

## ARTICLE 3. – ESTABLISHMENT OF ZONING DISTRICTS

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## ARTICLE 3. – ESTABLISHMENT OF ZONING DISTRICTS

### Sec. 3-1. - General provisions.

- 3-1.1. *Compliance with district standards.* No building or structure shall be erected, converted, enlarged, reconstructed, or altered for use, nor shall any land, building, or structure be used or changed, except in accordance with the district regulations of this article, the use regulations of article 4, the dimensional standards of article 5, and all other applicable regulations of this chapter.
- 3-1.2. *Relationship of base districts to overlay districts.* Lands within the city are classified into one of the base zoning districts and may also be classified into one or more of the overlay districts set forth in section 3-2, district descriptions. Where the property is classified into an overlay district as well as a base zoning district, the regulations governing development in the overlay district shall apply in addition to the regulations governing development in the underlying base district. In the event of an express conflict between the standards governing a base district and those governing an overlay district, the standards governing the overlay district shall control.

### Sec. 3-2. - District descriptions.

- 3-2.1. *General purposes.* The zoning districts contained in this section are established and intended to provide a comfortable, healthy, safe, and pleasant environment in which to live and work and, more specifically:
- (A) To provide appropriately located areas for all types of development that are consistent with the comprehensive plan and with standards of public health, safety, and welfare established by this chapter;
  - (B) To ensure adequate light, air, privacy, and open space for each dwelling, and to protect residents from the harmful effects of noise, traffic congestion, and other significant adverse environmental effects;
  - (C) To strengthen the city's economic base, and provide employment opportunities close to home for residents of the city and surrounding communities;
  - (D) To provide land to accommodate planned population densities;
  - (E) To create suitable environments for various types of commercial and industrial uses, and protect them from the adverse effects of incompatible uses; and
  - (F) To minimize the impact of commercial and industrial development on abutting residential districts and uses.
- 3-2.2. *Establishment of zoning districts and specific purposes.*
- (A) *Residential base zoning districts.*
    - (1) *R-Ag, Residential-agricultural district.* The R-Ag district is intended to be used for agricultural purposes and the lowest density detached single-family residential development.
    - (2) *R-1, Single-family residential district.* The R-1 district is intended to be used for detached single-family residential development with low population density. Complementary uses customarily found in residential districts, such as community recreation facilities, places of worship, and schools, may be allowed.
    - (3) *R-2, Single-family residential district.* The R-2 district is intended to be used for detached single-family residential developments with medium-low population density. Complementary uses customarily found in residential districts, such as community recreation facilities, places of worship, and schools, may be allowed. The R-2 district is intended to create a transition between R-1 districts and higher density residential districts.
    - (4) *R-2A, Single-family residential district.* The R-2A district is a residual zoning district that shall only apply to properties that are zoned R-2A as of July 1, 2022. No parcels may be rezoned to the R-2A zoning classification after July 1, 2022. The regulations for development in the R-2A zoning district shall be those regulations set forth in this ordinance for the R-2 zoning district.

- (5) *R-3, Single-family residential district.* The R-3 district is intended to be used for detached single-family residential development with medium population density. Complementary uses customarily found in residential districts, such as community recreation facilities, places of worship, and schools, may be allowed. This district may be used as a transition between R-2 districts and higher density residential and commercial districts.
  - (6) *R-TH, Townhouse residential district.* The R-TH district is intended to be used for attached single-family residential development with a medium-high population density. Community recreation facilities may be allowed. This district may be used as a transition between lower density residential districts and commercial districts.
  - (7) *RM-1, Multi-family residential district.* The RM-1 district is intended to be used for two-family residential and small multi-family residential development with medium-high population density. Permitted residential uses include detached single-family, duplexes, triplexes, quadplexes, and apartments with six units or less. Complementary uses customarily found in residential districts, such as community recreation facilities, places of worship, and schools, may be allowed. This district may be used as a transition between lower density residential districts and commercial districts.
  - (8) *RM-2, Multi-family residential district.* The RM-2 district is intended to be used for multi-family residential development with high population density. Complementary uses customarily found in residential districts, such as community recreation facilities, places of worship, and schools, may be allowed. This district may be used as a transition between residential districts and commercial districts.
  - (9) *R-MH, Residential manufactured home district.* The R-MH district is intended to be used for manufactured home subdivisions, manufactured home parks, individual manufactured homes and detached single-family residential development with medium population density. Complementary uses customarily found in residential districts, such as community recreation facilities, places of worship, and schools, may be allowed.
- (B) *Commercial and industrial base zoning districts.*
- (1) *O-I, Office and Institutional District.* The OI district is intended as a district exclusively for office, institutional, and other low-intensity commercial uses which do not materially impact nearby residential areas. Medium to medium-high residential uses may also be allowed. The district may be used as a transition between residential districts and more intensive commercial districts.
  - (2) *LC, Limited Commercial District.* The LC district is intended for small-scale, neighborhood businesses with a market orientation serving the surrounding neighborhood and community with convenience goods, limited retail sales, and personal services. These regulations are intended to reduce traffic congestion, provide adequate off-street parking, and discourage encroachment by other uses capable of adversely affecting the limited neighborhood commercial character of the district.
  - (3) *C-1, Highway commercial district.* Within a C-1 Highway Commercial District, uses are restricted to those which are designed to serve the automobile, its passengers and highway users rather than individuals who use an automobile as a convenience to perform necessary daily and weekly personal needs. The district is intended to be restricted to State and Federal Highways which may also have other business districts located on them.
  - (4) *C-2, General commercial district.* The C-2 district is intended to provide a commercial district designed to serve the automobile, its passengers, and highway users and to provide community shopping facilities consisting of a wide variety of sales and service facilities and locations that will be accessible to all shoppers and highway users or both.
  - (5) *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) *M-1, Wholesale and Light Industrial District.* The M-1 District is intended for wholesale and light industrial uses where resultant noise, odors, pollution, and congestion are minimized. Residential development is prohibited. This district is not suitable for heavy industrial uses.
- (7) *M-2, General industrial district.* The M-2 district is intended to create and protect areas for industrial uses.

(C) *Special base zoning districts.*

- (1) *GU, Governmental Use District.* The purpose of GU district is to acknowledge and designate properties owned by the United States of America, State of Georgia, Houston County Board of Commissioners, Houston County Board of Education, Peach County Board of Commissioners, Peach County Board of Education, or the City of Perry.
- (2) *PUD, planned unit development district.* The PUD planned unit development district is intended to allow for unique and integrated mixed-use developments which are suitable in location and character, and which cannot be achieved in other base zoning districts established in this ordinance. The PUD district is not intended to be used as an alternative to obtaining variance(s) for developments unable to comply with other development standards required by this ordinance.
- (3) *FBC, Form Based Code.* The Form Based Code is comprised of the IMU, Interstate Mixed Use District; the MUC, Mixed Use Center District; the NMU, Neighborhood Mixed Use District; the FBR, Form Based Residential District; and the OS, Open Space District. The intent and purpose of the Form Based Code is to enable and support the implementation of the following policies:
  - a. 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. Perry should serve people of all ages and allow residents to remain in the community as they age.
  - c. Interconnected networks of streets should be designed to disperse traffic and reduce the length and number of automobile trips.
  - d. A range of high-quality and aesthetically compatible housing options should be provided to accommodate different needs in the community.
  - e. The quality-of-life in existing neighborhoods should be preserved and protected.
  - f. Development patterns should make walking and bicycling safer and more pleasant.
  - g. A range of useable open spaces including parks, squares, playgrounds, and preserved environmentally sensitive areas should be distributed throughout Perry.
  - h. Buildings and landscaping should be coordinated to contribute to Perry's physical design and sense of place.
  - i. Development should adequately accommodate automobiles while respecting the pedestrian and the design of public areas.
  - j. Public buildings, gathering places, and areas for community events should be provided as locations that reinforce community identity.
  - k. Public buildings should be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the area.
  - l. The harmonious and orderly development and redevelopment of Perry should be secured through these regulations.

(D) *Overlay zoning districts.* Overlay zoning districts provide additional regulations or restrictions on the based zoning districts over which they may be laid.

- (1) *AH, Airport Overlay District.*

- a. *Short Title; Jurisdiction.* This ordinance shall be known and may be cited as Perry-Houston County Airport Zoning Ordinance. The description of airport zones is comprehensive for the Perry-Houston County Airport airspace requirements, but enforcement of this ordinance applies only to the incorporated areas of the City of Perry.
- b. *Authority; Findings; Policy.* This ordinance is adopted pursuant to the authority conferred by article 9, section 2, paragraph 4 of the constitution of the state (Ga. Const. art. IX, § II, ¶ IV). It is hereby found that an obstruction has the potential for endangering the lives and property of users of the Perry-Houston County Airport and property or occupants of land in its vicinity; that an obstruction may affect existing and future instrument approach minimums of Perry-Houston County Airport; and that an obstruction may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of Perry-Houston County Airport and the public investment therein. Accordingly, it is declared:
  - i. That the creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by Perry-Houston County Airport;
  - ii. That it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented; and
  - iii. That the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of the police power.

It is further declared that the prevention of the creation or establishment of hazards to air navigation; the elimination, removal, alteration, or mitigation of hazards to air navigation; and the marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

- (2) *DD, Downtown Development Overlay District.* The intent of the Downtown Development Overlay District is to preserve the historical and architectural character of the downtown development area within the jurisdiction of the Downtown Development Authority.
- (3) *HP, Historic Preservation Overlay District.* The purpose of this district is to promote the educational, cultural, economic, and general welfare of the community through the preservation and restoration of its historic properties, spaces, neighborhoods, and other elements which serve as visible reminders of the cultural and architectural heritage of the City of Perry and the State of Georgia. Regulations are intended to ensure the construction, reconstruction, alteration, restoration, demolition or moving of buildings and appurtenant fixtures are consistent with the historic or architectural character of the area.
- (4) *IC, Interstate Corridor Overlay District.* This district is composed of lands adjacent to Interstate 75 (I-75). The new requirements are intended to regulate the placement of outdoor advertising signs along I-75.
- (5) *NC, Neighborhood Commercial Corridor Overlay District.* This district is composed of lands adjacent to the Macon Road, Swift Street/Houston Lake Road, Main Street, and Kings Chapel Road. The new regulations are intended to afford some protection to nearby properties from the negative aspects of commercial development.
- (6) *PC, Parkway Corridor Overlay District.* The district is composed of lands adjacent to the Perry Parkway and Larry Walker Parkway. It is expected that the new development along the parkway will be commercial in nature. The new regulations are intended to protect the visual character of the parkway by preventing the encroachment of unsightly development along the parkway.