

## **7.11 Hoschton Business District Overlay (approved 09/12/05)**

### **7.11.1 Purpose and Intent.**

The purpose and intent of this Ordinance is to establish the Hoschton Business District Overlay and uniform procedures for review and approval of projects; to protect, enhance, preserve or reuse places, sites, buildings, structures, objects, streets, signs, sidewalks, neighborhoods, and landscape features; provide for aesthetic, economic, and functional value of properties, neighborhoods and structures; and address issues of business viability, neighborhood preservation and public safety in the Hoschton Business District Overlay.

### **7.11.2 Hoschton Business District Overlay – Area Defined.**

7.11.2.1 The Hoschton Business District Overlay shall be composed of one distinct sector known as the Core Business District.

7.11.2.2 The Core Business district Overlay is comprised of the central old town square and all property that fronts or is immediately adjacent to the town square area. The Core Business District Overlay shall consist of all property fronting or immediately adjacent to (including all corner parcels touching on) the street boundaries of Bell Avenue on the north, White Street on the west, Broad Street on the south and State Highway 53 on the east.

### **7.11.3 Review Process.**

7.11.3.1 Applications for improvements to developed sites or existing structures shall meet the

7.11.3.2 Estimated costs of demolition, construction, installation, and fabrication, including labor and materials, for both interior and exterior improvements, shall be submitted at the time a building or land disturbance permit application is filed.

7.11.3.3 All land disturbance permit applications for new construction shall meet the standards contained in this Ordinance, and shall include a concept plan showing such compliance.

7.11.3.4 All building permit applications for new buildings shall meet the standards contained in this Ordinance.

7.11.3.5 Applications for sign permits shall conform to this Ordinance.

7.11.3.6 Where two or more properties, lots or parcels are located within the same block or have frontage on the same side of the street between two intersecting streets, and are under common zoning or ownership and are being developed or re-developed as a single development operation or a series of coordinated development operations, these properties shall be considered as a single property for purposes of this Ordinance.

7.11.3.7 When a portion of any parcel, lot, property, or development falls within the boundary of the overlay district, the entire parcel, lot, property or development shall conform to this Ordinance.

### **7.11.4 Reviews for Compliance with Adopted Development Standards.**

7.11.4.1 All applications for permits within the Hoschton Business District Overlay shall be reviewed by the Hoschton Planning and Zoning Commission.

7.11.4.2 The Planning and Zoning Commission shall review and evaluate applications for sign permits (for compliance with this Ordinance only), land disturbance permits, building permits, fence permits and concurrent variances within a rezoning application according to applicable standards contained in the Zoning Ordinances for the City of Hoschton.

7.11.4.3 The Planning and Zoning Commission may recommend that an applicant apply for variances regarding standards contained in this Ordinance to be considered under the procedures set forth in the Zoning Ordinances for the City of Hoschton.

7.11.4.4 The Planning and Zoning Commission shall forward recommendations for variances, re-zoning, concurrent variances and modifications to conditions to the Hoschton City Council.

7.11.4.5 The Hoschton City Council shall approve, approve with modifications, or disapprove a permit request based on a project's conformance with the standards set out in this ordinance.

7.11.5 **Conflict of Interest.**

7.11.5.1 The Planning and Zoning Commission shall be governed by all conflict of interest laws and provisions of the City of Hoschton Code of Ethics.

7.11.6 **Orientation to Street.**

7.11.6.1 Newly constructed buildings shall have at least one public, pedestrian entrance located on the street side of the building. There shall be pedestrian access directly from the sidewalk to the principal building entrance.

7.11.7 **Building Design Guidelines.**

7.11.7.1 New, remodeled and rehabilitated buildings, and other structures shall employ street level design elements that delineate between the sidewalk level and the upper floors through windows, belt courses, cornice lines or similar architectural details. Building entrances shall be positioned and designed to provide areas for people to gather without impeding ingress and egress.

7.11.7.2 Building materials, architectural details and patterns shall be varied per tenant or every 75 feet, whichever is greater.

7.11.7.3 Roof line and building offsets shall be varied by a minimum of two feet for every three tenant spaces or 75 feet of building face, whichever is greater.

7.11.7.4 The maximum length of a building parallel to a public street shall not exceed 200 feet.

7.11.7.5 No building, sign, structure or object, tree or other landscape feature shall be installed, built, or allowed to grow which will impede visibility at street corners, driveways and intersections.

7.11.8 **Required Architectural Features.**

7.11.8.1 The principal entry area of a building shall be designed to express greater architectural detail than other portions of the building. Entry areas shall include one or more of the following architectural elements: columns, arcades and covered entry-walkway, arches, façade offsets, windows, balconies, undulating walls, clock towers, cupolas and courtyards.

7.11.8.2 A minimum of 60% of ground level facades shall be transparent glazing.

7.11.8.3 For buildings oriented toward a street, front windows shall be spaced no more than ten feet apart.

7.11.8.4 Out-parcel buildings or spin sites, which are identified on a site plan approved pursuant to single zoning case, shall have architectural features substantially similar to the principal buildings.

7.11.9 **Allowed Architectural Material.**

7.11.9.1 Exterior walls for all new buildings shall consist of a minimum of seventy percent of one or a combination of the following durable materials; brick; tile; stone with weathered; polished or fluted face; textured traditional cement stucco; architectural concrete masonry with fluted, split-face, or broken-face finish.

7.11.9.2 Sloped roofs shall be standing seam metal, slate, concrete roof tiles, or composition shingles.

7.11.9.3 Decorative parapets or cornices shall be constructed along all flat roof lines.

7.11.9.4 All roof-mounted equipment shall be completely screened from view by a decorative parapet or cornice.

7.11.10 **Prohibited Architectural Material.**

7.11.10.1 Prohibited exterior building materials include building materials which are not textured; non-architectural metal panel systems, pre-cast smooth concrete masonry or plain reinforced concrete slabs; aluminum, plywood, press-wood or corrugated steel, except for mechanical penthouse and roof screens.

7.11.10.2 Prohibited exterior building components, if visible from any public street, includes steel gates, burglar bars, chain link fence, and steel roll down curtains. If not visible from any public street, such treatments are allowed.

7.11.10.3 Windows of reflective or opaque glass is prohibited on ground floors of all buildings.

7.11.11 **Allowed Exemptions of Required Architectural Material.**

7.11.11.1 The exterior wall does not include a public right-of-way.

7.11.11.2 The exterior wall does not include a public entrance.

7.11.11.3 The exterior wall is screened from adjacent properties which are zoned, developed, or used for residential purposes, by a minimum 25 foot landscape strip planted to buffer standards pursuant to Hoschton Zoning Ordinances.

7.11.12 **Color.**

7.11.12.1 Primary, secondary, or fluorescent colors shall not be used except on sign faces, awnings, canopies or as accent colors, not to exceed 10% of building face exclusive of window areas. The intent of this provision is that muted and earth tones be used.

7.11.13 **Parking.**

7.11.13.1 All parking, except residential, shall be shared.

7.11.13.2 Parking areas are not permitted between the sidewalk and the front of the building.

7.11.13.3 Parking Ordinances of the City of Hoschton shall govern.

7.11.13.4 Parking lot and site lighting shall not be sodium vapor lights (high pressure sodium) and shall be the same type.

7.12 **Hoschton Business District Overlay Landscape Standards**

7.12.1 **Street Trees.**

- 7.12.1.1 Centered Two (2) feet from the sidewalk between the sidewalk and back of curb on public streets or adjacent to the sidewalk away from the street, if in conflict with utilities.
- 7.12.1.2 Centered two (2) feet from the sidewalk along State Roadways.
- 7.12.1.3 Minimum caliper three inch (3").
- 7.12.1.4 Planted at approximately forty feet (40') distance on center.
- 7.12.1.5 Selected from the species approved by the Hoschton City Council.

7.12.2 **Sidewalks.**

- 7.12.2.1 Widths shall be at least five feet, however, may be tapered between landscape types.
- 7.12.2.2 Sidewalks shall be continued across the entire length of all concrete aprons and such aprons shall be designed, colored and textured to match the appearance of sidewalk materials.
- 7.12.2.3 Where rights-of-way are insufficient to accommodate the required sidewalk and planted strip, the landscaping may be located outside the right-of-way, if appropriate easements are granted to the City of Hoschton.
- 7.12.2.4 The required sidewalk area, including width located in the public right-of-way, may be calculated as part of the required landscape strip.

7.12.3 **Pedestrian Lighting.**

- 7.12.3.1 Lighting shall be installed when new or upgraded sidewalks are constructed.
- 7.12.3.2 Lighting shall be spaced 80 feet apart and shall be equal distance between required trees.
- 7.12.3.3 Fixtures shall not exceed a maximum height of 16 feet.
- 7.12.3.4 Fixtures shall be installed to maintain a minimum lighting level on the pathway of six foot-candles and may be of any style appropriate to the architecture of the project and approved by the Hoschton City Council.

## 7.13 Site Development Standards

### 7.13.1 Intra-parcel Walkways.

7.13.1.1 Continuous, on-site intra-parcel walkways of at least five feet in width are required to connect the public sidewalk to the main entrance(s) of that property's building(s) and shall comply with the Americans with Disabilities Act (ADA).

7.13.1.2 Intra-parcel walkways crossing parking lots shall be distinguished from parking lots by the use of colors, textures, difference in rise above the parking lot, or a combination to minimize auto-pedestrian conflict.

### 7.13.2 Landscape Strips and Planting Materials.

7.13.2.1 There shall be a landscape strip at least ten feet wide; provided, however, the sidewalk may be included in the calculation of that landscape strip.

7.13.2.2 Ground covers and mulch or similar materials, shall be utilized in parking lot landscape islands. Turf grass is not permitted.

### 7.13.3 Accessory Structures and Screening.

7.13.3.1 Accessory structures shall not be located in any yard adjacent to a public street.

7.13.3.2 Loading dock, refuse and waste removal areas, service yards, exterior work areas, mechanical equipment or other utilities, if visible from a public street, shall be screened from public view by continuous evergreen plantings, opaque fences or other material related to the primary landscape or architectural elements of the site.

7.13.3.3 Where walls or fences are used, landscape materials shall be incorporated into the screening scheme whenever feasible.

7.13.3.4 Where a parking lot or gas fueling bays front directly on a public street, a continuous screen of evergreen height of two feet and a minimum width of five feet.

### 7.13.4 Fences and Walls.

7.13.4.1 Allowable materials include natural and man-made stone, brick, ornamental-decorative wrought iron or aluminum, architectural concrete, or wood.

7.13.4.2 Fence made of barbed wire, razor wire, plastic, cloth or chain-link is prohibited.

7.13.4.3 When the building front or side is visible to a public street, any wall or fence over two feet in height from finished grade shall not be opaque and shall have a minimum opening ratio of 50%.

7.13.4.4 When the back of the building is visible to a public street, fences or walls shall be opaque.

### 7.13.5 Screening of Cell Towers and Associated Equipment.

7.13.5.1 Cell towers and associated equipment shall not be located in a yard adjacent to a public street.

7.13.5.2 Cell towers and associated equipment shall be screened by chain link fencing of a dark, non-reflective material, such as black clad vinyl; screening shall additionally include a ten foot wide landscape strip planted.

### 7.13.6 Street Furniture and Amenity Zone.

7.13.6.1 Outside the two foot pave band, there shall be a clear zone of six feet where there shall be no permanent structures, including but not limited to, utility poles, mail boxes, newspaper vending boxes, sign structures, and benches.

7.13.6.2 The remaining portion of the sidewalk, outside the clear zone, may be used for waste receptacles, bicycles racks, benches and other seating elements which do not obstruct pedestrian access or motorist visibility.

7.13.6.3 Drive through windows shall be located in the rear of the building.

7.13.6.4 Gasoline fuel dispenser structures shall be located along a side yard and shall not be located between the building and the street.

#### 7.14 **Sign Standards.**

##### 7.14.1 **Free Standing Signs.**

7.14.1.1 Sign supporting members must be greater than one-third of the width of the sign face. The sign face shall not exceed 30 square feet. Types of signs known as pylon, pole or lollipop are prohibited.

##### 7.14.2 **Wall Signs.**

7.14.2.1 Every business is entitled to have one street-facing wall sign per street frontage.

7.14.2.2 Any business which is not represented by a free-standing sign may have two wall signs which shall meet the following standards:

The street facing wall sign shall not exceed five percent of the applicable wall area.

The non-street facing wall sign shall not exceed five percent of the applicable wall area.

The total of both signs shall not exceed 100 square feet.

Wall signs may be incorporated into a retaining wall or other site building feature, as recommended by the Planning and Zoning Commission, and approved by the Hoschton City Council.

7.14.2.3 In lieu of any free-standing signs, a shopping center containing four or more tenants, shall be allowed additional wall sign are to place the name of their center on the building. The allowable sign area shall be 5% of the applicable wall area, not to exceed 100 square feet, whichever is less.

##### 7.14.3 **Awnings and Canopies.**

7.14.3.1 All graphics within the entire illuminated area of the awning or canopy shall be calculated toward the allowable wall sign.

7.14.4 **Window Signs.**

7.14.4.1 Windows may permanently display proprietors' name, business name, and address for identification purposes only.

7.14.5 **Prohibited Sign Types.**

7.14.5.1 Windows shall not be painted for permanent advertising purposes. No other painting of windows is permitted except for temporary holiday decorations.