

CITY OF OXFORD, GEORGIA

**ZONING ORDINANCE
CHAPTER 40 OXFORD CITY CODE**

Amended February 6, 2012

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(Chapter 40 Oxford City Code)**

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**AN ORDINANCE TO AMEND THE CODE OF THE
CITY OF OXFORD, SECTION 40-711 (9) “HOME OCCUPATION – APPROVAL” OF
THE CITY OF OXFORD ZONING ORDINANCE, TO REPEAL, REVOKE AND
SUPERSEDE ALL ORDINANCES
IN CONFLICT, TO PROVIDE
FOR SEVERABILITY, TO PROVIDE FOR AN EFFECTIVE DATE,
AND FOR OTHER LAWFUL PURPOSES**

WHEREAS THE COUNCIL OF THE CITY OF OXFORD ORDAINS, the Constitution of the State of Georgia, effective July 1, 1983, provides in Article IX, Section II, Paragraph IV thereof, that the governing authority of a city may adopt plans and exercise the power of zoning; and

WHEREAS, Pursuant to OCGA Sec. 36-70-3, the governing bodies of municipalities and counties are authorized to develop, establish, and implement land use regulations which are consistent with the comprehensive plan of the municipality or county; and

WHEREAS, the Georgia General Assembly has enacted the Georgia Planning Act of 1989, (Georgia Laws, 1989, pp. 1317-1391, Act 634) which, among other things, provides for local governments to adopt plans and regulations to implement plans for the protection and preservation of natural resources, the environment and vital areas; and

WHEREAS, the Georgia Department of Community Affairs has promulgated Minimum Standards and Procedures for Local Comprehensive Planning (Chapter 110-3-2 of Rules of the Georgia Department of Community Affairs) to implement the Georgia Planning Act of 1989, said standards and procedures were initially ratified by the Georgia General Assembly, and said rules which have been amended from time to time require local governments to describe regulatory measures and land development regulations needed to implement local Comprehensive Plans; and

WHEREAS, the Oxford City Council has adopted a Comprehensive Plan in accordance with the requirements of the Georgia Planning Act of 1989 and Rules of the Georgia Department of Community Affairs; and

WHEREAS, the Comprehensive Plan specifies a number of goals and policies that are not currently implemented by the city’s land use regulations; and

WHEREAS, the Oxford City Council desires to help assure the implementation of its Comprehensive Plan; and

WHEREAS, the Oxford City Council desires to promote the health, safety, welfare, morals, convenience, order, and prosperity of the city and its citizens; and

WHEREAS, the Oxford City Council desires to promote responsible growth, lessen congestion in the public thoroughfares, secure safety from fire and health dangers, and promote desirable living conditions; and

WHEREAS, the Oxford City Council desires to regulate the height, bulk, and the size of buildings and structures; and

WHEREAS, the Oxford City Council desires to regulate the distribution of uses on the land to avoid both the undue concentration of population and the inappropriate dispersion of population, prevent the encroachment of incompatible land uses within residential areas, and preserve property values; and

WHEREAS, the General Assembly of the State of Georgia enacted the Zoning Procedures Law, OCGA Sec. 36-66-1, *et seq.*, so as to provide procedures for the exercise of zoning powers by cities and counties; and

WHEREAS, appropriate public notice and hearing have been accomplished; and

NOW THEREFORE, THE COUNCIL OF THE CITY OF OXFORD HEREBY ORDAINS as follows:

Section 1.

Section 40-711 (9) of Chapter 40, “City of Oxford Zoning Ordinance,” of the Oxford City Code is hereby amended to read as follows:

(Additions are in **bolded underlined**; deletions are ~~lined out.~~)

~~9. **Approval.** All home occupations shall be subject to the Planning Commission’s review and recommendation, based on provisions within this Chapter, and then to the City Council’s review and approval. The applicant for a business registration shall file for home occupation approval to the City Administrator on forms provided by the City of Oxford.~~

9. Approval. All home occupations shall be reviewed and approved by the Zoning Administrator/City Manager, based on provisions within this Chapter. The applicant may appeal an adverse decision to the Oxford City Council.

The full text of the City of Oxford Zoning Ordinance, as amended herein, is attached hereto, and made a part hereof, and shall be attached to this Resolution and spread across the minutes of the Oxford City Council.

Section 2.

All ordinances and resolutions or portions thereof in conflict with this ordinance are repealed to the extent of their conflict.

Section 3.

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 4.

The effective date of this ordinance shall be upon approval by the Council of the City of Oxford, Georgia.

First reading, this 23rd day of January, 2012.

Second reading and adoption, this 6th day of February, 2012.

CITY OF OXFORD

Jerry Roseberry, Mayor

_____, **Council Member**

_____, **Council Member**

_____, **Council Member**

_____, **Council Member**

_____, **Council Member**

_____, **Council Member**

ATTEST:

Lauran Willis, City Clerk

{The Seal of the City of Oxford, Georgia}

APPROVED AS TO FORM:

C. David Strickland, City Attorney

ARTICLE I - GENERAL

Section 40-101.	Short Title.
Section 40-102.	Authority.
Section 40-103.	Jurisdiction.
Section 40-104.	Purposes.

Section 40-101. Short Title.

This chapter shall be known and may be cited as the Oxford Zoning Ordinance.

Section 40-102. Authority.

This chapter is adopted pursuant to authority provided as follows:

1. Article IX, Section II, Paragraph IV of the Constitution of the State of Georgia, effective July 1, 1983, which provides that the governing authority of a city may adopt plans and exercise the power of zoning; and
2. Georgia Code Section 36-66-2, which recognizes and confirms the authority of local governments to exercise zoning powers, subject to minimum procedures governing the exercise of zoning powers; and
3. Georgia Code Section 36-70-3, which authorizes governing bodies of municipalities to develop, establish, and implement land use regulations which are consistent with the comprehensive plan of the municipality or county; and
4. Minimum Standards and Procedures for Local Comprehensive Planning (Chapter 110-3-2 of Rules of the Georgia Department of Community Affairs) to implement the Georgia Planning Act of 1989, which require local governments to describe regulatory measures and land development regulations needed to implement local Comprehensive Plans; and
5. Article 1 of the Oxford City Charter, which establishes powers of the city.

Section 40-103. Jurisdiction.

The jurisdiction of this chapter shall be the city limits of Oxford, as established by city charter and including any such additions to the city limits as may have been made or may be made from time to time in the manner provided by local law and/or general State law.

Section 40-104. Purposes.

This chapter serves the following purposes which shall not be considered exhaustive.

1. To prevent air and water pollution;
2. To regulate and/or to prohibit the keeping of animals and fowl;
3. To regulate the erection and construction of buildings and all other structures, and to regulate the height, bulk, placement and the size of buildings and structures;
4. To protect and preserve the natural resources, environment and vital areas of the City;
5. To regulate the operation of motor vehicles and exercise control over all traffic, including parking upon or across the streets, roads, alleys, and walkways of the City;
6. To establish a planning commission of the city; and to confer upon such commission the necessary and appropriate authority for carrying out all the powers conferred upon or delegated to the same;
7. To provide for the preservation and protection of property of the city;

8. To define and provide for the abatement of nuisances;
9. To prohibit or regulate and control the erection, removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights-of-way of streets and roads or within view thereof, within the corporate limits of the city;
10. To provide for the laying out, opening, extension, and widening of roads, alleys, and walkways within the City;
11. To regulate or prohibit specific businesses and commercial activities which may be dangerous to persons or property; and
12. To regulate the transportation, storage, and use of combustible, explosive, and flammable materials; and
13. To protect and preserve trees; and
14. To further the organization and implementation of an urban redevelopment program;
15. To implement the city's adopted comprehensive plan; and
16. To promote responsible growth, lessen congestion in the public thoroughfares, secure safety from fire and health dangers, and promote desirable living conditions; and
17. To regulate the distribution of uses on the land to avoid both the undue concentration of population and the inappropriate dispersion of population, prevent the encroachment of incompatible land uses within residential areas, and preserve property values; and
18. To provide procedures for the exercise of zoning powers pursuant to and consistent with the Zoning Procedures Law, O.C.G.A. 36-66 et seq.; and
19. To discourage sizes and types of development which would create excessive requirements and costs for public services; and
20. To discourage or prohibit uses in certain locations which because of their size or type would generate an abnormal amount of traffic on minor streets; and
21. To establish relationships between and among land uses that will ensure compatibility and maintain quality of life; and
22. To protect and promote suitable environments for family and household residences, institutions, commercial and other employment centers, and other uses; and
23. For the purpose of all other powers, functions, rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, or general welfare of the City and its inhabitants.

ARTICLE II
ESTABLISHMENT OF ZONING DISTRICTS, OVERLAY DISTRICTS, AND MAPS

Section 40-201.	Zoning Districts Established.
Section 40-202.	Overlay District(s) Established.
Section 40-203.	Official Zoning Map.
Section 40-204.	Amendment of Official Zoning Map.
Section 40-205.	Correction and Update of Property Lines on Official Zoning Map.
Section 40-206.	Rules Governing Boundaries.

Section 40-201. Zoning Districts Established.

The following zoning districts are hereby established:

CONS, Conservation District
AG, Agricultural District
RR, Rural-Residential District
R-30, Single-Family Residential - Low Density District
R-20, Single-Family Residential - Low To Medium Density District
R-15, Single-Family Residential - Medium Density District
R-7.5, Single-Family Residential - High Density District
R-TH, Residential Townhouse District
INST, Institutional District
IC, Institutional Campus District
OP, Office Professional District
C, Commercial District
TC, Town Center District
NCA, Newton County Annexed District

Section 40-202. Overlay District(s) Established.

There is hereby established the following overlay district:

Residential Infill Overlay District

Section 40-203. Official Zoning Map.

1. The boundaries of zoning districts and overlay district(s) created by this ordinance (chapter) are hereby established as shown on a map entitled the "Official Zoning Map" of the City of Oxford, Georgia.
2. The official zoning map and all explanatory matter thereon accompany and are hereby made a part of this chapter. The Official Zoning Map shall indicate the date of adoption and most recent amendment. The original of the Official Zoning Map shall be kept in the office of the City Administrator.
3. The official zoning map shall be considered the same as the "Official Comprehensive Zoning Map, City of Oxford, Georgia," as referenced in the Oxford City Charter.
4. The Official Zoning Map may be kept electronically in a geographic information system and such electronic data shall constitute an integral part of the Official Zoning Map.

5. The city may make copies of the Official Zoning Maps available to the public for a reasonable fee.

Section 40-204. Amendment of Official Zoning Map.

If, in accordance with the provisions of Article X of this chapter, the Oxford City Council approves changes in the district boundaries or other subject matter portrayed on the Official Zoning Map, such changes shall be made promptly after the amendment or change has been approved by the Oxford City Council. Once an amendment to the Official Zoning Map has been approved by the Oxford City Council, it shall be considered an administrative action to amend the Official Zoning Map to properly depict the map amendment approved by the Oxford City Council, and additional approval or action by Council shall not be necessary.

Section 40-205. Correction and Update of Property Lines on Official Zoning Map.

1. The Zoning Administrator is authorized to correct or update property lines depicted on the Official Zoning Map, as such changes to the tax records of the city are made through land subdivision and combination of lots, without a requirement to seek approval of the Oxford City Council, provided that such changes to property lines do not affect a zoning or overlay district boundary except as otherwise specifically provided in this section.
2. In any instance where the property lines as shown on the Official Zoning Map deviate from a boundary survey prepared by a registered land surveyor for the lot or tract in question, and such deviation is attributed by the Zoning Administrator to a drafting error or imperfection in the property parcel data base originally used in preparing the Official Zoning Map, the Zoning Administrator is authorized to correct the Official Zoning Map to show the boundaries of the zoning or overlay district to follow the boundaries as shown on said boundary survey. Any such correction shall be considered an administrative action, and additional approval or action by Council shall not be necessary to correct the Official Zoning Map.

Section 40-206. Rules Governing Boundaries.

This section shall govern administrative determinations by the Zoning Administrator in cases where there is uncertainty with regard to the zoning and/or overlay district boundaries shown on the Official Zoning Map. Where such uncertainty exists, the following provisions shall apply:

1. **City limit lines.** Where boundaries are indicated as approximately following the corporate limit line of the city, such corporate limit line shall be construed to be such boundaries.
2. **Property lines.** Where boundaries are indicated as following property lines, such property lines shall be construed to be such boundaries. The boundaries shall be determined on the basis of the legal descriptions or boundary surveys associated with approved map amendments, where available.
3. **Stream and river beds.** Where boundaries are indicated as approximately following the centerline of stream beds or river beds, or the outer edge of such stream bed or river bed, such centerline or edge of stream or river bed shall be construed to be such boundaries.

4. **Abandonment.** Where a public street or other right-of-way is officially vacated or abandoned, and said street or right-of-way is also a zoning district or overlay district boundary, the regulations applicable to the property to which it reverted shall apply to such vacated or abandoned public street or right-of-way.
5. **Administrative determination.** In any case where the exact location of a boundary cannot be determined by the foregoing methods, the Zoning Administrator shall determine the location of the boundary. Any such administrative determination is subject to appeal as an administrative decision in accordance with Article X of this Zoning Ordinance (chapter).

ARTICLE III GENERAL PROVISIONS

Section 40-301.	Use, Occupancy and Erection.
Section 40-302.	Use Prohibited When Not Specified.
Section 40-303.	Specific Use Provisions.
Section 40-304.	Minimum Requirements.
Section 40-305.	Every Use Must Be Upon a Lot of Record.
Section 40-306.	One Single-Family Dwelling on a Lot.
Section 40-307.	Height Limitations.
Section 40-308.	Maximum Density, Minimum Lot Size, and Minimum Lot Width.
Section 40-309.	Minimum Floor Area Per Dwelling Unit.
Section 40-310.	Build-To Lines.
Section 40-311.	Minimum Required Yards and Building Setbacks.
Section 40-312.	Principal Building Separation.
Section 40-313.	Maximum Building Coverage.
Section 40-314.	Minimum Landscaped Open Space.
Section 40-315.	Minimum Required Landscape Strips and Buffers.
Section 40-316.	Street Frontage Requirement.
Section 40-317.	Zoning of Annexed Lands.
Section 40-318.	Validity of Existing Conditions of Zoning or Use Approval.

Section 40-301. Use, Occupancy and Erection.

No building, structure, land, or water shall hereafter be used or occupied, and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with the regulations of this chapter or amendments thereto, including the use provisions for the zoning district in which it is located, the overlay district provisions if applicable, and any specific use provisions, if applicable.

Section 40-302. Use Prohibited When Not Specified.

Any use not specifically permitted as a use by right or specifically indicated as a conditional use in any given zoning district as provided in Article IV of this chapter shall be prohibited in that zoning district.

Section 40-303. Specific Use Provisions.

In cases where a use is a permitted use in the zoning district in which said use is located but there are specific use regulations for that use specified in Article VII of this Chapter, such regulations shall also apply and must be complied with. It shall be unlawful to establish a use without conforming to the specific use provisions of this chapter, when applicable.

Section 40-304. Minimum Requirements.

Within each zoning district, the regulations set forth shall be minimum requirements and shall apply uniformly to each class or kind of building, structure or land, except as may be altered through conditions of zoning applied to specific properties.

Section 40-305. Every Use Must Be Upon a Lot of Record.

No building or structure shall be erected or use established unless upon a lot of record as defined by this chapter, except as otherwise unless specifically provided in this chapter.

Section 40-306. One Single-Family Dwelling on a Lot.

Except as otherwise specifically provided in this chapter, only one single-family dwelling and its accessory buildings may be erected on any one lot intended for such use. This provision shall not be construed to prevent the construction of more than one detached single-family condominium, or multiple-family dwelling on a single lot, in districts where permitted, subject to setbacks and separation as provided in this chapter.

Section 40-307. Height Limitations.

Except as otherwise specifically provided in this Section, no building or structure shall hereafter be erected, constructed, reconstructed, or altered, to exceed the maximum height of buildings and structures specified in this chapter; provided, however, the Oxford City Council may upon application and approval of a conditional use allow buildings and structures to exceed these height limitations, subject to procedures for conditional uses established in Article IV of this chapter.

The height limitations established herein shall not apply to chimneys, smokestacks, church spires and steeples, domes, flag poles, public monuments, observation towers, water towers, electricity transmission towers, utility poles, and similar structures.

Section 40-308. Maximum Density, Minimum Lot Size, and Minimum Lot Width.

No lot shall hereafter be developed with a number of housing units that exceeds the residential density for the zoning district in which the lot is located as established by this chapter. No lot shall hereafter be developed that fails to meet the minimum lot size and minimum lot width for the zoning district in which the lot is located as established by this chapter, except as otherwise specifically provided. No lot shall be reduced in size, and no principal building shall hereafter be constructed, so that the maximum density, minimum lot size, or minimum lot width of the zoning district, as the case may be, in which said lot and building are located are not maintained, except as otherwise specifically provided in this chapter.

Section 40-309. Minimum Floor Area Per Dwelling Unit.

No new dwelling shall hereafter be constructed or occupied that fails to meet the minimum floor area for a dwelling unit as established by the zoning district in which the property is located as specified in this chapter. No existing dwelling shall be reduced in size so that its floor area fails to meet the minimum floor area for a dwelling unit as established by the zoning district in which the property is located as specified in this chapter.

Section 40-310. Build-To Lines.

Build-to lines are hereby established as shown on the build-to line map which is hereby adopted and made a part of this chapter. In the case where a build-to line is established by this chapter, no building shall be erected in a manner inconsistent with the established build-to line; provided, however, that the Zoning Administrator may administratively authorize a deviation in accordance

with the following table for the erection of any building or structure from an established build-to line.

Table 3.1: City of Oxford Build-to Lines

Road	Side	Segment	Build to Line	Permitted Deviation*
Academy Ct.			30'	+/- 5 ft.
Airport Way	E,W		40'	+/- 10 ft.
Asbury St.	E, W	Collingsworth St. to Fletcher St.	10'	+/- 5 ft.
Asbury St.	E, W	Fletcher St. to Pierce St.	10'	+/- 5 ft.
Bonnell St.	N	Queen Anne St. to Haygood St.	65'	+/- 10 ft.
Bonnell St.	N	Haygood St. to Emory St.	30'	+/- 5 ft.
Bonnell St.	S	Queen Ann St. to Haygood St.	50'	+/- 10 ft.
Bonnell St.	S	Haygood St. to Emory St.	30'	+/- 5 ft.
Bonnell St.	S	Emory St. to Odum St.	30'	+/- 5 ft.
Cindy Ct.	N	Hull St. to Coke St.	50'	+/- 10 ft.
Clark St.	N	Hull St. to Wesley St.	15'	+/- 5 ft.
Clark St.	N,S	Wesley St. to Asbury St.	50'	+/- 10 ft.
Clark St.	N	Asbury St. to Emory St.	10'	+/- 5 ft.
Clark St.	N	Emory St. to E. City Limits	20'	+/- 5 ft.
Clark St.	S	Emory St. to E. City Limits	30'	+/- 5 ft.
Coke St.	N,S	Richardson St. to George St.	20'	+/- 5 ft.
Collingsworth St.	N,S	Hull St. to Emory St.	30'	+/- 10 ft.
Dowman St.	E,W	Stone St. to Bonnell St.	35'	+/- 5 ft.
Emory St.	E	I-20 to George St.	50'	+/- 10 ft.
Emory St.	W	I-20 to Pierce St.	50'	+/- 10 ft.
Emory St.	E	Orna Villa Property, north of E. Clark St., to Palmer-Stone School property	50'	+/- 10 ft.
Emory St.	E	Palmer-Stone School property	35'	+/- 5 ft.
Emory St.	E	E. Soule St. to north City Limits	35'	+/- 5 ft.
Emory St.	W	Fletcher St. to Collingsworth St.	35'	+/- 5 ft.
Emory Way	N,S		40'	+/- 10 ft.
Fletcher	N	Wesley St. to Asbury St.	20'	+/- 5 ft.
Fletcher	N,S	Wesley St. to Emory St.	20'	+/- 5 ft.
George	N	Asbury St. to Emory St.	20'	+/- 5 ft.
George	S	Asbury St. to Emory St.	10'	+/- 5 ft.
Godfrey St.	E,W	Watson St. to Soule St.	50'	+/- 10 ft.
Hammil	N,S	Haygood St. to Emory St.	20'	+/- 5 ft.
Hammil	S	Haygood St. to Emory St.	10'	+/- 5 ft.
Haygood	E,W	South City Limits to Moore St.	35'	+/- 5 ft.
Haygood	E,W	Moore St. to Pierce St.	20'	+/- 5 ft.
Hillcrest Dr.	E,W	Wade St. to Bonnell St.	30'	+/- 5 ft.
Hopkins Ct.	N,S		30'	+/- 5 ft.
Hull St.	E,W	Richardson St. to Moore St.	50'	+/- 10 ft.
Longstreet Cir.	E,W		30'	+/- 5 ft.
Longstreet Ct.	N,S		30'	+/- 5 ft.
Marshall	N,S	Haygood St. to Emory St.	30'	+/- 5 ft.
Moore St.	N,S	West to East City Limits	35'	+/- 5 ft.
Oxford Ct.			40'	+/- 10 ft.
Oxford Dr.			40'	+/- 10 ft.

Road	Side	Segment	Build to Line	Permitted Deviation*
Oxford Way			40'	+/- 10 ft.
Pierce St.	N,S	Wesley to Emory	20'	+/- 5 ft.
Queen Anne St.	E,W	Stone to Bonnell	45'	+/- 10 ft.
Richardson St.	N,S	Hull to Emory	15'	+/- 5 ft.
Richardson St.	N,S	Emory to East City Limits	50'	+/- 10 ft.
Soule St.	N	Hull to Asbury	50'	+/- 10 ft.
Soule St.	N	Emory to East City Limits	30'	+/- 10 ft.
Soule St.	S	Hull to Coke	50'	+/- 10 ft.
Soule St.	S	Coke to Wesley	30'	+/- 10 ft.
Soule St.	S	Wesley to Asbury	50'	+/- 10 ft.
Soule St.	N,S	Asbury to Emory	30'	+/- 10 ft.
Soule	S	Emory to E. City Limits	30'	+/- 10 ft.
Soule	S	Emory to E. City Limits	30'	+/- 10 ft.
Stone	N	Queen Ann to Emory	35'	+/- 5 ft.
Stone	S	Queen Ann to Dowman	50'	+/- 10 ft.
Wade	N	Haygood to Odum	30'	+/- 5 ft.
Wade	S	Haygood to Emory	30'	+/- 5 ft.
Wade	S	Emory to Odum	50'	+/- 10 ft.
Watson	N	Hull to Emory	50'	+/- 10 ft.
Watson	S	Hull to Asbury	50'	+/- 10 ft.
Watson	S	Asbury to Emory	20'	+/- 5 ft.
Wentworth Dr.	N,S		30'	+/- 5 ft.
Wesley St.	W	Pierce to Watson	20'	+/- 5 ft.
Wesley St.	W	Watson to Richardson	30'	+/- 10 ft.
Wesley St.	E	Pierce to Clark	30'	+/- 10 ft.
Wesley St.	E	Clark to Richardson	50'	+/- 10 ft.
Whatcoat	E,W	Pierce to George	10'	+/- 5 ft.
Williams	N,S	Wesley to Asbury	30'	+/- 5 ft.

*The Permitted Deviation is the amount of variance allowed from the Build-to-Line that the building may be placed. This is approved administratively. Deviation beyond the limits set in the table above will require a variance under Article IV, Section 40-404.

Section 40-311. Minimum Required Yards and Building Setbacks.

1. No building or structure shall hereafter be erected in a manner to have narrower or smaller front yards, side yards, or rear yards than specified for the zoning district in which the property is located. Buffer requirements established by this chapter, where applicable, supersede these minimum required yards. In the case where a build-to line is established, the build-to line provisions of this chapter supersede and replace any front building setback lines, the latter of which shall only be deemed applicable in the absence of an established build-to line.
2. No lot shall be reduced in size, and no principal building shall hereafter be constructed, so that the front, side, or rear yards of the zoning district in which said lot and building are located are not maintained.
3. This section shall not apply to portions of lots affected by public acquisition of part of the lot.
4. No part of a yard shall be included as a part of the yard required for another building.

Section 40-312. Principal Building Separation.

1. All non-residential principal buildings (except commercial buildings in Town Center) shall provide for adequate building separation to allow for sufficient fire access and traffic flow and to meet applicable building code requirements

Section 40-313. Maximum Building Coverage.

No lot shall hereafter be developed to exceed the maximum building coverage specified for the zoning district in which it is located, if applicable.

Section 40-314. Minimum Landscaped Open Space.

No lot shall be developed with less than the minimum landscaped open space specified for the zoning district in which said lot is located, if applicable, or as may be established by any other article or section of this chapter, if applicable.

Section 40-315. Minimum Required Landscape Strips and Buffers.

No lot shall hereafter be developed, and no building or structure shall hereafter be erected or use established in a manner so that the minimum landscape strips and buffers required by this chapter for the zoning district in which said building, structure, or use is located, or for the specific use if buffer and landscape strip requirements are established for said use.

Section 40-316. Street Frontage Requirement.

No building or structure shall hereafter be erected on a lot, and no lot shall hereafter be created or subdivided, that does not abut for at least thirty (30) feet on a public street, or an approved private street, unless specifically provided otherwise by this chapter.

Section 40-317. Zoning of Annexed Lands.

1. Property annexed or proposed to be annexed into the city limits shall be zoned in accordance with the Zoning Procedures Law, O.C.G.A. 36-66, and this chapter. Such property annexed may be zoned by the Oxford City Council to any zoning district or districts established in this chapter.
2. Lands hereafter annexed into the city limits shall, upon the effective date of such annexation, be subject to all applicable procedural and substantive requirements of this Land Use Management Code as now or hereafter amended, except as specifically provided otherwise in this chapter for the NCA, Newton County Annexed zoning district.

Section 40-318. Validity of Existing Conditions of Zoning or Use Approval.

Notwithstanding the repeal of prior ordinances in conflict with this chapter upon its adoption, if a property was zoned subject to conditions or use approved subject to certain conditions prior to the adoption of this chapter by Oxford City Council, the existing zoning conditions or conditions of use approval shall continue to apply to said property.

ARTICLE IV ZONING DISTRICTS

Section 40-401.	CONS, Conservation District
Section 40-402.	AG, Agricultural District
Section 40-403.	RR, Rural-Residential District
Section 40-404.	R-30, Single-Family Residential - Low Density District
Section 40-405.	R-20, Single-Family Residential - Low To Medium Density District
Section 40-406.	R-15, Single-Family Residential - Medium Density District
Section 40-407.	R-7.5, Single-Family Residential - Town Center Residential District
Section 40-408.	R-TH, Residential Townhouse District
Section 40-409.	INST, Institutional District
Section 40-410.	IC, Institutional Campus District
Section 40-411.	RESERVED
Section 40-412.	OP, Office Professional District
Section 40-413.	C, Commercial District
Section 40-414.	TC, Town Center District
Section 40-415.	NCA, Newton County Annexed District

Section 40-401. CONS, Conservation District.

40-401-1 Purpose and Intent

The CONS district is established to correspond with large tracts of land which are limited in their future development potential by conservation easements or conservation intent as expressed by current owners or by previous owners who stipulated conservation as a condition of sale or gift. Properties in this district have been set aside in their largely undeveloped state for educational or passive recreational use or as buffer zones.

40-401-2 Permitted and Conditional Uses

Permitted and conditional uses shall be as provided in Table 4.1, "Permitted and Conditional Uses for Rural and Residential Zoning Districts." In cases where a use is permitted but there are specific use regulations for that use specified in Article VII of this Chapter, such regulations shall also apply and must be complied with.

40-401-3 Dimensional Requirements

Dimensional requirements shall be as provided in Table 4.2, "Dimensional Requirements for Rural and Residential Zoning Districts."

40-401-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.3, "Design Criteria for Rural and Residential Zoning Districts."

Section 40-402. AG, Agricultural District.

40-402-1 Purpose and Intent

AG zoning districts are intended to implement the “rural” character areas established on the future development map of the City of Oxford Comprehensive Plan, Community Agenda and as described in the Community Agenda. The prevailing land use pattern in this zoning district is agriculture, forestry, and very low density residential uses mostly incidental to farm operations as the principal use. The maximum density established for this district (1 unit per three acres) is the most that can be permitted while still maintaining desired character.

Sanitary sewer service is generally not available to land in this zoning district, and public water may or may not be available. Conventional suburban subdivisions even at low densities are considered incompatible with desired agricultural and rural residential character.

40-402-2 Permitted and Conditional Uses

Permitted and conditional uses shall be as provided in Table 4.1, “Permitted and Conditional Uses for Rural and Residential Zoning Districts.” In cases where a use is permitted but there are specific use regulations for that use specified in Article VII of this Chapter, such regulations shall also apply and must be complied with.

40-402-3 Dimensional Requirements

Dimensional requirements shall be as provided in Table 4.2, “Dimensional Requirements for Rural and Residential Zoning Districts.”

40-402-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.3, “Design Criteria for Rural and Residential Zoning Districts.”

Section 40-403. RR, Rural Residential District.

40-403-1 Purpose and Intent

RR zoning districts are intended to implement the “estate/rural residential” and “rural” character areas established on the future development map of the City of Oxford Comprehensive Plan, as provided in the Community Agenda. Sanitary sewer service is generally not available to land in this zoning district, and public water may or may not be available. The RR zoning district establishes a minimum lot size of 60,000 square feet (1 unit per 1.38 acres) and a minimum lot width of 150 feet. A minimum house size (heated floor area per dwelling unit) of 2,000 square feet is established for new construction (not applicable to reconstruction if a natural disaster or fire occurs).

The overall intent of this zoning district is to preserve rural and estate residential character, and provide for very low-density rural residential uses. Areas designated as RR zoning are inappropriate for urban development. Future development in this district must observe policies and guidelines for preserving rural character.

40-403-2 Permitted and Conditional Uses

Permitted and conditional uses shall be as provided in Table 4.1, "Permitted and Conditional Uses for Rural and Residential Zoning Districts." In cases where a use is permitted but there are specific use regulations for that use specified in Article VII of this Chapter, such regulations shall also apply and must be complied with.

40-403-3 Dimensional Requirements

Dimensional requirements shall be as provided in Table 4.2, "Dimensional Requirements for Rural and Residential Zoning Districts."

40-403-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.3, "Design Criteria for Rural and Residential Zoning Districts."

Section 40-404. R-30, Single-Family Residential - Low Density District.

40-404-1 Purpose and Intent

The R-30 zoning district establishes a minimum lot size of 30,000 square feet (0.688 acre) and a minimum lot width of 100 feet. A minimum house size (heated floor area per dwelling unit) of 2,000 square feet is established for new construction (not applicable to reconstruction if a natural disaster or fire occurs).

This zoning district is intended primarily to implement the "Historic Oxford" character area established on the future development map of the City of Oxford Comprehensive Plan, Community Agenda and as described in the Community Agenda. R-30 zoning districts may also be applicable to the "estate/rural" character area and parts of the "town neighborhood" character area. Public water service is available, and sanitary sewer may be available, although minimum lot sizes are large enough to support on-site sewage management systems while meeting county health department regulations.

The primary intent of this zoning district is to protect the existing, low-density residential character of neighborhoods from intrusion by incompatible land uses and from future residential development that fails to respect the prevailing neighborhood patterns and characteristics.

40-404-2 Permitted and Conditional Uses

Permitted and conditional uses shall be as provided in Table 4.1, "Permitted and Conditional Uses for Rural and Residential Zoning Districts." In cases where a use is permitted but there are specific use regulations for that use specified in Article VII of this Chapter, such regulations shall also apply and must be complied with.

40-404-3 Dimensional Requirements

Dimensional requirements shall be as provided in Table 4.2, "Dimensional Requirements for Rural and Residential Zoning Districts."

40-404-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.3, “Design Criteria for Rural and Residential Zoning Districts.”

Section 40-405. R-20, Single-Family Residential - Low To Medium Density District.

40-405-1 Purpose and Intent

The R-20 zoning district establishes a minimum lot size of 20,000 square feet (0.459 acre) and a minimum lot width of 100 feet. A minimum house size (heated floor area per dwelling unit) of 1,800 square feet is established for new construction (not applicable to reconstruction if a natural disaster or fire occurs). This zoning district is intended primarily to implement the “Historic Oxford” and “town neighborhood” character areas established on the future development map of the City of Oxford Comprehensive Plan as described in the Community Agenda. Public water service is available. Sanitary sewer is also available and required for new lots platted in this zoning district.

The primary intent of this zoning district is to protect the existing, low to medium density residential character of neighborhoods from intrusion by incompatible land uses.

40-405-2 Permitted and Conditional Uses

Permitted and conditional uses shall be as provided in Table 4.1, “Permitted and Conditional Uses for Rural and Residential Zoning Districts.”

40-405-3 Dimensional Requirements

Dimensional requirements shall be as provided in Table 4.2, “Dimensional Requirements for Residential Zoning Districts.”

40-405-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.3, “Design Criteria for Rural and Residential Zoning Districts.”

Section 40-406. R-15, Single-Family Residential - Medium Density District.

40-406-1 Purpose and Intent

The R-15 zoning district establishes a minimum lot size of 15,000 square feet (0.344 acre) and a minimum lot width of 75 feet. A minimum house size (heated floor area per dwelling unit) of 1,500 square feet is established for new construction (not applicable to reconstruction if a natural disaster or fire occurs). This zoning district is intended primarily to implement the “town neighborhood” character area established on the future development map of the City of Oxford Comprehensive Plan, as described in the Community Agenda. Public water service is available. Sanitary sewer is also available and required for new lots platted in this zoning district.

The primary intent of this zoning district is to protect the existing, medium density residential character of neighborhoods from intrusion by incompatible land uses.

40-406-2 Permitted and Conditional Uses

Permitted and conditional uses shall be as provided in Table 4.1, “Permitted and Conditional Uses for Rural and Residential Zoning Districts.” In cases where a use is permitted but there are specific use regulations for that use specified in Article VII of this Chapter, such regulations shall also apply and must be complied with.

40-406-3 Dimensional Requirements

Dimensional requirements shall be as provided in Table 4.2, “Dimensional Requirements for Rural and Residential Zoning Districts.”

40-406-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.3, “Design Criteria for Rural and Residential Zoning Districts.”

Section 40-407. R-7.5, Single-Family Residential – Town Center Residential District.

40-407-1 Purpose and Intent

The R-7.5 zoning district establishes a minimum lot size of 7,500 square feet (0.172 acre). The minimum lot width established for this district is 50 feet. A minimum house size (heated floor area per dwelling unit) of 1,200 square feet is established for new construction; however, the average (mean) house size for the district must be equal to or greater than 2,000 square feet. Public water service and sanitary sewer are available and required for new lots platted in this zoning district.

Generally, R-7.5 districts are within a five-minute walking distance (approximately $\frac{1}{4}$ mile radius) of the Oxford Town Center (TC zoning district). This district does not have an established development pattern, and it is applied to undeveloped areas in Oxford where higher density, single-family development is encouraged. In order to provide for a diversity of housing opportunities, while maintaining high-quality development standards, this district requires multi-parcel development and/or the subdivision of an existing parcel to provide a variety of lot sizes and house sizes, within the minimum lot size and average (mean) house size standards specified above. In the R-7.5 zoning district, new development must adhere to principles of traditional neighborhood development, including pedestrian orientation and street connectivity.

40-407-2 Permitted and Conditional Uses

Permitted and conditional uses shall be as provided in Table 4.1, “Permitted and Conditional Uses for Rural and Residential Zoning Districts.”

40-407-3 Dimensional Requirements

Dimensional requirements shall be as provided in Table 4.2, “Dimensional Requirements for Rural and Residential Zoning Districts.”

40-407-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.3, “Design Criteria for Rural and Residential Zoning Districts.”

Section 40-408. R-TH, Residential -Townhouse District.

40-408-1 Purpose and Intent

The RTH zoning district is established to permit single-family attached dwellings on small lots under fee-simple ownership (also called fee simple townhouses). This district establishes a minimum lot size of 2,400 square feet (0.055 acre) and a minimum lot width of 24 feet for fee-simple townhouse lots, but townhouse development is also subject to a maximum density threshold of 12 lots (dwellings) per acre. This means that some lots (e.g., those at the end of a building containing attached townhouses) will have to be larger in order to meet the overall density maximum. A minimum house size (heated floor area per dwelling unit) of 1,000 square feet is established for fee-simple townhouse dwellings and fee-simple homes constructed on zero-lot line lots. Public water service is available. Sanitary sewer is also available and required for new lots platted in this zoning district.

Rezoning to the R-TH zoning district within established R-7.5 zoned areas may be considered appropriate, in order to provide more affordable housing opportunities, subject to site development and architectural design review. This district is not considered appropriate within established R-30, R-20, and R-15 zoned neighborhoods, nor is it considered appropriate for designation in the “Historic Oxford” character area established on the future development map of the City of Oxford Comprehensive Plan, as described in the Community Agenda, nor is it considered appropriate in the “town neighborhood” character area, except for those portions zoned R-7.5 within the residential infill development overlay zoning district. In the R-TH zoning district, new development must adhere to principles of traditional neighborhood development, including pedestrian orientation and street connectivity.

40-408-2 Permitted and Conditional Uses

Permitted and conditional uses shall be as provided in Table 4.1, “Permitted and Conditional Uses for Rural and Residential Zoning Districts.”

40-408-3 Dimensional Requirements

Dimensional requirements shall be as provided in Table 4.2, “Dimensional Requirements for Rural and Residential Zoning Districts.”

40-408-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.3, “Design Criteria for Rural and Residential Zoning Districts.”

Table 4.1
Permitted and Conditional Uses for Rural and Residential Zoning Districts

P = Permitted; C = Conditional Use; X = Prohibited

Use Description (additional reference)	CONS	AG	RR	R-30	R-20	R-15	R-7.5	R-TH
ACCESSORY USES AND STRUCTURES								
Accessory uses and structures not otherwise listed in this table, determined by the Zoning Administrator to be normally incidental to one or more permitted principal uses (40-701)	P	P	P	P	P	P	P	P
Accessory dwelling unit, attached or detached (40-702)	P	P	P	P	P	X	X	X
Carport, subject to specific limitations as specified in the article on parking	P	P	P	P	P	P	P	P
Dog house or other household pet structure	P	P	P	P	P	P	P	P
Dwelling, farm tenant	C	C	X	X	X	X	X	X
Garden (crops, botanical, orchard)	P	P	P	P	P	P	P	P
Greenhouse	P	P	P	P	P	P	P	P
Guest house (40-709)	P	P	P	P	X	X	X	X
Home occupation (40-710)	P	P	P	P	P	P	P	P
Riding stable, horse or pony, private	P	P	X	X	X	X	X	X
Sign, per Oxford sign regulations	P	P	P	P	P	P	P	P
Storage shed, side or rear yard only	P	P	P	P	P	P	P	P
Swimming pool, private (40-714)	X	P	P	P	P	P	X	X
Tennis court, private (40-715)	X	P	P	P	X	X	X	X
Tower, amateur radio (40-703)	P	P	C	C	X	X	X	X
Wireless telecommunication equipment and wireless telecommunication facilities	X	X	X	X	X	X	X	X
AGRICULTURAL USES								
Agriculture, agricultural facilities, and agricultural operations, except as more specifically noted in this table	C	P	P	X	X	X	X	X
Boarding of horses (and associated facilities, e.g. stable/barn)	C	P	X	X	X	X	X	X
Dairy	X	P	X	X	X	X	X	X
Forestry	C	P	C	X	X	X	X	X
Livestock, cattle or sheep or similar animal	C	P	C	C	X	X	X	X
Livestock, poultry or hog	C	P	C	C	X	X	X	X
RESIDENTIAL USES								
Dwelling, single-family, fee-simple, detached, stick/site-built	P	P	P	P	P	P	P	P
Dwelling, single-family, detached, condominium, stick/site built	X	X	X	X	X	X	X	P
Dwelling, multi-family apartment	X	X	X	X	X	X	X	X
Dwelling, multi-family, attached condominium	X	X	X	X	X	X	X	C

Use Description (additional reference)	CONS	AG	RR	R-30	R-20	R-15	R-7.5	R-TH
Dwelling, single-family, fee simple, detached, stick/site-built, relocated from another site	P	P	P	P	P	P	X	X
Dwelling, townhouse, fee-simple (40-716)	X	X	X	X	X	X	X	P
Industrialized building, residential (single-family, detached)	P	P	P	P	P	P	P	P
Manufactured home	X	X	X	X	X	X	X	X
Mobile home	X	X	X	X	X	X	X	X
INSTITUTIONAL USES								
Cemetery	C	C	C	C	C	X	X	X
Church, temple, synagogue, place of worship	X	X	C	X	X	X	X	X
Club or lodge, nonprofit (VA, Elks, etc.)	X	X	X	X	X	X	X	X
Group home or rooming house, not more than 4 persons plus caretakers	X	X	C	C	C	C	X	X
Institutionalized residential living and care facilities, serving fewer than eighteen (18) persons	X	X	X	X	X	X	X	X
Public use, including public school	P	P	P	P	P	P	P	P
School, private, for the arts	X	X	X	X	X	X	X	X
School, private, elementary, middle, high	X	X	X	X	X	X	X	X
School, private, special	X	X	X	X	X	X	X	X
School, private, trade	X	X	X	X	X	X	X	X
RECREATIONAL USES								
Commercial recreational facilities (indoor and outdoor)	X	X	X	X	X	X	X	X
Community garden	P	P	P	P	P	P	P	P
Community recreation	X	X	P	P	P	P	P	P
Conservation and/or common area	P	P	P	P	P	P	P	P
Community building	X	X	P	P	P	P	P	P
Outdoor recreation	C	C	C	C	C	C	C	C
COMMERCIAL USES								
Bed and breakfast inn	X	C	C	C	X	X	X	X
Country club	X	X	X	X	X	X	X	X
Day care center serving fewer than 18 children	X	X	X	X	X	X	X	X
Family day care home	X	C	C	C	C	C	C	C
Golf course including clubhouse, etc.	X	X	C	X	X	X	X	X
Greenhouse or plant nursery, commercial	X	P	C	X	X	X	X	X
Kennel	X	C	X	X	X	X	X	X
Retreat center	C	C	X	X	X	X	X	X
Special event facility	C	C	C	X	X	X	X	X
Riding stable or commercial boarding of horses	X	C	X	X	X	X	X	X
U-pick farm operation	X	P	X	X	X	X	X	X
Veterinary clinic or animal hospital	X	C	X	X	X	X	X	X

Table 4.2
Dimensional Requirements for Rural and Residential Zoning Districts

DIMENSIONAL REQUIREMENT	CONS	AG	RR	R-30	R-20	R-15	R-7.5	R-TH
RESIDENTIAL DENSITY, AND LOT SIZE AND WIDTH REQUIREMENTS								
Minimum acreage per dwelling unit (dwelling units per acre)	5 acres	3 acres	1.38 acres	.689 acres	.458 acres	.34 acres	.17 acres	.08 acres
Minimum lot size, detached single-family dwelling (square feet)	217,800 (1)	130,680 (1)	60,000 (1)	30,000	20,000	15,000	7,500	see detail
Minimum lot size, fee-simple townhouse lot (square feet)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2,400
Minimum lot size for other permitted uses (square feet)	217,800	130,680	60,000	30,000	20,000	15,000	7,500	6,000
Minimum lot width, all uses (feet)	300	200	150	100	100	75	50	24
BUILDING AND SITE REQUIREMENTS								
Minimum floor area per dwelling unit (square feet)	2,000	2,000	2,000	2,000	1,800	1,500	1,200	1,000
Maximum building coverage (percent)	5%	15%	15%	20%	20%	20%	25%	35%
BUILDING HEIGHT REQUIREMENTS								
Maximum height (feet)	35	50	35	35	35	35	35	35
BUILDING SETBACKS (MIN.), DWELLING OR OTHER PERMITTED PRINCIPAL BUILDING								
Front Build to Line	See build-to line map, as applicable							
Front (feet) (absent applicable build-to line)	50	50	40	50	30	30	25	25
Side (feet)	25	25	15	15	15	10	10	None
Rear (feet)	50	40	30	30	30	25	20	20
BUILDING SETBACKS (MIN.), ACCESSORY BUILDINGS AND STRUCTURES								
Front (feet)	50	25	N/A	N/A	N/A	30	N/A	N/A
Side (feet)	25	25	15	10	10	10	5	5
Rear (feet)	25	25	20	10	10	10	10	10

(1) The minimum lot size for this district may be varied (reduced) for conservation subdivisions per code.
N/A = Not Applicable

Table 4.3
Design Criteria for Rural and Residential Zoning Districts

A = applicable N/A = not applicable

Design Criterion	CONS	AG	RR	R-30	R-20	R-15	R-7.5	R-TH
Compatibility. New development and improvements to existing properties need to be compatible with the existing character.	A	A	A	A	A	A	A	A
Floodways and Floodplains. Prohibit development within floodways and restrict or prohibit development in flood plains.	A	A	A	A	A	A	A	A
Access to Abutting Public Conservation Lands. Subdivisions are strongly encouraged, if not required, to provide pedestrian easements or fee-simple land dedications to public open spaces (including greenways) and/or publicly designated conservation lands on all abutting properties.	A	A	A	A	A	A	A	A
Curb and Gutter. New roads or road improvements should not include curb and gutter unless demonstrated need exists.	A	A	A	A	A	A	A	A
Road and Lot Layout. New subdivisions must observe existing traditional neighborhood development principles, including a grid pattern of connecting roads, rectangular-shaped lots, and block widths and lengths that do not exceed 600 feet.	N/A	N/A	A	A	A	A	A	A
Cul-de-sacs. Circular turnarounds shall not be permitted except in the most unusual circumstances when demonstrated needs exist.	N/A	N/A	N/A	A	A	A	A	A
Parking. Off-street parking between the front façade of the principal dwelling and the city street is strongly discouraged and instead design should facilitate rear or side yard parking.	N/A	N/A	N/A	A	A	A	A	A
Alley Access to Parking. Alleys or driveways accessing the rear of the dwellings are encouraged in order to provide parking access from the rear lot line rather than the front of the dwelling.	N/A	N/A	N/A	A	A	A	A	A
Parking Garages for Individual Units. Garages should be located to the rear or side of the dwellings they serve, but if they must be located in the front of the dwelling, garages must be recessed back at least five feet behind the front wall of the dwelling so that it is subordinate rather than dominant when viewed from the city street on which the dwelling fronts.	N/A	N/A	A	A	A	A	A	A
Land Consumption. New development, if permitted, should be designed to minimize the amount of land consumed; open space must remain to some extent.	A	A	A	A	A	A	A	A
Open Space Design. Promote and pursue principles of landscape ecology when reviewing large developments and major subdivisions.	A	A	A	A	A	A	A	A

Design Criterion	CONS	AG	RR	R-30	R-20	R-15	R-7.5	R-TH
Agricultural Outbuildings. The maintenance and repair of barns and other agricultural buildings, which contribute to agrarian and/or rural character, is specifically and strongly encouraged.	A	A	A	A	N/A	N/A	N/A	N/A
Greenbelts and Wildlife Corridors. Any significant development other than farm or forestry operations should maintain open space in the form of greenbelts and/or wildlife corridors.	A	A	A	A	N/A	N/A	N/A	N/A
Road Surfacing. Roads may be surfaced with non-asphalt (e.g., gravel) materials and drained by roadside ditches in order to maintain rural character. The same is applicable for parking lots, where permitted.	A	A	A	N/A	N/A	N/A	N/A	N/A
Conservation Principles. Major subdivisions (6 or more lots), where permitted, are required to follow principles of conservation subdivision and design, either as generally accepted by the planning profession or as specifically stated in city regulations.	N/A	A	A	A	A	A	A	A
Subdivision Lot Design. When land is subdivided, regular or recurring patterns of lots are required; lot layouts that maintain the formality of existing and nearby property ownership patterns are encouraged to maintain the traditional urban form and grid pattern of Oxford.	N/A	A	A	N/A	N/A	N/A	N/A	N/A

A = applicable N/A = not applicable

Section 40-409. INST, Institutional District.

40-409-1 Purpose and Intent

This zoning district applies to public and private institutional uses now existing or anticipated in the City of Oxford, such as elementary, middle, and secondary schools, city, county, and state government offices, public utility offices and installations, churches and places of worship.

40-409-2 Permitted and Conditional Uses

Permitted and conditional uses shall be as provided in Table 4.4, "Permitted and Conditional Uses for Nonresidential Zoning Districts."

40-409-3 Dimensional Requirements

Dimensional requirements shall be as provided in Table 4.5, "Dimensional Requirements for Nonresidential Zoning Districts."

40-409-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.6, "Design Criteria for Nonresidential Zoning Districts."

Section 40-410. IC, Institutional Campus District

40-410-1 Purpose and Intent

The Institutional Campus (IC) District provides opportunity for large public or private, nonprofit institutional uses, including college/university campuses, primary and secondary schools, medical facility complexes, recreational complexes, and similar campus-oriented institutions, to develop and function as holistic campus areas with unique needs and characteristics.

The IC district shall apply to public and private institutional uses in the following circumstances:

- (a) Total land area under the ownership, management, or control of a single legal entity and its ancillaries is equal to or greater than five (5) acres, and individual parcels are contiguous, or proximate (when bisected by public streets or thoroughfares).
- (b) Multiple principal buildings are located on a single parcel, or on adjacent or proximate parcels, and support a common institutional purpose (e.g. education or recreation).
- (c) Total population of the legal entity's employees, students, members, and/or patrons is equal to or greater than 500. The Planning Commission may recommend that the City Council apply this district in other circumstances as deemed necessary and appropriate.

The primary intent of this section is to enable the City to plan for significant development anticipated within the IC District, and, in cooperation and coordination with the institutions within the IC District, ensure infrastructure, utilities, land use, transportation and public safety issues (and other issues that may arise) are adequately addressed. Given the holistic nature and significant scale of institutions within the IC District, development proposals and land uses must be considered in light of the cumulative effect on public facilities, infrastructure and services as

well as public health, safety and welfare. Therefore, institutions within the IC District are required to create and maintain a Future Development Plan consistent with the City of Oxford Comprehensive Plan (as required by the Georgia Planning Act¹ and subsequent Minimum Standards and Procedures² promulgated by the Georgia Department of Community Affairs).

The Future Development Plan is programmatic in nature, presenting anticipated needs for development and/or use of buildings and land within the district, as a holistic campus environment, over a ten (10) year planning horizon. The Future Development Plan provides input necessary for the City of Oxford to maintain its Comprehensive Plan in accordance with State Minimum Standards and Procedures.³

The Future Development Plan shall identify options for arrangements of buildings and spaces, and their respective uses, and may be updated and resubmitted at any time, to provide flexibility in its execution and to account for uncertainty within the planning horizon. The Future Development Plan shall be updated, if necessary, when applications for Development Permits for new projects are submitted, and a Development Permit shall not be issued if the Future Development Plan has not been reviewed and accepted by the City Council

40-410-2 Permitted and Conditional Uses

The principal use within the IC District shall be reserved for public or private nonprofit institutions, including, but not limited to: colleges, universities, primary and secondary schools, technical schools, medical facility complexes, multi-service centers, and similar campus-oriented institutions, as well as uses supporting and ancillary to those institutions.

Permitted and conditional uses shall be as provided in Table 4.4, "Permitted and Conditional Uses for Nonresidential Zoning Districts." Additionally, each IC district shall have a transitional area within which uses are limited to minimize adverse impact on neighboring residential areas.

40-410-3 Dimensional Requirements

Dimensional requirements shall be as delineated on the Future Development Plan and/or supporting documentation as required by this section.

Within the district, a Transitional Area (TA) shall be established as the land area within two-hundred feet (200') of the district boundary wherever the district is adjacent or, when bisected by a public street or thoroughfare, proximate to a residential district. The front, side, and rear set-back requirement for construction within the TA shall be thirty feet (30'), at a minimum, and the building height within the TA shall not exceed thirty-five feet (35').

40-410-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.6, "Design Criteria for Nonresidential Zoning Districts."

¹ Code 1981, § 36-70, enacted by Ga. L. 1989, p. 1317, § 4.1; Ga. L. 1997, p. 1567, § 1.

² Code 1981, § 12-2-8, enacted by Ga. L. 1989, p. 1317, § 5.1; Ga. L. 1991, p. 1719, § 1; Ga. L. 1992, p. 6, § 12; Ga. L. 1993, p. 91, § 12

³ Ibid.

40-410-5 Future Development Plan Requirements

The following elements shall be provided in the Future Development Plan for all new and/or existing institutions seeking development under the Institutional Campus (IC) district:

1. 1..Mission and Objectives: The institution shall provide a statement of its organizational mission and objectives, including any services to be provided to residents of adjacent neighborhoods and/or to the City of Oxford. The statement shall include the institution's existing and projected population (over a 10-year planning horizon), including employees, students, and/or patrons.

2..Property and Uses: The institution shall provide an inventory of existing property and uses, including:

- a. Aerial map, based on the most up-to-date aerial photographs available from the Newton County Geographic Information System (GIS) Center or the Office of the Newton County Tax Assessor, showing the district boundary and all land, buildings and other structures within the IC district as of the date of submission of the Future Development Plan. The map also shall delineate the TA and include other land area and infrastructure within three-hundred feet (300') of the district.
- b. Narrative keyed to the aerial map with description of footprints and uses of existing land parcels, buildings, structures, roads, sidewalks, parking areas, recreational facilities, and other significant site developments.
- c. Floor area (in square feet), building height (in stories and feet), and current occupant capacities (i.e. number of persons allowed by fire code) of each building, as well as location, land area, and capacity of parking facilities.
- d. Daily average and peak vehicular trips (to and from each count as one trip), based on reasonable estimates from available data, including deliveries along streets serving the institution and ancillaries.
- e. Average annual utility demand (electricity, water, sewer, gas).

3. Anticipated Institution Needs: The institution shall provide a statement of anticipated needs with respect to future development and land use within the district, including projections over a ten (10) year time horizon for the following:

- a. Number of employees, students, members, and/or patrons;
- b. Facility needs in assignable square feet (by facility type);
- c. Acreage of athletic and/or recreational facilities;
- d. Numbers of parking spaces;
- e. Electricity, water, sewerage capacity, or other utility demand; and
- f. Vehicular and pedestrian circulation along city streets and public spaces.

4. Future Land Use: The institution shall include in the Future Development Plan anticipated future land uses, with an accompanying map drawn to scale, illustrating land use changes and circulation (vehicular and pedestrian) over the ten (10) year planning horizon. The future land use plan and accompanying map specifically shall illustrate:

- a. Existing and proposed land use, including academic, housing, recreation, ancillary (e.g. dining, maintenance, etc.) and mixed use, as well as the anticipated location (or alternate locations), size (in square feet) and capacity (in population served) of future facilities;
- b. Existing and proposed conservation areas and open spaces;
- c. Existing and proposed vehicular circulation patterns, including deliveries;
- d. Existing and proposed pedestrian circulation patterns;
- e. Existing and proposed parking facilities with their capacities.

5. Community Impact: The institution shall describe how future development within the district may impact—positively and/or negatively—or otherwise present implications to adjacent neighborhoods and the city as a whole.

6. Signage: The institution shall provide a wayfinding plan for campus entries, campus drive identification, building identification, and parking locations. This plan must abide by Article XV, Sign Regulations, and other relevant provisions of this ordinance, and it must provide sufficient direction for public emergency services such as fire protection, public safety and medical response.

7. Lighting: The institution shall provide a lighting plan for buildings, campus drives, parking areas, athletic and/or recreational facilities, and other areas requiring outdoor lighting. This plan must abide by Article XIII, Outdoor Lighting, in this chapter.

8. Traffic Management: The institution shall demonstrate how it will manage or otherwise regulate campus-related vehicular and pedestrian circulation, as well as parking facilities, to mitigate impact on adjacent and proximate residential neighborhoods.

9. Building Design Standards: The institution shall ensure building design standards used to guide future development adhere to Section 40-410-4 of this ordinance. The institution also shall demonstrate how proposed future development is compatible in location, style, and scale with adjacent or proximate properties and existing buildings, particularly those of importance to the city's history.

40-410-6 Institutional Campus Future Development Plan Procedures

This section sets out the required review and acceptance procedures for the Institutional Campus Future Development Plan.

1. Application: The institution shall prepare and submit the Future Development Plan to the Planning Commission for review. (If the institution's existing Master Plan meets all of the requirements in this Ordinance for a Future Development Plan, such Master Plan may be submitted as the Future Development Plan.)
2. Review: The Planning Commission shall review the Future Development Plan and make a recommendation to the City Council as to whether to accept the plan as submitted, to accept the plan with amendments and/or special stipulations, or to require further revision to the plan.
3. Planning Horizon and Update Requirements: The Future Development Plan shall cover a ten (10) year time horizon, and it shall be updated every 5 years and submitted for review by the Planning Commission and acceptance by the City Council.

4. Amendment Procedures: An institution with an accepted Future Development Plan may submit an amendment to the plan at any time. Proposed amendments shall be reviewed by the Planning Commission and forwarded to the City Council for acceptance in accordance with the review process outlined above.

40-410-7 Approval Criteria

In accordance with Article XI of this ordinance, a site and design plan shall be required before a development permit, building permit or other permit, as appropriate, is issued or any improvement, grading, alteration of land(s), or construction of building(s) commences. Acceptance of the Future Development Plan by the City Council shall not constitute approval of a development permit.

In accordance with Article XII of this ordinance a development permit shall be required for any proposed use of land(s) or building(s), and before any improvement, grading or alteration of land(s) or building(s) commences to indicate and insure compliance with all provisions of this chapter and other applicable regulations in the Oxford City Code.

The Planning Commission shall review, and the City Council shall accept, Future Development Plans based on one or more of the following policies and standards:

1. Whether the Future Development Plan is complete in terms of required content and is consistent with the adopted plans of the City of Oxford, such as the City of Oxford Comprehensive Plan.
2. Whether future development proposed (conceptually and concretely) in the Future Development Plan will adversely impact public services and infrastructure.
3. Whether the Future Development Plan complies with all applicable standards of the Oxford Zoning Code.
4. Whether the Future Development Plan will result in significant adverse impacts to other property in the vicinity of the applicant institution, or to the natural environment.
5. Whether the plan will have significant adverse impacts on the livability of adjacent and/or nearby residential zoning districts, especially with respect to:
 - a. noise, glare from lights, late-night operation, odors and litter;
 - b. privacy, traffic, parking and other safety issues; and
 - c. mass, height and overall scale of buildings.
6. Whether any differences in appearance or scale from the surrounding area are sufficiently and appropriately mitigated through setbacks, screening, landscaping or other design features.
7. Whether the Future Development Plan has adequate mitigation measures for any other identified potential adverse impact(s).

Section 40-411. RESERVED.

Section 40-412. OP, Office Professional District.

40-412-1 Purpose and Intent

OP zoning districts are intended to encourage and provide suitable areas for professional, medical, and general offices and certain related activities. OP districts apply primarily to individual, freestanding office buildings, frequently conversions of dwellings previously used for residential use. However, this district also permits new, individual office buildings and small office parks.

40-412-2 Permitted and Conditional Uses

Permitted and conditional uses shall be as provided in Table 4.4, "Permitted and Conditional Uses for Nonresidential Zoning Districts."

40-412-3 Dimensional Requirements

Dimensional requirements shall be as provided in Table 4.5, "Dimensional Requirements for Nonresidential Zoning Districts."

40-412-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.6, "Design Criteria for Nonresidential Zoning Districts."

Section 40-413. C, Commercial District.

40-413-1 Purpose and Intent

This district is intended to accommodate limited, small-scale, freestanding commercial uses outside the TC, Town Center zoning district. Such commercial uses permitted are of a convenience nature serving the scale of city neighborhoods as opposed to a regional market. Highway oriented uses and those with an open-storage characteristic are either restricted or limited to conditional uses, in order to protect the small town character of the City of Oxford.

40-413-2 Permitted and Conditional Uses

Permitted and conditional uses shall be as provided in Table 4.4, "Permitted and Conditional Uses for Nonresidential Zoning Districts."

40-413-3 Dimensional Requirements

Dimensional requirements shall be as provided in Table 4.5, "Dimensional Requirements for Nonresidential Zoning Districts."

40-413-4 Design Principles and Guidelines

Design criteria to be applied in this zoning district shall be as provided in Table 4.6, "Design Criteria for Nonresidential Zoning Districts."

Section 40-414. TC, Town Center District.

The City of Oxford has undertaken an effort to revitalize its historic core by creating a conceptual "Town Center Master Plan," shown below. The Town Center Master Plan shows the potential build-out of parcels within the study area. For the purposes of implementing the development of the Town Center, it will also serve as the Regulating Plan for the Town Center District Code. A Regulating Plan defines the desired physical form and sets development parameters such as land use, street type, building height, siting and setbacks, and parking placement. It will serve as a guide for Oxford officials, property owners, and development professionals as they conceive and implement improvements and development projects within the Town Center area.

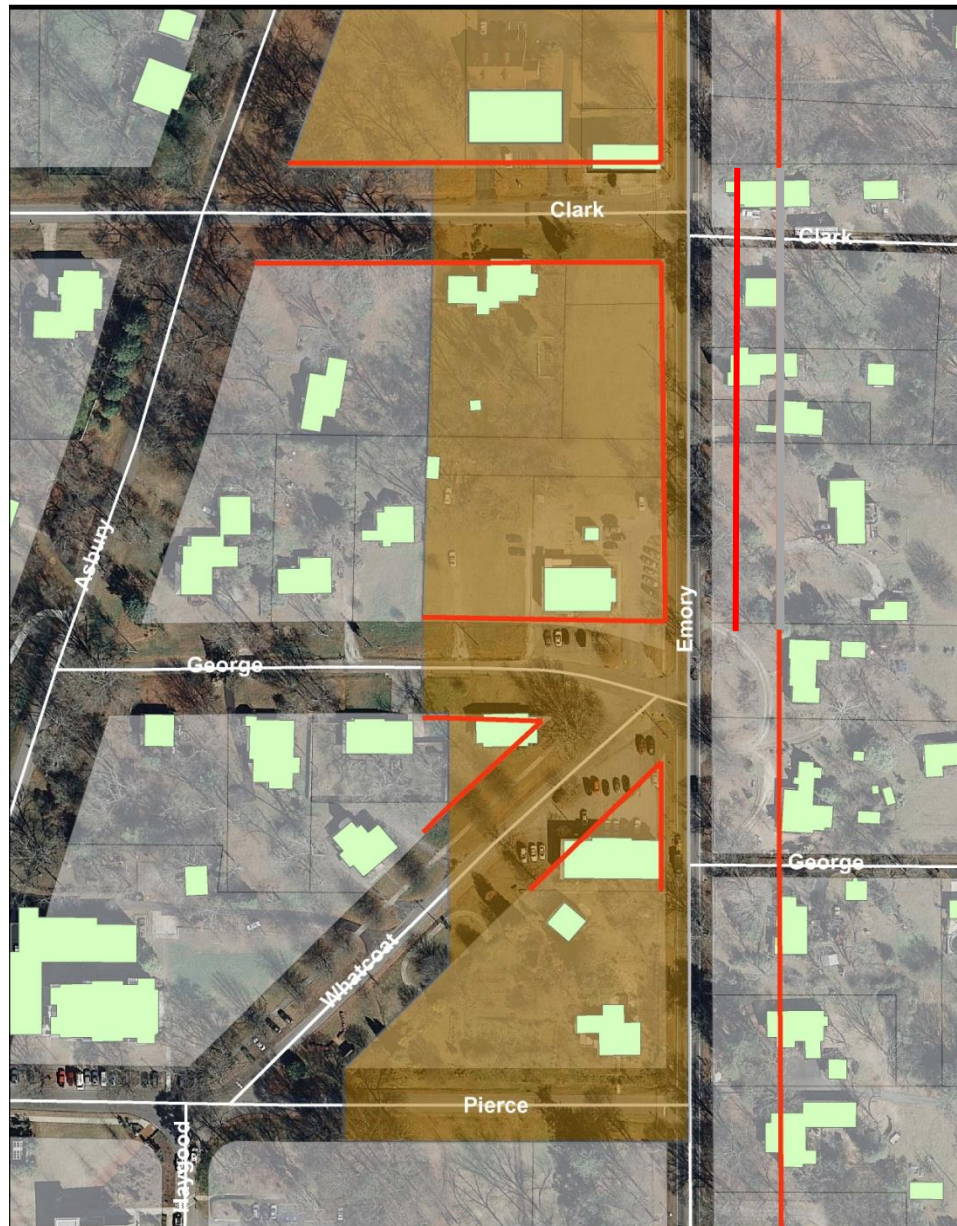
Conceptual Town Center Design



Regulating Framework

Town Center District Build-to-Lines

The Build-to-Line is better for 'place making' than the standard zoning practice of setting minimum setbacks. It provides uniformity along a street front and lends to pedestrian scale by requiring buildings to be placed at the Build-to-Line (shown in red). In the Town Center District (area shown in brown), the setback is from the Build-to-Line rather than the right-of-way.



Town Center District



Description:

The Town Center District code provides a template for establishing a mixed-use, main street character. It is intended to provide the west side of Emory Street (State Route 81) with a consistent ground-floor retail corridor that is both attractive and pedestrian friendly. The ground floor of buildings in this district should be commercial/retail use, with upper floors use for office, retail or residential uses.

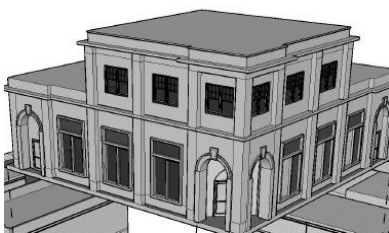
Permitted Building Types



Shopfront Building



Mixed Use Building



Civic Building



Live/Work Unit

Town Center District

Setbacks from Build-to-Line or Property Line:

Building Type	Front		Sideyard*		Rear		Lot Width	
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max
Live-Work Unit	0 ft.	5 ft.	0 ft.	10 ft.	0 ft.	-	20 ft.	40 ft.
Shopfront Building*	0 ft.	5 ft.	0 ft.	10 ft.	0 ft.	-	20 ft.	40 ft.
Mixed Use Building*	0 ft.	5 ft.	0 ft.	10 ft.	0 ft.	-	20 ft.	-
Civic Building	5 ft.	20 ft.	15 ft.	25 ft.	20 ft.	-	30 ft.	-

*Shopfront and Mixed-Use buildings may extend their front setback requirements up to 10 feet in order to comply with the Outdoor Dining requirements. If this is exercised, the extended area may only be used for the purposes of outdoor dining.

Outdoor Dining – Outdoor eating areas are permitted in the town center district where a sidewalk area (private + public) of at least 12 feet in continuous width is provided. A clear area of at least 5 feet wide must be provided in the public sidewalk for passage by pedestrians, patrons and servers.

Building Form Standards - Building Type

Type 1: Shopfront Building

Description:

The shop-front building is a one-story commercial or retail building that fronts the public sidewalk.

1. Height Regulations

Minimum Floor Height: 12 ft. (one story)

Maximum Floor Height: 15 ft. (one-story)

Maximum Building Height in TC District:

20 ft. total with roof/parapet wall.

2. Building & Lot Standards:

Lot Width:

Minimum: 20 ft.; Maximum: 40 ft.

Setbacks: See Page 4.

3. Off-Street Parking Requirements

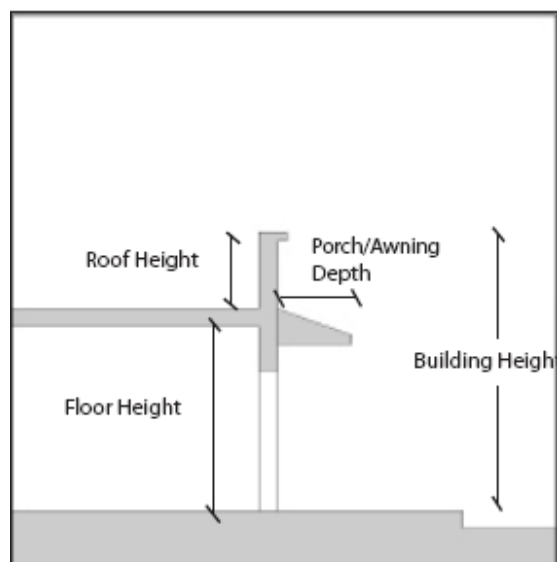
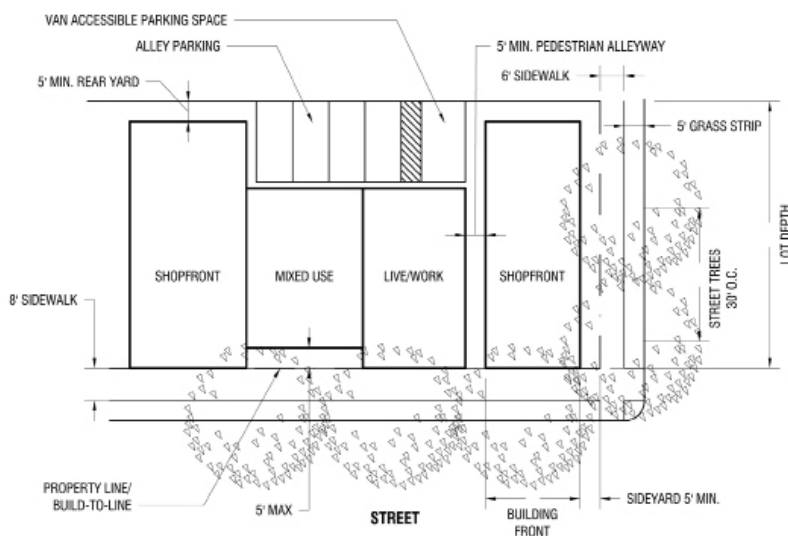
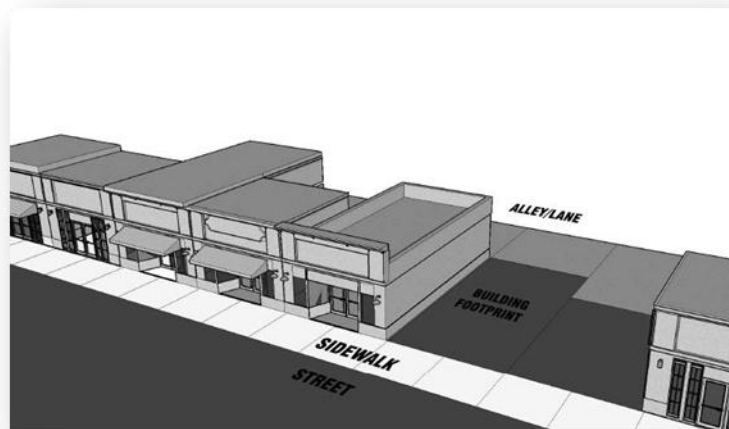
One space per 500 square feet of retail.

4. Additional Requirements:

Roof Height: Max. 5 ft. parapet wall.

Patios permitted for outdoor dining.

Awning Depth: 4 ft. maximum.



Type 2: Mixed-Use Building

Description:

A Mixed-Use building has two or more floors, and allows the flexibility of having a vertical mixture of uses. The ground floor may be used for retail or office uses, while upper floors may be used for office, residential or lodging.

Mixed Use Standards

1. Height Regulations

Minimum Floor Height:

12' First Floor; 10' Second Floor, 10' Third Floor 22' (two-story); 32' (three-story)

Maximum Floor Height:

15' First Floor; 10' Second Floor;
10' Third Floor
25' (two-story); 35 ft. (three-story)

Maximum Building Height in TC District:

40 ft. total with parapet wall.

2. Building & Lot Standards:

Lot Width: Minimum 20 ft.

Setbacks: See Page 4.

3. Off-Street Parking Requirements

1 Space per dwelling unit.

1 Space per 500 square feet of retail/office.

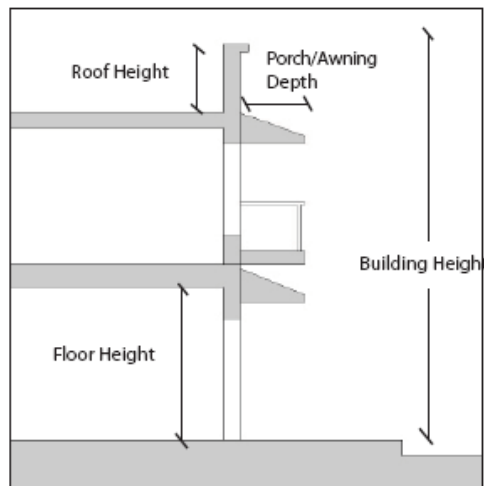
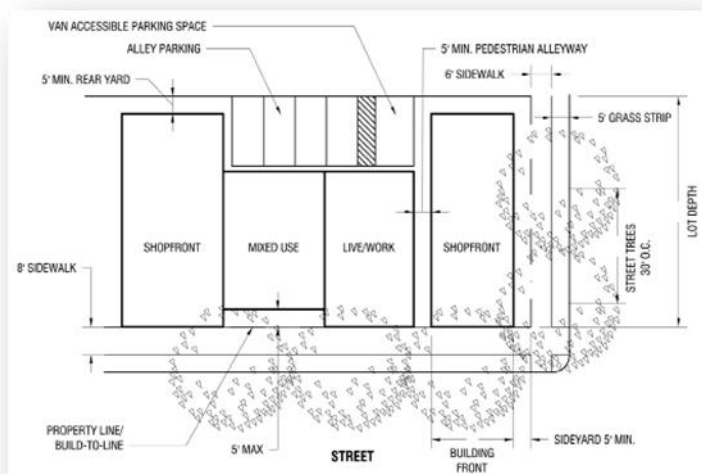
4. Additional Requirements:

Parapet wall: 5 ft. maximum

Balcony Depth: 6 ft. maximum.

Patios permitted for outdoor dining.

Awning Depth: 6 ft. maximum.



Type 3: Live/Work Building

Description:

A Live/Work building is a residential dwelling with a home office or retail component. The office or commercial component of the building is limited to the ground floor.

Live/Work Standards

1. Height Regulations

Minimum Floor Height:

12' First Floor; 10' Second Floor
22' (two-story)

Maximum Floor Height:

15' First Floor; 10' Second Floor
25' (two-story)

Maximum Building Height in TC District:

30 ft. total with parapet wall.

2. Building & Lot Standards:

Lot Width:

Minimum: 20 ft.; Maximum: 40 ft.

Setbacks: See Page 4.

3. Off-Street Parking Requirements

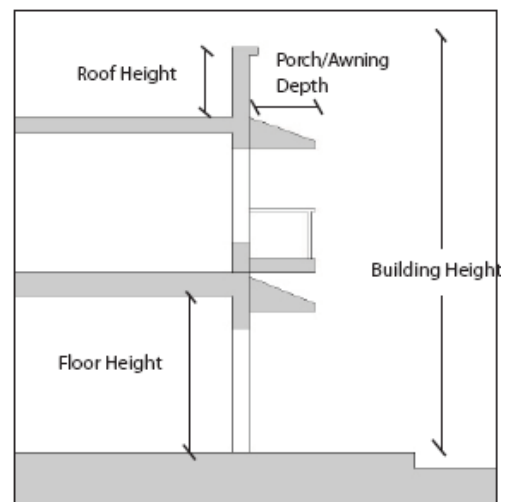
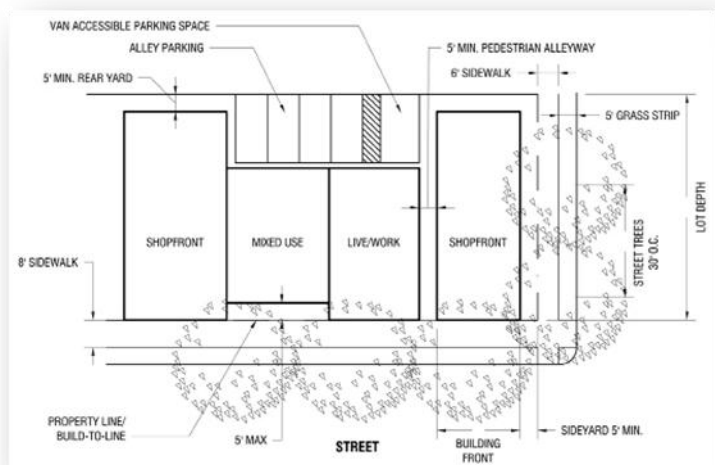
One space per Dwelling Unit. One space per 500 square feet of retail/office.

4. Additional Requirements:

Maximum 5 ft. parapet wall.

Porch Depth: 6 ft. maximum; no porch on ground level.

Awning Depth: Same as porch depth.



Type 4: Civic Building

Description:

A building designed specifically for a civic purpose, such as government offices, schools, libraries, courthouses, or other similar purposes.

Civic Building Standards

1. Height Regulations

Minimum Floor Height:

12' First Floor; 10' Second Floor, 10' Third Floor

22' (two-story); 32' (three-story)

Maximum Floor Height:

15' First Floor; 10' Second Floor; 10' Third Floor

25' (two-story); 35 ft. (three-story)

Maximum Building Height in TC District:

40 ft. total with roof/parapet wall.

2. Building & Lot Standards:

Lot Width:

Minimum 30 ft.; No Maximum

Setbacks: See Page 4.

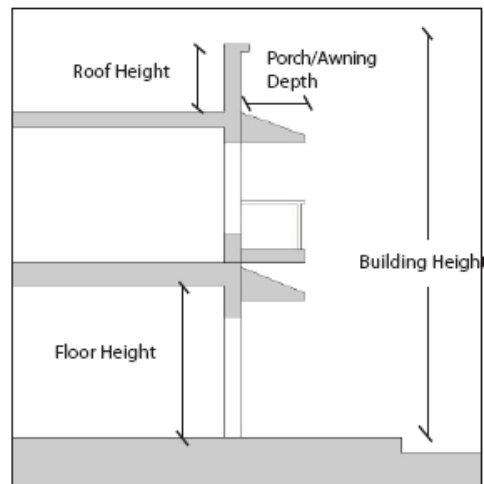
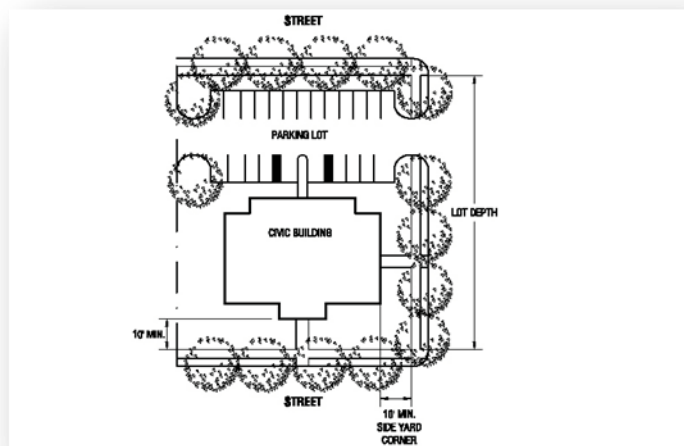
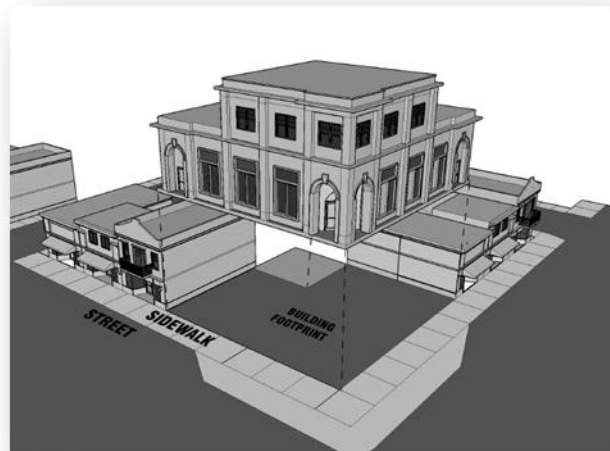
3. Off-Street Parking Requirements

One space per 300 square feet of gross floor area.

4. Additional Requirements:

Maximum 5 ft. parapet wall.

Porch Depth: 10 ft. maximum.



Building Design Standards

1. Building Height

Building heights in this district are established by the number of floors and roof height. The maximum height of buildings in the Town Center District is 3 floors.

2. Parapet Walls

Parapet walls shall be required for all flat-roofed buildings in Town Center District. Parapets shall be of a minimum height adequate to screen all roof top mechanical equipment from the public right(s)-of-way, and a maximum of 5 feet in height.

3. Floor Heights

The minimum height of a ground floor shall be 12 feet. Upper floors shall have a minimum floor height of 10 feet. The finished floor elevation of the ground floor relative to the sidewalk shall be either the same or no greater than 1.5 feet higher, except to accommodate requirements of the Americans with Disabilities Act (ADA).

4. Fenestration

Fenestration (doors and windows) on the ground floor of a façade shall make up a minimum of 60% of the façade area, and a maximum of 85%. Fenestration on upper floors shall comprise between 40% and 70% of the façade area (between 3' and 9' above each finished floor).

5. Projections

Awnings, balconies or upper floor roof overhangs may project a maximum of 6 feet out from the main façade into the public right of way, with a minimum clearance height of 8 feet. Ornamented parapet walls may project outward from the façade up to 2 feet.

6. Materials

80% of exterior façade materials (not including doors and windows) shall be comprised of brick, stone, cast stone, rock marble, granite, non-synthetic stucco, or tile. Exterior Insulation and Finishing System (EIFS) or synthetic stucco shall only be permitted as an accent material at a maximum of 20% of the exterior façade.

7. Floor Division

An expression line clearly delineating divisions between floors of a building shall be incorporated into the front façade. For flat roofs, a cornice line shall be incorporated to delineate the top of the façade and along the side facades, where sides are visible.

8. Transparency

Each floor of a building façade facing a street, park or plaza shall contain transparent windows.

9. Utility Equipment

Electrical boxes, communication equipment and all other mechanical or utility equipment shall be located on the side or rear of the building and not visible on the front façade. All refuse storage areas shall be located to the rear or side yard of the property and screened from view by a brick or masonry wall tall enough to hide the container.

Public Space Standards



Streets in Oxford are to be inviting public space and integral components of community design. All streets should connect to help create a comprehensive network of public areas to allow free movement of automobiles, bicyclists and pedestrians. In order for this street network to be safe for motorists and pedestrians, all design elements must consistently be applied to calm automobile traffic.

Streets should be designed to suit their functions. Many streets, especially local ones, have purposes other than vehicular traffic. The following street designs are provided for non-state maintained streets within the municipal limits of Oxford.



Designs should permit comfortable use of the street by motorists, pedestrians, and bicyclists. Pavement widths, design speeds, and the number of motor travel lanes should be minimized to enhance safety for motorists and non-motorists alike. The specific design of any given street must consider the building types which have frontage and the relationship of the street to the overall town street network.

The illustrations on the following page present typical examples of ways in which street cross-sections can be assembled. Lane measurements represent the width of travel lanes; add two feet for standard curb and gutter is required.

Complete Streets

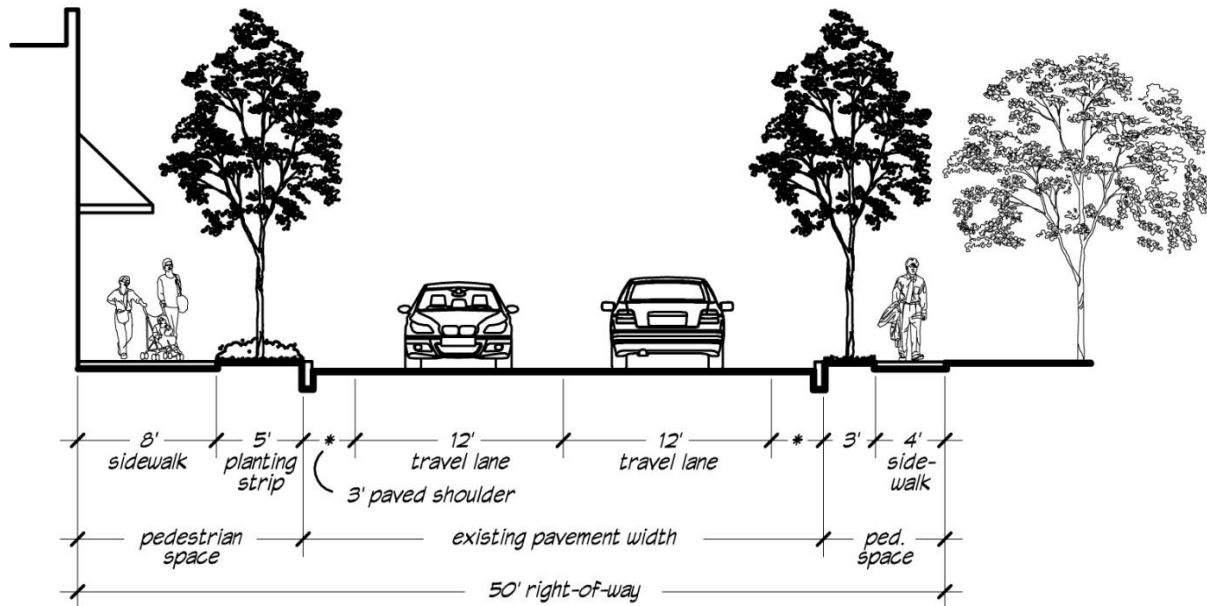
All new or renovated transportation infrastructure in Oxford's Town Center should adhere to the concept of 'Complete Streets.' Complete Streets achieve safety, comfort and convenience for all modes of travel, including pedestrians, and bicyclists in addition to automobile traffic. The following is a checklist of elements that should be incorporated into all new developments or transportation projects in the Town Center District:

- Offer a full range of travel choices.
- Provide sidewalks either separated by a park strip or with ample width to provide pedestrian safety on all new roads.
- Include bicycle facilities on new major roadways and retrofit existing major roadways with reconstruction projects.
- Connect to a network that offers choice.
- Provide safe pedestrian crossings at intersections.

- Provide full accessibility to all, including kids, seniors, and people with disabilities
- Contribute to the pleasant and convenient pedestrian atmosphere of the downtown area.

Public Space Standards - Street Design

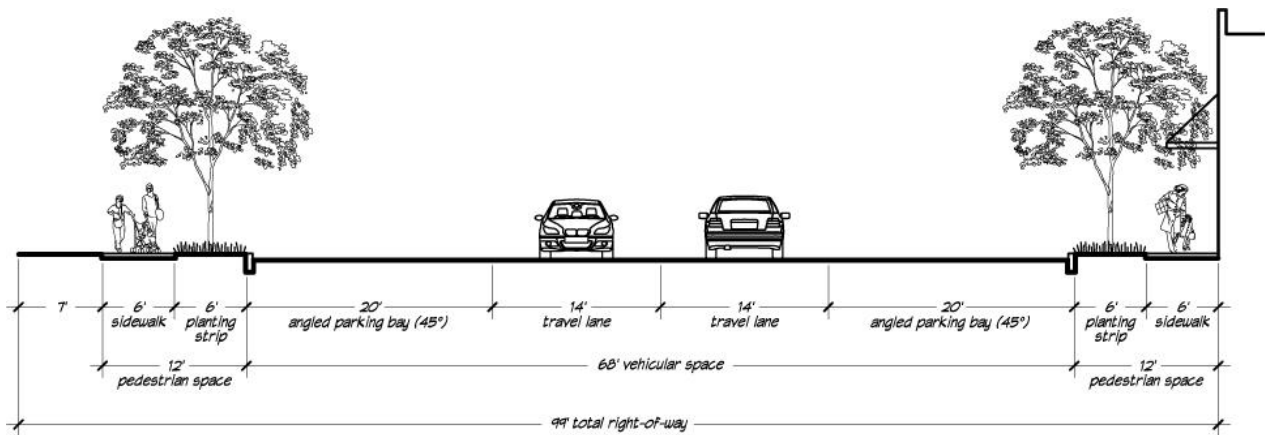
A. Emory Street (Looking North)



Design Speed: 35 mph
Pavement Width: 30 feet, including curb
ROW Total Width: 50 feet

Sidewalk Width: 8 feet (East side of Emory)
Planting Strip Width: 5 feet (East side of Emory)
Curb Radius: 15 feet
Drainage Type: Curb

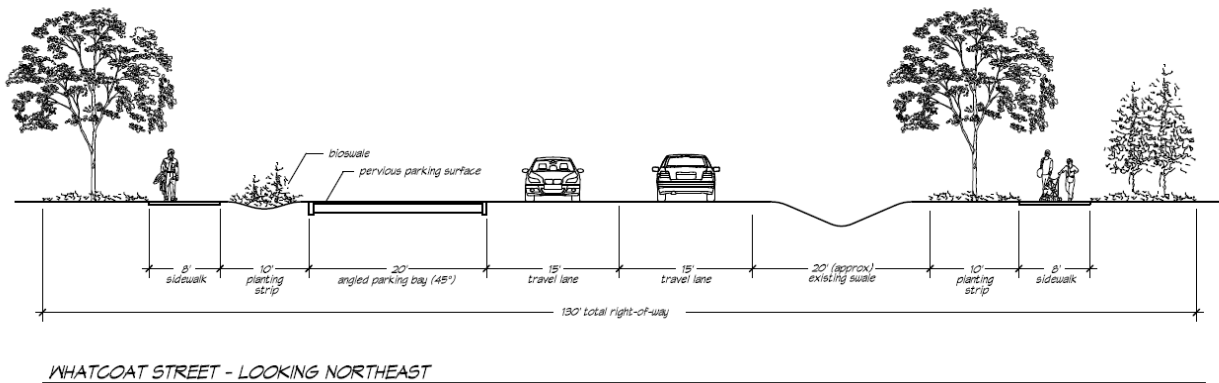
B. George/Clark Street (Looking Northeast)



Design Speed: 20-25 mph
Pavement Width: 68 feet, including curb
ROW Total Width: 99 feet

Sidewalk Width: 6 feet
Planting Strip Width: 6 feet
Curb Radius: 15 feet
Drainage Type: Curb

C. Whatcoat Street (Looking Northeast)



Design Speed: 20-25 mpg
Pavement Width: 30 feet
ROW Total Width: 130 feet

Sidewalk Width: 8 feet
Planting Strip Width: 10 feet
Drainage Type: Swale

Street Standards

A. Intersections

Segments of straight streets should be interrupted by intersections designed to: a) disperse traffic flow and reduce speeds, thereby eliminating the creation of de facto collector streets with high speed, high volume traffic; and b) terminate vistas with a significant natural feature, a building, a small park, or other public space.

Other traffic calming measures such as neckdowns, chicanes, mid-block diverters, intersection diverters, curb bulbs, and related devices will be considered on a case by case basis, based on safety and appropriateness in the proposed location.

B. Access Management

Access management should be a critical component of thoroughfare design, land subdivision and property development, especially along major thoroughfares. Access management techniques should be used in the Town Center District wherever possible to keep the area's thoroughfares functioning safely and efficiently. Good access management on major roads should employ one or more of the following:

- Shared driveways or alleyways with inter-parcel access between adjacent commercial properties
- Minimizing of curb cuts to reduce ingress/egress along major roads
- Adequate 'throat' length to accommodate stacking of vehicles merging into a thoroughfare from a driveway
- Landscaped medians to control left turns or u-turns between intersections
- Road connectivity and circulation increasing the number of alternative routes

- Alternatively, the following characteristics are contrary to good access management, and should be avoided if at all possible:
 - Continuous two-way left turn lanes
 - Multiple curb-cuts for one development or adjacent group or row of businesses
 - Individual parking lots for each business or parcel

C. Off-Street Parking Standards

Off-street parking areas should be designed to minimize breaks in the pedestrian environment along the public street and create safe and comfortable passage for pedestrians. The following standards shall apply in the City of Oxford.

1. Parking lots shall be placed behind buildings; side of the building parking will be permitted only as indicated by Building Type and shall be measured along the build-to line. Off-street parking is not permitted in front of the primary building facade, except where specified in an adopted street section.
2. Uninterrupted areas of parking lot shall be limited in size. Large parking lots shall be broken by buildings and/or landscape features.
3. Parking lots are to be treated as enclosed rooms for cars, with enclosure provided by tree planting and/or building walls(s). For small lots (thirty spaces or less), landscaping shall be required at the perimeter; for large lots (more than thirty spaces), landscaping shall include one (1) canopy tree and ten (10) shrubs planted for every ten (10) parking spaces.

4. Parking lots shall be designed to allow pedestrians to safely move from their vehicles to the building. On small lots, this may be achieved by providing a sidewalk at the perimeter of the lot. On larger lots, corridors within the parking area should channel pedestrians from the car to the perimeter of the lot or to the building. These corridors may be delineated by a paving material which differs from that of vehicular areas and planted to provide shade. Small posts or bollards may be included.
5. To maintain pedestrian comfort and calm the speed of entering traffic, driveways to parking areas should be no wider than twenty-four (24) feet. Driveways connecting to state roads shall meet the requirements of the Georgia Department of Transportation.
6. To the extent practicable, adjoining parking lots serving non-residential buildings shall be inter-connected.
7. All commercial driveway and parking areas shall be paved with asphalt, concrete, or brick pavers except for areas used for overflow, special events, and peak parking.

Amount Required

While it is expected that on-street parking will contribute substantially to every day parking needs, sufficient off-street parking must also be provided to serve the particular needs of the building(s). The following minimum requirements apply:

- a. Residential:
 - One bedroom dwelling unit: 1 space
 - Dwelling units with more than one bedroom: 1.5 spaces
- b. Commercial: 1 space per 500 sq. ft.
- c. Office: 1 space per 500 sq. ft.
- d. Civic: 1 space per 300 sq. ft.
- e. Hotels and Inns: 1 space per room plus 1 space per 500 sq. ft. of ancillary use

Exceptions:

1. Within the Town Center District boundaries, existing buildings which were legally constructed without the provision of on-site parking, and infill housing on existing lots of record may meet requirements with on-street parking and will be construed conforming as to parking.
2. Where vehicular access is provided between adjoining non-residential sites and the peak operating hours of adjoining uses do not overlap, the uses may share up to 50 percent of required parking spaces. Shared use of parking shall be guaranteed by a contract or other legally binding agreement.

D. Sidewalk Standards

1. Sidewalks are required on both sides of public streets, except low traffic local roads and alleys.
2. Along the west side of Emory Street, sidewalks should be a minimum of 8' in width in the Town Center District.
3. Sidewalks shall be a minimum be 6' in width in the Town Center District.

E. Street Lighting Standards

1. The purpose of street lighting is to ensure public safety and welfare and to protect the night sky.

2. Street lights shall in all cases use fully shielded fixtures except that decorative street light fixtures shall be designed with caps so that light does not shine upward at more than a 135-degree angle measured above straight down (three-quarters of the way between straight down and straight to the top) from the pole or mounting wall. The Planning Commission may approve the use of decorative light fixtures as an alternative to fully-shielded fixtures, where such fixtures would enhance the aesthetics without causing light pollution.

F. Street Tree Standards

1. The purpose of this section is to regulate the protection, installation, and long-term management of trees and shrubs within the City of Oxford. The regulation of street trees along public and private streets within Oxford ensures a pedestrian-friendly environment along with providing distinct aesthetic, economic, and environmental significance.
2. Street trees are required to be within a minimum four (4) feet planting strip located between the existing street and proposed sidewalk.
3. Street tree planting shall be provided as follows:
Large maturing canopy trees shall be planted at a spacing not to exceed 40 feet on center except that spacing may be altered slightly to accommodate driveways.

Small maturing “canopy –like” trees shall be planted 30 feet on center where existing overhead utility lines prohibit the use of large maturing canopy trees.

G. Public Open Space

A plaza is an open area adjacent to a civic or commercial building. Plazas function as public gathering spaces and may incorporate a variety of non-permanent activities, such as vendors and display stands. Plazas are always paved in brick or another type of paver, or crushed stone. Plazas shall be level, stepped, or gently sloping (less than 5% grade).

Plazas may not have trees or planted materials. However,, trees may form the geometric frame of the plaza space or for the structure the plaza services. Spacing shall be a minimum of 10 ft. on center and 30 ft. on center maximum.

Section 40-415. NCA, Newton County Annexed District.

40-415-1 Purpose and Intent

This zoning district is not intended to apply if one or more of the Oxford Zoning Districts specified in this article will accommodate the existing or proposed development on the property to be annexed. It is recognized, however, that unincorporated land annexed by Oxford in the future may consist of uses which are not permitted in any of the Oxford zoning districts established in this article. Therefore, this zoning district is created as a flexible zoning district intended to facilitate application of a variety of zoning regulations to annexed lands which are not otherwise accommodated by Oxford's base zoning districts. This zoning district is not initially mapped in the City of Oxford but may be applied at the time a given property is proposed for annexation into the city if the other Oxford zoning districts established in this article do not accommodate or facilitate the development on land to be annexed.

Adoption by reference of the Newton County Zoning Ordinance and its base zoning districts provides the flexibility needed to annex property into the City of Oxford with zoning regulations that are the same as those applicable in unincorporated Newton County at the time of annexation, but which are otherwise not established and applied within the city limits as they exist on the effective date of this chapter.

40-415-2 Adoption of Newton County Zoning Ordinance

For purposes of assigning zoning in the City of Oxford to land annexed after the effective date of this chapter, the City of Oxford adopts the Newton County Zoning Ordinance. A copy of the Newton County Zoning Ordinance as adopted and as amended on the effective date of this chapter shall be adopted by reference as if fully set forth herein, and the City Administrator shall maintain a copy of said ordinance in the permanent records of the city.

Procedurally, the public hearing and other provisions of this chapter shall govern the public hearing requirements for rezoning, as opposed to those procedures of the Newton County zoning ordinance. The City of Oxford's adoption of the Newton County Zoning Ordinance is intended only to facilitate use limitations by base zoning district, specific use standards, and property development standards for specific properties at the time of annexation. However, any other provisions of the Newton County Zoning Ordinance, such as definitions and general provisions, that are necessarily and reasonably related to the application of these selected provisions of Newton County's zoning ordinance shall be applicable and interpreted to apply to property annexed by the City of Oxford, except as otherwise specifically modified per this Section.

40-415-3 Zoning Application Requirements

An applicant for annexation shall first determine whether an Oxford zoning district specified in this chapter, other than the NCA zoning district established in this section, will accommodate the existing or proposed development on the land to be annexed. If it is determined that another zoning district will accommodate the existing or proposed development, the annexation applicant shall file a rezoning request for one of the Oxford base zoning districts, rather than this NCA zoning district.

If it is determined the applicant's existing or proposed development cannot be accommodated by Oxford's base zoning districts established in this chapter, then the applicant shall propose a zoning district or zoning districts from the base zoning districts specified in Article 2 of Newton County's zoning ordinance that will accommodate the existing or proposed development on the property to be annexed.

40-415-4 Permitted and Conditional Uses

Permitted and conditional uses shall be as specified in Article 5 of the Newton County Zoning Ordinance for the Newton County base zoning district proposed by the applicant, except as may be modified in this subsection. Unless otherwise specifically indicated in the rezoning application and approved by the Oxford City Council, the permitted and conditional uses in the Newton County base zoning district applied for and approved as applicable to the annexed land shall govern the property once annexed into the city limits of Oxford. An applicant for annexation and rezoning may propose and the Oxford City Council may approve modifications to the permitted and conditional uses specified for one or more base zoning districts in the

Newton County Zoning Ordinance, as a part of the application for rezoning at the time of annexation.

40-415-5 Specific Use Standards

When the application for annexation and rezoning involves a use for which specific use standards are applicable per Article 5 of the Newton County Zoning Ordinance, those use standards shall be applicable to the uses upon their establishment or continuance in the City of Oxford, except as may be modified in this subsection. Unless otherwise specifically indicated in the rezoning application and approved by the Oxford City Council, the specific use standards of Article 5 of the Newton County zoning ordinance shall govern the use of property once annexed into the city limits of Oxford. An applicant for annexation and rezoning may propose and the Oxford City Council may approve modifications to the applicable specific use standards articulated in Article 5 of the Newton County Zoning Ordinance, as a part of the application for rezoning at the time of annexation.

40-415-5 Dimensional Requirements

Dimensional requirements shall be as specified in the “property development standards” section of the base Newton County zoning district applied for, as articulated in the Newton County zoning ordinance, except as may be modified in this subsection. Unless otherwise specifically indicated in the rezoning application and approved by the Oxford City Council, the property development standards in the Newton County base zoning district applied for and approved as applicable to the annexed land shall govern the property once annexed into the city limits of Oxford. An applicant for annexation and rezoning may propose and the Oxford City Council may approve modifications to the applicable property development standards articulated in one or more applicable base zoning districts in the Newton County Zoning Ordinance, as a part of the application for rezoning at the time of annexation.

40-415-6 Design Principles and Guidelines

There are no design criteria specifically applied in this zoning district in advance, since a wide variety of development may be approved for annexation per this Section. However, the City of Oxford may apply any design principles and guidelines articulated in this chapter as conditions of rezoning approval, at the time of annexation and rezoning in Oxford.

Table 4.4

Permitted and Conditional Uses for Nonresidential Zoning Districts

P = Permitted; PA = Permitted as Accessory Use; C = Conditional Use; X = Prohibited

Use Description (additional reference)	INST	IC	IC-TA*	OP	C	TC
ACCESSORY BUILDINGS, STRUCTURES AND USES						
Accessory uses and structures, determined by the Zoning Administrator to be normally incidental to one or more permitted principal uses	P	P	P	P	P	P
Signs, as permitted by Article XV, Sign Regulations	P	P	P	P	P	P
RESIDENTIAL USES						
Dwelling, single-family detached, fee-simple, existing on the effective date of these regulations, including accessory uses and structures	P	P	P	P	P	P
Caretaker's residence	P	P	P	X	X	X
INSTITUTIONAL USES						
Adaptive reuse of a detached single-family dwelling for an office supporting an institutional use	P	P	P	P	P	P
Cemetery	P	P	P	X	X	X
Church, temple, synagogue, place of worship	P	P	P	P	P	X
Clinic, ancillary to institutional mission (i.e. exclusively for employees, students, and/or patrons)	P	P	C	X	P	X
Club or lodge, non-profit (VA, Elks, etc.)	P	P	P	P	P	X
Club, private	X	P	P	C	P	X
Cogeneration facility	X	C	X	X	X	X
College or university	P	P	P	X	X	X
Continuing care retirement community	X	X	X	X	P	X
Continuing education	P	P	P	X	P	P
Crisis center	C	P	C	C	P	X
Day care center, non-profit or ancillary to institutional mission (i.e. exclusively for employees, students, and/or patrons)	PA	PA	C	X	P	X
Dormitory (or residence hall)	X	P	C	X	X	X
Family day care home	X	X	X	P	P	X
Group home or rooming house, 10 or fewer persons plus caretakers	C	P	C	P	P	X
Group home or rooming house, more than 10 persons	C	P	X	C	C	X
Helicopter landing pad	X	C	X	X	X	X
Hospital or medical facility complex	C	C	X	X	P	X
Institutionalized residential living and care facilities, serving fewer than eighteen (18) persons	P	P	P	P	X	X
Institutionalized residential living and care facilities, serving eighteen (18) persons or more	C	P	X	X	X	X
School, private, for the arts	C	P	C	P	P	X
School, private, elementary, middle, high	C	P	C	P	P	X
School, private, special	C	P	C	P	P	X
School, private, trade	C	P	C	C	C	X
COMMERCIAL USES						
Adaptive reuse of a detached single-family dwelling for an office supporting a commercial enterprise	X	X	X	P	P	P
Adult business	X	X	X	X	C	X
Automated teller machine	X	P	C	X	P	P
Automobile sales or service establishment	X	X	X	X	C	X
Bed and breakfast inn (40-704)	X	X	C	P	P	P
Broadcasting studio	P	P	C	P	P	X
Business service establishment, not exceeding 2,500 square feet of gross floor area	X	P	P	P	P	P
Business service establishment, more than 2,500 square feet of gross floor area	X	P	C	C	P	P
Camp or campground	X	C	C	X	C	X

Use Description (additional reference)	INST	IC	IC-TA*	OP	C	TC
Clinic, commercial (i.e. for profit)	X	X	X	P	P	X
Contractor's establishment	X	X	X	X	C	X
Convenience store with or without gasoline pumps	X	X	X	X	C	X
Country club	X	X	X	X	C	X
Crisis center	X	C	C	X	C	X
Day care center (for-profit) serving fewer than 18 persons	X	X	X	C	C	X
Day care center (for-profit) serving 18 or more persons	X	X	X	X	C	X
Exterminator, pest control or disinfecting service	X	X	X	C	P	X
Farmers Market	X	X	X	X	P	C
Finance, insurance, and real estate establishments, including bank, 2,500 square feet or less of gross floor area per establishment	X	X	X	X	P	P
Finance, insurance, and real estate establishments, including bank, more than 2,500 square feet of gross floor area per establishment	X	X	X	X	P	P
Funeral home, mortuary, or mausoleum	X	X	X	C	P	X
Greenhouse or plant nursery, commercial	X	X	X	X	P	X
Health spa	X	X	X	X	P	X
Kennel	X	X	X	X	P	X
Landscaping company	X	X	X	X	P	X
Live-work unit	X	X	X	C	C	P
Lodging service (hotel, motel)	X	X	X	X	P	C
Manufacturing, less than 5,000 square feet incidental to a permitted use	X	X	X	X	C	C
Manufacturing, 5,000 square feet to less than 10,000 square feet incidental to a permitted use	X	X	X	X	X	X
Manufacturing, less than 10,000 square feet, principal use	X	X	X	X	X	X
Museum	P	P	C	P	P	P
Office	P	P	C	P	P	P
Office/warehouse	X	X	X	X	C	X
Open air business	X	X	X	X	C	X
Parking lot, off-site	P	P	C	P	P	P
Parking structure	X	P	C	C	C	X
Personal service establishment, 2,500 square feet or less of gross floor area per establishment	P	X	X	P	P	P
Personal service establishment, more than 2,500 square feet of gross floor area per establishment	X	X	X	C	P	P
Research laboratory	P	P	X	C	P	X
Restaurant without drive-through	X	P	X	X	P	P
Restaurant with drive-through	X	X	X	X	C	C
Retail trade establishment, enclosed	X	C	X	X	P	P
Retreat center	P	P	C	C	P	X
Riding stable or commercial boarding of horses	X	X	X	X	C	X
Salvage yard or junkyard	X	X	X	X	C	X
Service and fuel filling station	C	C	X	X	C	X
Special event facility	P	C	C	C	P	X
Taxi-cab or limousine service	X	X	X	X	C	C
Tire retreading and recapping facilities	X	X	X	X	C	X
Vehicle emission testing facility	X	X	X	X	C	X
Veterinary clinic or animal hospital	X	X	X	X	P	X
Warehouse or storage building	C	P	C	X	C	X
Wholesale trade establishment, less than 10,000 square feet incidental to a permitted use	X	X	X	X	C	X
Wireless telecommunication equipment and wireless telecommunication facilities	X	P	C	X	C	X
RECREATIONAL USES						
Community garden	P	P	P	P	P	P
Conservation and/or common area	P	P	P	P	P	P

Use Description (additional reference)	INST	IC	IC-TA*	OP	C	TC
Indoor Recreation Facilities, Commercial	X	X	X	X	P	P
Indoor Recreation Facilities, Institutional	P	P	P	X	X	X
Outdoor Recreation	PA	PA	PA	X	P	C
Outdoor Recreation Facilities, Commercial	X	X	X	X	C	X
Outdoor Recreation Facilities, Institutional	C	C	C	X	X	X
OTHER USES						
Mixed-use buildings and mixed-use developments	X	P	X	X	C	P
Public uses	P	P	P	P	P	P
Temporary uses and structures approved by the Planning Commission	P	P	P	P	P	P

* IC-TA is not a separate zoning district. This represents the 200' Transitional Area (TA) between the Institutional Campus (IC) district and all residential districts. Permitted and conditional uses in the IC-TA may vary from those within the IC.

Table 4.5
Dimensional Requirements for Nonresidential Zoning Districts
(for districts not listed, see specific zoning district section)

DIMENSIONAL REQUIREMENT	INST	IC	IC-TA	OP	C
RESIDENTIAL DENSITY, AND LOT SIZE AND WIDTH REQUIREMENTS					
Minimum area to rezone to this district (square feet)	40,000	40,000	40,000	15,000	30,000
Minimum lot width, all uses (feet)	50	50	50	50	75
BUILDING AND SITE REQUIREMENTS					
Maximum building coverage (percent)	50%	50%	50%	30%	40%
Minimum landscaped open space (percent)	20%	20%	20%	20%	15%
Minimum landscape strip required along right-of-ways, except where build to line precludes installation (feet)	None	None	10	10	10
BUILDING HEIGHT REQUIREMENTS					
Maximum height (feet)	45	45	35	35	35
Maximum height (number of stories)	4	4	3	3	3
PRINCIPAL AND ACCESSORY BUILDING SETBACKS (MIN.)					
Front Build-to Line	See build-to line map, as applicable				
Front (feet) (absent applicable build-to line)	20	20	30	20	20
Side (feet), abutting any R-30, R-20, R-15, or R-7.5 zoning district, including a natural vegetated buffer and/or fence or wall approved by planning commission	30	30	30	30	40
Side (feet), unless more specifically provided in this table	15	15	15	15	20
Rear (feet), abutting any R-30, R-20, R-15, or R-7.5 zoning district, including a natural vegetated buffer and/or fence or wall approved by planning commission	30	30	30	30	40
Rear (feet), unless more specifically provided in this table	30	30	30	20	30

Table 4.6
Design Criteria for Nonresidential Zoning Districts
 A = applicable N/A = not applicable
 (for the TC District, see form based provisions)

Design Criterion	INST	IC	IC-TA	OP	C
Compatibility. New development and improvements to existing properties need to be compatible with the existing character, including the sensitive treatment of perimeter property lines to mitigate impacts on abutting properties.	A	A	A	A	A
Historic Character. In areas with identified historic buildings, structures, and sites, the proposed new development or land activity blends with or complements the historic character.	A	A	A	A	A
Alternative Transportation. New development should accommodate and facilitate alternatives to transportation by automobile, including bicycle and pedestrian facilities.	A	A	A	A	A
Pedestrian Access. All likely pedestrian routes should be identified in the design phase and provided for in the development. These include linkages to individual buildings, neighboring properties (when compatible), and existing or planned sidewalks along public roads, as appropriate.	A	A	A	A	A
Original Town Plan. Development or subdivision is consistent with the original plan for Oxford (1837 Thomas plan).	A	A	A	A	N/A
Open Spaces. Small public open spaces (e.g., plazas, pocket parks, and squares) are integrated into projects of sufficient size (i.e., 2 acres or more).	A	N/A	N/A	A	A
Access and Parking. The development provides for adequate access and off-street parking arrangements.	A	A	A	A	A
Fences and Walls. Fences and walls that are used shall be of the same or compatible material, in terms of texture and quality, as the material and color of the principal building.	A	A	A	A	A
Chain Link Fencing. Chain link fencing is prohibited in front yards and discouraged in other locations but if used, it should be vinyl coated (black color encouraged).	A	A	A	A	A
Operations. All manufacturing, processing, assembly, fabrication, servicing, and repair operations, when permitted, are carried out within an entirely enclosed building.	N/A	N/A	A	N/A	A
Appearance/Parking. The development layout avoids the appearance of strip commercial development, including the specific provision that no more than ½ of any required parking is located between the public street and the principal building line.	A	A	A	A	A
Parking Screen. Where parking areas are located between a public street and the principal building, vegetation, walls, fences, berms, or some combination is used to screen the view from the street to parking areas, except for approved drives and lot entrances.	A	A	A	A	A
Temporary Buildings. No establishment operates in any non-permanent structure such as a tent, mobile unit, trailer, recreational vehicle, or other temporary building or structure.	N/A	N/A	A	A	A
Storage. Equipment and materials must be stored within completely enclosed buildings.	A	N/A	A	A	A
Loading. All loading areas and facilities are located at the side or rear of a principal building.	A	A	A	A	A
Waste Containers. Trash enclosures should be constructed of sturdy, durable, opaque materials (with trash receptacles screened from view).	A	A	A	A	A
Multiple Buildings – Compatibility. Multi-unit developments or sites with more than one building shall utilize a consistent or at least stylistically compatible (but not necessarily identical) palette of scale, forms, colors, materials, and textures.	A	A	A	A	A
Accessory Buildings. Accessory structures should be architecturally compatible with the principal building or buildings.	A	A	A	A	A

Design Criterion	INST	IC	IC-TA	OP	C
Building Materials. On front façades and other building sides visible from a public right-of-way, exterior building materials should not include any of the following: smooth-faced concrete block, tilt-up concrete panels, prefabricated steel panels, highly reflective, shiny, or mirror-like materials; mill-finish (non-colored) aluminum metal windows or door frames, exposed, unfinished walls, exposed plywood or particle board, and unplastered, exposed concrete masonry blocks.	A	A	A	A	A
Building Façades. Lengthy, featureless façades and building walls should be avoided. Large, flat, blank expanses on a façade are not allowed.	A	A	A	A	A
Lighting: Pedestrian. Use of low, bollard-type fixtures, 3-4 feet in height, are encouraged in all areas of significant pedestrian activity during evening hours.	A	A	A	A	A
Lighting Fixtures. All luminaries used for outdoor lighting should be full cutoff luminaries which do not emit any direct light above a horizontal plane through the lowest direct-light-emitting part of the luminaire.	A	A	A	A	A

A = applicable N/A = not applicable

**ARTICLE V
RESIDENTIAL INFILL OVERLAY DISTRICT**

Section 40-501.	Purpose and Intent.
Section 40-502.	Applicability.
Section 40-503.	Combination of Review and Approval Processes.
Section 40-504.	Existing Dwellings and Infill Development Comparison.
Section 40-505.	Lot Size Averaging.
Section 40-506.	Lot Width Reductions.
Section 40-507.	Front and Rear Principal Building Setback Adjustments.
Section 40-508.	Provisions When Flood Plain Exists.
Section 40-509.	Street Connectivity East of Emory Street (SR 81).
Section 40-510.	Driveway and Access Limitations on Emory Street (SR 81).
Section 40-511.	Architectural Building Materials.
Section 40-512.	Stormwater Treatment and Ponds.
Section 40-513.	Additional Design Criteria for Approval.

Section 40-501. Purpose and Intent.

This article establishes an overlay district superimposed on certain residentially zoned parcels of land in the City of Oxford which are anticipated to be developed with residences. Small-scale projects on small sites require successful melding into the fabric, architecture, function, and circulation of an existing neighborhood. Infill residential development should not overpower nearby buildings or disrupt other uses. Infill residential dwellings should be similar in height and setbacks to neighboring dwellings. Bulk and scale should be similar to and consistent with the surrounding neighborhood. The overall design strategy for a residential infill dwelling or development should focus on compatible integration with the surrounding area.

The Residential Infill Overlay District is intended to ensure that new dwellings in Oxford's residential neighborhoods and the replacement of residential dwellings will not differ dramatically in size, footprint, mass, or height, or change the dominant character of the existing residential neighborhoods. This article contains regulations that are designed to ensure that residential infill development is compatible with existing development and that new residential construction or substantial rehabilitation of detached dwelling units fit within the existing community character in a compatible manner. This article provides detailed design guidance for residentially zoned but vacant properties within the overlay district to encourage quality site design and construction in accordance with Oxford's comprehensive plan.

This article is also applied in recognition of the fact that many lots within the residential infill overlay district, while large enough for additional dwellings and lots, pose significant design challenges given the irregular shape of the tract, the lack of sufficient lot frontage on a public street, substantial area within a 100 year floodplain, and/or other peculiarities and conditions which present practical difficulty in meeting conventional zoning requirements such as minimum lot sizes and minimum lot widths. Furthermore, this article recognizes that conventional zoning regulatory constraints may work against good design, raise roadblocks against innovation, or prevent projects that are otherwise consistent with the character of existing communities or consistent with the city's adopted principles and objectives for residential development.

In addition, difficult sites and uncertain outcomes and timeframes can reduce developers' economic interest in undertaking infill projects. And, through sensitive design, infill can introduce a new type of housing into the community. A balanced mix of well-designed housing types,

sizes and prices for all income levels can be accomplished with similar housing styles on the same street and phase of construction, if economies of scale allow. Infill can inject new life into communities and help neighborhoods become more connected and sociable places, and ultimately increase property values, without altering existing neighborhood and community character.

Accordingly, significant design flexibility is provided for designers of residential infill development projects and discretion is provided to the Oxford Planning Commission in order to help infill developers meet the challenges that their properties pose while ensuring that density at lot yields are possible in view of the city's objectives for quality infill housing.

Section 40-502. Applicability and Exemption.

This article shall apply to any application for development permit within the boundaries of the Residential Infill Overlay District as shown on the official zoning map of the City of Oxford, except as specifically exempted in this Section. It also applies at the time of preliminary plat approval, if required by Chapter 41 of the Oxford City Code, or final plat application if no final plat is required per that chapter.

When this article applies, no plat of subdivision, including combination plats and boundary line adjustments, shall be approved unless compliance with this Chapter is first demonstrated. No development permit for a proposed development to which this article applies shall be approved until compliance with this Chapter is demonstrated. No building permit for a new dwelling within the residential infill overlay district shall be issued unless compliance with this article is demonstrated.

This article shall not apply to applications for building permits for accessory structures 400 square feet or less in area. This article shall not apply to a remodel of an existing dwelling or a permit proposal which would increase the existing ground floor area of a dwelling by less than twenty-five percent.

Section 40-503. Combination of Review and Approval Processes.

In considering the compatibility and appropriateness of residential development within the Residential Infill Overlay District, it is important that the city consider not only the proposed lot lines and lot platting configurations, but also the specific residential development proposed on the lots. The process for acting on infill residential development projects is accomplished by filing information required for both site design and architectural review and information required for applications for plat approval.

Therefore, within the overlay district boundary, the process of site design and architectural review for individual developments may be combined with the subdivision platting process required by Chapter 41 of the City of Oxford Code. At the option of the development applicant, an applicant may submit a conceptual lot platting plan and defer the plat approval process until a later date, but if so, the applicant is still responsible for submitting information required by this Chapter with respect to proposed lot boundaries as a part of the site design and architectural review process, so that subdivision lot design and specific residential development proposals can be considered as a whole.

Section 40-504. Existing Dwellings and Infill Development Comparison.

The City of Oxford reviews residential infill development proposals in the context of the surrounding neighborhood. Therefore, in addition to the requirements specified for submission of applications for site design and architectural review, an applicant for development permit or subdivision plat approval in the residential infill overlay district shall submit the following information for existing residential dwellings on abutting residential properties and across the street from the lot on which the residential infill development project is proposed. An applicant may exclude lots abutting the proposed residential infill development project which are developed for institutional uses, such as schools and churches, or other nonresidential uses.

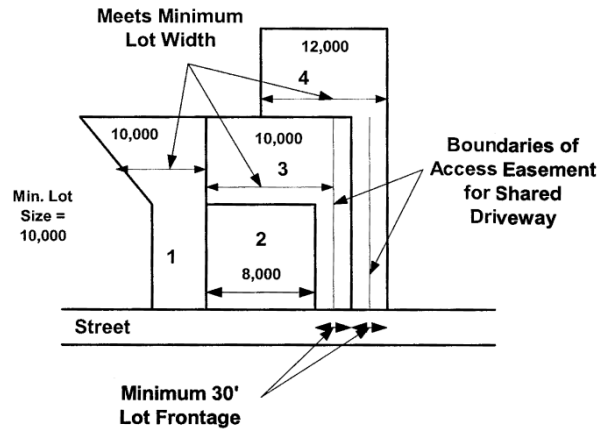
1. Number of stories and approximate height.
2. Size (gross square feet) in area.
3. Front, side, and rear setbacks.
4. Lot coverage (amount of lot covered by building).
5. Orientation of the dwelling in relation to the street.
6. Major architectural features (style, materials, etc.).
7. Driveway placement, width, and materials.
8. Location of parking (garage, carport, open, yard location, etc.).
9. Typical accessory buildings and structures, if any.

The applicant may submit this information in a combination of forms, including an aerial photograph, tax map, survey plats, photographs, and written narrative, provided all required information is submitted. The applicant must also describe the proposed development and describe systematically how proposed residential dwellings will compare with the existing dwellings in the area. This should be done in the form of a comparison chart in a written narrative.

Section 40-505. Lot Size Averaging.

Where unique site specific conditions exist, such as an irregular shape or other unique conditions, an infill developer or subdivider may propose and the Oxford Planning Commission may approve a flexible development incentive called lot size averaging. This incentive allows development applicants to reduce one or more lots below the minimum lot size established for the zoning district in which the residential infill development project is located. In order to apply this provision, the proposed residential infill development project must meet the following requirements:

1. The average lot area of all lots within the subdivision meets the minimum lot size for the zoning district in which the project is located.
2. No lot shall be reduced to less than eighty percent (80%) of the required minimum lot size for the applicable zoning district.
3. For purposes of calculating average lot size, abutting undivided and undeveloped property under the ownership of the infill subdivider at the time of infill subdivision shall not be included in such calculation.



Subdivision of Irregularly Shaped Parcel for Infill Development Using Flag Lot Design and Lot Size Averaging

Section 40-506. Lot Width Reductions.

Where unique site specific conditions exist, such as an irregular shape or other unique conditions, an infill developer or subdivider may propose and the Oxford Planning Commission may approve a flexible development incentive called lot width variations. In order to apply this provision, individual lots in the proposed residential infill development project may be decreased as follows:

1. To no less than 80 feet in the R-30 or R-20 zoning districts;
2. To no less than 60 feet in the R-15 zoning district; and
3. To no less than 45 feet in the R-7.5 zoning district.

Section 40-507. Front and Rear Principal Building Setback Adjustments.

Where unique site specific conditions exist, such as an irregular shape or other unique conditions, an infill developer or subdivider may propose and the Oxford Planning Commission may approve a flexible development incentive called building setback adjustments. In order to apply this provision, required minimum building setbacks/required yards for individual lots in the proposed residential infill development project may be decreased as follows:

1. Where a build-to line does not apply and the front building setbacks of the zoning district are applicable, such front building setbacks may be reduced by up to five feet from the established minimum.
2. Rear building setbacks of the zoning district may be reduced by up to five feet from the established minimum.
3. No principal building setback reduction shall be allowed for side yards pursuant to this section, although the variance process shall provide a potential remedy.

Section 40-508. Provisions When Flood Plain Exists.

If the tract to be developed as a residential infill development project contains 5,000 square feet or more of land within the designated 100-year flood plain, or if more than 20 percent of the lot lies within the 100-year flood plain, then an infill developer or subdivider may propose and the Oxford Planning Commission may approve flexible development regulations as follows, subject to the following requirements:

1. The overall maximum density for the zoning district in which the infill development tract is located cannot be exceeded, but such density calculation may include all land within the 100-year flood plain.
2. Minimum lot sizes for the zoning district in which the infill development tract is located may be reduced to as little as 70 percent of the applicable minimum lot size requirement.
3. Minimum lot widths for the zoning district in which the infill development tract is located may be reduced to as little as 65 percent of the applicable minimum lot width requirement, except that no lot shall be reduced below a minimum lot width of 45 feet.
4. All, or a substantial portion (as determined by the planning commission) of that part of the tract containing 100-year flood plain shall be designated and protected via fee-simple title or via conservation easement as open space, and each lot and dwelling within the infill residential development project shall have pedestrian access provided to such designated and protected open space.

Section 40-509. Street Connectivity East of Emory Street (SR 81).

It is the intention of the City of Oxford that as residential infill development occurs on tracts east of Emory Street (SR 81), that a continuous connector road be provided so that connectivity among all such tracts can be provided and thus avoid reliance on the state highway for access and connections among developments. Accordingly, each residential infill development project proposed east of Emory Street (SR 81) will be evaluated for and required to provide a road right-of-way from the south and north property lines through the entire tract to be subdivided and development.

The specifications for the road right-of-way to be dedicated will be as described in Chapter 41 of the Oxford City Code for local streets, or as may be modified by the Oxford Planning Commission during the process of site design and architectural review for the proposed residential infill project. Any right-of-way dedicated for purposes of this required connector road may be included in calculations of maximum density permitted for the proposed residential infill development project.

A residential infill development project that does not provide for property line to property line access in a north-south direction and adequate access in an east-west direction shall be grounds for disapproval by the Oxford Planning Commission of site design and architectural review and any subdivision plat for the proposed project.

Section 40-510. Driveway and Access Limitations on Emory Street (SR 81).

Any residential infill development project with property frontage on Emory Street (SR 81) shall be limited to one street exit/entrance onto Emory Street (SR 81), or one shared driveway in the case where a new road is not proposed. Where the tract to be developed also has frontage on

a side public street in addition to frontage on Emory Street (SR 81), the Planning Commission may limit access for the residential infill development project to the side public street and preclude access to Emory Street (SR 81).

Section 40-511. Architectural Building Materials.

All exterior wall materials of dwellings within infill residential development projects shall consist of brick masonry, stone masonry, wood clapboards, fiber cement, or weather boarding, and appropriate architectural accents as approved by the Oxford Planning Commission as a part of site design and architectural review. Standing-seam or corrugated metal walls or vinyl siding shall not be permitted on any façade or building wall. Architectural treatments shall occur on all four sides of the building. Roof materials shall be asphalt composition, wood shake, tile, or standing seam metal.

Section 40-512. Stormwater Treatment and Ponds.

Designers should make every effort to employ low impact development methods for stormwater management as specified and/or approved by the Oxford Planning Commission. In cases where bio-retention or other low impact development methods cannot be employed or will necessitate a detention (dry) or retention (wet) pond, any such pond within the boundaries of an infill residential development project shall meet the following requirements:

1. It shall not be located adjacent to a city street or subdivision frontage.
2. It shall be located no closer than fifteen feet (15') to an exterior property line.
3. It shall be sloped so that fencing is not required.
4. It shall be landscaped subject to the approval of the Zoning Administrator.

Section 40-513. Additional Design Criteria for Approval.

The following design criteria will be considered by the Oxford Planning Commission in the process of consideration applications for site design and architectural review of residential infill development projects within the Residential Infill Overlay District:

1. **Connectivity.** Infill should achieve connectivity between on-site and off-site transportation systems, streetscapes, and open space networks. Sidewalks need to be provided which connect to the existing or planned adjacent sidewalk system, and streets need to connect to the adjacent existing or planned street pattern.
2. **Circulation.** If the infill development is large enough, new streets should be laid out as an interconnected, multi-modal network (usually in a grid or modified grid pattern) to maintain continuity of the existing community's circulation system. New street systems should meet the needs of bicyclists, strollers, wheelchairs, pedestrians and motor vehicles. The overall transportation strategy should favor walkability over automobile travel. Access control may be an important component; curb cuts should be minimized whenever possible. Closed street systems and cul-de-sacs shall be avoided. Blocks should be short to increase turning opportunities and heighten pedestrian orientation.

3. **Alley Garages.** Garages accessed by alleys can enhance the design and function of infill projects and therefore should be considered and implemented as appropriate.
4. **Teardowns.** Replacement structures that differ dramatically in size, footprint, mass, or height change the dominant character of the neighborhood. Teardowns typically occur in areas with low-cost houses and valuable lots, particularly when smaller, poorly designed, or obsolete structures without modern amenities are not considered historic or quaint. The Oxford Planning Commission may direct an applicant to alter the design of a proposed replacement residence where it is considered grossly out of scale or character with existing homes in the neighborhood. If the replacement structure is proposed to be taller or a larger number of stories than exists on abutting or nearby parcels in the neighborhood, the Planning Commission shall be guided by the following considerations in determining whether such additional height is appropriate and compatible, in addition to compatible neighborhood scale: privacy, light and shadow, views, and architectural compatibility.

**ARTICLE VI
RESERVED**

**ARTICLE VII
SPECIFIC USE PROVISIONS**

Section 40-701.	Accessory Building, Structure, or Use.
Section 40-702.	Accessory Dwelling Unit, Detached or Attached.
Section 40-703.	Amateur Radio Tower/Antenna.
Section 40-704.	Bed and Breakfast Inn.
Section 40-705.	Condominium Ownership.
Section 40-706.	Construction Field Office.
Section 40-707.	Day Care Center.
Section 40-708.	Farmers Market
Section 40-709.	Fences and Walls.
Section 40-710.	Guest House.
Section 40-711.	Home Occupation.
Section 40-712.	Junked Vehicle or Material.
Section 40-713.	Livestock and Fowl.
Section 40-714.	Mobile or Manufactured Home.
Section 40-715.	Open Display
Section 40-716.	Recreational Facility, Institutional, Outdoor.
Section 40-717.	Swimming Pool, Private.
Section 40-718.	Tennis Court, Private.
Section 40-719.	Townhouses, Fee-Simple.
Section 40-720.	Utility Installations.
Section 40-721.	Vehicle or Implement for Sale.
Section 40-722.	Vehicle Storage.
Section 40-723.	Wireless Telecommunication Equipment and Facilities
Section 40-724.	Yard Sale.

Section 40-701. Accessory Building, Structure, or Use.

1. **Yard Location.** Accessory buildings, structures, and uses shall be located in a rear yard or side yard, unless otherwise specifically provided in this chapter.
2. **Setback.** Accessory buildings, unless otherwise specifically provided, shall be located a minimum of 10 feet from any side or rear property line. Minor accessory structures as defined by the Zoning Administrator which do not constitute buildings shall be located a minimum of 5 feet from any side or rear property line.
3. **Height.** Accessory buildings shall not exceed two stories or 24 feet in height in residential zoning districts.
4. **Size Limitations.** Except in agricultural zoning districts, in no case shall an accessory building or structure exceed the square footage of the principal building or structure to which it is accessory.
5. **Timing.** No accessory building, structure, or use shall be erected on a lot until construction of the principal building or establishment of principal use has commenced. Accessory buildings and structures must be constructed in conjunction with, or after, a building permit for the principal building is lawfully approved or use is established.

Section 40-702. Accessory Dwelling Unit, Detached or Attached.

In zoning districts where permitted, accessory dwelling units shall meet the following requirements:

1. Only one accessory dwelling unit shall be permitted on a lot.
2. One additional off-street parking space is required and shall be provided, which must be located in a side or rear yard.
3. At least three hundred (300) square feet of heated floor area shall be provided per adult occupant. The heated floor area for an accessory dwelling unit shall be at least 300 square feet and shall not exceed 900 square feet or the size of the principal dwelling, whichever is less.
4. The entrance to an accessory dwelling unit shall be from a rear or side yard and shall not face the street to which the principal dwelling is oriented.
5. Accessory dwelling units, whether attached or detached, shall have exterior finishes or architectural treatments (e.g., brick, wood, stucco, etc.) of an appearance substantially similar to those on the principal dwelling.
6. The Newton County Health Department must certify that existing or proposed water, sanitary sewer, and/or septic tank facilities are adequate to serve both the principal dwelling and the accessory dwelling unit.
7. Either the accessory dwelling unit or the principal dwelling unit shall be owner-occupied.

Section 40-703. Amateur Radio Tower/Antenna.

In zoning districts where permitted, amateur radio towers and antennas shall not exceed a height of 50 feet without conditional use permit approval. The antenna/tower shall be set back a distance of at least one-half the height of the tower/antenna from all property lines.

Section 40-704. Bed and Breakfast Inn.

Bed and breakfast inns are subject to the following standards:

1. **Ownership Residency.** The owner of the property, or one of the owners if more than one, must reside in the facility.
2. **Employees.** The bed and breakfast inn shall be operated exclusively by members of the resident family, except that one nonfamily worker shall be permitted.
3. **Maximum Occupancy.** The maximum allowable occupancy shall be ten (10) adult guests. Each guestroom shall be limited to two (2) adults, with the exception that parents traveling with minors or dependents shall be allowed a total occupancy of four (4) individuals.

4. **Minimum Lot Area.** A minimum lot area of 0.75 acre of land shall be required.
5. **Separation Requirement.** No bed and breakfast shall be located nearer than 750 feet from any other approved and operating bed and breakfast, as measured from the nearest boundary line of each lot and running along the shortest distance between each of such lots.
6. **Residential Appearance and Additions.** In residential zoning districts where permitted, the facility shall retain its single-family residential appearance. The operation of the bed and breakfast in residential zoning districts where permitted shall be limited to the existing structures built for single-family residential use. No additions, alterations or modifications to the existing structures shall be allowed which would change the residential character of the property (e.g., adding rooms to accommodate additional guests).
7. **Meals and Food Service Limitations.** Food service shall be limited to morning meals only and may be served only to registered guests. No food preparation or cooking for guests shall be conducted within any guest room, and the guest rooms shall not contain kitchen facilities.
8. **Special Events Prohibited.** No parties, weddings, conferences, entertainment or similar special events or facilities shall be permitted.
9. **Parking.** The bed and breakfast inn shall provide one parking space per guest room, for a maximum of five required spaces. In residential zoning districts where permitted, no parking spaces may be located in the front yard of the residence. No on-street parking shall be allowed.
10. **Signage.** In residential zoning districts where permitted, one identification sign shall be permitted, provided it is no larger in size than six square feet. Placement and design of the sign shall be indicated on the site plan submitted with the bed and breakfast application and shall be subject to approval by the Planning Commission.

Section 40-705. Condominium Ownership.

If a condominium form of ownership is proposed, the development shall meet all applicable state laws including the Georgia Condominium Act (O.C.G.A. 44-3-70 *et. seq.*). Proposed bylaws and the articles of incorporation for the condominium association shall be submitted to the Zoning Administrator with the application for development approval.

Section 40-706. Construction Field Office.

Manufactured homes or other temporary buildings or structures shall not be occupied as a permanent office or for any other use in any district; provided, however that an industrialized building or other temporary buildings or structures may be used for a temporary office or other permitted non-residential use, subject to the following:

1. Approval by the Zoning Administrator and issuance of a permit by the Building Inspector;

2. Said permit shall be temporary but renewable once after a period of six (6) months;
3. Said permit shall only be issued if plans and permit(s) have been approved for one or more permanent buildings on the subject property;
4. Adequate water and sewage disposal for the structure(s) is approved by the Newton County Health Department; and
5. Said industrialized building or temporary building or structure(s) shall be removed from the site no later than upon the occupancy of the appropriate permanent building(s) or structure(s) intended for such use.

Section 40-707. Day Care Center.

In zoning districts where permitted, day care centers shall have at least one hundred and fifty (150) square feet of outdoor play area and at least fifty (50) square feet of indoor space provided for each child or other person served. The outdoor play area shall be enclosed by a fence with a minimum height of five (5) feet. Adequate and safe areas for the drop-off and pick-up of patrons shall be provided.

Section 40-708. Farmers Market.

A Farmers Market in a permanent or temporary location is allowed in the Town Center, subject to the following conditions:

1. The operator or governing authority of a farmers market shall obtain a business license from the City of Oxford prior to opening the farmers market.
2. The City of Oxford shall be provided a list of the names of persons, firms or corporations who shall provide produce or merchandise for sale as part of the public market. The list shall also generally describe the type of item sold by each said person, firm or corporation. The list shall be updated quarterly during the term of the business license.
3. A Temporary Use Permit is required in which a farmers market is not the primary and permanent use of the property.
4. The proposed activity is in compliance with all safety, health, and environmental standards and is not detrimental to the surrounding area.
5. Where feasible, the location of the farmers market shall be on sites that have convenient pedestrian, bicycle, public transit access, and sufficient off-street parking.
6. The site is of a sufficient size to accommodate the intended temporary use.
7. Safe and orderly flow of traffic can be ensured.

Section 40-709. Fences and Walls.

1. **Height.** No fence or freestanding wall, other than a retaining wall or necessary fencing encompassing a tennis court shall be more than eight feet in height. Fences or freestanding walls constructed in a front yard of a residential lot shall not exceed four feet in height; provided, however, that this shall not apply to subdivision or project identification monuments at the entrance to a subdivision or development and wall or fence extensions thereof, where permitted, which shall not exceed eight feet in height and columns shall not exceed ten feet in height.
2. **Composition.** Walls composed or constructed of exposed concrete block, tires, junk, or other discarded materials shall not be permitted. In all residential zoning districts, fences or walls erected within the front yard shall be decorative and constructed of brick, stone, wood, or wrought iron. Chain link fences with vinyl coating shall be permitted only in side and rear yards, and barbed wire fences shall be permitted only in agricultural zoning districts, without yard restrictions.
3. **Gates.** When gates for vehicular access are required or proposed abutting a public or private street, said gates shall not be located closer than 20 feet of a public street or road right-of-way, to ensure safe ingress and egress.
4. **Location.** No fence or wall shall be constructed in a public right-of-way, except that retaining walls may be placed partially within the right-of-way of a local street if approved by the City Engineer as not posing a visibility or other public hazard.
5. **Temporary Fencing Exempted.** These requirements shall not apply to temporary fencing erected around a lot during construction of a building for security, safety, tree protection, or code compliance reasons.

Section 40-710. Guest House.

In zoning districts where permitted, no more than one guest house shall be permitted as an accessory building on any single residential lot. Guest houses shall be located to the rear of the principal dwelling and shall not exceed 50 percent of the gross floor area of the principal dwelling. Guest houses shall not be rented or otherwise occupied separately from the main residence, except for non-paying guests or domestic employees residing on the premises and sharing meals in the principal dwelling.

Section 40-711. Home Occupation.

Home occupations may be established as an accessory use to a dwelling as provided in permitted uses requirements for the zoning districts established by this chapter. No more than two (2) home occupations may be established for each dwelling. In districts where permitted, the following regulations shall apply to home occupations. Failure to meet one or more of these regulations at any time shall be unlawful and grounds for immediate revocation of business registration.

1. **Physical Limitations.** The gross floor area of building devoted to a home occupation shall not exceed 750 square feet, or 25 percent of the gross floor area of the dwelling, whichever is less. An accessory building may be used in connection with the home occupation, subject to compliance with all other provisions of this section.

2. **Alterations to the Dwelling.** No internal or external alterations inconsistent with the residential use of the principal building, and if applicable, an accessory building, may be permitted.
3. **Vehicles and Parking.** Vehicles kept on site in association with the home occupation shall be used by residents only, except for the parking of employees as may be permitted by this section. Only vehicles used primarily as passenger vehicles shall be permitted in connection with the conduct of the home occupation. Incoming vehicles related to the home occupation, if any, shall at all times be parked off-street within the confines of the residential driveway or other on-site permitted parking. The transporting of goods by commercial-sized trucks in connection with a home occupation is prohibited.
4. **Equipment, Off-site Impacts, and Nuisances.** No home occupation shall generate traffic, sound, smell, vibration, light, or dust that is offensive or that creates a nuisance. No equipment that interferes with radio and/or television reception shall be allowed. The use of machinery or equipment that emits sound (e.g., saws, drills, musical instruments, etc.) that is detectable and creates a nuisance beyond the property shall not be permitted. Chemical, electrical, or mechanical equipment that is not normally a part of domestic or household equipment and which is used primarily for commercial purposes shall not be permitted.
5. **Signs Prohibited.** There shall be no signs permitted in conjunction with a home occupation, although this shall not preclude the property owner from erecting signs permitted on the lot pursuant to the Oxford Sign Ordinance.
6. **Employees.** Only occupants of the dwelling and one (1) additional employee shall be authorized to work on the premises in connection with a home occupation.
7. **Display, Stock-in-Trade, and Sales.** There shall be no display, and no stock-in-trade nor commodity sold on the premises, in connection with a home occupation, nor shall there be any activity associated with the home occupation visible outside the dwelling.
8. **Uses Specifically Prohibited.** The following uses are specifically prohibited as home occupations: auto sales or auto or vehicle or implement repair; restaurants; animal hospitals, veterinary clinics, kennels, or the keeping of animals; funeral homes; retail or wholesale shops; machine shops; personal service establishments (including beauty salons); special event facilities; and lodging services.
9. **Approval.** All home occupations shall be reviewed and approved by the Zoning Administrator/City Manager, based on provisions within this Chapter. The applicant may appeal an adverse decision to the Oxford City Council.
10. **Modifications by Conditional Use Permit.** The provisions of this section may be modified or varied pursuant to application by the property owner for a conditional use, according to procedures specified in Article 10 of this chapter.

Section 40-712. Junked Vehicle or Material.

It shall be unlawful to park or continuously store abandoned, wrecked, junked or inoperable vehicles, power-driven construction equipment, semi-trailers, used lumber or metal, used

appliances, tires, or any other miscellaneous scrap material in quantity that is visible from a public street. Appropriate screening as determined by the Zoning Administrator, based upon the elevations and uses of surrounding properties, may be used to comply with this provision in side and rear yards.

Section 40-713. Livestock and Fowl.

This ordinance recognizes the desire of some residents to keep horses, livestock, chickens or other fowl for personal enjoyment or sustenance. However, the keeping of these animals for any purpose should not cause nuisance to surrounding properties or present a health hazard.

Non-commercial keeping of poultry or livestock is permitted by right in the Agricultural Residential District. It is permitted as a conditional use in the RR and R-30 Districts, under the following provisions below.

1. **Livestock.** Horses, cows, ponies, donkeys, and other domestic livestock may be kept, raised or bred for home use and enjoyment, provided that only one such animal shall be permitted for each two (2) acres of land area, and shall be adequately contained by fence within that property.
2. **Fowl.** Ducks, quail, chickens, turkeys, pigeons, pheasants, and other fowl, may be raised for home use provided such fowl are adequately contained within the property. The keeping of fowl is limited to five (5) birds per acre.
3. **Setbacks & Fencing.** All domestic livestock or fowl must be kept at least 50 feet from all property lines with fencing adequate to retain any livestock within the required setbacks.
4. **Additional Setbacks Adjacent to Residential Districts.** For properties abutting higher density residential districts (i.e. R-7.5, R-15, and R-20), the minimum setbacks shall be increased to 100 feet from all property lines adjacent to these districts.
5. **Non-Commercial.** The keeping, breeding, or training of any animals for monetary gain or profit shall be deemed a commercial business and is prohibited in all residential districts.

Section 40-714. Mobile or Manufactured Home.

A mobile home as defined in this chapter, is not permitted in any zoning district. A manufactured home, as defined in this chapter, is not permitted in any zoning district.

Section 40-715. Open Display

The term “open display” shall be defined as the placement of merchandise and/or merchandise vending machines outside the walls of any enclosed building with the intent being to entice potential customers onto the premises through the public display of such merchandise and/or merchandise vending machines. Open Displays shall be permitted in conjunction with permitted uses in the Commercial and Town Center districts, provided the following requirements are met:

1. The type of merchandise permitted in open displays shall be limited to yard and garden accessories, nursery and agricultural products, and vending machines. (This section shall not be interpreted to include supply yards, salvage yards, or other items or materials considered outdoor storage).

2. Open displays shall be permitted in any yard or required yard, but shall not encroach into any public rights-of-way.
3. Open displays shall present a neat and orderly appearance, subject to the determination of the Planning Commission.
4. The term "open display" shall not apply to merchandise which is placed outside temporarily for the purpose of sales and is stored inside an enclosed structure while the business is closed.
5. Open display shall be permitted where such display is incidental to and supportive of the principal use of the structure located on the same parcel.
6. Open display location must be shown on site plan at time of review and shall not encroach on any required landscaping and parking areas.

Section 40-716. Recreational Facility, Institutional, Outdoor

Outdoor recreational facilities such as athletic fields (i.e. football, soccer, etc.), basketball courts, tennis courts, and swimming pools are permitted as accessory uses in INST and IC zoning districts with operating conditions. Outdoor recreational facilities shall not be used beyond 9:00 PM on Sunday through Thursday, and beyond 10:00 PM on Friday and Saturday. The City Council may permit extended hours of use for special events on a case-by-case basis.

Accessory buildings and structures (e.g. field houses, restrooms, bleachers) associated with outdoor recreational facilities shall meet all set-back requirements and height restrictions for INST and IC districts. Facilities may be approved for outdoor lighting if the design and site plan, submitted for issuance of a development permit, is found to avoid or mitigate spill-over effects, safety hazards, and/or nuisances potentially created during operating conditions.

Section 40-717. Swimming Pool, Private.

Private swimming pools and their customary accessory buildings and structures shall be located in rear yards and shall be setback at least fifteen feet from all side and rear lot lines and be enclosed by a wall or fence not less than four feet nor more than six feet in height.

Section 40-718. Tennis Court, Private.

Tennis courts on individual residential lots shall be located in rear yards and shall be setback at least fifteen feet from all side and rear lot lines and be enclosed by fence at least eight (8) feet high. Lighting for the private tennis court shall not be permitted, except by conditional use permit approval from the City Council after review and recommendation by the Planning Commission.

Section 40-719. Townhouses, Fee-Simple.

In addition to dimensional requirements established for the zoning district in which townhouses are permitted, the following requirements shall apply:

6. **Number of Units in One Building.** Any building containing more than four dwelling units shall have the front foundation line offset at least four feet from the front

foundation line of the abutting dwelling units. No more than six units shall be permitted within any single building to provide a more attractive townhouse development.

7. **Setbacks and Separation of Townhouses from Other Buildings.** Zero lot line between units within the same building shall be permitted, subject to applicable fire and building codes. A minimum distance of 20 feet shall be required between all townhouse buildings and between any townhouse building and any accessory structure.
8. **Private Yard or Patio.** Each townhouse shall have at least one private or reasonably secluded outside yard or patio.
9. **Rear Yard Access and Parking.** Townhouse projects must be designed so that there is access to the rear of dwellings via an alley or rear driveway. Garages and parking shall be designed such that access is available only from the rear of the townhouse lot, and garages and off-street parking within the required front or side yards shall be prohibited. Garages may be attached or detached in the rear yard.
10. **Subdivision Plat Approval.** Each townhouse development or phase thereof shall require subdivision plat approval in accordance with the Subdivision and Land Development Regulations of the City of Oxford (Chapter 41, City Code).

Section 40-720. Utility Installations.

Utility installations, such as, but not limited to electrical substations, shall meet the following requirements:

1. The installation shall be enclosed by a chain link fence, vinyl coated at least eight feet in height.
2. The perimeter of the utility installation shall be suitably landscaped with evergreen trees or shrubs that grow to a height of at least eight feet within three growing seasons and that provide an effective visual screen from the abutting public street and abutting properties.
3. No vehicles shall be permanently stored on the premises.

Section 40-721. Vehicle or Implement for Sale.

Front yards and off-street parking areas for any use or development shall not be used to store and display vehicles for sale, except in cases of an approved commercial vehicle sales lot. This provision shall not apply to the non-licensed sale of motorized vehicles and appurtenances as permitted in Section 32-106 of the Oxford Code of Ordinances.

In accordance with Section 32-106 of the Oxford Code of Ordinances, motorized vehicles and appurtenances must be the property of the owner(s) or tenant(s) of the property whereon they are offered for sale. No more than one (1) motorized vehicle, with its customary appurtenances, if any, may be offered for sale at a time. If appurtenances such as campers, trailers, etc., are offered for sale without a vehicle, no more than one (1) such appurtenance may be offered for sale at a time. Motorized vehicles and/or their appurtenances may be displayed for sale for a period of no longer than two (2) months. "For Sale" signs must be dated and signed by the owner to show the date of first offering for sale. A period of at least six (6) months must elapse

before the same vehicle, or any other vehicle or appurtenance, may be offered again for sale upon the same premises.

Section 40-722. Vehicle Storage.

In residential zoning districts, recreational vehicles such as boats, boat trailers, travel trailers, recreational vehicles, pick-up campers or coaches, motorized dwellings, motor coaches, tent trailers and other similar vehicles may be parked or stored only in established areas in side yards, rear yards, carports in approved locations, or in an enclosed building, provided however, that such vehicles may be parked or stored anywhere on residential premises for a period not to exceed twenty-four (24) hours during loading and unloading. Parking or storage of such vehicles shall not take place on any vacant lot.

Section 40-723. Wireless Telecommunication Equipment and Facilities

Decisions on applications for wireless service facilities shall be made within a reasonable period of time, which shall mean generally that such decisions shall be processed in roughly the same amount of time required for other special use applications. Applications that do not require a special use permit shall be acted upon by the Planning Commission within thirty (30) days of the date the application is considered by the Planning Commission to be complete.

Each application for a wireless telecommunication tower shall include the following, which are in addition to the information required for special use applications generally, if required:

1. A recorded plat or boundary survey.
2. A site plan, based on with topographical information.
3. An elevation view, perspective drawing, or simulated photograph of how the proposed telecommunication tower will look from public rights-of-way and surrounding residential streets from which it will be visible once constructed.
4. Supporting engineering calculations and information which provide evidence of need and document radio frequency range, coverage area, and tower height requirements. The application must specifically address whether there is a technically suitable space available on an existing tower or other location within the search area (i.e., the grid for the placement of the antenna), and such information shall specifically include the location of all existing towers within a one-mile radius of the site proposed.

Performance and construction standards include the following:

1. **Structural Design.** New communication towers or poles and antennae, and modifications to existing structures (including, without limitation, the addition of height, antennae or providers), shall be constructed in accordance with applicable federal, state and local regulations.
2. **Placement Restrictions.** Towers occupying a lot as a principal use shall meet, at minimum, the minimum lot size and setback requirements for the zoning district in which the lot is located. Towers shall be a minimum of three-hundred (300) feet from any residential zoning district and a minimum of five-hundred (500) feet from any single-family residence. The tower shall also be set back from property lines a distance equal to or greater than the tower height. All towers shall be located at least one-third (1/3) of their height in feet from any public right-of-way. All accessory structures will meet the normal setbacks for the

districts in which they are located. When the tower is on property leased, the setbacks shall apply to the lot of record, not the lease boundaries.

3. **Screening.** The visual impacts of a communication tower at the ground level shall be mitigated by landscaping. All towers and accessory structures shall be surrounded on the ground by a minimum ten (10) foot wide landscape strip or buffer that forms a hardy screen dense enough to interrupt vision and shield the base and accessory structures from public view and view from the surrounding properties. The buffer shall consist of evergreens that will reach a minimum height of at least eight (8) feet within three (3) years.

4. **Fencing.** A black vinyl-coated chain link fence or wall not less than six (6) feet in height from finished grade shall be provided around each communication tower or pole. Access to the tower or pole shall be through a locked gate. The tower or pole shall be equipped with an appropriate anti-climbing device, unless the Planning Commission waives this requirement for alternative tower structures.

5. **Height.** Through approval of a special use application, when one is required, the height of the tower may exceed the maximum height limit of the zoning district in which it is located, up to a height of two hundred (200) feet, subject to the limitations of this paragraph. If a special use application is not required for erection of the tower, and if the tower is to be placed in an OCC, OCF, or C zoning district in a manner that exceeds the maximum height for said zoning district, then the applicant may exceed the height limitation of the applicable zoning district only through a zoning variance process. Towers shall be the minimum height necessary to provide parity with existing similar tower-supported antenna. No tower, pole, or antenna, whether freestanding or attached to a building or structure, shall exceed two hundred (200) feet in height from ground level unless a zoning variance is obtained.

To prevail in any variance application to exceed established maximum height limitations of this paragraph or the zoning district in which it is located, the applicant must successfully demonstrate why the prescribed maximum height is insufficient to provide adequate service, or that a taller tower will be in the community's interest by avoiding the construction of one or more additional towers at a new location.

6. **Color and Materials.** Communication towers not required to be painted or marked by the Federal Aviation Administration shall have either galvanized steel finish or be painted non-contrasting color approved by the Mayor and City Council to minimize the equipment's visibility.

If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical or closely compatible with the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

7. **Signs and advertising.** No advertising is permitted on a tower or antenna. However, towers shall have mounted in a conspicuous place a sign of at least one (1) square foot in area but not more than four (4) square feet in area, identifying the facility's owner and providing a means of contact in the event of an emergency.

8. **Co-location.** Proposed communication antennas may and are encouraged to co-locate onto existing communication towers. New or additional special use approval is not required for the addition of an antenna to an existing approved tower or pole. All towers over one

hundred (100) feet in height shall have structural capacity and ground or interior space to accommodate multiple users. Towers up to one-hundred sixty (160) feet shall accommodate at least three users, and towers over one-hundred sixty (160) feet shall accommodate at least five users.

Section 40-724. Yard Sale.

Yard sales shall comply with provisions specified in Section 32-106, Non-licensed Sales, of the City of Oxford Code of Ordinances.

ARTICLE VIII NONCONFORMITIES

Section 40-801.	Nonconforming Lot.
Section 40-802.	Nonconforming Building or Structure.
Section 40-803.	Nonconforming Use.
Section 40-804.	Nonconforming Sign.
Section 40-805.	Prior Nonconformities.
Section 40-806.	Correction of Nonconforming Situations.

Section 40-801. Nonconforming Lot.

A lot of record, as defined in this chapter, that does not conform to minimum road frontage requirement or the minimum lot size or minimum lot width requirements for the zoning district in which it is located may be used as a building site, provided that the height, buffer, setback, and other dimensional requirements of the zoning district in which the lot of record is located are complied with or a variance is obtained, and, provided further, that in the case of a lot not served by sanitary sewer the lot area and width meet the current standards and requirements of the Newtown County Health Department for septic tank use.

Section 40-802. Nonconforming Building or Structure.

A nonconforming building or structure, as defined in this chapter, may be expanded, enlarged, or extended if such expansion, enlargement, or extension is for a use that conforms to the use requirements for the zoning district in which the building or structure is located. Any such expansion, enlargement, or extension of a nonconforming building or structure shall meet the minimum yard, setback, buffer, height, bulk, and other dimensional requirements for the zoning district in which said non-conforming building or structure is located, and all other requirements of this chapter.

Section 40-803. Nonconforming Use.

A nonconforming use may be continued even though such use does not conform with the use provisions of the zoning district in which said use is located, except as otherwise provided in this section.

1. **Change of Use.** A nonconforming use shall not be changed to another nonconforming use. A change in tenancy or ownership shall not be considered a change to another nonconforming use, provided that the use itself remains unchanged.
2. **Discontinuance or Abandonment.** A nonconforming use shall not be re-established after discontinuance or abandonment for one year. Vacancy and/or non-use of the building, regardless of the intent of the owner or tenant, shall constitute discontinuance or abandonment under this subsection. If a business registration is required for said nonconforming use and the business registration pertaining to said use has lapsed for more than 6 months, said lapse of business registration shall constitute discontinuance.
3. **Expansion.** A nonconforming use shall not be expanded, enlarged or extended, in land area or in floor space or volume of space in a building or structure, except for a use which complies with the zoning district in which said use is located.

4. **Repair.** A nonconforming use shall not be rebuilt, altered or repaired after damage exceeding fifty percent of its replacement cost at the time of damage as determined by the Building Inspector, except for a use which conforms with the zoning district in which said use is located, and provided such rebuilding, alteration or repair is completed within one year of such damage.

Section 40-804. Nonconforming Sign.

See the Oxford Sign Ordinance (article XV of this chapter) for provisions regarding nonconforming signs.

Section 40-805. Prior Nonconformities.

This chapter shall not be construed as extending the time period for allowance to reestablish a nonconforming use which was nonconforming at the time this chapter was adopted, as established under the previous zoning ordinance of the City of Oxford. Nor shall it be construed to grant any other type of relief to a nonconforming use, nonconforming building, or nonconforming situation which did not conform to Oxford's zoning ordinance as previously adopted.

Section 40-806. Correction of Nonconforming Situations.

1. **Intent.** It is the intent of this section to require the complete correction of nonconforming situations at the time of any building addition or significant modification of a use or development on a given parcel of land, if such nonconforming situation can physically be made to comply with the requirements of this chapter. It is the intent of this section to require the reduction in the extent of nonconforming situations at the time of any building addition or significant modification of a use or development on a given parcel of land, if such nonconforming situation cannot be physically be made to comply entirely with the requirements of this chapter. It is the intent of this section to provide authority to the Zoning Administrator to administer the provisions of this section in a manner that meets these intentions, and that the Zoning Administrator shall exercise that authority, subject to more specific guidance as provided in this section.
2. **Determination of Nonconforming Situations.** For any proposed building or development, or modification of a building or development, it shall be the duty of the Zoning Administrator to identify the extent to which the improvements on land on which the building or development is proposed constitutes a nonconforming situation, as defined in this chapter. The Zoning Administrator shall conduct a review and identify such nonconforming situation(s) at the time plans for such proposed building or development are submitted for review, and at any earlier opportunity, if presented. In the event that one or more nonconforming situations are found to exist by the Zoning Administrator, they shall be documented and notice of the need to correct or reduce said nonconforming situations shall be provided by the Zoning Administrator to the building or development applicant.
3. **Correction of Nonconforming Situations.** In determining the need to completely correct or reduce the noncompliance of nonconforming situations, the Zoning Administrator shall be guided by the following standards:

- (a) **Strict Compliance.** A standard of “strict compliance” (complete correction of all nonconforming situations) shall be applied by the Zoning Administrator where physical standards can clearly be made in the subject development proposal without significant alteration of the development as proposed.
- (b) **Reasonable Progress Toward Compliance.** In lieu of strict compliance, a standard of “reasonable progress toward compliance” shall be applied by the Zoning Administrator in cases where complete correction or compliance with the nonconforming situation would require undue hardship, practical difficulty, or might unreasonably reduce the size, scale, or other significant aspect of the development proposal to a point where strict compliance would jeopardize the building or development proposal. In applying a standard of reasonable progress toward compliance, the Zoning Administrator shall have authority to approve the building, development, or improvement even though it does not meet a standard of strict compliance, if the relief granted is the minimum necessary to effectuate the building, development, or improvement.
- (c) **Proportionality.** Whenever something less than strict compliance is authorized by the Zoning Administrator, in determining the amount or extent of compliance required, he shall apply a standard of “proportionality,” meaning that the scope, scale, extent and cost of requirements to correct nonconforming situations are more or less the same as the scope, scale, extent and cost of the improvement or development proposed.
- (d) Where building size, setbacks, or other regulated conditions are to be modified in the correction of a nonconforming situation, a development permit approval by the Planning Commission, according to the provisions of this chapter, shall be required.

ARTICLE IX OXFORD PLANNING COMMISSION

Section 40-901.	Establishment and Continuance.
Section 40-902.	Composition.
Section 40-903.	Term of Office and Vacancies.
Section 40-904.	Compensation.
Section 40-905.	Officers.
Section 40-906.	Duties of Officers.
Section 40-907.	Records.
Section 40-908.	Meetings.
Section 40-909.	Quorum.
Section 40-910.	Rules.
Section 40-911.	Powers and Duties of the Planning Commission.
Section 40-912.	Training.
Section 40-913.	Conflict of Interest.

Section 40-901. Establishment and Continuance.

The Oxford Planning Commission, as it existed on the effective date of this chapter, is hereby reestablished and continued in its current composition and membership.

Section 40-902. Composition.

The Planning Commission shall be comprised of six members, who shall be residents of the city. Members of the Planning Commission on the effective date of this chapter shall continue until their terms expire and their successors are appointed.

Section 40-903. Term of Office and Vacancies.

Members of the Planning Commission shall be appointed by the Mayor and Council to three-year terms. Members may be appointed for successive terms without limitation. Any vacancy in the membership of the Planning Commission that occurs prior to the expiration of a term of appointment shall be filled by the Mayor and Council by appointing another member to serve during the unexpired term.

Section 40-904. Compensation.

Members of the Planning Commission shall serve without pay or compensation; provided, however, the members may be reimbursed for travel and training expenses in specific connection with their role as members of the Planning Commission, subject to budget limitations. This provision shall not obligate the City Council from a budgetary standpoint.

Section 40-905. Officers.

The officers of the Planning Commission shall consist of a Chairperson, Vice-Chairperson, and Secretary, elected by the members of the Planning Commission. All officers shall have voting privileges and obligations as members of the commission. The term of office for officers shall be one year or until their successors are elected. An officer that has served a full one year term may succeed himself/herself without limitation. In the event of the resignation or removal of any Officer, the commission members shall elect an individual from the Commission to fill the

remainder of the unexpired term. Unless otherwise determined by the Commission, election of officers will normally take place during the first regular meeting in January of each calendar year.

Section 40-906. Duties of Officers.

The Chairperson shall preside at meetings of the Planning Commission, decide all points of order and procedure, represent the Planning Commission at official functions, appoint committees to investigate and report on matters which may come before the Commission, and be responsible for carrying out policy decisions. In the absence of the Chairperson, those duties shall be vested in the Vice-Chairperson. The Secretary, or his/her designated agent, shall maintain the records of the Planning Commission.

Section 40-907. Records.

1. The Planning Commission shall keep a record of its resolutions, transactions, findings, determinations, recommendations, and actions. All records of the Planning Commission shall be public record.
2. A summary of the subjects acted on at meetings and those members present at a meeting of the Planning Commission shall be written and made available to the public for inspection within no more than five business days of the adjournment of a meeting of the Planning Commission.
3. The Secretary of the Planning Commission or designee shall cause summary minutes of the Planning Commission's proceedings to be kept. The minutes of a meeting of the Planning Commission shall be completed as promptly as possible, and such records shall be open to public inspection once approved by the Planning Commission, but in no case later than immediately following the next regular meeting of the Planning Commission.

Section 40-908. Meetings.

All meetings of the Planning Commission shall be open to the public. The Planning Commission shall hold regular meetings unless it is notified by the Secretary or Zoning Administrator that there is no business to conduct, in which case the Chairperson may cancel the regular meeting. No meeting shall be held unless forty-eight (48) hours notice thereof has been provided to each member. If special meetings are called by the Chairperson, the purpose(s) of the special meeting shall be stated and no other business may be conducted at such special meeting.

Section 40-909. Quorum.

A quorum shall be required to be present for the Planning Commission to function and decide matters that come before it. A quorum shall consist of a majority of the members of the Commission.

Section 40-910. Rules.

The Planning Commission may adopt rules for the conduct of its activities as long as they do not conflict with any of the provisions of this chapter, the City Charter, or the City Code of Ordinances. Furthermore, such rules shall not be inconsistent with any applicable state laws,

including O.C.G.A. §§ 50-14-1 et seq., 36-66 et seq., and 36-67A et seq. Such rules may establish regular meeting dates, procedures for calling special meetings, and other meeting matters. In the absence of such adopted rules, or in cases where adopted rules do not govern a given procedural question at hand, the Planning Commission shall follow *Robert's Rules of Order Newly Revised*, 10th Edition (or most recent edition).

Section 40-911. Powers and Duties of the Planning Commission.

The Planning Commission shall have all those duties necessary and reasonably implied as being necessary to carry out its duties as specified in this Zoning Code. Said powers and duties shall specifically include without limitation, the following:

1. To adopt and amend rules, without the need to amend this Article.
2. To cooperate with the Federal, State, or local, public or semi-public agencies or private individuals or corporations, and carry out cooperative undertakings with said agencies, individuals, or corporations.
3. To prepare or cause to be prepared a comprehensive plan or parts thereof, for the development of the city or parts thereof, which shall be subject to the approval of the Oxford City Council.
4. To prepare and recommend for adoption to the local governing body with jurisdiction a plat or plats, or a corridor map or maps, showing the location of the boundary lines of existing, proposed, extended, widened or narrowed streets and linear open spaces and recreational areas, together with regulations to control the erection of buildings or other structures within such lines, within the jurisdiction or a specified portion thereof.
5. To make, publish, and distribute maps, plans and reports and recommendations relating to the planning and development of the city to public officials and agencies, public utility companies, civic, educational, professional, and other organizations and citizens.
6. To recommend to the Oxford City Council programs for capital improvements.
7. To prepare or cause to be prepared, and recommend for adoption by Oxford City Council zoning ordinances, regulations for the subdivision of land, and any other land use regulations appropriate to manage development in the city.
8. To administer zoning and other land use regulations in whatever role is delegated to it by the Oxford City Council or as provided in this chapter. The planning commission shall specifically have authority and responsibility to review applications for zoning map amendments, applications for conditional use approval, applications for variances, and other related applications and provide a recommendation to the Oxford City Council.
9. To review and approve, conditionally approve or disapprove subdivision plats; provided, however, that if the Planning Commission is given authority to grant approval of final plats, said approval shall not constitute acceptance of public improvements which is a power reserved by the Oxford City Council over the subdivision plat.

10. To review and approve, conditionally approve or disapprove applications for site design and architectural review, as more fully specified in this chapter, subject to applicable appeal provisions of this chapter.
11. To establish one or more committees, including but not limited to a permit review committee to review administrative applications.
12. To review development, building and sign permit applications and consult with the Zoning Administrator and building inspector regarding compliance with the provisions of the Oxford Zoning Ordinance (this chapter).
13. To exercise, in general, such other powers as may be necessary to enable it to perform its functions and promote the planning of its jurisdiction.

Section 40-912. Training.

It is in the best interests of the citizens to strongly encourage newly appointed members of the Planning Commission during the course of their term of appointment to attend one or more courses of training and education on matters pertaining to the operations, activities, duties, and subject matters of Planning Commissions. It shall be the responsibility of the Zoning Administrator to periodically notify members of the Planning Commission of appropriate education and training opportunities encouraged in this Section. The following organizations and institutions among others are determined to be appropriate:

1. Training programs and seminars by the University of Georgia's Carl Vinson Institute of Government, the Georgia Institute of Technology graduate city and regional planning program, Georgia State University, or any other institution of higher learning in the state.
2. Training programs by the Northeast Georgia Regional Commission.
3. Conferences of the Georgia Association of Zoning Administrators.
4. Conferences of the Georgia Chapter of the American Planning Association or the American Planning Association.
5. Planning Commissioner workshops by the Georgia Department of Community Affairs.

Section 40-913. Conflict of Interest.

Should any member of the Planning Commission have a financial interest in any issue that comes before the Commission, said member shall disqualify him/herself from participating in or considering the issue and shall not sit with the Commission during deliberations. A member may raise the question of perceived conflict or actual financial conflict of interest of any other member regarding a specific issue that is before the Commission. If perceived or actual conflict is alleged, a majority vote of those without such alleged conflict shall determine if such perceived or actual financial conflict exists and whether the member with an alleged conflict should be allowed to participate. If the majority vote is a determination that the member has an actual financial conflict of interest, said member with the financial conflict of interest shall disqualify him/herself from participating in or considering the issue and shall not sit with the Commission during deliberations. If it is determined by majority vote of members present that a perceived conflict of interest exists, but the conflict is one that does not rise to the level of

financial interest, the individual member with perceived conflict shall have discretion as to whether he or she will vote on the matter in question, though the other members may make a recommendation to said member.

ARTICLE X ZONING AMENDMENTS AND APPLICATIONS

Section 40-1001.	Procedures for Calling and Conducting Public Hearings.
Section 40-1002.	Text Amendments.
Section 40-1003.	Amendment to the Official Zoning Map and/or Overlay District Map.
Section 40-1004.	Conditional Uses.
Section 40-1005.	Variances.
Section 40-1006.	Appeals of Administrative Decisions.
Section 40-1007.	Development of Regional Impact.
Section 40-1008.	Incorporation Clause.

Section 40-1001. Procedures for Calling and Conducting Public Hearings.

1. **Applicability.** Public hearings by the Oxford City Council required by this Chapter with regard to rezoning requests (amendments to the official zoning map), amendments to an overlay district boundary, applications for conditional uses, applications for variances, and appeals of any administrative decision shall be called and conducted in accordance with the procedures of this Section. If the Oxford Planning Commission elects to hold a public hearing or is otherwise obligated to hold a public hearing per the requirements of this Chapter, then the Planning Commission shall call and conduct its public hearings in accordance with this section, and this section shall in such cases be interpreted accordingly. Nothing in this Section shall be construed as prohibiting a presiding officer or hearing body from conducting a public hearing in a fair, orderly, and decorous manner.
2. **Presiding Officer.** The presiding officer shall preside over the public hearing. In the case of the Oxford City Council, the Mayor shall preside, or in the absence of the Mayor the Mayor Pro Tempore shall preside, or in the absence of both the Mayor and Mayor Pro Tempore, another member of the City Council shall be designated to preside over the public hearing. In the case of the Oxford Planning Commission, if a public hearing is required or held, the chairperson of said commission shall preside, or in the absence of the chairperson, the vice chairperson if designated, or if neither is present to preside, another member of the commission shall be designated to preside.
3. **Opening of Public Hearing.** The presiding officer shall indicate that a public hearing has been called on one or more applications made pursuant to this Chapter, shall summarize the processes required by this Article (or call on the Zoning Administrator to summarize), and shall open the public hearing. Thereupon, the presiding officer shall call the first case and the City Council shall consider each application on an individual basis in succession as printed on the published agenda or as otherwise approved by the City Council; provided, however, that the presiding officer may at his or her discretion call and consider more than one application simultaneously when more than one application involves the same piece of property, and/or when proceedings would be efficiently completed by combining separately required public hearings and discussing more than one scheduled matter as a single group of applications.
4. **Report of Zoning Administrator.** Upon opening the public hearing, the presiding officer may recognize the Zoning Administrator, who may provide a summary of the application and present any recommendations or results of investigations. Unless a member of the Oxford Planning Commission is present and is authorized and willing to speak for the

Planning Commission on the subject application, the Zoning Administrator may also summarize the recommendations made by the Oxford Planning Commission. Any member of the City Council upon recognition by the presiding officer may ask questions of the Zoning Administrator or designee or other city or planning commission representative providing a report or recommendations. The Zoning Administrator and/or Planning Commission may be represented at the public hearing by written report in lieu of oral testimony.

5. **Identification of Speakers.** Prior to speaking, each speaker (including applicant, agent of applicant, and all others) must identify himself or herself and state his or her current address for the record. The presiding officer may require a speaker to complete an information card supplying such information, prior to testifying.
6. **Applicant and Those in Favor of the Application.** When an individual application comes up for hearing, the presiding officer may ask for a show of hands of those persons who wish to appear in support of the application. If it appears that the number of persons wishing to appear in support of the application is in excess of those who may reasonably be heard, the presiding officer may request that a spokesperson for the group be chosen to make presentations. Following the report of the Zoning Administrator or designee, or Planning Commission spokesperson, if any, the presiding officer shall recognize the applicant or his or her agent, spokesperson, or each of them, who shall present and explain the application, followed by any other persons wishing to speak in favor of the application. It shall be the duty of the applicant to carry the burden of proof that approval of the proposed application will promote the public health, safety, morality or general welfare. There shall be a minimum time period of ten minutes per application at the public hearing for the applicant and/or agent and anyone in favor of the application to present data, evidence, and opinions. The City Council shall not be obligated to provide the full ten-minute period to the proponents if they elect not to use that much time, nor shall there be an obligation to provide a minimum of ten minutes per application in the event that more than one application involving the same property is heard simultaneously. An applicant or agent may reserve any remaining unused time from the allotted time period for rebuttal. Upon the completion of testimony or remarks by the applicant and/or applicant's agent and those speaking in favor of the application, any member of the City Council upon recognition by the presiding officer may ask questions of the applicant or agent of the applicant, or both, or any person speaking in favor of the application.
7. **Questions and Opposing Public Comments on the Application.** At the conclusion of the applicant's presentation and any testimony by others in favor of the application, the presiding officer shall call for public comments from those who wish to ask questions, make comments or oppose the application. The presiding officer may ask for a show of hands of those persons who wish to ask questions, make comments, and/or speak in opposition to the application. If it appears that the number of persons wishing to ask questions, make comments, and/or speak in opposition to the application is in excess of those who may reasonably be heard, the presiding officer may request that a spokesperson for the group be chosen to make presentations, ask questions, or speak in opposition. There shall be a minimum time period of ten minutes per application at the public hearing for the opponents to present data, evidence, and opinions and ask questions. The City Council shall not be obligated to provide the full ten minutes per application to the opponents if they elect not to use that much time, nor shall there be an obligation to provide a minimum of ten minutes per application in the event that more

than one application involving the same property is heard simultaneously. Upon the completion of testimony or remarks by those asking questions and/or speaking in opposition to the application, any member of the City Council upon recognition by the presiding officer may ask questions of those speakers.

8. **Response to Questions.** Upon the completion of testimony or remarks by those asking questions and/or speaking in opposition to the application, the presiding officer may: (a) ask the Zoning Administrator if present to answer questions posed by speakers; (b) answer such questions himself or herself; (c) recognize a member of the City Council to make remarks or answer questions in response to such questions; or (d) defer questions to the applicant to be answered during rebuttal.
9. **Content of Remarks.** Each speaker shall speak only to the merits of the proposed application under consideration and shall address his or her remarks only to the City Council and not directly to the audience. Each speaker shall refrain from personal attacks on any other speaker or the discussion of facts or opinions irrelevant to the proposed application under consideration. The presiding officer may limit or refuse a speaker the right to continue, if the speaker, after first being cautioned, continues to violate this procedure.
10. **Applicant's Rebuttal.** Upon the conclusion of public testimony, if the ten minutes allotted to the applicant and those speaking in favor of the application has not been exhausted, the applicant or his or her agent, or both, shall be allowed the remaining time from the total ten minutes allotted to answer questions, rebut the testimony of speakers, and/or provide final comments and remarks. The time devoted to any such rebuttal shall be counted toward the total ten minutes allotted to the applicant if such a time limit is set by the presiding officer. Any member of the City Council upon recognition by the presiding officer may then ask questions of the applicant, his or her agent, or both.
11. **Equal Time.** In no event shall this section be interpreted to, and in no case shall the presiding officer allow or permit, an unequal amount of time to proponents and opponents with respect to testimony regarding an individual application.
12. **Close of Hearing.** After the foregoing procedures have been completed, the presiding officer will close the public hearing and indicate that the public hearing is closed. Upon the closing of the public hearing, the applicant or his agent and any member of the public shall no longer be permitted to address the City Council in any way, including hand waving or motions for attention; provided, however, that at any time considered appropriate the presiding officer may reopen the public hearing for a limited time and purpose.
13. **Decision.** After the public hearing is closed, the City Council may either vote upon the application or may delay its vote to a subsequent meeting, subject to the limitations of this Article, provided that notice of the time, date and location when such application will be further considered shall be announced at the meeting during which the public hearing is held. After hearing evidence, in making a decision, the City Council will apply the evidence to the criteria specified in this Article for the application in question and other considerations and recommendations as may be considered appropriate. If the City Council determines from the evidence presented by the applicant has shown that the proposed application promotes the health, safety, morals, and general welfare under applicable criteria, then the application shall be granted, subject to those reasonable

conditions as may be imposed by the City Council on its own initiative or as recommended by the Zoning Administrator and/or the Oxford Planning Commission. Otherwise, such application shall be denied.

Section 40-1002. Text Amendments.

1. **Authority to Amend.** The City Council may amend any article or section of this zoning ordinance (chapter), subject to compliance with the requirements of this section.
2. **Authority to Initiate.** An application to amend this zoning ordinance (chapter) may be initiated by the City Council or the Oxford Planning Commission. In addition, any person, firm, corporation, or agency may initiate by application to the Zoning Administrator a proposal to amend the text of this zoning ordinance (chapter), provided said individual, firm, corporation, or agency is the owner or owner's agent of property in the city and the amendment sought pertains in some way to said property within the city, and provided further that the applicant has attended a pre-application meeting with the Zoning Administrator to discuss the amendment proposal prior to filing.
3. **Application.** Applications to amend the text of this zoning ordinance (chapter) shall require submittal of an application fee, application form, and proposed text amendment in a form approved in advance by the Zoning Administrator. The Zoning Administrator shall waive the application fee required by this section when an application is initiated by the City Council or the Planning Commission.
4. **Referral to and Recommendation by Planning Commission.** Upon receipt of a completed application for a text amendment or within a reasonable time thereafter, the Zoning Administrator shall refer the text amendment to the Oxford Planning Commission. The meeting at which the Planning Commission considers a text amendment shall be open to the public, but the Planning Commission meeting shall not be required to be an advertised public hearing and the Planning Commission shall not be obligated to but may hold a public hearing on the text amendment. The Planning Commission shall make a recommendation on the text amendment within 30 days of the meeting it is first scheduled to consider the text amendment, and its recommendation shall be submitted to the City Council. The Planning Commission may submit any additional report it deems appropriate. The applicant will be notified in writing by the Zoning Administrator of the recommendation within 7 working days of the decision. The recommendation and any report shall upon publication be available upon request to the public. The recommendation of the Planning Commission shall have an advisory effect only and shall not be binding on the City Council.
5. **Notice of City Council Public Hearing.** At least 15 but not more than 45 days prior to the date of the public hearing before the City Council, the Zoning Administrator shall cause to be published within a newspaper of general circulation within the territorial boundaries of the city a notice of the public hearing on the text amendment. The notice shall state the time, place, and purpose of the public hearing.
6. **City Council Public Hearing and Action.** The City Council shall hold a public hearing on the text amendment as advertised and after review and recommendation by the Planning Commission. In the event that the Planning Commission has not submitted its report and the public hearing has already been advertised, the City Council may elect to proceed with the advertised and scheduled public hearing, or it may reschedule and re-

advertise the public hearing for a day after which the Planning Commission's recommendation will be available. In rendering a decision on any such text amendment, the City Council shall consider all information supplied by the Zoning Administrator and the Planning Commission, any information submitted by the applicant, and any information presented at the public hearing. The City Council may approve or disapprove the proposed text amendment as written, or it may modify the proposed text amendment and approve it as modified. The applicant will be notified in writing by the Zoning Administrator of the decision within 7 working days of the decision.

7. **Withdrawal.** Any application for an amendment to the text of this zoning ordinance (chapter) may be withdrawn at any time at the discretion of the person or entity initiating such a request upon notice to the Zoning Administrator, up until the public hearing by the City Council. When any application for a text amendment is initiated by a party other than the City Council or the Planning Commission, no refund of the required application fee or portion thereof shall be made once the text amendment has been scheduled for public hearing.

Section 40-1003. Amendment to the Official Zoning Map and/or Overlay District Map.

1. **Authority to Amend.** The City Council may amend any boundary of a zoning district or overlay district as shown on the official zoning map and/or overlay district map, subject to compliance with the requirements of this section.
2. **Authority to Initiate.** An application to amend the official zoning map or overlay district map may be initiated by the City Council or the Oxford Planning Commission. In addition, any person, firm, corporation, or agency may initiate by application to the Zoning Administrator a proposal to amend the official zoning map or overlay district map, provided said individual, firm, corporation, or agency is the owner or owner's agent of the property involved in said application.
3. **Application.** Applications to amend the official zoning map or overlay district map shall require submittal of an application fee, application form, and supporting materials specified by this section in advance by the Zoning Administrator. No application described in this section shall be processed by the Zoning Administrator unless it is found to be complete with regard to application materials, payment of fees, supportive materials, and any other application requirements specified by this section. If an application described and regulated by this section does not comply with all the submission requirements of this section, the Zoning Administrator may reject the application and refuse to process it. The Zoning Administrator shall waive the application fee required by this section when an application is initiated by the City Council or the Planning Commission.
4. **Application Requirements.** No application specified in this section shall be processed by the Zoning Administrator unless it meets the requirements of this section as follows:
 - (a) Application fee as established by resolution of the City Council;
 - (b) Application form furnished by the Zoning Administrator, including signed and notarized signature of property owner;
 - (c) Metes and bounds legal description of the property;

- (d) Boundary survey plat of the property; provided, however, that where no survey is available the Zoning Administrator may but is not obligated to accept a map of the subject property from the Newton County Tax Assessors or other reliable source;
 - (e) Letter of intent describing the proposed use of the property or other action requested, which may include any special conditions voluntarily made by the applicant as a part of the request. The applicant is also strongly encouraged to address the extent to which the application meets the criteria specified in this section for amendments to the official zoning map or overlay district map; and
 - (f) Site plan of the property and proposed development at an appropriate engineering scale showing the proposed use and relevant information regarding proposed improvements. Site plans must show existing roads and streams, flood plains and wetlands where applicable, existing and proposed buildings and structures, parking and loading areas as may be applicable, areas of existing vegetation or parts of the site to be landscaped, conceptual information about drainage and stormwater management, and other information as reasonably required by the Zoning Administrator.
5. **Referral to and Recommendation by Planning Commission.** Upon receipt of a completed application to amend the official zoning map or overlay district map or within a reasonable time thereafter, the Zoning Administrator shall refer the application to the Oxford Planning Commission. The meeting at which the Planning Commission considers the application shall be open to the public, but the Planning Commission meeting shall not be required to be an advertised public hearing and the Planning Commission shall not be obligated to but may hold a public hearing on the application. The Planning Commission shall make a recommendation on the application within 30 days of the meeting it is first scheduled to consider the application, and its recommendation shall be submitted to the City Council. The Planning Commission may submit any additional report it deems appropriate. The applicant will be notified in writing by the Zoning Administrator of the recommendation within 7 working days of the decision. The recommendation and any report shall upon publication be available upon request to the public. The recommendation of the Planning Commission shall have an advisory effect only and shall not be binding on the City Council.
6. **Notice of City Council Public Hearing.** At least 15 but not more than 45 days prior to the date of the public hearing before the City Council, the Zoning Administrator shall cause to be published within a newspaper of general circulation within the territorial boundaries of the city a notice of the public hearing on the application. The notice shall state the time, place, and purpose of the public hearing. If the application is initiated by a party other than the City Council or the Planning Commission, then in addition, notice shall include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property; and a sign containing said required information shall be placed in a conspicuous location on the property not less than 15 days prior to the date of the public hearing before the City Council and which shall remain through the date of any public hearings advertised thereon.
7. **Criteria for Amendments to Official Zoning Map.** The following criteria are considered applicable or potentially applicable:

- (a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
 - (b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.
 - (c) Whether the property to be affected by the proposal has a reasonable economic use as currently zoned.
 - (d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
 - (e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including the future development map and future land use plan map.
 - (f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.
 - (g) Whether the proposal would create an isolated zoning district unrelated to adjacent and nearby districts.
 - (h) Whether the proposal would have an impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.
8. **City Council Public Hearing and Action.** The City Council shall hold a public hearing on the application as advertised and after review and recommendation by the Planning Commission. In the event that the Planning Commission has not submitted its report and the public hearing has already been advertised, the City Council may elect to proceed with the advertised and scheduled public hearing, or it may reschedule and re-advertise the public hearing for a day after which the Planning Commission's recommendation will be available. In rendering a decision on any such application, the City Council shall consider all information supplied by the Zoning Administrator and the Planning Commission, any information submitted by the applicant, any information presented at the public hearing, and the extent to which the application meets the criteria specified for amendments to the official zoning map as prescribed in this section. The City Council may approve or disapprove the application as proposed, or it may place conditions of approval on the application and approve the application with conditions. The applicant will be notified in writing by the Zoning Administrator of the decision within 7 working days of the decision.
9. **Withdrawal.** Any application for an amendment official zoning map or overlay district map may be withdrawn at any time at the discretion of the person or entity initiating such a request upon notice to the Zoning Administrator, up until the public hearing by the City Council. When any application is initiated by a party other than the City Council or the Planning Commission, no refund of the required application fee or portion thereof shall be made once the application has been scheduled for public hearing.
10. **Limitations on the Frequency of Filing Applications.** No application regulated by this section and affecting the same or any portion of property which was denied by the City

Council shall be accepted for filing by a property owner until twelve months shall have elapsed from the date said application was denied by the City Council. The same or any portion of property previously considered in a zoning map amendment which was denied by the City Council may not again be initiated until the expiration of at least six months immediately following the final decision rendered on the application by the City Council.

Section 40-1004. Conditional Uses.

1. **Authority.** Upon application, the City Council may approve, conditionally approve, or deny applications for conditional uses as specified in the zoning district regulations of this chapter (see Article 4), subject to compliance with the requirements of this section.
2. **Application.** Applications for conditional use approval shall require submittal of an application fee, application form, and supporting materials specified by this section in advance by the Zoning Administrator. No application described in this section shall be processed by the Zoning Administrator unless it is found to be complete with regard to application materials, payment of fees, supportive materials, and any other application requirements specified by this section. If an application described and regulated by this section does not comply with all the submission requirements of this section, the Zoning Administrator may reject the application and refuse to process it.
3. **Application Requirements.** No application specified in this section shall be processed by the Zoning Administrator unless it meets the requirements of this section as follows:
 - (g) Application fee as established by resolution of the City Council;
 - (h) Application form furnished by the Zoning Administrator, including signed and notarized signature of property owner;
 - (i) Metes and bounds legal description of the property;
 - (j) Boundary survey plat of the property; provided, however, that where no survey is available the Zoning Administrator may but is not obligated to accept a map of the subject property from the Newton County Tax Assessors or other reliable source;
 - (k) Letter of intent describing the proposed use of the property, which may include any special conditions voluntarily made by the applicant as a part of the request. The applicant is also strongly encouraged to address the extent to which the application meets the criteria specified in this section for conditional uses; and
 - (l) Site plan of the property and proposed development at an appropriate engineering scale showing the proposed use and relevant information regarding proposed improvements. Site plans must show existing roads and streams, flood plains and wetlands where applicable, existing and proposed buildings and structures, parking and loading areas as may be applicable, areas of existing vegetation or parts of the site to be landscaped, conceptual information about drainage and stormwater management, and other information as reasonably required by the Zoning Administrator.
4. **Referral to and Recommendation by Planning Commission.** Upon receipt of a completed application for conditional use or within a reasonable time thereafter, the

Zoning Administrator shall refer the application to the Oxford Planning Commission. The meeting at which the Planning Commission considers the application shall be open to the public, but the Planning Commission meeting shall not be required to be an advertised public hearing and the Planning Commission shall not be obligated to but may hold a public hearing on the application. The Planning Commission shall make a recommendation on the application within 30 days of the meeting it is first scheduled to consider the application, and its recommendation shall be submitted to the City Council. The Planning Commission may submit any additional report it deems appropriate. The applicant will be notified in writing by the Zoning Administrator of the recommendation within 7 working days of the decision. The recommendation and any report shall upon publication be available upon request to the public. The recommendation of the Planning Commission shall have an advisory effect only and shall not be binding on the City Council.

5. **Notice of City Council Public Hearing.** At least 15 but not more than 45 days prior to the date of the public hearing before the City Council, the Zoning Administrator shall cause to be published within a newspaper of general circulation within the territorial boundaries of the city a notice of the public hearing on the application. The notice shall state the time, place, and purpose of the public hearing. If the application is initiated by a party other than the City Council or the Planning Commission, then in addition, notice shall include the location of the property, the present zoning classification of the property, and the proposed conditional use of the property; and a sign containing said required information shall be placed in a conspicuous location on the property not less than 15 days prior to the date of the public hearing before the City Council and which shall remain through the date of any public hearings advertised thereon.
6. **Criteria for Conditional Uses.** The following criteria are considered applicable or potentially applicable:
 - (a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
 - (b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.
 - (c) Whether the property to be affected by the proposal has a reasonable economic use as currently zoned.
 - (d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
 - (e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including the future development map and future land use plan map.
 - (f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.
 - (g) Whether the proposal would have an impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.

7. **City Council Public Hearing and Action.** The City Council shall hold a public hearing on the application as advertised and after review and recommendation by the Planning Commission. In the event that the Planning Commission has not submitted its report and the public hearing has already been advertised, the City Council may elect to proceed with the advertised and scheduled public hearing, or it may reschedule and re-advertise the public hearing for a day after which the Planning Commission's recommendation will be available. In rendering a decision on any such application, the City Council shall consider all information supplied by the Zoning Administrator and the Planning Commission, any information submitted by the applicant, any information presented at the public hearing, and the extent to which the application meets the criteria specified for conditional uses as prescribed in this section. The City Council may approve or disapprove the application as proposed, or it may place conditions of approval on the application and approve the application with conditions. The applicant will be notified in writing by the Zoning Administrator of the decision within 7 working days of the decision.
8. **Withdrawal.** Any application for conditional use may be withdrawn at any time at the discretion of the person or entity initiating such a request upon notice to the Zoning Administrator, up until the public hearing by the City Council. When any application is initiated by a party other than the City Council or the Planning Commission, no refund of the required application fee or portion thereof shall be made once the application has been scheduled for public hearing.
9. **Limitations on the Frequency of Filing Applications.** No application regulated by this section and affecting the same or any portion of property which was denied by the City Council shall be accepted for filing by a property owner until twelve months shall have elapsed from the date said application was denied by the City Council.

Section 40-1005. Variances.

1. **Intent.** It is the intent of this section to permit the filing of an application for variance simultaneously with a rezoning or conditional use application, or both, and have both the concurrent variance and companion application(s) considered in the same cycle of review (i.e., "concurrent" variance application). It is also the intent to allow the filing of applications for variance independently of any application (i.e., "stand alone" variance application).
2. **Pre-application Conference Encouraged.** Applicants for variances are strongly encouraged but not required to schedule an applicant orientation meeting with the Zoning Administrator. An applicant orientation meeting is a time where applicants can seek a determination of the number and nature of variances required, familiarize themselves with the application requirements and processes, and gain preliminary input from staff as to the suitability of the proposed variance(s).
3. **Separate Applications Required When More than One Section is Requested to be Varied.** A separate variance application, and a separate fee, shall be required for each individual section of this chapter for which a variance is requested or from which relief is sought.

4. **Regulations That Cannot Be Varied.** Variances shall not be granted to minimum lot size requirements of a given zoning district; or permit a use which is not allowed in the zoning district in pertaining to the subject property (i.e., a “use” variance).
5. **Application.** Applications for a variance shall require submittal of an application fee, application form, and supporting materials specified by this section in advance by the Zoning Administrator. No application described in this section shall be processed by the Zoning Administrator unless it is found to be complete with regard to application materials, payment of fees, supportive materials, and any other application requirements specified by this section. If an application described and regulated by this section does not comply with all the submission requirements of this section, the Zoning Administrator may reject the application and refuse to process it.
6. **Application Requirements.** No application specified in this section shall be processed by the Zoning Administrator unless it meets the requirements of this section as follows:
 - (a) Application fee as established by resolution of the City Council;
 - (b) Application form furnished by the Zoning Administrator, including signed and notarized signature of property owner;
 - (c) Metes and bounds legal description of the property;
 - (d) Boundary survey plat of the property; in the case where a building or structure was already constructed and requires a setback variance, the boundary survey shall include “as built” placement of the building or structure for which the setback is requested to be varied;
 - (e) Letter of intent describing the regulations to be varied (specific sections and the amount of numerical variation sought), and including analysis of how the proposed development compares favorably with one or more of the criteria for granting variances as established in this section;
 - (f) If pertaining to future development, a site plan of the property and proposed development shall be submitted at an appropriate engineering scale showing the proposed use and relevant information regarding the variance request. Site plans must show information as reasonably required by the Zoning Administrator.
7. **Referral to and Recommendation by Planning Commission.** Upon receipt of a completed application for variance or within a reasonable time thereafter, the Zoning Administrator shall refer the application to the Oxford Planning Commission. The meeting at which the Planning Commission considers the application shall be open to the public, but the Planning Commission meeting shall not be required to be an advertised public hearing and the Planning Commission shall not be obligated to but may hold a public hearing on the application. The Planning Commission shall make a recommendation on the application within 30 days of the meeting it is first scheduled to consider the application, and its recommendation shall be submitted to the City Council. The Planning Commission may submit any additional report it deems appropriate. The applicant will be notified in writing by the Zoning Administrator of the recommendation within 7 working days of the decision. The recommendation and any report shall upon publication be available upon request to the public. The recommendation of the Planning

Commission shall have an advisory effect only and shall not be binding on the City Council.

8. **Notice of City Council Public Hearing.** At least 15 but not more than 45 days prior to the date of the public hearing before the City Council, the Zoning Administrator shall cause to be published within a newspaper of general circulation within the territorial boundaries of the city a notice of the public hearing on the application. The notice shall state the time, place, and purpose of the public hearing. In addition, notice shall include the location of the property and the section or section proposed to be varied; and a sign containing said required information shall be placed in a conspicuous location on the property not less than 15 days prior to the date of the public hearing before the City Council and which shall remain through the date of any public hearings advertised thereon.
9. **Criteria for Variances.** One or more of the following criteria may be considered applicable or potentially applicable:
 - (a) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
 - (b) A literal interpretation of the provisions of this chapter would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.
 - (c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.
 - (d) The requested variance will be in harmony with the purpose and intent of this chapter and will not be injurious to the neighborhood or to the general welfare.
 - (e) The special circumstances are not the result of the actions of the applicant.
 - (f) The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the zoning district in which the development is located.
10. **City Council Public Hearing and Action.** The City Council shall hold a public hearing on the application as advertised and after review and recommendation by the Planning Commission. In the event that the Planning Commission has not submitted its report and the public hearing has already been advertised, the City Council may elect to proceed with the advertised and scheduled public hearing, or it may reschedule and re-advertise the public hearing for a day after which the Planning Commission's recommendation will be available. In rendering a decision on any such application, the City Council shall consider all information supplied by the Zoning Administrator and the Planning Commission, any information submitted by the applicant, any information presented at the public hearing, and the extent to which the application meets the criteria specified for conditional uses as prescribed in this section. The City Council may approve or disapprove the application as proposed, or it may place conditions of approval on the

application and approve the application with conditions. The applicant will be notified in writing by the Zoning Administrator of the decision within 7 working days of the decision.

10. **Withdrawal.** Any application for variance may be withdrawn at any time at the discretion of the person or entity initiating such a request upon notice to the Zoning Administrator, up until the public hearing by the City Council. No refund of the required application fee or portion thereof shall be made once the application has been scheduled for public hearing.
11. **Limitations on the Frequency of Filing Applications.** No application regulated by this section and affecting the same or any portion of property which was denied by the City Council shall be accepted for filing by a property owner until twelve months shall have elapsed from the date said application was denied by the City Council.
12. **Judicial Review.** Decisions by the City Council with regard to variances are final; provided, however, any person or persons, jointly or severally, aggrieved by any decision of the City Council with regard to a decision on a variance application under the terms of this section may take an appeal to or seek judicial review by the Newton County Superior Court.

Section 40-1006. Appeals of Administrative Decisions.

Intent. It is the intention of this section that all questions arising in connection with the administration, interpretation, and enforcement of this chapter by the Zoning Administrator shall be presented first to the Zoning Administrator, and that such questions if they cannot be resolved at the administrative level shall be presented to the City Council on appeal from the decision of the Zoning Administrator.

1. **Who May Appeal.** Any person who alleges there is an error in, or who is aggrieved by a decision of the Zoning Administrator in the administration, interpretation, or enforcement of this chapter, may file an appeal with the City Council, stating the grounds for such appeal. Appeals of administrative decisions may also be filed for consideration by any officer, department, or Board or Commission of the city, affected by any such administrative decision. Said appeal application shall be filed within thirty (30) days of the date of the final administrative decision. A fee shall be paid to the Zoning Administrator at the time the notice of appeal is filed, as specified by resolution of the City Council.
2. **Transmittal of Application.** Any appeal received and all papers constituting the record upon which the action appealed from was taken shall forthwith be transmitted by the Zoning Administrator to the Oxford Planning Commission for recommendation and to the City Council for decision.
3. **Referral to and Recommendation by Planning Commission.** Upon receipt of a completed application for appeal or within a reasonable time thereafter, the Zoning Administrator shall refer the application to the Oxford Planning Commission. The meeting at which the Planning Commission considers the application shall be open to the public, but the Planning Commission meeting shall not be required to be an advertised public hearing and the Planning Commission shall not be obligated to but may hold a public hearing on the application. The Planning Commission shall make a recommendation on the application within 30 days of the meeting it is first scheduled to consider the application, and its recommendation shall be submitted to the City Council.

The Planning Commission may submit any additional report it deems appropriate. The applicant will be notified in writing by the Zoning Administrator of the recommendation within 7 working days of the decision. The recommendation and any report shall upon publication be available upon request to the public. The recommendation of the Planning Commission shall have an advisory effect only and shall not be binding on the City Council.

4. **Notice of City Council Public Hearing.** At least 15 but not more than 45 days prior to the date of the public hearing before the City Council, the Zoning Administrator shall cause to be published within a newspaper of general circulation within the territorial boundaries of the city a notice of the public hearing on the application. The notice shall state the time, place, and purpose of the public hearing.
5. **City Council Public Hearing and Action.** The City Council shall hold a public hearing on the application as advertised and after review and recommendation by the Planning Commission. In the event that the Planning Commission has not submitted its report and the public hearing has already been advertised, the City Council may elect to proceed with the advertised and scheduled public hearing, or it may reschedule and re-advertise the public hearing for a day after which the Planning Commission's recommendation will be available. In rendering a decision on any such application, the City Council shall consider all information supplied by the Zoning Administrator on the record and the findings of the Planning Commission, and any information submitted by the applicant. The City Council may grant or deny the appeal, or it may place conditions of approval on the application and approve the application with conditions. The applicant will be notified in writing by the Zoning Administrator of the decision within 7 working days of the decision.
6. **Stay of Proceedings.** The filing of an appeal stays all legal proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the City Council after the notice of appeal shall have been filed with him, that by any reason of acts stated in the certificate a stay would, in his or her opinion, cause eminent peril to life and property. In such case, proceedings shall not be stayed.
7. **Judicial Review.** Decisions by the City Council with regard to appeals are final; provided, however, any person or persons, jointly or severally, aggrieved by any decision of the City Council with regard to a decision on an appeal application under the terms of this section may take an appeal to or seek judicial review by the Newton County Superior Court.

Section 40-1007. Development of Regional Impact.

1. **Applicability.** This section shall apply when an applicant (industry, business, or developer) requests some type of local government action related to a project, such as, but not limited to, a request for rezoning, zoning variance, permit, hookup to a water or sewer system, master or site plan approval, or entering into a contract, and it appears that the proposed development (or, for multi-phased projects, the complete development) meets the threshold(s) of a development of regional impact, according to "Rules of Georgia Department of Community Affairs, Chapter 110-12-3, Developments of Regional Impact, as may be amended from time to time.

2. **Jurisdiction.** If a proposed development project is to be located in more than one jurisdiction and, in total, the proposed development meets or exceeds a DRI threshold, the local government in which the largest portion of the project is to be located is responsible for initiating the DRI review process.
3. **Procedures.** The application procedures established in this article will be modified by this section in cases where a rezoning request, conditional use application, or other application described in this article fits the definition of a “development of regional impact.” Developments of regional impact will be processed according to procedures of the Georgia Department of Community Affairs as described in “Rules of Georgia Department of Community Affairs, Chapter 110-12-3, Developments of Regional Impact, as may be amended from time to time, including but not limited to the following.
 - (a) The city will not take any official legislative or administrative action to advance or further a DRI project until the review process identified under the DRI review procedure specified in “Rules of Georgia Department of Community Affairs, Chapter 110-12-3, Developments of Regional Impact, as may be amended from time to time, is completed. The city may undertake preliminary staff administrative functions associated with a proposed DRI including, but not limited to, project evaluation/assessment, site visits, and placing consideration of the application on a future agenda for formal action, if required. The city shall not take any official action related to such a project until the DRI review process is completed and the city has had adequate time to consider the DRI review comments.
 - (b) After the DRI review process is completed, the city may proceed with whatever action it deems appropriate regarding the proposed project, although it is encouraged to take the public finding and additional comments into consideration as it makes its decision.
 - (c) If the project receives a negative public finding from the Regional Commission and the city approves said project or takes action to advance said project, the city shall notify the Regional Commission and the Georgia Department of Community Affairs of its action and identify all local requirements it has placed on the development that could mitigate any negative findings identified in the DRI review process.

Section 40-1008. Incorporation Clause.

This article is intended to comply with the provisions of the Georgia Zoning Procedures Law, O.C.G.A. § 36-66 et. seq., which Act is incorporated by reference in its entirety into this chapter. Where any provision of this article is in conflict with any provision of the law, the law shall control. Or where this article is incomplete in having failed to incorporate a provision necessarily required for the implementation of the law, such provision of the law, so as to meet the mandate of the law, shall be fully complied with.

ARTICLE XI SITE AND DESIGN PLAN REVIEW

Section 40-1101.	Intent and Purposes.
Section 40-1102.	Site and Design Review by Planning Commission.
Section 40-1103.	Exemptions.
Section 40-1104.	Site and Design Plan Approval Required.
Section 40-1105.	Application Required.
Section 40-1106.	Specific Submission Requirements.
Section 40-1107.	Processing, Consideration, and Notice.
Section 40-1108.	Criteria for Action.
Section 40-1109.	Compliance with Approved Plans.
Section 40-1110.	Process after Decision.

Section 40-1101. Intent and Purposes.

The intent of this article is to establish requirements for certain developments, building construction, and land use activities to be reviewed and approved with regard to their site design and architectural appearance. This chapter provides procedures and standards for review and approval of site, landscaping, and exterior architectural design plans. Site and design plan review is required to insure that developments and buildings comply with the provisions of this chapter and meet the community design and development policies established by the City of Oxford in its comprehensive plan and this Zoning Ordinance (chapter).

The purpose of the site and design plan review process established in this article is to regulate site planning, landscaping, and the exterior architectural design of specified uses and structures in order to:

1. Enhance and preserve the aesthetic qualities of Oxford as an attractive community with a rich historical background.
2. Protect and maintain the value of existing buildings and property.
3. Insure architectural harmony between buildings and landscaping to promote and protect the aesthetic and historic qualities of Oxford.
4. Minimize any adverse impacts of new development on existing uses through provision of screening, buffering, landscaping and other techniques.
5. Preserve and enhance the natural resources of Oxford in order to provide aesthetic and other public benefits, such as pollution abatement, erosion and run-off control, energy conservation, minimization of flood hazards, and continued maintenance of ecology systems.
6. Enhance economic opportunities by maintaining Oxford as an attractive community for prospective developers, businesses, and residents.

Section 40-1102. Site and Design Review by Planning Commission.

The Oxford Planning Commission is hereby delegated the function and duty to approve, approve with conditions, or deny applications for major design plan approval in accordance with this chapter. The Planning Commission shall review and comment on initial site and design plans and provide advice to applicants prior to submittal of applications for design plan approval. The Planning Commission also shall review and approve applications for site and design plan approval, in accordance with this chapter, during regular meetings.

Section 40-1103. Exemptions.

The following shall be exempt from the requirements to obtain site and design review and plan approval as specified in this article:

1. Excavation or land disturbance of 2,000 square feet in area or less, provided that best management practices are followed as required by the City's soil erosion, sedimentation and pollution control ordinance (Chapter 35 Oxford City Code).
2. Temporary ground or wall signs, unlighted, during the time when a space, unit, building, or land is for sale, rent, or lease, or under construction, not to exceed maximum size requirements of Article XV, Sign Regulations, of this chapter.
3. Repair or reconstruction of existing freestanding retaining walls, decorative walls, and fences, when repaired or replaced with materials that are the same or substantially similar to those originally constructed or approved via site and design plan review.
4. Fences and walls in the side and/or rear yard of a lot containing a detached, single-family residence.
5. The installation of landscaping on a lot containing a detached, single-family dwelling.
6. The repainting of an existing building or structure.
7. The installation or reconfiguration of driveways and the installation, pavement or resurfacing of walkways, ramps, and steps serving a detached, single-family residence.
8. Modifications to outdoor lighting fixtures involving the replacement of light fixtures, and which may involve an increase in the number of light fixtures at the same or lesser height, provided that the type of lighting and materials used for such light fixtures shall be of the same as or similar to those originally existing or previously approved via site and design review.
9. Repairs, remodeling, re-siding, and other changes to existing detached, single-family dwellings or their permitted accessory buildings, structures, and uses which do not increase the building square footage (area), property coverage (footprint), or the height of buildings or structures on the lot.
10. The establishment of a temporary use that is permitted in the zoning district in which the subject property is located.
11. Satellite dishes, provided they are not to be mounted on front building facades.

12. Dumpsters, when located in rear yards, subject to compliance with applicable screening requirements, and temporary roll-off debris containers for a period not exceeding 60 days.
13. Changes of material appearance to a detached, single-family dwelling similar in scope and impact to other exemptions enumerated in this section and which are exempted by the Zoning Administrator.
14. Any changes in material appearance not otherwise exempted by this section but which receive a written exemption from the Planning Commission or its Site and Design Review Committee. In issuing such an exemption, the committee may place conditions on its approval to exempt the material change in appearance from the requirements to file design plans as required by this article.

The Zoning Administrator is authorized to prepare administrative forms and to provide evidence, upon application and for a fee if authorized, that a proposed action is exempted from the requirement to obtain site and design approval as specified in this article.

Section 40-1104. Site and Design Plan Approval Required.

For any development, building, structure, or activity to which this article applies, approval of a site and design plan shall be required before a development permit, building permit or other permit, as appropriate, is issued or any improvement, grading, alteration of land(s), or construction of building(s) commences. The Planning Commission shall not authorize and shall not issue a development permit for the improvement, grading, or alteration of land until a site and design plan if required by this article has been approved as required by this article. The Planning Commission shall not authorize and the Building Inspector shall not issue a building or demolition permit or certificate of occupancy for a development, building, structure, or activity subject to the requirements of this article until a site and design plan, if required by this article, has been approved.

Section 40-1105. Application Required.

Any building, structure, improvement, excavation, or other activity not specifically exempted from compliance with this article shall require the submission of an application and plans and other information to the Zoning Administrator as specified in this chapter.

All applications for site and design plan approval shall be made as required by the Zoning Administrator and shall at minimum contain the information required; provided, however, that the Zoning Administrator may waive any application submission requirement where in his or her opinion such information is irrelevant to the application at hand, is not needed to facilitate review by staff, and/or would be a disproportional burden on the applicant to supply the information given the nature of development or improvement proposed. This section shall not preclude the Planning Commission or its site and design review committee, as applicable, from requiring information waived by the Zoning Administrator if in its judgment such information is needed to facilitate review.

Section 40-1106. Specific Submission Requirements.

Unless waived by the Zoning Administrator, the following items shall be submitted in order to have a complete application for site and design review:

1. Application fee, if required by resolution of the City Council.
2. Application form furnished by the Zoning Administrator, which at minimum shall describe the requested action.
3. Survey plat of the property showing all property lines with metes and bounds and dimensions.
4. Site plan of the property at an appropriate engineering scale showing buildings, parking, property lines, and other appropriate details.
5. Preliminary information about grading, drainage, and utilities.
6. Landscaping and tree protection plan, including required buffers and landscape strips.
7. Front, rear, and side building elevation drawings of buildings and/or photographs as appropriate.
8. Color and material samples for exterior facades of buildings proposed.

Section 40-1107. Processing, Consideration, and Notice.

1. **Initial Pre-application Encouraged.** Applicants with significant development proposals, such as construction of one or more new buildings, are strongly encouraged but not required to have a pre-application meeting with the Planning Commission to gain preliminary input and to ensure application completeness. The Chairman of the Planning Commission in consultation with the Zoning Administrator will determine for scheduling purposes whether the pre-application meeting will be scheduled before the Planning Commission. During the pre-application meeting, the Planning Commission members may ask questions of the applicant's intent and make suggestions with regard to site configuration, colors, building materials, landscaping, architectural design, and accessory structures, or other matters. Specific directions will be given to the applicant in preparing the application for site and design plan approval.
2. **Finding of Completeness.** A finding of completeness by the Zoning Administrator is required to process an application for site and design plan approval. Notice shall be provided to any applicant who has not submitted a complete application, and said notice shall describe the deficiencies that need to be corrected or omitted materials that need to be submitted in order to complete the application.
3. **Scheduling.** As soon as practicable after the application has been determined complete, but no later than ten calendar days from the date the application was certified as complete, the Zoning Administrator shall schedule the application for initial review at the next meeting of the Planning Commission. The Planning Commission shall consider the complete application at its next regularly scheduled meeting if the Planning

Commission's next regular meeting is scheduled within 14 calendar days from the date notice of a complete application is submitted by the Zoning Administrator.

4. **Meeting Notice and Public Comment.** Public notice of the meeting shall not be required to be advertised; however, at least 24 hours notice of the date, time, and place of the meeting at which the application will be heard shall be posted the same as routinely provided for special meetings of the City Council or Planning Commission. The applicant will be notified as soon as the meeting is scheduled to act on the application. At any meeting in which a site and design plan application is considered, the Planning Commission may hear from the applicant and may also invite or permit testimony or questions from the public, but a formal public hearing is not required.
5. **Consideration.** The Planning Commission shall take final action to approve, conditionally approve, or disapprove the application at the meeting said application is originally scheduled, unless the agenda item is continued at a later meeting either at the request of the applicant, because of failure of the applicant to be represented, or upon mutual agreement between the Planning Commission and applicant.

Section 40-1108. Criteria for Action.

In addition to considering each site and design plan application's consistency with the purposes of this article, the Planning Commission, as the case may be, shall review applications and take action based on one or more of the following policies and standards:

1. Whether the design is in harmony with the general character of the neighborhood and surrounding area, considering factors such as mass, placement, height, changing land use patterns, and consistency of exterior architectural treatment.
2. Whether design components are planned in such a fashion that they are physically and aesthetically related and coordinated with other elements of the project and surrounding environment to insure visual continuity of design.
3. Whether the resulting development and its design will protect adjacent properties from negative visual and functional impacts.
4. Whether the design respects historical continuity as an integral part of community life in the city and protects and preserves structures and spaces which provide a significant link with the past.
5. Consistency or inconsistency with design criteria specified for the zoning district in which the project is located. See Article IV, Tables 4.3 and 4.6 for most zoning districts; also see Article V for the Residential Infill Overlay District as applicable).
6. Whether the design meets the transportation needs of the community and supports multi-modal transportation access.

Specific grounds for disapproval, which shall not be considered limiting, may include: character foreign to the area, arresting and spectacular effects, violent contrasts of material, a multiplicity or incongruity of details resulting in a restless and disturbing appearance, and the absence of unity and coherence in composition not in consonance with the density and character of the present structure or surrounding area.

Section 40-1109. Compliance with Approved Plans.

Site development, construction, erection of structures and signs, and landscaping shall be carried out in accordance with the plans, drawings, sketches, specifications, and other documents approved in the application for site and design plan approval, unless changes are proposed and approved in accordance with the requirements set forth in this article.

Section 40-1110. Process After Decision.

1. If the application for site and design plan approval is denied, the applicant shall not be granted a development permit, building permit, and/or certificate of occupancy, as appropriate. The Planning Commission shall specify via the Zoning Administrator in writing to the applicant the reasons for denial. The Planning Commission may suggest alternative courses of action it thinks proper if it denies the application submitted. If he or she so desires, the applicant may make modifications to the plans and may resubmit the application at any time after doing so.
2. If an application is denied by the Planning Commission, or if the conditions of approval are considered by the applicant to be onerous or burdensome, the applicant for site and design plan approval shall have 15 calendar days to file a written appeal of the Commission's decision to the Oxford City Council. The Oxford City Council shall make a decision within 30 calendar days from the date of the meeting the initial appeal was considered unless such time is extended with the approval of the appealing party. Decisions shall be made based on the record presented to the Planning Commission, not on the basis of new information.
3. All decisions of the City Council regarding appeals of decisions of the Planning Commission shall be final and shall in all instances be subject to judicial review in the manner prescribed by law. In reviewing a decision of the Planning Commission, the City Council may affirm the Planning Commission's decision, modify it, or remand the matter to the Commission for further action. When a decision to approve is made by the City Council on appeal to approve a site and design plan application, said approval shall constitute final site and design plan approval for purposes of this article.

ARTICLE XII PERMITS AND CERTIFICATES

Section 40-1201. Development Permit.
Section 40-1202. Building Permit
Section 40-1203. Certificate of Occupancy

Section 40-1201. Development Permit.

1. **Required.** A development permit shall be required for any proposed use of land(s) or building(s), and before any improvement, grading or alteration of land(s) or building(s) commences to indicate and insure compliance with all provisions of this chapter and other applicable regulations in the Oxford City Code. Such development activities include, but are not limited to, clearing and grubbing, grading and/or land disturbance, and the construction of such improvements as streets, surface parking areas and drives, storm water drainage facilities, sidewalks, or other structures permanently placed on or in the property.
2. **Separate Requirements for Phased Applications.** If the tract is to be developed in phases, then a separate development permit shall be required for each phase.
3. **Application.** No person shall conduct any land-disturbing or development activity within the city without first applying for and obtaining a development permit from the Zoning Administrator to perform such activity.
4. **Application Requirements.** Applications shall be made in accordance with application requirements specified by the Zoning Administrator and this section. The application shall be checked for completeness at the time of submission. Incomplete applications will not be processed and will be returned to the applicant. All applications for a development permit shall be made to the Zoning Administrator and shall be accompanied by the following:
 - a. Application on the form furnished by the Zoning Administrator.
 - b. A fee as established by resolution of the Oxford City Council.
 - c. A copy of the approved preliminary plat, if subdivision is required and preliminary plat approval has been obtained, or an application for preliminary plat approval if required.
 - d. A sufficient number (as approved by the Zoning Administrator) of sets of plans drawn to scale, signed and stamped by one or more qualified professionals who have authority to produce such plans or portions thereof, with addresses and contact information.
 - e. Plans requiring or involving stormwater management facilities shall require the submittal of plans containing information specified in the City of Oxford Stormwater Management Ordinance (Chapter 18 Oxford City Code). Approval of a development permit containing information and requirements of said Chapter 18 shall constitute approval of the permit required by that chapter.

- f. Plans involving land within a flood plain or flood hazard area shall require the submittal of plans containing information specified in the City of Oxford Flood Damage Prevention Ordinance (Chapter 34 Oxford City Code). Approval of a development permit containing information and requirements of said Chapter 34 shall constitute approval of the permit required by that chapter.
 - g. Plans requiring a land disturbance permit shall require the submittal of plans containing information specified in the City of Oxford Soil Erosion, Sedimentation and Pollution Control Ordinance (chapter 35 Oxford City Code) unless specifically exempted by the Zoning Administrator from the submission of plans in accordance with said Ordinance. Approval of a development permit containing information and requirements of said Chapter 35 shall constitute approval of the permit required by that chapter, subject to other applicable agency approvals required by said chapter.
 - h. Plans involving land within a wetland shall require the submittal of plans containing information specified in the City of Oxford Wetlands Protection Ordinance (Chapter 38 Oxford City Code).
 - i. Plans shall demonstrate compliance as applicable with the City of Oxford Tree Ordinance (Chapter 39 Oxford City Code) as well as Tree Maintenance Guidelines and Standards as applicable (Appendix 7 Oxford City Code).
 - j. For subdivisions or other major developments, Development permit applications shall require the submission of plans and information specified in the City of Oxford Subdivision and Land Development Ordinance (Chapter 41 Oxford City Code) and shall demonstrate compliance therewith.
- 5. **Relationship to Plat Approval.** An application for preliminary plat approval, when required by the Subdivision and Land Development Ordinance of the City of Oxford (Chapter 41 of the Oxford City Code), may be processed independently of, or in conjunction with, an application for issuance of a development permit. Applicants are cautioned, however, that the preliminary plat approval is discretionary with regard to compliance with the comprehensive plan and design requirements, and therefore, proceeding simultaneously with preliminary plat and development permit applications may result in the revision of engineering plans if the layout of the preliminary plat of the proposed subdivision must be modified.
- 6. **Relationship to Site and Design Plan Review.** It is anticipated and expected that applicants will proceed more or less simultaneously in pursuing site and design plan approval as required by Article 11 of this zoning ordinance (chapter); however, no development permit shall be approved until site and design plan review, if required, is accomplished. A development permit applicant if not ready to submit architectural details for buildings or structures may at his or her discretion divide the site and design plan review application process into a “site” application and “building” application, and seek only the site plan portion of the approval process required by Article 11 of this chapter, which shall be required to issue a development permit.
- 7. **Agency and Zoning Administrator Review.** The Zoning Administrator shall forward a copy of the development permit application, including the civil plans and drawings for the project, to other city departments and government agencies or others as appropriate, for

their review and comment. The applicant may be required by the Zoning Administrator to secure development approval from other agencies if they are affected by (or have jurisdiction over) the development. Development approval may be required from but is not necessarily limited to the following, as applicable: the city engineer, the city street and/or public works department, the soil and water conservation district with jurisdiction, the county fire department, the county health department, the county department of planning, development, and/or building inspections, the Georgia Department of Transportation, the Georgia Department of Natural Resources, and the U.S. Army Corps of Engineers.

8. **Consolidation and Submission of Comments to Applicant.** Upon receipt of comments from other city departments and external agencies as appropriate, the Zoning Administrator shall provide all comments to the applicant for resolution and as appropriate shall indicate on one or more copies of the civil drawings or in writing all comments related to compliance with applicable city regulations and agency requirements. Thereafter, the applicant shall submit revised plans to reflect all such comments.
9. **Issuance.** All development permits shall be issued by the Planning Commission who shall in no case grant any development permit for the use, construction or alteration of any land or building if the land or building as proposed to be used, constructed or altered would be in violation of any of the provisions of this chapter or other applicable regulations of the city. The applicant shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the comments of reviewing city departments, external agencies, and the Planning Commission. Although review may have been achieved, if another city department or external agency requires approval or a permit, the owner shall also be responsible for obtaining such approval or permit from all other agencies affected by the project prior to issuance of the development permit by the Planning Commission.
10. **Denial.** If the development permit is denied, the Planning Commission shall state in writing the reason for the denial and the applicant shall be notified of the denial. A record of all development permits shall be kept on file in the office of the Zoning Administrator which shall be a public record.
11. **Duration of Validity.** A development permit shall expire two (2) years after its issuance, subject to the following provisions: if the work described in any development permit has not been begun within one year from the date of issuance thereof, said permit shall expire, and if work described in any development permit has not been substantially completed within two years of the date of issuance thereof, said permit shall expire. Application processes shall begin anew for any expired development permit.
12. **Suspension or Revocation.** The development permit may be suspended or revoked by the city, as to all or any portion of the land affected by the permit, upon finding that the holder or his or her successor in title is not in compliance with the approved development permit or is in violation of any applicable regulations in the Oxford City Code.

Section 40-1202. Building Permit.

1. The Building Inspector is hereby authorized to issue building permits in accordance with all provisions of this chapter and relevant chapters of the Oxford City Code, but only after the Planning Commission has issued a development permit, or if no development permit is required, after a review of said building permit for compliance with the provisions of this chapter and applicable regulations of the city.
2. No building or other structure shall be erected, moved, extended, occupied, or enlarged, or structurally altered, nor shall a building or structure's use be changed, nor shall any excavation, grading, or filling of any lot for the construction of any building or structure be commenced until the Building Inspector has issued a building permit for such work in conformity with the provisions of this chapter and all applicable building and related codes.
3. Approval of a building permit shall require an application to the Building Inspector as specified in the minimum standard codes. If the building permit is denied, the Building Inspector shall state in writing the reason for the denial and the applicant shall be notified of the denial. A record of all building permits shall be kept on file in the office of the Building Inspector.
4. Any building permit issued shall become invalid unless the work authorized by it shall have been commenced within one-hundred eighty (180) days of its date of issue, or if the work authorized by it is suspended or abandoned for a period of six (6) months.
5. See Section 36-103 of the Oxford City Code for applicable provisions with regard to administration and enforcement of building permits and minimum standard codes, including reference to Chapter 1 of the International Building Code which shall govern specific procedures and submission requirements.

Section 40-1203. Certificate of Occupancy.

1. A certificate of occupancy issued by the Building Inspector is required in advance of occupancy or use, any building or structure hereafter erected, or a change in the use of an existing building or structure.
2. A certificate of occupancy, either for the whole or part of a building or use, shall be issued within seventy-two (72) hours after the erection or structural alterations of such building, or part, or use established, is completed. A certificate of occupancy shall not be issued unless the proposed use of a building or land conforms to the applicable provisions of this chapter and applicable regulations of the City of Oxford.
3. If the certificate of occupancy is denied, the Building Inspector shall state in writing the reason for the denial and the applicant shall be notified of the denial. A record of all certificates shall be kept on file in the office of the Building Inspector.
4. See Section 36-103 of the Oxford City Code for applicable provisions with regard to administration and enforcement of certificates of occupancy and minimum standard

codes, including reference to Chapter 1 of the International Building Code which shall govern specific procedures and submission requirements.

ARTICLE XIV ACCESS, PARKING AND LOADING

Section 40-1401.	Purpose and Intent.
Section 40-1402.	Applicability.
Section 40-1403.	Access.
Section 40-1404.	Shared Driveways and Inter-parcel Access.
Section 40-1405.	Visibility at Intersections and Driveways.
Section 40-1406.	Internal Vehicular Circulation.
Section 40-1407.	Pedestrian Facilities Internal to Site Required.
Section 40-1408.	Off-Street Parking Required.
Section 40-1409.	Location of Off-Street Parking Areas.
Section 40-1410.	Parking Plan Required.
Section 40-1411.	Minimum Design Requirements.
Section 40-1412.	Minimum and Maximum On-site Parking Spaces.
Section 40-1413.	Interpretations.
Section 40-1414.	Number of Handicapped Parking Spaces Required.
Section 40-1415.	Reduction for Off-Site, Off-Street Arrangements.
Section 40-1416.	Reduction for Mixed or Joint Use of Parking Spaces
Section 40-1417.	Reduction for On-Street Parking.
Section 40-1418.	Off-Street Loading Required.
Section 40-1419.	Loading Area Locations.
Section 40-1420.	Loading Area Specifications.
Section 40-1421.	Loading Docks and Spaces Required.

Section 40-1401. Purpose and Intent.

The multiple purposes of this Article are summarized as follows:

1. Establish requirements for multi-modal access to development sites, including vehicular, truck service, and pedestrian, as appropriate;
2. Establish on-site circulation patterns conducive to safe pedestrian as well as vehicular and truck access;
3. Establish minimum off-street parking and loading areas in proportion to the need created by each use, but considering reductions for the provision of alternative modes of travel;
4. Reduce congestion in the streets and ensure that uses and functions of public rights-of-ways are not interrupted;
5. Establish certain maximum as well as minimum requirements for parking spaces to reduce development costs and ensure that excess impervious surfaces are not constructed, while providing for exceeding maximums when a demonstrated need exists.
6. Promote flexible approaches to the provision of off-street parking, including in some cases, as appropriate, use of on-street parking, shared parking arrangements, and smaller spaces for compact cars;
7. Establish design and improvement specifications for the development of parking lots, loading areas, access aisles, and connections of parking lots to public streets;

8. Ensure that parking areas will be compatible with abutting residential zoning districts.

Section 40-1402. Applicability.

Except within the Town Center Zoning District (TC) and as otherwise specifically provided in this chapter, this article shall apply to:

1. Any new building constructed; and
2. For new uses or conversions of existing, conforming buildings; and
3. For enlargements of existing structures; and
4. When the occupancy of any building is changed to another use.

This article shall not be construed so as to require additional parking spaces to be furnished for an existing building which is repaired, altered, maintained, or modernized, where no structural alterations are made and the size of the building is not increased.

Section 40-1403. Access.

1. The entire parcel, rather than simply a particular project, shall be considered in formulating and approving access plans.
2. All parking shall be provided with vehicular access to a street. Parking areas shall not thereafter be encroached upon or altered without approval of the Planning Commission.
3. Loading areas shall be provided with access to a street or alley. Loading areas shall not thereafter be encroached upon or altered without approval of the Planning Commission.
4. Off-street parking and loading spaces shall have access so that their use will not require backing movements or other maneuvering within a street right-of-way.
5. There shall be no obstruction of a public sidewalk, including that portion of the sidewalk within a driveway apron, due to parking, loading, or other activity. The City Engineer may require that construction contractors make special provisions for maintaining safe passage along public sidewalks during construction.

Section 40-1404. Shared Driveways and Inter-parcel Access.

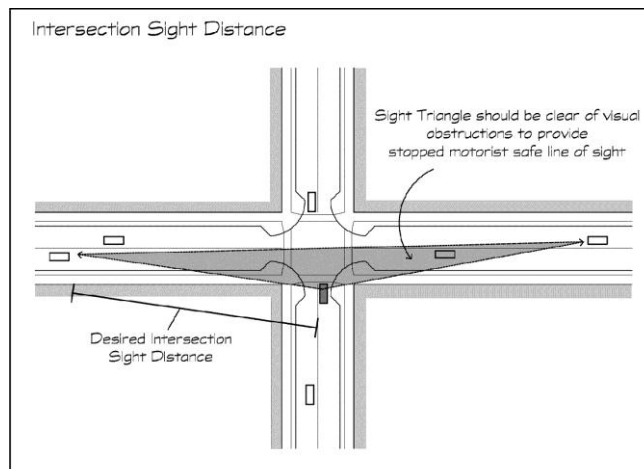
1. **Applicability.** This Section shall apply to all new office, commercial, institutional, institutional campus and (if permitted) industrial developments and major building renovations and repaving projects of office, commercial, institutional, and (if permitted) industrial developments.
2. **Shared Driveways.** Shared driveways between two parcels along the common property line may be required by the Planning Commission during subdivision plat review and/or site and design plan approval. In such cases, the subdivider and/or each property owner shall grant an access easement to facilitate the movement of motor vehicles and pedestrians across the site.

3. **Inter-parcel Access Requirements.** Inter-parcel access for vehicles between abutting and nearby properties shall be provided so that access to individual properties can be achieved between adjacent and nearby developments as an alternative to forcing all movement onto abutting highways and public roads, unless the Planning Commission during site and design plan approval determines that it is unnecessary to provide inter-parcel access due to the unlikelihood of patrons traveling among two or more existing or proposed uses on abutting or nearby sites. Where opportunities for shared access have been identified by the Zoning Administrator or Planning Commission, developments must provide shared access with adjoining properties to facilitate frontage roads and/or driveway connections between parcels. The property owner shall grant an access easement to facilitate the movement of motor vehicles and pedestrians from site to site.
4. **Locations.** The location of vehicular connections across a property line shall be mutually determined and constructed by both property owners. Connection of parking areas for vehicular access shall be provided in the rear portion of the site, as approved by the Planning Commission. In cases where it is not possible to provide the connection in the rear, it may be provided in the front portion of the site. In the case of coordination problems or any factors preventing construction of an inter-parcel connection, the Planning Commission will determine the location of the inter-parcel connection to be constructed by property owners.

Section 40-1405. Visibility at Intersections and Driveways.

No fence, wall, sign, hedge or planting or similar improvement will be permitted to obstruct the sight lines or visibility of motorists and/or pedestrians at any intersection of public or private streets or at any driveway intersection with a public or private street. For purposes of this section, obstructions shall be defined in terms of height as elevations between thirty (30) inches and twelve (12) feet above any roadway or driveway, as applicable.

Unless otherwise specified by the zoning administrator, the area regulated shall be two triangular areas formed by the street right-of-way lines, or such lines extended, and lines connecting such right-of-way lines at points twenty-five (25) feet from the intersections of the right-of-way lines. In such cases as right-of-way lines do not exist or cannot be determined, said measurements shall be made from points fifteen (15) feet from the centerline of the existing road or ten (10) feet from the existing pavement or roadbed, whichever is greater.



Section 40-1406. Internal Vehicular Circulation.

1. Efficient and easily recognized vehicular circulation routes within a development are vital and shall be provided.
2. Internal vehicle circulation shall be designed or redesigned in a manner that avoids conflicts between through-traffic (i.e., traffic flowing into and out of the site) and local traffic (i.e., traffic through parking areas).
3. Interior vehicular circulation shall be provided by: visually orienting the driver with a regular, logical system of interior driveways and roadways; identifying entrance drives with small entry signs; and preventing vehicles from driving across or through designated parking areas by placing raised landscaped dividers or walkways between parking aisles.

Section 40-1407. Pedestrian Facilities Internal to Site Required.

1. **Required.** Internal to each building site, any new development unless exempted from this section shall provide safe routes of pedestrian access between points of departure and destinations, in the form of an internal sidewalk system. Pedestrian access must be provided to individual developments and each establishment within the development. When multiple buildings are proposed on an individual site, they shall be linked with on-site pedestrian walkways.
2. **Connections.** The internal sidewalk system shall connect to the public sidewalk system along streets and highways, where it exists or is planned, or where required by the Planning Commission via site and design plan approval. The internal sidewalk system shall also connect to any sidewalk systems on abutting private properties or provide for such connections in their absence.
3. **Design.** Pedestrian ways shall be well defined and take as direct a path as possible. The Planning Commission through site and design review may require that automobile access ways be separated from pedestrian access ways. Pedestrians shall in any event have the right-of-way over automobile travel within interior portions of development sites.
4. **Crossings.** On any particular development site subject to this section, where pedestrian circulation crosses vehicular routes, a change in grade, materials, textures or colors, or appropriate striping or demarcation, shall be provided to emphasize the point of intersection between pedestrians and vehicles and improve its visibility and safety. For instance, brick pavers and other special paving materials can help to distinguish pedestrian walkway surfaces from vehicular access ways.
5. **Width Specifications.** All walkways internal to the site shall be a minimum of five feet wide, except for walkways serving individual single-family residences which shall be a minimum of three feet wide.
6. **Applicability and Exemption.** This section shall not apply to construction of any detached, single-family residence on an individual lot, but it shall apply to any lot that is contained within a final subdivision plat approved under Chapter 41 of the Oxford City Code and to any lots that are a part of a larger development which received site and design plan approval and which required sidewalks internal to each single-family lot.

Section 40-1408. Off-Street Parking Required.

Off-street automobile parking spaces shall be provided on every lot on which any building, structure, or use is hereafter established in all zoning districts, except for the TC, Town Center Zoning District (where some flexibility is provided; see parking requirements for that specific district). Required parking spaces shall be available for the temporary parking of passenger vehicles for residents, customers, patrons, and employees, as appropriate given the subject use.

Section 40-1409. Location of Off-Street Parking Areas.

1. **Requirement.** All parking spaces required by this article shall be provided on the same lot with the main building or use which it serves, except as specifically provided in this section or as otherwise provided in the TC, Town Center zoning district or in accepted Future Development Plans in Institutional Campus Districts..
2. **Exemption.** The Planning Commission may permit some or all of the required parking spaces to be provided on another lot, a substantial portion of which must be within eight hundred (800) feet of such building, structure, or use. Any applicant proposing to use off-street parking on another site to meet the on-site parking requirements of this article shall submit evidence either of ownership or a valid agreement to lease the parking area off-site. Safe and convenient pedestrian access, such as a sidewalk or path, must exist or be provided from the structure or use to the off-site parking lot.

Section 40-1410. Parking Plan Required.

1. Before any parking lot or other parking improvement is constructed, or building permit is issued, the parking lot layout and area must be found by the Zoning Administrator to be in compliance with all requirements of this article and a parking plan must be approved by the Planning Commission via the site and design plan approval process (see Article 11 of this chapter).
2. No permit shall be issued for any parking area until the plans and specifications have been submitted for review by the Zoning Administrator and site and design plan approval has been given by the Planning Commission. Such plans and specifications shall include the number of spaces provided and required, the location of entrances, exits, aisles, curbing where required, landscaping, screening, surface materials, and provisions for drainage.
3. The Building Official shall not allow occupancy or use of a building until advised by the Zoning Administrator that parking facilities meet the requirements of this article.

Section 40-1411. Minimum Design Requirements.

The following minimum design requirements shall be adhered to and demonstrated with the submission of appropriate plans and specifications during the site and design plan approval process (Article 11 of this chapter) and development permitting (Article 12 of this chapter).

1. **Paving; Variations.** Parking and loading areas shall be paved with concrete, asphaltic concrete or asphalt, unless the Planning Commission via the site and design plan

approval process (see article 11 of this chapter) specifically approves another dust-free surface material be substituted in lieu of such paving. Porous pavement parking spaces and grass pavers may be substituted for standard dust free pavements subject to the approval of the City Engineer. Aggregate (gravel) surface may be considered appropriate in agricultural and rural areas. Water quality considerations and the character of the district in which the parking lot is proposed to be constructed may be considered by the Planning Commission in modifying parking lot pavement requirements during the required site and design approval process.

2. **Curbing and Drainage.** Parking and loading areas shall be properly graded if necessary but in all cases drained so as to prevent damage to abutting properties or public streets. Water quality effectiveness and character of the zoning district shall be considerations in determining curbing requirements by the Planning Commission via the site and design approval process (see article 11 of this chapter).
3. **Circulation.** Dead-end parking areas shall be prohibited unless design conditions prevent a connected design, and they can only be used if 90 degree parking design is used.
4. **Minimum Parking Space Width.** Off-street parking spaces shall be a minimum of ten feet in width.
5. **Minimum Parking Space Length.** Off-street parking spaces shall be a minimum of twenty feet in length except where compact parking is authorized by the Zoning Administrator, in which case parking space lengths can be reduced to 16 feet.
6. **Minimum Aisle Length.** Parking driveway maneuvering aisle width requirements vary according to the width and length of parking spaces and the angle of parking. For a single row of 90 degree head-in parking, the minimum depth for a parking space plus the width of the aisle shall be 42 feet. For two rows of 90 degree head-in parking using the same aisle, the minimum depth for parking spaces plus the width of the aisle shall be 60 feet for 10 foot-wide spaces (measured from back of curb to back of curb).
7. **Compact Auto Parking.** Compact parking spaces may be used in parking areas when more than 20 parking spaces are required, provided that the areas for compact parking are clearly marked and not more than 20 percent of the number of parking spaces provided in the entire parking area is designated compact auto parking.
8. **Angled Parking.** The Planning Commission may authorize parking lot designs that utilize 75, 60, and 45 degree-angled parking spaces with one-way or two-way aisles. If such angled parking is used, parking lots shall comply with acceptable parking dimensional standards for aisle widths as specified by the Institute of Transportation Engineers or other reputable source approved by the Planning Commission.
9. **Maximum Aisle Length.** Parking aisle length shall not exceed 100 feet without a break for circulation.
10. **Landscaped Divider.** One landscaped divider (i.e., planted area within in between and separating the vehicle parking spaces fronting one another) with a minimum width of nine feet shall be provided for every third parking aisle in a parking lot; provided, however, that the Planning Commission may vary this requirement via the site and

design plan approval process in cases of short parking aisles or where alternative designs prevent random maneuvers which can endanger pedestrians.

11. **Lighting.** Parking areas shall be appropriately lighted unless the Planning Commission via site and design plan approval determines that lighting would be incompatible with abutting properties. Lighting shall not create safety hazard, public nuisance, or other forms of light pollution, and shall minimize impact on natural darkness beyond the perimeter and above the site. Where lighting of parking lots is required or provided, light poles should be located in landscaped planter strips. Where this cannot be accomplished, light poles must be placed on a reinforced concrete pedestal to protect them from damage or being knocked over.
12. **Landscaping.** Parking lots shall meet the requirements for parking lot landscaping as specified in the City of Oxford Tree Ordinance (Chapter 39 Oxford City Code) as well as Tree Maintenance Guidelines and Standards as applicable (Appendix 7 Oxford City Code).
13. **Signage.** Where needed to promote proper circulation within off-street parking areas, directional signs shall be placed in appropriate locations as specified by the Planning Commission via site and design plan approval and/or the Zoning Administrator via development permit approval or parking plan approval.

Section 40-1412. Minimum and Maximum On-site Parking Spaces.

1. Unless specifically provided otherwise in this article, on each lot where a building, structure, or use exists, each site shall be designed to provide and shall provide for off-street parking in the minimum (and not to exceed the maximum) amounts in Table 14.1.
2. No existing or future off-street parking area shall be reduced in capacity to less than the minimum required number of spaces, or increased to more than the maximum permitted number of spaces, or altered in design or function to less than the minimum standards, unless specifically provided for in this article. Parking lots that are removed for a use other than parking shall be replaced to meet the required parking spaces for that use.
3. This section shall not be construed as requiring compliance of parking lots which lawfully existed on the effective date of this article; provided, however, that the Planning Commission shall ensure parking lots that do not comply with this article meet the requirements of this article or substantially comply when a new development permit is required or a building permit is required to add additional building space on the site. If substantial redesign of the parking lot is required to comply with this article in such cases of new development or building additions, the Planning Commission may accept substantial rather than complete compliance when the strict application of a requirement of this article would pose substantial practical difficulty.

Table 14.1
Minimum and Maximum Number of
Off-Street Parking Spaces Required

Unless otherwise noted, the parking requirement shall be based on the gross square footage of the building or buildings devoted to the particular use specified.

Use	Minimum Parking Required	Maximum Parking Permitted
COMMERCIAL USES		
Animal hospital; kennel	One per 400 square feet	One per 250 square feet
Appliance sales and repair	One per 500 square feet	One per 300 square feet
Art gallery	One per 400 square feet	One per 300 square feet
Automated teller machine, no drive-through	Two per machine	Three per machine
Auto parts store	One per 500 square feet	One per 300 square feet
Automobile sales	One per 200 square feet of repair space plus one per 400 square feet of showroom/office	One per 150 square feet of repair space plus one per 300 square feet of showroom/office
Automobile service and repair	One per 250 square feet	One per 200 square feet
Bank, credit union, savings and loan	One per 300 square feet (plus provisions for drive-through facilities if applicable)	One per 200 square feet (plus provisions for drive-through facilities if applicable)
Barber shop or beauty parlor	One per 300 square feet	One per 250 square feet
Bed and breakfast inn	Two for the owner-operator plus one per guest bedroom	Two for the owner-operator plus one per guest bedroom
Carpet or floor covering store	One per 300 square feet of retail sales and office area, plus if applicable, warehouse requirements for designated storage, receiving, and shipping area	One per 250 square feet of retail sales and office area, plus if applicable, warehouse requirements for designated storage, receiving, and shipping area
Car wash, staffed or automated	Two stacking spaces for each car wash lane plus two drying spaces per lane	Three stacking spaces for each car wash lane plus two drying spaces per lane
Contractor's establishment	One per 300 square feet of office space and one per 2,000 square feet of outdoor storage	One per 250 square feet of office space and one per 1,500 square feet of lot outdoor storage
Convenience store	One per 200 square feet	One per 150 square feet
Dance hall	One per 125 square feet	One per 75 square feet
Day care center	One per 500 square feet	One per 375 square feet
Funeral home or mortuary	One per four seats in largest chapel	One per three seats in largest chapel

Use	Minimum Parking Required	Maximum Parking Permitted
Furniture and home furnishing store	One per 600 square feet	One per 300 square feet
Grocery store	One per 300 square feet	One per 250 square feet
Hardware store	One per 400 square feet	One per 300 square feet
Health or fitness club	One per 200 square feet	One per 150 square feet
Hotel, extended stay	1.5 per unit lodging unit	Two per lodging unit
Hotel or motel	One per lodging unit, plus one per each 150 square feet of banquet, assembly, meeting, or restaurant seating area	1.2 per lodging unit, plus one per each 100 square feet of banquet, assembly, meeting, or restaurant seating area
Laundromat	One for each three washer/dryer combinations	One for each two washer/dryer combinations
Nursery or garden center	One per 300 square feet plus one per 1,500 square feet outdoor sales or display area	One per 250 square feet plus one per 1,000 square feet outdoor sales or display area
Office	One per 300 square feet	One per 250 square feet
Open air sales	One per 250 square feet of indoor floor space plus one per 600 square feet of outdoor sales	One per 200 square feet of indoor floor space plus one per 500 square feet of outdoor sales
Personal service establishment	One per 250 square feet	One per 200 square feet
Photofinishing laboratory	One per 250 square feet	One per 200 square feet
Photographic studio	One per 300 square feet	One per 250 square feet
Restaurant, bar, or tavern	One per 125 square feet	One per 75 square feet
Retail store	One per 275 square feet	One per 250 square feet
Self storage facility (mini-warehouse)	One per 40 storage units	One per 25 storage units
Service station	One per 250 square feet of office space plus two per service bay	One per 200 square feet of office space plus three per service bay
Shopping center	One per 275 square feet	One per 225 square feet
LIGHT INDUSTRIAL USES		
Manufacturing, processing, assembling	One per 1,300 square feet	One per 1,000 square feet
Warehouse	One per 2,000 square feet	One per 1,500 square feet
Wholesale	One per 1,000 square feet	One per 600 square feet
GOVERNMENT – INSTITUTIONAL USES		
Assembly hall; auditorium; nonprofit club or lodge	One per four seats in room with greatest seating capacity or one per 40 square feet in largest assembly area without fixed seating	One per three seats in room with greatest seating capacity or one per 30 square feet in largest assembly area without fixed seating

Use	Minimum Parking Required	Maximum Parking Permitted
Church, temple, synagogue and place of worship	One per four seats in room with greatest seating capacity or one per 40 square feet in largest assembly area without fixed seating	One per three seats in room with greatest seating capacity or one per 30 square feet in largest assembly area without fixed seating
Government office	One per 300 square feet	One per 250 square feet
Hospital	1.5 per bed	Two per bed
Library	One per 400 square feet	One per 300 square feet
Museum	One per 500 square feet	One per 300 square feet
Nursing home	One per four beds	One per three beds
Post office	One per 200 square feet	One per 150 square feet
School	One per 300 square feet	One per 200 square feet
School for the arts	One per 300 square feet	One per 200 square feet
School, trade or business	One per 200 square feet	One per 150 square feet
RESIDENTIAL USES		
College dormitory	One per room	1.5 per room
Condominium, one bedroom	1.5 per unit plus 0.1 per unit for guest space	Two per unit plus 0.2 per unit for guest space
Condominium, two bedroom	1.5 per unit plus 0.1 per unit for guest space	Two per unit plus 0.2 per unit for guest space
Condominium, three bedroom	2 per unit plus 0.2 per unit for guest space	Three per unit plus 0.2 per unit for guest space
Home occupation	(see provisions for home occupations)	
Residence within building containing a non-residential use	One per unit	1.5 per unit
Single family detached or attached	Two per unit	Four per unit
RECREATIONAL FACILITIES		
Athletic field	20 spaces for every diamond or athletic field, or one space for every 4 seats, whichever is greater (one seat is equal to two feet of bench length).	30 spaces for every diamond or athletic field, or one space for every 3 seats, whichever is greater (one seat is equal to two feet of bench length).
Billiard hall/amusement arcade	One per 200 square feet	One per 150 square feet
Bowling alley	Two per each bowling lane (add parking for billiard hall/amusement arcade, if provided)	Three per each bowling lane (add parking for billiard hall/amusement arcade, if provided)
Community center	One per 300 square feet	One per 250 square feet
Ice or roller skating rink	One per 200 square feet	One per 150 square feet
Miniature golf	Two per hole	Three per hole
Stadium or sport arena	One per twelve feet of bench seating	One per ten feet of bench seating

Use	Minimum Parking Required	Maximum Parking Permitted
Swimming pool – subdivision amenity	One per 150 square feet of surface water area	One per 100 square feet of surface water area
Swimming pool – public	One per 125 square feet of surface water area	One per 75 square feet of surface water area
Tennis or racquet ball court	Two per court	Three per court
Theater, cinema	One per four fixed seats	One per three fixed seats

Section 40-1413. Interpretations.

1. **Fractions.** Where a fractional space results during the calculation of required parking, the required number of parking spaces shall be construed to be the next highest whole number.
2. **Parking Space Requirement Not Specified.** Where the parking requirement for a particular use is not described in Table 14.1, and where no similar use is listed, the Planning Commission shall determine the number of spaces to be provided based on requirements for similar uses, location of the proposed use, the number of employees on the largest shift, total square footage, potential customer use, and other expected demand and traffic generated by the proposed use. At the discretion of a development applicant, a parking generation study prepared by a qualified professional may be submitted to aid the Planning Commission in making such a determination; if submitted, it shall be considered by the Planning Commission prior to making a determination.
3. **Computations for Multiple Floor Uses Within a Building.** In cases where a building contains some combination of residential use, office space, retail or wholesale sales area, and/or bulk storage area, the Planning Commission may authorize that the building space be divided into such floor space use areas and separate computations of floor areas (e.g., warehousing, retail, and/or office) in determining the off-street parking or loading space requirements of this article.

Section 40-1414. Number of Handicapped Parking Spaces Required.

Regulations and dimensions for handicapped parking spaces shall be per requirements of the Americans with Disabilities Act (ADA) (Public Law 101-136) and the Georgia Accessibility Code.

Section 40-1415. Reduction for Off-Site, Off-Street Arrangements.

As provided in Section 40-1409 of this article, off-site, off-street parking may be used in combination to meet minimum parking space requirements; a reduction of required on-site, off-street parking spaces on a given site may be permitted by the Planning Commission in cases where additional off-street, off-site, parking area in sufficient quantity and availability in conformity with this Article compensates for the reduction.

Section 40-1416. Reduction for Mixed or Joint Use of Parking Spaces.

When more than one use is provided on a lot, and such uses operate more or less simultaneously, the total requirements for off-street parking spaces shall be the sum of the requirements for the various uses computed separately. The Planning Commission may authorize a reduction in the total number of required off-street parking spaces for two or more uses jointly providing parking facilities when their respective hours of need of maximum parking do not normally overlap, provided that the developer submits sufficient data to demonstrate that the hours of maximum demand for parking at the respective uses do not normally overlap. The required spaces assigned to one use may not be assigned to another use at the same time, except that one-half of the parking spaces required for churches, theaters or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.

Section 40-1417. Reduction for On-Street Parking.

The Planning Commission may in individual cases administratively authorize a reduction in the minimum number of parking spaces for projects that are served by on-street parking.

Section 40-1418. Off-Street Loading Required.

On the same lot with every building, structure or part thereof, erected or occupied for manufacturing, storage, warehouse, truck freight terminal, department store, wholesale store, grocery supermarket, hotel, hospital, mortuary, dry cleaning plant, retail business, college, or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained adequate space for the standing, loading, and unloading of such materials to avoid undue interference with public use of streets, alleys, and private or public parking areas.

This section shall not apply to uses permitted in the TC, Town Center, zoning district.

Section 40-1419. Loading Area Locations.

Loading areas shall be located to the rear of the building unless the Planning Commission determined via site and design review that the site design precludes a rear location, in which case loading shall be to the side of a building. Loading areas shall not be permitted within front yards.

Section 40-1420. Loading Area Specifications.

Unless otherwise approved by the Planning Commission, loading spaces shall be a minimum of fourteen (14) feet wide, forty (40) feet long, with fourteen (14) feet of height clearance. When the development requires loading and unloading by full-size tractor-trailers, loading spaces shall be sixty (60) feet long with a sixty-three (63) foot apron, for a total approach zone of 123 feet.

Section 40-1421. Loading Docks and Spaces Required.

Unless otherwise approved by the Planning Commission, when loading space is required by this Article it shall be provided in the quantity according to land use specified in Table 14.1.

Table 14.1
Minimum Number of Loading Docks and Loading Spaces Required

Land Use	Size (Gross Floor Area in Square Feet)	Loading Docks	Loading Spaces	Total Spaces
Office	0 – 30,000	0	1	1
	30,001 – 100,000	1	1	2
	Each additional 100,000	1	1	+2
Commercial	0 – 10,000	0	1	1
	10,001 – 30,000	1	1	2
	30,001 – 80,000	2	1	3
	Each additional 80,000	1	0	+1
Institutional and Institutional Campus	0 – 10,000	0	1	1
	10,001 – 30,000	1	1	2
	30,001 – 80,000	2	1	3
	Each additional 80,000	1	1	+2
Industrial	0 – 5,000	0	1	1
	5,001 – 30,000	1	1	2
	30,001 – 50,000	2	1	3
	50,001 – 100,000	3	1	4
	Each additional 100,000	1	0	+1

Source: National Parking Association, 1992. Recommended Zoning Ordinance Provisions for Parking and Off-Street Loading Space. In Transportation and Land Development, 2nd Ed. 2002 (Washington, DC, Institute of Transportation Engineers, 2002, p. 10-8, Table 10-3).

ARTICLE XV SIGN REGULATIONS

Section 40-1501.	Purpose and Intent
Section 40-1502.	Applicability
Section 40-1503.	Definitions
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Section 40-1501. Purpose and Intent

Regulation of the location, size, placement and certain features of signs is necessary to enable the public to locate goods, services, and facilities in the City of Oxford without difficulty and confusion, to encourage the general attractiveness of the community, and to protect property values therein. Accordingly, it is the intention of this Article to establish regulations governing the display of signs which will:

- a. Promote and protect the public health, safety, comfort, morals, convenience and aesthetics.
- b. Enhance the economy and the business and industry of the City of Oxford by promoting the reasonable, orderly, and effective display of signs, and thereby encourage increased communication with the public.
- c. Restrict signs and lights which overload the public's capacity to receive information or which increase the probability of traffic congestion and accidents by distracting attention or obstructing vision.
- d. Reduce conflict among signs and lights and between public and private environmental information systems, and
- e. Promote signs which are compatible with their surroundings, are appropriate to the type of activity to which they pertain, and are expressive of the identity of proprietors and other persons displaying signs.

Section 40-1502. Applicability

All signs in the City of Oxford that fall within the scope of Article 15 of the city's zoning ordinance shall be erected, constructed, or maintained in accordance with the provision of the chapters below and applicable chapters of the International Building Code and only those signs that are permitted by these regulations shall be erected within the city.

Section 40-1503. Definitions

1. **Abandoned Sign.** A sign which was erected on property in conjunction with a particular use which has been discontinued for a period of sixty (60) days or more, or a sign, the content of which, pertains to a time, event, or purpose which no longer applies.
2. **Banner.** A sign or outside advertising display having the character, letters, illustrations, ornamentations, symbol, color, or visual representation applied to cloth, paper, vinyl, fabric, plastic, or like kind of flexible material with or without frame. The term banner shall include flags, pennants, life rafts, ribbons, spinners, streamers, kites, balloons, and/or similar types of lighter than air objects, or any other material or outside advertising display fastened in such a manner as to move upon being subjected to movement of the atmosphere or any mechanical device.
3. **Billboard.** A sign identifying/advertising and/or directing the public to a business or merchandise or service or institution or residential area or entertainment which is located, sold, rented, leased, produced, manufactured and/or furnished at a place other than the real property on which said sign is located. Such signs are also known as off premise or outdoor advertising display signs.
4. **Building Identification Sign.** A sign bearing only the name, number(s), letter(s), and/or symbol(s) which identifies a particular building or occupant.
5. **Changeable Copy Sign.** A sign on which message copy is changed manually in the field, through the utilization of attachable letters, numbers, symbols, and other similar characters of changeable pictorial panels.
6. **Directional Sign.** A sign permanently erected or permitted in the public right-of-way or private property by the state of Georgia, or other governmental agency to denote the name of any thoroughfare, the route to any city, town, village, educational institution, public building, historic place, shrine, or hospital, to direct and regulate traffic, to denote any railroad crossing, bridge, or other transportation or transmission company for the direction or safety of the public.
7. **Directory Sign.** A sign listing the names and/or use, or location of more than one (1) business, activity or professional office conducted within a building, group of buildings or commercial center. Such a sign contains no other identifying/advertising message than that listed above.
8. **Electronic Message Center.** A type of sign that presents its message through internal illumination of flashing, intermittent, or moving lights forming the letters, numbers, or symbols of the message, whether or not the message appears to move across the sign face.
9. **Fixed Projecting Sign.** A sign, other than a parallel sign, which extends outward for more than six (6) inches from the facade of any building and is rigidly affixed thereto.
10. **Freestanding Sign.** A sign supported by a sign structure placed in the ground and which is wholly independent of any building, fence, vehicle or object other than the sign structure for support.
11. **L.E.D. Sign.** A sign or portion thereof that displays electronic images, graphics, or text information using different combinations of light emitting diodes (LEDs).
12. **Nonconforming Sign.** Any sign, which was granted a permit and was erected or displayed prior to the effective date of this Ordinance or subsequent amendments thereto which does not conform with the standards of this Ordinance.

13. **Off-Premises Sign.** A business sign which directs the attention of a public to a business, activity conducted, or a product sold or offered at a location not on the same premises where such business sign is located. For purposes of this article, easements, and other appurtenances, shall be considered to be outside such platted parcel of land and any sign located or proposed to be located in an easement or other appurtenance shall be considered an off-premises sign.
14. **Political Sign.** A sign erected by a political candidate, group or agent thereof, for the purpose of advertising a candidate or stating a position regarding an issue upon which the voters of the City shall vote.
15. **Portable Sign.** Any sign designed or intended to be readily relocated whether or not it is permanently attached to a building, structure or on the ground. The term includes on wheels or on portable structures, tent signs, A-frame signs, sidewalk and sandwich signs and similar devices and any sign not secured or securely affixed to the ground or a permanent structure.
16. **Real Estate Sign.** A temporary sign erected by the owner, or his agent, advertising the real property upon which the sign is located for rent, for lease, or for sale.
17. **Special Event Sign.** A sign which carries a message regarding a special event or function of general interest to the community.
18. **Temporary Sign.** Any sign or information transmitting structure intended to be erected or displayed for a limited period.
19. **Time and Temperature Sign.** An electrical sign utilizing lights going on and off periodically to display the current time and temperature in the community.
20. **Vehicle Sign.** A permanent or temporary sign affixed, painted on, or placed in or upon any vehicle, trailer or other device capable of being towed, the primary purpose of which is to attract the attention of the public rather than to serve the business of the owner thereof in the manner which is customary for said vehicle, provided that this definition does not include any signs which are required by any unit of government and does not include a single sign placed on a single vehicle or trailer at a residence of an individual which sign identifies the vehicle or trailer as being for sale.
21. **Wall Sign.** Any sign that shall be affixed parallel to the wall or printed on the wall of any building in such a manner as to read parallel to the wall on which it is mounted; provided however, said wall sign shall not project above the top of the wall or beyond the end of the building. Any sign that is affixed to the face of a building marquee, building awning, or a building canopy shall be considered a wall sign.
22. **Window Sign.** Any sign which is painted on, applied to, or projected upon or within the exterior or interior of a building glass area, including doors, or located within fifteen (15) feet of the interior of a building glass area, including doors, whose identification, message, symbol, insignia, visual representation, logotype, or any form which communicates information, can be read from off premises contiguous property or public right-of-way.

Section 40-1504. Measurement of Signs

The sign area is calculated by determining the number of square feet of the smallest rectangle(s) within which a sign face can be enclosed. In determining the area of an individual sign that has more than one face (e.g. a monument or projecting sign), the single sign face with the greatest area shall be used. The total sign area is the sum of all individual sign areas. The height of a sign shall be measured from the ground, adjacent to the sign, to the top of the sign and support structure. If the ground under the sign slopes, the height shall be measured from the average grade under the sign itself.

Section 40-1505. Height of Signs

The maximum height of any sign is 15 feet above the adjacent grade. A sign may not be located above the highest point of the second story of any building, unless an exception is approved by the Planning Commission. All signs that are attached to a building must be located on a building face that has a public entrance. The Planning Commission may make exceptions to this requirement in circumstances where the purpose and intent of these regulations is maintained and where the orientation of the public entrance to a building is such that the sign would not have sufficient visibility from the public right-of-way to provide for adequate identification of the business or use.

Section 40-1506. Setbacks

Except as provided in Article XV, Signs, the location of signs shall conform with build-to lines and/or setbacks established in the Zoning Regulations.

4. With Planning Commission's approval, traffic directional signs may be placed in the required setback, providing they do not interfere with visibility required for safe vehicular and pedestrian circulation, especially at street corners.
5. With the Planning Commission's approval, monument signs may be located in the required setback area, provided they are outside of the visibility triangle, provide adequate site distance for driveways and meet applicable height and area limits established for the zoning district.
6. The Planning Commission may approve reduced setbacks for signs that they review, provided the sign does not interfere with visibility required for safe vehicular and pedestrian circulation and provided that the sign is architecturally compatible with the proposed location.

Section 40-1507. Illumination

1. Where illumination of signs is permitted, the following standards shall apply:
 - a. Lighting for signs shall not create a hazardous glare for pedestrians or vehicles either in a public street or on any private premises.
 - b. The light source, whether internal to the sign or external, shall be shielded from view. This requirement is not intended to preclude the use of diffused exposed neon.
 - c. Sign illumination for externally illuminated signs shall utilize focused light fixtures that do not allow light or glare to shine above the horizontal plane of the top of the sign or onto any public right-of-way or adjoining property.
 - d. Signs shall not be illuminated after 10:00 p.m. or close of business, whichever is later, unless specifically permitted by the Planning Commission. Signs that may warrant exception to this standard may include institutional signs used to identify the location beyond normal business hours (e.g. City Hall, Oxford College), or city limit signs erected and maintained by the City of Oxford, provided the signs do not create a hazardous glare for pedestrians or vehicles, either in a public street or on any private premises, as stated in Section 40-1507.1.a.
 - e. Each sign shall be designed so that illumination does not exceed 100 luxes (10 foot-candles) measured at a distance of 10 feet from the sign.
 - f. Signs located in residential zones may not be illuminated, except directory signs, which shall not exceed 10 luxes (1 foot-candle) measured at a distance of 10 feet from the sign.

Section 40-1508. Sign Standards By Districts

The following standards shall be applied in each of the City's zoning districts, notwithstanding the standards for each sign type established in Section 40-1509.

**Table 2:
Sign Standards by District**

Zoning District	Allowable Sign Types	Total Number of Signs Allowed	Maximum Cumulative Sign Area per Tenant Space	Special Illumination Restrictions	Special Size Restrictions
All Residential Zoning Districts (RR, R-30, R-20, R-15, R-7.5)	Wall, freestanding post, residential subdivision, directory.	1 per street frontage	25 square feet (s.f)	See Section 40-1507 for lighting restrictions.	
Office-Professional	Wall, freestanding post, hanging, directory.	2 per tenant space	25 s.f.	See Section 40-1507 for lighting restrictions.	
Town Center	Wall, freestanding post, hanging, monument, directory.	2 per tenant space	50 s.f.	See Section 40-1507 for lighting restrictions.	See Section 40-1509 for monument sign size limits.
Commercial	Wall, freestanding post, monument, hanging, directory.	4 per tenant space	100 s.f.	See Section 40-1507 for lighting restrictions.	Maximum size per wall sign is limited to 25 s.f.
Institutional, Institutional Campus	Freestanding post, hanging, electronic message center, directory.	2 per tenant space	50 s.f.	See Section 40-1507 for lighting restrictions.	See Section 40-1509 for monument sign size limits.
Agriculture	Freestanding post, monument.	2 per tenant space	25 s.f.	See Section 40-1507 for lighting restrictions.	All signs over 25 s.f. in size are subject to PC review.

Section 40-1509. Types of Signs

1. Wall Signs. Wall signs include most types of signage that are attached to the face of a building wall. These include channel letters made out of wood, metal or plastic. Wall signs may be painted on a wall, or on a board that is attached to a wall. Wall signs should be oriented to achieve balanced composition and harmony with other architectural elements of a building façade. Wall signs should be placed on a flat building surface and should not be placed over or otherwise obscure architectural building features.

- a. **Location and Number Permitted.** Wall signs must be located on a building face that has a public entrance. The maximum number of wall signs permitted is two per tenant space.

- b. **Size.** Wall signs may be a maximum of 50 square feet or 15% of the building face where the sign is attached, whichever is less. Wall signs with changeable copy are limited to 6 square feet.
- c. **Illumination.** Wall signs may be illuminated by any means consistent with Section 40-1507.

2. **Window Signs.** Window signs should be scaled to the pedestrian and oriented to window shoppers on the sidewalk, as opposed to vehicles passing by. Window signs should be limited to small graphics and text that serve to frame a window or to provide information. A window sign should not obscure the view into a store or place of business.

- a. **Location and Number Permitted.** There is no specific location requirement or limit to the number of window signs allowed. A window sign is a sign that is painted on or attached to a window and located within 12-inches of the face of a window. Window signs do not include business hours of operation or open/closed signs. Window displays, including merchandise displays, graphics and text, that are located more than 12 inches from the face of a window are not considered signs.
- b. **Size.** Window signs are limited to a maximum of 24 square feet. Window signs shall not exceed 20% of any individual window and 50% of glass panes of any door.
- c. **Illumination.** Window signs may be illuminated by any means consistent with Section 40-1507 of this article.

3. **Projecting Signs.** Projecting signs are attached to a building face and project out perpendicular to the building wall. Projecting signs are very effective when oriented to pedestrians on the sidewalk level. Appropriate materials include wood and metal with carved or applied lettering, or any other material that is architecturally compatible with the building that the sign is attached to. Multiple projecting signs should not be installed within 10 feet of each other if on the same property and should be separated from projecting signs on adjacent properties by 10 feet to insure proper visibility.

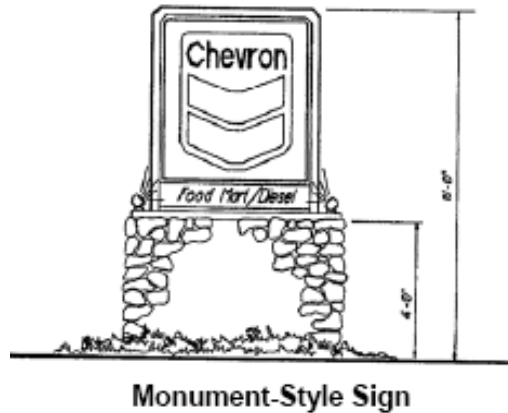


- a. **Location and Number Permitted.** Projecting signs must be attached to building façades that have a public entrance and must maintain a minimum clearance of 8 feet above the public right-of-way or private sidewalk area. One projecting sign is allowed per tenant space.
- b. **Size.** Projecting signs may have a maximum area of 6 square feet.
- c. **Illumination.** Projecting signs may be illuminated by any means consistent with Section 40-1507 of this article.

4. **Awning Signs.** Signs on awnings are appropriate if there are no good alternatives for wall signs, projecting signs or hanging and suspended signs. Signage should be limited to the skirt of the awning and should not be on the awning face. Signs should only be considered for the awning face if there is no other adequate location for signage on a given storefront or property.

- a. **Location and Number Permitted.** Signs may be located on awnings subject to size criteria. One awning sign is permitted per tenant space and must maintain a minimum clearance of 8 feet above any public right-of-way or private sidewalk area.
- b. **Size.** Signs on awnings shall not cover more than 25 percent of the main area of the awning, or exceed 25 square feet in size, whichever is smaller.
- c. **Illumination.** Awning signs may be illuminated by any means consistent with Section 40-1507 of this article.

5. Monument Signs. Monument signs are typically used where building setbacks, orientation or design make it difficult to provide other types of signage, such as wall signs, that are plainly visible to people that are trying to identify a use. Monument signs have a solid base that the sign face is installed upon. These signs should be designed so that the style of the sign and its base are consistent with the architecture of the buildings on the site. They are typically oriented perpendicular to the adjacent street and sidewalk and have a maximum of two parallel sign faces. Monument signs provide opportunities for landscaping to enhance their appearance.



- a. **Location and Number Permitted.** Monument signs may be located in required street yards for any given zoning district, subject to the approval of the Planning Commission. Only one monument sign is permitted per premises, per street frontage.
- b. **Size.** Monument signs may be a maximum of 24 square feet. The maximum height of a monument sign is 6 feet. In the Town Center district, the maximum size of a monument sign is 12 square feet and the maximum height is 4 feet. Where two or more uses are located on the same premises, the sign area for monument signs must be shared. The largest single sign face is used to calculate the area of monument signs.
- c. **Illumination.** If illumination of monument signs is desired, then external illumination or halo lighting is preferred. Internally-illuminated cabinet signs must have a dark background with light lettering, per requirements set forth in Section 40-1507.
- d. **Design.** The color of the base and the materials enclosing the base of a monument sign shall be consistent with the exterior color and materials of the building(s) on the property. Monument signs having a base greater than 18-inches in height shall have a base that is constructed of the same materials and incorporates the same colors as the principle structure(s) on the property. Monument sign bases that are 18-inches or less in height may have a base constructed of the same material as the exterior of the sign cabinet. Landscaping shall be installed around the base of the monument sign.

6. Free Standing Post Signs.

Free-standing post signs are primarily used to identify office uses, especially where a former residence has been converted into an office or commercial use. They are similar to monument signs, except they do not have a base other than the support posts, they usually have a single sign face, and they are usually oriented parallel to the sidewalk instead of perpendicular. The colors and materials used for the sign must be compatible with the associated building design. Lettering should be carved, routed or applied as opposed to painted on a flat board.



- a. **Location and Number Permitted.** Free-standing post signs may be located in required street yards for any given zone, subject to the approval of the Planning Commission, as provided for in Section 40-1506. Only one free-standing post sign is permitted per premises, per street frontage.
- b. **Size.** The maximum sign area for free-standing post signs is 15 square feet. Free-standing post signs shall not be taller than 5 feet, measured from the ground to the top of the sign structure. Where two or more uses are located on the same premises, the sign area for free-standing post signs must be shared.
- c. **Illumination.** Free standing post signs may be externally illuminated consistent with Section 40-1507.

7. **Directory Signs.** Directory signs are used for multi-tenant buildings to provide a directory of tenant locations within the building. They may also serve as the address sign for the property. Directory signs are small scale and are oriented to pedestrians.

- a. **Location and Number.** Directory signs may be free standing, or may be fixed on an exterior wall if the building has no setback. One directory sign may be permitted per premises.
- b. **Size.** Directory signs may be no larger than 12 square feet in area, and individual letters may not exceed 6 inches in height.
- c. **Illumination.** Directory signs may be illuminated by any means consistent with Section 40-1507 of this Article.

8. **Electronic Message Center Signs.** Electronic message centers (EMC's) come in different shapes and sizes and typically have informational messages. Any messages shall consist of text which may change but shall not flash or scroll across the screen.

- a. **Location and Number.** EMC's may be incorporated into a monument-style sign. One EMC is permitted per premises.
- b. **Size.** The electronic message center may only constitute 10% of the overall sign area.
- c. **Illumination.** EMC's may be illuminated using amber lighting and shall be consistent with Section 40-1507.
- d. **Zoning.** EMC's may be located in institutional or institutional campus districts only.

9. **Residential Subdivision Signs.** The purpose of residential subdivision signs is to identify the name of a subdivision, provided the subdivision is not an in-fill project within an established neighborhood. They are usually monument signs or wall signs placed on a wall feature in a landscaped open space area at the entry of the development.

- a. **Location and Number.** One residential subdivision sign is allowed at each major street frontage of a subdivision. They must be located within a landscaped area that is maintained by a homeowner's association.
- b. **Size.** Each sign may be up to 20 square feet and have a maximum height of four feet.
- c. **Illumination.** Residential subdivision signs may be externally illuminated consistent with Section 40-1507.
- d. **Zoning.** Residential subdivision signs are allowed in all residential zones, subject to the approval of the Planning Commission.

10. **Sandwich-Board Signs.** Sandwich-board signs can be effective for certain types of uses, such as markets, restaurants or bakeries that have changing specials and menus. These signs may have re-writable surfaces, such as chalk boards or dry-erase boards.

- a. **Location and Number.** Sandwich-board signs must be placed on private property, except in the Town Center district. Signs shall not be located in parking areas or in roadways. Only one sandwich-board sign is permitted per tenant spaces. Signs shall

be located in front of the building entrance only, with location to be approved by the Planning Commission. There must be a five (5) feet distance to pass between the sign and building or an immobile street amenity such as benches, bike racks, trees, post boxes, stairs, etc., as the sign can become a hazard to the public right-of-way.

- b. **Size.** Sandwich-board signs may have a maximum area of six (6) square feet and a maximum height of four (4) feet, measured from the ground to the top of the sign.
- c. **Illumination.** Sandwich-boards may not be illuminated.

Section 40-1510. Temporary and Special Event Signs

1. **Temporary Signs.** Temporary signs may be erected and maintained in the City of Oxford only in accordance with the following provisions:

- a. Temporary business signs and temporary event signs shall require a temporary sign permit from the Zoning Administrator, except for those signs regulated in Section 32-106 (Non-licensed Sales) of the Oxford Code of Ordinances (e.g. yard sales, vehicle sales, bazaars, etc., which require notification but not permitting). Temporary off site subdivision signs (permitted only for subdivisions within Oxford City Limits) shall require approval and a sign permit from the Zoning Administrator. Temporary political, real estate, subdivision and construction signs shall be exempt from temporary sign permit procedures provided all applicable requirements set forth herein are met.
- b. The Zoning Administrator shall impose as a condition of approval such requirements as to the material, manner of construction, and method of erection of a sign as are reasonably necessary to assure the health, safety, welfare, aesthetics, and convenience of the public.

2. **Temporary Business Signs.** Temporary business signs are signs identifying a special, unique, or limited activity, service, product, or sale of limited duration. Temporary Business Signs shall be subject to the following:

- a. **Number.** There shall not be more than three (3) permits for temporary business signs issued for the same business location within one calendar year.
- b. **Type of Sign.** Temporary business signs may include wall signs, freestanding signs, and banners.
- c. **Sign Area.** Temporary business signs shall not exceed twenty-four (24) square feet in gross surface area.
- d. **Location.** Temporary business signs shall be located only upon the zoning lot upon which the special, unique, or limited activity, service product, or sale is to occur. Such signs may be located in any yard or required yard (i.e. setback area between the building and property line), but shall not extend over any lot line.
- e. **Height.** Temporary business signs shall not project higher than fifteen (15) feet.
- f. **Special Conditions.** Temporary business signs shall be erected and maintained for a period not to exceed ten (10) consecutive days, and shall be removed within three (3) days of the termination of the activity, service, project, or sale. The determination as to whether such special, unique, or limited activity, service, product, or sale of limited duration qualifies for a temporary business sign permit shall be at the discretion of the Planning Commission.

3. **Temporary Event Signs.** Temporary event signs may announce a campaign, drive, activity, or event of a civic, philanthropic, educational, or religious organization for non-commercial purposes. Temporary event signs may include wall signs, freestanding signs, banners, pennant and streamers. Temporary event signs may be erected and maintained for a period not to exceed fifteen (15) days prior to the date of which the campaign, drive, activity, or event

advertised is scheduled to occur and shall be removed within three (3) days of the termination of such campaign, drive, activity, or event.

- a. **Number.** The permitted number and construction of temporary event signs shall be determined by the Planning Commission with consideration given to the public safety and the signage reasonably necessary and appropriate for the intended purpose.
- b. **Sign Area.** The permitted sign area of temporary event signs shall not exceed twenty-four (24) square feet in gross surface area per sign.
- c. **Location.** The permitted location of temporary event signs shall be determined by the Planning Commission with consideration given to the public safety and the signage reasonably necessary and appropriate for the intended purpose.
- d. **Height.** Temporary construction signs shall not exceed six feet (6) feet in height, as measured from average grade of lot.

4. **Temporary Political Signs.** Temporary political signs are signs announcing political candidates seeking public office, political parties, and/or political and public issues contained on a ballot. Temporary political signs may be erected or maintained for a period not to exceed sixty (60) days prior to the date of the election to which such signs are applicable is scheduled to occur and shall be removed within seven (7) days following such election.

- a. **Number.** The number of temporary political signs per lot in any zoning district shall be one (1) sign per candidate or issue.
- b. **Sign Area.** Such signs shall not exceed four (4) square feet in surface area and may be double-sided.
- c. **Location.** Temporary political signs may be located in any yard or required yard, but shall not be located in any public right-of-ways.
- d. **Height.** Freestanding temporary political signs shall not project higher than ten (10) feet as measured from average grade of lot. Signs posted in the interior of a building window are not subject to the height requirements.

Section 40-1511. Nonconforming Signs

1. **Replacement.** A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of poster panels, painted boards or dismountable material on nonconforming signs shall be permitted.

2. **Repairs and Maintenance.** No structural repairs, change in shape, or size of a nonconforming sign shall be permitted except to make the sign comply with the requirements of this article. Minor repairs and maintenance of nonconforming signs shall be permitted.

3. **Duration and Continuance.** Signs which did not meet all requirements of this article when erected, or which do not meet provisions of this article at the time of its amendment, may stay in place until one of the following conditions occurs:

- a. No structural changes to the support structure or changes to the sign face itself except message changes, which do not renew or extend the life of said sign shall be allowed.
- b. Maintenance to nonconforming signs shall be limited to painting and repair of the existing sign.
- c. Once a nonconforming sign is removed, taken down, or destroyed (i.e., receiving damage to an extent of more than fifty percent (50%) of the replacement cost at the time of destruction), such sign shall not be replaced with another sign unless such sign is in conformance with this Ordinance. Such damaged sign shall not be expanded or relocated. Such sign shall not be reconstructed or moved without complying in all respects with the provisions of this Article.

Section 40-1512. Prohibited Signs

The following signs are hereby expressly prohibited from erection, construction, repair, alteration, or use within the City, except as otherwise permitted in this Ordinance:

1. Roof signs or signs where any portion of the sign extends above the roofline of the building where the sign is located.
2. Off-premises signs, including billboards.
3. Any vehicle sign where the sign projects beyond the manufacturer's profile of the vehicle and is displayed in public view under such circumstances as to indicate that the primary purpose of such display is to attract the attention of the public rather than to serve the business of the owner thereof in the manner which is customary for such vehicle.
4. Any sign that emits a sound, odor, or visible matter such as smoke or vapor.
5. Any sign that is portable or not securely attached to a building or to the ground.
6. Any sign that obstructs or otherwise restricts free ingress to or egress from a required door, window, fire escape or other required exit way; and any sign or advertising display attached to a fire escape.
7. Any sign or sign structure, other than free-standing, whereby any portion extends above the parapet, building roofline, or canopy against which the sign is located.
8. Any sign erected in a street or highway right-of-way except for signs of a governmental body used to convey legal notices, identify public property, convey public information, and direct or regulate pedestrian and vehicular traffic.
9. Signs which contain words, pictures or statements which are obscene, as defined by the Official Code of Georgia Annotated, Section 16-12-80.
10. Signs of any material including, but not limited to paper, paint, cardboard, plastic, wood, and metal which are painted on or attached to trees, lamp posts, parking meter posts, hydrants, traffic signs, stairways, benches, refuse containers, rocks or other natural features, telephone or utility poles.
11. Signs using the words "stop", "danger," or any other word, phrase, symbol, or character in a manner that misleads or confuses or distracts a vehicle driver.
12. A sign that involves motion or rotation of any part of the sign structure or sign face using intermittent flashing lights, animation, or automatically changed copy or design, except electronic message centers.
13. Real estate signs, temporary or permanent, for property outside the City of Oxford.

No sign shall obstruct the view of motor vehicle operators entering a public roadway from any driveway, street or alley. There shall be no sign or obstruction to vision between the height of two feet and ten feet within the sight triangles established in Article XIV, Section 40-1405, Visibility at Intersections and Driveways, of this chapter. No sign, sign structure or attention seizing device shall be shaped in the form of a statue of a human or animal figure, nor in the form of a three-dimensional model (e.g., dinner bucket, paint cans, Christmas trees, etc.).

No sign illumination system shall contain or utilize any beacon, spot, search or stroboscopic light, glaring light or reflector, which is visible from any public right-of-way or adjacent property, nor shall such lights be operated outside, under any circumstances, except by authorized public agencies. No sign shall display lights resembling by color and design or other characteristics customarily associated with danger or those used by police, fire, ambulance and other emergency vehicles or for navigation. Automotive warning or flashing signs shall not be utilized as commercial attention seizing devices.

Section 40-1513. Permitting of Signs

1. **Permits.** Unless otherwise provided for in this Ordinance, no permanent sign or sign structure, regardless of its cost of construction, shall be erected, replaced, relocated, constructed, changed, or altered until such sign has been approved by the Planning Commission and a permit has been issued by the City of Oxford.
2. **Application.** Application for a permit to erect, alter, or relocate a sign shall be made to the Planning Commission and shall include the following information:
 - a. Name, address, telephone number, and signature of the owner of premises (and occupant if different) granting permission for the construction, maintenance, or display of the proposed signage.
 - b. Name, address, telephone number, and signature of sign contractor, if any.
 - c. The approximate value of the sign to be installed, including the installation cost.
 - d. Two copies of a sketch or blue print of the proposed signage drawn to scale, showing elevations of the sign as proposed on the building facade, awning, or canopy. In the case of a freestanding sign, a sketch plan of the property drawn to scale illustrating the proposed location of the sign.
 - e. Specifications and scaled drawings showing the materials, design, dimensions, structural supports, and electrical components of the proposed sign.
 - f. Any other information, specifications, photographs, or the like deemed necessary by the Planning Commission in order to assure compliance with requirements set forth herein.
3. **Process for Issuing Sign Permits.** The Planning Commission shall be authorized to issue sign permits according with the provisions of this article. The Planning Commission shall process all sign permit applications in an efficient manner during regularly scheduled meetings . For purposes of this section only, the term "process" shall mean to make a decision on sign permit applications which can be administratively approved or denied.

Section 40-1514. Exemptions from Sign Permit

The following signs and sign alterations are hereby exempt from the standard permit procedures provided such signs comply with all other applicable sections of this Ordinance. Signs exempt from permit procedure shall not be included in determining the allowable number or size of signs per premises.

1. **Flags.** Flags, emblems, and insignia of political, professional, religious, educational, or corporate organizations providing that such flags, emblems, and insignia shall not be displayed for commercial purposes nor in such a manner as to act as attention-seizing devices.
2. **Governmental Signs.** Governmental signs for control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety which are erected by, or at the order of a public officer or employee in the performance of the officer's or employee's duties.
3. **Holiday Decorations.** Signs or other materials temporarily displayed on traditionally accepted civic, patriotic, or religious holidays.
4. **Memorial Signs.** Memorial plaques or tablets, grave markers, names of buildings, statutory, or other remembrances of persons or events that are non-commercial in nature.
5. **Name and Address Plates.** Signs, not exceeding two (2) square feet in gross surface area for each exposed face nor exceeding an aggregate gross surface area of four (4) square feet, indicating the name of the occupant, the address of the premises, and identification of any legal business or operation which may exist at the premises.

6. No Trespassing, No Dumping, No Parking, Towing, and Other Similar Sign. No trespassing, no dumping, no parking, towing, and other similar signs not exceeding two (2) square feet in gross surface area for each exposed face not exceeding an aggregate gross surface area of four (4) square feet and not exceeding two (2) in number per zoning lot in residential areas; and not exceeding four (4) square feet in gross surface area for each exposed face nor exceeding an aggregate gross surface area of eight (8) square feet and not exceeding four (4) in number per zoning lot in non-residential areas. However, under proven special circumstances, the Planning Commission may authorize additional such signs if determined to be warranted.

7. Public Signs. Signs required by governmental bodies or specifically authorized for a public purpose by any law, statute, or ordinance. Such public signs may be of any type, number, area, height, location, or illumination as required by law, statute, or ordinance.

Section 40-1515. Obsolete and Abandoned Signs

1. Any sign which advertises or pertains to a business, product, service, activity, or purpose that is no longer conducted or that has not been in use for sixty (60) days or that is no longer imminent, or any sign structure that no longer displays any sign copy shall be deemed to be an obsolete or abandoned sign.

2. When any sign is relocated, made inoperative, or removed for any reason, except for maintenance, all structural components including the sign face and sign structure, shall be removed or relocated with the sign. All structural components of freestanding signs shall be removed to ground level. The structural components of all other signs, including painted wall signs, shall be removed back to the original building configuration.

Section 40-1516. Display of Property Addresses

All buildings, residences, and other structures located within the city shall be assigned a number in accordance with the following provisions:

1. Street address numbers shall be assigned by the building inspector or his agent. No Certificate of Occupancy shall be issued without addresses being placed on the structure where appropriate.

2. No building shall be assigned more than one number. A building with more than one entrance serving separate occupants shall be assigned only one number, and in addition to such number a letter designation such as A, B, C, shall be assigned to each principal entrance serving an occupant.

3. The cost of the numbers shall be paid for by the property owner. Residential numbers used shall not be less than three (3) inches in height and business numbers shall not be less than four (4) inches in height. These numbers shall be made of a durable and clearly visible material and shall be in a contrasting color from the building.

4. The numbers shall be conspicuously placed immediately above, on or at the side of the proper door of each building so that the number can be seen plainly from the street line. Whenever any building is situated more than fifty (50) feet from the street line, the number must be placed near the walk, driveway or common entrance to such building and upon a mailbox, gatepost, fence, post, or other appropriate place so as to be easily discernible from the street line.

5. In zoning districts with multiple structures which may not front on City streets (e.g. Institutional Campus, Institutional), location numbers of structures shall be in accordance with a property plan and map reviewed and approved by Oxford Planning Commission.

ARTICLE XVI ADMINISTRATION AND ENFORCEMENT

Section 40-1601.	Zoning Administrator.
Section 40-1602.	Building Official.
Section 40-1603.	Code Enforcement Officer.
Section 40-1604.	Enforcement and Remedies.
Section 40-1605.	Penalties for Violation.

Section 40-1601. Zoning Administrator.

In accordance with Section 3-609 of the City of Oxford Code of Ordinances, the Mayor and City Council may employ or appoint a Zoning Administrator whose responsibilities principally would include the administration, interpretation, and enforcement of zoning, sign, soil erosion, flood damage prevention, subdivision, land development, and related regulations adopted and enforced by the City. The Zoning Administrator may be authorized by the Mayor and Council to conduct inspections, issue land disturbance and development permits approved by the Planning Commission, and exercise any other administrative and enforcement duties specifically assigned or which are reasonably implied within the duties and responsibilities of the Zoning Administrator. In the absence of the appointment or employment of an individual to serve as Zoning Administrator, the City Manager shall serve as the Zoning Administrator.

This chapter shall be administered, interpreted, and enforced by the Zoning Administrator and the Planning Commission, who shall have the duties and authority with respect to this chapter as provided in the various articles and sections of this chapter and those necessarily implied by said provisions.

Section 40-1602. Building Official.

The building official as appointed pursuant to Sec. 3-608 of the Oxford City Code shall be authorized to conduct inspections, issue and disapprove building permits, issue or disapprove certificates of occupancy, and exercise any other administrative and enforcement actions reasonably implied within the duties and responsibilities of building official.

Section 40-1603. Code Enforcement Officer.

A code enforcement officer, if appointed pursuant to Sec. 3-607 of the Oxford City Code, shall be authorized to conduct investigations and execute enforcement actions when there is alleged to be a violation of any provision of this chapter.

Section 40-1604. Enforcement and Remedies.

1. **Notice and Warning.** If, through inspection, it is deemed that a person engaged in any activity inconsistent with the provisions of this chapter, with an approved plan or permit, or with conditions of a permit, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the date upon which such measures must be completed, which shall be no fewer than five days from the issuance of the written notice. This written notice to comply shall serve as a written warning to the violator. If the person engaged in the unlawful activity fails to comply by the date specified, he or she shall be deemed in violation of this chapter.

2. **Stop Work Order.** If the violation is not corrected within the time frame provided in the notice, the zoning administrator, designee, or other authorized enforcement officer shall issue a stop-work order requiring that such unlawful activities be stopped until necessary corrective action or mitigation has occurred. For a third and each subsequent violation, the enforcement agent shall issue an immediate stop-work order. All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred.
3. **Service of Notices, Warnings, and Stop Work Orders.** Any notices, warnings and/or stop work orders shall be deemed served upon the posting of the same in the permit box, if any, at the location where the activity is or was taking place. It is the responsibility of the permittee to monitor and check the permit box for material issued pursuant to this Ordinance. If the violation is by a tenant, person, corporation, firm, or other entity who is not the owner of record of the building, structure, or land, the Zoning Administrator or designee shall provide written notice, either personally or by mail, to the owner of record of such building, structure, or land. If the owner of record does not bring the use of the building, structure, or land into compliance within the time specified in the notice, warning, or stop work order, the owner shall be considered to be in violation of the provisions of this chapter.
4. **Citation and/or Injunction.** If the violation is not corrected within the time frame provided in the notice, the zoning administrator, designee, or other authorized enforcement officer may issue a citation for violation of this chapter or other provision of this city code, requiring the presence of the violator in the municipal court or other court with jurisdiction. The zoning administrator may also institute an injunction, or institute other appropriate action or proceeding to prevent or abate such violation or to prevent the continuance of use or the occupancy of such building, structure, or land.
5. **Suspension or Revocation of Permit or Other Authorization.** Any permit or authorization issued pursuant to this chapter may be suspended, revoked, or modified by the zoning ordinance, as to all or any portion of the land affected, upon finding that the holder or his successor in the title is not in compliance with the approved plan and/or permit or that the holder or his successor in title is in violation of this chapter, after being so notified as required by this section.
6. **Suspension or Revocation of Other Approvals.** As an additional remedy, the zoning administrator, designee, or other enforcement office may refuse or deny all city permits, licenses, certificates, utility connection authorization, and applications to said owner or his agents until such violation is abated or corrected.

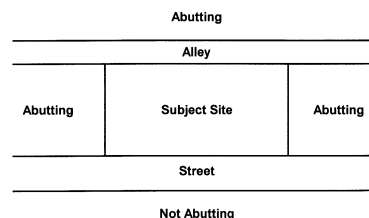
Section 40-1605. Penalties for Violation.

Any person who violates any provisions of this chapter or any permit condition or limitation established pursuant to this chapter shall be liable for a civil penalty not to exceed \$2,500.00 per day. Each day during which violation or failure or refusal to comply continues shall be a separate violation. Any person who violates any provisions of this chapter, or any permit condition or limitation established pursuant to this chapter may be sentenced to a period of confinement of up to thirty (30) days.

ARTICLE XVII DEFINITIONS

Abandon: To stop the use of property or the occupancy of a building intentionally. Abandonment is presumed when the use of a property or building has ceased and the property or building has been vacant for twelve (12) months or more.

Abutting: Having property lines in common, or having property separated by only an alley. Separation by a street right-of-way is not considered abutting.



Accessory dwelling unit, attached: A second dwelling unit that is added to the structure of an existing site-built single-family dwelling, for use as a complete, independent living facility for a single household, with provision within the accessory apartment for cooking, eating, sanitation and sleeping. Such a dwelling is considered an accessory use to the principal dwelling.

Accessory dwelling unit, detached: A second dwelling unit that is added to an existing accessory structure (e.g., residential space above a detached garage), or as a new freestanding accessory building, for use as a complete, independent living facility for a single household, with provision within the accessory apartment for cooking, eating, sanitation and sleeping. Such a dwelling is considered an accessory use to the principal dwelling. Includes the term garage apartment.

Adaptive reuse: Rehabilitation or renovation and occupancy of an existing building(s) or structures for use(s) other than the present use(s).

Agriculture: Farming, including plowing, tilling, cropping, utilization of best management practices, seeding, cultivating or harvesting for the production of food and fiber products (except commercial logging and timber harvesting operations); aquaculture; sod production; orchards; Christmas tree plantations; nurseries; and the cultivation of products as part of a recognized commercial enterprise. This term specifically includes "horticulture," or the growing of fruits, vegetables, herbs, flowers or ornamental plants. This term also includes plant nurseries and greenhouses, where lands or structures are used primarily to cultivate trees, shrubs, flowers or other plants for sale.

Agricultural facility: Includes, but is not limited to, any land, building, structure, pond, impoundment, appurtenance, machinery, or equipment which is used for the commercial production or processing of crops, livestock, animals, poultry, honeybees, honeybee products, livestock products, poultry products, timber, forest products, or products which are used in commercial aquaculture. Such term does not include any farm labor camp or facilities for migrant farm workers. (Georgia Code Section 41-1-7)

Agricultural operation: Those practices involving the establishment, cultivation, or harvesting of products of the field or orchard; the preparation and planting of pasture land; farm ponds; dairy operations; livestock and poultry management practices; the construction of farm buildings; The plowing, tilling, or preparation of soil at an agricultural facility; The planting, growing, fertilizing, harvesting, or otherwise maintaining of crops; The application of pesticides, herbicides, or other

chemicals, compounds, or substances to crops, weeds, or soil in connection with the production of crops, timber, livestock, animals, or poultry; The breeding, hatching, raising, producing, feeding, keeping of livestock, hogs, equines, chickens, turkeys, poultry or other fowl normally raised for food, mules, cattle, sheep, goats, dogs, rabbits, or similar farm animals for commercial purposes, but not the regular slaughtering, or processing of such animals; The production and keeping of honeybees, the production of honeybee products; The production, of eggs or egg products; The manufacturing of feed for poultry or livestock; The rotation of crops, including without limitation timber production; Commercial aquaculture; and the application of existing, changed, or new technology, practices, processes, or procedures to any agricultural operation. (based on Georgia Code Sections 1-3-3 and 41-1-7). Agricultural operation does not include a roadside stand or agricultural processing.

Agricultural processing: Activities distinguished from the raising, cultivating, harvesting of food and fiber products (i.e., agriculture) because they go beyond the basic production cycle and involve significant manufacturing or processing operations so that the naturally grown or raised product is changed for consumer use, or where some physical, chemical, or similar change of an agricultural product occurs. Such activities include but are not limited to: cotton ginning, grist mills, milling of flour, feed, or grain, packaging of fresh or dried foods and fibers for wholesale or retail sale, slaughterhouses, refineries, wineries, canneries, and milk processing plants. Agricultural processing is considered a manufacturing use.

Alley: A public or private thoroughfare which affords only a secondary means of access to abutting property.

Alteration: Any change in the supporting members of a building or structure such as bearing walls, columns, and girders, except such emergency change as may be required for safety purposes; any addition to a building; any change in use; or, any movement of a building from one location to another.

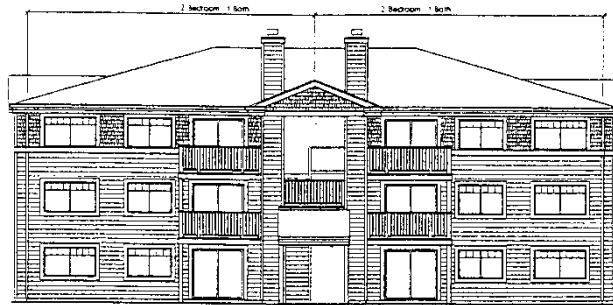
Amenity: Aesthetic or other characteristics that increase a development's desirability to a community or its marketability to the public. Amenities may differ from development to development but may include such things as recreational facilities, pedestrian plazas, views, streetscape improvements, special landscaping, or attractive site design.

Animal hospital: An establishment designed or used for the care, observation, or treatment of domestic animals.

Animal quarters: Any structure which surrounds or is used to raise, breed (husbandry), house, shelter, care for, feed, exercise, train, exhibit, display, or show any animals or livestock other than domestic pets. This is not intended to apply to non-structural, fenced land for grazing. This includes the term "barn" when used to shelter livestock or other animals.

Annexation: The process by which a parcel of land is transferred from the jurisdiction of unincorporated Newton County to the jurisdiction of the City of Oxford.

Apartment: A building, distinguished from a “duplex” or “two-family” dwelling, designed for or occupied exclusively by more than two families or households with separate housekeeping facilities for each family for rent or lease. The term “apartment” shall include “triplex” and “quadraplex.”



Appeal: A request for a review of an administrative official’s interpretation of any provision of this zoning ordinance, or a request for a review of an action taken by an administrative official in the application or enforcement of this zoning ordinance.

Applicant: A property owner or their authorized representative who has petitioned the city for approval of an application under the terms of this zoning ordinance.

Architectural appearance, exterior: The architectural character and general composition of the exterior of a structure, including but not limited to the kind, color, and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.

Architectural features: Ornamental or decorative features attached to or protruding from an exterior wall or roof, including cornices, eaves, belt courses, sills, lintels, bay windows, chimneys, and decorative ornaments.

Architectural recesses: Portions of a building wall at street level which are set back from the street line so as to create articulation of the building wall and/or to provide space for windows or doors.

Assisted living facility: Residences for the elderly who are in need of assistance, that provide rooms, meals, personal care, and supervision of self-administered medication. They may provide other services incidental to the above. For purposes of this zoning ordinance, assisted living facilities are considered institutionalized residential living and care facilities.

Auction house or auction yard: Any building, structure, enclosure, or place where goods or livestock are sold by auction (i.e., through bid in competition with others). This use is a wholesale trade establishment.

Automated teller machine: A mechanized consumer device that is operated by a customer and which performs banking and financial functions. An automated teller machine is an accessory use.

Automobile sales or service establishment: New or used car, truck, tractor, trailer, boat, recreational vehicle, camper, motorcycle, and other motorized vehicle sales, leasing, rental, and/or service, including manufactured home and modular building sales, agricultural implements and equipment, and similar pieces of equipment or vehicle. This definition includes automotive services such as rental car facilities, top and body, paint, automotive glass, transmission, and tire repair shops, car washes, and oil change and lubrication facilities.

Awning: A roof-like cover, often made of fabric or metal, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, walk, or door.

Awning, internally illuminated: A fixed awning covered with a translucent membrane that is, in whole or part, illuminated by light passing through the membrane from within the structure.

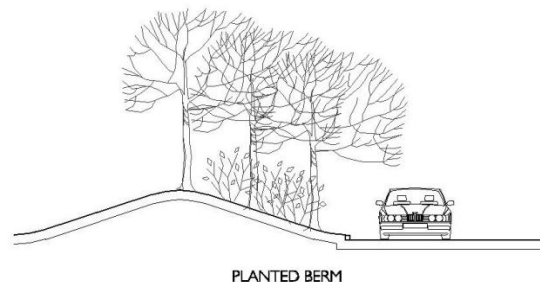
Bank or financial establishment: A business that accepts money for deposit into accounts from the general public or other financial institutions, and which may include personal or business loans, wire transfers and safe deposit boxes. Such uses include but are not limited to banks, savings and loan institutions and credit unions, and security and commodity exchanges.

Basement: That portion of a building having its lowest floor subgrade (below ground level) on two or more sides.

Batching plant: A plant for the manufacture or mixing of asphalt, concrete, cement, or concrete or cement products, including any apparatus incidental to such manufacturing and mixing.

Bed and breakfast inn: A facility where overnight accommodations for not more than ten residents are provided to transients for compensation, with or without a morning meal. A bed and breakfast inn does not include retail uses, public bar, conference center, or special event facilities.

Berm: An earthen mound or embankment, usually less than three feet if designed to provide visual interest only, and usually six feet or more in height if intended to screen views or reduce noise.



Block: A piece or parcel of land entirely surrounded by roads.

Brewery: An industrial use that brews ales, beers, or similar beverages on site.

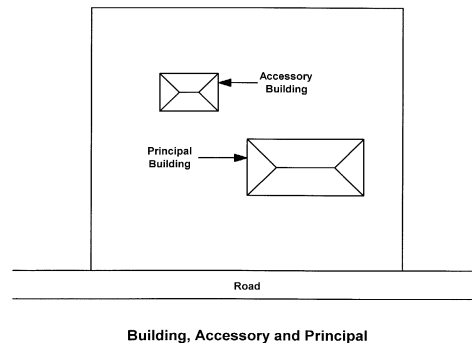
Broadcasting studio: A room or suite of rooms operated as a radio or television broadcasting studio or station with local broadcast capability or intended for satellite distribution of programs, and usually including satellite dishes, microwave dishes, and/or other communications equipment.

Buffer, natural vegetative: A strip of land of specified width located between a side or rear property line and a building, structure, or use, intended to separate and obstruct the view of the site on which the buffer is located from an abutting property, and which contains a natural area consisting of trees and/or other vegetation, undisturbed except for approved access and utility crossings, and replanted where sparsely vegetated.

Building: The word "building" includes the word "structure."

Building, accessory: A building subordinate to the main building on a lot and used for purposes incidental to the main or principal building and located on the same lot therewith.

Building, principal: A building in which is conducted the principal use of the lot on which said building is situated. In any residential zoning district, any structure containing a dwelling unit shall be defined to be the principal building on the plot on which same is situated, except for detached accessory apartments. When an accessory building is attached to a principal building by a breezeway, passageway, or similar means, the accessory building shall be considered part of the principal building and shall comply with the yard requirements for a principal building.



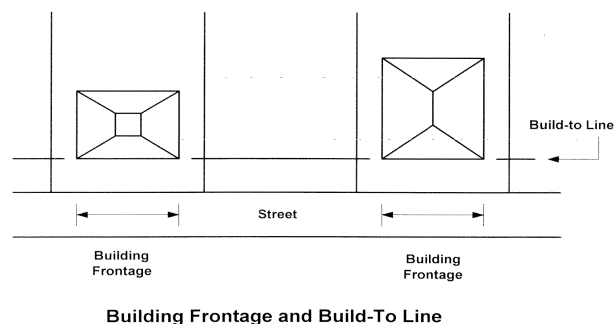
Building coverage: The horizontal area measured within the outside of the exterior walls of the ground floor (i.e., "footprint") of all principal buildings, accessory buildings, and accessory structures on the lot, not including steps, terraces, and uncovered porches.

Building coverage, maximum: The highest percentage of a given lot that may be occupied by all principal and accessory buildings and structures on said lot, measured within the outside of the exterior walls of the ground floor (i.e., "footprint") of all principal and accessory buildings and structures on the lot, not including steps, terraces, and uncovered porches.

Building footprint: The horizontal area of a building as seen in plan view, measured from the outside of all exterior walls and supporting columns.

Building frontage: The width in linear feet of the front exterior wall of a particular building, as measured more or less parallel to the front property line.

Build-to-line: A front building setback line applied to a principal building on a particular property so that a continuous and consistent building setback will be achieved considering the front building setbacks of buildings on abutting and/or adjacent lots on the same side of the street or right-of-way.



Building, height of: The vertical distance measured from the finished grade to the highest point of the coping of a flat roof; to the deck lines of a mansard roof; or to the mean height level

between the eaves and ridge of a gable, hip or gambrel roof. In this context finished grade is determined as the average elevation of the ground on all sides of a building.

Building inspector: The city's official, or designee, responsible for implementing and enforcing building codes applicable in the city.

Building materials sales: An establishment offering lumber or other construction materials used in buildings for sale to contractors or the general public. When operated in whole or part outside the confines of a building, a building materials sales establishment is an open air business.

Building setback line: A line establishing the minimum allowable distance between the front wall of a principal building and the street right-of-way line or another building wall and a side or rear property line when measured perpendicularly thereto. Covered porches, whether enclosed or not, shall be considered as a part of the building and shall not project into beyond a required building setback line. For purposes of this zoning ordinance, a minimum required building setback line and minimum required yard shall be considered the same.

Bulk storage: The storage of chemicals, petroleum products, or similar materials in above ground or below-ground storage containers designed for wholesale distribution or mass consumption. This includes fuel oil distributors with storage of products.

Business service establishment: A business activity engaged in support functions to establishments operating for a profit on a fee or contract basis, including but not limited to: advertising agencies, photocopying, blueprinting and duplication services, mailing agencies, commercial art and graphic design; personnel supply services and employment agencies, computer and data processing services, detective, protective, and security system services, accounting, auditing, and bookkeeping services, messenger services and couriers, publications and business consulting firms, food catering, interior decorating, and locksmiths.

Camp or campground: Any place established or maintained for two or more individual spaces or sites for temporary living quarters in cabins, structures, or tents for recreation or vacation purposes for a fee.

Canopy: A roof-like structure, supported by a building and/or columns, poles, or braces extending from the ground, including an awning, that projects from the wall of a building over a sidewalk, driveway, entry, window, or similar area, or which may be freestanding. This term does not include carport as defined.

Car wash: The use of a site for washing and cleaning of passenger vehicles, other vehicles, or other light duty equipment. Car washes consist of self-service, staffed, or mechanically automated facilities. For purposes of this zoning ordinance, a car wash is considered an automobile service establishment whether it is a principal use or accessory to another use or building.

Caretaker's residence: A dwelling unit within a principal building or any freestanding building or structure that is accessory to an institutional, commercial, or industrial use, and located on the same lot there with, which is used for occupancy as a dwelling by an owner, security agent, or caretaker.

Carport: A roofed, accessory building or structure, not necessarily fully enclosed on the sides and usually open on two or more sides, made of canvas, aluminum, wood, or any combination

thereof, including such materials on movable frames, for the shade and shelter of private passenger vehicles or other motorized or non-motorized equipment such as tractors and boats.

Catering service: An establishment that serves and supplies food to be consumed off-premises. A catering service is a business service establishment.

Cemetery: The use of property as a burial place.

Certificate of occupancy: A document issued by the Building Inspector indicating that the building and use or reuse of a particular building or land is in conformity with all applicable codes and regulations, and that such building or land may be occupied for the purpose stated therein.

Character: Those attributes, qualities and features that make up and distinguish a development project or area of the city and give such project or area of the city a sense of purpose, function, definition, and uniqueness.

Church: A building or structure, or group of buildings or structures, which by design and construction are primarily intended for conducting organized religious services. Associated accessory uses include but are not limited to: schools, meeting halls, indoor recreational facilities, day care, counseling, and kitchens. This term includes synagogues, temples, and places of worship.

City: The City of Oxford, Georgia.

Clinic: An institution or professional office, other than a hospital or nursing home, where persons are counseled, examined, and/or treated by one or more persons providing any form of healing or medical health service. Persons providing these services may offer any combination of counseling, diagnostic, therapeutic or preventative treatment, instruction, or services, and which may include medical, physical, psychological, or mental services and facilities for primarily ambulatory persons.

Club or lodge, nonprofit: A building or premises, used for associations or organizations of an educational, fraternal, or social character, not operated or maintained for profit. Representative organizations include American Legion, Elks, Rotary, Lions, and Veterans of Foreign Wars. The term shall not include casinos, nightclubs, bottle clubs, or other establishments operated or maintained for profit.

Club, private: Buildings and facilities owned or operated by a corporation, association, person, or persons, and used for assembly of members for a social, educational, or recreational purpose, to which membership is required and where use of premises is restricted to members and their guests. The definition "private club" shall also include a "bona fide private club" as that term is defined in Georgia Code Section 3-7-1.

Co-generation facility: An installation that harnesses energy that normally would be wasted to generate electricity, usually through the burning of waste, and which may use, distribute through connection, or sell the energy converted from such process.

College or university: An educational use that provides training beyond and in addition to that training received in the 12th grade (i.e., undergraduate and graduate), and which has students regularly attending classes, and which confers an associate, bachelor, master, professional, and/or doctoral degree(s).

Commercial recreational facility, indoor: A use that takes place within an enclosed building that involves the provision of sports and leisure activities to the general public for a fee, including but not limited to the following: assembly halls, auditoriums, meeting halls, for-profit art galleries, billiard halls and pool rooms, amusement halls, video arcades, ice and roller skating rinks, bowling alleys, fully-enclosed theaters.

Commercial recreational facility, outdoor: A use of land and/or buildings that involves the provision of sports and leisure activities to the general public for a fee, and which all or part of the activities occur outside of a building or structure, including but not limited to the following: amusement parks, stadiums, amphitheaters, fairgrounds, drive-in theaters, golf driving ranges, miniature golf courses, batting cages, race tracks for animals or motor-driven vehicles, archery ranges, unenclosed firearms shooting ranges and turkey shoots, fish ponds, botanical and zoological gardens, ultra-light flight parks, and bungee jumping. A golf course and private club that is built as part of a single-family residential subdivision and that operates in a quasi-public manner is not considered to be an outdoor commercial recreational facility.

Common area: Land within a development, not individually owned or dedicated to the public, and designed for the common usage of the development. These areas include green open spaces and yards and may include pedestrian walkways and complimentary structures and improvements for the enjoyment of residents of the development. Maintenance of such areas is the responsibility of a private association, not the public.

Community living arrangement: Any residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, supports, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Georgia Department of Human Resources, Division of Mental Health, Developmental Disabilities, and Addictive Diseases or such similar state agency as may be reorganized. A community living arrangement with four (4) or fewer adults is considered a household for purposes of this zoning ordinance and thus allowed the same as a single family. A community living arrangement with more than four (4) adults is considered a group home for purposes of this zoning ordinance.

Community recreation: A private recreational facility for use solely by the residents and guests of a particular (usually residential) development, including indoor facilities such as community meeting rooms and outdoor facilities such as swimming pools, tennis courts, and playgrounds. These facilities are usually proposed, planned, and provided in association with a development and are usually located within the boundaries of such development.

Compatibility: With regard to development, the characteristics of different land uses or activities that permit them to be located near each other in harmony and without conflict. With regard to buildings, harmony in appearance of architectural features in the same vicinity.

Condition of zoning approval: A requirement adopted by the City Council at the time of approval of a rezoning, zoning amendment, or conditional use, placing greater or additional requirements or restrictions on the property than provided in this zoning ordinance in order to mitigate or reduce an adverse impact of the request and to further protect the public health, safety, or general welfare. This definition is not intended to be construed as limiting the legislative powers of the City Council in any way.

Comprehensive plan: Any plan adopted by the Oxford City council, or any plan adopted by a regional development center covering the local jurisdiction, or portion of such plan or plans. This definition shall be construed liberally to include the major thoroughfare plan, master parks and recreation plan, or any other study, document, or written recommendation pertaining to subjects normally within the subject matter of a Comprehensive Plan as provided by the Georgia Planning Act of 1989, if formally adopted by the Oxford City Council.

Condominium: A form of ownership as defined by state law in which common elements are jointly owned.

Condominium building: A building containing one (1) or more individually owned units or building spaces situated on jointly owned, common areas as defined by laws of the State of Georgia. When a building on property under condominium ownership contains only one dwelling unit, that building is considered a detached, single-family condominium building. When a building on property under condominium ownership contains two or more dwelling units, that building is considered an attached, multi-family condominium building.

Conservation: The management of natural resources to prevent waste, destruction, or degradation.

Conservation areas, primary: Any property qualifying as conservation use property under O.C.G.A. Section 48-5-7.4; and any steep mountain slopes, floodplains, wetlands, water bodies, upland buffers around wetlands and water bodies, critical wildlife habitat, and sites of historic, cultural, or archaeological significance, located outside of building envelopes and lots established for building purposes.

Conservation areas, secondary: Prime farmland, natural meadows, mature woodlands, farm fields, localized aquifer recharge areas, and lands containing scenic views and sites, located outside of building envelopes and lots established for building purposes.

Conservation easement: A non-possessory interest of a holder in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic, or open-space values of real property; assuring its availability for agricultural, forest, recreational, or open-space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archeological, or cultural aspects of real property (O.C.G.A. 44-10-1); A legally enforceable agreement between a property owner and the holder of the easement, in a form acceptable to the Governing Body and recorded in the office of the Clerk of Superior Court of Newton County. A conservation easement restricts the existing and future use of the defined tract or lot to conservation use, agriculture, passive recreation, or other use approved by the Governing Body and prohibits further subdivision or development. Such agreement also provides for the maintenance of open spaces and any improvements on the tract or lot. Such agreement cannot be altered except with the express written permission of the easement holder and any other co-signers. A conservation easement may also establish other provisions and contain standards that safeguard the tract or lot's special resources from negative changes.

Conservation subdivision: A subdivision, as defined by this code, where open space is the central organizing element of the subdivision design and that identifies and permanently protects all primary and all or some of the secondary conservation areas within the boundaries of the subdivision.

Construction field office: A structure used as an office in conjunction with a project while it is being constructed. A construction field office is a temporary use. It may be an industrial building, as defined herein.

Construction yard: An area on or immediately adjacent to a construction site used on a temporary basis for the parking and storage of equipment used in a construction project, and the storage and preparation of materials and other items used in the construction project. Such yards may include one or more construction field offices.

Continuing care retirement community: A residential facility providing multiple, comprehensive services to older adults. Such facility normally contains a combination of independent living units, assisted living, and skilled nursing care units as defined herein.

Continuing education: Formal lectures, courses, seminars, webinars, or any other similar type of educational program designed to educate an individual and give the individual further skills or knowledge to be applied to the individual's line of work.

Contractor's establishment: An establishment engaged in the provision of construction activities, including but not limited to, plumbing, electrical work, building, grading, paving, roofing, carpentry, and other such activities, including the storage of material and the overnight parking of commercial vehicles. Also, this definition includes landscaping companies, as defined herein.

Convenience store: A retail store, usually with a floor area usually no more than 5,000 square feet that sells convenience goods, such as prepackaged food items and a limited line of groceries. Convenience stores may or may not sell gasoline, diesel, and kerosene but do not include automotive services.

Cornice: Any horizontal member, structural or non-structural, of any building, projecting outward from the exterior walls at the roof line.

Crisis center: A facility or portion thereof and premises that are used for the purposes of emergency shelter, crisis intervention, including counseling, referral, hotline response, and similar human social service functions. Said facility may include meal preparation, distribution, or service for residents of the center as well as nonresidents, merchandise distribution, or shelter, including boarding, lodging, or residential care. This term includes domestic violence centers, homeless shelters, and halfway houses.

Cul-de-sac: A road having one end open to traffic and being permanently terminated at the other end by a vehicular turn-around.

Curb: A boundary, usually constructed of concrete, usually marking the edge of a roadway or paved area, which is designed to channel storm water to drainage inlets and/or prevent or deter access.

Custom order shop: A business establishment that offers merchandise but which maintains no merchandise inventory on site other than display items (which are not visible from the exterior of the building). This use is an enclosed retail trade establishment.

Day care center: Any place operated by a person, society, agency, corporation, institution or group, and licensed or registered by the State of Georgia as a group day care home or day care

center, wherein are received for pay for group supervision and care, for fewer than twenty-four (24) hours per day, seven (7) or more persons.

Density: The quantity of building per unit of area; for example, the number of dwellings per area (gross square foot or per acre).

Detail: A small feature or element that gives character to a building.

Detention: The temporary retaining of storm water on-site.

Detention pond: A pond or pool used for the temporary storage of storm water runoff and which provides for the controlled release of such storm water.

Development: Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials; any activity which alters the elevation of the land, removes or destroys plant life, or causes structures of any kind to be erected or removed.

Developmentally disabled person: A person with a disability resulting in substantial functional limitations in such person's major life activities which disability is attributable to mental retardation, cerebral palsy, epilepsy, or autism or is attributable to any other condition related to mental retardation because such condition results in impairment of general intellectual functioning or adaptive behavior similar to that of mentally retarded persons.

Dormer: A window projecting from a roof.

Dormitory: A building designed for a long-term stay by students of a college, university, or nonprofit organization for the purpose of providing rooms for sleeping purposes, and which may include common kitchen and/or common gathering rooms for social purposes.

Drive through: A retail or service enterprise wherein service is provided or goods are sold to the customer within a motor vehicle and outside of a principal building.

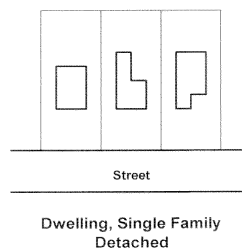
Dry cleaning plant: A building, portion of a building, or premises used or intended to be used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion or agitation, or by immersions only, in volatile solvents included, but not limited to, solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and the processes incidental thereto.

Dumpster: A container designed to hold refuse that has a hooking connection that permits it to be raised and dumped into a sanitation truck for disposal, or a container (excluding temporary placements) designed to hold refuse that is loaded onto a truck.

Dwelling: A building or portion of a building arranged or designed to provide living quarters for one or more families or households on a permanent or long-term basis.

Dwelling, single-family detached: A site-built residential building, or an industrialized building, designed for occupancy by one family or household. This term does not include manufactured homes or mobile homes. Single-family, detached dwellings may be under fee-simple (i.e., individual lot) ownership or on a condominium basis.

Dwelling, single-family detached, fee-simple: A building designed or arranged to be occupied by one (1) family or household only, and where such dwelling is located on its own lot in fee-simple title.



Dwelling, multi-family: A building other than a duplex, designed for or occupied exclusively by three or more families or households with separate housekeeping facilities for each family.

Dwelling unit: A building, or portion thereof, designed, arranged and used for living quarters for one (1) or more persons living as a single housekeeping unit with cooking facilities, but not including units in hotels or other structures designed for transient residence.

Easement: A non-possessory interest in land; a grant by a property owner for the use by the public, a corporation or persons, of a portion of land for a specified purpose or purposes.

Easement, access: An easement devoted to vehicular access which affords a principal means of access to abutting property or properties, but which is not necessarily open to the general public and which is not necessarily improved to standards of the city.

Elevation drawing: An architectural drawing of a building or building façade, intended to illustrate its design, characteristics and major features (see example below).



Exterminator: An establishment, or industry, or business service establishment, or residence, or industries. Such a use is a business service establishment.

Extractive industry: Removal or recovery by any means whatsoever of sand, gravel, soil, rock, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the surface thereof, exposed or submerged. This term includes gravel pits, mines, quarries, and similar operations.

Façade: The face (exterior elevation) of a building, especially the face parallel to or most nearly parallel to a public street.

Family: An individual; or two (2) or more persons related by blood, marriage, or guardianship.

Family day care home: A private residence in which a business, registered by the State of Georgia, is operated by any person who receives therein (for pay) for supervision and care for fewer than twenty-four (24) hours per day, not more than six (6) persons who are not residents in the same private residence. For purposes of this zoning ordinance, a family day care home may be operated as a home occupation, subject to the requirements of this zoning ordinance.

Fee simple: A form of ownership where the owner is entitled to the entire property with unconditional power of disposition during his or her life and which descends to his or her heirs and legal representatives upon his or her death intestate.

Fence: An enclosure or barrier, composed of wood, masonry, stone, wire, iron, or other materials or combination of materials used as a boundary, means of protection, privacy screening, or confinement, including brick or concrete walls but not including hedges, shrubs, trees, or other natural growth.

Fence, barbed wire: One or more strands of wire or other material having intermittent sharp points of wire or metal that may puncture, cut, tear, or snag persons, clothing, or animals, including vertical supports.

Fence, chain-link: An open mesh fence made entirely of wire woven in squares of approximately 1.5 inches with vertical supports, usually spaced at an interval of six (6) feet, usually at a height of three (3) or more feet.

Fence, solid: A fence, including entrance and exit gates where access openings appear, through which no visual images can be seen.

Finance, insurance, and real estate establishment: Such uses include but are not limited to banks, savings and loan institutions and credit unions, security and commodity exchanges, insurance agents, brokers, and service, real estate brokers, agents, managers, and developers, trusts, and holding and investment companies.

Flea market: The use of land, structures or buildings for the sale of produce or goods, usually second-hand or cut-rate. A flea market is considered an open air business.

Forestry: An operation involved in the growing, conserving, and managing of forests and forest lands. Forestry operations or practices include the raising and harvesting of timber, pulp woods and other forestry products for commercial purposes, the construction of roads, insect and disease control, fire protection, and may include the temporary operation of a sawmill and/or chipper to process the timber cut from the parcel or parcels. This term does not include the cutting of timber associated with approved land development.

Funeral home: A building used for human funeral services. Such building contains a chapel and may include space and facilities for embalming and the performance of other services used in the preparation of the dead for burial or cremation, the performance of autopsies and other surgical procedures, the indoor storage of caskets, funeral urns, and other related funeral supplies, and/or the indoor storage of funeral vehicles.

Gable: The triangular upper portion of an end wall, underneath a peaked roof.

Gas tank sales: The retail sale of bulk storage tanks for flammable and combustible liquids, compressed gases or liquefied petroleum (LP) gas. Gas tank sales are considered open air business uses.

Grade, finished: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Grading: Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

Greenhouse: A building designed or used for growing or propagating plants, with walls or roof usually designed to transmit light.

Group home: A single housekeeping unit of more than six unrelated persons, whether or not they are developmentally disabled.

Guest house: A lodging unit for temporary guests in an accessory building. No guest house shall be rented or otherwise used as a separate dwelling.

Harmony: A quality that represents an attractive arrangement and agreement of parts of a composition, as in architectural elements.

Hazardous waste: Any solid waste which has been defined as a hazardous waste in regulations, promulgated by the government of the United States or the State of Georgia.

Health spa: An establishment which for profit or gain provides as one of its primary purposes, services or facilities which are purported to assist patrons improve their physical condition or appearance through change in weight, weight control, treatment, dieting, or exercise. The term includes establishments designated as "reducing salons," "exercise gyms," "health studios," "health clubs," "fitness studios," and other terms of similar import. Not included within this definition are facilities operated by nonprofit organizations, facilities wholly owned and operated by a licensed physician at which such physician is engaged in the practice of medicine, or any establishment operated by a health care facility, hospital, intermediate care facility, or skilled nursing care facility.

Hedge: A row of closely planted shrubs, bushes, or any kind of plant forming a boundary.

Helicopter landing pad: Any structure or area which is designed or constructed for use, or used, as a helicopter landing area or any structure or area which is used as a helicopter landing area.

Home occupation: Any use, occupation or activity conducted on the same site as a dwelling which is clearly incidental and secondary to the use of the dwelling for residence purposes and does not change the character thereof, as may be lawfully established under the terms of this zoning ordinance.

Hospital: An institution licensed by the state and providing primary health services and medical or surgical care to persons, primarily in-patients, suffering from illness, disease, injury, deformity or other abnormal physical or mental conditions, and including as an integral part of the institution, such related facilities as laboratories, outpatient facilities, or training facilities.

Hotel: A commercial lodging service with one or more buildings devoted to the temporary shelter for the traveling public, and where entry to individual guest rooms is via a central lobby. A hotel is a lodging service for purposes of this zoning ordinance.

Household: A family, as defined herein, or a group of not more than four (4) persons, including developmentally disabled persons and their caretakers, who need not be related by blood, marriage, or guardianship, living together in a dwelling unit as single housekeeping unit.

Impact: The effect of any direct man-made actions or indirect repercussions of man-made actions on existing physical, social, or economic conditions.

Impervious surface: A man-made structure or surface, which prevents the infiltration of water into the ground below the structure or surface. Examples are buildings, structures, roads, driveways, parking lots, decks, swimming pools, and patios.

Improvements: The physical additions and changes to land that may be necessary to produce usable, desirable and acceptable lots or building sites.

Incinerator: A facility with equipment that uses a thermal combustion process to destroy or alter the character or composition of medical waste, sludge, soil, or municipal solid waste, not including animal or human remains.

Industrialized building: Any structure or component thereof which is designed and constructed in compliance with the state minimum standards codes and is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof.

Industrialized building, residential: Any dwelling unit designed and constructed in compliance with the Georgia State Minimum Standard One and Two Family Dwelling Code which is wholly or in substantial part, made, fabricated, formed, or assembled in a manufacturing facility and cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. Any such structure shall not contain a permanent metal chassis and shall be affixed to a permanent load-bearing foundation. The term shall not include manufactured homes as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

Institution: A non-profit corporation or a non-profit establishment.

Institutional residential living and care facilities: An umbrella term that encompasses the following uses as specifically defined in this ordinance: assisted living facility, intermediate care home, nursing home, skilled nursing care facility, and personal care home.

Intermediate care home: A facility which admits residents on medical referral; it maintains the services and facilities for institutional care and has an agreement with a physician and dentist who will provide continuing supervision including emergencies; it complies with rules and regulations of the Georgia Department of Human Resources or state agency with jurisdiction as may be reorganized. The term "intermediate care" means the provision of food, including special diets when required, shelter, laundry and personal care services, such as help with dressing, getting in and out of bed, bathing, feeding, medications and similar assistance, such

services being under appropriate licensed supervision. Intermediate care does not normally include providing care for bed patients except on an emergency or temporary basis.

Junk: Scrap or waste material of any kind or nature collected for resale, disposal, or storage, or by accumulation.

Kennel: Any facility used for the purpose of commercial boarding or sale of domestic animals or pets such as dogs and cats, and any other customarily incidental treatment of the animals such as grooming, cleaning, selling of pet supplies, or otherwise. This term includes animal grooming services and pet psychologists.

Kitchen: Any room or part of a room designed, built, used, or intended to be used for cooking, the preparation of food, or dishwashing. The presence of a range, oven, or dishwasher, or utility connections suitable for serving a range or oven, shall normally be considered as establishing a kitchen.

Land-disturbing activity: Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including practices specifically exempt from the city's soil erosion, sedimentation, and pollution control ordinance (Chapter 35 Oxford City Code) unless the context clearly indicates otherwise.

Landfill, construction and demolition: A disposal facility accepting waste building materials and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings, and other structures. Such wastes include, but are not limited to, asbestos containing waste, wood, bricks, metal, concrete, wall board, paper, cardboard, inert waste landfill material and other inert wastes which have a low potential for groundwater contamination.

Landfill, inert waste: A disposal facility accepting only wastes that will not or are not likely to cause production of leachate of environmental concern. Such wastes are limited to earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, stumps, limbs, and leaves, and specifically excluding industrial and demolition waste.

Landfill, sanitary: The burial of nonhazardous waste where such waste is covered on a daily basis, as distinguished from a construction and demolition landfill.

Landscape strip: An area of landscaping of specified width.

Landscaping: The modification of the landscape for an aesthetic or functional purpose. The area within the boundaries of an individual lot that includes the preservation of existing vegetation and the continued maintenance thereof, as well as, the installation of trees, shrubs, ground covers, grass, and flowers. Landscaping areas may also include decorative rock, bark, mulch and other similar approved materials in addition to vegetation and live plant material.

Landscaping company: A business engaged in the provision of landscaping services and/or the wholesale or retail sale of landscaping products including but not limited to sod, trees, landscaping timbers, and earth covering materials. The processing of wood into timbers, mulch, and/or chips is considered an incidental use of a landscaping company whose primary purpose is the wholesale or retail sale of landscaping products.

Laundromat: A facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron. A laundromat is considered a personal service establishment.

Lighting, neon outline: Outline lighting formed in whole or part with neon.

Live-work unit: Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the two uses are physically connected in one unit and residential use of the space is accessory to the primary use as a place of work. This term is distinguished from a home occupation and from a mixed-use building. Live-work units may have larger work spaces than permitted by home occupation, and live/work units design the floor space for both living and working areas. Live-work units are distinguished from mixed-use buildings in that a mixed-use building has residential and nonresidential uses in the same building, but the residential and nonresidential spaces are not necessarily connected or used by the same person.

Livestock: Cattle, horses, pigs, sheep, goats, llamas, emus, ostriches, donkeys, mules, goats, sheep, chickens, ducks, geese, and other fowl, rabbits, minks, foxes and other fur or hide-bearing animals, customarily bred or raised in captivity, whether owned or boarded, whether kept for pleasure, utility, or sale.

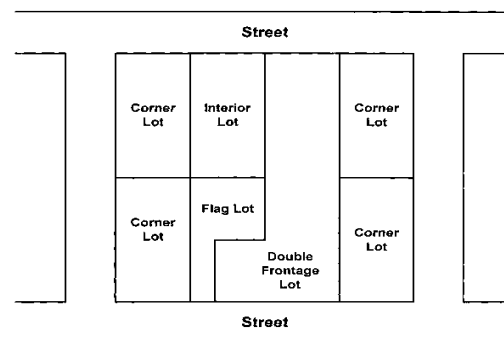
Lodging service: A facility that offers temporary shelter accommodations, or place for such shelter, open to the public for a fee, including "hotels" and "motels." "Bed and breakfast inn" is defined separately and is not considered a lodging service for purposes of this zoning ordinance.

Lot: A parcel of land occupied or capable of being occupied by a use, building or group of buildings devoted to a common use, together with the customary accessories and open spaces belonging to the same. The word "lot" includes the word "plot" or "parcel."

Lot, corner: A lot abutting upon two or more streets at their intersection.

Lot, double frontage: Any lot, other than a corner lot, which has frontage on two (2) streets.

Lot, flag: A tract or lot of land of uneven dimensions in which the portion fronting on a street is less than the required minimum width required for construction of a building or structure on that lot. Also called a panhandle lot.



TYPES OF LOTS

Lot area, minimum: Minimum lot area means the smallest permitted total horizontal area within the lot lines of a lot, exclusive of street and alley right-of-ways but inclusive of easements.

Lot depth: The mean horizontal distance between front and rear lot lines.

Lot frontage: The width in linear feet of a lot where it abuts the right-of-way of any street.

Lot width: The distance between side lot lines measured at the front building line.

Lot of record: A lot which is part of a subdivision, a plat of which has been lawfully recorded in the records of the Clerk of Superior Court of Newton County; or a parcel of land, the deed of which has been lawfully recorded in the same office as of the effective date of this zoning ordinance.

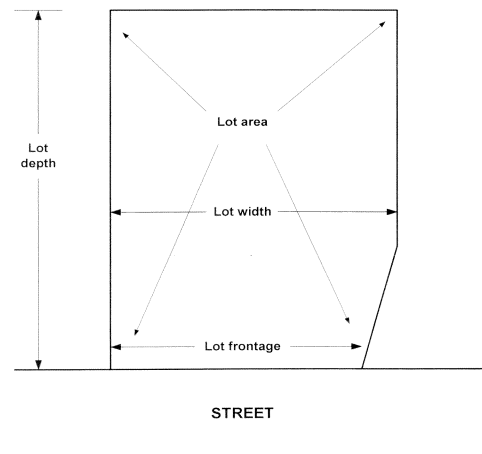
Lumber yard: A facility where wood materials such as lumber, plywood, panels or other wood products are processed and sold for retail sale or wholesale. Such use may involve performing millwork, planing, cutting, and/or other customizing processes.

Manufactured home: A structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, when erected on site, is three hundred twenty (320) or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to utilities, and includes the plumbing, heating, and electrical systems contained therein; or a structure that otherwise comes within the definition of a "manufactured home" under the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401-5445).

Manufacturing, processing, assembling: The mechanical or chemical transformation of materials or substances into new products. The land uses engaged in these activities are usually described as plants, factories or mills and characteristically use power-driven machines and materials handling equipment. Establishments engaged in assembling component parts of manufactured products are also considered under this definition if the new product is neither a fixed structure nor other fixed improvement. Also included is the blending of materials such as lubricating oils, plastic resins, or liquors.

Marquee: A roofed structure attached to and supported by a building and projecting over public or private sidewalks or rights-of-way.

Massing: The overall visual impact of a structure's volume; a combination of height and width and the relationship of the heights and widths of the building's components.



Lot Definitions

Materials recovery facility: A solid waste handling facility that provides for the extraction from solid waste of recoverable material, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

Metes and bounds: A system of describing and identifying land by a series of lines around the perimeter of an area; “metes” means bearings and distances and “bounds” refers to physical monuments.

Mini-warehouse: (see self-service storage facility).

Mobile home: A structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, when erected on site, is three hundred twenty (320) or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; and which has not been inspected and approved as meeting the requirements of the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401-5445).

Model home: A dwelling temporarily used as a sales office or demonstration home for a residential development under construction, said dwelling being used as an example of a product offered for sale to purchasers (by a realtor, building developer, or contractor). The dwelling may be furnished but is not occupied as a residence while being used as a model home.

Motel: A commercial lodging service with one or more buildings devoted to the temporary shelter for the traveling public, and where entry to individual guest rooms is via the exterior of the building rather than through a central lobby.

Museum: A building having public significance by reason of its architecture or former use or occupancy, or a building serving as a repository for a collection of natural, scientific, literary curiosities or objects of interest, or works of art, and arranged, intended, and designed to be viewed by members of the public with or without an admission fee, and which may include as an accessory use the sale of snacks and goods to the public as gifts or for their own use.

Natural drainage: Channels formed by the existing surface topography of the earth prior to changes made by unnatural causes.

Nonconforming building or structure: A building or structure, which may be principal or accessory, that does not meet one or more applicable setbacks for the zoning district in which said building or structure is located, or a building or structure that exceeds the maximum height or building coverage for the zoning district in which said building or structure is located, or a building or structure that otherwise does not comply with dimensional requirements established by this zoning ordinance for the particular principal building or accessory structure or for the zoning district in which the nonconforming building or structure is located.

Nonconforming lot: A lot which does not conform to the minimum lot frontage requirements of this chapter and/or the minimum lot size and minimum lot width requirements of the zoning district in which the lot is located as established by this chapter but which was a lot of record prior to the effective date of this zoning ordinance or its amendment.

Nonconforming situation: Any development, land improvement, or activity, not otherwise included within the definition of nonconforming lot, nonconforming building or structure, nonconforming use, or nonconforming sign which does not meet the provisions of this chapter at the time of its adoption or amendment. Examples of nonconforming situations include but are not limited to, noncompliance with off-street parking regulations or access requirements, failure to adhere to landscape strip requirements, tree protection, and insufficient landscaping requirements.

Nonconforming use: Any building or use of land or building lawfully existing on or before the effective date of this zoning ordinance or as a result of subsequent amendments to this zoning ordinance, which does not conform to the use provisions of the zoning district in which it is located.

Nursery or kindergarten school: Any building used routinely for the daytime care or education of preschool age children and including all normal accessory and play areas. For purpose of this zoning ordinance, a nursery or kindergarten school is considered to be a day care center.

Nursing home: A facility which admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision; it maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has an agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the patients; it complies with rules and regulations of the Georgia Department of Human Resources or state agency with jurisdiction as may be reorganized.

Occupied: The word "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."

Office: A building or portion thereof wherein services are performed involving predominantly administrative, professional or clerical operations and not involving retail sales or other sales of any kind on the premises.

Office/Warehouse: A building that combines office and warehouse or storage functions, where the majority of the area of the building is devoted to warehouse or storage functions, and which does not involve retail sales.

Opaque: Impenetrable to view, or so obscuring to view that features, buildings, structures, and uses become visually indistinguishable.

Open air business: Any commercial establishment with the principal use of displaying products in an area exposed to open air on three or more sides, including but not limited to rock yards, nurseries and garden centers and garden supply stores, lumber and building materials yards, flea markets, statuary and monument sales establishments, liquid petroleum dealers and tank sales. A roadside stand is not considered to be an open air business.

Open space: Land and water areas retained for use as passive recreation areas or for resource protection or conservation in an essentially undeveloped state.

Open space, landscaped: That portion of a given lot, not covered by buildings, parking, access and service areas, that is designed to enhance privacy and the amenity of the development by providing landscaping features, screening and buffering for the benefit of the occupants or those

in neighboring areas, or a general appearance of openness. Landscaped open space may include, but need not be limited to, grass lawns, decorative planting, berms, walls and fences, ornamental objects such as fountains, statues and other similar natural and man-made objects, wooded areas, and water courses, any or all of which are designed and arranged to produce an aesthetically pleasing effect within the development.

Orchard: An establishment which cares for and harvests fruit- or nut-bearing trees, bushes, or vines.

Outdoor Recreation: This category includes greenways, trails, bikeways, paths, tennis courts, ball fields, playfields, courts, swimming pools, clubhouses, toilets, dressing rooms, lockers, bicycle facilities, equestrian facilities, beaches, docks, seating areas, amphitheaters, stages, bandshells, community buildings, fountains, plazas, patios, decks, lawns, picnic shelters and picnic areas, landscaping and other land containing outdoor recreation structures and facilities.

Outdoor storage: The keeping of any goods, junk, material, merchandise or commercial vehicles in the same outdoor place for more than twenty-four hours.

Overlay district: A defined geographic area that encompasses one or more underlying zoning districts and that imposes additional requirements above those required by the underlying zoning district. An overlay district can be coterminous with existing zoning districts or contain only parts of one or more such districts.

Parapet: That portion of a wall which extends above the roof line.

Parking space: An area having dimensions of not less than three hundred (300) square feet, including driveway and maneuvering area, to be used as a temporary storage space for a private motor vehicle.

Parking structure: A structure or portion thereof composed of one or more fully or partially enclosed levels or floors used for the parking or storage of motor vehicles. This definition includes parking garages, deck parking, and underground parking areas under buildings.

Park: A public or private area of land, with or without buildings, intended for outdoor active or passive recreational uses.

Pedestrian-scale development: Development designed with an emphasis primarily on the street sidewalk and on pedestrian access to the site and building, rather than auto access and parking areas. The building is generally placed close to the street and the main entrance is oriented to the street sidewalk. In the case of pedestrian retail districts, there are generally windows or display cases along building facades which face the street.

Permit: The authorization necessary to conduct an activity under the provisions of this zoning ordinance.

Permit, development: An official authorization issued by the Planning Commission in accordance with this zoning ordinance to proceed with land disturbance and grading and site development, as set forth in this zoning ordinance. A development permit is separate from but coordinated with the land disturbance permit required under Chapter 35, Oxford City Code (soil erosion, sediment, and pollution control). A development permit may be required even when a land disturbance permit is not required.

Person: Includes a firm, association, joint venture, organization, partnership, corporation, trust and company as well as an individual.

Personal care home: Any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage. Personal care tasks include assistance with bathing, toileting, grooming, shaving, dental care, dressing, and eating.

Personal service establishment: A facility engaged in the provision of services to persons and their apparel, including but not limited to barber and beauty shops, coin-operated laundromats, full service laundries, dry cleaners, photographic studios, shoe repair and shoeshine shops, travel agencies, massage parlors, escort services, fortune-telling, psychics, clothing or costume rental, dating service, hair removal or replacement, or tanning salon.

Pet, household: Any animal other than livestock or wild animals, which is kept for pleasure and not sale, which is an animal of a species customarily bred and raised to live in the habitat of residential dwellings or on the premises thereof and is dependent upon residents of the dwelling for food and shelter. Household pets include but are not limited to dogs, cats, rodents, common cage birds, aquarium-kept fish, and small amphibians and reptiles.

Plan, concept: A graphic drawn to an engineering scale and submitted with an application for a rezoning, zoning amendment, annexation, or other type of application upon which the applicant has shown the intended development and its design. Approval of such an application containing a concept plan does not constitute approval of the concept plan in terms of authorizing development or building, which is subject to development and building permitting.

Plan, site: A drawing of a residential, institutional, office, commercial, or industrial development, showing the general layout of a proposed development including, among other features, the location of existing streams, existing and proposed roads and driveways, buildings, parking areas, and open spaces or landscaped open spaces. The site plan is the basis for the approval or disapproval of the general layout of a development in the case of a multiple-family residential, institutional, office, commercial, or industrial development. The site plan drawn to an engineering scale and is distinguished from a concept plan which is submitted with zoning and special use applications.

Planning Commission: The City of Oxford Planning Commission.

Porch: A projection from a building wall which is covered but enclosed on all sides by a vertical wall.

Portico: An exterior appendage to a building, normally at the entry, usually roofed.

Recreational vehicle: A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted or drawn by another vehicle. This term includes motorized homes, motorized campers, pick-up campers, travel trailers, camping trailers, and tent trailers, among others.

Recycling processing center: Any facility utilized for the purpose of collecting, sorting and processing materials to be recycled, including but not limited to, plastics, glass, paper and aluminum materials.

Relocated residential structure: A detached, single-family dwelling, site-built (i.e., excluding a manufactured home or mobile home) that is moved or disassembled into more than one structure and moved to another site, whether temporarily or permanently.

Research laboratory: A facility for scientific laboratory research in technology-intensive fields, including but not limited to biotechnology, pharmaceuticals, genetics, plastics, polymers, resins, coatings, fibers, fabrics, films, heat transfer, and radiation research facilities, computer software, information systems, communication systems, transportation, geographic information systems, multi-media and video technology. Also included in this definition are facilities devoted to the analysis of natural resources, medical resources, and manufactured materials, including environmental laboratories for the analysis of air, water, and soil; medical or veterinary laboratories for the analysis of blood, tissue, or other human medical or animal products; and forensic laboratories for analysis of evidence in support of law enforcement agencies.

Restaurant: Any establishment in which the principal business is the sale of foods and beverages to customers in a ready-to-consume state, and in which customers are served their food and/or beverages by a restaurant employee at the same table or counter at which the items are consumed, or customers are served their food and/or beverages by means of a cafeteria-type operation where the food or beverages are consumed within the restaurant building. This term includes taverns, bars, pubs, and sidewalk cafés.

Restaurant, drive-through: Any establishment in which the principal business is the sale of foods and beverages to customers in a ready-to-consume state and in which the principal or accessory method of operation of all or any portion of the business is to allow food or beverages to be served directly to the customer in a motor vehicle without the need for the customer to exit the motor vehicle.

Retail trade establishment, enclosed: Any business offering goods and products for sale to the public, which may include the incidental repair of such goods and products, that operates entirely within a structure containing a roof and walls on all sides, except for outdoor display or other use during business hours and accessory storage in enclosed, subordinate buildings. These include but are not limited to the following: convenience stores including the sale of gasoline, hardware, paint, glass and wallpaper stores, grocery and miscellaneous food stores including retail bakeries, apparel, shoe, and accessory clothing stores, furniture, upholstery, floor covering, household appliance and home furnishing stores, musical instrument stores, radio, television, and computer stores, record, tape, and compact disc stores, eating and drinking places not involving drive-in or drive-through facilities, drug stores, apothecaries and proprietary stores, used merchandise stores and pawn shops, sporting goods stores and bicycle shops, art and stationery stores, hobby, toy, and game shops, jewelry, gift, novelty, souvenir and antique shops, camera and photographic supply stores, luggage and leather goods stores, sewing, needlework, and piece goods stores, catalogue and mail order stores, newsstands, florists, tobacco shops, automotive parts stores not involving repair, video rental and sales stores, and watch and clock sales and repair shops.

Retaining wall: A wall or similar structure used at a grade change to hold soil on the up-hillside from slumping, sliding, or falling.

Retention: The permanent maintenance of storm water on-site.

Retention pond: A pond or pool used for the permanent storage of storm water runoff.

Retreat center: A facility used for professional, educational, or religious meetings, conferences, or seminars and which may provide meals in a single building, lodging, and recreation for participants during the period of the retreat or program only. Such center may not be utilized for the general public for meals or overnight accommodations. Housing is usually in lodges, dormitories, sleeping cabins or other such temporary quarters, which do not contain kitchens.

Rezoning: An amendment to the Official Zoning Map, or an amendment to an overlay zone boundary, that changes the zoning district or overlay zone of one or more properties specified in an application.

Riding academy or equestrian center: An establishment where horses are kept for riding or are kept for competition or educational purposes incidental to a club, association, ranch, educational institution or similar establishment but which does not involve commercial sales and is not open to the general public for a fee.

Riding stable: An establishment where horses or other animals that can be ridden by humans are kept for riding and which offers the general public rides for a fee.

Right-of-way, public: That area, distinguished from an easement or private road right-of-way, which is owned in fee-simple title by the city or other government, for the present or future use of alleys, roads and highways, together with any drainage facilities and other improved ancillary structures.

Road: A state highway, a county road, a road adopted as a county-owned right of way approved for county maintenance, a street owned and/or maintained by a municipality, a street approved for city maintenance, or where permitted, a private road. Roads afford the principal means of access to abutting property or properties. The term includes "street" but does not include "access easement."

Road, private: An improved road, distinguished from a public road in that the right-of-way which affords a principal means of access to abutting property or properties is privately owned and maintained.

Roadside stand: A use offering either farm-grown, prepared food products such as fruits, vegetables, canned foods, or similar agricultural products for sale on the premises within or without a temporary structure on the premises with no space for customers within the structure itself.

Roof: The cover of a building, including the eaves and similar projections.

Roof, flat: A roof having no pitch or a pitch of not more than 2:12.

Roof, pitched: A shed, gabled, or hipped roof having a slope or pitch of at least one foot rise for each four feet of horizontal distance.

Salvage yard: A place of business primarily engaged in the storage, sale, dismantling or other processing of uses or waste materials which are not intended for reuse in their original forms.

Typical uses include paper and metal salvage yards, used tire storage yards, or retail and/or wholesale sales of used automobile parts and supplies. This term includes junk yards.

Sidewalk: A hard-surfaced pedestrian access area adjacent to or within the right-of-way of a public road or private road.

Sawmill: A facility where logs or partially processed wood are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products. This term does not apply to the processing of timber for use on the same lot by the owner or occupant of that lot.

School for the Arts: An educational use not operated by the Newton County Board of Education that offers or provides instruction to more than two students at a time in dance, singing, music, painting, sculpting, fine arts, or martial arts.

School, private, elementary, middle, or high: An educational use for students in grades one through twelve or for only certain ranges of grades one through twelve, not operated by the Newton County Board of Education, which has a curriculum at least equal to a public school with regard to the branches of learning and study required to be taught in the public schools of the state of Georgia.

School, public: An educational use for students in grades one through twelve or for only certain ranges of grades one through twelve, operated by the Newton County Board of Education.

School, special: An educational use not operated by the Newton County Board of Education that provides special education to more than two students at a time, including but not limited to the training of gifted, learning disabled, and mentally or physically handicapped persons.

School, trade: An educational use not operated by the Newton County Board of Education and having a curriculum devoted primarily to business (including barbers and beauticians), industry, trade, or other vocational-technical instruction.

Self-service storage facility: Mini-warehouse; A structure, building or group of buildings divided into separate compartments, spaces, or stalls, which may be of different sizes and which may or may not be climate controlled, and which are leased or rented on an individual basis to businesses and residents for temporary storage needs, but where no commercial transactions or activities take place other than the rental of the storage units for exclusively storage purposes.

Service and fuel filling station: Any building, structure or land use for the retail sale of motor vehicle fuel and oil accessories, and which may include the servicing of motor vehicle, except that major repairs, body repairs and painting of motor vehicles shall not be considered servicing of motor vehicles.

Shall: The word "shall" is mandatory, not discretionary.

Showroom: A principal or accessory use where wholesale or retail goods are displayed.

Sight visibility triangle: The areas at the corners of an intersection of two streets, or at an intersection of a street and driveway, that must be kept free of shrubs, ground covers, berms, fences, structures, or other materials or items that would obstruct views at heights between thirty (30) inches to twelve (12) feet as measured from the ground.

Slaughterhouse: A facility for the slaughtering and processing of animals and the refinement of their byproducts. This term includes rendering plants.

Skilled nursing care facility: A facility which admits residents on medical referral; it maintains the services and facilities for skilled nursing care and has an agreement with a physician and dentist who will provide continuing supervision including emergencies; it complies with rules and regulations of the Georgia Department of Human Resources or state agency with jurisdiction as may be reorganized. The term "skilled nursing care" means the application of recognized nursing methods, procedures, and actions directed toward implementation of the physician's therapeutic and diagnostic plan, detection of changes in the human body's regulatory system, preservation of such body defenses, prevention of complications and emotional well-being.

Solid waste transfer facility: A fixed facility where solid waste from collection vehicles is consolidated and temporarily stored for subsequent transport to a permanent disposal site.

Special event facility: A facility or assembly hall available for lease by private parties or special events such as weddings. This term includes wedding chapels.

Street furniture: Those features associated with a street that are intended to enhance the street's physical character and use by pedestrians, such as benches, trash receptacles, planting containers, pedestrian lighting, kiosks, etc.

Streetscape: An area that may either abut or be contained within a public or private street right-of-way or access way that may contain sidewalks, street furniture, trees and landscaping, and similar features. Streetscape also includes the visual image of a street, including the combination of buildings, parking, signs, and hardscapes.

Structure: Anything built, constructed or erected, or established or composed of parts joined together in some definite manner, the use of which requires location on the ground or which is attached to something having permanent location on the ground. For purposes of this zoning ordinance, swimming pools, and tennis courts, are considered structures. Tents, vehicles, trailers, and play equipment attached to the ground in some permanent or temporary way shall be considered structures. A structure may or may not be easily moved from a given location on the ground. Walls and fences are considered structures but are subject to setback regulations for walls and fences rather than principal or accessory building setback regulations.

Subdivision: The division of a tract or parcel of land into two (2) or more lots, building sites, lease lots, or other divisions for the purpose, whether immediate or future, of sale, lease, legacy, or building development. The term shall include the opening of a new road, a change in existing roads, or divisions of land involving the extension of water, sewer, or gas lines. The term includes re-subdivision and, where appropriate to the context, relates to the process of subdivision or to the land or area subdivided.

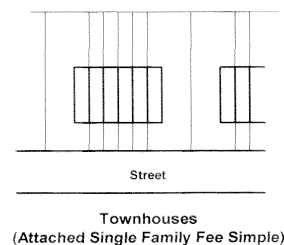
Substantial accordance: Strong, yet not precise, conformity such that an ordinary person would conclude that all essential elements are met.

Taxi-cab or limousine service: Any place used to dispatch motor vehicles with drivers for hire.

Tow service: An establishment that dispatches towing vehicles and which provides for the temporary storage of vehicles but does not include disposal, disassembly, salvage, or

accessory storage of inoperable vehicles. This term is distinguished from “wrecked motor vehicle compound” and “salvage yard” as defined herein.

Townhouse: One (1) of a group of three or more single-family, attached dwelling units under fee simple ownership.



Source: John Matusik and Daniel Deible. “Grading and Earthwork.” Figure 24.30 in Land Development Handbook, 2nd ed. New York: McGraw-Hill, 2002, p. 571.

Trail: A way designed for and used by equestrians, pedestrians, and/or cyclists using non-motorized bicycles.

Trash enclosure: An accessory use of a site where trash and/or recyclable material containers, or any other type of waste or refuse container is stored.

Truck stop: An establishment engaged primarily in the fueling, servicing, repair, or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A truck stop may also include overnight accommodations, showers, or restaurant facilities primarily for the use of truck drivers.

Use, accessory: A use of land subordinate to the principal building or use on a lot for purposes incidental and related to the principal building or use and located on the same lot therewith.

Use, conditional: A use that would not be appropriate generally or without restriction throughout a particular zoning district and is not automatically permitted by right within said zoning district, but which, if controlled as to number, area, location, relation to the neighborhood or other pertinent considerations, may be found to be compatible and approved by the Oxford City Council after review and recommendation by the Oxford Planning Commission within that particular zoning district as provided in certain instances by this zoning ordinance. An approved conditional use runs with the property.

Use, permitted: A use by right which is specifically authorized in a particular zoning district.

Use, public: Any building, structure, or use owned and/or operated by the federal government, state of Georgia, Newton County or other County, a municipality, or any authority, agency, board, or commission of the above governments, that is necessary to serve a public purpose, such as but not limited to the following: government administrative buildings, post offices, police and fire stations, libraries and publicly operated museums, public health facilities and public hospitals, public works camps, parks and community centers, public roads and streets, water and sanitary sewerage intake, collection, pumping, treatment, and storage facilities, emergency medical facilities, and jails and correctional facilities.

Use, temporary: A use or structure is in place for only a short period of time.

Used: The word "used" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

Variance: A grant of relief from the requirements of this zoning ordinance which permits construction or use in a matter otherwise prohibited by this zoning ordinance; A minimal relaxation or modification of the strict terms of the height, area, placement, setback, yard, buffer, landscape strip, parking and loading, or other regulations which are dimensional in nature as applied to specific property when, because of particular physical surroundings, shape, or topographical condition of the property, compliance would result in a particular hardship or practical difficulty upon the owner, as distinguished from a mere inconvenience or a desire to make a profit.

Variance, administrative: A variance which is authorized to be approved by the Zoning Administrator under the terms of this zoning ordinance.

Vehicle emission testing facility: A building, structure, or use which is specifically designed to test the vehicle emissions of vehicles for compliance with air quality standards.

Warehouse: A use involving the storage of products, supplies, and equipment, and which typically involve truck transportation to and from the site.

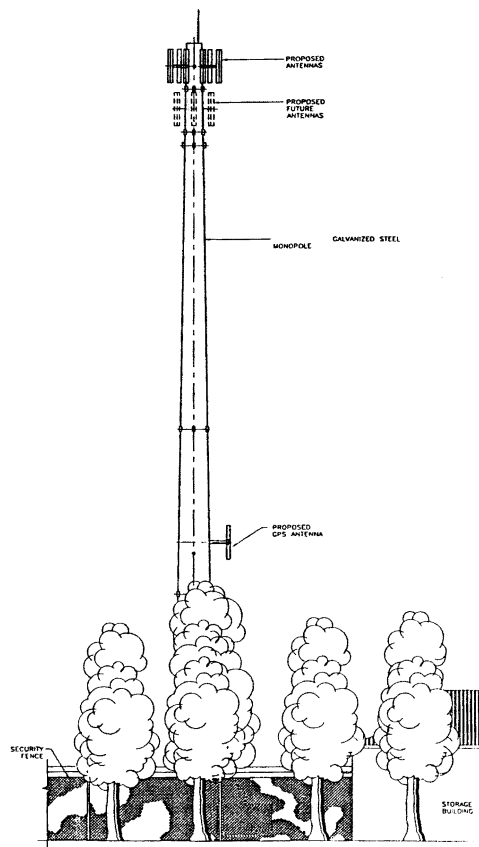
Wetlands: Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wastewater treatment plant: A facility or group of units used for the treatment of industrial or domestic wastewater for sewer systems and for the reduction and handling of solids and gasses removed from such waste, whether or not such facility is discharging into state waters.

Wholesale trade establishment: An establishment engaged in the selling or distribution of merchandise to retailers, to industrial, commercial, institutional or professional business users, or to other wholesalers.

Wireless telecommunication equipment: Any equipment used to provide wireless telecommunication service, but which is not affixed to or contained within a wireless telecommunication facility, but is instead affixed to or mounted on an existing building or structure that is used for some other purpose. Wireless telecommunication equipment also includes a ground mounted base station used as an accessory structure that is connected to an antenna mounted on or affixed to an existing building.

Wireless telecommunication facility: Any freestanding facility, building, pole, tower, or structure used to provide wireless telecommunication services, and which consists of, without limitation, antennae, equipment and storage and other accessory structures used to provide wireless telecommunication services.

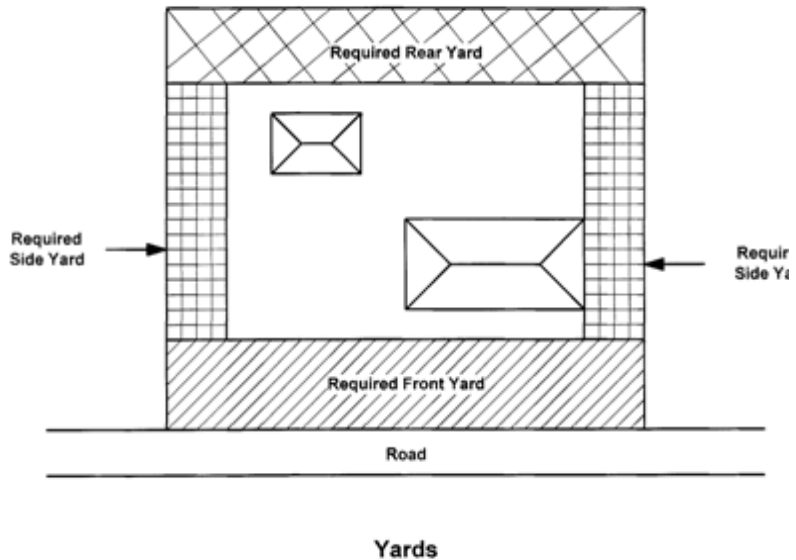


Wrecked motor vehicle compound: An area used to store disabled or impounded motor vehicles until such time as their disposition (either by junk, salvage, repair, etc.) has been determined by the insurance company, the owner of the vehicle, or his legal representative.

Xeriscaping: Landscaping characterized by the use of vegetation that is drought-tolerant or a low water use in character.

Yard: A space on the same lot with a principal building, open unoccupied and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted.

Yard, front: An open, unoccupied space on the same lot with a principal building, extending the full width of the lot, and situated between the street right of way and the front line of the building projected to the side lines of the lot. For corner and double frontage lots, front yard requirements apply to all road frontages. Where “build to” line requirements are specified in this zoning ordinance, they supersede front yard requirements.



Yard, side: An open, unoccupied space on the same lot with the principal building, situated between the building and the side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

Yard, rear: An open, unoccupied space on the same lot with a principal building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot.

Yard sale: The temporary sale of home furniture, appliances, clothing and/or domestic items owned by an occupant of a residential dwelling and taking place on the premises on which such occupant resides, whether in the yard or in a carport or garage. Yard sales which do not take place on the premises on which such occupant resides are considered open-air businesses, except that this shall not be construed to prevent the sale of such items by another family or household in connection with an event where such items are sold by the occupant of a residence on the premises where the yard sale occurs. This term includes garage sales.

Zoning Administrator: The functions of the zoning administrator shall be as assigned by Mayor and Council and may principally include the administration, interpretation, and enforcement of zoning, sign, soil erosion, flood damage prevention, subdivision, land development, and related regulations adopted and enforced by the city.

Zoning map: The official zoning map or maps of the City of Oxford.