

STATE OF GEORGIA  
CITY OF RINCON

ORDINANCE

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF RINCON REPEALING THE CODE OF THE CITY OF RINCON, GEORGIA AT CHAPTER 90 (GROWTH MANAGEMENT), SPECIFICALLY, ARTICLE VI, SECTION 90-182 (CORRIDOR OVERLAY DISTRICT); TO BE REPLACED WITH CHAPTER 90 (ZONING AND GROWTH MANAGEMENT), SECTION 90-27.A.13 (TRADITIONAL RESIDENTIAL BUSINESS OVERLAY - TRB) THROUGH 90-37 (FORT HOWARD CORRIDOR OVERLAY); TO PROVIDE FOR NOTICE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

**WHEREAS**, the duly elected governing authority of the City of Rincon, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government;

**WHEREAS**, the Mayor and Council have authority to amend the City's ordinances from time to time and where necessary to maintain adequate regulations, and;

**NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF RINCON HEREBY ORDAINS**, in a regular meeting assembled and pursuant to lawful authority thereof, as follows:

**Sec. 90-27. - Establishment and purpose of zoning districts.**

(1)– (12) – *No Changes.*

- (13) Traditional Residential Business Overlay—TRB. Purpose of district. The TRB overlay is established for a mix of residential uses and compatible small-scale business, commercial, and institutional uses. The purpose of the TRB overlay is to promote and protect the neighborhood character while providing nearby residential areas with convenient shopping and service facilities.
- (14) Highway 21 Corridor Overlay— H21. Purpose of district. The purpose of the Corridor Overlay District is to establish minimum design standards for public improvements and property development along Highway 21 to maintain the current character of the community and its small-town agricultural heritage.
- (15) Fort Howard Corridor Overlay—FHO. Purpose of district. This district has been established to regulate development along corridors in close proximity to the gateways of the City. Of particular concern along these corridors are continued visibility, protection of existing natural resources, residential areas, and landscaping.

**Traditional Residential Business Overlay District**

	Min. Land Area Per lot	Max. Dwelling Unit per Gross Acre	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Width of Lot	Min. Depth of Lot	Min. Open Space	Max. Building Height
<b>TRB Overlay</b>	12,000 SF	4	35 ft.	15 ft.	25 ft.	100 ft.	120 ft.	55%	35 ft.

**Highway 21 Corridor Overlay District**

	Front And Street Side Setback (refer to Figures Sec. 90-36.5 And Sec. 90-36.6)	Side Setback	Rear Setback	Frontage buildout	Lot Width	Max. Impervious Surface Area (%)	Min. Building Height	Max. Building Height	Height for Mechanical/ Architectural Above the max height	Ground Floor Ceiling height
<b>Highway 21 Corridor Overlay</b>	10 ft. Min. to 20 ft. Max.	0 ft min.	5 ft min.	70% min.	20 ft Min.	80%	22 ft	3 stories or 40 ft	10 ft	12 ft min.

**Fort Howard Overlay District**

	Min. Land Area Per lot	Max. Dwelling Unit per Gross Acre	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Width of Lot	Min. Open Space	Max. Building Height
<b>Fort Howard Overlay</b>	21,780 SF	8	20 ft.	5 ft.	10 ft.	20 ft.	20%	3 stories or 35 ft

**Sec. 90-31. – Design Standards.**

(A) - (D) – No Changes.

(E) Traditional Residential Business Overlay.

Additional standards to ensure a consistent appearance with the surrounding area are described below.

(1) Roofs.

- (i) Gable or hip roof forms are required.
- (ii) Variations in the roof line shall be created to add visual interest and reduce the overall scale of buildings.
- (iii) Roofs shall be made of standing-seam metal or asphalt shingles.

(2) Exterior siding material shall consist of wood, brick, brick veneer, clapboards, simulated clapboards such as conventional vinyl, masonite or other materials of like appearance.

(3) Windows.

(i) Front facades shall have windows that encompass a minimum of 15 percent of the front façade surface area.

(ii) All windows shall be vertically shaped with a height greater than width.

(iii) With the exception of bathroom windows or sidelights adjacent to doors, required windows shall not be painted, mirrored or visibly tinted glass or glass like products.

(iv) Each occupiable room must have natural daylight and ventilation directly into the room from an adjacent exterior wall or roof, with the exception of utility rooms, storage spaces, interior bathrooms and similar areas.

(5) All mechanical equipment shall, whether roof, wall, or ground mounted, be located on the side or rear façade and screened from view from any public right-of-way.

(6) Buildings shall utilize at least two (2) of the following design features from the list below to provide visual relief along the front of the dwelling unit.

(i) Covered front porches

(ii) Pillars or posts

(iii) Louvered shutters

(iv) Side loaded garage or carport

(v) Brick chimney

(vi) Central entrance

(vii) Gables

(7) New construction should maintain a similar design aesthetic to the properties demonstrated in Figure Sec. 90-31.1, Figure Sec. 90-31.2, Figure Sec. 90-31.3.

(8) The primary structure colors shall be reviewed for compliance with the color palette on file in the Planning and Development Department.

Figure Sec. 90-31.1



Figure Sec. 90-31.2



Figure Sec. 90-31.3



(F) Highway 21 Corridor Overlay.

Developments shall divide large building masses into heights and sizes that relate to the human scale by incorporating actual or perceived changes in the building mass. Each new building with elevations over 50 lineal feet corner to corner shall be broken into smaller Major Articulations intended to convey the impression of separate buildings. Requirements for both Major and Minor Articulations will apply to the front elevation and both side elevations.

- (1) Major Articulations – Breaking up of larger elevations into smaller masses.
  - (i) Facades (over 100 feet) should be broken vertically with a maximum spacing between breaks in material or massing occurring no less than every 50 feet horizontally or at each change in occupant. (See Figure 90-31.4)
  - (ii) Each unit with a single building containing multiple units (strip mall) should treat every business's façade (more than 50 feet from the adjacent business measured entry to entry) with a change in material, color, and/or massing. (See Figure 90-31.4)
  - (iii) Use color changes, material changes, slight projections in materials, offsetting of the building envelope, or changes in parapet height to achieve the required variation. (See Figure 90-31.6)
  - (iv) In general, any change in material or color should also include a change in the profile of the material or outlined with trim.
  - (v) Changes in material and color should not abut one another within the same vertical plane.
  - (vi) Changes in a perceived massing can be achieved through slight projections of veneers (three to four inches) or changes in parapet heights and are not required to include actual offsets in the footprint.
- (2) Minor Articulations – Way in which each mass is given a variety of detail.
  - (i) Building exteriors shall all have consistent architectural features, building materials, and rooflines.
  - (ii) Development applications must include elevations for all four sides of the building.

(iii) Metal wall panels used as veneer on pre-engineered metal buildings should be limited to no more than 40% of any given façade on the front and side elevations.

(iv) The same material and color mix for the front elevation should be carried around both sides. (See Figure Sec. 90-31.4)

(v) Buildings at the corner of two public streets shall create focal points to anchor the corner. These focal points may include a chamfered corner, display windows, corner entrances, fountains, or an outdoor gathering area with landscaping and furniture. Varying the height, adding canopies, providing additional glazing, projecting materials, providing changes in materials, etc. are additional ways to create a focal point and anchor the corner. (See Figure Sec. 90-31.5)

(vi) The design of the primary entrance and individual tenant space entries must express greater architectural detail by using awnings, recessed/projected entries, changes in material, variations of the material patterning, or other similar techniques to create a focal point at the entry. (See Figure Sec. 90-31.6)

(vii) Building colors shall be earth tones, grays, pale (less than 50% color value) primary and secondary colors, white cream tones, and/or other similar colors and shall be reviewed for compliance with the color palette on file in the Planning and Development Department.

(viii) Primary façade colors shall be low reflectance, subtle, neutral or earth tone colors. Dramatic accents and/or primary colors may only be used for small areas such as trim, logos, or to distinguish an architectural feature.

(ix) The combination of dramatic accent colors or primary colors cannot compose more than 10% of any building façade while the primary façade colors shall be low reflectance, subtle, neutral or earth tone colors.

(x) Material selections and/or colors should be layered horizontally and detailed to present the appearance of a base, body, and crown. Simple metal coping topping a parapet is not a design element and cannot be considered as a crown. (See Figure Sec. 90-31.6)

(xi) Prototypical buildings designed for repetition to project a company or chain image do not generally comply with the district regulations. The designs may be acceptable if they conform to the standards or adapt their features to accomplish the standards' intent.

(xii) The following exterior materials and features are prohibited:

a) Plywood, cinderblock, unfinished poured concrete, unfaced concrete block, and plastic and/or metal not closely resembling a natural material

b) Ribbed, standard metal panels

c) Mansard roofs, low slope roofs without a parapet, and unarticulated roofs exceeding 50 feet in length without a change in parapet height

d) Incongruous architectural details or contrasting color combinations

- e) Unscreened chain link or woven metal fences
- f) Use of highly reflective glass or other reflective materials as the main building feature
- (xiii) Some consideration may be given to the following:
  - a) Architectural poured in place concrete or concrete veneer panels
  - b) Mansard roofs used only to focus attention on primary entries or corners

Figure Sec. 90-31.4

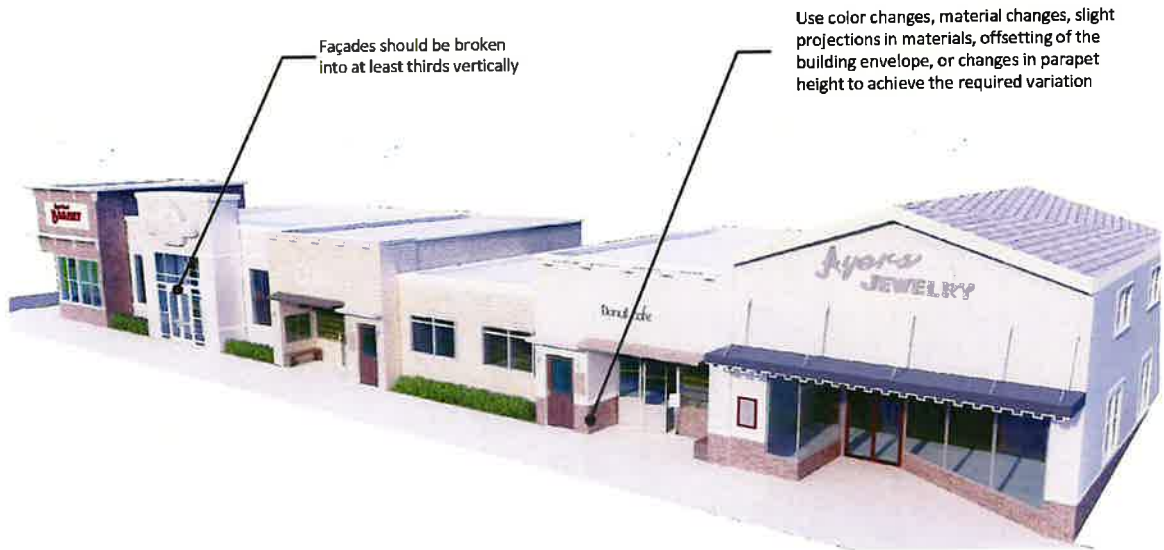
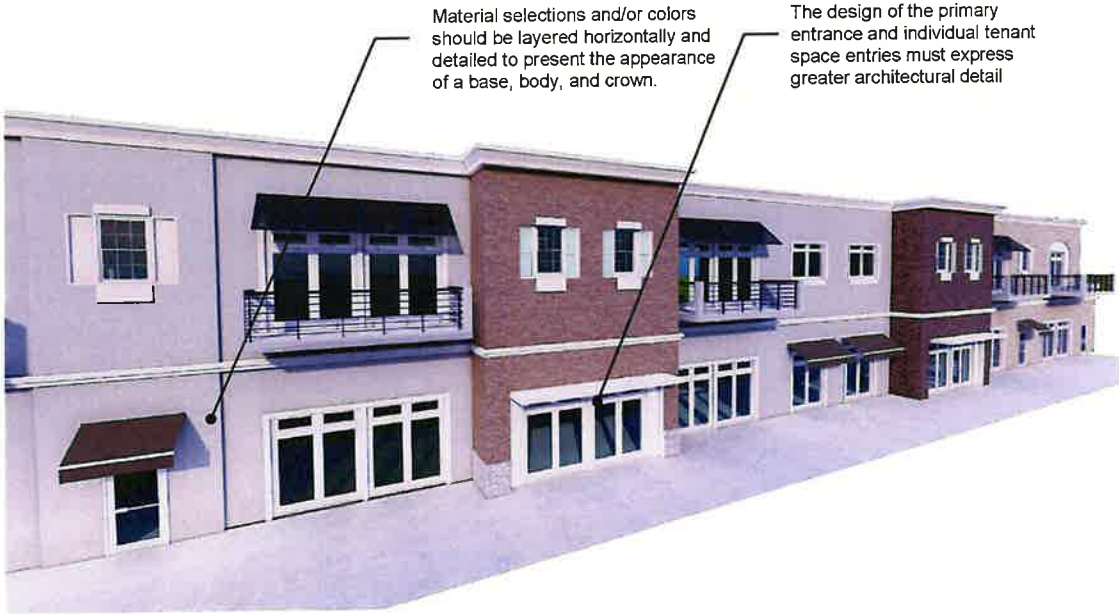


Figure Sec. 90-31.5



Figure Sec. 90-31.6





(3) Lighting. Any proposed site lighting shall be solar powered.

**Sec. 90-32. – Sec. 90-34 – No Changes.**

**Sec. 90-35. – Traditional Residential Business Overlay**

(A) Location. The Traditional Residential Business Overlay includes all properties north of Ninth Street on Georgia Avenue and Carolina Avenue. The boundaries of the overlay are illustrated on the zoning map.

(B) Future Applicability. The entirety of any property subject to this ordinance on the date of adoption shall remain subject to their article, even if the original parcel is subdivided in the future.

(C) Zoning. The requirements of this section shall be considered an overlay to the underlying zoning district designations as shown on the official zoning map. As overlay regulations, this section shall be supplemental to the underlying zoning district requirements contained in the Unified Development Ordinance. The provisions of this ordinance shall be overlaid and imposed in addition to underlying zoning regulations and other City ordinances. The Director of Planning and Development or designee is authorized to interpret and enforce such rules, regulations, guidelines, and standards as may be reasonably necessary or desirable.

In any case where the standards and requirements of the Overlay District conflict with those of the base zoning district or with other provisions of the City of Rincon Code of Ordinances, the standards and requirements of the Overlay District shall govern unless otherwise specified.

(D) Permitted and Prohibited Uses. The uses permitted in the TRB overlay district shall be the same as those permitted in the underlying zoning districts except as prohibited below.

(1) The following use types and uses shall be prohibited within the TRB overlay district:

- (i) Cemetery
- (ii) Check cashing facility
- (iii) Funeral home
- (iv) Self-service laundry

(E) Development Regulations. Design standards for the Traditional Residential Business Overlay are located in Section 90-31(E).

(F) Lighting. Any proposed site lighting shall be solar powered.

**Sec. 90-36. – Corridor Overlay District**

(A) Location. The Corridor Overlay District includes all of Highway 21 in the City of Rincon as illustrated on the zoning map. The areas include all properties located within 500 ft. of either side of Highway 21 and extend the length of Prosperity Drive, Northridge Drive, Towne Park West Drive, and Towne Park Loop. The boundaries include all lots of record which are in whole or in part within that 500 ft. of the included rights-of-way. Where there are existing intersecting streets, the standards shall apply for the first 500 ft. of depth from the street intersection, as depicted on the zoning map.

(B) Future Applicability. The entirety of any property subject to this ordinance on the date of adoption shall remain subject to this article, even if the original parcel is subdivided in the future.

(C) Zoning. The Corridor Overlay District is supplemental to the underlying zoning district classifications and regulations established in the Unified Development Ordinance. The provisions of this ordinance shall be overlaid and imposed in addition to underlying zoning regulations and other City ordinances. The Director of Planning and Development or designee is authorized to interpret and enforce such rules, regulations, guidelines, and standards as may be reasonably necessary or desirable.

In any case where the standards and requirements of the Overlay District conflict with those of the base-zoning district or with other provisions of the City of Rincon Code of Ordinances, the standards and requirements of the Overlay District shall govern unless otherwise specified.

(D) Applicability. These regulations apply to new development and redevelopment within the Corridor Overlay District. In the case of redevelopment, an entire redevelopment site shall be brought into compliance with this ordinance if one or more of the following conditions are met:

(1) The building floor area is being increased by more than fifty (50) percent; or  
(2) More than fifty (50) percent of the existing building floor area is being replaced; or

(3) There is a combination of floor area increase and existing floor area replacement exceeding fifty (50) percent of the original building floor area.

(E) Exceptions. Parking, landscaping, screening, and all other regulations will need to be met for the entire site. The following exceptions shall apply to redevelopment sites and new structures on vacant lots:

(1) Building setback. Existing buildings will not be required to be moved or expanded to meet the setback requirements; however, building additions shall meet the required setback. All new buildings within a redevelopment site shall be required to meet the building setback provisions.

(2) Minimum height. Existing buildings undergoing redevelopment shall not be required to meet the minimum building height. Any new buildings within the redevelopment site, however, shall meet the requirement.

(3) Building frontage. Existing buildings shall not be required to meet the minimum building frontage requirement. However, new buildings and additions shall be required to comply with the frontage requirements to the maximum extent feasible.

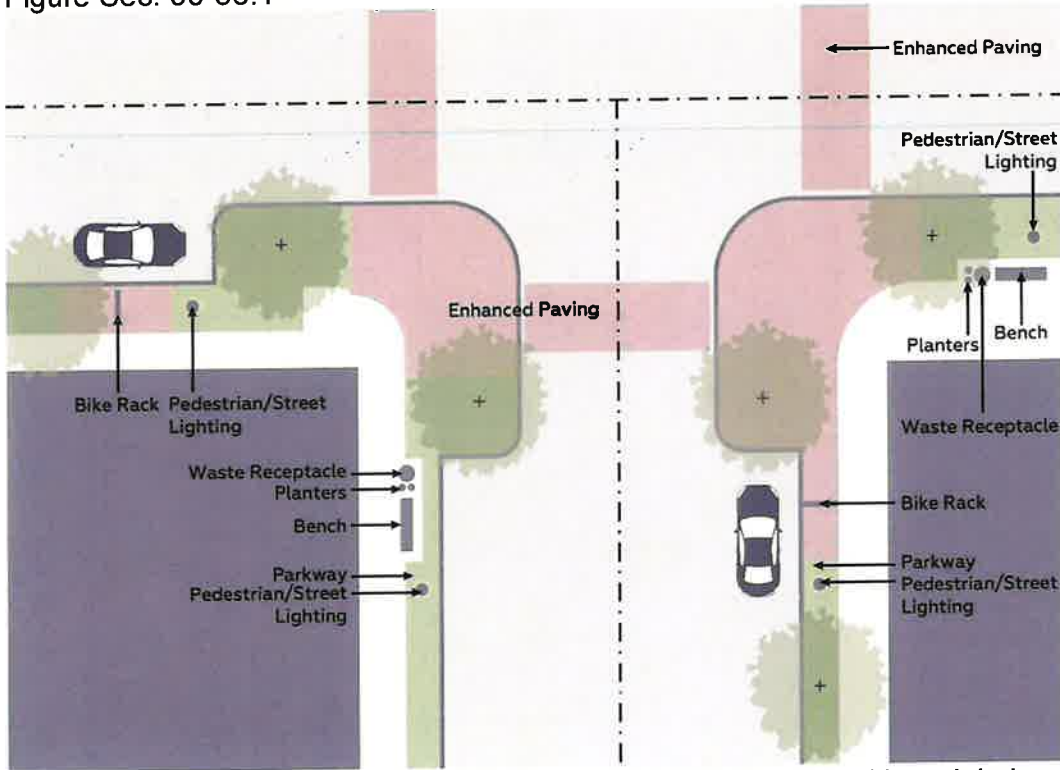
(4) Non-Substantial Expansion. For redevelopment projects not meeting the criteria of Section D, *Applicability*, only the addition or exterior building modifications shall comply with the regulations contained in this ordinance. The

remainder of the building and the site shall not be subject to this ordinance.

(F) Vehicular/Pedestrian streets and site access shall be as follows:

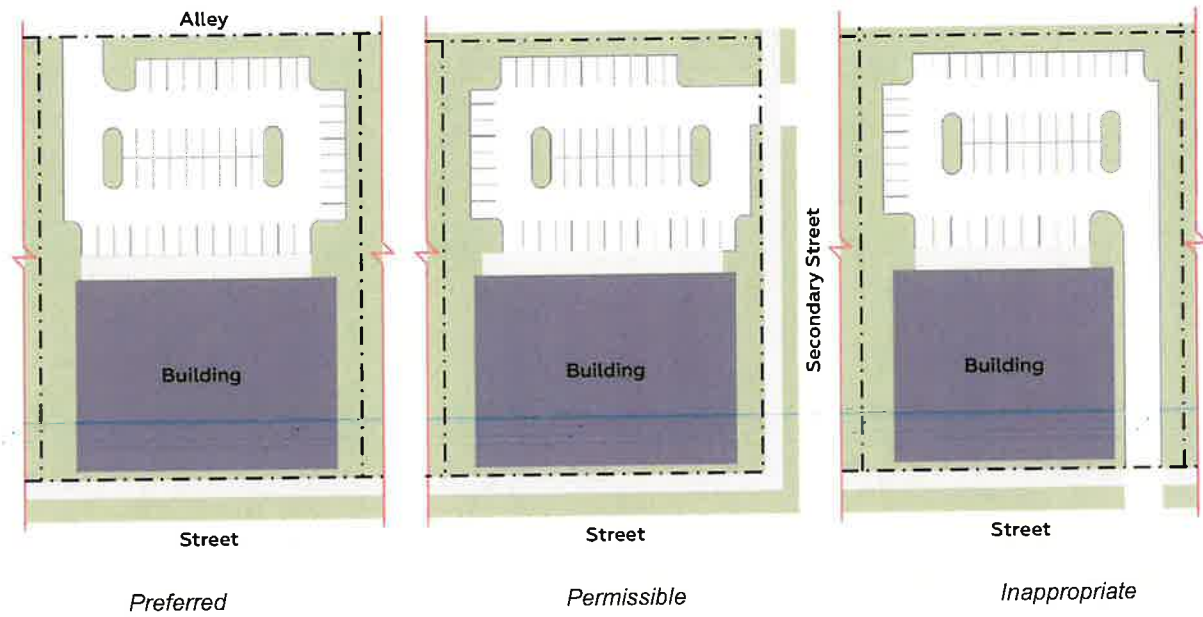
(1) Dedication. The applicant may be required to build and/or dedicate right of way for public streets to provide interconnectivity and parallel routes to Highway 21. Such new streets shall meet City design standards for construction materials and quality, but shall also include, where applicable and approved by the City Engineer, enhanced paving/crosswalks, on-street parking, bike/pedestrian accommodations, and street trees as shown on Figure Sec.90-36-1.

Figure Sec. 90-36.1



(2) Access. The number of curb cuts and driveways shall be minimized. Cross access or rear/side access is preferred where possible as shown on Figure Sec. 90-36.2.

Figure Sec. 90-36.2



(G) Additional design standards shall be as follows:

(1) Street trees. Provide large or understory tree species along all new streets. Spacing for understory species shall be 30' to 45' on center and large species shall be 50' to 60' on center.

(2) Lighting. Install pedestrian scaled street lighting on all streets to provide the minimal foot candle levels needed for the planned intensity of uses adjacent to the streets.

(3) Regulations for Driveway and Encroachment Control Manual. The minimum spacing of driveways/vehicular access points and the minimum throat depth from right of way to first internal access point shall comply with the GDOT standards in the Regulations for Driveway and Encroachment Control Manual.

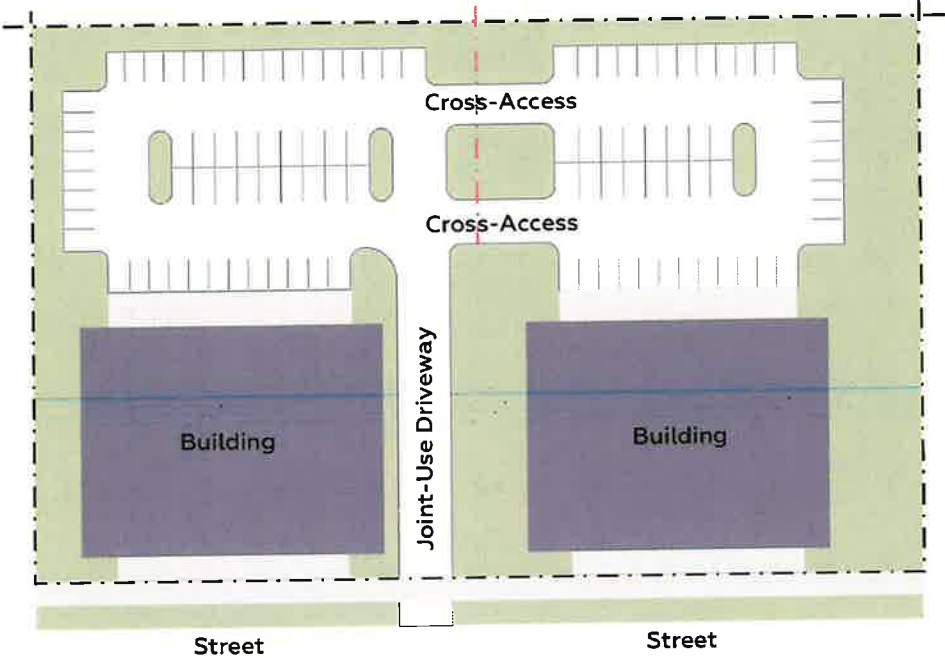
(4) Inter-parcel access. Provide inter-parcel access points suitable for safe vehicular, bicycle, and pedestrian travel between all contiguous commercial, office, industrial, or residential uses, as demonstrated in Figure Sec. 90-36.3.

The Director of Planning and Development or designee may waive this requirement only if the developer demonstrates that an inter-parcel connection is not feasible because of traffic safety, environmental, or topographical issues.

(i) The point of access shall meet the minimum spacing and throat depth referenced above and shall be established on a first come basis.

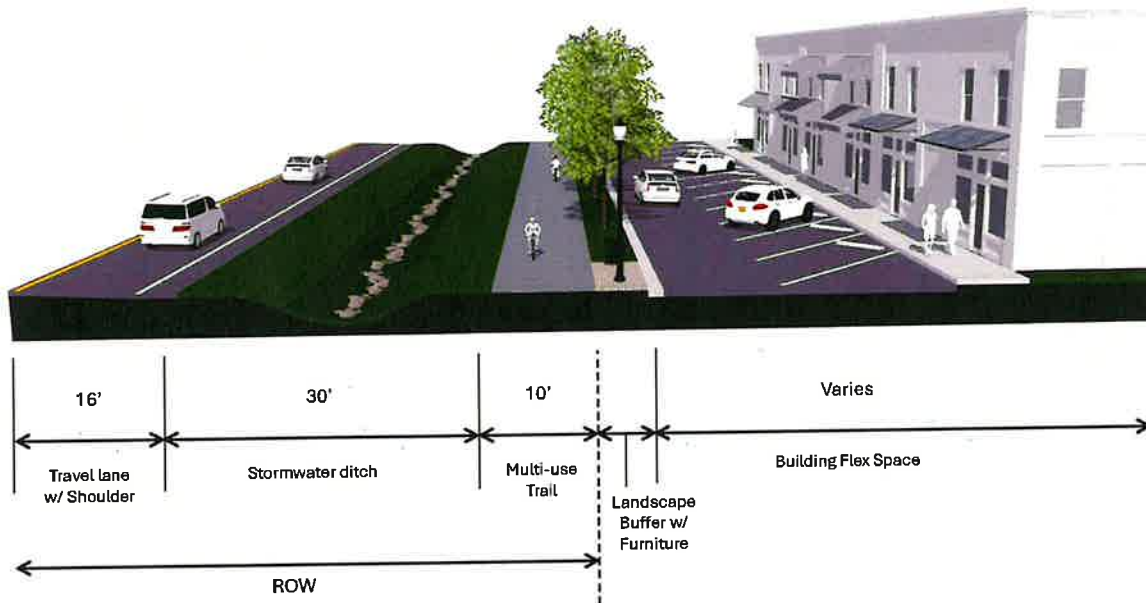
Subsequent adjacent parcel developments must utilize the established connection point.

Figure Sec. 90-36.3



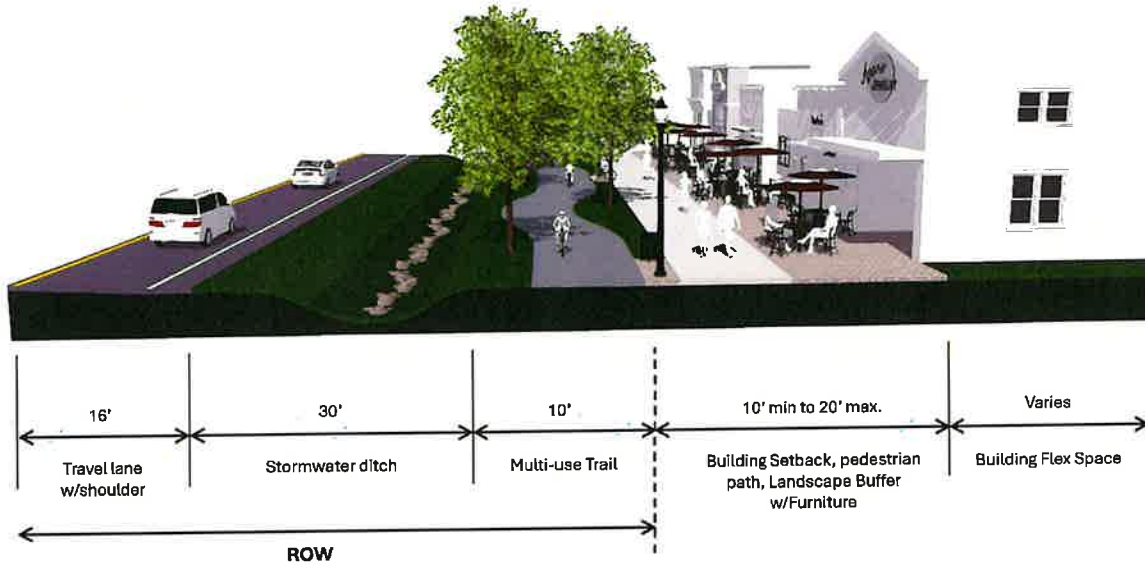
- (H) Standards for Highway 21.
  - (1) The intent is to activate the corridors and provide good pedestrian connectivity. Stormwater collection is provided either through swales/ditches or piping. This results in a requirement to have further separation from the edge of pavement to the buildings. In an effort to enhance this condition, a trail and bioswale are required, as depicted in Figure Sec. 90-36.4.

Figure Sec. 90-36.4 Typical Section Existing Conditions



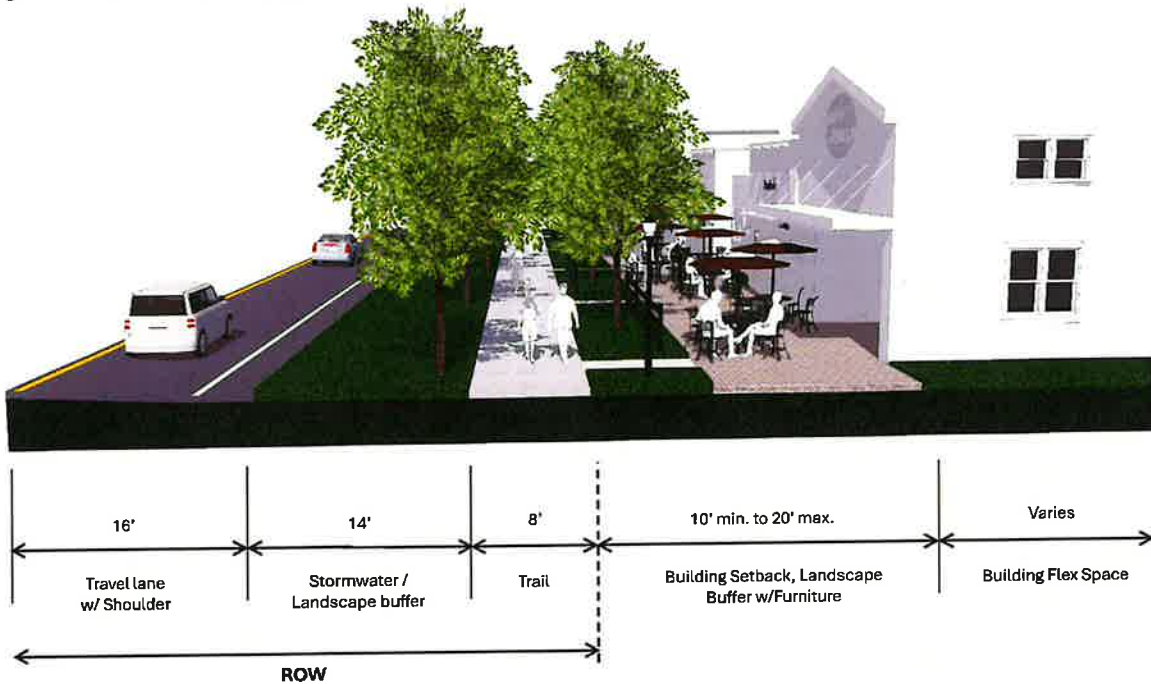
(2) When a swale/ditch is provided, the requirements associated with Tier 1 in Figure Sec. 90-36.5 are applicable. Swales/ditches are vegetated open channels that are designed to manage post-construction stormwater runoff. Swales/ditches can be used to manage stormwater runoff on a wide variety of development sites, including residential, commercial and mixed-use. Figure Sec. 90-36.5 demonstrates how the swale/ditch continues to be accommodated along with a trail, setback, and pathway.

Figure Sec. 90-36.5 Typical Section Tier 1



(3) The depth from the travel lanes to the multiuse trail is reduced for sites with piped stormwater. In the case of piping, the dimensions for the trail and building setback/pedestrian path in Figure Sec. 90-36.6 are applicable. This condition is considered Tier 2.

Figure Sec. 90-36.6 Typical Section Tier 2



(I) Landscaping standards:

(1) A minimum of 20% of the site shall be an open space/landscaped area. The areas required in other standards herein may count towards achieving this standard.

(i) Landscaping shall be provided in the front and street side setback as demonstrated in Figures 90-36.5 or 90-36.6, depending on the tier.

(ii) Plant at least 50% of the required open space/landscaped area in trees, shrubs, and groundcovers/ornamentals. No more than 50% of the landscape shall be in turfgrass whether seeded, sprigged, or sodded.

(iii) Provide at least 10 large canopy trees per acre. This requirement may be accomplished through preservation, planting, or a combination of the two.

(2) All landscape designs must observe and accommodate sight lines at all intersections, driveways, and pedestrian crossings.

(3) Provide a 6-8' minimum landscape strip along Highway 21 frontage to create a consistent landscape aesthetic that does not block visibility to the use. The setback shall be inclusive of this landscape strip. The following shall be the minimum requirements for every 100' of the landscape strip. For properties that have frontages in increments less than 100,' the landscaping standards required for understory trees and shrubs shall be adjusted proportionally for example, frontages of 50' must meet 50% of the standards, frontages of 125' must meet the standards for 100' and an additional 25% of the standards

(i) 5 understory trees (may be grouped provided that there is no more than 50' between trees in any area)

(ii) 15 shrubs or ornamental grasses. Ornamental grasses must be of a species that will mature to a height of a minimum of 30" and a maximum of 6'.

(iii) Landscape at least 50% of the total area with trees, shrubs and living ground cover ensuring no more than 50% turf grass.

(4) Provide a 5' minimum landscape strip on each parcel for the side and rear lot lines for areas where a city-wide buffer would not apply. For areas where a city-wide buffer standard would apply, that city-wide standard shall be used. The following shall be the minimum requirements:

(i) 15 shrubs or ornamental grasses. Ornamental grasses must be of a species that will mature to a height of a minimum of 30" and a maximum of 6'.

(ii) Landscape a minimum of 75% of the total area with trees, shrubs, and living ground cover ensuring no more than 25% turf grass.

(J) Parking Lot Layout:

(1) For parking lots with more than 10 spaces:

(i) Provide no more than 10 spaces in a row without a tree island that is at least 9' wide and 18 feet in length.

(ii) Provide a minimum of one medium or large canopy tree species in each island unless there is a conflict with an overhead utility. In that case, an understory tree may be used.

(2) Parking shall not front Highway 21. Parking lots shall be oriented in the side



or rear of properties as demonstrated in Figures Sec. 90-36.7 and Sec. 90-36.8. If parking is on the side, a street wall minimum height of 2.5 feet and a maximum height of five feet (measured from the elevation of the public sidewalk) shall be provided. Street walls shall provide the following:

- (i) Street Walls shall have openings no larger than necessary to allow automobile and pedestrian access.
- (ii) Street Walls shall be placed in line with the building façade facing the same street.
- (iii) Street Walls shall not be permitted in the right-of-way.
- (iv) Street Walls shall be constructed of wrought iron, brick, masonry, stone, powder-coated aluminum or other decorative materials that complement the finish on the primary building. Chain link, wood and PVC street walls/fences shall be prohibited.
- (v) The area in front of a street wall shall include a landscaped strip with a minimum width of five feet (with ground cover, hedges, or shrubs). The landscape strip may be waived by the Director of Planning and Development if the area in front of the wall is needed to expand the public sidewalk.
- (vi) The area between the street wall and on-site parking shall also include a three-foot wide landscape strip.
- (vii) Trees shall be planted in front or behind the street wall at a rate of one tree per 25 feet of wall length. If planted behind the street wall, the landscape area shall be at least 5 feet wide to accommodate such trees. The trees may be waived by the Director if they conflict with the required or existing street trees.

Figure Sec. 90-36.7

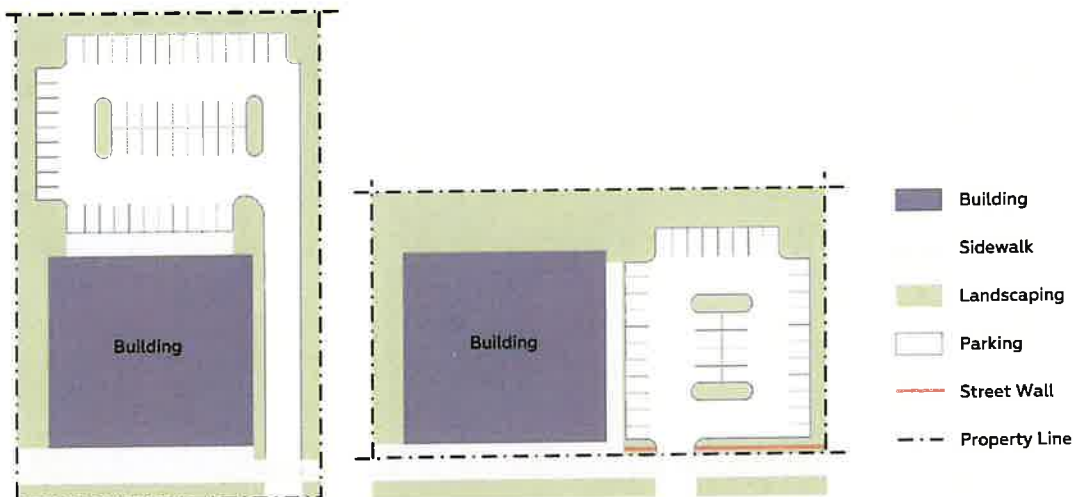


Figure Sec. 90-36.8



(K) Screening Requirements and Loading Requirements:

(1) Garbage/refuse areas and receptacles shall be placed in an accessible location as far from any public streets as practicable. The area shall be enclosed on three sides with decorative masonry walls of a similar material to match the architecture of the adjacent building. The fourth side shall be a self-closing opaque gate made from non-combustible materials. The walls and gate shall be a minimum of 12" higher than the receptacle.

(2) HVAC units and other mechanical equipment shall be screened from view from public streets by locating them behind the building, behind walls/fences, or through adequate landscaping plantings or other screening.

(3) Vegetative screening shall include 100% coverage of the planting area, including a minimum of 75% evergreen plant materials. The plants shall be a minimum of four feet in height at the time of planting and have a height of not less than one foot above the height necessary to fully screen in two years (whichever is greater).

(L) Lighting Design Standards:

(1) Streetlights shall be provided on both sides of all internal streets and public rights-of-way and shall be spaced appropriately for the needs of pedestrians and vehicular use.

(2) The streetlights should use decorative fixtures and poles with housing and pole materials that are dark in color, non-reflective, and consistent with the design and architectural character of the buildings.

- (3) Fixtures shall meet IESNA standards for full cut-off type and designed to accommodate a house-side shield when adjacent to residential uses.
- (4) Lighting shall not directly illuminate adjacent residential properties.
- (5) Canopy lighting fixtures shall be completely recessed into the canopy and shall be shielded such that the lamp source is not visible. No lighting is permitted on top of or on the side of the canopy.
- (6) Parking lot lights shall not exceed a height of 25' from finished grade.
- (7) Site and parking lot lights cannot be placed in the tree islands.
- (8) Street/pedestrian light posts shall not exceed a height of 18' from finished grade and shall be a uniform decorative post and cap accepted by the City.
- (9) Lighting. Any proposed site lighting, except streetlights, shall be solar powered.

(M) Drive-Through Facilities. Figures Sec. 90-36.9, Sec. 90-36.10, Sec.90-36.11 are examples of appropriate design for drive-through facilities (building up to the street; drive-through window in the rear):

(1) Building and Site Design.

(i) Drive-through lanes and windows shall be located along the side or rear of the building, away from street frontages.

(ii) Drive-through facilities on a separate site than the principal use shall not be allowed.

(iii) Menu boards shall not be visible from public rights-of-way. When not concealed from view by a building, menu boards shall be screened with landscape.

(iv) Weather protection devices shall be provided over drive-through service points, openings, and menu boards. Lighting associated with weather protection devices shall be recessed and flush with the underside of such device.

(v) Weather protection devices, menu boards, and other elements associated with drive-through facilities shall be architecturally integrated and designed in harmony with the building.

(vi) Garbage receptacles shall be provided after the service point or opening. Such trash receptacles shall be convenient and easily accessible from automobiles.

(2) Pedestrian circulation.

(i) A direct and convenient pedestrian connection shall be provided between the right-of-way and the main building entrance.

(ii) Safe pedestrian walkways shall be provided within the site. Walkways shall be clearly delineated by raised pedestrian crossings, decorative paving, bollards, signage, and landscaping to create separation from vehicular use areas. Where walkways intersect a vehicular use area, the walkway pavement shall be continued through the vehicular use area to clearly delineate the pedestrian network.

Figure Sec. 90-36.9 Appropriately sited drive-through facilities



Figure Sec. 90-36.10 Exterior Drive-Through Facilities



Figure Sec. 90-36.11 Interior Drive-Through Facilities



(N) Auto Service Station/Car Wash Facilities:

- (1) The convenience store or service building shall meet the required setback of the district. All pumps, parking, and service bays shall be located to the side (interior side only) or rear of the main building.
  - (i) All services, other than gas, shall be performed within a fully enclosed building.
  - (ii) Screening as provided in subsection K of this section shall be provided to screen the vehicular use areas. Landscaping (up to three feet in height) shall be provided in front of the wall to soften the treatment.
  - (iii) Gas station canopy clearance shall not exceed 18 feet.
  - (iv) Accessory car wash structures shall not exceed 20 feet in height, unless they have a hip or gable roof.

(v) Accessory car wash openings, service, and storage areas, and refuse enclosures shall be oriented away from public view.

(vi) Site lighting shall minimize direct and reflected glare and excess brightness; therefore, only cut-off fixtures shall be allowed.

Figure Sec. 90-36.12 Gas station with ground-floor shopfront that defines the frontage of the lot.

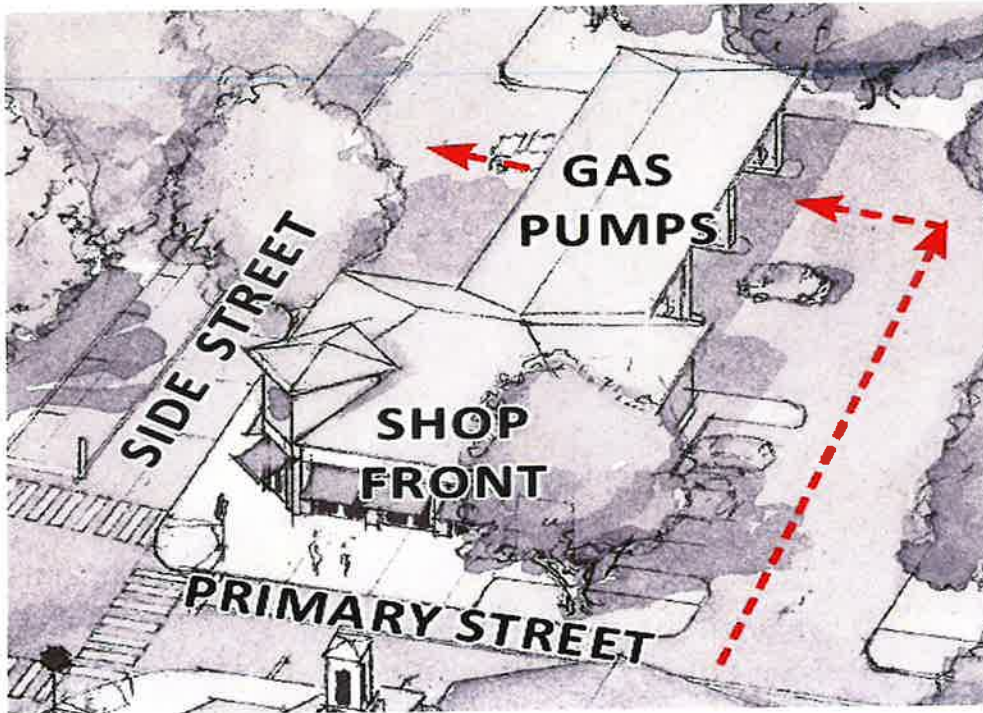


Figure Sec. 90-36.13 Service station examples of pumps to the side of the building



(O) Signage Design Standards:

(1) Monument Signs.

- (i) No more than one double face monument sign per site.
- (ii) Maximum height of 8 feet.
- (iii) Maximum sign area of 64 square feet per face.
- (iv) Structural material and separation.
  - a) No exposed concrete block
  - b) Brick, stone, masonry or equal architectural material
  - c) Must reflect the architecture of the development
  - d) Minimum 50-foot separation between monument signs on any street frontage.

- (v) Exceptions: Gas stations may have an additional 24 square feet to advertise

gasoline prices

(2) Wall signs.

- (i) Maximum of one wall sign for each place of business.
- (ii) Permitted only on exterior building walls facing public streets.
- (iii) Sign area of four square feet per linear foot of the wall, subject to the following maximum sizes:
  - a) Maximum of 150 square feet for building of three stories or less
  - b) Maximum of 300 square feet for buildings of four stories or more

**Sec. 90-37. - Fort Howard Corridor Overlay.**

(A) Location. The Fort Howard Corridor Overlay includes all of Fort Howard Road from the intersection of Route 21 to the City Boundary. The corridor overlay district shall be located along the following routes, in both directions, in their entirety within the jurisdiction of the City of Rincon. The boundary of the district shall consist of a line five hundred (500) feet from the edge of the right-of-way, on both sides of the road, and running parallel to that right-of-way. The entire area within these lines shall constitute the Fort Howard Corridor Overlay.

(B) Future Applicability. The provisions of this article shall apply only to structures constructed and land uses established or modified after the effective enactment date of this ordinance.

(C) Zoning. The requirements of this section shall be considered an overlay to the underlying zoning district designations as shown on the official zoning map. As overlay regulations, this section shall be supplemental to the underlying zoning district requirements contained in the Unified Development Ordinance. The provisions of this ordinance shall be overlaid and imposed in addition to underlying zoning regulations and other City ordinances. The Director of Planning and Development or designee is authorized to interpret and enforce such rules, regulations, guidelines, and standards as may be reasonably necessary or desirable.

In any case where the standards and requirements of the Overlay District conflict with those of the base zoning district or with other provisions of the City of Rincon Code of Ordinances, the standards and requirements of the Overlay District shall govern unless otherwise specified.

(D) Permitted and Prohibited Uses. The uses permitted in the Fort Howard overlay district shall be the same as those permitted in the underlying zoning district except as prohibited below:

- (1) Service Stations, Convenience Stores, Automobile Repair;
- (2) Scrap and Salvage Services;
- (3) Commercial Entertainment Services;
- (4) Motels or Hotels;
- (5) Adult Entertainment;
- (6) Pawn Shops; and
- (7) Title pawn shops.



(E) Development Regulations.

(1) Parking Lot Layout.

- (i) Any parking area adjacent to any street shall have a landscaping buffer of ten (10) feet between the street and parking area.
- (ii) For parking lots with more than 10 spaces:
  - a) Provide no more than 10 spaces in a row without a tree island that is at least 9' wide and 18 feet in length.
  - b) Provide a minimum of one medium or large canopy tree species in each island unless there is a conflict with an overhead utility. In that case, an understory tree may be used.
- (iii) Parking shall not front Fort Howard Road. Parking lots shall be oriented in the side or rear of properties. Any parking area adjacent to any street shall have a landscaping buffer of ten feet between the street and parking area.

(2) Buffers

- (i) Adjacent Use Buffers. The required buffer for commercial uses adjacent to residential zones shall be thirty (30) feet with the following planting requirements:
  - a) Overstory trees: 5 every 100 linear feet.
  - b) Understory trees: 6 every 100 linear feet.
  - c) Evergreen shrubs: 25 every 100 linear feet and at least 6 feet high at maturity.
  - d) At least 50% of all trees must be evergreen.
- (ii) Adjacent Street Buffers. Unless expressly exempted or modified in this subsection, development shall provide a minimum 10' wide buffer along adjacent streets with the following planting requirements:
  - a. Overstory trees: 2 every 100 linear feet.
  - b. Understory trees: 4 every 100 linear feet.
  - c. Evergreen shrubs: 10 every 100 linear feet.
- (iii) Location of Buffers. Buffer areas shall be located between the property boundary and all development on the site, but not necessarily within the minimum setback.
- (iv) Existing Vegetation
  - a) If a buffer area has existing trees, they shall be preserved and be used as part of the buffer to comply with the buffer standards of this Ordinance. Where groupings of native shrubs are present, their preservation with minimum disturbance is required. Any clearing or other work in buffers must have the prior approval of the Planning & Development Director.
  - b) In order to preserve existing vegetation and to restrict activities within a buffer, protective fencing shall be installed in accordance with tree protection zones as described in Sec. 90-147.
  - c) Existing vegetation that is preserved shall not be limbed up from the ground more than five (5) feet to the lowest branches, except:

- i. Vegetation at intersections may be limbed up to a greater height to ensure compliance with sight distance; and
- ii. If understory planting is proposed, the Planning & Development Director may allow existing vegetation to be limbed up to a height that will provide adequate sunlight to plants.

d) The removal of invasive species shall be allowed with an approved replanting plan, if needed.

(iv) Development Within Required Buffers. Development is prohibited within required buffers except in accordance with this subsection:

a) The following activities may occur in required buffers, unless expressly prohibited elsewhere in this ordinance.

i. Street or driveway access, provided it runs approximately perpendicular to/from the adjacent street right-of-way or common property line.

ii. Walkways, pathways, trails, benches, bike racks, and other elements associated with passive recreation or the provision of continuous pedestrian and bicycle connections between adjoining properties, provided all required landscaping, is provided and the Planning & Development Director determines that installation or maintenance of such elements will minimize impacts to required vegetation to the maximum extent practicable.

iii. Lighting fixtures.

iv. Service and utility lines and minor facilities (e.g. water, sanitary sewer, electrical, telephone, natural gas, cable, storm drainage lines, utility boxes and pedestals), subject to the following standards:

1. Such lines generally shall run approximately perpendicular to/from the adjacent street right-of-way or common property line. If they must be installed approximately parallel to the street right-of-way or property line, the easement for the lines may be included as part of a required buffer if the easement allows the vegetation or structures necessary to meet buffer screening requirements and provides the requisite visual separation in a manner that is aesthetically acceptable; otherwise, additional buffer width shall be required to provide the space needed for the required buffer screening.

2. Permission for easement and right-of-way disturbance and clearings for such utility and service lines and facilities shall be more favorably considered when such activity is consolidated with vehicular access routes.

b) The following features and activities are allowed within adjacent

street buffers only:

- i. Signage, to the extent permitted by the Ordinance.
- ii. Clearing for sight distances at permitted entrances and exits to any development as required to provide for reasonable traffic safety.
- iii. Fountains, plazas, sculptures, and similar features that are part of publicly owned facilities.

(3) Screening Requirements and Loading Requirements.

- (i) Garbage/refuse areas and receptacles shall be placed in an accessible location as far from any public streets as practicable. The area shall be enclosed on three sides with decorative masonry walls of a similar material to match the architecture of the adjacent building. The fourth side shall be a self-closing opaque gate made from non-combustible materials. The walls and gate shall be a minimum of 12" higher than the receptacle.
- (ii) HVAC units and other mechanical equipment shall be screened from view from public streets by locating them behind buildings, walls, fences, or through adequate landscaping plantings.
- (iii) Vegetative screening shall include 100% coverage of the planting area, including a minimum of 75% evergreen plant materials. The plants shall be a minimum of four feet in height at the time of planting and have a height of not less than one foot above the height necessary to fully screen in two years (whichever is greater).

(4) Lighting Design Standards.

- (i) Streetlights shall be provided on both sides of Fort Howard and shall be spaced appropriately for the needs of pedestrians and vehicular use.
- (ii) The streetlights should use decorative fixtures and poles with housing and pole materials that are dark in color, non-reflective, and consistent with the design and architectural character of the buildings.
- (iii) Lighting shall not directly illuminate adjacent residential properties.
- (iv) Parking lot lights shall not exceed a height of 25' from finished grade.
- (v) Street/pedestrian light posts shall not exceed a height of 18' from finished grade and shall be a uniform decorative post and accepted by the City.
- (vi) Lighting. Any proposed site lighting, except streetlights, shall be solar powered.

(5) Pedestrian Facilities.

- (i) Public sidewalks shall be required on one side of Fort Howard Road, at a minimum.
- (ii) Sidewalks shall generally be located on the side of the street to best continue existing sidewalk networks, if present.
- (ii) Sidewalks should maintain consistency in orientation, design, dimensions and materials to meet all other city standards and building codes.

(6) The primary structure colors shall be reviewed for compliance with the color palette on file in the Planning and Development Department.

**Severability.** If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

**Effective Date.** This ordinance shall become effective immediately upon its adoption by the City Council.

**Repeal.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SO ORDAINED this 25 day of November, 2024.

CITY OF RINCON

ATTEST: Dulcia King  
Dulcia King, City Clerk

Kevin Exley  
Kevin Exley, Mayor

