

# **CITY OF CHICKAMAUGA OVERLAY DISTRICT ORDINANCE**

**CHICKAMAUGA, GEORGIA**

**JANUARY 3, 2006**  
(Revised July 3, 2006)

**CITY OF CHICKAMAUGA  
STATE OF GEORGIA**

**ORDINANCE NO. 236**

**City of Chickamauga  
Overlay District Ordinance**

**AN ORDINANCE TO REGULATE AND GUIDE DEVELOPMENT IN THE U.S.  
HIGHWAY 27 DISTRICT AND INCLUDING LEE & GORDON MILL ROAD AND  
CRITTENDEN AVENUE, TO THE COKE OVEN BRANCH, SECTIONS OF THE CITY  
OF CHICKAMAUGA, GEORGIA.**

**Section 1.00 GENERAL LAND DEVELOPMENT REGULATIONS**

**1.01 INTRODUCTION**

New Development within the Chickamauga Overlay District is expected to be designed with these design guidelines in order to maintain the uniqueness that the Chickamauga Chattanooga National Military Park lends to its surrounding area; the beauty of mountains and meadows; the historic venues; the rural lifestyle; and the county's heritage and its desire to reflect this unique charm. These design guidelines provide a set of criteria that shall be used in all new development within this area for development that will complement the historical nature of the surrounding community. The ultimate goal of these design guidelines is to direct physical and visual changes to create an architecturally and physically cohesive area of specified historic character. These design guidelines are meant to create a strong identity for the Chickamauga Overlay District area as a distinctive place to shop, visit, work, and live, and are a means of bringing together the interests of individual property owners and the general public to achieve mutual benefits.

**1.02 PURPOSE AND INTENT**

The guidelines are intended to help site planners and urban designers look beyond their individual buildings and single parcels of land, to shape the physical features of their development in a manner consistent with preferred principles of community design.

**1.03 SITE PLANNING**

The site plan, building design, and landscaping of new development should achieve high quality and appearance that will enhance and be compatible with the historic character of the surrounding area.

Site planning and design of projects proposed (adjacent to dissimilar land uses) should carefully address

the potential undesirable impacts on existing uses. These impacts may include traffic, parking, circulation and safety issues, light and glare, noise, odors, dust control and security concerns. Due to these issues, some land uses are not permitted in the Overlay District. Please see Appendix A.

## 1.04 PROTECTING THE NATURAL ENVIRONMENT

1.04.1 The purpose of this section is to:

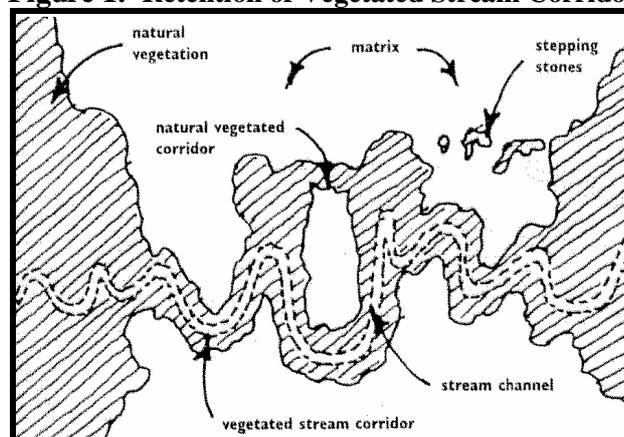
1.04.1.1 Evaluate the proposed development's compatibility with the existing environment to determine the limitations and capabilities of the site for development.

1.04.1.2 Conserve and protect natural resources, including air quality, trees, natural vegetation, existing topography, streams, creeks, wetlands, watersheds, water quality, and wildlife habitat. Development shall be limited to a level that does not exceed the capabilities and requirements of a healthy environment.

1.04.1.3 Significant site features such as habitats, natural ground forms, existing site vegetation, large rock outcroppings, water, and significant view corridors shall be identified and incorporated into development plans. Where possible, a diversity of habitats is preferred.

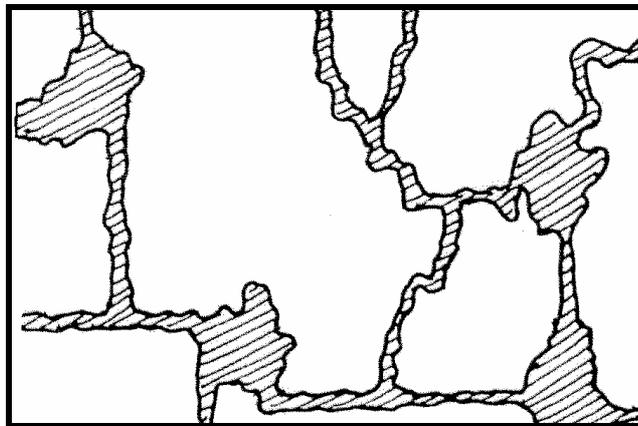
1.04.2 Riparian zones, stream corridors, and wetlands shall be protected for their wildlife habitat and other values. Development plans for these areas would treat these components as assets. A continuous, connected, natural vegetative corridor shall be preserved along all creek and stream corridors to provide stream quality protection and for the efficient movement of wildlife throughout the area. No fill, removal, or modification of a riparian area will take place, unless there is no reasonable and feasible alternative. The alteration or improvement of significant natural resource areas where permitted, will ensure that potential losses are mitigated and best management practices are employed to minimize permanent damage. (See Figure 1).

**Figure 1. Retention of Vegetated Stream Corridor**



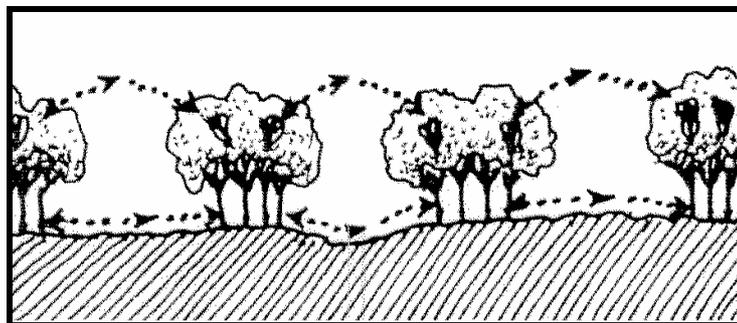
- 1.04.3 Existing vegetation shall be retained to the maximum extent possible. Clearing of native vegetation will be limited to that required for the provision of essential purposes (i.e., access, building, sewage disposal, etc.). Where appropriate, existing native vegetation is to be enhanced with plantings of the same variety.
- 1.04.4 Preserve patches of high-quality habitat, as large and circular as possible, feathered at the edges, and connected by wildlife corridors. (See Figure 2).

**Figure 2. Habitat Patch Preservation and Connection**



- 1.04.5 When continuous greenspace corridors cannot be provided or must be broken up for road access or other valid reasons, patches shall be retained as “stepping stones” for wildlife corridors. (See Figure 3).

**Figure 3. Stepping Stones**



**Source: Dramstad, Olson and Forman 1996.**

## **1.05 SITE GRADING**

- 1.05.1 Developments shall be designed to fit the existing contours and landform of the site and to

minimize the amount of earthwork. Excavation and earthwork should be kept to a minimum to reduce visual impacts and erosion. Where cut and fill is required, balancing the cut and fill is highly encouraged.

1.05.2 Abrupt or unnatural-appearing grading is to be avoided, as is the creation of harsh, easily eroded banks and cuts.

1.05.3 The height and length of retaining walls must be minimized and screened with appropriate landscaping. Tall, smooth-faced concrete retaining walls should be avoided in highly visible areas. Terracing should be used as an alternative to the use of tall or prominent retaining walls, particularly in highly visible areas on hillsides. Disturbed areas that are not used for roads, buildings, or other auxiliary uses are to be replanted.

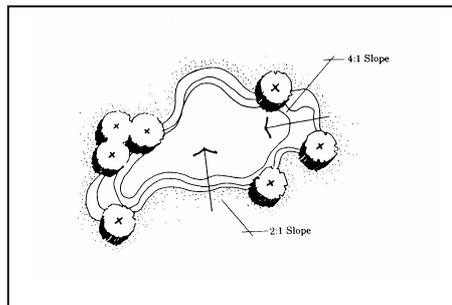
## 1.06 DRAINAGE

1.06.1 Natural on-site drainage patterns shall be used where practicable. Detain runoff with open, natural drainage systems where possible.

1.06.2 Design man-made lakes and stormwater ponds for maximum habitat value and/or to serve as amenity features. (See Figure 4).

**Figure 4.**

**Drainage Feature as an Amenity**



## 1.07 UTILITIES

All utilities to new construction shall be placed underground, including electric power lines, telephone lines, cable television and internet lines, water, sewer, and natural gas. All utility plans for service to new construction must be reviewed and approved by the City prior to construction.

## **Section 2.00 COMMERCIAL DEVELOPMENT**

### **2.01 INTRODUCTION**

Notwithstanding other land development regulations to the contrary, this Section shall apply to any commercial business seeking to locate within the boundaries of this Chickamauga Overlay District subsequent to the date of adoption of this Section. As performance standards, the provisions herein are general, allowing for flexibility in their application at the discretion of the Planning Commission and the City Council.

### **2.02 GENERAL**

Proposed residential developments within the Overlay District shall conform to all regulations in all sections of the Chickamauga Zoning and Subdivision Ordinances.

### **2.03 PURPOSES AND INTENT**

The purposes of this Section are to:

- 2.03.1 Provide general performance standards by which applications for commercial development will be evaluated and approved by the Planning Commission, and by which the actual performance of those operations and uses will be monitored by the City for compliance.
- 2.03.2 Protect the City in general, and abutting and neighboring landowner in particular, from potential negative impacts that new commercial uses may have on the physical environment, efficient use of city resources, and the quality of life enjoyed by City residents.
- 2.03.3 Facilitate sharing of access points from highways, and driveway connections linking businesses on adjoining properties.
- 2.03.4 Help developers successfully integrate new construction into rural landscapes by promoting permanent open space between roadside commercial developments conserving views of surrounding countryside.
- 2.03.5 Promote environmentally sensitive and efficient uses of the land.
- 2.03.6 Reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in commercial development.
- 2.03.7 Preserve unique or sensitive natural resources such as groundwater, farmland, wetlands, streams, mature trees, and/or historic sites and resources.

## **SECTION 3.00 COMMERCIAL DESIGN GUIDELINES**

### **3.01 GENERAL**

In addition to avoiding environmentally sensitive areas such as Wetlands, Steep Slopes and Significant Groundwater Recharge Areas, layouts should avoid Environmentally-Sensitive or Historically or Culturally Significant areas, such as, but not limited to, archaeological sites, cemeteries and burial grounds; important historic sites and structures; significant trees (larger than twelve (12) inches caliper). Floodplains should be addressed using guidelines established by the Federal Emergency Management Agency under the National Flood Insurance Program.

### **3.02 MAXIMUM SETBACK**

Retail buildings and offices should be placed to conform with existing setbacks. The area between buildings and the street should be planted with a variety of trees, shrubs and perennial flowers.

### **3.03 ROADSIDE TREES**

Because roadside canopy shade trees are extremely important to the character of the city, removal of trees over five (5) inches in caliper should be minimized within 50 feet of the edge of the road pavement. Removal of existing trees can usually be lessened by shifting the site of the building, parking lot, or the entrance/exit drive. If trees are removed, they are to be replaced with deciduous hardwoods and/or flowering ornamentals, such as listed in Section 3.10.1, not including evergreens, at least 2 inches caliper to the point of one every thirty-five (35) feet (approximately). Where trees do not exist within 50 feet of the road pavement, new trees are to be planted approximately every thirty-five (35) feet along the road to maintain rural character. Such trees are not required to be planted in a row, and should be deciduous hardwoods and flowering ornamentals, such as listed in Section 3.10.1; 3.10.5, not including evergreens, in order that a stately atmosphere of tall, leafy tree canopies may ultimately be created.

### **3.04 RURAL LANDSCAPE DESIGN ELEMENTS**

Trees, shrubs, painted wood fences and rock walls are encouraged to maintain rural character and integrate the new construction into the rural landscape. Material such as chain link and barbed wire are not to be used. Landscapes should use native or locally adaptable species and help blend the development with the surrounding countryside to the greatest extent practicable.

### **3.05 COMPATIBLE BUILDING DESIGNS**

Building placement, height, massing, roof shapes, window proportions and exterior materials should be compatible with the Battlefield area's historic architectural styles. No mechanical equipment should be mounted on roofs unless suitably screened or enclosed so as not to be visible from any property line or public road, using a material and architectural design compatible with the building on which it is

located.

### **3.06 STORM DRAINAGE**

The runoff from parking and loading areas, buildings, and other impervious surfaces greater than 5,000 sq. ft. shall be detained and treated in constructed wetlands or bio-retention areas (rain gardens) using engineered soil and aquatic grasses promoting natural filtering of pollutants and infiltration of stormwater into the ground. Stormwater management practices shall be followed such as those recommended by the Center for Watershed Protection, Ellicott City, MD ([www.cwp.org](http://www.cwp.org)) or as described in the Georgia Stormwater Manual ([www.georgiastormwater.com](http://www.georgiastormwater.com)).

### **3.07 LANDSCAPED BUFFERS**

A landscaped buffer at least twenty-five (25) feet wide shall be provided as a buffer when commercial properties abut residential districts. A landscaped buffer shall be thickly vegetated, with a width, length, and mixture of planting materials that is sufficient to visually screen the view of parked vehicles and loading spaces. See Section 3.10 for planting standards. Such screening shall consist of mixture of evergreen and deciduous shade trees and shrubbery.

### **3.08 PARKING LOT LANDSCAPING AND SCREENING STANDARDS:**

- 3.08.1 Parking lots that face a street should be partially screened from the street by a low fence, wall, hedge, berm, or vegetated buffer. Such roadside screening should consist of a mixture of deciduous and evergreen trees and shrubbery.
- 3.08.2 Parking areas should be screened along their periphery. The use of native trees and shrubs is strongly encouraged wherever possible (refer to Section 3.10 for shrub and tree species).
- 3.08.3 In instances where healthy plant material exists on a site prior to its development, in part or in whole, the Planning Commission may adjust the application of these landscaping standards to allow credit for such plant material if, in its opinion, such an adjustment is in keeping with and will preserve the intent of these standards.

### **3.09 SELECTION OF TREES**

Use trees, shrubs and ground covers which have demonstrated 'survivability' under the specific conditions of this region and of the planting site, and are non-invasive. A mixture of trees that would appear together in nature is encouraged. Select trees as appropriate for either shade, or seasonal color, or protection and nesting of birds and other wildlife.

### **3.10 TREE AND SHRUB SELECTION FOR ROADSIDES, PARKING**

## **LOTS AND YARDS**

Consult a local nursery, qualified arborist, or the agricultural extension office for assistance. Trees and shrubs used with success in this region are as follows:

### **3.10.1 SHADE TREES**

Along roadsides and as interior and border trees in parking lots, use deciduous shade trees including Willow Oak, Tulip Poplar, Fastigiate English Oak “Willamette,” Yellowwood, Sawtooth Oak, Goldenrain Tree, Sourwood, Sweet Gum, Japanese Zelkova, Ginko (male plant) and River Birch.

### **3.10.2 SCREENING TREES**

For visual screening of parking lots and other areas, use evergreen trees including Leyland Cypress, Foster Holly, American Holly, Southern Magnolia, Wax Myrtle, Canadian Hemlock, and Deodar Cedar.

### **3.10.3 SCREENING SHRUBS**

For visual screening of parking lots and other areas, use evergreen shrubs including Japanese Aucuba, Wintergreen Barberry, Japanese Boxwood, Japanese Holly, Otto Luken Laurel and Frazer Photinia.

### **3.10.4 LOW CLEARANCE TREES**

Beneath utility wires, consider tree-form Crape Myrtle or Stewartia.

### **3.10.5 DECORATIVE TREES**

In parking lots and yards, use deciduous flowering trees for seasonal color, including Eastern Redbud, Flowering Dogwood, Yoshino Cherry, Red Maple and Lacebark Elm.

### **3.10.6 DECORATIVE SHRUBS**

In parking lots and yards, use flowering shrubs for seasonal color, including Glossy Abelia, Glenn Dale Azalea, Flowering Quince and Border Forsythia.

## **3.11 ARCHITECTURAL DESIGN**

3.11.1 Architectural design shall be compatible with the character of the Chickamauga Chattanooga National Military Park community. Design compatibility includes complementary building style, form size, color, materials, and detailing. The designer must consider each of the following contexts as part of the design process:

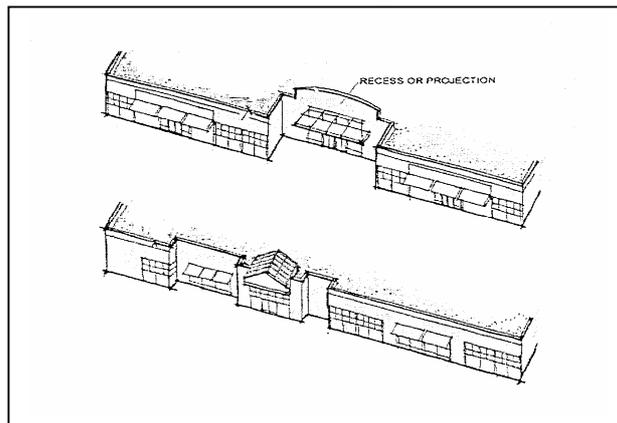
3.11.1.1 Size (the relationship of the project to its site);

3.11.1.2 Scale (the relationship of the building to those around it);

3.11.1.3 Massing (the relationship of the building’s various parts to each other);

- 3.11.1.4 Fenestration (the placement of windows, doors, and other architectural details);
  - 3.11.1.5 Rhythm (the relationship of fenestration, recesses and projections);
  - 3.11.1.6 Setback (in relation to setback of immediate surroundings);
  - 3.11.1.7 Materials (their compatibility with the historic district); and,
  - 3.11.1.8 Context (the overall relationship of the project to its surroundings).
- 3.11.2 Efforts must be made to coordinate the height of buildings with adjacent structures; this is especially applicable where buildings are located very close to each other. It is encouraged to adjust the height of a wall, cornice, or parapet line to match that of an adjacent or neighboring building.
- 3.11.3 “Theme” or stylized architecture which is characteristic of the surrounding historic area is encouraged, with the intent of achieving architectural harmony.
- 3.11.4 Multiple buildings on the same site should be designed to create a cohesive visual relationship between the buildings.
- 3.11.5 Long or continuous wall planes shall be avoided, particularly in pedestrian activity areas, where buildings should exhibit more detail and elements appropriate for close range pedestrian view.
- 3.11.6 Building surfaces over 50 feet in length should be relieved with changes of wall plane (i.e., recesses and projections, see Figure 5) that provide strong shadow or visual interest.

**Figure 5  
Recesses and Projections**



### **3.12 BUILDING MATERIAL, FINISHES, AND COLORS**

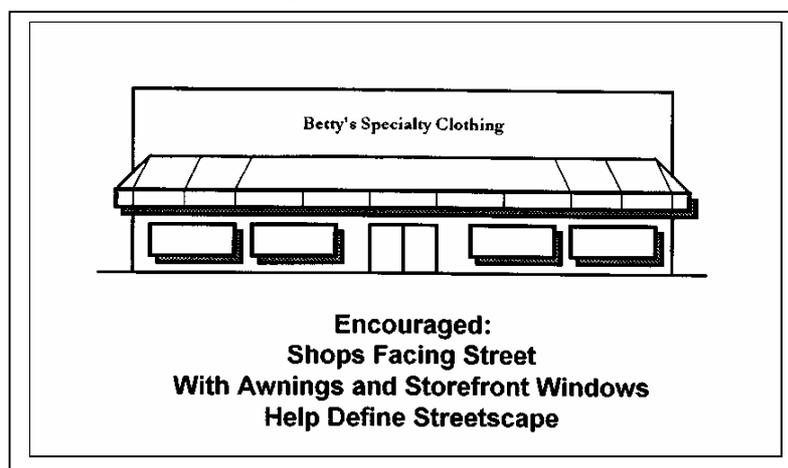
- 3.12.1 All sides of a building may have an impact on its surroundings and should be considered for treatment with an architectural finish of primary natural materials (i.e., brick, wood and stone), unless other materials demonstrating equal or greater quality are used.

Secondary materials (i.e., stucco and metal) should be used for decorative elements and trim only. Alternatives to the above materials will be considered for approval by the Planning Commission.

- 3.12.2 The following types of building materials should not be used: highly reflective, shiny, or mirror-like materials; exposed, unfinished foundation walls; exposed plywood or particle board; and un-plastered, exposed concrete masonry blocks, or exterior insulative finish systems.
- 3.12.3 Facade colors should be low reflectance, and subtle, neutral, or earth-tone colors. High-intensity colors, metallic colors, or fluorescent colors should not be used. Building trim and accent areas may feature brighter colors, including primary colors, provided that the width of the trim shall not exceed four feet.
- 3.12.4 Building colors should be carefully chosen so that each building color complements that of its neighbors. Colors can be classified as the “base” color (used on the majority of the building surface), “trim” color (used on the window trim, fascia, balustrades, and posts), and “accent” color (used on signs, awnings, and doors). The base color should consist of more subdued earth tones or brick shades.
- 3.12.5 The use of awnings on buildings is permitted to provide much needed protection from sun, wind, and rain, and to improve aesthetics of the building exterior. (See Figure 6).

**Figure 6**

**Awnings and Storefront Windows**



- 3.12.6 It is recommended that awnings be constructed with a durable frame, covered by a canvas or metal material. Awnings that are backlit through translucent materials must be approved by the Planning Commission. Aluminum and other metal canopies are acceptable in most instances, particularly when integrated into shopping center designs. Canvas or metal awnings and canopies may be used.

- 3.12.7 The design of fences and walls shall be compatible with the architecture of the main building(s) and should use similar materials. All walls or fences fifty (50) feet in length or longer, and four (4) feet in height or taller, should be designed to minimize visual monotony by changing plane, height, material or material texture, or significant landscape massing. Chain link or barbed wire fencing is not allowed. Use of special fencing design or materials should be discussed in cases where site security is paramount.
- 3.12.8 All garbage dumpsters and other similar areas devoted to the storage of waste material should be screened on three (3) sides of said dumpster or area, with a minimum six (6) foot high solid wooden fence or a wall constructed of materials substantially similar in appearance to the building on site. In addition, said dumpster areas should be gated on the fourth side with a material that provides opaque screening.

### **3.13 EXTERIOR LIGHTING**

- 3.13.1 Exterior lighting should be architecturally compatible with the building style, material, and colors.
- 3.13.2 Exterior lighting of the building and site should be designed so that light is not directed off the site, and the light source is shielded from direct offsite viewing. All outdoor light fixtures should be fully shielded or be designed or provided with light angle cut-offs, so as to eliminate up-lighting, spill light, and glare.
- 3.13.3 Excessive illumination of signage, building, or site should be avoided.
- 3.13.4 Fixture mounting height should be appropriate for the project and the setting. The mounting height of fixtures in smaller parking lots or service areas should not exceed twenty (20) feet, with lower mounting heights encouraged, particularly where adjacent to residential areas or other sensitive land uses. Use of low, bollard-type fixtures that are three (3) to four (4) feet in height, are encouraged as pedestrian area lighting.
- 3.13.5 Select lighting layouts and fixtures that minimize glare, light trespass, shadows, excessive light levels, skyglow and inaccurate color rendition. The techniques listed below are those that enable good vision, safety, and a sense of security at night while, at the same time, create an attractive appearance, protect neighbors' property values, and maintain the county's rural character.
- 3.13.6 To minimize glare, and light trespass onto neighbors' properties or public rights-of-way:
- 3.13.6.1 For flood lights and flood lamps, aim fixtures down at least sixty (60) degrees from vertical. For fixtures installed less than sixty (60) degrees down

from vertical, use shields, cut-offs, visors, reflectors, louvers, or other devices such that no portion of the light bulb or lens extends below the bottom edge of the external shield. Where flood lights and display lights are installed within fifty (50) feet of a public street right-of-way, aim fixtures and install shields, louvers and/or other devices to prevent any lamp or lens from being visible from off the property.

- 3.13.6.2 For Wall Mounted lighting fixtures and Pole Mounted Open-Bottom security lighting fixtures, select full cut-off or fully shielded fixtures in which the light source is not directly visible from beyond the property line.
- 3.13.6.3 For yard and parking lot lighting fixtures other than flood lamps and flood lights, select either cutoff fixtures or use fixtures with lamps that do not exceed 9500 initial lamp lumens (equal to 100-watt high pressure sodium lamp).
- 3.13.6.4 The mounting height of outdoor lighting for parking lots, outdoor areas and outdoor sales and display areas should not exceed thirty-seven (37) feet above finished grade.
- 3.13.7 Avoid excessive light levels that waste energy and money, and create disabling glare. Studies show that brighter light does not always allow the best viewing, for it creates very dark shadows on the fringe of the lighted area to which the eye does not easily adjust. Experiment with low wattage bulbs, and use shielded lights that use visors or reflectors to direct light onto the intended area instead of wasting some of it, to save energy and money and prevent glare.
- 3.13.8 For accurate night time color rendition, use bulbs that give a white light such as incandescent, compact fluorescent, metal halide or quartz. When color accuracy is not important, use low-pressure sodium (LPS) bulbs that are low cost to buy and operate.
- 3.13.9 Permanent searchlights, laser lights, flashing, moving, revolving, flickering, or 'strobe' lights, or any lights that change intensity or color, are prohibited.

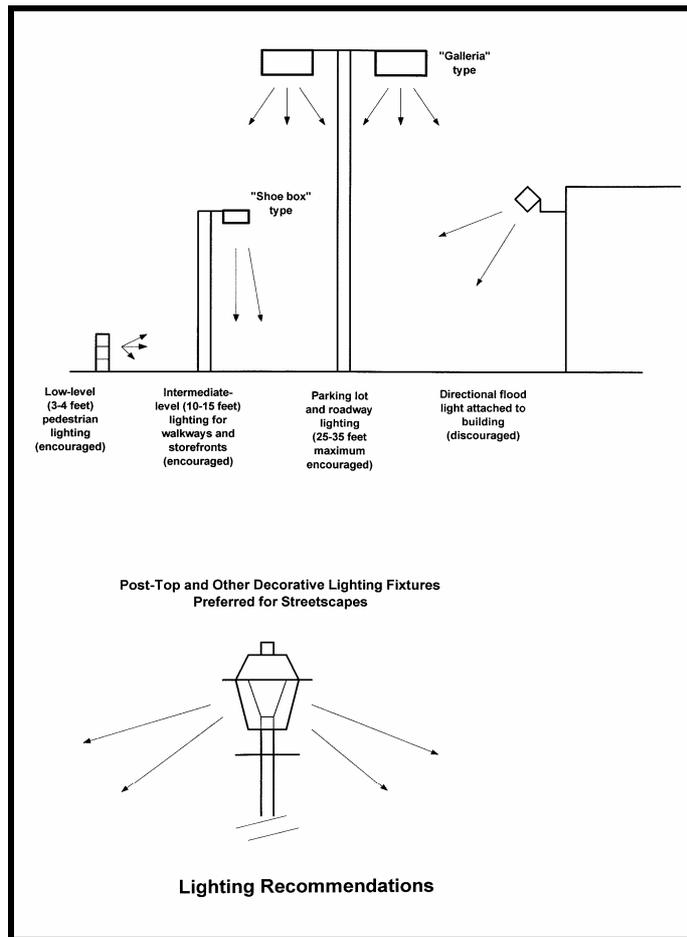


Figure 7

## **SECTION 4.00 PERFORMANCE STANDARDS**

### **4.01 NOISE**

Excessive noise should be muffled so as not to be objectionable due to intermittence, beat frequency, shrillness, or volume.

### **4.02 AUTOMOBILE RELATED ESTABLISHMENTS**

- 4.02.1 Service areas shall provide adequate queuing space that does not impede vehicle circulation through the site or result in vehicles stacking into the street.
- 4.02.2 Perimeter and security fencing, when needed, should be constructed of attractive materials that are compatible with the design and materials used throughout the project.
- 4.02.3 Fencing design materials such as chain link, razor wire or electric fencing may not be used.
- 4.02.4 Separate structures on the site (i.e., canopy, cashier's booth, car washes, etc.) should have consistent architectural detail and design elements to provide a cohesive project site. If a car wash is incorporated into the project, it should be well integrated into the design.
- 4.02.5 The outside storage of vehicles, equipment, and merchandise to be rented, leased, or sold, including manufactured home sales, shall not be permitted in the Overlay District.

### **4.03 BURDEN OF PROOF**

- 4.03.1 The applicant for a permit to construct or operate a proposed business or processing use that has the potential, in the judgment of the Planning Commission, to create negative external effects related to the above performance standards, has the burden of proof of demonstrating, as a condition of approval: That the proposed use will comply with the standards contained or referred to above; and that adequate provisions will be made to reduce and minimize any objectionable elements to the degree necessary to insure that the proposed use will not be noxious, hazardous, or offensive as defined above.
- 4.03.2 In order to determine that adequate safeguards are provided, the Planning Commission may:
  - 4.06.2.1 Require that the applicant submit necessary information, plans, impartial expert judgments, and written assurances.
  - 4.06.2.2 Obtain the expert advice of official agencies, or of private consultants.
  - 4.06.2.3 Make such reasonable tests as are deemed necessary.

## **SECTION 5.00 APPLICATION PROCESS, COMMERCIAL**

### **5.01 BUILDING PERMIT PRE-APPLICATION SUBMITTALS**

The pre-application submittals described below are required for Building Permit applicants in this Overlay District. Applicants will be charged a pre-application fee, as established by the Chickamauga City Council, to cover cost of the site visit, and staff and Planning Commission pre-application plan reviews.

### **5.02 PRE-PLANNING SITE VISIT**

In order to facilitate eventual Planning Commission review of the development, Applicant shall consult with the Planning Office to obtain advice and assistance prior to preparing layouts or designs for the proposed development. This consultation may occur at the site of the proposed development, and be attended by Applicant, Applicant's designer, Planning Office staff or consultant, and other necessary parties, as members of the Planning Commission. No decisions shall be taken during such open-air meetings. The purpose of this visit is to discuss Applicant's objectives, review Applicant's documentation and analysis of existing conditions, and discuss optional concepts for site layout. Applicant shall prepare and bring to this meeting the information necessary to make an informed decision.

### **5.03 PRELIMINARY PLAT REVIEW**

Applicant shall submit a Preliminary Plat for review following the pre-planning site visit and prior to preparing the Final Plat. The Preliminary Plat will then be submitted to the Planning Office at least (7) days prior to the Planning Commission meeting at which the Preliminary Plat is to be discussed.. Applicant is strongly encouraged to review the Preliminary Plat with abutting property owners prior to its submittal to the Planning Office. The Preliminary Plat shall include:

- 5.03.1 Name and address of land owner and Applicant.
- 5.03.2 Name and address of the professional land planner, architect, landscape architect, engineer or site designer responsible for preparing the plan.
- 5.03.3 Graphic scale same as Existing Resources and Site Analysis Map but not greater than 1 inch = 100 feet (although dimensions on this plan need not be exact), with north arrow and date.
- 5.03.4 Approximate tract boundaries, acreage of land to be subdivided, zoning district, utilities, easements, streets on and adjacent to tract both existing and proposed.
- 5.03.4 Vicinity map.
- 5.03.5 Schematic layout of site.
- 5.03.6 General description of proposed method of water supply, sewage disposal and stormwater management.

## **SECTION 6.00 RESIDENTIAL DEVELOPMENT**

### **6.01 INTRODUCTION**

Notwithstanding other land development regulations to the contrary, this Section shall apply to any commercial business seeking to locate within the boundaries of this Chickamauga Overlay District subsequent to the date of adoption of this Section. As performance standards, the provisions herein are general, allowing for flexibility in their application at the discretion of the Planning Commission and the City Council.

### **6.02 GENERAL**

Proposed residential developments within the Overlay District shall conform to all regulations in all sections of the Chickamauga Zoning and Subdivision Ordinances.

### **6.03 PURPOSE AND INTENT**

The intent of this Section is to provide standards for development of residential subdivisions within the Overlay District, by providing flexibility of design in order to provide and preserve open space, while accommodating the amount of development that otherwise would not be legally possible under conventional subdivision designs, and that:

- 6.03.1 Preserve in perpetuity unique or sensitive natural resources such as groundwater, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- 6.03.2 Preserve important historic and archaeological sites.
- 6.03.3 Permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- 6.03.4 Reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- 6.03.5 Provide areas of open space accessed and utilized by residents of conservation developments for passive and/or active recreation.
- 6.03.6 Contribute to an interconnected network of permanent open space in the County.
- 6.03.7 Promote undivided open spaces within, and between, new developments.

- 6.03.8 Encourage interaction in the community by clustering houses and orienting them closer to the street, providing neighborhood gathering places and encouraging use of open space, play areas and community facilities as focal points in the neighborhood.
- 6.03.9 Encourage street designs that reduce traffic speeds and reduce reliance on arterial roads.
- 6.03.10 Conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.

## **SECTION 7.00 APPLICATION PROCESS, RESIDENTIAL**

### **7.01 PRE-PLANNING SITE VISIT**

In order to facilitate eventual Planning Commission review of the development, Applicant shall consult with the Planning Office to obtain advice and assistance prior to preparing layouts or designs for the proposed development. This consultation may occur at the site of the proposed development, and be attended by Applicant, Applicant's designer, Planning Office staff or consultant, and other necessary parties, as members of the Planning Commission. No decisions shall be taken during such open-air meetings. The purpose of this visit is to discuss Applicant's objectives, review Applicant's documentation and analysis of existing conditions, and discuss optional concepts for site layout. Applicant shall prepare and bring to this meeting the information necessary to make an informed decision.

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- 5.03.2 Name and address of the professional land planner, architect, landscape architect, engineer or site designer responsible for preparing the plan.
- 5.03.3 Graphic scale same as Existing Resources and Site Analysis Map but not greater than 1 inch = 100 feet (although dimensions on this plan need not be exact), with north arrow and date.
- 5.03.4 Approximate tract boundaries, acreage of land to be subdivided, zoning district, utilities, easements, streets on and adjacent to tract both existing and proposed.
- 5.03.4 Vicinity map.
- 5.03.5 Schematic layout of site.
- 5.03.6 General description of proposed method of water supply, sewage disposal and stormwater management.

### **7.03 PRELIMINARY AND FINAL PLAT**

The preliminary plat and final plat shall be prepared by a registered Georgia surveyor, submitted by Applicant, and reviewed by the Planning Commission, and acted upon by Planning Commission in accordance with the Chickamauga Subdivision Ordinance.

## **SECTION 8.00 CONSTITUTIONALITY**

If any part of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair other parts of this Ordinance unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

## **SECTION 9.00 ADOPTION**

That this Ordinance shall become effective on the first day of the month following its adoption by the Mayor and Council of the City of Chickamauga.

Passed and adopted on this  3rd  day of  January , 2006.

Adopted January 3, 2006, as amended July 3, 2006.

**CITY OF CHICKAMAUGA, GEORGIA**

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**RAY CROWDER, MAYOR**

**Attest:**

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**Jane Ramey, City Clerk**