

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE

WHEREAS, following a public hearing and meeting advertised in accordance with O.C.G.A. §§ 36-66-4 and 50-14-1 *et seq.*, the Douglas County Planning and Zoning Board and Douglas County Board of Commissioners has considered and adopted various amendments to the Unified Development Code.

NOW, THEREFORE BE IT ORDAINED by the Douglas County Board of Commissioners that the Unified Development Code is amended as follows:

SECTION ONE

The text of Table 2.5 of Article 2 regarding List of Principal Uses Allowed by Zoning District in the Unified Development Code is amended to delete the following as shown by the strikethrough of text:

Article 2, Section 210, Table 2.5

<i>NAI CS Code</i>	<i>Principal Uses</i>	<i>A G</i>	<i>R A</i>	<i>RL D</i>	<i>RM D</i>	<i>R D</i>	<i>RT C</i>	<i>RM F</i>	<i>RM H</i>	<i>OI L</i>	<i>OI H</i>	<i>C N</i>	<i>C C</i>	<i>CG</i>	<i>C H</i>	<i>C R</i>	<i>LI</i>	<i>LI R</i>	<i>HI</i>	<i>See Also</i>
8131	Churches and Similar Places of Public Assembly	□	□	□						■	■	■	■	■	■	■	■			§324

SECTION TWO

The text of Table 2.6 of Article 2 regarding List of Accessory Uses Allowed by Zoning District in the Unified Development Code is amended to delete the following as shown by the strikethrough of text:

Article 2, Section 210, Table 2.6

NAICS Code	Principal Uses	AG	RA	RLD	RMD	RD	RTC	RMF	RMH	OIL	OIH	CN	CC	CG	CH	CR	LI	LIR	HI	See Also
	Accessory Uses Customary to a Church or Other Place of Worship	☐	☐	☐						•	•	•	•	•	•	•	☐			§312 (e) <u>§313(c)</u>

SECTION THREE

The text of Section 209 of Article 2, Definitions related to the use of land and structures, be amended to include the following as shown by the underlining of text:

Church or Other Place of Worship: A building or structure, or groups of buildings or structures, that by design and construction is primarily intended for conducting organized religious services and associated accessory uses. The term "church or other place of worship" shall not include the housing of a religious group in a temporary or lease situation in an otherwise commercial center or building.

SECTION FOUR

The text of Section 313 of Article 3, Accessory buildings, uses and structures, be amended to include the following as shown by the underlining of text:

Sec. 313 - Accessory buildings, uses and structures.

313 (c) Customary accessory uses to a church or other place of worship. (Amended 02/04/2014 - TXT-2014-01, § 2)

- (1) Meeting facilities.
- (2) Offices and rectories.
- (3) A church or other place of worship may have a residence for the housing of the pastor, priest, minister, rabbi, etc. **in a residential zoning district.**
 - a. Minimum building separation of 15 feet from primary structure required.
 - b. Customary accessory uses associated with a dwelling are permitted.
- (4) Religious classrooms, church schools and related facilities to include Mother's Morning Out and similar part time services as an accessory use allowed by right. A church or other place of worship may have an accessory school with the following minimum requirements:
 - a. Minimum lot size of 3 acres for the school in addition to the minimum lot size requirement for the church or other place of worship.
 - b. Minimum public road frontage of 100 feet.
 - c. Overall parking and landscape plan for entire site to be approved by the Board of Commissioners.
 - d. Temporary Classrooms require a Special Use permit.
- (5) Cemeteries and mausoleums. A church or other place of worship may have an accessory cemetery with the following minimum requirements:
 - a. Minimum lot size of 5 acres for cemetery in addition to the minimum lot size requirement for the church.
 - b. When abutting any residential property line, a 50-foot zoning buffer shall be required.
 - c. Ingress/egress shall be provided.
 - d. Compliance with all State of Georgia requirements.
- (6) Within the office/commercial zoning districts, a community food or housing shelter may be located in a church or other place of worship as an accessory use, provided it meets the applicable minimum standards of the Community Food and Housing Section of this Article.

SECTION FIVE

The text of Section 324 of Article 3, Churches and similar places of public assembly, be amended to include the following as shown by the underlining of text:

(Amended 08/02/2011 - TXT-2011-01, § 9; Amended 08/03/2010 - TXT-2010-03, §§ 9, 10)

Churches, chapels, temples, synagogues and other such places of worship, and civic and social organizations and similar places of public assembly must meet the following minimum requirements:

- (1) No parking areas or driveways shall be established within 20 feet of another lot in a residential zoning district, and all parking areas and driveways shall be paved. The location of all curb cuts must be approved by the county engineer.
- (2) Any existing religious institution with or without accessory facilities not meeting the minimum acreage standards of this section as of June 7, 1994, may erect an addition or add accessory structures or uses provided that:
 - a. All other provisions of this section including setbacks and buffers are met; and
 - b. All parking requirements for religious institutions and accessory facilities are met.
- (3) A zoning buffer at least 25 feet wide meeting the requirements of the Landscaping, Buffers and Tree Conservation Article of this Code shall be maintained along the side and rear property lines that abut a residentially zoned district.
- (4) If located in any residential zoning district, the following shall apply:
 - a. The site must contain at least 5 acres and have frontage of at least 200 feet on an arterial or collector street. *(Amended 04/03/2007 - TXT2007-03)*
 - b. Any building or structure established in connection with these uses shall be set back not less than 75 feet from any property line.
 - c. The use shall be permitted only on a lot that abuts a major or minor thoroughfare or a collector street, from which all access to the property shall be derived.
- ~~(5) *If located in a planned center, such as a shopping center or office complex, special use approval is required prior to occupancy.*~~
- ~~(6) *A church may be located in an industrial complex zoned PUD (Industrial) by Special Use Permit approval only.*~~

Note— See editor's note, § 306.

SECTION SIX

The text of Section 712 of Article 7, Sign Regulations, be amended to include the following as shown by the underlining of text and delete the following as shown by the strikethrough of text:

Sec. 712 - Modification of sign restrictions.

712 (a) ~~Special Exception variance required.~~ Variances

~~(1)~~ The restrictions placed on signs by this Article, ~~including the number,~~ with respect to size, and height, ~~illumination and location on a property or relative to other signs,~~ may be modified as a ~~special exception~~ hardship variance granted under the procedures for such appeals under Article 13 of the Douglas County Unified Development Code. Consideration for the hardship variance can only be related to the standards for relief as outline in Article 13, Section 1304(c).

(2) Signs that are prohibited under this Article may not be approved as a special exception variance or a hardship variance.

~~712 (b) Master sign plan required.~~

~~In addition to the requirements and standards for a special exception variance under the Appeals Article of this Development Code, a request for approval of a special exception variance related to signs must be supported by a master sign plan that meets the requirements of Sec. 713 (a).~~

SECTION SEVEN

The text of Section 1303 of Article 13 regarding Special Exception Variances is amended to delete the following as shown by the strikethrough of text and to re-number accordingly:

1303 (b) **General limitations on relief.** (Amended 06/2005)

Special Exception Variances shall be limited to relief from the following requirements of this Development Code:

- (1) Minimum building setbacks.
- (2) Maximum building height.
- (3) Minimum building floor area (nonprofit organizations).
- (4) Minimum lot width.

- (5) Minimum separation between agricultural and residential uses.
- (6) Public street frontage.
- (7) Minimum or maximum parking requirements.
- (8) Location of automobile or truck parking areas.
- (9) Inter-parcel access requirements between parking lots.
- (10) Zoning buffers and screening.
- (11) Minimum tree density units required for tree conservation.
- ~~(12) Signage, in accordance with a uniform sign plan.~~
- (13) Restrictions under the O-LF Landfill Overlay district

This ordinance shall be effective upon adoption.

SO ORDAINED this 3rd day of November 2015.

Tom Worthan, Chairman

Henry Mitchell, III, District I

Kelly Robinson, District II

Michael Mulcare, District III

Ann Jones Guider, District IV

Attest:

Tracy Rye, Planning Director