Town of Pine Mountain

DRAFT

Zoning Ordinance

Technical Assistance provided by the
River Valley Regional Commission

August 2016
THIS PAGE
INTENTIONALLY
LEFT BLANK
Table of Contents

ARTICLE 1. Preamble ......................................................................................................................... 1

ARTICLE 2. General Provisions ......................................................................................................... 2
  Chapter 2.01 General Provisions ........................................................................................................ 2
  Chapter 2.02 Minimum Square Footage of Attached and Detached Dwellings.............................. 4
  Chapter 2.03 Non-conforming Uses .................................................................................................. 4

ARTICLE 3. Regulating Plan .............................................................................................................. 7
  Chapter 3.01 Zoning Districts Established ...................................................................................... 7
  Chapter 3.02 Comprehensive Plan .................................................................................................. 8

ARTICLE 4. Definitions .......................................................................................................................... 10
  Chapter 4.01 Defining Words ........................................................................................................... 10
  Chapter 5.01 General Guiding Principles ...................................................................................... 35
  Chapter 5.02 General Building Standards ..................................................................................... 35
  Chapter 5.03 Building Standards for Zoning Districts .................................................................. 37

ARTICLE 6. Architectural Standards .................................................................................................. 49
  Chapter 6.01 Purpose ..................................................................................................................... 49
  Chapter 6.02 Equivalent or Better .................................................................................................. 49
  Chapter 6.03 Energy Efficiency and Environmental Conservation .................................................. 49
  Chapter 6.04 Where Clearly Visible from the Street ..................................................................... 49
  Chapter 6.05 What Requires Architectural Review ....................................................................... 49
  Chapter 6.06 Building Walls (Exterior) .......................................................................................... 49
  Chapter 6.07 Roofs and Parapets ................................................................................................... 50
  Chapter 6.08 Fences, Walls, and Hedges ....................................................................................... 51
  Chapter 6.09 Columns, Piers, Guardrails, and Balustrades ............................................................... 52
  Chapter 6.10 Windows and Doors .................................................................................................. 53
  Chapter 6.11 Solar Energy Collection Systems ............................................................................. 53
  Chapter 6.12 Renovation of Existing Structures ............................................................................ 55
  Chapter 6.13 Accessory Buildings ................................................................................................. 55
  Chapter 6.14 Large Footprint Buildings .......................................................................................... 55

ARTICLE 7. Neighborhood Parks, Open Space and Playgrounds ..................................................... 57
ARTICLE 8. Street and Parking Standards ................................................................. 59
Chapter 8.01 Street Standards ............................................................................... 59
Chapter 8.02 Curb, Gutter, and Drainage Requirements ..................................... 59
Chapter 8.03 Storage and Parking of Recreational Vehicle, Trailers, and other Vehicles ................................................................. 59
Chapter 8.04 Blocks/Alleys .................................................................................... 59
Chapter 8.05 Streetscape ....................................................................................... 60
Chapter 8.06 Parking ............................................................................................. 64
ARTICLE 9. Landscaping, Buffers, Screening, and Lighting .................................. 71
Chapter 9.01 Landscaping ................................................................................... 71
Chapter 9.02 Buffering and Screening ................................................................. 73
Chapter 9.03 Landscape Plans ............................................................................. 74
Chapter 9.04 Storm Drainage Facilities .............................................................. 76
Chapter 9.05 Exterior Lighting ........................................................................... 77
ARTICLE 10. Use Regulations .................................................................................. 79
Chapter 10.01 Permitted Uses ............................................................................ 79
ARTICLE 11. Administration .................................................................................... 81
Chapter 11.01 Authority .................................................................................... 81
Chapter 11.02 Application Types ....................................................................... 81
Chapter 11.03 Rezoning Application .................................................................. 81
Chapter 11.04 Development Review Application .............................................. 84
Chapter 11.05 Conditional Uses ........................................................................ 87
Chapter 11.06 Variance ..................................................................................... 91
Chapter 11.07 Procedure for Conducting a Public Hearing ............................... 94
Chapter 11.08 Permits ....................................................................................... 94
Chapter 11.09 Developments of Regional Impact (DRI) ..................................... 95
Chapter 11.10 Map Amendment ........................................................................ 95
Chapter 11.11 Disclosure Requirements ............................................................ 96
Chapter 11.12 Appeals ...................................................................................... 96
Chapter 11.13. Mayor and Town Council Public Hearing and Action ................ 96
ARTICLE 12. Legal Status Provisions .................................................................... 98
Chapter 12.01 Conflict with Other Laws ............................................................... 98
Chapter 12.02 Repeal of Conflict in Ordinances .................................................. 98
ARTICLE 1. Preamble
The Mayor and Town Council of the Town of Pine Mountain hereby declare it to be the purpose and intent of this regulation to establish a uniform procedure for the protection and enhancement of the town through the integration of land use, transportation, and natural resource elements to preserve and strengthen Pine Mountain as a unique and vibrant community.

Suburban sprawl, strip commercial development, and in-fill development that is incompatible with surrounding development due to massing and scale when set into a traditional quasi-rural community with valuable historic structures such as Pine Mountain, can produce an adverse effect on town character and quality of life. Conventional planning models and zoning ordinances can produce linear development, homogeneous architecture, large expanses of asphalt and a proliferation of signage.

Careful town-wide planning can allow new development and adaptive reuse to be successfully blended into the existing town without compromising the unique character of Pine Mountain. The purpose of this Ordinance is to implement appropriate regulations based on the Town of Pine Mountain Comprehensive Plan to protect the public health, safety and welfare and to protect Pine Mountain and to direct Pine Mountain’s smart growth. The Town also seeks to enhance open space conservation and provide for a mixed-use community and alternative transportation opportunities though a pedestrian/bicycle network.

The Pine Mountain Comprehensive Plan delineates the desires and wishes of the community and is reference to throughout this zoning ordinance. Specific references are made to the Character Areas throughout the zoning ordinance and it is the intent to use the zoning ordinance to implement the Pine Mountain Comprehensive Plan.

The Mayor and Council recognize that segregated land uses spawn traffic congestion and promote sprawl and continued reliance on the automobile for transportation. The Council further recognizes that conventional subdivision development spawns roads that are not interconnected thus hampering opportunities for alternative transportation. In order to preserve Pine Mountain’s rural ambiance and historic elements, guidelines are necessary to prevent the continuation of segregated land uses, incompatible infill development, and continued reliance on the automobile. The primary goal of this Ordinance is to protect the public health, safety and welfare and to protect the character of the Town while utilizing appropriate standards and criteria to direct future development in harmony with the Town of Pine Mountain. The objectives also include the safe and efficient use of the roadways, and the encouragement of quality, sensible development in harmony with the rural character and historic elements of Pine Mountain.

A further purpose is limitation on large-footprint buildings and the parking lots associated therewith, which create vast impervious surfaces. The construction of new, smaller scale traditional buildings along the roadside and frontage can assist in achieving the desired effect by buffering views such as asphalt lots.

The Town also seeks to enhance open space conservation and available neighborhood parks. Open space conservation would be achieved through a density-neutral approach and set aside of remaining undeveloped land through a conservation easement.

The Town wishes to focus upon the compatibility of forms, scale, massing and materials such that new structures will conform to neighboring community features and standards, and more closely reflect the rural character and historic elements of the community. New structures should be reasonably harmonious with existing traditional buildings in Pine Mountain and its rural surroundings. Height, mass and roof shape are important elements. The consideration of development that preserves the integrity of residential neighborhoods shall carry great weight. More specifically, see the Town of Pine Mountain Comprehensive Plan, which is incorporated herein and made a part hereof by reference.
ARTICLE 2. General Provisions

The Town of Pine Mountain Comprehensive Plan dated September 2006 is a citizen-endorsed urban design for the improvement of properties in Pine Mountain. The Concept Plan establishes the guiding principles for this Zoning Ordinance and is incorporated by reference as if fully set out herein.

Chapter 2.01 General Provisions

A. Objectives
   a. The purpose of this ordinance is to set forth standards and permissible uses designed to conserve and protect the natural, economic and scenic resources of Pine Mountain, GA; health, aesthetics, morals, convenience, order, prosperity and general welfare; to provide adequate light and air; to protect natural resources; to prevent the overcrowding of land; to promote desirable living conditions and stability of neighborhoods; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements by dividing Pine Mountain, GA into districts of such size and shapes as may be best suited to carry out the purposes of the legislative act and of this ordinance.

B. Legislative Authority
   a. The MAYOR AND TOWN COUNCIL of Pine Mountain, Georgia, under the authority of Article IX, Section 2, Paragraph 4 of the Constitution of the State of Georgia and Chapter 66, Title 36 of the Official Code of Georgia Annotated, and for the purpose of promoting the health, safety, morals, convenience, order, prosperity, or the general welfare of the Town and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and avoid overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other requirements, ordains and enacts into law the Zoning Ordinance for Pine Mountain, Georgia.

C. Method of Regulation
   a. The MAYOR AND TOWN COUNCIL of Pine Mountain, Georgia, Georgia, as authorized by the Constitution of the State of Georgia, adopts zoning regulations for the following purposes: to define certain words used therein; to create zone boundaries; to regulate the location of trades, professions, businesses, and industries; to regulate the density in distribution of population; to provide for the gradual elimination of non-conforming uses of land, buildings and structures; to provide for the method of administration, amendment and enforcement; to provide for the imposition of penalties for violations; to repeal conflicting ordinances and resolutions; and for other purposes.

D. Zoning Map
   a. The boundaries of the Zoning Districts are hereby established as shown on the map entitled "The Official Zoning Map of Pine Mountain, Georgia," (herein called “Zoning Map") present in Council chambers and adopted on August 8, 2007. Said map is incorporated by reference and hereby made a part of this Ordinance and shall be available for public inspection in the office of the Town Clerk. As evidence of its authenticity, the Zoning Map shall be signed by the Pine Mountain, Georgia Mayor and attested to by the Town Clerk.

E. Interpretation of Zoning District Boundaries
   a. Where uncertainty exists with respect to the location of the boundaries of any Zoning District in Pine Mountain, Georgia, the following rules shall apply:
      i. Where a Zoning District boundary line is shown as approximately following a corporate limits line, a land lot line, a lot line or the center line of a street, a county road, a state highway or a railroad right-of-way, or such lines extended, then such lines shall be construed to be the Zoning District lines.
      ii. Where a Zoning District boundary line is shown as being set back from a street, a county road, a state highway or a railroad right-of-way, and approximately parallel thereto, then such Zoning District boundary line shall be construed as being at the scaled distance from
iii. Where a Zoning District boundary line divides a lot, the location of the line shall be the scaled distance from the lot lines. In this situation, the requirements of the Zoning District in which the greater portion of the lot lines shall apply to the balance of the lot except that such extension shall not include any part of a lot line that lies more than 50 feet beyond the Zoning District boundary line.

iv. In the case of a through lot fronting on two approximately parallel streets, that is divided by a Zoning District boundary line paralleling the streets, the restrictions of the Zoning District in which each frontage of the through lot lines shall apply to that portion of the through lot.

F. Conformance with Ordinance
   a. No building, structure, premises, or land shall be used or occupied and no building or part thereof shall be erected, extended, enlarged, constructed, moved, or altered except in conformity with this Ordinance.

G. Lot Area and Lot Size
   a. Unless acquired for public use, no LOT shall be reduced in size so that it does not comply with this Ordinance.

H. Temporary Buildings
   a. Temporary buildings used in conjunction with construction work only may be permitted in any non-residential Zoning District and shall be removed within thirty (30) days of the issuance of a Certificate of Occupancy.
   b. Temporary buildings used in conjunction with construction or sales only may be permitted in a residential Zoning District for up to 18 months or completion of the project, whichever is sooner.

I. Use Occupancy and Erection
   a. No building or structure or land shall hereafter be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or altered except in conformity with these regulations.

J. Building Height
   a. No building or structure shall be erected, constructed, reconstructed or altered to:
      i. Exceed the height limits,
      ii. Have narrower or smaller front, rear or side yards than herein required.

K. Reduction in Lot Size
   a. No lot shall be reduced in size so that lot width or depth, size of yards, density, or any other requirement of this Ordinance is not maintained. This limitation shall not apply when a portion of a lot is acquired for the public purpose.

L. Yards and Other Spaces
   a. No part of a yard required in connection with any building or use for the purpose of complying with these regulations shall be included as part of the yard required for another building, except as specifically provided herein.

M. Only One Principal Building on a Lot
   a. Only one principal building and its customary accessory buildings shall be permitted on any lot, except the EC district where more than one principal building is permitted.

N. Accessory Structures
   a. Accessory structures shall be located on the same lot or parcel as the principal use or structure.
   b. No accessory structure or portion thereof shall exceed twenty-five (25) feet in height or the height of the primary structure, whichever is lower.
   c. The maximum lot coverage by accessory structures shall be ten (10) percent of the total lot area.

O. Street Frontage Requirement
   a. No building or structure shall be erected on a LOT that does not abut for at least 25 feet upon and street which shall be either a public street, a publically maintained STREET or an approved easement to a public street. The point of measurements for this requirement shall be the street right-of-way line.
P. Approval for Business and Industrial Developments of State Highways.
   a. For all business and industrial development fronting on a State highway, no building permit shall be
      issued until the approval of the Georgia Department of Transportation has been obtained by the
      applicant on entrances and exits, curb radii, drainage and other matters that are the appropriate
      concern of the Department and provided that no acceleration or deceleration lanes are required for
      development on South Main Street.

Q. Town Approvals That Are Required
   a. All Town approvals that are required for the use of land and structures and for the location and
      operation of businesses and industries shall be obtained by the applicant and transmitted by him/her
      with his/her request for a building permit, a zoning amendment or a variance. Except as otherwise
      required by State law, no local action shall be taken and no public hearings shall be held until the
      above required approvals have been obtained by the applicant.

R. Substandard Lots of Record
   a. Any lot of record existing at the time of the adoption or amendment of these Regulations, may be
      used, subject to the following exceptions and modifications:
      i. Adjoining lots. When two or more adjoining lots of record with contiguous frontage are in
         one ownership at any time after the adoption or amendment of these Regulations and
         such lots, individually, have an area or width that is less than is required by these
         Regulations, then such contiguous lots shall be considered as a single lot or several
         lots of no less than the minimum width and area required in the Zoning District in which
         they are located.
      ii. Individual Lot Not Meeting Minimum Lot Size Requirements. Any lot of record existing at the
          time of adoption or amendment of these Regulations which has an area, width or depth less
          than that required by these Regulations may be used as a building site for a Detached
          Residential dwelling.

S. In the case of such a lot, when it is not possible to provide the required side yards and at the same time
   build a Detached Residential dwelling that complies with this Ordinance, the Mayor and Town Council is
   authorized to grant a Variance reducing the side yards for such lot the minimum amount necessary, but in no
   case shall any side yard be less than 5 feet.

T. Building Orientation
   a. All buildings, except ACCESSORY STRUCTURES, shall have their main entrance opening onto a
      STREET or COURT.

Chapter 2.02 Minimum Square Footage of Attached and Detached Dwellings
A. To promote public health, safety and general welfare, all ATTACHED and DETACHED DWELLINGS shall have a
   minimum floor area of 1,000 square feet, unless otherwise specified.

Chapter 2.03 Non-conforming Uses
A. Non-conforming Buildings and Uses
   a. The elimination of existing buildings and structures or uses that do not conform with this Zoning
      Ordinance is as much a subject of health, safety and general welfare as is the prevention of the
      establishment of new uses that would violate this Zoning Ordinance. It is also the intent of this
      Zoning Ordinance to administer the elimination of NON-CONFORMING USES, buildings, and
      structures so as to avoid any unreasonable invasion of established private property rights. It is the
      intent of these regulations to permit these NON-CONFORMING USES, buildings and structures to
      continue until they are removed or cease, but not to encourage their survival, nor use them as
      grounds for adding other uses, structures, or characteristics or use prohibited elsewhere in the same
      district, nor to allow them to be enlarged, extended, or expanded unless expressly allowed herein
      below.

B. Grandfathering
   a. Any structure or active use of land lawfully existing at the time of the enactment of this Zoning
Ordinance and its amendments, but not in conformity with its use Zoning Ordinances and provisions, may be continued subject to the following provisions.

i. Unsafe Structures
   1. Any structure or portion thereof declared unsafe by the BUILDING INSPECTOR may be restored to a safe condition, provided the requirements of §2.03.3 are met.

ii. Alterations
   1. Any change in a lawfully existing NON-CONFORMING building, use, building site or yard area is subject to the following:
   2. No lawfully existing NON-CONFORMING building can be structurally altered, except repairs and maintenance on the building, or installation of fixtures required by law, changing of interior partitions, or interior remodeling. Improvements on a lawfully existing NON-CONFORMING building shall not exceed 50 percent of the value of the building as reasonably determined by the Building Inspector.
   3. No lawfully existing NON-CONFORMING building or lands, except those residential dwellings needing repairs on the building or installation of fixtures as required by law, can be substantially added to, moved, or extended in any manner unless such building or land is changed to conform to this Zoning Ordinance.
   4. If a lawfully existing NON-CONFORMING building is moved, all NON-CONFORMING yard requirements, as defined in this Zoning Ordinance, must be eliminated.
   5. Whenever an owner of a lawfully existing residential dwelling must make repairs on or installation of fixtures which will force the location of the future addition of the dwelling nearer the lot line than permitted, the addition to the dwelling shall be allowed to extend to the existing building line but no nearer the property line than any existing portion of the dwelling.

C. Extension
   a. A lawfully existing NON-CONFORMING use is restricted to the lot occupied by such use as of the effective date of this Zoning Ordinance. A NON-CONFORMING use must not be extended to include either additional building or land, unless the owner applies for and is granted a variance, and in the case of a variance the applicant demonstrates hardship, no intent to increase the floor more than 10%, and compliance with the other requirements for a variance under this ordinance.
   b. Restoration of Damaged Buildings
      i. Unless otherwise specified, a lawfully existing NON-CONFORMING structure that is destroyed (damage equals or exceeds 75 percent of the structure’s replacement value, as reasonably determined by the Building Inspector) through no intent of the owner, may not be reconstructed or restored to the same NON-CONFORMING use. However, a lawfully existing NON-CONFORMING structure that is non-conforming solely because of area and minimum yard requirements may be replaced regardless of extent of damage.
   c. Discontinuance
      i. A lawfully existing NON-CONFORMING use which became such upon the adoption of this Ordinance and which has been discontinued for a continuous period of 1 year, shall be presumed abandoned, and in the case of abandonment shall not be reestablished. Any future use shall be in conformance with this Zoning Ordinance. Where government action impedes access to land, the time of any resulting discontinuance of a NONCONFORMING use shall not be counted towards the time periods of this section.
   d. Code Enforcement
      i. The Code Enforcement Officer shall have the authority and responsibility to administer and enforce the provisions of this Ordinance. The Code Enforcement Officer does not have the authority to take final action on applications or matters reserved for public hearings. The code enforcement officer is authorized to take the following actions to administer and enforce this ordinance including without limitation to make inspections, to issue permits, to
reasonably interpret this ordinance following the spirit and intent thereof, to issue citations for violation of this ordinance, and to be heard in the Municipal Court. The Town Clerk shall keep records of any and all permits, the Certificates of Occupancy issued, and all submitted subdivision plats, with notations of all special conditions involved. She/He shall file and safely keep copies of all sketches and plans submitted, and the same shall form a part of the records of the Town and shall be made available as public records.
ARTICLE 3. Regulating Plan

Chapter 3.01 Zoning Districts Established

The Zoning Ordinance of Pine Mountain establishes the following zoning districts within Pine Mountain:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HR</td>
<td>Historic Residential</td>
</tr>
<tr>
<td>RSF</td>
<td>Single Family Residential</td>
</tr>
<tr>
<td>RD</td>
<td>Multi-family Residential – Duplex</td>
</tr>
<tr>
<td>RA</td>
<td>Multi-family Residential - Apartment</td>
</tr>
<tr>
<td>TCC</td>
<td>Town Center Commercial</td>
</tr>
<tr>
<td>DC</td>
<td>Drivable Commercial</td>
</tr>
<tr>
<td>GC</td>
<td>Gateway Commercial</td>
</tr>
<tr>
<td>RO</td>
<td>Residential Office</td>
</tr>
<tr>
<td>EC</td>
<td>Employment Center</td>
</tr>
<tr>
<td>PR</td>
<td>Parks and Recreation</td>
</tr>
<tr>
<td>Resort</td>
<td>Resort</td>
</tr>
<tr>
<td>A</td>
<td>Agricultural</td>
</tr>
<tr>
<td>PUD</td>
<td>Planned Unit Development</td>
</tr>
</tbody>
</table>
# Zoning Equivalency Table

<table>
<thead>
<tr>
<th>Previous Zoning</th>
<th>Comprehensive Plan Character Areas</th>
<th>New Zoning Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Established Residential, Traditional Established Residential Established Residential, Declining Traditional Neighborhood Developing</td>
<td>HR Historic Residential RSF Residential, Single-Family</td>
</tr>
<tr>
<td>R 1 R 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R 3</td>
<td></td>
<td>RD Residential, Duplex (Multi-Family) RA Residential, Apartment (Multi-Family)</td>
</tr>
<tr>
<td>C 1 C 2 C 3</td>
<td>Town Center/In Town Corridor US 27 Commercial Corridor US 27 Gateway Corridor</td>
<td>TCC Town Center Commercial DC Drivable Commercial GC Gateway Commercial RO Residential Office</td>
</tr>
<tr>
<td>M 1 M 2</td>
<td></td>
<td>EC Employment Center</td>
</tr>
<tr>
<td>Other</td>
<td>Conservation/Resort Other, Special Linear Bicycle/Pedestrian Trail</td>
<td>Resort Resort A Agricultural A PUD Planned Unit Development</td>
</tr>
<tr>
<td>Resort MHU MHU 2 CORD PUD Medical A 1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Chapter 3.02 Comprehensive Plan

A. The **Town of Pine Mountain** COMPREHENSIVE PLAN, adopted by Town Council on January 10, 2007, is adopted by reference as if fully set out herein and includes the FUTURE LAND USE MAP for the Town of Pine Mountain.

a. The FUTURE LAND USE MAP shall reasonably relate to the Town of Pine Mountain Zoning Map.

   i. The COMPREHENSIVE PLAN defines 11 character areas within the Town. Development characteristics for each district are identified in the COMPREHENSIVE PLAN. The zoning districts that match these character areas are as follows:

B. **Historic Residential**

a. This district is intended to represent the historic residential core of Pine Mountain with smaller lot sizes and adjacent buildings built to the lot lines in many cases.

C. **Residential - Single Family**

a. This district is intended primarily for a variety of DETACHED RESIDENTIAL units providing a mix of housing types and values.

b. This area is also appropriate for supportive land uses servicing the neighborhood population such as NEIGHBORHOOD PARKS, PLAYGROUNDS, fire stations, and DAY CARE CENTERS and DAY CARE HOMES, as part of the effort to create complete neighborhoods.

D. **Residential – Duplex**

a. This district is intended primarily for ATTACHED RESIDENTIAL units developed at a maximum of 8 dwelling units per acre, and are considered DUPLEX development.

b. This area is also appropriate for supportive land uses servicing the neighborhood population such as NEIGHBORHOOD PARKS, PLAYGROUNDS, fire stations, and DAY CARE CENTERS and DAY CARE HOMES, as part of the effort to create complete neighborhoods.
E. Residential – Apartments  
   a. This district is intended primarily for ATTACHED RESIDENTIAL units developed at a maximum of 20 dwelling units per acre, typically APARTMENTS, ROWHOUSE, TOWNHOUSE, or similar type development, but, not including DUPLEX development.  
   b. This area is also appropriate for supportive land uses servicing the neighborhood population such as NEIGHBORHOOD PARKS, PLAYGROUNDS, fire stations, and DAY CARE CENTERS and DAY CARE HOMES, as part of the effort to create complete neighborhoods.

F. Town Center Commercial  
   a. Town Center is intended to be the civic and commercial heart of Pine Mountain with a focus on retail and services to provide for local needs. Office, civic, residential, entertainment, and recreational uses shall also be incorporated into the district.

G. Drivable Commercial  
   a. This district is intended primarily for LARGE-SCALE RETAIL development that is more AUTO-ORIENTED in nature, requiring increased visibility and road access.  
   b. The designation targets retail, service and office development that is incompatible with the Downtown environment and require additional space to accommodate their activity.

H. Gateway Commercial  
   a. This district is intended primarily for LARGE-SCALE RETAIL development that is more AUTO-ORIENTED in nature, requiring increased visibility and road access.  
   b. The designation targets retail, service and office development that is incompatible with the Downtown environment and require additional space to accommodate their activity.  
   c. Gateway Commercial adds distinctive landscaping and buffering requirements to make the gateways into Pine Mountain more attractive.

I. Residential Office  
   a. This district is intended for services provided for local needs in primarily residential areas.  
   b. Development should be low-density and small scale in keeping with the surrounding residential uses.

J. Employment Center  
   a. This district is intended primarily for LARGE-SCALE LIGHT INDUSTRIAL, wholesale, and office uses that may be land intensive, generate high consumer traffic, or create other impacts associated with manufacturing and production uses.

K. Resort  
   a. Resort refers to large-scale developments that include residential uses as well as convention, hotel and resort activities within the confines of the property.

L. Agriculture  
   a. This district is intended primarily for undeveloped tracts of land that lie within the town limits of Pine Mountain. These tracts would not be utilized for any dwelling or business.

M. Planned Unit Development  
   a. Planned Unit Development district allows for development proposals on large tracts of land that incorporate multiple zoning districts into one proposal.
ARTICLE 4. Definitions

Chapter 4.01 Defining Words

A. Words used in the Zoning Ordinance have their normal dictionary meaning unless they are otherwise defined. Use of General Terms:

Use of “shall” and “may”
- “Shall” means mandatory
- “May” means permissive

Use of “and” and “or”
- “And” means that each item identified shall be required.
- “Or” means any combination of one or more of the identified items may be required.

B. Definition sources for words not defined within the Zoning Ordinance

Development terms not defined within any Article of the Zoning Ordinance shall have the meaning contained within The New Illustrated Book of Development Definitions, by Moskowitz and Lindbloom, published by the Center for Urban Policy Research of Rutgers University, Piscataway, New Jersey.

Terms not defined in any cited sources shall have the meaning as established in the current edition of the Webster’s Unabridged Dictionary, published by Merriam-Webster, Inc.

C. Definitions

Wherever a word in the Pine Mountain Zoning Ordinance is printed in CAPITAL LETTERS, it is being used as defined herein.

ACCESSORY DWELLING UNIT

A separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to an existing ATTACHED or DETACHED RESIDENTIAL structure.

ACCESSORY STRUCTURE/UNIT

A subordinate building, not including a garage, the use of which is incidental to, and reasonably related to, a main building on the same LOT or to the primary use of the property.

ADAPTIVE REUSE

The conversion of obsolescent or historic structure from its original or most recent use to a new use. For example, the conversion of a former school building to residential use or the conversion of an historic single-family home to office use.
AESTHETIC FEATURE

A feature designed and/or installed to achieve a desirable appearance.

AGRICULTURE

The use of land for agricultural purposes including the raising of crops and livestock, dairying, pasturage, horticulture, floriculture, viticulture, animal and poultry husbandry, forestry and other similar enterprises or uses.

ALLEY

A public or private right-of-way for vehicles and pedestrians within a block that provides access to the rear of buildings, vehicle parking (e.g., garages), utility meters and recycling and garbage bins.

ALTERNATIVE TOWER STRUCTURE

Natural or man-made alternative design mounting STRUCTURES that camouflage or conceal the presence of antennas or telecommunication towers including, but not limited to clock towers, bell towers, church steeples, light/power poles, electric transmission towers, and man-made trees (without accessory buildings/STRUCTURES).

APPLICANT

Any person who applies for a zoning action or development review and any attorney or other person representing or acting on behalf of a person who applies for a zoning action.

ARCHITECTURAL PLAN

A scale drawing of the structure or structures(s) including an elevation and site plan by a registered architect.

ART STUDIO

Work space for artists or artisans, including individuals practicing one of the fine arts or skilled in an applied art or craft, including the accessory sale of art produced on the premises

ASSISTED LIVING

A special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living including meals, housekeeping, medication assistance, laundry, and regular check-ins. Such a facility includes a central or private kitchen, dining, recreational, and other facilities with separate bedrooms or living quarters.
ATTACHED RESIDENTIAL

A single-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally as a linear arrangement, and having a totally exposed front and rear wall to be used for access, light, and ventilation. Also known as TOWNHOUSE, ROW HOUSE, MANSION FLAT or CONDOMINIUM but does not include a DUPLEX.

AUDITORIUM

A building or structure designed or intended for use for the gathering of people as an audience to hear music, lectures, plays, and other presentations.

AUTO-ORIENTED

Development designed with an emphasis on customers who use autos to travel to the site, rather than those with an emphasis on pedestrian customers.

AWNING

A cantilevered, projected or suspended cover over the sidewalk portion of the STREET. Also, roof-like fabric coverings placed over the sidewalk, windows, or doors to provide protection from sun and rain. Permitted awnings may be bubble or rectangular.

BALCONY

An exterior platform attached to the front of a main building (on and forward its BUILD-TO-LINE). BALCONIES, where used, must be roofed and enclosed by balustrades (railings) and posts that extend up to the roof. BALCONIES aligned vertically on adjacent floors may post up to one another and share a single roof element. BALCONIES may not project within 5 feet of a property line.

BAY WINDOW

Generally, a U-shaped enclosure, extending the interior space of the building outward, beyond the exterior BUILD-TO-LINE.

BED AND BREAKFAST

An owner-occupied private residence that offers short-term lodging accommodations in 6 or fewer rooms for rent and serves breakfasts at no extra cost to its lodgers.

BLOCK

An increment of land comprised of ALLEYS and LOTS circumscribed and not traversed by STREETS (PEDESTRIAN PATHWAYS excepted). BLOCKS shall be measured at the frontage LOT lines (along the BUILD-TO-LINE).
BLOCK CORNER
This refers to the outside corner of a BLOCK at the intersection of any two streets.

BONUS ROOM
A room in a house located above the second story, which could be used as a multi-purpose area. A BONUS ROOM is not considered a STORY.

BUFFER
A stream, area of natural vegetation, or man-made construction that is intended to provide a visual and dimensional separation between different land uses.

BUILD-TO-LINE
The line to which the front facade of the BUILDING or PATIO is required to be built, stated as a distance behind the right of way.

BUILDABLE AREA
The area of a LOT that building(s) may occupy. The BUILDABLE AREA sets the limits of the building footprint now and in the future – additions to STRUCTURES must be within the designated area.

BUILDING
Any structure, either permanent or temporary, for the support or shelter of any use or occupancy.

BUILDING, CORNER
This refers to the outside corner of a building where the primary BUILDING mass is within an angle less than 180 degrees.

BUILDING ENVELOPE
The three-dimensional area enclosed by the front, side, and rear SETBACKS and the maximum height.

BUILDING ENVELOPE STANDARDS (BES)
The area formed by the front, side, and rear BUILDING SETBACK lines or BUILD-TO-LINE of a lot within which the principal building must be located.

BUILDING FACADE
The exterior side of a building which faces, and is most nearly parallel to, a STREET. The facade shall include the entire building walls, including wall faces, PARAPETS, fascia, windows, doors, canopies, and visible roof structures of one complete elevation.
BUILDING INSPECTOR

The individual or office designated by the MAYOR AND COUNCIL to serve as the BUILDING INSPECTOR for Pine Mountain, GA.

BUSINESS ENTITY

Any corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.

BUILDING INTEGRATED SOLAR ENERGY COLLECTION SYSTEM

A solar energy system in which the system is an integral part of a building replacing a typical component of a building rather than a separate device. Examples include, but are not limited to solar energy systems that are contained within roofing materials, windows, skylights and awnings.

BUILDING MOUNTED SOLAR ENERGY COLLECTION SYSTEM

A solar energy system in which solar panels are mounted on top of a roof on the side of a building. These may be flush mounted or non-flush mounted.

CAMPAIGN CONTRIBUTION

A contribution as defined in paragraph (7) of O.C.G.A. §21-5-3. (See, also, O.C.G.A. §36-67A-1.) The term, as defined in the Georgia Code Annotated, as amended through the end of 2006, is as follows:

"Contribution" means a gift, subscription, membership, loan, forgiveness of debt, advance or deposit of money or anything of value conveyed or transferred for the purpose of influencing the nomination for election or election of any person for office, bringing about the recall of a public officer holding elective office or opposing the recall of a public officer holding elective office, or the influencing of voter approval or rejection of a proposed constitutional amendment, a statewide referendum, or a proposed question which is to appear on the ballot in this state or in a county or a municipal election in this state. The term specifically shall not include the value of personal services performed by persons who serve without compensation from any source and on a voluntary basis. The term "contribution" shall include other forms of payment made to candidates for office or who hold office when such fees and compensation made can be reasonably construed as a campaign contribution designed to encourage or influence a candidate or public officer holding elective office. The term "contribution" shall also encompass transactions wherein a qualifying fee required of the candidate is furnished or paid by anyone other than the candidate.
CATERING SERVICE

A service housed in a permanent structure providing meals or refreshments off-premises for public or private entertainment for a fee.

CEMETERY

Land use for the burial of the dead, including crematoriums, mausoleums, necessary sales, and maintenance facilities. Mortuaries shall be included when operated within the boundary of such cemetery.

CIVIC USE

Meeting halls, libraries; schools, police and fire stations, post offices (retail operations only, no primary distribution facilities), places of worship, museums, cultural, visual and performing art centers; government functions open to the public, and other community uses as determined by MAYOR AND COUNCIL and amendments hereof.

CLUB

An organization and its premises catering exclusively to members and their guests for social, intellectual, recreational, or athletic purposes.

COMMUNITY CENTER

A meeting place where people living in the same community may carry on cultural, recreational, or social activities.

COMMUNITY PARK

A publically owned park serving Town residents and usually including restrooms and lighted outdoor recreation facilities and other facilities such as swimming pools, recreation centers, on-site parking, and group picnic areas.

COMPREHENSIVE PLAN

The “Town of Pine Mountain COMPREHENSIVE PLAN September 2014” as adopted January 10, 2007 and as may be amended.

CONDITIONAL USE

A use not permissible by right or by administrative permission, but is instead permissible by special legislative permission subject to meeting standards established in this ordinance.

CONDOMINIUM

A single dwelling unit in a multi-unit dwelling or structure, which is separately owned and which may be combined with an undivided interest in the common areas and facilities of the property.
CONSERVATION AREA

Any parcel or area of undeveloped land conserved in its natural state for perpetuity through deeds or other legal means.

CONTINUING CARE RETIREMENT COMMUNITY

A community planned and operated to provide a continuum of care from INDEPENDENT LIVING through NURSING HOME. The facilities allow individuals to live within the same community as their needs progress through the spectrum of care.

CONVENIENCE STORE

A small retail establishment that is designed and stocked to sell primarily prepackaged food items, but may have beverages, periodicals, and other household supplies to customers who purchased only a relatively few items (in contrast to a supermarket). It is designed to attract and depends upon a large volume of stop-and-go traffic. Illustrative examples of convenience stores are those operated by “7-11,” “Golden Pantry,” and “kangaroo.” Gas pumps are an accessory use to a convenience store.

CONVENIENCE STORE/GAS STATION

A parcel that contains a combination service station, convenience stores, and fast food restaurant in one structure located on one parcel.

CORNER LOT

A LOT abutting 2 or more public streets or Town maintained roads at their intersection.

CORNICE

The CORNICE is the uppermost section of moldings just below the roof.

COUNTRY CLUB

A club with recreation facilities for members, their families, and invited guests.

COURT

Any open space, unobstructed from the ground to the sky, that is bounded on not more than three sides by the exterior walls of one or more buildings.

COURTYARD

An uncovered area partly or wholly enclosed by buildings or walls used for outdoor dining.

DAYCARE CENTER
A BUILDING that receives for group care seven (7) or more children under eighteen (18) years of age for less than twenty-four (24) hours per day without transfer of legal custody.

DAYCARE HOME

A private dwelling operated by any person who receives pay for supervision and care, fewer than 24 hours per day, without transfer of legal custody of 3 to 6 children under 18 years of age who are not related to such person and whose parents or guardians are not residents in the same private dwelling.

DETACHED RESIDENTIAL

A SITE-BUILT home that meets local BUILDING codes, that contains 1 dwelling unit per lot and designed for residential use.

DEVELOPMENT REVIEW

The review of applications for a project development plan.

DEVELOPMENT REVIEW APPLICATION

An application to the town that contains an ARCHITECTURAL PLAN, a LANDSCAPE PLAN, and/or a TRAFFIC IMPACT ANALYSIS.

DEVELOPMENT

The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any excavation or land disturbance; and any use or extension of the use of land.

DWELLING UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation constructed to meet the International Building Code as adopted and as may be amended.

EDUCATIONAL FACILITIES, PRESCHOOL

A facility providing day care with educational services for children not yet attending elementary school.

ELECTRICAL SUBSTATION

An assemblage of equipment and appurtenant facilities designed for voltage transformation or voltage control of electricity. An electrical substation shall be secondary, supplementary, subordinate, and auxiliary to the main system.
ENTABLATURE

In classical architecture, the top of an Order, horizontally divided into cornice, frieze, and architrave, supported by a colonnade. Typical orders are Doric, Ionic, Corinthian, Composite, and Tuscan.

ENVIRONMENTALLY SENSITIVE LANDS

Any land area containing one or more of the following: steep slopes; floodplain; soils having high water tables; highly erodible soils; lands incapable of meeting minimum percolation standards; stream corridors; aquifer recharge or discharge areas; wetlands; and scenic view corridors.

EXPRESSION LINE

An expression line delineates the division between the first story and second story of every facade on all principal buildings.

FASCIA

A flat horizontal band or member between moldings, especially in a classical ENTABLATURE.

FLUSH MOUNTED SOLAR COLLECTION SYSTEM

A type of building mounted system in which there is no space between the solar panels or collectors and the structure of the building.

GARAGE, DETACHED

A detached structure no less than 400 sq. ft. which is accessory to a single detached dwelling unit and to which there is legal vehicular access from a public right-of-way, designed for the storage of vehicles or boats of the residents of the dwelling unit.

FENESTRATION

The design and placement of windows in a building. FENESTRATION is measured as glass area (excluding window frame elements with a dimension greater than 1 inch) for conditioned space and as open area for parking structures or other un-conditioned, enclosed space.

FINANCIAL INTEREST

All direct ownership interests of the total assets or capital stock of a BUSINESS ENTITY where such ownership interest is 10 percent or more.
FULL CUT-OFF TYPE FIXTURE

A luminaire or light fixture that, by design of the housing, does not allow any light dispersion or direct glare to shine above a 90 degree horizontal plane from the base of the fixture. FULL CUT-OFF FIXTURES must be installed in a horizontal position as designed, or the purpose of the design is defeated, and glare will result.

FUNERAL HOME or MORTUARY

A building used for the preparation of the deceased for burial and display of the deceased and rituals connected therewith before burial or cremation. A funeral home includes a funeral chapel.

FUTURE LAND USE MAP


GARAGE, ATTACHED

A portion of the principal building to which there is legal vehicular access from a public right-of-way, designed for the storage of vehicles or boats of the residents of the dwelling unit.

GARAGE, REPAIR

A building and premises designed or used for the purpose of service or commercial repair of motor vehicles. All body work and painting shall be conducted within fully enclosed buildings. The storage of junk, wrecked vehicles, dismantled parts or supplies shall be solely for the purpose of repairing motor vehicles and not as a salvage or junkyard business. The storage of junk, wrecked vehicles, dismantled parts or supplies shall not be visible beyond the premises.

GAS STATION

A facility limited to retail sales to the public of gasoline, motor oil, lubricants, motor fuels, travel aides, and minor automobile accessories. In addition, such a facility may provide minor vehicle servicing, minor repairs, and maintenance, including engine rebuilding but not reconditioning of motor vehicles, collision services such as body, frame, or fender straightening and repair, or overall painting of automobiles.

GREEN ROOF

The roof of a building that is partially or completely covered with vegetation and soil, or a growing medium, planted over a waterproofing membrane. The term does not include roofs which are merely colored green, as with green shingles. It also includes additional layers such as a root barrier and drainage and irrigation systems. Container gardens on roofs, where plants are maintained in pots, are not included.
GREENSPACE
Land and water, permanently protected from any type of development.

GREENWAY
A linear park that provides passive recreational opportunities, pedestrian and/or bicycle paths, and/or for the conservation of OPEN SPACE or natural areas, as indicated in the CONCEPT PLAN.

GROUND FLOOR/GROUND STORY
A level of a BUILDING, the floor of which is located not more than 6 inches below and 48 inches above the sidewalk elevation at the front of the BUILDING or, if no sidewalk, the level of the BUILDING the floor of which is located not more than 2 feet below nor 6 feet above finished grade.

GROUND MOUNTED SOLAR COLLECTION SYSTEM
A solar energy system that is directly installed in the ground and is not attached or affixed to an existing structure. This can include pole mounted systems that allow for tracking of the sun.

HARDSCAPE
Landscaping consisting of inanimate elements of landscaping, especially any masonry work or woodwork. For instance, stone walls, concrete or brick patios, tile paths, wooden decks and wooden arbors would all be considered part of the hardscape.

HEALTH DEPARTMENT
The Harris County Health Department.

HIGH INTENSITY LIGHT
A laser source light, or any similar high intensity light, used for outdoor advertising or entertainment.

HISTORIC STRUCTURE
Any structure that is: (a) listed in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing in the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed in the Georgia Register; (d) individually listed on a local inventory of historic places that has been certified by an approved state program as determined by the Secretary of the Interior; (e) is an outstanding example of a structure representative of its era; (f) is one of the few remaining examples of a past architectural style; (g) is
associated with an event or persons of historic or cultural significance to the Town, County, State, or region; (h) is a site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the Town, County, or State.

HOME OCCUPATION

An occupation or profession conducted only by an occupant of a dwelling unit as a secondary use which is clearly incidental to the dwelling unit for residential purposes and is carried on wholly within the principal BUILDING or within a BUILDING accessory thereto, and does not change the residential character of the residence.

HOME OFFICE

An accessory use of a residential dwelling unit, where business or office activities are conducted, and only by an occupant of a dwelling unit as a secondary use which is clearly incidental to the dwelling unit for residential purposes and is carried on wholly within the principal BUILDING or within a BUILDING accessory thereto, and does not change the residential character of the residence. Typically, the office would be an ancillary use for a primary business or office use located elsewhere.

HOTEL, BOUTIQUE

Small, highly unique operations, unlike modern purpose built hotels, usually housed in HISTORIC STRUCTURES, in peaceful surroundings, with high standards of hospitality, and offering short-term lodging accommodation.

ICE BOX

An insulated metal chest into which bags of ice are placed for sale while payment for the bag(s) of ice is/are made inside the principal BUILDING. ICE BOXES are permitted outside only as an ancillary storage container to a grocery or CONVENIENCE STORE and must be located under a sheltered area attached to the principal BUILDING.

INDEPENDENT LIVING

A living arrangement that maximizes independence and self-determination, especially of disabled persons living in a community instead of in a medical facility. Core services provided by Independent Living Centers include: information and referral, independent living skills training, peer counseling, and individual and systems advocacy.
INDUSTRIAL SERVICES

Establishments providing the following non-polluting light industrial services including metal, machine, and welding shops; cabinetry and woodworking shops; furniture upholstery shops; and similar businesses engaging in custom fabrication and repair.

INFILL DEVELOPMENT

The development of a new BUILDING on scattered vacant sites in a built-up area.

INNER COURT

See “COURT.”

INSTITUTIONAL USE

A nonprofit or quasi-public use, such as a religious institution, library, public or private school, hospital, or government-owned or government-operated structure or land used for public purpose.

KILOWATT (KW)

A measure of the use of electrical power equal to 1,000 watts.

KILOWATT-HOUR (KWH)

A unit of energy equivalent to one kilowatt (1KW) of power expended for one hour.

LANDSCAPE PLAN

A scale drawing showing dimensions and details for re-vegetating a parcel subject to development.

LIGHT INDUSTRY

Establishments with 10,000 square feet or less of gross floor area otherwise meeting the definition of LIGHT INDUSTRY, LARGE-SCALE.

LIGHT INDUSTRY, LARGE-SCALE

Establishments with greater than 10,000 square feet gross floor area engaged in the non-polluting manufacture, predominantly from previously prepared materials, of finished products or parts including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, or distribution of such products. Further, “light industrial” shall not include loud, dusty, polluting, odorous or other intensive industrial uses or those which tend to produce smoke, soot, or vibration, or those uses including without limitation mining and extracting industries, asphalt plants, concrete plants, cement plants, abattoirs, chicken houses, slaughterhouses, use or storage of flammable or explosive materials, use of radioactive materials,
poisons, pesticides, or herbicides, or petrochemical industries, rubber refining, primary metal, or related or similar industries.

LIVE/WORK

A structure that is specifically built (or altered) to accommodate retail or office uses on the ground floor and residential uses on the upper floors.

LOADING SPACE

A space within the principal use or on the same LOT that provides for standing, loading or unloading of trucks and other carriers.

LOT

A portion of, or parcel of land separate from other portions or parcels and having a separate tax parcel reference.

LOW-IMPACT AGRICULTURE

Agriculture is an accessory use on a parcel where residential is the primary use.

LUMINESCENCE

The actual amount of visible light which is produced by a lamp as specified by the manufacturer.

MANSION FLAT

A structure which has the exterior appearance of a large house which contains 2 or more DWELLING UNITS with each DWELLING UNIT contained in its entirety on a single floor.

MAYOR AND TOWN COUNCIL

The MAYOR AND TOWN COUNCIL of Pine Mountain, GA.

MECHANICAL EQUIPMENT RELATED TO SOLAR ENERGY SYSTEMS

All items not listed in these definitions that are directly related to a construction and operation of a solar energy collection system including but not limited to, on-site transmission lines, pumps, batteries, inverters, mounting brackets, framing, foundations or other structures, etc.

MEGAWATT (MW)

A measure of the use of electrical power equal to 1,000 kilowatts.

MEGAWATT HOUR (MWh)

A unit of energy equivalent to one megawatt (1MW) of power expended for one hour.
MEMBER OF THE FAMILY
The spouse, mother, father, brother, sister, son, or daughter of a local government official.

MINI WAREHOUSE
A BUILDING consisting of self-contained units for storage of items.

MUNTINS
Wood strips that hold the panes of glass in a glazed door or window

MUSEUM
A room or BUILDING for exhibiting a collection of books, or artistic, historical, or scientific objects.

NATURAL AREA
Land and water that has substantially retained its natural character or land and water that, although altered in character, is important as habitat for plant, animal, or marine life, for the study of its natural features, or for enjoyment of its natural features.

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

NEIGHBORHOOD PARK or PLAYGROUND Neighborhood space, lawn, park or playground that is primarily unpaved. These shall not include active recreation STRUCTURES such as ball fields and courts, but may include PLAYGROUND equipment for children.

NEWSPAPER or PRINTING ESTABLISHMENT
A commercial printing operation involving a process that is considered printing, imprinting, reproducing, or duplicating images and using printing methods including but not limited to offset printing, lithography, web offset, flexographic, and screen process printing.

NON-CONFORMING USE
A use or activity that was lawful and active prior to the adoption, revision or amendment of the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

NURSING HOME
A skilled nursing facility providing 24-hour medical nursing bed-care for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and
excluding a facility providing care for alcoholism, drug addition, mental disease, or communicable disease.

**OFF-GRID SOLAR PHOTOVOLTAIC SYSTEM WITH BATTERY BACK-UP**

A solar PV electricity system designed to operate independently from a local utility grid and provide electricity to a building, boat, recreational vehicle, sign, remote pump, gates, etc. These systems usually require a battery bank to store electricity generated by solar for use at night or on a rainy day.

**OFF-STREET PARKING**

An area exclusive of a public or private thoroughfare where motor vehicles may be stored for temporary, daily or overnight parking.

**OFFICE, BUSINESS**

Establishments providing direct services to consumers, such as insurance agencies, banks, real estate offices, medical offices, and commercial mailing facilities (but not including bulk mailing distribution centers or offices that are incidental and accessory to the business or sales activity that is the principal use).

**OFFICE, CORPORATE**

An establishment primarily providing internal office administration services as opposed to customer service in a single BUILDING or a campus setting; for example, the headquarters, regional offices or the administrative offices for a corporation. Generally, the majority of traffic comes from employees and not the general public.

**OFFICE, PROFESSIONAL**

Government office or the office of a member of a recognized profession in the following categories: architectural, engineering, planning, law, accounting, insurance, real estate, medical, dental, optical, or similar profession.

**OPEN SPACE**

Undeveloped land or water used for recreation, resource protection, or buffers.

**OPPONENT**

Any person who opposes a rezoning action or any attorney or other person representing or acting on behalf of a person who opposes a rezoning action.

**OVERLAY DISTRICT**

A district that applies supplementary regulations to land of a specific zoning district or land-use category.
PARAPET

A parapet is a low wall extending above a platform, terrace, or roof. Parapets are often decorative and extend the wall above the roof line.

PATIO

A level surface area directly adjacent to a principal BUILDING which has an average elevation of not more than 30 inches above a finished grade, usually made of concrete, brick, or other masonry roof material, without a roof, and, intended for outdoor lounging or dining. Includes a COURTYARD.

PEDESTRIAN PATHWAY

Interconnecting paved ways that provide pedestrian and bicycle passage.

PERSONAL CARE HOME

A facility providing assistance with meals, dressing, movement, bathing, or other personal needs or maintenance, or general supervision of the physical and mental well-being of a person who is incapable of maintaining a private, independent residence, or who is incapable of managing his/her person.

PLANNED GROUP DWELLING

Two or more detached dwelling units located on a lot that is in single ownership having yards, courts or facilities in common.

PLANNING COMMISSION

Either the Harris County PLANNING COMMISSION or the Pine Mountain PLANNING COMMISSION, whichever is charged by the MAYOR AND COUNCIL with the review and recommendation of applications under this Ordinance to the MAYOR AND COUNCIL.

PRINCIPAL BUILDING

A BUILDING in which the primary use of the lot on which the BUILDING is located is conducted.

POWER INVERTER

A device that inverts the direct current (DC) electricity produced by a solar PV system into usable alternating current (AC).
PULPWOOD or LOG YARD

Areas where wood is hauled for temporary storage before transfer to trucks.

RECREATION CENTER/FACILITY

A facility dedicated for recreational purposes, to primarily serve the residents of the community. It may include indoor and/or outdoor facilities: club house, pool, tennis courts, basketball courts, gymnastics, skating, playgrounds, playing fields, and similar youth and family oriented recreational facilities.

RELIGIOUS INSTITUTION, COMMUNITY

A religious institution with a seating capacity of between three hundred (300) and six hundred (600) persons in the sanctuary or main activity area and additional gross floor area associated with religious institution offices, culinary, nursery and toiletry areas, and group meeting rooms.

RELIGIOUS INSTITUTION, MEGA (Also known as Megachurches)

A large religious institution with a seating capacity of more than six hundred (600) persons in the sanctuary or main activity area and that may also include additional gross floor area for offices, culinary, nursery and toiletry areas, and group meeting rooms. Megachurches often encompass one or more accessory uses including child-care, schools and after-school programs, overnight accommodations, retail sales, soup kitchens, thrift shops, community shelter, recreational facilities, and other such uses.

RELIGIOUS INSTITUTION, NEIGHBORHOOD

A religious institution with a seating capacity of less than three hundred (300) persons in the sanctuary or main activity area and additional gross floor area is limited to offices, culinary, nursery and toiletry areas, and group meeting rooms.

RESORT

Large scale recreational oriented development designed to bring visitors from outside the town and region.

RESTAURANT, CAFÉ

An informal restaurant housed in a permanent structure primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu meals may also be served to no more than 30 customers concurrently.
RESTAURANT, FINE

An establishment housed in a permanent structure where food and drink are prepared and served to 50 or more customers concurrently. Customer turnover rates are typically one hour or longer. Such establishments serve dinner but generally do not serve breakfast.

RESTAURANT, OUTDOOR CUSTOMER DINING AREA

Any outdoor dining area that is associated with a CAFÉ, FINE, SMALL, or SPECIALTY RESTAURANT.

RESTAURANT, SMALL

An establishment housed in a permanent structure engaged in the preparation of food and beverages and containing no more than 2,000 gross square feet, characterized primarily by table service in non-disposable containers to no more than 40 customers concurrently.

RESTAURANT, SPECIALTY

An establishment housed in a permanent structure whose primary business is the on-premise sale of a single specialty type of food or beverage that is not considered a complete meal (e.g., candy, coffee, or ice cream). The sale of other food, beverages, or merchandise is incidental to the sale of the specialty food or beverage.

RESTORATION

Returning a property as nearly as possible to its appearance at a given date in time.

RETAIL, LARGE SCALE

A store 5,000 sq. ft. and above that provides goods directly to the consumer. This definition does not include bulk retail which involves a high volume of sales of products in a warehouse setting. Large scale retail is auto-oriented.

RETAIL, SMALL SCALE

A store 5,000 sq. ft. or fewer gross floor area carrying goods for consumer or household use excluding animal sales or service; building materials and/or supplies, sales or rental. Food sales/groceries allowed with Department of Agriculture or Harris County Environmental Health Department approval when applicable. Outside food sales/markets are not allowed.materials and/or supplies, sales, or rental; and food sales or markets. Typical uses include sale of consumer goods, art or craft objects, flower shops, gift shops, and boutiques.
RIGHT-OF-WAY

That area, distinguished from an easement, which is owned in fee-simple by the Town of Pine Mountain or other government, for the present or future use of utilities, roads, streets, and highways, together with its drainage facilities and other supporting uses and structures.

ROW HOUSE

A group of attached residences, separated by vertical fire walls, in which each residence has its own front and rear yards and has appropriated to it the entire BUILDING between the fire walls.

SCHOOL, PRIVATE

A private institution for the teaching of children or adults including primary and secondary schools, colleges, professional schools, dance schools, business schools, trade schools, art schools, and similar facilities.

SCHOOL, PUBLIC

A public institution for the teaching of children or adults including primary and secondary schools.

SENIOR LIVING

Living arrangements comprised of INDEPENDENT LIVING, ASSISTED LIVING, NURSING HOME, and/or CONTINUING CARE RETIREMENT COMMUNITY.

SERVICE ESTABLISHMENT

Any establishment whose primary activity is the provision of assistance, as opposed to products.

SETBACK

The minimum horizontal distance between the LOT or property RIGHT-OF-WAY line and the nearest front, side or rear line of the BUILDING, including terraces or any covered projections but excluding steps.

SHARED PARKING

The use of the same off-street parking spaces for two or more distinguishable uses where peak parking demand of the different uses occur at different times or, where various uses are visited without moving the automobile; and, where the number of parking spaces is a net decrease from the combined total of each use’s individual off-street parking requirements if required separately.
SHORT TERM VACATION RENTAL

An accommodation for transient guests, where, in exchange for compensation, a residential dwelling is rented for lodging for a period of time not to exceed 30 consecutive days. The number of occupants shall not exceed two adults per bedroom plus two adults for each rental unit. Such use may or may not include an on-site manager. For the purpose of this definition, a residential dwelling shall include all housing types and shall not include group living or other lodging uses. There shall be no change in the exterior appearance of the dwelling unit and premises, or other visible evidence of the conduct of a short term residential rental.

SIGHT DISTANCE TRIANGLE

The area of a CORNER LOT bounded by the RIGHT-OF-WAY line connecting the two points on the property lines 30 feet from the intersection of the property lines.

SITE-BUILT

A BUILDING constructed on-site with approved BUILDING materials, inspected periodically during construction, and constructed according to locally adopted BUILDING codes.

SOLAR ENERGY COLLECTION SYSTEM

A system capable of collecting and converting solar radiant energy (through direct, diffuse, and/or reflective collection) into heat, mechanical or electrical energy and transfers the produced electricity into a separate apparatus to store or to a point of use which include, but are not limited to water heaters, interior space heaters or coolers or electrical energy generation. Solar energy collection systems primarily consist of solar collection devices and mechanical equipment related to solar energy (transformers, inverters, etc.). A solar energy collection system is considered an accessory use in resort zoning districts, except for residential uses located therein, and is permitted on five acres or less of land.

SOLAR COLLECTION SYSTEM: PHOTOVOLTAIC (PV)

A solar collection system which produces electricity by the use of photovoltaic cells which generate electricity when exposed to sunlight. A PV system may be roof-mounted or ground-mounted. Photovoltaic systems are generally comprised of solar cells, solar modules and solar arrays.

SOLAR COLLECTION SYSTEM: THERMAL

A solar collection system which produces electricity by the use of photovoltaic cells which generate electricity when exposed to sunlight.
**SOLAR COLLECTION SYSTEM: FLAT PLATE**

A solar collection system which collects solar radiation to heat a liquid which in turn will be used to heat water or enclosed areas. This system generally contains a plate (panel) over tubes housed in a shell.

**SOLAR COLLECTION SYSTEM: EVACUATED TUBE**

A solar collection system generally composed of hollow tubes which contains a liquid used for the purpose of heating large volumes of water or heat water to a high temperature.

**SOLAR GLARE**

The effect produced by light reflecting from a solar panel with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

**SOLAR PANEL**

For the purpose of this ordinance, a solar panel may refer to a solar module or surface component of a flat plate collector. Solar panels are meant to absorb, not reflect, sunlight.

**STORY**

That portion of a building measured from the NATURAL GRADE and included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. A BONUS ROOM is not considered a STORY.

**STREET**

A public or private thoroughfare which affords ingress and egress to abutting property.

**STREET FACADE**

The portions of a facade which face and are most closely parallel to the STREET FRONTAGE.

**STREET FRONTAGE**

A property line which abuts a public right-of-way that provides public access to or visibility to the premises.

**STREET LIGHT**

Lighting on poles, with either underground or overhead service, along a street for purposes of illuminating public or private ways.
STREET TREES

Any tree located within the public RIGHT-OF-WAY or easement for vehicular access, or associated public utility easements.

SWIMMING POOL, PRIVATE

A swimming pool where access is restricted to membership and guests of members.

SWIMMING POOL, PUBLIC

A swimming pool to which the general public has access.

THROUGH LOT

A lot with frontage on 2 public streets and/or town maintained roads that does not intersect at a point abutting the property.

TOWNHOUSE

A single dwelling unit in a TOWNHOUSE group, located or capable of being located on a separate lot, and being separated from the adjoining dwelling unit by an approved wall extending from the foundation through the roof and structurally independent of the corresponding wall of the adjoining unit.

TRAFFIC IMPACT ANALYSIS

An analytical and informational document professionally prepared by a licensed professional traffic engineer or civil engineer in connection with a specific proposed development application that forecasts, describes, and suggests ways of offsetting the traffic effects of the proposed new activities with the town.

UPPER FLOOR RESIDENTIAL

A studio, one-bedroom, or MULTI-bedroom dwelling unit located on any floor other than the basement, ground, or street level floor.

VARIANCE

A minimal relaxation or modification of the strict terms of the height, area, placement, SETBACK, YARD, BUFFER, landscape strip, parking or loading regulations as applied to specific property when, because of particular physical surroundings, shape, or topographical condition of the property, not due to the fault of the owner of said property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make a profit.
VENDING MACHINE

A coin-operated device, which dispenses a product or service without an attendant.

VETERINARY CLINIC OR HOSPITAL

A facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases where the animals are limited to dogs, cats, or other companion animals. The overnight care of animals is prohibited except when necessary in the medical treatment of the animal.

WALL PACK

A building-mounted luminaire installed for the purpose of lighting the adjacent ground areas, walkways, streets and/or parking lots.

WAREHOUSE

Storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are inflammable or explosive or that present hazards or conditions commonly recognized as offensive.

WHERE CLEARLY VISIBLE FROM THE STREET

A building element more than 30 feet behind the Required BUILD-TO-LINE is by definition not clearly visible from the street. Also, common and/or party walls are by definition not clearly visible from the street.

WHOLESALE ESTABLISHMENT

An establishment primarily engaged in selling and/or distributing merchandise to retailers, to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

WHOLESALE ESTABLISHMENT WITH WAREHOUSE

The display, storage, and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment, including warehousing.

XERISCAPE

Water-conserving, drought-tolerant landscaping.
YARD

An OPEN SPACE at grade between a BUILDING and the adjoining LOT lines, unoccupied and unobstructed by any portion of a structure from the ground upward. In measuring a YARD for the purpose of determining the width of a side YARD, the depth of a front YARD, or the depth of a rear YARD, the minimum horizontal distance between a lot line and the main BUILDING shall be used.

ZONING ADMINISTRATOR

The individual(s) or office or designee(s) assigned with the duty of administering the Zoning Ordinance within Pine Mountain, Georgia.

ZONING CONDITION

Any stipulation made by the Town Council as a zoning decision affecting property which imposes a requirement on the use or development of property which is different from the use or development regulations set forth in the zoning district to which the property is being rezoned. By way of example, but not as a limitation, such zoning conditions may relate to the use, density, construction materials, architectural style and design, location of structures and buffer area.

ZONING DECISION

Final action by the Pine Mountain Town council which results in: 1.) the adoption of a zoning ordinance; 2.) the adoption of an amendment to a zoning ordinance which changes the text of the zoning ordinance; or 3.) the adoption of an amendment to the zoning ordinance which rezones property from one zoning district to another.
ARTICLE 5. Building Standards

The goal of this Article is the creation of a healthy and vital public realm through good street space which is consistent with the traditional and predominant development patterns in the town. The BUILDING ENVELOPE standards set the basic parameters governing BUILDING construction, including the BUILDING ENVELOPE (in three dimensions) and certain required/permitted elements, such as balconies, stoops, and walls.

Chapter 5.01 General Guiding Principles

A. BUILDINGS in some districts are aligned and close to the street as this is compatible with the community’s existing design and will build on the town established character and identity.

B. The street and contiguous areas together form a coherent space, with consistent BUILDING forms on both sides of the street. This consistency between BUILDINGS facing across the street contributes to a clear public space and community identity.

C. BUILDINGS are to be designed for towns and cities, on an appropriate scale consistent with the historical and/or traditional building construction types of the town. Rather than being simply pushed closer together, as in many suburban developments, BUILDINGS must be designed for the surrounding environment of the town. Front façades and the majority of the windows should face the street, not toward the neighbors.

D. Vehicle storage, garbage and mechanical equipment shall not be visible from the frontage street.

E. Retail or office uses shall be on the GROUND FLOOR in specified districts. Retail and office uses shall provide a diversity of uses.

F. Parking (not including on-street parking) and shared by multiple property owners/users when possible.

G. HISTORIC STRUCTURES should be restored for adaptive reuse or, if restoration is not feasible, the historic elements of the structure should be incorporated in the redevelopment site.

H. INFILL DEVELOPMENT compatible within the district is encouraged to further the goals of the COMPREHENSIVE PLAN.

Chapter 5.02 General Building Standards

A. AWNINGS
   a. extending from the first STORY and facing the street must conform to the following BUILD-TO-LINE and must meet the following dimensions:
      i. Depth - 5 feet minimum, but no closer than 2 feet to an existing curb.
      ii. Height - 8 feet minimum clear, including suspended signs.
      iii. Upper STORY AWNINGS shall meet the depth requirements of first STORY AWNINGS.
      iv. AWNINGS may occur forward of the required build-to-line and may encroach within the RIGHT-OF-WAY, but shall not interfere with STREET LIGHTS or trees.
      v. AWNINGS shall be made of canvas, vinyl or metal and in a color that is consistent with the overall color scheme of the facade. Solid colors or simple, muted-stripe patterns are appropriate. High-gloss or plasticized fabrics are prohibited.
      vi. AWNINGS shall be rectangular or bubble in form.

B. Front Porches
   a. Front porches are permitted only on BUILDINGS that are residential in character.
   b. Front porches facing the street must have a minimum depth of 8 feet.
   c. Front porches shall not be built forward of the Required BUILD-TO-LINE.

C. Patios
   a. Patios are permitted on the front, side or rear of a building.
   b. Patios facing the street must have a minimum depth of 5 feet.
   c. Patios and the required screening shall not be built forward of the Required BUILD-TO-LINE.
   d. Patios, at the time of installation, must be screened from the public street with a visual barrier at least 4 feet wide and 3 feet high that shall be either an evergreen hedge or a combination of wall or decorative fence and evergreen plant material where the plant material is used to soften the visual
impact of the wall.

e. Walls or fences shall be 4 feet high and shall meet the requirements of Chapter 6.08.

D. Entries

  a. Front entries must be recessed and entry doors should be centered. However, if the building is on a
corner lot, the front entry may be located on the corner rather than centered on the front FACADE.

  b. Doors must be solid and well detailed, matching the materials, design and character of the display
window framing. “Narrowline” aluminum doors are not permitted.

E. Windows

  a. Window-to-Wall Proportion -- Second stories must have a window to wall area proportion of 30 -
50% that is smaller than that of GROUND FLOOR storefronts.

  b. Window Openings - must be vertical or square in shape and compatible with window openings on
existing buildings within the district. If square, windows and/or windowpanes must be vertical in
shape.

  c. Shaped Frames and Sills - must be used to enhance openings and add additional relief. They should
be proportional to the glass area framed; e.g. a larger window should have thicker framing members.

  d. MUNTINS - “true” or “simulated divided light” windows or sectional windows are recommended
where a divided window design is desired;

  e. Replacement/Renovation – Wood windows must be replaced with wood windows of the same
operating type (e.g. double-hung, casement, etc.; vinyl-covered wood windows are available for
lower maintenance). Do not replace a double hung window with a horizontal sliding window.

  f. Factory painted or fluoro-coated to match the original; color anodized is also acceptable.

  g. Similar in size and thickness to the original framed MUNTINS.
Chapter 5.03 Building Standards for Zoning Districts

**Section 5.3.1 – Historic Residential**

This district is intended to represent the historic residential core of Pine Mountain with smaller lot sizes and adjacent buildings built to the lot lines in many cases.

<table>
<thead>
<tr>
<th>Height:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Height</strong></td>
<td>35' maximum</td>
</tr>
<tr>
<td><strong>Ground Story Height</strong></td>
<td>10’ minimum, 14’ maximum</td>
</tr>
<tr>
<td><strong>Upper Story Height</strong></td>
<td>8’ minimum, 12’ maximum</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Siting:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Façade</strong></td>
<td>Building façade should be oriented parallel to the street</td>
</tr>
<tr>
<td><strong>Minimum Lot Size</strong></td>
<td>.25 acre</td>
</tr>
<tr>
<td><strong>Buildable Area</strong></td>
<td>35% lot coverage</td>
</tr>
<tr>
<td><strong>Front Yard</strong></td>
<td>25’ minimum setback</td>
</tr>
<tr>
<td><strong>Side Yard</strong></td>
<td>10’ minimum setback</td>
</tr>
<tr>
<td><strong>Rear Yard</strong></td>
<td>10’ minimum setback from right-of-way</td>
</tr>
<tr>
<td><strong>Parking</strong></td>
<td>In attached or detached garage. Garage must not face front of the lot. Garage permissible as long as it is constructed with same materials and in the same architectural style of the dwelling.</td>
</tr>
</tbody>
</table>

**Requirements:**

**Supportive Uses:**

Accessory Dwelling Unit, Accessory Structure/Unit, Home Occupation/Office, Neighborhood Park/Playground, Community/Neighborhood Church, Small Scale Studio/Salon/Office/Restaurant, as part of the effort to create complete neighborhoods.

**References elsewhere in Zoning Ordinance:**

Art. 3, Ch. 3.02 (p. 8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p. 33); Art. 6, Ch. 6.05 (p. 46); Art. 6, Ch. 6.06 (p. 46); Art. 6, Ch. 6.07 (p. 47); Art. 6, Ch. 6.08 (p. 47); Art. 6, Ch. 6.09 (p. 49); Art. 6, Ch. 6.10 (p. 49); Art. 6, Ch. 6.11 (p. 49); Art. 6, Ch. 6.12 (p. 49); Art. 7 (p. 52); Art. 8, Ch. 8.06 (p. 64); Art. 9 Ch. 9.01 (p. 67); Art. 11, Ch. 11.05 (p. 86)
### Section 5.3.2 – Residential – Single Family

This district is intended primarily for a variety of detached residential units providing a mix of housing types and values.

<table>
<thead>
<tr>
<th>Height:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Height</strong></td>
</tr>
<tr>
<td><strong>Ground Story Height</strong></td>
</tr>
<tr>
<td><strong>Upper Story Height</strong></td>
</tr>
</tbody>
</table>

#### Siting:

<table>
<thead>
<tr>
<th>Street Façade</th>
<th>Building façade should be oriented parallel to the street</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum Lot Size</strong></td>
<td>.25 acre</td>
</tr>
<tr>
<td><strong>Buildable Area</strong></td>
<td>35% lot coverage</td>
</tr>
<tr>
<td><strong>Front Yard</strong></td>
<td>25’ minimum setback</td>
</tr>
<tr>
<td><strong>Side Yard</strong></td>
<td>20’ minimum setback</td>
</tr>
<tr>
<td><strong>Rear Yard</strong></td>
<td>10’ minimum setback from right-of-way</td>
</tr>
<tr>
<td><strong>Minimum Dwelling Unit Size</strong></td>
<td>1000 sq. ft. per unit</td>
</tr>
</tbody>
</table>

**Parking**

In attached or detached garage. Garage must not face front of the lot. Garage permissible as long as it is constructed with same materials and in the same architectural style of the dwelling.

#### Requirements:

#### Supportive Uses:

Accessory Dwelling Unit, Accessory Structure/Unit, Home Occupation/Office, Neighborhood Park/Playground, Community/Neighborhood Church, Small Scale Studio/Salon/Office/Restaurant, as part of the effort to create complete neighborhoods.

**References elsewhere in Zoning Ordinance:**

Art. 3 Ch. 3.02 (p.8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p.33); Art. 9 Ch. 9.01 (p.67); Art. 6, Ch. 6.05 (p.46); Art. 6, Ch. 6.06 (p.46); Art. 6, Ch. 6.07 (p.47); Art. 6, Ch. 6.08 (p.47); Art. 6, Ch. 6.09 (p.49); Art. 6, Ch. 6.10 (p.49); Art. 6, Ch. 6.11 (p.49); Art. 6, Ch. 6.12 (p.49); Art. 7 (p.52); Art. 8, Ch. 8.01 (pg.54); Art. 8, Ch. 8.02 (pg.54); Art. 8, Ch. 8.03 (pg.54); Art. 8, Ch. 8.04 (pg.54); Art. 8, Ch. 8.05 (pg.55); Art. 8, Ch. 8.06 (pg.58); Art. 9, Ch. 9.01 (pg.66); Art. 9, Ch. 9.02 (pg.68); Art. 9, Ch. 9.03 (pg.69); Art. 9, Ch. 9.04 (pg.71); Art. 9, Ch. 9.05 (pg.72)
Section 5.3.3 – Residential - Duplex

This district is intended primarily for attached residential units developed at a maximum of 8 dwelling units per acre, and are considered duplex development.

<table>
<thead>
<tr>
<th><strong>Height:</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Height</strong></td>
<td>35’ maximum</td>
</tr>
<tr>
<td><strong>Ground Story Height</strong></td>
<td>8’ minimum, 14’ maximum</td>
</tr>
<tr>
<td><strong>Upper Story Height</strong></td>
<td>8’ minimum, 12’ maximum</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Siting:</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Façade</strong></td>
<td>Building façade should be oriented parallel to the street</td>
</tr>
<tr>
<td><strong>Buildable Area</strong></td>
<td>30% of total lot area</td>
</tr>
<tr>
<td><strong>Minimum Lot Size</strong></td>
<td>.25 acre</td>
</tr>
<tr>
<td><strong>Front Yard</strong></td>
<td>25’ minimum, 30’ minimum non-residential</td>
</tr>
<tr>
<td><strong>Side Yard</strong></td>
<td>10’ minimum setback/30’ minimum street side yard</td>
</tr>
<tr>
<td><strong>Rear Yard</strong></td>
<td>35’ minimum setback from right-of-way</td>
</tr>
<tr>
<td><strong>Minimum Dwelling Unit Size</strong></td>
<td>1,000 sq. ft. per unit</td>
</tr>
<tr>
<td><strong>Parking</strong></td>
<td>In attached or detached garage. Garage must not face front of the lot. Garage permissible as long as it is constructed with same materials and in the same architectural style of the dwelling. One space per dwelling unit minimum.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Requirements:</strong></th>
<th></th>
</tr>
</thead>
</table>

| **Supportive Uses:**   | Accessory Dwelling Unit, Accessory Structure/Unit, Home Occupation/Office, Neighborhood Park/Playground, Community/Neighborhood Church, Small Scale Studio/Salon/Office/Restaurant, as part of the effort to create complete neighborhoods. |

**References elsewhere in Zoning Ordinance:**

Art. 3 Ch. 3.02 (p.8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p.33); Art. 6, Ch. 6.05 (p.46); Art. 6, Ch. 6.06 (p.46); Art. 6, Ch. 6.07 (p.47); Art. 6, Ch. 6.08 (p.47); Art. 6, Ch. 6.09 (p.49); Art. 6, Ch. 6.10 (p.49); Art. 6, Ch. 6.11 (p.49); Art. 6, Ch. 6.12 (p.49); Art. 7 (p.52); Art. 8, Ch. 8.01 (pg. 54); Art. 8, Ch. 8.02 (pg. 54); Art. 8, Ch. 8.03 (pg. 54); Art. 8, Ch. 8.04 (pg. 54); Art. 8, Ch. 8.05 (pg. 55); Art. 8, Ch. 8.06 (pg. 58); Art. 9, Ch. 9.01 (pg. 66); Art. 9, Ch. 9.02 (pg. 68); Art. 9, Ch. 9.03 (pg. 69); Art. 9, Ch. 9.04 (pg. 71); Art. 9, Ch. 9.05 (pg. 72)
**Section 5.3.4 – Residential - Apartments**

This district is intended primarily for attached residential units developed at a maximum of 20 dwelling units per acre, typically apartment, rowhouse, townhouse, or similar type development, but not including duplex development.

<table>
<thead>
<tr>
<th>Height:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Height</strong></td>
</tr>
<tr>
<td><strong>Ground Story Height</strong></td>
</tr>
<tr>
<td><strong>Upper Story Height</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Siting:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Façade</strong></td>
</tr>
<tr>
<td><strong>Buildable Area</strong></td>
</tr>
<tr>
<td><strong>Minimum Lot Size</strong></td>
</tr>
<tr>
<td><strong>Front Yard</strong></td>
</tr>
<tr>
<td><strong>Side Yard</strong></td>
</tr>
<tr>
<td><strong>Rear Yard</strong></td>
</tr>
<tr>
<td><strong>Minimum Dwelling Unit Size</strong></td>
</tr>
<tr>
<td><strong>Parking</strong></td>
</tr>
</tbody>
</table>

| Requirements: |

<table>
<thead>
<tr>
<th>Supportive Uses:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Dwelling Unit, Accessory Structure/Unit, Home Occupation/Office, Neighborhood Park/Playground, Community/Neighborhood Church, Small Scale Studio/Salon/Office/Restaurant, as part of the effort to create complete neighborhoods.</td>
</tr>
</tbody>
</table>

**References elsewhere in Zoning Ordinance:**

Art. 3 Ch. 3.02 (p.8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p.33); Art. 6, Ch. 6.05 (p.46); Art. 6, Ch. 6.06 (p.46); Art. 6, Ch. 6.07 (p.47); Art. 6, Ch. 6.08 (p.47); Art. 6, Ch. 6.09 (p.49); Art. 6, Ch. 6.10 (p.49); Art. 6, Ch. 6.11 (p.49); Art. 6, Ch. 6.12 (p.49); Art. 7 (p.52); Art. 8, Ch. 8.01 (pg. 54); Art. 8, Ch. 8.02 (pg. 54); Art. 8, Ch. 8.03 (pg. 54); Art. 8, Ch. 8.04 (pg. 54); Art. 8, Ch. 8.05 (pg. 55); Art. 8, Ch. 8.06 (pg. 58); Art. 9, Ch. 9.01 (pg. 66); Art. 9, Ch. 9.02 (pg. 68); Art. 9, Ch. 9.03 (pg. 69); Art. 9, Ch. 9.04 (pg. 71); Art. 9, Ch. 9.05 (pg. 72)
### Section 5.3.5 – Town Center Commercial

Town Center is intended to be the civic and commercial heart of Pine Mountain with a focus on retail and services to provide for local needs.

#### Height:

<table>
<thead>
<tr>
<th>Building Height</th>
<th>65' maximum, or 5 stories</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Story Height</td>
<td>10’ minimum, 14’ maximum</td>
</tr>
<tr>
<td>Upper Story Height</td>
<td>8’ minimum, 12’ maximum</td>
</tr>
</tbody>
</table>

#### Siting:

<table>
<thead>
<tr>
<th>Street Façade</th>
<th>Building façade should be oriented parallel to the street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildable Area</td>
<td>75% minimum lot area</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
<td>No minimum lot size</td>
</tr>
<tr>
<td>Front Yard</td>
<td>No minimum setback</td>
</tr>
<tr>
<td>Side Yard</td>
<td>No minimum setback</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>15’ minimum setback</td>
</tr>
<tr>
<td>Minimum Dwelling Unit Size</td>
<td>800 sq. ft. per unit—Upstairs only *</td>
</tr>
<tr>
<td>Parking</td>
<td>No additional parking requirements.</td>
</tr>
</tbody>
</table>

#### Requirements:

- Dwelling units possible in live-work conditions, with sufficient ingress and egress per the adopted building code.
- Rear yard requirement waived if lot abuts an alley and if loading and unloading are possible.

#### Supportive Uses:

- Small Scale Studio, Salon, Office, Retail, Restaurant, Civic, Upper Floor Residential, and Neighborhood Park/Playground

#### References elsewhere in Zoning Ordinance:

- Art. 3 Ch. 3.02 (p.8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p.33); Art. 6, Ch. 6.05 (p.46); Art. 6, Ch. 6.06 (p.46); Art. 6, Ch. 6.07 (p.47); Art. 6, Ch. 6.08 (p.47); Art. 6, Ch. 6.09 (p.49); Art. 6, Ch. 6.10 (p.49); Art. 6, Ch. 6.11 (p.49); Art. 6, Ch. 6.12 (p.49); Art. 7 (p.52); Art. 8, Ch. 8.01 (p.54); Art. 8, Ch. 8.02 (p.54); Art. 8, Ch. 8.03 (p.54); Art. 8, Ch. 8.04 (p.54); Art. 8, Ch. 8.05 (p.55); Art. 8, Ch. 8.06 (p.58); Art. 9, Ch. 9.01 (p.65); Art. 9, Ch. 9.02 (p.68); Art. 9, Ch. 9.03 (p.69); Art. 9, Ch. 9.04 (p.71); Art. 9, Ch. 9.05 (p.72);
# Section 5.3.6 – Drivable Commercial

This district is intended primarily for large-scale retail development that is more auto-oriented in nature, requiring increased visibility and road access.

### Height:

<table>
<thead>
<tr>
<th>Description</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Height</td>
<td>35’ maximum</td>
</tr>
<tr>
<td>Ground Story Height</td>
<td>10’ minimum, no maximum</td>
</tr>
<tr>
<td>Upper Story Height</td>
<td>10’ minimum</td>
</tr>
</tbody>
</table>

### Siting:

<table>
<thead>
<tr>
<th>Description</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Façade</td>
<td>Building façade should be oriented parallel to the street</td>
</tr>
<tr>
<td>Buildable Area</td>
<td>35% of lot area</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
<td>10,000 square feet</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>50’</td>
</tr>
<tr>
<td>Front Yard</td>
<td>20’ required build-to-line</td>
</tr>
<tr>
<td>Side Yard</td>
<td>25’ minimum setback</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>15’ minimum setback from right-of-way</td>
</tr>
<tr>
<td>Parking</td>
<td>Parking required in rear and side of building. <strong>note landscaping requirements and screening requirements</strong></td>
</tr>
</tbody>
</table>

### Requirements:

- Side Yard setback of 25’ and rear yard setback of 20’ – both with minimum 5’ landscaped buffer when abutting residential districts

### Supportive Uses:

- Small to Large Scale Development of Retail, Service and Office that is incompatible with the Town Center Commercial environment and require additional space to accommodate their activity

### References elsewhere in Zoning Ordinance:

- Art. 3 Ch. 3.02 (p.8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p.33); Art. 6, Ch. 6.05 (p.46); Art. 6, Ch. 6.06 (p.46); Art. 6, Ch. 6.07 (p.47); Art. 6, Ch. 6.08 (p.47); Art. 6, Ch. 6.09 (p.49); Art. 6, Ch. 6.10 (p.49); Art. 6, Ch. 6.11 (p.49); Art. 6, Ch. 6.12 (p.49); Art. 7 (p.52); Art. 8, Ch. 8.01 (pg. 54); Art. 8, Ch. 8.02 (pg. 54); Art. 8, Ch. 8.03 (pg. 54); Art. 8, Ch. 8.04 (pg. 54); Art. 8, Ch. 8.05 (pg. 55); Art. 8, Ch. 8.06 (pg. 58); Art. 9, Ch. 9.01 (pg. 66); Art. 9, Ch. 9.02 (pg. 68); Art. 9, Ch. 9.03 (pg. 69); Art. 9, Ch. 9.04 (pg. 71); Art. 9, Ch. 9.05 (pg. 72)
### Section 5.3.7 – Gateway Commercial

This district is intended primarily for large-scale retail development that is more automobile-oriented in nature, requiring increased visibility and road access.

#### Diagram

- **Lot Size**: 15,000 sq. ft.
- **Buildable Area**: 30% of the Lot
- **Front Yard Required Build-To-Line**: 20 ft. Minimum
- **Side Yard Setback**: 20 ft. Min.
- **Rear Yard Required Build-To-Line**: 20 ft. Minimum
- **75 ft. Minimum Lot Width**: Maximum Lot Width 250 ft.
- **10 ft. Landscape Buffer**

#### Height:
- **Building Height**: 50’ maximum, or 4 stories
- **Ground Story Height**: 12’ minimum, no maximum
- **Upper Story Height**: 9’ minimum

#### Siting:
- **Street Façade**: Building façade should be oriented parallel to the street
- **Buildable Area**: 30% of lot area
- **Minimum Lot Size**: 15,000 square feet
- **Lot Width**: Minimum 75’, maximum 250’
- **Front Yard**: 20’ build-to-line with 10’ landscape buffer
- **Side Yard**: 20’ minimum setback
- **Rear Yard**: 25’ minimum setback from right-of-way
- **Parking**: Parking required in rear and side of building.
  **Note landscaping requirements and screening requirements**

#### Requirements:
Gateway Commercial adds distinctive landscaping and buffering requirements to make the gateways into Pine Mountain more attractive.

#### Supportive Uses:
Small to Large Scale Development of Retail, Service and Office that is incompatible with the Town Center Commercial environment and aimed more toward providing for tourist needs.

#### References elsewhere in Zoning Ordinance:
- Art. 3 Ch. 3.02 (p.8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p.33); Art. 6, Ch. 6.05 (p.46); Art. 6, Ch. 6.06 (p.46); Art. 6, Ch. 6.07 (p.47); Art. 6, Ch. 6.08 (p.47); Art. 6, Ch. 6.09 (p.49); Art. 6, Ch. 6.10 (p.49); Art. 6, Ch. 6.11 (p.49); Art. 6, Ch. 6.12 (p.49); Art. 7 (p.52); Art. 8, Ch. 8.01 (pg. 54); Art. 8, Ch. 8.02 (pg. 54); Art. 8, Ch. 8.03 (pg. 54); Art. 8, Ch. 8.04 (pg. 54); Art. 8, Ch. 8.05 (pg. 55); Art. 8, Ch. 8.06 (pg. 58); Art. 9, Ch. 9.01 (pg. 66); Art. 9, Ch. 9.02 (pg. 68); Art. 9, Ch. 9.03 (pg. 69); Art. 9, Ch. 9.04 (pg. 71); Art. 9, Ch. 9.05 (pg. 72)
Section 5.3.8 – Residential Office

This district is intended for services provided for local needs in primarily residential areas. Development should be low-density and small scale in keeping with the surrounding residential uses.

### Height:

- **Building Height**: 35' maximum
- **Ground Story Height**: 8' minimum, 14' maximum
- **Upper Story Height**: 8' minimum, 12' maximum

### Siting:

- **Street Façade**: Building façade should be oriented parallel to the street
- **Buildable Area**: 30% of lot area
- **Minimum Lot Size**: 15,000 square feet
- **Lot Width**: Minimum 75', maximum 250'
- **Front Yard**: 20' build-to-line with 10' landscape buffer
- **Side Yard**: 20' minimum setback
- **Rear Yard**: 25' minimum setback from right-of-way
- **Parking**: Parking required in rear and side of building. **Note landscaping requirements and screening requirements**

### Requirements:

- **Supportive Uses**: Accessory Dwelling Unit, Accessory Structure/Unit, Neighborhood Park/Playground, Community/Neighborhood Church, Small Scale Studio/Salon/Office, as part of the effort to create complete neighborhoods.

### References elsewhere in Zoning Ordinance:

- Art. 3 Ch. 3.02 (p.8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p.33); Art. 6, Ch. 6.05 (p.46); Art. 6, Ch. 6.06 (p.46); Art. 6, Ch. 6.07 (p.47); Art. 6, Ch. 6.08 (p.47); Art. 6, Ch. 6.09 (p.49); Art. 6, Ch. 6.10 (p.49); Art. 6, Ch. 6.11 (p.49); Art. 6, Ch. 6.12 (p.49); Art. 7 (p.52); Art. 8, Ch. 8.01 (pg. 54); Art. 8, Ch. 8.02 (pg. 54); Art. 8, Ch. 8.03 (pg. 54); Art. 8, Ch. 8.04 (pg. 54); Art. 8, Ch. 8.05 (pg. 55); Art. 8, Ch. 8.06 (pg. 58); Art. 9, Ch. 9.01 (pg. 66); Art. 9, Ch. 9.02 (pg. 68); Art. 9, Ch. 9.03 (pg. 69); Art. 9, Ch. 9.04 (pg. 71); Art. 9, Ch. 9.05 (pg. 72)
### Section 5.3.9 – Employment Center

This district is intended for larger scale light industrial, wholesale and office use. These uses may be land intensive, generate high consumer traffic, or create impacts associated with manufacturing or production uses.

#### Height:

<table>
<thead>
<tr>
<th>Building Height</th>
<th>40' maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ground Story Height</strong></td>
<td>Should be between 6 inches below to no more than 48 inches above sidewalk</td>
</tr>
<tr>
<td><strong>Upper Story Height</strong></td>
<td></td>
</tr>
</tbody>
</table>

#### Siting:

| Street Façade | Building façade should be oriented parallel to the street |
| Buildable Area | 45% of lot area |
| Minimum Lot Size | 5 Acre minimum lot size |
| Front Yard | 50’ required build-to-line |
| Side Yard | 25’ minimum setback. 75’ when parcel abuts residential district. |
| Rear Yard | 50’ minimum setback. 75’ when parcel abuts residential district. |
| Parking | Parking required in rear and side of building. **note landscaping requirements and screening requirements |

#### Requirements:

All sides of the building should use materials consistent with those on the front if visible from public streets or neighboring properties – with similar detailing, quality and compatible materials.

#### Supportive Uses:

- Large Scale Industrial, Utilities, Institutional, Warehouse, Wholesale Establishments

#### References elsewhere in Zoning Ordinance:

Art. 3 Ch. 3.02 (p.8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p.33); Art. 6, Ch. 6.05 (p.46); Art. 6, Ch. 6.06 (p.46); Art. 6, Ch. 6.07 (p.47); Art. 6, Ch. 6.08 (p.47); Art. 6, Ch. 6.09 (p.49); Art. 6, Ch. 6.10 (p.49); Art. 6, Ch. 6.11 (p.49); Art. 6, Ch. 6.12 (p.49); Art. 6, Ch. 6.13 (p.49); Art. 7 (p.52); Art. 8, Ch. 8.01 (pg.54); Art. 8, Ch. 8.02 (pg.54); Art. 8, Ch. 8.03 (pg.54); Art. 8, Ch. 8.04 (pg.54); Art. 8, Ch. 8.05 (pg.55); Art. 8, Ch. 8.06 (pg.58); Art. 9, Ch. 9.01 (pg.66); Art. 9, Ch. 9.02 (pg.68); Art. 9, Ch. 9.03 (pg.69); Art. 9, Ch. 9.04 (pg.71); Art. 9, Ch. 9.05 (pg.72)
### Section 5.3.10 – Resort

Resort refers to large-scale developments that include residential uses as well as convention, hotel and resort activities within the confines of the property.

<table>
<thead>
<tr>
<th>Height:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Height</strong></td>
</tr>
<tr>
<td>65' maximum, or 5 stories</td>
</tr>
<tr>
<td><strong>Ground Story Height</strong></td>
</tr>
<tr>
<td>10' minimum, 14’ maximum</td>
</tr>
<tr>
<td><strong>Upper Story Height</strong></td>
</tr>
<tr>
<td>8’ minimum, 12’ maximum</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Siting:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Façade</strong></td>
</tr>
<tr>
<td>Building façade should be oriented parallel to the street</td>
</tr>
<tr>
<td><strong>Buildable Area</strong></td>
</tr>
<tr>
<td>N/A</td>
</tr>
<tr>
<td><strong>Front Yard</strong></td>
</tr>
<tr>
<td>N/A</td>
</tr>
<tr>
<td><strong>Side Yard</strong></td>
</tr>
<tr>
<td>N/A</td>
</tr>
<tr>
<td><strong>Rear Yard</strong></td>
</tr>
<tr>
<td>N/A</td>
</tr>
<tr>
<td><strong>Parking</strong></td>
</tr>
<tr>
<td>Parking required in rear and side of building. <strong>note landscaping requirements and screening requirements</strong></td>
</tr>
</tbody>
</table>

### Requirements:

1. Site plan for total acreage must be submitted to the Harris County Planning Commission review and approval to ensure consistency with the overall plans for the appropriate development of the town. Final approval of the plan rests with the governing authority.
2. Amendments to the site plan must be submitted to the Harris County Planning Commission for review and approval.
3. Where resort development abuts a public road, the minimum setback requirements shall be those of the most restrictive adjacent zoning district.

### Supportive Uses:

- Parks/Recreation/Conservation, Open Space Preservation, Pedestrian/Bicycle Facilities, Hotel, and Single-Family Detached Units

### References elsewhere in Zoning Ordinance:

- Art. 3 Ch. 3.02 (p.8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p. 33); Art. 6, Ch. 6.05 (p. 46); Art. 6, Ch. 6.06 (p. 46); Art. 6, Ch. 6.07 (p. 47); Art. 6, Ch. 6.08 (p. 47); Art. 6, Ch. 6.09 (p. 49); Art. 6, Ch. 6.10 (p. 49); Art. 6, Ch. 6.11 (p. 49); Art. 6, Ch. 6.12 (p. 49); Art. 6, Ch. 6.13 (p. 49); Art. 7 (p. 52); Art. 8, Ch. 8.01 (pg. 54); Art. 8, Ch. 8.02 (pg. 54); Art. 8, Ch. 8.03 (pg. 54); Art. 8, Ch. 8.04 (pg. 54); Art. 8, Ch. 8.05 (pg. 55); Art. 8, Ch. 8.06 (pg. 58); Art. 9, Ch. 9.01 (pg. 66); Art. 9, Ch. 9.02 (pg. 68); Art. 9, Ch. 9.03 (pg. 69); Art. 9, Ch. 9.04 (pg. 71); Art. 9, Ch. 9.05 (pg. 72)
### Section 5.3.11 – Agricultural

This district is intended primarily for undeveloped tracts of land that lie within the town limits of Pine Mountain. These tracts would not be utilized for any dwelling or business.

<table>
<thead>
<tr>
<th>Height:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Height</strong></td>
<td>35' maximum</td>
</tr>
<tr>
<td><strong>Ground Story Height</strong></td>
<td>8’ minimum, 14’ maximum</td>
</tr>
<tr>
<td><strong>Upper Story Height</strong></td>
<td>8’ minimum, 12’ maximum</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Siting:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Façade</strong></td>
<td>Primary building façade should be oriented parallel to the street</td>
</tr>
<tr>
<td><strong>Buildable Area</strong></td>
<td>30% maximum</td>
</tr>
<tr>
<td><strong>Minimum Lot Size</strong></td>
<td>5 acres</td>
</tr>
<tr>
<td><strong>Front Yard</strong></td>
<td>50’ minimum</td>
</tr>
<tr>
<td><strong>Side Yard</strong></td>
<td>50’ minimum, 75’ when parcel abuts residential district</td>
</tr>
<tr>
<td><strong>Rear Yard</strong></td>
<td>50’ minimum, 75’ when parcel abuts residential district</td>
</tr>
<tr>
<td><strong>Parking</strong></td>
<td>No additional requirements.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Requirements:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowable for accessory use building only.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Supportive Uses:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks/Recreation/Conservation, Open Space Preservation, and Single-Family Detached Unit</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>References elsewhere in Zoning Ordinance:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art. 3 Ch. 3.02 (p.8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p.33); Art. 6, Ch. 6.05 (p.46); Art. 6, Ch. 6.06 (p.46); Art. 6, Ch. 6.07 (p.47); Art. 6, Ch. 6.08 (p.47); Art. 6, Ch. 6.09 (p.49); Art. 6, Ch. 6.10 (p.49); Art. 6, Ch. 6.11 (p.49); Art. 6, Ch. 6.12 (p.49); Art. 7 (p.52); Art. 8, Ch. 8.01 (pg. 54); Art. 8, Ch. 8.02 (pg. 54); Art. 8, Ch. 8.03 (pg. 54); Art. 8, Ch. 8.04 (pg. 54); Art. 8, Ch. 8.05 (pg. 55); Art. 8, Ch. 8.06 (pg. 58); Art. 9, Ch. 9.01 (pg. 66); Art. 9, Ch. 9.02 (pg. 68); Art. 9, Ch. 9.03 (pg. 69); Art. 9, Ch. 9.04 (pg. 71); Art. 9, Ch. 9.05 (pg. 72)</td>
</tr>
</tbody>
</table>
Section 5.3.12 – Planned Unit Development

Planned Unit Development district allows for development proposals on large tracts of land that incorporate multiple zoning districts into one proposal.

### Height:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Height</td>
<td>65’ maximum, or 5 stories</td>
</tr>
<tr>
<td>Ground Story Height</td>
<td>10’ minimum, 14’ maximum</td>
</tr>
<tr>
<td>Upper Story Height</td>
<td>8’ minimum, 12’ maximum</td>
</tr>
</tbody>
</table>

### Siting:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Façade</td>
<td>Building façade should be oriented parallel to the street</td>
</tr>
<tr>
<td>Buildable Area</td>
<td>N/A</td>
</tr>
<tr>
<td>Front Yard</td>
<td>N/A</td>
</tr>
<tr>
<td>Side Yard</td>
<td>N/A</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>N/A</td>
</tr>
<tr>
<td>Parking</td>
<td>Parking required in rear and side of building.</td>
</tr>
</tbody>
</table>

**note landscaping requirements and screening requirements

### Requirements:

1- Site plan for total acreage must be submitted to the Harris County Planning Commission review and approval to ensure consistency with the overall plans for the appropriate development of the town. Final approval of the plan rests with the governing authority.
2- Amendments to the site plan must be submitted to the Harris County Planning Commission for review and approval.
3- Where resort development abuts a public road, the minimum setback requirements shall be those of the most restrictive adjacent zoning district.

### Supportive Uses:

Mixed Uses, Single-Family Detached Units, Single-Family Attached Units, Multi-Family Units, Small to Large Scale Commercial, Institutional, and Neighborhood Parks and Playgrounds

### References elsewhere in Zoning Ordinance:

Art. 3 Ch. 3.02 (p.8); Art. 5, Ch. 5.01 (p.32); Art. 5, Ch. 5.02 (p. 33); Art. 6, Ch. 6.05 (p. 46); Art. 6, Ch. 6.06 (p. 46); Art. 6, Ch. 6.07 (p. 47); Art. 6, Ch. 6.08 (p. 47); Art. 6, Ch. 6.09 (p. 49); Art. 6, Ch. 6.10 (p. 49); Art. 6, Ch. 6.11 (p. 49); Art. 6, Ch. 6.12 (p. 49); Art. 6, Ch. 6.13 (p. 49); Art. 7 (p. 52); Art. 8, Ch. 8.01 (pg. 54); Art. 8, Ch. 8.02 (pg. 54); Art. 8, Ch. 8.03 (pg. 54); Art. 8, Ch. 8.04 (pg. 54); Art. 8, Ch. 8.05 (pg. 55); Art. 8, Ch. 8.06 (pg. 58); Art. 9, Ch. 9.01 (pg. 66); Art. 9, Ch. 9.02 (pg. 68); Art. 9, Ch. 9.03 (pg. 69); Art. 9, Ch. 9.04 (pg. 71); Art. 9, Ch. 9.05 (pg. 72)
ARTICLE 6. Architectural Standards

Chapter 6.01 Purpose
In order to further development that is architecturally consistent with existing development in terms of building syntax, including proportion, FENESTRATION, and style, architectural standards are established. After basic standards such as building placement, dwelling access, and OPEN SPACE arrangements are achieved, development proposals are subject to further review for compliance with the intent of this Article.

Chapter 6.02 Equivalent or Better
While only materials, techniques, and product types prescribed here are allowed, equivalent or better practices and products are encouraged.

Chapter 6.03 Energy Efficiency and Environmental Conservation
LEED (Leadership in Energy and Environmental Design), EnergyStar, EarthCraft or equivalent standards, are encouraged to be incorporated into the building design. Include the submission of a scorecard or certification paperwork in the review process.

Chapter 6.04 Where Clearly Visible from the Street
Many of these standards apply only to conditions WHERE CLEARLY VISIBLE FROM THE STREET. For the purpose of this article, the definition of STREET includes parks, PLAYGROUNDS, and OPEN SPACE. These controls therefore concentrate on the public space and views from public space and minimize impact on the private realm.

Chapter 6.05 What Requires Architectural Review
The following attributes require design review by the DEVELOPMENT REVIEW Committee.

A. All new development shall require design review pursuant to § 11.04.

B. Additions and exterior changes to all structures providing for non-residential uses and all structures with two (2) or more DWELLING UNITS existing prior to the adoption of this ordinance.

Chapter 6.06 Building Walls (Exterior)
BUILDING walls should reflect and complement the traditional materials and design of Pine Mountain’s historic architecture. They should express the construction techniques and structural constraints of traditional, long-lasting building materials. Simple configurations and solid craftsmanship are favored over complexity and ostentation in BUILDING form and the articulation of details. All building materials used shall express their specific functional properties. For example, heavier, more permanent materials (masonry) support lighter materials (wood). Specific prescriptions of this Chapter follow.

A. Standards for BUILDING Walls (WHERE CLEARLY VISIBLE FROM THE STREET)
B. Materials: The following materials are permitted:
   a. Brick
   b. Stucco (cementitious finish)
   c. Native stone (or synthetic equivalent)
   d. Pre-cast masonry (for trim and CORNICE elements only)
   e. Glass Reinforced Fiber Concrete (GRFC - for trim elements only)
   f. Metal (for beams, lintels, trim elements and ornamentation only)
   g. Split-faced block (only for piers, foundation walls, and chimneys on residential)
   h. Wood lap siding
   i. Hardie-Plank™ equivalent or better
   j. Exterior Insulation and Finishing System (EIFS)
k. PVC/CPVC dimensional lumber (for trim and CORNICE elements only)
l. Vinyl siding

C. Configurations and Techniques: The following configurations and techniques are permitted.
   a. Walls
      i. Wall openings shall not span vertically more than one STORY.
      ii. Wall openings shall correspond to interior space and shall not span across building structure such as the floor structural and mechanical thickness.
      iii. Wall materials shall be consistent horizontally (i.e. joints between different materials must be horizontal and continue around corners) except for chimneys and piers.
      iv. Material changes shall be made within a constructional logic – as where an addition (of a different material) is built onto the original building.
      v. An EXPRESSION LINE shall delineate the division between the first STORY and the second STORY of every facade of all principal commercial only or commercial/residential buildings.
      vi. AWNINGS, where permitted, may not conceal or replace expression lines.
   b. Wood Siding and Wood Simulation Materials
      i. Lap siding (horizontal) configuration
      ii. Smooth or rough-sawn finish (no faux wood grain)
   c. Brick, Block, and Stone
      i. Must be properly detailed and in appropriate load-bearing configurations
      ii. Stucco (cementitious finish)
         1. Smooth or sand only, no “cake icing” finish.

Chapter 6.07 Roofs and Parapets

Roofs and PARAPETS shall utilize appropriate pitch, drainage, and materials in order to provide visual coherence to the individual zoning district and the town. Specific prescriptions of this Chapter follow.

A. Standards for Roofs and PARAPETS (WHERE CLEARLY VISIBLE FROM THE STREET)
   a. Materials: The following materials are permitted.
      i. Shingles - Asphalt or Metal (dimensional type)
      ii. Metal - galvanized steel, copper, aluminum, or zinc-alum.
   b. Down spouts must match gutters in material and finish.
B. Configurations and Techniques: The following configurations and techniques are permitted.
   a. Hip roofs (with sloping sides and ends)
   b. Gable roofs (with sloping sides and ends)
   c. Shed roofs (with a single slope)
   d. Flat roof (with minimal pitch as required by Building Code)
   e. Roofs may use combinations of these permitted types and may supplement these types with dormers and valleys.
   f. Flat or low-slope roofs (less than 2:12 slope) shall have their edges concealed with PARAPETS wherever the edges are visible from STREETS. PARAPET walls must be of sufficient height to visually conceal rooftop mechanical equipment.
C. Overhang
   a. Eaves must overhang at least 24 inches on the primary structure.
b. Rakes (gable end) must overhang at least 18 inches.
c. Eaves and rakes on accessory BUILDINGS, dormers, and other small structures must overhang at least 8 inches.
d. Open eaves and simple traditional soffits and fascia are allowed.
e. Soffits shall be placed perpendicular to the building wall, not sloping in plane with the roof (except for gable end rakes).
f. Timber eaves and BALCONY brackets must be a minimum of 5.5 inches in dimension.

D. Parapet Roofs
   a. PARAPET roofs are permitted only in the following districts and only where the roof material is not visible from any adjacent STREET:
      i. Town Center
      ii. Drivable Commercial
      iii. Gateway Commercial
      iv. Employment Center

E. Cornices and Other Features
   a. Buildings without visible roof surfaces and overhanging eaves may satisfy the overhang requirement with a CORNICE projecting horizontally between 6 and 12 inches beyond the building walls. For buildings of three stories, the CORNICE projection shall increase an additional 6 to 12 inches per STORY.
   b. Skylights and roof vents are permitted only on the roof plane opposite the primary STREET or BUILD-TO-LINE or when shielded from the STREET view by the building’s PARAPET wall.

Chapter 6.08 Fences, Walls, and Hedges

Fences, walls, or hedges establish a clear edge to the STREET where the buildings do not. They define outdoor spaces and separate the STREET from the private realm (parking, trash cans, gardens, and equipment). All fence and wall facades shall be as carefully designed as the building FACADE, with the finished side out, i.e., the “better” side facing the STREET. Specific prescriptions of this Chapter follow.

A. Standards for Fences, Walls, and Hedges (WHERE CLEARLY VISIBLE FROM THE STREET)
   a. Only the following materials are permitted:
      i. Native/regional stone and equivalent imitation stone
      ii. Metal (welded steel and/or black aluminum for gates only)
      iii. Brick of a color to match existing walls.
      iv. Stucco on concrete block (or poured) only with brick or stone capping
      v. A combination of materials (e.g. stone piers with brick infill panels)
      vi. Wood (for residential only), decay resistant or pressure treated.
      vii. Vinyl coated chain link
      viii. Non-vinyl coated chain link fencing is only allowed in the RSF district in rear yards.
   b. Height of Fences, Walls, and Hedges
      i. In front yards and within the front 30 inches of vacant LOTS: maximum height of 48 inches; pillars and posts may be taller.
      ii. In side yards (behind the front plane of the PRINCIPAL BUILDING), in rear yards, and
beyond the front 30 feet of vacant LOTS:
minimum height of 36 includes, maximum
height of 96 inches.

<table>
<thead>
<tr>
<th>Shrubs Suitable for Hedges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Shrubs = 1 to 5 feet high</td>
</tr>
</tbody>
</table>

*This list is not all inclusive.

<table>
<thead>
<tr>
<th>Shrub Name</th>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edward Goucher Abelia</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Sherwood Dwarf Abelia</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Dwarf Aucuba</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Japanese Boxwood</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Korean Boxwood</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>True Dwarf Boxwood</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Dwarf Sasanqua</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Japanese Plum Yew</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Upright Plum Yew</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Spreading Plum Yew</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Japanese Flower Quince</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>European Fan Palm</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Hummingbird Summersweet</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Bearberry Cotoneaster</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Rockspray Cotoneaster</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Winter Daphne</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Slender Deutzia</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Mt. Airy Fothergilla</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Creeping Gardenia</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Annabelle Hydrangea</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Pia French Hydrangea</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Dwarf Yaupon Holly</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Schillings Dwarf Yaupon</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Henry’s Garnet Sweetspire</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Showy Jasmine</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Winter Jasmine</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Coastal Leucothe</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Drooping Leucothe</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Chinese Mahonia</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Firepower Dwarf Nandina</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Little Leaf Tea Olive</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Mugo Pine</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Wheeler Dwarf Pittosporum</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Otto Luyken Laurel</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Schip Laurel</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Dwarf Pomegranate</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Indian Hawthorn</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Glen Dale Hybrid Azaleas</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Gumpo Azaleas</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Kurume Azaleas</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Girard Hybrid Azaleas</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Floribunda Rose</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Rosemary</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Butcher’s Broom</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Lavendar Cotton</td>
<td>1-5 feet</td>
</tr>
<tr>
<td>Thunberg Spirea</td>
<td>1-5 feet</td>
</tr>
</tbody>
</table>

Source: [Landscape Plants for Georgia](https://extension.uga.edu/lpfg/) - The University of Georgia Cooperative Extension Service

**Chapter 6.09 Columns, Piers, Guardrails, and Balustrades**

A. Columns, Piers, Guardrails, and Balustrades
   a. Permitted Finish Materials:
      i. Columns that support front porches must use:
         1. Wood (decay resistant or pressure treated), painted or stained,
         2. Concrete block with stucco finish (CBS),
         3. Reinforced concrete with stucco finish, or
         4. Natural or cast (simulated) stone or brick.
      ii. Guardrails and balustrades surrounding front porches and stoops must use:
         1. Wood (decay resistant or pressure treated), painted or stained,
2. Aluminum,
3. Stone, including cast (simulated) stone, or
4. Brick.

Chapter 6.10 Windows and Doors

Windows shall be divided by multiple panes of glass. This helps the window “Hold” the surface of the facade, rather than appearing like a “hole” in the wall (an effect produced by a large single sheet of glass). All windows and doors should be selected with their energy conservation value in mind so as to achieve the highest possible energy savings. Specific prescriptions of this Chapter follow.

A. Materials: The following materials are permitted.
   a. Windows shall be of anodized aluminum, wood, clad wood, vinyl, or steel.
   b. Window glass shall be clear, with light transmission at the GROUND STORY at least 90 percent and for the upper stories 75 percent (modification as necessary to meet any applicable building code requirements).
      Specialty windows may utilize stained, opalescent, or glass block (one per facade, maximum).
   c. Window screens shall be black or gray.
   d. Screen frames shall match window frame material or be dark anodized.
   e. Doors shall be of wood, clad wood, foam filled fiber glass, or steel.

B. Configurations and Techniques: The following configurations and techniques are permitted
   a. The following requirements apply to all windows:
      i. Windows may be ganged horizontally (maximum 5 per group) if each grouping is separated by mullion, column, pier, or wall section that is at least 7 inches wide.
      ii. Windows shall be no closer than 30 inches to BUILDING CORNERS (excluding BAY WINDOWS and where the BUILDING CORNER is also a BLOCK CORNER).
      iii. Exterior shutters, if applied, shall be sized and mounted appropriately for the window (one-half the width), even if inoperable.
   b. The following requirements apply to all upper STORY windows:
      i. Windows shall be double-hung, single-hung, AWNING, or casement windows.
      ii. Fixed windows are permitted only as a component of a system including operable windows within a single wall opening.
      iii. Egress windows may be installed according to the appropriate building code.

C. Shopfront (GROUND FLOOR) Windows and Doors
   a. Single panels of glass not larger than 6 feet in height by 4 feet wide.
   b. GROUND FLOOR windows shall not be made opaque by window treatments (excepting operable sun screen devices within the conditioned space) and shall allow a minimum 60 percent of surface view into the building for a depth of at least 20 feet.
   c. Shopfronts may extend up to 24 inches beyond the facade (BUILD-TO-LINE) into the right-of-way.

D. Doors
   a. Double-height entryways (those that span more than one STORY) are not allowed.
   b. Doors shall not be recessed more than 3 feet behind the shop-front windows and, in any case, shall have a clear view and path to a 45 degree angle past the perpendicular from each side of the door.
   c. Front entries should be recessed and entry doors should be centered.
   d. Roll-down security gates and doors are prohibited.

Chapter 6.11 Solar Energy Collection Systems

A. The installation and construction of an accessory solar energy collection system shall be subject to the following development and design standards:
   a. An accessory solar energy collection system is permitted as a conditional use in all zoning districts as an accessory to a principal use.
   b. A solar energy collection system connected to the utility grid shall provide written authorization from the local utility company acknowledging and approving such connection.
c. An accessory solar energy system may be roof-mounted, ground-mounted, parking-mounted or any combination of the three, provided the system(s) meet the supplemental requirements pertaining to accessory solar energy collection systems.

B. Dimensional requirements for a solar energy collection system shall be as follows:

a. There is no minimum lot size requirement for an accessory solar energy system.

b. The minimum solar energy system setback distance from the property lines shall be equivalent to the building setback requirement of the underlying zoning district. A ground-mounted system, parking-mounted system, or system attached to an accessory building shall not be located within a required street setback or street/front yard.

c. A building-mounted system may be mounted on a principal building or accessory building. A building mounted system, whether mounted on the principal building or accessory building, may not extend more than 10 feet above the highest point of the roof line of a flat roof or more than 3 feet above the roof line of any other roof, such as, but not limited to, gable, gambrel, or hip roofs.

d. A building-mounted system may not extend vertically more than the height requirements for the district in which they are located.

e. A ground-mounted system, either freestanding or attached to a framework shall not exceed 20 feet in height above the ground.

C. Parcel or building coverage for a solar energy collection system shall be as follows:

a. A building-mounted system may cover any amount of roof, but may not extend beyond the roofline.

b. A ground-mounted system shall not exceed the greater of 50 percent lot coverage or the maximum allowable buildable area for the district in which they are located.

D. All mechanical equipment associated with and necessary for the operation of the solar energy collection system shall comply with the following:

a. Mechanical equipment for nonresidential systems shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other non-invasive plant species which provide a visual screen. In lieu of landscaping, a decorative fence may be used.

b. Mechanical equipment shall comply with the setbacks specified for the underlying zoning district.

E. Other considerations regarding solar energy collection systems.

a. Solar energy collection systems must comply with all applicable building and electrical code requirements.

b. The design of the solar energy collection system shall conform to applicable industry standards. The local utility provider shall be contacted to determine grid interconnection and net metering policies.

c. Roof-mounted systems shall provide as part of their permit application, evidence of design review and structural certification if the slope of the panel differs from the roof pitch. All panels on commercial roof shall provide this information regardless of slopes, as well as panels on residential roofs with greater than 50 percent coverage.

d. The identification of the manufacturer(s) or installer and appropriate warning signage shall be posted on or near the panels in a clearly visible manner.

e. Solar panels shall be placed in such a manner that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.

f. Solar panels shall not be placed in the vicinity of any airport in a manner that would interfere with airport flight patterns. Acknowledgment from the Federal Aviation Administration may be necessary.

g. All power transmission lines from a ground-mounted solar energy collection system to any building or other structure shall be located underground.

h. A solar energy collection system shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials.

F. Approvals and permits for solar energy collection systems.

a. A solar energy collection system shall not be constructed until a building and zoning permit has been approved and issued.

b. No solar energy collection system shall be installed until evidence has been presented to the Harris County Department of Community Development that the electric company has been informed of the customer’s
intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

c. Any solar panels installed to be used by someone other than the owner of the property shall provide an affidavit or evidence of agreement between the lot owner and facility's owner or operator confirming the facility owner or operator has permission of the property owner to install and utilize solar panels.

d. Applications for solar energy collection systems shall be accompanied by a descriptive site plan including setbacks, panel sizes, locations of property lines, buildings and road right-of-ways.

e. Any other relevant studies, reports, certificates and approvals as may be reasonably requested by the Harris County Department of Community Development are also required.

G. The following requirements shall be met for decommissioning solar energy collection systems:

a. Ground-mounted solar energy collection systems that have not been active and in continuous service for a period of one year shall be removed at the expense of the owner or operator.

b. The site shall be restored to as natural a condition as possible within six months of the removal.

Chapter 6.12 Renovation of Existing Structures

A. All new construction must comply with these regulations.

B. Changing or rebuilding 50% or more of any STREET FACADE of a BUILDING requires the entire building to comply with design regulations that are specific to facades.

C. Changing or rebuilding less than 50% of any facade of a building, requires only that facade comply with design regulations.

D. All new windows, entrances, storefronts, and doorways must be designed in accordance with these regulations.

E. Any addition of 50% or more of the first floor area of a ONE-STORY building requires the entire building to come into compliance with these regulations. In general, additions to TWO-STORY buildings shall be two-STORY. Exceptions will be made if there are topographic constraints. One STORY additions to two-STORY buildings may only be built if the addition is on the rear of the building and does not front on a STREET or pedestrian way.

F. Routine maintenance and repair are exempt from these requirements.

Chapter 6.13 Accessory Buildings

A. ACCESSORY BUILDINGS shall be located behind the rear building line of the PRINCIPAL BUILDING.

B. Architectural elements and standards of the ACCESSORY BUILDINGS shall be compatible with the architecture of the principal structure.

C. The ACCESSORY BUILDING shall be of a size and nature customarily incidental and subordinate to the PRINCIPAL BUILDING and must meet all setback requirements for the LOT.

D. Any ACCESSORY BUILDING less than 400 sq. ft. shall not require a building permit.

E. Any ACCESSORY BUILDING 400 sq. ft. or greater shall require a building permit.

F. Any ACCESSORY BUILDING with electrical and/or plumbing no matter the square footage shall require a permit.

G. No ACCESSORY BUILDING shall become conditioned living space.

Chapter 6.14 Large Footprint Buildings

Buildings covering more than 20,000 square feet of ground and/or a building frontal of greater than 150 feet can create special problems when inserted into the downtown’s connected system of walkable STREET frontages. To decrease the need for solely auto-oriented patronage and encourage use by pedestrians, any such building constructed within the TCC, RO, DC or GC Districts must meet the following requirements, in addition to any other requirements of this Ordinance.
A. Large footprint buildings may not be larger than a single BLOCK.
B. Buildings shall avoid long, monotonous, uninterupted walls or roof planes on their visible facades. Building wall offsets, including projections and recesses shall be used in order to add architectural interest and variety; relieve the visual effect of a single, long wall; and subdivide the wall into human scale proportions.
C. Roofline offsets shall be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.
D. For large footprint building, the building facade shall create repetitive bays, or the facades shall be divided into asymmetrical, yet balanced, composition.
E. Large Footprint Building - required facade design.
F. All sides of the building shall use materials consistent with those on the front if visible from public STREETS or neighboring properties, and should be carefully designed with similar detailing, comparable quality, and compatible materials.
G. BUILDING FACADES visible from public STREETS cannot be separated from public STREETS by parking LOTS except for permitted parking in the EC and DC districts.
H. Loading docks, service areas, and trash disposal facilities cannot be visible to persons standing on public STREETS, sidewalks, or parks.
ARTICLE 7. Neighborhood Parks, Open Space and Playgrounds

The developer shall dedicate at least 20 percent of the land in a residential development as NEIGHBORHOOD PARKS, OPEN SPACE (connecting within the development with community OPEN SPACE if practical, unless certified as impractical by an architect or engineer) and/or PLAYGROUNDS for subdivisions of 6 or more. For subdivisions of 5 or fewer, the required dedication shall be at least 10 percent. Such amenities, of adequate size and correctly sited, will facilitate new development that is built to the scale and character of the community.

A. Neighborhood Parks
   a. NEIGHBORHOOD PARKS are generally located in the center of the neighborhood, within walking distance of most residents, and are placed for recreation purposes and social gatherings. Such parks are typically OPEN SPACES intended to provide unstructured recreation but may also include PLAYGROUND equipment, picnic areas, court game facilities, and community gardens.
   b. Access to the NEIGHBORHOOD PARK shall be through OPEN SPACE within the development that is interconnected within the development and interconnected with planned or existing community greenways if practical, unless certified as impractical by an architect or engineer.
   c. Every residential development defined as a major subdivision under the Town of Pine Mountain Subdivision Regulations shall include a NEIGHBORHOOD PARK within the development. All development applications for the HR, RSF, RD or RA districts shall be accompanied by a NEIGHBORHOOD PARK conceptual design. NEIGHBORHOOD PARKS shall be developed by the APPLICANT.
   d. NEIGHBORHOOD PARKS shall have at least 60 percent of their perimeter fronting rights - of- way.
   e. NEIGHBORHOOD PARKS shall be no narrower than a 1:4 ratio and no NEIGHBORHOOD PARK shall be less than 25 feet in width.
   f. NEIGHBORHOOD PARKS shall be owned and maintained either by the developer or the homeowners association or the developer may deed the NEIGHBORHOOD PARK to the Town.

B. Open Space
   a. OPEN SPACE within any development shall be interconnected with NEIGHBORHOOD PARKS and OPEN SPACE within the development and with existing and planned community greenways if the community GREENWAY abuts the property being developed, if practical, unless certified as impractical by an architect or engineer. LOT area nor any part of an existing or future road, RIGHT-OF-WAY, OFF-STR EET PARKING, LOADING SPACE, buffer, or area immediately underneath electrical transmission lines shall be counted as OPEN SPACE.
   b. Areas designated as OPEN SPACE shall be both visibly and physically accessible with access provided to all neighborhood OPEN SPACE, natural and developed, directly from the public STREET and greenway system.
   c. BUILDINGS shall front public OPEN SPACE.
   d. Development adjacent to OPEN SPACES shall front onto the area as much as possible so that the areas are not enclosed by back yards.
   e. Buffering and SETBACKS shall be used between environmental resources and proposed development to ensure that the proposed development does not degrade the existing habitat. Developers shall provide an OPEN SPACE buffer zone around all natural areas. The depth of the buffer zone shall be 25 feet.
   f. Areas designated as OPEN SPACE shall be protected by a deed restriction or other appropriate method to ensure that they cannot be subdivided or developed in the future and remain open in perpetuity. They may be dedicated to the public or held in private ownership. Appropriate ownership must be determined and approved by the Town through the development review process.
   g. OPEN SPACE shall:
      i. Not include required SETBACKS;
      ii. Not include disconnected remnants of land created by division of sites into LOTS or parcels that do not qualify as functional OPEN SPACE;
iii. No more than 50% of land designated as OPEN SPACE shall be comprised of UNBUILDABLE LAND.

h. A preliminary OPEN SPACE plan at a scale no greater than 1" = 200’ shall be submitted with the preliminary plat. The intent of the preliminary OPEN SPACE plan is to discuss the details of how the OPEN SPACE will be used to organize the overall project design, illustrate how it will function in the overall neighborhood and define long-term maintenance requirements and responsibilities. The plan shall include the following specific information:

i. Scale, north arrow, site boundary.

ii. Existing and proposed STREETS.

iii. Existing and proposed utilities and easements.

iv. Existing contours (10’ intervals unless determined a more detailed contour needed by the Zoning Administrator).

v. Existing site features including ditches, trees, shrubs and native ground covers and any drainage ways on the site. Indicate which plants will be preserved and method of preservation and which will be removed.

vi. Indicate floodplains, wetlands, endangered species, archaeological/historic areas or other resources and how they will be preserved and integrated into the overall site design.

vii. Show the bank, shoreline, and high water mark of any perennial stream or body of water on the site.

viii. Illustrate how the OPEN SPACE network and pedestrian/bike circulation system will function within the proposed development and surrounding neighborhood.

ix. Show how the property will relate to the NEIGHBORHOOD PARKS, GREENSPACE, sidewalks, and bikeways in the area.

x. Indicate which areas will be irrigated, if any, and method of irrigation.

xi. Define areas to be considered OPEN SPACE.

xii. Indicate how OPEN SPACE will be used and maintained, including erosion control, re-vegetation, irrigation, and weed management both during and after construction.

xiii. Conceptual design of NEIGHBORHOOD PARK, if applicable.
ARTICLE 8. Street and Parking Standards
These standards address the characteristics of streets and are intended to support pedestrian and bicycle activity.

Chapter 8.01 Street Standards
All streets shall comply with the Subdivision Regulations of Pine Mountain, GA adopted January 1993 and as may be amended.

Chapter 8.02 Curb, Gutter, and Drainage Requirements
A. All street frontages shall include either a curb and gutter or alternative drainage meeting the approval of the ZONING ADMINISTRATOR. If alternative drainage is utilized, the following is required:
   a. The drainage channel shall be grass, planting or other material as approved by the ZONING ADMINISTRATOR to prevent erosion and assist in drainage control.
   b. The drainage channel shall be considered part of the project improvements and shall be:
      i. Designed by a professional licensed in the State of Georgia to undertake drainage design and engineering prior to the recordation of any subdivision plat or associated metes and bounds deed, or issuance of any building permit, and
      ii. All improvements shall be installed to the satisfaction of the ZONING ADMINISTRATOR prior to the issuance of a certificate of occupancy, use, or occupancy of the project.

Chapter 8.03 Storage and Parking of Recreational Vehicle, Trailers, and other Vehicles
A. Commercial vehicles and trailers of all types, including travel, boat, camping and hauling, shall not be parked or stored on any lot or parcel in any zoning district except in accordance with the following requirements:
   a. No commercial vehicle used for hauling explosives, gasoline or liquefied petroleum products is permitted.
   b. Recreational vehicles, hauling trailers, or boat trailers are permitted if parked or stored behind the BUILD-TO-LINE.
   c. A RECREATIONAL VEHICLE shall not be occupied either temporarily or permanently while it is parked or stored.
   d. It is prohibited to park or store abandoned, wrecked or junked vehicles, power-driven construction equipment, commercial vehicles (except those on a service call), used lumber or metal, or any miscellaneous scrap or salvageable material not in an enclosed BUILDING. For the purposes of this subsection, an abandoned vehicle is a vehicle without current state license.
   e. No automobile, RECREATIONAL VEHICLE, trailer, or other vehicle offered for sale shall be parked in the right-of-way.

Chapter 8.04 Blocks/Alleys
A. All LOTS shall share a frontage line with a STREET.
B. All LOTS and/or all contiguous LOTS shall be considered to be a part of a BLOCK for this purpose.
C. Maximum Block Sizes
   a. The width of blocks shall not exceed the specifications of the table entitled “Maximum block Width.”
b. A dedicated PEDESTRIAN WAY or EASEMENT is recommended when blocks are more than 600 feet in length.

c. Curb Cuts shall be limited to no more than one per 125 feet of STREET FRONTAGE within the Town Center Commercial, Neighborhood Commercial, Drivable Commercial, Gateway Commercial, and Employment Center districts.

### Chapter 8.05 Streetscape

A. **Streetscape Standards**

   a. **STREETSCAPE Standards** are for the purpose of ensuring the consistency of STREETS within the town. They also serve to assist BUILDING owners and operators with understanding the relationship between the STREET and their LOTS. These standards also establish an environment that encourages and facilitates pedestrian activity. Native trees and plants contribute to privacy, noise reduction, maintenance of the natural habitat, and conservation of water. Furthermore, they require less maintenance than imported or exotic species.

B. **Street Trees**

   a. Each STREET shall have canopy shade trees (STREET TREES). Vary the spacing of STREET TREES along the rights-of-way to add interest and diversity to roadway. In general, individual trees or connected planting areas should occur every 25 - 30 feet.

   b. Generally, individual trees or connected planting areas should not be located between the sidewalk and the curb unless the distance between the sidewalk and curb equals or exceeds 6 feet. If the area between the sidewalk and curb is less than 6 feet, individual trees or connected planting areas should be placed behind the sidewalk utilizing private property and tree planting easements to increase above and below ground growing space and vehicular and pedestrian clearance.

   c. Open soil surface area shall not be less than 60 square feet (with a minimum of 5 feet in any direction) per isolated tree.
d. Connected planting areas are encouraged.

e. At planting, trees shall be at least 4 inches in diameter (4 feet above grade) and at least 12 feet in overall height.

f. Trees should be planted only where there is adequate room both overhead and underground for the mature size of the tree.

g. Maintain sight lines so drivers can see pedestrians and vehicles when pulling out of driveways.

h. STREET TREES shall be “limbed up” so as to not interfere with pedestrian or auto/truck travel (minimum of 7 feet clear over the sidewalk and 14 feet over the travel lanes of the STREET).

i. Avoid over-thinning a natural stand to reduce susceptibility to wind damage and uprooting.

j. Plant trees a minimum of 15 feet from driveways and 35 feet from road intersections for MINOR COLLECTORS and 50 feet for MAJOR COLLECTORS.

k. Avoid planting trees directly over property lines or corners.

Approved Road Frontage Trees

i. The following tree species are suitable for planting along the roadside. Tree species planted on private property outside the sidewalks should be selected from the species list in the Urban Forest Ordinance.

<table>
<thead>
<tr>
<th>Tree</th>
<th>Size at Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crapemyrtle, Common</td>
<td>S*</td>
</tr>
<tr>
<td>Dogwood, Flowering</td>
<td>S*</td>
</tr>
<tr>
<td>Elm, Chinese</td>
<td>M</td>
</tr>
<tr>
<td>Ginko (male)</td>
<td>M</td>
</tr>
<tr>
<td>Hornbeam, American</td>
<td>M</td>
</tr>
<tr>
<td>Hornbeam, European</td>
<td>M</td>
</tr>
<tr>
<td>Magnolia</td>
<td>L</td>
</tr>
<tr>
<td>Maple, Red</td>
<td>M</td>
</tr>
<tr>
<td>Maple, Sugar</td>
<td>L</td>
</tr>
<tr>
<td>Maple, Trident</td>
<td>M</td>
</tr>
<tr>
<td>Oak, Darlington</td>
<td>L</td>
</tr>
<tr>
<td>Oak, Overcup</td>
<td>L</td>
</tr>
<tr>
<td>Oak, Scarlet</td>
<td>L</td>
</tr>
<tr>
<td>Oak, Shumard</td>
<td>L</td>
</tr>
<tr>
<td>Oak, Willow</td>
<td>L</td>
</tr>
<tr>
<td>Planetree, London</td>
<td>L</td>
</tr>
<tr>
<td>Redbud, Easter</td>
<td>S*</td>
</tr>
<tr>
<td>Serviceberry</td>
<td>S*</td>
</tr>
</tbody>
</table>

S - Small 15-25'  
M - Medium 25-40'  
L - Large >40'  
* - suitable for planting beneath utility line

C. Sidewalks

a. Intent.

i. The intent of the standards for SIDEWALKS and MULTI-USE PATHWAYS is to assure a
safe, convenient and attractive pedestrian/bicycle system that minimizes conflicts between vehicles, bicycles, and pedestrians.

b. General Provisions

i. Interconnected network. A sidewalk network that interconnects all DWELLING UNITS with other DWELLING UNITS, nonresidential uses, and common OPEN SPACE shall be provided throughout each development. Sidewalks shall be separate and distinct from motor vehicle circulation to the greatest extent possible. The pedestrian circulation system shall include gathering/sitting areas and provide benches, landscaping and other STREET furniture where appropriate.

ii. Sidewalks required. Sidewalks shall be constructed on one side of the road within DETACHED RESIDENTIAL districts and on two sides of the road in all other districts. Sidewalk networks within individual development shall connect to existing or planned networks or shall further potential connectivity to the existing or planned sidewalk/bicycle network.

c. Sidewalks shall be a minimum of 5 feet wide if set back from the curb or 6 feet if at the curb face. Sidewalks adjacent to storefronts in the GC, DC and TCC districts shall be consistent with the average sidewalk width on a BLOCK if BUILDING in an area with existing sidewalks.

d. Sidewalks shall be located within the RIGHT-OF-WAY unless otherwise approved by the TOWN.

e. Sidewalk materials

i. The acoustic, thermal, visual and tactile properties of sidewalk paving materials shall be appropriate to the proposed function of pedestrian circulation. Sidewalks shall be constructed of concrete, brick, colored/textured concrete pavers, concrete containing accents of brick, or some combination thereof that is compatible with the style, materials, colors and details of the surrounding BUILDINGS. Asphalt shall not be used for sidewalks.

ii. Sidewalks must be constructed of approved materials of sufficient strength to support light maintenance vehicles.

f. Sidewalk installation

i. Sidewalks and related improvements shall be installed or constructed by the subdivider in accordance with plans and specifications approved by the Town and, after installation and construction; they shall be subject to inspection and approval by the Town.

ii. Sidewalks shall comply with AASHTO standards unless stricter standards are required by this ordinance.

iii. Sidewalks shall comply with Americans with Disabilities Act requirements.

g. Street Border

i. A STREET border should be provided along STREETS for the safety of motorists and pedestrians as well as for aesthetic reasons. The border between the roadway and the RIGHT-OF-WAY line should be wide enough to serve several purposes, including provision of a buffer space between pedestrians and vehicular traffic, sidewalk space, an area for placement of underground utilities, and an area for maintainable aesthetic features such as landscaping. The border width shall be a minimum width of 6 feet, but preferably, it should be 10 feet or wider. Wherever practical, an additional obstacle free border width of 12 feet or more should be provided between the curb and the sidewalk for safety and environmental enhancement.

h. The minimum width for AESTHETIC FEATURES is 6 feet. A strip this wide provides ample storage room for many utilities. The width provides an essential buffer between an out-of-control motorist and a pedestrian; improved sight distances at driveways; and adequate width for landscaping and STREET TREES. A tree set back from the roadway 4 meets minimum AASHTO standards for fixed objects when a barrier curb (30 mph or less) is used and is adequate for most species. On the back side of sidewalks, a minimum width buffer of 1 foot is required. Without such a buffer, vegetation, walls, BUILDINGS, and other objects encroach on the usable sidewalk space. This SETBACK is essential not only to facilitate pedestrian walking comfort, but to ensure essential sight
lines at each residential and commercial driveway.

a. Newspaper racks, U.S. mail boxes and commercial mailing service boxes, and other STREET furniture should not encroach into the walking space. Such items should be placed behind the sidewalk or in a corner or mid-BLOCK bulb-out.

i. Grade
   i. If possible, grade should be kept to no more than 5 percent, and, terrain permitting, avoid grade greater than 8 percent.

j. Stairs
   i. Stairs require railings on at least one side, and they should extend 18 inches beyond the top and bottom stair. When an especially wide set of stairs is created, rails are required on both sides and one or two in mid-stair areas. Avoid open risers and use a uniform grade with a constant tread to rise along the stairway length.
   ii. Stairs shall be lit at night.
   iii. Minimum stairway width is 42 inches. The forward slope shall be 1 percent in order to drain water.

k. Pedestrian Pathways
   i. PEDESTRIAN PATHWAYS through a subdivision BLOCK shall be 5 feet wide, shall be within a dedicated RIGHT-OF-WAY not less than 15 feet in width, and shall be flanked with landscaping and lighting. PEDESTRIAN PATHWAYS along BUILDINGS and within parking LOTS shall be raised and curbed, where suitable. A direct pedestrian connection to BUILDING entries, public space and parking areas shall be provided from public sidewalks. Walkways shall be constructed of the same materials as sidewalks except that PEDESTRIAN PATHWAYS internal to asphalt surfaced parking LOTS may be of asphalt construction. PEDESTRIAN PATHWAYS crossing driveways in parking LOTS shall be clearly delineated by a change in pavement color or texture or paint striping.

l. Lighting
   i. All sidewalks and other pedestrian walkways shall have lighting, using poles and fixtures consistent with the overall design theme for the development.

m. Multi-use pathways (bikeways)
   i. MULTI-USE PATHWAYS shall be provided to link internal OPEN SPACE areas with peripheral OPEN SPACE areas and shall connect to MULTI-USE PATHWAY routes throughout the community. Multiuse pathway routes shall be designated between residential areas and commercial and employment centers and schools.
   ii. MULTI-USE PATHWAYS on local STREETS may be delineated by painted “bicycle only” lanes. Sidewalks that may be used as a MULTI-USE PATHWAY are required on arterial and collector STREETS. All other MULTI-USE PATHWAYS shall be a minimum of 8 feet wide and built to Georgia DOT standards. Bike racks shall be provided at the entry to internal and peripheral OPEN SPACE areas.

D. Streetscape Landscaping
   a. Turfgrass and Groundcover
      i. All turfgrass must be solidly sodded at installation – not seeded, sprigged, or plugged.
      ii. Groundcovers may be used in place of turf grass.
   b. Plant Material
      i. All plant material, including trees, shall conform to the standards of the American Association of Nurserymen.

E. Street Lights
   a. For properties abutting Main Street, STREET LIGHTS shall be placed in a pattern consistent with the existing STREET SCAPE and light fixtures shall match those of the existing STREET SCAPE.
   b. For properties not abutting Main Street, STREET LIGHTS shall be fully shielded.
Chapter 8.06 Parking

A. Automobile Parking Goals
   a. Enable people to park once at a convenient location and to access a variety of commercial enterprises in pedestrian friendly environments by encouraging SHARED PARKING.
   b. Reduce inefficient, single-purpose parking.
   c. Avoid adverse parking impacts on neighborhoods adjacent to redevelopment areas.
   d. Increase visibility and accessibility of parking.
   e. Provide flexibility for the redevelopment of small sites and for the preservation of HISTORIC STRUCTURES.

B. On-Street Parking
   a. ON-STREET PARKING for guests shall be permitted on all streets within the HR, RSF, and RD districts, except within 25 feet of the RIGHT-OF-WAY of an intersecting street.
   b. ON-STREET PARKING for guests is permitted on both sides of the street in the HR district and one side of the street in the RSF district.

C. Off-Street Parking
   a. In all zoning districts, OFF-STREET PARKING facilities for motor vehicles for the use of occupants, employees, and patrons of the building or structures hereafter erected, altered or extended shall be provided and maintained as follows:
      i. Surface - All parking and driveway areas and primary access to parking facilities shall be surfaced with asphalt, concrete or similar materials.
      ii. Integrate parking LOTS with surroundings - Within the EC, GC and DC districts at least 80 percent of parking spaces shall be located to the rear of BUILDINGS and shall not interfere with designated pedestrian routes, or negatively impact surrounding neighborhoods.
         1. No more than 20 percent of total parking for customers shall be located to the front of the principal BUILDING in the DC, GC and NC district.
         2. Parking in all other districts shall be to the rear of the principal BUILDING or if the lot contains more than one principal BUILDING, parking shall be located within the INNER COURT or to the rear of the back-most principal BUILDING whose long axis is oriented to the street.
         3. The pedestrian character of STREETS and BUILDINGS shall be maximized through continuity of BUILDINGS and landscape frontage.
      iii. Location
         1. Parking LOTS shall be located to the rear of BUILDINGS or in the interior of a BLOCK. Limited parking is allowed to the side of the BUILDING if topography or location of OPEN SPACE or a greenway designated in the CONCEPT PLAN otherwise prohibits location solely to the rear of the BUILDING.
      iv. Landscaping
         1. Parking LOTS shall be landscaped, screened and buffered as provided in Article 9.
      v. Shared access.
         1. Where feasible, parking LOTS shall share access drives with adjacent property with similar land uses.
   b. Off-Street Parking Design
      i. All OFF-STREET PARKING areas, excluding driveways associated with residential development shall be designed so that vehicles may exit without backing onto a public STREET unless no other practical alternative is available due to topography or lot configuration.
      ii. OFF-STREET PARKING areas shall be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way or sidewalks or strike against or damage any wall, vegetation, utility or other structure.
      iii. Each automobile parking space shall be not less than 8 1/2 feet width and shall have a
minimum area of 160 square feet exclusive of drives and aisles.

iv. Circulation area design.
1. Circulation areas shall be designed to facilitate the safe movement of vehicles without posing a danger to pedestrians or impeding the function of the parking area.
2. Interior driveways, when used with 90-degree-angle parking shall be not less than 24 feet wide; when used with 60-degree-angle parking, not less than 12 feet wide with one-way traffic; when used with parallel parking or where no parking exists, not less than 10 feet for one-way traffic and not less than 20 feet for two-way traffic.

v. Surfacing and Drainage
1. All off-street parking shall be properly drained and surfaced to avoid water and dust problems.

vi. Lighting
1. All parking area lighting shall be full cutoff-type fixtures. Any light used to illuminate parking areas or for any other purpose shall be so arranged as to reflect the light away from adjacent residential properties and away from the vision of passing motorists.

vii. Location of OFF-STREET PARKING on Other Property
1. If OFF-STREET PARKING cannot be reasonably provided on the same LOT with the principal use or BUILDING, said OFF-STREET PARKING may be provided on other property lying not more than 400 feet from the main entrance to the principal use. In this situation, the applicant shall submit with his application for a building permit an instrument duly executed and acknowledged which accepts as a condition for the issuance of a building permit the permanent availability of such OFF-STREET PARKING to serve the principal use.

viii. Shared OFF-STREET PARKING
1. When there are opportunities to support parking demand through shared OFF-STREET PARKING for compatible uses, SHARED PARKING agreements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements.

ix. Paved OFF-STREET PARKING requirements.
1. Paved OFF-STREET PARKING shall be provided according to the minimum requirements below:

<table>
<thead>
<tr>
<th>Paved Off-street Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>USE</td>
</tr>
<tr>
<td>Detached residential</td>
</tr>
<tr>
<td>Attached residential</td>
</tr>
<tr>
<td>Accessory dwelling</td>
</tr>
<tr>
<td>Senior Living</td>
</tr>
<tr>
<td>Community Services</td>
</tr>
<tr>
<td>Daycare Center</td>
</tr>
<tr>
<td>Retail</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Office/business</th>
<th>1 space for every 500 square feet of gross floor area*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks and Open Space</td>
<td>See 8.06A.4.i.(2)</td>
</tr>
<tr>
<td>Religious Institutions</td>
<td>1 space for each 6 seats in the main auditorium or sanctuary.</td>
</tr>
<tr>
<td>Institutional</td>
<td>1 space for every 6 seats</td>
</tr>
<tr>
<td>Business Park/Industrial</td>
<td>1 space each for maximum number of employees present at any one time.*</td>
</tr>
</tbody>
</table>

*OFF-STREET PARKING for commercial uses shall be sufficient to provide parking for employees of all proposed uses, as well as customer parking. SPACES reserved for employees shall be designated as such by means of signage.

2. Unlisted Uses. Upon receiving a development application for a use not specifically listed in "Paved Off-Street Parking," the ZONING ADMINISTRATOR shall apply the OFF-STREET PARKING standard specified for the listed use that is deemed most similar to the proposed use or require a parking study in accordance with this Article.

x. Off-Street Parking for Land Uses With Unique Parking Requirements

1. Land Uses which have widely varying parking demand characteristics, make it impossible to specify a single OFF-STREET PARKING STANDARD. Such uses shall comply with the following:

   1. A developer proposing to develop or expand a land use with unique parking requirements shall submit a parking study that provides justification for the number of OFF-STREET PARKING spaces proposed. A parking study shall include:

      a. Estimates of parking demand based on recommendations of the Institute of Traffic Engineers, or other acceptable estimates as approved by the Zoning Administrator, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, location, or parameters of the use that may be estimated to parking requirements.

      b. The study shall document the source of data used, and methods used to develop the recommendations. After reviewing the parking study, the ZONING ADMINISTRATOR shall establish a minimum off-street parking standard for the proposed use.

xi. Location of spaces

   1. OFF-STREET PARKING facilities for residential uses shall be provided and located on the same LOT as the BUILDING they are intended to serve.

   2. Required OFF-STREET PARKING in HR, SFR, RD or RA zones shall not lie within the front yard SETBACK or within any required side yard SETBACK adjacent to a STREET. (Driveway spaces within these SETBACKS cannot be counted for required OFF-STREET PARKING.)

   3. The location of required OFF-STREET PARKING facilities for other than residential uses shall be within 1000 feet of the BUILDING or structure when measured from the nearest point of the BUILDING or structure.

   4. Required OFF-STREET PARKING shall be set back 20' from the back of an adjacent sidewalk.

   5. Handicap parking spaces.
1. Handicap parking spaces shall be required for all retail, office, business, industrial and institutional uses, as well as ATTACHED RESIDENTIAL units.
2. Handicap parking spaces shall be designated as being for the handicapped with painted symbols and standard identification signs.
3. Handicap parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, handicap parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance to the parking area. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.
4. Number of handicap parking spaces.

<table>
<thead>
<tr>
<th>HANDICAP PARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total parking Space in LOT</td>
</tr>
<tr>
<td>1-25</td>
</tr>
<tr>
<td>26-50</td>
</tr>
<tr>
<td>51-75</td>
</tr>
<tr>
<td>76-100</td>
</tr>
<tr>
<td>101-150</td>
</tr>
<tr>
<td>151-200</td>
</tr>
<tr>
<td>201-300</td>
</tr>
<tr>
<td>301-400</td>
</tr>
<tr>
<td>401-500</td>
</tr>
<tr>
<td>501-1,000</td>
</tr>
<tr>
<td>1,001 and over</td>
</tr>
</tbody>
</table>

5. For every eight handicap parking spaces, there must be at least 1 van-accessible space. If there is only 1 handicap parking space, that space must be van-accessible.
6. Parking space dimensions.
   a. Parking spaces must be 8 feet by 18 feet with a five-foot-wide access aisle.
   b. Van-accessible spaces must be 8 feet by 18 feet with an eight-foot-wide access aisle.
   c. Parking spaces that are parallel to a pedestrian walk which is handicap-accessible may have the same dimensions as those of standard vehicles.

xii. Off-street Loading and Unloading Spaces.
1. Each off-street loading space shall have minimum dimensions of 14 feet in height, 12 feet in width, and 55 feet in length. However, upon sufficient demonstration that a particular loading space will be used exclusively by shorter trucks, the ZONING ADMINISTRATOR may reduce the minimum length accordingly to as little as 35 feet.
2. Each required off-street loading space shall have direct access to a STREET or alley or have a driveway which offers satisfactory ingress and egress for trucks.
3. Sufficient space for off-street loading and unloading must be provided for each institution, hotel, commercial or industrial building or similar use requiring the receipt or distribution of materials or merchandise, and having a floor area of more than 10,000 square feet of floor space or fraction thereof. Such space must be located so as not to hinder the free movement of pedestrians and vehicles over a sidewalk, street or alley.

4. Sufficient off-street loading space (not necessarily a full space if shared by adjacent establishments) must be provided for each commercial or industrial building requiring the receipt or distribution of materials for merchandise and having a floor area of less than 10,000 square feet. The space must be located so as not to hinder the free movement of pedestrians and vehicles over a sidewalk, street or alley.

5. All required off-street loading spaces shall be located on the same lot as the building which they are intended to serve or on an adjacent lot when the loading spaces are shared with the use occupying said adjacent lot.

6. Permanent Reservation. Area reserved for off-street loading in accordance with this Ordinance must not be reduced or changed to any other use unless the permitted use that the off-street loading serves is discontinued or modified. However, equivalent loading space may be provided and approved by the ZONING ADMINISTRATOR.

xiii. Stacking Space for Drive-through Facilities.
1. Stacking spaces shall be provided for any use having a drive-through facility or areas having drop-off and pick-up areas. The following general standards shall apply to all stacking spaces and drive-through facilities:
   1. Stacking spaces and lanes for drive-through stations shall not impede on- and off-site traffic movements, shall not cross or pass through off-street parking areas, and shall not create a potentially unsafe condition where crossed by pedestrian access to a public entrance of a building.
   2. Drive-through lanes shall be separated from off-street parking areas. Individual lanes shall be striped, marked or otherwise distinctly delineated.
   3. Approach lanes for drive-through facilities shall have the following minimum widths:
      a. One lane: 12 feet per lane
      b. Two or more lanes: 10 feet per lane
   4. All drive-through facilities shall be provided with a bypass lane with a minimum width of 10 feet.
   5. Alleys or driveways in residentially zoned areas adjacent to drive-through facilities shall not be used for circulation of customer traffic.
   6. Each stacking space shall be a minimum of 10 feet by 20 feet. b. The number of stacking spaces shall be provided as follows:

<table>
<thead>
<tr>
<th>Activity Type</th>
<th>Minimum Stack</th>
<th>Measured From</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automated Teller</td>
<td>3 per machine</td>
<td>Teller Machine</td>
</tr>
<tr>
<td>Bank teller lane</td>
<td>3 per lane</td>
<td>Teller Window</td>
</tr>
<tr>
<td>Car Wash Stall, automatic</td>
<td>4</td>
<td>Entrance</td>
</tr>
<tr>
<td>Car Wash Stall, self-service</td>
<td>1</td>
<td>Entrance</td>
</tr>
<tr>
<td>Gasoline Pump Island</td>
<td>20 feet from each end of the pump island</td>
<td></td>
</tr>
</tbody>
</table>
D. Use of Parking Spaces
   a. Use of parking areas generally
      i. Required OFF-STREET PARKING areas shall be used solely for the parking of licensed
         motor vehicles in operating condition. Required spaces may not be used for the storage
         of vehicles, boats, recreational vehicles, mobile homes, or building materials.
   b. Use of parking areas for temporary events and sales
      i. A portion of a parking lot that allows at least 75 percent of the remaining legal parking
         spaces to be used for parking in conformance with the standards of this chapter may be
         set aside for purposes of a temporary event, such as a "tent sale," "sidewalk/parking lot
         sale," or other permitted activity. These events may not exceed 7 consecutive days in
         length and may not occur more than once each calendar quarter.
      ii. The property owner and operator of the licensed business at the location are jointly
          responsible for ensuring that events blocking parking lots do not result in unsafe traffic
          or circulation conditions and ensuring that there is adequate fire and emergency vehicle
          access. The Police Chief or his designee may order the event canceled and removed
          without hearing or notice if found that the arrangement of the temporary event or sale
          interferes with safe flow of traffic or emergency vehicle access to a site.
      iii. The property owner, business licensed at the site, and entity responsible for the event
          are jointly responsible for ensuring there is adequate parking at the event site. The use
          of public right-of-way for event parking is prohibited. Parking arrangements may be
          made for use of adjoining or nearby parking areas with a 300 foot radius, but a copy of
          the agreements shall be in writing and filed with the Zoning Administrator at least 2
          working days prior to the event.
      iv. Long-term vendors located in parking lots
         1. Temporary long-term use of a parking lot for a vendor (for example but not
            limited to: Christmas trees, seasonal food sales) that will be located in the
            parking lot for more than seven consecutive days may be permitted by the
            ZONING ADMINISTRATOR provided that the vendor has secured a Occupation
            Tax License and a copy of a written agreement for use of the parking area is
            submitted to the ZONING ADMINISTRATOR prior to the establishment of the
            use.
         2. A site plan showing the location of the facility and an indication of the total
            number of existing spaces in the parking lot and parking to be removed by the
            vendor shall be submitted to the ZONING ADMINISTRATOR.
         3. In no case shall a long-term vendor be permitted to remove more than 5
            percent of the subject property's parking spaces from general usage.

E. Bicycle Parking
   a. For office development, the developer must provide 1 employee bicycle parking rack or bicycle locker (2 -
      bike capacity) per 7,500 of gross floor area and 1 visitor/customer bicycle parking rack (2 bike capacity) per
      20,000 square feet of gross floor area.
   b. For ATTACHED RESIDENTIAL development, the developer must provide 1 tenant bicycle parking rack or
      bicycle locker (2-bike capacity) per 3 units and 1 visitor bicycle parking rack (2-bike capacity) per 25 units

F. Historic Structures
   a. Sites containing HISTORIC STRUCTURES or their FACADES may be redeveloped provided that this HISTORIC
      STRUCTURE or FACADE is preserved in its entirety. Such structures or facades are not subject to the
      BUILDING ENVELOPE STANDARDS; however, additions to the HISTORIC STRUCTURE or FACADE must meet
      BUILDING ENVELOPE STANDARDS.
   b. In order to better incorporate HISTORIC STRUCTURES and their FACADES into redevelopment scenarios, the
following are allowable modifications to the Zoning Ordinance requirements:

i. HISTORIC STRUCTURE and HISTORIC FAÇADE BUILDINGS have no minimum parking requirements.

ii. Redevelopment projects incorporating HISTORIC STRUCTURES and HISTORIC FACADES are exempt from the minimum parking requirements for that portion of the project that includes the historic property.

iii. Siting and element requirements of the BUILDING ENVELOPE STANDARDS can be modified for that portion of any redevelopment project that includes a HISTORIC STRUCTURE or its façade that is preserved.

G. Public Improvements

a. The developer/property owner is required to construct all STREETSCAPE improvements according to the STREETSCAPE Standards of §8.05, as part of the development or redevelopment project.

b. Examples of required STREETSCAPE improvements may include:

i. Installing sidewalks, to include curbs and gutters.

ii. Underground utilities, where not already done.

iii. Installing STREET furniture: benches, trash receptacles, bicycle racks, etc.

iv. Installing STREET TREES and STREET LIGHTS.

v. Dedicating public access easements as necessary to access the pedestrian and bicycle network and greenways.
ARTICLE 9. Landscaping, Buffers, Screening, and Lighting

Chapter 9.01 Landscaping

A. Intent.
   a. The intent of this Chapter is to preserve the Town’s special character, and integrate and enhance new development by promoting quality landscape design that:
      i. Reinforces the identity of the community and each neighborhood;
      ii. Anchors new buildings in the landscape;
      iii. Provides tree canopies within paved areas; and
      iv. Is environmentally sensitive by preserving existing trees, using water conservation techniques, planting native species (when appropriate), and enhancing valuable habitat.

B. General Provisions
   a. All development applications shall be accompanied by an appropriate landscape plan. BUILDING permit applications for individual single-family residences will not require landscape plans.
   b. Site Landscape Design
      i. Landscape improvements shall be an integral part of the overall site design for each property. Landscape improvements shall be designed to complement and enhance the character of the neighborhood and shall follow these requirements:
      ii. Landscaped areas shall be configured to maximize their interconnectivity within the site to natural areas and to landscaped areas in adjacent developments. Small, isolated islands of landscaping should be avoided except as required in parking LOT S and for screening along roadways.
      iii. Enhance functional OPEN SPACE through the creation of outdoor room appropriate to the location and purpose of the OPEN SPACE within the development. This can be accomplished through a combination of plantings, fencing, and berms and by using natural features on site.
      iv. Landscape design shall enhance natural features, drainage ways and environmental resources.
      v. All landscape improvements shall be designed for mature landscapes.
      vi. Preserve and frame view both into and out of the neighborhood.
      vii. Incorporate the elements of gateway, path, and destination into the design of landscapes. Gateways are entries that provide transitions from one space to another. Pathways are routes that lead to a destination. Destinations are focal points that can include anything from a garden bench at the end of a path to a civic building.
      viii. Landscaping shall be no more than 30 inches tall when located in a SIGHT DISTANCE TRIANGLE.
   c. Landscapes shall use the following xeriscape design principles to facilitate water conservation:
      i. Well-planned planting schemes;
      ii. Appropriate turf selection;
      iii. Use of mulch to maintain soil moisture and reduce evaporation;
      iv. Zoning of plant materials according to their microclimatic needs and water requirements;
      v. Improve the soil with organic matter if needed;
      vi. Efficient irrigation systems; and
      vii. Proper maintenance and irrigation schedules.
   d. All landscapes shall maximize the use of native species. Where native material is not appropriate for the intended use or appearance, plant species that are regionally adapted and noninvasive may be used.
   e. Landscapes shall consist of a variety of species to enhance biodiversity. No one species may make up more than 25 percent of the total non-grass plant materials on the site.
   f. Buildings and parking areas shall be located to preserve and promote the health of existing trees, environmental resources, and natural drainage ways. No healthy tree shall be removed unless the root zone is encroached on inside the drip line due to siting of buildings or parking areas. This requirement is not intended to prevent the removal of unhealthy trees in conjunction with site development.
   g. Trees shall be located to provide summer shade and limit winter shade on walks and STREETS and fences shall be used to BUFFER SENSITIVE HABITAT.
h. Use BUFFERS to protect the physical integrity of riparian ecosystems. Buffers should be designed in accordance with “Georgia’s Best Management Practices for Forestry.”

i. All areas disturbed by construction shall be reseeded to prevent erosion. Native, noninvasive grasses shall be used for revegetation where practical. Weed control is the responsibility of the landowner on all reseeded areas.

C. New buildings and paved areas
   a. Anchor STRUCTURES in the landscape through the use of trees, shrubs and groundcover. The size and number of plantings shall be appropriate to the size and context of the improvements.
   b. Integrate adjacent land use of different intensities through a combination of berms, planting, and fencing. A fence shall not be the only screening material used.
   c. Use landscaping to provide a transition from developed, managed landscape to more natural vegetation.
   d. Provide a tree canopy by installing shade trees within and adjacent to paved areas.

D. Plant materials
   a. The minimum planting sizes of all required landscaping shall be 2 inch caliper deciduous trees, 1 1/2 inch caliper ornamental trees, 6 foot tall evergreen trees, and 5-gallon shrubs.
   b. Required plant materials shall be grown in a recognized nursery in accordance with proper horticultural practice. Plants shall be healthy, well-branched vigorous stock with a growth habitat normal to the species and variety and free of diseases, insects and injuries.
   c. All plants shall conform to standards for measurements, grading, branching, quality, ball and burlapping as stated by the American Association of Nurserymen, Inc., (AANN-ASNS).

E. Irrigation
   a. All required landscaping shall be irrigated as required for plant establishment and maintenance. Irrigation shall be appropriate to the type and scope of the improvements.

F. Guarantee of Installation
   a. Required landscape improvement shall be installed prior to issuance of a certificate of occupancy for all STRUCTURES. If weather conditions prevent installation, the developer shall post a financial guarantee for the improvements. This guarantee shall be released upon completion of the installation of the landscaping.

G. Maintenance
   a. In order to provide for the ongoing health and appearance of landscape improvements, all landscaping shall be maintained and replaced by the landowner/occupant as necessary. All property owners/occupants shall be responsible for maintenance of landscaping within the portion of the public RIGHT-OF-WAY between the back of the curb or STREET pavement and the adjacent property.

H. Landscaping Design Standards
   a. All development must comply with the Pine Mountain Urban Forest Ordinance.
   b. Within the common OPEN SPACE the developer or assigns shall provide:
      i. Street Trees.
         A. STREET TREE S shall comply with Section 7.03B.
         ii. Live groundcover, including a combination of grass, trees, flowers, or shrubs along collector and local STREETS. In commercial areas, this area may be paved if it functions as pedestrian access to storefronts and is integrated into the overall design of the other improvements on the site.
         iii. Live groundcover as appropriate to the use and function of the area, including a combination of grass, trees, flowers, paving, and 1 shrub for every 100 square feet of landscape area clustered into planting beds along ARTERIAL STREETS.
         iv. Landscaping for required common OPEN SPACE shall be appropriate to the use and function of the area and include trees, shrubs, groundcover, irrigation (where necessary), and paving. A mechanism for long -term maintenance of common OPEN SPACE shall be submitted with the plan.
   I. Historic Residential, Single Family Residential
      a. In addition to required STREETSCAPE landscaping, the developer or assigns shall provide:
         i. A combination of sod, shrubs, ornamental grass, groundcover, and trees (shade and ornamental) to cover the front yard of each home.
ii. Live materials shall constitute at least 75 percent of the front YARD coverage.

iii. HARDSCAPES and/or mulch shall cover the remaining front yard not dedicated to live materials.

J. Multifamily Residential – Apartments, Duplex
   a. 1. In addition to trees required by the Pine Mountain Urban Forest Ordinance, the developer or his assigns shall:
      i. Install a minimum of 1 shrub per 100 square feet of landscaped area. Shrubs shall be grouped and distributed throughout the site. Shade trees may be substituted for up to 1/ of the required shrubs at the rate of 1 tree for 10 shrubs.
      ii. Install irrigated turf maintained to appropriate standards for active recreation in areas that will function for active recreation.
      iii. Live materials shall cover at least 75 percent of the disturbed LOT not occupied by buildings, active recreation facilities, or parking.
      iv. Landscape SETBACK to parking lots shall be 25 feet from the STREET. This SET BACK may be reduced to 15 feet if used in combination with a 4 foot masonry or stone decorative wall.

K. Business, commercial, and industrial development
   a. Landscape improvements shall be designed to enhance the overall appearance of the development and integrate the project with adjacent land uses and into the surrounding neighborhood. All improvements shall be designed to take into consideration the people who will use the site and travel through or by the site and adjacent land uses.
   b. The developer or assigns shall:
      i. Site trees in a quantity that meets the standards of the Pine Mountain Urban Forest Ordinance.
      ii. Plant a minimum of 1 shrub per 100 square feet of landscaped area. Group shrubs and distribute throughout the site. Shade trees may be substituted for up to 1/ of the required shrubs at the rate of 1 tree for 10 shrubs.
      iii. Establish irrigated turf grass maintained in areas that will function as OPEN SPACE. There shall be a minimum of 75 percent live materials between the building and the STREET.
   c. Landscape SETBACK to parking LOTS shall be 25 feet from the STREET. This SETBACK may be reduced to 15 feet if used in combination with a 4 foot masonry or stone decorative wall.
   d. Loading areas, service and storage areas shall be screened so as they are not visible from the public RIGHT - OF-WAY or adjacent property with an opaque screen that is an integral part of the building architecture or by landscaping. Alternative materials including, without limitation, chain link fencing with slats, tires or used building materials are not acceptable screening materials.
   e. Integrate improvements on the subject property with adjacent land uses by utilizing a combination of landscaping, building orientation and appropriate architectural elements.

Chapter 9.02 Buffering and Screening

A. Intent
   a. It is the intent of this Chapter to integrate adjacent land uses and provide seamless transitions from one use to another through the use of building orientation and access, landscaping, and appropriate architectural elements.

B. General Provisions
   a. Special consideration shall be given to adjacent land uses of different intensities. It shall be the responsibility of the developer of the more intensive use to ensure that the transition from one use to another is attractive and functional and minimizes conflicts between the current and planned uses.
   b. It is the responsibility of the developer of the higher intensity use to demonstrate that the uses will be compatible. This can be accomplished through the effective use of shared access and parking, appropriate building orientation and SETBACKS, landscaping, architectural treatment and limited use of fencing and screening walls. Special consideration shall be given to the impact of aesthetics, noise, lighting, and traffic.
   c. Buffering is required between any development and adjacent NATURAL AREA or ENVIRONMENTALLY SENSITIVE AREA.
   d. Under no circumstances shall a fence be the only screening material used as a BUFFER between land uses.
C. Location and screening of required loading and service areas.
   a. Loading docks, dumpsters, recycling containers and other service areas shall be placed to the rear or side of
      BUILDINGS in visually unobtrusive locations.
   b. Screening and landscaping shall prevent direct views of the loading and service areas and their driveways
      from adjacent properties or from the public RIGHT-OF-WAY prevent spillover glare, noise or exhaust fumes.
      Screening and B U F F E R I N G shall be achieved through walls, architectural features and landscaping and
      shall be opaque, and be sometime referred to as a “structural buffer.” Recesses in the BUILDING or
      depressed access ramps may be used.

D. Dumpsters.
   a. All dumpster sites:
      i. Shall be located to facilitate collection and minimize any negative noise, visual or odor impact on
         persons occupying the development site, neighboring properties or public rights-of-way; and
      ii. Constructed to allow for collection without damage to the development site or the collection
          vehicle.
      iii. Screened to prevent them from being visible to:
            1. persons located within any DWELLING UNIT on residential property other than that
               where the dumpster is located;
            2. occupants, customers or other invitees located within any BUILDING on nonresidential
               property other than that where the dumpster is located; and
            3. (3) persons traveling on any public STREET, sidewalk or other public way.

E. Mechanical Equipment
   a. The following shall be placed away from any
      BUILD-TO-LINE, not be stored or located
      within any STREET, and be screened from
      view from the STREET:
      i. air compressors
      ii. mechanical pumps
      iii. exterior water heaters
      iv. water softeners
      v. meters or boxes placed away from
         the BUILD-TO-LINE and be
         screened from view from the STREET.

Chapter 9.03 Landscape Plans
A. General requirements for all landscaping and buffer plans.
   a. Landscaping and buffer plans shall be drawn at a scale of 1 inch = 20 feet to 50 feet, as needed to clearly
      illustrate the proposed plantings. Multiple sheets keyed to an index sheet may be used.
   b. Caption - Each plan sheet is to include:
      i. The name of the development and its acreage (or square footage if less than an acre).
      ii. Name, address, telephone number and e-mail address of the property owner and subdivider or
          developer.
      iii. Name, address, telephone number and e-mail address of the applicant.
      iv. Name, address, telephone number and e-mail address of the individual or company responsible
          for the design. The name, registration number and seal of the landscape architect by whom the
          plan was prepared shall be stamped on the plan and signed.
   c. The location and size of all utilities on the site, including the limits of any public or private utility easements
      and stormwater detention areas, are to be shown.
d. Plant materials
   i. Standards and requirements for the quality and type of plant materials and their installation and required in §9.01D.

B. Landscaping Plans must include the following, as appropriate to the landscaping requirements of this Zoning Ordinance:
   a. The location of all existing and proposed parking areas, sidewalks and other paved or impervious surfaces.
   b. The outline of all existing and proposed buildings and STRUCTURES
   c. The boundaries of all natural areas, stream Buffers and other areas required to remain undisturbed, and an illustrated description of the protective fencing and signage to be placed around such areas, along with a note regarding protection of undisturbed areas as follows:

   “Undisturbed Area Notes.” All protection devices for undisturbed areas must be installed and inspected prior to clearing, grubbing or grading. Call the Town for an inspection.

   Tree protection shall be vigorously enforced. No activities of any kind are to be allowed within any area shown to be undisturbed on this plan.

   The retention and planting of trees as shown on this plan must be verified prior to issuance of a Certificate of Occupancy or acceptance of the project. Call the Town for an inspection.

   A maintenance inspection of trees will be performed prior to the expiration of the 2-year maintenance period. Project owners at the time of the maintenance inspection are responsible for compliance with the provisions of this plan and the Pine Mountain Zoning Ordinance.”

d. The boundaries of each landscape area required by this Zoning Ordinance or conditions of zoning approval.

C. Submittal Standards for Landscape Plans
   a. All DEVELOPMENT REVIEW APPLICATIONS and applications for commercial VARIANCE will be accompanied by the appropriate Preliminary Landscape Plan to be submitted with the preliminary plat and shall:
   i. illustrate the master landscape plan for the development and
   ii. how the proposal is consistent with the purpose and intent of these regulations.

b. Landscaping shall be included on the preliminary OPEN SPACE plan if it can be clearly illustrated and the scale is not greater than 1” = 100’.

c. Information required on the plan as listed in “Landscape Plan Information” (See Appendix).

D. Final Landscape Plan
   a. The final landscape plan shall be submitted with the final plat and shall:
   i. Describe the design intention and how the proposal is consistent with the preliminary landscape plan.
   ii. The final landscape plan must be on a separate page from the final plat map and shall be included
with the final OPEN SPACE plan if it can be clearly illustrated. The scale shall not be greater than 1" = 50’.

b. Information required on the plan as listed in “Landscape Plan Information”

E. Buffer Plan
   a. A BUFFER plan shall be prepared for any buffer required in accordance with this Ordinance. The buffer plan shall show:
      i. The boundaries of each required BUFFER area.
      ii. The location and size of all utilities on the site, including the limits of any utility easements and stormwater detention areas.
   b. For each NATURAL AREA BUFFER, the plan must show:
      i. Methods to be employed to protect the drip line areas of the trees in the BUFFER from disturbance during construction, including fencing details, erosion control, signage, etc., along with a note regarding protection of undisturbed areas as shown in §9.03A.2.(3)(a) (undisturbed areas note)
      ii. Proposed supplemental planting required to maintain the opaque visual screen required.
   c. For each BUFFER the plan must show:
      i. All grading and construction details for earthen berms, walls, and fences that are proposed as part of the opaque visual screen.
      ii. A planting plan showing the location, size, and type of proposed plant materials.
      iii. The location, size, and common name of all existing plant materials to be retained that contribute to meeting the requirements of this Ordinance for BUFFERS.
      iv. Typical cross-sections of the BUFFER illustrating the improvements proposed and typical location of vegetation. At least one cross-section shall be provided for each buffer.

Chapter 9.04 Storm Drainage Facilities

A. Intent
   a. The intent of this Chapter is to require innovative and effective land and water management techniques that protect and enhance water quality.

B. General Provisions
   a. Landscaping associated with storm drainage facilities shall be integrated into the overall design of the project.
   b. It shall enhance the overall appearance of the project, prevent erosion and improve water quality of storm water runoff.
   c. Storm drainage facilities may function as OPEN SPACE for active recreation, trail corridors or habitat enhancement areas if they are designed appropriately and approved by the Town.
   d. The use of planting strips and shallow landscaped depressions in parking LOTS and along roads is required to help trap and remove pollutants from storm water runoff. (See Land Development Provisions to Protect Georgia Water Quality, School of Environmental Design, The University of Georgia, October 1997.)

C. Applicability.
   a. All storm drainage facilities shall be landscaped in accordance with the Pine Mountain Storm Drainage and Stormwater Managements Ordinance.

D. Minimum Requirements
   a. All facilities shall be seeded to grass appropriate to the function of the area. Areas to be used for active recreation shall be seeded to a turf-type grass and irrigated with a permanent irrigation system. Areas to be maintained for habitat enhancement shall be seeded to native grasses and wildflowers. The developer is responsible for establishment of a complete, weed-free stand of grass.
   b. Maximum side slope on drainage facilities shall be 4:1 and minimum slope of the bottom of a drainage facility shall be 1/2 percent.
   c. Landscape improvements shall be designed to enhance the function of the facility.
   d. Habitat and water quality enhancement, including wetland plantings in low wet areas, is encouraged.

E. Ownership and Maintenance
a. All drainage facilities shall be owned and maintained by the landowner or occupant.

Chapter 9.05 Exterior Lighting

A. Intent
a. It is the intent of this Chapter to create an attractive lighting system to enhance visibility and safety, while minimizing glare and contrast. It is also the intent to encourage exterior lighting that is functional, aesthetically pleasing and complementary to the architectural style of the BUILDING.

B. General Provisions
a. Evaluation of exterior lighting.
   i. Exterior lighting shall be evaluated in the development review process to ensure that the functional and security needs of the project are met in a way that does not adversely affect the adjacent properties or neighborhood. The degree to which exterior lighting affects a property owner or neighborhood will be examined considering the light source, level of illumination, hours of illumination and need for illumination in relation to the effects of the lighting on the adjacent property owners and the neighborhood.
   ii. Outdoor lighting is necessary but must not be used on a property so that the scale of the fixture or amount of light overpowers the building.
   iii. Lighting may be used to illuminate entrances to highlight ornamentation. Lighting shall not be used to wash an entire building facade in light.
   iv. Minimize visual impacts of the site and architectural lighting.
   v. Use exterior light sources with a low level of LUMINENESCENCE.
   vi. Use white lights that cast a similar color to daylight.
   vii. HIGH INTENSITY LIGHTS are prohibited.

b. Light style.
   i. The style of lights shall be consistent with the style and character of architecture proposed on the site.

c. Concealed or fully shielded lighting
   i. Light sources shall be concealed or fully shielded to minimize the potential for glare and unnecessary diffusion on adjacent property and to direct light away from the vision of passing motorists. All lights shall be directed downward and the light source shall be equipped with “cut-off” devices so that it will not be visible from any adjacent property. Flagpole lighting shall be permitted to be directed upward as long as the light source is shielded and not visible from any adjacent property. Light fixtures installed under canopies, AW NINGS, overhangs and similar shall be fully recessed.

d. Prohibited Types of Lighting
   i. Bright floodlights.
   ii. Fluorescent LIGHTS.
   iii. Fixtures that are historically inaccurate for Pine Mountain’s history.
   iv. Bare floodlights without reflectors.
   v. WALL PACKS.
   vi. Neon.
   vii. LED Lighting strips

e. Hours of lighting operation
   i. All non-residential parking lot lighting fixtures and exterior BUILDING LIGHTS, except those required for security purposes, shall be extinguished within 1 hour after the close of business 1 and remain extinguished until no more than 1 hour prior to the beginning of business hours. If a portion of a parking lot is used after dark, only that portion shall be lighted.

f. Height standards for lighting
   i. Residential zoning districts.
      1. Light fixtures shall be mounted on fiberglass or painted metal poles no higher than 16 feet from the ground. Lighting mounted on a building or structure shall not exceed the
ii. Nonresidential zoning districts.
   1. Light fixtures shall be mounted on concrete, fiberglass or painted metal poles no higher than 25 feet from the ground. Lighting mounted on a building shall not exceed the height of the building or structure. Bollard-type lighting fixtures shall be between 3 and 4 feet high.

iii. Exemption for outdoor recreational uses.
   1. Because of their limited hours of operation and their unique requirements for nighttime visibility, ball diamonds, playing fields, tennis courts, and other similar outdoor recreational uses, shall be exempt from the general provisions of this Chapter during times of use.
ARTICLE 10. Use Regulation

The following uses are the only permitted in the Town of Pine Mountain, and no uses shall occur and no structure shall be erected, structurally altered or enlarged unless the use is allowed as a Permitted Use, an Accessory Use, or uses lawfully established prior to the effective date of this ordinance.

Chapter 10.01 Permitted Uses

<table>
<thead>
<tr>
<th>Use</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>HR</td>
</tr>
<tr>
<td>ACCESSORY DWELLING UNIT</td>
<td>●</td>
</tr>
<tr>
<td>ACCESSORY STRUCTURE/UNIT</td>
<td>●</td>
</tr>
<tr>
<td>ALTERNATIVE TOWER STRUCTURE</td>
<td>●</td>
</tr>
<tr>
<td>ART STUDIO</td>
<td>●</td>
</tr>
<tr>
<td>ASSISTED LIVING</td>
<td>●</td>
</tr>
<tr>
<td>ATTACHED RESIDENTIAL</td>
<td>[12]</td>
</tr>
<tr>
<td>AUDITORIUM</td>
<td>●</td>
</tr>
<tr>
<td>BED AND BREAKFAST</td>
<td>C</td>
</tr>
<tr>
<td>CATERING SERVICE</td>
<td>●</td>
</tr>
<tr>
<td>CEMETERY</td>
<td>●</td>
</tr>
<tr>
<td>CLUB</td>
<td>●</td>
</tr>
<tr>
<td>COMMUNITY CENTER</td>
<td>C</td>
</tr>
<tr>
<td>COMMUNITY KITCHEN</td>
<td>C</td>
</tr>
<tr>
<td>CONTINUING CARE RETIREMENT COMMUNITY</td>
<td>C</td>
</tr>
<tr>
<td>CONVENIENCE STORE</td>
<td>●</td>
</tr>
<tr>
<td>CONVENIENCE STORE WITH GAS STATION</td>
<td>C</td>
</tr>
<tr>
<td>COSMETOLOGY/SALON</td>
<td>●</td>
</tr>
<tr>
<td>COUNTRY CLUB</td>
<td>●</td>
</tr>
<tr>
<td>DAYCARE CENTER</td>
<td>●</td>
</tr>
<tr>
<td>DAYCARE HOME</td>
<td>C</td>
</tr>
<tr>
<td>DETACHED RESIDENTIAL</td>
<td>[1]</td>
</tr>
<tr>
<td>EDUCATIONAL FACILITY, PRESCHOOL</td>
<td>●</td>
</tr>
<tr>
<td>ELECTRICAL SUBSTATION</td>
<td>●</td>
</tr>
<tr>
<td>FUNERAL HOME or MORTUARY</td>
<td>●</td>
</tr>
<tr>
<td>GARAGE, REPAIR</td>
<td>●</td>
</tr>
<tr>
<td>GAS STATION</td>
<td>C</td>
</tr>
<tr>
<td>HOME OCCUPATION</td>
<td>●</td>
</tr>
<tr>
<td>HOME OFFICE</td>
<td>●</td>
</tr>
<tr>
<td>HOTEL, BOUTIQUE</td>
<td>●</td>
</tr>
<tr>
<td>ICE BOX</td>
<td>●</td>
</tr>
<tr>
<td>INDEPENDENT LIVING</td>
<td>●</td>
</tr>
<tr>
<td>INDUSTRIAL SERVICES</td>
<td>●</td>
</tr>
<tr>
<td>INSTITUTIONAL USE</td>
<td>●</td>
</tr>
<tr>
<td>LIGHT INDUSTRY</td>
<td>●</td>
</tr>
<tr>
<td>LIGHT INDUSTRY, LARGE-SCALE</td>
<td>●</td>
</tr>
<tr>
<td>LIVE/WORK Unit</td>
<td>●</td>
</tr>
<tr>
<td>LOW IMPACT AGRICULTURE</td>
<td>●</td>
</tr>
<tr>
<td>Use</td>
<td>Zoning District</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>HR</td>
<td>RSF</td>
</tr>
<tr>
<td>MANSION FLAT</td>
<td>●</td>
</tr>
<tr>
<td>MINI WAREHOUSE</td>
<td>●</td>
</tr>
<tr>
<td>MUSEUM</td>
<td>●</td>
</tr>
<tr>
<td>NEWSPAPER or PRINTING ESTABLISHMENT</td>
<td>●</td>
</tr>
<tr>
<td>NURSING HOME</td>
<td>●</td>
</tr>
<tr>
<td>OFFICE, BUSINESS</td>
<td>●</td>
</tr>
<tr>
<td>OFFICE, CORPORATE</td>
<td>●</td>
</tr>
<tr>
<td>OFFICE, PROFESSIONAL</td>
<td>●</td>
</tr>
<tr>
<td>PARK, PLAYGROUND (NEIGHBORHOOD)</td>
<td>●</td>
</tr>
<tr>
<td>PARKING LOT. OFF-STREET</td>
<td>●</td>
</tr>
<tr>
<td>PERSONAL CARE HOME</td>
<td>C</td>
</tr>
<tr>
<td>PLANNED GROUP DWELLING</td>
<td>C</td>
</tr>
<tr>
<td>PULPWOOD or LOG YARD</td>
<td>●</td>
</tr>
<tr>
<td>RECREATION CENTER/FACILITY</td>
<td>●</td>
</tr>
<tr>
<td>RELIGIOUS INSTITUTION, COMMUNITY</td>
<td>●</td>
</tr>
<tr>
<td>RELIGIOUS INSTITUTION, MEGA</td>
<td>●</td>
</tr>
<tr>
<td>RELIGIOUS INSTITUTION, NEIGHBORHOOD</td>
<td>●</td>
</tr>
<tr>
<td>RESTAURANT, CAFE</td>
<td>●</td>
</tr>
<tr>
<td>RESTAURANT, FINE</td>
<td>●</td>
</tr>
<tr>
<td>RESTAURANT, OUTDOOR DINING AREA</td>
<td>●</td>
</tr>
<tr>
<td>RESTAURANT, SMALL SCALE</td>
<td>●</td>
</tr>
<tr>
<td>RESTAURANT, SPECIALTY</td>
<td>●</td>
</tr>
<tr>
<td>RETAIL, LARGE SCALE</td>
<td>●</td>
</tr>
<tr>
<td>RETAIL, SMALL SCALE</td>
<td>●</td>
</tr>
<tr>
<td>SCHOOL, PRIVATE</td>
<td>●</td>
</tr>
<tr>
<td>SCHOOL, PUBLIC</td>
<td>C</td>
</tr>
<tr>
<td>SERVICE ESTABLISHMENT</td>
<td>●</td>
</tr>
<tr>
<td>SEXUALLY ORIENTED BUSINESS</td>
<td>●</td>
</tr>
<tr>
<td>SHORT TERM VACATION RENTAL</td>
<td>C</td>
</tr>
<tr>
<td>SOLAR ENERGY COLLECTION SYSTEM</td>
<td>C</td>
</tr>
<tr>
<td>SWIMMING POOL, PRIVATE</td>
<td>●</td>
</tr>
<tr>
<td>SWIMMING POOL, PUBLIC</td>
<td>●</td>
</tr>
<tr>
<td>UPPER FLOOR RESIDENTIAL</td>
<td>●</td>
</tr>
<tr>
<td>VENDING MACHINE</td>
<td>●</td>
</tr>
<tr>
<td>VETERINARY CLINIC or HOSPITAL</td>
<td>●</td>
</tr>
<tr>
<td>VETERINARY CLINIC or HOSPITAL WITH BOARDING</td>
<td>●</td>
</tr>
<tr>
<td>WAREHOUSE</td>
<td>●</td>
</tr>
<tr>
<td>WHOLESALE ESTABLISHMENT</td>
<td>●</td>
</tr>
<tr>
<td>WHOLESALE ESTABLISHMENT with warehouse</td>
<td>●</td>
</tr>
<tr>
<td>WIRELESS TELECOMMUNICATION FACILITY</td>
<td>C</td>
</tr>
</tbody>
</table>

(1) Permitted provided that the home retains the scale and character of the STREET. However, primary focus of district is commercial.
(2) Units must be clustered along the edge of the district and should serve as a BUFFER between more intense nonresidential uses and the stream BUFFER.
(3) ATTACHED RESIDENTIAL is permitted as a stand-alone use along the edges of the district acting as a transition to lower intensity land uses.
(4) Permitted in upper-story only in multi-story buildings.
ARTICLE 11. Administration

Chapter 11.01 Authority

A. The Mayor and Town Council may from time to time amend the boundaries of the districts established on the Zoning Map and/or the provisions set forth in this Ordinance.

Chapter 11.02 Application Types

A. There are two types of applications under this ordinance; a rezoning application; and a DEVELOPMENT REVIEW APPLICATION.

Chapter 11.03 Rezoning Application

A. Application Requirements

a. A rezoning application must be filed with the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT at least 50 days prior to the PINE MOUNTAIN TOWN COUNCIL meeting at which the request will be heard.

b. A rezoning application must contain the following information:

i. Name and address of the applicant;

ii. A legal description of the property(ies) proposed to be rezoned;

iii. The present and proposed zoning classification for the property(ies);

iv. Two (2) copies of a survey of the property prepared by a licensed surveyor showing existing and proposed STRUCTURES and uses, access drives, easements, environmental features, utilities, Buffers, existing and proposed zoning, and any other relevant supporting documentation reasonably required by the TOWN to assist in rendering a decision, including concept plans. The land surveyor’s seal shall be affixed to the survey.

v. A list of adjoining property owners as shown on the tax rolls.

vi. Any additional relevant information the applicant or the Clerk reasonably believes to be pertinent.

vii. Payment of the application fee, as determined by the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT to cover the administrative and advertising costs of the application. The fee is waived if the APPLICANT is the Town of Pine Mountain.

viii. A signed and notarized statement certifying APPLICANT or the owner represented by the APPLICANT has one hundred percent (100%) ownership or leasehold interest in the property. In case of a lease, the owner must also sign.

c. Once the application is submitted it cannot be amended. Incomplete applications will not be processed.

B. Rezoning Application Review Process

a. A rezoning application must be filed with the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT at least 50 days prior to the PINE MOUNTAIN TOWN COUNCIL meeting at which the request will be heard.

b. Zoning Administrator Written Analysis

i. The ZONING ADMINISTRATOR shall present the application and all its supporting documents, along with a written analysis of the requested zoning’s impact, at the public hearing. The written analysis shall show that the ZONING ADMINISTRATOR has considered the proposed change in relation to the Standard of Review of §11.03.F.

C. Public Hearings and Procedures

a. Public Hearings Required.

i. Before enacting a rezoning amendment to this Ordinance, two (2) public hearings must be held. One (1) by the Harris County Planning Commission and one (1) by the Mayor and Town Council.

b. Applicant Notification

i. The HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT must notify the applicant of the date, time, and place of the required public hearings.

c. Publication of Notice

i. Not less than fifteen (15) days, and not more than forty-five (45) days prior to the date of the public hearing, the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT shall cause to be advertised in a newspaper of general circulation the location of the property in question, the

Town of Pine Mountain
81
Zoning Ordinance
present zoning classification of said property, the proposed zoning classification of said property and the date, time, place, and purpose of the public hearing.

ii. The HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT shall notify by regular mail, the owners, as shown by Harris and Meriwether County tax records, of property that abuts the lot that is the subject of the proposed amendment. Such notice shall be mailed at least fifteen (15) days prior to the date of the planning commission public hearing and shall include a description of the proposed amendment and the dates, times and places of the public hearings before the planning commission and the Pine Mountain Town Council.

d. Sign

i. Not less than fifteen (15) days prior to the planning commission public hearing, the applicant shall have posted in a conspicuous place on the lot or parcel to be rezoned, one (1) or more signs, which shall provide adequate notice of the zoning action.

ii. Each sign shall be of wood, metal, or plastic and approximately forty-eight (48) inches by thirty-two (32) inches. The lettering shall be black letters on a white background.

iii. Each sign shall be placed on the property at five hundred (500) foot intervals. If the property in question has five hundred (500) foot of frontage or less, only one (1) sign is required.

iv. The sign must contain the following information: name of applicant or owner, date, time, and location of each public hearing, current zoning classification and proposed zoning classification, proposed use of property, and the telephone number of the Harris County Department of Community Development that interested persons can call for additional information. The sign shall contain no additional advertisement or words other than those specified herein.

v. The applicant shall notify the Harris County Department of Community Development in writing no less than fifteen (15) days prior to the first scheduled public hearing that the sign(s) has been erected and where it is located. Failure to do so may require the public hearing be rescheduled.

vi. The sign(s) shall remain posted until final action has been taken by the Pine Mountain Town Council. The sign(s) shall be removed by the applicant within ten (10) days after final action by the Pine Mountain Town Council.

vii. If, because of circumstances peculiar to the location of the property to be posted, the sign will either be inconspicuous or invisible from any well-traveled right-of-way, the sign(s) shall be posted on the property to be rezoned and on other property in such a location that it is likely to be seen by persons potentially interested in the decision.

e. Planning Commission Action

i. All applications for proposed rezoning amendment shall be reviewed by the planning commission in a public hearing in accordance with the procedures set for in §11.07.A.

ii. The planning commission shall review and consider a recommendation to the Pine Mountain Town Council with respect to the application for a proposed rezoning amendment. The planning commission may decide not to make a recommendation, or it may make any of the following recommendations with respect to an application for a proposed rezoning amendment: approval, denial, deferral, withdrawal, reduction of the land area for which the application is made, change of the zoning district requested, or imposition of zoning conditions. If no recommendation is decided by the planning commission, then it shall report to the Pine Mountain Town Council that it makes no recommendation on the application.

iii. The planning commission shall submit its recommendation or report of no recommendation on an application for a proposed rezoning amendment to the Pine Mountain Town Council prior to the scheduled public hearing in which the Pine Mountain Town Council will consider the application for a zoning decision. If the planning commission fails to submit a recommendation or report prior to the public hearing, the planning commission’s recommendation shall be deemed to be one of approval.

f. Mayor and Town Council Action

i. The Mayor and Town Council shall hold a public hearing on the rezoning application in accordance
D. Withdrawal

i. If a rezoning application is withdrawn in writing and signed by the applicant at any time prior to the publication of the newspaper notice and posting of the required sign, the same property may not be considered for rezoning until the expiration of twenty-four (24) months immediately following the withdrawal of the rezoning application. The Mayor and Town Council may, in its discretion, reduce or waive the twenty-four (24) month interval between applications for proposed amendments to the zoning map affecting the same property.

ii. The application will be considered to have been withdrawn if the applicant, his/her authorized agent or his/her attorney fails to appear at the public hearing. By withdrawing in this manner, the same property may not be considered for rezoning until the expiration of twenty-four (24) months from the date of the scheduled public hearing for which the applicant failed to appear.

E. Denial

i. If the rezoning application is denied by the Mayor and Town Council, then the same property may not be considered for rezoning until the expiration of no fewer than six (6) months and no more than twenty-four (24) months immediately following the denial of the rezoning by the Mayor and Town Council and any subsequent application affecting the same property unless the council shall find and determine that the conditions under which the previous application for rezoning was made have substantially changed.

F. Standards of Review (Zoning Amendment Criteria)

a. In the consideration of a rezoning application, the Planning Commission and Mayor and Town Council shall consider factors relevant in balancing the interest in promoting the public health, safety, morals or general welfare against the right of the individual to the unrestricted use of property and must specifically consider the following factors as they may be relevant to the application:

i. The existing land use pattern;

ii. The possible creation of an isolated district unrelated to adjacent and nearby districts;

iii. The population density pattern and possible increase or overtaxing of the load on public facilities including, but not limited to, schools, utilities, public safety, and streets;

iv. The cost to the Town and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures;

v. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality;

vi. Whether the proposed zoning map amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations;

vii. Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;

viii. The aesthetic effect of existing and future use of the property as it relates to the surrounding area;

ix. The extent to which the proposed zoning map amendment is consistent with the comprehensive plan;
The possible effect of the proposed zoning map amendment on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community;

The relation that the proposed zoning map amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of these zoning regulations;

The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight;

Any other factors deemed relevant by the Harris County Community Development Department, Mayor and Town Council shall be considered.

b. After hearing evidence at the zoning hearing, the Mayor and Town Council shall apply the evidence of the Standards of Review (Zoning Amendment Criteria) in making its decision. It will not be required that the Mayor and Town Council consider every criterion contained in the Standards of Review. It shall be the duty of the applicant to carry the burden of proof that the proposed rezoning promotes the public health, safety, morality or general welfare.

Chapter 11.04 Development Review Application

A. Application Requirements

a. A DEVELOPMENT REVIEW APPLICATION must be filed with the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT meeting for all projects except individual single-family homes in the HR and RSF districts.

b. A DEVELOPMENT REVIEW APPLICATION for single-family homes in HR, RSF, and A must contain:
   i. An Architectural Building Plan;
   ii. A Landscape Plan (if property is located in the HR District);
   iii. All documentation required under the building permit process;
   iv. Any relevant information the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT reasonably believes to be pertinent.

c. A DEVELOPMENT REVIEW APPLICATION for multi-family development in RD and RA and commercial development in TCC, DC, and GC must contain:
   i. All relevant documentation required under the Pine Mountain Subdivision Regulations;
   ii. An Architectural Building Plan;
   iii. A Landscape Plan;
   iv. A Traffic Impact Analysis for developments that are reasonably expected to generate more than 1,000 vehicle trip ends during a single day or more than 100 vehicle trip ends during a single hour;
   v. Stormwater Management Plan;
   vi. Lighting Plan;
   vii. Any relevant information the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT reasonably believes to be pertinent.

d. A DEVELOPMENT REVIEW APPLICATION for development in EC, Resort, and PUD must contain:
   i. All relevant documentation required under the Pine Mountain Subdivision Regulations;
   ii. A Preliminary Development Plan;
      1. A site plan showing:
         a. The direction of North, appropriate scale and topography;
         b. The location of the subject property in relation to the entire town;
         c. The use of property adjacent to the site;
         d. The proposed use of land and density of development for the site;
         e. Proposed access to and traffic circulation within the site;
      2. A proposed development schedule for the project.
      3. The planned development shall be located in an area for which public facilities and services are available and adequate for the uses that are proposed; provided, however, that the applicant may provide such facilities which are not presently available, and written assurance of such provision shall be included as a part of the Preliminary
Development Plan which is submitted.

4. The HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT, the HARRIS COUNTY PLANNING COMMISSION, and the PINE MOUNTAIN TOWN COUNCIL shall review and act on the proposed development request and any amendment to an approved Preliminary Development Plan in accordance with this ordinance and the adopted Comprehensive Plan.

iii. A Final Development Plan:

1. A site plan showing:
   a. The direction of North, appropriate scale and topography in five foot contour intervals or less;
   b. The proposed location;
   c. The use of all structures and land;
   d. The location and use of structures adjacent to the site; The location, area and number of parking spaces and maneuvering areas;
   e. The location and dimensions of streets, driveways and walks on and off the site;
   f. All service and loading areas and spaces;
   g. The location, size, number and character of all exterior signs and lighting;
   h. The location, character and extent of existing vegetation landscaping, retaining and screen walls and other treatments for the protection of adjoining property;
   i. The facilities for surface drainage of the premises;
   j. The location and character of all public improvements including utilities.
2. A copy of any deed restrictions to be recorded.
3. A comprehensive traffic analysis indicating the probable effect of the proposed development on traffic patterns and capacities of adjacent streets in the immediate area prepared by a registered professional engineer.
4. A development schedule indicating the appropriate date when construction of the development or stages thereof can be expected to begin and be completed.
5. Any other information necessary to establish compliance with this and any other ordinances regarding the availability of adequate utility capacity.
6. A fire protection plan approved by the Pine Mountain Fire Department, indicating the location and size of all proposed fire mains, fire hydrants and fire access lanes as well as a description of all fire protection measures and devices for the structures.
7. The public improvements included in the Final Development Plan shall be consistent with the Pine Mountain Subdivision Regulations and the Pine Mountain Comprehensive Plan. Compliance with said regulations shall be reviewed as part of the Final Development Review process.
8. The applicant shall provide for and establish an organization or other legal entity for the control and maintenance of any common open space designated on the Final Development Plan. Such organization shall be created by covenants running with the land. Such covenants shall be included as a part of the Final Development Plan and subject to approval by the Pine Mountain Town Council.
9. Structures and open space shall be arranged in such a way as best to serve the needs of residents and commercial users of the development and to minimize any adverse effects on neighboring districts.
10. Scenic assets and natural features such as trees, streams and topographic features shall be protected and preserved to the greatest extent possible.
11. Not more than fifty (50) percent of the gross tract area shall be covered by buildings in the development.
12. At least fifty (50) percent of the area remaining after the development of buildings.
parking, right-of-way and utility or drainage easements shall be developed to serve the needs of the residents of the development; including, but not limited to landscaping, patios, walks, play areas, recreation, and other uses consistent with the character of the development.

13. Buffers and building set-backs shall recognize and honor existing adjacent land development. However, in no case shall a building be constructed closer than fifteen (15) feet from the development boundary, nor twenty (20) feet from any public road right-of-way.

14. Adequate screening and separation between different land uses shall be provided by means of buffers or other acceptable methods.

15. Vehicular access to the development shall be from streets capable of supporting existing and projected traffic. No streets or roads within the development shall connect to the public street system in such a way as to encourage use of minor streets as through streets.

16. The development shall include provisions for safe and convenient pedestrian access and circulation.

e. Payment of the application fee, as determined by HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT to cover the administration costs of the application. The fee is waived if the APPLICANT is the Town of Pine Mountain.

f. A signed and notarized statement certifying APPLICANT or the owner represented by the APPLICANT has one hundred (100) percent ownership or leasehold interest in the property. In case of a lease, the owner must also sign.

g. Once the application is submitted, it cannot be amended. Incomplete applications will not be processed.

B. Development Review Application Process

a. Any Development Review Application meeting the requirements of §11.04.A,b shall be reviewed pursuant to the standards in §11.04.C and approved by the Zoning Administrator and appropriate staff of the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT.

b. Any Development Review Application meeting the requirements of §11.04.A,c shall be reviewed pursuant to the following procedures:

   i. The ZONING ADMINISTRATOR shall present the application and all its supporting documents, along with a written analysis of the application’s compliance with this Zoning Ordinance to the Pine Mountain Design Review Committee.

   ii. The Pine Mountain Design Review Committee shall review the written analysis and application and shall consider the Development Review Criteria of §11.04.C and present to the ZONING ADMINISTRATOR a recommendation on the Development Review Application of approval, approval with conditions, or denial based on its conformance with this Zoning Ordinance and the adopted Comprehensive Plan.

   iii. Within seven (7) days of the decision, the Town Clerk shall so notify the applicant in writing.

c. Any Development Review Application meeting the requirements of §11.04.A,d shall be reviewed pursuant to the following procedures:

   i. The applicant shall submit a Preliminary Development Plan.

   ii. Prior to removal of natural vegetation, restructuring of the land or construction of any improvements, a final development plan consistent with the Preliminary Development Plan shall be submitted to and approved by the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT.

   iii. Upon receipt of an applicant’s Final Development Plan, the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT shall transmit a copy of the plan to the appropriate departments and agencies for their review, report and recommendation. Such officials and agencies shall each within thirty (30) days from receiving the plan and documentation furnish to the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT a report pertinent to their respective jurisdiction and concerns.
iv. The HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT shall review the applicant’s Final Development Plan and within ninety (90) days following the applicant’s submission shall prepare a written report stating clearly the reasons and justifications for approval or disapproval of the plan. Written disapproval shall identify what changes are necessary in order for the Plan to be approved. Said written decision shall be transmitted to the applicant.

v. The Final Development Plan may be amended by the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT providing the procedure specified in §11.04.A.c.i.-iv. For review and approval is followed.

1. Minor changes in the location, siting, or character of buildings and structures as shown on the Final Development Plan may be authorized by the Building Official. No change authorized by the Building Official under this section may increase the size of any building or structure by more than ten (10) percent, nor change the location of any building or structure by more than ten (10) percent in any direction.

2. The Building Official may not permit change beyond the minimum requirements set forth in this ordinance. All other changes in the Final Development Plan, including changes in the site plan and the development schedule must be made under the procedures that are applicable to the initial approval of the Final Development Plan.

C. Standards of Review for Development Review Applications

a. In reviewing DEVELOPMENT REVIEW APPLICATIONS the Harris County Planning Commission and the Mayor and Town Council shall consider the following factors as they may be relevant to the application:
   i. The setback and placement on the LOT of the BUILDING in relation to the average setback, where required.
   ii. Exterior construction materials.
   iii. Architectural detailing such as CORNICES, brick patterns, and foundation materials.
   iv. Roof shapes, forms, and materials.
   v. Proportions, shapes, position, and locations; patterns and sizes of any elements of FENESTRATION.
   vi. General form and proportions.
   vii. Appurtenant fixtures and other features such as lighting.

b. After reviewing the application, the Harris County Planning Commission shall apply the evidence of the Standards of Review for Development Review in making its recommendation. The Mayor and Town Council shall also apply the evidence of the Standards of Review for Development Review in making its decision. It shall be the duty of the applicant to carry the burden of proof that the proposed development promotes the requirements of this Ordinance.

Chapter 11.05 Conditional Uses

A. Request for Conditional Use shall only be made for potential conditional uses that are specifically listed in this zoning ordinance, and shall be processed in accordance with the following requirements:
   a. Initiation of Amendments. A proposed Conditional Use may be initiated by the Mayor and Town Council, or by application filed by the owner(s) of the property, provided, however, no more than one application for Conditional Use affecting the same parcel or parcels of property or any part thereof, shall be filed within a 12 month period, unless said application is withdrawn pursuant to §14.12.I.
   b. Application procedure. Application forms for Conditional Use requests shall be obtained from the Town Clerk. Completed forms, together with an application fee plus any additional information the applicant feels to be pertinent, must be filed with the Town Clerk at least 45 days prior to the regularly scheduled Mayor and Town Council meeting. Any communication purporting to be an application for a Conditional Use shall be regarded as a mere notice to seek relief until it is made in the form required.

B. Application Requirements
   a. A conditional use application must contain the following information:
      i. Name and address of the applicant;
      ii. A legal description of the property(ies) proposed for the Conditional Use;
iii. The present and proposed zoning classification for the property(ies);
iv. Two (2) copies of a survey of the property prepared by a licensed surveyor showing existing and proposed STRUCTURES and uses, access drives, easements, environmental features, utilities, Buffers, existing and proposed zoning, and any other relevant supporting documentation reasonably required by the TOWN to assist in rendering a decision, including concept plans. The land surveyor’s seal shall be affixed to the survey.
v. A narrative or letter explaining each activity that will be performed for each event (example: farm tours, farm dinner, farmers market).
vi. Any additional relevant information the applicant or the Clerk reasonably believes to be pertinent.
vii. Payment of the application fee, as determined by the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT to cover the administrative and advertising costs of the application. The fee is waived if the APPLICANT is the Town of Pine Mountain.
viii. A signed and notarized statement certifying APPLICANT or the owner represented by the APPLICANT has one hundred percent (100%) ownership or leasehold interest in the property. In case of a lease, the owner must also sign.
b. Once the application is submitted it cannot be amended. Incomplete applications will not be processed.
c. The application shall include a notarized signature of the application and, if the applicant is not the current property owner, such application shall include the notarized authorization from the property owner for the requested Conditional Use.

C. Conditional Use Review Process
   a. Application forms for Conditional Use requests shall be obtained from the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT.
   b. Completed forms, together with an application fee plus any additional information the applicant feels to be pertinent, must be filed with the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT at least 30 days prior to the regularly scheduled PINE MOUNTAIN TOWN COUNCIL meeting.
   c. Any communication purporting to be an application for a Conditional Use shall be regarded as a mere notice to seek relief until it is made in the form required.
   d. Zoning Administrator Written Analysis
      i. The Zoning Administrator shall present the application and all its supporting documents, along with a written analysis of the requested conditional uses’ impact, to the Mayor and Town Council at its regular business meeting the month in which the public hearing on the application is scheduled. The written analysis shall show that the Zoning Administrator has considered the proposed change in relation to the enumerated questions in §11.05.G.

D. Public Hearing and Procedures
   a. Public Hearing Required.
      i. Before enacting an amendment to the Ordinance, one (1) public hearing must be held by the Mayor and Town Council pursuant to §11.06.
   b. Applicant Notification.
      i. The HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT must notify the applicant of the date, time, and place of the required public hearings.
   c. Publication of Notice
      i. Not less than fifteen (15) days, and not more than forty-five (45) days prior to the date of the public hearing, the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT shall cause to be advertised in a newspaper of general circulation in Pine Mountain, GA the location of the property in question, the present zoning classification of said property, the proposed zoning classification of said property and the date, time, place and purpose of the public hearings.
      ii. The HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT shall notify by regular mail, the owners, as shown by Harris and Meriwether County tax records, of property that abuts the lot that is the subject of the proposed amendment. Such notice shall be mailed at least fifteen (15) days prior to the date of the planning commission public hearing and shall include a description of the proposed amendment and the dates, times and places of the public hearings before the
planning commission and the Pine Mountain Town Council.

d. Sign

i. Not less than fifteen (15) days prior to the planning commission public hearing, the applicant shall have posted in a conspicuous place on the lot or parcel to be rezoned, one (1) or more signs, which shall provide adequate notice of the zoning action.

ii. Each sign shall be of wood, metal, or plastic and approximately forty-eight (48) inches by thirty-two (32) inches. The lettering shall be black letters on a white background.

iii. Each sign shall be placed on the property at five hundred (500) foot intervals. If the property in question has five hundred (500) foot of frontage or less, only one (1) sign is required.

iv. The sign must contain the following information: name of applicant or owner, date, time, and location of each public hearing, current zoning classification and proposed zoning classification, proposed use of property, and the telephone number of the Harris County Department of Community Development that interested persons can call for additional information. The sign shall contain no additional advertisement or words other than those specified herein.

v. The applicant shall notify the Harris County Department of Community Development in writing no less than fifteen (15) days prior to the first scheduled public hearing that the sign(s) has been erected and where it is located. Failure to do so may require the public hearing be rescheduled.

vi. The sign(s) shall remain posted until final action has been taken by the Pine Mountain Town Council. The sign(s) shall be removed by the applicant within ten (10) days after final action by the Pine Mountain Town Council.

e. Mayor and Town Council Action

i. The Mayor and Town Council shall hold a public hearing on the Conditional Use application in accordance with §11.07.A.

ii. After the hearing, the Mayor and Town Council shall consider the Standards of Review of §11.12.G and may, in its legislative discretion, approve or deny the application as submitted; defer a decision until a specific meeting date; require the applicant to file other studies, plans, or information regarding the project development and defer action to a later meeting date; or allow a withdrawal of the application by the applicant, if requested. The Mayor and Town Council may also require that the land area for which the application for proposed amendment is made be reduced, that the zoning district be changed to one other than that requested, or that zoning conditions be added or deleted, as the Mayor and Town Council deems appropriate to further the goals and objectives of the Comprehensive Plan. Such conditions include, but are not limited to:

1. setback requirements from any lot line;  
2. specified or prohibited locations for buildings, parking, loading or storage areas or other land uses; driveway curb cut restrictions;  
3. restrictions as to what land uses or activities shall be permitted;  
4. maximum building size;  
5. special drainage or erosion provisions;  
6. landscaping or planted area which may include the location, type and maintenance of plant materials;  
7. fences, walls, berms, or other buffer provisions or protective measures;  
8. preservation of existing trees or other vegetation; special measures to alleviate undesirable views, glare, noise, dust or odor;  
9. permitted hours of operation; architectural style;  
10. a requirement that the existing building(s) be retained;  
11. a requirement that the applicant must build according to the site plans as adopted;  
12. a limitation on exterior modifications of existing buildings;  
13. or any other requirement that the Mayor and Town Council may deem appropriate and necessary as a condition of the Conditional Use permit.

iii. Within seven (7) days of the Pine Mountain Town Council’s final action, the Town Clerk shall so notify the applicant in writing.
E.  Withdrawal.
   a.  If a Conditional Use application is withdrawn in writing and signed by the applicant at any time prior to the
       publication of the newspaper notice and posting of the required sign, the same property may not be
       considered for rezoning or conditional use until the expiration of twenty-four (24) months immediately
       following the withdrawal of the rezoning application. The Mayor and Town Council may, in its discretion, 
       reduce or waive the twenty-four (24) month interval between applications for proposed amendments to
       the zoning map affecting the same property.
   b.  The application will be considered to have been withdrawn if the applicant, his/her authorized agent or
       his/her attorney fails to appear at the public hearing. By withdrawing in this manner, the same property
       may not be considered for rezoning or conditional use until the expiration of twenty-four (24) months from
       the date of the scheduled public hearing for which the applicant failed to appear.

F.  Denial
   a.  If the Conditional Use application is denied by the Mayor and Town Council, then the same property may
       not be considered for rezoning or conditional use until the expiration of no fewer than six (6) months and
       no more than twenty-four (24) months immediately following the denial of the rezoning by the Mayor and
       Town Council and any subsequent application affecting the same property unless the Town Council shall
       find and determine that the conditions under which the previous application for Conditional Use was made
       have substantially changed.

G.  Conditional Use Criteria
   a.  The Mayor and Town Council may grant a Conditional Use only after determining the Conditional Use will
       not be contrary to the public interest and that the Conditional Use:
           i.  Is consistent with the goals and objectives of the adopted Comprehensive Plan and this
               Ordinance;
           ii. Will not be injurious to the use and enjoyment of the environment or other property in the
               vicinity nor diminish and impair property values within the surrounding neighborhood;
           iii. Will not increase expenditures in relation to cost of serving neighboring properties or maintaining
               infrastructure;
           iv.  Will not impede the normal and orderly development of surrounding property for uses
               predominant in the area; and
           v.   Has a location and character consistent with a desirable pattern of development.
   b.  The following evidence must be satisfactorily demonstrated before the determinations discussed above can
       be made;
           i.  Evidence of reduction of adverse environmental impacts to acceptable levels;
           ii. Evidence that traffic will not be substantially hindered or endangered;
           iii. Evidence that parking and loading facilities will be adequate in terms of location, amount and
                design to serve the intended use;
           iv.  Evidence that public facilities and utilities are capable of serving the proposed use;
           v.   Evidence that the use will not cause a damaging volume of commercial use in a stable
                neighborhood which would lead to decreasing property values, and/or that this use would not
                lead to additional requests that would expand these problems;
           vi.  Evidence that the proposed use would not lead to congestion, noise or traffic hazards;
           vii. Evidence that the use conforms to the comprehensive land use plan
           viii. Evidence that the use would not have a domino effect creating a “wedge” for further rapid growth
                beyond that contemplated by the comprehensive land use plan.
   c.  Additional Conditional Use Permit Criteria. No application for a Conditional Use permit shall be granted by
       the Mayor and Town Council unless it is determined that in addition to meeting the requirements contained
       within applicable use standards and the zoning district in which the conditional use permit is located,
       satisfactory provisions and arrangements have been made concerning each of the following factors, all of
       which are applicable to each application:
           i.  Adequacy of the size of the site for the use contemplated and whether adequate land area is
               available for the proposed conditional use;
ii. Compatibility with adjacent properties and with other properties in the same zoning district;
iii. Amount and location of open space and the provisions of screening is such that buffering of incompatible uses is achieved;
iv. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed;
v. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency;
vi. Whether the proposed use will create unreasonable adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, excessive light or vibration generated by the proposed use;
vii. Whether the proposed use will create unreasonable adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed conditional use;
viii. Whether the proposed use will create unreasonable adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;
ix. Whether the number, size and type of signs proposed are compatible with the surrounding area;
x. Whether there is adequate provision of refuse and service areas;
xi. Whether the length of time for which the conditional use permit is granted should be limited in duration;
xii. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.
xiii. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources; and
xiv. Whether the proposed plan will have an unreasonable adverse impact on natural resources or environmentally sensitive areas, including floodplains, wetlands, prime plant or animal habitat, or other similar features of unique value to the character of Town.

H. Termination of Conditional Use
   a. If at any time after a Conditional Use has been issued, the Mayor and Town Council finds that the conditions imposed and agreements made have not been or are not being fulfilled by the holder, the Conditional Use shall be terminated and such use discontinued. If a Conditional Use permit is terminated for any reason, it may be reinstated only after a public hearing for a new application, and approval thereof.

Chapter 11.06 Variance

A. Where the owner of one (1) or more adjacent lots of record at the time of the enactment of this Ordinance, does not own sufficient contiguous land to enable him/her to conform to the minimum lot size requirements of this Ordinance; or if the topography, physical shape, or other unique features of such lots of record, prevent reasonable compliance with the setback if used as a building site, then the property owner or agent or representative may make application to the Mayor and Town Council for a variance. Under no circumstances may a variance be granted for a lot that is created or subdivided after enactment of this Ordinance.

B. Application Requirements
   a. An application for a Variance must be accompanied by the following information:
      i. Name and address of the applicant;
      ii. A legal description of the property(ies) proposed to be rezoned;
      iii. The present and proposed zoning classification for the property(ies);
      iv. Two (2) copies of a survey of the property prepared by a licensed surveyor showing existing and proposed STRUCTURES and uses, access drives, easements, environmental features, utilities, Buffers, existing and proposed zoning, and any other relevant supporting documentation reasonably required by the TOWN to assist in rendering a decision, including concept plans. The land surveyor’s seal shall be affixed to the survey.
      v. A list of adjoining property owners as shown on the tax rolls.
      vi. Any additional relevant information the applicant or the Clerk reasonably believes to be pertinent.
vii. Payment of the application fee, as determined by the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT to cover the administrative and advertising costs of the application. The fee is waived if the APPLICANT is the Town of Pine Mountain.

viii. A signed and notarized statement certifying APPLICANT or the owner represented by the APPLICANT has one hundred percent (100%) ownership or leasehold interest in the property. In case of a lease, the owner must also sign.

b. Once the application is submitted it cannot be amended. Incomplete applications will not be processed.

C. Variance Review Process
   a. Application forms for a Variance shall be obtained from the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT.
   b. Completed forms, together with an application fee plus any additional information the applicant feels to be pertinent, must be filed with the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT at least 30 days prior to the regularly scheduled PINE MOUNTAIN TOWN COUNCIL meeting.
   c. Any communication purporting to be an application for a Variance shall be regarded as a mere notice to seek relief until it is made in the form required.
   d. Zoning Administrator Written Analysis
      i. The Zoning Administrator shall present the application and all its supporting documents, along with a written analysis of the requested variance impact, to the Mayor and Town Council at its regular business meeting the month in which the public hearing on the application is scheduled. The written analysis shall show that the Zoning Administrator has considered the proposed change in relation to the enumerated questions in §11.06.G.

D. Public Hearing and Procedures
   a. Public Hearing Required.
      i. Before enacting an amendment to the Ordinance, one (1) public hearing must be held by the Mayor and Town Council pursuant to §11.07.A.
   b. Applicant Notification.
      i. The HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT must notify the applicant of the date, time, and place of the required public hearings.
   c. Publication of Notice
      i. Not less than fifteen (15) days, and not more than forty-five (45) days prior to the date of the public hearing, the HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT shall cause to be advertised in a newspaper of general circulation in Pine Mountain, GA the location of the property in question, the present zoning classification of said property, the proposed zoning classification of said property and the date, time, place and purpose of the public hearings.
      ii. The HARRIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT shall notify by regular mail, the owners, as shown by Harris and Meriwether County tax records, of property that abuts the lot that is the subject of the proposed amendment. Such notice shall be mailed at least fifteen (15) days prior to the date of the planning commission public hearing and shall include a description of the proposed amendment and the dates, times and places of the public hearings before the planning commission and the Pine Mountain Town Council.
   d. Sign
      i. Not less than fifteen (15) days prior to the planning commission public hearing, the applicant shall have posted in a conspicuous place on the lot or parcel to be rezoned, one (1) or more signs, which shall provide adequate notice of the zoning action.
      ii. Each sign shall be of wood, metal, or plastic and approximately forty-eight (48) inches by thirty-two (32) inches. The lettering shall be black letters on a white background.
      iii. Each sign shall be placed on the property at five hundred (500) foot intervals. If the property in question has five hundred (500) foot of frontage or less, only one (1) sign is required.
      iv. The sign must contain the following information: name of applicant or owner, date, time, and location of each public hearing, current zoning classification and proposed zoning classification, proposed use of property, and the telephone number of the Harris County Department of
Community Development that interested persons can call for additional information. The sign shall contain no additional advertisement or words other than those specified herein.

v. The applicant shall notify the Harris County Department of Community Development in writing no less than fifteen (15) days prior to the first scheduled public hearing that the sign(s) has been erected and where it is located. Failure to do so may require the public hearing be rescheduled.

vi. The sign(s) shall remain posted until final action has been taken by the Pine Mountain Town Council. The sign(s) shall be removed by the applicant within ten (10) days after final action by the Pine Mountain Town Council.

e. Mayor and Town Council Action

i. The Mayor and Town Council shall hold a public hearing on the Conditional Use application in accordance with §11.07.A.

ii. After the hearing, the Mayor and Town Council shall consider the Standards of Review of §11.12.G and may, in its legislative discretion, approve or deny the application as submitted; defer a decision until a specific meeting date; require the applicant to file other studies, plans, or information regarding the project development and defer action to a later meeting date; or allow a withdrawal of the application by the applicant, if requested. The Mayor and Town Council may also require that the land area for which the application for proposed amendment is made be reduced, that the zoning district be changed to one other than that requested, or that zoning conditions be added or deleted, as the Mayor and Town Council deems appropriate to further the goals and objectives of the Comprehensive Plan.

iii. Within seven (7) days of the Pine Mountain Town Council’s final action, the Town Clerk shall so notify the applicant in writing.

E. Withdrawal

a. If a Conditional Use application is withdrawn in writing and signed by the applicant at any time prior to the publication of the newspaper notice and posting of the required sign, the same property may not be considered for rezoning or conditional use until the expiration of twenty-four (24) months immediately following the withdrawal of the rezoning application. The Mayor and Town Council may, in its discretion, reduce or waive the twenty-four (24) month interval between applications for proposed amendments to the zoning map affecting the same property.

b. The application will be considered to have been withdrawn if the applicant, his/her authorized agent or his/her attorney fails to appear at the public hearing. By withdrawing in this manner, the same property may not be considered for rezoning or conditional use until the expiration of twenty-four (24) months from the date of the scheduled public hearing for which the applicant failed to appear.

F. Denial

a. If the Conditional Use application is denied by the Mayor and Town Council, then the same property may not be considered for rezoning or conditional use until the expiration of no fewer than six (6) months and no more than twenty-four (24) months immediately following the denial of the rezoning by the Mayor and Town Council and any subsequent application affecting the same property unless the Town Council shall find and determine that the conditions under which the previous application for Conditional Use was made have substantially changed.

G. Variance Criteria

a. The Mayor and Town Council may grant variances only upon finding that all of the following conditions exist:

i. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;

ii. The application of this Zoning Ordinance to the particular piece of property would create an unnecessary hardship;

iii. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this Zoning Ordinance;

iv. Such conditions are peculiar to the particular piece of property involved;

v. The special circumstances surrounding the request for a variance are not the result of acts by the
applicants;

vi. The variance is not a request to permit a use of land, buildings, or structures that is not permitted by right in the Zoning District involved.

b. If the following criteria are all met, the yard and other space requirements of the Zoning District in which the property is located may be reduced by the smallest amount that will permit reasonable use of the property as a building site. Such reduction of these space requirements shall constitute a variance. However, in no case shall the Mayor and Town Council permit any lot in a residential Zoning District to be used as a building site which is less than ninety percent of the Zoning District’s minimum area and YARD requirements, based on the district’s maximum density.

c. The power to approve a variance rests with the Mayor and Town Council.

d. In granting a variance, the Mayor and Town Council may impose any other conditions necessary to further the goals of this Ordinance and the Comprehensive Plan.

e. The Mayor and Town Council may establish performance bonds to assure compliance with any requirements it has set for granting a variance. Where a variance is granted for a construction activity requiring a Building Permit, the Building Permit must be obtained and construction must begin within six (6) months of the issuance of the variance. Otherwise, the variance expires after six (6) months.

Chapter 11.07 Procedure for Conducting a Public Hearing.

A. All public hearings held pursuant to this Ordinance shall be conducted as follows:

a. The presiding officer shall allow the ZONING ADMINISTRATOR to present an overview of the application.

b. Following this presentation, the applicant or the applicant’s agent or attorney shall be allowed to present the applicant’s case and then shall be afforded an opportunity, prior to the closing of the public hearing, to answer questions and respond to objections of others in attendance. A minimum of ten (10) minutes is allowed for presentation of data, evidence, and opinion by proponents of each zoning decision and a minimum of ten (10) minutes for presentation by opponents of each proposed zoning decision.

i. Those desiring to speak or make a statement shall be given reasonable opportunity do so but must first raise his/her hand and be recognized by the presiding officer. Upon rising to speak, the person recognized will state his/her name and a home or business address for the record.

ii. Groups, affiliations, and associations should designate a spokesperson to speak for the group.

iii. Both proponents and opponents of the matter under consideration shall be given equal time and opportunity by the presiding officer to speak.

iv. Questions shall be directed only to the presiding officer, who shall respond or designate another person for the response.

v. The presiding officer may limit or terminate the discussion, statements or comments because of time, repetitiveness or irrelevancy.

c. After all discussion concerning the rezoning application is concluded, the presiding officer shall close the public hearing for that particular application, and shall address each zoning criteria listed in §14.03.C.

Chapter 11.08 Permits

A. Building Permits

a. It shall be unlawful for any building to be located, erected, moved, or added to, or structurally altered without obtaining a Building Permit issued by the County Building Inspector. No Building Permit shall be issued except in conformance with the provisions of this Zoning Ordinance.

b. Each unit of a multi-unit residential building shall be permitted separately.

B. Application for Permits

a. An application shall be accompanied by: a. two (2) copies of a dimensional sketch signed by the owner, or his authorized agent, to include, as a minimum, the following:

i. Lot dimensions with property line monuments located thereon;

ii. shape, size, height, and location of the buildings proposed to be erected, demolished, altered, or moved, and of any buildings already on the lot, yard dimensions and use of structures, including the number of dwelling units within each structure where appropriate;
iii. easements (private and public);
iv. Street names and street right-of-way lines; and
v. Such other information regarding abutting property as directly affects the application.

b. Payment of all inspection fees.
c. Each permit shall be conspicuously posted and displayed on the premises described in the permit during the period of construction or reconstruction.
   i. If the proposed excavation, filling, construction, or movement set forth in said sketch or plan are in conformity with the provisions of this Zoning Ordinance, and other appropriate codes and Subdivision Regulations, the Building Inspector shall sign and return one (1) copy of the sketch plan to the applicant and shall issue a Building Permit. The Building Inspector shall retain one (1) copy of the Building Permit and one (1) copy of the sketch or plan for his records.
   ii. If the preliminary plan submitted describes work which does not conform to the requirements of this Zoning Ordinance, the Building Inspector shall not issue a Building Permit but shall return one (1) copy of the sketch plan to the applicant along with a signed refusal and shall cite the portions of these Zoning Ordinances and/or other codes or regulations with which the submitted sketch plan does not comply. The Building Inspector shall retain one (1) copy of the preliminary plan and two (2) copies of the refusal.
   iii. Any Building Permit shall automatically expire; six (6) months from the date of issuance if the person, firm, or corporation to which the certificate or permit was issued has not clearly demonstrated that the permit is being exercised for the purpose for which it was issued, or if the work so authorized is suspended or discontinued for a period of one (1) year.

C. Certificate of Occupancy
   a. The County Building Inspector shall sign and issue a Certificate of Occupancy if the proposed use of land or buildings, as stated on the application for such certificate and signed thereto by the owner or his appointed agent, is found to conform to the applicable provisions of this Zoning Ordinance and other applicable codes and regulations and if the building, as finally constructed, complies with the preliminary plan submitted for the Building Permit.

D. Remedies
   a. In the event any building is erected, constructed, altered, repaired, converted or maintained, or any building or land is used in violation of this Zoning Ordinance, the Code Enforcement Officer, is authorized and required to institute injunction, mandamus, warrant for arrest, or other appropriate action or proceeding to prevent or abate the violation in the case of each building or land use. Any person who would be damaged by such violation may also institute action to prevent or abate the violation.

Chapter 11.09 Developments of Regional Impact (DRI)
A. Applicants requesting some type of local government action related to an imminent development project, such as, but not limited to, a request for rezoning, rezoning accompanying an annexation, variance, permit, hookup to a water or sewer system, master or site plan approval, or entering into a contract that reasonably appears to meet or exceed the DRI thresholds established for that development type must be submitted to the Northeast Georgia Regional Development Center for review. (See Chapter 110-12-3 of the Rules of the Georgia Department of Community Affairs.)

B. If a development project is submitted to the Town of Pine Mountain for review, then the time deadlines imposed in by this ordinance are suspended until the DRI review process is completed.

Chapter 11.10 Map Amendment
A. If, in accordance with this Ordinance, changes are made in the Zoning District boundaries or other information portrayed in the Zoning Map, such changes must be made on the Zoning Map within 30 days after the amendment has been approved by the Mayor and Town Council together with a numerical entry on the Zoning Map referring to the application on file which states the date of the official action and the brief description of the nature of the changes. No amendment to this Zoning Ordinance which involves a matter
portrayed on the Zoning Map is effective until after such change and entry is made on the map.

B. All changes made to the Zoning Map or matters shown thereon must be in conformity with this zoning Code. Any unauthorized change by any person is considered a violation of this Zoning Ordinance and punishable as provided by law and this Zoning Ordinance.

Chapter 11.11 Disclosure Requirements

A. Disclosure of Financial Interests
   a. A town official who knows or reasonably should know he or she:
      i. Has a property interest in any real property affected by a zoning action upon which that official’s local government will have the duty to consider.
      ii. Has a financial interest in any business entity which has a property interest in any real property affected by a zoning action which that official’s local government will have the duty to consider; or
      iii. Has a MEMBER OF THE FAMILY having any interest described in paragraph (a) or (b) of this section, shall immediately disclose the nature and extent of such interest, in writing, to the Mayor and Town Council.
      iv. The town official who has an interest as defined in paragraph (a) or (b) of §11.10.A.1, shall disqualify himself from voting on the zoning action. The disqualified town official shall not take any other action on behalf of himself or any other person to influence action on the application for rezoning. Disclosures provided for in the section shall be a public record and available for public inspection at any time during normal working hours.

B. Disclosure of Campaign Contributions
   a. The notice shall also include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property. The notice shall further include a statement that “Any opponent of a rezoning action that has made within two years immediately proceeding the filing of the rezoning action, campaign contributions aggregating $250.00 or more to a local government official that will consider the application, must file a disclosure with the Town at least 5 days prior the public hearing.” The disclosure shall show:
      i. The name and official position of the CITY OFFICIAL to whom the contribution was made; and,
      ii. The dollar amount and description of each campaign contribution made to the TOWN OFFICIAL.

Chapter 11.12 Appeals

Any person or persons, who may have a substantial interest constituting legal standing in any decision of the Mayor and Town Council, may file a petition for writ of certiorari to the Superior Court of Oconee County, Georgia. Such petition shall be filed with the Clerk of said court in the manner required by Georgia law. Such petition shall be filed within thirty (30) days after the decision of the Mayor and Town Council is rendered. A copy of the petition shall be served on the County Clerk. Upon the filing of a petition, the Clerk of the Oconee County Superior Court shall give immediate notice thereof to the County Clerk who, within thirty (30) days from the time of such notice, shall file with said Clerk of Superior Court, a duly certified copy of the minutes of the proceedings of the Mayor and Town Council Public Hearing and the decision reached by the Article 11. Administration Mayor and Town Council.


A. Before taking action on the Conditional Use proposal, the Mayor and Town Council shall hold a public hearing as described herein above.

B. So that the purpose of this ordinance will be served and so that health, public safety and general welfare will be secured, the Mayor and Town Council in its decision on the application may, in its legislative discretion, approve or deny the application as submitted, defer a decision until a specified meeting date, require the applicant to file a site plan or other plans regarding the application and defer action to a later meeting date, or allow a withdrawal of the application by the applicant, if requested.
C. The withdrawal shall not be subject to the 12 month prohibition on re-filing.

D. The Mayor and Town Council may also require that the land area for such application be reduced, or that conditions be added or deleted, as the Mayor and Town Council deems appropriate.

E. It is the duty of the applicant to carry the burden of proof regarding his application under this Article.
ARTICLE 12. Legal Status Provisions

Chapter 12.01 Conflict with Other Laws
When the provisions of this Ordinance specify more restrictive standards than required by any other statute, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute require more restrictive standards, the provisions of such statute shall govern.

Chapter 12.02 Repeal of Conflict in Ordinances
All Ordinances and parts of ordinances in conflict herewith are repealed.

Chapter 12.03 Code Enforcement Officer
If the CEO or his/her assistant determines that any person is in violation of this ordinance, the Code Enforcement Officer shall issue an order requiring the owner to comply with this ordinance including orders requiring restoration of pre-existing conditions and orders requiring restitution to the town by means that are deemed appropriate by the town. In addition, the town may bring a civil action for enforcement and may seek equitable and injunctive relief under this ordinance.

Any person violating any provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction in Municipal Court shall be punished by imprisonment of not more than 6 months or by a fine of not more than $1,000.00 per day of violation. Additionally, any violation of any provision of this ordinance of failure to comply with any of its requirements shall be grounds for immediate suspension or revocation by the Zoning Administrator of any and all related permits.

Chapter 12.04 Severability
Should any section or part of a section or any provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Chapter 12.05 Effective Date
This ordinance shall take effect and be in force from and after its adoption, the public welfare demanding it. Adopted this XX day of January, 2016.

ATTEST:

Town Clerk               Mayor

(SEAL)

Councilmember
Councilmember
Councilmember
Councilmember