

ADOPTED BY THE BOARD OF COMMISSIONERS, DECEMBER 5, 2007  
AMENDED JUNE 4, 2008

**ARTICLE XIIM(1)**

**Cedar Grove Agricultural Overlay District**

A RESOLUTION TO ADD ARTICLE XIIM(1) TO THE ZONING RESOLUTION OF FULTON COUNTY, GEORGIA; TO DELINEATE THE CEDAR GROVE AGRICULTURAL OVERLAY DISTRICT IN UNINCORPORATED FULTON COUNTY; TO CREATE TWO ZONING DISTRICTS WITHIN THE CEDAR GROVE AGRICULTURAL OVERLAY DISTRICT; TO ESTABLISH DEVELOPMENT STANDARDS; AND FOR OTHER PURPOSES.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FULTON COUNTY, GEORGIA.

12M(1).1 **PURPOSE AND INTENT** .

The purpose and intent of the Cedar Grove Agricultural Overlay District is to protect the natural areas and ensure responsibly planned economic and social growth. Within the Cedar Grove Agricultural Overlay District, the Mixed Use District (MIX-CGA) and the Community Unit Plan District (CUP-CGA) allow for developments with a mix of uses for residents to live, work and relax. To further protect the rural land and natural resources of the area, standards have been established to provide for green space and open space throughout the District. Agriculturally zoned properties and rural services will remain prevalent throughout the area. The Cedar Grove Agricultural District will ensure that mixed-use future growth occurs and that many types of housing for all incomes and ages will be provided. The developments will provide connectivity for pedestrians, bicyclists and motorists.

12M(1).2 **CEDAR GROVE AGRICULTURAL OVERLAY DISTRICT REGULATIONS**.

The Cedar Grove Agricultural Overlay District applies to all properties located in that portion of South Fulton County bordered to the west by the Chattahoochee River, to the south by Coweta County, and to the east by Cascade-Palmetto Highway (SR 154) that are not within the municipal limits of the city of Chattahoochee Hill Country except as noted in Section 12M(1).7.

12M(1).3. **ARCHITECTURAL REVIEW PROCESS**.

Prior to issuance of a land disturbance permit (LDP) or a building permit, the applicant shall submit details of exterior materials, colors, landscape strips, buffers, signage, lighting, parking, streets and paths, entrances, design and

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architectural features of the proposed site and building which demonstrate compliance with the design standards set forth herein.

Prior to the issuance of an LDP or building permit, the community will be allowed ten working days to review the application. An application which otherwise conforms to applicable codes and regulations shall not be delayed issuance of an LDP or building permit for more than 10 working days due to this review and comment process.

Fulton County staff will review all applications for land disturbance permits, building permits and sign permits for compliance with the standards of this Overlay District and upon determination of compliance will provide a Certificate of Endorsement (CoE) in the form of signing the formally submitted plans and drawings.

12M(1).4 **PERMITTED USES IN MIX-CGA AND CUP-CGA DISTRICTS.**

Within the MIX-CGA and CUP-CGA districts, land and structures may be used in accordance with the standards herein. Any use not specifically designated as a permitted use in this section or allowed by Administrative Permit or Use Permit shall be prohibited.

Accessory Uses. A building or lot may be used for uses customarily incidental to any permitted use and a dwelling may be used for a home occupation.

<b>MIX-CGA</b>	<b>CUP-CGA</b>
Residential	Residential
Boarding houses, rooming houses	Country Inn, Bed & Breakfast
Country Inn, Bed & Breakfast	Personal care home, assisted living facility
Hotel, Motel	Church, temple, other place of worship
Personal care home, convalescence facility, nursing home, assisted living facility, hospice	Office
Group residence/shelter	Financial establishment
Hospital, clinic, research laboratory	Art gallery, assembly hall, community center, library, museum
Funeral home	Dancing school, other school of fine arts, institution of higher learning to include business college, music conservatory, and similar institutions
Church, temple, other place of worship	
Office	

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<b>MIX-CGA</b>	<b>CUP-CGA</b>
<p>Financial establishment</p> <p>Art gallery, assembly hall, community center, library, museum</p> <p>Dancing school, other school of fine arts, institution of higher learning to include business college, music conservatory, and similar institutions</p> <p>Recording studio</p> <p>Day care facility</p> <p>Car Wash</p> <p>Gymnasium, health club/spa</p> <p>Parking garage, parking deck, parking lot</p> <p>Retail</p> <p>Service commercial</p> <p>AG-1 uses as listed in article 5.1.2</p>	<p>Day care facility</p> <p>Gymnasium, health club/spa</p> <p>Retail, excluding drive-in establishments, gas and service stations, commercial amusements (cinemas are permitted), liquor package stores, motels, hotels, video arcades, pool halls, and discount retail shops</p> <p>AG-1 uses as listed in article 5.1.2</p>

12M(1).5 **DEVELOPMENT STANDARDS FOR MIX-CGA AND CUP-CGA DISTRICTS.**

<b>STANDARDS</b>	<b>A. MIX-CGA (VILLAGE)</b>	<b>B. CUP-CGA (HAMLET)</b>
1. Master plan	The Master Plan shall include all of the following: open space, non-residential, residential, and civic and/or institutional uses.	The Master Plan shall include: open space, residential, and non-residential uses, and may include civic and/or institutional uses.
2. Minimum percentages based upon total land area of development:		
(a) Open Space: A portion of a site which is permanently set aside for public or private use	10 Percent	60 Percent

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STANDARDS	A. MIX-CGA (VILLAGE)	B. CUP-CGA (HAMLET)
<p>and will not be developed. The space may be used for passive or active recreation or may be reserved to protect or buffer natural areas. Open space may include wooded areas, community gathering places, plazas, parks, greenways, playgrounds, sports fields, and pathways/walkways. Required landscape strips and buffers, 300-foot peripheral setback, sensitive environmental areas such as wetlands, etc., detention facilities and platted residential lots shall not be included in open space calculations.</p> <p>(b) Non-residential development</p> <p>(c) Residential development</p> <p>(d) Civic and/or institutional uses to include meeting halls, clubhouses, cultural and recreational facilities, churches or other places of worship, convention centers or institutional (schools, libraries, hospitals, day care centers associated with schools and/or churches) or similarly used buildings (post offices, fire stations, police stations)</p>	<p>20 Percent to include office, retail, and service commercial uses</p> <p>60 Percent</p> <p>10 Percent</p>	<p>10 Percent to include office, retail and/or civic and/or institutional uses</p> <p>30 Percent</p>
<p>3. Minimum land area (must be contiguous except where separated by a road)</p>	<p>500 acres plus additional land required for 300-foot rural protection setback</p>	<p>200 acres</p>
<p>4. Maximum land area (must be contiguous except where separated by a road)</p>	<p>640 acres plus additional land required for 300-foot rural protection setback</p>	<p>Not specified</p>
<p>5. Maximum gross square footage of any non-residential building footprint</p>	<p>30,000 square feet</p>	<p>25,000 square feet</p>

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<b>STANDARDS</b>	<b>A. MIX-CGA (VILLAGE)</b>	<b>B. CUP-CGA (HAMLET)</b>
6. Maximum overall residential density	14 units per acre with 10 percent of all residential units to be workforce housing	1 unit per acre
7. Maximum height	45 feet for nonresidential buildings except (1) civic and/or institutional buildings, (2) buildings which include a residential component, and (3) multi-family residential buildings  50 feet for civic and/or institutional buildings  75 feet for buildings with steeples, cupolas, and similar structures  40 feet for single family attached and detached residential structures	45 feet for nonresidential buildings except (1) civic and/or institutional buildings, (2) buildings which include a residential component, and (3) multi-family residential buildings  50 feet for civic and/or institutional buildings  75 feet for buildings with steeples, cupolas, and similar structures  40 feet for single family attached and detached residential structures
8. Maximum impervious surface of developed area	70 percent	60 percent
9. Maximum lot size	14,400 square feet for single family, duplexes, three-family, four-family, and other attached and detached dwellings	21,600 square feet for single family, duplexes, three-family, four-family, and other attached and detached dwellings

12M(1).6 **ADDITIONAL DEVELOPMENT STANDARDS FOR MIX-CGA AND CUP-CGA DISTRICTS.**

- A. Buildings
  - 1. All buildings shall be oriented to face the street and or courtyard.
  - 2. Display windows shall be oriented to face the street and or courtyard, and be at street level.
  - 3. All primary entrances be oriented to face the street and or courtyard, and be at street level.

4. Any nonresidential building façade shall have a minimum of 25% fenestration or as may be approved by the Director of Environment and Community Development.

B. Residential Uses

1. All residential structures be oriented to face the street and or courtyard.
2. A street-facing door (excluding garage door) for each unit is required.
3. No front-loaded, attached garage shall protrude beyond the front façade of a building.
4. Fence height shall not exceed 3 feet in the front yard and 6 feet in the rear and side yards.
5. Front yard fences shall be non-opaque. Opaque fences are permitted in side and rear yards. Chain link fences (black or green vinyl-coated only) are permitted in rear yards only.
6. Gated communities are prohibited.

C. Gasoline Service Stations

1. Fuel pumps, canopies and associated gasoline station service areas shall be located at the rear of the lot, and not between the building and the street.

D. Parking

1. All off-street parking for non-residential buildings, townhouses, and multi-family buildings shall be located to the side or rear.
2. A minimum of 75% of the required surface parking shall be oriented to the rear of building.
3. No surface parking area shall be larger than 65,340 square feet unless separated by a street, lane, alley or building.
4. On-street surface parking spaces located adjacent to the front property line shall be counted toward the minimum number of parking spaces required for that lot.

5. The required number of off-street parking spaces may be reduced as approved by the Director of Environment and Community Development.
  6. Shared parking shall be permitted as approved by the Director of Environment and Community Development.
  7. When surface parking located to the rear is along a (side) street right-of-way, the parking may occur along such frontage for a maximum of 120 linear feet.
  8. When surface parking abuts a street right-of-way, a minimum 4-foot wide landscape area shall screen the parking. Within the landscape area, a continuous planting of evergreen shrubs is to be installed at a minimum height of two feet and maintained to a maximum height of 3 feet. Walls of the same height are also permitted with appropriate pedestrian access to the primary entrance.
  9. Access lanes and additional curb cuts (other than the primary access drive) shall be located to the side or rear of the property. The maximum width of the access lane and/or driveway is 18 feet.
  10. Parking decks must include a minimum of 25% occupied space (nonresidential) at ground level and the occupied space must be a minimum depth of 50 feet.
  11. Decks shall be constructed to conceal vehicles.
  12. Decks shall include architectural detailing and finish compatible with surrounding buildings.
  13. Non-residential developments shall provide parking for bicycles.
  14. Loading areas shall be located in the rear or side yards.
- E. Street Standards – Per Fulton County Subdivision Regulation Street Standards
- F. Block Standards
1. The maximum length for a block is 600 linear feet with the total perimeter length not to exceed 1,680 linear feet. The total area of a block shall not exceed 3.30 acres.

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2. Any block exceeding 400 feet in length shall include a dedicated alley or lane providing through access.

G. Bridges

1. Bridges shall provide pedestrian and bicycle access.
2. Bridges shall contain architectural elements compatible with the surrounding area.

H. Sidewalks

1. Sidewalks shall be constructed on both sides of all roads except alleys or lanes or as may be approved by the Director of Environment and Community Development.

I. Landscaping

1. Street trees shall be planted on both sides of all roadways except alleys and lanes.
2. Except along greenways, a minimum 4-foot wide landscape area shall be provided along all roadways, except alleys and lanes, subject to the approval of the Director of Environment and Community Development.

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**AREA WIDE DEVELOPMENT STANDARDS.**

The area wide development standards apply to all properties zoned or developed for nonresidential and residential uses including all single family platted subdivisions but excluding all properties zoned for MIX-CGA and CUP-CGA. Stand-alone single family detached dwelling units and minor subdivisions are excluded from these standards with the exception of the South Fulton Parkway buffer and setback requirements (12M(1).7.G.2).

A. Streetscape Features

1. Lighting, signage, benches, recycling bins, trash receptacles, drinking fountains, and other street furniture shall be compatible in material, color, finish and architectural style of the surrounding area.

B. Lighting

1. Cobra, shoebox light fixtures and neon lighting are prohibited.



2. Light fixtures shall be designed and located to minimize spillage onto adjoining properties.
3. Lighting shall use a type of shielding to direct lighting downward.

C. Telecommunications Uses

1. Telecommunications switchboards, power generators, and other telecommunication relay equipment rooms or floors housing such uses are limited to the following areas of a building:
  - (a) subterranean levels,
  - (b) first and second floors which are set back a minimum of 50 feet from the street, or
  - (c) third and fourth floors.

D. Cellular Towers

1. Alternative antenna support structures are required for all cell towers. Man-made trees are allowable.
2. Height of towers shall not exceed 199 feet.
3. The wireless communications facility shall be disassembled and removed from the site within ninety (90) days of the date its use for wireless telecommunications is discontinued.

E. Water Towers

1. Towers shall be constructed of natural materials or if metal painted to blend with the landscape.
2. Except for safety purposes, water tower lighting shall be allowed only during maintenance periods. Each outdoor light that is not required for safety shall be fully shielded. The safety lighting shall use a type of shielding to provide lighting downward.

F. Signage (Amended June 4, 2008)

1. General provisions for all signs.
  - a. Internal illumination is not permitted. If illumination is used, the sign shall be externally illuminated. External lighting is limited to either top mounted fixtures where the

fixture is mounted on the top of the sign structure and the light directed downward or ground mounted fixtures where the light fixture is screened from view with landscaping.

- b. Freestanding and walls signs including both the sign structure and the sign face shall be made out of wood, material designed to have the appearance of natural wood, or metal. Plastic inserts are not allowed.
- c. Identification pillar sign standards: (examples below)
  - i. Identification pillar signs shall be designed to have the appearance of a four-sided column and shall be constructed of natural stone, wood or materials designed to have the appearance of natural wood.
  - ii. Identification pillar sign faces shall be constructed of natural stone, metal, wood or materials designed to have the appearance of natural wood. Plastic inserts are not allowed.



Identification Pillar Sign Example



Identification Pillar Sign Example

\*Note that brick is not an allowed material in CHC

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2. Non-residential uses.

- a. All freestanding signs shall be of shingle design. (examples below)



- b. The maximum size of the sign face shall be 9 square feet. Sign copy is allowed on both sides of the sign face.
- c. Wall signs shall be a maximum of 3% of the applicable wall area.

3. Residential uses.

- a. One identification pillar sign or one freestanding sign is allowed per entrance.
- b. The maximum size of an identification pillar sign structure is 8 feet in height and 3 feet in width per side.
- c. The maximum size of the sign face on identification pillar signs is 9 square feet for each side.
- d. The sign face shall be directly mounted on or in the identification pillar sign structure or can be mounted to hang perpendicular to the identification pillar sign structure in the manner of a shingle sign.
- e. Freestanding signs shall not exceed 10 feet in height.
- f. The maximum size of the sign face on freestanding signs shall be 9 square feet. Sign copy is allowed on both sides of the sign face.

G. Landscaping, Buffers and Setbacks

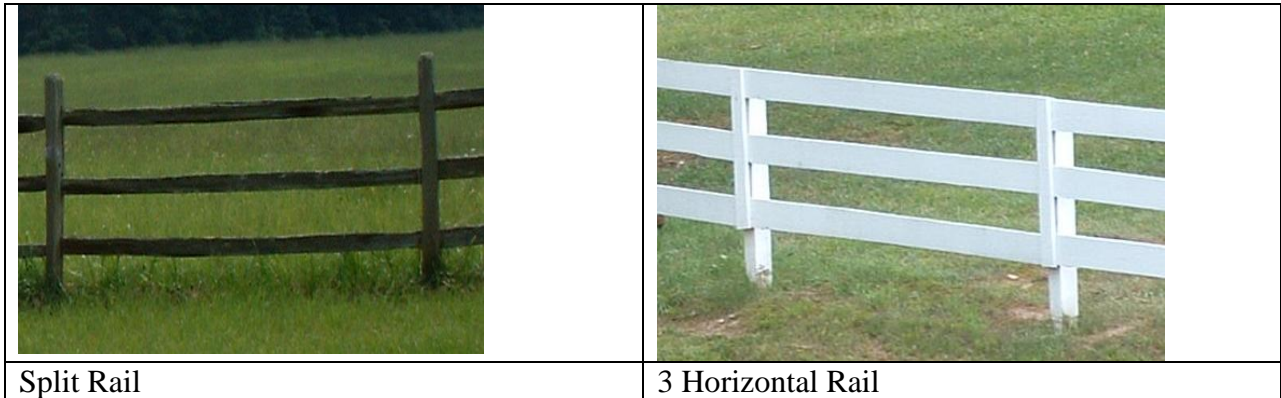
1. Acceptable evergreen plant material and deciduous trees for undisturbed buffers within the bounds of the CGA Overlay District are limited to the following: Cherry Laurel, Eastern Red Cedar, Canadian Hemlock, Deodar Cedar, American Holly, Nellie R. Stevens Holly (cross between Chinese & English Hollies), Southern Magnolia, Virginia Pine, Red Maple, River Birch, American Hornbeam, Hickories, Sugar Hackberry, American Beech, Sweet Gum, Poplar, Black Gum, Oaks and Linden/Basswood.
2. Along the entire frontage of the South Fulton Parkway, a 100-foot natural, undisturbed buffer is required along the right-of-way with an additional 10-foot setback interior to the buffer (except for approved access and utility crossings, improvements and replantings where sparsely vegetated subject to the approval of the Fulton County Arborist). Only existing AG-1 (Agricultural) uses and pedestrian and bicycle paths are permitted in the setback. This standard applies to all properties with frontage on the South Fulton Parkway and along the rights-of-way of public roads which intersect the Parkway for a distance of 300 feet measured from the intersection with the Parkway, including stand-alone single family detached dwelling units and minor subdivisions. When the undisturbed buffer is grassed or pasture, the applicant shall plant to County buffer standards or as approved by the Director of Environment and Community Development using materials listed in Section 12M(1)7.G.1 of this Overlay District.
3. Along the entire frontage of the South Fulton Scenic Byways, a 100-foot natural, undisturbed buffer is required along the right-of-way with an additional 10-foot setback interior to the buffer (except for approved access and utility crossings, improvements and replantings where sparsely vegetated subject to the approval of the Fulton County Arborist). Only existing AG-1 (Agricultural) uses and pedestrian and bicycle paths are permitted in the setback. This standard applies to all properties with frontage on a South Fulton Scenic Byway and along the rights-of-way of public roads which intersect a South Fulton Scenic Byway for a distance of 300 feet measured from the intersection with the South Fulton Scenic Byway. When the undisturbed buffer is grassed or pasture, the applicant shall plant to County buffer standards or as approved by the Director of Environment and Community Development using materials listed in Section 12M(1)7.G.1 of this Overlay District.



4. All residential uses except stand-alone single family detached dwelling units and minor subdivisions shall provide a minimum 100-foot wide natural undisturbed buffer along all property lines with an additional 10-foot setback interior to the buffer (except for approved access and utility crossings and replantings where sparsely vegetated). When the undisturbed buffer is grassed or pasture, the applicant shall plant to County buffer standards or as approved by the Director of Environment and Community Development using plant materials listed in Section 12M(1)7.G.1 of this Overlay District.

H. Fences and Walls

1. Fence standards

- a. Opaque fences along any road right-of-way are prohibited.
- b. Chain link fences along any road right-of-way are prohibited except when constructed as part of recreational courts or recreational fields.
- c. Allowable fence materials: wood, wire or materials designed to have the appearance of natural wood.
- d. Allowable fencing types: split rail, 3-4 horizontal rail, crossbuck and horse wire (see examples below) or combination thereof.



	
Crossbuck	Horse Wire

2. Wall Standards

- a. Walls are limited to 2 feet in height.
- b. Allowable wall materials: wood, stone or materials designed to have the appearance of natural wood (example below).



I. Street Standards

- 1. All newly created lots shall derive access from internal subdivision streets.
- 2. All streets should follow existing contour with a minimum of cut and fill and shall be designed for interparcel pedestrian and vehicular access.

J. Additional Standards

- 1. Amenity areas and recreational facilities shall be located interior to the subdivision.

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2. All required detention/retention facilities shall be designed to meet the Fulton County alternative design standards that have the intent of making such facilities an attractive amenity or focal point for the subdivision per current Fulton County Subdivision Regulations.
3. Loading areas, dumpster areas, service yards, mechanical and electrical equipment and other utilities, including roof top equipment, shall be screened with evergreen plant material, opaque fences, or structural screens of materials matching the exterior building facade.

12M(1).8 **APPEALS.**

Any persons aggrieved by a final decision of the Department of Environment & Community Development relating to this Article may appeal from such final decision to the Board of Zoning Appeals by filing in writing setting forth plainly, fully and distinctly why the final decision is contrary to law. Such appeal shall be filed within thirty (30) days after the final decision of the Department is rendered.

12M(1).9 **SEVERABILITY.**

In the event that any section, subsection, sentence, clause or phrase of this Article shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses or phrases of this Article, which shall remain in full force and effect, as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof.