

COMPREHENSIVE ZONING ORDINANCE

OF

AUGUSTA, GEORGIA

Editorial revision of the Ordinance adopted March 25, 1963, incorporating changes made necessary by the Home Rule Provision of the Constitution of the State of Georgia of 1983, and the consolidation of the City of Augusta and Richmond County, and other amendments between November 15, 1983 and January 3, 2006 and September 7, 2011

Amended November 2019
Amended August 2018
Amended March 2018
Amended February 2018
Amended December 2017
Amended August 2017
Amended June 2017
March 2017
Amended January 2017
Amended July 2016
Amended March 2016
Amended October 2015
Amended August 2015
Amended July 2015
Amended June 2015
Amended January 2015
Amended November 2014
Amended May 2014
Amended September 2013

AN ORDINANCE BY THE AUGUSTA COMMISSION TO ADOPT A COMPREHENSIVE ZONING PLAN, MAPS AND LAND USE REGULATIONS; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES:

WHEREAS, the Augusta Commission, was authorized by the Home Rule Provision of the Constitution of the State of Georgia of 1983 to: Establish planning commissions; provide for the preparation and amendment of overall plans for the orderly growth and development of municipalities and counties; provide for the regulation of structures on mapped streets, public building sites, and public open spaces; repeal conflicting laws; and for other purposes; and

WHEREAS, the Augusta, Georgia Planning Commission, created and organized under the terms of the aforementioned Home Rule Provision, has made a study and analysis of the areas of Augusta, Georgia and the said study and analysis now are complete and a Comprehensive Zoning Plan consisting of the maps and regulations described herein for the purposes described in the title of this Ordinance are now ready for adoption; and

WHEREAS, the Commission has held a public hearing on the proposed Comprehensive Zoning Plan after giving more than fifteen (15) days notice of the time and place of such hearing by publication in the Augusta Chronicle as provided by the official code of Georgia.

THEREFORE, BE IT ORDAINED by Augusta Commission as follows:

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RESIDENTIAL DISTRICT CLASSIFICATIONS

SECTION 17

R-3B (MULTIPLE-FAMILY RESIDENTIAL) ZONE

17-1 Permitted Uses:

- (a) Any use permitted in the R-3A (Multiple-family Residential) Zone subject to the restrictions and regulations of the R-3A Zone;
- (b) *Single-family attached dwellings and condominiums developed in accordance with Section 13 of this Ordinance, provided that the density of dwellings shall not exceed the regulations set forth in Section 17-5 (a) of this Ordinance.*
- (c) Deleted – See Special Exception
- (d) Family and group personal care homes.
- (e) Fraternity or sorority house.

17-2 **Special Exception:** The following may be permitted in the R-3B Zone by Special Exception:

- (a) Public parking areas, when located and developed as in Section 4 and where the area adjoins a use other than provided for in the R-1 Zone, provided such transitional use does not extend more than one hundred (100) feet from the boundary of the less restricted zone.
- (b) Lodging or boarding home - subject to performance standards established in Section 26-1 (u)

17-3 DELETED.

17-4 **Height:** Maximum height shall not exceed four (4) stories or seventy-five (75) feet, except that the height may be increased as provided for in Section 29 of this Ordinance.

17-5 **Area:**

- (a) Lot area per dwelling unit: The minimum lot area per dwelling unit shall be two thousand five hundred (2,500) square feet in an R-3B Zone.
- (b) Tract Area: The tract area provisions of the R-3A (Multiple-family Residential) Zone shall apply to the R-3B Zone.

17-6 **Lot Coverage:** The lot coverage provisions of the R-3A (Multiple-family Residential) Zone shall apply to the R-3B Zone.

17-7 **Setbacks:**

- (a) Front Setbacks: The front yard setback provisions of the R-3A Zone shall apply to the R-3B Zone.
- (b) Side Setbacks: The side yard setback provisions of the R-3A Zone shall apply to the R-3B Zone.
- (c) Rear Setbacks: The rear yard setback provisions of the R-3A Zone shall apply to the R-3B Zone.

BUSINESS DISTRICT CLASSIFICATIONS

SECTION 22

B-2 (GENERAL BUSINESS) ZONE

22-1 Permitted Uses:

- (a) Any use permitted in the B-1 (Neighborhood Business) Zone subject to the restrictions and regulations of the B-1 Zone.
- (b) The following uses are authorized in a B-2 (General Business) Zone:
 - (1) Stores and shops for the conducting of any retail business.
 - (2) Cafes, restaurants, taverns and drinking establishments (nightclubs)
 - (3) Theaters, billiard or pool parlors, bowling alleys, skating rinks, or similar recreational uses or places of assembly, and establishments having less than three (3) video or electronic games or amusements on site in conjunction with another permitted use other than a use or place specialized in or characterized as being a video or electronic game room, arcade, or similarly-defined establishment except where the property line of the other permitted use lies within fifteen hundred (1,500) feet of the property line of any public or private educational institution having all or some combination of grades kindergarten through twelfth.
 - (4) Telephone offices and call centers.
 - (5) Baking, confectionery, dressmaking, dyeing, laundry, printing, tailoring, upholstering, and similar establishments, and businesses of a similar and no more objectionable character; subject to the following provisions: All goods or products manufactured or processed shall be sold on the premises. All such manufacturing and processing shall be done on the premises.
 - (6) Golf Driving ranges subject to the following:
 - (a) That the minimum size of a tract to be used as a golf driving range be ten (10) acres,
 - (b) That a one-hundred (100) foot buffer area be required between surrounding properties and the golf driving range operation.
 - (7) Public parking garages, automobile parking lots and automobile sales lots.
 - (8) Flea Markets: Goods may be displayed outside buildings during daily business operations, but goods must be stored inside buildings when daily business operations cease. Buildings utilized in conjunction with flea markets must conform to all appropriate codes. Prospective flea market license applicants must also conform with Section 3 of Augusta, Georgia Ordinance Number 84-4.
 - (9) Mini-warehouses / Self-Service-Storage Facilities subject to the following:
 - (a) Lot size: Minimum lot size is two acres.
 - (b) Lot coverage: Lot coverage of all structures, including parking, shall be limited to seventy percent (70%) of the total area. The remaining 30% of the property shall be in tree canopy pursuant to the Augusta Tree Ordinance.
 - (c) Ingress / Egress: Vehicular ingress-egress shall be limited to one (1) access point for all non-emergency vehicles, sufficient in width

for unobstructed movement of large trucks and Fire Department vehicles, for each adjoining public street. If only one adjoining street is available adjacent to the site, a second entrance must be provided for emergency vehicles. Vehicular ingress-egress shall be sufficient for unobstructed movement of all emergency vehicles as required by the Augusta Fire Department.

- (d) Storage: All storage must be contained within a fully-enclosed building; however the storage of boats, recreation vehicles, or other similar vehicles may be allowed if all such vehicles are deemed “road ready” (tagged and operational) and are covered and completely screened from view of any adjoining residential lots.
- (e) Storage only: No individual rental storage unit shall be used for any purpose other than storage.

(1) Refrigerated units shall be allowed, but the total number of refrigerated units may not exceed 10% of the total number of units within the overall Mini-Warehouse / Self-Service-Storage Facility

(f) Allowable uses include:

- (1) Mini-Warehouses / Self-Service-Storage Facilities whether direct-access or internal access through a doorway and common hallway
- (2) Indoor multi-story Mini-Warehouses / Self-Service-Storage Facilities (aka “Vertical Self Storage”) – accessed through an office or secured doors; elevators must be provided and building height is limited to:

2-1/2 stories or 45 feet adjacent to A, all R-1 zones, R-MH, R-2, R-3A and PUD zones

3 stories or 55 feet adjacent to P-1 or B-1 zones

4 stories or 75 feet adjacent to R-3B, R-3C, B-2, LI or HI zones

Mini-Warehouse / Self-Service Storage Facilities over the height requirements listed above must be approved by Special Exception pursuant to Section 22-2-(g).

A minimum of 4, 10’ x 30’ foot, loading / unloading zones must be provided adjacent to, or as close as possible to, each elevator.

Indoor multi-story Mini-Warehouses / Self-Service-Storage Facilities (also referred to as “Vertical Self Storage”) adjacent to residential uses in all R zones may contain brick, stucco, glass and other similar design elements in order to reduce the

negative aesthetic impact of long, large expansive wall surfaces. All building side and rear facades must match the front façade in usage of design elements. The variation in wall surfaces can be accomplished either by physical offsets or by the use of color, pattern, or texture, but in no case shall metal comprise more than 25% of the building material list on the face of the building. Metal roofs may be utilized, but in no case shall mechanical units, satellite dishes or other similar equipment be visible, and this type of equipment shall be screened from public view by the extension of a parapet wall or other roof mounted screening feature having the same design features as the building including material, shape and color considerations.

(3) Climate controlled Mini-Warehouses or Self-Service-Storage facilities; one story or multiple stories

- (g) Mini-Warehouse or Self-Service-Storage units containing loading docks may be made available for box trucks or smaller trucks, but in no case shall units with loading docks be made available for larger trucks such as 18-wheelers.
- (h) Limited accommodations for overnight managerial or security staff are allowed, if accommodated inside the main office building. Overnight accommodations in a storage unit are strictly prohibited.
- (i) Security: All such Mini-Warehouses and Self-Service Storage facilities must be fenced and gated with adequate lighting to allow 24-hour access to all rented or leased spaces. Security cameras must be installed at all security gates and building accesses.
- (j) Bufferyards and screening: Mini-Warehouses / Self-Service Storage Facilities shall meet the 10' side bufferyard requirement and the 20' rear bufferyard requirement against all R (Residential) zones - one-family, two-family and multi-family - with fence and planting requirements as found in the Augusta Tree Ordinance; otherwise a side and rear bufferyard shall not be required.
- (k) All Mini-Warehouse / Self-Service-Storage Facilities are required to meet the American with Disabilities Act (ADA) regulations passed in 2010, unless the property already meets the original ADA standards written in 1991. Any renovation of an existing Mini-Warehouse / Self-Service-Storage Facility or development of new facilities must be designed to meet the 2010 ADA regulations. Specifically:
 - 1. Five percent (5%) of the first 200 units must be wheelchair accessible. Two percent (2%) of the remaining units must also be wheelchair accessible. These wheelchair accessible units should be dispersed among the different types of units that the

Mini-Warehouse / Self-Service-Storage Facility provides. However, Mini-Warehouse / Self-Service-Storage Facilities in existence on March 15, 2012 are not required to add additional wheelchair accessible units to have one in each type.

- (10) Travel Trailer Parks subject to restrictions in Section 28-E
- (11) Business Parks, mixed use facilities where fifty (50) percent or more of the gross leasable area of buildings is designed for and occupied by commercial, retail, or service tenants, and the remainder is occupied by wholesale, storage, or warehouse facilities. Adequate parking pursuant to Section 4 of this Ordinance must be provided prior to the issuing of a certificate of occupancy. No materials, machinery, equipment or products may be stored outside of buildings in a business park. No loading doors shall be visible from a public road or from any R-1 (One-family Residential) Zone. All delivery vehicles must be parked in the designated loading areas.
- (12) Video electronic game rooms or arcades. Prospective applicants for licenses to operate electronic game rooms or arcades must conform with Section 6-6-45 of the Augusta, Georgia Code.
- (13) Automobile service stations and automobile repair garages where no body or fender repairs take place, provided that:
 - (a) All repair work and vehicle storage shall be conducted within an area enclosed on all sides by a solid wall or finished board fence not less than six (6) feet in height and maintained in good condition at all times;
 - (b) No dismantling of vehicles to obtain auto parts or other such activity shall be conducted;
 - (c) Such use shall be located at least one hundred (100) feet from any residential district or use;
 - (d) There shall be no opening in said building on any side facing a residential district or use other than a stationary window; and
 - (e) Nonconforming automobile repair garages and automobile service stations shall be made to conform with Subsections (a) & (b) of Section 22-1 (13) of this Ordinance.
- (14) Gun Shops
- (15) Pawn Shops
- (16) Funeral Homes
- (17) Car Wash
- (18) Hotel - subject to the following restrictions and regulations:
 - (a) There shall be no direct vehicular access to any guest room;
 - (b) There shall be staff or management on duty 24 hours per day seven days per week;
 - (c) Each guest room shall have a minimum of 280 square feet;
 - (d) No business license shall be issued for any business operated from any guest room; and
 - (e) No more than half of the total number of guest rooms shall have kitchenettes or any kitchen facilities.
- (19) Liquor stores.
- (20) Convenience stores.

- (21) Fence, walls: A fence, latticework screen, or wall in a required front, side or rear yard shall not exceed six (6) feet in height. Any fence, wall or landscape feature located at the corner of intersecting streets described in Section 3-6 of this Ordinance shall be subject to additional restrictions discussed in that subsection.
- (22) Crematoriums– subject to the following restrictions and regulations.
 - (a) Cremation facilities are allowed as an accessory use wherein the funeral home is identified as the primary use.
 - (b) Accessory cremation facilities shall be located at least two hundred (200) feet from contiguous properties zoned or developed for residential use.
 - (c) Cremation facilities that are considered “stand-alone” shall be located at least two thousand five hundred (2,500) feet from contiguous properties zoned or developed for residential use.
 - (d) Cremation facilities shall be consistent with all applicable state permit and licensing requirements.
 - (e) No crematory incinerator shall have a discharge of smoke that exceeds ten percent (10%) ambient air.
 - (f) The owner/operator shall record the hours of operation and total daily cremation rate for the facility:
 - i. No cremation activity on Monday – Friday between the hours of 5 PM - 9 PM and during the weekend, 4 PM - 9 PM. Such activity shall not include the cooling down period of the furnace which may take 1 to 2 hours.
 - ii. Each human crematory operation shall record the daily cremation rate in bodies per day.
 - iii. Each animal crematory operation shall record the daily cremation rate in pounds per day.
 - (g) Cremation facilities shall be consistent with all applicable state permit and licensing requirements.
 - (h) Records of the daily cremation rate and the facility’s hours of operation shall be maintained on site in written or electronic logs.

22-2 Special Exceptions: The following may be permitted in a B-2 Zone by Special Exception:

- (a) Automobile body and fender repair provided that:
 - (1) All repair work and vehicle storage shall be conducted within an area enclosed on all sides by a solid wall or finished board fence not less than six (6) feet in height; and
 - (2) No dismantling of vehicles to obtain auto parts or other such activity shall be conducted; and
 - (3) Such use shall be located at least one hundred (100) feet from any residential district or use.
- (b) DELETED.
- (c) Collection of materials for recycling subject to the following restrictions:

- (1) No volume reduction or physical or chemical alteration of collected materials may be conducted; and
- (2) All materials upon collection shall be expeditiously placed inside a building, truck trailer, or other enclosure. No collected materials may be stored outside such an enclosure at the end of the normal business day.
- (d) Hotel, Extended Stay - subject to the following restrictions and regulations:
 - 1) There shall be no direct vehicular access to any guest room;
 - 2) There shall be staff or management on duty 24 hours per day seven days per week;
 - 3) Each guest room shall have a minimum of 280 square feet;
 - 4) No business license shall be issued for any business operated from any guest room;
 - 5) No outside storage or permanent parking of equipment or vehicles shall be permitted;
 - 6) No buildings constructed under this section may be converted to or used as apartments or condominiums; and
 - 7) A preliminary plan shall be submitted showing the proposed layout of buildings, ingress/egress, buffers and landscaping, amenities, and the density of development. This preliminary plan shall be a consideration in granting the Special Exception.
- (e) Motel, Extended Stay - subject to the following restrictions and regulations:
 - 1) DELETED.
 - 2) There shall be staff or management on duty 24 hours per day seven days per week;
 - 3) Each guest room shall have a minimum of 280 square feet;
 - 4) No business license shall be issued for any business operated from any guest room;
 - 5) A preliminary plan shall be submitted showing the proposed layout of buildings, ingress/egress, buffers and landscaping, amenities, and the density of development. This preliminary plan shall be a consideration in granting the Special Exception;
 - 6) No vehicle storage or permanent parking of equipment or vehicles shall be permitted; and
 - 7) No buildings constructed under this section may be converted to or used as apartments or condominiums.
- (f) Business parks - as defined in Section 22-1 (11) where thirty (30) percent or more of the gross leasable area of buildings is designed for and occupied by commercial, retail, or service tenants, and the remainder is occupied by wholesale, storage, or warehouse facilities.
- (g) **Mini-Warehouse / Self-Service-Storage Facilities** over 4 stories or 75 feet must be approved by Special Exception under the guidelines set forth in Permitted Uses (Section 22-1- b-9)

22-3 The maximum height of a professional or commercial building or structure in the B-2 Zone shall not exceed one hundred sixty-five (165) feet.

22-4 The setback provisions of the B-1 Zone shall apply to the B-2 Zone.

22-5 Maximum Individual Building Area: There shall be no maximum individual building area in the B-2 (General Business) Zone.

22-6 Special Exceptions

Any use established as a result of a Special Exception granted per Subsection 22-2 must be initiated within six (6) months of the granting, or the Special Exception shall no longer be valid. The initiation of a use is established by the issuance of a valid business license by the Augusta Planning and Development Department or by other reasonable proof of the establishment of vested rights. If a Special Exception is granted and the use is initiated but later ceases to operate for a period of one (1) year, then the Special Exception shall no longer be valid.

22-7 Conditional Use Permit:

- (a) Pico Brewery
- (b) Pico Distillery
- (c) Nano Brewery
- (d) Nano Distillery

Performance Standards:

- a) **Licensing:** The applicant shall obtain all necessary state and local level licensing for the production, wholesale and retail sale of alcoholic beverages;
- b) **Production:** For the purposes of retail sales, consumption on premises or package goods, the State of Georgia has set a limit of 500 barrels for distilled spirits and 3,000 barrels for malt beverages. Package sales are limited to three 750 milliliter bottles of spirits and 288 ounces of malt beverage per person per day. The Augusta Commission may further limit the sales per the approval of the Conditional Use Permit;
- c) **Off-Street Loading and Unloading:** The facility shall provide for off-street loading and unloading for all trucks greater than 22 feet in length. In the absence of a loading area, the Planning Commission may impose limits on deliveries or shipments using public-rights-of-way including the number of trucks per day and hours permitted. Loading docks shall be located and designed so as not to be visible from adjoining public streets;
- d) **Parking:** Off-street parking shall be provided in accordance with the requirements set forth in Section 4-2(d)(10) or 4-3 (c)(1) of this Ordinance;
- e) **Signage:** Signage shall be provided in accordance with the requirements set forth in Sections 28-B-8 and 28-B-9 of this Ordinance;

- f) **Outdoor Storage:** There shall be no outdoor storage with the exception of solid waste handling which occurs in an enclosure fully screened from adjoining streets;
- g) **Odors:** The operator shall install all standard or necessary equipment so that detectable odors coming from the business are eliminated from the property to prevent a public nuisance;
- h) **Water and Sewerage:** The facility shall be serviced by public water and sewer. At no time will a septic system be considered adequate;
- i) **Hours of Operation:** The applicant shall identify hours of operation both for production and service to the public.

Application for Approval: All applications for a Conditional Use Permit shall be accompanied by the following:

- a) A Site Plan, to scale, of the property showing all parking and loading areas, trash enclosures, buffers and other improvements;
- b) A floor plan showing all seating, production and storage areas and loading docks;
- c) A letter of intent describing the proposed use/project - to include hours of operation;
- d) Notarized copy of the property owner's signature permitting the applicant to act as agent when not the owner;
- e) Photographs of site/building.

Conditional Use Permit:

Any use, established as a result of the granting of a Conditional Use Permit must be initiated within six (6) months of the granting, or it shall no longer be valid. The initiation of a use is established by the issuance of a valid business license by the Augusta Planning and Development Department or by other reasonable proof of the establishment of vested rights. If a Conditional Use Permit is granted and the use is initiated but later ceases to operate for a period of one (1) year, then the Conditional Use Permit shall no longer be valid.

Amended – August 2018 – Mini-Warehouses
Amended – August 2017- Pico Brewery & Distillery, Nano Brewery & Distillery
Amended - August 2015 – Section 22-1 (22)
Amended - April 2013 – Section 22-(b) – (10)
Amended - August 2011, Section 22-2 (b) (2)

Amended - Sept. 2008, Section 22-2 (f)
Amended - Sept. 2007, Section 22-3