

AGENDA
REGULAR MEETING OF THE PERRY CITY COUNCIL
April 19, 2016
6:00 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer.
2. Roll.
3. Invocation and Pledge of Allegiance to the Flag: Mayor James E. Faircloth, Jr.
4. Recognition(s)/Presentation(s): Mayor James E. Faircloth, Jr.
 - * Proclamation Recognizing Manufacturing Appreciation Week – Mayor Faircloth
 - * Introduction of new hire – Chief S. Lynn
5. Citizens with Input.
6. Public Hearing: Mayor James E. Faircloth, Jr.

The purpose of this Public Hearing is to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-67A-3 (c).

- 6a. Amendment to Perry Land Development Ordinance – Addition to Article VIII – Use Requirements by District – Section 86 General Courtney Hodges Boulevard Corridor District.
- 6b. Amendment to Perry Land Development Ordinance - Appendix B Standards of the Downtown Development District of the City of Perry – Architectural and Signage Control Standards for Certificate of Appropriateness Permits.
- 6c. Amendment to Perry Land Development Ordinance – Section 83.2.3 District Boundaries to remove General Courtney Hodges Boulevard Corridor from the boundaries of the Downtown Development District.
7. Consent Agenda Items: Mayor James E. Faircloth, Jr.
 - 7a. Council’s Consideration – Minutes of the March 28, 2016 work session, March 29, 2016 pre council meeting and March 29, 2016 council meeting.
8. Old Business: Mayor James E. Faircloth, Jr.
 - 8a. Mayor James E. Faircloth, Jr.
 - 8b. Council Members
 - 8c. City Manager Lee Gilmour
 - 8d. City Attorney Matthew Hulbert

9. New Business: Mayor James E. Faircloth, Jr.
 - 9a. Matters referred from April 18, 2016 work session and April 19, 2016 pre council meeting.
 - 9b. Ordinance(s) for First Reading and Introduction.
 1. **First Reading** of an ordinance amending the Perry Land Development Ordinance – Addition to Article VII – Use Requirements by District -Section 86 General Courtney Hodges Boulevard. *(No action required by Council)*
 2. **First Reading** of an ordinance amending the Perry Land Development Ordinance - Appendix B Standards of the Downtown Development District of the City of Perry – Architectural and Signage Control Standards for Certificate of Appropriateness Permits. *(No action required by Council)*
 3. **First Reading** of an ordinance amending the Perry Land Development Ordinance - Section 83.2.3 District Boundaries to remove General Courtney Hodges Boulevard Corridor from the boundaries of the Downtown Development District. *(No action required by Council)*
 - 9c. Certificate of Appropriateness appeal – Mr. G.L. Dawson.
 - 9d. Well request from Lane Southern Orchards.
10. Department Head Items.
11. Council Members Items:
12. General Public Items:
13. Mayor Items:
14. Adjourn.

City of Perry



~ Proclamation ~

Declaring the Week of April 18 – 22, 2016 As Manufacturer's Appreciation Week In the City of Perry

WHEREAS: Georgia's Manufacturing Appreciation Week (MAW) was established by the Technical College System of Georgia and the Georgia Department of Economic Development. Manufacturing Appreciation Week will be celebrated April 18th-22nd, 2016.

WHEREAS: Manufacturing is vital to Georgia's economy and has been the primary source of economic growth in the United States; and

WHEREAS: Nearly 9,400 manufacturing facilities are located in Georgia providing jobs for approximately 364,000 Georgians. Georgia's manufacturing operations such as transportation equipment, aerospace, computers and electronics, food, paper, metal fabrication, textiles, glass and plastics create state wealth by adding value to raw materials through the application of people skills and investment in tools, technology and talent; and

WHEREAS: Over 50 manufacturers are located in Houston County with the largest industrial complex in the State of Georgia, Robins Air Force Base, employing over 20,000 people. Houston County industries provide opportunities through educational partnerships, company-sponsored community involvement efforts, volunteer programs and civic involvement; and

WHEREAS: The Georgia Manufacturer of the Year Awards will be presented at a luncheon on April 21st at the Georgia International Convention Center to companies in small, medium and large categories that exhibit a high degree of corporate responsibility and economic impact on Georgia and demonstrate a commitment to workforce excellence; and

WHEREAS: We congratulate **Anchor Container** and their employees for being a 2016 nominee and **Perdue Farms** and **Frito Lay** for being past winners of the prestigious award, "Manufacturer of the Year." We owe tremendous gratitude to all manufacturers in Houston County for the key role they play in promoting and ensuring a brighter and stronger future for citizens throughout the Middle Georgia region.

NOW, THEREFORE, be it proclaimed that the week of April 18th-22nd be designated Manufacturing Appreciation Week, the 22nd Annual Celebration to acknowledge the critical and fundamental importance of existing industry to the prosperity of our economy in the City of Perry and Houston County.

SO PROCLAIMED this 19th day of April, 2016.

James E. Faircloth, Jr.
Mayor, City of Perry, Georgia

Annie:

Per Chief Lynn, please add Tyler Sluka (Police Department new hire) to the agenda to be introduced at next Tuesday's City Council meeting at 6 p.m.

Thanks,

Janet S. Duffin

Executive Secretary

Perry Police Department

1207 Washington Street

P.O. Box 2030

Perry, GA 31069

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<http://www.perry-ga.gov>

PUBLIC HEARING
April 19, 2016
TUESDAY @ 6:00 PM

City of Perry

Community Development Department

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P.O. Box 2030
Perry, Georgia 31069



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March 31, 2016

The Honorable James E. Faircloth, Jr.
Perry City Council
Post Office Box 2030
Perry, Georgia 31069

Re: *Amendment to Perry Land Development Ordinance*
Addition to Article VIII – Use Requirements by District
Section 86 General Courtney Hodges Blvd. Corridor District

Dear Mayor and Council:

On March 28, 2016 the Perry Planning Commission reviewed the above referenced amendment to the Perry Land Development Ordinance.

The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation to Mayor and Council for the approval of the changes as provided for the referenced section of the Perry Land Development Ordinance.

Sincerely,


Martin Beeland, Chairman
Perry Planning Commission

MB/cs

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Article 1. General Provisions

Sec. 1.1. Title and Purpose

1.1.1. Title

This ordinance shall be known as the "Perry Form Based Code" or may be internally cited as "this code."

1.1.2. General Purpose

The intent and purpose of this code is to enable and support the implementation of the following policies:

- A. That within the boundaries of the Perry Form Based Code, ordinary activities of daily life should be able to occur within walking or bicycling distance of most dwellings.
- B. That Perry should serve people of all ages and allow residents to remain in the community as they age.
- C. That interconnected networks of streets should be designed to disperse traffic and reduce the length and number of automobile trips.
- D. That a range of high-quality and aesthetically compatible housing options should be provided to accommodate different needs in the community.
- E. That the quality-of-life in existing neighborhoods should be preserved and protected.
- F. That development patterns should make walking and bicycling safer and more pleasant.
- G. That a range of useable open spaces including parks, squares, playgrounds, and preserved environmentally sensitive areas should be distributed throughout Perry.
- H. That buildings and landscaping should be coordinated in order to contribute to Perry's physical design and sense of place.
- I. That development should adequately accommodate automobiles while respecting the pedestrian and the design of public areas.
- J. That public buildings, gathering places, and areas for community events should be provided as locations that reinforce community identity.
- K. That public buildings should be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the area.
- L. That the harmonious and orderly development and redevelopment of Perry should be secured through these regulations.

Sec. 1.2. Applicability

1.2.1. Territorial Application

This code applies within the applicable area, shown on the Official Zoning Map and labeled "Perry Form Based Code."

1.2.2. Conformance Requirements

- A. All buildings, structures or land, in whole or in part, must be used or occupied, in conformance with this code. All buildings or structures, in whole or in part, must be erected, constructed, moved, enlarged or structurally altered in conformance with this code.
- B. Nothing in this code shall require any change in the plans, construction or intended use of a building or structure for which a lawful permit has been issued or a lawful permit application has been accepted before the effective date of this code, provided that the construction under the terms of such permit is diligently followed until its completion.

1.2.3. Conflicting Provisions

- A. It is not the intent of this code to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this code imposes a greater restriction upon the use of property or premises or upon the height of buildings, or requires greater space than is imposed or required by other resolutions, rules or regulations, or by easements, covenants or agreements, the provisions of this code shall govern.
- B. Nothing herein shall be construed as repealing or modifying the conditions of operation or conditions of site development accompanying those zoning approvals, variances or use permits issued prior to the existence of this code; however, modification or repeal of these past conditions of approval may be accomplished through a zoning change in accordance Section 171 of the Perry Land Development Ordinance.

1.2.4. Regulating Plan

- A. The Official Regulating Plan shows the designation of property within the Perry Form Based Code. Alterations to the Official Regulating Plan shall be consistent with the requirements for zoning map amendment as described in Section 171 of Perry Land Development Code, or as may be amended from time to time.
- B. Regulating Plans shall consist of one or more maps showing the following:
 - 1. Form Based Zoning Districts and Civic Spaces:
 - 2. Street network, existing and planned:
 - 3. Mandatory Private Frontages;
 - 4. Any special requirements; and
 - 5. A record of any Variances.
- C. The City of Perry or the owner of a parcel or abutting parcels in the Official Regulating Plan may adjust the locations of proposed streets from those shown by up to a total of 300 horizontal feet by variance, provided that the interconnected network shown in the Official Regulating Plan is maintained.

1.2.5. Use of Words and Phrases

Terms used throughout this code may be defined in Article 4 Definitions of Terms. Article 4 contains regulatory language that is integral to this code. Those terms not defined in Article 4 shall be accorded their commonly accepted meanings. In the event of conflicts between these definitions and those of Section 31 of the Perry Land Development Ordinance, those of this code shall take precedence.

1.2.6. Text and Graphics

Illustrations, photos, and graphics are included in this code to illustrate the intent and requirements of the text. In the case of a conflict between the text of this code and any illustrations, photos, or graphics, the text governs.

Sec. 1.3. Form Based Zoning Districts

1.3.1. Form Based Zoning Districts Established

A. The following Zoning Districts are established within the area regulated by this code:

1. Interstate Mixed Use (IMU)
2. Mixed-Use Center (MUC)
3. Neighborhood Mixed Use (NMU)
4. Form Based Residential (FBR)

1.3.2. Zoning Changes

Zoning changes to a parcel within the Form Based Codes shall only occur in accordance with Section 171 of the Perry Land Development Ordinance.

Article 2. General Requirements

Sec. 2.1. Applicability

2.1.1. Applicability

- A. The requirements of this Article apply to all parcels in the Perry Form Based Code unless expressly stated otherwise in this Article.
- B. The requirements of the Perry Land Development Ordinance still apply unless expressly stated otherwise in this Article. In addition, State and Federal laws may also apply.
- C. When the word "street" is used in this Article it means both public and private streets unless stated otherwise.

Sec. 2.2. Block and Access

2.2.1. Intent

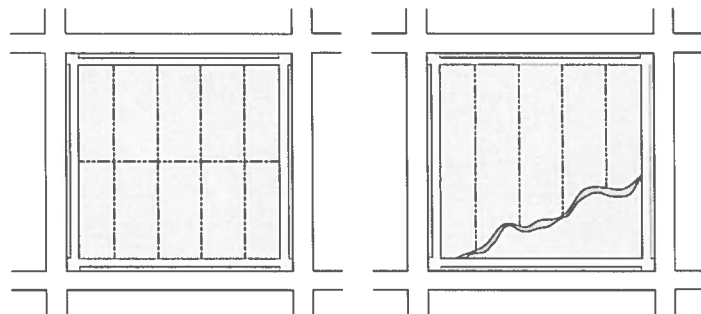
- A. The intent of the block and access standards is to provide a well-connected street network. Large blocks with limited connectivity discourage walking, contribute to street congestion, and add driving distance that can negatively impact emergency services. New streets should also be designed to consider the future development identified in the Perry Future Land Use Plan.
- B. The intent of the access standards is to provide safe and convenient vehicular and pedestrian access within developments and between adjacent developments and to lessen traffic congestion and increase connectivity. Pedestrian, bike, and vehicular access should be safe, direct and convenient.

2.2.2. Blocks

- A. Sites greater than 4 acres in size must incorporate existing or new streets that terminate at other existing or new streets to form an interconnected network with the maximum block perimeter lengths that follow:

| Form Based Zoning Districts | Block Perimeter (Max.) |
|-----------------------------|------------------------|
| MUC | 1,600 feet |
| NMU | 2,000 feet |
| IMU, FBR | 2,400 feet |

- B. In addition to the block standards above, blocks containing exclusively detached dwellings must be wide enough to provide two tiers of lots, except where fronting on arterial streets prevented by topographical conditions or size of the property, in which case the Community Developer Director or their designee may require and/or approve a single tier of lots.



- C. Other than stub-out streets, dead-end streets are not allowed unless a variance is granted for topographic hardship.
- D. Block Measurement
 - 1. A block is bounded by a public or private right-of-way (not including an alley). All public or private rights-of-way proposed as part of a development must be improved with a street.
 - 2. Block perimeter is measured along the edge of the property abutting the public or private right-of-way, except for the measurement of dead-end streets, which are measured from intersecting centerlines.
 - 3. The City Transportation Engineer may modify the block perimeter requirements when steep slopes in excess of 25%, preexisting development, tree protection areas, stream buffers, cemeteries, open space, or easements would make the provision of a complete block infeasible.
 - 4. Where the block pattern is interrupted by public parkland, including greenways, that is open and accessible to the public, pedestrian access points must be provided with a minimum spacing equal to half of the maximum block perimeter.
- E. No public or private street within the Form Based Code area, including alleys, may be gated.

2.2.3. Access

- A. General. When land is subdivided or otherwise developed, parcels and buildings must be arranged and designed so as to allow for the opening of future streets and must provide access to those areas not presently served by streets. No development may be designed to completely eliminate street access to abutting parcels without current street access.
- B. Stub-Out Streets
 - 1. Stub-Out Required
 - a. Where a development abuts unsubdivided land, stub-out streets within the new development must be installed to meet the block standards of Section 2.2.2.
 - b. The stub-out street right-of-way, pavement, and curbing must extend to the boundary of the abutting parcel to the point where the connection to the anticipated street is expected.
 - c. Where a stub-out street is provided, a sign noting the future street extension must be posted at the applicant's expense.
 - 2. Connecting to an Existing Stub-Out Street. If a stub-out street exists on an abutting parcel, the street system of any new development must connect to the stub-out street to form a through street.
 - 3. Exception. The City Transportation Engineer may eliminate the requirement for a stub-out street or require pedestrian and bicycle only access when steep slopes in excess of 25%, freeways, waterways, tree conservation areas, stream buffers, cemeteries, open space or easements would make the provision of a stub-out street infeasible.

2.2.4. Vehicle Cross-Access

All lots in districts allowing commercial uses, attached dwellings, and all lots where the adopted comprehensive plan land use classification would allow for rezoning to such district, that abut another lot

in a district or land use classification allowing either commercial uses, or attached dwellings must comply with the following standards.

- A. Internal vehicular circulation areas must be designed and installed to allow for cross-access between abutting lots.
- B. Vehicle cross-access may not be gated.
- C. When an abutting lot is vacant or already developed, a stub for a future cross-access connection must be provided at the point where the connection to the abutting parcel is expected to occur in the future.
- D. If a cross-access driveway stub exists on an abutting parcel, the internal vehicular circulation area must connect to the stub to form a cross-access connection.
- E. When cross-access for vehicles is deemed impractical by the City Transportation Engineer on the basis of topography, the presence of natural features, or vehicular safety factors, the requirement for cross access may be waived. Bicycle and pedestrian connections must be provided between abutting properties when cross-access is waived.
- F. Property owners who establish cross-access easements must:
 - 1. Allow pedestrian and vehicular access to all properties on the same block face as the property owner establishing the cross-access. Pedestrian and vehicular access is contingent upon the granting of reciprocal vehicular, bicycle, and pedestrian access rights to the granting property;
 - 2. Record an easement allowing cross-access to and from properties served by the cross-access easement;
 - 3. Record a joint maintenance agreement requiring each property owner to maintain the vehicular, bicycle, and pedestrian access areas on their lot;
 - 4. Contain a provision prohibiting the erection of fences, walls and other obstructions that prevent the use of vehicular, bicycle, and pedestrian access ways;
 - 5. Include a statement that the cross-access agreement is conveyed with the land, is binding on all successors, heirs and assigns and that the easement rights are perpetual; and
 - 6. The cross access agreement must be signed by all of owners of the granting property.
- G. Exception. The Community Developer Director or their designee may eliminate the requirement for a cross-access easement when steep slopes in excess of 25%, freeways, waterways, tree conservation areas, stream buffers, cemeteries, open space or easements would make the provision of a cross-access easement infeasible.

Sec. 2.3. Streets

2.3.1. Intent

- A. The intent of this Section is to provide a palette of street types and design elements that reflect the character of different areas within the Form Based Code area.
- B. The regulations provide adequate accommodations for vehicles, cyclists, and pedestrians.
- C. The street types defined in this Section provide a guide to balancing the needs of all modes of travel. Modifications to these types may be made by the Community Developer Director or their designee.
- D. The appropriate street type will be selected by the Community Developer Director or their designee based on the Perry Regulating Plan and engineering and land use context factors, including anticipated vehicle volumes.

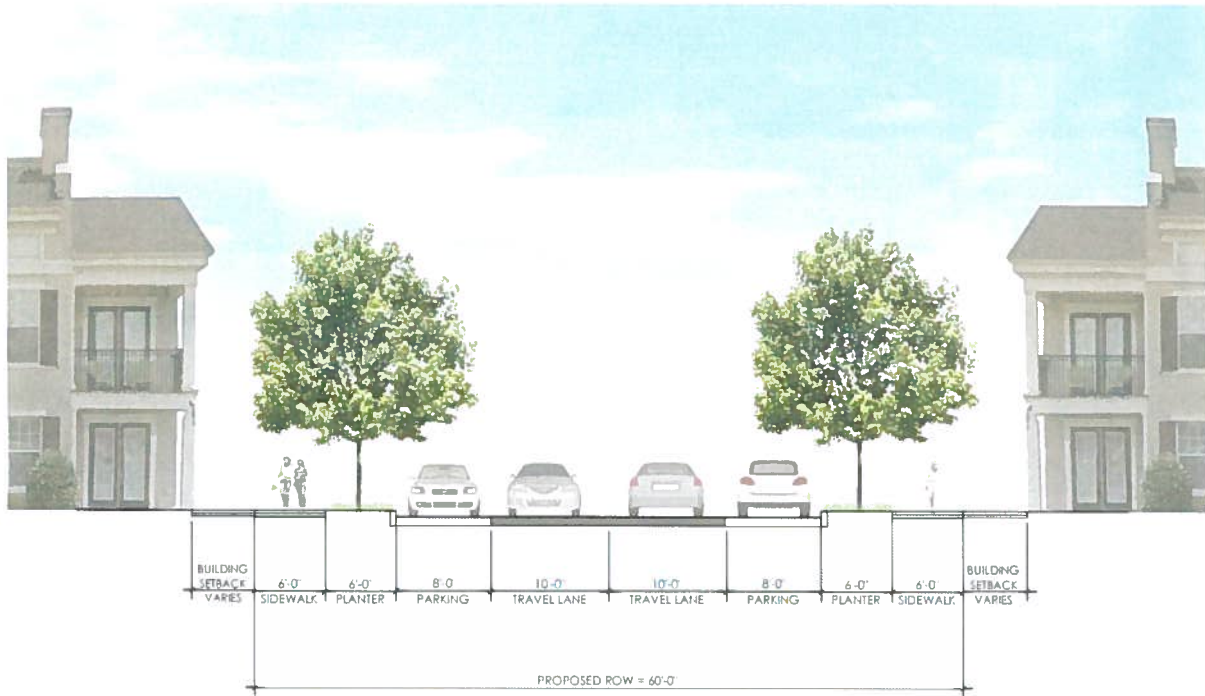
2.3.2. Applicability

- A. When a development proposes the construction of a new public or private street, the requirements of this Section apply.
- B. When constructing a new street or reconstructing an existing street, sidewalks, bike lanes, curb and gutter, and street trees must be installed and constructed in accordance with this Section and the City of Perry Community Development Department/Public Works Design Standards.
- C. Existing streets may continue serving existing development in their current configuration; however, they must not be extended or substantially rebuilt except in conformance with this Section.

2.3.3. Street Types

- A. All new or extended public or private streets must meet the following standards unless modified by the Community Developer Director or their designee for the following public purposes:
 - 1. To provide on- or off-street bicycle facilities;
 - 2. To provide wider sidewalks or planters;
 - 3. To provide a median, left turn lane, or combination therefore;
 - 4. To provide bulb-outs;
 - 5. To provide hardscape surface in otherwise landscaped planters in order to provide pedestrian access to adjacent on-street parking;
 - 6. To increase or decrease the travel lane width; and
 - 7. To provide traffic calming or pedestrian safety measures.

B. Arterial Street Residential



| | |
|------------------------------------|-------------------|
| Width | |
| Right-of-way Width | 60 feet |
| Face of curb to face of curb width | 36 feet |
| Streetscape | |
| Sidewalk | 6 feet |
| Planter | 6 feet |
| Planter Tree Spacing (max.) | 40 feet on-center |
| Planter Type | Landscaped |
| Travelway | |
| Parallel Parking | 8 feet |
| Travel Lane | 10 feet |

C. Arterial Street Commercial/Mixed-Use



| | |
|------------------------------------|------------------------|
| Width | |
| Right-of-way Width | 100 feet |
| Face of curb to face of curb width | 68 feet |
| Streetscape | |
| Sidewalk | 10 feet |
| Planter | 6 feet |
| Planter Tree Spacing (max.) | 40 feet on-center |
| Planter Type | Landscaped/Hardscaped* |
| Travelway | |
| Parallel Parking | 8 feet |
| Travel Lane | 10.5 feet |

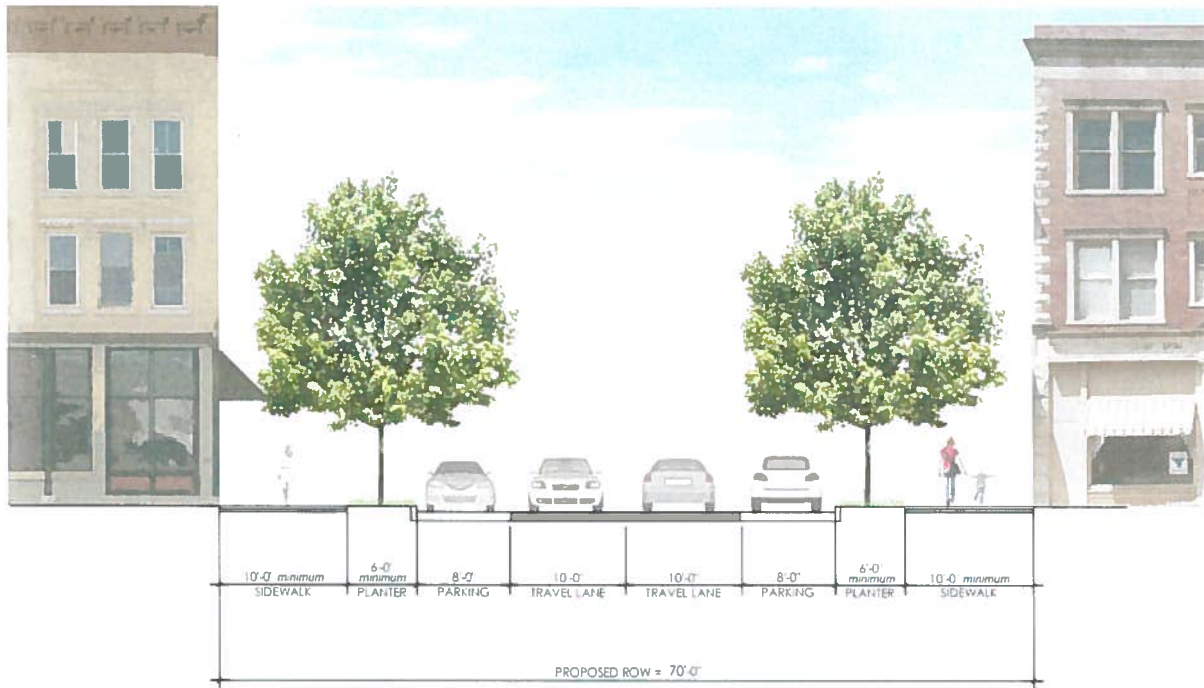
*Planter may be landscaped or hardscaped, but all trees shall be planted in a landscape area with a minimum size of 6 feet by 10 feet.

D. Collector Street Residential



| | |
|------------------------------------|-------------------|
| Width | |
| Right-of-way Width | 50 feet |
| Face of curb to face of curb width | 26 feet |
| Streetscape | |
| Sidewalk | 6 feet |
| Planter | 6 feet |
| Planter Tree Spacing (max.) | 40 feet on-center |
| Planter Type | Landscaped |
| Travelway | |
| Parallel Parking | 8 feet |
| Travel Lane | 9 feet |

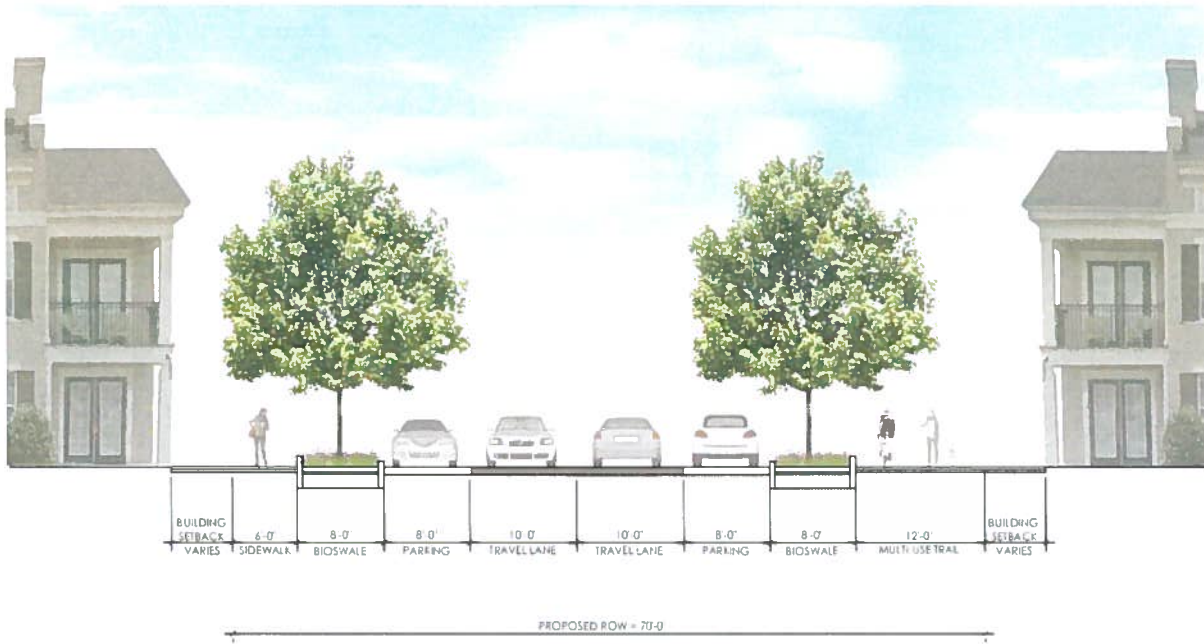
E. Collector Street Commercial/Mixed-Use



| | |
|------------------------------------|------------------------|
| Width | |
| Right-of-way Width | 70 feet |
| Face of curb to face of curb width | 36 feet |
| Streetscape | |
| Sidewalk | Min. 10 feet |
| Planter | 6 feet |
| Planter Tree Spacing (max.) | 40 feet on-center |
| Planter Type | Landscaped/Hardscaped* |
| Travelway | |
| Parallel Parking | 8 feet |
| Travel Lane | 10 feet |

*Planter may be landscaped or hardscaped, but all trees shall be planted in a landscape area with a minimum size of 6 feet by 10 feet.

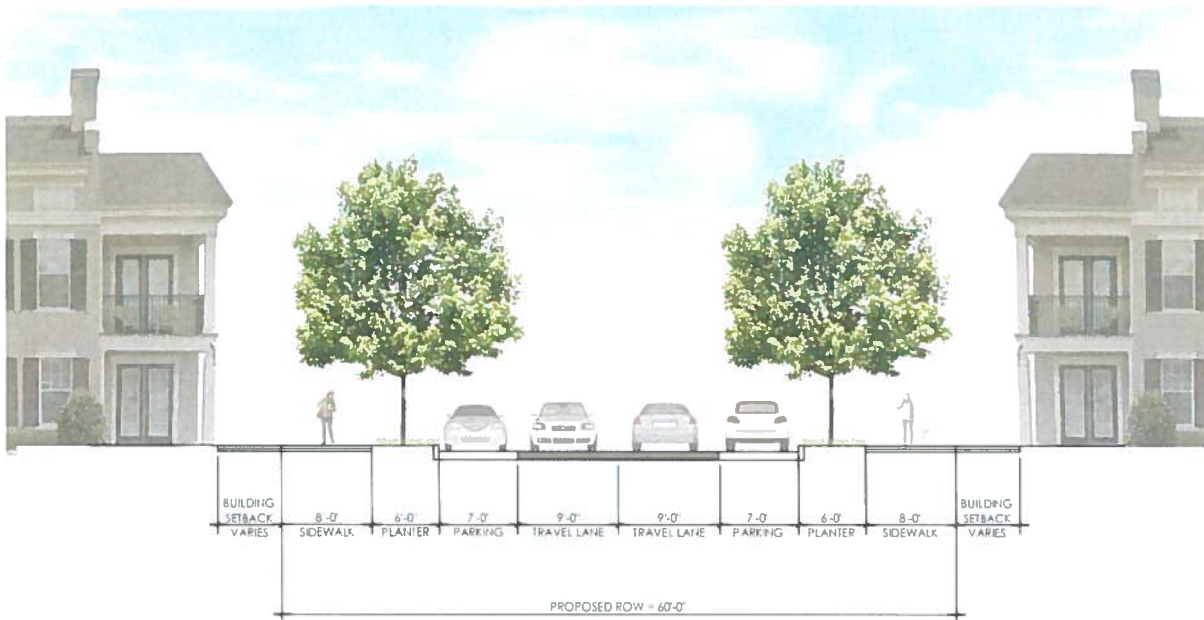
F. Green Street



| Width | |
|------------------------------------|---------------------|
| Right-of-way Width | 70 feet |
| Face of curb to face of curb width | 36 feet |
| Streetscape | |
| Sidewalk | 6 feet (one side)* |
| Multi-use trail | 12 feet (one side)* |
| Planter | 8 feet |
| Planter Tree Spacing (max.) | 40 feet on-center |
| Planter Type | Bio-swale |
| Travelway | |
| Parallel Parking | 8 feet |
| Travel Lane | 10 feet |

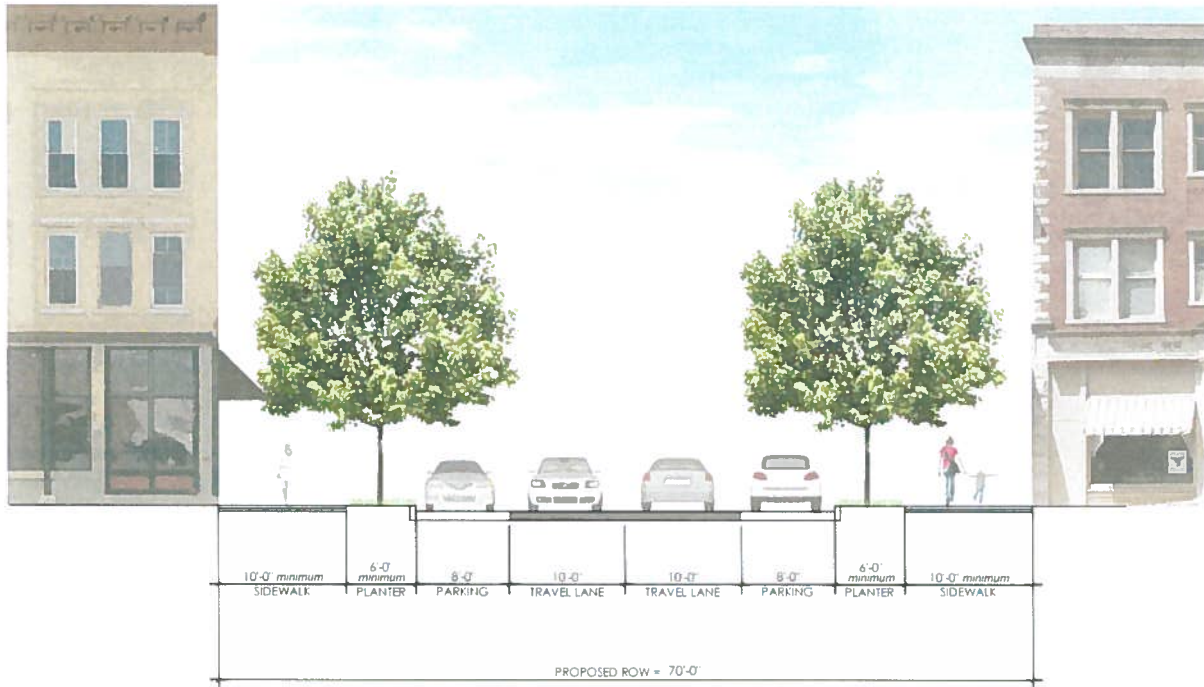
*The side of the street containing sidewalks and multi-use trails shall be as established by the Community Developer Director or their designee.

G. Local Street Residential



| Width | |
|------------------------------------|-------------------|
| Right-of-way Width | 60 feet |
| Face of curb to face of curb width | 32 feet |
| Streetscape | |
| Sidewalk | 8 feet |
| Planter | 6 feet |
| Planter Tree Spacing (max.) | 40 feet on-center |
| Planter Type | Landscaped |
| Travelway | |
| Parallel Parking | 7 feet |
| Travel Lane | 9 feet |

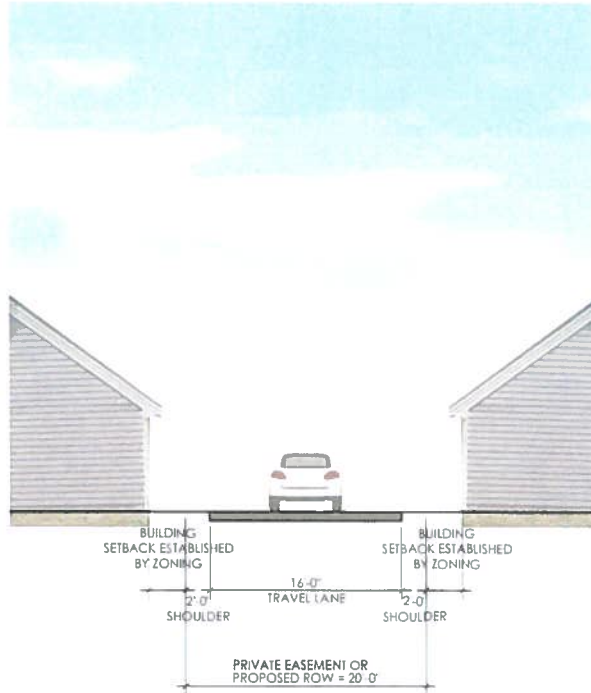
H. Local Street Commercial/Mixed-Use



| Width | |
|------------------------------------|------------------------|
| Right-of-way Width | 70 feet |
| Face of curb to face of curb width | 34 feet |
| Streetscape | |
| Sidewalk | Min. 10 feet |
| Planter | 7 feet |
| Planter Tree Spacing (max.) | 40 feet on-center |
| Planter Type | Landscaped/Hardscaped* |
| Travelway | |
| Parallel Parking | 7 feet |
| Travel Lane | 10 feet |

*Planter may be landscaped or hardscaped, but all trees shall be planted in a landscape area with a minimum size of 6 feet by 10 feet.

I. Residential Alley



| | |
|--------------------------|-------------|
| Width | |
| Right-of-way or Easement | 20 feet |
| Width | |
| Paved Width | 16 feet |
| Shoulder | 2 feet |
| Travelway | |
| Parallel Parking | Not allowed |
| Travel Lane | 16 feet |

J. Commercial/Mixed-Use Alley



| | |
|--------------------------|-------------|
| Width | |
| Right-of-way or Easement | 20 feet |
| Width | |
| Paved Width | 20 feet |
| Shoulder | 0 feet |
| Travelway | |
| Parallel Parking | Not allowed |
| Travel Lanes | 10 feet |

2.3.4. Existing Streets, Streetscapes

A. Applicability. A building or site may be renovated or repaired without meeting the requirements of this Section, provided any increase in gross floor area or improved site area does not exceed 25%.

B. Exceptions. This does not apply as follows:

1. On a parcel located within a recorded subdivision that existed on the date of adoption of this ordinance and when no sidewalks currently exist adjacent to the parcel.
2. On a parcel for which a Land Disturbance Permit or Building Permit is issued but where the Director of Community Development determines that the permit is for an accessory use or structure to the principal use or structure or for minor repairs or additions to the principal building or structure in existence.

C. Streetscapes Required

1. Existing streets, planters, and sidewalk that do not meet the width and planting standards of the Perry Form Based Code Streetscape Table must be brought into compliance with the current

standards prior to the issuance of Certificate of Occupancy.

2. On existing streets where there is insufficient right-of-way for the required streetscape improvements, the right- of-way needed for such improvements may be expanded by mutual agreement between the property owner and the entity holding the right-of-way, or a public access easement may be provided to the City to meet the required improvements.
3. Where an easement is provided to the City and a parcel is zoned part of the Form Based Code, the back of the minimum required sidewalk (adjacent to the lot) may be considered the lot line for the purpose of establishing yards, may not be included in lot coverage calculations, and may not be counted in minimum lot size requirements for new lots.

Perry Form Based Code Streetscape Table

| Street Type and Parcel Zoning District (both must be met) | | Planter | Sidewalk |
|--|---------------------|---------|----------|
| Arterial (existing) | IMU, MUC, NMU, FBR | 6 feet | 10 feet |
| Arterial (existing) | All other Districts | 6 feet | 6 feet |
| Collector (existing or proposed) | IMU, MUC, NMU, FBR | 6 feet | 10 feet |
| Collector (existing or proposed) | All other Districts | 6 feet | 6 feet |
| Green (existing or proposed) | IMU, MUC, NMU, FBR | 8 feet | 10 feet |
| Green (existing or proposed) | All other Districts | 8 feet | 8 feet |
| Local (existing or proposed) | IMU, MUC, NMU, FBR | 6 feet | 10 feet |
| Local (existing or proposed) | All other Districts | 6 feet | 8 feet |

4. Where a publically funded streetscape project using alternative planter standards was installed adjacent to a parcel after the date of adoption, the planter standards of Perry Form Based Code Streetscape Table do not apply.

2.3.5. Multi-Use Trails

- A. Multi-use trails shall have an average width of 12 feet, but their width may be periodically reduced to 8 feet where topography, wetlands, stream buffers, existing buildings, existing trees, or other existing conditions render this requirement infeasible. The maximum length of this reduced width is 400 feet.
- B. A multi-use trail may be required instead of a sidewalk along any new or existing street when the location is identified for a multi-use trail in the Official Regulating Plan or other plan that has been adopted by the City of Perry.
- C. Where a City of Perry park or access easement held by the City of Perry abuts a street subject to Section 2.3.5.A above, the multi-use trail may also be located in such park or easement.
- D. In approving a multi-use trail in lieu of a sidewalk, the Community Developer Director or their designee may reduce the planter width to a minimum width of 5 feet.



2.3.6. Improvements along State Roadways

- A. For any development that abuts a State highway or other right-of-way controlled by the State of Georgia, improvements to the roadway and the location and design of any street or driveway

providing access from the State highway must comply with the standards and requirements of the Georgia Department of Transportation.

- B. An approved permit for proposed access or improvements is required by Georgia Department of Transportation and must be incorporated into the construction drawings for the project prior to the issuance of a Land Disturbance Permit.

2.3.7. Planter

- A. **Defined.** A zone adjacent to the curb intended for planting street trees and the placement of street furniture including light poles, litter receptacles and similar items.
- B. Street trees shall be planted in the planter as follows:
 - 1. Where no overhead utilities exist, shade trees must be planted a maximum of 40 feet on center in the planter. Newly planted trees shall be a minimum of 3½ inches in caliper, and shall be limbed up to a minimum of 7 feet.
 - 2. Where overhead utilities exist, one understory tree must be planted a maximum of 25 feet on center in the planter, subject to approval of the overhead utility provider and the City Arborist.
 - 3. Trees shall have a minimum 6 feet by 10 feet pervious landscape planting area. Tree grates are not allowed unless the City Arborist determines that they will not negatively impact tree health.

Sec. 2.4. Parking and Loading

2.4.1. Vehicle Parking

- A. Every use must provide and maintain vehicular parking in accordance with the vehicular parking requirements of Section 71.3 of the Perry Land Development Ordinance.
- B. Parking in the following locations may be used to satisfy the minimum parking requirements:
 - 1. Off-street parking located on the same site or lot as the use it serves;
 - 2. On-street parking located adjacent to and on the same side of the street as the site or lot contain the use it serves; and
 - 3. Off-site parking within 500 feet of the use it serves (as measured along a pedestrian walkway from the door of the use the parking serves).
- C. Shared Parking. A reduction of the parking requirements of 2.4.1.A may be permitted subject to the following:
 - 1. Applicants for shared parking shall submit the following to the Director of Community Development:
 - a. A shared parking analysis using the Urban Land Institute (ULI) Shared Parking Model (latest edition);
 - b. A to-scale map indicating location of proposed shared parking spaces; and
 - c. Written consent of property owners and businesses agreeing to the shared parking arrangement, including copies of executed and court recorded agreements for off-site parking, as applicable.
 - 2. Uses providing shared parking must have either mutually exclusive or compatibly overlapping

normal hours of operations.

3. Reductions in the total number of required spaces for shared parking are not permitted unless the Planning and Zoning Administrator determines a reduction is appropriate on a case-by-case basis through use of the ULI Shared Parking Model.
 4. Renewed parking agreements shall be filed with the Director of Community Development. Lapse of a required lease agreement shall terminate the shared parking reduction.
 5. All shared parking spaces shall be clearly marked and signed as reserved during specified hours.
- D. When a use provides more than 100% of the minimum number of spaces required by the Vehicular Parking Requirements Table, any additional spaces in a surface parking lot must be constructed of pervious paving materials. For the purpose of conforming to this requirement, any on-street spaces or off-street spaces in parking structures must be counted towards satisfying the minimum requirement.

2.4.2. Bicycle Parking

- A. Facilities that provide or require 10 or more vehicle parking spaces must provide a minimum of 2 bicycle parking space, plus 1 space for each additional 25 provided vehicle parking spaces, provided that no site may have fewer than 2 spaces nor be required to exceed bicycle 30 spaces.
- B. Bicycle parking facilities must comply with the following provisions.
 1. Each required bicycle parking space must be at least 2 feet by 6 feet. Where a bike can be locked on both sides of a bicycle rack without conflict, each side can be counted as a required space.
 2. Bicycle racks must be securely anchored, be easily usable with both U-locks and cable locks, and support a bicycle at 2 points of contact to prevent damage to the bicycle wheels and frame.
 3. Bicycle parking must be provided in a well-lit area.
 4. Spacing of the bicycle racks must provide clear and maneuverable access.
 5. Bicycle parking may be placed within the public right-of-way, provided the encroachment is approved by the Community Developer Director or their designee.
 6. Bicycle parking spaces must be as close as or closer than the nearest vehicle parking space (as measured along a pedestrian walkway from the door of the use the parking serves).

2.4.3. Driveways

- A. Applicability. This following applies to driveways, including those serving alleys, but not to new streets in conformance with Section 2.3.3.
- B. Width. Unless approved by the Community Developer Director or their designee or required by the Georgia Department of Transportation along a State roadway, the maximum width of curb cuts, not including flares or returns at the throat of the facility, for entrances, exits, service drives and similar facilities shall be 24 feet for two-way entrances and 12 feet for one-way entrances.
- C. Number. The maximum number of driveways allowed on a site shall not exceed an amount equal to one driveway for every 300 feet of total street frontage or fraction thereof. All parcels are permitted at least one driveway.
- D. Location. Driveways may not be located on an arterial street when access is available from a collector or local street.

2.4.4. Design of Parking Structures

- A. When a parking structure fronts an arterial or collector street its ground story must have active uses (such as, but not limited to, residential, commercial, office or civic space) located between the parking structure and the closest adjacent street (not including an alley). Such active use shall have a minimum depth of 20 feet.
- B. Where upper stories of structured parking are adjacent to or visible from any street, they must be screened so that cars and ramps are not clearly visible from ground level view from the adjacent parcel or the adjacent street (not including an alley).
- C. Structured parking facades adjacent to or visible from any street must have the appearance of a horizontal storied building.

2.4.5. Loading

- A. On-site loading space is not required.
- B. Loading areas must be located to the rear of buildings. Loading areas must not be placed between a building and the closest adjacent street.
- C. Screening. If a loading area is provided, it must meet the following.
 - 1. Where a loading dock designed for tractor-trailers is placed between a shared lot line or building and the closest adjacent street (not including an alley), the entire length of the loading area must be screened.
 - 2. Screening must consist of either:
 - a. An 8-foot high wall compatible with the principal building in terms of texture, quality, material and color; or
 - b. Evergreen plant material that can be expected to reach a height of 8 feet with a spread of 4 feet within 3 years of planting.

2.4.6. Vehicle Access and Parking Locations

- A. No driveway or off-street parking lots may be located between a building and the closest street unless an intervening approved building type exists.
- B. Off-street parking for the following must be accessed from alleys:
 - 1. Townhouses on lots of any width.
 - 2. All other building types on lots less than 50 feet in width.
- C. Where a garage faces a street the garage must be recessed a minimum distance of 20 feet behind the front building façade.

Sec. 2.5. Landscaping and Screening

2.5.1. Applicability

- A. New Construction. Any new building or site improvement must comply with the landscaping and screening requirements of this Section.
- B. Maintenance and Repair. An existing building or site may be repaired, maintained or modernized without providing additional landscaping or screening, provided there is no increase in gross floor area or improved site area.
- C. Additions
 - 1. When an existing building, use or site is increased in gross floor area or improved site area by up to 25% cumulatively, landscaping and screening is required for the additional floor or site area only.
 - 2. When an existing building, use or site is increased in gross floor area or improved site area by more than 25% cumulatively, both the existing building, use or site and the additional floor or site area must conform to the landscaping and screening requirements of this Section.
- D. Change in Use. A change in use does not trigger the application of these requirements except when there is a specific use standard requiring landscaping or screening for the new use.

2.5.2. Yard Landscaping

- A. Yards between a parking lots and a street must comply with Section 2.5.3.
- B. Yards greater than 5 feet in depth and located between a building and the closest adjacent sidewalk along a street must be landscaped with grass, trees, shrubs, hedges and other landscaping materials for their entire width, with the exception of areas used for:
 - 1. Front porches and stoops;
 - 2. Outdoor dining or display;
 - 3. Pedestrian walkways used to access a street-facing pedestrian entrance;
 - 4. Driveways used to access off-street parking; and
 - 5. Amenity space, where required by Article 3.

- C. Yards greater than 10 feet in depth must be planted with one tree for each 30 feet of street frontage or portion thereof.

2.5.3. Parking Lot Landscape Strips

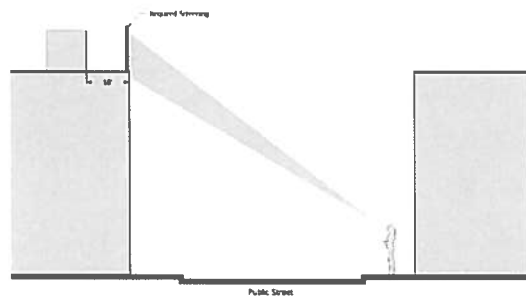
- A. Applicability. All surface parking areas (of any size) abutting a street (not including an alley) must be screened using one of the following options.
- B. Landscape Strip with Shrubs. A minimum 10 feet wide landscape strip planted with a minimum of 10 shrubs per 35 linear feet of street frontage, excluding driveway openings. Shrubs shall be provided to screen paved areas and parking lots from the right-of-way. Shrubs shall be at least 2 feet tall at time of planting. They must be planted 2 rows deep, and provide a screen within 3 years of planting.
- C. Landscape Strip with Wall
 - 1. A 2.5 feet high wall in a minimum 4-foot planting strip.
 - 2. Walls must be close to the parking lot in order to provide a minimum 2-foot landscaped area facing the street.
 - 3. Walls must be closed and be constructed of one or a combination of the following: decorative blocks; brick; stone; cast-stone; split-faced block; or stucco over standard concrete masonry blocks.

- D. Landscape Strip with Berm
 1. An earth berm a minimum of 2.5 feet higher than the finished elevation of the parking area, planted with 5 shrubs for every 35 linear feet of street frontage, excluding driveway openings.
 2. The berm must contain a rounded crown suitable for planting, and a stabilized side slope of no greater than 3:1.
- E. Landscape Strip with Grade Change. A 6-foot landscaped strip with a minimum 3-foot grade drop from the street to the parking area, planted with a minimum of 5 shrubs for every 35 linear feet of street frontage, excluding driveway openings.
- F. Location. A required landscape strip must be located at the outer perimeter of the parking area and must be provided along the entire parking area abutting the street, excluding breaks for pedestrians, bicycles and driveways.
- G. Plant Material. Required shrubs must be a minimum of 2.5 feet in height at time of planting. 70% of the required amount of shrubs must be evergreen.

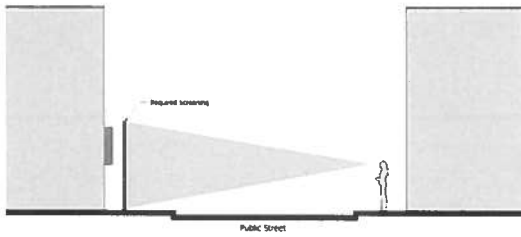
2.5.4. Screening

- A. Service Areas
 1. Trash and recycling collection and other similar service areas must be located to the side or rear of buildings and may not be between a building and the street.
 2. Service areas must be screened on 3 sides by a wall a minimum 6 feet in height and on the 4th side by a solid gate at a minimum of 6 feet in height.
 3. The wall must be opaque and be constructed of one or a combination of the following: decorative blocks; brick; stone; cast-stone; split-faced block; or stucco over standard concrete masonry blocks.

- 4. The gate must be self-locking and maintained in good working order.
- B. Roof-Mounted Equipment
 1. Roof-mounted equipment must be set back at least 10 feet from the edge of the roof and screened from ground level view from abutting parcel or abutting street (not including an alley).
 2. New buildings must provide a parapet wall or other architectural element that is compatible with the principal building in terms of texture, quality, material, and color that fully screens roof-mounted equipment from ground level view.



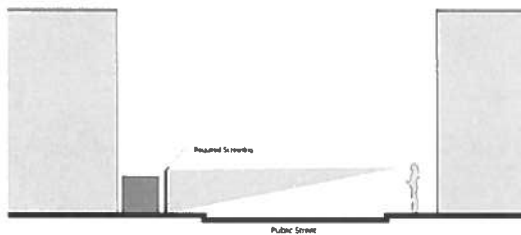
- 3. For buildings with no or low parapet walls, roof mounted equipment must be screened on all sides by an opaque screen compatible with the principal building in terms of texture, quality, material, and color.
- C. Wall-Mounted Equipment
 1. Wall-mounted equipment located on any surface that is visible from a street (not including an alley) must be fully screened by landscaping or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material, and color.



2. Screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

D. Ground-Mounted Equipment

1. Ground-mounted mechanical equipment that is visible from a street (not including an alley) must be fully screened by landscaping or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material and color.



2. Screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

2.5.5. Design and Installation

A. Plant Material

1. Plant materials must be hardy to zone 8 in accordance with the U.S. Department of Agriculture’s Plant Hardiness Zone Map.
2. Plant materials must be able to survive on natural rainfall once established with no loss of health.
3. Tree height is measured from the top of the root ball to the tip of the main stem.
4. No artificial plants, trees, or other vegetation may be installed as required

landscaping and screening

2.5.6. Maintenance of Landscaping

- A. Responsibility. The property owner is responsible for maintaining all required landscaping and screening in good health and condition. Any dead, unhealthy, damaged or missing landscaping and screening must be replaced with landscaping and screening that conforms to this Section within 90 days (or within 180 days where weather concerns would jeopardize the health of plant materials) as approved by the City Arborist.
- B. Soil Erosion
 1. All planting areas must be stabilized from soil erosion immediately upon planting and must be maintained for the duration of the use.
 2. Grass areas must be sodded prior to the issuance of a Certificate of Occupancy. If grass seed must be used, it must be a variety that may be reasonably expected to produce full coverage of the area.
- C. Pruning and Trimming
 1. All required landscaping must be allowed to reach its required size and must be maintained at no less than required size.
 2. To prevent long-term harm to the health of required landscaping, all pruning of shrubs and trees must be done in accordance with the International Society of Arboriculture Standards entitled “ANSI A300 Standards.”
 3. “Topping,” defined as removal of more than one-third of the leaves and branches of a tree, as measured from the lowest branch on the trunk of the tree to the top of the tree, is prohibited, except where necessary to maintain public overhead utilities.

Sec. 2.6. Neighborhood Compatibility

2.6.1. Applicability

- A. Neighborhood compatibility measures are required when a lot zoned or used for a multifamily dwelling, office, institutional, commercial, industrial uses, or occupied by a non-detached residential use adjoins a protected district
- B. Protected district as used in this Section means any property zoned for or used exclusively for detached residential purposes.

2.6.2. Buffers

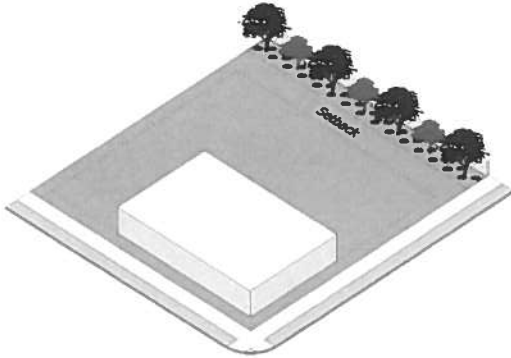
- A. A 25 feet wide undisturbed buffer is required as shown in the Form Based Buffer Table.

| | | |
|--|--------------|--|
| Depth (min.) | 25 ft. | |
| Fence/wall height (min.) | Not required | |
| Shade trees (min. per 100 feet and evenly spaced) | 5 | |
| Understory trees (min. per 100 feet in length and evenly spaced) | 4 | |
| Shrubs (min. per 100 feet in length and evenly spaced) | 40 | |

- B. Except as otherwise provided, herein, the buffer shall be preserved in its natural undisturbed state, except that sparsely planted buffers shall be enhanced with additional plant material. Enhancement plants must provide an opaque screen within two years of planting and must meet the following standards:
 1. Plants must be a minimum of 5 feet in height at time of installation;
 2. At least 75% of the total number of plants installed must be evergreen species; and
 3. Plants will be planted and spaced as shown in the Form Based Buffer Table.
- C. Buffers may not contain any surface parking or storm water, detention facilities, or any structures except that the Director of Community Development may approve underground facilities within the buffer or the crossing of the buffer for the purpose of extending utilities.
- D. Stream buffers must be replanted where disturbed for approved access, detention and utility crossings. Replacement plants must be approved by the City Arborist.
- E. All buffer plantings are subject to the approval of the Director of Community Development.

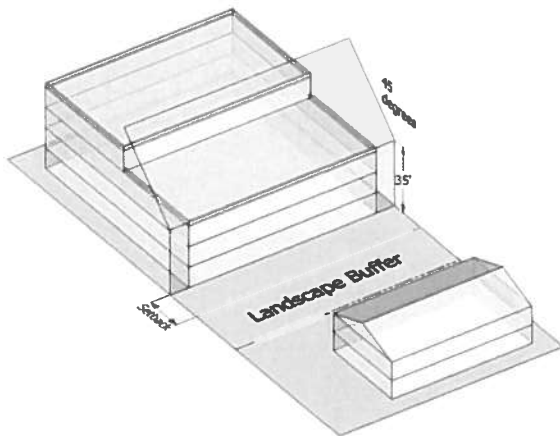
2.6.3. Building Setbacks

All building setbacks are measured from the inside edge of the required buffer.



2.6.4. Transitional Height Plane

- A. A building must not extend into a 45-degree angular plane projecting over the subject property measured from a height of 35 feet at the side interior or rear setback line.



- B. The transitional height plane ends at any public street (not including an alley) or 60 feet from the protected district lot line, whichever is less.

Sec. 2.7. Building Types

The following rules apply to all buildings in the Perry Form Based Code.

2.7.1. Descriptions

Within the Perry Form Based Code building types are used to regulate the design of buildings. Each building type is described below. A building's building type is determined by the Director of Community Development. All graphic depictions of building types are for illustrative purposes only. Note that these building types are for zoning purposes only, and not linked to the Building Code. Freestanding parking structures are not considered to be a building type.



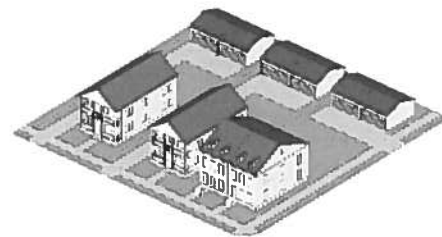
- A. **Detached House.** A building type that accommodates one dwelling unit on an individual lot with yards on all sides. Not intended for nonresidential uses.



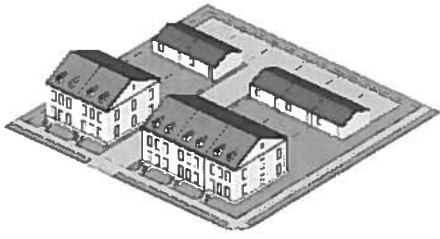
- C. **Cottage Court.** A building type designed to accommodate 5 to 10 detached dwelling units organized around a shared internal courtyard. Units cannot be vertically mixed.



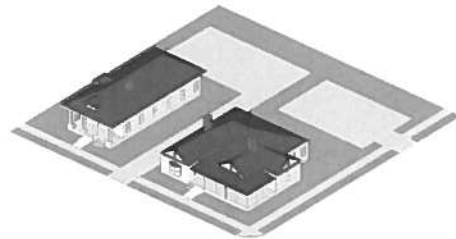
- B. **Carriage House.** A small self-contained accessory dwelling unit located on the same lot as a detached house, duplex, or townhouse but physically separated, for use as a complete, independent living facility, with provisions for cooking, sanitation and sleeping.



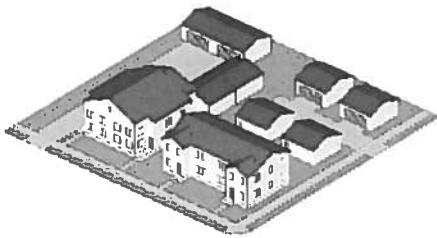
- D. **Duplex.** A building type that accommodates two dwelling units arranged either horizontally or vertically. Not intended for nonresidential uses.



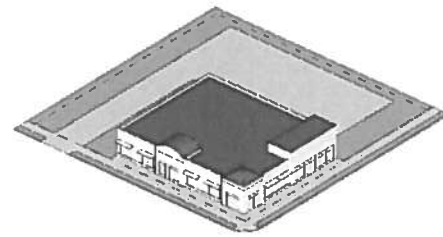
E. **Townhouse.** A building type that accommodates 3 or more dwelling units where each unit is separated by a common side wall. Units cannot be vertically mixed.



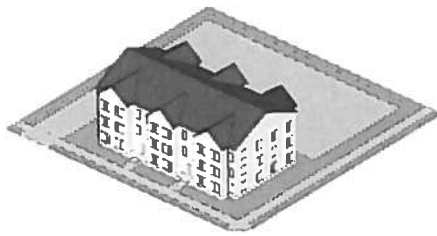
H. **Commercial House.** A building type that accommodates nonresidential uses in a building type that resembles a detached house. Not intended for residential uses.



F. **Walk-up Flat.** A building type that accommodates 3 to 8 dwelling units vertically and horizontally integrated.



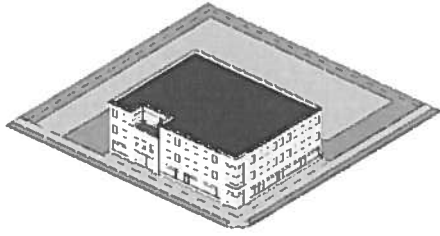
I. **Shopfront.** A single-story building type that typically accommodates single-use retail or commercial activity.



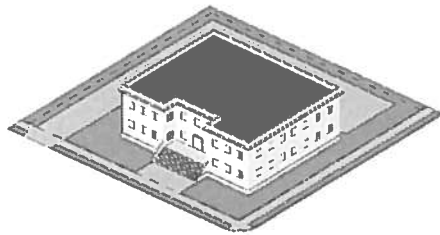
G. **Stacked Flat.** A building type that accommodates 9 or more dwelling units vertically and horizontally integrated.



J. **Mixed Use Building.** A multi-story building type that typically accommodates ground story retail, office, or commercial uses with upper-story residential or office uses. Not for ground story street-facing residential uses along arterial or collector streets.



- K. **General Building.** A multi-story building type that typically accommodates nonresidential uses such as industrial, hotel, or office uses on all stories.



- L. **Civic Building.** A building type that accommodates civic uses. Not intended for commercial, retail, office, or residential uses.

2.7.2. Rules Specific to Building Types

A. Detached House

A building type that accommodates one dwelling unit on an individual lot with yards on all sides. Not intended for nonresidential uses.



| | |
|-------------------------------|----------------------|
| Lot | |
| Detached house units per lot: | 1 max. |
| Pedestrian Access | |
| Entrance facing street: | Required |
| Walkway width: | 3 ft min. /5 ft max. |

B. Carriage House

A small self-contained accessory dwelling unit located on the same lot as a detached house, duplex, or townhouse but physically separated, for use as a complete, independent living facility, with provisions for cooking, sanitation and sleeping.



| | |
|-------------------------------|--------------------------------|
| Lot | |
| Carriage house units per lot: | 1 max. |
| Size | |
| Dwelling Floor Area: | 700 sf max. (excluding garage) |
| Bedrooms: | 1 max. |
| Pedestrian Access | |
| Entrance facing street: | Not Required |
| Walkway width: | n/a |

C. Cottage Court

A building type designed to accommodate 5 to 10 detached dwelling units organized around a shared internal courtyard. Units cannot be vertically mixed.



| | |
|---|---------------------------------|
| Site | |
| Site width/depth: | 150 ft min. |
| Cottage court units per site: | 5 min./ 10 max. |
| Courtyard | |
| Area: | 3,000 sf min. |
| Width: | 40 ft min. |
| Courtyard may not be parked or driven upon, except for emergency access and permitted temporary events. | |
| Pedestrian Access | |
| Entrance facing street: | Required for units along street |
| Walkway width: | 3 ft min. /5 ft max. |

D. Duplex

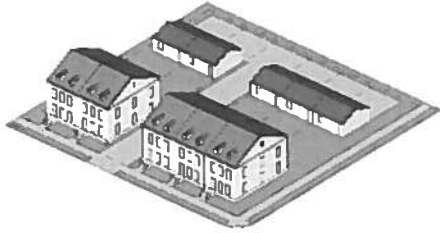
Duplex. A building type that accommodates two dwelling units arranged either horizontally or vertically. Not intended for nonresidential uses.



| | |
|--------------------------|----------------------|
| Lot | |
| Duplex units per lot: | 2 max. |
| Pedestrian Access | |
| Entrance facing street: | Required |
| Walkway width: | 3 ft min. /5 ft max. |

E. Townhouse

A building type that accommodates 3 or more dwelling units where each unit is separated by a common side wall. Units cannot be vertically mixed. Not intended for nonresidential uses.



| Site | |
|---|---------------------------------|
| Townhouse units per site: | 3 min. |
| Townhouse units in a row: | 8 max. |
| Fenestration | |
| Ground floor: | 15% min. |
| Upper story: | 15% min. / 35% max. |
| Blank wall area: | 20 ft max. (per story) |
| Pedestrian Access | |
| Entrance facing street: | Required for units along street |
| Walkway width: | 3 ft min. /5 ft max. |
| Parking Location | |
| No on-site parking is allowed between the building and the street. | |
| Design | |
| No more than three adjacent units may have identical facade designs. Differentiation between adjacent units may be accomplished by a change in materials, building height, color, roof form, or setbacks. | |

F. Walk-up Flat

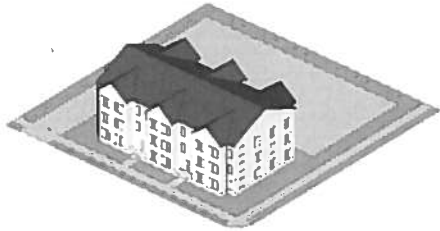
A building type that accommodates 3 to 8 dwelling units vertically and horizontally integrated.



| Site | |
|--|---|
| Walk-up flat units per building: | 3 min. /8 max. |
| Fenestration | |
| Ground floor: | 20% min. |
| Upper story: | 20% min. / 40% max. |
| Blank wall area: | 20 ft max. (per story) |
| Pedestrian Access | |
| Entrance facing street: | Required for lobby (if provided) or ground floor units along street (if no lobby) |
| Walkway width: | 3 ft min. /6 ft max. |
| Parking Location | |
| No on-site parking is allowed between the building and the street. | |

G. Stacked Flat

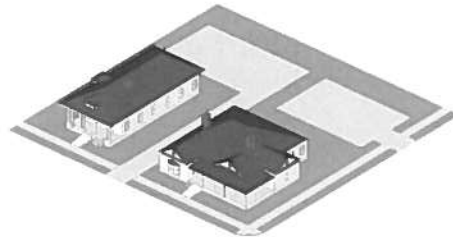
A building type that accommodates 9 or more dwelling units vertically and horizontally integrated. Intended for primarily residential uses, but may include limited ground story commercial.



| Site | |
|--|--|
| Stacked flat units per building: | 9 min. |
| Street facing façade length: | 200 ft max. |
| Fenestration | |
| Ground floor: | 20% min. |
| Upper story: | 20% min. / 40% max. |
| Blank wall area: | 20 ft max. (per story) |
| Pedestrian Access | |
| Entrance facing street: | Required for lobby and ground floor units along street |
| Walkway width: | 3 ft min. / 8 ft max. |
| Parking Location | |
| No on-site parking is allowed between the building and the street. | |

H. Commercial House

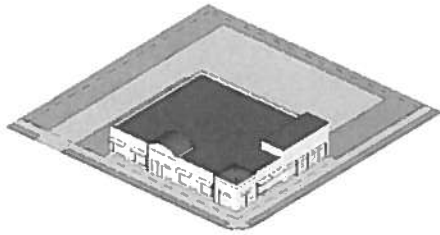
A building type that accommodates nonresidential uses in a building type that resembles a detached house. Not intended for residential uses.



| Site | |
|--|---------------------------------------|
| Street facing façade length: | 50 ft max. |
| Fenestration | |
| Ground floor: | 15% min. / 30% max. |
| Upper story: | 15% min. / 30% max. |
| Blank wall area: | 20 ft max. (per story) |
| Pedestrian Access | |
| Entrance facing street: | Required for businesses facing street |
| Walkway width: | 6 ft min. |
| Parking Location | |
| No on-site parking is allowed between the building and the street. | |

I. Shopfront

A single-story building type that typically accommodates single-use retail or commercial activity.



Site

Street facing façade length: 200 ft max.

Height

Ground floor height (floor to ceiling) : 14 ft min.

Fenestration

Ground floor: arterial or collector/local street: 70% min./30% min.

Blank wall area: arterial or collector/local street: 30 ft max. / 50 ft max.

Pedestrian Access

Entrance facing street: Required every 75 ft of frontage

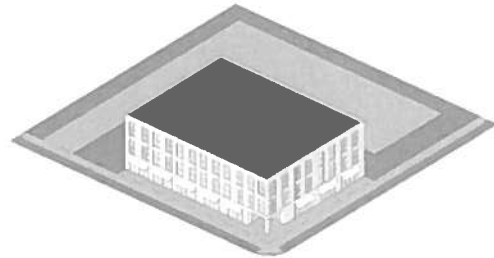
Walkway width: 6 ft min.

Parking Location

No on-site parking is allowed between the building and the street.

J. Mixed Use Building

A multi-story building type that typically accommodates ground story retail, office or commercial uses with upper-story residential or office uses. Not intended for ground story, street-facing residential uses along arterial or collector streets.



Site

Street facing façade length: 200 ft max.

Height

Ground floor height (floor to ceiling) : 14 ft min.

Fenestration

Ground floor: arterial or collector/local street: 70% min./30% min.

Blank wall area: arterial or collector/local street: 30 ft max. / 50 ft max.

Upper story: 20% min. / 40% max.

Pedestrian Access

Entrance facing street: Required every 75 ft of frontage

Walkway width: 6 ft min.

Parking Location

No on-site parking is allowed between the building and the street:

K. General Building

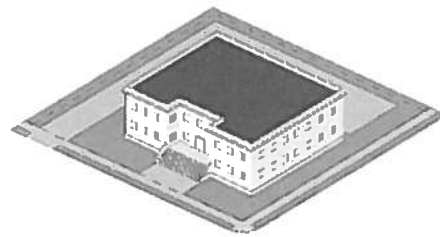
A multi-story building type that typically accommodates nonresidential uses such as industrial, hotel, or office uses on all stories.



| | |
|--|-----------------------------------|
| Site | |
| Street facing façade length: | 200 ft max. |
| Height | |
| Ground floor height (floor to ceiling) : | 11 ft min. |
| Fenestration | |
| Ground floor: arterial or collector/local street: | 50% min./20% min. |
| Blank wall area: arterial or collector/local street: | 40 ft max. / 60 ft max. |
| Upper story | 20% min. |
| Pedestrian Access | |
| Entrance facing street: | Required every 150 ft of frontage |
| Walkway width: | 6 ft min. |
| Parking Location | |
| No on-site parking is allowed between the building and the street. | |

L. Civic Building

A building type that accommodates civic uses. Not intended for commercial, retail, office, or residential uses.



| | |
|--|------------|
| Fenestration | |
| Ground floor: | 15% min. |
| Blank wall area: | 60 ft max. |
| Upper story: | 15% min. |
| Pedestrian Access | |
| Entrance facing street: | Required |
| Walkway width: | 6 ft min. |
| Parking Location | |
| No on-site parking is allowed between the building and the street. | |

Sec. 2.8. Building Design

2.8.1. Applicable

This Section applies to the Building Types identified in Section Sec. 2.7.

2.8.2. Fenestration

- A. Fenestration is the minimum percentage of window and door glass that must cover a facade.
- B. Glass used to satisfy fenestration requirements must be unpainted, must have a transparency (visible light transmission) higher than 70%, and must have an external reflectance of less than 15%. Transparency and external light reflectance must be established using the manufacturer's specifications.
- C. Fenestration is measured from the top of the finished floor to the top of the finished floor above.
- D. When there is no floor above, fenestration is measured from the top of the finished floor to the top of the wall plate.

2.8.3. Pedestrian Access

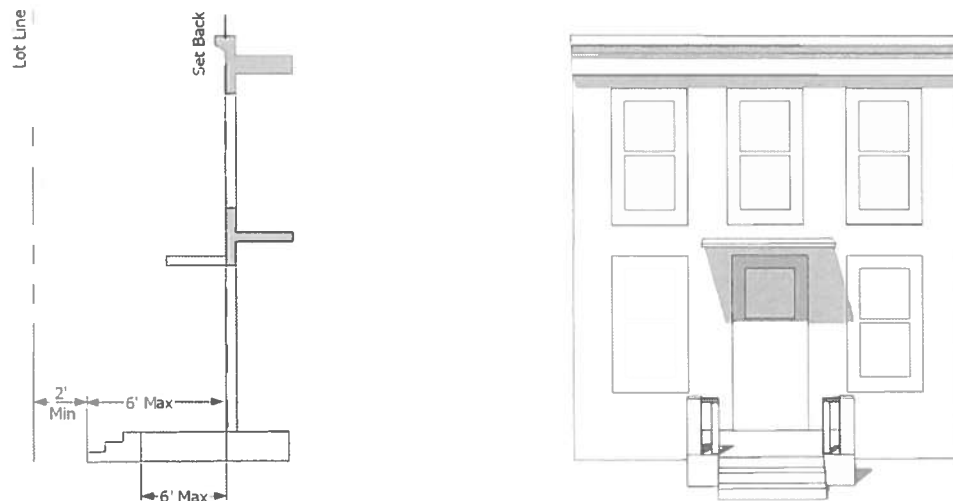
- A. A pedestrian entrance and walkway providing both ingress and egress, operable to residents at all times and operable to customer, visitors, and employees during business hours, is required to meet the street-facing pedestrian entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are permitted, but must have the same or shorter hours of operability as the street-facing entrance.
- B. An angled pedestrian entrance may be provided at either corner of a building along the street to meet the street-facing pedestrian entrance requirements.
- C. Where a lot has frontage on a civic space instead of a street, these requirement apply to and from the civic space.

2.8.4. Building Elements

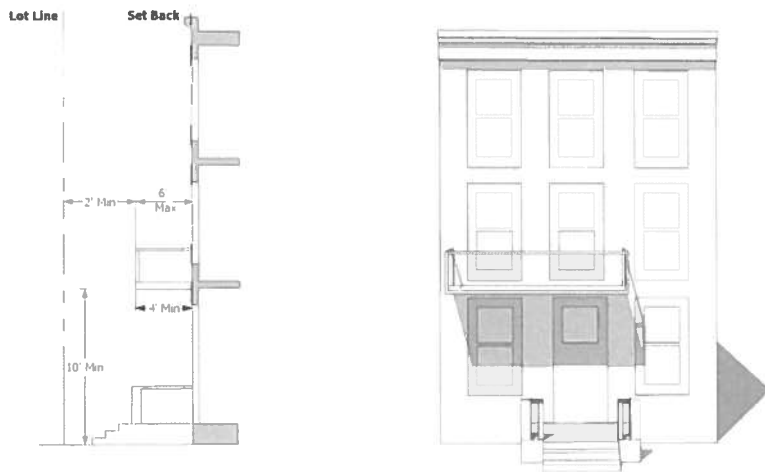
- A. **Intent.** The following standards are intended to ensure that certain building elements that when added to a street-facing facade are of sufficient size to be both usable and functional and be architecturally compatible with the building they are attached to.



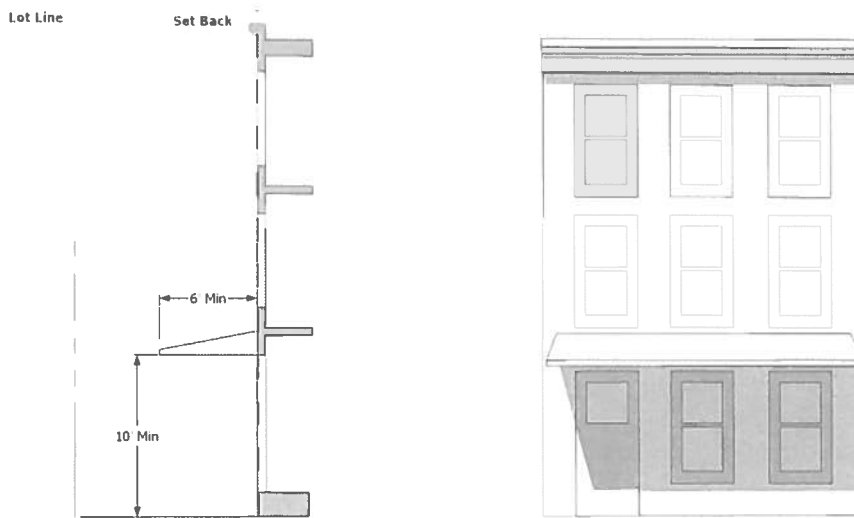
- B. **Front Porch.** A raised structure attached to a building, forming a covered pedestrian entrance to a doorway.
1. A front porch must be at least 6 feet deep (not including the steps).
 2. A front porch must be contiguous, with a width not less than 33% of the building facade from which it projects.
 3. A front porch must be roofed and may be screened, but cannot be fully enclosed.
 4. A front porch may extend up to 9 feet, including the steps, into a required front setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
 5. A front porch must not encroach into the public right-of-way or required sidewalk.
 6. Steps leading to front porches must have enclosed risers.
 7. Front porch columns must be a minimum width of 8 inches.



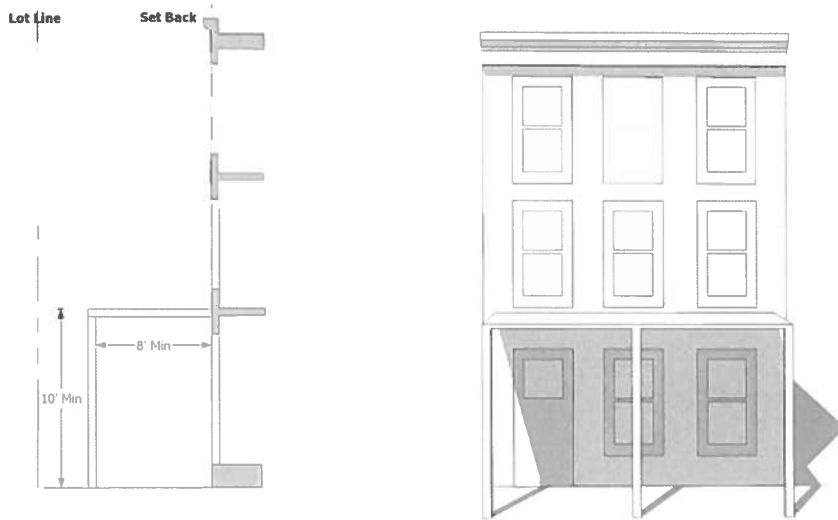
- C. **Stoop.** A small raised platform that serves as a pedestrian entrance to a building.
1. A stoop must be no more than 6 feet deep (not including the steps).
 2. A stoop may be covered but cannot be fully enclosed.
 3. A stoop may extend up to 6 feet, including the steps, into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
 4. A stoop must not encroach into the public right-of-way or required sidewalk.
 5. Steps leading to stoops must have enclosed risers.
 6. Stoop columns, where provided, must be a minimum width of 8 inches.



- D. **Balcony.** A platform projecting from the wall of an upper-story of a building with a railing along its outer edge, often with access from a door or window.
1. A balcony must be at least 4 feet deep and may extend up to 6 feet into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
 2. A balcony must have a clear height above the sidewalk of at least 10 feet.
 3. A balcony may be covered and screened, but cannot be fully enclosed.
 4. A balcony may encroach up to 6 feet into the public right-of-way or required sidewalk but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.



- E. **Awning/Canopy.** A wall-mounted, cantilevered structure providing shade and cover from the weather for a sidewalk.
1. An awning must be a minimum of 10 feet clear height above the sidewalk and must have a minimum depth of 6 feet.
 2. An awning may extend into a required setback.
 3. An awning may encroach up to 9 feet into the public right-of-way or required sidewalk but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.
 4. Awning must be made of canvas and may not be reflective or shiny.
 5. Awnings must have open ends called “shed awnings” to allow views into buildings.
 6. Awnings may not be internally lit.
 7. Awnings must be as wide as, or up to two feet wider than, the door or window opening that they serve. Where multiple doors and windows are less than two feet apart, multiple awnings may be combined into a single awning.



- F. **Gallery.** A covered passage extending along the outside wall of a building supported by arches or columns that is open on 3 sides.
1. A gallery must have a clear depth from the support columns to the building's facade of at least 8 feet and a clear height above the sidewalk of at least 10 feet.
 2. A gallery must be contiguous and extend over at least 75% of the width of the building facade from which it projects.
 3. A gallery may extend into a required setback.
 4. A gallery may encroach up 9 feet into the public right-of-way or required sidewalk but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.

2.8.5. General Architectural Standards

A. Applicability

1. The following applies to all buildings, except as specifically stated otherwise.
2. Detached houses, carriage houses, cottage courts, duplexes, townhouses, walk-up flats, and stacked flats must comply with either the following or Section 2.8.6, at the discretion of the applicant.

B. Building Materials

1. Exterior finish materials on walls visible from a street or civic space must be limited to brick, manufactured stone, architectural block, natural stone, wood siding, cement-based siding, cement-based panels, and/or hard coat stucco.
2. Hard coat stucco, when used as an exterior wall finish material on any individual building, is subject to the following additional standards:

- a. Hard coat stucco may not exceed 30% of the total wall area (excluding foundations) visible from a street or civic space. For the purpose of calculating conformance with this requirement, windows and doors are not included in the total wall area.

- b. The maximum wall length (excluding foundations) visible from a street or civic space that is finished in any continuous or discontinuous hard coat stucco is 60 feet. Authorized wall lengths finished in hard coat stucco must be separated by a minimum wall length of 60 feet that contains no hard coat stucco.



3. Exterior finish materials must be combined only horizontally, with the visually heavier below the lighter as shown in the General Visual Weight Table. This does not apply to architectural details such as cornices, window sills, and beltlines.
4. No more than three different exterior finish materials, textures, colors, or combinations thereof may be used on a single building, excluding materials used on windows, doors, front porches, balconies, foundations, awnings, or architectural details.
5. Foundations must be constructed as a distinct building element that is finished in a different material or color than the exterior wall. Exposed above-ground foundations must be coated or faced in cement, hard coat stucco, brick, manufactured stone, or natural stone to contrast with façade materials.

General Visual Weight Table

This table shows the visual weight of permitted materials. Those at the top are lighter than those at the bottom and must be combined accordingly.

| | |
|-------------------------|------------------------------------|
| Visually Lighter | Hard Coat Stucco |
| ↑ | Wood/Cement-Based Siding or Panels |
| ↑ | Brick |
| ↓ | Architectural Block |
| Visually Heavier | Natural /Manufactured Stone |

C. Building Facade

1. The following applies to all street-facing facades.
2. Where used, shutters must match one half the width and shape of the window opening to which they are adjacent.
3. Facades must provide visual divisions between the ground story and second story through architectural means such as courses, awnings, or a change in materials.
4. Windows above the ground story must be equally sized, vertically oriented, equally spaced and arranged in a grid pattern.
5. Window must be recessed a minimum of 3 inches and a maximum of 8 inches from the adjacent façade.

D. Building Massing

1. Facades over 50 feet in length must incorporate wall projections or recesses a minimum of 12 inches in depth. The combined length of said recesses and projections must constitute at least 20% of the total facade length.
2. Variation in the roofline of buildings and offsets in pitched roofs and gables are required. Parapets in individual building facades exceeding 100 continuous linear feet must be varied in height and projection and must use decorative elements such as crown moldings, dentals, brick soldier courses, or similar details.

2.8.6. Small Residential Building Standards

A. Applicability. The following applies to detached houses, carriage houses, cottage courts, duplexes, townhouses, walk-up flats, stacked flats, and commercial houses.

B. Building Materials

1. The exterior finish material on all walls is limited to brick, manufactured stone, natural stone, wood siding, cement-based siding and/or hard coat stucco.
2. Exterior finish materials must be combined only horizontally, with the visually heavier below the lighter as shown in the Small Residential Building Visual Weight Table. This does not apply to architectural details such as cornices, window sills, and beltlines.
3. No more than three different exterior finish materials, textures, colors, or combinations thereof may be used on a single building, excluding materials used on windows, doors, porches, balconies, foundations, or architectural details.
4. Foundations must be constructed as a distinct building element that is finished in a different material or color than the exterior wall.

Exposed above-ground foundations must be coated or faced in cement, hard coat stucco, brick, manufactured stone, or natural stone to contrast with façade materials.

Small Residential Building Visual Weight Table

This table shows the visual weight of permitted materials. Those at the top are lighter than those at the bottom and must be combined accordingly.

| | |
|-------------------------|------------------------------------|
| Visually Lighter | Hard Coat Stucco |
| ↑ | Wood/Cement-Based Siding or Panels |
| ↓ | Brick |
| ↓ | Architectural Block |
| Visually Heavier | Natural /Manufactured Stone |

C. Building Facades

1. The following apply to all street-facing facades.
 2. Windows and Doors
 - a. Where used, shutters must match one half the width and shape of the window opening to which they are adjacent.
 - b. Doors and windows that operate as sliders are prohibited
 - c. All windows must be vertically shaped with a height greater than width. The top of said windows must generally be in alignment with the top of the adjacent door frame.
 - d. Windows must have true or simulated divided lights or be one-over-one lights.
 - e. Windows must include sills of wood, masonry, stone, cast stone, or terra cotta.
 - f. Window frames must be recessed a minimum of 1.5 inches from the exterior façade.
 3. A stoop or front porch is required.
 4. Awnings are not allowed.
- D. Building Massing
1. Pitched roofs, if provided, must be symmetrically sloped no less than 5:12, except that roofs for front porches and attached sheds may be no less than 2:12.
 2. Flat roofs must be enclosed by parapets a minimum of 42 inches high, or as required to conceal mechanical equipment by Section 2.5.4.
 3. All roofs must have a minimum 25-year roof life and no visible roll roofing.
 4. Chimneys, where provided, must extend to the ground and must be faced in brick or stacked stone.

Sec. 2.9. Tree Protection

2.9.1. Applicability

- A. This Section applies to all sites in the Perry Form Based Code except detached residential lots.
- B. Detached residential lots must comply with the full requirements of Section 217 of the Perry Land Development Ordinance.
- C. Sites subject to this Section and with a building coverage under 70% must comply with the full requirements of Section 217 of the Perry Land Development Ordinance.
- D. Site subject to this Section and with a building coverage of 70% or more must comply with one of the following:
 1. The full requirements of Section 217 of the Perry Land Development Ordinance; or
 2. All requirements of Section 217 of the Perry Land Development Ordinance except Section 217.f.5, which are replaced with the requirements of Section 2.9.2 below.

2.9.2. Minimum Site Density Requirements

- A. A minimum of one Overstory tree must be provided on-site for every 400 square feet of a site not covered by buildings.

- B. The required Overstory tree must have a minimum 4-inch caliper.
- C. The required number of Overstory trees may be achieved by counting existing trees to be preserved, planting new trees according to the standards of this Section, or some combination of the two.
- D. All sites shall comply with the applicable street tree requirements in the adjacent street.

Article 3. Form Based Code Zoning Districts

Sec. 3.1. Applicability

- A. This requirements of this Article apply to all Form Based Zoning Districts.
- B. The requirements of the Perry Land Development Ordinance also apply in all Downtown Districts unless expressly stated otherwise in this Article.

Sec. 3.2. Rules of Interpretation

3.2.1. Site

Defined. A site is any lot or group of contiguous lots owned or functionally controlled by the same person or entity, assembled for the purpose of development. Lots within a site may be separated by an existing public right-of-way.

3.2.2. Lot

A. Lot Frontage.

- 1. Every lot (except cottage court lots) and every cottage court site must have frontage upon:
 - a. An existing public street, or
 - b. A new public street or private street built to standards of Section 2.3.3, or
 - c. A civic space meeting the standards of Section 3.2.3.B or an existing City of Perry park. No more than 20% of the total lots in a site (except cottage court lots) may front on a civic space or existing City park.
- 2. Alleys may not be used to satisfy the lot frontage requirements of Section 3.2.2.A.1 above.
- 3. The minimum lot frontage is 20 feet or the minimum lot width identified in district regulations, whichever is greater.
- 4. Lots having frontage on a civic space or existing City park must still comply with fire lane access requirements, as applicable.

3.2.3. Open Space





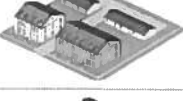


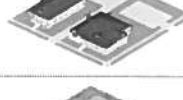

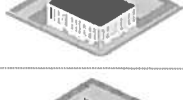


- A. **Defined.** Open space is the horizontal outdoor area of a site reserved to provide separation, resource protection, scenic enjoyment, recreation, or amenity. It includes two types: civic space and amenity space.
- B. **Civic space.** Civic space is the portion of open space for public use defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping, and their adjacent buildings. Civic spaces are limited to the following types:
 - 1. **Park.** An open space available for structured or unstructured recreation. A park may be independent of surrounding buildings at its edges. Its landscape may consist of paths and trails, meadows and lawns, water bodies, and woodlands. Recreation fields and courts may also be included. The minimum size for a park is one acre.

2. **Square.** An open space available for unstructured recreation and civic purposes. A square is spatially defined by building or streets at its edges. Its landscape must consist of paths and trees, and may also include lawns and non-asphalt paved surfaces. The minimum size for a square is one-half acre.
 3. **Plaza.** An open space, available for civic purposes and commercial activities. A plaza must be spatially defined by building or streets at its edges. Its landscape must consist primarily of non-asphalt paved surfaces and trees. The minimum size for a plaza is one-quarter acre.
 4. **Pocket Park.** An open space, available for unstructured recreation. A pocket park may be spatially defined by buildings or streets at its edges. Its landscape must consist of lawn and trees. There is no minimum size for pockets parks.
 5. **Playground.** An open space designed and equipped for the recreation of children. A playground must be fenced and may include an open shelter. Playgrounds must be interspersed within residential areas, may be placed within a block, and may be included in parks and greens. There is no minimum size for playgrounds.
- C. **Amenity space.** Amenity space is the covered or uncovered, but unenclosed, outdoor areas of at least 100 square feet each for use by the occupants, invitees and guests of the development and specifically excluding Civic Spaces and required sidewalks. Amenity spaces may include, but are not limited to:
1. Rooftop decks;
 2. Balconies;
 3. Patios and porches;
 4. Outdoor dining areas;
 5. Pool areas;
 6. Tennis courts, basketball courts, and similar uses;
 7. Yards, lawns, and gardens;
 8. Hardscape areas improved for pedestrian enjoyment; and
 9. Wooded areas.
- D. Open space may be privately or publically owned. Private open space is open space that is owned by a corporation, individual, or homeowners association. Public open space is open space owned by a governmental agency.
- E. Wetlands, lakes, ponds, streams, rivers, flood zones, and stream buffers may only be considered open space when located within one of the five types of civic spaces identified in Section 3.2.4.B.
- F. No required buffer, except for stream buffers, may be used to satisfy open space requirements.
- G. Stormwater management facilities may not be used to satisfy open space requirements.
- H. No areas used for vehicles, except for incidental service, maintenance, or emergency actions, may be used to satisfy open space requirements.
- I. A site's Open space requirements shall be considered completely satisfied when a development incorporates a historic building that complies with all of the following:

1. The building is deemed fit for human habitation in accordance with the adopted Perry City Municipal Codes concerning buildings and structures; and
 2. A binding legal agreement that established a program for guaranteeing maintenance of said building through a condominium association, a homeowner association, bonding, or other protective maintenance guarantees is signed by all property owners and/or their prospective successors in title and is submitted to the City of Perry.
- J. When a historic building used to satisfy open space requirements in accordance with Section 3.2.3.1 is subsequently completely destroyed, the applicable open space requirements of the zoning district must be satisfied within one year unless a variance is granted by the City Council.

Sec. 3.3. Building Types Allowed

Building types are allowed by Form Based Zoning District as shown below.

| Building Type | IMU | MUC | NMU | FBR |
|--|-----|-----|-----|-----|
|  Detached House | | | ■ | ■ |
|  Carriage House | | | ■ | ■ |
|  Cottage Court | | | ■ | ■ |
|  Duplex | | | ■ | ■ |
|  Townhouse | ■ | ■ | ■ | ■ |
|  Walk-Up Flat | ■ | ■ | ■ | |
|  Stacked Flat | ■ | ■ | | |
|  Commercial House | | | ■ | |
|  Shopfront | ■ | ■ | ■ | |
|  Mixed-Use Building | ■ | ■ | ■ | |
|  General Building | ■ | ■ | ■ | |
|  Civic Building | ■ | ■ | ■ | ■ |

Sec. 3.4. Uses Allowed by District

3.4.1. Allowed Use Table

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use standards for both principal and accessory uses are specified in Article 10 of the Perry Land Development Ordinance. Uses not listed may be interpreted by the Director of Community Development. When the Director of Community Development cannot determine placement, an application shall be made to the Planning Commission for interpretation.
- B. Principal and accessory uses allowed by district are shown in the table below.

3.4.2. Use Table Key

- A. Permitted Use (P). Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of the Perry Land Development Ordinance.
- B. Special Exception (SE). Indicates a use may be permitted in the respective district only where approved by the City Council in accordance with Section 172 of the Perry Land Development Ordinance. Special exceptions are subject to all other applicable requirements of the Perry Land Development Ordinance, including any applicable use standards, except where the use standards are expressly modified by the City Council as part of the special exception permit approval.
- C. Use Not Permitted (blank). An empty cell indicates that a use is not permitted in the respective district.

| Key: P = Permitted Use | SE = Special Exception Required | Blank Cell = Use Not Permitted | | |
|---|---------------------------------|--------------------------------|-----|-----|
| Use Category | Form Based Zoning Districts | | | |
| Specific Use | IMU | MUC | NMU | FBR |
| Accessory Uses | | | | |
| Accessory building | P | P | P | P |
| Additional dwellings on a single lot | | | SE | SE |
| Dogs and cats | P | P | P | P |
| Drive-in uses, any | P | | | |
| Dwellings in an existing commercial building | P | | | |
| Fall-out shelters | P | P | P | P |
| Home Offices | P | P | P | P |
| Home swimming pools | P | P | P | P |
| Horses, ponies and fowl | | SE | SE | SE |
| Live-Work | P | P | P | P |
| Residential businesses | P | P | SE | SE |
| Satellite dish antennas | P | P | P | P |
| Commercial Uses | | | | |
| Adult entertainment establishments | | | | |
| Amusement enterprises including the provision of stage entertainment excluding arcade games. | P | | | |
| Amusement enterprises, such as miniature and Par-3 golf, golf driving ranges, skating rinks, excluding go-karts | P | P | P | P |

Sec. 3.4 Uses Allowed by District

April 6, 2016

| Key: P = Permitted Use | SE = Special Exception Required | Blank Cell = Use Not Permitted | | |
|--|---------------------------------|--------------------------------|-----|-----|
| Use Category | Form Based Zoning Districts | | | |
| Specific Use | IMU | MUC | NMU | FBR |
| Appliance stores including radio and television service | P | P | P | |
| Art and antique shops | P | P | P | |
| Auto auctions | P | P | P | |
| Automobile repair garages, mechanical and body | P | P | P | |
| Automobile service stations | P | | | |
| Automobiles, recreational vehicles, horse trailer sales and mobile homes sales | P | | | |
| Bakeries employing more than ten (10) persons | P | P | P | |
| Bakeries employing not more than ten (10) persons | P | P | P | |
| Banks | P | P | P | |
| Barber and beauty shops | P | P | P | |
| Bed and Breakfast Inns | SE | SE | SE | SE |
| Bicycle stores | P | P | P | |
| Boat sales, indoor and outdoor | P | | | |
| Book, stationary, camera or photographic supply stores | P | P | P | |
| Bowling alleys | P | P | P | |
| Building and lumber supply, retail | P | P | P | |
| Billiard rooms | P | P | | |
| Café, grill, and lunch counters | P | P | P | |
| Car washes | P | SE | SE | |
| Clothing, shoe, millinery, dry goods, and notion stores | P | P | P | |
| Coin-operated amusement machines which provides the opportunity for rewards including, but not limited to, free games, free replays, any merchandise, prizes, toys, gift certificates, points, tokens, vouchers, tickets or novelties. | P | | | |
| Confectionery stores | P | P | P | |
| Dress making and tailoring shops | P | P | P | |
| Drug stores | P | P | P | |
| Dry cleaning and laundry establishments including pick-up stations | P | P | P | |
| Electrical supplies | P | P | P | |
| Farm and garden supplies | P | P | P | |
| Finance, insurance, and real estate offices | P | P | P | |
| Florist, nursery and gift shops | P | P | P | |
| Furniture, home furnishing, including office furniture and equipment stores | P | P | P | |
| Grocery, fruit, vegetable, meat markets, delicatessen, catering, and supermarkets | P | P | P | |
| Hardware and paint stores | P | P | P | |
| Heating and plumbing equipment | P | P | P | |
| Hotels | P | P | | |
| Ice cream stores | P | P | P | |
| Jewelry stores | P | P | P | |
| Massage Parlors as part of a salon/spa facility | P | P | P | |
| Motels | P | | | |
| Motorcycle stores | P | | | |
| Nightclubs, bars and taverns | P | P | SE | |

Sec. 3.4 Uses Allowed by District

April 6, 2016

| Key: P = Permitted Use SE = Special Exception Required Blank Cell = Use Not Permitted | | | | |
|--|-----------------------------|-----|-----|-----|
| Use Category Specific Use | Form Based Zoning Districts | | | |
| | IMU | MUC | NMU | FBR |
| Office use | P | P | P | |
| Parking garages, Commercial | P | SE | | |
| Parking Lot, Commercial | | | | |
| Printing, blue printing, book binding, Photostatting, lithography and publishing establishments | P | P | P | |
| Restaurants | P | P | P | |
| Retail or commercial use where there is no processing or treatment of material goods | P | P | P | |
| Sale of souvenirs, gifts, novelties, pottery and sundries tailored to the tourist business. | P | P | P | |
| Self-service laundry | P | P | P | |
| Self-storage warehouse or facility | P | | | |
| Shoe repair shops | P | P | P | |
| Shopping centers > 50,000 sf | SE | SE | SE | |
| Single tenant retail buildings >35,000 sf | SE | SE | SE | |
| Sporting goods | P | P | P | |
| Tattoo Parlor | | | | |
| Theaters | P | P | | |
| Tire sales | P | | | |
| Batteries, and other automotive accessories excluding tires | P | P | P | |
| Trade shops including sheet metal, roofing, upholstering, electrical, plumbing, Venetian blind, cabinet making and carpentry, rug and carpet cleaning, and sign painting | P | | | |
| Undertaking or mortuary establishments | P | | | |
| Veterinary hospitals or clinics | P | P | | |
| Industrial Uses | | | | |
| Bottling works for soft drinks | | | | |
| Building and lumber supply establishments, wholesale | | | | |
| Clothing and garment manufacturing | | | | |
| Contractors storage and equipment yards | | | | |
| Dairy products, processing | | | | |
| Development of natural resources including the removal of minerals and natural materials together with necessary building, machinery and appurtenances related thereto | | | | |
| Establishments for the manufacture, repair, assembly, or processing of materials similar in nature to those listed in Section 82.1.(6) which are not objectionable by reason of smoke, dust, odors, bright lights, noise or vibrations, or which will not contribute to the congestion of traffic. | P | | | |
| Frozen dessert and milk processing plants | | | | |
| Ice plant | | | | |
| Laboratories for testing materials, chemical analysis and photography processing | | | | |
| Manufacture and assembly of scientific, optical and electronic equipment | | | | |
| Manufacture of musical instruments and parts | | | | |

| Key: P = Permitted Use SE = Special Exception Required Blank Cell = Use Not Permitted | | | | |
|--|-----------------------------|-----|-----|-----|
| Use Category Specific Use | Form Based Zoning Districts | | | |
| | IMU | MUC | NMU | FBR |
| Manufacture of souvenirs and novelties | | | | |
| Manufacture of toys, sporting and athletic goods | | | | |
| Wholesale warehouses | | | | |
| Open Use | | | | |
| Agriculture, forestry, livestock and poultry production | | | | |
| Farm Winery | SE | SE | SE | |
| Produce and farmers markets | P | P | P | |
| Recreational vehicle parks | SE | | | |
| Temporary tents for revivals | SE | SE | SE | |
| Temporary use including the sale of Christmas trees, carnivals, church bazaars, sale of seasonal fruit and vegetables from roadside stands | P | P | P | |
| Public/Institutional Uses | | | | |
| Ambulance service | P | P | | |
| Business and trade schools | P | P | SE | |
| Clubs and lodges, provided that food service facilities are limited to their members and guests | SE | SE | SE | |
| Family personal care homes | SE | SE | SE | |
| Golf, swimming, tennis, or country clubs, privately owned and operated community clubs or associations, athletic fields, parks, and recreation areas | P | P | P | |
| Group personal care homes | SE | SE | SE | |
| Halfway houses and drug rehabilitation centers | SE | SE | | |
| Hospitals, sanitariums, clinics, convalescent or nursing homes | SE | SE | | |
| Kindergartens, play schools and day care centers and homes | P | P | P | |
| Places of assembly including auditoriums, stadiums, coliseums and dance halls. | P | P | SE | |
| Places of worship and related accessory buildings | SE | SE | SE | SE |
| Places of worship with attendant education and recreational buildings | P | P | | |
| Private clubs, fraternal orders or lodges. | P | P | P | |
| Public and private schools, libraries, excluding business and trade schools | P | P | P | |
| Public utilities such as electrical substations, telephone exchanges, and similar uses. | P | P | | |
| Public utility structures and buildings | | | P | P |
| Public utility structures and buildings, including electric and natural gas, substations, telephone exchanges, radio and televisions stations, and similar structures for the storage of supplies, equipment or service operations when properly screened as required in Section 76. | P | P | P | |
| Residential Uses | | | | |
| Multi-family dwelling | P | P | P | P |
| Single-family dwellings | | | | P |
| Townhouses | P | P | P | P |
| Two-family dwelling (duplex) | | P | P | P |

| Key: P = Permitted Use SE = Special Exception Required Blank Cell = Use Not Permitted | | | | |
|---|-----------------------------|-----|-----|-----|
| Use Category | Form Based Zoning Districts | | | |
| Specific Use | IMU | MUC | NMU | FBR |
| Transportation Uses | | | | |
| Bus and railroad terminal facilities | P | | | |
| Bus Stations | P | P | P | P |
| Truck terminals | P | | | |

3.4.3. Specific Use Standards

The following principal and accessory uses must confirm with the indicated use standards.

- A. **Accessory Dwelling.** Where an Accessory Dwelling, is allowed, it is subject to the following:
 1. The dwelling shall be accessory to a permitted residential use and shall be located above or to the rear of such use to which it is accessory.
 2. The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the primary structure to which it is accessory.
 3. The square footage of the dwelling shall not exceed 40% of the combined square footage of the primary structure and the dwelling.
 4. The dwelling and the primary structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other codes of the City.

- B. **Live-Work.** Where Live-Work is allowed, it is subject to the following:
 1. Live-work is only permitted on the first floor of a dwelling unit.
 2. A minimum of one person must occupy the dwelling containing the live-work use as their primary place of residence.
 3. The live-work use may employ no more than two persons not living on the premises at any one time.
 4. No business storage or warehousing of material, supplies or equipment is permitted outside of the dwelling containing the live-work use.
 5. The nonresidential use of the live-work use is limited to a permitted or conditional use in the zoning district.
 6. No equipment or process may be used in connection with the live-work use that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses, off the premises.
 7. No more than 5 customers are permitted on the premises at any one time.

Sec. 3.5. IMU: Interstate Mixed Use

3.5.1. Purpose



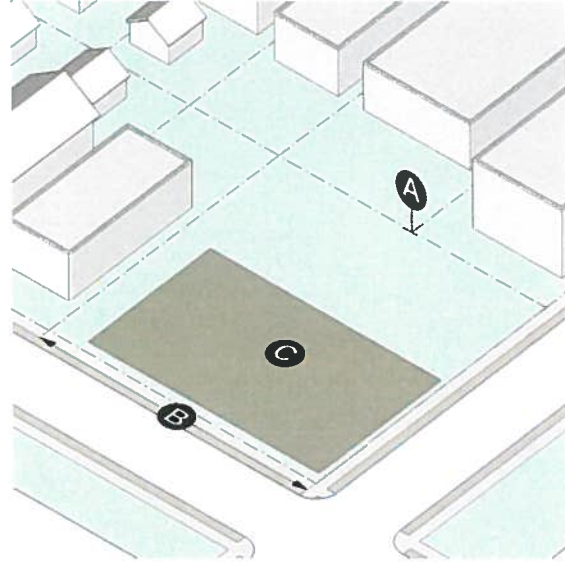
The purpose of this district is to provide for mixed-use development compatible with adjacent highway area and includes a variety of commercial uses serving the entire city, civic uses, and residential uses.

3.5.2. Building Types Allowed

The following building types are allowed:

- A. Townhouse
- B. Walk-Up Flat
- C. Stacked Flat
- D. Shopfront
- E. Flex Building
- F. Mixed-Use Building
- G. General Building
- H. Civic Building

3.5.3. Dimensional Standards



Site Standards

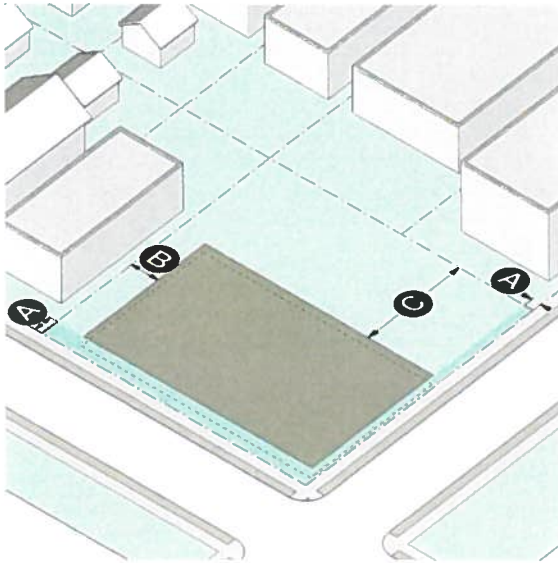
| | |
|---------------------------------|---------------------------------------|
| Min. Amenity Space Requirement: | 10% of site (all sites) |
| Min. Civic Space Requirements: | 10% of site (only sites over 5 acres) |

| Lot Standards | Ⓐ Area | Ⓑ Width |
|---------------------------|-------------|------------|
| Townhouse: | 900 sf min. | 20 ft min. |
| All other Building Types: | No min. | 20 ft min. |

Lot Coverage

| | |
|-----------------------|----------|
| Ⓒ All Building Types: | 70% max. |
|-----------------------|----------|

3.5.4. Building Placement

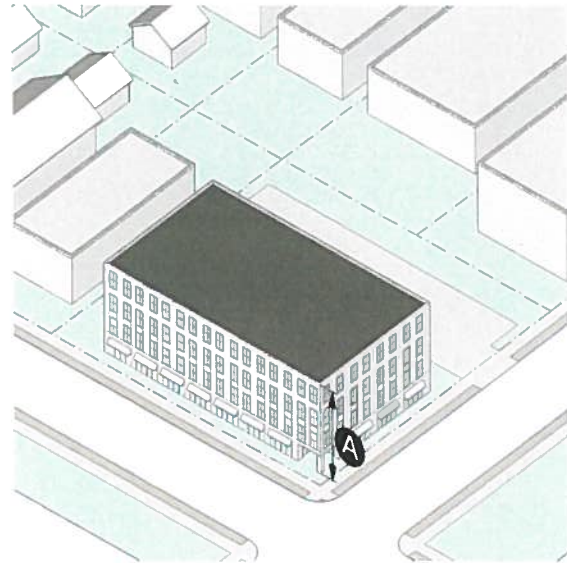


Principal and Accessory Structure Setbacks

| | |
|-------------------------|-------------------------|
| Ⓐ Front Yard: | 10 ft. min., 40 ft max. |
| Ⓑ Side Yard: | 0 ft. min. |
| Ⓒ Rear Yard (no alley): | 10 ft. min. |
| Ⓒ Rear Yard (alley): | 8 ft. min. |

Greater side setbacks, greater rear setbacks, and greater building separation may be required as established by the applicable building or fire codes.

3.5.5. Bulk and Mass



Building Height

| | |
|---|-----------|
| Ⓐ Min. Street-Facing Façade Height in Feet: | 18 ft |
| Ⓐ Max. Height in Stories: | 5 stories |
| Ⓐ Max. Height in Feet: | 60 ft |

The minimum permitted building height is whichever of the above is more.

The maximum permitted building height is whichever of the above is less.

Sec. 3.6. MUC: Mixed-Use Center

3.6.1. Purpose



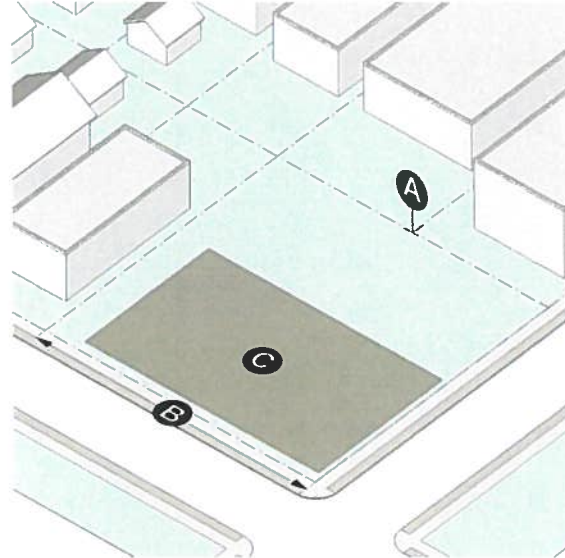
The purpose of this district is to provide for a variety of residential housing, commercial, and civic options along major nodes leading to Downtown Perry.

3.6.2. Building Types Allowed

The following building types are allowed:

- A. Townhouse
- B. Walk-Up Flat
- C. Stacked Flat
- D. Shopfront
- E. Mixed-Use Building
- F. General Building
- G. Civic Building

3.6.3. Dimensional Standards



Site Standards for All Sites

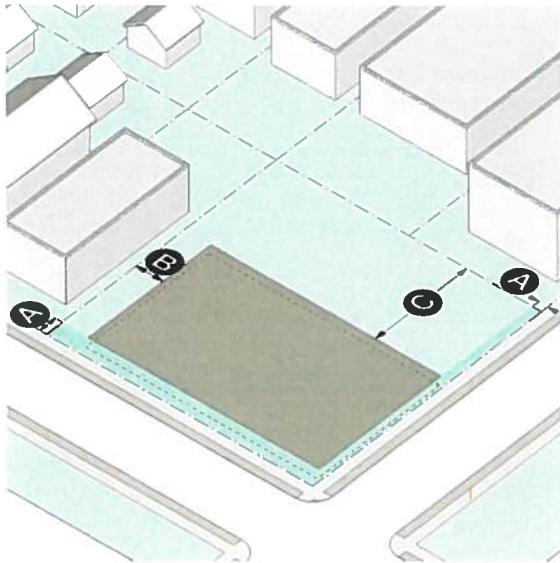
| | |
|---------------------------------|---------------------------------------|
| Min. Amenity Space Requirement: | 10% of site (all sites) |
| Min. Civic Space Requirements: | 10% of site (only sites over 5 acres) |

| Lot Standards | Ⓐ Area | Ⓑ Width |
|---------------------------|-------------|------------|
| Townhouse: | 900 sf min. | 20 ft min. |
| All other Building Types: | No min. | 20 ft min. |

Lot Coverage

| | |
|-----------------------|----------|
| Ⓒ All Building Types: | 80% max. |
|-----------------------|----------|

3.6.4. Building Placement

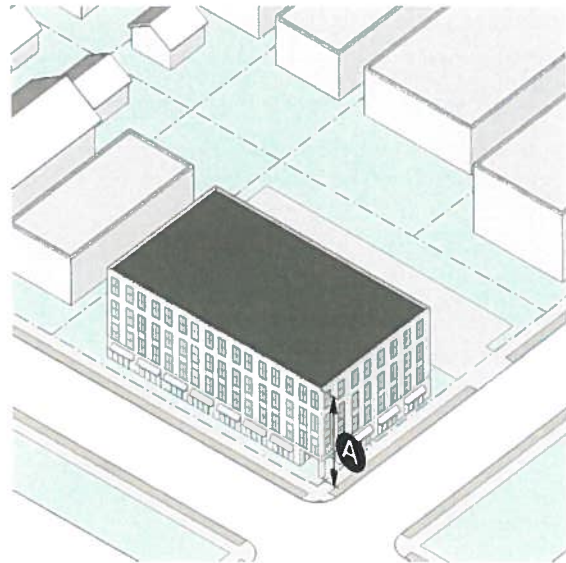


Principal and Accessory Structure Setbacks

| | |
|------------------------|------------------------|
| Ⓐ Front Yard: | 5 ft. min., 10 ft max. |
| Ⓑ Side Yard: | 0 ft. min. |
| Ⓒ Rear Yard (no alley) | 6 ft. min. |
| Ⓒ Rear Yard (alley): | 3 ft. min. |

Greater side setbacks, greater rear setbacks, and greater building separation may be required as established by the applicable building or fire codes.

3.6.5. Bulk and Mass



Building Height

| | |
|---------------------------|-----------|
| Ⓐ Max. Height in Stories: | 4 stories |
| Ⓐ Max. Height in Feet: | 56 ft |

The maximum permitted building height is whichever of the above is less.

Sec. 3.7. NMU: Neighborhood Mixed-Use

3.7.1. Purpose



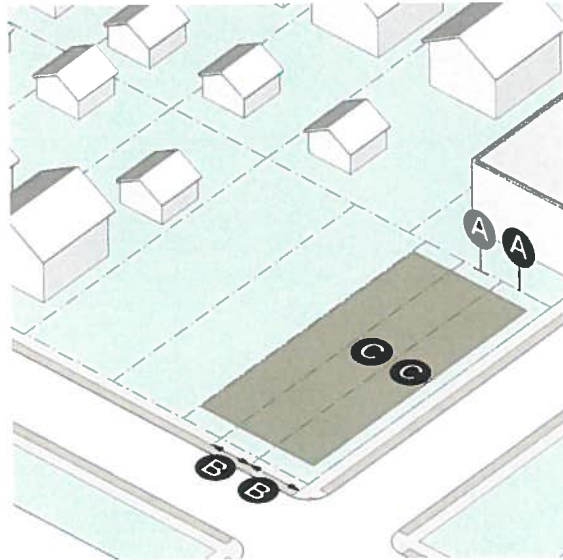
The purpose of this district is to provide for a variety of residential housing options, civic uses, and limited commercial uses and developments that are compatible with residential surroundings.

3.7.2. Building Types Allowed

The following building types are allowed:

- A. Detached House
- B. Carriage House
- C. Duplex
- D. Townhouse
- E. Cottage Court
- F. Walk-Up Flat
- G. Commercial House
- H. Shopfront
- I. Flex Building
- J. Mixed-Use Building
- K. General Building
- L. Civic Building

3.7.3. Dimensional Standards



Site Standards

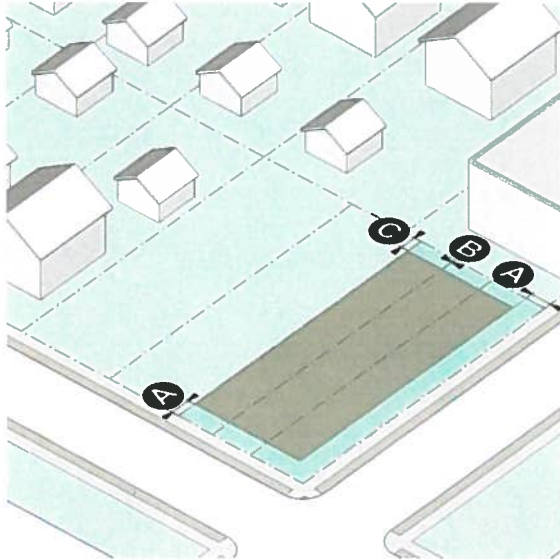
| | |
|---------------------------------|---------------------------------------|
| Min. Amenity Space Requirement: | 10% of site (all sites) |
| Min. Civic Space Requirements: | 10% of site (only sites over 5 acres) |

| Lot Standards | Ⓐ Area | Ⓑ Width |
|---------------------------|-----------------------------|---------|
| Detached House: | 2,500 sf | 25 ft |
| Carriage House: | Same as principal structure | |
| Duplex: | 2,500 sf | 25 ft |
| Townhouse: | 900 sf | 20 ft |
| Cottage Court: | 1,200 sf | 20 ft |
| All other Building Types: | 2,500 sf | 20 ft |

Lot Coverage

| | |
|-----------------------|----------|
| Ⓒ All Building Types: | 70% max. |
|-----------------------|----------|

3.7.4. Building Placement

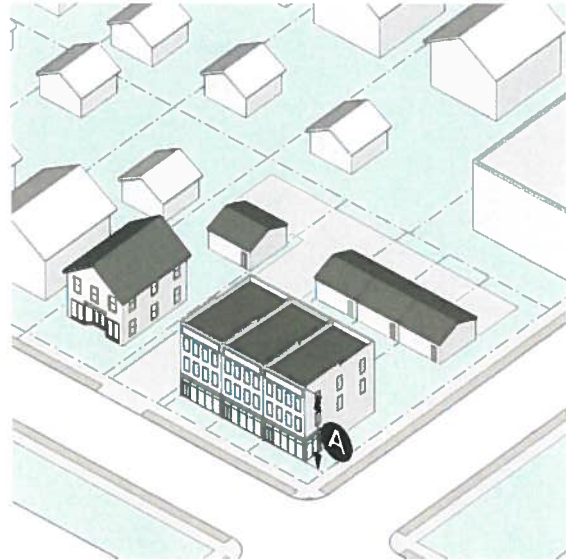


Principal and Accessory Structure Setbacks

| | |
|------------------------|--------------------------|
| Ⓐ Front Yard: | 10 ft. min., 20 ft. max. |
| Ⓑ Side Yard: | 0 ft. min. |
| Ⓒ Rear Yard (no alley) | 3 ft. min. |
| Ⓒ Rear Yard (alley): | 10 ft. min. |

Greater side setbacks, greater rear setbacks, and greater building separation may be required as established by the applicable building or fire codes.

3.7.5. Bulk and Mass



Building Height

| | |
|---------------------------|-----------|
| Ⓐ Max. Height in Stories: | 3 stories |
| Ⓐ Max. Height in Feet: | 40 ft |

The maximum permitted building height is whichever of the above is less.

Building Size

| | |
|--------------------------|-----------|
| Max. Building Footprint: | 10,000 sf |
|--------------------------|-----------|

Sec. 3.8. FBR: Form Based Residential

3.8.1. Purpose



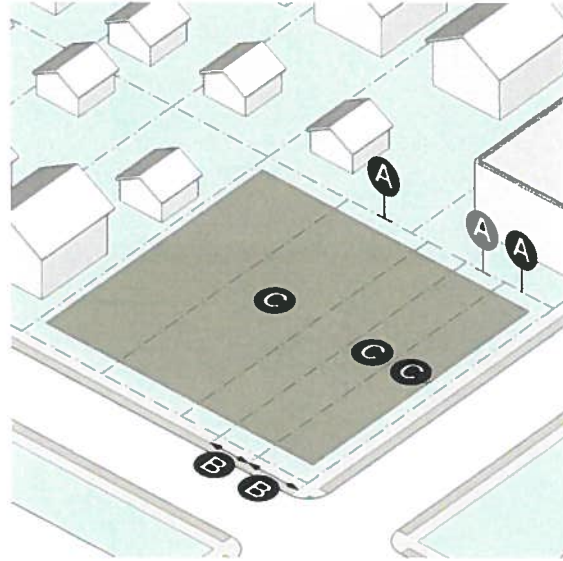
The purpose of this district is to provide for a variety of housing options in a residential setting.

3.8.2. Building Types Allowed

The following building types are allowed:

- A. Detached House
- B. Carriage House
- C. Duplex
- D. Townhouse
- E. Cottage Court
- F. Civic Building

3.8.3. Dimensional Standards



Site Standards

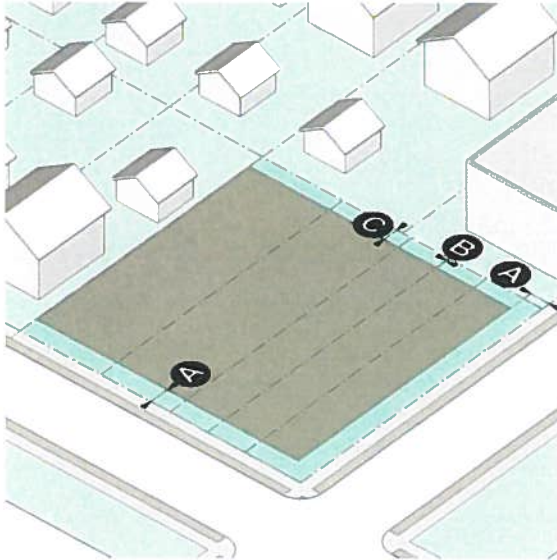
| | |
|---------------------------------|---------------------------------------|
| Min. Amenity Space Requirement: | 10% of site (all sites) |
| Min. Civic Space Requirements: | 10% of site (only sites over 5 acres) |

| Lot Standards | Ⓐ Area | Ⓑ Width |
|-----------------|-----------------------------|---------|
| Detached House: | 2,500 sf | 25 ft |
| Carriage House: | Same as principal structure | |
| Duplex: | 2,500 sf | 25 ft |
| Townhouse: | 900 sf | 20 ft |
| Cottage Court: | 1,200 sf | 20 ft |
| Civic Building: | 5,000 sf | 50 ft |

Lot Coverage

| | |
|-----------------------|----------|
| © All Building Types: | 70% max. |
|-----------------------|----------|

3.8.4. Building Placement



Principal and Accessory Structure Setbacks

| | |
|-------------------------|--------------------------|
| Ⓐ Front Yard: | 10 ft. min., 20 ft. max. |
| Ⓑ Side Yard: | 0 ft. min. |
| Ⓒ Rear Yard (no alley): | 3 ft. min. |
| Ⓒ Rear Yard (alley): | 10 ft. min. |

Greater side setbacks, greater rear setbacks, and greater building separation may be required as established by the applicable building or fire codes.

3.8.5. Bulk and Mass



Building Height

| | |
|---------------------------|-----------|
| Ⓐ Max. Height in Stories: | 3 stories |
| Ⓐ Max. Height in Feet: | 36 ft |

The maximum permitted building height is whichever of the above is less.

Article 4. Site Definitions

Sec. 4.1. Defined Terms

Live-Work. Nonresidential activity conducted wholly within a residential dwelling that allows employees, customers, clients or patrons to visit.

Stub-out. A shortened thoroughfare which is intended to provide connectivity at some point in the future.

Wall Plate. A horizontal load-bearing member in a wall assembly. The top of the wall plate is the top most structural piece of the wall.

PUBLIC HEARING
April 19, 2016
TUESDAY @ 6:00 PM

City of Perry
Community Development Department
1211 Washington Street
P.O. Box 2030
Perry, Georgia 31069



478-988-2720
988-2725
Telephone

www.perry-ga.gov

478-

Facsimile

April 12, 2016

The Honorable James E. Faircloth, Jr.
Perry City Council
Post Office Box 2030
Perry, Georgia 31069

Re: Amendment to Perry Land Development Ordinance
Appendix B Standards – Downtown Development District of the City of Perry

Dear Mayor and Council:

On April 11, 2016 the Perry Planning Commission reviewed the above referenced amendment to the Perry Land Development Ordinance.

The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation to Mayor and Council for the approval of the amendment as provided for the Perry Land Development Ordinance.

Sincerely,

A handwritten signature in blue ink, appearing to read "JP".

Jacob Poole, Chairman
Perry Planning Commission

JP/cs

City of Perry
Community Development Department
1211 Washington Street
P.O. Box 2030
Perry, Georgia 31069




478-988-2720
Telephone

www.perry-ga.gov

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Facsimile

Memorandum

TO: Mayor & Council

FROM: Christine Sewell – Administrative Assistant 

DATE: April 12, 2016

On your April 19th agenda for a Public Hearing is an amendment to the Perry Land Development Ordinance Appendix B Standards Downtown Development District of the City of Perry – Architectural and Signage Control Standards for Certificate of Appropriateness Permits.

The amendment is to reflect the recent adoption of the revised sign regulations that removed the separate criteria for the downtown district as signage regulations for citywide and the downtown were combined and updated in Section 106.

The amendment will remove the following under this appendix: 2.01 Definitions, 2.02 Temporary Sign Permits, 2.03 Prohibited Signs, 2.04 Exempt Signs, 2.05 Sign Standards, 2.06 Construction and Maintenance of Signs, and 2.07 Non-conforming Signs.

Should you have any questions, please do not hesitate to contact me. Thank you.

**DOWNTOWN DEVELOPMENT DISTRICT
OF THE
CITY OF PERRY**

**ARCHITECTURAL AND SIGNAGE CONTROL STANDARDS FOR
CERTIFICATE OF APPROPRIATENESS PERMITS**

These standards have been established under the authority of the City of Perry Land Development Ordinance; specifically, Article IV, Section 45, Sub-Section 45.3 of said ordinance.

The Downtown Development District Ordinance was enacted to provide Standards for Architectural and Signage Control. The purpose is to make the Downtown Development District a more visually attractive and historically accurate area that will enhance the natural and visual assets of the District, its gateways and corridors.

The intent of these standards is to provide necessary information to facilitate development design, plan review, ensure the preservation of the District and enforcement process in order that the provisions of the ordinance are administered in the most effective, efficient and economical manner.

2.01 DEFINITIONS

- 1) Awning: A structure made of cloth, metal, or material with frames attached to and projecting from a building which provides protection but without supports to the ground.
- 2) Animated Sign: A sign having action, motion, movement, changeable copy, or flashing color changes that are activated by electrical energy, electronic energy or other manufactured sources of energy supply, but not including wind-activated movement such as in flags, banners or pennants, or mechanical movement signs. Animated signs include grids of flashing lights or mechanical elements in patterns that give the perception of movement, as in chasing lights or programmable displays. For the purpose of this Title, an animated sign shall not be considered a mechanical movement sign if the only mechanical movement in the sign relates to the movement of grids to produce programmable displays.
- 3) Banner: A sign of paper, cloth, plastic or vinyl with no other substantial backing, affixed to any building or structure.
- 4) Banner, Decorative: A sign of paper, cloth, plastic or vinyl with no other substantial backing hung or projecting from a pole, provided said sign is not commercial in nature and does not advertise a specific product or item.
- 5) Billboard: see Outdoor Advertising Sign
- 6) Box Cabinet: A box cabinet is a sign designed so that the display surface and its sides create depth, generally so that the display surface may be lighted by bulbs or channeling inside of the cabinet. Signs formed by independent letters, designed so that each letter constitutes an individual cabinet that may be individually lighted by interior channeling, are not included.

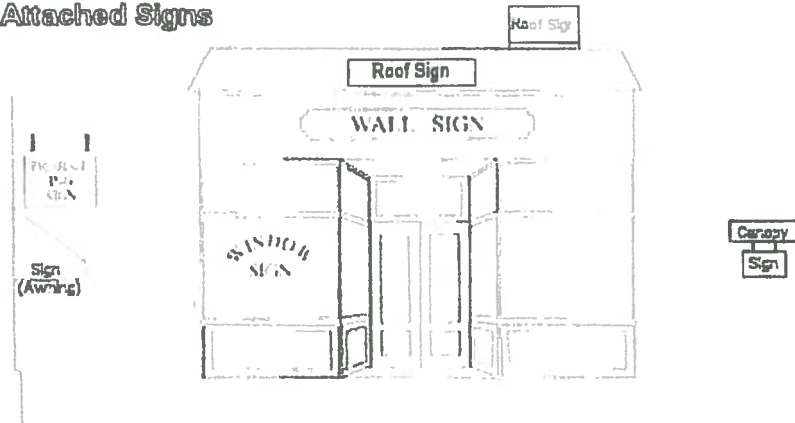
- 7) Canopy: A structure made of cloth, metal, or other material whose frames are support by posts affixed to the ground. A canopy may be attach to a building (porte-cochere) or free standing such as those used to cover gasoline islands.
- 8) Civic Event Sign: A sign posted to advertise or provide direction to a civic event sponsored by the city, a school, church, civic fraternal organization, or similar non-commercial organization.
- 9) Door: A usually swinging or sliding barrier by which an entry to a building or structure is closed and opened. For the purpose of this article, each door installed in a multi-door entry shall be considered a separate door.
- 10) Door Signs: Any type of sign attached to a door (including the door frame or jamb), the lettered, numbered, pictorial or sculptured matter of which is visible from the exterior of the premises.
- 11) Eaves: Lowest horizontal line of any roof.
- 12) Erect: To build, construct, attach, hang, place, suspend, affix or fabricate, which shall also include painting of wall signs or other graphics.
- 13) Façade: Any face of a building. The dominant façade of the building is where its principal entrance is located and which may or may not face the street upon which its legal address is located.
- 14) Mechanical Movement Sign: A sign having parts which physically move, rather than merely appearing to move as might be found in an animated sign. This physical movement may be activated electrically or from another power source but shall not include wind-activated movement such as occurs with flags or banners. For the purpose of this Title, mechanical movement signs shall not include any animated sign where the only mechanical movement in the animated sign relates to grids used to produce programmable displays.
- 15) Neon Tubing: Electric discharge, cold cathode tubing manufactured into shapes that form letters, parts of letters, skeleton tubing, outline lighting, and other decorative elements or art forms, in various colors and diameters and filled with inert gases.
- 16) Nudity: See Section 15-142 of Perry City Code.
- 17) Obscene: See Section 15-142 of Perry City Code.
- 18) Obsolete: A sign is obsolete when the message or content references a business, lessor, owner, product, service, or activity that is no longer located on the premises, or when it is no longer maintained and is in a dilapidated condition.
- 19) Parapet: A low protective wall or railing along the edge of a roof.
- 20) Pennant: A small, triangular or rectangular flag or multiples thereof, individually supported or attached to each other by means of a string, rope or other material and meant to be stretched across or fastened to buildings, or between poles and/or structures. Pennants are prohibited in the Downtown Development District.
- 21) Plaque: A small sign attached near a building entrance approximately at eye level.

- 22) Porte-Cochere: A porch roof or canopy projecting over a driveway, street or sidewalk and providing shelter at the entrance of a building.
- 23) Programmable Display Signs: Animated sign made up of a field of individual electronic elements, such as a LED display, or mechanical grids that, when programmed and activated, create still or moving images or words. The elements may be internally illuminated or may be illuminated by reflected light. The sign may be framed by permanent, nonmoving signage.
- 24) Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or combinations thereof, by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity, or product which are visible from any public way and used as an outdoor display.
- 25) Sign Area: The smallest square, rectangle, triangle, circle, or combination thereof encompassing the entire advertising area excluding architectural trim and structural supports.
- 26) Sign, Attached: A sign attached to or affixed to a building, canopy or awning.
- 27) Sign, Business Identification: A sign that directs attention to an establishment on the premises where such sign is located.
- 28) Sign, Changeable Copy: A sign whose message or content can be changed without permanently altering the sign face but not by electrical means such as in an animated sign, excluding professional or institutional directories. Also referred to as reader boards, stringer boards or poster boards.
- 29) Channel Letter Sign: A wall sign with fabricated or formed three-dimensional letters that may accommodate a light source.
- 30) Sign, Character: A figure or statue used to draw attention to a business or display a message.
- 31) Sign, Construction: A temporary sign whose message and content is limited to the project name, identification of architects, engineers, contractors, and other individuals or firms involved with the construction, the name of the building, the intended purpose of the building, and the expected completion date.
- 32) Sign, Directional: A sign whose message and content is solely intended to direct pedestrian or vehicular traffic and not for advertising businesses, products, or services.
- 33) Sign, Double-Faced: A sign with two (2) identical display areas back to back (sometimes called a Fin Sign) or with an interior angle between the signs of sixty (60) degrees or less where each sign is designed to be seen from a different direction. A Sidewalk Sign is a small version of a Double-Faced Sign.
- 34) Sign, Event: A temporary sign for special exhibits, shows, promotions, occasions, business openings/closings or other such events. See Section 106.5.12 of the Perry Land Development Ordinance.
- 35) Signs, Frame: A sign affixed to the front of a building near the entry which consist of a box with glass face or picture frame which contains items of interest to the public. For example a menu at a restaurant or photos of home for sale at a real estate office.

- 36) Sign, Free Standing: Sign not attached to a building or other improvement but instead permanently erected upon or standing on the ground and usually supported from the ground by one or more poles, columns, uprights, braces or cement anchors. Free-standing signs do not include portable signs.
- 37) Sign, Ground: A Free-Standing sign erected on one or more poles or similar support. (In the Downtown Development District district ground signs shall include a base of a landscaped planting area or planter box which is at least the length of the sign and display area plus structural supports and of sufficient width to allow for sustaining planted vegetation.)
- 38) Signs, Halolit; Halolighting. “Halolit” or “halolighting” means illumination of individual letter, number or graphics having an opaque surface by the use of internal, reverse illumination where the light source is not directly visible. Channel lettering may be “Halolit”.
- 39) Sign Height: Height of a sign shall be considered to be the vertical distance between the highest part of the sign structure and the average of the adjacent grade at the time of construction or the adjacent grade existing prior to construction and any earth disturbance at the site, whichever is lower.
- 40) Sign, Illuminated-Direct: A sign, which emits light. Also referred to as internal lighted sign.
- 41) Sign, Illuminated-Indirect: A sign lighted by an external light source. Also referred to as an externally lighted sign.
- 42) Sign, Monument: A Free-Standing Sign not erected on one or more poles or similar supports but erected to rest on the ground or to rest on a monument base designed as an architectural unit with the sign.
- 43) Sign, Neon: A sign manufactured utilizing neon tubing, which is visible to the viewer.
- 44) Sign, Non-Commercial: A sign whose message or content is not commercial in nature, but is instead political, personal, religious, or otherwise constitutes non-commercial speech protected by the First Amendment of the United States Constitution.
- 45) Sign, Official: A sign of a non-commercial nature erected in the public interest by or on the order of a government, including safety signs, traffic and street signs, commemorative signs and official or legal notices issued by any court, public agency or officer.
- 46) Sign, Off-Premises: A sign whose message or content directs attention to a business, commodity, service, or entertainment not exclusively related to the premises on which said sign is located or affixed.
- 47) Sign, On-Premises: A sign whose message or content directs attention to business, commodity, service, or entertainment located on the same lot on which said sign is located.
- 48) Sign, Outdoor Advertising: A structural poster panel or painted sign, either free standing or attached to a building for the purpose of conveying information, knowledge, or ideas to the public about a subject unrelated to the premises upon which it is located. Also known as a billboard sign.
- 49) Sign, Political Election: A temporary sign pertaining to an election whose message or content express voter support for a particular issue, political party, or candidate for public office.

- 50) Sign, Portable: Any sign which is mounted or designed for mounting on wheels, or which is mounted or designed for mounting on a vehicle, and the primary purpose of which is advertising.
- 51) Sign, Post and Arm: A freestanding sign comprised of a vertical post to which a perpendicular arm is attached and from which a sign hangs.
- 52) Sign, Projecting: A sign attached and extending out from a building, such as a hanging or fin sign.
- 53) Sign, Pylon: A freestanding sign erected on a pylon(s) or post(s). Also known as a pole sign.
- 54) Sign, Real Estate: A temporary sign whose message and content is limited to the advertising of the real property upon which the sign is located.
- 55) Sign, Roof: A sign projecting over or attached to the roof or its structural components.
- 56) Sign, Segmented: Segment: "Segmented" means a sign where the message surface contains deliberate visual demarcation used to divide the message area of the sign into a separate message compartment. "Segment" shall mean a separate message compartment in a segmented sign.
- 57) Sign, Sidewalk: A sign consisting of two placards fastened together at the top with hinges designed to be placed on sidewalks. These are commonly known as sandwich board signs.
- 58) Sign Structure: A structure composed of a single pole or multiple poles which is located on the ground or on top of another structure and which supports no more than two (2) signs.
- 59) Sign, Temporary: Any sign that is not a permanent or portable sign.
- 60) Sign, Wall: A sign attached to or affixed on a wall or building with the display surface parallel to the wall. Wall signs also include painted signs on walls.
- 61) Under Canopy Signs: A sign hanging from underneath a structure or canopy over a pedestrian thoroughfare or walkway.

Examples Attached Signs



Examples Freestanding Signs

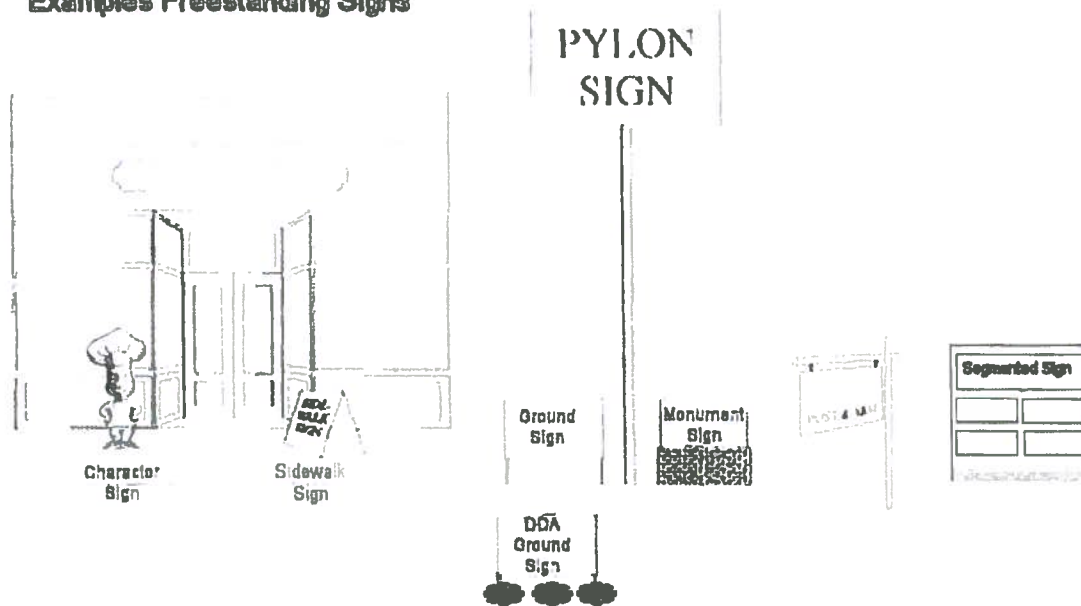


Figure 1. Sign Types.

2.02 – TEMPORARY SIGN PERMITS

One (1) temporary sign permit may be issued for thirty (30) day periods, provided that each such use shall be separated by a ninety (90) day interval. Such temporary sign shall not exceed sixteen (16) square feet. A sign permit shall be required prior to erecting the temporary sign. The temporary sign shall be affixed flat to a building wall by metal fasteners. Only one (1) temporary sign shall be erected per business and must advertise or convey information concerning the premises upon which the sign is located. Such temporary signs are permitted in addition to any other signs otherwise permitted under the provisions of this article.

2.03 PROHIBITED SIGNS

(1) Signs Imitating Warning Signal. No sign shall display intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles, nor shall any sign use the words "stop," "danger," or other message or content in a manner than might mislead or confuse a driver.

(2) Private Signs on Public Property. No sign, except as provided herein, is permitted within any street or highway right-of-way or on public property. No sign shall be placed so it will cause danger, either by obscuring a view, or otherwise.

(3) Flashing Signs. No signs that flash, blink, rotate, revolve, have moving parts, or changing electronic, digital or visual messages shall be permitted. No signs containing reflective elements that sparkle in the sunlight or that contain luminous paint that glows in the dark shall be permitted. Signs indicating the current time and/or temperature are permitted, provided they meet all other provisions of this Article. Animated and programmable display signs are specifically prohibited. LED price signs at gas stations shall be allowed provided they do not change more than one (1) time per hour.

(4) Obstructions. No sign shall obstruct any fire escape, window, door or opening usable for fire prevention or suppression, or prevent free passage from one part of a roof to any other part thereof. No sign shall extend above a parapet wall, be affixed to a fire escape, or interfere with any opening required for ventilation.

(5) Attached and Painted Signs. Signs shall not be painted on or attached to trees, fence posts, utility poles, or rocks or other natural features.

(6) Obscene Signs. Obscene signs shall not be permitted.

(7) Portable Signs. Portable signs shall not be permitted, with the exception of on-premises real estate signs.

(8) Signs on the Property of Another. Outdoor advertising signs (billboards) are prohibited.

(9) Neon Tube Signs. Neon tube signs shall be prohibited.

(9) Fluttering Signs. Fluttering ribbons, streamers, pennants, flags, buntings, banners or other similar devices shall not be permitted, with the exception of flags displayed to commemorate national holidays. Inflatable objects are specifically prohibited.

(10) Roof Signs. Roof signs, including signs painted or adhered on roofs, shall not be permitted.

2.04 EXEMPT SIGNS

No permit shall be required for the construction, erection or location of the following signs:

- 1) Real estate signs advertising the sale, rental, or lease of the land or building upon which signs are located, provided there shall be no sign in excess of thirty-two (32) square feet and no more than one (1) such sign per street frontage.
- 2) Professional name plates not exceeding two (2) square feet in area, such signs to be non-illuminated and attached to the building.
- 3) Construction signs located on the premises relating to active construction projects.

- 4) Memorial signs or tablets, including names of buildings and date of erection when cut into masonry, bronze, or other materials.
- 5) Traffic or other municipal or public signs or notices posted or erected by or at the direction of a governmental agency.
- 6) Customary signs, in conjunction with building usage, including mailbox lettering, building numbers, and other similar usage.
- 7) Non-advertising directional signs or symbols (“entrance”, “exit”, “no trespassing”, etc.) located on and pertaining to a parcel of private property, none to exceed four (4) square feet in area.
- 8) Official flags, emblems, or insignia of the United States, the State of Georgia, other countries and states, or religious groups, civic organizations or non-profit service clubs not advertising a product or service.
- 9) Seasonal displays and decorations not advertising a product, service or entertainment.
- 10) Decorative banners sponsored by a governmental agency, the Downtown Development Authority, or the Perry Area Chamber of Commerce, provided that such signs shall not violate any provisions of Section 106.2.7 unless otherwise provided for under this subsection.

All signs requested under this subsection shall be made through the Zoning Enforcement Officer who shall review the request to ensure that all applicable provisions of the ordinance have been adhered to prior to giving approval. If a request involves placing a decorative banner on public right-of-way, including over any publicly owned street, then it shall be forwarded to the City Manager for City and/or Georgia Department of Transportation approval where applicable.

- 11) One character sign per business shall be permitted without a permit. However, the Economic Development Department shall review and approve all character signs.

2.05 SIGN STANDARDS

- 1) Wall signs or signs having a maximum aggregate area not to exceed one (1) square foot for each lineal foot of building frontage, provided that no wall sign shall project more than three feet (3’) beyond the face of the building unless attached to, or painted on, an awning or canopy.

Each lot shall be permitted one (1) monument or ground sign per street frontage not to exceed thirty-two (32) square feet. A maximum of two (2) monument signs are permitted per lot.

Shopping centers shall be allowed one (1) shopping center identification monument or ground sign per street frontage. A maximum of two (2) monument signs are permitted per shopping center. The sign shall have a maximum aggregate area not to exceed sixty-four (64) square feet. The only freestanding signs permitted at shopping centers shall be shopping center identification signs. Individual business wall signs within a shopping center shall have a maximum aggregate area not to exceed one (1) square foot for each lineal foot of store frontage. Wall and attached signs within shopping centers shall be channel letter signs. The letters on a required channel letter sign shall not exceed eighteen inches (18") in height.

- 2) The monument and ground signs shall have a maximum height of fifteen feet (15'), or twenty feet (20') for shopping center identification signs, measured from the ground immediately adjacent to the sign. No person shall artificially increase the maximum height of a sign by altering the grade at the base of the sign.

In lieu of a monument or ground sign(s), each business shall be permitted to have one (1) post and arm sign per street frontage provided that there is no paved area, excluding sidewalks, between the building and the public right-of-way. The post and arm sign shall have a maximum height of ten (10) feet and a maximum sign area of twelve (12) square feet.

- 3) Freestanding monument and ground signs must include a base of a landscaped planting area or planter box which is at least the length of the sign and display area plus structural supports and of sufficient width to allow for sustaining planted vegetation.
- 4) Sidewalk signs shall have a maximum height of four (4) feet when displayed. Only one sidewalk sign shall be permitted per business not to exceed six (6) square feet per sign face. The signs shall not be a nuisance for pedestrians and shall be displayed only during business hours.
- 5) Temporary signs are permitted in accordance with Section 2.02.
- 6) The provisions of the laws of the State of Georgia concerning campaign posters as set out in Official Code of Georgia Annotated 16-7-58 shall be enforced in the city, and the municipal court shall act as a committal court for violations thereof.
- 7) Projecting signs shall be securely fastened to the building and meet all applicable building codes. Said signs shall maintain a clear height of six (6) feet six (6) inches above ground level and a maximum projection from face of building of five (5) feet. The sign shall not project into a vehicular use area.
- 8) No sign shall project above the height of a parapet.
- 9) All freestanding signs shall display the numerical municipal address except those freestanding signs designed to be viewed from a street which is different from the street which the business is addressed.
- 10) Under Canopy Signs: May be no larger than six (6) square feet and must be no less than six (6) feet six (6) inches above the finish grade at the lowest extremity of the sign and attached to the supporting structure at no less than two (2) points. Permissible sign area shall be considered inclusive of the total sign area allowed for the building/property.

- 11) Historically significant signs as determined by the Economic Development Department are exempt from these standards.

2.06 CONSTRUCTION AND MAINTENANCE OF SIGNS

- 1) All signs and supporting structures shall be securely built and erected in conformance with the requirement of the Ordinance and any other applicable code requirements.
- 2) All signs, together with all supporting structures, shall be well maintained and kept in a good state of repair. Without limiting the foregoing, the following maintenance shall be required for all signs and supporting structures.
 - A. They shall be kept free from rust, dirt and chipped, cracked or peeling paint.
 - B. Hanging, dangling, torn or frayed parts shall be repaired.
 - C. Burned-out bulbs shall be replaced
 - D. Graffiti and unauthorized sticker shall be removed.
- 3) Any sign or sign structure now or hereafter existing which is abandoned or no longer advertises a bonafide business or a product sold shall be taken down and removed by the owner, agent, or person having beneficial use of the building, structure, or land upon which such sign shall be found, within thirty (30) days after written notification by the Zoning Enforcement Officer. Failure to remove such sign on notification shall be a violation of this Ordinance. A sign shall be deemed to have been abandoned if it is located on property which becomes vacant and unoccupied for a period of three (3) months or more or if it pertains to a time, event or purpose which no longer applies. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management shall not be deemed abandoned unless the property remains vacant for a period of six (6) months or more.

2.07 NON-CONFORMING SIGNS

- 1) When a sign exists on or before the effective date of these regulations and such sign would not be erected under the provisions of these regulations, said sign shall be deemed to be non-conforming. Section 2.07(1) – Rev.4.07.07
- 2). A non-conforming outdoor advertising sign which has been discontinued for any reason for a continuous period of one (1) year, shall not be re-established. A non-conforming outdoor advertising sign which is hereafter, damaged or destroyed to an extent exceeding fifty (50) percent of the reasonable estimated replacement cost of the sign may not be reconstructed or restored.

PUBLIC HEARING
April 19, 2016
TUESDAY @ 6:00 PM

City of Perry
Community Development Department

1211 Washington Street
P.O. Box 2030
Perry, Georgia 31069



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988-2725
Telephone

www.perry-ga.gov

478-

Facsimile

April 12, 2016

The Honorable James E. Faircloth, Jr.
Perry City Council
Post Office Box 2030
Perry, Georgia 31069

Re: Amendment to Perry Land Development Ordinance
Section 83.2.3 District Boundaries

Dear Mayor and Council:

On April 11, 2016 the Perry Planning Commission reviewed the above referenced amendment to the Perry Land Development Ordinance.

The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation to Mayor and Council for the removal of the General Courtney Hodges Boulevard Corridor from the boundaries of the Downtown Development District as noted for the referenced section of the Perry Land Development Ordinance.

Sincerely,

A handwritten signature in blue ink, appearing to read "JP", written over the typed name and title.

Jacob Poole, Chairman
Perry Planning Commission

JP/cs

Annie Warren

From: Cyndi Houser <cyndi.houser@perry-ga.gov>
Sent: Thursday, April 14, 2016 9:01 AM
To: Mayor James E. Faircloth Jr.; 'Council Member Phyllis Bynum-Grace'; Council Member Randall Walker; 'Council Member Riley Hunt'; Council Member Robert Jones; Council Member William R. Jackson; 'Council Member Willie King'
Cc: Lee Gilmour; Annie Warren
Subject: 4-13-16 Gen Courtney Hodges Blvd Corridor
Attachments: Gen C Hodges memo 4-13-16.pdf

Attached is a memo that will be discussed at your April 19, 2016 meeting.



Lee Gilmour
City Manager
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Where Georgia comes together.

City of Perry

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email: lee.gilmour@perry-ga.gov

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478-988-2705

Telefax

MEMORANDUM

TO: Mayor/Council

FROM: Lee Gilmour, City Manager *LG*

DATE: April 13, 2016

REFERENCE: General Courtney Hodges Boulevard Corridor

The Planning Commission at its April 11, 2016 meeting recommends Council remove the General Courtney Hodges Boulevard corridor from the Downtown District of the City of Perry. This recommendation concurs with the position of the Administration. The recommendation was made to the Planning Commission based on a review of the District's expansion.

The Administration recommends the Council approve the removal because:

- There are many current uses that conflict with the restrictions in the District. Exhibit A 81.2.5 lists non-permitted uses. Note that tire sales, automobile sales, and automotive repairs are prohibited.
- The District requires certain signage restrictions, façade colors and COA permitting that is not compatible with the corridor's composition or history.
- The planned form-based zoning district for this corridor, recommended by the Planning Commission for adoption, operates on a totally different rationale from the District's land use base.
- The exception from the District's requirements originally established by Council has expired with the Council's adoption of the downtown/corridors master plan. This sets the City up for potential legal issues.
- A sizeable number of the owners/businesses see no value in being in the District and would prefer to be removed.

The Perry Main Street Advisory Board and the Perry Downtown Development Authority oppose the removal. However, their concerns revolve around building design, façade grants and communication with elected officials. Economic incentives can still be provided through contract and Council direction. See Exhibits B and C.

Legend

 Perry Main Street / DDA District



Perry Main Street / DDA District

2015



81.2.5. The following uses are not permitted within the Downtown Development District:

- (1) Drive-in Theaters.
- (2) Halfway Houses and Drug Rehabilitation Centers.
- (3) Tattoo Parlors.
- (4) Massage Parlors unless part of a salon/spa facility.
- (5) Automobile Sales.
- (6) Recreational Vehicle Sales.
- (7) Horse Trailer Sales.
- (8) Mobile Home Sales.
- (9) Automobile Repair Garages (mechanical and body).
- (10) Tire Sales.
- (11) Coin-Operated Amusement Machines which provide the opportunity for rewards including, but not limited to, free games, free replays, any merchandise, prizes, toys, gift certificates, points, tokens, vouchers, tickets or novelties.

81.3. *C-3 Central business district (CBD).*

81.3.1. *Intent of district.* The intent of this district is to allow a more intense use of land within the Downtown Section of the City of Perry.

81.3.2. *Required conditions.* All business, servicing, servicing, storage or processing shall be conducted within a completely enclosed building except where the nature of the activity makes it impossible, as for example, off-street loading, automobile parking for customers while on the premises, and the sale of automobile fuel at service stations. Uses, processes or equipment employed shall be limited to those which are not objectionable by reason of odor, dust, bright lights, smoke, noise or vibration.

81.3.3. *Within the C-3 Central Business District (CBD), the following uses are permitted:*

- (1) Any retail business or commercial use in which there is no processing of [or] treatment of material goods, or products except as provided for including:
 - (a) Appliance stores including radio and television service.
 - (b) Art and antique shops.
 - (c) Bakeries employing not more than (10) persons.
 - (d) Banks and drive-in books.
 - (e) Bicycle stores.
 - (f) Book, stationery, camera or photographic supply stores.
 - (g) Confectionery stores.
 - (h) Clothing, shoe, millinery, dry goods, and notions.
 - (i) Ice cream stores.
 - (j) Drug stores.

Exhibit B

COPY

City of Perry

Economic Development Department

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Facsimile

To: City Manager Lee Gilmour and Economic Development Director Robert Smith
Cc: Perry Main Street Advisory Board
From: Main Street Coordinator Catherine Edgemon
Date: Mar. 4, 2016
Re: Gen. Courtney Hodges Boulevard inclusion in the Perry Downtown Development Authority area

Members of the Perry Main Street Advisory Board, during the Mar. 3 Main Street meeting, discussed whether Gen. Courtney Hodges Boulevard should remain in the Downtown Development District (DDA) area. Much of the discussion echoed that of the DDA, so I will not repeat those comments here.

Board members noted that the boulevard is a critical corridor to long-term downtown development plans. They praised the Dairy Queen remodel as a "win." They also said that the corridor being in the district at the time the construction plans were reviewed for the new Dollar General resulted in a more attractive building than Dollar General usually builds. They felt if the only long-term benefit of the street being in the district is that building's design as it was approved, it was worth it, and this higher-quality development is a precursor of what form-based code can accomplish on the corridor.

One member pointed out that the branding initiative has emphasized the historic downtown in Perry's identity, so inclusion of the non-historic boulevard in the district does not make sense. As the crumbling Williamsburg facades are removed in the historic downtown, creating a greater demand for façade grants, the board weighed the outcome of the Main Street grants awarded and potential financial assistance the DDA could offer on Gen. Courtney Hodges Boulevard against whether it makes sense to stretch resources to serve an area where some property and business owners are still very vocal that they do not want to be in the district.

The board noted the problems with applying form-based codes and permitted uses under current zoning regulations as Mr. Gilmour has mentioned.

The board had mixed feelings about the removal but reached a consensus that no steps be taken to remove the corridor from the district until the form-based codes are adopted and in place and that if the corridor is to be removed from the district, the City has an alternative plan to work with that district already in place. The board was not in favor of creating a new entity to oversee the area but supports utilizing an existing development authority where appropriate to provide assistance.

Exhibit C

COPY

City of Perry

Economic Development Department

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Perry, Georgia 31069



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478-988-2705

Facsimile

To: City Manager Lee Gilmour and Economic Development Director Robert Smith

Cc: Perry Downtown Development Authority

From: Main Street Coordinator Catherine Edgemon

Date: Feb. 24, 2016

Re: Gen. Courtney Hodges Boulevard inclusion in the Perry Downtown Development Authority area

Members of the Perry Downtown Development Authority, during the Feb. 23 DDA meeting, discussed whether Gen. Courtney Hodges Boulevard should remain in the Downtown Development District (DDA) area. They characterize the feelings of business owners on the corridor as being part of the area as a "mixed bag."

One DDA board member drew an important distinction between Courtney Hodges Boulevard and Sam Nunn Boulevard. Courtney Hodges traffic is largely local while Sam Nunn traffic is more interstate-traveler based, so plans involving that area need to reflect its individual history and character, not that of Sam Nunn with the fast-food chains, etc.

Historically the Courtney Hodges business and property owners felt that the City focused on the historic downtown, such as Carroll Street, with beautification projects and other support and left those on Courtney Hodges to fend for themselves. It will take time and effort to heal the hurt and distrust felt by many CHB folks, as I will refer to them collectively in this memo. (A DDA member pointed out to me in phone conversation this week that some CHB business owners have never seen the mayor or a council member in their business. I suggested Robert and I divide up the businesses in the district and call on each one with a DDA member and a member of council with us; that board member thought that facetime with an elected official could help facilitate healing. He senses that there are CHB folks who are receptive to what the economic development staff and DDA discuss but worry whether the council will follow through.)

The board acknowledges there are some CHB folks who are not receptive to working with the City at all, and that may never change.

Inclusion in the DDA district was seen as a positive step by those who had talked with someone from the City one-on-one and understood the move was about giving them access to the same incentives and including them in community improvement plans, rather than singling them out as a “problem “area or hammering on them about design standards to make them look like the historic downtown. Three DDA board members own property and/or businesses on the corridor or just off of it, and those who are interested in working with the City and stay informed see that CHB now has a strong voice on DDA. The skeptics are waiting to see what the City will do next.

The area has been included in the district fewer than two years and Perry is moving forward with a major Downtown Development Plan, so removing the area from the district at this time could be perceived as a betrayal. If the CHB corridor is to be removed from the DDA area as the Downtown Development Plan proceeds, it should be done only because the City leadership has a sound reason for doing so, the City has a more suitable alternative plan to work with that district already developed and removal from the DDA district is mutually agreed upon by the City and the CHB folks.

MINUTES
WORK SESSION MEETING
OF THE PERRY CITY COUNCIL
March 28, 2016
5:00 P.M.

1. Call to Order: Mayor James E. Faircloth called to order the work session meeting held March 28, 2016 at 5:00 p.m.

2. Roll:

Elected Officials Present: Mayor James E. Faircloth Jr.; Mayor Pro-Tempore Randall Walker, Council Members Bynum-Grace, Riley Hunt, Willie King and William Jackson.

Elected Official Absent: Council Member Robert Jones

Staff: City Manager Lee Gilmour, and Recording Clerk, Nancy Graham

City Departmental Staffing: Chief Steve Lynn – Police Department, Chief Gray – Fire and Emergency Services, Brenda King – Director of Administration, Kevin Dye – Director of Leisure Services, Decius Aaron – Director of Public Works and Robert Smith – Department of Economic Development.

Guest(s)/Speaker(s): Mr. William Camp

Press: Mr. Jake Jacobs and Ms. Cheri Adams – Houston Home Journal, Mr. Wayne Crenshaw – Macon Telegraph

3. Items of Review/Discussion: Mayor James E. Faircloth, Jr.

3a. Recommended proclamation/recognition criteria policy: Mr. Gilmour referred to the memorandum outlining the criteria for proclamations/recognitions. After the reading of the criteria policy by Mr. Gilmour, Council concurred to move forward with the criteria for proclamation/recognitions as submitted.

3b. Discussion of cooperative efforts between the City of Perry and Houston County Board of Commissioners: Mayor Faircloth referred Council to an email sent to Council outlining a summary of a meeting that he and Mayor Pro Tempore Walker had with Houston County Chairman Tommy Stalnaker and Commissioner Larry Thomson relative to the following issues: **(1) Future City of Perry water well and water treatment plant location**: Mr. Gilmour provided Mayor and Council a copy of the layout of the proposed location. After discussion and review the Council concurred to proceed. **(2) Improvement of Sandefur Road between Lake Joy Road and Houston Lake Road**: Mayor Faircloth advised that Chairman Stalnaker requested that the City consider Sandefur Road for repairing, resurfacing, and restriping this summer during the paving season. Chairman Stalnaker advised that the County is willing to cover half

of the cost, which is estimated to be between \$285,000 and \$315,000 and could be included in the LMIG contract for fiscal year 2016. Council concurred to move forward with the project. Mayor Faircloth asked that this item be placed on Tuesday's regular council agenda. **(3) City fire protection to cover for the County's Meadowdale Fire Station:** Chairman Stalnaker requested that the City of Perry consider entering into a contract with the County to provide fire service to the County area currently covered by Meadowdale Fire Station. He advised that the County would pay the City of Perry \$500 per call. Mr. Gilmour recommended that the issue relative to the fire fee be addressed first. After discussion, it was the consensus of Council to table this item pending receipt of legal advice relative to the fire fee. **(4) Provide water to the County to supply communities located on Hwy 341 W from the Perry Parkway to the Peach County line:** Mayor Faircloth advised that the County proposed to purchase water from the City for communities located on Hwy 341W from the Perry Parkway to the Peach County line. The County would be responsible for all infrastructure and understands a booster station may be required. Mr. Gilmour recommended that this item be tabled until the information relative to the fire fee (mentioned above) is received. Council concurred. **(5) Airport Improvements:** Mayor Faircloth advised that Chairman Stalnaker requested that the City of Perry reconsider the terms of payment on the T-Hanger Project. Council concurred to make payments of \$150,000.00 in June 2016 and again between December 31, 2016 and January 15, 2017 followed by a third payment (less than \$40,000) in July 2017. Chairman Stalnaker also requested that the City of Perry provide a response outlining their willingness to participate in the development of the Georgia State Patrol hanger. Council concurred to commit to participate. The amount agreed to was \$200,000, not to be expended until the end of FY17. Mayor Faircloth noted that this is subject to our fiscal condition a year from now and may need to be negotiated again. **(6) Striping of South Perry Parkway:** Mayor Faircloth advised that Chairman Stalnaker requested the City of Perry review the Parkway for potential striping. The County is willing to participate in this project for the roadway that is located in the County. After discussion, Council concurred that the City would pay \$60,000 and County \$20,000. **(7) Building Inspections:** Mayor Faircloth advised that the County has agreed to provide personnel, if needed to the City for building inspections. The City will be responsible for payment. **(8) Airport Ownership:** Mayor Faircloth advised that he and Mayor Pro Tempore Walker brought up the issue of long term ownership of the airport and the sovereign immunity impact because of their concern about a potential liability. Mayor Faircloth stated this was just an item for information.

- 3c. Consider proposals from qualified consultants for recruiting Director of Community Development: Mr. Gilmour provided Mayor and Council two responses from the six (6) firms which were contacted to submit a proposal for recruitment of the Director of Community Development position. Mr. Gilmour recommended to Council that the City go with Slavin Management Consultants. Mayor Faircloth directed that this item be placed on the March 29, 2016 regular council agenda for contract approval.
- 3d. Confirm proposed streets for additional LMIG monies for street striping: Mr. Aaron referred to the 2016 Street Striping Priority List provided to Mayor and Council. They are collector and arterial streets. Mr. Aaron advised that the Department of Transportation will make the determination which street(s) will be selected for striping. Council concurred to approve the list as submitted.

- 3e. Follow up on Council Member Hunt's request concerning outstanding debt of the City: Mr. Gilmour provided to Mayor and Council information in response to Council Member Hunt's request of the City's outstanding debt. Council Member Hunt stated he was satisfied with the information provided.
- 3f. Discussion of a Letter of Intent for Underwriting Services: Ms. King advised Mayor and Council that the new Municipal Advisor Rule adopted by the SEC requires a letter of intent must be executed to receive underwriting services from Raymond James. This is according to the new Municipal Advisor Rule adopted by the SEC. Signing the letter will permit Raymond James to give the City relevant information, ideas, and advice regarding the timing, structure, and other matters concerning bond issuance. Ms. King also noted that the agreement may be cancelled by either party, at any time. Mr. Camp advised that he would provide to Ms. King, for Council's review, information relative to refunding and refinance.
- 3g. Consider process for closing Main Street: Mayor Faircloth reminded Council of the complaint he received relative to closing Main Street. Mayor Faircloth advised that Main Street is closed twice a year, which is during Peaches to Beaches and the Dogwood Festival. Due to the infrequent nature in which Main Street is closed, it was the consensus of Council to continue as in the past.
- 3h. Confirmation of a proposed business license/utility services operating procedure: Mr. Gilmour referred to a memorandum outlining a proposed operating procedure for cancelling City utility service if a person, partnership, corporation, etc. is operating a function that requires, under the current City and/or State regulations, a current business license and none has been issued at a location receiving City utility services. Council concurred to confirm the procedure as submitted.

4. Council Member Items:

Council Member King advised upcoming businesses to Perry will be another Family Dollar. Mr. Gilmour stated Starbucks is also coming to Perry.

Mayor Pro Tempore Walker and Council Members Jackson, Bynum-Grace and Hunt – No reports.

Mayor Faircloth advised the following:

- Pre council and Council meeting tomorrow and as always, open to the public.
- Putts and Pucks Golf Tournament at Southern Landing Golf Course on March 30, 2016
- Mayor Pro Tempore will attend a proclamation signing for the Child Abuse Awareness Month on April 1, 2016 at Centerville City Hall at 9:30 a.m.

5. Department Head Items:

Chief Gray, Chief Lynn, and Mr. Smith had no reports.

Mr. Dye advised the following:

- Movie in the Park on April 22, 2016
- Kids Fishing Rodeo on April 23, 2016
- Fire lanes have been painted at Rozar Park
- Baseball/Softball program is in place
- Signage is in place with contact information relative to field usage during the sports season

Mr. Aaron stated that this is the second week of the bagging initiative and that Spring Cleanup is April 25 – 29, 2016.

Ms. King requested permission to add to the agenda of the next regular council meeting – Installation of water and sewer main across Airport Road and Sandler project building.

Mayor Faircloth entertained a motion to enter into Executive Session for the purpose of real estate.

6. Executive Session entered at 6:20 p.m. Council Member King moved to adjourn the work session and enter into an executive session for the purpose of real estate acquisition. Council Member Hunt seconded the motion and it carried unanimously.
7. Executive Session adjourned and Council's work session reconvened. Council adjourned the Executive Session held March 28, 2016 and reconvened into the Council's work session.
8. Adopted Resolution No. 2016-17 stating the purpose of Executive Session held March 28, 2016 was for real estate. Council Member Jackson moved to adopt Resolution No. 2016-17 stating the purpose of the executive session held March 28, 2016 was to discuss real estate. Mayor Pro Tempore Walker seconded the motion and it carried unanimously. No action was taken. *(Resolution 2016-17 has been entered in the City's official book of record).*
9. Adjourn: There being no further business to come before Council in the reconvened work session held on March 28, 2016, Council Member Bynum-Grace motioned to adjourn the meeting at 6:55 p.m.; Council Member King seconded the motion and it carried unanimously.

MINUTES
PRE COUNCIL MEETING
OF THE PERRY CITY COUNCIL
March 29, 2016
5:00 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer called to order the pre council meeting held March 29, 2016 at 5:00 p.m.

2. Roll:

Elected Officials Present: Mayor James E. Faircloth, Jr.; Mayor Pro Tempore Randall Walker. Council Members Riley Hunt, William Jackson, Phyllis Bynum-Grace and Willie King.

Elected Official(s) Absent: Council Member Robert Jones

City Staff: City Manager Lee Gilmour, Attorney Mathew Hulbert and Recording Clerk, Annie Warren.

Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Joel Gray – Fire and Emergency Services Department, Brenda King – Director of Administration, Decius Aaron – Director of Public Works, Kevin Dye – Director of Leisure Services, Robert Smith – Economic Development Director and Catherine Edgemon – Main Street Coordinator.

Guests: None

Media: Jake Jacobs and Cheri Adams – Houston Home Journal; Wayne Crenshaw – Macon Telegraph; Brittany Collins – WGXA TV

3. Items of Review/Discussion: Mayor James E. Faircloth, Jr.

3a. Discussion of March 1, 2016 regular meeting agenda.

10(6i) Bid No. 2016-23 Houston County Campus Project: Mr. Gilmour explained this bid is for the installation of a water and sewer main across Airport Road to the Sandler Project building.

4. Department Head Items:

Chief Gray, Chief Lynn and Ms. King had no reports.

Mr. Smith announced the Perry Housing Team is hosting a Neighborhood Clean-up Day in the Creekwood neighborhood on April 30th, 8:30 a.m. – 12 p.m.

Ms. Edgemon stated the Perry Lions Club is partnering with Boy Scouts Troop 96 and the Main Street Program to host a litter clean-up day in downtown Perry on Saturday, April 23rd from 8 a.m. to noon.

Mr. Aaron reminded everyone of spring clean-up week, April 25th - 29th.

5. Council Member Items.

Council Members Bynum-Grace, Jackson and Hunt had no reports.

Council Member King inquired about bringing Costco to Perry.

Mayor Pro Tempore reported there is a used car lot on 41N but is in the county.

Mr. Gilmour and Attorney Hulbert had no reports.

Mayor Faircloth

- April 1st, 9:30am – Proclamation signing for Child Abuse
- April 7th – Council Member Bynum-Grace's birthday
- April 9th – 10th – Dogwood Festival
- April 13th – Thomas Jefferson's birthday
- April 14th, 11am – GMA's Regional 6 District Meeting
- April 25th – Power of Prevention Night at The Swanson

6. Adjourn: There being no further business to come before Council in the pre council meeting held March 29, 2016 Council Member Bynum-Grace motioned to adjourn the meeting at 5:22pm; Council Member Hunt seconded the motion and it carried unanimously.

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
March 29, 2016
6:00 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the regular meeting of the Perry City Council held March 29, 2016 at 6:00 p.m.

2. Roll.

Elected Officials Present: Mayor James E. Faircloth, Jr.; Mayor Pro Tempore Randall Walker. Council Members Riley Hunt, Phyllis Bynum-Grace, William Jackson and Willie King.

Elected Official Absent: Council Member Robert Jones

Staff: City Manager Lee Gilmour, City Attorney Matthew Hulbert and Recording Clerk, Annie Warren.

City Departmental Staffing: Chief Joel Gray – Perry Fire and Emergency Services Department, Brenda King – Director of Administration, Kevin Dye – Director of Leisure Services, Decius Aaron – Director of Public Works, Chief Steve Lynn – Perry Police Department, Robert Smith – Economic Development Director and Catherine Edgemon – Main Street Coordinator.

Guests/Speakers: Eddrica Gary, Christopher Davis, David Campbell, Darlene McLendon, Jody Blasche and Barry Hooper.

Press/Media: Jake Jacobs and Cheri Adams – Houston Home Journal, Wayne Crenshaw – Macon Telegraph, Brittany Collins – WGXA TV and Chris Rodgers – Comsouth-100

3. Invocation and Pledge of Allegiance to the Flag: Council Member Willie King gave the invocation and Mayor Pro Tempore Randall Walker led the pledge of allegiance to the flag.

4. Recognition(s)/Presentation(s): Mayor James E. Faircloth, Jr

* Introduction of new police officers – Chief Lynn.
Chief Lynn introduced new hires Eddrica Gary and Christopher Davis to Mayor and Council. Mayor Faircloth welcomed the new officers to the City of Perry.

* Presentation to Mayor and Council – Ms. Darlene McLendon
Ms. McLendon and Mr. Campbell presented to Mayor and Council a framed 2016 Dogwood Festival print.

5. Appointments to Boards/Commissions/Authorities: Mayor James E. Faircloth, Jr.

* Perry Main Street Advisory Board
Council Member Hunt motioned to appoint Kelly Hills to the Perry Main Street Advisory Board; Council Member King seconded the motion and it carried unanimously.

6. Community Partners Update(s):

- 6a. Representative of Georgia Power to discuss LED change out program. Mr. Jody Blasche advised Mayor and Council that Georgia Power will be changing out the current lighting with LED lighting.

Ms. Darlene McLendon reported on the Dogwood Festival events.

7. Citizens with Input. Mr. Barry Hooper of Hughston Homes voiced his concerns relative to the level of service his company is receiving from Advanced Disposal.

8. Consent Agenda Items: Mayor James E. Faircloth, Jr.

- 8a. Council's Consideration – Minutes of the March 14, 2016 work session, March 15, 2016 pre council meeting, March 15, 2016 council meeting and March 17, 2016 joint work session of council and planning commission.

Council Member Bynum-Grace motioned to approve the minutes as submitted. Council Member King seconded the motion and the motion carried unanimously.

9. Old Business: Mayor James E. Faircloth, Jr.

- 9a. Mayor James E. Faircloth, Jr. - None
9b. Council Members - None
9c. City Manager Lee Gilmour - None
9d. City Attorney Matthew Hulbert - None

10. New Business: Mayor James E. Faircloth, Jr.

- 10a. Matters referred from March 28, 2016 work session and March 29, 2016 pre council meeting.

1. Authorize partnership with Houston County Board of Commissioners in resurfacing Sandefur Road.

Mayor Faircloth entertained a motion to authorize a partnership between the City of Perry and Houston County Board of Commissioners for the resurfacing of Sandefur Road. Mayor Pro Tempore Walker motioned to authorize a partnership between the City of Perry and Houston County Board of Commissioners for the resurfacing of Sandefur Road; Council Member King seconded the motion and it carried unanimously.

2. Authorize financial contribution towards airport improvements.
i. Appropriate \$150,000 FY 16 and FY 17; remaining balance due in FY18 for T-Hanger Project.

Mayor Pro Tempore Walker motioned to appropriate \$150,000 FY 16 and FY 17; remaining balance due in FY18 for T-Hanger Project: Council Member King seconded the motion and it carried unanimously.

- ii. Authorize \$200,000 allocation, subject to finance agreement, for GSP Hanger Project.

Council Member King motioned to authorize \$200,000 allocation, subject to finance agreement, for GSP Hanger Project; Mayor Pro Tempore Walker seconded the motion and it carried unanimously.

- 3. Approve contract with Slavin Management Consultants for recruitment of Director of Community Development position.

Administration recommended Slavin Management Consultants for recruitment of Director of Community Development position. Council Member Hunt motioned to approve the contract with Slavin Management Consultants for recruitment of Director of Community Development position; Mayor Pro Tempore Walker seconded the motion and it carried unanimously.

- 4. Authorize Letter of Intent with Raymond James for proceeding with bond financing/refinancing for water/sewer project.

Ms. King reviewed the Letter of Intent with Raymond James for proceeding with bond financing/refinancing for water/sewer project and recommended authorization. Council Member Jackson motioned to authorize the Letter of Intent with Raymond James for proceeding with bond financing/refinancing for water/sewer project; Council Member King seconded the motion and it carried unanimously.

- 5. Authorize striping of south Perry Parkway in partnership with Houston County Board of Commissioners.

Mayor Pro Tempore Walker motioned to authorize striping of south Perry Parkway in partnership with Houston County Board of Commissioners; Council Member Bynum-Grace seconded the motion and it carried unanimously.

- 6. Award of Bid(s):

- i. Bid No. 2016-23 Houston County Campus Project

Awarded Bid No. 2016-23 - Houston County Campus Project to LaKay Enterprises. Mayor Faircloth presented for Council's consideration proposals for Houston County Campus Project. Staff recommended to Council to award proposal 2016-23 to low bidder LaKay Enterprises in the amount of \$148,375.00. Council Member Jackson motioned to award the proposal to LaKay Enterprises in the amount of \$148,375.00; Council Member King seconded the motion and it carried unanimously.

- 10b. Resolution(s) for Consideration and Adoption:

1. Selection of a voting delegate for the Municipal Gas Authority of Georgia Annual Election.

Adopted Resolution No. 2016-18 selection of a voting delegate for the Municipal Gas Authority of Georgia Annual Election. Mayor Pro Tempore Walker motioned to select Mayor James E. Faircloth, Jr. to serve as the voting delegate at the Municipal Gas Authority of Georgia Annual Election; Council Member Hunt seconded the motion and it carried unanimously. Council Member Jackson motioned to select Mayor Pro Tempore Randall Walker as the alternate voting delegate for the Municipal Gas Authority of Georgia Annual Election; Council Member King seconded the motion and it carried unanimously. *(Resolution 2016-18 has been entered in the City's official book of record).*

- 10c. Approval of Perry Main Street Advisory Board's contract recommendation – Ms. C. Edgemon. Ms. Edgemon reported Ms. Jodi Daley requested permission to continue to use the Perry Farmers' Market name and rooster logo that Perry Main Street trademarked when it was an independent board. The Main Street Advisory Board voted to recommend Ms. Daley be allowed to use the name and logo in accordance with the conditions specified in the contract. Mayor Pro Tempore Walker motioned to approve the Perry Main Street Advisory Board's contract for Mrs. Daley to use the trademarked name and logo for no charge; Council Member King seconded the motion and it carried unanimously.

11. Department Head Items.

No reports from Ms. King, Chief Lynn and Chief Gray.

Mr. Dye announced Movie Night will be held on April 22nd and the Kids Fishing Rodeo will be held on April 23rd.

Mr. Smith reported the Perry Housing Team will host a clean-up day in the Creekwood Neighborhood on April 30th, 8:30 a.m. – 12:00 p.m.

Ms. Edgemon stated the Perry Lions Club is partnering with Boy Scouts Troop 96 and the Main Street Program to host a litter clean-up day in downtown Perry on Saturday, April 23rd from 8 a.m. to noon.

Mr. Aaron reminded everyone of spring clean-up week, April 25th - 29th.

12. Council Members Items:

No reports from Council.

No reports from Mr. Gilmour and Attorney Hulbert.

13. General Public Items: None

14. Mayor Items:

- Putts and Pucks Golf Tournament at Southern Landing Golf Course on March 30, 2016

- April 1st, 9:30am – Proclamation signing for Child Abuse
- April 9th – 10th – Dogwood Festival
- April 25th – Power of Prevention Night at The Swanson

15. Adjournment: There being no further business to come before Council in the council meeting held March 29, 2016, Council Member King motioned to adjourn the meeting at 6:40 p.m. Council Member Hunt seconded the motion and it carried unanimously.

Annie Warren

From: Community Development <comm.development@perry-ga.gov>
Sent: Tuesday, April 12, 2016 12:44 PM
To: Annie Warren
Cc: Lee Gilmour
Subject: Certificate of Appropriateness Appeal
Attachments: 343 GCH COA appeal.pdf; 343 GCH COA notice.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Attached is an appeal request from the sign company that failed to obtain a permit for the property at 343 Gen. Courtney Hodges Blvd. I have also attached our notice to the property owner. The sign company is making the appeal and would like to be on the next agenda. If you have any questions, please let me know.
Thank you, Chris



Christine Sewell
Administrative Assistant
Community & Economic Development
City of Perry
1211 Washington Street
P.O. Box 2030
Perry, GA 31069
T 478-988-2720 F 478-988-2725
<http://www.perry-ga.gov>

Where Georgia comes together.



April 11, 2016

To Mayor Jimmy Faircloth, Jr. of Perry, Georgia and Perry City Council,

Because of an oversight on our part, Ibalz Marketing is seeking relief for the COA service charge for the J. Brannen Motors sign on Courtney Hodges Blvd. We have made necessary changes in our policies to insure that we will apply for all permits in the future.

Thank you.

A handwritten signature in black ink that reads "G.L. Dawson".

G.L. Dawson

General Manager

IBALZ Marketing

596 Carl Vinson Parkway

Warner Robins, Ga 31088

GL Dawson • 478-256-7973
gl@ibalz.com

City of Perry

Community Development Department

1211 Washington Street
P.O. Box 2030
Perry, Georgia 31069



www.perry-ga.gov

478.988.2720
Telephone

478-988-2725
Facsimile

March 21, 2016

PMC Capital, LLC
3060 Peachtree Road NW
One Buckhead Plaza Suite 330
Atlanta, GA 30305

Re: 343 General Courtney Hodges Blvd., Perry
P29-7A

To Whom It May Concern:

It has been brought to our attention the building sign erected at 343 General Courtney Hodges Blvd.; Perry was not reviewed or permitted.

As per the Perry Land Development Ordinance (PLDO) Section 2.08 Signage Certificate of Appropriateness – all signs shall require a Certificate of Appropriateness issued by the Economic Development Department prior to erecting the sign. Furthermore, Section 106 of the PLDO governing signage has specific criteria that must be adhered to ensuring compliance and required permitting.

As a result of not obtaining the appropriate review and Certificate of Appropriateness a \$200 service charge will be levied on the utility account for the above noted location. Prior to the implementation of this fee all property and utility account holders were sent a letter in February 2016 advising of the procedures, as well the PLDO is available on the City's website.

The sign still must be submitted for review and permitting by the Community Development Department. Therefore, on receipt of this notice, please forward a color rendering along with the dimensions to comm.development@perry-ga.gov

Your immediate attention to this matter is appreciated and please do not hesitate to contact us with any questions.

Sincerely,

Christine Sewell

Christine Sewell, Administrative Assistant
Community & Economic Development Departments

Cc: 343 Gen. Courtney Hodges Blvd, Perry

343 Gen. Courtney Hodges Blvd.



City of Perry

1211 Washington Street

P.O. Box 2030

Perry, Georgia 31069-6030

www.perry-ga.gov

email: lee.gilmour@perry-ga.gov

478-988-2700

Telephone

478-988-2705

Telefax

MEMORANDUM

TO: Mayor/Council

FROM: Lee Gilmour, ^{LG} City Manager

DATE: April 13, 2016

REFERENCE: Well Request from Lane Southern Orchards

When the City originally denied the request of Lane Southern Orchards to install an agricultural well in the City limits, company representatives responded with a more detailed request. (Exhibit A)

The City's technical staff provided a recommended location which Lane agreed to. (Exhibit B)

The Administration recommends Council approve the well subject to:

- Can only be used for agricultural irrigation
- Located in area shown in Exhibit B
- No larger than 4"
- Uses a drip irrigation system only
- Operates between May and September no more than three (3) days per week, no more than eight (8) hours per operating day between 12:00 am and 8:00 am.

cc: Mr. H. Deal
Mr. D. Lane

Exhibit A



50 Lane Road
P. O. Box 716
Fort Valley, Georgia 31030

ph. (478) 825-3592
fax. (478) 825-0015
www.lanesouthernorchards.com

Mr. Lee Gilmour
City Manager
Perry, Georgia 31030

Dear Mr. Gilmour,

Thank you for taking the time to meet with Duke and me last week. Based on our discussion with you we would like to resubmit our petition, including added data, for a Variance/Wavier for the proposed agriculture well at 501 Valley Drive. We would like to install a 4" irrigation well using a drip system that would require 100 GPM. The well would operate May thru September, 8 hours a day, 3 days a week from 12:am until 8:am as you suggested. The actual operation time would depend on the amount of rain we receive each month. We would be glad to meet with the City Engineer in an attempt to locate the well outside of the 2000' service protection zone, possibly on the far southwest corner of the property.

Thanks for your help and attention to this matter.

David Lane

*David O Lane III
Lane Southern Orchards
50 Lane Road, Box 716
Fort Valley, Georgia 31030
(478) 825-3592*



Taste The Best!

Peaches • Pecans • Strawberries • Indian River Citrus
Just Peachy Gift Shop • Peachtree Cafe • Southern Gourmet Shoppe