

Article 16 – Overlay Zoning District Regulations

16.1 Highway 92 Village Ordinance

16.1.1 Legislative Purpose

This ordinance shall be known as the Highway 92 Village Ordinance (hereinafter referred to as the “Highway 92 Village Ordinance”), and shall serve to encourage developing as one project, tracts of land that are sufficiently large to allow a mixed-use development consisting of uses permitted under this Article, and only such permitted uses, while maintaining compatibility with the existing areas and creating an attractive, efficient and stable environment. It encourages a mixture of prominently sited office/institutional, commercial establishments, civic or community buildings and housing types to provide a balanced mix of activities and public spaces.

16.1.2 Legislative Objectives

- A The Highway 92 Village Ordinance serves as a development standard for the Highway 92 Corridor. This development standard provides for a uniform landscape and design theme along this improved road. The specific design and land use policies are a comprehensive plan for the Highway 92 Corridor of Cherokee County Georgia.
- B The Village District calls for a pattern of commercial / industrial buildings constructed in the eighteenth and nineteenth century architectural styles. The regulations recognize and are intended to protect and preserve the established residential areas located to the north and south of the improved road. The incorporation of buffering techniques seeks to assist in the preservation of adjoining residential areas by providing a unique transition zone rather than the traditional descending density theory.
- C The Highway 92 Village Ordinance is intended to generate quality development along the expanded Highway 92 thoroughfare while promoting economic, cultural, open space, and safety features to promote the public welfare. This orderly planning system is intended to attract quality development as described in the permitted uses of this ordinance.

16.1.3 Boundaries

- A There is hereby created the Highway 92 Village Ordinance, the boundaries of which shall extend 1000 feet to the north of the centerline of Highway 92 and 1000 feet south of the centerline of Highway 92 from its intersection with Interstate 75 eastward to the Cobb County line. The Highway 92 Village Ordinance applies to all properties located in this Corridor, with the exception of residential platted subdivisions, deed restricted residential subdivisions and residential neighborhoods established as a result of the creation of a homeowners association or a petition to the County Commission.

16.1.4 Uses**A Permitted Uses within the Highway 92 Village Ordinance:**

The following uses, and only the following uses, shall be permitted within any development permitted pursuant to this ordinance.

- Antique Shops
- Apparel and Accessory Stores
- Appliance Sales and Repair Shops
- Bakeries
- Bank or Financial Institutions
- Bicycle Shops
- Books, Cards and Stationary Stores
- Barber Shops and Beauty Salons
- Carpentry Shops
- Churches
- Clinic (Public and Private)
- Community Centers
- Cultural Facilities
- Curio and Souvenir Shops
- Day Care Facilities (shall have at least on hundred and fifty (150) square feet of outdoor play area, and a least thirty-five (35) square feet of indoor space provided for each child. The outdoor play area shall be enclosed by a fence at least four(4) feet high)
- Drug Stores, Pharmacies
- Equipment Supplies (medical, dental, art)
- Florist Shops
- Farmer's Markets
- Garden, Landscaping Supplies
- Government Buildings
- Greenhouse and Plant Nurseries
- Grocery, General Merchandise Stores
- Hardware, Paint and Wallpaper Stores
- Health Clubs and Facilities
- Hobby, Toy and Game Stores
- Ice Cream Parlors
- Jewelry Stores
- Laundry/Dry Cleaning Facilities (Pick-Up)
- Office Supplies
- Office (Businesses)
- Professional Offices
- Parks
- Pet Shops and Dog Grooming Shops
- Printing, Publishing and Engraving Shops
- Restaurants
- Retail Stores, Common Merchandise
- Schools
- Shoe Repair Shops

- Service Stations (all buildings and appurtenances are to be located at least four hundred (400) feet from any residential property lines and that all fuel is stored underground outside of any public right-of-way)
- Single Family detached dwelling units (minimum lot size shall be 9,000 square feet) for the area designated for this use
- Single Family attached dwelling units (a maximum of six (6) dwelling units per acre) for the area designated for this use

B Prohibited Uses within the Highway 92 Village Ordinance:

No use which is not specifically enumerated in Section (A) above (including, without limitation, the following uses) shall be allowed within the Highway 92 Overlay District:

- Automobile Garages or Repair Shops
- Adult Video Shops
- Billiard Parlors
- Check Cash Services
- Drive-In theaters
- Farm Equipment Sales/Storage
- Mini-Warehouse Facilities
- Manufactured Home Sales
- Motels with Outside Entrances
- Nude/Semi-Clothed Dancing Establishments
- Itinerant Merchants
- Pawn Shops
- Recreational Vehicle Sales/Service/Repair Facilities
- Short-Term Loan Offices
- Truck Terminals
- Used Tire Sales/Repair Shops
- New and Used Automobile/Vehicle Dealerships/Salvage lots/Scrap yards

16.1.5 Minimum Development Standards and Development Regulations for the Corridor

A Basic Site Details

It is the expressed legislative intent of the governing authority to discourage strip commercial development and enhance traffic safety along Highway 92. Accordingly, the Ordinance provides for:

- 1 Consolidation of parcels for development to a minimum of seven (7) acres.
- 2 Minimization of curb cuts on Highway 92, by requiring a minimum frontage of 400 feet for assembled parcels.
- 3 Individual parcels in the Highway 92 corridor shall have a minimum of twenty-eight (28) feet of frontage.

B Minimum Development Standards Table

The following minimum dimensions and requirements shall apply to all permitted uses under the Highway 92 Village Ordinance.

Proposed Use-Type Within the Corridor	Project Criteria		Buffers, Berms, Landscape Treatments				Min. Lot Width at Building Line	Max. Building Height	Interior Building Setbacks		
			Streetscape Adjacent to Hwy92 / Other Right-of-Way	Adjacent Pre-Existing Developments					Front	Side	Rear
	Project Minimum Acreage	Project Minimum Frontage		Single Family	Multi Family	Commercial, Institutional					
Single Family Lot Size 18,000 Sq. Ft. or greater	7	400	40/10	0	75	75	60	40	30	10	30
Single Family Lot Size 9,000-17,999 Sq. Ft.	7	400	40/20	30	75	75	60	40	30	10	30
Commercial /Institutional	7	400	40/40	75	75	40	N/A	40	20	10	30
Small Tracts under 7 acres	18,000 Sq. Ft.	28	40/40	40	0	0	N/A	40	20	10	30

C Development Regulations for the Corridor

The following minimum dimensions and requirements shall apply to all permitted uses under the Highway 92 Village Ordinance.

1 Streetscape Theme

- a Front yard areas shall contain landscaping at least forty (40) feet in depth along the entire property frontage except where driveways may be required.
- b A three rail fence of appropriate style, white in color, shall be required within 2' of the margin of the right-of-way of Highway 92.
- c A major tree not less than 2" DBH as indicated in the "Tree Ordinance shall be planted every 40' on center along the entire roadway frontage of the property within the landscape strip.
- d Landscaping shall utilize fences, berms, connecting sidewalks, trees and other plantings.

2 Utilities

All site utilities shall be located underground.

3 Architecture

- a Buildings shall be designed to substantially resemble eighteenth and nineteenth century styles with the exception of single family detached residential developments.
- b Building mass shall be broken up to give the appearance of individual buildings or places of business, presenting a village appearance
- c Large areas of uninterrupted brickwork shall be broken up through the use of trellises, arcades, blind windows, archways, or other patterns.

- d Window areas shall not extend down to the floor line. A wall of not less than 2' in height shall separate the floor from the bottom of the window frame.

4 Building Materials

- a Buildings shall have no less than 80% of the non-glass area of three exterior sides faced with brick of a natural color and texture that simulates historic types of brickwork. If a building has more than four planar areas, 75% of these areas shall be faced in brick.
- b Multi-pane windows shall be used in individual window openings, rather than large glass sheets.
- c Mirrored glass with a reflection greater than twenty (20) percent and glass curtain walls are prohibited.
- d Paint colors shall be of traditional, historic types which are generally muted tones such as ivory, cream, beige, white, and pastel colors. Colors which are not permitted are bright or vibrant colors of orange, pink, purple, bright green or violet, which are considered inconsistent with the district. The exterior scheme shall be approved by the Director of Planning and Zoning.

5 Roof Lines

- a All buildings shall have a pitched roof with a minimum pitch of four and half (4.5) inches vertical elevation per one (1) foot of horizontal distance, except as otherwise provided herein.
- b Commercial building styles without a pitched roof shall have a detailed parapet and cornice, in keeping with eighteenth and nineteenth century architectural styles.
- c All roofing materials shall be of a consistent style and pattern. Pitched roofs shall be finished in either architectural or dimensional shingles, or standing seam metal roofs.

6 Signage

a Freestanding Signs

- i All freestanding signs shall be of a monument style and constructed only of brick or stone materials to match or compliment the principal structure or structures located on the site.
- ii A monument base shall consist of:
 - (a) A solid base or framework, the same width and length of the sign. Said base shall be completely covered in brick or stone facing, or;
 - (b) Two columns, each not less than 2' square supporting the sign on each side. The total span of said columns shall equal the total width and length of the sign box, and shall be connected at the base by a planter or monument not less than 3' in height.
- iii If the sign lists multiple tenants the sign shall be of a uniform background lettering style and color.

b Wall Signs

- i Signs with interior illumination are prohibited.
- ii Illuminated wall signs shall be channel-type letters only. Non internally illuminated box signs or illuminated canopies are allowed.
- iii Open channel letters shall be common colors such as red, yellow, green, blue, brown, white, black, or pink. Colors that are not allowed are bright or vibrant colors of purple, bright green, bright red, or violet. No sign shall give off light that glares, blinds or has any other such adverse effect on traffic. The light from an illuminated sign shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties and

roadways. All signs shall be approved by the Director, Planning and Economic Development.

iv Specific dimensional requirements for all signage are governed by the Sign Ordinance of Cherokee County, Georgia.

c **The Following Signs are Prohibited:**

- i Signs involving motion, rotation, or sound, other than flags or streamers which are blown by the wind.
- ii Flashing, blinking, varying, varying light intensity signs or animated signs, except community information signs.
- iii Courtesy benches, trash cans, and similar devices on which advertising is displayed.
- iv Signs attached to any street signs or markers, traffic control signs or devices, or attached to or painted on any pole, post, tree, rock, shrub, plant or other natural object or feature.

7 **Traffic Access Requirements**

Access to Highway 92 must comply with all County and State traffic access requirements. Internal roadways or vehicular connections making developments accessible to each other shall be used whenever possible to discourage traffic congestion on Highway 92.

8 **Parking**

Each development shall provide not less than two (2) nor more than four (4) parking spaces per 1000 square feet of gross building floor area for all uses except residential development.

9 **Buffers and Setbacks**

The intent of buffers is to provide a year round visual screen such as evergreen trees between adjacent properties and the new development. All buffers and setbacks shall be required by this Ordinance. Any application for a Design Plan approval submitted to the Director of Planning and Zoning shall include a tree survey and landscape plan, with buffers, prepared by a landscape architect.

10 **Landscaping Requirement**

- a A landscaped berm of no less than three (3) feet in height or evergreen landscape planting no less than three (3) feet in height at the time of planting shall be provided to screen vehicular parking areas, loading areas, and dumpsters from view from Highway 92.
- b Trees shall not be disturbed to any greater than absolutely necessary to construct any building or other improvement in the opinion of the County Engineer, Building Official or the Planning Director of Cherokee County, Georgia.
- c Existing (undisturbed) landforms, trees and other elements such as berms with asymmetrical clumps of plants, trees and shrubs indigenous to the area and region of Georgia shall be provided where possible within landscape areas.

11 **Renovations**

Renovations to preexisting non-conforming buildings which require a building permit shall include: monument signage and ivy on trellises on the exterior of buildings.

16.1.6 Project Filing, Review and Approval Procedures

A Pre-Application Conference

Prior to the formal submittal of a Design Plan, the developer shall meet with Planning Director for a review of the location, scope and nature of the proposed project. No preliminary plans, drawings, sketches or concept plans approved informally, in writing, or otherwise shall confer any development rights under this ordinance. Only Design Plans (as defined herein) which are approved as authorized by this ordinance shall confer development rights.

Each Design Plan shall be prepared by an architect, landscape architect, engineer, or land surveyor whose state registration is current and valid, or by a professional planner holding full or associate membership with the American Planners Association. Each Design Plan shall contain a site plan, architectural elevations, landscape plan, and line-of-study drawn to an appropriate scale and shall include the following:

- 1 Name: Name(s) of the proposed development, Name(s), signatures(s), and address(s) of the owner(s) and the designer(s) of the site plan.
- 2 Date: Date, approximate north arrow, and scale.
- 3 Boundaries: The boundary line of the land tract shall be shown on a survey plat prepared and sealed by a registered land surveyor.
- 4 Location Map: A map to an approximate scale showing the location of the proposed development.
- 5 Contours: Contours with a minimum vertical interval of five (5) feet referenced to seal level datum shall be provided for existing topography and proposed elevations.
- 6 Site Analysis: The location of existing or proposed platted property lines, streets, buildings, watercourses, bridges, water mains, drain pipes, and public utility easements, the owners of record of adjoining parcels, and the zoning classification(s) of the adjoining property.
- 7 Buffer Areas: Location, dimensions and treatment of all required buffers, landscaped or planted, including fences, walls, berms, and signage.
- 8 Other Information: Other information required by the Planning Director to ensure compliance with the provisions of this ordinance.
- 9 Tree Preservation Plan: A design outlining the proposed scope of tree preservation.

B Review and Approval

All applications for Design Plan approval shall contain a Design Plan meeting the requirements of this ordinance and shall be reviewed by the Cherokee County Community Development Director. No review or approval of the Board of Commissioners or the Planning Commission will be required. The Community Development Director shall, within seven (7) days of filing of a completed application for approval of a Design Plan under this ordinance, give public notice of said application in a local newspaper of general circulation in Cherokee County. The notification shall summarize the scope of the project. All completed applications meeting the requirements of this ordinance shall be approved by the Community Development Director within thirty (30) days of filing.

16.1.7 Implementation

A Existing Conditions:

It is the desire of the County, its citizens and private property owners cooperating in the creation and adoption of this Ordinance to implement it as rapidly as possible and to do so in a fair manner. Existing conditions need not change immediately upon the adoption of this Ordinance.

B New Development Plans:

After the adoption by the Board of Commissioners, the Ordinance will apply to all new development plans/new construction plans submitted after the effective date of this Ordinance adoption. The exterior renovations to a building must comply with the Ordinance requirements. The structural aspects of this Ordinance will not be triggered by standard maintenance activities not requiring a building permit.

16.1.8 Variances

The Cherokee County Zoning Board of Appeals has the authority to grant variances from the requirements of this Article in cases where the strict application of this Ordinance's regulations would result in unnecessary hardship.

16.1.9 Severability

It is hereby declared to be the intention of the Board of Commissioners of Cherokee County that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance be declared unconstitutional or invalid, it shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance.

16.1.10 Relationship to Underlying Zoning

Nothing contained herein shall be construed to replace or supersede underlying zoning classifications of properties within the Highway 92 Corridor. It is the intent of the governing authority that properties shall retain the permitted land uses of the respective zoning districts but shall be developed using the development standards and regulations outlined in this ordinance, found in Section 16.1.5 Minimum Development Standards and Development Regulations for the Corridor, plus any other relevant county ordinances and development regulations. Industrial land uses on LI and HI zoned property shall be exempt from the requirements of Section 16.1.5(C)3 Architecture and 16.1.5(C)4 Building Materials. In addition, industrial land uses on LI and HI zoned property without any road frontage along Highway 92 shall be exempt from all requirements of Section 16.1.5 Minimum Development Standards and Development Regulation for the Corridor. (Ord. No. 2016-O-004, 04-12-16)

16.2 Bells Ferry Community Design District

16.2.1 Purpose and Intent

The purpose of the Bells Ferry Community Design District is to implement the community vision expressed in the Bells Ferry LCI Study Plan adopted by the Cherokee County Board of Commissioners and further enhanced in the Bells Ferry Community Design Guidelines. The community envisions the redevelopment of under utilized, declining and major area properties into a community of choice offering diverse choices and activities for the whole community, with the ultimate goal of creating high quality development that offers a superior quality of life to its residents and business owners.

Bells Ferry Community Design District is intended to:

- Establish and define the physical boundaries of the district ;
- Establish a set of Community Design Guidelines that provide site planning, design and building regulations for the future physical development of the corridor;
- Establish a Regulating Plan that serves as a framework for regulatory conditions governing the Study Area to insure development reflects consistent principles of good community design and creates an attractive environment inducing investment in the area.
- Create a ‘sense of place’ and a unique identity for the community that reflects the community’s desire to be a place of diversity and choice;
- Create a strong urban structure that reflects sound urban design principles of creating the public realm; hierarchy of streets, open spaces, creating vistas and public and civic spaces, pedestrian friendly environment, and high quality architecture
- Improve traffic flow and convenient vehicular circulation throughout the area for both local and regional circulation
- Provide transportation alternatives and modes for the residents; good street grids, transit, bike and pedestrian pathways that not only offers alternative ways but encourages walking and biking
- Provide safe and convenient environment for pedestrian movement and access
- Provide enhanced arterial access and inter-parcel connectivity that enhances vehicular circulation
- Create the hierarchy of streets and appropriate traffic calming that promote appropriate vehicular speeds and safety
- Encourage ‘diverse lifestyles’ by promoting mixed use development that offers live / work / play environments
- Encourage appropriate densities that can support retail, entertainment and commercial activity which creates a successful community
- Provide flexibility in housing to support various product types; ie. condos, apartments, live / work units, town homes, and single family
- Provide adequate open spaces and civic / public spaces

16.2.2 Boundaries

A Boundary Map.

The Bells Ferry Community Design District shall apply to all properties within the geographic boundaries shown on the Bells Ferry Regulating Plan. The District is intended to supplement existing zoning regulations. The Bells Ferry Regulating Plan is shown as Figure 16.2.

16.2.3 Incorporation by Reference

The Bells Ferry Community Design District and Guidelines incorporates by reference the Article 8 – Traditional Neighborhood Development (TND) of the Cherokee County Zoning Ordinance for the purposes of guiding development within the district. Specifically, the following sections are incorporated by reference and shall be used to regulate future development within the Bells Ferry Community Design District and as applied herein;

8.2	Findings for Project Approval
8.5	TND Planning Process
8.6	Density Calculations
8.7	Streetscape Requirements
8.8	Civic Functions
8.9	Special Requirements
8.10	Specific to Neighborhood Edge Zone
8.11	Specific to Neighborhood General Zone
8.12	Specific to Neighborhood Center Zone
8.13	Standards and Tables
8.14	Pre-Existing Conditions
8.15	Application Submission
8.17	Submission of Final Neighborhood Plan
8.18	Control of Development Plan after Completion
8.19	Variances
8.20	Glossary

16.2.4 District Conditions

A Applicability.

- 1 The development of property within the Bells Ferry Community Design District shall comply with the Minimum Standards set forth herein.
- 2 Any non-residential structure that is built prior to the adoption of this ordinance will not have to adhere to the Design guidelines set forth within this document.
- 3 Whenever the requirements of the District impose a more or less restrictive standard than the provisions of any other statute or covenant, the requirements of the District shall govern. Specifically, where the Hwy. 92 Village Overlay intersects the Bells Ferry Community Design District, the Bells Ferry Community Design District regulations outlined herein shall apply.
- 4 The Design Guidelines of this document shall not change any of the existing zoning for the land that lie within the boundaries of this overlay district.
- 5 At no time shall the District regulations preclude a property owners ability to seek a change in zoning of their property within the district.

B Development Alternatives.

- 1 Property within the District boundaries may be developed per an approved Neighborhood Plan without the need to seek a change in zoning. The Neighborhood Plan must comply with all of the Bells Ferry Community Design Guidelines, including the Minimum Standards.
- 2 Alternatively, if the property owner chooses to develop the property under the existing zoning, only the Minimum Standards must be adhered to and compliance demonstrated through an approved development plan.

16.2.5 Regulating Plan

The Community vision, developed through a series of public workshops and meetings, and adopted in the Bells Ferry Livable Centers Initiative Study plan, has been translated into a Regulating Plan. The Regulating Plan combines land use and zoning regulations into a plan format oriented to the essential elements of quality community design. The Plan communicates those elements in a user friendly format by allocating areas within the study area to discrete Neighborhood Zones.

The Neighborhood Zones represent different human environments which contain elements forming its built condition like streets, buildings, landscaping, etc. or what is termed a “form based” code. Each zone is differentiated by the combination of elements comprising the Neighborhood Zone. For instance, a Residential Street is less urban than a Boulevard. A four story building is more urban than a single family house with a front yard and a porch.

The Regulating Plan is the basis for directing and guiding future development within the Corridor.

16.2.6 Minimum Standards**A Permitted and Prohibited Uses.**

Development under existing zoning shall include land uses permitted by Article 7 – District Uses and Regulations of the Cherokee County Zoning Ordinance.

B Street Network.

Plans for development shall include the following transportation elements of the Bells Ferry Community Design Guidelines:

- 1 Provisions for Proposed Primary Roads and Bells Ferry Parkway. (see Street Network, page 14)
- 2 Provisions for Pedestrian & Bicycle Facilities. (see page 16)
- 3 Interparcel Access -Interparcel vehicle access points between all contiguous parcels must be provided to allow opportunities for future development to connect in and improve network connectivity.

C Streetscape Requirements.

All development shall comply with Streetscapes defined in the Bells Ferry Community Design Guidelines for State Route 92 (Bells Ferry Community Design Guidelines, page 27), Bells Ferry Road (Bells Ferry Community Design Guidelines, page 28) and Bells Ferry Parkway (Bells Ferry Community Design Guidelines, page 26). This includes frontage requirements also identified on the Regulating Plan.

D Pedestrian Facilities / Frontage Requirements

All development shall comply with the design requirements for Pedestrian Facilities / Public Frontages as defined in the Bells Ferry Community Design Guidelines (see page 30 and 31)

- E **Building Frontage / Private Frontage Requirements**
All development shall comply with the design requirements for Building Frontage / Private Frontage as defined in the Bells Ferry Community Design Guidelines (see page 32 and 33)
- F **Architectural Controls.**
All development shall comply with Façade Materials, Doors & Windows and Roofs defined in the Bells Ferry Community Design Guidelines (see pages 34-36)
- G **Signage.**
All development shall comply with Signage defined in the Bells Ferry Community Design Guidelines (see page 40).

16.2.7 Design Guidelines

A **Permitted and Prohibited Uses.**

All development under the Design Guidelines shall be subject to the use limitations set forth in Article 8 Traditional Neighborhood Development, Table 10 - Specific Functions.

Table 16.2.1

	Neighborhood Zones			
	NE	NG	NCr	SD
Base Building Units	4 units/ac gross	8 units/ac. gross	12 units/ac. gross	na

B **Non-Residential Table**

The percentage of Building Units per parcel that must be exchanged for Non-Residential Functions will be determined by proximity to Primary roads. The Non-Residential Functions Table shall govern the percentage of Non-Residential Functions required under the Bells Ferry Design Guidelines. Parcels of land meeting both of the following requirements shall be subject to the Primary road percentages:

- 1 All parcels with any part of the parcel within 400 feet of an existing or proposed Primary road as shown on the Street Network Plan.
- 2 Parcels of 3 acres or more in size.

All other parcels will be subject to the Non-Residential Functions percentages for Secondary roads.

Table 16.2.2

	Neighborhood Zones							
	NE		NG		NCr		SD	
Roads	Primary	Secondary	Primary	Secondary	Primary	Secondary	Primary	Secondary
Percent Non Residential Functions	0-10% ¹	0-10%	10-30% ¹	0-30%	50-70% ¹	30-70 %	See Note 2	See Note 2

Notes:

- 1) Percentages for parcels near proposed primary roads may be adjusted by warrant.
- 2) Residential Units in SD zone must be approved by Warrant

The percent of building units shown in Table 16-2.2 shall be exchanged for Non-Residential functions at the following rates:

- a For Lodging: 2 bedrooms for each unit of overall density
- b For Office or Retail: 1,500 sq. ft. for each unit of overall density
- c The number of units exchanged shall be approved by warrant

C Single Use on Smaller Tracts

Where a tract of land within the Bells Ferry Community Design District is 3 acres or less and is unfeasible for development as a mixed use project in accordance with this ordinance, and is not likely to be assembled into a larger plan of common development, the property owner may propose to develop such property as a single use project under the provisions outlined below:

- 1 Single Use residential may be proposed at no more Base Building Units than allowed under the guidelines for Neighborhood Edge (NE) as outlined herein, unless a warranted variance is issued under section 8.19 of Article 8 Traditional Neighborhood Development. A warrant may be issued only if evidence can be presented by the property owner that one or more of the following conditions exist:
 - a The subject property cannot physically be accessed by adjacent property;
 - b The subject property cannot feasibly be assembled into a larger plan of common development because adjoining property(s) are already developed and the pattern of development on the adjoining property prevents development as a larger plan of common development;
 - c The subject property is surrounded by properties zoned for or developed above the Base Building Units of the Neighborhood Edge (NE);
 - d Development of the subject property above the Base Building Units of the NE would be an addition to the area and would not be a detriment to the surrounding development pattern
- 2 Single Use non-residential projects must follow the Minimum Standards as outlined herein.

16.2.8 Neighborhood Plans

A Neighborhoods shall be planned according to the provisions of the Bells Ferry Design Guidelines and Article 8-Traditional Neighborhood Development. The Neighborhood Plans shall consist of the Neighborhood Zones described on the Regulating Plan for the Bells Ferry LCI Study Area. Neighborhood Plans may be prepared by an owner, a developer, or by the Planning Office. Each Neighborhood Plan shall contain:

- 1 Updated / site specific Regulating Plan:
 - a Configuration of Neighborhood Zones (based on Bells Ferry Regulating Plan)
 - b Planned Street types and street configuration
 - c Location of Civic Building sites and Civic Spaces
 - d Frontage Characteristics of Streets
- 2 Illustrative Plan (Building Scale Plan)
 - a Building Disposition (lots and building footprint)
 - b Configuration (frontages and building heights)
 - c Building function and density
 - d Parking standards

- 3 Community Standards
 - a Covenants for Governance
 - b Architectural Standards
 - c Environmental Standards
 - d Landscape Standards
 - e - Including a tree plan meeting the requirements of Article 25 - Tree Preservation and Replacement Ordinance
 - f Signage
 - g Ambient (lighting and sound)
 - h Visitability

B Plans Review Process

Each Neighborhood Plan shall respond to the existing conditions of the site, adjacent developments, connecting thoroughfares, natural features and man-made traces.

(Ord. No. 2007-Z-002, 07-07-07)

Figure 16.2

