

ORDINANCE 7632

An Ordinance to amend the Comprehensive Zoning Ordinance adopted by the Augusta, Georgia Commission effective September 16, 1997 by amending the following:

Amend the Comprehensive Zoning Ordinance for Augusta Georgia by amending Section 28-B - Signs

THE AUGUSTA COMMISSION HEREBY ORDAINS:

**SECTION I.** That the Comprehensive Zoning Ordinance amend the language in Section 19 – PUD by deleting the Section in its entirety:

**RESIDENTIAL DISTRICT CLASSIFICATIONS**

**SECTION 19**

**PUD (PLANNED UNIT DEVELOPMENT) ZONE**

**Statement of Intent:** The intent of this section is to permit greater flexibility and, consequently, more creative and imaginative design for development of residential areas than is generally possible under conventional zoning regulations. It is further intended to promote more economical and efficient use of land while providing a harmonious variety of housing choices, higher level of amenities, and preservation of natural qualities of open spaces. Within the Planned Unit Development Zone a variety of housing types and land uses may be permitted in an orderly relationship to one another and to existing land uses, as well as with due regard to comprehensive planning within Augusta, Georgia.

- 19-1 Definition:** For the purpose of this section a Planned Unit Development is defined as a land development project comprehensively planned as an entity via a unitary site plan which permits flexibility in building siting, mixtures of housing types and land uses, usable open spaces, and the preservation of significant natural features. Other terms or words used in this section shall be as defined in Section 2, General Definitions, of this Ordinance.
- 19-2 Permitted Uses** within a PUD (Planned Unit Development) Zone shall be primarily residential in character, and may include the following:
- (a) Single-family detached dwellings.
  - (b) Single-family attached dwellings (townhouse, duplex, condominium or similar type).
  - (c) Multiple-family dwellings.
  - (d) Public or semipublic institutions (churches, schools, community or club facilities, and similar uses).

- (e) Recreational Facilities, including swimming pools, tennis courts, golf courses, and other recreational facilities intended for the primary use and enjoyment of the residents of the proposed development.
- (f) Common open space.
- (g) Accessory uses to those listed above.
- (h) Uses permitted within a B-1 (Neighborhood Business) Zone subject to the restrictions of that zone and provided that the uses proposed meet the following criteria:
  - (1) The location is appropriate in relation to other land uses on or adjacent to the proposed development.
  - (2) The proposed commercial or retail use is designed so that it will primarily serve the residents of the proposed development.
  - (3) The uses shall not, by reason of their construction, manner of operation, signs, lighting, parking arrangements, or other characteristics, have adverse effects on residential uses within or adjoining the proposed development, or create traffic congestion or hazards to vehicular or pedestrian traffic.

**19-3 Size of Tract:** The minimum size of any tract to be zoned and developed for a Planned Unit Development shall be five (5) acres and the tract shall have permanent paved access to a paved public road or a road to be paved and dedicated to the public.

**19-4 Area Limitations:**

- (a) Commercial Uses: A maximum of five (5) percent of the total area of the proposed development may be devoted to commercial use, provided it conforms with the criteria set forth in the B-1 (Neighborhood Business) Section of this Ordinance.
- (b) Residential Uses: A maximum of seventy-five percent (75%) of the remaining (noncommercial) area of the tract may be devoted to residential use. Residential use shall be deemed to include streets, alleys, parking areas, private open spaces and courts, and uses accessory to residential uses. It shall exclude portions of the tract devoted to usable open space, recreational, or institutional uses.
- (c) Open Space, Recreational, Public and Semipublic Institutional Uses: A minimum of twenty-five percent (25%) of the remaining (noncommercial) area of the tract shall be devoted to recreational and/or open space. Land in excess of the minimum requirement for recreational and/or open space may be devoted to public or semi-public institutional use. The area reserved for recreational and/or open space uses shall be held in common for the enjoyment of the residents of the development or dedicated to the Augusta Commission for the use and enjoyment of the general public.

**19-5 Lot and Building Size Requirements:**

- (a) Lot Size: There shall be no minimum lot size, no minimum side or rear setbacks, no minimum percentage of lot coverage, no minimum lot width, provided, however, that measures shall be taken to provide reasonable visual and acoustical privacy for dwelling units. Furthermore, every dwelling unit shall have access to a public or private street, common court or walkway, or other area dedicated to public or common use.

- (b) **Building Heights:** There shall be no maximum building height except in those areas that are located within the Airport Approach Zones or Airport Turning Zones established in Section 28 of this Ordinance.
- (c) **Building Length:** There shall be no continuous residential structure such as townhouses, attached dwellings, or multifamily dwellings containing more than eight (8) dwelling units.

**19-6 Density Requirements:** The maximum number of dwelling units per acre permitted in the residential areas of the Planned Unit Development Zone shall be twelve (12) units per acre. The total number of dwelling units to be permitted in a Planned Unit Development Zone shall be computed by subtracting the area to be used for roadways from the total residential acreage and multiplying the remainder times twelve (12). When it is determined that a greater density is consistent with planning principles by evaluating such factors as the density of development of the surrounding area, environmental considerations, and the road system serving the tract, a density greater than twelve (12) units per acre may be approved by the Planning Commission.

**19-7 Open Space Standards:** Common open space required by these regulations shall be developed in accordance with the following:

- (a) The amount of open space required by Section 19-4(c) of this Ordinance shall not include land area devoted to other uses including private yards, patios or decks, parking structures, open parking areas, driveways, or accessory structures, except recreational structures. Land devoted to institutional uses, such as churches or schools, may be included.
- (b) Common open space shall be used for amenity or recreational purposes. The uses proposed for the common open space must be appropriate to the scale and character of the Planned Unit Development, considering the size, density, expected population, topography, and the number and type of dwellings to be provided.
- (c) Common open space must be suitably improved for its intended uses, but common open space containing natural features, existing trees and ground cover worthy of preservation may be left unimproved.
- (d) The buildings, structures, and improvements proposed in the common areas shall be appropriate to the uses which are proposed for the common open space and shall conserve and enhance the amenities of the common open space.
- (e) The general statement of the proposed development staging required by the Subdivision Regulations for Augusta-Richmond County must provide for coordination of the improvement of the common open space with the construction of buildings and structures in the common open space and the construction of residential dwellings in the Planned Unit Development.
- (f) Legal instruments guaranteeing the permanent retention and maintenance of the common open space shall be prepared and recorded with the proper authorities.

Any development must comply with Section 3-B – Open Space/Recreation Area.

**19-8 General Development Requirements:**

- (a) Every Planned Unit Development shall be provided with a public water supply and public sewage disposal system. In no case shall individual wells be allowed as a method of water supply nor shall individual or community septic tanks be allowed as a method of sewage disposal.
- (b) Internal streets intended to be dedicated to the Augusta Commission shall conform with the requirements of Article IV of the Subdivision Regulations for the Augusta Commission. If private streets are proposed, the alignment and gradient shall be properly adapted to the topography, to safe movement of traffic, and to adequate control of surface water, ground water, and drainage. Private streets shall be surfaced with a pavement acceptable to the Department of Public Works and Engineering.
- (c) Off-street parking shall be provided for each individual land use in accordance with the requirements set forth in Section 4 of this Ordinance.
- (d) Where a Planned Unit Development abuts another residential district, a permanent open space at least twenty-five (25) feet wide, or greater if deemed necessary by the Augusta Planning and Development Department or Augusta Commission shall be provided along the property lines. The Planning Commission may require such open space along all property lines if it is deemed desirable. This open space area shall be left in its natural state or maintained with landscaping, and no driveway or off-street parking shall be permitted in such open space. This area may be included as part of the required open space.
- (e) At the discretion of the Planning Commission, the applicant requesting a rezoning to a PUD (Planned Unit Development) Zone may be required to provide such additional information as is deemed necessary to justify and support the type of development proposed. Such information shall be in addition to that required under Article V of the Subdivision Regulations for Augusta- Richmond County.

**19-9 Revision of Plans after Final Approval:** Any change in the approved development plan which affects the intent and character of the development, the density or land use pattern, the location or dimension of streets, or similar changes, shall be reviewed first by the Planning Commission and then by the Augusta Commission after receipt of the recommendation of the Planning Commission regarding the changes. A request for revision of the development plan shall be supported by a written statement of why the revisions are necessary or desirable.

**SECTION II.** That the Comprehensive Zoning Ordinance amend the language in Section 19 – PUD by adding the following in its entirety:

#### **SECTION 19**

#### **PUD (PLANNED UNIT DEVELOPMENT) ZONE**

#### **PURPOSE AND INTENT**

A Planned Unit Development (PUD) district allows projects that would not otherwise be permitted under this Ordinance because of the strict application of zoning district development standards or

general site standards. Generally, the PUD district is intended for sites where a developer proposes and the City of Augusta desires to achieve a particular mix of uses, appearance, land use compatibility and/or apply special sensitivity to the site and area character.

In return for greater flexibility in site design requirements, planned developments are expected to deliver innovative and exceptional quality community designs that preserve environmental, historic and cultural resources; incorporate creative design in the layout of buildings, open space and vehicular and pedestrian circulation; assure compatibility with surrounding land uses and area character; and, provide greater efficiency in the layout and provision of roads, and utilities and other infrastructure that would not otherwise be possible within a base zoning district.

A. The standards and procedures of this district are intended to encourage:

- 1) Efficient and economic uses of land;
- 2) Flexibility to meet the changing needs, economics, and consumer preferences of the community;
- 3) Greater freedom in providing a mix of land uses in the same development, including a mix of housing types, lot sizes, densities and nonresidential uses to encourage variety and to avoid monotony;
- 4) Development to take advantage of special site characteristics, locations and land uses to protect environmentally sensitive areas and to promote better design; and
- 5) Permit the combining and coordinating of land uses, building types, and building relationships with a planned development, which otherwise, would not be provided under a conventional zoning district;
- 6) Encourage the assembly of properties that might otherwise be developed in unrelated increments; and
- 7) Provide usable and suitably located recreational facilities, open spaces, and scenic areas which are either commonly owned.

#### **19-1 Permitted Uses**

- A. A Planned Unit Development (PUD) may contain any or all of the uses specified in the approved PUD Development Plan. A wide range of uses is possible in a PUD district, and the specific uses allowed may be different in each PUD district. All uses that are identified in an approved development plan shall be permitted. Any uses not identified in the development plan shall not be permitted. The Augusta Commission has the discretion to require that certain uses be classified as limited uses or special uses.
- B. Proposed uses should fit within the context of the surrounding uses or can be considered a compatible use with surrounding uses or uses proposed within the PUD district. If proposed use cannot be considered to be compatible with surrounding uses or uses proposed within PUD district, the Planned Unit Development may be rejected by either Planning Commission or the Augusta Commission.
- C. Mixed use developments are encouraged in designated PUD zoning districts with an emphasis on a mix of residential uses, recreational uses, and non-residential uses.

- D. A single residential use development or single non-residential development use is not permitted unless there are a minimum of three (3) different residential uses or a minimum of two (2) different types of non-residential uses, or a combination thereof.
- E. A Planned Unit Development designated area may amend the established uses through an amendment process.

#### **19-2 General Development Requirements**

- A. A Planned Unit Development is established by a rezoning of the property and the provisions of a Development Plan.
- B. The Development Plan establishes permitted, conditionally permitted and accessory uses; site plan, including the site area; street layout, including typical street sections; pedestrian facilities; open space areas; number of residential units by type; square footage of residential and non-residential units; preliminary landscaping plan, development regulations; architectural standards; phasing plan, if applicable; statement regarding consistency with the comprehensive plan and all other applicable plans; traffic study; other information necessary for the substantive and environmental review of the proposed project; and any other information deemed necessary by the Planning Director, or Deputy Director of Planning, or Development Services Manager or designee.
- C. All requirements of applicable ordinances should attempt to be met or exceeded by the Development Plan.
- D. Off-street parking shall be provided for each individual land use in accordance with the requirements set forth in Section 4-3 of this Ordinance. The applicant may be permitted to utilize spaces located within the designated distance as specified in Section 4-3 of the Ordinance.
- E. Signs for the advertisement of businesses on the parcel of single-family detached dwellings are prohibited.

#### **19-3 PUD Development Plan Requirements**

- A. The applicant shall submit a Planned Unit Development (PUD) District Development Plan for the total area within the proposed development. If the Planned Unit Development is developed in phases, each phase shall include the total size, composition and arrangement to the extent that the construction operation is feasible and independent of any subsequent phases. Final approval shall be given only to one phase at a time.
- B. The following site development characteristics shall be determined and set in the approved development plan:
  - I. Minimum lot area(s);
  - II. Minimum lot width(s);
  - III. Size(s) and location(s) of yard(s) and setback(s);
  - IV. Maximum impervious surface ratio for individual lots and the development as a whole;

- V. Minimum and/or maximum building density, including total number of residential units and non-residential square footage permitted, broken down by type;
  - VI. Maximum structure height(s);
  - VII. Open space shall be provided with all PUDs, and minimum open space shall be set by the development plan. For PUDs incorporating multi-family residential dwellings, a portion of the open space, complementary to the proposed design and lifestyle features of the proposed development, shall be reserved as common open space that shall be designated for the recreational or leisurely use by residents.
  - VIII. Internal traffic calming strategies;
  - IX. Location, size, and/or amount of bufferyard(s), screening, landscaping, and tree save areas;
  - X. Layout of lots, lot coverage, streets, and any other infrastructure, including bicycle and pedestrian facilities, serving the development, if applicable;
  - XI. Spacing and species of street trees to be installed;
  - XII. Development-specific architectural design criteria;
  - XIII. Location, size, and design of any permanent signage;
  - XIV. Location of and specifications for site access and internal traffic circulation; and
  - XV. Any other site-specific prescription(s) deemed necessary for the development of the site, as proposed.
- C. Roadway design and stormwater standards shall adhere to environmentally sensitive and aesthetically pleasing best management practices and development standards.
- D. A minimum of fifteen (15) percent of the usable project area shall be permanently allocated to open space.
- I. A portion of the required open space shall be centrally located within the development. Location and approximate size of the open space area shall be designated and approved by the planning commission as part of conceptual approval.
  - II. For developments under ten (10) acres, the open space requirement may be satisfied by an existing or proposed public park or trail network that is within 1,300 feet of the development boundary.
  - III. Stormwater infrastructure may not be counted toward the required open space, unless designed as part of a low-impact system that utilizes bio-swales and natural recharge areas.
  - IV. Utility easements may not be counted toward the required open space, unless utilized as part of a common trail network or other amenity.
- E. Specific architectural design criteria shall be adopted as part of the overall plan for the site.
- F. Maximum impervious cover for individual building lots shall be specified in the development plan, with stormwater infrastructure designed accordingly.
- G. The site development characteristics prescribed by the approved development plan associated with a Planned Unit Development, shall supplant any conflicting standards for

site development established in the Augusta-Richmond County Code of Ordinances. Any site development characteristics not prescribed in the approved plans for a planned unit development shall be subject to the minimum standards, if applicable, established in the Augusta-Richmond County Code of Ordinances.

- H. If a property within the PUD District is subdivided it must be bound to the requirements of the approved PUD.
- I. Home Occupations are allowed for residential uses in accordance with Section 8-3 of the Augusta Comprehensive Zoning Ordinance

#### **19-4 Planned Unit Development Application Review Procedures**

- A. Schedule to meet with the Development Review Committee (DRC) to discuss project details with development services staff and receive general feedback on potential conflicts related to the proposed development. (Optional)
- B. The pre-application conference is a required informal discussion of the general concept of the proposed development. The applicant is expected to provide a concept plan for the proposed development and receive feedback from staff prior to filing of the application.

The general concept plan must be provided along with the following information:

- I. Site Plan, approximately scaled 100 feet to 1 inch, and satisfies the general list of items included in the above section.
- II. Brief narrative or written statement describing the general design and architectural policies of the plan, time frame for a phased development, and any other information the developer believes may be useful to staff.
- III. Other relevant information required for rezoning approval.
- IV. Attend and participate at the Planning and Augusta Commission meetings for a final decision on the zoning request. (Required)
- V. If approved, project submittal of the PUD Site Plan package for departmental review. The Site Plan package shall contain the following information:
  - a) Background information listing owner's name, phone and address, developer's name, address and phone, other related information included on the Site Plan application
  - b) Engineered site plans
  - c) Grading plans
  - d) Appropriate fees
  - e) Traffic analysis (varies on development)
  - f) Other relevant information required by the Site Plan review

#### **19-5 Changes in Property Ownership**

Except as provided in this Section, approved PUD plans shall be binding on the owner or group and any successor in title.

#### **19-6 PUD Development Plan Revisions**



**A. Minor Modifications of Final Plan** – Minor changes in an approved PUD site plan may be handled administratively by the Planning Director on application by the applicant, upon making a finding that such changes:

- a) Do not increase density;
- b) Do not change the exterior boundaries or height;
- c) Do not increase the intensity of land use;
- d) Do not materially change the location or amount of land devoted to specific land uses;
- e) Do not significantly change the exterior appearance of the project.

Minor changes may include, but not be limited to minor shifting of buildings, proposed streets, public or private ways, utility easements, parks or other public open spaces, or other features of the plan.

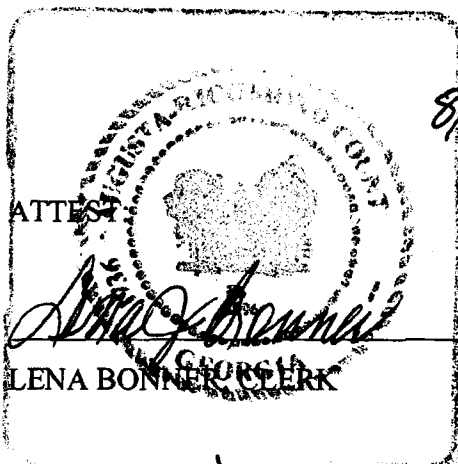
**B. 19-8 Major Modifications of Final Approval** – A proposed change not determined by the Planning Director or his/her designee to be minor shall be submitted as an amendment to the PUD and shall be processed in the same manner as the original PUD application for final development plan.

**SECTION III.** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Duly adopted by the Augusta-Richmond County Commission this 21<sup>st</sup> day of August, 2018.

*Handwritten signature*

AGM MAYOR, AUGUSTA COMMISSION  
AUGUSTA, GEORGIA



First Reading: August 21, 2018

Second Reading: WAIVED