

# **Chickamauga Battlefield Corridor Overlay District**

## **Section 1.00 General Land Development Regulations**

### **1.01 INTRODUCTION**

New Development within the Chickamauga Battlefield Corridor Overlay District is expected to be designed with these design guidelines in order to maintain the uniqueness that the Chickamauga Chattanooga National Military Park lends to its surrounding area; the beauty of mountains and meadows; the historic venues; the rural lifestyle; and the county's heritage and its desire to reflect this unique charm. These design guidelines provide a set of criteria that shall be used in all new development within this area for development that will complement the historical nature of the surrounding community. The ultimate goal of these design guidelines is to direct physical and visual changes to create an architecturally and physically cohesive area of specified historic character. These design guidelines are meant to create a strong identity for the Chickamauga Battlefield Corridor area as a distinctive place to shop, visit, work, and live, and are a means of bringing together the interests of individual property owners and the general public to achieve mutual benefits.

### **1.02 PURPOSE AND INTENT**

The guidelines are intended to help site planners and urban designers look beyond their individual buildings and single parcels of land, to shape the physical features of their development in a manner consistent with preferred principles of community design.

### **1.03 SITE PLANNING**

The site plan, building design, and landscaping of new development should achieve high quality and appearance that will enhance and be compatible with the historic character of the surrounding area.

Site planning and design of projects proposed (adjacent to dissimilar land uses) should carefully address the potential undesirable impacts on existing uses. These impacts may include traffic, parking, circulation and safety issues, light and glare, noise, odors, dust control and security concerns. Due to these issues, some land uses are not permitted in the Corridor area. Please see Appendix A.

## 1.04 PROTECTING THE NATURAL ENVIRONMENT

1.04.1 The purpose of this section is to:

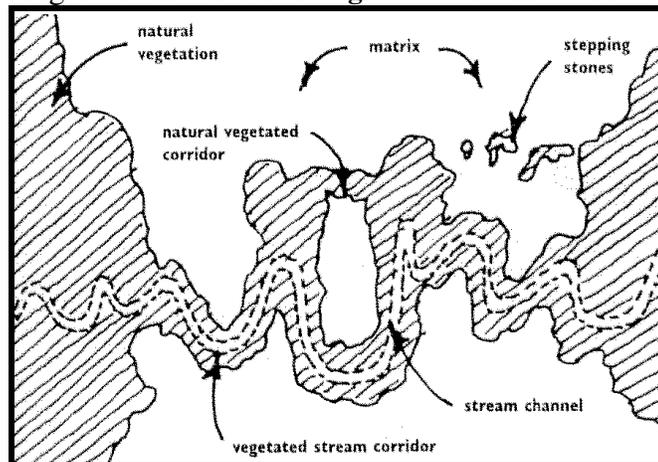
1.04.1.1 Evaluate the proposed development's compatibility with the existing environment to determine the limitations and capabilities of the site for development.

1.04.1.2 Conserve and protect natural resources, including air quality, trees, natural vegetation, existing topography, streams, creeks, wetlands, watersheds, water quality, and wildlife habitat. Development shall be limited to a level that does not exceed the capabilities and requirements of a healthy environment.

1.04.1.3 Significant site features such as habitats, natural ground forms, existing site vegetation, large rock outcroppings, water, and significant view corridors shall be identified and incorporated into development plans. Where possible, a diversity of habitats is preferred.

1.04.2 Riparian zones, stream corridors, and wetlands shall be protected for their wildlife habitat and other values. Development plans for these areas would treat these components as assets. A continuous, connected, natural vegetative corridor shall be preserved along all creek and stream corridors to provide stream quality protection and for the efficient movement of wildlife throughout the area. No fill, removal, or modification of a riparian area will take place, unless there is no reasonable and feasible alternative. The alteration or improvement of significant natural resource areas where permitted, will ensure that potential losses are mitigated and best management practices are employed to minimize permanent damage. (See Figure 1).

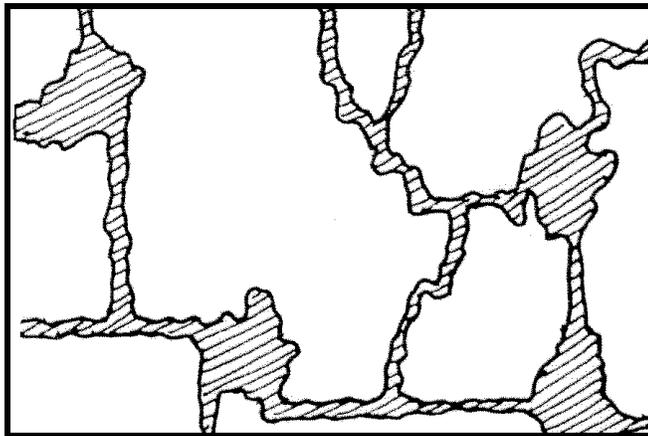
Figure 1. Retention of Vegetated Stream Corridor



1.04.3 Existing vegetation shall be retained to the maximum extent possible. Clearing of native vegetation will be limited to that required for the provision of essential purposes (i.e., access, building, sewage disposal, etc.). Where appropriate, existing native vegetation is to be enhanced with plantings of the same variety.

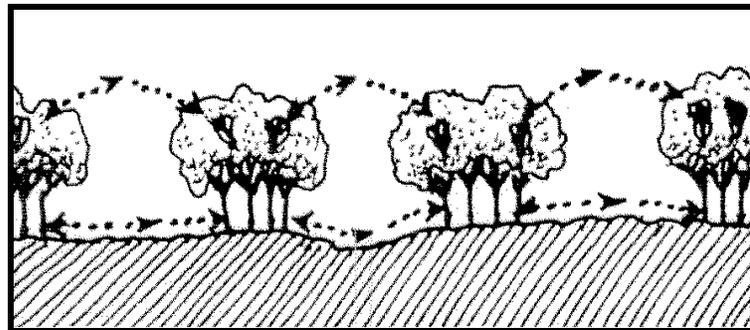
1.04.4 Preserve patches of high-quality habitat, as large and circular as possible, feathered at the edges, and connected by wildlife corridors. (See Figure 2).

Figure 2. Habitat Patch Preservation and Connection



1.04.5 When continuous greenspace corridors cannot be provided or must be broken up for road access or other valid reasons, patches shall be retained as “stepping stones” for wildlife corridors. (See Figure 3).

Figure 3. Stepping Stones



Source: Dramstad, Olson and Forman 1996.

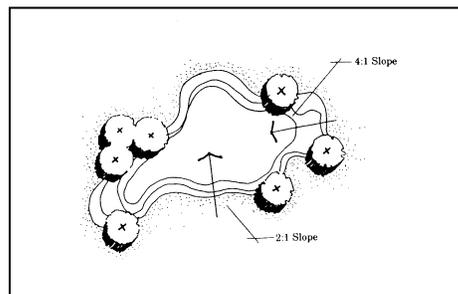
## 1.05 SITE GRADING

- 1.05.1 Developments shall be designed to fit the existing contours and landform of the site and to minimize the amount of earthwork. Excavation and earthwork should be kept to a minimum to reduce visual impacts and erosion. Where cut and fill is required, balancing the cut and fill is highly encouraged.
- 1.05.2 Abrupt or unnatural-appearing grading is to be avoided, as is the creation of harsh, easily eroded banks and cuts.
- 1.05.3 The height and length of retaining walls must be minimized and screened with appropriate landscaping. Tall, smooth-faced concrete retaining walls should be avoided in highly visible areas. Terracing should be used as an alternative to the use of tall or prominent retaining walls, particularly in highly visible areas on hillsides. Disturbed areas that are not used for roads, buildings, or other auxiliary uses are to be replanted.

## 1.06 DRAINAGE

- 1.06.1 Natural on-site drainage patterns shall be used where practicable. Detain runoff with open, natural drainage systems where possible.
- 1.06.2 Design man-made lakes and stormwater ponds for maximum habitat value and/or to serve as amenity features. (See Figure 4).

Figure 4. Drainage Feature as an Amenity



## **Section 2.00 COMMERCIAL USES**

### **2.01 INTRODUCTION**

Notwithstanding other land development regulations to the contrary, this Section shall apply to any commercial business seeking to locate within the boundaries of this Corridor Overlay District subsequent to the date of adoption of this Section. As performance standards, the provisions herein are general, allowing for flexibility in their application at the discretion of the Design Review Board (DRB) and the Planning Commission.

### **2.02 GENERAL**

Proposed C-1 Commercial developments within the Corridor Overlay District shall conform to all regulations in all sections of the Walker County Building Code except that, in cases of conflict, provisions stated in this Section supersede conflicting provisions of other sections of the Ordinance.

### **2.03 PURPOSES AND INTENT**

The purposes of this Section are to:

- 2.03.1 Provide general performance standards by which applications for commercial development will be evaluated and approved by the Planning Commission and Design Review Board (DRB), and by which the actual performance of those operations and uses will be monitored by the County for compliance.
- 2.03.2 Protect the County in general, and abutting and neighboring landowner in particular, from potential negative impacts that new commercial uses may have on the physical environment, efficient use of county resources, and the quality of life enjoyed by County residents.
- 2.03.3 Facilitate clustering of businesses and structures, and locations of buildings closer to streets, reflecting the traditional building pattern of the Corridor District.
- 2.03.4 Facilitate sharing of access points from highways, and driveway connections linking businesses on adjoining properties.
- 2.03.5 Help developers successfully integrate new construction into rural landscapes by promoting permanent open space between clusters of roadside commercial development conserving views of surrounding countryside.
- 2.03.6 Promote environmentally sensitive and efficient uses of the land.
- 2.03.7 Reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in commercial development.
- 2.03.8 Preserve unique or sensitive natural resources such as groundwater, farmland, wetlands,

streams, mature trees, the darkness of the night sky, and/or historic sites and resources.

## **SECTION 3.00 COMMERCIAL DESIGN GUIDELINES**

### **3.01 GENERAL**

In addition to avoiding environmentally sensitive areas such as Wetlands, Steep Slopes and Significant Groundwater Recharge Areas, layouts should avoid Environmentally-Sensitive or Historically or Culturally Significant areas, such as, but not limited to, archaeological sites, cemeteries and burial grounds; important historic sites and structures; significant trees (larger than twelve (12) inches caliper). Floodplains should be addressed using guidelines established by the Federal Emergency Management Agency under the National Flood Insurance Program.

### **3.02 MAXIMUM SETBACK**

Retail buildings and offices should be placed relatively close to the street in order to promote visibility of store windows and to reduce the need for huge signs. Building setbacks may vary but principal buildings should be located within forty (40) feet of front property lines. The area between buildings and the street should be planted with a variety of trees, shrubs and perennial flowers.

### **3.03 SHARED ACCESS ROAD**

New commercial developments with frontage on state highways and county streets shall use shared access points to and from the highway. Normally, no more than two accesses are to be used per parcel or development (one ingress, one egress, for example), regardless of the number of properties served.

### **3.04 REAR PARKING**

Parking lots are to be provided to the side or rear of non-residential buildings that are visible from public rights-of-way, with rear parking being preferred. Locate parking in front only if no other possibility exists and if parking is visually screened by landscaping and ground contours as described in Section 3.12.1.

### **3.05 LINKED PARKING**

Parking lots on adjacent premises should be connected with access drives so that customers may drive from business to business.

### **3.06 ROADSIDE TREES**

Because roadside canopy shade trees are extremely important to the character of the county, removal of trees over five (5) inches in caliper should be minimized within 50 feet of the edge of the road pavement. Removal of existing trees can usually be lessened by shifting the site of the building, parking

lot, or the entrance/exit drive. If trees are removed, they are to be replaced with deciduous hardwoods and/or flowering ornamentals, such as listed in Section 3.14.1, not including evergreens, at least 2 inches caliper to the point of one every thirty-five (35) feet (approximately). Where trees do not exist within 50 feet of the road pavement, new trees are to be planted approximately every thirty-five (35) feet along the road to maintain rural character. Such trees are not required to be planted in a row, and should be deciduous hardwoods and flowering ornamentals, such as listed in Section 3.14.1; 3.14.5, not including evergreens, in order that a stately atmosphere of tall, leafy tree canopies may ultimately be created.

### **3.07 RURAL LANDSCAPE DESIGN ELEMENTS**

Trees, shrubs, painted wood fences and rock walls are encouraged to maintain rural character and integrate the new construction into the rural landscape. Earth berms not to exceed 3 ft. in height, and decorative metal fences are less attractive but may be useful for screening parking, loading or storage areas. Material such as chain link and barbed wire are not to be used. Landscapes should use native or locally adaptable species and help blend the development with the surrounding countryside to the greatest extent practicable.

### **3.08 COMPATIBLE BUILDING DESIGNS**

Building placement, height, massing, roof shapes, window proportions and exterior materials should be compatible with the Battlefield area's historic architectural styles. The use of parapet walls is encouraged to give extra height to single-story buildings and help conceal roof equipment. No mechanical equipment should be mounted on roofs unless suitably screened or enclosed so as not to be visible from any property line or public road, using a material and architectural design compatible with the building on which it is located.

### **3.09 SIDEWALKS**

Sidewalks at least five (5) feet wide shall be constructed to connect the development to adjoining properties. Six (6) foot wide tree planting strips shall be provided between the road pavement and the sidewalk.

### **3.10 STORM DRAINAGE**

The runoff from parking and loading areas, buildings, and other impervious surfaces greater than 5,000 sq. ft. shall be detained and treated in constructed wetlands or bio-retention areas (rain gardens) using engineered soil and aquatic grasses promoting natural filtering of pollutants and infiltration of stormwater into the ground. Stormwater management practices shall be followed such as those recommended by the Center for Watershed Protection, Ellicott City, MD ([www.cwp.org](http://www.cwp.org)) or as described in the Georgia Stormwater Manual ([www.georgiastormwater.com](http://www.georgiastormwater.com)).

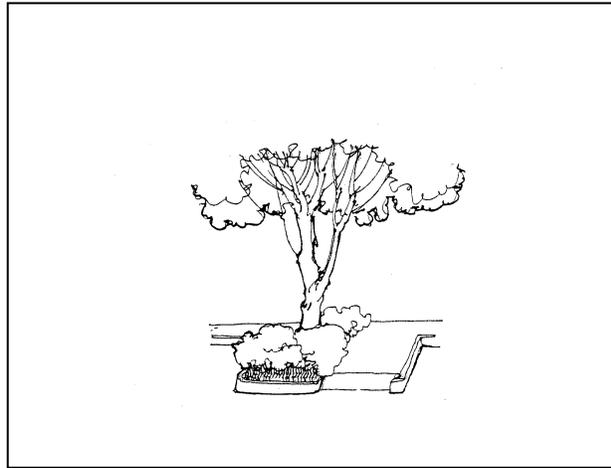
### **3.11 LANDSCAPED BUFFERS**

A landscaped buffer at least fifty (50) feet wide shall be provided as a buffer when commercial properties abut residential districts. A landscaped buffer shall be thickly vegetated, with a width, length, and mixture of planting materials that is sufficient to visually screen the view of parked vehicles and loading spaces. See Section 3.14 for planting standards. Such screening shall consist of mixture of evergreen and deciduous shade trees and shrubbery. In no case shall a structure or fence of any kind be erected within or along the exterior boundary of a buffer area.

### **3.12 PARKING LOT LANDSCAPING AND SCREENING STANDARDS:**

- 3.12.1 Parking lots that face a street, or the U.S. Highway 27 when absolutely necessary, should be partially screened from the street by a low fence, wall, hedge, berm, or vegetated buffer. Such roadside screening should consist of a mixture of deciduous and evergreen trees and shrubbery. If a parking lot is of such a size that it dominates views from the fronting street and detracts from the overall streetscape and community appearance, then the parking lot should be screened or buffered with vegetation in its entirety from view along the fronting roadway(s) within the required right-of-way frontage planting strip: trees spaced no more than 35 feet apart, and a six (6) foot wide planting strip in which dense shrubs are trimmed at car-hood height.
- 3.12.2 Parking lots containing ten (10) or more spaces shall be planted with at least one overstory tree, or two understory trees, a minimum of 2" caliper, per ten (10) parking spaces; each tree being surrounded by no less than 64 sq. ft. of permeable, unpaved area not less than six (6) ft. wide. Each landscape island is to be located in such a manner so as to divide and break up the expanse of parking areas (see Figure 5). One landscape island should be located at the end of each row of parking spaces in the interior of the parking lot. In addition, one parking lot landscape island should also be provided for every 150 linear feet of parking spaces, whether at the periphery or in the interior of the parking lot. Each landscape island should be of sufficient shape and size so that one overstory tree or two understory trees will fit within the island. No portion of an island should be less than three feet in width. The exterior ground area must include a minimum of 15% of that exterior ground area as a pervious surface. This may or may not be included as part of the parking lot.

Figure 5. Parking Lot Landscaped Island



- 3.12.3 Parking areas should be screened along their periphery when parking areas border institutional or residential uses. Adequate screening consists of a landscaped area at least six (6) feet wide, densely planted with a mixture of deciduous and evergreen trees and shrubs so as to create an effective visual barrier. All trees should be a minimum of 2" caliper when planted. The use of native trees and shrubs is strongly encouraged wherever possible (refer to Section 3.14 for shrub and tree species).
- 3.12.4 In instances where healthy plant material exists on a site prior to its development, in part or in whole, the Planning Commission and/or DRB may adjust the application of these landscaping standards to allow credit for such plant material if, in its opinion, such an adjustment is in keeping with and will preserve the intent of these standards.

### **3.13 SELECTION OF TREES**

Use trees, shrubs and ground covers which have demonstrated 'survivability' under the specific conditions of this region and of the planting site, and are non-invasive. A mixture of trees that would appear together in nature is encouraged. Select trees as appropriate for either shade, or seasonal color, or protection and nesting of birds and other wildlife.

### **3.14 TREE AND SHRUB SELECTION FOR ROADSIDES, PARKING LOTS AND YARDS**

Consult a local nursery, qualified arborist, or the agricultural extension office for assistance. Trees and shrubs used with success in this region are as follows:

### 3.14.1 SHADE TREES

Along roadsides and as interior and border trees in parking lots, use deciduous shade trees including Willow Oak, Tulip Poplar, Fastigate English Oak “Willamette,” Yellowwood, Sawtooth Oak, Goldenrain Tree, Sourwood, Sweet Gum, Japanese Zelkova, Ginko (male plant) and River Birch.

### 3.14.2 SCREENING TREES

For visual screening of parking lots and other areas, use evergreen trees including Leyland Cyprus, Foster Holly, American Holly, Southern Magnolia, Wax Myrtle, Canadian Hemlock, and Deodar Cedar.

### 3.14.3 SCREENING SHRUBS

For visual screening of parking lots and other areas, use evergreen shrubs including Japanese Aucuba, Wintergreen Barberry, Japanese Boxwood, Japanese Holly, Otto Luken Laurel and Frazer Photinia.

### 3.14.4 LOW CLEARANCE TREES

Beneath utility wires, consider tree-form Crape Myrtle or Stewartia.

### 3.14.5 DECORATIVE TREES

In parking lots and yards, use deciduous flowering trees for seasonal color, including Eastern Redbud, Flowering Dogwood, Yoshino Cherry, Red Maple and Lacebark Elm.

### 3.14.6 DECORATIVE SHRUBS

In parking lots and yards, use flowering shrubs for seasonal color, including Glossy Abelia, Glenn Dale Azalea, Flowering Quince and Border Forsythia.

## 3.15 SIGNS

3.15.1 Signs made of metal or wood are preferred over plastic signs.

3.15.2 The total area of façade signs shall not exceed one (1) square foot per lineal foot of building width facing the street.

3.15.3 Freestanding signs along streets with speed limits of 40 mph or less should be small, low ‘monument-type’ signs (less than 5 feet high) integrated into the landscape using trees and shrubs.

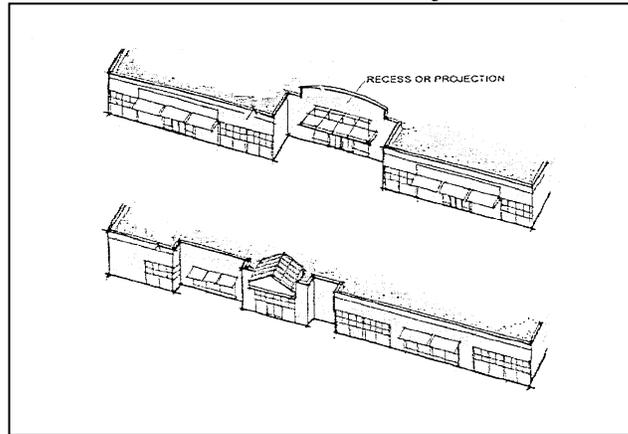
3.15.4 Freestanding signs along highways with speed limits of 45 mph or more should be less than forty (40) sq. ft. in size and no more than fifteen (15) feet high.

- 3.15.5 Internally lighted signs should be used only with opaque backgrounds so that only lettering is visible at night.

### **3.16 ARCHITECTURAL DESIGN**

- 3.16.1 Architectural design shall be compatible with the character of the Chickamauga Chattanooga National Military Park community. Design compatibility includes complementary building style, form size, color, materials, and detailing. The designer must consider each of the following contexts as part of the design process:
  - 3.16.1.1 Size (the relationship of the project to its site);
  - 3.16.1.2 Scale (the relationship of the building to those around it);
  - 3.16.1.3 Massing (the relationship of the building's various parts to each other);
  - 3.16.1.4 Fenestration (the placement of windows, doors, and other architectural details);
  - 3.16.1.5 Rhythm (the relationship of fenestration, recesses and projections);
  - 3.16.1.6 Setback (in relation to setback of immediate surroundings);
  - 3.16.1.7 Materials (their compatibility with the historic district); and,
  - 3.16.1.8 Context (the overall relationship of the project to its surroundings).
- 3.16.2 Efforts must be made to coordinate the height of buildings with adjacent structures; this is especially applicable where buildings are located very close to each other. It is encouraged to adjust the height of a wall, cornice, or parapet line to match that of an adjacent or neighboring building. Similar design linkages, such as window lines, should be placed in a pattern that reflects the same elements on neighboring buildings. The maximum height of a building, at its highest point shall be 35 feet.
- 3.16.3 "Theme" or stylized architecture which is characteristic of the surrounding historic area is encouraged, with the intent of achieving architectural harmony.
- 3.16.4 Multiple buildings on the same site should be designed to create a cohesive visual relationship between the buildings.
- 3.16.5 Long or continuous wall planes shall be avoided, particularly in pedestrian activity areas, where buildings should exhibit more detail and elements appropriate for close range pedestrian view.
- 3.16.6 Building surfaces over 50 feet in length should be relieved with changes of wall plane (i.e., recesses and projections, see Figure 6) that provide strong shadow or visual interest.

Figure 6  
Recesses and Projections



### 3.17 BUILDING MATERIAL, FINISHES, AND COLORS

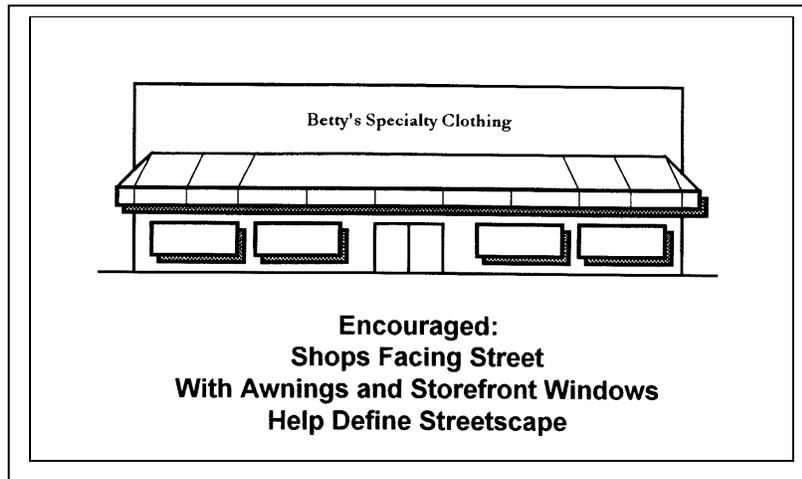
- 3.17.1 All sides of a building may have an impact on its surroundings and should be considered for treatment with an architectural finish of primary natural materials (i.e., brick, wood and stone), unless other materials demonstrating equal or greater quality are used. Roadside and rear facades should be at least 80 percent brick and/or stone. Side facades should be at least 50 percent brick and/or stone. Secondary materials (i.e., stucco and metal) should be used for decorative elements and trim only. Alternatives to the above materials will be considered for approval by the DRB.
- 3.17.2 Exterior building materials on the primary structure should not include smooth-faced concrete block, tilt-up concrete panels, prefabricated steel panels, plastic panels, or other non-natural materials.
- 3.17.3 The following types of building materials should not be used: highly reflective, shiny, or mirror-like materials; exposed, unfinished foundation walls; exposed plywood or particle board; and unplastered, exposed concrete masonry blocks, or exterior insulative finish systems.
- 3.17.4 Material or color changes generally should occur at a change of plane. Piecemeal embellishment and frequent changes in material should be avoided.
- 3.17.5 Facade colors should be low reflectance, and subtle, neutral, or earth-tone colors. High-intensity colors, metallic colors, black, or fluorescent colors should not be used. Building trim and accent areas may feature brighter colors, including primary colors, provided that the width of the trim shall not exceed four feet.

3.17.6 Building colors should be carefully chosen so that each building color complements that of its neighbors. Colors can be classified as the “base” color (used on the majority of the building surface), “trim” color (used on the window trim, fascia, balustrades, and posts), and “accent” color (used on signs, awnings, and doors). The base color should consist of more subdued earth tones or brick shades. Trim colors should have contrasting lighter or darker shade than the base color. If natural brick is used, it should not be painted.

3.17.7 The use of awnings on buildings is recommended to provide much needed protection from sun, wind, and rain, and to improve aesthetics of the building exterior. (See Figure 7).

Figure 7

Awnings and Storefront Windows



3.17.8 It is recommended that awnings be constructed with a durable frame, covered by a canvas or metal material. Awnings that are backlit through translucent materials must be approved by the DRB. Aluminum and other metal canopies are acceptable in most instances, particularly when integrated into shopping center designs. Canvas or metal awnings and canopies may be used. Solid colors are preferred over striped awnings, but striping is permitted if colors complement the character of the structure or group of buildings.

3.17.9 Awnings are encouraged for first floor retail uses to provide architectural interest and to encourage pedestrian activity. Where awnings are used, they should be designed to coordinate with the design of the building and any other awnings along the same block face.

- 3.17.10 The design of fences and walls shall be compatible with the architecture of the main building(s) and should use similar materials. All walls or fences fifty (50) feet in length or longer, and four (4) feet in height or taller, should be designed to minimize visual monotony by changing plane, height, material or material texture, or significant landscape massing. Chain link, barbed wire, vinyl, and PVC fencing is not allowed. Use of special fencing design or materials should be discussed in cases where site security is paramount.
- 3.17.11 All garbage dumpsters and other similar areas devoted to the storage of waste material should be screened on three (3) sides of said dumpster or area, with a minimum six (6) foot high solid wooden fence or a wall constructed of materials substantially similar in appearance to the building on site. In addition, said dumpster areas should be gated on the fourth side with a material that provides opaque screening.

### **3.18 EXTERIOR LIGHTING**

- 3.18.1 Exterior lighting should be architecturally compatible with the building style, material, and colors.
- 3.18.2 Exterior lighting of the building and site should be designed so that light is not directed off the site, and the light source is shielded from direct offsite viewing. All outdoor light fixtures should be fully shielded or be designed or provided with light angle cut-offs, so as to eliminate uplighting, spill light, and glare.
- 3.18.3 Excessive illumination of signage, building, or site should be avoided. Roof lighting, down-lighting washing the building walls, and illuminated awnings are all strongly discouraged.
- 3.18.4 Fixture mounting height should be appropriate for the project and the setting. The mounting height of fixtures in smaller parking lots or service areas should not exceed twenty (20) feet, with lower mounting heights encouraged, particularly where adjacent to residential areas or other sensitive land uses. Use of low, bollard-type fixtures that are three (3) to four (4) feet in height, are encouraged as pedestrian area lighting.
- 3.18.5 Select lighting layouts and fixtures that minimize glare, light trespass, shadows, excessive light levels, skyglow and inaccurate color rendition. The techniques listed below are those that enable good vision, safety, and a sense of security at night while, at the same time, create an attractive appearance, protect neighbors' property values, and maintain the county's rural character.

- 3.18.6 To minimize glare, and light trespass onto neighbors' properties or public rights-of-way:
  - 3.18.6.1 For flood lights and flood lamps, aim fixtures down at least sixty (60) degrees from vertical. For fixtures installed less than sixty (60) degrees down from vertical, use shields, cut-offs, visors, reflectors, louvers, or other devices such that no portion of the light bulb or lens extends below the bottom edge of the external shield. Where flood lights and display lights are installed within fifty (50) feet of a public street right-of-way, aim fixtures and install shields, louvers and/or other devices to prevent any lamp or lens from being visible from off the property.
  - 3.18.6.2 For Wall Mounted lighting fixtures and Pole Mounted Open-Bottom security lighting fixtures, select full cut-off or fully shielded fixtures in which the light source is not directly visible from beyond the property line.
  - 3.18.6.3 For yard and parking lot lighting fixtures other than flood lamps and flood lights, select either cutoff fixtures or use fixtures with lamps that do not exceed 9500 initial lamp lumens (equal to 100-watt high pressure sodium lamp).
  - 3.18.6.4 The mounting height of outdoor lighting for parking lots, outdoor areas and outdoor sales and display areas should not exceed thirty-seven (37) feet above finished grade.
- 3.18.7 Avoid excessive light levels that waste energy and money, and create disabling glare. Studies show that brighter light does not always allow the best viewing, for it creates very dark shadows on the fringe of the lighted area to which the eye does not easily adjust. Experiment with low wattage bulbs, and use shielded lights that use visors or reflectors to direct light onto the intended area instead of wasting some of it, to save energy and money and prevent glare.
- 3.18.8 Avoid contributing to skyglow by using dark pavements with low reflectivity when feasible (i.e., asphalt instead of concrete), instead of reflective surfaces that reflect light upwards into the night sky.
- 3.18.9 For accurate night time color rendition, use bulbs that give a white light such as incandescent, compact fluorescent, metal halide or quartz. When color accuracy is not important, use low-pressure sodium (LPS) bulbs that are low cost to buy and operate.
- 3.18.10 Gas station/convenience store aprons and canopies should be lighted to provide adequate security but should not be over-lighted. Areas under canopies should have a horizontal luminance not greater than twenty (24) foot candles at grade, and fixtures

should be either recessed in the underside of the canopy or fully cutoff to not create glare off-site.

- 3.18.11 Lighted outdoor advertising off-premises signs should be switched off between the hours 11:30 PM and the following sunset.
- 3.18.12 Outdoor lights should be on timers to switch off 30 minutes after the business or operation closes, leaving only security and safety lights.
- 3.18.13 Except for buildings of exceptional symbolic significance (e.g., churches and public buildings) or of historic significance, exterior building fronts should not be illuminated.
- 3.18.14 Illuminating signs are to be internal or top mounted and directed downwards.
- 3.18.15 Searchlights, laser lights, flashing, moving, revolving, flickering, or 'strobe' lights, or any lights that change intensity or color, are prohibited.

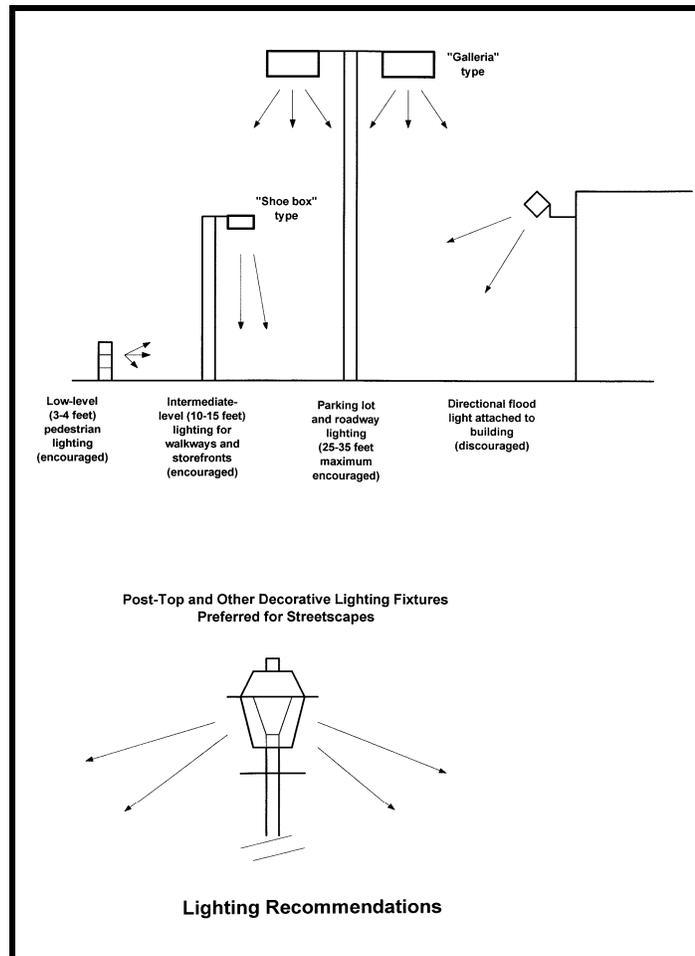


Figure 8

## **SECTION 4.00 PERFORMANCE STANDARDS**

### **4.01 NOISE**

Excessive noise should be muffled so as not to be objectionable due to intermittence, beat frequency, shrillness, or volume.

### **4.02 OUTDOOR STORAGE AREA SCREENING**

- 4.02.1 Outdoor areas used for the storage and collection of rubbish, are to be visually screened from roads and surrounding land uses. Suitable types of screening include opaque wood fences and dense evergreen hedges of five (5) feet or more in height. Where evergreen hedges are proposed, a temporary fence should be built to provide screening until the evergreens are of sufficient height.
- 4.02.2 In locations where potential health or safety hazards may arise (such as rubbish storage/collection areas), a solid wooden fence, six (6) feet in height is to be constructed (to deter children and animals from entering the premises).
- 4.02.3 Where new fencing would create a continuous surface greater than ten (10) feet in length, it should be softened visually with tree and shrub plantings.

### **4.03 AUTOMOBILE RELATED ESTABLISHMENTS**

- 4.03.1 Auto service facilities should not have their fuel pumps facing the U S Hwy 27, and parking for all uses should be located to the side or rear of the building rather than in the front, with rear parking strongly preferred.
- 4.03.2 Service areas shall provide adequate queuing space that does not impede vehicle circulation through the site or result in vehicles stacking into the street.
- 4.03.3 Perimeter and security fencing, when needed, should be constructed of attractive materials that are compatible with the design and materials used throughout the project.
- 4.03.4 Fencing design materials such as chain link, razor wire or electric fencing may not be used.
- 4.03.5 Separate structures on the site (i.e., canopy, cashier's booth, car washes, etc.) should have consistent architectural detail and design elements to provide a cohesive project site. If a car wash is incorporated into the project, it should be well integrated into the design. The car wash opening should be sited so that it is not directly visible as the primary view from the U.S. Highway 27 into the project site.
- 4.03.6 The outside storage or display of vehicles, equipment, and merchandise to be rented, leased, or sold, including manufactured home sales, shall not be permitted in the Corridor.

#### **4.04 INDUSTRIAL DISTRICTS**

Industrial districts are not permitted in the Corridor.

#### **4.05 ACCESS**

The entire parcel, rather than simply a particular project, shall be considered in formulating and approving access plans. Interparcel site access, for pedestrians as well as vehicles, should be provided to adjacent properties, when land uses are compatible.

#### **4.06 BURDEN OF PROOF**

- 4.06.1 The applicant for a permit to construct or operate a proposed business or processing use that has the potential, in the judgment of the Planning Commission and/or DRB, to create negative external effects related to the above performance standards, has the burden of proof of demonstrating, as a condition of approval: That the proposed use will comply with the standards contained or referred to above; and that adequate provisions will be made to reduce and minimize any objectionable elements to the degree necessary to insure that the proposed use will not be noxious, hazardous, or offensive as defined above.
- 4.06.2 In order to determine that adequate safeguards are provided, the Planning Commission and/or DRB may:
  - 4.06.2.1 Require that the applicant submit necessary information, plans, impartial expert judgments, and written assurances.
  - 4.06.2.2 Obtain the expert advice of official agencies, or of private consultants.
  - 4.06.2.3 Make such reasonable tests as are deemed necessary.

### **SECTION 5.00 APPLICATION PROCESS, COMMERCIAL**

#### **5.01 BUILDING PERMIT PRE-APPLICATION SUBMITTALS**

The pre-application submittals described below are required for Building Permit applicants in this Corridor Overlay District. Applicants will be charged a pre-application fee, as established by the Walker County Commissioner, to cover cost of the site visit, and staff and Planning Commission pre-application plan reviews.

## **5.02 PRE-PLANNING SITE VISIT**

In order to facilitate eventual Planning Commission review of the development, Applicant shall consult with the DRB and the Planning Office to obtain advice and assistance prior to preparing layouts or designs for the proposed development. This consultation may occur at the site of the proposed development, and be attended by Applicant, Applicant's designer, Planning Office staff or consultant, and other necessary parties, as members of the Planning Commission and DRB. No decisions shall be taken during such open-air meetings. The purpose of this visit is to discuss Applicant's objectives, review Applicant's documentation and analysis of existing conditions, and discuss optional concepts for site layout. Applicant shall prepare and bring to this meeting the information necessary to make an informed decision, including but not limited to those listed below:

### **5.02.1 Site Context Map**

This map shall show location of development within its neighborhood context. Map shall be at a scale not less than 1 inch = 400 feet, and shall show the relationship of the subject property to existing natural and human-made features within 2,000 feet of the site, including topography, streams, wetlands, floodplains, Water Supply Watershed as defined in Chapter 8 of the Walker County Land Development Regulations, woodlands over one-half acre in area, ridge lines, land protected by conservation easements, public rights-of-way and roads, public land, schools, parks, hospitals, major shopping areas, churches, and historic sites and structures. Topography must be in 2-foot contour intervals, either site specific or from Walker County. Wetlands may be from county wetlands inventory maps, unless otherwise required by the DRB or Planning Commission. Soils must be obtained by a licensed soil scientist in the state of Georgia, until such time that a soil survey is published for Walker County. Floodplains may be from FEMA maps, unless otherwise required by the DRB or Planning Commission.

### **5.02.2 Existing Resources and Site Analysis Map**

This map shall identify and provide a comprehensive analysis of existing conditions on the development site, and within 500 feet of site. Conditions beyond the parcel boundaries may be described on the basis of existing published data available from governmental agencies and from aerial photography. This map shall be prepared at a scale of 1 inch = 100 feet. Map shall be prepared by a professional land planner, architect, landscape architect or engineer, and shall depict the following information:

- 5.02.2.1 Aerial photograph at a scale not less than 1 inch = 400 feet, with site boundaries clearly marked;
- 5.02.2.2 Topography with two-foot contour intervals unless a closer interval is required by the Planning Commission (10 foot intervals are permissible beyond parcel boundaries, taken from USGS published maps). Slopes between 15 and 25

percent and those exceeding 25 percent shall be clearly indicated.

- 5.02.2.3 Topography shall be prepared by a professional land surveyor or professional engineer from an actual field survey of the site or from stereoscopic aerial photography and shall be coordinated with official USGS benchmarks.
- 5.02.2.4 Ponds, streams, ditches, drainage swales, 100-year Flood Hazard Area, springs, Wetlands and Significant Groundwater Recharge Areas as defined in Chapter 8 of the Walker County Land Development Regulations, Additional areas of wetlands shall be indicated as evident from visual inspection, testing, or the presence of wetland vegetation.
- 5.02.2.5 Vegetative cover such as cultivated land, grasslands, meadows, pastures, old cropfield, woodlands, hedgerows, wetlands, and the actual canopy line of trees and woodlands shall be indicated. Describe vegetative types by plant community, relative age and condition. Trees of Significance (12 inches in caliper or larger) shall be identified and located by size and species, except for those growing in wetlands, floodplains or on steep slopes that will not be disturbed in any case.
- 5.02.2.6 Ridgelines and watershed boundaries.
- 5.02.2.7 Geologic formations including rock outcroppings, cliffs, sinkholes, caves.
- 5.02.2.8 All existing human-made features such as streets, driveways, farm roads, forest trails, buildings, foundations, walls, wells, drainage fields, dumps, utilities and utility easements, fire hydrants, storm and sanitary sewers.
- 5.02.2.9 Locations of all historically significant sites or structures such as stone walls, earthworks, burial graves, barns, old farmhouses, etc., or as required by the DRB.
- 5.02.10 Existing land use of the subject parcel and all land within 500 feet of property.
- 5.02.11 Name and address of owners of adjoining parcels as appears on current tax records.
- 5.02.12 Easements and other encumbrances of the property.
- 5.02.13 Total acreage of the tract.

### **5.03 SKETCH PLAN REVIEW**

Applicant shall submit a Sketch Plan for review following the pre-planning site visit and prior to preparing the Conceptual Plan. The Sketch Plan will then be submitted to the Planning Office at least (7) days prior to the DRB meeting at which the sketch plan is to be discussed. The sketch plan shall be prepared on translucent or transparent material, as an overlay sheet placed on top of the "Existing Resources and Site Analysis Map," diagrammatically indicating initial thoughts about how the purposes

of this Section may be achieved through the design of the proposed development. Applicant is strongly encouraged to review the Sketch Plan with abutting property owners prior to its submittal to the Planning Office. The Sketch Plan shall include:

- 5.03.1 Name and address of land owner and Applicant.
- 5.03.2 Name and address of the professional land planner, architect, landscape architect, engineer or site designer responsible for preparing the plan.
- 5.03.3 Graphic scale same as Existing Resources and Site Analysis Map but not greater than 1 inch = 100 feet (although dimensions on this plan need not be exact), with north arrow and date.
- 5.03.4 Approximate tract boundaries, acreage of land to be subdivided, zoning district, utilities, easements, streets on and adjacent to tract both existing and proposed.
- 5.03.4 Vicinity map.
- 5.03.5 Schematic layout of site.
- 5.03.6 General description of proposed method of water supply, sewage disposal and stormwater management.

#### **5.04 HEALTH DEPARTMENT REVIEW OF SKETCH PLAN**

For proposed developments not intended to be served by public sewer and/or public water, Applicant shall request and attend an informal Sketch Plan review meeting with the Health Department. Applicant should bring to this meeting a Level 3 Soils Survey in addition to the Sketch Plan and a concept for wastewater treatment.

#### **5.05 PRE-APPLICATION CONCEPTUAL PLANS**

Five copies of the Conceptual plans should be prepared by a professional land planner, architect, landscape architect or engineer, and submitted to the Planning Office at least twenty (20) days prior to the Design Review Board meeting at which official review is requested. Submittals should include the following items:

- 5.05.1 Site Context Map, and Existing Conditions and Site Analysis Map as described in Sections 7.02.1 & 7.02.2.
- 5.05.2 Property boundary line survey.
- 5.05.3 Site Plan, to scale, showing:
  - 5.05.4 All conservation areas labeled by type, as described in Section 5.02).
  - 5.05.5 Topographic contours of no more than five foot intervals for steep slopes and two foot intervals for rolling or flat, unless a closer interval is required by the Planning Commission.
- 5.05.6 General soil types.

- 5.05.7 Existing roads and structures within and adjacent to the development.
- 5.05.8 Approximate building locations and dimensions.
- 5.05.9 Layout of streets, sidewalks, off-street parking areas, loading spaces, and width of street rights-of-way.
- 5.05.10 Approximate location of proposed drainage swales, drainage easements, and stormwater management facilities.
- 5.05.11 Approximate proposed lot lines, with approximate dimensions.
- 5.05.12 Preliminary landscape plans for open space, buffers, parking lot, trees and screening and yards.
- 5.05.13 Feasible connections to existing or proposed public utility systems and any proposed improvements requested of the county.
- 5.05.14 Elevations or perspective views depicting the exterior appearance of buildings.
- 5.05.15 Location, height, size, materials, and design of all signs.
- 5.05.16 Preliminary-engineered typical cross-section of proposed streets.
- 5. 5.17 Proposed utility layouts. Where community or individual sewage service, or central or individual water service, is to be permitted, the conceptual location of proposed systems.
- 5.05.18 Covenants and other documents intended to be part of a sales contract.
- 5.05.19 Plan showing limits of clearing and grubbing of vegetation.
- 5.05.20 Certification by the professional designer verifying that the proposed plan meets these Design Standards.
- 5.05.21 Erosion Control and Stormwater Management Plans
- 5.05.22 When required by the Planning Commission, (typically in cases involving large commercial developments of 10 acres or more or where impacts could be significant), one or more of the following studies may be required:
  - 5.05.22.1 Sewer and water feasibility
  - 5.05.22.2 Traffic impact
  - 5.05.22.2 Historic or archaeological survey report
  - 5.05.22.3 Landscape buffer plans
  - 5.05.22.4 Architectural renderings of exterior appearance

## **5.06 BUILDING PERMIT PLANS**

Building Permit Plans shall conform to the approved Pre-Application Conceptual Plan.

## **SECTION 6.00 RESIDENTIAL DEVELOPMENT & CONSERVATION SUBDIVISIONS**

### **6.01 APPLICABILITY**

Notwithstanding other land development regulations to the contrary, this Conservation Subdivision option is mandatory as a use by right in all Residential developments within the Corridor Overlay district. Applicant shall comply with all other provisions of the Walker County Land Development Regulations except those that are incompatible with provisions contained herein or with other applicable laws. See Sec. 9.36 of Amended Land Use Regulations.

### **6.02 GENERAL**

Proposed residential developments within the Corridor Overlay district shall conform to all regulations in all sections of the Walker County Building Code except that, in cases of conflict, provisions stated in this Section supersede conflicting provisions of other sections of the Ordinance.

### **6.03 PURPOSE AND INTENT**

The intent of this Section is to provide standards for development of residential subdivisions within the Corridor Overlay District, by providing flexibility of design in order to provide and preserve open space, while accommodating the amount of development that otherwise would not be legally possible under conventional subdivision designs, and that:

- 6.03.1 Preserve in perpetuity unique or sensitive natural resources such as groundwater, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- 6.03.2 Preserve important historic and archaeological sites.
- 6.03.3 Permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- 6.03.4 Reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- 6.03.5 Provide areas of open space accessed and utilized by residents of conservation developments for passive and/or active recreation.
- 6.03.6 Contribute to an interconnected network of permanent open space in the County.
- 6.03.7 Promote undivided open spaces within, and between, new developments.

- 6.03.8 Encourage interaction in the community by clustering houses and orienting them closer to the street, providing neighborhood gathering places and encouraging use of open space, play areas and community facilities as focal points in the neighborhood.
- 6.03.9 Encourage street designs that reduce traffic speeds and reduce reliance on arterial roads.
- 6.03.10 Conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.
- 6.03.11 Protect prime agricultural land and preserve farming as an economic activity.

#### **6.04 LAND USE REGULATIONS**

Land in the Conservation Subdivision may be used for:

- 6.04.1 Single-family detached dwellings with or without Home Occupations and/or accessory dwelling units.
- 6.04.2 Open space, as defined herein, composing a portion of a residential development.
- 6.04.3 Municipal or public uses, public park, or recreation area owned and operated by a public or private nonprofit agency not to include storage of materials, trucking or repair facilities, the housing of repair crews, or sanitary landfills.

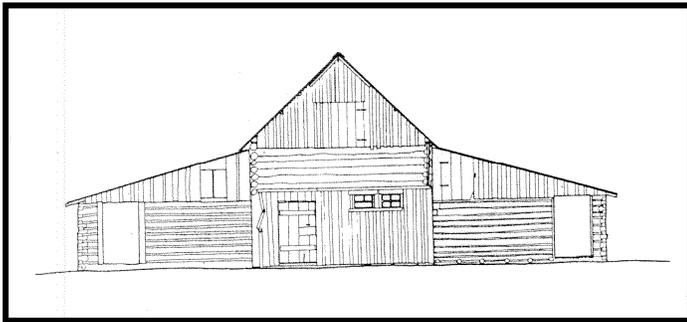
#### **6.05 MINIMUM SUBDIVISION ACREAGE**

The site proposed for a Conservation Subdivision must contain an area of five (5) acres or more, unless specifically approved by the Planning Commission due to special and unusual circumstances such as location along a potential greenway corridor or riparian buffer where linkage is essential.

#### **6.06 RETAINING RURAL RESIDENTIAL CHARACTER**

- 6.06.1 Where possible, barns and other agricultural outbuildings in reasonably good condition and which contribute to the rural character of the area shall be retained on the site (see Figure 9).

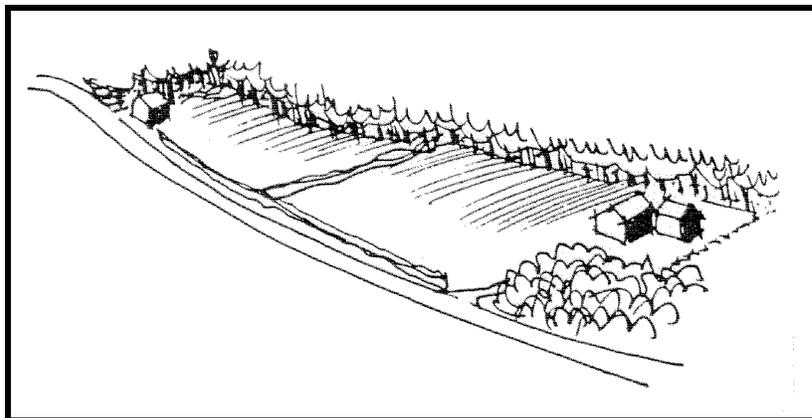
Figure 9. Retention of Agricultural Structures



Source: Stokes et al. 1989.

6.06.2 Dwellings and driveways shall not be prominent visual features within the landscape along any existing rural road. Dwellings and associated outbuildings along existing rural roads should have a low visual impact. When a rural residential dwelling is proposed in an area with an open field or area with agricultural character, it should be sited at the edge of the field if possible to preserve the view of the open field, pasture, or agricultural scene (see Figure 10).

Figure 10. Site Dwellings at Edges of Fields



Source: Craighead 1991.

6.06.3 In siting rural residential dwellings, gouging out (i.e., clearcutting) building sites along the road (Figure 11) is unacceptable. Instead, rural dwelling sites shall leave a natural buffer along the road and houses should be sited at the edge of clearings rather than in the center (Figure 12).

Figure 11  
Clearcutting Discouraged

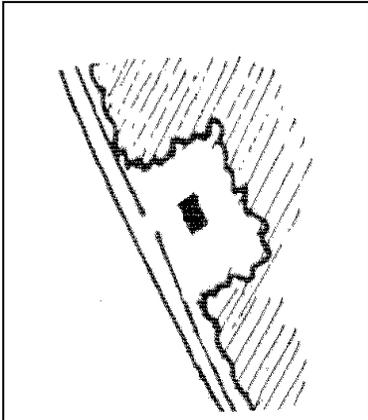
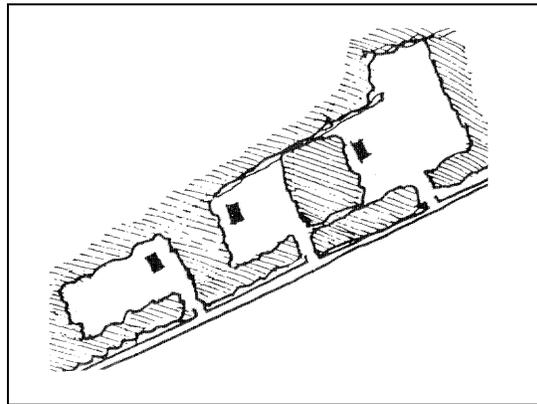


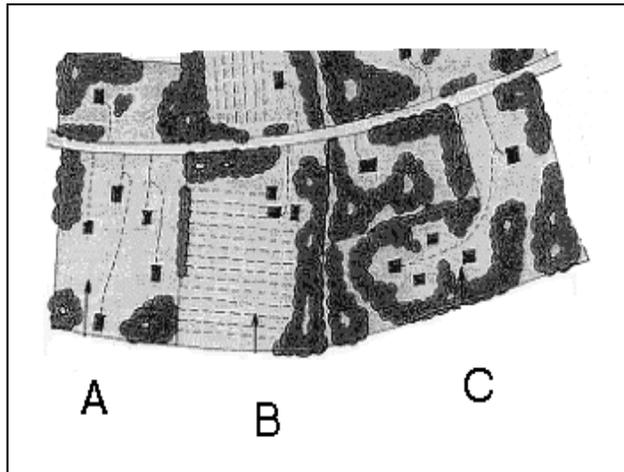
Figure 12  
Dwellings Buffered



6.06.4 Dwellings shall not be sited within an open field. (see area A in Figure 13). The location of dwellings in Area B of the illustration improves on the locations shown in area A, but the residences are still visible from the road. In the bottom part of area C (Figure 5-3-6.5), dwellings are clustered and screened from view. In the top part of area C, the road should be located at the edge of the clearing rather than in the middle of the field, and the dwellings should be located closer to the tree line.

Figure 13. Siting Dwellings in Rural Areas

Source: Arendt 1994.



### 6.07 AUTHORITY OF HEALTH DEPARTMENT

Nothing contained in these regulations shall be construed as preventing the Health Department from adopting additional or more stringent requirements governing subdivision development.

## **6.08 OWNERSHIP**

The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.

## **6.09 PRIORITIZED LIST OF ALTERNATIVE WASTEWATER SYSTEMS**

The selection of wastewater treatment technique shall be based upon the following prioritized list of preferred wastewater treatment options:

6.09.1 Public sewer.

6.09.2 Community septic system provided that the Walker County Water & Sewer Authority agrees to maintain the system, and that requirements of the Georgia Environmental Protection Division and the Health Department are met.

6.09.3 On-site individual septic system, if the above options are not feasible for any reason.

6.09.4 Off-lot individual septic system, if an on-site alternative acceptable to the local Health Department is not feasible, or if the off-lot arrangement can be demonstrated to be equal to or superior to the on-site alternative due to the configuration of soil quality on the tract.

## **6.10 DENSITY DETERMINATION**

The maximum number of lots in the Conservation Subdivision shall be determined by either of the following two methods, at the discretion of the Applicant:

### *6.10.1 Calculation Method*

The maximum number of lots is determined by dividing the area of the tract of land by the minimum lot size specified in either the underlying zoning or local health department standards, whichever is greater. In making this calculation, the following shall not be included in the total area of the parcel:

6.10.1.1 The 100-year flood hazard zone.

6.10.1.2 Bodies of open water over 5000 square feet contiguous area;

6.10.1.3 Wetlands that meet the definition of the Army Corps of Engineers pursuant to the Clean Water Act.

6.10.1.4 50 percent of land with slopes greater than 25 percent, of at least 5000 square feet contiguous area.

6.10.1.5 Street and utility rights-of-way.

6.10.1.6 Land within the right-of-way of high tension electrical transmission lines 69 KV or greater.

6.10.1.7 Any other land that is not otherwise eligible for building.

6.10.2 *Yield Plan Method*

The maximum number of lots is based on a conventional subdivision design plan, prepared by the Applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of lots possible. This plan need not meet formal requirements for a site design plan, but the design must be economically feasible and capable of being constructed given site features and all applicable regulations. At its discretion, the Planning Director may require Applicant to submit soils samples from 10 percent of lots to verify soils suitability. Such lots shall be selected by Planning Office, as being the most questionable lots on the property.

**6.11 DISCRETIONARY DENSITY INCENTIVES AND DISINCENTIVES**

- 6.11.1 Where subdivisions are proposed on land in the Corridor Overlay, Planning Commission may allow additions or deductions in density in order to encourage the use of Conservation Subdivision layouts with permanently protected Open Space that exceed the 50 percent minimum requirement.
- 6.11.2 For subdivision layouts that have 50 percent Open Space as defined in Section 9.36 (L), the full density computed in accordance with Section 9.36 (H) is allowed.
- 6.11.3 For subdivision layouts on designated environmentally sensitive or historic land that have 60 percent Open Space as defined in Section 9.36 (L), the density computed in accordance with Section 9.36 (H) shall be increased by 25 percent.
- 6.11.4 For subdivision layouts on designated environmentally sensitive or historic land that have no Open Space as defined in Section 9.36 (L), the density computed in accordance with Section 9.36 (H) shall be decreased by 50 percent.

**6.12 DIMENSIONAL STANDARDS:** In order to enable clustered housing on small lots, there shall be no limitation on lot size, lot width or setbacks.

**6.13 MINIMUM LOT SIZES SPECIFIED BY HEALTH DEPARTMENT**

Requirements for minimum lot sizes specified by Health Department remain applicable. At Applicant's option, subject to approval of health department, minimum lot size requirements of the health department may include the sum of a) the house lot, and b) land in the Open Space parcel used for any component of an individually-owned septic absorption facility or replacement area.

## 6.14 DEFINITIONS

- 6.14.1 “Open Space” is the portion of the Conservation Subdivision that has been set aside for permanent protection. Activities within the Open Space are restricted in perpetuity through the use of an approved legal instrument.
- 6.14.2 “Adjusted Tract Acreage” is the total tract acreage less the acreage of Primary Conservation Areas, as defined below.
- 6.14.3 “Primary Conservation Area” includes:
  - 6.14.3.1 The 100-year flood hazard zone.
  - 6.14.3.2 Bodies of water greater than 5000 sq. ft. of contiguous area.
  - 6.14.3.3 Wetlands that meet the definition of the Army Corps of Engineers pursuant to the United States Clean Water Act.
  - 6.14.3.4 Fifty (50) percent of land with steep slopes greater than 25 percent, of at least 5000 sq. ft. contiguous area.
  - 6.14.3.5 Habitats for endangered or threatened wildlife or plant species.
- 6.14.4 “Secondary Conservation Area” includes:
  - 6.14.4.1 Important historic sites and structures.
  - 6.14.4.2 Existing healthy native forests of at least one acre contiguous area.
  - 6.14.4.3 Wooded areas with significant tree cover, including areas with healthy trees greater than 12 inches caliper.
  - 6.14.4.4 Other significant natural features and scenic viewsheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads.
  - 6.14.4.5 Prime agricultural lands and “lands of statewide importance” of at least five acres contiguous area.
  - 6.14.4.6 Existing trails that connect the tract to neighboring areas.
  - 6.14.4.7 Remainder of slopes above 25 percent of at least 5000 square feet contiguous area not included in Primary Conservation Area.
  - 6.14.4.8 Groundwater recharge areas.
  - 6.14.4.9 Riparian zones of at least 75 feet width along all perennial and intermittent streams.
  - 6.14.4.10 Archaeological sites, historic structures, cemeteries and burial grounds.
- 6.14.5 “caliper” is the diameter of a tree trunk four (4) feet above the ground.

## **6.15 OPEN SPACE STANDARDS**

- 6.15.1 Each conservation subdivision shall provide a minimum of fifty (50) percent of its total land area as Open Space, as defined by Section 9.36 L.
- 6.15.2 The minimum requirement for Open Space shall include the Primary Conservation Areas plus all or a portion of the Secondary Conservation Areas. Open Space may include 25 percent of the right-of-way of high tension electrical transmission lines 69 KV or greater.
- 6.15.3 Above-ground utility rights-of-way and small areas of impervious surfaces may be included within the protected Open Space but cannot be counted towards the minimum Open Space requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the Open Space.
- 6.15.4 At least 25 percent of the Open Space shall consist of land that is level and minimally sloped, and is suitable for active recreation or gardening.
- 6.15.5 Except for neighborhood greens and ballfields, the open space shall generally consist of unfragmented, contiguous land. Except for trails and greenway corridors, open space areas shall not be less than two (2) contiguous acres, and shall not include strips of land less than 100 ft wide. The Open Space shall adjoin areas of open space, other protected areas, and non-protected natural areas on neighboring properties that would be candidates for inclusion as part of a future area-wide protected open space.
- 6.15.6 The Open Space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the Open Space.

## **6.16 OPEN SPACE USE REGULATIONS**

Uses of Open Space may include:

- 6.16.1 Conservation of natural, archeological or historical resources.
- 6.16.2 Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas.
- 6.16.3 Walking or bicycle trails, provided they are constructed of porous paving materials.
- 6.16.4 Passive recreation areas, such as open fields.
- 6.16.5 Active recreation areas, provided that they are limited to no more than 10 percent of the total Open Space and are not located within Primary Conservation Areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected Open Space.
- 6.16.6 Low intensity agricultural uses, provided that all applicable best management practices are used to minimize environmental impacts, and that such activities are not conducted

within Primary Conservation Areas. This category includes croplands, horse farms, plant nurseries and pastures.

- 6.16.7 Wholesale nurseries, tree farms and equestrian facilities, including commercial stables.
- 6.16.8 Landscaped stormwater management facilities, community wastewater disposal systems and individual wastewater disposal systems located on soils particularly suited to such uses. Such facilities shall be located outside of Primary Conservation Areas.
- 6.16.9 Easements for drainage, access, and underground utility lines.
- 6.16.10 Other conservation-oriented uses compatible with the purposes of this ordinance.

### **6.17 PROHIBITED USES OF OPEN SPACE**

Prohibited uses of Open Space in Conservation Subdivisions include:

- 6.17.1 Golf courses.
- 6.17.2 Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections.
- 6.17.3 Agricultural activities not conducted according to accepted Best Management Practices and those likely to be odoriferous such as poultry houses, hog farms, mink ranches, and similar operations.
- 6.17.4 Impoundments and stormwater basins, except those designed to promote infiltration and groundwater recharge.
- 6.17.5 Other activities as determined by the Applicant and recorded on the legal instrument providing for permanent protection.

### **6.18 OWNERSHIP OF OPEN SPACE**

The following methods may be used to own common land and facilities as well as non-common conservation land:

- 6.18.1 Homeowners Association: A homeowners association representing residents of the Conservation Subdivision may own the Open Space. Membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. The homeowners association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the Open Space and any facilities located thereon shall be borne by the homeowners association.
- 6.18.2 Private Conservation Organization: With permission of County, fee simple title of the Open Space or easements on the Open Space may be transferred to a private nonprofit conservation organization provided that the conservation organization is acceptable to

County and is a bona fide conservation organization intended to exist indefinitely. The conveyance shall contain appropriate provisions for proper reverter or retransfer in event the organization becomes unwilling or unable to continue carrying out its functions.

- 6.18.3 Fee Simple Dedication to County: County may, but shall not be required to, accept any portion of the common facilities, provided that there is no cost of acquisition to County and County agrees to and has access to maintain such facilities.
- 6.18.4 Non Common Ownership: Up to 70 percent of the minimum required open space may be held in private, individual or corporate, non common ownership. Such land may be used for non commercial hobby farms and similar uses, or for commercial uses such as tree farms, wholesale nurseries, and equestrian facilities. Such non common open space shall be managed according to approved management plans, and shall be permanently protected through conservation easements.

#### **6.19 OPEN SPACE MANAGEMENT PLAN**

Prior to the issuance of a land disturbance permit, Applicant shall submit a Plan for management of Open Space and common facilities that:

- 6.19.1 Allocates responsibility and guidelines for the maintenance and operation of the Open Space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements.
- 6.19.2 Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the Open Space and outlines the means by which such funding will be obtained or provided.
- 6.19.3 Provides that any changes to the Plan be approved by the Planning Director.
- 6.19.4 Provides for enforcement of the Open Space Management Plan.

#### **6.20 DEFAULT ON MAINTENANCE OF OPEN SPACE**

In the event the party responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition, County may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the Homeowners Association, or to the individual property owners that make up the Homeowners Association as a special tax. Such cost shall become a tax lien, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

## **6.21 LEGAL INSTRUMENT FOR PERMANENT PROTECTION OF OPEN SPACE**

An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant as described below shall be placed on the Open Space concurrent with the issuance of a land disturbance permit. The Open Space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:

6.21.1 A permanent conservation easement in favor of either:

6.21.1.1 A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions;

or

6.21.1.2 A governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance.

6.21.1.2.1 If the entity accepting the easement is not Walker County, then a third right of enforcement favoring Walker County shall be included in the easement.

6.21.2 A permanent restrictive covenant for conservation purposes in favor of a governmental entity.

6.21.3 An equivalent legal tool that provides permanent protection, if approved by County.

## **6.22 OPEN SPACE USE RESTRICTIONS**

The instrument for permanent protection shall include clear restrictions on the use of the Open Space. These restrictions shall include all restrictions contained in this Section, as well as any further restrictions the Applicant chooses to place on the use of the Open Space.

## **6.23 ASSESSMENT OF OPEN SPACE**

Once a legal instrument for permanent protection has been placed upon the Open Space, the Tax Assessor shall be directed to reassess the Open Space at a lower value to reflect its more limited use.

## **6.24 OFF-LOT INDIVIDUALLY-OWNED SEPTIC FACILITIES**

6.24.1 When permitted by the health department, components of an individually-owned wastewater treatment facility may be located on suitable soil in the Open Space when such land is secured by easement. Land under easement in the Open Space used for this

purpose may be included by Applicant toward meeting minimum lot size requirements of the health department, and the total land area of the house lot and off-lot easement must equal or exceed the minimum lot size specified by the health department. The easement shall be fully described on the subdivision plat, and clearly marked by iron pins or signs placed by a registered surveyor from commencement of construction until occupancy of the corresponding house.

- 6.24.2 The use of shared trenches for conveyance piping between several house lots and absorption fields is encouraged so long as the pipes from no more than three houses are placed in the same trench.
- 6.24.3 Deep-rooted trees are desired in septic absorption fields to prevent erosion and help remove stormwater through transpiration. Do not remove deep-rooted trees from absorption fields.

**6.25 PUBLIC MAINTENANCE OF COMMUNITY OR INDIVIDUALLY-OWNED OFF-LOT WASTEWATER FACILITIES**

With permission of the Health Department, the Walker County Water and Sewer Authority may accept easements for maintenance of community wastewater facilities or individually owned off-lot wastewater treatment facilities.

**6.26 APPLICABILITY**

The Applicant shall adhere to all other applicable requirements of the underlying zoning and the Land Development Regulations ordinance.

**6.27 RESIDENTIAL DEVELOPMENT DESIGN GUIDELINES**

- 6.27.1 Street Design: All streets shall be constructed in accordance with the Walker County Subdivision Regulations with the exception that the minimum street right-of-way for streets shall be forty (40) feet, the minimum pavement width for streets shall be twenty (20) feet, and a shallow, open drainage swale may be used in lieu of curbs and gutters.
- 6.27.2 Street Layout: No subdivision shall be designed in a way that would completely eliminate street access to adjoining parcels of land.
- 6.27.3 Street Trees: Street trees shall be provided within the street rights-of-way parallel with the street at a maximum spacing of thirty (30) feet apart if the total canopy of trees

within the Open Space is less than twenty (20) percent of the total tract acreage. Trees shall be deciduous, broad canopied trees capable of attaining a height of at least 50 feet (See Section 3.14 for tree selection). Trees shall be maintained for one year, and replaced if they die.

6.27.4 Sidewalks: Sidewalks of at least four (4) feet in width shall be required with a two (2) foot wide vegetation strip between the road pavement & the side walk.

6.27.5 Outdoor Lighting:

6.27.5.1 Street lighting in rural subdivisions is discouraged.

6.27.5.2 Any light fixture that uses a light source greater than 1500 initial lumens (equal to 120-watts for incandescent flood bulbs) for lighting of streets, entrance signs, sidewalks, landscaping, alleys, playgrounds, sales office exteriors, common facilities, or for security lighting, shall be either full cut-off or cut-off type as defined by the Illuminating Society of North America (IESNA), to prevent glare. In addition:

6.27.5.2.1 Light from any such fixture shall be directed downwards rather than upwards and outwards, with no more than 5 percent of light directed above a horizontal plane through the center of the lamp.

6.27.5.2.2 If necessary, fixtures may include house-side shields to minimize light directed to the rear of fixtures.

6.27.5.2.3 No line of sight of a bulb or lens is permitted from an adjacent property or from house lots within the subdivision.

6.27.5.2.4 Lamp choices shall be only metal halide, fluorescent, incandescent or quartz in order to achieve accurate night time color rendition.

## **SECTION 7.00 APPLICATION PROCESS, RESIDENTIAL**

### **7.01 Pre-Planning Site Visit**

Developer shall consult informally with Planning Office and Design Review Board to obtain advice and assistance prior to preparing layouts or designs for the proposed development. This consultation shall occur at the site of the proposed development, or at the planning office, and shall be attended by Applicant and other necessary parties such as, Applicant's designer, Planning Office staff or consultant, and members of the Planning Commission and/or Design Review Board. If Planning Commission

members are asked to attend, such site visits shall be publicly advertised. No decisions shall be taken during such open-air meetings. The purpose of this visit is to discuss the Applicant's objectives, review the Applicant's documentation and analysis of existing conditions, and discuss optional concepts for subdivision layout and location of Open Space. Applicant may be charged a fee to cover the cost of specialized consultants for the site visit, and staff and Planning Commission reviews. Applicant shall prepare and bring to this meeting the information necessary to make an informed decision, including but not limited to the information listed below:

#### 7.01.1 Site Context Map

This map shall show location of subdivision within its neighborhood context. For sites under one hundred (100) acres, map shall be at a scale not less than 1 inch = 200 feet, and shall show the relationship of the subject property to existing natural and human-made features within 1,000 feet of the site, including topography, streams, wetlands, floodplains, Water Supply Watershed as defined in Chapter 8 of the Walker County Land Development Regulations, woodlands over one-half acre in area, ridge lines, land protected by conservation easements, public rights-of-way and roads, public land, schools, parks, hospitals, major shopping areas, churches and historic sites and structures. Maps of subdivisions of one hundred (100) acres or more in area shall be drawn at a scale of one inch = 400 feet and shall show the relationships listed above within 2,000 feet of the site. Topography must be in 2-foot contour intervals, either site specific or from Walker County. Wetlands may be from county wetlands inventory maps, unless otherwise required by the DRB or Planning Commission. Soils must be obtained by a licensed soil scientist in the state of Georgia, until such time that a soil survey is published for Walker County. Floodplains may be from FEMA maps, unless otherwise required by the DRB or Planning Commission.

#### 7.01.2 Existing Resources and Site Analysis Map

(except for subdivisions in which all proposed lots are 10 acres or more in area)

This map shall identify and provide a comprehensive analysis of existing conditions on the development site, and within 500 feet of site. Conditions beyond the parcel boundaries may be described on the basis of existing published data available from governmental agencies and from aerial photography. This map typically may be prepared at a scale of 1 inch = 100 feet. Map shall be prepared by a professional land planner, architect, landscape architect or engineer, and shall depict the following information:

- 7.01.2.1 Aerial photograph at a scale not less than 1 inch = 400 feet, with site boundaries clearly marked.
- 7.01.2.2 Topography with two-foot contour intervals unless a closer interval is required by the Planning Commission (10 foot intervals are permissible beyond parcel boundaries, taken from USGS published maps). Slopes between 15 and 25 percent and those exceeding 25 percent shall be clearly indicated.
- 7.01.2.3 Topography shall be prepared by a professional land surveyor or professional engineer from an actual field survey of the site or from stereoscopic aerial photography and shall be coordinated with official USGS benchmarks.
- 7.01.2.4 Ponds, streams, ditches, drainage swales, 100-year Flood Hazard Area, springs, wetlands and significant Groundwater Recharge Areas as defined in Chapter 8 of the Walker County Land Development Regulations. Additional areas of wetlands shall be indicated as evident from visual inspection, testing, or the presence of wetland vegetation.
- 7.01.2.5 Vegetative cover such as cultivated land, grasslands, meadows, pastures, old cropfields, woodlands, hedgerows, wetlands, and the actual canopy line of trees and woodlands. Describe vegetative types by plant community, relative age and condition. Trees of Significance shall be identified and located by size and species according to the following sliding scale, except for those growing in wetlands, floodplains, or on steep slopes that will not be disturbed in any case: individual existing healthy trees greater than 12 inches caliper.
- 7.01.2.6 Ridgelines and watershed boundaries.
- 7.01.2.7 Geologic formations including rock outcroppings, cliffs, sinkholes, caves.
- 7.01.2.8 All existing human-made features such as streets, driveways, farm roads, forest trails, buildings, foundations, walls, wells, drainage fields, dumps, utilities and utility easements, fire hydrants, storm and sanitary sewers.
- 7.01.2.9 Locations of all historically significant sites or structures such as stone walls, earthworks, burial graves, barns, old farmhouses, or as required by the DRB.
- 7.01.2.10 Existing land use of the subject parcel and all land within 500 feet of property.
- 7.01.2.11 Name and address of owners of adjoining parcels as appears on current tax records.
- 7.01.2.12 Easements and other encumbrances of the property.
- 7.01.2.13 Total acreage of the tract, plus the Adjusted Tract Acreage with detailed supporting calculations.
- 7.01.2.14 View corridors showing location and extent of views into the property from public roads.

## **7.02 SKETCH PLAN REVIEW**

Applicant shall submit a Sketch Plan for review following the pre-planning site visit and prior to preparing the Conceptual Plan. The Sketch Plan shall be submitted to the Planning Office at least seven (7) days prior to the Design Review Board meeting at which the sketch plan is to be discussed. The sketch plan shall be prepared on translucent or transparent material as an overlay sheet placed on top of the "Existing Resources and Site Analysis Map," diagrammatically indicating initial thoughts about how the purposes of this Section may be achieved through the design of the proposed development. Applicant is strongly encouraged to review the Sketch Plan with abutting property owners prior to its submittal to the Planning Office. The Sketch Plan shall include:

- 7.02.3.1 Name and address of land owner and Applicant.
- 7.02.3.2 Name and address of the professional land planner, architect, landscape architect, engineer or site designer responsible for preparing the plan.
- 7.02.3.3 Graphic scale should be the same as the Existing Resources and Site Analysis Map, but not greater than 1 inch = 100 feet (although dimensions on this plan need not be exact), with north arrow and date.
- 7.02.3.4 Approximate tract boundaries, acreage of land to be subdivided, existing land use, utilities, easements, streets on and adjacent to tract both existing and proposed.
- 7.02.3.5 Vicinity map.
- 7.02.3.6 Schematic layout of Open Spaces, house lots, streets, and other improvements.
- 7.02.3.7 General description of proposed method of water supply, sewage disposal and stormwater management.

## **7.03 HEALTH DEPARTMENT REVIEW OF SKETCH PLAN**

For proposed developments not intended to be served by public sewer and/or public water, Applicant shall request and attend an informal sketch plan meeting with the local health department. Applicant should bring to this meeting a Level 3 Soil Study in addition to the Sketch Plan and a concept for wastewater treatment.

**7.04 FOUR-STEP DESIGN PROCESS**

All preliminary plans shall include documentation that a four-step design process was followed in determining the layout of the proposed Open Space, house sites, streets and lot lines, as described below. Applicants shall be prepared to submit four separate sketch maps indicating the findings of each of the following steps of the design process, if requested by the Planning Director or Planning Commission.

7.04.1 Step 1 Delineation of Open Space Percentages and acreages shall be calculated in accord with these regulations, and shall be designated using the Existing Resources and Site Analysis Map as a base map and complying with Section 9.36 (L) through (O).

7.04.2 Step 2 Location of House Sites: Using proposed Open Space lands as a base map, as well as other relevant data from the site analysis map such as topography and soils, locate potential house sites. House sites should generally be located no closer than 100 feet from Primary Conservation Areas and 50 feet from Secondary Conservation Areas.

7.04.3 Step 3 Alignment of Streets: Upon designating house sites, following topography and other natural features, design a street plan that minimizes impacts on proposed Open Space. Street layouts should generally minimize use of cul-de-sacs, and should maximize current or future access to and from adjoining parcels.

7.04.4 Step 4 Drawing in Lot Lines: Draw lot lines delineating boundaries of individual residential lots.

**7.05 PRELIMINARY AND FINAL PLAT**

The preliminary plat shall be prepared by a registered Georgia surveyor, submitted by Applicant, and reviewed by the Design Review Board and the Planning Commission, and acted upon by Planning Commission in accordance with Sections 9.09, 9.11, 9.12, 9.13 and all other applicable sections of the Land Development Regulations. Procedures for Final Plat approval and Certifications shall be as provided in Section 9.13 (or as amended).

WALKER COUNTY, GEORGIA

Approved this 19<sup>th</sup> day of May, 2005.

ATTEST:

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Bebe Heiskell, Commissioner

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Briggitt Garrett, County Clerk

## **APPENDIX A**

### **UNACCEPTED CORRIDOR DISTRICT COMMERCIAL USES**

Outdoor storage for building supply and vehicle parts and accessories.

Flea markets or similar outdoor or indoor/outdoor sales complexes.

Funeral homes, cemeteries, and mortuaries or crematories.

Outdoor arenas, rodeo grounds, livestock auction facilities, race tracks (auto, dog, go-kart, horse, motorcycle), shooting and firing ranges, and similar activities.

Storage yards for equipment, machinery, and supplies for building and trades contractors, garbage haulers.

Vehicle sales, rental, service, and repair, including truck stops, body shops, road services, car washes that stand alone, facilities, and the sales, rental, repair and service of new or used automobiles, boats, buses, farm equipment, motorcycles, trucks, recreational vehicles, and mobile homes.

## **APPENDIX B**

### **UNACCEPTED CORRIDOR DISTRICT RESIDENTIAL USES**

Mobile homes or mobile home parks.