

ARTICLE 3. – ESTABLISHMENT OF ZONING DISTRICTS

Sec. 3-1. - General provisions.

Sec. 3-2. - District descriptions.

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Revisions:

None

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) *R-1, Single-family residential district.* This district is intended to be used for single-family residential area with low population density. Additional permitted uses, by special exception include related noncommercial, recreational, religious, and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.
 - (B) *R-2A, Single-Family Residential District.* This is a residential district to provide for a medium population density for single-family dwelling units. This district will allow the increase in density over R-1 but will provide protection from other R-2 uses that may not be suitable for a given area.
 - (C) *R-2, Two-family residential district.* This is a residential district to provide for a medium population density. The district permits a mixture of dwelling types; to provide more interesting aesthetic categories of dwelling; and to situate these uses where they are well served by public and commercial services.
 - (D) *R-3, Multi-family residential district.* This is a residential district to provide for high population density. The principal use of land may range from single-family dwelling to high density multiple-family apartment uses. Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted.

- (E) *R-MH, Residential manufactured home district.* The intent of this district shall be to provide adequate locations and densities for manufactured home parks, individual manufactured homes and other uses permitted by these regulations within this district.
- (F) *R-AG, Residential-agricultural district.* This district is established to protect rural areas against the blight and depreciation which can result from premature development; to encourage the development of rural areas in a coordinated and orderly manner; to protect the use of land adjoining roads passing through the rural portions of the city against strip development which can lead to traffic congestion and traffic hazards.
- (G) *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.
- (H) *C-2, General commercial district.* The intent of this district shall be 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.
- (I) *C-3, Central business district (CBD).* The intent of this district is to allow a more intense use of land within the Downtown Section of the City of Perry.
- (J) *OC, Office Commercial District.* The purposes of this district is to provide and protect convenient areas for community shopping facilities consisting of sales, services and professional offices in close proximity to and in harmony with nearby residential properties. This district is identified as one in which the physical character and design of existing and proposed new structures play an important role in assuring compatibility with existing residential development.
- (K) *IN, Institutional District.* The Institutional District (IN) is intended to recognize and permit the creation of defined areas for the unified and orderly development of medical institutions in order to and enhance their benefit to the community. The district allows flexibility in planning and development and provides a process for evaluating and accommodating growth and change, thereby assuring compatibility with adjacent, non-institutional districts.
- (L) *LC, Limited Commercial District.* It is intended that this district be established 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.
- (M) *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.
- (N) *M-2, General industrial district.* The intent of this district shall be to create and protect areas for industrial uses.
- (O) *GU, Governmental Use District.* The purpose of Governmental Use 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.
- (P) *PUD, Planned unit development district.* The purpose of a Planned Unit Development District is to offer developers the benefits of efficiency, economy, and flexibility by encouraging unified development of sites, while deriving for the city the advantages of improved appearance, compatibility of uses, optimum service by community facilities, better handling of vehicular access and circulation, and full definition of the proposed development. A PUD shall be consistent with the objectives of the Comprehensive Plan.

(Q) *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:

- (1) 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.
- (2) That Perry should serve people of all ages and allow residents to remain in the community as they age.
- (3) That interconnected networks of streets should be designed to disperse traffic and reduce the length and number of automobile trips.
- (4) That a range of high-quality and aesthetically compatible housing options should be provided to accommodate different needs in the community.
- (5) That the quality-of-life in existing neighborhoods should be preserved and protected.
- (6) That development patterns should make walking and bicycling safer and more pleasant.
- (7) That a range of useable open spaces including parks, squares, playgrounds, and preserved environmentally sensitive areas should be distributed throughout Perry.
- (8) That buildings and landscaping should be coordinated in order to contribute to Perry's physical design and sense of place.
- (9) That development should adequately accommodate automobiles while respecting the pedestrian and the design of public areas.
- (10) That public buildings, gathering places, and areas for community events should be provided as locations that reinforce community identity.
- (11) That public buildings should be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the area.
- (12) That the harmonious and orderly development and redevelopment of Perry should be secured through these regulations.

(R) *AH, Airport Overlay District.*

- (1) *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.
- (2) *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:
 - (a) 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;

- (b) 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
- (c) 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.

- (S) *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 Architectural and Sign Control Board of Review.
- (T) *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.
- (U) *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.
- (V) *HD, Historic Overlay District.* The purpose of this district is to promote the educational, cultural, economic, and general welfare of the community through the preservation and development of its historic property, 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 or moving of buildings and appurtenant fixtures within a designated historic district which would be consistent with the historic or architectural character of the area.
- (W) *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.