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Application # TEXT-0172-2025

Application for Text Amendment

Contact Community Development (478) 988-2720

Applicant Information

*Indicates Required Field

	Applicant
*Name	Joe Duffy for the City of Perry
*Title	Community Development Director
*Address	741 Main Street, Perry, GA 31069
*Phone	478-988-2714
*Email	joe.duffy@perry-ga.gov

Request

*Please provide a summary of the proposed text amendment:

Amendment to Table 4-1.1, Table of Uses.

Changes are to allow uses by *Special Exception only* for College or University, Outdoor Entertainment – All uses, Convention and exhibition facility, and Artisan production establishment in the C-3 District where currently prohibited.

Instructions

1. The application, fee (made payable to the City of Perry), and proposed text of the amendment must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
2. Fees: Actual cost of required public notice.
3. The applicant must state the reason for the proposed text amendment. See Sections 2-2 and 2-3.2 of the Land Management Ordinance for more information.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Text amendment applications require an informational hearing before the planning commission and a public hearing before City Council.
6. The applicant must be present at the hearings to present the application and answer questions that may arise.
7. **Campaign Notice required by O.C.G.A. Section 36-67A-3:** Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? **Yes** ☐ **No** ☒ **X**
If yes, please complete and submit the attached Disclosure Form.
8. The applicant affirms that all information submitted with this application, including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
9. Signatures:

*Applicant  Joe Duffy, Director of Community Development, for the City of Perry	*Date 8/29/2025
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Standards for Amendments to the Text of the Land Management Ordinance

In reviewing an application for an amendment to the text of the ordinance and acting on said application, the planning commission and city council may consider the following standards:

(1) Whether, and the extent to which the proposed amendment is consistent with the Comprehensive Plan.

This amendment is not inconsistent with these plans.

(2) Whether, and the extent to which the proposed amendment is consistent with the provisions of this chapter and related city regulations.

The proposed amendment is consistent with the format of the Land Management Ordinance.

(3) Whether, and the extent to which there are changed conditions from the conditions prevailing at the time that the original text was adopted.

Downtown Perry/the C-3 District continues to evolve as a vibrant location hosting a range of uses.

(4) Whether, and the extent to which the proposed amendment addresses a demonstrated community need.

As Perry continues to grow, allowing possibilities for a greater range of institutional partners, entertainment options, convention facilities and artisanal manufacturers (with a retail presence) have been raised by community partners as potential future opportunities for the City.

(5) Whether, and the extent to which the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.

The amendment is consistent with and directly supports the stated purposes of the C-3, *central business district (CBD)*. The C-3 district is intended to preserve downtown Perry as the city's center accommodating a unique mix of retail, entertainment, office, service, cultural, government, civic, and residential uses. The intent of the district is to preserve and encourage pedestrian-oriented development, including specialty and neighborhood-oriented retail and higher density residential options. District uses and standards are also intended to encourage future development in a manner compatible with the traditional character of the downtown and with nearby residential areas.

(6) Whether, and the extent to which the proposed amendment will result in logical and orderly development pattern.

The amendment allows for logical and orderly development pattern. Any proposals brought forward as a result of the changes must also meet the standards as determined on a case-by-case basis to grant a Special Exception.

(7) Whether, and the extent to which the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.

The amendment has no direct impact on the natural environment.

(8) Whether, and the extent to which the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).

The amendment has no impact on public facilities and services.

Amend Table 4-1.1 to include **Special Exception** for the following uses in the C-3 District only:

- College or University
- Outdoor Entertainment – All uses
- Convention and exhibition facility
- Artisan production establishment

Table 4-1.1: Table of Uses

Key: "p" = Permitted Use; "s" = Special Exception Use; Blank Cell = Prohibited Use

Use Category	Use Type	Zoning Districts																Additional Regulations (Sections)							
		Form Based Code ²																							
		Residential								Nonresidential															
		R4g	R1	R2	R3	RTH	RM1	RM2	RMH	O1	C1	C2	C3	LC	M1	M2	GU								
Residential Uses	Household Living	P	P	P	P		P		P		P		P						S	P	P				4-3.1(A)
	Single Family dwelling, detached		P ⁴	P ⁴	P ⁴	P					P ⁴	P							P	P	P	P			
	Single Family dwelling, attached						P																		
	Two Family dwelling							P	P					P					P	P	P	P			
	Multi-family dwelling < 7 units						P	P		P	P	P	P	P					P	P	P	P			
	Multi-family dwelling > 6 units							S		S	S	S							P	S	S				
	Manufactured home	P																							
	Manufactured home park																								4-3.1(B)
Group Living	Manufactured home subdivision																								
	Dwelling in a commercial building									P	P	P	P	P	P	P		P	P	P	P				4-3.1(C)
	Family personal care home	P	P	P	P		P		P	P												P	P	P	
	Boarding house																	P ¹							
	All other uses						S	S		P	P	P						P	P	P					4-4.3(D)
Accessory Use	Residential Business	S	S	S	S	S	S	S	P	P	P	P	P	P	P		P	P	P	P	P	S			4-4.3(D)
Public and Institutional Uses																									
Community Service	All Uses	S	S	S	S		S	S	S	P	P	P	P	P			P	P	P	P	P	S			
	Child learning center (19+ persons)	S					S	S	S	P								P	P	P	P				
	Group daycare home (7-18 persons)	S					S	S	S	P			P					P	P	P	P				
	Preschool	S					S	S	S	P	P	P	P	S			P	P	P	P	P				
Education	Business school									S	P	P	P				P	P							
	College or university									P	P	P	S				P	P	P	P	P				
	School, public or private	S	S	S	S		S	S	S	P	P	P					P	P	P	P	P				
	Trade school										P						P	P	P	P	P				
Government	Detention facility																								
	Emergency response facility									P	P	P					P	P	P						
	Maintenance, storage, and distribution facility																P	P	P						
	Police substation																	P	P	P	P				
	Post office									P	P	P													

Use Category	Use Type	Zoning Districts																Additional Regulations (Sections)								
		Residential								Nonresidential																
		RAg	R1	R2	R3	RTH	RM1	RM2	RMH	OI	C1	C2	C3	LC	M1	M2	GU		IMU	MUC	NMU	FBR				
Health Care	Hospital										P															
	Medical facility other than hospital										P	P	P	P					P	P	P					
	Religious institution	S	S	S	S		S	S	S	P	P	P	P	S					P	P	P	S				
	Congregate personal care home										P									P						
	Alternative/post incarceration facility																									
Parks and Open Space	Rehabilitation facility																		P							
	All other uses																		P	P						
	Cemetery, columbarium, mausoleum	S									P	P	P	P					P	P						4-3.2(A)
	Community Garden	P	S	S	S	S	S	S	S	P	P	P	S	P	P				P	P	P	P				
	Golf course	S	S								P								P	P						
Transportation Terminals	Park	P	P	P	P	P	P	P	P	P	P	P	P	P					P	P	P	P	P			
	Airport/heliport/landing strip																									
	All other uses																		P							
Utilities	Communication tower, freestanding	S									S	P	S						P	P						4-3.2(B)
	Communication tower on existing structure										P	P	P	P	P	P	P		P	P	P					4-3.2(B)
	Utility, major	S	S	S	S	S	S	S	S										P	P	P	P	S			
	Utility, minor	S	S	S	S	S	S	S	S										P	P	P	P	S			
Commercial Uses																										
Eating Establishments	Brewpub																		P	P	P					
	Drive-in restaurant																		P							
	Restaurant with drive-through window																		P	P	S					
	Restaurant with indoor and outdoor seating and/or food service areas																		P	P	P					
	Restaurant with indoor seating only																		P	P	P					
Offices	Restaurant with no seating																		P	P	P	P				
	All uses																		P	P	P					
	Outdoor Entertainment																		P	S ¹	S					
	Parking, Commercial																		P	P	P	P	S			

Use Category	Use Type	Zoning Districts																Additional Regulations (Sections)			
		Residential								Nonresidential									Form Based Code ²		
		RAg	R1	R2	R3	RTH	RM1	RM2	RMH	OI	C1	C2	C3	LC	M1	M2	GU		IMU	MUC	NMU
Retail Sales and Service	Animal shelter and adoption service														P	P	P				
	Automobile parts store																	P	P	P	
	Bank, financial institution, ATM								S	P	P	P	S				P	P	P		
	Bar, nightclub									P	P	P					P	P	P		
	Barber shop, beauty shop								P	P	P	P	P				P	P	P		
	Casino or gambling establishment									P											4-3.3(C)
	Civic club								P		P	P					P	P			4-3.3(A)
	Convenience store									P	P							P	P	S	
	Convention and exhibition facility									P		S					P	P			
	Event venue	S								P	P	P					P	P	P		
	Farmers' market	S								P	P	P	S				P	P	S		
	Flea market										P				P						
	Fortune telling									P											
	Funeral home, mortuary								P			P						P	P	P	
	Grocery store									P	P	P						P	P	P	
	Health club, spa									P	P	P	P					P	P	P	
	Indoor entertainment facility, general								S	P	P	P	S					P	P	P	
	Kennel, pet boarding										P	P					P	P	P		
	Landscape nursery										P				P						
	Liquor store									P	P	P ¹						P	P		
	Photography, art, dance studio or gallery									P		P	P	S				P	P	P	S
	Personal services, all other								S	P	P	P ¹	P ³	S ³				P ³	P ³	P ³	
	Pet grooming, indoor only									S		P	S						P	P	
	Prefabricated building display and sales										P				P			P	S		
	Retails sales and services, all other										P	P ¹	P ³	S ³	P	P		P ³	P ³	P ³	
	Retail tenant exceeding 35,000 square feet										P	S						P	P		6-6.2
	Sexually oriented business										P										4-3.3(E)
	Shopping center exceeding 50,000 square feet										P	P			P	P			P	P	6-6.2
	Tattoo and body piercing establishment										P										
	Veterinary clinic or hospital									P		P							P	P	

Use Category	Use Type	Zoning Districts																Additional Regulations (Sections)				
		Residential								Nonresidential									Form Based Code 2			
		R1	R2	R3	RTH	RM1	RM2	RMH	OI	C1	C2	C3	LC	M1	M2	GU	IMU		MUC	NMU	FBR	
Self-Service Storage	All Uses									P	S			P	P		P				6-6.2	
	Automobile rental									P	P ¹			P			P	S			4-3.3(F)	
	Automobile sales									P	P ¹			P			P	S			4-3.3(F)	
	Automobile repair									P	S ¹			P			P	S			4-3.3(A & F)	
	Automobile service									P	P ¹						P	P	S		4-3.3(A & F)	
	Automobile wash and detailing									P	P ¹						P	S	S			
Visitor Accommodations	Boat/ recreational vehicle rental &sales									P				P			P	S				
	Taxicab service									P					P							
	Tire sales and installation									P	P ¹			P			P	P	P			
	Towing service													P	P							
	Truck and trailer rental and sales									P				P			P	S				
	Campground									S												
	Hotel or motel								S	P	P	P					P	P	S		4-3.3(D)	
	Recreational vehicle park									S												
	Short-term rental unit	S	S	S	S	S	S	S	P	P	P	P					P	P	P	S	4-3.5	
	Service and Industrial Uses	Farm winery	S								S	S ¹			P	P				S	S	
Riding stable/academy		P								S	P ¹			P	P						4-3.4(A)	
All other uses		P	S	S	S			S		S	S ¹			P	P						4-3.4(A)	
Contractor's office with on-site storage/fabrication									S	P				P	P		P	P	S			
Industrial Services	Data Center														S							
	Truckstop or travel plaza									P				P	P							
	All other uses									P				P	P							
	Artisan production establishment								S	P				P	P		P					
Manufacturing and Production	Brewery, distillery										P			P			P					
	Heavy manufacturing														P							
	Light manufacturing, general									P				P	P		P					
Mining Operations	All uses																					

Use Category	Use Type	Zoning Districts																Additional Regulations (Sections)				
		Residential								Nonresidential												
		R1g	R2	R3	RTH	RM1	RM2	RMH	OI	C1	C2	C3	LC	M1	M2	GU	IMU		MUC	NMU	FBR	
Research and Development	R & D with outdoor storage													P	P							6-3.7(A)
	R & D with no outdoor storage								P					P	P				P			
Testing Laboratory	Testing Lab with outdoor storage													P	P							6-3.7(A)
	Testing Lab with no outdoor storage								P					P	P				P	P		
Warehouse and Freight Movement	Outdoor storage lot													P	P				P	S		6-3.7(A)
	Truck or freight terminal												P	P	P				P			
	Warehouse														P	P						
Waste Services	Junk yard															S						6-3.7(A)
	Recycling drop-off center														P	P	P					
Wholesale Sales	Waste disposal or treatment operation														S	S	P					
	All uses														P	P	P			P		

- 1 – These uses are not permitted in the Downtown Development Overlay District. For "Personal services, all other" and "Retail sales and services, all other", the limitation applies only to massage parlors that are not part of a "health club/spa" or "medical facility other than hospital" and tattoo establishments.
- 2 – Uses in the Form Based Code districts are subject to standards of the Form Based Code in Appendix A of this chapter.
- 3 – Massage parlors that are not part of a "health club/spa" or "medical facility other than hospital" and tattoo establishments are not permitted.
- 4 – Townhouses are permitted only within the Downtown Development Overlay District within these base zoning districts.