

ARTICLE 2
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Division I. Zoning Districts Generally.

Sec. 2-1. Zoning Districts Established.

The following zoning districts are hereby established:

R-30, Single-Family Residential District
R-20, Single-Family Residential District
R-15, Single-Family Residential District
MDR, Medium Density Residential District
PUD-R, Planned Unit Development-Residential
MXU, Mixed-Use District
O-I, Office-Institutional District
NRC, Neighborhood Retail Commercial District
CRC, Community Retail Commercial District
CBD, Central Business District
LI, Light Industrial District
BP, Business Park District
HI, Heavy Industrial District

Sec. 2-2. Zoning District Boundaries.

The boundaries of the zoning districts established in this article are shown on the official zoning map, or as otherwise interpreted in strict conformity with the provisions of division V of this article.

Sec. 2-3. Minimum Requirements.

- (a) **Uniformity.** Within each zoning district, the regulations set forth shall be minimum requirements and shall apply uniformly to each class or kind of building, structure or land, except as may be altered through conditions of zoning applied to specific properties.
- (b) **Conditions specific to property.** All conditions of rezoning, special use, or variance approval applied to property prior to adoption or re-adoption or amendment of the official zoning map are hereby retained and reaffirmed, and shall continue in full force and effect until such time as the property is rezoned or the prior zoning action of the Mayor and City Council is amended through the applicable process established by article 13 of this development code.

Sec. 2-4. Use, Occupancy, and Construction.

No building, structure, land, or water shall hereafter be used or occupied, and no building or structure or part hereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with the use provisions and other regulations for the zoning district in which it is located, as well as all other applicable provisions of this development code, or amendments thereto.

[Secs. 2-5 to 2-10 Reserved].

Division II. Residential Zoning Districts.

Sec. 2-11. R-30, Single-Family Residential District.

- (a) **Relationship to comprehensive plan.** The R-30 zoning district is intended to implement the “suburban residential” future development area established by the comprehensive plan. The R-30 zoning district is intended to implement the “low density residential” future land use category established by the comprehensive plan.
- (b) **Purposes and intentions.** This zoning district is intended to establish and protect existing neighborhoods comprised primarily of detached, single-family dwellings at densities not exceeding 1.45 dwelling units per acre. Conservation subdivisions, which may be constructed at densities slightly higher than that permitted for conventional single-family residential development, are also permitted subject to compliance with the provisions of article 15, division IX of this development code. Institutional and park, recreation, and greenspace uses are also accommodated. This zoning district is generally isolated from commercial and industrial uses.
- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-1, “Permitted and Special Uses by Residential Zoning District.”
- (d) **Dimensional requirements.** Minimum lot size, minimum lot width, maximum building height, minimum building setbacks and other dimensional requirements shall be as provided in Table 2-2, “Dimensional Requirements for Residential Zoning Districts.” Conservation subdivisions are subject to compliance with the provisions of article 15, division IX of this development code.
- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this development code.

Sec. 2-12. R-20, Single-Family Residential District.

- (a) **Relationship to comprehensive plan.** The R-20 zoning district is intended to implement the “suburban residential” future development areas established by the comprehensive plan. The R-20 zoning district is intended to implement the “low density residential” future land use category established by the comprehensive plan.
- (b) **Purposes and intentions.** This zoning district is intended to establish and protect existing neighborhoods comprised primarily of detached, single-family dwellings at densities not exceeding 2.17 dwelling units per acre. Conservation subdivisions, which may be constructed at densities slightly higher than that permitted for conventional single-family residential development, are also permitted subject to compliance with the provisions of article 15, division IX of this development code. Institutional and park, recreation, and greenspace uses are also accommodated. This zoning district is generally isolated from commercial uses and industrial.
- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-1, “Permitted and Special Uses by Residential Zoning District.”
- (d) **Dimensional requirements.** Minimum lot size, minimum lot width, maximum building height, minimum building setbacks and other dimensional requirements shall be as provided in Table 2-2, “Dimensional Requirements for Residential Zoning Districts.” Conservation subdivisions are subject to compliance with the provisions of article 15, division IX of this development code.

- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this development code.

Sec. 2-13. R-15, Single-Family Residential District.

- (a) **Relationship to comprehensive plan.** The R-15 zoning district is intended to implement the “suburban residential” future development areas established by the comprehensive plan. The R-15 zoning district is intended to implement the “low density residential” future land use categories established by the comprehensive plan.
- (b) **Purposes and intentions.** This zoning district is intended to establish and protect existing neighborhoods comprised primarily of detached, single-family dwellings at densities not exceeding 2.9 dwelling units per acre. Conservation subdivisions, which may be constructed at densities slightly higher than that permitted for conventional single-family residential development, are also permitted subject to compliance with the provisions of article 15, division IX of this code. Institutional and park, recreation, and greenspace uses are also accommodated. This zoning district is generally isolated from commercial and industrial uses.
- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-1, “Permitted and Special Uses by Residential Zoning District.”
- (d) **Dimensional requirements.** Minimum lot size, minimum lot width, maximum building height, minimum building setbacks and other dimensional requirements shall be as provided in Table 2-2, “Dimensional Requirements for Residential Zoning Districts.” Conservation subdivisions are subject to compliance with the provisions of article 15, division IX of this development code.
- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this development code.

Sec. 2-14. MDR, Medium Density Residential District.

- (a) **Relationship to comprehensive plan.** The MDR zoning district is intended to implement the “village center residential” future development area as established by the comprehensive plan. The MDR zoning district is intended to implement the “medium density residential” future land use category established by comprehensive plan.
- (b) **Purposes and intentions.** This district is intended to provide for dwellings at densities not exceeding 3.2 dwelling units per acre for single-family detached residences. Conservation subdivisions, which may be constructed at densities slightly higher than that permitted for conventional single-family residential development, are also permitted subject to compliance with the provisions of article 15, division IX of this code. This district also permits duplexes, triplexes, quadraplexes, townhouses, and condominiums by right at densities not exceeding 5 dwelling units per acre. Density increases are also permitted by special use not exceeding 8

dwelling units per acre, provided development incorporates exceptional traditional neighborhood development design and amenities into the site plan. Institutional and park, recreation, and greenspace uses are also accommodated.

- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-1, “Permitted and Special Uses by Residential Zoning District.”
- (d) **Dimensional requirements.** Minimum lot size, minimum lot width, maximum building height, minimum building setbacks and other dimensional requirements shall be as provided in Table 2-2, “Dimensional Requirements for Residential Zoning Districts.” Conservation subdivisions are subject to compliance with the provisions of article 15, division IX of this development code.
- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this development code.
- (f) **Private open space required.** Every single-family detached and single-family attached dwelling unit zoned MDR shall have a minimum 400 square foot private yard or patio arranged for use by the occupants of the dwelling and located in the side or rear yard. The private yard or patio may be enclosed by any combination of the following: a masonry wall, wood fence, trellis or lattice with a minimum height of 6 feet; or an evergreen hedge, shrubs or trees that will achieve a height of 6 feet within 3 years of planting under normal growing conditions.
- (g) **Recreation amenity.** Every single-family detached, single-family attached or multi-family development zoned MDR must contain a community recreation amenity of adequate size or variety to serve the development, such as a community pool, tennis courts, tot lot, basketball courts, or bike trails.
- (h) **Design features.** Every single-family detached, single-family attached or multi-family development zoned MDR must be deemed by the Mayor and City Council to incorporate features of exceptional architectural, landscaping or site design prior to zoning approval. Such plans upon which this determination is made shall be considered a part of the zoning approval of the project.

Section 2-15. PUD-R, Planned Unit Development- Residential

(a) Purpose

The PUD-R district is intended to allow flexible site planning and building arrangements under a unified plan of development so that innovative land planning methods may be utilized which foster natural resource conservation and neighborhood cohesiveness as well as neo-traditional developments. This may permit buildings to be clustered or arranged in an unconventional manner to maximize open space, create a pedestrian scale and other public benefits. In this district smaller lots than might otherwise be permitted under traditional zoning districts may be allowed; however, the purpose is not merely to allow smaller lots or reduce development requirements but to achieve other goals including the protection of sensitive environmental, historic, or aesthetic resources as well as the provision of site amenities such as parks, open space, walking trails, etc. The PUD-R district is intended to encourage greater density of development, and to encourage ingenuity and resourcefulness in

land planning techniques which result in quality residential patterns that conserve and create open space, reduce vehicle trips and provide stable developments which enhance the surrounding area.

- (b) PUD-R is intended for single-family detached dwellings and, single-family attached, fee-simple townhouse.
- (c) The building setback abutting any zoning district must be 35 feet along the perimeter of the site.
- (d) The minimum landscape buffer width abutting any zoning district shall be 25 feet for the entire perimeter of the site.
- (e) All residential units shall have two-car garages, and the parking pads/driveway in front of the garage shall be a minimum of 22 feet in length in order to accommodate two additional cars, without encroaching on the sidewalk. The garages shall be used for the parking and storage of vehicles and may not be enclosed to provide for additional residential space.
- (f) A recreation area shall be provided at a ratio of 1 acre per 50 units (or a proportional percentage thereof) with a minimum of 10,000 square feet provided. Such area shall be developed with at least one recreational feature, such as a walking trail, pavilion, gazebo, picnic area, swimming pool, playground or tennis courts. Recreational areas must be outside of any floodplain area. Any recreation area must be located in an area with a slope of less than 15%; however, all recreation areas or applicable green space must meet ADA requirements for accessibility.
- (g) Accessory structure may not be closer to any right-of-way or property lines than the principal building. In case of corner lots, the accessory structure may not be closer to any right-of-way than the principal building. No accessory structure may exceed the more restrictive of either 15 feet or the height of the principal building.
- (h) Materials to be used on exterior facades of all buildings shall include no less than 50% brick or stone, on the front and side facades. If the rear of the building faces the main right-of-way, 50% brick on the rear façade that is visible to the main road will be required. All other building materials must be consistent with the architectural standards outlined in this Code.
- (i) A 10 foot wide front landscape strip is required along the frontage of the development. One canopy tree shall be planted along every street frontage at a quantity equal to one tree per 40 feet of property frontage. This 10 foot strip must also include evergreen trees and shrubs. Trees Buffer Landscaping, Section 12 of the Unified Development Code is applicable to development within the PUD-R district.
- (j) All PUD-R developments shall be zoned and subject to site specific plans and is still subject to applicable requirements of the Unified Development Code.
- (k) The PUD-R allows for flexibility in design therefore, as part of the rezoning application, all provisions of the Unified Development Code that cannot be met as part of the development

must be specifically identified in the rezoning application. Only uses permitted in Table 2-1 will be allowed within the PUD-R zoning district. After approval of the PUD-R, no other variance may be requested. Any modification to the PUD-R after approval must be considered as a change in zoning, unless identified as a minor site plan revision as defined in Section 13-54 or can be varied administratively.

(l) If development does not have lots, the units must meet the required square footage outlined for the PUD-R zoning district.

(m) A detailed site plan will be required with application and should include the following:

- i. The location and extent of public rights-of-way, easements and water and drainage courses bounding and within the tract included in the general plan by reference to a plan or drawing.
- ii. Minimum standards for lot development (setbacks, lot size).
- iii. Open space and recreation area provisions (active and passive).
- iv. Detailed landscaping plan.
- v. Detailed architectural elevations of the proposed buildings.
- vi. Provide lot typical for interior and corner lots

b) Area Regulations

Minimum Tract Size: 3 acres

[Secs. 2-16 to 2-20 Reserved].

**Table 2-1
Permitted and Special Uses by Residential Zoning District**

Use	See Also Sec.	R-30	R-20	R-15	MDR	PUD-R	
ACCESSORY USES							
Accessory uses and structures not otherwise listed in this table, determined by the community development director to be normally incidental to one or more permitted principal uses	Sec. 4-05	P	P	P	P	P	
Accessory apartment, attached	Sec. 4-10	S	S	S	S	S	
Accessory apartment, detached	Sec. 4-10	S	S	S	S	S	
Carport or garage		P	P	P	P	P	
Construction field office	Sec. 4-210	P	P	P	P	P	
Fallout shelter		P	P	P	P	P	
Family day care home	Sec. 4-110	P	P	P	P	P	
Fence	Sec. 4-135	See Table 4.1					
Greenhouse, private		P	P	P	P	P	
Guest house	Sec. 4-160	P	P	P	P	P	
Home occupation	Sec. 4-170	P	P	P	P	P	
Intermodal container, temporary	Sec. 4-180	P	P	P	P	P	
Junk	Sec. 4-185	X	X	X	X	X	
Model home or subdivision sales officer, temporary	Sec. 4-285	P	P	P	P	P	
Parking space, parking lot accessory to one or more permitted uses	Sec. 4-235	P	P	P	P	P	
Parking of commercial vehicle or semi-trailer	Sec. 4-270	X	X	X	X	X	
Recreation facility, private (tennis court, swimming pool)	Sec. 4-295	P	P	P	P	P	
Roadside stand		S	X	X	X	X	
Solar energy system, building mounted	Sec. 4-275	P	P	P	P	P	
Solar energy system, ground mounted	Sec. 4-280	S	S	S	S	S	
Tower, amateur radio	Sec. 4-435	P	P	P	P	P	
Utility substation		P	P	P	P	P	
Yard or garage sale	Sec. 4-335	P	P	P	P	P	
AGRICULTURAL USES							
	See Also Sec.	R-30	R-20	R-15	MDR	PUD-R	
Livestock and animal quarters	Sec. 4-200	S	X	X	X	X	
Poultry	Sec. 4-200 (d)	P	P	P	P	P	
Production of crops	Sec. 4-15	P	P	P	P	P	
Timbering and forestry	Sec. 4-15	P	P	P	P	P	
Agriculture, agricultural facility, or agricultural operation not otherwise specifically indicated in this table		S	S	X	X	X	
RESIDENTIAL USES							
	See Also Sec.	R-30	R-20	R-15	MDR	PUD-R	
Boarding house		X	X	X	X	X	
Conservation subdivision	Art.15 Div. 9	P	P	P	P	P	
Dwelling, detached single-family	Sec. 4-130	P	P	P	P	P	
Dwelling, two-family (duplex)	Sec. 4-125	X	X	X	P	P	
Dwelling, attached single-family (fee simple or condo)	Sec. 4-120	X	X	X	P	P	
Dwelling, multiple-family		X	X	X	X	X	
Group home		X	X	X	S	S	
Live-work unit		X	X	X	S	S	
Loft		X	X	X	P	P	
Manufactured home	Sec. 4-205	X	X	X	X	X	
Modular home (see def. industrialized building)		P	P	P	P	P	
Model home or subdivision sales office, temporary	Sec. 4-285	P	P	P	P	P	
Relocated residential structure		S	S	S	S	S	
INSTITUTIONAL USES							
		R-30	R-20	R-15	MDR	PUD-R	
Church, temple, synagogue, or place of worship	Sec. 4-70	S	S	S	S	S	
Club or lodge, nonprofit (civic, fraternal, social)	Sec. 4-75	S	S	S	S	S	
Continuing care retirement community		X	X	X	S	S	

Use	See Also Sec.	R-30	R-20	R-15	MDR	PUD-R
Institutionalized residential living and care facilities, serving less than 15 persons	Sec. 4-175	X	X	X	X	X
Institutionalized residential living and care facilities, serving 15 or more persons	Sec. 4-175	X	X	X	X	X
Public use		P	P	P	P	P
School, private elementary, middle, or high	Sec. 4-260	S	S	S	S	S
RECREATIONAL USES		R-30	R-20	R-15	MDR	PUD-R
Common area		P	P	P	P	P
Community recreation	Sec. 4-100	P	P	P	P	P
Conservation area		P	P	P	P	P
Golf course as part of residential subdivision		S	S	S	S	P

Table 2-2
Dimensional Requirements for Residential Zoning Districts
 NP = Not Permitted NA = Not Applicable

MINIMUM LOT SIZE AND MAXIMUM DENSITY BY USE	R-30	R-20	R-15	MDR	PUD-R
Minimum lot size, detached single-family dwelling lot (square feet)	30,000	20,000	15,000	11,000	±
Minimum lot size, two-family dwelling lot (square feet)	NP	NP	NP	22,000	±
Minimum lot size, fee simple townhouse lot	NP	NP	NP	2,000	±
Minimum lot size, lot for any other permitted use not otherwise specified in this table (square feet)	30,000	20,000	15,000	11,000	±
Maximum residential density, detached single-family dwelling (dwelling units per acre)	1.2	1.75	2.3	3.2	8
Maximum residential density, permitted multiple-family dwelling types (dwelling units per acre)	NP	NP	NP	5.0	8
Maximum residential density, multiple-family dwelling types with special use approval (dwelling units per acre)	NP	NP	NP	8.0	N/A
MINIMUM LOT WIDTH AT FRONT SETBACK					
Minimum lot width, all uses except as noted (feet)	100	90	75	60	±
Minimum lot width, fee simple townhouse lot (feet)	NP	NP	NP	20	±
Minimum lot width, fee simple townhouse lot at end of building (feet)	NP	NP	NP	30	±
MINIMUM LOT FRONTAGE ON STREET					
Minimum lot frontage on street, except cul-de-sac lot, all uses (feet)	100	90	75	60	±
Minimum lot frontage on street, cul-de-sac lot, all uses (feet)	50	45	40	35	±
BUILDING AND SITE REQUIREMENTS					
Maximum impervious surface coverage of a lot, detached single-family dwelling (percent)	25%	30%	35%	40%	±
Maximum impervious surface coverage of a lot, permitted uses other than detached single-family dwelling (percent)	35%	40%	45%	50%	±
BUILDING HEIGHT REQUIREMENTS					
Maximum building height (feet)	35	35	35	35	35
SETBACKS FOR PRINCIPAL BUILDINGS AND ACCESSORY STRUCTURES LARGER THAN 144 SQUARE FEET IN FLOOR AREA					
Front (feet)	45	35	35	35	±
Side (feet)	12	10	10	10	±
Rear (feet)	40	35	30	20	±
ACCESSORY BUILDINGS OF 144 SQUARE FEET OR LESS IN FLOOR AREA AND ACCESSORY STRUCTURES					
Front (feet)	NP	NP	NP	NP	NP
Side (feet)	5	5	5	5	
Rear (feet)	5	5	5	5	
SPECIAL SETBACKS, BUFFERS, AND LANDSCAPE STRIPS					
Minimum principal or accessory building setback abutting any R-30, R-20, or R-15 zoning district (feet)	NA	NA	NA	35	25
	R-30	R-20	R-15	MDR	PUD-R
Minimum buffer width abutting any R-30, R-20, or R-15	NA	NA	NA	25	25

zoning district (feet)					
Minimum landscape strip required along right-of-ways for any non-single-family residential use (width in feet)	10	10	10	10	10
MINIMUM HEATED FLOOR AREA REQUIREMENTS	R-30	R-20	R-15	MDR	PUD-R
Detached, single-family dwelling unit (square feet)	2,000	1,800	1,600	1,400	‡
Fee simple townhouse unit or unit in a two-family dwelling	NP	NP	NP	1,200	‡
Multi-family dwelling unit, efficiency	NP	NP	NP	NP	NP
Multi-family dwelling unit, one bedroom	NP	NP	NP	NP	NP
Multi-family dwelling unit, two bedroom	NP	NP	NP	NP	NP
Multi-family dwelling unit, three bedroom	NP	NP	NP	NP	NP

‡ As established as part of the zoning approval for the development

[Secs. 2-15 to 2-20 Reserved].

Division III. Mixed-Use and Nonresidential Zoning Districts.

Sec. 2-21. MXU, Mixed-Use District.

- (a) **Relationship to comprehensive plan.** The MXU zoning district may be appropriate for the “village center residential,” “town center mixed use,” “neighborhood activity center,” and “community activity center” future development areas established by the comprehensive plan. The MXU zoning district may be appropriate to implement the “downtown,” “community,” and “neighborhood” activity center future land use categories established by the comprehensive plan.
- (b) **Purposes and intentions.** The MXU district is established to provide locations for planned combination of commercial and office uses with residential uses. Appropriate intensities of development are directly related to the varying intensities encouraged by the comprehensive plan in various locations throughout the city. The intent of the MXU district is to allow the opportunity for an integrated mixture of residential and commercial employment-generating uses within the same structure or site, including upper floor residential over ground floor commercial or office uses; and the combination of residential and nonresidential uses on the same floor, such as ground-floor live-work units. Uses within a MXU zoning district are intended to be located and designed as a unified development.
- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-3, “Permitted and Special Uses in Mixed-Use and Non-residential Zoning Districts.”
- (d) **Dimensional requirements.** Unless otherwise specified in Table 2-4, “Dimensional Requirements for Mixed-Use and Non-residential Zoning Districts” of this code, design features of a mixed-use development, such as minimum lot sizes, minimum lot widths and frontage requirements, buffer widths, building setbacks, minimum dwelling unit floor areas, and maximum building heights, will be established on a project-by-project basis, incorporating specifications and site plans of the development into conditions of zoning approval.
- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this development code.

- (f) **Land use mix.** The proportion and distribution of nonresidential to residential uses in a Mixed-Use development is determined by the land use category in which the mixed-use development is located as delineated on the future land use map of the comprehensive plan. The applicable future land use map category also determines the maximum number of dwelling units and the maximum commercial and office floor area that can be allowed in the mixed-use development based on the maximum allowed density. These limitations and the distribution of residential density within a mixed-use development are specified in Table 2-5.
- (g) **Minimum area for rezoning.** The minimum land area to rezone to the MXU zoning district is two acres.
- (h) **Development.** Commercial structures and uses are to be located and designed as a unified development. Residential and commercial/office uses may either be located in freestanding buildings within a site, or combined together within the same building. Development is to be carefully planned to ensure the benefits of mixed-use development are fully realized and potential negative impacts of one use on another are minimized, both within the development and along its periphery.
- (i) **Sequencing of commercial with residential development.** Unless another sequencing provision is substituted by Mayor and City Council as part of the MXU development approval, no more than 50% of the total number of dwelling units authorized in the MXU development shall receive building permits from the city until a building permit is issued, and certificate of occupancy is issued for at least 5,000 square feet of nonresidential space or 25% of the square footage of nonresidential development authorized in the MXU development, whichever is greater.

**Table 2-3
Permitted and Special Uses in
Mixed-Use and Non-residential Zoning Districts**

Use	See also	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
ACCESSORY									
Automated teller machine (with drive-through)	Sec. 4-35	X	X	P	P	X	P	X	X
Automated teller machine (without drive-through)	Sec. 4-35	P	P	P	P	P	P	P	P
Automotive Broker, Office Only (within office occupied by an established permitted use.		X	P	P	P	P	P	P	P
Business services, accessory		P	P	P	P	P	P	P	P
Caretaker's residence	Sec. 4-65	X	X	X	X	P	P	P	P
Carnival or amusement park not on fairground	Sec. 4-85	X	X	X	S	S	S	X	X
Carport or garage	Sec. 4-05	P	P	X	X	P	P	P	P
Catering establishment		X	X	X	P	P	P	X	X
Christmas tree sales facility, temporary		X	X	P	P	P	P	P	X
Construction field office	Sec. 4-210	P	P	P	P	P	P	P	P
Fence	Sec. 4-135	See Table 4.1							
Food truck	Sec. 4-145	P	X	P	P	P	P	P	X
Helicopter landing pad		X	X	X	S	X	S	S	S
Intermodal container, temporary	Sec. 4-180	P	P	P	P	P	P	P	P
Solar energy system, building mounted	Sec. 4-275	P	P	P	P	P	P	P	P
Solar energy system, ground mounted	Sec. 4-280	P	P	P	P	P	P	P	P
RESIDENTIAL									
See also									
Boarding house		X	X	X	S	X	X	X	X
Dormitory		X	X	X	S	X	X	X	X
Dwelling, single-family detached, fee-simple, existing on the effective date of these regulations	Sec. 4-130	P	P	P	X	P	X	X	X
Dwelling, single-family detached	Sec. 4-130	P	P	X	X	S	X	X	X
Dwelling, single-family attached (fee-simple or condominium townhouse)	Sec. 4-120	P	S	X	X	P	X	X	X
Dwelling, two-family (duplex)	Sec. 4-125	P	X	X	X	X	X	X	X
Dwelling, multiple-family, including apartments and condominiums	Sec. 4-325	P	X	X	S	P	X	X	X
Group home, serving 15 persons or less		S	S	S	P	S	X	X	X
Group home, serving more than 15 persons		X	X	X	S	S	X	X	X
Live-work unit		P	P	X	X	P	S	S	X
Loft dwellings		S	X	X	X	P	X	X	X
Relocated residential structure		X	S	X	X	X	X	X	X
INSTITUTIONAL									
See also									
Aircraft landing area, other than helicopter landing pad		X	X	X	S	X	S	S	S
Cemetery	Sec. 4-70	X	P	X	X	X	P	P	P
Church, temple, synagogue, or place of worship	Sec. 4-70	S	P	P	P	X	P	X	X
Club or lodge, nonprofit, without private bar or restaurant	Sec. 4-75	S	P	P	P	X	P	X	X
Club or lodge, nonprofit, with private bar or restaurant	Sec. 4-75	S	S	S	S	X	S	X	X
College or university		S	P	P	P	X	P	P	X
Community center, senior center		P	P	P	P	P	P	P	X
Continuing care retirement community		S	X	X	P	S	X	X	X
Community donation center	Sec. 4-90	X	X	X	P	X	P	P	X

Community food or housing shelter	Sec. 4-95	X	X	X	S	S	X	X	X
Use	See also	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Fraternity or sorority house		X	X	X	S	X	X	X	X
Hospital		X	X	X	P	P	P	S	X
Institutional residential living and care facilities, serving 15 or less persons	Sec. 4-175	X	S	S	P	X	X	X	X
Institutional residential living and care facilities, serving more than 15 persons	Sec. 4-175	X	X	X	S	X	X	X	X
Library or archival facility		P	P	P	P	P	P	P	X
School for the arts	Sec. 4-260	P	P	P	P	X	P	P	X
School, private, elementary, middle, or high	Sec. 4-260	P	P	P	P	X	P	P	X
School, special	Sec. 4-260	P	P	P	P	X	P	P	X
School, business or trade	Sec. 4-260	P	P	P	P	X	P	P	P
Tower, amateur radio	Sec. 4-435	P	P	P	P	P	P	P	P
Utility substation		P	P	P	P	P	P	P	P
Transportation, communication, or utility facility not elsewhere classified		X	X	X	X	X	S	S	S
Wireless telecommunication facility or equipment	Sec. 4-325	X	X	X	S	X	S	S	S
COMMERCIAL	See also	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Adult business	Sec. 4-585	X	X	X	X	X	X	S	S
Animal hospital or veterinary clinic		X	S	P	P	S	P	P	X
Animal shelter	Sec. 4-30	X	X	X	X	X	P	P	X
Appliance repair	Sec. 4-50	X	X	X	X	X	P	P	X
Artist studio		P	P	P	P	P	P	P	X
Auto parts and tire store (New Only)		X	X	X	P	X	P	P	X
Automobile rental	Sec. 4-40	X	X	X	P	X	X	P	P
Automobile repair	Sec. 4-40	X	X	X	X	X	X	P	P
Automobile sales (new)	Sec. 4-40	X	X	X	X	X	X	P	P
Automobile sales (used)	Sec. 4-40	X	X	X	X	X	X	X	P
Automobile sales broker (office, no inventory)		X	P	X	P	X	P	P	P
Automobile service	Sec. 4-50	X	X	X	P	X	X	P	P
Bakery, retail		P	X	P	P	P	P	P	X
Bail bonding or bondsperson		X	X	X	X	X	X	X	X
Bed and breakfast inn	Sec. 4-55	S	S	P	P	P	P	X	X
Body piercing		X	X	X	X	X	X	X	X
Broadcasting tower or studio		X	P	X	P	S	P	P	P
Building sales (including manufactured home)		X	X	X	X	X	X	P	P
Business service establishment, not exceeding 2,500 square feet of gross floor area per establishment		P	P	P	P	P	P	P	X
Business service establishment, more than 2,500 square feet of gross floor area per establishment		S	S	P	P	P	P	P	X
Camp or campground		X	X	X	S	X	X	X	X
Car wash		X	X	S	S	X	X	S	X
Catering establishment		X	X	X	P	X	P	P	X
Clinic		P	P	P	P	P	P	X	X
Commercial recreational facility, indoor		P	X	P	P	S	P	P	P
Commercial recreational facility, outdoor	Sec. 4-85	X	X	P	P	X	P	P	P
Conference center		X	X	X	P	P	P	X	X
Construction contractor's establishment		X	X	X	P	X	P	P	P
Consumer fireworks retail facility		X	X	P	P	X	S	S	S
Convenience store, without fuel pumps		P	X	P	P	P	S	X	X
Convenience store, with fuel pumps	Sec. 4-150	X	X	X	S	X	S	S	X
Courier or message service		X	P	X	P	P	P	P	X

Data processing center		X	P	X	P	P	P	P	X
Use	See also	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Day care, including group day care home, and basic social (non-medical) adult day care serving not more than 18 adults)	Sec. 4-110	P	P	P	P	S	P	X	X
Day care, child learning center (19 or more), or basic social adult day care serving 19 or more adults, or medical adult day care serving any number	Sec. 4-110	X	S	S	P	S	P	X	X
Exterminator, pest control or disinfecting service		X	P	P	P	S	P	P	P
Fairground		X	X	X	P	X	S	P	X
Farmers market		X	X	X	P	P	P	P	X
Finance, insurance, and real estate establishments, including bank, 2,500 square feet or less of gross floor area per establishment		P	P	P	P	P	P	P	X
Finance, insurance, and real estate establishments, including bank, more than 2,500 square feet of gross floor area per establishment		S	S	P	P	P	P	P	X
Fitness center		X	X	S	P	S	P	P	X
Flea market	Sec. 4-140	X	X	X	X	X	X	S	X
Fuel sales, gasoline and diesel, retail	Sec. 4-150	X	X	X	S	X	P	P	P
Fuel tank sales		X	X	X	X	X	X	P	P
Funeral home	Sec. 4-151	X	X	X	S	X	S	P	P
Furniture repair or reupholstering		X	X	X	P	S	P	P	X
Greenhouse, plant nursery		X	X	X	P	X	P	P	X
Golf course with country club		X	X	X	P	X	P	S	X
Hookah bar or hookah lounge		X	X	X	X	X	X	X	X
Internet business		P	P	P	P	S	P	P	X
Janitorial, building and carpet cleaning		X	X	X	P	S	P	P	P
Kennel	Sec. 4-195	X	X	X	S	X	S	P	X
Landscaping company		X	X	X	X	X	P	P	X
Lawn and garden store		X	X	X	P	X	P	P	X
Laundry, laundromat		X	X	P	P	X	P	P	X
Locksmith, security service		P	P	P	P	P	P	P	X
Lodging service, hotel		X	X	X	P	P	S	X	X
Lodging service, motel		X	X	X	X	X	X	X	X
Lodging service, Extended Stay		X	X	X	X	X	X	X	X
Mail order establishment		P	P	P	P	S	P	P	X
Manufactured home sales lot		X	X	X	S	X	S	P	P
Mixed use building		P	X	X	P	P	S	X	X
Museum		P	P	P	P	P	P	P	X
Office, professional, medical, other		P	P	P	P	P	P	P	P
Office/warehouse		X	X	X	X	X	P	P	P
Open air business		X	X	X	X	X	S	S	P
Package store		X	X	X	S	X	X	X	X
Parking lot, off-site		S	S	S	S	S	S	S	S
Parking structure		S	X	X	S	S	S	S	X
Pawn shop		X	X	X	X	X	X	X	X
Payday loan establishment		X	X	X	X	X	X	X	X
Personal service establishment, apparel		P	X	P	P	P	P	X	X
Personal service establishment, entertainment		X	X	X	P	P	P	X	X
Personal service establishment, event or travel		P	P	P	P	P	P	X	X
Personal service, forecasting		X	X	X	X	X	X	S	S
Personal service, on-site provider		P	S	P	P	P	P	X	X

Personal service, social relationship		X	X	X	X	X	X	S	S
Use	See also	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Personal service establishment, of the type permitted, exceeding 2,500 square feet of gross floor area per establishment		S	S	S	P	P	P	X	X
Pet care, grooming, training, sitting		X	X	P	P	P	P	P	X
Recreational vehicle park		X	X	X	S	X	X	X	X
Recreational Vehicle and Boat Storage	Sec. 4-246	X	X	X	X	X	X	X	P
Restaurant without drive-through		P	S	P	P	P	S	S	X
Restaurant with drive-through	Sec. 4-115	X	X	S	P	S	S	X	X
Retail trade establishment, enclosed		P	S	P	P	P	S	S	X
Riding academy or equestrian center		X	X	X	P	X	P	P	X
Riding stable	Sec. 4-255	X	X	X	P	X	P	P	X
Security service		P	P	P	P	P	P	P	P
Self-service storage facility (mini-warehouses)	Sec. 4-265	X	X	X	X	X	S	S	X
Self-service storage facility (mini-warehouses), climate-controlled	Sec. 4-266	X	X	X	S	X	P	P	X
Special event facility		S	S	P	P	P	P	S	X
Stadium, coliseums, arenas, amphitheater	Sec. 4-85	X	X	X	X	S	S	S	X
Tattoo studio		X	X	X	X	X	X	X	X
Taxi-cab or limousine service		X	X	X	S	X	P	P	X
Theater, motion picture or performing arts		X	X	X	P	P	P	X	X
Tow service		X	X	X	X	X	P	P	X
Truck stop		X	X	X	S	X	X	S	S
Truck or trailer lease and rental facility	Outdoor Storage	X	X	X	S	X	X	P	P
Used Merchandise Stores – enclosed (except Antique Stores)		X	X	S	S	X	X	S	X
Utility company		X	X	P	P	P	P	P	P
Vapor bar or vapor lounge		X	X	X	X	X	X	X	X
Vehicle emission inspection facility	Sec. 4-320	X	X	X	P	X	X	P	P
INDUSTRIAL	See also	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Agricultural processing		X	X	X	X	X	S	P	P
Ambulance services		X	X	X	X	X	S	P	P
Armored car services		X	X	X	P	X	P	P	P
Asphalt or concrete plant	Sec. 4-25	X	X	X	X	X	X	X	S
Auction house or yard		X	X	X	X	X	S	S	P
Bottling or canning plant		X	X	X	X	X	S	S	P
Brewery, distillery, or farm winery		X	X	X	P	P	P	P	P
Bulk storage		X	X	X	X	X	S	P	P
Co-generation facility		X	X	X	X	X	S	P	P
Cold storage plant, frozen food locker		X	X	X	X	X	S	P	P
Cottage industry		P	S	X	X	P	P	P	X
Distribution center, including truck terminals		X	X	X	X	X	P	P	P
Dry cleaning plant		X	X	X	X	X	X	P	P
Explosives storage or manufacture		X	X	X	X	X	X	S	S
Food processing plant, including poultry and fish		X	X	X	X	X	S	S	P
Fuel sales, wholesale and distributors		X	X	X	X	X	X	P	P
Hazardous waste materials or volatile organic liquid handling and/or storage		X	X	X	X	X	X	S	S
Hazardous waste disposal		X	X	X	X	X	X	X	S
Incinerator		X	X	X	X	X	X	X	S
Landfill, construction and demolition or inert waste		X	X	X	X	X	X	S	S
Landfill, sanitary		X	X	X	X	X	X	X	S
Logging yard		X	X	X	X	X	X	P	P
Lumber yard		X	X	X	S	X	P	P	P

Public use		P	P	P	P	P	P	P	P
Solar energy facility or solar farm		X	X	X	X	X	X	P	P
Temporary use approved by the community development director		P	P	P	P	P	P	P	P

**Table 2-4
Dimensional Requirements for Mixed Use and Non-residential Zoning Districts**

DENSITY AND LOT REQUIREMENTS	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Minimum lot size (square feet)	‡	15,000	20,000	20,000	None	40,000	40,000	40,000
Minimum lot width (feet)	‡	75	75	100	None	100	100	100
Minimum lot frontage (feet)	‡	75	75	100	None	50	100	100
Floor-area ratio, maximum	‡	0.25	0.35	0.50	None	0.50	0.75	0.75
Maximum density, multi-family (units per acre)	‡	NA	NA	NA	None	NA	NA	NA
Maximum impervious surface coverage, lot (%)	‡	60	60	75	100	75	75	90
Maximum square footage per establishment (square feet)		None	None	None	None	None	None	None
PRINCIPAL BUILDINGS AND ACCESSORY STRUCTURES LARGER THAN 144 SQUARE FEET IN FLOOR AREA	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Front, minimum (feet)	‡	40	40	40	None	40	50	50
Side, minimum (feet)	‡	10	15	15	None	20	20	20
Rear, minimum (feet)	‡	30	30	40	None	30	40	40
Setback, minimum, abutting R zoning district (feet)	‡	30	40	50	None	100	110	120
Buffer width minimum within setback abutting R zoning district (feet)	‡	20	30	40	None	75	85	110
Front landscape strip (minimum average width in feet)	‡	10	10	10	None	10	20	20
ACCESSORY BUILDINGS OF 144 SQUARE FEET OR LESS IN FLOOR AREA AND ACCESSORY STRUCTURES	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Side or rear yard	‡	10	10	10	None	20	20	20
BUILDING HEIGHT REQUIREMENTS	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Maximum building height (feet)	‡	40	40	50	50	50	50	75
Maximum building height (number of stories)	‡	2	2	4	4	4	4	4
MINIMUM RESIDENTIAL UNIT SQUARE FOOTAGE	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Minimum heated floor area requirement per residential unit (square feet)	‡	NA	NA	NA	None	NA	NA	NA

NA = Not Applicable

‡ As established as part of the zoning approval for the development.

**Table 2-5
Distribution of Residential and Office/Commercial Portions of a Mixed-Use Development**

Comprehensive Plan Future Land Use Map Designation	Use Distribution (Percent of Total Site)	Total Allowed Density/Intensity		Density Distribution of All Residential Units
		Dwelling Units Per Acre for the Residential Area (including open space)	Floor-Area Ratio (FAR) for Commercial and Office	
Low Density Residential	No less than 90 percent residential and open space; no more than 10 percent office and commercial	2 du/ac	0.18 FAR	100% at 2-5 du/ac
Medium Density Residential	No less than 80 percent residential and open space; no more than 20 percent office and commercial	6 du/ac	0.20 FAR	Min. 60% at 2-5 du/ac; Max. 40% at 6-12 du/ac
Neighborhood Activity Center	No less than 50 percent residential and open space; no more than 50 percent office and commercial	8 du/ac	0.25 FAR	Min. 40% at 2-5 du/ac Max. 60% at 6-12 du/ac
Community Activity Center	No less than 40 percent residential and open space; no more than 60 percent office and commercial	12 du/ac	0.50 FAR	100% of total units at 6- 12 du/ac

Sec. 2-22. O-I, Office-Institutional District.

- (a) **Relationship to comprehensive plan.** The O-I zoning district is intended to implement the “employment center” future development area established by the comprehensive plan. The O-I zoning district is intended to implement the “office professional” future land use category shown on the future land use plan map established by the comprehensive plan.
- (b) **Purposes and intentions.** The O-I zoning district is established to provide locations for office park development and to accommodate institutional uses. Uses are limited primarily to professional offices. The O-I zoning district is intended to provide an appropriate transition between neighborhood or commercial activity centers as described in the comprehensive plan, and single-family neighborhoods. Properties containing single-family dwellings on lots fronting heavily traveled roads may be considered appropriate for this zoning district if they are transitional in nature, i.e., experiencing diminished desirability for continued residential use and increased utility for adaptive reuse as offices. Commercial retail and services supporting office uses and compatible with adjacent single-family residential neighborhoods are also appropriate in this district.
- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-3, “Permitted and Special Uses in Mixed-Use and Non-residential Zoning Districts.”
- (d) **Dimensional requirements.** Minimum lot size, minimum lot width, maximum building height, minimum building setbacks and other dimensional requirements shall be as provided in Table 2-4, “Dimensional Requirements for Mixed-Use and Non-residential Zoning Districts.”
- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this development code.

Sec. 2-23. NRC, Neighborhood Retail Commercial District.

- (a) **Relationship to comprehensive plan.** The NRC zoning district is intended to implement the “neighborhood activity center” future development area established by the comprehensive plan. The NRC zoning district is intended to implement the “neighborhood activity center” future land use category established by the comprehensive plan.
- (b) **Purposes and intentions.** The NRC zoning district is established to provide locations for retail, services, and office uses at a neighborhood level of intensity, serving a small market area, in a manner that is compatible with adjacent neighborhoods, and without intense traffic generation. Uses permitted consist primarily of convenience shopping facilities and services that serve a neighborhood-oriented market and which supply convenience goods and/or services. NRC zoning districts are intended to provide pedestrian-oriented neighborhood focal points serving adjacent and nearby neighborhoods. NRC zoning districts are small in total area so as to limit the scale and scope of development and to control adverse impacts on adjacent neighborhoods.
- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-3, “Permitted and Special Uses in Mixed-Use and Non-residential Zoning Districts.”

- (d) **Dimensional requirements.** Minimum lot size, minimum lot width, maximum building height, minimum required building setbacks and other dimensional requirements shall be as provided in Table 2-4, “Dimensional Requirements for Mixed-Use and Non-residential Zoning Districts.”
- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this development code.

Sec. 2-24. CRC, Community Retail Commercial District.

- (a) **Relationship to comprehensive plan.** The CRC zoning district is intended to implement the “community activity center” future development established by the comprehensive plan. The CRC zoning district is intended to implement the “community activity center” future land use category established by the comprehensive plan.
- (b) **Purposes and intentions.** The CRC zoning district is established to accommodate commercial uses serving a citywide or regional market. This zoning district is typically if not exclusively designated on properties abutting and with access to major arterial streets and at intersections of arterial streets with other major streets, where development nodes can be supported by the regional transportation network. Higher density residential uses in certain locations may be permitted.
- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-3, “Permitted and Special Uses in Mixed-Use and Non-residential Zoning Districts.”
- (d) **Dimensional requirements.** Minimum lot size, minimum lot width, maximum building height, minimum building setbacks and other dimensional requirements shall be as provided in Table 2-4, “Dimensional Requirements for Mixed-Use and Non-residential Zoning Districts.”
- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this development code.

Sec. 2-25. CBD, Central Business District.

- (a) **Relationship to comprehensive plan.** The CBD zoning district is intended to implement the “town center mixed use” future development area established by the comprehensive plan. The CBD zoning district is intended to implement the “downtown activity center” future land use category established by the comprehensive plan.
- (b) **Purposes and intentions.** The CBD zoning district corresponds with the established downtown area of Powder Springs, which is the historic cultural, business, and governmental center of the city. The CBD zoning district is intended foster a unique sense of place and identity for the city. This intent can be achieved by providing for an appropriate mixture of land uses and intensity of development conducive to maintaining the downtown area as a focal point for civic activities and traditional “main street” retail commercial and service uses. The CBD zoning district is also intended to provide for a vibrant mix of land uses within easy walking distance of abutting and adjacent neighborhoods, including commercial, office, various forms of housing, civic uses, and parks and recreation areas. Townhomes and loft apartments are considered particularly

appropriate residential uses. The absence of front building setbacks in the CBD zoning district encourages a public realm that promotes “street life” while allowing for greater utilization of the land.

- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-3, “Permitted and Special Uses in Mixed-Use and Non-residential Zoning Districts.”
- (d) **Dimensional requirements.** Minimum lot size, minimum lot width, maximum building height, minimum building setbacks and other dimensional requirements shall be as provided in Table 2-4, “Dimensional Requirements for Mixed-Use and Non-residential Zoning Districts.”
- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this unified development code.

Sec. 2-26. BP, Business Park District.

- (a) **Relationship to comprehensive plan.** The BP zoning district is intended to implement the “professional employment center” and “industrial areas” future development areas established by the comprehensive plan. The BP zoning district is intended to implement the “office professional,” “industrial compatible,” and “industrial” future land use categories established by the comprehensive plan.
- (b) **Purposes and intentions.** The BP zoning district is established to provide locations for business and employment facilities in a designed, planned, often campus-style development pattern. Businesses in this zoning district typically do not involve heavy manufacturing or fabrication of products. Retail and other customer-oriented uses are allowed as special uses to support employment intensive businesses; however, the BP District is not intended to accommodate businesses that serve large numbers of customers on site, nor are BP districts intended to compete with the downtown area and other commercial zoning districts in the city.
- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-3, “Permitted and Special Uses in Mixed-Use and Non-residential Zoning Districts.”
- (d) **Dimensional requirements.** Minimum lot size, minimum lot width, maximum building height, minimum building setbacks and other dimensional requirements shall be as provided in Table 2-4, “Dimensional Requirements for Mixed-Use and Non-residential Zoning Districts.”
- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this unified development code.

Sec. 2-27. LI, Light Industrial District.

- (a) **Relationship to comprehensive plan.** The LI zoning district is intended to implement the “industrial areas” future development area shown on the future development map provided and further described in the comprehensive plan. The LI zoning district is intended to implement the “industrial compatible” and “industrial” future land use categories shown on the future land use plan map provided and further described in the comprehensive plan.

- (b) **Purposes and intentions.** The LI zoning district is established to provide locations for office, automotive repair, light manufacturing and distribution/service facilities. The LI zoning district does not involve or permit manufacturing establishments which emit smoke, water pollution, or excessive noise such as those resulting from the conversion of raw materials into finished products. Rather, uses permitted in the LI zoning district are primarily those that consist of processing, assembling, cleaning, servicing, testing, or repairing of materials, goods or products. Transportation, warehousing, and distribution uses are accommodated as are certain commercial uses supportive of or compatible with other uses permitted in the zoning district.
- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-3, “Permitted and Special Uses in Mixed-Use and Non-residential Zoning Districts.”
- (d) **Dimensional requirements.** Minimum lot size, minimum lot width, maximum building height, minimum building setbacks and other dimensional requirements shall be as provided in Table 2-4, “Dimensional Requirements for Mixed-Use and Non-residential Zoning Districts.”
- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this unified development code.

Sec. 2-28. HI, Heavy Industrial District.

- (a) **Relationship to comprehensive plan.** The HI zoning district is intended to implement the “industrial areas” future development areas established by the comprehensive plan. The HI zoning district is intended to implement the “industrial” future land use category established by the comprehensive plan.
- (b) **Purposes and intentions.** The HI zoning district is established to provide locations for heavy industrial uses such as manufacturing, uses involving chemicals, the storage of petroleum products and other bulk storage facilities, intensive automobile repair and service, warehousing and storage uses, equipment yards, and railroad yards. Uses that generate waste or pollution are subject to state permitting and demonstration of compliance therewith.
- (c) **Permitted and special uses.** Permitted and special uses shall be as provided in Table 2-3, “Permitted and Special Uses in Mixed-Use and Non-residential Zoning Districts.”
- (d) **Dimensional requirements.** Minimum lot size, minimum lot width, maximum building height, minimum building setbacks and other dimensional requirements shall be as provided in Table 2-4, “Dimensional Requirements for Mixed-Use and Non-residential Zoning Districts.”
- (e) **Design review.** Design review shall be required as specified in article 5, “Site and Architectural Design Review,” of this unified development code.

[Secs. 2-29 and 2-30 Reserved].

Division IV. Overlay Districts.

Sec. 2-31. Downtown Redevelopment Overlay

(a) Purpose

The Downtown Redevelopment Overlay shall apply to all properties within the Livable Centers Initiative (“LCI”) Plan study area identified in 2016 LCI application, and the Urban Redevelopment Plan approved in November 2020, as shown on the Official Zoning Map. The purpose of this district is to provide for appropriate planned development of quality mixed-use projects within the City of Powder Springs LCI study and redevelopment area by allowing greater freedom of design, by improving the opportunity for flexibility and creativity in the land development process, by undertaking techniques which foster community and pedestrianism, and by limiting the expenditure of public funds in an effort to achieve the objectives and intent of the City’s Comprehensive Plan and LCI Plan and Urban Redevelopment Plan.

Specifically, this district is intended to:

1. Allow diversification of uses, structures, densities and open spaces when not in conflict with existing and permitted land uses on abutting properties.
2. Reduce development costs through a more efficient use of land and a smaller network of utilities and streets than is possible through the application of standards contained in conventional land development regulations.
3. Conserve the natural amenities of the land by encouraging the preservation of environmentally significant, scenic and functional open space.
4. Provide maximum opportunity for the application of innovative site planning concepts and the creation of aesthetically pleasing environments for living, shopping, playing and working on properties of adequate size, shape and location.
5. Ensure that development will occur according to the advantages and limitations of land, site design, population density, building coverage, improvement standards, and construction phasing as authorized through the approval of a comprehensive site development plan.
6. Provide a mechanism to incorporate and implement the goals and intent of the City of Powder Springs Comprehensive Plan and LCI Plan and Urban Redevelopment Plan.
7. Encourage transportation alternatives, including walking and land use patterns that reduce the need to drive.
8. Increase the amount of open space, public meeting areas, and recreational uses.
9. Provide a tool for improved development through creative design and an appropriate mixt of land uses.

(b) Minimum Design Requirements

1. All projects must be reasonably consistent with the goals and intents of the City of Powder Springs Comprehensive Plan and Urban Redevelopment Plan.
2. Within this Overlay, the City Council may approve alternatives standards to those in the Unified Development Code for lot sizes, lot widths, building setbacks, densities, parking requirements, right-of-way widths, street widths, buffers, and other components. Alternative standards must be expressly submitted and reviewed as part of an overall plan, in accordance with the procedures found in this section. Alternative standards must support the policies in the Comprehensive Plan and the LCI vision.

3. The City will not consider variances to standards or regulations of other regulating jurisdictions, such as erosion control regulations, fire codes, floodplain control, stream buffers, or other similar regulations, without the express written consent and approval of applicable jurisdiction. Furthermore, said consent shall not guarantee nor require the City to waive any or all requirements.
4. All projects should incorporate interconnectivity, pedestrian-friendly improvements, good design, architectural detail, and appropriate scale. Where appropriate, separate land uses are encouraged to be integrated both horizontally and vertically.
5. At a minimum all projects shall include and/or incorporate the following components:
 - a. All Planned Mixed-Use development projects must have a minimum of two discrete type of land use (commercial and single-family, recreational and multi-family, etc.).
 - b. All projects must be designed and incorporated together to provide a harmonious transition from one use to another. Common architecture, themes, significant natural features, connectivity and other items must be included.
 - c. A functional town center, community green, park, or other focal point must be included to create character and identity.
 - d. Interconnections to adjoining property, whether developed or undeveloped, should be included and incorporated into the design where appropriate.
 - e. All projects should have adequate and appropriate access.
 - f. Other standards, as outlined in the City of Powder Springs Comprehensive Plan, Design Guidelines, and LCI Plan which are appropriate for the site's specific location and character area should be included. When determining the appropriateness and viability of a proposed project, the City shall consult the City of Powder Springs Comprehensive Plan and LCI Plan. Projects that prove that the use of innovative or creative design will benefit the City may be considered for said district.

(c) Uses Permitted

All uses permitted shall be as determined by City Council at the time of project review and approval.

(d) Development Standards

1. The minimum site area shall be two (2) acres of contiguous land area.
2. No use, setback, height, and coverage requirements or residential types are established. However, existing residential development adjacent to the Downtown Redevelopment Overlay shall be adequately protected by setbacks, landscaped walls and/or other buffers to be established as part of the site development plan review.

(e) Internal Development Requirements

1. No minimum lot sizes or shapes shall be required, except as may be established as part of the site development plan review.

2. No minimum distance between on-site structures shall be required, except as may be established as part of the site development plan review. However, Fire Code requirements shall be met. Approval of the Cobb County Fire Marshal's office is required prior to issuance of a building permit.
3. No minimum yard setbacks shall be required, except as may be established as part of the site development plan review.

(f) Off-Street Parking and Loading

Adequate off-street parking and loading areas shall be provided as regulated in Article 6 of the Unified Development Code. However, reductions in total parking requirements is strongly encouraged. The sharing of off-street parking areas between and the use of adjacent on-street parking to satisfy requirements is permitted by right. The use of porous alternative parking areas is allowed and encouraged where appropriate.

(g) Landscaping

Landscaping shall be consistent with the minimum requirements as established in the Unified Development Code. The preservation of mature trees and tree stands is strongly encouraged.

(h) Underground Utilities

All on-site utilities shall be installed underground. Large transformers shall be placed on the ground within pad mounts, enclosures or vaults. The developer shall provide adequate landscaping to screen all above-ground facilities.

(i) Accessibility

Every residential unit or permitted use shall have direct access to a public street via a private road, common easement, or other area dedicated or reserved for public use.

(j) Architectural Standards

Unless specifically exempted as part of the stipulations or otherwise permitted during the project development review process by the City, Article 8 - Project Design Standards of the Unified Development Code shall apply to all projects.

(k) Common Open Space Requirements

1. All designated common open spaces shall be preserved by one or more of the following methods:
 - a. Public dedication, subject to acceptance by the City Council.
 - b. Conveyance to a property owners' association or nonprofit land conservation organization.
 - c. Retention of ownership, control and maintenance by the developer with a permanent conservation easement dedicated to the City in perpetuity.
2. All privately-owned common open space shall conform to its intended use and remain as expressed in the approved site development plan through the inclusion in all deeds of appropriate covenants. Said deed restrictions shall run with the land.

(l) Environmental Considerations

Protections of wetlands, creeks and streams and compliance with floodplain requirements should be provided in accordance with Article 9 of the Unified Development Code.

(m) Application Procedures

1. The following procedures, applications and exhibits are required for project approval in the Downtown Redevelopment Overlay:
 - a. Before submitting an application for consideration under the Overlay, the applicant shall confer with the Community Development Department to determine the feasibility for the proposed plan and its relationship to the City's Comprehensive Plan and LCI Plan.
 - b. Any plan or exhibit as part of an application shall certify that the services of two (2) or more of the following professionals were utilized in the design or planning process:
 - i. A planner who is a member of the American Institute of Certified Planners;
 - ii. A landscape architect registered by the State of Georgia;
 - iii. An architect licensed by the State of Georgia; and/or
 - iv. A professional civil engineer registered by the State of Georgia.
 - c. Fees shall be required at the time of submittal of an application, in conformance with the City's fee schedule, unless otherwise waived as part of the Economic Development Incentives Plan.
 - d. All shall include the following information on the site development plan and supporting documents:
 - i. A recent (less than two years) boundary survey with north arrow and
 - ii. scale.
 - iii. A full legal description of the property with attached copies of any instruments referred to such as deeds, plats, covenants or restrictions.
 - iv. The names and addresses of the owners of the property to be considered and evidence of unified control of the property.
 - v. The names and addresses of all adjoining property owners.
 - vi. The total area of the site in acres and square feet.
 - vii. A map indicating the location, arrangement and dimensions of the following existing features within and immediately adjacent to the property:

Vegetation including tree preserve areas, state waters, land uses, buildings, structures, utilities, drainage ways, easements, public street rights-of-way, railways, floodplains, and property lines.
 - viii. A statement as to how the proposed project conforms to the City's adopted Comprehensive Plan, Design Guidelines and LCI Plan.
 - ix. Plans showing the location, arrangement and dimensions of all proposed land uses, including the number of floors per building (other than single-family residential); the height of all non-residential and multi-family buildings above finished grade; building setbacks from perimeter boundaries and from public rights-of-way; a proposed traffic circulation plan showing the location and dimensions of all streets, driveways, walkways, bikeways, parking spaces, and loading areas; and all proposed common elements including utilities, open spaces and recreation areas.
 - x. A plan or statement showing the manner of improving common open spaces, together with provisions, restrictions and conditions

anticipated for the use, maintenance, and operation of such common elements.

- xi. A statement, in tabular form, of the anticipated gross residential density and overall project density, the total number of dwelling units by type, size and number of bedrooms, and gross floor area devoted to business or other nonresidential uses.
 - xii. Proposals for providing preliminary storm water drainage and on-site retention areas and at the City's discretion may include rough calculations, approximate size of retention areas, methods of pollutant removal, location of berms, swales, culverts and sewers, anticipated finished grades, and proposed slopes and grades adjacent to bodies of water
 - xiii. An architectural sketch or sketches of typical proposed structures.
 - xiv. Proposed streetscape sections along existing and new streets.
 - xv. Property owner authorization.
 - xvi. Campaign disclosures.
2. With input from Community Development and Economic Development staff, the Planning Commission and DDA shall make a recommendation to the City Council.
 3. Upon receiving the recommendation of the Planning Commission and DDA, the City Council shall, at a Public Hearing, review said recommendation and proposed project. The City Council may then approve, approve subject to conditions, or disapprove the application. Any and all variances to the City's UDC shall be outlined in stipulations and illustrated on the Site Plan adopted by the City. In the event the consideration is approved by the City Council, the site development plan shall be certified by the City and said certified copy shall be filed as a permanent record. Without exception, the approved plan shall be binding upon all existing and future owners and assigns.
 4. After approval of a site plan, no permits shall be issued and no development shall commence unless in conformance with the approved site development plan, unless a change or deviation is approved by the City.
 5. The Community Development Director may approve minor changes and deviations from the approved site development plan which are in compliance with the provisions and intent of this article, and which do not depart from the principal concept of the approved site development plan. Should the Director determine that a requested change or deviation from the approved site development plan does not comply with the provisions and intent of this article, or departs from the principles and recommendations of the approved Comprehensive Plan and LCI Plan and Urban Redevelopment Plan, the applicant may apply for approval of such change or deviation to the City Council as a Plan Amendment.
 6. If no construction has been initiated or no use established in the downtown redevelopment within eighteen (18) months from time of project approval or such time as specified in a development agreement, the approved site development plan shall lapse and become null and void until the plan is resubmitted for approval or a new site plan is approved as a Plan Amendment.

Sec. 2-32. E-Commerce and Logistics Overlay

(a) Purpose

The City E-Commerce and Logistics Overlay District is established for the purpose of incentivizing the development and redevelopment of targeted annexation areas, Professional Employment Centers, Commercial Corridors (per the Comprehensive Plan) and other areas as may be identified by action of the Mayor and Council.

(b) Definitions

E-Commerce Retail Uses (For Areas Recommended via the Comprehensive Plan as Professional Employment Centers and Commercial Corridors) : E-Commerce Retail Uses are established to provide locations for retail uses closely associated with e-commerce as well as other e-commerce related uses such as Alcohol Delivery to individuals in accordance with O.C.G.A. § 3-3-10, Catalog showrooms, general merchandise (except catalog mail-order), Commercial Banking, Couriers and Express Delivery Centers/Facilities, Electronic Vehicle Charging Stations, Local Messengers and Local Delivery Centers/Facilities, Private Mail Centers, Safe Exchange Zones, Shared Workspaces/Coworking Spaces including limited food and beverage sales, Breweries, wineries and distilleries provided that such use shall meet or exceed any applicable county, state or federal law on alcohol, Parcel Delivery Lockers provided no structure exceeds 2,500 square feet, Small cell wireless facilities and antennas which are subject to permitting regulation under the Georgia Streamlining Wireless Facilities and Antennas Act., O.C.G.A. title 36, chapter 66C.

E-Commerce Business Park Uses (For Areas Recommended via the Comprehensive Plan as Professional Employment Centers and Commercial Corridors): E-Commerce Business Park Uses are established to provide locations for e-commerce enterprises and office uses and business to consumer logistics uses such as Couriers and Express Delivery Services, Data Processing, Hosting, and Related Services, Electronic Shopping and Mail-Order Houses, Electronic Vehicle Charging Stations, Financial Transactions Processing, Reserve, and Clearinghouse Activities, Local Messengers and Local Delivery, Shared Workspaces/Coworking Spaces including limited food and beverage sales, Telephone Call Centers, Virtual Kitchens, Fuel storage for on-site use of vehicles and equipment provided that any fuel storage over 600 gallons must be permitted through the State Fire Marshall, Small Cell Wireless Facilities Small cell wireless facilities and antennas which are subject to permitting regulation under the Georgia Streamlining Wireless Facilities and Antennas Act., O.C.G.A. title 36, chapter 66C.

Advanced Manufacturing Logistics Uses (Limited to Only Areas Recommended via the Comprehensive Plan as Professional Employment Centers): Advanced Manufacturing Logistics Uses are established to provide locations for limited industrial compatible and light manufacturing uses such as Aerospace Product and Parts Manufacturing, Other Transportation Equipment Manufacturing as listed in NAICS Code 336999, Apparel

Manufacturing, Computer and Electronic Product Manufacturing, Computer Systems Design and Related Services, Corporate or administrative offices for any permitted uses within this district which may allow ancillary uses including food, infirmary, fitness centers and childcare, Data Processing, Hosting, and Related Services, Electronic Vehicle Charging Station, Fluid Power Pump and Motor Manufacturing, Fuel storage for on-site use of vehicles and equipment, Furniture and Related Product Manufacturing, Glass and Glass Product Manufacturing, Medical Equipment and Supplies Manufacturing, Pharmaceutical and Medicine Manufacturing, Scientific Research and Development Services excluding any biohazards, Small Cell Wireless Facilities Small cell wireless facilities and antennas which are subject to permitting regulation under the Georgia Streamlining Wireless Facilities and Antennas Act., O.C.G.A. title 36, chapter 66C.

(c) Minimum Design Requirements

- a. All projects must be reasonably consistent with the goals and intents of the City of Powder Springs Comprehensive Plan.
- b. Within this Overlay, the City Council may approve alternatives standards to those in the Unified Development Code for lot sizes, lot widths, building setbacks, densities, parking requirements, right-of-way widths, street widths, buffers, and other components.
- c. The City will not consider variances to standards or regulations of other regulating jurisdictions, such as erosion control regulations, fire codes, floodplain control, stream buffers, or other similar regulations, without the express written consent and approval of applicable jurisdiction. Furthermore, said consent shall not guarantee nor require the City to waive any or all requirements.

(d) Uses Permitted

All uses permitted shall be as determined by City Council at the time of project review and approval generally consistent with the definitions established for E-Commerce Retail Uses, E-Commerce Business Park Uses and Advanced Manufacturing Logistics Uses.

(e) Off-Street Parking and Loading

Adequate off-street parking and loading areas shall be provided as regulated in Article 6 of the Unified Development Code. However, reductions in total parking requirements is strongly encouraged. The sharing of off-street parking areas between and the use of adjacent on-street parking to satisfy requirements is permitted by right. The use of porous alternative parking areas is allowed and encouraged where appropriate.

(f) Landscaping

Landscaping shall be consistent with the minimum requirements as established in the Unified Development Code. The preservation of mature trees and tree stands is strongly encouraged.

(g) Underground Utilities

All on-site utilities shall be installed underground. Large transformers shall be placed on the ground within pad mounts, enclosures or vaults. The developer shall provide adequate landscaping to screen all above-ground facilities.

(h) Environmental Considerations

Protections of wetlands, creeks and streams and compliance with floodplain requirements should be provided in accordance with Article 9 of the Unified Development Code.

(i) Application Procedures

A. The following procedures, applications and exhibits are required for project approval in the E-Commerce and Logistics Overlay:

- i. Before submitting an application for consideration under the Overlay, the applicant shall confer with the Community Development Department to determine the feasibility for the proposed plan and its relationship to the City's Comprehensive Plan.
- ii. Any plan or exhibit as part of an application shall certify that the services of two (2) or more of the following professionals were utilized in the design or planning process:
 1. A planner who is a member of the American Institute of Certified Planners;
 2. A landscape architect registered by the State of Georgia;
 3. An architect licensed by the State of Georgia; and/or
 4. A professional civil engineer registered by the State of Georgia.
- iii. No Fees shall be required at the time of submittal of an application provided that the Community Development Director has confirmed the proposed plan's relationship to the City's Comprehensive Plan.
- iv. All shall include the following information on the site development plan and supporting documents:
 1. A recent (less than two years) boundary survey with north arrow and
 2. scale.

3. A full legal description of the property with attached copies of any instruments referred to such as deeds, plats, covenants or restrictions.
4. The names and addresses of the owners of the property to be considered and evidence of unified control of the property.
5. The names and addresses of all adjoining property owners.
6. The total area of the site in acres and square feet.

7. A map indicating the location, arrangement and dimensions of the following existing features within and immediately adjacent to the property: Vegetation including tree preserve areas, state waters, land uses, buildings, structures, utilities, drainage ways, easements, public street rights-of-way, railways, floodplains, and property lines.
 8. A statement as to how the proposed project conforms to the City's adopted Comprehensive Plan.
 9. Plans showing the location, arrangement and dimensions of all proposed land uses, including the number of floors per building; the height of all non- residential buildings above finished grade; building setbacks from perimeter boundaries and from public rights-of-way; a proposed traffic circulation plan showing the location and dimensions of all streets, driveways, walkways, bikeways, parking spaces, and loading areas; and all proposed common elements including utilities, open spaces and recreation areas.
 10. A plan or statement showing the manner of improving common elements, together with provisions, restrictions and conditions anticipated for the use, maintenance, and operation of such common elements.
 11. A statement, in tabular form, of the anticipated gross floor area devoted to business or other nonresidential uses.
 12. Proposals for providing preliminary storm water drainage and on-site retention areas and at the City's discretion may include rough calculations, approximate size of retention areas, methods of pollutant removal, location of berms, swales, culverts and sewers, anticipated finished grades, and proposed slopes and grades adjacent to bodies of water
 13. An architectural sketch or sketches of typical proposed structures.
 14. Proposed streetscape sections along existing and new streets.
 15. Property owner authorization.
 16. Campaign disclosures.
- B. With input from Community Development and Economic Development staff, the Planning Commission and DAPS shall make a recommendation to the City Council.

- C. Upon receiving the recommendation of the Planning Commission and DAPS, the City Council shall, at a Public Hearing, review said recommendation and proposed project. The City Council may then approve, approve subject to conditions, or disapprove the application. Any and all variances to the City's UDC shall be outlined in stipulations and illustrated on the Site Plan adopted by the City. In the event the consideration is approved by the City Council, the site development plan shall be certified by the City and said certified copy shall be filed as a permanent record. Without exception, the approved plan shall be binding upon all existing and future owners and assigns.

- D. After approval of a site plan, no permits shall be issued and no development shall commence unless in conformance with the approved site development plan, unless a change or deviation is approved by the City.

- E. The Community Development Director may approve minor changes and deviations from the approved site development plan which are in compliance with the provisions and intent of this article, and which do not depart from the principal concept of the approved site development plan. Should the Director determine that a requested change or deviation from the approved site development plan does not comply with the provisions and intent of this article or departs from the principles and recommendations of the approved Comprehensive Plan, the applicant may apply for approval of such change or deviation to the City Council as a Plan Amendment.

- F. If no construction has been initiated or no use established in the E-Commerce and Logistics Overlay within eighteen (18) months from time of project approval, the approved site development plan shall lapse and become null and void until the plan is resubmitted for approval or a new site plan is approved as a Plan Amendment. Resubmittal for a site development plan that has lapsed within eighteen (18) shall require a complete rezoning application fee as described in this Unified Development Code with all required fees, public hearings and advertising requirements.

[Secs. 2-33 to 2-40 Reserved].

Division V. Official Zoning Map.

Sec. 2-41. Adoption.

- (a) The official zoning map, together with explanatory matter thereon, is hereby adopted and made a part of this unified development code. The official zoning map shall be signed by the Mayor in office at the time of adoption, and attested by the Clerk of the City of Powder Springs. The original of the official zoning map shall be kept on record in the office of the City Clerk. A certified copy of the zoning map as originally adopted, and as subsequently officially amended, shall be kept on record in the City Clerk's office.
- (b) The official zoning map may be kept electronically in a geographic information system, and such electronic data shall constitute an integral part of the official zoning map. The community development director may make copies of the official zoning map available to the public for a reasonable fee.

Sec. 2-42. Amendment.

- (a) No changes of any nature shall be made to the official zoning map except for amendments to the map approved by the Mayor and City Council or by adoption of a new official zoning map of the City of Powder Springs.
- (b) The official zoning map may be amended from time to time by the Powder Springs City Council. If, in accordance with the provisions of this Code, the Powder Springs City Council approves changes to the district boundaries or other subject matter portrayed on the official zoning map, such changes shall be made promptly after the amendment has been approved. The date of the zoning district boundary change or amendment and reference to the implementing ordinance shall be provided on the official zoning map.

Sec. 2-43. Determination of Boundaries.

The boundaries of the zoning districts established by this code shall be determined on the basis of the location of the boundary as depicted on the official zoning map; provided, however, that the following provisions shall be used where uncertainty exists by the community development director to interpret the exact location of a zoning district boundary shown on the official zoning map.

- (a) **Streets.** Where boundaries are indicated as approximately following the centerline of streets or highways, street right-of-way lines or such lines extended, such centerline, street right-of-way lines or such lines extended shall be construed to be such boundaries. Where boundaries are indicated as approximately paralleling the centerline of streets or highways, the location of said boundaries shall be determined by using an engineering scale on the zoning map.

- (b) **City limit, militia district and land lot lines.** Where boundaries are indicated as approximately following the corporate limit line of the city, a militia district line, or a land lot line, such line shall be construed to be such boundaries.
- (c) **Property lines.** Where boundaries are indicated as approximately following property lines or such lines extended, such property lines or such lines extended, as indicated by boundary survey, deed or legal description maintained in the official file of said zoning adoption or amendment, if available, shall be construed to be such boundaries.
- (d) **Water courses and drainage ways.** Where boundaries are indicated as approximately following the centerline of a stream bed or river bed, or a drainage way, such centerline shall be construed to be such boundaries.
- (e) **Abandonment or vacation of right-of-way.** Where a public street or other right-of-way is officially vacated or abandoned, and said street or right-of-way is also a zoning district boundary, the district regulations applicable to the property to which it reverted shall apply to such vacated or abandoned public street or right-of-way.

Sec. 2-44. Interpretation of Boundaries.

In the case where the exact location of a boundary cannot be determined by the provisions of this article, the community development director shall determine the location of the boundary. Any such administrative determination is subject to appeal as an administrative decision in accordance with the article 14, division I of this development code.

[Secs. 2-45 to 2-50 Reserved].