

Sec. 9-11-1. - Purpose.

The purpose of this district is to provide for a variety of uses such as office or manufacturing in an aesthetic environment and having a minimal impact on surrounding uses.

(Ord. of 12-5-2000, § 1)

Sec. 9-11-2. - Permitted uses.

The following uses and their accessory uses are permitted as follows in these districts:

Zoning Categories	E-O Employment Office	E-I Employment Industrial	I Industrial
<i>Residential Categories</i>			
Agriculture	L(4)	L(4)	L(4)
Single Family Dwellings	L(3)	N	N
Accessory Dwelling Units	L(7)	N	N
Dwellings Above Businesses	N	N	N
Duplexes	P, L(3)	N	N
Personal care homes	N	N	N
Multifamily Dwellings	L(3)	N	N
Class "A" Manufactured Homes	L(3)	N	N
Class "B" Manufactured Homes	N	N	N
Boarding House or Rooming House	N	N	N
Dormitory	N	N	N
Halfway House	N	N	N
Community Garden	P	P	P
<i>Commercial Categories</i>			
Home Occupation	N	N	N
Sale of products grown on site	N	N	N
Hostels	N	N	N
Hotels	P	P	N
Motels	P	P	N
Bed and Breakfast	P	P	N
Retail Sales And Service	L(1)	L(1)	L(1)
Convenience Store	P	P	S

Theaters (less than 1,000 seats)	N	N	N
Restaurant or Bar	L(1)	L(1)	L(1)
Drive-Through Facility	P	P	P
Professional Services and Office	P	P	P
Quick Vehicle Servicing	P	P	P
Vehicle Repair	P	P	P
Auto and RV Sales	P, L(5)	P, L(5)	P, L(5)
Laundry Facilities	P	P	P
Equestrian Facilities	N	N	N
Commercial Outdoor Recreation	N	P, L(6)	P, L(6)
Indoor Recreation	P	P	N
Major Event Entertainment	S	N	N
Commercial Parking Structures or Lots	P	P	P
Administrative or Research Facilities	P	P	P
Broadcasting or production Studios	P	P	P
Temporary Uses	P	P	P
Temporary Special Event	N	P, L(8)	P, L(8)
<i>Industrial Categories</i>			
Printing/Publishing	L(2)	L(2)	P
Bakeries	L(2)	L(2)	P
Bottling Plants	P	P	P
Manufacture of Non-Odiferous Foods	N	L(2)	P
Food Processing	N	L(2)	P
Light Manufacturing	N	P	P
Heavy Manufacturing	N	N	P
Wholesale Sales	P	P	P
Wholesale Nurseries	P	P	P
Distribution Center	S	P	P
Outdoor Storage	N	P	P
Wholesale Storage & Distribution	N	L(2)	P
Self-Service Storage	P	P	P
Construction Materials Sales	N	P	P

Kennels	S	S	P
Veterinary Clinics	P	P	P
Feed Lots or Slaughterhouses	N	N	S
Junk Yards and Auto Wrecking	N	N	S
Transfer Stations	N	N	P
Sanitary Landfills, Landfills, Commercial Incinerators	N	N	S
Science Research and Development	P	P	P
Asphalt Plants	N	N	S
Mines, mining, surface mining, quarries, gravel pits, sand pits	N	N	S
<i>Institutional Categories</i>			
Basic Utilities	P	P	P
Community Service	P	P	P
Parks And Open Areas	P	P	P
Churches	P	P	P
Business/Trade Schools	P	P	P
Day Care, Kindergarten, Elementary, Middle, and High Schools	S	S	S
Colleges	P	P	P
Hospital	P	P	S
Nursing Homes	S	N	N
Medical Centers	P	P	N
Cemeteries	P	P	N
Mortuaries	P	P	N
Fraternities or Sororities	N	N	N
Semi-Public Halls, Clubs or Lodges	N	N	N
Drug Rehabilitation Center or Other Facility for Treatment of Drug Dependency	P	P	P

Legend:

P = Permitted outright.

S = Subject to approval under the special use procedures section.

N = Prohibited use.

L(1) = Uses are limited to no more than 10,000 square feet of gross floor area per lot. Shopping centers are not permitted.

L(2) = When within 200 feet of a residential zone, approval of this use is subject to a special use process.

L(3) = Total residential square footage shall not exceed 20 percent of the total square footage of the development. Site design criteria, pursuant to chapter 9-25 included herein, shall apply to residential uses.

L(4) = Agriculture and the keeping of livestock, except swine, is permitted provided that:

1. No livestock shall be kept on any lot less than one acre in area.
2. No more than two head of livestock over the age of six months may be maintained per acre.
3. Barns, stables, and other buildings and structures to house said livestock shall not be located closer than 50 feet to any property line.
4. The property has not previously been developed with a use permitted by an underlying zoning classification other than AR.

L(5) = Parking areas are permitted between the building and the street, provided that landscaping is included adjacent to the street pursuant to sections 9-11-6(D) and 9-30-9(E)(6).

L(6) = Commercial Outdoor Recreation uses that involve overnight accommodations, such as camping and RV parks, are subject to the special use process.

L(7) = A maximum of one detached residential unit, designed for and occupied by one family only. The structure must be accessory and subordinate to a single-family dwelling and located on a tract of land that is at least twice the minimum lot size for the district in which it is located, and conforms to the standards outlined in this title. The accessory dwelling structure must: (1) be located entirely in the rear yard of the principal residential structure; (2) have gross square footage that is 50% or less of the habitable square footage of the principal residential structure; and (3) have fewer bedrooms than the principal residential structure.

L(8) = Temporary special events, as defined in section 9-2-1, are subject to, but not limited to, the following conditions:

1. The boundary of the temporary special event, as described on the approved site plan, shall not be located within 300 feet of any RS (Single-Family Residential) zone or RM (Mixed Density Residential) zone.

2. A temporary special event shall have a duration of not more than 72 consecutive hours, including setup and breakdown of the event.
3. No more than two temporary special events may occur for any one property in each calendar year; a temporary special event shall not occur more frequently than once in a three-month period on the subject property.
4. Sufficient improved or unimproved off-street parking, to be approved by the Planning Director, with access to be approved by the Department of Transportation and Public Works, shall be provided.
5. All temporary special events shall apply for and obtain, if required, an Athens-Clarke County Special Events Permit per Chapter 6-5 and shall comply with all applicable local, state, and federal regulations.

(Ord. of 12-5-2000, § 1; Ord. of 5-7-2002, § 2; Ord. of 8-5-2003, § 1; Ord. of 2-3-2004, § 1; Ord. of 8-1-2006, § 9; Ord. of 8-1-2006, § 2; Ord. of 6-3-208, § 1; Ord. of 2-3-2009, § 4; Ord. of 4-5-2011, § 7; Ord. of 12-4-2012, § 9; Ord. of 2-4-2014, § 7; Ord. of 12-12-2022(5), § 1)

Sec. 9-11-3. - Special uses.

The following uses and their accessory uses are permitted when authorized in accordance with the chapter on special use permits:

- A. Shopping centers or department stores on parcels not located on an arterial street as designated in Athens-Clarke County's Comprehensive Plan.
- B. Any use in an E-O zone which involves outside storage of merchandise, raw materials, or other material associated with the primary use on the site.
- C. There shall be no manufacturing, retailing, or other activity on the site which is not entirely conducted within a building, except in the I zone, and except as specifically permitted through the Special Use process.

(Ord. of 12-5-2000, § 1)

Sec. 9-11-4. - General regulations.

Table <u>9-11-4</u>	E-O Employment Office	E-I Employment Industrial	I Industrial
Minimum lot area	2,500 sq. ft.	2,500 sq. ft.	5,000 sq. ft.
Minimum lot width ²	50 ft.	50 ft.	50 ft.
Minimum lot depth	50 ft.	50 ft.	50 ft.
Minimum front yard ¹	10 ft.	10 ft.	10 ft.
Minimum side yard	None	None	6 feet

Minimum side or rear yard adjacent to street	10 ft.	10 ft.	10 ft.
Minimum side or rear yard when abutting residential zone	10 feet, plus one foot for each foot of building height above 30 feet.	10 feet, plus one foot for each foot of building height above 30 feet.	10 feet, plus one foot for each foot of building height above 30 feet.
Maximum FAR	0.75	0.75	0.75
Maximum lot coverage, except agricultural buildings	75%	85%	95%
Minimum landscaped area	25%	15%	5%
Maximum building height	65 feet	65 feet	100 feet

¹ Unless otherwise specified in section 9-15-9.

² Except for lots entirely fronting turnaround areas of cul-de-sacs, the lot width shall be measured beginning at the front lot line and maintained for the entire minimum lot depth. For lots entirely fronting turnaround areas of cul-de-sacs, the lot width shall be measured beginning at the minimum required front setback line and maintained for the remaining portion of the minimum lot depth.

(Ord. of 12-5-2000, § 1; Ord. of 11-6-2001, § 2; Ord. of 6-3-2008; § 1; Ord. of 12-7-2010, § 7)

Sec. 9-11-5. - E-I (Employment-Industrial) and I (Industrial) performance standards for industrial category uses.

A. Industrial uses. Performance standards for uses in the E-I (Employment-Industrial) and the I (Industrial) zones are designed to accomplish the intent of these districts. That intent protects both the community and proposed uses from abuse and negative impacts, while encouraging appropriate development to occur. To that end, industrial uses in the E-I (Employment-Industrial) and the I (Industrial) zones are determined to be permitted through several thresholds. Three threshold levels exist that will be reviewed either as a site review or special use permit. Level I uses are those that do not exceed specified criteria and do not require governmental funded infrastructure improvements; these are reviewed as site reviews. Level II uses are those that have exceeded the minimum thresholds for Level I or require governmental funding of infrastructure improvements; this is a site review decision. Level III uses are those that are specifically listed within this section or uses that exceed Level II requirements, and will be reviewed as a special use permit. Uses which exceed any of the thresholds are not automatically prohibited, but instead require additional review by the assigned decision-maker, according to level.

1.

Level I. All uses are permitted, provided that they do not exceed the following criteria, do not require governmental funded infrastructure improvements and are not defined in Level III.

- a. *Water.* If the following threshold is exceeded, the use shall be reviewed as a Level II:
 - (1) Peak demand total of 200 GPM (gallons per minute); or
 - (2) 250,000 GPD (gallons per day).(The above figures are not to be used for fire protection flow rates.)
- b. *Wastewater.* If any of the following thresholds are exceeded, the use shall be reviewed as a Level II:
 - (1) Site specific allocations; or
 - (2) Per requirements of the Unified Government of Athens-Clarke County Sewer Use Ordinance; or
 - (3) Demand exceeding 100,000 GPD (gallons per day).
- c. *Vibration (ground or air transmitted).* If the following standards are exceeded, the proposed use(s), within this category, must be reviewed as Level II:
 - (1) Adjacent to nonresidential properties:

Frequency
Peak Particle Velocity
>40 hz
 $\frac{3}{4}$ " per sec.*
>40 hz
2" per sec.*
*Measured at the property line
 - (2) Adjacent to residential properties: Peak particle velocity 0.25" per second or 115 dbi (decibel peak linear), measured outside at ground level at closest residential structure.
It is the intent of this section to regulate ground or air vibration in such a manner as to prohibit structural damage to adjacent uses.
- d. *Fire and explosion.* Per requirements of current local and state fire regulations.
- e. *Traffic.* If the following are exceeded, the proposed use, within this category, must be reviewed as Level II:
 - (1) Site allocation, as denoted on the traffic volume inventory located in the Athens-Clarke County Planning Department. All allocations are based on roadway capacity at level of service "D" for the road or street; or, lacking any site specific information, the following standards will be used:
 - (2) 100 peak hour trip ends; or

- (3) Truck traffic comprising more than five percent of the site generated average weekday trip ends.

Traffic generation rates will be based on the *Institute of Traffic Engineers Trip Generation Manual* (current edition).

- f. *Solid waste generation.* Site specific criteria or 2,000 pounds per day of solid waste transported to landfill(s) under management of Athens-Clarke County.
- g. *Odor.* No use shall be operated so as to produce the emission of objectionable or offensive odors in such concentration as to be readily perceptible at any point along the lot line of the property on which the use is located. It is the intent of this section to regulate odor in a manner to prohibit it from exceeding levels that would become a nuisance or hazard to adjacent property.
- h. *Noise.* Noise levels shall comply with the following:

Noise Levels (dB) Measured at Property Line		
	Adjacent to Residential Property Line	Adjacent to Nonresidential Property Line
7:00 a.m.—10:00 p.m.	70	80
10:00 p.m.—7:00 a.m.	55	80

Noise levels are measured as constant, consistent sounds and not intermittent noise. All measurements shall be taken at property lines. It is the intent of this section to regulate noise in a manner to prohibit it from exceeding levels of sound that could become a nuisance or hazard to adjacent property.

- i. *Glare.* Glare or light from any operation and all lighting for parking areas or for the external illumination of buildings or grounds shall be directed or located in a manner such that direct or indirect illumination from the source of light shall not exceed one-half foot-candle measured at any residential lot line. Outside lights for nonresidential properties/uses must be made up of a light source and reflector so that acting together the light beam is controlled and not directed across an adjacent property. It is the intent of this section to prevent light from spilling over to adjacent properties in amounts that can create negative impacts.

- j. *Stormwater.* Regulated by Athens Clarke County stormwater management policies.
- 2. *Level II.* All uses, except those outlined in Level III, that exceed one of the locally specified criteria (water, wastewater, vibration, fire and explosion, traffic, solid waste, odor, noise, glare and stormwater) or that require locally funded infrastructure improvements. The decision as to whether it is an allowable use will be based on one of the following:
 - a. Review by staff to determine if proposed use is within capacity ranges and does not necessitate additional governmental expenditure or use reserve capacity; or
 - b. Reviewed by staff and does exceed capacities or use reserves and is forwarded to government officials for decision and an agreed upon financing plan between the government and the potential industry.
- 3. *Level III.*
 - a. *Uses.* Uses in Level III will be those uses not covered by Levels I and II plus those principle uses listed below:
 - (1) Airports and landing fields;
 - (2) Reserved;
 - (3) Reserved;
 - (4) Explosives, including fire works manufacture or storage in bulk quantities;
 - (5) Garbage, offal, dead animal reduction or dumping;
 - (6) Reserved;
 - (7) Reserved;
 - (8) Reserved;
 - (9) Stock yards, commercial;
 - (10) Conversion of energy by nuclear fusion or fission;
 - (11) Reserved.

The aforementioned uses shall only be permitted by review through the special use procedure in chapter 9-20.

(Ord. of 12-5-2000, § 1; Ord. of 9-4-2001, § 2; Ord. of 8-1-2006, § 10)

Sec. 9-11-6. - E-I (Employment-Industrial) and I (Industrial) design standards.

- A. All outside storage must be completely screened from view from adjacent properties and the street(s).
- B. Loading docks must be located to the side or rear of the building unless the loading area is completely screened from the street.
- C. Site must be designed to permit on-site maneuvering of all vehicles (no backing in from street).

- D. Front yard landscaping. A minimum of 25 percent of the designated front yard set back shall be landscaped with a combination of trees, shrubs, and ground cover. The remainder of the front yard set back shall be vegetated, which may be grass or other ground cover.
- E. Riparian buffers for the I (Industrial) zone. Developments in the I (Industrial) zone must observe a minimum buffer of 150 feet (measured horizontally from uppermost part of the river, stream or lake bank usually marked by a break in slope) from all perennial rivers, lakes, and streams identified on the Athens-Clarke County Environmental Areas Map. Buffers are to be maintained in accordance with section 8-6-8, "Land Disturbing Activity Standards for Riparian Buffer Areas," of the Code of Athens-Clarke County, Georgia.

(Ord. of 12-5-2000, § 1; Ord. of 9-4-2001, § 3)