

16-4.2 **Accessory Apartments, Attached.** In zoning districts where permitted, attached accessory apartments shall meet the following requirements:

- (A) Only one attached accessory apartment shall be permitted on a lot, and an accessory apartment shall not be permitted in conjunction with a home occupation, professional home office, detached accessory apartment, or manufactured/mobile home permitted under hardship conditions.
- (B) One additional off-street parking space is required, which must be located in a side or rear yard.
- (C) At least four hundred (400) square feet of heated floor area shall be provided per occupant. The heated floor area for an accessory apartment shall be at least 400 square feet and shall not exceed 1,000 square feet or the size of the principal dwelling, whichever is less.
- (D) The entrance to the accessory apartment shall be from a rear or side yard and shall not face the street to which the principal dwelling is oriented.
- (E) Any additions to accommodate accessory apartments shall have exterior finishes or architectural treatments (e.g., brick, wood, stucco, etc.) of an appearance substantially similar to those on the principal dwelling.
- (F) The Forsyth County Health Department must certify that existing or proposed water, sanitary sewer, and/or septic tank facilities are adequate to serve both the principal dwelling and the accessory apartment.
- (G) The addition of an attached accessory apartment shall not count in density calculations.

16-4.3 **Accessory Apartments, Detached.** In zoning districts where permitted, detached accessory apartments shall meet the following requirements:

- (A) Only one detached accessory apartment shall be permitted on a lot, and a detached accessory apartment shall not be permitted in conjunction with a home occupation, professional home office, attached accessory apartment, or manufactured home permitted under hardship conditions.
- (B) One additional off-street parking space is required, which must be located in a side or rear yard.
- (C) At least four hundred (400) square feet of heated floor area shall be provided per occupant. The heated floor area for an accessory apartment shall be at least 400 square feet and shall not exceed 1,000 square feet or the size of the principal dwelling, whichever is less.
- (D) The entrance to the accessory apartment shall be from a rear or side yard and shall not face the street to which the principal dwelling is oriented.
- (E) Any additions to accommodate accessory apartments shall have exterior finishes or architectural treatments (e.g., brick, wood, stucco, etc.) of an appearance substantially similar to those on the principal dwelling.
- (F) The Forsyth County Health Department must certify that existing or proposed water, sanitary sewer, and/or septic tank facilities are adequate to serve both the principal dwelling and the accessory apartment.
- (G) If the detached accessory apartment is a manufactured home, then it must meet applicable requirements for manufactured homes as specified in this chapter.
- (H) Unless incorporated into an existing accessory structure (e.g., garage), detached accessory apartments shall be allowed in rear yards only.
- (I) The addition of a detached accessory apartment shall count in density calculations.

16-4.4 **Vehicle Sales Dealership or Vehicle Rental Establishments.** Establishments that sell, rent, or lease vehicles must provide parking specifically identified and devoted to customers. Adequate space must be allocated, specifically identified, and reserved on the site for the unloading of vehicles brought to the site by car carriers. It shall be a violation to park vehicles for sale, rent, or lease in customer parking or unloading areas. When abutting a residential zoning district or office residential district, vehicle sales dealerships or vehicle rental establishments require submittal and approval of a photometric plan for lighting to ensure compatibility with adjacent land uses. Outside loudspeakers shall not be permitted.

~~16-4.5 **Churches, Temples, Synagogues, and Places of Worship.** 16-4.5 Prior to development of any associated accessory uses, approval of the site plan must be granted by the Board of Commissioners. For those accessory uses requiring sketch plat approval per Article V of Chapter 8 of this Code, the Board of Commissioners shall conduct the required public hearing. The director shall schedule the matter with the Board of Commissioners within 60 days of the receipt of the sketch plat application. If the accessory use is a school, a conditional use permit must be obtained.~~

~~16-4.5A~~ **Commercial Athletic Fields, Outdoor.**

- (A) Outdoor lighting for outdoor commercial athletic fields shall:

another individual once the condition justifying the hardship condition is alleviated. The director shall order the removal of a manufactured/mobile home in cases where the director finds that no hardship continues to exist, or the unit is no longer occupied by an elderly relative, in which case the owner of real property shall within thirty (30) days remove the manufactured/mobile home from the lot.

16-4.20 **Outdoor Lighting.** Outdoor lighting shall be designed to provide the minimum lighting necessary to ensure adequate safety, night vision, and comfort, and not create or cause excessive glare onto adjacent properties and public street right-of-way.

(A) **Fixture Type.**

- (1) Commercial and Industrial Zoning Districts. All outdoor lighting shall be Full Cutoff Fixtures except the following:
 - (a) Pedestrian light fixtures fourteen (14) feet in height or less may be Cutoff or Semi-Cutoff Fixtures.
 - (b) Uplighting of flags, steeples, monuments, buildings and landscaping must use narrow beam, shielded luminaries. Illuminance at the level of the illuminated object shall not exceed ten (10) foot-candles.
- (2) Residential and Agricultural Zoning Districts. All street lights shall be Full Cutoff, Cutoff or Semi-Cutoff Fixtures.

(B) **Light Spillage.**

- (1) Commercial and Industrial Zoning Districts. Outdoor lighting shall be designed so as to minimize light spillage to not more than one (1) foot-candle along any residential or agricultural property line and two (2) foot-candles at any public street right-of-way, commercial, or industrial property line.
- (2) Residential and Agricultural Zoning Districts. Street lights, amenity area lighting, and lighting for non-residential uses shall be designed so as to minimize light spillage along the exterior of the development to not more than one (1) foot-candle along any residential or agricultural property line and two (2) foot-candles at any public street right-of-way, commercial, or industrial property line.

(C) **Height.**

- (1) Commercial and Industrial Zoning Districts. Outdoor lighting in commercial and industrial zoning districts shall be limited to thirty-five (35) feet in overall height except under the following conditions when such lighting shall be limited to twenty-five (25) feet in overall height:
 - (a) Project adjacent to residential and/or agricultural property.
 - (b) Project contains both commercial and residential uses.
- (2) Residential and Agricultural Zoning Districts. Street lights shall be limited to twenty (20) feet in height.

~~16-4.21~~ **Places of Worship.** Prior to development of any associated accessory uses, approval of the site plan must be granted by the Board of Commissioners. For those accessory uses requiring sketch plat approval per Article V of Chapter 8 of this Code, the Board of Commissioners shall conduct the required public hearing. The director shall schedule the matter with the Board of Commissioners within 60 days of the receipt of the sketch plat application. If the accessory use is a school, a conditional use permit must be obtained.

~~16-4.21~~ ~~16-4.22~~ **Poultry Houses.** In the A1, Agricultural District, poultry houses shall be setback a minimum of one hundred (100) feet from any property line.

~~16-4.22~~ ~~23~~ **Sand Dredging Within Creek Banks.** The process of removing sand by pump action between the established banks of streams and creeks shall be allowed between the established banks of such waterways within all use districts in Forsyth County; provided, however, that written permission of the landowner is obtained from Forsyth County and the Georgia Department of Natural Resources, Environmental Protection Division; and, provided further, that all other necessary permits are obtained prior to the commencement of the operation.

~~16-4.23~~ ~~24~~ **Self-Service Storage.**

- (A) **Area.** The minimum lot size for a self-service storage development shall be two acres, and the maximum developed area for a self-service storage development shall be four acres.
- (B) **Storage Unit Specifications and Uses.** Individual storage units shall not exceed eight hundred (800) square feet and may not be used for the storage of hazardous materials or toxic substances. The use of individual storage units for living, sales, or hobbies is prohibited. No individual self-service storage

building shall be more than two hundred (200) feet long. In the Heavy Commercial (HC) and Business Park (BP) districts, self-service storage developments are limited to single-story buildings. Multi-story buildings are permitted for self-service storage developments in the Highway Business (HB) Commercial Business District (CBD) district, the Restricted Industrial District (M1), and the Heavy Industrial District (M2).

- (C) **Access.** Access to self-service storage developments is limited to passenger vehicles and two-axle trucks (no semis are permitted). Interior drives between buildings shall be a minimum of twenty (20) feet wide.
- (D) **Right-of-way Screening Required.** Fencing adjacent to a public right-of-way shall be required for self-service storage mini-warehouses, in the form of an architecturally finished wall.
- (E) **Outdoor Storage.** Outdoor storage is prohibited unless an open storage yard is permitted in the zoning district in which the development is located.
- (F) **Hours of Operation.** Self-service storage developments shall not be accessible to the general public (excluding on-site managers) between the hours of midnight and 5:00 a.m.

16-4.~~24~~²⁵ **Storage of Petroleum Products and Explosives.** Any storage of petroleum products or explosives must be approved by the County Fire Chief. No such storage area shall be permitted until the necessary permits and approvals are received from the Georgia State Fire Marshal and/or federal agency, as may be required. No such storage area shall be located within five-hundred (500) feet of a residential or office residential zoning district.

16-4.~~25~~²⁶ **Timber Harvesting.** Timber harvesting shall be permitted subject to the following requirements:

- (A) The timber harvest shall be in accordance with a forest management plan for the tract prepared by a registered forester. The required contents of a forest management plan shall be as set forth in guidelines to be established by the Forsyth County arborist and as approved by the Forsyth County Director of Planning and Community Development.
- (B) The property shall be a minimum of ten (10) acres in size.
- (C) There shall be a fifty (50) foot exterior timber harvesting setback around the entire perimeter of the property, which shall remain undisturbed with the exception of approved access to the property from the road.
- (D) All stream buffers shall remain undisturbed except for haul road and skid trail crossings.
- (E) Timber harvesting shall be restricted to thinning only. A minimum basal area of thirty (30) square feet per acre shall remain on the property following the harvest. Remaining trees on site must be left in good condition with no injuries to the trunk, crown or root system. Required buffers and setbacks shall not be included in calculating the minimum basal area to remain. Clear cutting shall not be allowed.
- (F) All trees to be removed shall be marked at four and one-half (4.5) feet above the ground and at ground level so as to be identifiable before and after harvest.
- (G) Trees thirty (30) inches in diameter or larger as measured at four and one-half (4.5) feet above the ground shall not be removed and their critical root zone shall be protected. The following species are exempt from this restriction: pine (*Pinus spp.*), poplar (*Liriodendron tulipifera*) and sweetgum (*Liquidambar styraciflua*).
- (H) Logging slash shall be scattered across the site or piled no higher than two (2) feet.
- (I) All activity on the site shall be in compliance with the Forsyth County Soil Erosion and Sedimentation Control Ordinance, all Best Management Practices as described in the Georgia Forestry Commission document "Recommended Best Management Practices for Forestry in Georgia" and the U.S. Clean Water Act, Section 404, EPA, 40 CFR, Part 232.3(c)(6).
- (J) A plan and supporting documentation meeting the minimum requirements of the Department of Planning and Community Development shall be submitted for review and approval prior to timber harvesting activity. Any associated plan review fees must be paid with the submittal of the plan.
- (K) The director may approve exceptions to address disease or insect infestations documented by a registered forester or certified arborist.
- (L) In no event shall any provision of this section have application to timber harvesting that qualifies as forestry land management practices or agricultural operations as defined in O.C.G.A. 12-7-17, not incidental to development, on tracts which are zoned for forestry, silvicultural or agricultural purposes, or that are unzoned.

16-4.~~26~~²⁷ **Townhouses.** Townhouse subdivisions are not subject to the minimum lot width standards specified in Table 11.2(a) and Table 11.2(b), but shall conform to the following requirements:

- (A) **Subdivision Plat Approval Required.** Each townhouse development or phase thereof shall require subdivision plat approval in accordance with Chapter 18 of this ordinance and resolution.
- (B) **Streets.** All streets within a townhouse development shall be built to County specifications and dedicated to the public; provided, however, that the rear of townhouses may have vehicular access by way of a private access easement or alley.
- (C) **Lot Size.** Each single family attached dwelling unit must be on a lot of at least 2,500 square feet.
- (D) **Minimum Lot and Unit Width.** Each lot shall be at least twenty-four (24) feet wide. The minimum width of each unit shall also be twenty-four (24) feet.
- (E) **Setbacks.** On interior lots the side setback on the side containing the common wall is reduced to zero. The site setback on the side opposite the common wall must meet the requirement for the side yard for the zoning district in which it is located.
- (F) **Units Per Building and Roof Variations.** To avoid a monotonous appearance, for any given building, no more than six (6) units may have common walls i.e., no more than six (6) units per building. Any building containing more than three (3) units with common walls must have the roof of each attached unit distinct from the other through separation or offsets in roof design.

16-4.~~2728~~ **Transportation and Utility Facilities.** These facilities are permitted only as conditional uses because of various off-site impacts that may result there from, including but not limited to, generation of waste, danger of explosion, crash, or bodily injury and dangers to adjacent land uses, substantial surface, air, or water traffic, noise exceeding levels fit for safety to the human ear, offensive or unpleasant odors, noxious gases and fumes, excessive temporary or sustained vibration, electromagnetic radiation, environmental degradation through spillage of chemicals or fuels, and aesthetic effects, among others. Prior to the approval of any use defined as a transportation and utility facility, the applicant shall submit a project impact statement that addresses the potential for effects cited in this section and, where such effects are found to be present when such activities are initiated, measures that will mitigate such effects. The County may consult with state and/or federal agencies with or without direct regulatory authority over such uses and shall be allowed an additional sixty (60) days beyond normal processing times for such conditional uses described in this section.