complete, and shall transmit collected fees to the City Finance Director in accordance with the City's financial procedures.

(5) **Coordination with the Building Official.** The Zoning Administrator shall coordinate with the Building Official to ensure that no building permit is issued without the required development plan approval, design review confirmation, and compliance with all applicable conditions of this Code. The Zoning Administrator and the Building Official shall establish a joint checklist to be completed before issuance of any building permit for a non-exempt development.

■ ■ ■ Sec. I.03 – STANDARD CONDITIONS OF APPROVAL

(1) **Purpose.** The City may attach standard conditions to approvals under this Code, in addition to project-specific conditions tailored to the individual application. The following standard conditions shall be attached to all approvals of the type indicated, unless the reviewing body expressly modifies or waives a condition for good cause stated in the record.

(2) **Standard conditions for all development plan approvals:**

(a) Development shall be constructed in substantial conformance with the approved plans on file with the Zoning Administrator. Any material deviation from the approved plans shall require an amended development plan approval.

(b) All required landscaping shall be installed before the issuance of a certificate of occupancy, or a landscape security instrument in a form acceptable to the City shall be provided.

(c) All required stormwater management facilities shall be constructed, inspected, and accepted before the issuance of a certificate of occupancy, and the required maintenance agreement shall be recorded before the issuance of a land disturbance permit.

(d) All exterior lighting shall comply with the dark-sky standards of *Sec. 9.05*.

(e) All signage shall comply with *Sec. 9.07* and shall require a separate sign permit.

(3) **Standard conditions for rezonings:**

(a) The development shall comply with all standards of this Code applicable to the approved zoning district.

(b) A development plan approved under *Sec. 11.02* is required before any land disturbance permit or building permit may be issued for non-exempt development.

(c) Any conditions attached to the rezoning run with the land and are binding on all current and future owners of the subject property.

(4) **Standard conditions for Concept Plan approvals (PUD and RHD):**

(a) No land disturbance permit or building permit shall be issued except in conformity with the approved Concept Plan, the master development agreement, and the design character document or pattern book.

(b) The master development agreement shall be recorded before the issuance of the first building permit.

(c) The architectural review committee or town architect shall certify conformance of each building with the design character document or pattern book before the Zoning Administrator issues a building permit.

(d) Open space, perimeter buffers, and required infrastructure shall be delivered in accordance with the phasing plan of the approved Concept Plan.

(e) Access and infrastructure easements shall be dedicated to the City in accordance with *Chapter VI* before any infrastructure within the subject easement area is conveyed.

(f) Performance security for open space, buffers, and required improvements shall be provided consistent with *Sec. 7.06* before the issuance of the first land disturbance permit.

(5) **Standard conditions for special exceptions:**

(a) The use shall be established and operated in substantial conformance with the application and supporting materials on file with the Zoning Administrator.

(b) A development plan approved under *Sec. 11.02* is required before any land disturbance permit or building permit may be issued.

(c) Any expansion or intensification of the use beyond the scope approved by the special exception shall require an amended special exception approval.

■ ■ ■ Sec. I.04 – CONDUCT OF HEARINGS: DETAILED PROCEDURES

(1) **Opening the hearing.** The presiding officer shall open the public hearing by reading the application number and address, summarizing the nature of the request, and confirming that proper notice has been given and that the required disclosures have been filed.

(2) **Staff report.** The Zoning Administrator or designated staff representative shall present the staff report, including a summary of the application, the applicable standards, and the staff recommendation.

(3) **Applicant presentation.** The presiding officer shall recognize the applicant or the applicant's authorized representative to present the application and respond to questions from the Board or the Council. The applicant shall be given not less than ten (10) minutes, nor more than fifteen (15) minutes, for the initial presentation, unless the presiding officer grants additional time for good cause.

(4) **Public testimony.** Following the applicant's presentation, the presiding officer shall open the hearing to public testimony. All persons wishing to speak shall identify themselves and state their address for the record before speaking. The presiding officer may limit each speaker to not less than three (3) minutes to ensure that all who wish to speak have an opportunity to do so within a reasonable hearing time.

(5) **Equal time.** The total time allotted to proponents and opponents shall be equal. If the applicant's initial presentation consumed the full allotment for proponents, the presiding officer may allow the applicant to reallocate time from other proponents or may grant additional time consistent with the equal-time requirement.

(6) **Applicant rebuttal.** Following public testimony, the applicant shall be permitted a brief rebuttal period, not to exceed five (5) minutes, to respond to issues raised in public testimony.

(7) **Questions from the reviewing body.** Members of the reviewing body may ask questions of the applicant, staff, or witnesses at any time during the hearing at the discretion of the presiding officer. Questions shall be directed to eliciting factual information, clarifying testimony, or understanding the application; members shall not make arguments or express conclusions during the questioning phase.

(8) **Close of hearing.** The presiding officer shall close the public hearing when all persons who wish to speak have been heard. After the close, no additional public testimony shall be received unless the hearing is reopened by the presiding officer.

(9) **Deliberation and decision.** Following the close of the hearing, the reviewing body shall deliberate and reach a decision. The deliberation shall be based on the standards of this Code and the evidence in the record. The decision shall be stated with the required findings and shall be entered in the minutes.

■ ■ ■ Sec. I.05 – ZONING FEES AND FEE SCHEDULE ADMINISTRATION

(1) **Fee schedule adoption.** The Mayor and City Council shall adopt the fee schedule by resolution. The resolution shall specify the fee for each application and permit type, the basis for calculating fees (flat fee, per-unit fee, or percentage of construction value), and any provisions for fee waivers or reductions.

(2) **Fee schedule publication.** The Zoning Administrator shall publish the current fee schedule on the City's website and shall make printed copies available at the Zoning Administrator's office. The fee schedule shall be updated whenever amended by resolution of the City Council.

(3) **Refund policy.** Fees paid for applications that are withdrawn before staff review has commenced shall be refunded, less an administrative processing fee as established in the fee schedule. Fees paid for applications withdrawn after staff review has commenced shall not be refunded, except as provided in the fee schedule resolution.

(4) **Late submission fees.** The fee schedule may establish a late submission fee for applications — including special event permit applications — that are filed after the required submission deadline. Late fees shall be in addition to, and not in lieu of, the standard application fee.

■ ■ ■ Sec. I.06 – RECORD OF AMENDMENTS TO THIS CODE

(1) **Amendment record.** The Zoning Administrator shall maintain a record of all amendments to this Code and to the Official Zoning Map. The record shall include the ordinance or resolution number, the date of adoption, the nature of the amendment, and a brief description of the reason for the amendment.

(2) **Codification.** The City shall codify all text amendments into this Code within ninety (90) days of adoption. Until codified, the adopted ordinance shall be available at the Zoning Administrator's office and on the City's website as a supplement to this Code.

Action	Authority	Ordinance / Resolution No.	Date	Description
Adoption of this Unified Development Code	Mayor and City Council	_____	_____	Initial adoption
Effective date	By operation of Sec. 1.13	—	_____	—
Amendment				
Amendment				