

**Ordinance # 019-21; Adopted 08/10/2021**

**AN ORDINANCE OF THE COMMISSIONERS OF COWETA COUNTY, GEORGIA TO AMEND APPENDIX A. ZONING AND DEVELOPMENT OF THE COWETA COUNTY CODE OF ORDINANCES, AND FOR OTHER PURPOSES**

**NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of Coweta County, Georgia and it is hereby ordained by the authority of the same that the following amendments are hereby adopted to Appendix A. Zoning and Development of the Coweta County Code of Ordinances as follows:

**AMEND** Article 23. Dimensional Requirements by adding a new Overlay Districts Dimensional Requirements table, which is attached hereto. (SEE ATTACHED TABLE)

**DELETE** Article 24. Development Regulations, Section 246.10.2(2)(d) in its entirety and replace it with the following

- d. All drainage features shall be in accordance with standards and specifications of Coweta County and no extension shall be made (leading to or) from the street drainage through abutting property without approval of the county. Should it become necessary to pipe or otherwise convey roof, groundwater and/or yard drainage to the County stormwater system, prior to doing so, a plan shall be submitted to the Community Development Department for consideration. Chapter 30, Article V of the Code of Ordinances strictly prohibits unpermitted connections, and Chapter 54, Article III of the Code of Ordinances prohibits maintenance of unpermitted connections by county forces.

**AMEND** Article 25A. Tree Preservation Ordinance, Section 253A(5)(a) to read as follows:

Single-family residential development required to provide open space shall retain 50 percent of all trees located in the required open space area of the development; and shall maintain or exceed 12 caliper inches per lot in the front yard of all residential lots. Existing deciduous trees on the lot may be preserved to meet the 12-inch requirement per lot. The minimum size for new trees used to meet this requirement shall be three caliper inches; and the trees must be deciduous. All newly planted trees used to meet this requirement must be planted in the front yards, except in developments with a minimum lot size of 24,000 square feet or less, where the caliper inches may be met anywhere on the lot. Prior to request for a certificate of occupancy, the trees used in meeting this requirement must be clearly identified in the field with flagging.

**ADD** the following to Article 26. Overlay Districts:

Section 262. – Planned Development Project (PDP) overlay district.

- (A) Purpose. The purpose of the planned development project overlay district is to encourage unified development of tracts of land by allowing much more creative and flexible concepts in site planning than would otherwise be possible through strict application of the underlying district requirements.
- (B) Rezoning Process. Applications to establish a PDP sub-type, as described beginning in Item F of this section must be made in accordance with Article 29 Amendments; however, where there are conflicts with that Article, the items listed below shall prevail:
  1. A pre-submittal meeting shall be held at least two (2) weeks in advance of filing a rezoning application for any Planned Development Project.
  2. The applicant shall provide:
    - i. Renderings of the proposed structures to be placed on the site;
    - ii. A conceptual site plan meeting the requirements of Section 290, Item (2); however, the applicant must also identify all areas of the underlying zoning district in which they are requesting a deviation from the standards;
    - iii. A proposed list of standards for all items which are normally governed by the Dimensional Requirements of Article 23;

- iv. Notwithstanding the proposed standards in subsection (iii) above, the Planned Development Project shall comply with the standards contained within this Zoning and Development Ordinance;
  3. A traffic study shall be provided unless exempted by the Public Works Director during the pre-submittal meeting. For applications not required to submit a traffic study, the Public Works Director will notify the applicant of any required transportation improvements to adequately serve the proposed development. The rezoning application shall not be considered complete until the Public Works Director accepts the traffic study.
  4. Once the rezoning application is accepted, the applicant shall have five (5) business days to proffer any zoning conditions to accompany the application. Staff shall then evaluate the proposal in accordance with scoring methodology for each PDP sub-type defined in Section 262. Once complete, the scoring worksheet will be forwarded to the applicant and the Board of Commissioners prior to the public hearing. The scoring for each PDP sub-type shall be considered by the Board of Commissioners, along with the normal review factors contained in Article 29.
- (C) Designation on the Official Zoning Map. Once a rezoning application to a PDP sub-type has been approved by the Board of Commissioners, it shall be reflected on the Official Zoning Map in a manner approved by the Community Development Director and carrying the label of the relevant sub-type.
- (D) Modifications. The following modifications to a Planned Development Project shall require a rezoning application. Changes that would not significantly alter the original rezoning application may be approved administratively at the discretion of the Community Development Director.
1. Any change that would alter the scoring of the original rezoning application.
  2. Changes affecting the number or location of entrances.
  3. Changes that would increase density.
- (E) Reversion. Unless a Land Disturbance Permit has been issued and site work has commenced within one (1) year from the date in which the PDP overlay district was approved, said overlay district shall be subject to reversion back to the underlying zoning district by the Board of Commissioners. A reversion rezoning shall be initiated by the Board, with proper notification to the owner(s) of record and acted upon after a duly advertised public hearing in accordance with Article 29. The property owner may request a single extension of up to sixty (60) days prior to the public hearing, which may be approved administratively by the Community Development Director. Extensions beyond sixty (60) days shall be submitted to the Board of Commissioners for consideration.
- (F) Residential-Planned Development Project (R-PDP) overlay.
1. Purpose. The purpose of the Residential-Planned Development Project overlay is to allow enhanced density in areas with access to existing infrastructure. The ordinance provisions are designed to ensure adequate provision of infrastructure for these higher density developments, provide adequate open space for the residents of these communities, minimize potential cost burdens to the larger community through efficient use of infrastructure – all of which also contributes to the ability to preserve rural character in areas of the County.
  2. Pre-requisites for filing a rezoning application for the R-PDP overlay district.
    - i. The subject property shall be a minimum of five (5) acres zoned RC, Rural Conservation.
    - ii. The subject property shall be contiguous with a municipality as defined in O.C.G.A. § 36-36-20.
    - iii. The subject property shall have access to public water and sewer services, as evidenced by a will-serve letter. The Coweta County Water & Sewerage Authority shall have the first right of refusal for providing water and sewer services.
  3. Scoring of R-PDP Rezoning Applications. After acceptance of the application package and prior to the public hearing, staff shall provide the applicant and the Board of Commissioners with a score for the proposed R-PDP. The score shall be determined by staff in accordance with Table 1: Residential Planned Development Project Scoring Methodology

Table 1: Residential Planned Development Project Scoring Methodology

<b>Transportation Category</b>	Determined by the Public Works Division		Total Possible
<u>Entrances</u>	Entrance(s) onto a 4-lane arterial roadway at existing median breaks with left turn lanes	10	10
	Single Entrance to/from a 4-lane roadway	5	10
	<b>OR</b> Multiple entrances to/from a 4-lane roadway	<b>OR</b> 10	
	Entrance(s) onto a roadway classified as a collector	5	10
	<b>OR</b> Entrance(s) onto a roadway classified as an arterial	<b>OR</b> 10	
<u>Pavement Width</u>	Pavement width of 22 feet along the project frontage	5	10
	<b>OR</b> Pavement width of 24 feet or greater along the project frontage	<b>OR</b> 10	
<u>Right-of-way Width</u>	Existing right-of-way width equal to or greater than 80 feet (but less than 100 feet) along the project frontage	5	10
	<b>OR</b> Existing right-of-way width equal to or greater than 100 feet along the project frontage	<b>OR</b> 10	
<u>Overall Transportation Network</u>	Inadequate transportation network to serve the proposal; however, conditions of zoning have been proffered to address needed transportation improvements	up to 20	25
	<b>OR</b> Existing transportation network is adequate to serve the proposal	<b>OR</b> 25	
			75 Maximum in this Category
<u>Proximity to City Category</u>	Determined by Zoning Division		
	Project appears to be eligible for annexation into a municipality that offers	25	

	a similar density to the applicant's proposal.		
			25 Maximum in this Category
			<b>Overall Score Capped at 100</b>

4. Permitted Uses. The following uses are permitted within the R-PDP overlay district, subject to the provisions of the Code of Ordinances:
  - i. Single-family, detached dwellings
  - ii. Customary accessory buildings and uses, pool house, amenity center, etc.
  - iii. Home occupations
5. Dimensional Requirements. R-PDP applications shall comply with the Overlay Districts Dimensional requirements table in Article 23. There shall be no deviation or variances granted from the maximum density specifically established for this district.
6. Additional Design Standards.
  - i. Proffered open space shall comply with Article 24, Section 246.4 – Open Space.
  - ii. Greenway donations for any portion of the development tract identified on the Greenway Master Plan shall be processed alongside the final plat; said donations shall be deemed as open space.
  - iii. The development shall comply with Chapter 30 – Environment of the Coweta County Code of Ordinances. Adequate easements for maintenance of all stormwater systems shall be provided to the satisfaction of the Community Development Director. Pursuant to Article 24, Section 244.1 - Preapplication, a stormwater concept plan shall be submitted for review and approval.

**AMEND** Appendix. Fee Schedule to add the following:

- (8) To a Planned Development Project overlay district, make a Major Modification (or Minor Modification not approved by the Community Development Director), or to change the conditions of zoning within the Planned Development Project overlay district:

Fee	\$1,000.00, plus \$50.00 per acre or any portion thereof
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**SO ORDAINED IN OPEN SESSION, LAWFULLY ASSEMBLED AFTER PUBLIC NOTICE AND HEARING AS PROVIDED BY GEORGIA LAW, THIS 10<sup>th</sup> DAY OF AUGUST, 2021.**

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Chairman

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Attest: \_\_\_\_\_  
County Clerk

## Article 23. Dimensional Requirements

### Overlay Districts

OVERLAY DISTRICT	MINIMUM "BUILDING LOT"			MAXIMUM DENSITY (UNITS/AC)	MIN. OPEN SPACE (I)	MINIMUM BUILDING SITE (A)	MINIMUM STREET FRONTAGE IN FEET (M)	LOT WIDTH AT FRONT SETBACK LINE IN FEET	MINIMUM LOT DEPTH AVERAGE IN FEET	MINIMUM FLOOR AREA IN SQ. FT. PER UNIT	MAXIMUM IMPERVIOUS AREA (B) (P)	MINIMUM YARD SETBACKS			MAXIMUM STRUCTURE HEIGHT (D)		MINIMUM ZONING DISTRICT SIZE	
	SINGLE-FAMILY STRUCTURE	TWO-FAMILY STRUCTURE	MULTI-FAMILY STRUCTURE & MAX UNITS/AC									FRONT IN FEET (C) (O)	SIDE IN FEET	REAR IN FEET	STORIES	FEET		
<b>PDP - Planned Development Project</b>																		
Residential (F)		N/A	N/A	4.0 (J)														5 AC.
Reserved																		
Reserved																		
Reserved																		

- A) The minimum contiguous building area of a lot exclusive of area within the 100-year floodplain, wetlands, water impoundments, detention ponds, and/or transmission or distribution utility easements and which must meet all requirements established by the State Health Department (See completed definition of "Building Sites" in Article 3).
- B) Includes Principal and Accessory Buildings.
- C) Measured from street right-of-way line. However, if the property line extends to the center of the street, or if the adjacent street right-of-way line is not established, the front setbacks shall be 120-feet from the centerline of arterial and collector streets, and 100-feet from the centerline of all other streets. The front setback on corner lots shall be the full specified setback from both adjacent streets.
- D) Height limit exceptions may be granted by the director in accordance with the provisions of Article 6. Section 62. Height Limitation Exceptions.
- E) Same minimum required building site size.
- F) When served by both public-supplied water and sewer service.
- G) When served by public-supplied water service only.
- H) When served with neither public-supplied water and sewer service.
- I) A maximum of 25 percent of the 100-year floodplain on a development tract shall be counted towards the required amount of open space. (Ord. of 4-9-2019)
- J) Any calculation of densities shall be calculated on the Net Developable Arceage. Any calculations that results in a fractional unit must be rounded down to the nearest whole number.
- K) Manufactured Home Parks shall have a minimum frontage of 300 feet on either an arterial or collector street. Individual single-family residential lots in a manufactured home district shall meet the applicable requirements of the other single-family districts.
- L) Even though a proposed residential lot meets the minimum tract size requirements set out in this Article, that lot will not be approved for development or building unless proof is provided to the Community Development Department that the lot contains a site adequate to support a conventional on-site septic system as that term is defined by Georgia Law. The minimum lot size established in the Article 23 chart is, to the extent necessary, increased to encompass a site for a conventional on-site septic system.
- M) Except lots that are platted under Article 24. Development Regulations of this ordinance and which are subject to the more stringent requirements of Section 246.3.3(2). This item requires all lots fronting arterial (ART) and collector (COL) streets to have a minimum of 300 feet and only applies if internal access cannot be provided.
- N) The front setback shall be a minimum of 50 feet and a maximum of 65 feet from all right-of-way except for the following development design: When front facades of buildings in a development are oriented toward internal private streets and/or dedicated streets classified as local, the front yard setback shall be a minimum of 30 feet from the back-of-curb or from the dedicated right-of-way.
- O) On all state roadways and roadways classified as arterials on the Coweta County Functional Classification and Thoroughfare Map, the front yard setback for any new buildings shall be one hundred thirty-five (135) feet from the centerline of the right-of-way. On all other roadways, except subdivision streets, the front yard setback for any new buildings shall be one hundred (100) feet from the right-of-way. However, if a road widening has been designed and is planned to be constructed within five (5) years, then setbacks sufficient for the planned right-of-way width, as determined by the public works director, shall be required. (Ord. of 11-18-08) Additionally, for the EL-A Development Type and the EL-5 Development Type, a greater front setback shall be required as applicable pursuant to Section 73.4. (minimum of 300 feet) or Section 73.5. (30% of the lot depth), respectively.
- P) The maximum impervious area shall be 60% for any approved Conditional Uses. (Ord. of 12-15-09)