

RABUN COUNTY OFFICIAL

ZONING ORDINANCE AND SUBDIVISION

REGULATIONS

2007

AMENDMENT

WHEREAS, the Rabun County Board of Commissioners originally adopted a comprehensive Zoning and Subdivision Regulations Ordinance on March 4, 1974; and

WHEREAS, the Rabun County Board of Commissioners have periodically amended said Zoning and Subdivision Regulation Ordinance; and

WHEREAS, the Rabun County Board of Commissioners has charged a "Highway 441 Study Committee" with the task of studying the effects of development along the U.S. 441 corridor in Rabun County; and

WHEREAS, the "Highway 441 Study Committee" has conducted meetings over a four month period during which they have considered such issues as growth, safety, tourism and future living conditions; and

WHEREAS, the "Highway 441 Study Committee" has recommended that the Rabun County Board of Commissioners address several areas in its zoning regulations; and

WHEREAS, the Rabun County Board of Commissioners wishes to amend said Ordinance for the purpose of addressing the recommendations of the "Highway 441 Study Committee".

NOW THEREFORE, the 2007 Rabun County Official Zoning Ordinance and Subdivision Regulations are hereby amended as follows:

*The following regulations shall apply to all real property or portions thereof lying within 500 feet of either the East or West side of U.S. 441 and located within the unincorporated areas of Rabun County, Georgia. The following regulations shall apply to all said properties regardless of zoning classification.*

**1. Vehicular Access to U.S. 441**

- I. All access to U.S. 441 in the form of curb cuts, ingress/egress easements,

deceleration lanes, etc. shall be governed by the Georgia Department of Transportation. Rabun County encourages, but does not require, commercial and/or non-commercial automobile access to U.S. 441 to be shared by adjoining landowners where practical.

**2. Building Design of Large Buildings**

- I. All buildings constructed within the above-described area and having exterior walls of 100 feet or greater in length which are blank and have no architectural nor aesthetic features on said walls must be intermittently screened at no less than 35 foot intervals for spans of ten feet or more with ornamental plants, trees or shrubs of no less than 5 feet in height.
- II. All buildings constructed within the above-described area and having exterior walls or facades of 200 feet or greater in length and which are visible to the passing public on U.S. 441 must contain at least two of the following features:
  - A. Facade or wall modulation (i.e. stepping back or extending forward a portion of the wall or facade)
  - B. Bay windows or a repeating window pattern at regular intervals
  - C. Porch, patio, deck or covered entry portions of a facade or wall at ground level, or balconies in the case of multiple story buildings
  - D. Changing the roofline by alternating dormers, stepped roofs, gables or other roof elements
  - E. Changing building materials with the change in the building plane

**3. Roof Lines/Rooftop Mechanical Equipment**

- I. Rabun County encourages, but does not require, all commercial and/or non-commercial buildings within the above-described areas adjacent to U.S. 441, irrespective of size, to have varied roof planes and/or awnings.
- II. On all buildings, regardless of size, situated in the above-described areas, all rooftop mechanical and/or electrical equipment shall be screened from public view by building elements that are designed as an integral part of the building, or by a parapet wall.

**4. Waste Bin Enclosures & Recycling Collection**

- I. All receptacles for waste material, trash or recycling materials shall be screened from public view by an enclosure constructed of sturdy, durable and opaque material and shall be situated so as to be accessible, adequate and convenient for collecting and loading any such materials. Said enclosures shall provide adequate space for pallets, skids, cartons, etc. and no overflow of waste material, trash or recycling materials shall be allowed in public view.

**5. Tree Planting**

- I. This subsection shall apply only Commercial, Industrial, Highway Business and R-3 zoned properties within the above-described areas adjacent to U.S. 441.
- II. All properties subject to this subsection shall have a minimum of one tree planted for every ten parking spaces located thereon. Said trees shall be planted no closer than 25 feet from each other and shall be planted within the perimeter of the parking lot area.
- III. There shall be a minimum of 100 square feet (10 feet by 10 feet) of non-paved landscaped area per planted tree and no less than 10% of the total parking lot area shall be devoted to landscaped open space.
- IV. Linear planting strips between bays are required for parking lots of 100 or more parking spaces. Said planting strips must be elevated at least 5 inches above the parking surface and graded to provide positive drainage. Said planting strips shall consist of suitable planting soil and shall be mulched with no less than 3 inches of organic mulching material which covers the entire planting strip.
- V. There shall be a minimum of 3 feet of separation between any vehicle overhang and the planted tree. Said separation shall be accomplished by wheel stops where curbing is not used.
- VI. Plants and trees must be kept in a healthy condition and all dead or unhealthy plants and trees must be replaced within one growing season.
- VII. Trees and plant material referred to herein must be nursery grown and comply with ANSI standards. Trees must be of no less than 2 inches in diameter at the base and be of a species capable of attaining a mature height of 50 feet or more.

Placed on First Reading at Regular Meeting on the 26<sup>th</sup> day of August, 2008.

Placed on Final Hearing and Adopted on the 23<sup>rd</sup> day of September, 2008.

Rabun County Board of Commissioners:

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Pat Marcellino, Chairman

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Virgil Kilby

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Pete Cleaveland

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Mary Elizabeth Law

\_\_\_\_\_  
Max Watts

Attest: \_\_\_\_\_  
Debra J. Westberg  
Clerk, Rabun County Board  
of Commissioners