

**ARTICLE C. ZONING TEXT, DISTRICT CLASSIFICATIONS AND BOUNDARIES**

**Sec. 10-2054. ZONING TEXT, DISTRICT CLASSIFICATIONS AND BOUNDARIES.**

In order to regulate the location of structures, the height and bulk of structures, the use and intensity of use of lots and structures, and to regulate open spaces and aesthetics, East Point is divided into zoning districts which are individually described in this Ordinance. Those districts are set forth below. Within the listing are individual zoning districts which are no longer active but which continue to apply to properties zoned in those classifications.

AG-1	Agricultural District	C-1	Neighborhood Commercial
R-1	Single Family Residential	C-2	Central Business District
R-1A	Urban Residential	CL	Commercial Limited
R-L	Residential Limited	CR	Commercial Redevelopment
R-2	Two Family Dwelling District	MIX	Mixed Use District
R-3	Multi-Family Residential	B-P	Business Park
R-4	Multi-Family Residential	I-1	Light Industrial
CUP	Community Unit Plan District	I-2	Heavy Industrial
R-T	Residential Townhome		
E-I	Educational Institutional		
M-I	Medical Institutional		

**Sec. 10-2055. BOUNDARIES**

The boundaries of the several zoning districts are shown on the East Point zoning maps. Street rights-of-way shall serve as district boundaries adjoining property lines, and all such right-of- ways shall not be zoned. Inconsistencies between legal boundary descriptions submitted at the time of rezoning and lot lines identified from more recent surveys shall be interpreted to attach the zoning to the legal lot.

**Sec. 10-2056. ZONING TEXT**

The official text of the East Point Zoning Ordinance shall be kept on file by the Clerk to the City Council. The Planning and Community Development Department shall provide all City departments with copies of amendments within 15 days of approval by the City Council, and shall provide a subscription and update service for the public.

**Sec. 10-2057. ZONING MAPS**

The East Point zoning maps and all information contained thereon are part of this Ordinance and have the same force and effect as if fully set forth and/or described herein. The zoning maps are on file with the Planning and Community Development Department.

**Sec. 10-2058. TERRITORY ADDED**

All unincorporated territory which may be annexed to East Point or which may be incorporated from a municipality within the county shall be classified in the R-1, Single Family District until, as applicable, the territory may be more appropriately zoned by the City Council based upon a Staff recommendation with consideration given to the suggestion of the Comprehensive Plan Land Use Map and/or zonings of adjacent properties in East Point.

**Sec. 10-2059. ABANDONMENT**

Whenever any street, alley, or other public way is abandoned by East Point or by the State of Georgia, the zoning district adjoining such street, alley or public way shall be extended to the center of such public way.

**Sec. 10-2060. AG-1 AGRICULTURAL DISTRICT**

**AG-1 DISTRICT SCOPE AND INTENT.** Regulations set forth in this Article are the AG-1 District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative or Use Permit. The AG-1 District is intended to encompass lands devoted to a wide range of uses including individual parcels devoted to low density residential use, single-family subdivisions, agricultural and closely related uses.

**USE REGULATIONS.** Within the AG-1 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES** A building or property may be used for only the following purposes:

1. Single-family detached dwelling.
2. Agriculture, general and specialized farming, including: horticulture, plant nursery, greenhouse, dairy farming, livestock raising and poultry raising provided, however, that buildings used for housing animals must be at least 100 feet from all property lines.
3. Community garden, landscaping business, plant nursery, or garden center with indoor retail component. See 10.2093 for applicable standards.
4. Roadside stand for the sale of agricultural products produced on the property.
5. Riding Stable other than accessory, provided buildings housing animals are at least 100 feet from all property lines and the lot is not less than ten 10 acres. Standards for keeping horses other than for a non-accessory Public Riding Stable are the same as the standards contained in Section 10-2027.5 pertaining to the keeping of horses in a single family dwelling district.
6. Kennel, Veterinary Hospital or Veterinary Clinic, provided buildings housing animals are fully enclosed and at least 100 feet from all property lines; and pens, runs, etc. which are not located in a fully enclosed building are at least 200 feet from all property lines.

B. **ACCESSORY USES**

1. Accessory uses and structures:

- a. Accessory uses and structures incidental to any permitted use are allowed as defined by 10-2027 Accessory Uses and Structures.
- b. Revival tents are allowed via an administrative permit accessory to an existing church, temple, or place of worship.
- c. For sale, for rent, or for lease signs are allowed in accordance with sign regulations in Chapter 7, Signs.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et. seq.* in the AG-1 District:

1. 10-2089. Alternative antenna support structure
2. 10-2090. Amateur radio antenna
3. 10-2091. Antenna tower, and associated structures (radio, T.V., microwave broadcasting, etc.)
4. 10-2093. Community garden, landscaping business, plant nursery, or garden center with indoor retail component
5. 10-2094. Driving Range (not associated with a golf course)
6. 10-2096. Film Production
7. 10-2098. Golf course
8. 10-2099. Outdoor event, small in conjunction with certain institutional uses or for the benefit of charity
9. 10-2101. Recreational Court, private
10. 10-2103. Relocated residential structure
11. 10-2107. Seasonal business use
12. 10-2109. Swimming pool, private
13. 10-2112. Temporary structures
14. 10-2113. Utility substations
15. 10-2123. Bed and Breakfast

**D. USES PERMITTED THROUGH USE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et. seq.* in the AG-1 District:

1. 10-2119. Amateur radio antenna to exceed the administrative permit height
2. 10-2120. Amphitheaters
3. 10-2121. Antenna tower and associated structure (radio, T.V., microwave broadcasting, etc.)

4. 10-2124. Cemetery and/or mausoleum (human or pet)
5. 10-2125. Church, Temple or Place of Worship
6. 10-2132. Lodge, retreat, campground
7. 10-2134. Outdoor Event, Large
8. 10-2136. Recreational fields
9. 10-2140. School, private or special
10. 10-2143. Skywalks
11. 10-2144. Stadium (offsite) associated with a private school

## **OTHER REGULATIONS**

The headings below contain provisions applicable to uses allowed in the AG-1 District:

Chapter 2 Zoning Regulations

Chapter 3 Building Code Regulations

Chapter 4 Subdivision Regulations

Chapter 5 Flood Damage Prevention

Chapter 6 Tree Protection and Landscape Ordinance

Chapter 7 Signs

Chapter 8 Uniform Roadway Addressing System

Chapter 9 Condition and Use of Commercial and Industrial Buildings

Chapter 10 Soil Erosion and Sedimentation Control

Chapter 11 Stormwater Management

Chapter 12 Stream Buffer Protection

Chapter 13 Enterprise Zones

Chapter 14 Overlay Districts

**Sec. 10-2061. R-1 SINGLE FAMILY DWELLING DISTRICT**

**DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the R-1 District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The R-1 District encompasses lands devoted to low density residential areas and closely related uses or as a use allowed by Administrative Permit or Use Permit.

**USE REGULATIONS.** Within the R-1 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES** Structures and land may be used for only the following purposes:

- 1. Single-family detached dwelling
- 2. Family daycare home
  - a. Home occupation license required.

B. **ACCESSORY USES**

- 1. Accessory uses and structures:
  - a. Accessory uses and structures incidental to any permitted use are allowed as defined by 10-2027 Accessory uses and Structures.
  - b. Revival tents are allowed via an administrative permit accessory to an existing church, temple or place of worship.
  - c. For sale, for rent, or for lease signs are allowed in accordance with sign regulations found in Chapter 7, Signs.

C. **USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D. Section 10-2081 *et. seq.* in the R-1 District:

- 1. 10-2089. Alternative antenna support structure
- 2. 10-2090. Amateur radio antenna
- 3. 10-2093. Community garden, landscaping business, plant nursery, or garden center with indoor

4. 10.2094. Driving Range (not associated with a golf course)
5. 10-2096. Film production
6. 10-2098. Golf course
7. 10-2099. Outdoor event, small in conjunction with certain institutional uses or for the benefit of charity
8. 10-2101. Recreational Court, private
9. 10-2103. Relocated residential structure
10. 10-2109. Swimming pool, private
11. 10-2112. Temporary structure
12. 10-2113. Utility substations

**D. USES PERMITTED THROUGH USE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D. Section 10-2115 *et. seq.* in the R-1 District:

1. 10-2119. Amateur radio antenna to exceed the administrative permit height
2. 10-2121. Antenna tower and associated structure (radio, T.V., microwave broadcasting, etc.)
3. 10-2124. Cemetery and/or mausoleum (human and pet)
4. 10-2125. Church, Temple or Place of Worship
5. 10-2130. Habitable Accessory Structure
6. 10-2136. Recreational fields
7. 10-2140. School, private or special
8. 10-2144. Stadium (offsite) associated with a private school.

**E. DEVELOPMENT STANDARDS**

A. **Height Regulations** - No building shall exceed thirty (30) feet in height.

B. **Minimum Front Yard Setback** - 45 feet

C. **Minimum Side Yard Setback**

- 8 feet adjacent to interior line
- 8 feet adjacent to street

D. **Minimum Rear Yard Setback** - 30 feet

E. **Minimum Lot Area** – 10,000 square feet

F. **Minimum Width of Lot Frontage or Width at Building Line** – 75 feet

G. **Minimum Heated Floor Area**

-1,000 square feet on ground level for less than two story

-1,500 square feet for two story or more than two story with 900 square feet on ground floor

H. **Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a setback. Habitable accessory structures must be constructed with materials similar as those of the principal structure.

I. **Conservation Subdivision**

The development standards of a conservation subdivision shall be in accordance with Chapter 4 of the East Point Subdivision Regulations.

**OTHER REGULATIONS.**

The headings below contain provisions applicable to uses allowed in the R-1 District:

- Chapter 2 Zoning Regulations
- Chapter 3 Building Code Regulations
- Chapter 4 Subdivision Regulations
- Chapter 5 Flood Damage Prevention
- Chapter 6 Tree Protection and Landscape Ordinance
- Chapter 7 Signs
- Chapter 8 Uniform Roadway Addressing System
- Chapter 9 Condition and Use of Commercial and Industrial Buildings
- Chapter 10 Soil Erosion and Sedimentation Control
- Chapter 11 Stormwater Management
- Chapter 12 Stream Buffer Protection
- Chapter 13 Enterprise Zones
- Chapter 14 Overlay Districts



**Sec. 10-2062. R-1A URBAN RESIDENTIAL DISTRICT**

**R-1A DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are for the R-1A District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The R-1A District is intended to provide land areas devoted to medium density residential areas and closely related uses. The District also provides for closely related uses or as a use allowed by Administrative Permit or Use Permit.

**USE REGULATIONS.** Within the R-1A District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES** Structures and land may be used for only the following purposes:

1. Single-family detached dwelling
2. Family daycare home
  - a. Home occupation license required

B. **ACCESSORY USES**

1. Accessory uses and structures:
  - a. Accessory uses and structures incidental to any permitted use are allowed as defined by 10-2027 Accessory Uses and Structures.
  - b. Revival tents are allowed via an administrative permit accessory to an existing church, temple or place of worship.
  - c. For sale, for rent, or for lease signs are allowed in accordance with sign regulations found in Chapter 7, Signs.

C. **USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et. seq.* in the R-1A District:

1. 10-2089. Alternative antenna support structure
2. 10-2090. Amateur radio antenna
3. 10-2093. Community garden, landscaping business, plant nursery, or garden

- center with indoor retail component.
4. 10.2094. Driving Range (not associated with a golf course)
  5. 10-2096. Film production
  6. 10-2098. Golf course
  7. 10-2099. Outdoor event, small in conjunction with certain institutional uses or for the benefit of charity
  8. 10-2101. Recreational Court, private
  9. 10-2109. Swimming pool, private
  10. 10-2112. Temporary structures
  11. 10-2113. Utility substations

**D. USES PERMITTED THROUGH USE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et. seq.* in the R-1A District:

1. 10-2119. Amateur radio antenna to exceed the administrative permit height
2. 10-2121. Antenna tower, and associated structure (radio, T.V., microwave broadcasting, etc.)
3. 10-2125. Church, Temple, or Place of Worship
4. 10-2130. Habitable Accessory Structure
5. 10-2136. Recreational fields
6. 10-2140. School, private or special
7. 10-2144. Stadium (offsite) associated with a private school

**E. DEVELOPMENT STANDARDS**

- A. **Height Regulations** - No building shall exceed thirty-five feet (35) in height.
- B. **Minimum Front Yard Setback** - 30 feet
- C. **Minimum Side Yard Setback** -
  - 8 feet adjacent to interior line
  - 8 feet adjacent to street
- D. **Minimum Rear Yard Setback** - 20 feet

E. **Minimum Lot Area** - 7,500 square feet

F. **Minimum Width of Lot Frontage or Width at Building Line** – 50 feet

G. **Minimum Heated Floor Area** -

-900 square feet on ground level for less than two-story

-1,300 square feet for two-story or more than two-story with 1,000 square feet on ground floor

H. **Minimum Accessory Structure Requirements** -

Accessory structures may be located in the rear or side yards only but shall not be located within a setback. Accessory structures must be constructed of materials similar as those of the principal structure.

I. **Conservation Subdivision**

The development standards of a conservation subdivision shall be in accordance with Chapter 4 of the East Point Subdivision Regulations.

**OTHER REGULATIONS.** The headings below contain provisions applicable to the R1-A District:

Chapter 2 Zoning Regulations

Chapter 3 Building Code Regulations

Chapter 4 Subdivision Regulations

Chapter 5 Flood Damage Prevention

Chapter 6 Tree Protection and Landscape Ordinance

Chapter 7 Signs

Chapter 8 Uniform Roadway Addressing System

Chapter 9 Condition and Use of Commercial and Industrial Buildings

Chapter 10 Soil Erosion and Sedimentation Control

Chapter 11 Stormwater Management

Chapter 12 Stream Buffer Protection

Chapter 13 Enterprise Zones

Chapter 14 Overlay Districts

**Sec. 10-2063. R-L RESIDENTIAL LIMITED SINGLE FAMILY DWELLING DISTRICT**

**R-L DISTRICT SCOPE AND INTENT.** R-L Single Family District is established to provide locations for land areas devoted to low density residential uses and closely related uses. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit.

**USE REGULATIONS.** Within R-L District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES** Structures and land may be used for only the following purposes:

1. Single-family detached dwelling
2. Family daycare home
  - a. Home occupation license required

B. **ACCESSORY USES**

1. Accessory uses and structures:

- a. Accessory uses and structures incidental to any permitted use are allowed as defined by 10-2027 Accessory Uses and Structures.
- b. Revival tents are allowed via an administrative permit accessory to an existing church, temple or place of worship.
- c. For sale, for rent, or for lease signs are allowed in accordance with sign regulations found in Chapter 7, Signs.

C. **USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D. Section 10-2081 *et. seq.* in the R-L District:

1. 10-2089. Alternative antenna support structure
2. 10-2090. Amateur radio antenna
3. 10-2093. Community garden, landscaping business, plant nursery, or garden center with indoor retail component
4. 10.2094. Driving Range (not associated with a golf course)
5. 10-2096. Film Production

6. 10-2098. Golf Course
7. 10-2099. Outdoor event, small in conjunction with certain institutional uses or for the benefit of charity
8. 10-2101. Recreational Court, private
9. 10-2104. Revival tent when associated with existing place of worship
10. 10-2109. Swimming pool, private
11. 10-2112. Temporary structures
12. 10-2113. Utility substations

**D. USES PERMITTED THROUGH USE PERMIT**

The following uses may be permitted per the procedures and standards set forth in the Article D. Section 10-2115 *et. seq.* in the R-L District:

1. 10-2119. Amateur radio antenna to exceed the administrative permit height
2. 10-2121. Antenna tower, and associated structure (radio, T.V., microwave broadcasting, etc.)
3. 10-2125. Church, Temple or Place of Worship
4. 10-2130. Habitable Accessory Structure
5. 10-2136. Recreational fields
6. 10-2140. School, private or special
7. 10-2144. Stadium (offsite) associated with a private school

**E. DEVELOPMENT STANDARDS**

- A. **Height Regulations** - No building shall exceed thirty (30) feet height.
- B. **Minimum Front Yard Setback** - 45 feet
- C. **Minimum Side Yard Setback** – 15 feet
- D. **Minimum Rear Yard Setback** - 40 feet
- E. **Minimum Lot Area** – 18,000 square feet
- F. **Minimum Width of Lot Frontage or Width at Building Line** – 100 feet
- G. **Minimum Heated Floor Area** -

-1,600 square feet on ground level for less than two-story

-1,800 square feet for two-story or more than two-story with 1,050 square feet on ground floor

H. **Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a setback. Accessory structures must be constructed of materials similar as those of the principal structure.

- I. **Conservation Subdivision** The development standards of a conservation subdivision shall be in accordance with Chapter 4 of the East Point Subdivision Regulations.

**OTHER REGULATIONS.** The headings below contain provisions applicable to the R-L District:

Chapter 2 Zoning Regulations

Chapter 3 Building Code Regulations

Chapter 4 Subdivision Regulations

Chapter 5 Flood Damage Prevention

Chapter 6 Tree Protection and Landscape Ordinance

Chapter 7 Signs

Chapter 8 Uniform Roadway Addressing System

Chapter 9 Condition and Use of Commercial and Industrial Buildings

Chapter 10 Soil Erosion and Sedimentation Control

Chapter 11 Stormwater Management

Chapter 12 Stream Buffer Protection

Chapter 13 Enterprise Zones

Chapter 14 Overlay Districts

## **Sec. 10-2064. R-2 TWO-FAMILY DWELLING DISTRICT**

**R-2 DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the R-2 District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The R-2 District is intended to provide land areas devoted to medium density residential uses. The District also provides for closely related uses. Land areas zoned R-2 are further intended to provide a transition between low and high density dwelling areas or between low density dwelling areas and non-residential areas.

**USE REGULATIONS.** Within the R-2 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

**A. PERMITTED USES** Structures and land may be used for only the following purposes:

1. Single-family detached dwelling
2. Two-family dwelling.
3. Family daycare home
  - a. Home occupation license required

**B. ACCESSORY USES**

1. Accessory uses and structures:
  - a. Accessory uses and structures incidental to any permitted use are allowed as defined by 10-2027 Accessory Uses and Structures.
  - b. Revival tents are allowed via an administrative permit accessory to an existing church, temple or place of worship.
  - c. For sale, for rent, or for lease signs are allowed in accordance with sign regulations found in Chapter 7, Signs.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the R-2 District:

1. 10-2089. Alternative antenna support structure

2. 10-2090. Amateur radio antenna
3. 10-2093. Community garden, landscaping business, plant nursery, or garden center with indoor retail component
4. 10-2094. Driving Range (not associated with a golf course)
5. 10-2096. Film Production
6. 10-2098. Golf course
7. 10-2099. Outdoor event, small in conjunction with certain institutional uses or for the benefit of charity
8. 10-2101. Recreational court, private
9. 10-2103. Relocated residential structure
10. 10-2109. Swimming pool, private
11. 10-2112. Temporary structures
12. 10-2113. Utility substations

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the R-2 District:

1. 10-2119. Amateur radio antenna to exceed the administrative permit height
2. 10-2121. Antenna tower and associated structure (radio, T.V., microwave broadcasting, etc.)
3. 10-2125. Church, Temple or Place of Worship
4. 10-2130. Habitable Accessory Structure
5. 10-2136. Recreational fields
6. 10-2140. School, private or special
7. 10-2144. Stadium (offsite) associated with a private school

**E. DEVELOPMENT STANDARDS.**

A. **Height Regulations** -No building shall exceed thirty-five feet (35) in height.

B. **Minimum Front Yard Setback** - 35 feet

C. **Minimum Side Yard Setback**

- 6 feet adjacent to interior line

- 15 feet adjacent to street



D. **Minimum Rear Yard Setback** - 25 feet

E. **Minimum Lot Area**

-Single family – 8,500 square feet

-Two-family – 9,400 square feet

F. **Minimum Width of Lot Frontage or Width at Building Line** – 60 feet

G. **Minimum Heated Floor Area**

-Single Family - 1,100 square feet on ground level for less than two story 1,300 square feet for two-story or more than two-story with 900 square feet on ground floor

-Two Family – 1000 square feet on ground level per unit for less than two story 1,800 square feet for two-story or more than two-story with 1000 square feet on ground floor

H. **Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a setback. Accessory structures must be constructed of materials similar as those of the principal structure.

**OTHER REGULATIONS.** The headings below contain provisions applicable to the R-2 District:

Chapter 2 Zoning Regulations

Chapter 3 Building Code Regulations

Chapter 4 Subdivision Regulations

Chapter 5 Flood Damage Prevention

Chapter 6 Tree Protection and Landscape Ordinance

Chapter 7 Signs

Chapter 8 Uniform Roadway Addressing System

Chapter 9 Condition and Use of Commercial and Industrial Buildings

Chapter 10 Soil Erosion and Sedimentation Control

Chapter 11 Stormwater Management

Chapter 12 Stream Buffer Protection  
Chapter 13 Enterprise Zones  
Chapter 14 Overlay Districts

## **Sec. 10-2065. R-3 MULTIFAMILY DEVELOPMENT DISTRICT**

**DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the R-3 District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The R-3 District is intended to provide land areas devoted to medium to high density residential uses. The District also provides for closely related uses.

**USE REGULATIONS.** Within the R-3 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

**A. PERMITTED USES** Structures and land may be used for only the following purposes:

1. Single-family detached dwelling
2. Two-family dwelling
3. Multi-family dwelling
4. Family daycare home
  - a. Home occupation license required

**B. ACCESSORY USES**

1. Accessory uses and structures:
  - a. Accessory uses and structures incidental to any permitted use are allowed as defined by 10-2027 Accessory Uses and Structures.
  - b. Accessory uses and structures incidental to any permitted use are allowed including but not limited to pools, cabanas, clubhouses, recreational fields, carwashes, dog parks, and any other common areas
  - c. Revival tents are allowed via an administrative permit accessory to an existing church, temple or place of worship.
  - d. For sale, for rent, or for lease signs are allowed in accordance with sign regulations found in Chapter 7, Signs.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the R-3 District:

1. 10-2089. Alternative antenna support structure
2. 10-2090. Amateur radio antenna
3. 10-2093. Community garden, landscaping business, plant nursery, or garden center with indoor retail component
4. 10-2094. Driving Range (not associated with a golf course)
5. 10-2096. Film productions
6. 10-2098. Golf course
7. 10-2099. Outdoor event, small in conjunction with certain institutional uses or for the benefit of charity
8. 10-2101. Recreational court, private
9. 10-2103. Relocated residential structure
10. 10-2108. Senior Housing
11. 10-2109. Swimming pool, private
12. 10-2112. Temporary structures
13. 10-2113. Utility substations

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the R-3 District:

1. 10-2119. Amateur radio antenna to exceed the administrative permit height
2. 10-2121. Antenna tower and associated structures (radio, T.V., microwave broadcasting, etc.)
3. 10-2125. Church, Temple, or Place of Worship
4. 10-2130. Habitable Accessory Structure
5. 10-2140. School, private or special
6. 10-2144. Stadium (offsite) associated with a private school

**E. DEVELOPMENT STANDARDS.**

**A. Height Regulations –**

- Single family - No building shall exceed thirty-five (35) feet in height
- Two-family - No building shall exceed thirty-five (35) feet in height
- Multi-family- No building shall exceed forty (40) feet in height

**B. Minimum Front Yard Setback - 35 feet**

**C. Minimum Side Yard Setback-**

- 6 feet adjacent to interior line
- 6 feet adjacent to street

**D. Minimum Rear Yard Setback - 25 feet**

**E. Minimum Lot Area-**

- Single Family – 8500 sq. ft.
- Two-family – 9400 sq. ft.
- Multi-family – 14,400 sq. ft.

**F. Minimum Width of Lot Frontage or Width at Building Line**

- Single Family – 60 feet
- Two-family – 60 feet

**G. Minimum Heated Floor Area**

- 1,600 square feet on ground level for less than two-story
- 1,800 square feet for two-story or more than two-story with 1,050 square feet on ground floor

**H. Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

**I. Multifamily Conservation.**

Multifamily, townhome, and condominium projects shall be required to place in a conservation easement which will be dedicated to the HOA and/or property maintenance firm, prior to the issuance of a land disturbance permit a minimum of twenty-five (25) percent of the project area reserved as open and/or green space when developing undeveloped property. New projects on undeveloped property must include seven (7) of the required amenities. The regulations set forth in this section supplement regulations for the R-3 Multifamily Residential District regulations set forth elsewhere in this chapter.

1. *Amenity Package Requirements:*

a. Multi-family, town home and condominium projects shall include an amenity package of two (2) or more amenities. Amenities shall be defined as "a feature that increases the attractiveness or value of a project." These amenities shall include but not be limited to:

1. Pool and cabana;
2. Majority (51%) masonry materials in combination including brick, stone or hard coat stucco;
3. Enhanced landscaping;
4. Clubhouse with meeting rooms and/or exercise facilities;
5. Significant recreational opportunities - swimming pool(s), water park, lighted tennis courts, basketball courts, playground, tot lots, baseball field, soccer/football field, walking track with exercise stations;
6. Benches, architectural lighting, bike racks, and gazebos;
7. Ponds/enhanced detention facilities;
8. Mixture of Uses within the development; and
9. Trails.

b. Projects are eligible for density bonuses based on the following:

TABLE INSET:

Three (3) or more amenities	Density Bonus = 5%
Five (5) or more amenities	Density Bonus = 15%
Seven (7) or more amenities	Density Bonus = 20%
Nine (9) or more amenities	Density Bonus = 30%

**OTHER REGULATIONS.** The headings below contain provisions applicable to the R-3 District:

- Chapter 2 Zoning Regulations
- Chapter 3 Building Code Regulations
- Chapter 4 Subdivision Regulations
- Chapter 5 Flood Damage Prevention
- Chapter 6 Tree Protection and Landscape Ordinance
- Chapter 7 Signs
- Chapter 8 Uniform Roadway Addressing System
- Chapter 9 Condition and Use of Commercial and Industrial Buildings
- Chapter 10 Soil Erosion and Sedimentation Control
- Chapter 11 Stormwater Management
- Chapter 12 Stream Buffer Protection
- Chapter 13 Enterprise Zones
- Chapter 14 Overlay Districts

**Sec. 10-2066. R-4 MULTIFAMILY DEVELOPMENT DISTRICT**

**DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the R-4 District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The R-4 District is intended to provide land areas devoted to high density residential areas of single family, two-family and multifamily dwellings. The District also provides for closely related uses.

**USE REGULATIONS.** Within the R-4 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

**A. PERMITTED USES** Structures and land may be used for only the following purposes:

1. Single-family detached dwelling
2. Two-family dwellings
3. Multi-family dwellings
4. Family daycare home
  - a. Home occupation license required

**B. ACCESSORY USES**

1. Accessory uses and structures:
  - a. Accessory uses and structures incidental to any permitted use are allowed as defined by 10-2027 Accessory Uses and Structures.
  - b. Accessory uses and structures incidental to any permitted use is allowed including but not limited to pools, cabanas, clubhouses, recreational fields, carwashes, dog parks, and any other common areas
  - c. Revival tents are allowed via an administrative permit accessory to an existing church, temple or place of worship.
  - d. For sale, for rent, or for lease signs are allowed in accordance with sign regulations found in Chapter 7, Signs.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**



The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the R-4 District:

1. 10-2089. Alternative antenna support structure
2. 10-2090. Amateur radio antenna
3. 10-2093. Community garden, landscaping business, plant nursery, or garden center with indoor retail component
4. 10-2094. Driving Range (not associated with a golf course)
5. 10-2096. Film production
6. 10-2098. Golf course
7. 10-2099. Outdoor event, small in conjunction with certain institutional uses or for the benefit of charity
8. 10-2100. Recreational court, private
9. 10-2103. Relocated residential structure
10. 10-2109. Swimming pool, private
11. 10-2112. Temporary structures
12. 10-2113. Utility substations
13. 10-2108. Senior Housing

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the R-4 District:

1. 10-2119. Amateur radio antenna to exceed the administrative permit height
2. 10-2121. Antenna tower and associated structures (radio, T.V., microwave broadcasting, etc.)
3. 10-2124. Cemetery and/or mausoleum (human or pet)
4. 10-2125. Church, Temple, or Place of Worship
5. 10-2130. Habitable Accessory Structure
6. 10-2140. School, private or special
7. 10-2144. Stadium (offsite) associated with a private school

**E. DEVELOPMENT STANDARDS.**

- A. **Height Regulations** - No building shall exceed forty (40) feet in height.
- B. **Minimum Front Yard Setback** - 35 feet
- C. **Minimum Side Yard Setback**

- Single Family Dwelling- 6 feet
- Two or More Family Dwelling- 6 feet (lots less than 17,000 sq. ft.)
- Two or More Family Dwelling- 6 feet (lots less than 20,000 sq. ft.)

D. **Minimum Rear Yard Setback** - 15 feet

E. **Minimum Lot Area**

- Single Family – 8,500 sq. ft.
- Two-family – 12,000 sq. ft.
- Multifamily – 20,000 sq. ft.

F. **Minimum Width of Lot Frontage or Width at Building Line**

- Single Family – 50 feet
- Two-family – 50 feet

G. **Minimum Heated Floor Area**

- 1,000 square feet on ground level for less than two-story
- 1,100 square feet for two-story or more than two-story with 800 square feet on ground floor

H. **Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

- I. **Multifamily Conservation**. Multifamily, townhome, and condominium projects shall be required to place in a conservation easement which will be dedicated to the HOA and/or property maintenance firm, prior to the issuance of a land disturbance permit a minimum of twenty-five (25) percent of the project area reserved as open and/or green space when developing undeveloped property. New

projects on undeveloped property must include seven (7) of the required amenities. The regulations set forth in this section supplement regulations for the R-4 Multifamily Residential District regulations set forth elsewhere in this chapter.

1. *Amenity Package Requirements:*

a. Multi-family, town home and condominium projects shall include an amenity package of two (2) or more amenities. Amenities shall be defined as "a feature that increases the attractiveness or value of a project." These amenities shall include but not be limited to:

1. Pool and cabana;
2. Majority (51%) masonry materials in combination to include brick, stone, or hard coat stucco;
3. Enhanced landscaping;
4. Clubhouse with meeting rooms and/or exercise facilities;
5. Significant recreational opportunities - swimming pool(s), water park, lighted tennis courts, basketball courts, playground, tot lots, baseball field, soccer/football field, walking track with exercise stations;
6. Benches, architectural lighting, bike racks, and gazebos;
7. Ponds/enhanced detention facilities;
8. Mixture of Uses within the development; and
9. Trails.

b. Projects are eligible for density bonuses based on the following:

TABLE INSET:

Three (3) or more amenities	Density Bonus = 5%
Five (5) or more amenities	Density Bonus = 15%
Seven (7) or more amenities	Density Bonus = 20%
Nine (9) or more amenities	Density Bonus = 30%

**OTHER REGULATIONS.** The headings below contain provisions applicable to the R-4 District:

- Chapter 2 Zoning Regulations
- Chapter 3 Building Code Regulations
- Chapter 4 Subdivision Regulations

Chapter 5 Flood Damage Prevention  
Chapter 6 Tree Protection and Landscape Ordinance  
Chapter 7 Signs  
Chapter 8 Uniform Roadway Addressing System  
Chapter 9 Condition and Use of Commercial and Industrial Buildings  
Chapter 10 Soil Erosion and Sedimentation Control  
Chapter 11 Stormwater Management  
Chapter 12 Stream Buffer Protection  
Chapter 13 Enterprise Zones  
Chapter 14 Overlay Districts

**Sec. 10-2068. CUP COMMUNITY UNIT PLAN DISTRICT**

**CUP DISTRICT SCOPE AND INTENT.** Regulations in this Section are the CUP District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The CUP District identifies land areas for a variety of housing types within a planned community setting.

The CUP District is intended to:

- A. Encourage the development of large tracts of land as planned communities.
- B. Encourage flexible and creative concepts in site planning.
- C. Preserve the natural amenities of the land by encouraging scenic and functional open areas.
- D. Provide for an efficient use of land.
- E. Provide a stable residential environment compatible with surrounding residential areas.
- F. Protect neighboring properties by requiring larger peripheral lots adjacent to larger lot developments.

**USE REGULATIONS.** Within the CUP District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES.** Structures and land may be used for only the following purposes:

- 1. Community facilities
- 2. Family daycare home, group daycare, and child care learning center located in a Multi-family or community building, or church, temple or place of worship
  - a. Family day requires a home occupation license
  - b. Group daycare
    - Facility shall locate no closer than 500 ft. to another group daycare
    - Provides care for 7 to 18 children under the age of 18
    - Hours of operation shall be limited to Monday through Friday from six a.m. to seven p.m.
    - Copies of all applicable state and federal permits shall be provided to the Department of Planning and Community Development prior to the issuance of a certificate of occupancy and business license.
    - Provide minimum landscape strips, buffers, and improvement

- setbacks as specified for MIX when adjacent to residential.
  - Provide a minimum 6-foot high decorative wrought or aluminum fence interior to required landscape strips and/or buffers around the periphery of the yard used for the play area.
  - Play areas shall be located within the rear or side yards.
  - No parking allowed in the front yard.
  - Driveway design shall permit vehicles to exit the property in a forward direction.
- c. Childcare Learning Center
- Facility shall locate no closer than 1000 ft. to another Childcare Learning Center
  - Provides care for 19 or more children under the age of 18
  - Hours of operation shall be limited to Monday through Friday from six a.m. to seven p.m.
  - Copies of all applicable state and federal permits shall be provided to the Department of Planning and Community Development prior to the issuance of a certificate of occupancy and business license.
  - Provide minimum landscape strips, buffers, and improvement setbacks as specified for MIX when adjacent to residential.
  - Provide a minimum 6-foot high decorative wrought or aluminum fence interior to required landscape strips and/or buffers around the periphery of the yard used for the play area.
  - Play areas shall be located within the rear or side yards.
  - No parking allowed in the front yard.
  - Driveway design shall permit vehicles to exit the property in a forward direction.
3. Funeral Home
4. Habitable Accessory Structure
- a. See 10.2130 for standards
5. Multi-family residential
6. Single-family detached dwelling
7. Single-family townhouse, attached in structures containing no more than ten (10) dwelling units
8. Two-family dwelling

B. **ACCESSORY USES** A structure or land may be used for uses customarily incidental to any permitted use and a dwelling may be used for a home occupation. Retail and service uses, and clubs accessory to recreation facilities are allowed subject to the following conditions:

1. Accessory retail and service uses shall be located wholly within a building with a

majority of the floor area designed for recreation uses. No outdoor advertising is allowed.

2. Retail and service uses shall be limited to convenience retail and service establishments such as pro shops and personal services. Restaurants accessory to a club are allowed.
3. Temporary storage pods are intended for a limited period of time and not for permanent storage.
4. Revival tents are allowed via an administrative permit accessory to an existing church, temple or place of worship.
5. For sale, for rent, or for lease signs are allowed in accordance with sign regulations found in Chapter 7, Signs.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the CUP District:

1. 10-2089. Alternative antenna support structure
2. 10-2090. Amateur radio antenna
3. 10-2093. Community garden, landscaping business, plant nursery, or garden center with indoor retail component
4. 10-2094. Driving Range (not associated with a golf course)
5. 10-2095. Film production
6. 10-2098. Golf course
7. 10-2099. Outdoor event, small in conjunction with certain institutional uses or for the benefit of charity
8. 10-2101. Recreational court, private
9. 10-2103. Relocated residential structure
10. 10-2105. Roadside Produce Stands
11. 10-2106. Roadside Vending
12. 10-2107. Seasonal business use
13. 10-2109. Swimming pool, private
14. 10-2112. Temporary structures
15. 10-2113. Utility substations

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the CUP District:

1. 10-2119. Amateur radio antenna to exceed the administrative permit height
2. 10-2121. Antenna tower and associated structure (radio, T.V., microwave broadcasting, etc.)
3. 10-2124. Cemetery and/or mausoleum (human or pet)
4. 10-2125. Church, Temple or Place of Worship
5. 10-2140. School, private or special
6. 10-2144. Stadium (offsite) associated with a private school

**E. DEVELOPMENT PLAN.** The development plan shall be the zoning control document for features depicted graphically. The site plan requirement applicable to rezoning requests shall be adhered to for CUP rezoning requests. Administrative guidelines for preparing site plans are available from the Director of the Planning and Community Development Department. A site plan shall become the development plan if the request to rezone is approved without changes or additions. If the approval by the City Council differs, in any way, from what is depicted on the site plan submitted for the purpose of seeking rezoning, a revised plan must be certified by the Planning and Community Development Department before development related permits may be issued. A site plan or development plan shall not substitute for plans which are required as a prerequisite for applying for development related permits. The location of all use areas shall be shown on the development plan, and location on the ground shall be as shown on the development plan.

**F. DEVELOPMENT STANDARDS**

- A. **Height Regulations** - No single family residential dwellings or accessory structures shall exceed forty (40) feet in height. The height of all other structures are as approved per the conditions of zoning
- B. **Minimum Lot Area Per Unit** – 6000 sq. ft.
- C. **Minimum CUP Size** - 10 contiguous acres
- D. **Maximum Density**
  - Multifamily 9.0 units per gross acre
  - Single family 5.0 units per gross acre
- E. **Minimum Width of Lot Frontage or Width at Building Line** - None, unless



specified in conditions

**F. Minimum CUP Development Frontage** - 35 feet

**G. Minimum Lot Frontage** - 20 feet adjoining a street

**I. Minimum Heated Floor Area Per Unit** - As specified in conditions

**J. Minimum Perimeter Setback -- Entire CUP Development** – As specified in conditions

**K. Minimum Interior Setbacks -- Single family Lots**

1. **Minimum Front Yard** - As specified in conditions

2. **Minimum Side Yard** - As specified in conditions

3. **Minimum Rear Yard** - As specified in conditions

**L. Minimum Accessory Structure Requirements**

Single Family and Two Family Uses - Accessory structures may be located within the side or rear yards subject to perimeter and minimum yard setbacks.

Multi-family Uses - Accessory structures may be located in the rear yard only but shall not be located within a minimum yard.

**M. Minimum Building Separation -- More Than One Dwelling Per Lot**

All building separations shall be as specified by the International Code Council.

**N. Conservation Subdivision** - The development standards of a conservation subdivision shall be in accordance with Chapter 4 of the East Point Subdivision Regulations.

**O. Other Minimum Standards**

1. Setbacks and roof lines shall be varied by at least 2 feet so that no more than 3 adjoining dwelling units within a single building shall have the same front setback or roof line.

2. Common outdoor area consisting of not less than 550 square feet per unit shall

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be provided for recreation in all developments of 20 or more acres.

3. Land area proposed for open space or recreation shall be allocated among the use areas in proportion to the ratio of a neighborhood population to the total CUP population so that acreage devoted to open space is reasonably accessible to all residents.
4. Multi-family uses shall not be located along the perimeter except adjacent to or across a street from an existing multifamily or more intense use.
5. Agreements, covenants, declarations and other contracts which govern the use, maintenance, and protection of a CUP development among its owner's areas shall be part of the official zoning file, and changes thereto shall have no force and effect until a copy has been provided to the Director of the Planning and Community Development Department.
6. Multi-family units shall not exceed 25 percent of the total number of dwelling units in a CUP.

**P. Multifamily Conservation.** Multifamily, townhome, and condominium projects shall be required to place in a conservation easement which will be dedicated to the HOA and/or property maintenance firm, prior to the issuance of a land disturbance permit a minimum of twenty-five (25) percent of the project area reserved as open and/or green space when developing undeveloped property. New projects on undeveloped property must include seven (7) of the required amenities. The regulations set forth in this section supplement regulations for the R-4 Multifamily Residential District regulations set forth elsewhere in this chapter.

*1. Amenity Package Requirements:*

- a. Multi-family, town home and condominium projects shall include an amenity package of two (2) or more amenities. Amenities shall be defined as "a feature that increases the attractiveness or value of a project." These amenities shall include but not be limited to:
  1. Pool and cabana;
  2. Majority (51%) masonry materials in combination to include brick, stone, or hard coat stucco;
  3. Enhanced landscaping;
  4. Clubhouse with meeting rooms and/or exercise facilities;
  5. Significant recreational opportunities – golf course, swimming

pool(s), water park, lighted tennis courts, basketball courts, playground, tot lots, baseball field, soccer/football field, walking track with exercise stations;

6. Benches, architectural lighting, bike racks, and gazebos;
7. Ponds/enhanced detention facilities;
8. Mixture of Uses within the development; and
9. Trails

b. Projects are eligible for density bonuses based on the following:

**TABLE INSET:**

Three (3) or more amenities	Density Bonus = 5%
Five (5) or more amenities	Density Bonus = 15%
Seven (7) or more amenities	Density Bonus = 20%
Nine (9) or more amenities	Density Bonus = 30%

**OTHER REGULATIONS.** The headings below contain some additional, but not all, provisions applicable to the CUP District:

- Chapter 2 Zoning Regulations
- Chapter 3 Building Code Regulations
- Chapter 4 Subdivision Regulations
- Chapter 5 Flood Damage Prevention
- Chapter 6 Tree Protection and Landscape Ordinance
- Chapter 7 Signs
- Chapter 8 Uniform Roadway Addressing System
- Chapter 9 Condition and Use of Commercial and Industrial Buildings
- Chapter 10 Soil Erosion and Sedimentation Control
- Chapter 11 Stormwater Management
- Chapter 12 Stream Buffer Protection
- Chapter 13 Enterprise Zones
- Chapter 14 Overlay Districts

**Sec. 10-2069. R-T RESIDENTIAL TOWNHOUSE DISTRICT**

**R-T DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the R-T District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The R-T District is intended to provide for medium to high density residential uses with residential conveniences.

**USE REGULATIONS.** Within the R-T District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES** Structures and land may be used for only the following purposes:

- 1. Single-family townhouse dwellings; attached in structures containing no more than ten (10) dwelling units.
- 2. Family daycare home
  - a. Home occupation license required

B. **ACCESSORY USES**

- 1. Accessory uses and structures:
  - a. Accessory uses and structures incidental to any permitted use are allowed as defined by 10-2027 Accessory Uses and Structures.
  - b. Accessory uses and structures incidental to any permitted use is allowed including but not limited to pools, cabanas, clubhouses, recreational fields, carwashes, dog parks, and any other common areas.
  - c. Revival tents are allowed via an administrative permit accessory to an existing church, temple or place of worship.
  - d. Temporary storage pods are intended for a limited period of time and not for permanent storage.
  - e. For sale, for rent, or for lease signs are allowed in accordance with sign regulations found in Chapter 7, Signs.

C. **USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the R-T District:

1. 10-2089. Alternative antenna support structure
2. 10-2090. Amateur radio antenna
3. 10-2093. Community gardens, landscaping business, plant nursery, or garden center with indoor retail component.
4. 10-2094. Driving Range (not associated with a golf course)
5. 10-2096. Film production
6. 10-2098. Golf course
7. 10-2099. Outdoor event, small in conjunction with certain institutional uses or for the benefit of charity
8. 10-2101. Recreational court, private
9. 10-2109. Swimming pool, private
10. 10-2112. Temporary structures
11. 10-2113. Utility substation

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the R-T District:

1. 10-2119. Amateur radio antenna to exceed the administrative permit height
2. 10-2121. Antenna tower and associated structure (radio, T.V., microwave broadcasting, etc.)

**E. DEVELOPMENT STANDARDS.**

- A. **Height Regulations** - No building shall exceed thirty-five (35) feet in height.
- B. **Minimum Front Yard** - 10 feet
- C. **Minimum Side Yard** –
  - a. 10 feet adjacent to interior lot lines
  - b. 10 feet adjacent to street
- D. **Minimum Rear Yard** - 10 feet
- E. **Minimum Lot Area** – 3,000 square feet

F. **Minimum Width of Lot Frontage or Width at Building Line** - 30 feet

G. **Minimum Heated Floor Area Per Unit - 500 square feet**

H. **Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

I. **Multifamily Conservation.** The regulations set forth in this section supplement regulations for the R-T Residential-townhouse District regulations set forth elsewhere in this chapter.

1. *Amenity Package Requirements:*

a. Multi-family, town home and condominium projects shall include an amenity package of two (2) or more amenities. Amenities shall be defined as "a feature that increases the attractiveness or value of a project." These amenities shall include but not be limited to:

1. Pool and cabana;
2. Majority (51%) masonry materials in combination to include brick, stone, or hard coat stucco;
3. Enhanced landscaping;
4. Clubhouse with meeting rooms and/or exercise facilities;
5. Significant recreational opportunities - swimming pool(s), water park, lighted tennis courts, basketball courts, playground, tot lots, baseball field, soccer/football field, walking track with exercise stations;
6. Benches, architectural lighting, bike racks, and gazebos;
7. Ponds/enhanced detention facilities;
8. Mixture of Uses within the development; and
9. Trails

b. Projects are eligible for density bonuses based on the following:

TABLE INSET:

Three (3) or more amenities	Density Bonus = 5%
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Five (5) or more amenities	Density Bonus = 15%
Seven (7) or more amenities	Density Bonus = 20%
Nine (9) or more amenities	Density Bonus = 30%

*Development on undeveloped land:* Multi-family, town home, and condominium projects shall be required to place in a conservation easement which will be dedicated to the HOA and/or property maintenance firm, prior to the issuance of a land disturbance permit a minimum of twenty-five (25) percent of the project area reserved as open and/or green space when developing on undeveloped property. New projects on undeveloped property must include seven (7) of the required amenities.

**OTHER REGULATIONS.** The headings below contain provisions applicable to the R-T District.

- Chapter 2 Zoning Regulations
- Chapter 3 Building Code Regulations
- Chapter 4 Subdivision Regulations
- Chapter 5 Flood Damage Prevention
- Chapter 6 Tree Protection and Landscape Ordinance
- Chapter 7 Signs
- Chapter 8 Uniform Roadway Addressing System
- Chapter 9 Condition and Use of Commercial and Industrial Buildings
- Chapter 10 Soil Erosion and Sedimentation Control
- Chapter 11 Stormwater Management
- Chapter 12 Stream Buffer Protection
- Chapter 13 Enterprise Zones
- Chapter 14 Overlay Districts

**Sec. 10-2070. E-I EDUCATIONAL INSTITUTIONAL DISTRICT**

**E-I DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the E-I District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The E-I District is intended to provide an area for the establishment and maintenance of educational and related institutional functions and activities which would be compatible with the existing educational facilities within the area.

**USE REGULATIONS.** Within the E-I District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

- A. **PERMITTED USES.** Structures and land may be used for only the following purpose:
1. Childcare Learning Center
    - a. Facility shall locate no closer than 1000 ft. to another Childcare Learning Center
    - b. Provides care for 19 or more children under the age of 18
    - c. Hours of operation shall be limited to Monday through Friday from six a.m. to seven p.m.
    - d. Copies of all applicable state and federal permits shall be provided to the Department of Planning and Community Development prior to the issuance of a certificate of occupancy and business license.
    - e. Provide minimum landscape strips, buffers, and improvement setbacks as specified for MIX when adjacent to residential.
    - f. Provide a minimum 6-foot high decorative wrought iron or aluminum fence interior to any required landscape strips and/or buffers around the periphery of the yard used for the play area.
    - g. Play areas shall be located within the rear or side yards.
    - h. No parking allowed in the front yard.
    - i. Driveway design shall permit vehicles to exit the property in a forward direction.
  2. Dwellings
    - a. Single family townhouse dwellings attached in structures containing no more than ten (10) dwelling units
  3. Education
    - a. College and university
    - b. K-12 private or special
    - c. Technical school
    - d. Vocational schools
  4. Family daycare home



- a. Home occupation license required
- 5. Group daycare
  - a. Facility shall locate no closer than 500 ft. to another group daycare
  - b. Provides care for 7 to 18 children under the age of 18
  - c. Hours of operation shall be limited to Monday through Friday from six a.m. to seven p.m.
  - d. Copies of all applicable state and federal permits shall be provided to the Department of Planning and Community Development prior to the issuance of a certificate of occupancy and business license.
  - e. Provide minimum landscape strips, buffers, and improvement setbacks as specified for MIX when adjacent to residential.
  - f. Provide a minimum 6-foot high wrought iron or aluminum interior to any required landscape strips and/or buffers around the periphery of the yard used for the play area.
  - g. Play areas shall be located within the rear or side yards.
  - h. No parking allowed in the front yard.
  - i. Driveway design shall permit vehicles to exit the property in a forward direction.
- 6. Laundromats and dry cleaning collection stations limited to no more than 2500 sq. ft.
- 7. Office, business
  - a. Automobile/truck rental, lease, and equipment sales office is prohibited
- 8. Office, professional
- 9. Restaurants, bars, grills, taverns, cafes, drive-ins, fast-food, facilities and similar eating and drinking establishments.
  - a. Drive-thru restaurants shall not locate closer than 1,520 feet from another drive-thru restaurant or similar eating or drinking establishment.
  - b. Drive-thru restaurant lanes shall be designed in such a way as to be screened from the public right of way through elevation differences, landscaping, arbors, trellises, canopies, walls and other architectural features used to reduce the visual presence of drive-thru operations.
  - c. Drive-thru windows are prohibited on the front of the building directly facing a street frontage.

**B. ACCESSORY USES.**

- 1. Accessory uses and structures:
  - a. Accessory uses and structures incidental to any permitted use are allowed as defined by 10-2027 Accessory Uses and Structures.

- b. Accessory uses and structures incidental to any permitted use is allowed including but not limited to performing arts buildings, gymnasiums, student housing associated with school, recreational fields, dining halls, swimming pools, recreational fields and courts, and student center.
- c. For sale, for rent, or for lease signs are allowed in accordance with sign regulations found in Chapter 7, Signs.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the E-I District:

1. 10-2089. Alternative antenna support structure
2. 10-2090. Amateur radio antenna
3. 10-2094. Driving range (not associated with a golf course)
4. 10-2096. Film production
5. 10-2098. Golf course
6. 10-2099. Outdoor Event, small
7. 10-2101. Recreational court, private
8. 10-2105. Roadside produce stand
9. 10-2106. Roadside vending
10. 10-2108. Senior Housing
11. 10-2109. Swimming pool, private
12. 10-2112. Temporary structures
13. 10-2113. Utility substations

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the E-I District:

1. 10-2117. Adult Day Center
2. 10-2119. Amateur radio antenna to exceed the administrative permit height
3. 10-2122. Assisted Living Facility
4. 10-2124. Cemetery and/or mausoleum (human or pet)
5. 10-2125. Church, Temple, or Place of Worship
6. 10-2127. Community Living Arrangement
7. 10-2133. Medical Related Lodging
8. 10-2134. Outdoor Event, Large
9. 10-2135. Personal Care Home

- 10. 10-2138. Rehabilitation Center
- 11. 10-2144. Stadium (offsite) associated with a private school

**E. DEVELOPMENT STANDARDS.**

- A. **Height Regulations** – 40 feet
- B. **Minimum Lot Area** - 10,000 square feet
- C. **Minimum Width of Lot Frontage or Width at Building Line** – 75 feet
- D. **D. Minimum Heated Floor Area Per Unit - Single family -1,000 square feet**
- E. **Minimum Front Yard** - 45 feet
- F. **Minimum Side Yard** – 8 feet
- G. **Minimum Rear Yard** - 30 feet
- H. **Minimum Accessory Structure Requirements**

Accessory structures may be located in rear or side yards but shall not be located within a minimum rear yard except that detached garages may locate along a rear lot line between zero and 7 feet with an encroachment and maintenance easement allowing a minimum of 7 feet of access to the garage.

**I. Multifamily Conservation.**

The regulations set forth in this section supplement regulations for the R-T Residential townhouse District regulations set forth elsewhere in this chapter.

*1. Amenity Package Requirements:*

- a. Multi-family, town home and condominium projects shall include an amenity package of two (2) or more amenities. Amenities shall be defined as "a feature that increases the attractiveness or value of a project." These amenities shall include but not be limited to:

1. Pool and cabana;
2. Majority (51%) masonry materials in combination to include brick, stone, or hard coat stucco;
3. Enhanced landscaping;
4. Clubhouse with meeting rooms and/or exercise facilities;
5. Significant recreational opportunities - swimming pool(s), water park, lighted tennis courts, basketball courts, playground, tot lots, baseball field, soccer/football field, walking track with exercise stations;
6. Benches, architectural lighting, bike racks, and gazebos;
7. Ponds/enhanced detention facilities;
8. Mixture of Uses within the development; and
9. Trails

b. Projects are eligible for density bonuses based on the following:

TABLE INSET:

Three (3) or more amenities	Density Bonus = 5%
Five (5) or more amenities	Density Bonus = 15%
Seven (7) or more amenities	Density Bonus = 20%
Nine (9) or more amenities	Density Bonus = 30%

*Development on undeveloped land:* Multi-family, town home, and condominium projects shall be required to place in a conservation easement which will be dedicated to the HOA and/or property maintenance firm, prior to the issuance of a land disturbance permit a minimum of twenty-five (25) percent of the project area reserved as open and/or green space when developing on undeveloped property. New projects on undeveloped property must include seven (7) of the required amenities.

**OTHER REGULATIONS.** The headings below contain some additional, but not necessarily all, provisions applicable to the E-I District:

- Chapter 2 Zoning Regulations
- Chapter 3 Building Code Regulations
- Chapter 4 Subdivision Regulations
- Chapter 5 Flood Damage Prevention
- Chapter 6 Tree Protection and Landscape Ordinance

Chapter 7 Signs  
Chapter 8 Uniform Roadway Addressing System  
Chapter 9 Condition and Use of Commercial and Industrial Buildings  
Chapter 10 Soil Erosion and Sedimentation Control  
Chapter 11 Stormwater Management  
Chapter 12 Stream Buffer Protection  
Chapter 13 Enterprise Zones  
Chapter 14 Overlay Districts

**Sec. 10-2071. M-I MEDICAL INSTITUTIONAL DISTRICT**

**M-I DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the M-I District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The M-I District is intended to provide for the establishment and maintenance of high quality medical and institutional uses, structures, facilities and accessory uses.

**USE REGULATIONS.** Within the M-I District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES.** Structures and land may be used for only the following purpose:

1. Adult Day Center
  - a. In accordance with Standards 10.2117
2. Childcare Learning Center
  - a. Facility shall locate no closer than 1000 ft. to another Childcare Learning Center
  - b. Provides care for 19 or more children under the age of 18
  - c. Hours of operation shall be limited to Monday through Friday from six a.m. to seven p.m.
  - d. Copies of all applicable state and federal permits shall be provided to the Department of Planning and Community Development prior to the issuance of a certificate of occupancy and business license.
  - e. Provide minimum landscape strips, buffers, and improvement setbacks as specified for MIX when adjacent to residential.
  - f. Provide a minimum 6-foot high decorative wrought iron or aluminum fence interior to any required landscape strips and/or buffers around the periphery of the yard used for the play area.
  - g. Play areas shall be located within the rear or side yards.
  - h. No parking allowed in the front yard.
  - i. Driveway design shall permit vehicles to exit the property in a forward direction.
3. Dwellings
  - a. Single family detached dwellings
  - b. Single-family townhouse dwellings; attached in structures containing no more than 10 (ten) dwelling units
  - c. Multi-family dwellings
  - d. Two-family dwellings

4. Family daycare home
  - a. Home occupation license required
5. Funeral home
6. Group daycare
  - a. Facility shall locate no closer than 500 ft. to another Childcare Learning Center
  - b. Provides care for 7 to 18 children less than 18 years of age
  - c. Hours of operation shall be limited to Monday through Friday from six a.m. to seven p.m.
  - d. Copies of all applicable state and federal permits shall be provided to the Department of Planning and Community Development prior to the issuance of a certificate of occupancy and business license.
  - e. Provide minimum landscape strips, buffers, and improvement setbacks as specified for MIX when adjacent to residential.
  - f. Provide a minimum 6-foot high decorative wrought iron or aluminum fence interior to any required landscape strips and/or buffers around the periphery of the yard used for the play area.
  - g. Play areas shall be located within the rear or side yards.
  - h. No parking allowed in the front yard.
  - i. Driveway design shall permit vehicles to exit the property in a forward direction.
7. Hospitals and clinics, chiropractic, dental, medical, optical dental, osteopathic and similar facilities for humans.
8. Laundromats and dry cleaning collection stations limited to no more than 2500 sq. ft.
9. Office, professional
10. Office, business
  - a. Automobile/truck rental, lease, and equipment sales office is prohibited
11. Pharmacies
12. Private ambulance service
13. Restaurants, bars, grills, taverns, cafes, drive-ins, fast-food facilities and similar eating and drinking establishments
  - a. Drive-thru restaurants shall not locate closer than 1,520 feet from another drive-thru restaurant or similar eating or drinking establishment.
  - b. Drive-thru restaurant lanes shall be designed in such a way as to be screened from the public right of way through elevation differences, landscaping, arbors, trellises, canopies, walls and other architectural features used to reduce the visual presence of drive-thru operations.
  - c. Drive-thru windows are prohibited on the front of the building directly facing a street frontage
14. School, Private or Special

- a. Minimum lot area shall be 1 acre
  - b. If located adjacent to a single family detached dwelling district and/or AG-1 district used for single family, the minimum landscape strips, buffers, and improvement setbacks required for the MIX district when adjacent to residential shall be required.
  - c. Buildings and refuse areas shall not be located within 100 feet of an adjoining residential district and/or AG-1 district used for single family.
  - d. Active outdoor recreation areas shall not be located within 100 feet of an adjoining residential district or use. Recreational fields, such as playing fields, that accessory to the school do not require a separate Use Permit.
  - e. Parking areas shall not be located with 50 feet of any residential district and/or AG-1 district used for single family
  - f. Student drop-off and vehicular turn-around facilities shall be provided on the site so that vehicles may re-enter the public street in a forward manner
  - g. Permitted curb cut access shall not be from a local street
  - h. In accordance with Article J, submit a Noise Study Report as required in 2224.6
15. Senior Housing
- a. In accordance with standard 10.2108
16. Veterinary Clinic/Hospital or Kennel

**B. ACCESSORY USES.**

- 1. Accessory uses and structures:
  - a. Accessory uses and structures incidental to any permitted use are allowed as defined by 10-2027 Accessory Uses and Structures, for single-family detached uses.
  - b. Revival tents are allowed via an administrative permit accessory to an existing church, temple or place of worship.
  - c. Temporary storage pods are intended for a limited period of time and not for permanent storage.
  - d. For sale, for rent, or for lease signs are allowed in accordance with sign regulations found in Chapter 7, Signs.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in



Article D, Section 10-2081 *et seq.* in the M-I District:

1. 10-2089. Alternative antenna support structure
2. 10-2090. Amateur radio antenna
3. 10-2094. Driving Range (not associated with a golf course)
4. 10-2096. Film production
5. 10-2098. Golf course
6. 10-2099. Outdoor Event, Small
7. 10-2101. Recreational court, private
8. 10-2105. Roadside produce
9. 10-2106. Roadside vending
10. 10-2107. Seasonal business use
11. 10-2109. Swimming pool, private
12. 10-2111. Temporary classroom
13. 10-2112. Temporary structures

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the M-I District:

1. 10-2119. Amateur radio antenna to exceed the administrative permit height
2. 10-2121. Antenna tower and associated structure (radio, T.V., microwave broadcasting, etc.)
3. 10-2122. Assisted Living
4. 10-2124. Cemetery and/or mausoleum (human or pet)
5. 10-2125. Church, Temple or Place of Worship
6. 10-2127. Community Living Arrangement
7. 10-2133. Medical Related Lodging
8. 10-2134. Outdoor event, large
9. 10-2135. Personal Care Home
10. 10-2136. Recreational fields
11. 10-2138. Rehabilitation Center
12. 10-2143. Skywalks
13. 10-2144. Stadium (offsite) associated with a private school

**E. DEVELOPMENT STANDARDS.**

**A. Height Regulations**

- *Single-family* – 35 feet

- *Two-family* – 40 feet
- *Other Permitted Uses* – 40 feet

B. **Minimum Lot Area** –

- *Single-family* – 8,500 sq. ft.
- *Two-family* – 9,400 sq. ft.
- *Multifamily* – 14,400
- *Other Permitted Uses* – 8,500 sq. ft.

C. **Minimum Width of Lot Frontage or Width at Building Line**

- *Single-family* – 60 feet
- *Two-family* – 60 feet
- *Other Permitted Uses* – 60 feet

D. **Minimum Heated Floor Area Per Unit**

- *Single-family* – 1000 sq. ft.
- *Two-family* – 700 sq. ft.
- *Multifamily* – 1,800 sq. ft. two story or more w/1,050 sq. ft. on ground floor
- *Other Permitted Uses* – 800 sq. ft.

E. **Minimum Front Yard** - 35 feet

F. **Minimum Side Yard**

- *Single-family* – 8 feet
- *Two-family* – 8 feet
- *Other Permitted Uses* – 8 feet

G. **Minimum Rear Yard** - 30 feet

H. **Minimum Accessory Structure Requirements**

- a. Accessory structures may be located in rear or side yards but shall not be located within a minimum rear yard except that detached garages may locate along a rear lot line between zero and 7 feet with an encroachment and maintenance easement allowing a minimum of 7 feet of access to the garage.

I. **Multifamily Conservation.** The regulations set forth in this section supplement regulations for the R-T Residential-townhouse District regulations set forth elsewhere in this chapter.

*1. Amenity Package Requirements:*

- b. Multi-family, town home and condominium projects shall include an amenity package of two (2) or more amenities. Amenities shall be defined as "a feature that increases the attractiveness or value of a project." These amenities shall include but not be limited to:
  1. Pool and cabana;
  2. Majority (51%) masonry materials in combination to include brick, stone, or stucco;
  3. Enhanced landscaping;
  4. Clubhouse with meeting rooms and/or exercise facilities;
  5. Significant recreational opportunities - swimming pool(s), water park, lighted tennis courts, basketball courts, playground, tot lots, baseball field, soccer/football field, walking track with exercise stations;
  6. Benches, architectural lighting, bike racks, and gazebos;
  7. Ponds/enhanced detention facilities;
  8. Mixture of Uses within the development; and
  9. Trails.
- c. Projects are eligible for density bonuses based on the following:

TABLE INSET:

Three (3) or more amenities	Density Bonus = 5%
Five (5) or more amenities	Density Bonus = 15%
Seven (7) or more amenities	Density Bonus = 20%
Nine (9) or more amenities	Density Bonus = 30%

*Development on undeveloped land:* Multi-family, town home, and condominium projects shall be required to place in a conservation easement which will be dedicated to the HOA and/or property maintenance firm, prior to the issuance of a land disturbance permit a minimum of twenty-five (25) percent of the project area reserved as open and/or green space when developing on undeveloped property. New projects on undeveloped property must include seven (7) of the required amenities.

**OTHER REGULATIONS.** The headings below contain some additional, but not necessarily all, provisions applicable to the M-I District:

- Chapter 2 Zoning Regulations
- Chapter 3 Building Code Regulations
- Chapter 4 Subdivision Regulations
- Chapter 5 Flood Damage Prevention
- Chapter 6 Tree Protection and Landscape Ordinance
- Chapter 7 Signs
- Chapter 8 Uniform Roadway Addressing System
- Chapter 9 Condition and Use of Commercial and Industrial Buildings
- Chapter 10 Soil Erosion and Sedimentation Control
- Chapter 11 Stormwater Management
- Chapter 12 Stream Buffer Protection
- Chapter 13 Enterprise Zones
- Chapter 14 Overlay Districts

## **Sec.10-2072. C-1 NEIGHBORHOOD COMMERCIAL DISTRICT**

**C-1 DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the C-1 District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The C-1 District is intended to provide those convenient shopping goods and services required by the neighboring residences. Land areas zoned C-1 are further intended to provide a transition between medium and moderate density dwelling areas and higher density residential areas or nonresidential areas.

**USE REGULATIONS.** Within the C-1 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES** Structures and land may be used for only the following purposes:

1. Art galleries
2. Barber shops and beauty shops
3. Brewpubs (In accordance with Chapter 1, Alcoholic Beverages 11-1000)
4. Banks and other financial institutions, including loan and finance companies
5. Car wash, including hand carwash
  - a. Establishment shall provide an oil water separator and a sand trap
  - b. Establishment shall have no more than two washing bays
6. Childcare Learning Center
  - a. Facility shall locate no closer than 1000 ft. to another Childcare Learning Center
  - b. Provides care for 19 or more children under the age of 18
  - c. Hours of operation shall be limited to Monday through Friday from six a.m. to seven p.m.
  - d. Copies of all applicable state and federal permits shall be provided to the Department of Planning and Community Development prior to the issuance of a certificate of occupancy and business license.
  - e. Provide minimum landscape strips, buffers, and improvement setbacks as specified for MIX when adjacent to residential.
  - f. Provide a minimum 6-foot high decorative wrought iron or aluminum fence interior to required landscape strips and/or buffers around the periphery of the yard used for the play area.
  - g. Play areas shall be located within the rear or side yards.
  - h. No parking allowed in the front yard.
  - i. Driveway design shall permit vehicles to exit the property in a forward direction.
7. Church, Temple, or Place of Worship

- a. Where existing; no new church, temple or places of worship allowed
- 8. Convenience stores
- 9. Funeral home
- 10. Gas station minimart
  - a. Vehicle repair is prohibited
  - b. May not locate closer than 2,640 feet or one half mile to the nearest location providing gas
- 11. Group daycare home
  - a. Facility shall locate no closer than 500 ft. to another Group Daycare
  - b. Provides care for 7 to 18 children under the age of 18
  - c. Hours of operation shall be limited to Monday through Friday from six a.m. to seven p.m.
  - d. Copies of all applicable state and federal permits shall be provided to the Department of Planning and Community Development prior to the issuance of a certificate of occupancy and business license.
  - e. Provide minimum landscape strips, buffers, and improvement setbacks as specified for MIX when adjacent to residential.
  - f. Provide a minimum 6-foot high decorative wrought iron aluminum fence interior to any required landscape strips and/or buffers around the periphery of the yard used for the play area.
  - g. Play areas shall be located within the rear or side yards.
  - h. No parking allowed in the front yard.
  - i. Driveway design shall permit vehicles to exit the property in a forward direction.
- 12. Food stores
- 13. Laundry and dry cleaning collection stations limited to no more than 2500 sq. ft.
- 14. Libraries
- 15. Office, business
  - a. Automobile/truck rental, lease, and equipment sales office is prohibited
- 16. Office, professional
- 17. Pawn Shop/Title Pawn and same or similar uses
  - a. Prohibited
- 18. Restaurants, bars, grills, taverns, cafes, drive-ins, fast-food facilities and similar eating and drinking establishments.
  - a. Drive-thru restaurants shall not locate closer than 1,520 feet from another drive-thru restaurant or similar eating or drinking establishment.
  - b. Drive-thru restaurant lanes shall be designed in such a way as to be screened from the public right of way through elevation differences, landscaping, arbors, trellises, canopies, walls and other architectural features used to reduce the visual presence of drive-thru operations.

- c. Drive-thru windows are prohibited on the front of the building directly facing a street frontage.
- 19. Retail establishments, including catering establishments, delicatessens and bakeries
- 20. Retail sales, general merchandise
- 21. Retail sales, household
- 22. Retail sales, specialty
- 23. Studios, art, dance, photographer
- 24. Theatrical Community Center

**B. ACCESSORY USES**

- 1. Accessory uses and structures:
  - a. Temporary storage pods are intended for a limited period of time and not for permanent storage.
  - b. For sale, for rent, or for lease signs are allowed in accordance with Chapter 7, Signs.
  - e. Revival tents are allowed via an Administrative Permit accessory to an existing church, temple or place of worship.
  - f.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the C-1 District:

- 1. 10-2089. Alternative Antenna Support Structure
- 2. 10-2090. Amateur Radio Antenna
- 3. 10-2092. Club
- 4. 10-2093. Community garden, landscaping business, plant nursery, or garden center with indoor retail component
- 5. 10-2094. Driving Range (not associated with a golf course)
- 6. 10-2096. Film Production
- 7. 10-2097. Food Trucks
- 8. 10-2094. Golf Course
- 9. 10-2099. Outdoor Event, Small
- 10. 10-2102. Recreational Courts, Public
- 11. 10-2104. Revival Tent

12. 10-2105. Roadside Produce Stands
13. 10-2106. Roadside Vending
14. 10-2107. Seasonal Business Use
15. 10-2110. Swimming Pool, Public
16. 10-2112. Temporary Structures
17. 10-2113. Utility Substations (Telephone, Electric, or Gas, etc.)

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the C-1 District:

1. 10-2119. Amateur Radio Antenna to Exceed the Administrative Permit Height
2. 10-2120. Amphitheaters
3. 10-2121. Antenna tower and associated structure (radio, T.V., microwave, broadcasting, etc.)
4. 10-2126. Commercial Amusement, Outdoor
5. 10-2134. Outdoor Event, Large
6. 10-2136. Recreational Fields
7. 10-2142. Self-Storage/Multi
8. 10-2143. Skywalks

**E. DEVELOPMENT STANDARDS.**

- A. **Height Regulations** - No building shall exceed forty (40) feet in height.
- B. **Minimum Front Yard** - 20 feet
- C. **Minimum Side Yard**
  - 5 feet adjacent to interior lot lines
  - 15 feet adjacent to street
- D. **Minimum Rear Yard** - 20 feet
- E. **Minimum Lot Area** - 7,500 square feet
- F. **Minimum Width of Lot Frontage or Width at Building Line** - 30 feet
- G. **Minimum Heated Floor Area Per Unit** - 650 square feet



I. **Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

**OTHER REGULATIONS.** The headings below contain provisions applicable to the C-1 District.

Chapter 2 Zoning Regulations

Chapter 3 Building Code Regulations

Chapter 4 Subdivision Regulations

Chapter 5 Flood Damage Prevention

Chapter 6 Tree Protection and Landscape Ordinance

Chapter 7 Signs

Chapter 8 Uniform Roadway Addressing System

Chapter 9 Condition and Use of Commercial and Industrial Buildings

Chapter 10 Soil Erosion and Sedimentation Control

Chapter 11 Stormwater Management

Chapter 12 Stream Buffer Protection

Chapter 13 Enterprise Zones

Chapter 14 Overlay District

**Sec. 10-2073. C-2 CENTRAL BUSINESS COMMERCIAL DISTRICT**

**C-2 DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the C-2 District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The C-2 District is intended to provide those commercial goods and services which serve the entire community.

**USE REGULATIONS.** Within the C-2 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES** Structures and land may be used for only the following purposes:

1. All uses allowed in C-1
2. Amusement, indoor commercial
3. Amusement, outdoor commercial
4. Arcade, amusement
5. Artisan’s workshop
6. Automobile/truck rental, lease and sales offices
  - a. No vehicle/equipment storage in the minimum front yard
7. Car wash, automatic, hand car wash, and self-service
  - a. Establishment shall provide an oil water separator and a sand trap
  - b. Establishment shall have no more than 4 washing bays
8. Automobile dealership, including repair and maintenance.
  - a. All repair and maintenance activities shall be carried on entirely within an enclosed building
9. Boat and trailers, sales and clinics and services
10. Commercial parking lots and parking garages
11. Country inn
  - a. Lot area shall be a minimum of 5 acres.
  - b. A minimum of 6 guest rooms and a maximum of 30 rooms are permitted.
  - c. The Country Inn shall be owner occupied.
  - d. Permitted curb cut access shall be from a local road or higher road classification.
  - e. The establishment may provide meal services to guests.
  - f. Parking shall not be permitted within the minimum front yard setback.
  - g. The minimum landscape strip and buffer requirements for the MIX District as specified in Chapter 6 shall be required.
  - h. Parking requirements shall be the same as hotel/motel as specified in Article E.
12. Dog day care facility
13. Hotel/Motel

14. Movie theater
15. Museums
16. Nightclub
17. Office, business
18. Office, professional
19. Pawn Shop/Title Pawn and same or similar uses
  - a. Prohibited
20. Pet shops and pet supply stores
21. Private ambulance and emergency medical services
22. Radio and television broadcasting stations, and telephone exchanges
23. Restaurants, bars, grills, taverns, cafes, drive-ins, fast-food facilities and similar eating and drinking establishments
  - a. Drive-thru restaurants shall not locate closer than 1,520 feet from another drive-thru restaurant or similar eating or drinking establishment.
  - b. Drive-thru restaurant lanes shall be designed in such a way as to be screened from the public right of way through elevation differences, landscaping, arbors, trellises, canopies, walls and other architectural features used to reduce the visual presence of drive-thru operations.
  - c. Drive-thru windows are prohibited on the front of the building directly facing a street frontage.
24. Retail sales of spirituous liquors
25. Retail sales, bulk merchandise
26. Retail establishments, including catering establishments, delicatessens and bakeries
27. Sporting goods stores and bicycle sales
28. Tasting room

**B. ACCESSORY USES**

1. Accessory uses and structures:
  - a. Temporary storage pods are intended for a limited period of time and not for permanent storage.
  - b. For sale, for rent, or for lease signs are allowed in accordance with Chapter 7, Signs.
  - c. Revival tents are allowed via an Administrative Permit accessory to an existing church, temple or place of worship.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the C-2 District:

1. 10-2089. Alternative Antenna Support Structure
2. 10-2090. Amateur Radio Antenna
3. 10-2092. Club
4. 10-2093. Community garden, landscaping business, plant nursery, or garden center with indoor retail component
5. 10-2094. Driving Range (not associated with a golf course)
6. 10-2096. Film Production
7. 10-2097. Food Trucks
8. 10-2098. Golf Course
9. 10-2099. Outdoor Event, Small
10. 10-2102. Recreational Courts, Public
11. 10-2104. Revival Tent
12. 10-2105. Roadside Produce Stands
13. 10-2106. Roadside Vending
14. 10-2107. Seasonal Business Use
15. 10-2110. Swimming Pool, Public
16. 10-2112. Temporary Structures
17. 10-2114. Veterinary Clinic/Hospital or Kennel

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the C-2 District:

1. 10-2117. Adult Day Center
2. 10-2119. Amateur Radio Antenna to Exceed the Administrative Permit Height
3. 10-2120. Amphitheaters
4. 10-2134. Outdoor Event, Large
5. 10-2136. Recreational Fields
6. 10-2141. Self –Storage/Mini
7. 10-2143. Skywalks
8. 10-2146. Veterinary clinic/hospital or kennel outside

**E. DEVELOPMENT STANDARDS.**

A. **Height Regulations** - No building shall exceed forty (40) feet in height.

B. **Minimum Front Yard** - 20 feet

C. **Minimum Side Yard**

- 5 feet adjacent to interior lot lines
- 15 feet adjacent to street

D. **Minimum Rear Yard** - 20 feet

E. **Minimum Lot Area** - 7,500 square feet

F. **Minimum Width of Lot Frontage or Width at Building Line** - 30 feet

G. **Minimum Heated Floor Area Per Unit** - 650 square feet

H. **Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

**OTHER REGULATIONS.** The headings below contain provisions applicable to the C-2 District.

Chapter 2 Zoning Regulations

Chapter 3 Building Code Regulations

Chapter 4 Subdivision Regulations

Chapter 5 Flood Damage Prevention

Chapter 6 Tree Protection and Landscape Ordinance

Chapter 7 Signs

Chapter 8 Uniform Roadway Addressing System

Chapter 9 Condition and Use of Commercial and Industrial Buildings

Chapter 10 Soil Erosion and Sedimentation Control

Chapter 11 Stormwater Management

Chapter 12 Stream Buffer Protection

Chapter 13 Enterprise Zones

Chapter 14 Overlay Districts

## **Sec. 10-2074. C-L COMMERCIAL LIMITED DISTRICT**

**C-L DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the C-L District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The C-L District is intended to provide an area for the establishment of high quality commercial and professional service enterprises free of conflicting and distracting uses.

**USE REGULATIONS.** Within the C-L District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

**A. PERMITTED USES.** Structures and land may be used for only the following purposes:

1. Amusement, indoor commercial
2. Amusement, outdoor commercial
3. Art galleries
4. Banks and other financial institutions, including loan and finance companies
5. Brewpubs (Chapter 1, Alcoholic Beverages 11-1000)
6. Country Inn
  - a. Lot area shall be a minimum of 5 acres.
  - b. A minimum of 6 guest rooms and a maximum of 30 rooms are permitted. (See 10-2123, Bed and Breakfast, for less than 6 guest rooms).
  - c. The Country Inn shall be owner occupied.
  - d. Permitted curb cut access shall be from a local road or higher road classification.
  - e. The establishment may provide meal services to guests.
  - f. Parking shall not be permitted within the minimum front yard setback.
  - g. The minimum landscape strip and buffer requirements for the MIX District as specified in Chapter 6 shall be required.
  - h. Parking requirements shall be the same as hotel/motel as specified in Article E.
7. Food stores
8. Hotel/Motel
9. Hotel, Apt
10. Libraries
11. Movie theater
12. Museums
13. Nightclub
14. Office, business
  - a. Automobile/truck rental, lease, and equipment sales office is prohibited

15. Office, professional
16. Pawn Shop/Title Pawn and same or similar uses
  - a. Prohibited
17. Retail sales establishment, general merchandise
18. Retail sales, specialty
19. Restaurants, bars, grills, taverns, cafes, drive-ins, fast-food facilities and similar eating and drinking establishments
  - a. Drive-thru restaurants shall not locate closer than 1,520 feet from another drive-thru restaurant or similar eating or drinking establishment.
  - b. Drive-thru restaurant lanes shall be designed in such a way as to be screened from the public right of way through elevation differences, landscaping, arbors, trellises, canopies, walls and other architectural features used to reduce the visual presence of drive-thru operations.
  - c. Drive-thru windows are prohibited on the front of the building directly facing a street frontage.
20. Tasting room
21. Theatrical Community Center

**B. ACCESSORY USES**

1. Accessory uses and structures:
  - a. Accessory uses and structures incidental to any permitted use is allowed including but not limited to pools, or patio dining.
  - b. Temporary storage pods are intended for a limited period of time and not for permanent storage.
  - c. For sale, for rent, or for lease signs are allowed in accordance with Chapter 7, Signs.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the C-L District:

1. 10-2092. Club
2. 10-2094. Driving Range (not associated with a golf course)
3. 10-2096. Film Production
4. 10-2097. Food Trucks
5. 10-2098. Golf Course

6. 10-2099. Outdoor Event, Small
7. 10-2105. Roadside Produce Stands
8. 10-2106. Roadside Vending
9. 10-2107. Seasonal Business Use
10. 10-2112. Temporary Structures
11. 10-2113. Utility Substations (Telephone, Electric, or Gas, etc.)

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the C-L District:

1. 10-2119. Amateur Radio Antenna to Exceed the Administrative Permit Height
2. 10-2123. Bed and Breakfast
3. 10-2134. Outdoor Event, Large
4. 10-2136. Recreational Fields

**E. DESIGN STANDARDS**

To provide a guide to development proposals in the design and implementation of pedestrian circulation, streetscapes, landscape and site lighting.

- (1) Streetscape: Street types, relationship of building to street; street furniture zone; tree planting; sidewalk requirements.
  - a. Sidewalks shall be located along all public streets and shall be a minimum of fifteen (15) feet in width which shall include a clear zone with a minimum width of ten (10) feet and a street furniture zone located adjacent to the curb as described below.
  - b. A street furniture zone shall be located adjacent to the curb and shall be minimum width of five (5) feet. In addition to the planting of trees as required in this section, this zone is also intended for the placement of street furniture including utility poles, waste receptacles, fire hydrants, bus shelters, bicycle racks and similar elements as approved by the city.
  - c. Front yards shall be permitted between the sidewalk and the building facade and shall be a maximum width often (10) feet.
  - d. Accessory outdoor dining is permitted on or adjacent to the sidewalk only when all other sidewalk requirements are met, and may be separated from



the sidewalk only with movable planters or fencing which shall have a maximum height of thirty-six (36) inches.

- e. A clear zone shall be unobstructed by any permanent or nonpermanent element for a minimum width often (10) feet and a minimum height of eight (8) feet.
- f. Awnings and canopies shall encroach a maximum of five (5) feet over the public sidewalk.
- g. Balconies, bay windows, and overhangs shall encroach a maximum of five (5) feet over the sidewalk.
- h. Trees shall be planted a maximum of thirty-five (35) feet on center within the street furniture zone and shall have either a minimum planting area of sixteen (16) square feet which shall be planted with evergreen ground cover such as mondo liriopie or ivy or a decorative metal grate as approved by the City of East Point. All plantings, planting replacement and planting removal shall be approved by the Department of Planning and Community Development.
- i. Street trees and other plants taller than twelve (12) inches in height shall not be planted within the sight triangle and shall be arranged and maintained at intersections to provide reasonable visibility for warranted traffic control devices.
- j. Where property within the district abuts a residential district without an intervening street, the sidewalk areas within twenty (20) feet of the R district shall taper when necessary to provide a smooth transition to the exiting R district sidewalk.
- k. A building may have zero (0) lot lines; except if a building is not constructed to the lot line it shall be set back a minimum distance of five (5) feet from the lot line, and except as required for a transitional yard.

(2) Design elements and street furniture:

- a. Sidewalks: 15'-0" sidewalk (10'-0" clear zone with 5'-0" street furniture zone).
- b. Tree: Legacy Sugar Maple 35'-0" on center.

- c. Street furnishings: Wood bench and cast iron frame.
  - Type: C-97 by Victor Stanley, Inc. or equal
  - Litter Receptacle: Ironsites style, 3-35, 24-gallon, black by Victor Stanley, Inc. or equal
- d. Pedestrian Street Lamp: Aluminum post, ALN 414 by Architectural Area Lighting or equal. To be installed 35'-0" on center minimum 12'-0" high.
- e. Landscape buffer: Evergreen shrubs to provide visual screens.
- f. Pedestrian connections: Clear and direct sidewalk connections to be provided from all public rights-of-way onto which any development property has a building.
- g. Fence: Maximum 5'-0" ornamentally detailed, black metal fence. Where fences are required in lieu of landscaped buffer. Chain link fence not permitted.
- h. Siting building: Building footprints and orientations will be determined to compliment and promote pedestrian circulation.
- i. Cross walk paver/street furniture zone: Must be constructed with brick paver or stamped concrete to be approved by the city.

(3) Standards of development:

- a. In the CL district, buildings shall have a minimum height of twenty (20) feet and shall appear at a minimum as a two-story building along each facade visible from any public right-of-way. This does not apply to existing one-story building renovations or infill projects between two existing one-story buildings.
- b. Materials and colors used both, in new building construction, additions, and renovations should be of the highest quality and be compatible with surrounding architecture. Cementitious Stucco may be used as an accent only and may not be used on ground level. The principal material shall be either stone or brick and may include accents or details in precast concrete, or stucco.

- d. A street address number shall be located above the primary building entrance, shall be clearly visible from the sidewalk and shall be a minimum of six (6) inches in height.
- e. All street fronting, ground level development shall provide clear, unpainted or otherwise treated fenestration for a minimum of eighty-five (85) percent of the length of the frontage, beginning at a point not more than three (3) feet above the public sidewalk, for a height no less than ten (10) feet above the sidewalk.
- f. All front facades of the principal building shall face and be parallel to the street.
- g. The placement of mechanical equipment, utility meters, transformers, and storage tanks, window air-conditioners, and satellite dishes shall be located and/or screened so as to minimize their visual impact.
- h. The primary pedestrian entrance to all uses with street frontage shall face and be visible from the street, shall be directly accessible from the public sidewalk adjacent to such street and shall open directly onto the adjacent public sidewalk, or an outdoor dining area or plaza adjacent to the public sidewalk.
- i. Provisions for separate vehicular and pedestrian traffic on individual sites is required. This includes parking areas. At a minimum, striping that identifies pedestrian paths is required.
- j. Dumpsters and loading areas shall be screened so as not to be visible from any public plaza, outdoor dining area, public right-of-way or residential area.
- k. Parking deck facades shall conceal automobiles from visibility and shall have the appearance of a horizontal storied building.
- l. Above ground parking structures shall provide continuous street fronting retail or other uses, except at ingress and egress points into the structure.
- m. A common or joint driveway may be required by the director of public works, when adjacent lots have direct vehicular access to a street. A pedestrian walkway a minimum of four (4) feet in width shall be provided,

connecting the public sidewalk to the surface parking area. See Tree Protection and Landscaping Ordinance.

- n. Curb cut widths shall be twenty-four (24) feet for two-way entrances and twelve (12) feet for one-way entrances, unless otherwise permitted by the director of public works.
- o. One (1) curb cut is permitted for each development with the exception of properties with more than one (1) front yard, which may have two (2) curb cuts.
- p. No chain link fencing shall be visible from any public plaza, outdoor dining area or public right-of-way.
- q. All outdoor vending machines, telephones, and newsstands shall be located in designated areas as approved by the city.
- r. Underground utilities shall be used in all new construction in the Commercial Limited (C-L) District and are subject to approval by the public utilities and public works departments.

#### **F. DEVELOPMENT STANDARDS**

- A. **Height Regulations** - No building shall exceed forty (40) feet in height.
- B. **Minimum Front Yard Setback** - 10 feet
- C. **Minimum Side Yard Setback** - none
- D. **Minimum Rear Yard Setback** - 25 feet
- E. **Minimum Lot Area** - none
- F. **Minimum Width of Lot Frontage or Width at Building Line** - 30 feet
- G. **Minimum Heated Floor Area Per Unit** - none
- H. **Minimum Accessory Structure Requirements**  
Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

**OTHER REGULATIONS.** The headings below contain provisions applicable to the C-L District.

Chapter 2 Zoning Regulations

Chapter 3 Building Code Regulations

Chapter 4 Subdivision Regulations

Chapter 5 Flood Damage Prevention

Chapter 6 Tree Protection and Landscape Ordinance

Chapter 7 Signs

Chapter 8 Uniform Roadway Addressing System

Chapter 9 Condition and Use of Commercial and Industrial Buildings

Chapter 10 Soil Erosion and Sedimentation Control

Chapter 11 Stormwater Management

Chapter 12 Stream Buffer Protection

Chapter 13 Enterprise Zones

Chapter 14 Overlay Districts

## **Sec.10-2075. C-R COMMERCIAL REDEVELOPMENT**

**C-R DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the C-R District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The C-R District is intended to facilitate and encourage innovative, functional, aesthetically pleasing and creative design and development of the most compatible and desirable mixed-use pattern of retail, commercial service, institutional and residential land uses which are primarily pedestrian and public transit oriented.

**USE REGULATIONS.** Within the C-R District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES.** Structures and land may be used for only the following purposes:

1. Art galleries
2. Artisan's workshop, including but not limited to:
  - a. tailoring
  - b. custom dressmaking
  - c. millinery
  - d. jewelry making
  - e. carpentry
3. Banks and other financial institutions including loan and finance companies.
4. Barber shops and beauty shops
5. Brewpubs (Chapter 1, Alcoholic Beverages 11-1000).
6. Childcare Learning Center (allowed as an accessory use in association with an office, professional use. Facility shall locate no closer than 1000 ft. to another Childcare Learning Center)
  - a. Provides care for 19 or more children under the age of 18
  - b. Hours of operation shall be limited to Monday through Friday six a.m. to seven p.m.
  - c. Copies of all applicable state and federal permits shall be provided to the Department of Planning and Community Development prior to the issuance of a certificate of occupancy and business license.
  - d. Provide minimum landscape strips, buffers, and improvement setbacks as specified for MIX when adjacent to residential.
  - e. Provide a minimum 6-foot high decorative wrought iron or aluminum fence interior to required landscape strips and/or buffers around the periphery of the yard used for the play area.
  - f. Play areas shall be located within the rear or side yards.
  - g. No parking allowed in the front yard.
  - h. Driveway design shall permit vehicles to exit the property in a forward direction.

7. Church, Temple or Place of Worship.
  - a. Where existing; no new Church, Temple, or Places of Worship allowed.
8. Country Inn
  - a. Lot area shall be a minimum of 5 acres.
  - b. A minimum of 6 guest rooms and a maximum of 30 rooms are permitted.
  - c. The Country Inn shall be owner occupied.
  - d. Permitted curb cut access shall be from a local road or higher road classification.
  - e. The establishment may provide meal services to guests.
  - f. Parking shall not be permitted within the minimum front yard setback.
  - g. The minimum landscape strip and buffer requirements for the MIX District as specified in Chapter 6 shall be required.
  - h. Parking requirements shall be the same as hotel/motel as specified in Article E
9. Dog day care facility
10. Food stores
11. Funeral home
12. Hotel/Motel
13. Hotel/Apt
14. Laundry and dry-cleaning collection stations limited to no more than 2500 sq. ft.
15. Libraries
16. Movie theater
17. Museums
18. Nightclub
19. Office, business
  - a. Automobile/truck rental, lease, and equipment sales office is prohibited
20. Office, professional
21. Pawn Shop/Title Pawn and same or similar uses
  - a. Prohibited
22. Pet shops and pet supply stores
23. Photographers' studios
24. Restaurants, bars, grills, taverns, cafes, cafeterias, delis, coffee shops, and similar eating and/or drinking places are permitted
  - a. Drive-thru restaurants shall not locate closer than 1,520 feet from another drive-thru restaurant or similar eating or drinking establishment.
25. Retail establishments, including catering establishments, delicatessens and bakeries
26. Retail sales, general merchandise
25. Retail sales, household
28. Retail sales, specialty
27. Studios, art, dance, photographer
28. Tasting room

## 29. Theatrical Community Center

### Dwellings:

a. Multifamily permitted only on second story and above.

b. Amenity Package Requirements:

Multi-family, town home and condominium projects shall include an amenity package of two (2) or more amenities. Amenities shall be defined as "a feature that increases the attractiveness or value of a project." These amenities shall include but not be limited to:

1. Pool and cabana;
2. Majority (51%) masonry materials in combination to include brick, stone or hard coat stucco;
3. Enhanced landscaping;
4. Clubhouse with meeting rooms and/or fitness gym;
5. Significant recreational opportunities - waterpark, lighted tennis courts, basketball courts, playground, tot lots, baseball field, soccer/football field, walking and jogging track;
6. Benches, architectural lighting, bike racks, and gazebos;
7. Ponds/enhanced detention facilities;
8. Mixture of Uses within the development;
9. Trails;
10. Mini amphitheater; and
11. Structured parking

c. Projects are eligible for density bonuses based on the following: TABLE INSET:



Three (3) or more amenities	Density Bonus = 5%
Five (5) or more amenities	Density Bonus = 15%
Seven (7) or more amenities	Density Bonus = 20%
Nine (9) or more amenities	Density Bonus = 30%

Development on undeveloped land: Multi-family, town home, and condominium projects shall be required to place in a conservation easement which will be dedicated to the HOA and/or property maintenance firm, prior to the issuance of a land disturbance permit a minimum of twenty-five (25) percent of the project area reserved as open and/or green space when developing on undeveloped property. New projects on undeveloped property must include seven (7) of the required amenities.

d. Townhouses in accordance with the requirements for the R-T residential district.

**B. ACCESSORY USES**

1. Accessory uses and structures:

a. Accessory uses and structures are allowed incidental to any permitted use.

b. Temporary storage pods are intended for a limited period of time and not for permanent storage.

c. For sale, for rent, or for lease signs are allowed in accordance with Chapter, Signs.

d. Revival tents are allowed via an Administrative Permit accessory to an existing church, temple, or place of worship.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the C-R District:

1. 10-2089. Alternative Antenna Support Structure
2. 10-2090. Amateur Radio Antenna
3. 10-2092. Club
4. 10-2094. Driving Range (not associated with a golf course)
5. 10-2096. Film Production
6. 10-2097. Food Trucks
7. 10-2098. Golf Course

8. 10-2099. Outdoor Event, Small
9. 10-2101. Recreational Court, Private
10. 10-2104. Revival Tent
11. 10-2112. Temporary Structures

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the C-R District:

1. 10-2119. Amateur Radio Antenna to Exceed the Administrative Permit Height
2. 10-2123. Bed and Breakfast
3. 10-2134. Outdoor Event, Large

**E. DEVELOPMENT STANDARDS.**

- A. **Height Regulations** - No specific height restriction
- B. **Minimum Front Yard Setback** - No specific restriction
- C. **Minimum Side Yard Setback** - No specific restriction
- D. **Minimum Rear Yard Setback** - No specific restriction
- E. **Minimum Lot Area** - --No specific area restriction
- F. **Minimum Width of Lot Frontage or Width at Building Line** - 30 feet
- G. **Minimum Heated Floor Area Per Unit** - No specific restriction
- H. **Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

- I. **Drive-Thru Businesses (applies to all businesses)**
  - a. Restaurants shall maintain drive-thru lanes that are a minimum of 180 feet in length to provide on-site storage stacking of cars for a minimum of 10 vehicles, as measured from the forward most drive-thru window to the entrance to queuing space.
  - b. Each drive-thru lane shall be a minimum of 12 feet in width. The lane shall be

independent of any on-site parking, parking maneuvering areas, public streets, alleys or traffic ways.

- c. Drive-thru windows are prohibited on the front of the building directly facing a street frontage.
- d. Double drive-thru lanes are prohibited
- e. Drive-thru lanes shall be designed in such a way as to be screened from view from the street through elevation differences, landscaping, arbors, trellises, canopies, walls and other architectural features used to reduce the visual presence of drive-thru operations
- f. A five foot wide landscaped planter shall be installed between the drive-thru lane and parking lot maneuvering area.

## **J. Structured Parking**

All parking structures, or any story thereof, located in whole or in part above finished grade and used as accessory parking for another use shall meet the following standards:

- a. Parapet walls: On all level where parking is provided adjacent to an exterior wall, all facades shall have exterior opaque walls a minimum height of 42 inches above any finished grade and any finished floor.
- b. Public facades: When a parking structure façade is adjacent to or facing a public park or public right-of-way, such facades shall comply with the following:
  - i. Any such facades from finished grade to the fourth level of the parking structure shall have openings screened to prevent views into the structure except for vehicular ingress and egress openings at a maximum width of 30 feet and pedestrian access openings at a maximum width of eight feet.
  - ii. Screening elements shall be designed in a structurally sound manner and have a gap no more than 18 inches from the frame of the screening element to the wall opening. Mesh or decorative panels, tinted or sandblasted opaque spandrel glass, or similar screening elements shall be used. Where mesh or other materials containing openings is used in conjunction with the screening frame, no individual opening shall exceed four square inches. Chain link fencing and similar screening elements shall be prohibited as an allowable mesh or similar screening element.

**OTHER REGULATIONS.** The headings below contain provisions applicable to the C-R District.

Chapter 2 Zoning Regulations

Chapter 3 Building Code Regulations

Chapter 4 Subdivision Regulations

Chapter 5 Flood Damage Prevention

Chapter 6 Tree Protection and Landscape Ordinance

Chapter 7 Signs

Chapter 8 Uniform Roadway Addressing System

Chapter 9 Condition and Use of Commercial and Industrial Buildings

Chapter 10 Soil Erosion and Sedimentation Control

Chapter 11 Stormwater Management

Chapter 12 Stream Buffer Protection

Chapter 13 Enterprise Zones

Chapter 14 Overlay Districts

## **Sec. 10-2076. MIX MIXED USE DISTRICT**

**MIX DISTRICT SCOPE AND INTENT.** Regulations in this Section are the MIX District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The MIX District is intended to encourage flexible, innovative and creative concepts in site planning and efficient use of land and to provide a stable multiple use environment compatible with surrounding uses. The MIX District is particularly encouraged in areas designated by the Comprehensive Plan Land Use Map as suitable for commercial (including retail, service commercial and office) uses and in Living- Working corridors. Mixed-use developments are defined as projects containing three (3) or more of the following uses: Residential, Commercial, Office, Institutional, Industrial, and Conservation.

**USE REGULATIONS.** The MIX District mandates a residential component of single family dwellings, duplexes, triplexes, quadruplexes, townhouses, multifamily dwellings or any combination thereof along with at least two of the following: commercial, office or institutional uses. Within the MIX District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

**A. PERMITTED USES.** Structures and land may be used for the following purposes:

1. All uses allowed in C-1, C-2, C-L and C-R
2. Community Center Buildings
3. Church, Temple or Place of Worship
4. Dwellings
  - a. Single-family detached dwelling
  - b. Single family townhouse dwelling; attached in structures containing no more than ten (10) dwelling units
  - c. Two-family dwelling
  - d. Multi-family dwelling
  - e. Triplexes
  - f. Quadruplexes
5. Education
  - a. College and university
  - b. K-12 private or special
  - c. Technical School
  - d. Vocational school
6. Family day care home
  - a. Home occupation license required
7. Funeral home
8. Hospitals
9. Parking Garages/Decks

**B. ACCESSORY USES.**

Structures and land may be used for uses customarily incidental to any permitted use and a dwelling may be used for a home occupation. No more than 25 percent of the total floor area of a building may be devoted to storage. Temporary storage pods are intended for a limited period of time and not for permanent storage.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the MIX District:

1. 10-2089. Alternative Antenna Support Structure
2. 10-2090. Amateur Antenna
3. 10-2094. Driving Range (not associated with a golf course)
4. 10-2096. Film Production
5. 10-2098. Golf Course
6. 10-2099. Outdoor Event, Small
7. 10-2101. Recreational Court, Private
8. 10-2102. Recreational Courts, Public
9. 10-2103. Relocated Residential Structure
10. 10-2104. Revival Tent
11. 10-2107. Seasonal Business Use (with a commercial component)
12. 10-2110. Swimming Pool, Public
13. 10-2111. Temporary Classroom
14. 10-2113. Utility Substations (Telephone, Electric, or Gas, etc.)

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the MIX District:

1. 10-2117. Adult Day Center
2. 10-2119. Amateur Radio Antenna to Exceed the Administrative Permit Height
3. 10-2121. Antenna Tower, and Associated Structure (Radio, T.V., Microwave Broadcasting, etc.)
4. 10-2122. Assisted Living Facility
5. 10-2124. Cemetery and/or Mausoleum (Human or Pet)
6. 10-2127. Community Living Arrangement
7. 10-2134. Outdoor Event, Large
8. 10-2135. Personal Care Home

- 9. 10-2143. Skywalks
- 10. 10-2144. Stadium (Offsite) Associated with a Private School

**E. DEVELOPMENT STANDARDS.**

A. **Height Regulations.** As specified in conditions

B. **Minimum Development Front Yard** - As specified in conditions

C. **Minimum Development Side Yards** - As specified in conditions

D. **Minimum Development Rear Yard** - As specified in conditions

E. **Minimum Development Frontage** - 35 feet

F. **Minimum Internal Setbacks, Separations, Landscaping and Buffering Between Uses**

- As specified in conditions

G. **Minimum Lot Area Per Dwelling Unit for Single Family or Duplex**

- As specified in conditions

H. **Minimum Lot Frontage for Single Family or Duplex** - 20 feet adjoining a street

I. **Minimum Lot Width for Single Family or Duplex** - None, unless specified in conditions

J. **Minimum Interior Setbacks for Single family or Duplex**

- 1. Minimum Front Yard- As specified in conditions
- 2. Minimum Side Yard - As specified in conditions
- 3. Minimum Rear Yard - As specified in conditions

K. **Minimum Building Separations**

- All building separations shall be as specified by the International Code Council.

L. **Minimum Heated Floor Area Per Dwelling Unit**- As specified in conditions

M. **Conservation Subdivision** - The development standards of a conservation subdivision shall be in accordance with Chapter 4 of the East Point Subdivision Regulations.

N. **Minimum Accessory Structure Requirements**

Single family, duplex and townhouse accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

Multifamily accessory structures shall not be located in the minimum front yard.

O. **Minimum Common Outdoor Area** - Twenty percent (20%) of the total site area shall be common outdoor area and shall be maintained by the property owner(s).

P. **Pedestrian Connectivity**. All components are required to be interconnected with pedestrian paths constructed of either colored/textured materials or conventional sidewalk materials and clearly identified.

Q. **Parking**. Subject to the approval of the Director of Planning and Community Development, off-street parking as required by Article E may be reduced and shared parking among uses may be permitted.

a. Amenity Package Requirements:

Multi-family, town home and condominium projects shall include an amenity package of two (2) or more amenities. Amenities shall be defined as "a feature that increases the attractiveness or value of a project." These amenities shall include but not be limited to:

1. Pool and cabana;
2. Majority (51%) masonry materials in combination to include brick, stone or stucco;
3. Enhanced landscaping;
4. Clubhouse with meeting rooms and/or fitness gym;



5. Significant recreational opportunities - waterpark, lighted tennis courts, basketball courts, playground, tot lots, baseball field, soccer/football field, walking and jogging track;
6. Benches, architectural lighting, bike racks, and gazebos;
7. Ponds/enhanced detention facilities;
8. Mixture of Uses within the development;
9. Trails;
10. Mini amphitheater; and
11. Structured parking

b. Projects are eligible for density bonuses based on the following: TABLE INSET:

Three (3) or more amenities	Density Bonus = 5%
Five (5) or more amenities	Density Bonus = 15%
Seven (7) or more amenities	Density Bonus = 20%
Nine (9) or more amenities	Density Bonus = 30%

Development on undeveloped land: Multi-family, town home, and condominium projects shall be required to place in a conservation easement which will be dedicated to the HOA and/or property maintenance firm, prior to the issuance of a land disturbance permit a minimum of twenty-five (25) percent of the project area reserved as open and/or green space when developing on undeveloped property. New projects on undeveloped property must include seven (7) of the required amenities.

**R. Drive-Thru Businesses (applies to all businesses)**

- a. Restaurants shall maintain drive-thru lanes that are a minimum of 180 feet in length to provide on-site storage stacking of cars for a minimum of 10 vehicles, as measured from the forward most drive-thru window to the entrance to queuing space.
- b. Each drive-thru lane shall be a minimum of 12 feet in width. The lane shall be independent of any on-site parking, parking maneuvering areas, public streets, alleys or traffic ways.

- c. Drive-thru windows are prohibited on the front of the building directly facing a street frontage.
- d. Double drive-thru lanes are prohibited
- e. Drive-thru lanes shall be designed in such a way as to be screened from view from the street through elevation differences, landscaping, arbors, trellises, canopies, walls and other architectural features used to reduce the visual presence of drive-thru operations
- f. A five foot wide landscaped planter shall be installed between the drive-thru lane and parking lot maneuvering area.

## **S. Structured Parking**

All parking structures, or any story thereof, located in whole or in part above finished grade and used as accessory parking for another use shall meet the following standards:

- a. Parapet walls: On all level where parking is provided adjacent to an exterior wall, all facades shall have exterior opaque walls a minimum height of 42 inches above any finished grade and any finished floor.
- b. Public facades: When a parking structure façade is adjacent to or facing a public park or public right-of-way, such facades shall comply with the following:
  - i. Any such facades from finished grade to the fourth level of the parking structure shall have openings screened to prevent views into the structure except for vehicular ingress and egress openings at a maximum width of 30 feet and pedestrian access openings at a maximum width of eight feet.
  - ii. Screening elements shall be designed in a structurally sound manner and have a gap no more than 18 inches from the frame of the screening element to the wall opening. Mesh or decorative panels, tinted or sandblasted opaque spandrel glass, or similar screening elements shall be used. Where mesh or other materials containing openings is used in conjunction with the screening frame, no individual opening shall exceed four square inches. Chain link fencing and similar screening elements shall be prohibited as an allowable mesh or similar screening element.

**OTHER REGULATIONS.** The headings below contain some additional, but not necessarily all, provisions applicable to the MIX District:

Chapter 2 Zoning Regulations

Chapter 3 Building Code Regulations

- Chapter 4 Subdivision Regulations
- Chapter 5 Flood Damage Prevention
- Chapter 6 Tree Protection and Landscape Ordinance
- Chapter 7 Signs
- Chapter 8 Uniform Roadway Addressing System
- Chapter 9 Condition and Use of Commercial and Industrial Buildings
- Chapter 10 Soil Erosion and Sedimentation Control
- Chapter 11 Stormwater Management
- Chapter 12 Stream Buffer Protection
- Chapter 13 Enterprise Zones
- Chapter 14 Overlay Districts

**Sec. 10-2078. B-P BUSINESS PARK DISTRICT**

**B-P DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the B-P District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The B-P District is to encourage the development of a quality multi-use business community where office, research, assembly, warehouse and distribution needs can be met at a single location. Such uses shall be designed for ease of access to truck loading areas. It is intended that such uses exist in a "park-like" setting.

**USE REGULATIONS.** Within the B-P District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES.** Structures and land may be used for only the following purposes:

1. Assembly and production of electronic equipment
2. Banks and other financial institutions including loan and finance companies
3. Distribution and/or assembly provided such activity is limited to assembly of completed parts or components into finished or semi-finished products, and involves no hazardous materials and no excessive noise, odor, vibration or other negative impact
4. Education
  - a. College and University
  - b. K-12 private or special
  - c. Technical school
  - d. Vocational school
5. Health clubs and physical fitness center
6. Hospitals and clinics: Medical, dental, chiropractic and similar facilities for humans
7. Laboratories and research facilities
8. Office, business
9. Office, professional
10. Printing and publishing operations
11. Training facilities related to other permitted uses
12. Warehousing, provided such is auxiliary to other permitted uses or such use is related to distribution activities

B. **ACCESSORY USES**

1. Accessory uses and structures:
  - a. Accessory uses and structures incidental to any permitted use are allowed.

- b. Temporary storage pods are intended for a limited period of time and not for permanent storage.
- c. For sale, for rent, or for lease signs are allowed in accordance with Chapter 7, Signs.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the B-P District:

1. 10-2089. Alternative Antenna Support Structure
2. 10-2090. Amateur Radio Antenna
3. 10-2091. Antenna, Tower, and Associated Structures (radio, T.V., microwave broadcasting, etc.)
4. 10-2094. Driving range (not associated with a golf course)
5. 10-2096. Film Production
6. 10-2097. Food Trucks
7. 10-2098. Golf Course
8. 10-2099. Outdoor Event, Small
9. 10-2101. Recreational Court, Private
10. 10-2109. Swimming Pool, Private
11. 10-2111. Temporary Classroom
12. 10-2112. Temporary Structures

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the B-P District

1. 10-2119. Amateur Radio Antenna to Exceed the Administrative Permit Height
2. 10-2126. Commercial Amusement, Outdoor
3. 10-2134. Outdoor Event , Large
4. 10-2136. Recreational Fields
5. 10-2144. Stadium (Offsite) Associated with a Private School

**E. DESIGN STANDARDS**

In order to establish and maintain the B-P Business Park District as a quality business area which will preserve the investments of all land owners and developers, as well as the tax base of the City of East Point, all construction and development within the B-P district must comply with the following site development and improvement standards:

A. Setbacks for front, rear and side yards:

1. Structures fronting or adjoining a public street shall be located at least forty-five (45) feet from the front property;
2. Structures, except fences shall be at least eight (8) feet from the side line of any tract;
3. Structures shall be at least thirty (30) feet from the rear line of any tract;
4. Only driveways, parking spaces, permitted signs, and landscaped areas shall be allowed between a structure and the front property line;
5. All paved areas must have concrete curbs.

B. Buildings:

1. Exterior wall materials shall be one or more of the following:
  - a. Hard burned clay brick;
  - b. Stone with either a weathered face or a polished, fluted or broken face. No quarry faced stone shall be used except in the retaining walls;
  - c. Concrete masonry. Units shall be those generally described by the National Concrete Masonry Association as "Customize Architectural Concrete Masonry Units" or shall be broken-faced brick-type units with marble aggregate. There shall be no exposed concrete block on the exterior of any building, however, rear walls which do not front any street or building may be painted concrete block. Any concrete masonry units that have a gray cement color shall be coated with a coating approved by the building inspector;
  - d. Concrete may be poured in-place, tilt-up or precast. Poured in-place and tilt- up walls shall have a finish of stone, a texture or a coating. Textured finishes shall be coated. Coating shall be an approved cementitious type.

2. Roof-mounted equipment. Roof-mounted equipment shall be located and/or screened to minimize visibility from streets or surrounding buildings.
  - a. Parking and maneuvering. Parking shall not be permitted on streets. Parking spaces and loading docks shall be so located as to make maneuvering in the streets unnecessary. Ample parking spaces shall be provided as required in Article E to accommodate the parking for the subject development. All parking areas and driveways shall be paved with concrete, asphalt, their equivalent or better.
  - b. Outside storage. No outside storage of any type will be permitted without specific approval of the Planning and Zoning Commission. When such approval is given, the outside storage area shall be enclosed with an approved screen so that storage is not from neighboring property or streets and in no event may storage exceed the height of the screen. In no event shall outside storage be permitted in front of any building.
  - c. The entire area of any lot containing a building site, including the area between the lot line and street curb line, shall be landscaped except for areas covered by buildings and paved areas. A minimum strip of landscaping ten (10) feet wide shall be installed and maintained along any portion of the lot bordering a public street right-of-way except for entrance driveways onto the lot. The landscaping plan submitted to the planning and zoning commission for approval shall identify such features as the planting of trees, shrubs and grass and the installation of screens as appropriate. The landscaping, as approved by the Planning and Zoning Commission, shall be installed prior to the issuance of a certificate of occupancy. The maintenance of the landscaping shall be the responsibility of the owner and shall include the operation and maintenance of an irrigation system.
  - d. Exterior lighting. All exterior lighting shall be designed, erected, altered and maintained in accordance with plans and specifications approved by the Planning and Zoning Commission.
  - e. Loading areas. No materials, supplies, merchandise or equipment shall be stored in any area on a lot except inside of a closed building,

or behind an approved visual barrier screening such areas so that they are not unsightly from surrounding properties or public streets. Loading doors and docks shall not be constructed facing any public street or highway without the express prior approval of the Planning and Zoning Commission.

**F. DEVELOPMENT STANDARDS.**

- A. **Height Regulations** - 40 feet
- B. **Minimum Front Yard Setback** - 45 feet
- C. **Minimum Side Yard Setback** - 8 feet
- D. **Minimum Rear Yard Setback** - 30 feet
- E. **Minimum Lot Area** - Per conditions specified
- F. **Minimum Width of Lot Frontage or Width at Building Line** -75 feet
- G. **Minimum Heated Floor Area Per Unit** - Per conditions specified
- H. **Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

**OTHER REGULATIONS.** The headings below contain provisions applicable to the B-P District.

- Chapter 2 Zoning Regulations
- Chapter 3 Building Code Regulations
- Chapter 4 Subdivision Regulations
- Chapter 5 Flood Damage Prevention
- Chapter 6 Tree Protection and Landscape Ordinance
- Chapter 7 Signs
- Chapter 8 Uniform Roadway Addressing System
- Chapter 9 Condition and Use of Commercial and Industrial Buildings
- Chapter 10 Soil Erosion and Sedimentation Control
- Chapter 11 Stormwater Management
- Chapter 12 Stream Buffer Protection



Chapter 13 Enterprise Zones  
Chapter 14 Overlay Districts

## **Sec. 10-2079. I-1 LIGHT INDUSTRIAL DISTRICT**

**I-1 DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the I-1 District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The intent of this section, in establishing the I-1 district, is to provide areas within the City for the manufacture, storage, sale and distribution of goods and the conduct of related commercial and industrial activities. The I-1 District is comprised primarily of those existing industrial areas that are located on or have ready access to major thoroughfares and/or rail facilities, and are well adapted to industrial development and are not objectionable by reasons of dust, odor, noise, traffic safety or congestion.

**USE REGULATIONS.** Within the I-1 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

**A. PERMITTED USES.** Structures and land may be used for only the following purposes:

Any permitted use, provided that all manufacturing, processing, assembly and/or disassembly operations and all storage operations associated with such uses not specifically identified below shall be housed entirely within an enclosed building or buildings. All outside storage shall be enclosed by an opaque fence meeting the district height regulations.

1. Ambulance and emergency radical services
2. Animal hospitals, kennels (boarding and breeding) and veterinary clinics
  - a. All structures shall be located and activities conducted at least one hundred (100) feet from any property zoned for residential purposes.
  - b. All animals shall be located within an enclosed building and adequate sound and odor control shall be maintained
3. Animal grooming shops
  - a. All structures shall be located and activities conducted at least one hundred (100) feet from any property zoned for residential purposes
4. Artisan's Workshop
5. Automobile and truck sales (including retail parts sales and/ or tire store)
  - a. Such use shall not be permitted within fifty (50) feet of any property used for a school, park, playground or hospital
  - b. All activities shall be carried on entirely within an enclosed building
  - c. Such use shall not be established on a lot which is adjacent to or directly across the street from any single-family residential district
  - d. All outdoor storage must be in the rear of the principal structure and enclosed by opaque fence no less than eight (8) feet in height

6. Automobile, trailer and boat sales/service
  - a. Minimum 1 acre lot size.
  - b. All vehicles shall be set back at least ten (10) feet from the street right-of-way line.
  - c. Such use shall be located at least fifty (50) feet from any properties zoned for residential purposes.
  - d. A solid fence or wall no less than eight (8) feet in height shall be maintained to provide a visual screening between the residential and commercial properties.
7. Automobile and truck repair (including paint, body, brake repair, installation of tires, tune-up shops, oil change services, and emission stations)
  - a. Such use shall not be permitted within fifty (50) feet of any property used for a school, park, playground or hospital
  - b. All activities shall be carried on entirely within an enclosed building
  - c. Such use shall not be established on a lot which is adjacent to or directly across the street from any single-family residential district
  - d. All outdoor storage must be in the rear of the principal structure and enclosed by an opaque fence no less than eight (8) feet in height
  - e. No engine/body dismantling is allowed
8. Automobile towing
  - a. All outside storage must be in rear of the principal structure and enclosed by opaque fence no less than eight (8) feet in height.
9. Bookbinding and related work
10. Carnival, video, horseshow, shooting or athletic event
11. Car wash, automatic, hand car wash, and self service
  - a. Establishment shall provide an oil water separator and a sand trap
  - b. Establishment shall have no more than 4 washing bays
12. Commercial greenhouses or plant nursery
13. Cultural facilities. Art galleries, museums, legitimate theaters, libraries, and other uses similar in character to those listed
14. Drive-in movie theater
  - a. The theater screen and all buildings shall be set back at least fifty (50) feet from any property line.
  - b. Central loudspeakers are prohibited
  - c. The theater screen shall not be visible from an interstate or arterial roadway.
15. Dwellings; residence for watchmen or caretaker employed on premises
16. Education
  - a. College and university
  - b. K-12 private or special
  - c. Technical School
  - d. Vocational school
17. Electric supply store
18. Electric transformer station, gas regulator station and telephone exchange.

19. Farm equipment sales
20. Fuel and ice dealers, manufacturers and wholesalers
21. Food processing plants not to include slaughterhouses
22. Gas station minimart
  - a. All gasoline pumps, tanks and other service facilities shall be set back at least twenty (20) feet from all property lines.
  - b. Canopies over fuel islands shall not encroach within fifteen (15) feet of any property line.
  - c. Minor automobile repair shall be allowed in conjunction with such use provided all such activities shall take place within an enclosed building.
  - d. No outside storage or engine/body dismantling is allowed.
23. Home appliance repair and related service
24. Laundry and dry-cleaning pickup stations.
25. Linen and diaper services, garment pressing, alteration and repair.
29. Light assembly and fabrication. No activity which produces liquid effluent, odor, fumes or dust which can be detected beyond the walls of the building is permitted
30. Lumber, hardware and other building material establishments.
  - a. All outdoor storage must be in the rear of the principal structure and enclosed by opaque fence no less than eight (8) feet in height.
31. Manufacturing, wholesaling, repairing, compounding, assembly, processing, preparation, packaging of treatment articles, foods (smoking, curing and canning), components, products, clothing, machines and appliances and the like, where character of operations, emissions and by-products do not create adverse effects beyond the boundaries of the property
32. Newspaper publishing facilities
33. Office, business
34. Office, professional
35. Paint, glass and wallpaper stores
36. Plumbing and heating equipment dealers
37. Printing, publishing and reproducing establishments
38. Radio and television broadcasting stations
39. Railroad car classification yards and train truck yards
40. Railroad stations for freight
41. Research and experimental testing laboratories including medical and dental laboratories
42. Restaurants, bars grills, taverns, cafés, drive-ins, fast food facilities and similar eating and drinking establishments
  - a. Drive-thru restaurants shall not locate closer than 1,520 feet from another drive-thru restaurant or similar eating or drinking establishment.
  - b. Drive-thru restaurant lanes shall be designed in such a way as to be screened from the public right of way through elevation differences, landscaping, arbors, trellises,

canopies, walls and other architectural features used to reduce the visual presence of drive-thru operations.

c. Drive-thru windows are prohibited on the front of the building directly facing a street frontage.

43. Self-storage mini-warehouse facilities
44. Taxi stands and dispatching agencies
45. Truck terminals
46. Veterinary Clinic/Hospital or Kennel
47. Warehousing and storage
48. Wholesale trade and distribution establishments and warehousing facilities, including offices

**B. ACCESSORY USES.**

1. Accessory uses and structures incidental to any legal permitted use, provided:

- a. Retail sales and services must be conducted and accessed wholly within the building(s) housing the use to which the activities are accessory. Temporary PODS/temporary storage units are intended for a limited period of time and not for permanent storage.
- b. For sale, for rent, or for lease signs are allowed in accordance with Chapter 7, Signs.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the I- District:

1. 10-2089. Alternative Antenna Support Structure
2. 10-2090. Amateur Radio Antenna
3. 10-2091. Antenna, Tower, and Associated Structures (radio, T.V., microwave broadcasting, etc.),
4. 10-2092. Club
5. 10.2094. Driving Range (not associated with a golf course)
6. 10-2095. Electrified Fences
7. 10-2096. Film Production
8. 10-2098. Golf Course
9. 10.2099. Outdoor Event, Small
10. 10-2107. Seasonal Business Use
11. 10-2109. Swimming Pool, Private
12. 10-2111. Temporary Classroom

13. 10-2112. Temporary Structures

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the I-1 District

1. 10-2116. Adult Bookstore
2. 10-2119. Amateur Radio Antenna to Exceed the Administrative Permit Height
3. 10-2121. Antenna Tower, and Associated Structure (radio, T.V., microwave broadcasting, etc.)
4. 10-2124. Cemetery and/or Mausoleum (Human or Pet)
5. 10-2128. Composting
6. 10.2134. Outdoor Event, Large
7. 10-2144. Stadium (Offsite) Associated with a Private School

**E. DEVELOPMENT STANDARDS**

- A. **Height Regulations** - 40 feet
- B. **Minimum Front Yard Setback** - 40 feet
- C. **Minimum Side Yard Setback** - 8 feet
- D. **Minimum Rear Yard Setback** - 30 feet
- E. **Minimum Lot Area** - Per conditions specified
- F. **Minimum Width of Lot Frontage or Width at Building Line** - 30 feet
- G. **Minimum Heated Floor Area Per Unit** - Per conditions specified
- H. **Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

**OTHER REGULATIONS.** The headings below contain provisions applicable to the I-1 District.

Chapter 2 Zoning Regulations  
Chapter 3 Building Code Regulations

- Chapter 4 Subdivision Regulations
- Chapter 5 Flood Damage Prevention
- Chapter 6 Tree Protection and Landscape Ordinance
- Chapter 7 Signs
- Chapter 8 Uniform Roadway Addressing System
- Chapter 9 Condition and Use of Commercial and Industrial Buildings
- Chapter 10 Soil Erosion and Sedimentation Control
- Chapter 11 Stormwater Management
- Chapter 12 Stream Buffer Protection
- Chapter 13 Enterprise Zones
- Chapter 14 Overlay Districts

## **Sec.10-2080. I-2 HEAVY INDUSTRIAL DISTRICT**

**I-2 DISTRICT SCOPE AND INTENT.** Regulations set forth in this Section are the I-2 District regulations. Article D should be consulted to determine uses and minimum standards for uses allowed by Administrative Permit or Use Permit. The I-2 District is to provide for light and heavy manufacturing, processing, assembly, packaging and warehousing operations, free from incompatible residential and commercial activities not directly serving or compatible with the industrial uses in order to achieve a favorable balance of land uses within the city.

**USE REGULATIONS.** Within the I-2 District, land and structures shall be used in accordance with standards herein. Any use not specifically designated as a permitted use in this section or as a use allowed by Administrative Permit or Use Permit shall be prohibited.

A. **PERMITTED USES.** Structures and land may be used for only the following purposes:

Any heavy industrial use provided that all manufacturing, processing, assembly and/or disassembly shall be housed entirely within an enclosed building or buildings. Storage of any accessory materials specifically related to the use shall be housed behind opaque fencing no less than eight (8) feet in height.

1. All uses allowed in I-1
2. Basic wood processing including sawmills, planing mills, veneering and laminating of wood
3. Battery manufacture
4. Blast furnace
5. Boiler works
6. Cement products manufacture and production of ready-mix concrete.
7. Cooperage and bottling works
8. Dry cleaning plants
  - a. Such use shall be at least 300 feet from any property zoned or used for residential properties.
  - b. All applicable state, federal and local codes must be complied with
9. Enameling, galvanizing and electroplating
10. Exterminating facilities
11. Heavy construction contractors
12. Heavy repair services and trade shops
  - a. Such use shall not be permitted within 50 feet of any property used for a school, park, playground or hospital
  - b. All activities shall be carried on entirely within an enclosed building
  - c. Such use shall not be established on a lot which is adjacent to or directly across the street from any single-family residential district



- d. All outdoor storage must be in the rear of the principal structure and enclosed by an opaque fence no less than eight (8) feet in height
- 13. Iron or steel foundry or fabrication plant for heavy castings
- 14. Manufacturing of:
  - a. Acetylene gas
  - b. Acid
  - c. Asphalt
  - d. Bleaching powder
  - e. Brick
  - f. Cement
  - g. Chlorine gas
  - h. Coal tar
  - i. Fertilizers
  - j. Glue
  - k. Gypsum board
  - l. Linoleum
  - m. Mineral dye
  - n. Oil
  - o. Oilcloth
  - p. Paint
  - q. Paper
  - r. Paper pulp
  - s. Patent leather
  - t. Petroleum products
  - u. Pottery
  - v. Shellac
  - w. Terra cotta
  - x. Tile
  - y. Turpentine
  - z. Varnish
  - aa. Yeast
- 15. Outdoor advertising services. Includes construction, repair, and maintenance of outdoor advertising signs
- 16. Removal or extraction of dirt, sand and soil
- 17. Repair services and trade shops, including sheet metal, upholstering, electrical, plumbing, carpentry, sign painting and other similar activities
- 18. Storage of fuels, oils, gases and other combustible materials
- 19. Tar distillation
- 20. Tire retreading and recapping

**B. ACCESSORY USES.**

1. Accessory uses and structures:
  - a. Accessory uses and structures incidental to any permitted use are allowed. Retail sales and services must be conducted and accessed wholly within the building(s) housing the use to which the activities are accessory
  - b. Temporary storage PODS are intended for a limited period of time and not for permanent storage.
  - c. For sale, for rent, or for lease signs are allowed in accordance with Chapter 7, Signs.

**C. USES PERMITTED THROUGH ADMINISTRATIVE PERMIT**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2081 *et seq.* in the I-2 District:

1. 10-2089. Alternative Antenna Support Structure
2. 10-2090. Amateur Radio Antenna
3. 10-2091. Antenna, Tower, and Associated Structures (radio, T.V., microwave broadcasting, etc.),
4. 10-2092. Club
5. 10.2094. Driving Range (not associated with a golf course)
6. 10-2095. Electrified Fences
7. 10-2096. Film Production
8. 10-2098. Golf Course
9. 10-2107. Seasonal Business Use
10. 10-2109. Swimming Pool, Private
11. 10-2111. Temporary Classroom
12. 10-2112. Temporary Structures

**D. USES PERMITTED THROUGH USE PERMIT ONLY**

The following uses may be permitted per the procedures and standards set forth in Article D, Section 10-2115 *et seq.* in the I-2 District

1. 10-2116. Adult Bookstore
2. 10-2118. Adult Entertainment Establishments
3. 10-2119. Amateur Radio Antenna to Exceed the Administrative Permit Height
4. 10-2124. Cemetery and/or Mausoleum (Human or Pet)
5. 10-2128. Composting
6. 10-2131. Landfill, Solid Waste Disposal
7. 10-2132. Lodge, Retreat and/or Campground

8. 10.2134. Outdoor Event, Large
9. 10-2137. Recycling Center, Processing
10. 10-2139. Salvage, Storage, and/or Junk Facility
11. 10-2144. Stadium (Offsite) Associated with a Private School
12. 10-2145. Transfer Station, Solid Waste

**E. DEVELOPMENT STANDARDS.**

- A. **Height Regulations** - 40 feet
- B. **Minimum Front Yard Setback** - 40 feet
- C. **Minimum Side Yard Setback** - 8 feet
- D. **Minimum Rear Yard Setback** - 30 feet
- E. **Minimum Lot Area** - Per conditions specified
- F. **Minimum Width of Lot Frontage or Width at Building Line** - 30 feet
- G. **Minimum Heated Floor Area Per Unit** - Per conditions specified
- H. **Minimum Accessory Structure Requirements**

Accessory structures may be located in the rear or side yards only but shall not be located within a minimum yard.

**OTHER REGULATIONS.** The headings below contain provisions applicable to the I-2 District.

- Chapter 2 Zoning Regulations
- Chapter 3 Building Code Regulations
- Chapter 4 Subdivision Regulations
- Chapter 5 Flood Damage Prevention
- Chapter 6 Tree Protection and Landscape Ordinance
- Chapter 7 Signs
- Chapter 8 Uniform Roadway Addressing System
- Chapter 9 Condition and Use of Commercial and Industrial Buildings
- Chapter 10 Soil Erosion and Sedimentation Control
- Chapter 11 Stormwater Management

Chapter 12 Stream Buffer Protection  
Chapter 13 Enterprise Zones  
Chapter 14 Overlay Districts