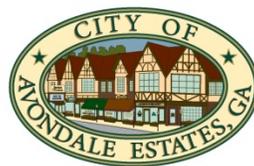
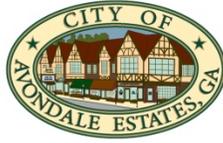


“Western Gateway” Annexation Planning: Phase I (Short-Term) & Phase II (Long-Term)





To: BOMC
From: City Staff
Re: Annexation
Date: April 18th, 2012

In 2012, the City of Avondale Estates and the City of Decatur were approved for annexation along U.S. 278. The borders of each City will meet for the first time. This annexation provides the City of Avondale Estates with a natural western boundary at Sams Crossing. The City plans to address the future development and zoning of this area in two phases. The phases will provide for short-term and long-term planning.

This packet provides you with:

1. Phase I: Short-Term Planning for Annexation
2. Phase II: Long-Term Planning for Annexation Timeline (Community Visioning and Strategic Planning)
3. Copy of the zoning regulations for the C-2 (General Commercial) District and the M (Industrial) District from DeKalb County

Phase I (Short-Term Planning):

Phase I proposes utilizing the Central Business District (CBD) to establish zoning in the area which will be compatible with the uses and design established in the adjacent Central Business District. For the purposes of Article 9 (Table of Permitted and Conditional Uses By District), Area 3 has been chosen. The CBD has been vetted and approved and will provide well established stability for the City as the City embarks on a full scale Community Visioning and Strategic Planning process for the Western Gateway in Phase II.

It is important to note, that if an existing business was conforming and permitted by DeKalb County at the time of annexation, it can continue normal operation as it would in the County, even if the use is not permitted or is a conditional use under the new City zoning category. This use is considered a legal non-conforming use. However, no non-conforming use shall be re-established after discontinuance or abandonment. For more information on non-conforming uses and buildings, refer to Article 10 of the Official Zoning Ordinance.

The attached Phase I spreadsheet provides a list of the annexed parcels and associated data, as well as the County zoning and the proposed zoning. This will help develop zoning recommendations for Phase I.

The City strives to be inclusive in all aspects of City affairs and will work to include the new property owners and business owners. In addition to the required legal advertising requirements afforded by the Zoning Ordinance, the City will make every effort to personally contact our new constituents so they can participate in the conversation and process.

Phase I Annexation Timeline 2012

- April 25th BOMC to hold Special Called Work Session to determine proposed zoning of the newly annexed area for the submittal of the Zoning Application.

NOTE: If only a map amendment is needed, the process can be completed through a resolution. If a map and text amendment is needed, three readings will need to be completed.

- April 26th BOMC submits Zoning Application signed by Mayor to the City.
- Zoning Application will be forwarded to the PZB for the PZB to develop recommendation to the BOMC and must hold Public Hearing.
- May 21st PZB hold Public Hearing and Meeting to develop recommendation of proposed zoning to the BOMC.
- May 23rd PZB delivers recommendation to BOMC at Special Called Work Session.
- May 29th BOMC holds Public Hearing and Special Called Meeting to adopt zoning for new annexed area.

Phase II (Long-Term Planning):

Phase II will provide an opportunity for the new property and business owners as well as residents, current business owners and property owners (known as “community”) to participate in Community Visioning and Strategic Planning. This is long-term planning developed through a scheduled public process. This tool provides the context for community decision making and involvement with extensive study and analysis of the area. Visioning and Strategic Planning assist the community in the formulation of the Comprehensive Plan which will establish land use and policies, among other community focus points. Once completed, the community can re-visit the zoning, established in Phase I, for the area and amend the Zoning Ordinance as needed.

A tentative schedule for community participation has been developed for Phase II and is attached.

Phase I: Short-Term Planning for Annexation



E. College Avenue to Sam's Crossing									
	Parcel ID	Street Address	Property Owner	Current Business	Use	Allowed Use-County	Allowed Use-City	Current Zoning-County	Proposed Zoning-City
1	15 248 16 1	2781 E. College Ave.	Rohrig Inv. LP-Geo. Rohrig	Shell	Gas Station	Yes	No	C-2	CBD-3
2	15 248 15 13	2767 E. College Ave.	Roshan Ent. Inc.	Chevron	Gas Station	Yes	No	C-2	CBD-3
	15 248 15 13	2767 E. College Ave.	Roshan Ent. Inc.	Jax Liquor	Liquor Store-Retail	Yes	Yes	C-2	CBD-3
3	15 248 15 14	2759 E. College Ave.	Parke & Bonnie Kallenberg	Mobeta	Restaurant	Yes	Yes	C-2	CBD-3
4	15 248 15 1	2753 E. College Ave.	Parke & Bonnie Kallenberg	Finders Keepers	Retail	Yes	Yes	C-2	CBD-3
5	15 248 22 6	2774 E. College Ave.	Joseph C. Gargiulo	Yellow House	Unoccupied	N/A	N/A	C-2	CBD-3
6	15 248 22 5	2768 E. College Ave.	Samuel West	Ace & A HVAC	Office	Yes	Yes	C-2	CBD-3
7	15 248 22 4	2760 (2754-2862) E. College Ave.	Panos Investments	Small Strip Ctr.	Retail	Yes	Yes	C-2	CBD-3
	15 248 22 4	2754 E. College Ave.	Panos Investments	Label Discount	Retail	Yes	Yes	C-2	CBD-3

	Parcel ID	Street Address	Property Owner	Current Business	Use	Allowed Use-County	Allowed Use-City	Current Zoning-County	Proposed Zoning-City
	15 248 22 4	2758 E. College Ave.	Panos Investments	Simply Brunch (open next week)	Restaurant-Unknown	If restaurant-yes.	If restaurant-yes.	C-2	CBD-3
	15 248 22 4	2760 E. College Ave.	Panos Investments	Yacine's Braid Solutions	Personal Service	Yes	Cond.	C-2	CBD-3
	15 248 22 4	2762 E. College Ave.	Panos Investments	Stich and Sew	Personal Service	Yes	Cond.	C-2	CBD-3
8	15 248 22 10	2748 E. College Ave.	Joseph C. Gargiulo	Car Care	Auto Service	Yes	No	C-2	CBD-3
9	15 248 22 2	2740 E. College Ave.	Joseph C. Gargiulo	Avondale Ant./Mattress	Retail	Yes	Yes	C-2	CBD-3
10	15 248 22 7	116 Maple St - Duplex	Charles Blalock	Duplex	Duplex	No	Cond.	M	CBD-3
11	15 248 22 8	120 Maple St - Collision	Charles Blalock	Maple Street Collision	Auto Service/Repair	Yes	No	M	CBD-3
12	15 248 22 9	126 Maple St - Collision	Charles Blalock	Maple Street Collision	Auto Service/Repair	Yes	No	M	CBD-3
13	15 248 22 1	134 Maple St	Joseph C. Gargiulo	Former Ready Mix	vacant	N/A	N/A	M	CBD-3
14	15 248 22 12	142 Maple St	Joseph C. Gargiulo	Former Ready Mix	vacant	N/A	N/A	M	CBD-3

	Parcel ID	Street Address	Property Owner	Current Business	Use	Allowed Use-County	Allowed Use-City	Current Zoning-County	Proposed Zoning-City
15	15 248 12 15	2741 E. College Ave.	Joseph C. Gargiulo	Mercedes Repair-Jozef's Mercedes Service	Auto Service/Repair	Yes	No	C-2	CBD-3
16	15 248 12 1	710 Dalerose Ave.	Joseph C. Gargiulo	Unknown	Unknown	N/A	N/A	C-2	CBD-3
17	15 248 11 18	2725 E. College Ave.	Nguyen Tuan V.	Decatur Autotech	Auto Service/Repair	Yes	No	C-2	CBD-3
18	15 248 11 1	2719 E. College Ave.	Waffle House	Waffle House	Museum	Yes	Cond.	C-2	CBD-3
19	15 248 4 16	2730 E. College Ave.	Joseph C. Gargiulo	Coyote's	Restaurant	Yes	Yes	C-2	CBD-3
20	15 248 4 15	2730 E. College Ave.	Joseph C. Gargiulo	Coyote's	Restaurant	Yes	Yes	C-2	CBD-3
21	15 248 4 14	2718 E. College Ave.	Joseph C. Gargiulo	Meade's Doors	Retail	Yes	Yes	C-2	CBD-3
	15 248 4 14	2718 E. College Ave.	Joseph C. Gargiulo	Discount Outlet	Retail	Yes	Yes	C-2	CBD-3
	15 248 4 14	2718 E. College Ave.	Joseph C. Gargiulo	Karma VW & Audi	Auto Service/Repair	Yes	No	C-2	CBD-3
22	15 248 4 11	2702 E. College Avenue	Joseph C. Gargiulo	Vacant	N/A	N/A	N/A	C-2	CBD-3
23	15 248 7 18	2711 E. College Ave.	Joseph C. Gargiulo	P & G Discount Tire Shop	Auto-Retail	Yes	No	C-2	CBD-3

	Parcel ID	Street Address	Property Owner	Current Business	Use	Allowed Use-County	Allowed Use-City	Current Zoning-County	Proposed Zoning-City
	15 248 7 18		Joseph C. Gargiulo	Nanh African Hair Braiding	Personal Service	Yes	Cond.		CBD-3
24	15 248 7 1	2699 E. College	Dekalb County	Lanier Park	Open Space	N/A	Yes	N/A	OS-R

Key: Grey-Staff/Boards and Commissions Green-Public Process/Comment Period	June (2012)	July	August	September	October	November	December	January (2013)	Feb	March	April	May
Public Process for Text and Map Amendments as per Zoning Ordinance												
*This is a draft schedule only. Specific dates and topics may be amended based on community needs.												

<p>Meeting Focus: Each meeting will be designed to have "take-aways", which work toward the development of the vision, goals, objectives and priorities in the Comprehensive Plan (CP) and Short Term Work Program (STWP). The CP will guide the development of zoning for the area as well as future development. The STWP Short will assist staff in the implementation of the Comprehensive Plan.</p>
<p>Public Meeting #1- Introduction and SWOT: This meeting will introduce and explain comprehensive planning and zoning as well as provide an analysis of the area. Meeting participants will engage in a SWOT (Strengths, Weaknesses, Opportunities and Threats) exercise to start thinking critically about the area and determining what is there, what is desired and the roadblocks to implementation. This will also be the first stage in the development of a "vision" for the area and establishing objectives, goals and policies which will be developed throughout the process and integrated into the final report.</p>
<p>Public Meeting #2- Land Use/Development-Redevelopment: This meeting will work off of the information gathered at meeting #1 and continue the discussion about the preferred land uses in the area as well as development and redevelopment opportunities. The meeting participants will participate in an exercise to determine appropriate land uses in the area based on the annexed property.</p>
<p>Public Meeting #3-Economic Development: This meeting will work off of the information gathered at meeting #1 and #2 and provide an explanation of available economic incentives to spur development/redevelopment. Examples will be given to illustrate. This meeting will be less interactive but the participants will be able to assist staff in the development of economic development goals, objectives and priorities which will be integrated into the Comprehensive Plan.</p>
<p>Public Meeting #4-Transportation: This meeting will focus on transportation in the area. As with the others, the topic will be discussed utilizing the information gathered from meetings #1-#3. Existing transportation conditions will be discussed as well as proposed transportation projects. The public will be able to voice their opinion on future transportation needs and priorities. An exercise may be added to this meeting to determine streetscape treatment at Sams Crossing and in the corridor.</p>
<p>Public Meeting #5-Architecture and Design: This meeting will also utilize all the information gathered in the prior meetings. As important as use, the architecture and design of a site impacts the success of development. An interactive exercise, which will include a visual preference survey or visualization, will gather community preferences which will guide the development or amendment of the ARB Design Guidelines and zoning regulations.</p>
<p>Public Meetings #6 (Present and Discuss Final Report) & #7 (Present and Discuss Zoning Recommendations) will be presentation, discussion and question oriented with no planned exercise.</p>

DeKalb County, Georgia, Code of Ordinances >> - CODE OF DEKALB COUNTY AS REVISED, 1988 >> Chapter 27 - ZONING >> ARTICLE II. - DISTRICT REGULATIONS >> DIVISION 27. - M (INDUSTRIAL) DISTRICT >>

DIVISION 27. - M (INDUSTRIAL) DISTRICT

Sec. 27-616. - Scope of provisions.

Sec. 27-617. - Statement of purpose and intent.

Sec. 27-618. - Principal uses and structures.

Sec. 27-619. - Accessory uses and structures.

Sec. 27-620. - Special permits.

Sec. 27-621. - Lot width; lot area; setbacks.

Sec. 27-622. - Transitional buffer zone requirement.

Sec. 27-623. - Lot coverage.

Sec. 27-624. - Height of buildings and structures.

Sec. 27-625. - Off-street parking requirement.

Sec. 27-626. - Noise limitations.

Sec. 27-627. - Landscaping requirement for parking lots.

Secs. 27-628—27-635. - Reserved.

Sec. 27-616. - Scope of provisions.

The provisions contained within this section are the regulations of the M (Industrial) District.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-617. - Statement of purpose and intent.

The purpose and intent of the board of commissioners in establishing the M (Industrial) District is as follows:

- (a) To provide areas for the establishment of businesses engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment and the sale and distribution of such goods, merchandise or equipment in locations so designated in the comprehensive plan;
- (b) To assure that all establishments located within the M (Industrial) District operate in compliance with the noise standards contained in this chapter and that any negative noise impact resulting from the use of land within the M (Industrial) District is contained within the boundaries of said district and does not create noise problems for adjoining residential, office or commercial districts;
- (c) To assure that M (Industrial) districts are so located that transportation access to major thoroughfares and freeways is available.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-618. - Principal uses and structures.

The following principal uses of land and structures shall be authorized in the M (Industrial) District:

- (a) Agriculture and forestry uses as follows:
 - (1) Agricultural produce stand.
 - (2) Commercial greenhouse or plant nursery.
 - (3) Dairy.
 - (4) Field crops, production of.
 - (5) Fruits, tree nuts, and vegetables, production of.
 - (6) Livestock.
 - (7) Temporary or portable sawmills.
- (b) Animal care facilities as follows:
 - (1) Animal hospital and veterinary clinic.
 - (2) Boarding and breeding kennel.
 - (3) Dog grooming shop.
- (c) Automotive and boat and trailer sales and service uses as follows:
 - (1) Automobile and truck sales establishment.
 - (2) Automobile parking lots or parking garages, commercial.
 - (3) Automobile repair and paint shop.
 - (4) Automobile service station.
 - (5) Automobile, truck, and trailer lease and rental establishment.
 - (6) Automobile, truck, and trailer lease and rental establishment, as an accessory use to an automobile service station.
 - (7) Automobile upholstery shop.
 - (8) Automobile wash service.
 - (9) Boat sales establishment.
 - (10) Minor automobile repair and maintenance shop.
 - (11) Retail automobile parts and tire store.
 - (12) Tire retreading and recapping establishment.

- (13) Trailer salesrooms and sales lot.
- (d) Building materials and farm equipment establishments as follows:
 - (1) Electrical supply store.
 - (2) Farm equipment establishment.
 - (3) Lumber, hardware, and other building materials establishment.
 - (4) Paint, glass, and wallpaper store.
 - (5) Plumbing and heating equipment dealer.
- (e) Check cashing establishment.
- (f) Child day care center.
- (g) Commercial recreation and entertainment establishments as follows:
 - (1) Adult entertainment establishments. (See also section 27-732).
 - (2) Adult service facilities.
 - (3) Recreational facilities and entertainment activities carried on wholly within permanently enclosed buildings.
- (h) Communications facilities as follows:
 - (1) Radio and television broadcasting station.
 - (2) Telephone business office.
- (i) Community facilities as follows:
 - (1) Golf course and clubhouse, private.
 - (2) Neighborhood recreation center or swimming pool.
 - (3) Noncommercial club or lodge.
 - (4) Fraternal club or lodge.
 - (5) Utility structure necessary for the transmission or distribution of service (section 27-770).
- (j) Construction contractors as follows:
 - (1) General building contractor.
 - (2) Heavy construction contractor.
 - (3) Special trade contractor.
- (k) Education:
 - (1) College and university industry-associated research and training facilities.
 - (2) Vocational school.
 - (3) Private elementary, middle, or high school.
- (l) Late-night establishment, unless the late-night establishment is located at or within one thousand five hundred (1,500) feet of any land zoned for residential use in which case a special permit shall be required.
- (m) Nightclub, unless the late-night establishment is located at or within one thousand five hundred (1,500) feet of any land zoned for residential use in which case a special permit shall be required.
- (n) Lodging uses as follows:
 - (1) Hotel.
 - (2) Motel.
- (o) Manufacturing, as follows:
 - (1) Light malt beverage manufacturer.
 - (2) Light manufacturing establishment.
- (p) Places of worship.
- (q) Printing establishments, as follows:
 - (1) Bookbinding and related establishments.
 - (2) Photoengraving, typesetting, electrotyping and stereotyping.
 - (3) Publishing and printing establishment.
- (r) Restaurant, drive through.
- (s) Restaurant where accessory to a motel.
- (t) Retail trade establishments, as follows:
 - (1) Accessory retail sales and services.
 - (2) Fuel and ice dealers, manufacturers and wholesalers.
 - (3) Incidental retail sales of goods produced and processed on the premises.
 - (4) Retail liquor store, as accessory use to hotel, motel, and high-rise office building.
- (u) Services, personal, as follows:
 - (1) Barbershop and beauty shop.
 - (2) Business service establishment.
 - (3) Dry cleaning plant.
 - (4) Funeral home.
 - (5) Laundry and dry cleaning pickup station.
 - (6) Linen and diaper service, garment pressing, alteration and repair.
 - (7) Miscellaneous personal services.
 - (8) Outdoor advertising services.
 - (9) Power laundries.
 - (10) Research and testing facilities and laboratories.

The following requirements shall apply to all lots and structures in the M (Industrial) District:

- (a) *Lot width:* All lots shall have at least one hundred (100) feet of frontage as measured along the public street frontage.
- (b) *Minimum lot area:* Thirty thousand (30,000) square feet.
- (c) *Minimum setback requirements:*
 - (1) *From public street:*
 - a. *Front yard:* Seventy-five (75) feet.
 - b. *Side yard:* Twenty (20) feet, except where transitional buffer zone is required.
 - (2) *Rear yard:* Thirty (30) feet, except where transitional buffer zone is required.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-622. - Transitional buffer zone requirement.

Where a lot in the M (Industrial) District adjoins the boundary of any property which is zoned for any R classification, RM classification, MHP classification, or TND classification, a transitional buffer zone not less than seventy-five (75) feet in width shall be provided and maintained in a natural state. Said transitional buffer zone shall not be paved and shall not be used for parking, loading, storage or any other use, except where necessary to grade or modify a portion of the transitional buffer zone for the installation of utilities necessitated by the development. Water detention ponds shall not be located within transitional buffer zones. No trees, other than dead or diseased trees, shall be removed from said transitional buffer zone, but additional trees and plant material may be added to the transitional buffer zone. In addition, a screening fence not less than six (6) feet in height shall be erected and maintained either along the property line or within the transitional buffer zone separating the use from the adjoining residential use.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-623. - Lot coverage.

The lot coverage of each lot shall not exceed eighty (80) percent.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-624. - Height of buildings and structures.

No building or structure shall exceed five (5) stories in height. Buildings exceeding five (5) stories in height shall be permitted only upon approval of a special land use permit by the board of commissioners.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-625. - Off-street parking requirement.

Off-street parking requirements for uses and structures authorized and permitted in the M (Industrial) District are as follows:

- (a) *Adult entertainment establishments and adult service facilities:* One (1) parking space for each seventy-five (75) square feet of floor area in the building. (See section 27-732, Adult entertainment establishments).
- (b) *Ambulance services, delivery services and other similar services:* One (1) parking space for each vehicle plus one (1) additional space for each two (2) administrative or service employees.
- (c) *Automobile repair garages:* One (1) space for each one hundred fifty (150) square feet of floor space.
- (d) *Automobile service stations:* Three (3) spaces for each service bay, with minimum of ten (10) squares required.
- (e) *Bowling alleys:* Five (5) spaces for each alley.
- (f) *Child day care centers:* One (1) space for each two hundred (200) square feet of floor area.
- (g) *Funeral homes and other places of assembly:* One (1) space for each three (3) seats in the main auditorium, or, where fixed seats are not utilized, one (1) space for each twenty-five (25) square feet of floor space in the largest assembly room utilized for seating.
- (h) *Hotels and motels:* One and twenty-five hundredths (1.25) spaces for each unit.
- (i) *Industrial, manufacturing, and commercial establishments not involving retail sales:* One (1) space for each two thousand (2,000) square feet of floor area.
- (j) *Late-night establishment:* One (1) space for each seventy-five (75) square feet of floor area, but not less than ten (10) spaces.
- (k) *Nightclub:* One (1) space for each seventy-five (75) square feet of floor area, but not less than ten (10) spaces.
- (l) *Lodges, fraternal or social organizations:* One (1) space for each one hundred (100) square feet of floor area.
- (m) *Nursing care facilities, and similar institutional uses:* One (1) space for each two (2) beds.
- (n) *Offices and clinics:* One (1) space for each two hundred fifty (250) square feet of floor area.
- (o) *Place of worship:* One (1) space for each three (3) seats in the main auditorium, or, where fixed seats are not utilized, one (1) space for each twenty-five (25) square feet of floor space in the largest assembly room utilized for public worship.
- (p) *Public swimming pools, golf courses, neighborhood recreation centers, or similar uses:* Twenty (20) spaces except that an eighteen-hole golf course shall have forty (40) spaces.
- (q) *Private swimming pools, golf courses, neighborhood recreation centers, or similar uses:* One (1) space for each five (5) members but no less than twenty (20) spaces except that golf courses shall provide a minimum of twenty (20) spaces for each nine (9) holes.
- (r) *Recreational facilities:*
 - (1) *Fixed seating:* One (1) space for each two hundred (200) square feet of floor area.
 - (2) *With fixed seating:* One (1) space for each three (3) seats.
- (s) *Restaurants:* One (1) space for each seventy-five (75) square feet of floor area, but not less than ten (10) spaces.
- (t)

Restaurants, drive-through, without seating area for patrons: One (1) space for each one hundred (100) square feet of floor area, but not less than ten (10) spaces.

- (u) *Retail uses, personal service uses, and other commercial and general business uses:* Five and five-tenths (5.5) spaces for each one thousand (1,000) square feet of floor area.
- (v) *Schools, private elementary and middle:* Two (2) spaces for each classroom.
- (w) *Schools, private high:* Five (5) spaces for each classroom.
- (x) *Schools and colleges, including trade and vocational schools:* Ten (10) spaces for each classroom.
- (y) *Temporary outdoor social, religious, entertainment or recreation activity or flea market:* One (1) space for each one hundred (100) square feet of space used for such activity.
- (z) *Wholesale or jobbing establishments and similar uses:* One (1) space for each two hundred (200) square feet of floor area devoted to sales or display plus one (1) space for each two thousand (2,000) square feet of gross storage area.

(Ord. No. 99-11, Pt. 1, 4-13-99; Ord. No. 08-23, Pt. I, 11-18-08)

Sec. 27-626. - Noise limitations.

All uses authorized and permitted within the M (Industrial) District shall operate in compliance with the noise limitation requirements contained in section 27-762 of this chapter.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-627. - Landscaping requirement for parking lots.

See section 27-753, Landscaping requirements for parking lots.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Secs. 27-628--27-635. - Reserved.

DeKalb County, Georgia, Code of Ordinances >> - CODE OF DEKALB COUNTY AS REVISED, 1988 >>
Chapter 27 - ZONING >> ARTICLE II. - DISTRICT REGULATIONS >> DIVISION 26. - C-2 (GENERAL
COMMERCIAL) DISTRICT >>

DIVISION 26. - C-2 (GENERAL COMMERCIAL) DISTRICT

Sec. 27-596. - Scope of provisions.

Sec. 27-597. - Statement of purpose and intent.

Sec. 27-598. - Principal uses and structures.

Sec. 27-599. - Accessory uses and structures.

Sec. 27-600. - Special permits.

Sec. 27-601. - Lot width; lot area; setbacks.

Sec. 27-602. - Transitional buffer zone requirement.

Sec. 27-603. - Height of buildings and structures.

Sec. 27-604. - Off-street parking requirements.

Sec. 27-605. - Lot coverage.

Sec. 27-606. - Landscaping requirement for parking lots.

Secs. 27-607—27-615. - Reserved.

Sec. 27-596. - Scope of provisions.

The provisions contained within this section are the regulations of the C-2 (General Commercial) District.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-597. - Statement of purpose and intent.

The purpose and intent of the board of commissioners in establishing the C-2 (General Commercial) District is as follows:

- (a) To provide convenient general business and commercial service areas within the county for all residents;
- (b) To provide for the development of new general commercial districts where so designated on the comprehensive plan;
- (c) To assure that the uses authorized within the C-2 (General Commercial) District are those uses which are designed to serve the general business and commercial service needs of the county.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-598. - Principal uses and structures.

The following principal uses of land and structures shall be authorized in the C-2 (General Commercial) District:

- (a) Animal hospital, veterinary clinic, pet supply store, animal grooming shop, and boarding and breeding kennel.
- (b) Art gallery and art supply store.

- (c) Automobile, boat, and trailer sales and service as follows:
 - (1) Automobile and truck sales.
 - (2) Automobile repair and paint shop.
 - (3) Automobile service station.
 - (4) Automobile, truck, and trailer lease and rentals.
 - (5) Automobile, truck, and trailer lease and rentals as accessory to an automobile service station.
 - (6) Automobile upholstery shop.
 - (7) Automobile wash service.
 - (8) Boat sales.
 - (9) Minor automobile repair and maintenance.
 - (10) Retail automobile parts and tire store.
 - (11) Storage yard for damaged automobiles or confiscated automobiles.
 - (12) Tire retreading and recapping.
 - (13) Trailer salesroom and sales lot.
- (d) Bank, credit union and other similar financial institution.
- (e) Check cashing establishment.
- (f) Commercial recreation and entertainment:
 - (1) Adult entertainment establishments. (See also section 27-732).
 - (2) Adult service facility.
 - (3) Bowling alley.
 - (4) Drive-in theater.
 - (5) Go-cart concession.
 - (6) Golf course.
 - (7) Golf driving range or batting cage facility.
 - (8) Miniature golf course.
 - (9) Movie theater.
 - (10) Recreation grounds and facilities.
 - (11) Recreational facilities carried on wholly within a permanently enclosed building.
 - (12) Tennis center, club and facilities.
- (g) Communications uses, as follows:
 - (1) Radio and television broadcasting station.
 - (2) Telephone business office.
- (h) Community facilities, as follows:
 - (1) Cultural facilities.
 - (2) Noncommercial club or lodge.
 - (3) Fraternal club or lodge.
 - (4) Utility structure necessary for the transmission or distribution of service (section 27-770).
- (i) Construction contractors, as follows:
 - (1) General building contractor.
 - (2) Heavy construction contractor.
 - (3) Special trade contractor.

- (j) Dwellings, as follows:
 - (1) Shelter for homeless persons.
 - (2) Transitional housing facility.
- (k) Education uses as follows:
 - (1) Vocational school.
 - (2) Private elementary, middle or high school.
 - (3) Specialized non-degree schools.
- (l) Late-night establishment, unless the late-night establishment is located at or within one thousand five hundred (1,500) feet of any land zoned for residential use in which case a special permit shall be required.
- (m) Nightclub, unless the late-night establishment is located at or within one thousand five hundred (1,500) feet of any land zoned for residential use in which case a special permit shall be required.
- (n) Loading, as follows:
 - (1) Hotel.
 - (2) Motel.
- (o) Manufacturing uses, as follows:
 - (1) Light malt beverage manufacturer.
 - (2) Light manufacturing establishment.
- (p) Office uses as follows:
 - (1) Accounting office.
 - (2) Engineering and architectural office.
 - (3) Financial services office.
 - (4) Insurance office.
 - (5) Legal office.
 - (6) Medical office.
 - (7) Real estate office.
- (q) Pawn shop.
- (r) Place of worship.
- (s) Printing establishments, as follows:
 - (1) Bookbinding and related work.
 - (2) Photoengraving, typesetting, electrotyping and stereotyping.
 - (3) Publishing and printing establishment.
- (t) Restaurant, drive-through restaurant facilities, and restaurant accessory to a motel.
- (u) Retail sales as follows:
 - (1) Apparel and accessories store.
 - (2) Book, greeting card, and stationery store.
 - (3) Camera and photographic supply store.
 - (4) Commercial greenhouse or plant nursery.
 - (5) Convenience store.
 - (6) Farm and garden supply store.
 - (7) Florist.
 - (8) Food stores including bakeries.
 - (9) Fuel dealers, manufacturers and wholesalers.

- (10) Furniture, home furnishings and equipment store.
 - (11) General merchandise store.
 - (12) Gift, novelty, and souvenir store.
 - (13) Hardware store.
 - (14) Hobby, toy and game store.
 - (15) Jewelry store.
 - (16) Music and musical equipment store.
 - (17) News dealer and newsstand.
 - (18) Office supplies and equipment store.
 - (19) Pharmacy and drug store.
 - (20) Quick copy printing store.
 - (21) Retail liquor store, both independent stores and stores accessory to hotels, motels and high-rise office buildings.
 - (22) Shopping center.
 - (23) Specialty store.
 - (24) Sporting goods and bicycle sales.
 - (25) Variety store.
 - (26) Video tape sales and rental store.
- (v) Services, personal, as follows:
- (1) Barbershop, beauty shop, and similar personal service establishments.
 - (2) Business service establishment.
 - (3) Coin-operated laundry and dry-cleaning store and pickup station.
 - (4) Dry-cleaning plant.
 - (5) Funeral home.
 - (6) Linen and diaper service, garment pressing, alteration and repair.
 - (7) Outdoor advertising service.
 - (8) Personal care home, congregate.
 - (9) Personal care home, family.
 - (10) Personal care home, group.
 - (11) Personal care home, registered.
 - (12) Photographic studios.
- (w) Services, repair, as follows:
- (1) Heavy repair service and trade shop.
 - (2) Home appliance repair and related service.
 - (3) Jewelry repair store.
 - (4) Radio, television and home electronic repairs.
 - (5) Shoe repair store.
 - (6) Upholstery, furniture and major appliance repair.

(Ord. No. 99-11, Pt. 1, 4-13-99; Ord. No. 00-04, Pt. 1, § XXXIII, XXXIV, 1-25-00; Ord. No. 08-23, Pt. I, 11-18-08)

Sec. 27-599. - Accessory uses and structures.

The following accessory uses of land and structures shall be authorized in the C-2 (General Commercial) District:

- (a) Accessory uses and structures incidental to any authorized use.
- (b) Signs and outdoor advertising in accordance with the provisions of Chapter 21 and this chapter.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-600. - Special permits.

The following uses and structures shall be authorized only by permits of the type indicated:

- (a) *Special administrative permit from director of public works:*
 - (1) Telecommunications tower or antenna, subject to requirements of section 27-779
 - (2) Temporary outdoor sales of merchandise.
 - (3) Art shows, carnival rides and special events of community interest (section 27-747(a)).
 - (4) Rodeos, horse shows, carnivals, athletic events and community fairs (section 27-747(b)).
 - (5) Temporary outdoor social, religious, entertainment or recreation activity where the time period does not exceed fourteen (14) days duration, adequate parking is provided on the site, and where the same lot or any portion thereof is so used for no more than one (1) such fourteen-day time period within any calendar year.
- (b) *Special exception permit from the zoning board of appeals:* None.
- (c) *Special land use permit from board of commissioners:*
 - (1) Buildings in excess of two (2) stories in height.
 - (2) Temporary outdoor sales, seasonal.
 - (3) Late-night establishment where located at or within one thousand five hundred (1,500) feet of any land zoned for residential use.
 - (4) Nightclub where located at or within one thousand five hundred (1,500) feet of any land zoned for residential use.
 - (5) Crematory, but only as an accessory use to a funeral home.

(Ord. No. 99-11, Pt. 1, 4-13-99; Ord. No. 08-23, Pt. I, 11-18-08; Ord. No. 10-14, Pt. I, 7-29-10)

Sec. 27-601. - Lot width; lot area; setbacks.

The following requirements shall apply to all lots and structures in the C-2 (General Commercial) District:

- (a) *Lot width:* All lots shall have at least one hundred (100) feet of frontage as measured along the public street frontage.
- (b) *Minimum lot area:* Thirty thousand (30,000) square feet.
- (c) *Minimum setback requirements:*
 - (1) *From public street:*
 - a. *Front yard setback:* Seventy-five (75) feet.
 - (2) *Interior side yard:* Twenty (20) feet, five (5) feet of which shall be planted and landscaped.

(3) *Rear yard:* Thirty (30) feet.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-602. - Transitional buffer zone requirement.

Where a lot in the C-2 (General Commercial) District adjoins the boundary of any property which is zoned for any R classification, RM classification, MHP classification, or TND classification, a transitional buffer zone not less than fifty (50) feet in width shall be provided and maintained in a natural state. Said transitional buffer zone shall not be paved and shall not be used for parking, loading, storage or any other use, except where necessary to grade or modify a portion of the transitional buffer zone for the installation of utilities necessitated by the development. Water detention ponds shall not be located within transitional buffer zones. No trees, other than dead or diseased trees, shall be removed from said transitional buffer zone, but additional trees and plant material may be added to the transitional buffer zone. In addition, a screening fence not less than six (6) feet in height shall be erected and maintained either along the property line or within the transitional buffer zone separating the use from the adjoining residential use.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-603. - Height of buildings and structures.

The maximum height of any building or structure shall not exceed two (2) stories and thirty-five (35) feet. Buildings exceeding two (2) stories in height shall be permitted only upon approval of a special land use permit by the board of commissioners. Buildings in excess of three (3) stories must be approved by the department of fire and rescue services to assure adequacy of fire protection facilities and services.

(Ord. No. 99-11, Pt. 1, 4-13-99; Ord. No. 00-77, Pt. 1, § II, 8-22-00; Ord. No. 11-02, Pt. I, § 6, 11-27-01)

Sec. 27-604. - Off-street parking requirements.

Off-street parking requirements for uses and structures authorized and permitted in the C-2 (General Commercial) District are as follows:

- (a) *Adult entertainment establishments and adult service facilities:* One (1) parking space for each seventy-five (75) square feet of floor area in the building.
- (b) *Automobile repair garage:* One (1) space for each one hundred fifty (150) square feet of floor space.
- (c) *Automobile service station:* Three (3) spaces for each service bay, with minimum of ten (10) squares required.
- (d) *Bowling alley:* Five (5) spaces for each alley.
- (e) *Food store:* One (1) space for each one hundred (100) square feet of floor space.
- (f) *Hotel and motel:* One and twenty-five one-hundredths (1.25) spaces for each unit.
- (g) *Late-night establishment:* One (1) space for each seventy-five (75) square feet of floor area, but not less than ten (10) spaces.
- (h) *Nightclub:* One (1) space for each seventy-five (75) square feet of floor area, but not less than ten (10) spaces.
- (i) *Lodge, fraternal or social organization:* One (1) space for each one hundred (100) square feet of floor area.

- (j) *Office and clinic*: One (1) space for each two hundred fifty (250) square feet of floor area.
- (k) *Place of worship*: One (1) space for each three (3) seats in the main auditorium, or, where fixed seats are not utilized, one (1) space for each twenty-five (25) square feet of floor space in the largest assembly room utilized for public worship.
- (l) *Public swimming pool, golf course, neighborhood recreation center, or similar use*: Twenty (20) spaces except that an eighteen-hole golf course shall have forty (40) spaces.
- (m) *Private swimming pool, golf course, neighborhood recreation center, or similar use*: One (1) space for each five (5) members but no less than twenty (20) spaces except that golf courses shall provide a minimum of twenty (20) spaces for each nine (9) holes.
- (n) *Recreational facilities*:
 - (1) *Without fixed seating*: One (1) space for each two hundred (200) square feet of floor area.
 - (2) *With fixed seating*: One (1) space for each three (3) seats.
- (o) *Restaurant*: One (1) space for each seventy-five (75) square feet of floor area, but not less than ten (10) spaces.
- (p) *Restaurant, drive-through, without seating area for patrons*: One (1) space for each one hundred (100) square feet of floor area, but not less than ten (10) spaces.
- (q) *Retail uses, personal service uses, and other commercial and general business uses, but not including food stores*: Five and five-tenths (5.5) spaces for each one thousand (1,000) square feet of floor area.
- (r) *School, private elementary and middle*: Two (2) spaces for each classroom.
- (s) *School, private high*: Five (5) spaces for each classroom.
- (t) *Schools and colleges, including trade and vocational schools*: Ten (10) spaces for each classroom.
- (u) *Shopping center*: Five and five-tenths (5.5) spaces for each one thousand (1,000) square feet of floor area.
- (v) *Theater, auditorium, funeral home, gymnasium, stadium and other places of assembly*: One (1) space for each three (3) seats in the main auditorium, or, where fixed seats are not utilized, one (1) space for each twenty-five (25) square feet of floor space in the largest assembly room utilized for seating.
- (w) *Temporary outdoor social, religious, entertainment or recreation activity or flea market*: One (1) space for each one hundred (100) square feet of space used for such activity.

(Ord. No. 99-11, Pt. 1, 4-13-99; Ord. No. 08-23, Pt. 1, 11-18-08)

Sec. 27-605. - Lot coverage.

The lot coverage of each lot shall not exceed eighty (80) percent.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Sec. 27-606. - Landscaping requirement for parking lots.

See section 27-753, Landscaping requirements for parking lots.

(Ord. No. 99-11, Pt. 1, 4-13-99)

Secs. 27-607—27-615. - Reserved. 