

BOARD MEMBERS

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John H. Culbreth, Sr., Vice-Chairman
Danny England
Al Gilbert
Jim Graw

STAFF

Peter A. Frisina, Director of Community Services
Chanelle Blaine, Zoning Administrator
Chakevia Jones, Planning & Zoning Coordinator

AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
September 7, 2017
7:00 pm

***Please turn off or turn to mute all electronic devices during the
Planning Commission Meetings**

1. Consideration of the Minutes of the meeting held on August 17, 2017.

NEW BUSINESS

2. Consideration of a Preliminary Plat of Northbrook. The property will consist of 17 residential lots zoned A-R, is located in Land Lots 88 of the 4th District and fronts on Grant Road.

PUBLIC HEARING

3. Consideration of Petition No. T-020-17, Verizon Wireless, Owner, and Jenna E. Lee, Agent, request a reduction of the requirements of Sec. 110-150. Standards for Telecommunications Antennas and Towers to develop a 190 foot Monopole Telecommunication Tower. The request is to reduce the tower separation requirement of one (1) statute mile to .7 miles. This property is located in Land Lot 129 of the 4th District and fronts on SR 85 and 85 Hwy Connector. **(This item cannot be heard due to issues with the required Balloon Test.)**

Old BUSINESS

4. Discussion of amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-79. - Accessory structures and uses.
5. Discussion of amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-149. - Planned Unit Development concerning Planned Residential and Business Development-Planned Unit Development (PRBD-PUD) zoning district.

To: Fayette County Planning Commission
From: Chanelle Blaine, Zoning Administrator
Date: September 1, 2017
Subject: Preliminary Plat to be considered on September 7, 2017

PRELIMINARY PLAT

Northbrook

OWNER/APPLICANT

Brent Holdings, LLC

Recommend **APPROVAL**

On the Northbrook Subdivision Preliminary Plat stamped 08/27/2017.

DEVELOPMENT DATA

1. SUBDIVIDER: BRENT HOLDINGS, LLC
A. ADDRESS: 270 N. JEFF DAVIS DRIVE, FAYETTEVILLE, GA 30214
B. TELEPHONE NUMBER: (770) 461-0478
2. PROPERTY OWNER: BRENT HOLDINGS, LLC
A. ADDRESS: 270 N. JEFF DAVIS DRIVE, FAYETTEVILLE, GA 30214
B. TELEPHONE NUMBER: (770) 461-0478
3. SURVEYOR: MOORE BASS CONSULTING, INC.
A. ADDRESS: 1350 KEYS FERRY COURT, MCDONOUGH, GA 30253
B. TELEPHONE NUMBER: (770) 914-9394
4. SUBDIVISION CONFIGURATION:
A. SOURCE OF DATA: BOUNDARY SURVEY PERFORMED BY MOORE BASS CONSULTING, INC. MAY 2017
B. LOCATION: FAYETTE COUNTY, GA
C. ZONING: A-R
D. TYPE OF SUBDIVISION: SINGLE-FAMILY RESIDENTIAL
E. TOTAL PARCEL AREA: 95.20 ACRES
F. PROPOSED NUMBER OF LOTS: 17 LOTS
GROSS DENSITY: 17 LOTS / 95.20 ACRES = 0.18 LOTS / ACRE
G. NET DENSITY CALCULATION:
TOTAL PARCEL AREA: 95.20 ACRES
RIGHT-OF-WAY AREA: 3.25 ACRES
100 YEAR FLOODPLAIN AREA: 8.39 ACRES
NET DEVELOPABLE AREA: 83.56 ACRES
NET DENSITY: 17 LOTS / 83.56 ACRES = 0.20 LOTS / ACRE
- H. TOPOGRAPHIC SOURCE: FAYETTE COUNTY GIS
I. CONTOUR INTERVAL: 2 FOOT
J. TYPE OF STREETS: PUBLIC
K. R/W WIDTH: 60'
L. R/W AREA: 3.25 ACRES
M. PAVEMENT WIDTH: 24'
N. STREET MAINTENANCE: FAYETTE COUNTY
O. MINIMUM LOT SIZE: 5.0 AC (217,800 SF)
P. MINIMUM CONTIGUOUS BUILDABLE AREA: 2.0 AC
Q. MINIMUM LOT WIDTH: 250' (AT BUILDING SETBACK)
R. MINIMUM STREET FRONTAGE: 100' (50' ON CUL-DE-SAC)
S. MINIMUM FLOOR AREA: 1,200 S.F.
T. BUILDING SETBACKS: FRONT: 75' (NORTHBROOK DRIVE)
FRONT: 100' (GRANT ROAD)
REAR: 75'
SIDE: 50'
5. UTILITIES:
A. WATER: INDIVIDUAL WELLS
B. SANITARY SEWER: INDIVIDUAL ON SITE SEPTIC SYSTEMS
C. ELECTRIC: COWETA-FAYETTE EMC
6. CONCEPTUAL STORMWATER MANAGEMENT PLAN:
A. TEMPORARY EROSION CONTROL PLAN: SILT FENCE, HAY BALES, AND GRASS & MULCH
B. AREAS TO BE CLEARED: STREETS, SEDIMENTATION CONTROL AREAS
C. INTERNAL DRAINAGE SYSTEM: OPEN DITCH ROADWAY SYSTEM WITH CROSS-DRAIN AND STORM OUTFALL PIPING.
D. OFFSITE WATER: OFFSITE DRAINAGE, IF ANY, WILL BE ROUTED THROUGH THE PROJECT TO THE EXISTING 100 YEAR FLOODPLAIN.
7. GENERAL NOTES:
A. ADDITIONAL DRAINAGE OR UTILITY EASEMENTS NOT SHOWN HEREON WILL BE PROVIDED WHERE NECESSARY IN FINAL DESIGN.
B. STREETS MAY BE ADJUSTED DURING FINAL DESIGN TO ALLEVIATE CONFLICTS WITH UTILITIES UPON APPROVAL BY FAYETTE COUNTY.
8. ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH FAYETTE COUNTY STANDARDS.

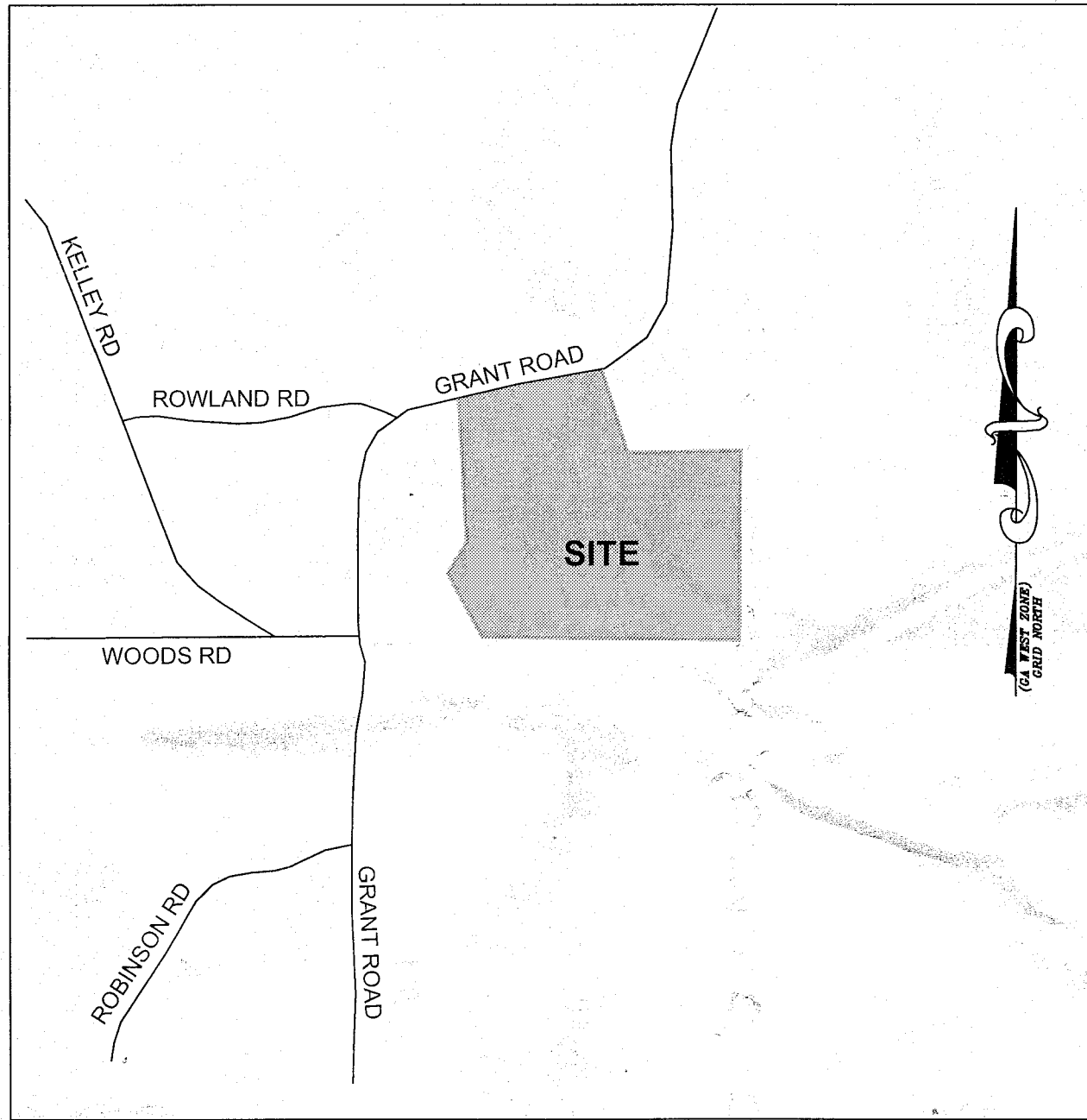
FLOOD NOTE

ACCORDING TO FEMA FLOOD PANEL NUMBER 13077C0325D OF FAYETTE COUNTY, GEORGIA DATED 02-06-2013, THIS PROPERTY IS LOCATED IN A FLOOD ZONE.

SOIL INTERPRETIVE DATA

Soil Units	Depth to Bedrock (in)	Depth to Seasonal High Water Table (in)	Slope Gradient (percent)	Recommended Trench Depth (in)	Estimated Perc Rate (min/in)	Recommended Hydraulic Loading Rate (gal/day/sq. ft.)	Soil Suit. Code
Alcovy I	>72	18-24 (PWT)	2-10	----	----	----	F3
Alcovy II	>72	24-30 (PWT)	2-10	8-12	85	0.10	C1
Appling	>72	72	2-10	36-48	60	----	A1
Cataula II	>72	24-30 (PWT)	2-10	8-12	85	0.10	C1
Cecil	>72	>72	2-10	36-48	60	----	A1
Cecil Deep	>72	>72	2-10	42-48	75	----	A1
Colfax	>72	24-30	2-10	36-60	----	----	F3/F4
Hard Labor	>72	24-36	2-10	12-18	70	0.12	C2
Helena	>72	18-24	2-10	----	----	----	F2
Pacolet	>72	>72	2-13	30-48	45	----	A1
Vance	>72	>72	2-6	48-54	75	----	A5
Wash Over Cecil	>72	66-72+	2-8	30-42	70	----	A2
Wedowee	>72	>72	6-15	30-48	45	----	A1

PRELIMINARY PLAT
FOR
NORTHBROOK
LAND LOT 88
4th DISTRICT
FAYETTE COUNTY, GEORGIA



VICINITY MAP
(N.T.S.)

SHEET INDEX

- 1.0 COVER SHEET
2.0 PRELIMINARY PLAT
3.0 TREE PROTECTION PLAN
4.0 STORMWATER CONCEPT PLAN
5.0 LEVEL III SOILS ANALYSIS

PWT = Perched Water Table

SOIL SUITABILITY LEGEND

- A1 Soils are typically suitable for conventional absorption field with proper design, installation and maintenance.
- A2 Soils consist of over wash over natural soils. Residual soil is suitable for conventional absorption field installation at recommended trench depth. Storm water runoff should be diverted from this area if it is used for absorption field construction.
- A5 Soils are typically suitable for conventional absorption field with proper design, installation and maintenance. The Bt horizon shows some evidence of slow percolation, subsoil is well drained. Trenches installed at the recommended depth should function effectively.
- A7 Soils are typically suitable for conventional absorption field with proper design, installation and maintenance. These soils are located on a linear backslope. Soils on the ridge above have a perched water table condition. It is recommended that a curtain drain be installed above the absorption field in order to mitigate the subsurface flow that may result from the perched water table. the area of the Wedowee map unit is approximately 16,000 square feet.
- C1 Soils are unsuitable for conventional absorption fields due to perched water table conditions. Soils are generally suitable for alternative absorption fields with treatment system producing Class 1 effluent.
- C2 Soils are unsuitable for conventional absorption fields due to seasonal high water table conditions. Soils are generally suitable for alternative absorption fields with treatment system producing Class 1 effluent.
- F2 Soils are unsuitable for on-site wastewater disposal due to seasonal high water table.
- F3 Soils are unsuitable for on-site wastewater disposal due to shallow perched water table.

NOTES

- SOIL BOUNDARIES AND STATE WATERS LOCATIONS PROVIDED BY APPLIED ENVIRONMENTAL SCIENCES
- THE OVERALL PRE-DEVELOPED CN FOR THIS SITE IS 55.
- WETLANDS EXIST ON THE SUBJECT PROPERTY AND ARE LOCATED WITHIN THE 100-YEAR FLOODPLAIN LIMITS.
- ALL STRUCTURES ON THE SUBJECT PROPERTY ARE TO BE REMOVED.
- THERE ARE NO EASEMENTS ASSOCIATED WITH THIS PROPERTY.
- WATER TO BE PROVIDED BY INDIVIDUAL WELLS.
- PER FAYETTE COUNTY ENGINEERING DEPARTMENT, THERE ARE NO GROUNDWATER RECHARGE AREAS ON THIS SITE.
- NO CEMETERIES WERE FOUND ON THE PROPERTY.

OWNER INFORMATION

BRENT HOLDINGS, LLC
270 N. JEFF DAVIS ROAD
FAYETTEVILLE, GA 30214
770-461-0478

SURVEYOR INFORMATION

ROBERT J. DEBIEN
MOORE BASS CONSULTING, INC.
1350 KEYS FERRY COURT
MCDONOUGH, GA 30253
EMAIL: rdebien@moorebass.com
PHONE: (770) 914-9394

ENGINEER INFORMATION

SEAN D. SHANKS, P.E.
MOORE BASS CONSULTING, INC.
1350 KEYS FERRY COURT
MCDONOUGH, GA 30253
EMAIL: sshanks@moorebass.com
PHONE: (770) 914-9394

PRELIMINARY PLAT APPROVAL CERTIFICATE:

THIS PRELIMINARY PLAT HAS BEEN REVIEWED AND APPROVED BY THE PLANNING COMMISSION ON:

APPROVAL OF THIS PRELIMINARY PLAT SHALL EXPIRE 24 MONTHS FROM THE DATE OF APPROVAL BY THE PLANNING COMMISSION UNLESS A FINAL PLAT FOR AT LEAST ONE (1) PHASE HAS BEEN APPROVED; OR STREET BASE CONSTRUCTION FOR AT LEAST 50 PERCENT OF THE TOTAL LINEAR FOOTAGE OF ALL STREET(S) APPROVED ON THE PRELIMINARY PLAT .

EACH RESIDENTIAL BUILDING LOT HAS A MINIMUM CONTIGUOUS AREA THAT IS FREE AND CLEAR OF ZONING SETBACKS, WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.

SOIL CLASSIFICATION CERTIFICATE:

I, _____ DO HEREBY CERTIFY THAT THE LEVEL III SOIL SURVEY INFORMATION PROVIDED

ON THIS PLAT WAS PERFORMED BY _____ IN _____ ACCORDANCE

WITH THE PROCEDURES SPECIFIED I THE GEORGIA DEPARTMENT OF HUMAN RESOURCES' CURRENT

MANUAL FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS.

SIGNATURE OF SOIL CLASSIFIER _____ GEORGIA DHR SOIL CLASSIFIER REGISTRATION NO. _____

COMPANY ADDRESS & TELEPHONE _____

WETLAND DELINEATION CERTIFICATE:

I, _____ OF _____ DO HEREBY

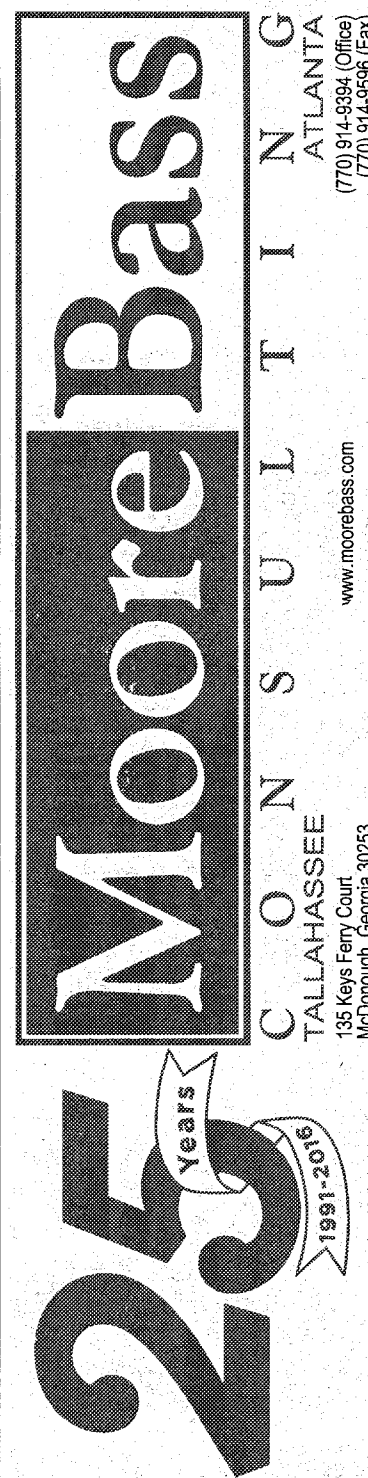
CERTIFY THAT I HAVE FIELD INSPECTED THE PROPERTY KNOWN AS GRANT ROAD TRACT ON AND

DETERMINED THAT THE PROPERTY CONTAINS JURISDICTIONAL WETLANDS AS DEFINED BY THE U.S. ARMY

CORP OF ENGINEERS.

SIGNATURE OF WETLAND DELINEATOR _____

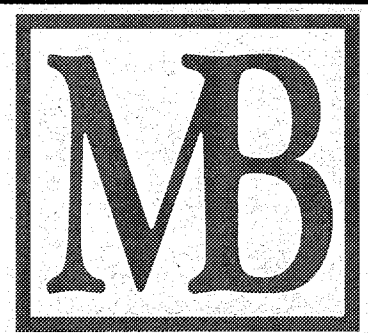
COMPANY ADDRESS & TELEPHONE _____



PROJECT NAME
NORTHBROOK
LAND LOT 88, 4TH DISTRICT
FAYETTE COUNTY, GEORGIA

CLIENT NAME
BRENT HOLDINGS, LLC
270 NORTH JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214

REVISIONS	8/18/17 - REVISED PER FAYETTE COUNTY COMMENTS



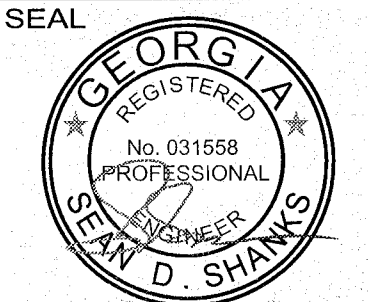
A41.064-PP-BASE

ARCHIVE	
DATE	05-17-2017
FILE #	2017-055
CONTRACT #	A41.064

DRAWN BY: **SDM**

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1350 KEYS FERRY COURT
MCDONOUGH, GA 30253
LSF #1179



LEVEL 2 CERTIFICATION
CERT. #0000048661 EXP.: 12/14/19
SHEET TITLE

COVER SHEET

SHEET
1.0

LEGEND

SPECIMEN TREE CIRCLE RADIUS =
 1.5 TIMES DIAMETER (INCHES) OF TREE IN FEET

X TREE TO BE REMOVED

_____ TP _____ TREE PROTECTION FENCING

50" OAK LOT 5

- CPS AREA 7,854 SF
- PROPOSED IMPACT 2,209 SF (28.1%)


Moore Bass

C O N S U L T I N G

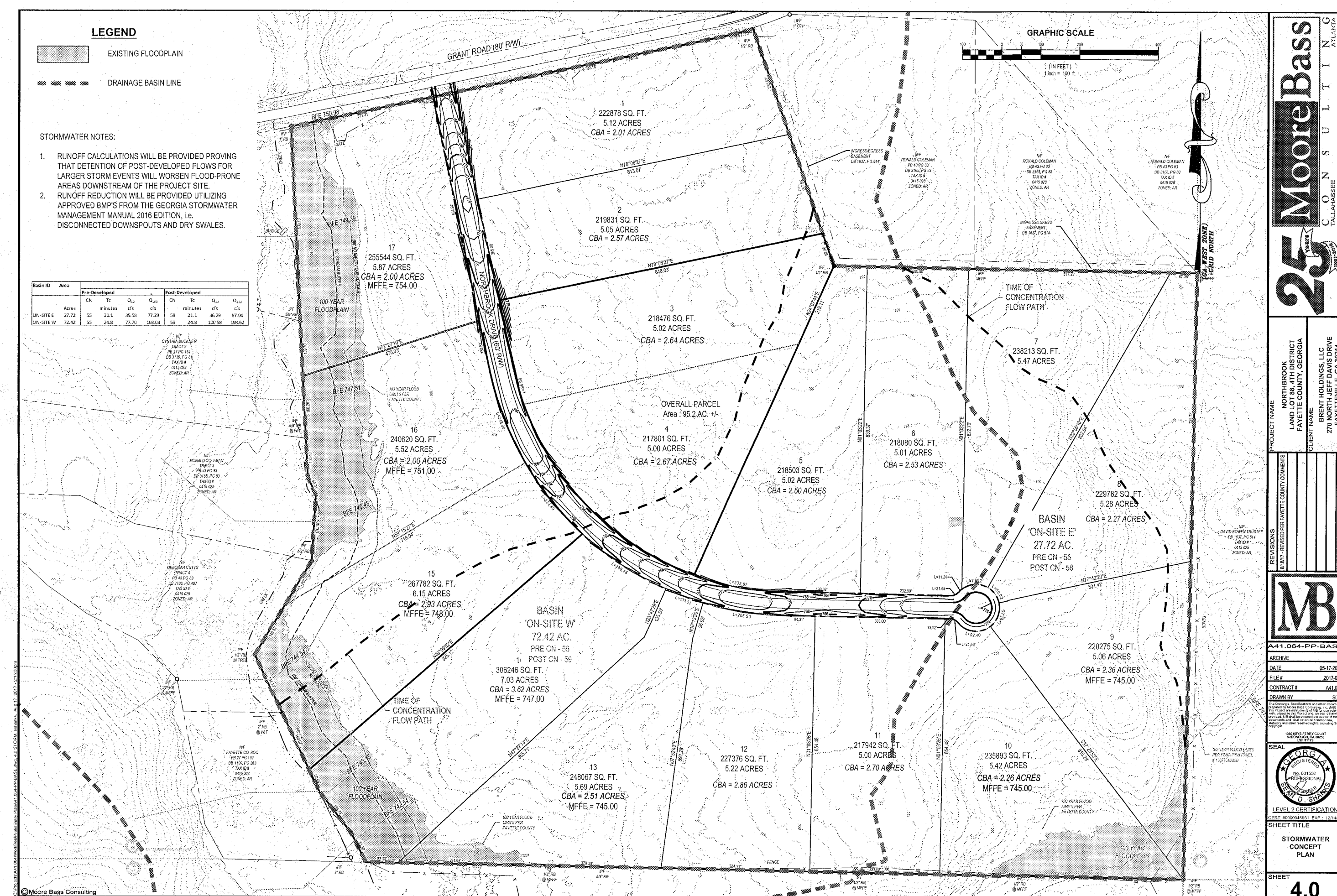
Tallahassee
 Tallahassee, Florida 32303
 904-291-1000
 www.moorebass.com

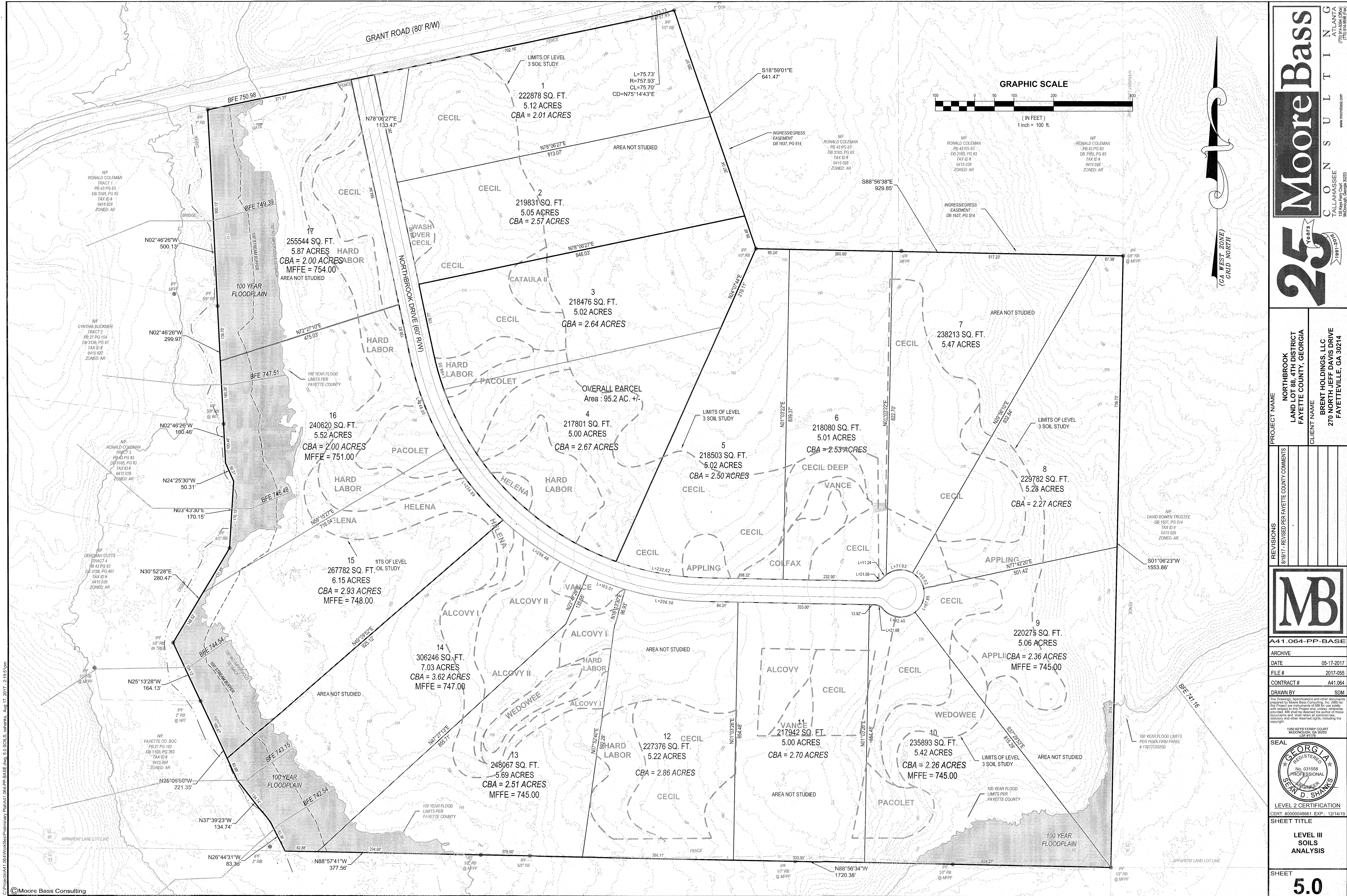
Atlanta
 Atlanta, Georgia 30308
 404-525-4800

PROJECT NAME	NORTHBROOK LAND LOT 88, 4TH DISTRICT FAYETTE COUNTY, GEORGIA
CLIENT NAME	BRENT HOLDINGS, LLC 2770 NORTH JEFF DAVIS DRIVE FAYETTEVILLE, GA 30214



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Moore Bass

CONSULTING

25 YEARS

1991-2016

ATLANTA
TALLAHASSEE
COLUMBIA

(770) 444-9999 (Office)
(770) 444-9999 (Cell)
www.moorebass.com

PROJECT NAME

NORTHBROOK
LAND LOT 88, 4TH DISTRICT
FAYETTE COUNTY, GEORGIA

CLIENT NAME

BRENT HOLDINGS, LLC
270 NORTH JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214

REVISIONS

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MB

A41.064-PP-BASE

ARCHIVE

DATE 05-17-2017

FILE # 2017-055

CONTRACT # A41.064

DRAWN BY SDM

SEAL

GEORGIA
REGISTERED
No. 031558
PROFESSIONAL
ENGINEER
SEAN D. SHANKS

LEVEL II CERTIFICATION
CERT. #0000048661 EXP. 12/14/19

SHEET TITLE

LEVEL III
SOILS
ANALYSIS

SHEET

5.0

Definitions

~~Floor area, accessory structure, means the sum of the horizontal areas of several floors of the structure under roof, excluding any space where the floor-to-ceiling height is less than six feet.~~

~~Footprint, means the area of the foundation upon which a structure or building sits.~~

Foundation means an in-ground masonry or poured concrete support for a structure.

Story means the portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it.

Sec. 110-79. - Accessory structures and uses.

(a) The following accessory structures and uses are permitted in A-R and all residential zoning districts.

- (1) Well/pump house;
- (2) Guesthouse;
- (3) Greenhouse, permanent or temporary (see (n) temporary greenhouse);
- (4) Swimming pool, hot tub, pool deck, pool equipment enclosure, and pool screen enclosure;
- (5) Garage;
- (6) Recreational court;
- (7) Gazebo;
- (8) Cabana/pool house, boat house, covered patio, and covered deck;
- (9) Storage building;
- (10) Carport;
- (11) Solar panel (ground-mounted);
- (12) Wind turbine/windmill (ground-mounted);
- (13) Aircraft hangar, detached (see article V of this chapter);
- (14) Dog house and dog pen/run;
- (15) Playhouse;
- (16) Outdoor kitchen and/or fireplace;
- (17) Patio; and
- (18) Underground storm shelter.

Farm outbuildings, including horse stables, auxiliary structures, and commercial greenhouses are regulated as conditional uses under article VII of this chapter and shall be allowed in the A-R zoning district only. One semi-trailer may be utilized as a farm outbuilding provided the property is zoned A-R and the semi-trailer is being used to store agricultural items. These regulations shall not apply to those nonresidential uses allowed in A-R and residential zoning districts.

(b) *Structure limitations.* Construction of an accessory structure shall occur concurrently with or after the construction of the principal structure. Accessory structures shall not be used as dwelling units or for lodging purposes, except a guesthouse.

(c) *Number and size.* The number and size of accessory structures shall conform to the requirements described herein.

(1) Accessory structures shall be limited to one of the following options:

- a. Two accessory structures, per individual lot, that shall not exceed a combined total **footprint** of 1,800 square feet **of floor area** or a combined total **footprint** of 3,600 square feet **of floor area** on a lot with a minimum of five acres and a minimum contiguous area of two acres clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, 100-year floodplain area, and easements of any kind ~~(see total square footage). The square footage of the largest accessory structure shall not exceed the total square footage of the principal structure.~~ One of these accessory structures may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. An accessory structure combined with a guesthouse, under this option, shall be deemed as one accessory structure. ~~Under this option, an accessory structure located to the side of the principal structure shall not exceed 1,800 square feet;~~
- b. One accessory structure, per individual lot, **footprint** not to exceed 1,800 square feet **of floor area** ~~(see total square footage), or the total square footage of the principal structure, whichever is less.~~ This accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. An accessory structure combined with a guesthouse, under this option, shall be deemed as one accessory structure; or
- c. One accessory structure, per individual lot with a minimum of five acres and a minimum contiguous area of two acres clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, 100-year floodplain area, and easements of any kind, **footprint** not to exceed 3,600 square feet **of floor area** ~~(see total square footage) or the total square footage of the principal structure, whichever is less.~~ This accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. An accessory structure combined with a guesthouse, under this option, shall be deemed as one accessory structure. Under this option, an accessory structure shall be located only to the rear of the principal structure.

- (2) At least 50 percent of the square footage of an accessory structure building shall be fully enclosed, except as otherwise provided herein. Said enclosed area shall be surrounded by connecting adjacent walls constructed of solid materials attached to the foundation and roof.
- (3) A well/pump house, dog house, or playhouse consisting of 70 square feet or less; dog pen/run; swimming pool, hot tub, or recreational court; aircraft hangar, farm outbuilding, greenhouse, horse stable, or auxiliary structure (as regulated in A-R under article V of this chapter); ground/pole-mounted solar panel consisting of less than 200 square feet or ground-mounted wind turbine/windmill; uncovered outdoor kitchen, fireplace; patio; underground storm shelter; or beehive shall not be included in determining the number of accessory structures provided herein.
- ~~(4) Total square footage. When both of the following criteria are met, the upper level space shall be included in the total square footage of the structure:~~
- ~~a. The upper level space is accessed by permanent stairs; and~~
 - ~~b. That portion of the upper level space where the ceiling width, measured at least seven feet in height, is more than 50 percent of the ceiling width measured at least five feet in height.~~
- (d) *Location on lot.* Accessory structures shall conform to the dimensional requirements within each zoning district. No structure shall be located in the front yard except: a detached garage (see subsections (d)(1) and (2) of this section for requirements); well/pump house consisting of 70 square feet or less; or farm outbuildings, including horse stables, auxiliary structures, and greenhouses located in an A-R zoning district, where the lot consists of five acres or more. A well/pump house of 70 square feet or less may be located within the setbacks. On a single frontage lot, the area between the street and the front building line shall be treated as a front yard with regard to the location of accessory structures. On a corner lot, the area between both of the streets and both of the front building lines shall be treated as a primary front yard and a secondary front yard with regard to the location of accessory structures. On a through lot, the area between the street from which the lot is accessed and the front building line shall be treated as a front yard with regard to the location of accessory structures.
- (1) *Detached garage located in the front yard of a single frontage lot and a through lot.* A detached garage located in the front yard shall meet the following requirements:
- a. Footprint shall not exceed 900 square feet of floor area;
 - b. Located no more than 35 feet from the principal structure;
 - ~~c. Shall not exceed 23 feet in height;~~
 - ~~d. No more than 50 percent of the footprint of the garage may be located beyond the front building line of the principal structure;~~

- ~~e. The width of the portion of the garage facing the street shall not exceed 60 percent of the width of the principal structure; and~~
- ~~f. No portion of the garage may be located directly between the principal structure and the street.~~

(2) *Detached garage located in the front yard of a corner lot.*

- a. *Primary front yard.* The location of the front door of the principal structure shall establish the primary front yard. If the front door is not oriented to a street, the driveway access shall be utilized to establish the primary front yard. The primary front yard is the area between the street and the front building line in which an accessory structure is prohibited, except in the case of a detached garage which shall comply with the requirements of a single frontage lot; and
- b. *Secondary front yard.* Consequently, the other frontage shall be the secondary front yard. The secondary front yard is the area between the street and the front building line in which an accessory structure is prohibited, except in the case of a detached garage which shall comply with the following requirements:
 - 1. **Footprint** shall not exceed 900 square feet ~~of floor area~~;
 - 2. Located no more than 35 feet from the principal structure; and
 - ~~3. Shall not exceed 23 feet in height.~~

(3) *Architectural standards for a detached garage located in all front yards.* The garage shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the building permit application:

- a. The design of the garage shall match with the general architectural style inherent in the existing principal structure, including, but not limited to: roof pitch, roof facade, facade, residential windows, and residential doors.
- b. The garage shall have at least one opening for vehicular access.
- c. A separate electrical meter is not permitted, unless otherwise required per the building permits and inspections department.
- d. The garage shall be connected to the principal structure by at least one of the following:
 - 1. *An attached or detached breezeway.* Said breezeway shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached breezeway shall be constructed within six inches of the principal structure and the garage;
 - 2. *An attached raised deck.* Said attached raised deck shall be a minimum height of 15 inches. The deck shall have a minimum width of six feet. Said deck shall have guard rails measuring a minimum of three feet in height; or

3. *An attached or detached pergola.* Said pergola shall consist of parallel colonnades supporting an open roof of beams and crossing rafters, shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached pergola shall be constructed within six inches of the principal structure and the garage.
- (e) *Guesthouses.* Only one guesthouse is allowed per individual lot. Any living area included in an accessory structure is a guesthouse. A guesthouse shall not be used as tenant space. A guesthouse shall not exceed 700 square feet of heated and finished floor area.
- (f) *Architectural standards.* All accessory structures of 200 square feet or greater, except a detached garage located in the front yard, shall be constructed in a residential character consisting of a facade of fiber-cement siding, wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, stucco, or synthetic stucco, or finished/baked enamel aluminum/metal siding which establishes a horizontal pattern. These standards shall not apply to an addition to an existing accessory structure that is nonconforming in terms of these standards. Any addition to an existing nonconforming accessory structure shall match the architectural design of the existing nonconforming accessory structure. Elevation drawing denoting compliance shall be submitted as part of the building permit application.
- (g) *Temporary accessory storage.* Portable on-demand storage units are only allowed on a temporary basis and only in conjunction with an ongoing a renovation project for the purpose of storage of household items for a period not to exceed one year. Portable on-demand storage units are defined as any container, storage unit, or other portable structure, other than an accessory building or shed complying with all building codes used to store household items. Only two portable on-demand storage units are allowed per lot.
- (h) *Carport.* The carport shall be used to house motor vehicles and trailers only. Carports shall be constructed of the same material or types of material as the principal structure on the property, or of metal.
- (i) *Cabana/pool house, boat house, covered patio, and covered deck.* The cabana, covered patio, and covered deck may contain an outdoor kitchen, fireplace, spa/hot tub, bathroom/changing room, and/or pool pump/filter but shall not be utilized as a carport, garage, storage building, open storage, or living area. Said structures shall, at a minimum, consist of a roof with supporting posts/columns, not to exceed one story, and comply with the architectural standards for an accessory structure 200 square feet or greater.
- (j) *Swimming pool, pool deck, pool equipment enclosure, and pool screened enclosure.* The pool deck, pool equipment enclosure, and pool screened enclosure shall comply with the required setbacks. A pool screen enclosure shall be constructed with insect screening commonly made of plastic, aluminum, or similar lightweight material and shall be exempt from the architectural requirements herein.
- (k) *Solar panels (ground-mounted).* Ground-mounted solar panels shall be limited to three per lot, the total cumulative square footage of ground-mounted solar panels

shall not exceed 900 square feet, shall not exceed ten feet in height, shall comply with the required setbacks, and shall comply with the location of an accessory structure/use. Ground-mounted solar panels consisting of less than 200 cumulative square feet shall not count toward the number of accessory structures/uses. Ground-mounted solar panels consisting of 200 cumulative square feet up to a maximum of 900 cumulative square feet shall be counted as one accessory structure/use.

- (l) *Wind turbines/windmill (ground-mounted)*. Wind turbines/windmills shall not exceed 70 feet in height. The setbacks shall be equal to the height of the wind turbine, including the blades, or the applicable zoning district setbacks, whichever are greater. Each lot is limited to one ground-mounted wind turbine/windmill. The ground-mounted wind turbine/windmill shall not count toward the number of accessory structures/uses. All anchors for guyed towers shall meet the setbacks for the applicable zoning districts.
- (m) *Nonconformance*. All accessory structures or uses which had a building permit issued prior to January 24, 2008, are legally nonconforming and shall be allowed to be maintained and rebuilt to current size and in the existing location. All accessory structures or uses permitted after January 24, 2008, shall comply with the current requirements.
- (n) *Temporary greenhouse*. Temporary greenhouses shall not exceed ten feet in height. Each lot is limited to one temporary greenhouse. The side yard setback shall be a minimum of 30 feet or the minimum side yard setback of the applicable zoning district, whichever is greater, and the rear yard setback shall be a minimum of 50 feet or the minimum rear yard setback of the applicable zoning district, whichever is greater. The maximum square footage for temporary greenhouses shall be as follows:

Acreage	Square Feet
< 2	600
2 to < 3	800
3 to < 4	1,000
4 to < 5	1,200
5 or greater	2,400

Temporary greenhouses shall be maintained in good condition and the covering shall not be torn and tattered. Temporary greenhouses shall only be used for the purpose of growing or storing plants. Temporary greenhouses shall be exempt from subsections (c)(2) and subsection (f) of this section. One temporary greenhouse of 120 or less square feet on a lot shall not count toward the total square footage or number of accessory structures for that lot. Greenhouses built in the A-R zoning district as regulated under article V of this chapter shall be exempt from these requirements.

A temporary greenhouse permit will be required for all temporary greenhouses prior to construction. Scaled drawings shall be submitted to the planning and zoning department which shall include, but not be limited to: temporary greenhouse elevations including height and total square footage and location on the lot including the distance from the property lines.

(Code 1992, § 20-5-20; Ord. No. 2012-09, § 3, 5-24-2012; Ord. No. 2012-13, § 3, 12-13-2012; Ord. No. 2013-07, § 1, 7-25-2013; Ord. No. 2014-19, §§ 2—5, 12-11-2014)

Sec. 110-149. - Planned unit development.

(a) *Purpose.* The intent of this section is to:

- (1) Encourage the development of large lots of land as: planned residential developments (PRD), planned industrial parks (PIP), planned retreats or lodges (PRL), planned entertainment farming (PEF), planned outdoor recreation (POR), ~~and~~ planned small business center (PSBC) **and planned residential and business development (PRBD)**;
- (2) Encourage flexible and creative concepts in site planning;
- (3) Preserve the natural amenities of the land by encouraging scenic and functional open spaces;
- (4) Accomplish a more desirable environment than would be possible through the strict application of minimum requirements of this chapter;
- (5) Provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lower development and housing costs; and
- (6) Provide an environment of stable character compatible with surrounding areas.

(b) *Development standards.* Each planned unit development shall meet the following standards in addition to any other as hereinafter set forth:

- (1) The development shall utilize creative and flexible design including, but not limited to: varied lot sizes, amenities, mixed uses, etc.;
- (2) The development shall be compatible with surrounding uses and with the land use plan of the county; and
- (3) *Paving of roads.* Developers of approved planned unit developments shall be required to pave all new subdivision streets contained within said development in conformance with the rules and regulations of the development regulations of the county (see chapter 104). Improvements to existing county-maintained roads or planned county roads which pass through a Planned Unit Development will be handled conditionally at the time of rezoning or at the time of a revision to a development plan. However, in any planned retreat or lodge (PRL), the developer shall be required to provide for all-weather roads, as approved by public works, suitable for the passage of emergency vehicles.

(c) *Relation to zoning districts.* An approved planned unit development shall be considered to be a separate zoning district in which the development plan, as approved, establishes the uses, restrictions and regulations according to which development shall occur. Upon approval, the zoning map shall be changed to indicate the area as a planned unit development.

- (1) *Procedures.* The following procedures shall be followed in the establishment of each and every planned unit development:
 - a. *Pre-application conference.* The deadline to submit copies of the development plan and Letter of Intent shall be the first of each month by noon. If the first of the month falls on the weekend or on a holiday, the deadline is automatically extended to the next working day by noon. Prior to filing a rezoning petition for a planned unit development, the applicant shall meet with the technical review committee (TRC) in order to review the general character of the proposed development, including, but not limited to: its scope, nature and location. At this time, the applicant shall be fully advised of the approval procedures contained herein and the various information, studies, etc., which the applicant may need in order to continue with the said procedures.
 - b. *Pre-recommendation meetings.* Prior to filing a rezoning petition for a planned unit development and subsequent to the pre-application conference with the **planning and**

~~zoning department zoning administrator~~, the applicant shall meet with the planning commission in a plan review session. At this meeting, the applicant shall be required to review any plan with the planning commission and provide preliminary data concerning said plan as required by the planning commission. The planning commission may require additional pre-recommendation meetings to review said preliminary data prior to their pre-recommendation.

- c. *Rezoning petition.* A rezoning petition for a planned unit development shall only be submitted subsequent to the pre-application conference with the ~~planning and zoning department zoning administrator~~, and the pre-recommendation meetings with the planning commission. This petition shall contain a development plan and a written summary of intent, and shall show the relation between the proposed development and the surrounding area, both proposed and existing. A rezoning petition for a planned unit development shall follow the procedures in article VII of this chapter.
- d. *Development plan.* The following information shall be submitted as the development plan:
 - 1. General location map;
 - 2. Current topographical map clearly showing existing topographic conditions, including contour intervals of no more than 20 feet based on field survey or photogrammetric methods;
 - 3. Map showing the existing floodplains and flood soil as indicated by FEMA;
 - 4. Legal description of the subject property;
 - 5. Location and use of existing and proposed public, semi-public, or community facilities such as schools, parks and other open space. This will include areas proposed to be deducted or reserved for community or public use;
 - 6. Elevations of building types for all nonresidential structures which indicate the proposed general architectural style and appearance; and
 - 7. If a proposed development creates special problems or involves unusual circumstances, additional information may be required in order to properly evaluate the proposal as follows:
 - (i) Off-street parking and loading plan;
 - (ii) Economic feasibility report or market analysis;
 - (iii) Area traffic study and circulation plan within the development and to and from existing thoroughfares;
 - (iv) Hydraulic, hydrologic; and drainage engineering studies;
 - (v) Environmentally sensitive areas, including, but not limited to: watershed protection, wetlands, or groundwater recharge, impact study;
 - (vi) Based on the pre-application meeting with the ~~planning and zoning department zoning administrator~~ and/or the pre-recommendation meetings with the planning commission, other information as is deemed necessary may be requested, in addition any of the aforementioned required information (items enumerated in subsections (c)(1)a through h of this section) may be excluded if deemed not applicable.

- e. *Summary of intent.* The written statement submitted with the development plan shall include the following information:
1. Statement of the present ownership of all land within the proposed development;
 2. Explanation of the character of the proposed development, including, but not limited to: a summary of uses, number and type of dwelling units, a net residential density calculation, and minimum standards for floor area, lot size, yard and spacing requirements;
 3. General statement of the proposed development schedule and progression of unit development or staging; and
 4. Agreements, provisions, and covenants which govern the use, maintenance, and protection of the development and any common or open space, including the provisions which will organize, regulate and sustain the property owners' association, where applicable.
- f. *Approval.*
1. After review and public hearing, the board of commissioners may disapprove, approve or approve with modifications the proposed development after receiving the recommendations of the ~~planning and zoning department administrator~~ and planning commission. ~~Modifications can include, but are not limited to, reductions in residential densities, limitations in nonresidential uses and intensities, architectural controls, traffic improvements such as decal-accel lanes, service drives, internal street configurations, turn lanes, etc. as may be required to mitigate traffic impacts and increased setbacks, buffers and/or screening as may be required to lessen the impact and/or shield views from adjacent properties and/or streets.~~
 2. If the proposed development is approved as submitted, the ~~planning and zoning department zoning administrator~~ shall cause the official zoning map to be changed to indicate the planned unit development. If the plan is approved with modifications, the applicant shall file written notice of consent to the modification and a properly revised development plan with the ~~planning and zoning department zoning administrator~~ prior to changing the map. The development plan and all other accompanying information shall be properly identified and permanently filed with the ~~planning and zoning department zoning administrator~~.
- g. *Subdivision approval.*
1. At the option of the applicant, a preliminary subdivision plat may be filed along with the development plan in order that tentative approval of the subdivision by the planning commission may be granted, pending the approval by the board of commissioners of the development plan.
 2. In no case shall final subdivision approval precede the approval of the development plan.
 3. Site development regulations, specifications, and procedures governing the platting of a planned unit development and plat approval shall be in accordance with chapter 104, article XV.
- h. *Ownership control.* At the time a final plat or minor subdivision plat is approved and recorded for a planned unit development, as applicable, the land comprising the area for the final plat or minor subdivision plat shall be under one ownership (i.e., an individual, a corporation, or some other single legal entity). Individual lots may be sold only after

the final plat or minor subdivision plat has been approved and recorded and the deed contains sufficient covenants assuring the continuance of the planned unit development as originally approved and developed.

- i. *Building and occupancy permits.* The ~~planning and zoning department zoning administrator~~ shall approve of the issuance of building permits for buildings and structures in the planned unit development if they are in substantial conformity with the approved development plan, the development schedule, and with all other applicable regulations. A certificate of occupancy shall be issued for any completed building or structure if it conforms to the requirements of the approved development plan and all other applicable regulations.
- j. *Revision of development plan.* Any change in the approved development plan, which affects the intent and character of the development, the density or land use pattern, the approved uses, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the board of commissioners upon the recommendation of the ~~planning and zoning department zoning administrator~~ and planning commission. A petition for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary or desirable.

(d) *Planned residential development.*

- (1) *Purpose.* The intent of a planned residential development (PRD) is to encourage creativity and resourcefulness in residential development and to provide open space, parks and recreational facilities for the residents of the development and/or the general public. ~~The board of commissioners may approve the proposed development with modifications which could include, but are not limited to, reductions in residential densities, limitations in nonresidential uses and intensities, architectural controls, traffic improvements such as decal-accel lanes, service drives, internal street configurations, turn lanes, etc. as may be required to mitigate traffic impacts and increased setbacks, buffers and/or screening as may be required to lessen the impact and/or shield views from adjacent properties and/or streets.~~
- (2) *Permitted residential uses.* Planned residential developments may contain single-family dwellings, two-family dwellings, townhouses, or a combination thereof. Residential accessory buildings and uses shall also be allowed per article III of this chapter.
- (3) *Permitted recreational uses.* A list of proposed recreational uses shall be submitted with the summary of intent. Only those uses approved through the rezoning process shall be allowed in the PRD.
- (4) *Permitted incidental uses.* The following incidental uses shall be allowed in a PRD:
 - a. Day care facility (including an outdoor play area only);
 - b. Church and/or other place of worship (including a parsonage and outdoor play area only); and
 - c. School, private (including an outdoor play area but excluding housing or a stadium).The buffers and setbacks for these uses along the exterior boundary of the PRD shall be consistent with the applicable conditional use requirements listed in article V of this chapter.
- (5) *Conditional uses.* The following conditional uses shall be allowed in the PRD zoning district, provided that all conditions specified in article V of this chapter are met:
 - a. Home occupation; and

b. Horse quarters (see article III of this chapter).

(6) *Minimum dimensional and other requirements.* The minimum dimensional requirements in the PRD shall be as follows:

- a. Development size: 100 contiguous acres located within the A-R and/or residential zoning districts
- b. Each single-family dwelling shall be placed on a separate lot.
- c. Side yard setback: 15 feet.
- d. Rear yard setback: 30 feet.
- e. Maximum density: Four units per acre (single-family attached); and one unit per acre (single-family detached). For purposes of this section, density shall be interpreted as the number of dwelling units per net acre devoted to residential development.

(7) *Common open space requirements.* Planned residential developments shall meet the following common open space requirements:

- a. A minimum of 2,500 square feet per lot shall be reserved for open space. The open space shall not be located in the following areas: street rights-of-way (public or private); all land located within the 100-year floodplain; water impoundments; and all lands proposed to be dedicated to a governing authority.
- b. The open space may be publicly owned, privately owned, or be deeded to and maintained by the property owners' association, comprised of the residents of the development. When the open space is to be deeded to the property owners' association the initial owner of the development shall be responsible for the organization of said association. The organization, responsibilities and financing of the property owners' association shall be established in appropriate deed covenants, which shall run with the land and which shall appear in each and every deed of property given by the initial owner.
- c. Approved recreational uses may be located in the open space.

(8) *General deed covenants.* Appropriate deed covenants, which shall run with the land, shall be made a part of each deed of property given by the initial owner of the development in order to ensure the continuance of the planned residential development in accordance with all approved plans and this section. A copy of the covenants shall be given to the **planning and zoning department zoning administrator** as a part of the record of the planned residential development.

(e) *Planned industrial park.*

- (1) *Purpose.* The intent of a planned industrial park (PIP) is to encourage the development of a localized industrial park designed to meet light and heavy industrial purposes. **The board of commissioners may approve the proposed development with modifications which could include, but are not limited to, limitations in nonresidential uses and intensities, architectural controls, traffic improvements such as decal-accel lanes, service drives, internal street configurations, turn lanes, etc. as may be required to mitigate traffic impacts and increased setbacks, buffers and/or screening as may be required to lessen the impact and/or shield views from adjacent properties and/or streets.**
- (2) *Permitted uses.* Only those uses (permitted and conditional) in the M-1 and M-2 zoning districts shall be proposed for the PIP. Only those uses approved through the rezoning process will be allowed in the PIP.

(3) *Minimum dimensional and other requirements.* The minimum requirements for a PIP shall be as follows:

- a. Location: M-1 or M-2 Zoning District.
- b. The development shall have access and egress only to an arterial thoroughfare.
- c. Development size: ten acres.
- d. Front, side, and rear yard setbacks along the exterior boundaries of the development shall be consistent with either the M-1 or M-2 zoning district, whichever is applicable.
- e. Height limit: 35 feet.
- f. A buffer of 75 feet shall be provided around the periphery of the development.

(f) *Planned retreat and/or lodge.*

(1) *Purpose.* The intent of a planned retreat and/or lodge (PRL) is to provide a development exclusively designed to accommodate the assembly of groups or organizations for the purpose of association, education, therapy, or instruction through conferences, seminars, and/or camps. Food and lodging may be furnished for a definite and temporary period. **The board of commissioners may approve the proposed development with modifications which could include, but are not limited to, reductions in residential densities, limitations in nonresidential uses and intensities, architectural controls, traffic improvements such as decal-accel lanes, service drives, internal street configurations, turn lanes, etc. as may be required to mitigate traffic impacts and increased setbacks, buffers and/or screening as may be required to lessen the impact and/or shield views from adjacent properties and/or streets.**

(2) *Permitted uses.* The following uses may be proposed in a PRL:

- a. Assembly/meeting facilities (indoor and outdoor);
- b. Dining facilities;
- c. Lodges, dormitories, cabins, and/or tent campsites for temporary occupancy;
- d. Recreational facilities, including, but not limited to: recreational courts/fields, playgrounds, picnic pavilions, swimming pools;
- e. Caretaker and/or staff housing; and
- f. Solar farm (limited to a net metered facility only), provided that any inoperative equipment is repaired or disposed of in a reasonable time and manner.

In addition, only those uses (permitted and conditional) allowed in the A-R zoning district may be proposed for a PRL. Only those uses approved through the rezoning procedure will be allowed in the PRL.

(3) *Minimum dimensional and other requirements.* The minimum requirements for a PRL shall be as follows:

- a. Location: A-R zoning district.
- b. Development size: 50 contiguous acres.
- c. Maximum density: One single-family unit for each ten net acres of the development.
- d. The proposed site shall be permitted only on a lot which fronts on and accesses a major thoroughfare, as specified by the county thoroughfare plan.

- e. A site plan will be required prior to the construction of structures and/or recreational facilities, as applicable, per chapter 104.
- f. Each structure whose purpose is to provide lodging shall have paved access to a public street. Said access shall meet the requirements of chapter 104.
- g. No structure shall be permitted within 150 feet of the right-of-way (existing or required) of any existing street abutting or bisecting the development.
- h. A minimum buffer of 75 feet shall be provided around the periphery of the development. To provide sufficient separation from proposed uses to alleviate any adverse effect on the use or usability of abutting or nearby properties, said buffer may be increased through the rezoning procedure by the board of commissioners as a condition of approval and shall be indicated on the development plan. Any vehicular or multi-use path access proposed within the buffer shall be approved through the rezoning procedure and indicated on the development plan; conditions of approval may be incorporated by the board of commissioners.
- i. Height limit: 35 feet.

(g) *Planned entertainment farming.*

- (1) *Purpose.* To allow certain incidental uses to an active farming operation to preserve agricultural areas. An active farming operation is defined as any area of 100 or more contiguous acres from which \$10,000.00 or more of agricultural products are grown and sold on an annual basis. Income verification may be required. Agricultural products are defined here as the growing of annual crops, the raising of livestock and/or horses, and dairy farming. **The board of commissioners may approve the proposed development with modifications which could include, but are not limited to, reductions in residential densities, limitations in nonresidential uses and intensities, architectural controls, traffic improvements such as decal-accel lanes, service drives, internal street configurations, turn lanes, etc. as may be required to mitigate traffic impacts and increased setbacks, buffers and/or screening as may be required to lessen the impact and/or shield views from adjacent properties and/or streets.**
- (2) *Permitted uses.* The following permitted uses shall be allowed in a PEF:
 - a. Single-family dwelling and accessory uses and structures associated with the single-family dwelling exclusively as per article III of this chapter;
 - b. Farm buildings (shall be bona fide structures related to the farming operation);
 - c. Growing of crops;
 - d. Raising and selling livestock;
 - e. Dairy farm and production;
 - f. Greenhouses and shrubbery sales;
 - g. Farmer's market (limited to sales of crops grown on premises by owner of property);
 - h. Pick-your-own produce;
 - i. Processing of agricultural products (shall meet conditional use requirements per the A-R zoning district);
 - j. Horse stables and horseback riding;
 - k. Horse show (by permit, temporary, 14 days per year);
 - l. Rodeo (by permit, temporary, 14 days per year);

- m. Petting zoo;
 - n. Educational tours;
 - o. Picnic area;
 - p. Sit-down restaurant, banquet facility, bakery and catering (no drive-through, and selling of alcoholic beverages, shall be prohibited) (minimum seating capacity of 50 persons);
 - q. Gift shop in association with restaurant only; and
 - r. Pay fishing and bait sales in association with pay fishing.
- (3) *Conditional uses.* The following conditional use shall be allowed in the PUD PEF zoning district provided that all conditions specified in article V of this chapter are met: home occupation.
- (4) *Minimum dimensional and other requirements.* The minimum requirements for PEF shall be as follows:
- a. Location: A-R zoning district.
 - b. Development size: 100 contiguous acres.
 - c. Single-family dwellings and those accessory uses and structures associated with the single-family dwelling shall meet those requirements established within the A-R zoning district.
 - d. All other nonresidential structures shall meet the following setbacks:
 - 1. Front yard: 200 feet.
 - 2. Rear yard: 100 feet.
 - 3. Side yard: 100 feet.
 - e. A site plan is required indicating the location of all structures/activities per chapter 104.
 - f. All parking and access areas shall be paved and landscaped per chapter 104.
 - g. All service areas shall be screened per article III of this chapter.
 - h. All parking and service areas shall be to the rear of any restaurant building.
 - i. Only structures whose principal purpose is for the storage of farm equipment and/or animals may have a metal facade. All other structures shall have a non-metallic facade.
 - j. Shall comply with all county, (including fire marshal), state and federal requirements.

(h) *Planned outdoor recreation.*

- (1) *Purpose.* The intent of a planned outdoor recreation development (POR) is to provide the residents of the county adequate recreational opportunities outside of existing public facilities, parks, private recreation and amenity areas. **The board of commissioners may approve the proposed development with modifications which could include, but are not limited to, limitations in nonresidential uses and intensities, architectural controls, traffic improvements such as decal-accel lanes, service drives, internal street configurations, turn lanes, etc. as may be required to mitigate traffic impacts and increased setbacks, buffers and/or screening as may be required to lessen the impact and/or shield views from adjacent properties and/or streets.**
- (2) *Permitted uses.* The following permitted uses shall be allowed in a POR:
- a. Outdoor athletic fields;

- b. Outdoor athletic courts;
- c. Accessory uses:
 - 1. Picnic and playground areas;
 - 2. Concession facilities;
 - 3. Press box facilities;
 - 4. Restroom facilities;
 - 5. Maintenance and/or equipment facilities;
 - 6. Ticket sales facilities;
 - 7. Bleachers;
 - 8. Dugouts;
 - 9. Lights; and
 - 10. Scoreboards.

(3) *Prohibited uses.* The following uses shall be prohibited in a POR:

- a. Motorized or other wheeled vehicle sports;
- b. Swimming pools and water related activities;
- c. Archery;
- d. Firearms and target range;
- e. Explosives and fireworks;
- f. Paintball and similar activities; and
- g. Amusement park activities and rides.

(4) *Minimum dimensional and other requirements.* The minimum requirements for a POR shall be as follows:

- a. Development size: 50 contiguous acres.
- b. The development shall have ingress and egress only to an arterial thoroughfare as designated by the county thoroughfare plan.
- c. Maximum number of outdoor athletic fields and/or courts: eight.
- d. Setbacks:
 - 1. No permitted uses shall be allowed within 100 feet of the right-of-way.
 - 2. No permitted uses shall be allowed within 500 feet from any A-R or residential zoning district.
 - 3. No permitted uses shall be allowed within 50 feet from any nonresidential zoning district.
- e. A buffer of 100 feet plus the required setbacks shall separate all permitted uses from any A-R or residential zoning district. Off-street parking areas may be located within the setback areas.
- f. Landscaping and buffer areas shall be planted in accordance with chapter 104.
- g. Paved access and paved parking shall be provided as follows:

1. 40 spaces per outdoor athletic field; and
2. Ten spaces per outdoor athletic court.
- h. Hours of operation are to be determined at the time of development plan approval. No play permitted after 10:00 p.m.
- i. Lights shall be established in such a way that adjacent properties and residents are not adversely affected, and that no direct light is cast upon said properties and residents. No lighting permitted after 10:30 p.m.
- j. Adequate trash receptacles and grounds maintenance shall be provided to maintain a litter-free recreation area. Dumpsters shall be screened on all sides.
- k. Outside loudspeaker system use permitted until 10:00 p.m.
- l. Height limit: 35 feet, with the exception of lights.

(i) *Planned small business center.*

- (1) *Purpose.* The intent of the planned small business center is to provide a business incubator center through a planned, mixed-use nonresidential development consisting primarily of a mix of office uses, service uses, and light industrial uses, with limited small scale commercial uses as appropriate for the area. A PUD-PSBC will allow innovative and creative design and promote high standards in the development layout to alleviate incompatibility between the internal uses in the development to protect public safety to the greatest degree possible. **The board of commissioners may approve the proposed development with modifications which could include, but are not limited to, limitations in nonresidential uses and intensities, architectural controls, traffic improvements such as decal-accel lanes, service drives, internal street configurations, turn lanes, etc. as may be required to mitigate traffic impacts and increased setbacks, buffers and/or screening as may be required to lessen the impact and/or shield views from adjacent properties and/or streets.**
- (2) *Uses.* Only those uses (permitted and conditional) allowed in the O-I, C-C, C-H, and M-1 zoning districts shall be proposed for the PUD-PSBC. Only those uses approved through the rezoning process shall be allowed.
- (3) *Minimum dimensional and other requirements.*
 - a. Minimum lot size: minimum of ten acres.
 - b. The proposed site shall be permitted only on a lot which fronts on and accesses a major thoroughfare, as specified by the county thoroughfare plan.
 - c. Front, side, and rear yard setbacks and buffers along the exterior boundaries of the development shall be consistent with either the O-I, C-C, C-H, or M-1 zoning district, as applicable to the use.
 - d. The development plan shall indicate the different use areas for the proposed development. Appropriate separation, buffering, and vehicular circulation between uses internal to the development shall be established to alleviate incompatibility and protect public safety. Vehicular access facilities shall be designed in a manner to preclude large vehicles (semi-tractor trailers, delivery trucks, etc.) from utilizing areas where pedestrians are likely to be present.
 - e. Location: only those areas indicated in the county Comprehensive Plan shall be given consideration for PUD-PSBC.
 - f. Height limit: 35 feet.

(j) Planned residential and business development (PRBD)

- (1) *Purpose.* The intent of a planned residential and business development is to allow mixed-use development with principal single-family residential and incidental business uses and, through the use of large lots and the preservation of existing single-family dwellings, maintain rural character. This zoning district may be considered in all residential land use designations as indicated on the Fayette County Future Land Use Plan map. The characteristics of a PRBD are: in conjunction with a principal residence the occupant conducts on-site business operations, clients/customers visit the site, receipt and shipments of goods occur, and non-occupant employees will be on site. The board of commissioners may approve the proposed development with modifications which could include, but are not limited to, reductions in residential densities, limitations in nonresidential uses and intensities, architectural controls, traffic improvements such as decal-accel lanes, service drives, internal street configurations, turn lanes, etc. as may be required to mitigate traffic impacts and increased setbacks, buffers and/or screening as may be required to lessen the impact and/or shield views from adjacent properties and/or streets.
- (2) *Permitted residential uses and structures.* Planned residential and business development shall contain single-family dwellings and residential accessory structures and uses shall also be allowed per article III of chapter 110. The summary of intent shall specify the minimum floor area proposed for the single-family dwellings. In addition, a home occupation is allowed per article V of chapter 110.
- (3) *Permitted business uses and structures.* A list of proposed business uses shall be submitted with the summary of intent. Low-intensity businesses that are incidental and subordinate to the residential use of the property and which do not create offensive noise, dust, smoke, odor, vibrations, or glare that would adversely affect the existing use or usability of adjacent or nearby property and/or do not produce traffic that would be an excessive or burdensome use of existing or planned streets are appropriate for this zoning district. Only those business uses approved through the rezoning process shall be allowed in the PRBD. Any approved business that is listed as a conditional use in Article V shall meet the conditional use requirements, as is applicable. The summary of intent shall specify the list of proposed businesses, number of proposed on-site employees per business, and the number, size and architectural character of the business structures proposed for the individual businesses in the PRBD. The architectural character of the business structures shall be agricultural in nature with roof types including hip, gambrel and gable. Appropriate facades shall include fiber-cement siding, wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or finished/baked enamel aluminum/metal siding which establishes a horizontal pattern.
- (4) *Business vehicles.* The summary of intent shall specify the type, size and number of business vehicles and trailers proposed per business in the PRBD and the anticipated frequency of business vehicular trips. Motor vehicles cannot exceed two axles, 22 feet in length, ten feet in height, and/or 8,000 pounds (curb weight). Vehicles that exceed these parameters shall be allowed only during business hours (see Item o. of Subparagraph (5) below) and only for the purpose of making deliveries, making pickups, and providing services.
- (5) Minimum dimensional and other requirements in the PRBD shall be as follows:

- a. Development size: 75 contiguous acres.
- b. The proposed development shall be permitted only on a lot which fronts on and accesses a major thoroughfare, as specified by the county thoroughfare plan.
- c. A minimum buffer of 100 feet shall be provided around the side and rear periphery of the development (see Sec. 110-94).
- d. Minimum lot size: 15 acres.
- e. Minimum lot width: 250 feet.
- f. Front yard setback: 75 feet.
- g. Side yard setback: 50 feet (except where the 100 foot buffer is applicable).
- h. Rear yard setback: 75 feet (except where the 100 foot buffer is applicable).
- i. New single-family dwelling minimum floor area: 2,100 square feet.
- ~~h.~~ Height limit: 35 feet.
- ~~j.~~ Lights shall be established in such a way that adjacent properties and residents are not adversely affected, and that no direct light is cast upon said properties and residents.

~~kl.~~ ~~The business shall be owned and operated by the occupants of the property upon which the business operation is conducted. The operator of the business shall be one of the following:~~

~~1. The business operator is the owner/occupant of the property and the business is not owned by a corporation or partnership; or~~

~~2. The property and business is owned by a corporation or partnership in which case the operator/occupant shall be an officer of the corporation or a partner in the case of a partnership.~~

- ~~lm.~~ No more than five (5) persons shall be employed on-site by a business, not including the owner/occupants.

~~mn~~ All structures associated with the business are allowed in the rear yard only behind the principal residence and must be fully enclosed and shall not be used for any residential purposes. Business structures shall not be located within 100 feet of the principal residential structure.~~no.~~ All vehicles associated with the business must be parked in the rear yard only.

~~op.~~ The hours of operation, in the context of clients/customers shall be limited to 9:00 a.m. to ~~7:00~~5:00 p.m., Monday through Saturday.

~~pq.~~ All materials, equipment, supplies, and inventory associated with the business shall be stored, operated and maintained within the business structure. Semi-trailers or shipping containers cannot be used for storage.

~~qr.~~ Stormwater Requirements: In the event that 5,000 or more square feet of impervious surface (including driveways and parking for the business) is added in conjunction with a business structure, a site plan compliant with stormwater requirements of the county development regulations shall be required for that lot. The lot will be exempt from site plan requirements, the nonresidential development landscape requirements and tree retention, protection, and replacement requirements of the county development regulations. In the event that the property is subdivided with an internal street, the development shall comply with stormwater requirements of the county development regulations, as applicable.

~~rs.~~ Adequate off-street parking shall be required. A prepared surface is required for the parking areas. The parking area shall comply with Article VIII. - Off-Street Parking and Service Requirements of the Development Regulations and must be depicted on a sketch, drawn to

scale on a survey of the lot. Gravel parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations. The following is required for gravel parking areas:

- (i) Exterior and interior parking aisles shall be terminated at both ends by a landscape island.
- (ii) Landscape islands shall be provided for each 150 feet of continuous parking length.
- (iii) One (1) canopy tree, six (6) feet high at planting, is required per landscape island.

Paved parking areas shall meet the Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.

t. Signage on individual lots shall be regulated under Sec. 108-135(a). Signage located at the entrance of a subdivision served by an internal local road shall be regulated under Sec. 108-135(b).

(Code 1992, § 20-6-25; Ord. of 8-25-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2016-11, § 1, 5-26-2016)