

**CITY OF GUYTON  
STATE OF GEORGIA**

**ORDINANCE NUMBER 2024-01**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF GUYTON, GEORGIA; TO ESTABLISH A DOWNTOWN OVERLAY DISTRICT; TO PROVIDE STANDARDS FOR THE DOWNTOWN OVERLAY DISTRICT; TO ESTABLISH A DOWNTOWN OVERLAY DISTRICT COMMISSION; TO PROVIDE FOR SEVERABILITY; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE AN EFFECTIVE DATE.**

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

**WHEREAS**, the City has an interest in regulating the commercial and residential growth that is anticipated to occur along the main entrance corridors of the City to ensure cohesive infill development within the traditional historic areas of the City;

**WHEREAS**, the Mayor and City Council have authority to amend the City of Guyton, Georgia Zoning Ordinance from time to time and where necessary to maintain adequate regulations;

**WHEREAS**, the duly elected governing authority of the City of Guyton, Georgia hereby resolves to amend the City of Guyton, Georgia Zoning Ordinance;

**NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GUYTON, GEORGIA** in a regular meeting assembled and pursuant to lawful authority thereof, as follows:

SECTION 1. That Article 6 of the City of Guyton, Georgia Zoning Ordinance be amended to add Section 617 – DO, Downtown Overlay District, which is attached hereto as Exhibit A and incorporated by reference as if set forth verbatim herein.

SECTION 2. 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 affect the validity of the remaining portions of this Ordinance.

SECTION 3. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. This Ordinance shall become effective immediately upon the date of adoption by the City Council.

APPROVED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2024 by the duly elected governing authority of the City of Guyton, Georgia.

**CITY OF GUYTON**

\_\_\_\_\_  
ANDY HARVILLE, Mayor

**ATTEST:**

\_\_\_\_\_  
FABIAN MANN, City Clerk

# **EXHIBIT A**

## **Section 617 – DO, Downtown Overlay District**

### **A. District Intent and Purpose**

This district is established to regulate the commercial and residential growth that is anticipated to occur along the main entrance corridors of the city and to insure cohesive infill development within the traditional historic areas of Guyton, Georgia. Primary goals of the Downtown Overlay District are to:

(a) preserve the character of existing historic sites and buildings while accommodating renovation and infill development; and

(b) regulate new outward commercial development in a consistent manner as the city continues to grow.

The City of Guyton is bisected by Georgia Highway 119 and Georgia Highway 17. The Downtown Overlay District seeks to respond to both being high volume commuter roads and assert that both should be protected from poor site planning that could negatively impact current and future traffic circulation and pedestrian accessibility. As gateway entrances to the city, building design should be regulated along these corridors to prevent infill development from contributing to a loss of sense of place.

While the following development regulations should have the primary objective of regulating commercial property, it will also address residential properties located within the Downtown Overlay District. Existing historic residential property converted to commercial uses will be supported, provided that the residential character of the building is maintained and that the underlying zoning district requirements are observed. Review of infill residential within the Downtown Overlay District will ensure the building character and property planning will be complimentary to surrounding historic structures and developments and not detract from the overall character of the designated and recognized Guyton Historic District or the Downtown Overlay District.

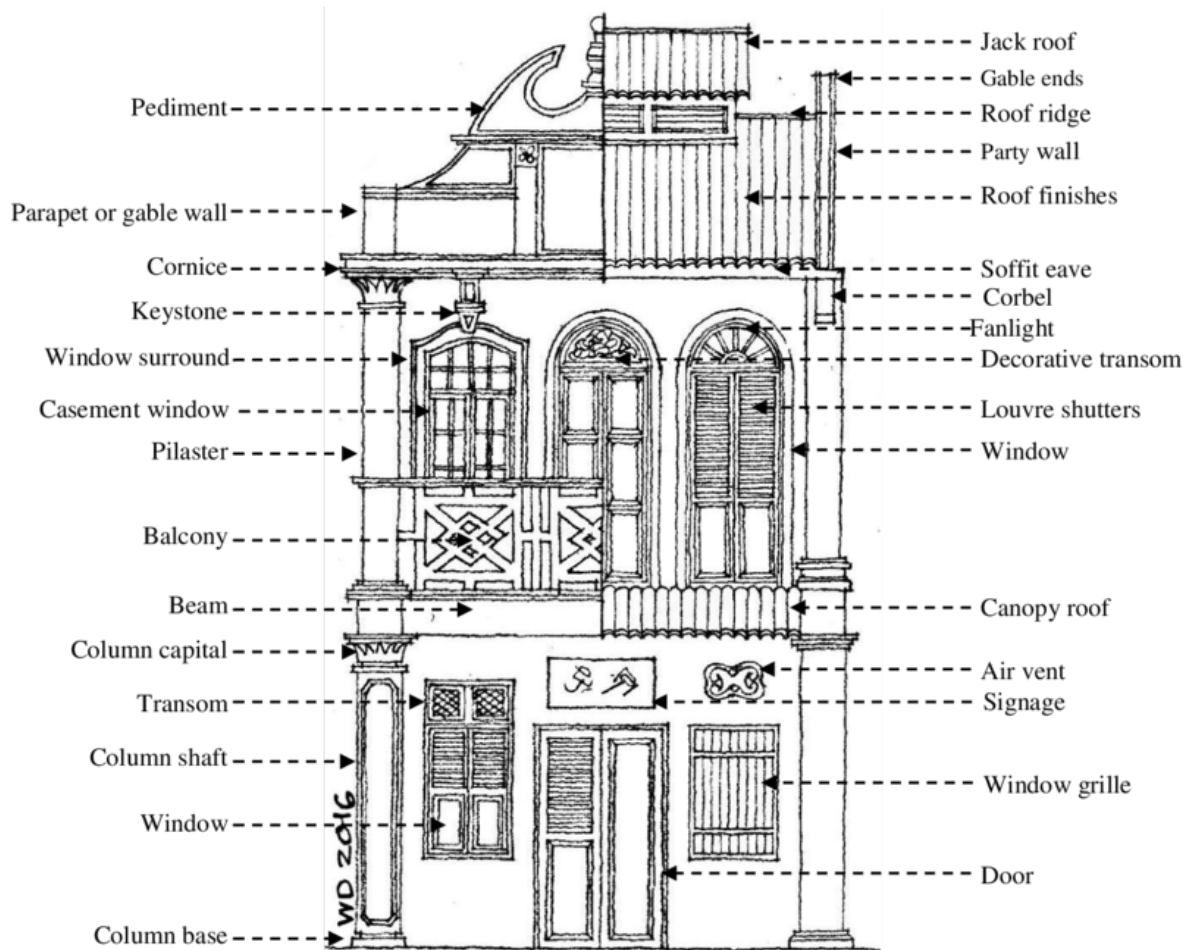
### **B. Definitions**

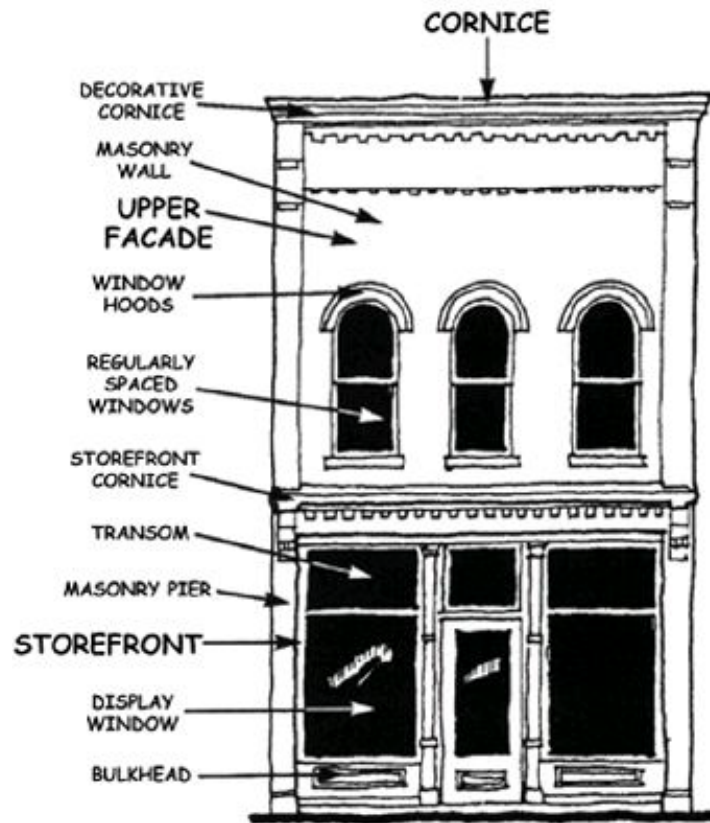
- 1) **BUFFER:** Landscape area which forms a linear stretch abutting a property line, pavement or structures.
- 2) **BUILD LINE:** The line indicating vertical structural improvement on the property closest to the property line. The Build line shall be drawn parallel to the property line.
- 3) **CERTIFICATE OF APPROPRIATENESS (COA):** A document, required prior to a building permit, approving an application to make an alteration or a material change in the appearance of a property or of a structure, site, or work of art located in the Downtown Overlay District.
- 4) **COMMISSION:** Means the Guyton Downtown Overlay District Commission. A board or selection of individuals appointed by City Council to review applications to make

alterations to property and issue Certificates of Appropriateness granting approval of proposed changes if acceptable.

- 5) EXTERIOR ARCHITECTURAL FEATURE: The architectural style, general design, and general arrangement of the exterior of a structure, including, but not limited to, the texture of the building material, the type and style of all windows, doors, and signs, and other related architectural fixtures, features, details, or elements.
- 6) FENESTRATION: The spatial definition of the walls of a building. The facade of a building establishes a wall surface or plane. The degree to which that plane is visually segmented by bays and punctured by entrances and windows is fenestration. For example, historic commercial buildings have a high degree of fenestration and large, modern "big-box" sprawl stores have an extremely low degree of fenestration.

Common Fenestration Terms:





- 7) GATEWAY: Distinct corners, formed by the intersections of major streets, arteries, and highways, which mark the established edge of the community and distinguish the route entering the heart of the community.
- 8) LANDSCAPE ISLAND: An interior landscaping area surrounded by pavement or structures.
- 9) LANDSCAPE, FRONTAGE: Landscape areas between the front of the principal building(s) and adjacent street(s).
- 10) LANDSCAPE, PERIMETER: Landscape area located between the side(s) and rear of the primary building(s) and adjacent property line(s).
- 11) MATERIAL CHANGE IN APPEARANCE: The construction of a new structure, or a change that will affect the exterior architectural features of any structure, site, or work of art. Ordinary maintenance or repair of any exterior architectural feature in or on a structure that does not involve a change in design not a "material change in appearance." Material change in appearance includes without limitation any one or more of the following:
  - a. a reconstruction or alteration of the size, shape, or facade of a structure, including without limitation relocation of any doors or windows, or removal or alteration of any architectural features, details, or elements;
  - b. demolition of a structure;

- c. relocation of a structure within the district or from a location outside the district to a location within the district;
  - d. commencement of excavation;
  - e. a change in the location of advertising visible from the public way on the property; or
  - f. the erection, alteration, restoration, or removal of any structure within the DO district, including walls, fences, steps, and pavements, or other related features.
- 12) ORNAMENTATION: Decorative elements applied to a structure.
- 13) ORIENTATION: The direction a building's primary elevation (also known as façade) faces.
- 14) OUTPARCELS: A lot within a planned center or portion of a larger parcel that is reserved during development for sale and/or future development. In commercial areas, these lots are generally reserved along the frontage road for smaller business development.
- 15) SETBACK: The distance from the property line to the building (this includes roof overhangs, porches, foundations, etc.). The front setback may encompass landscape areas, paved areas, building appurtenances, etc.
- 16) SPACING: The distance between buildings located on adjoining parcels (thus including both side setbacks).

### **C. District Boundary**

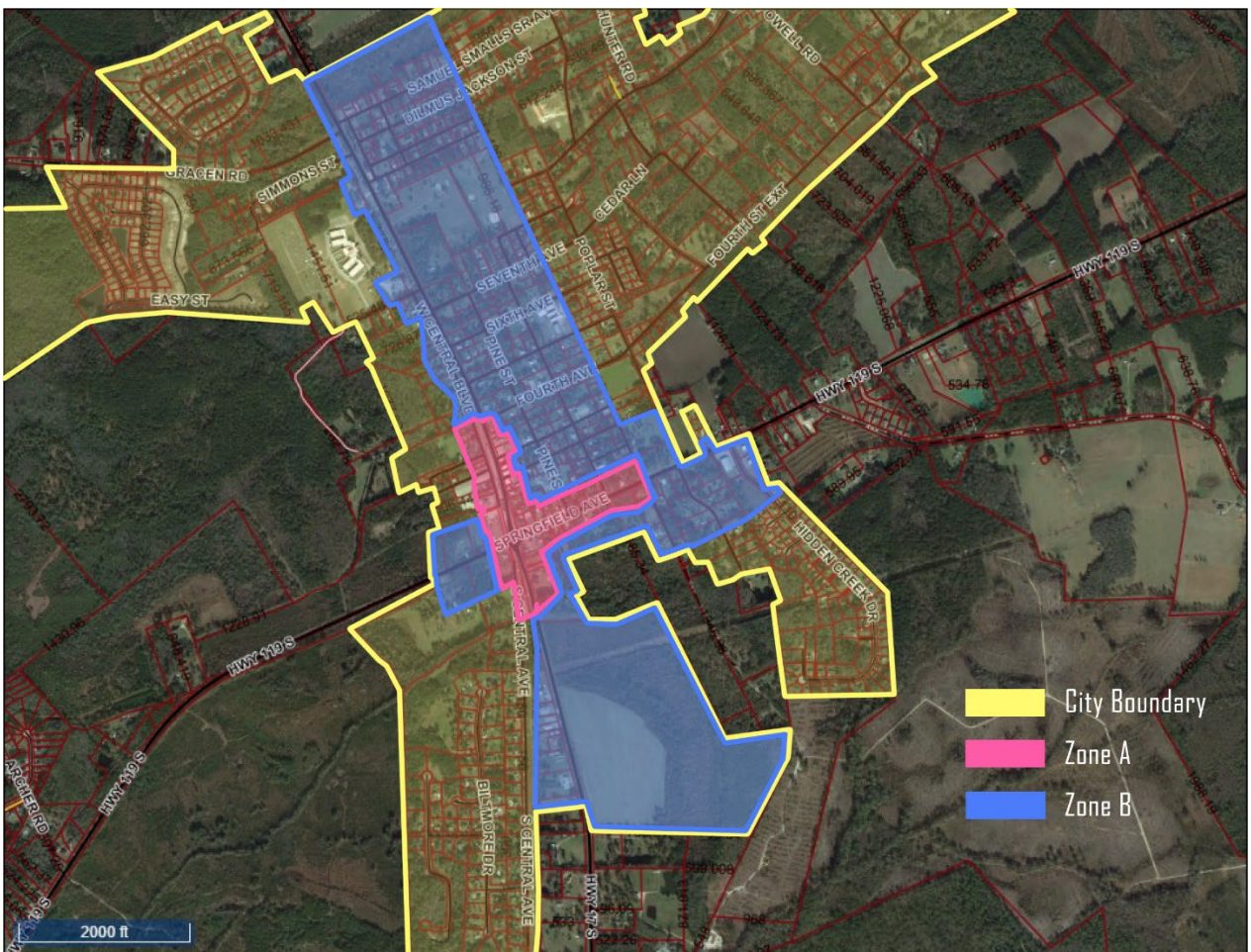
The Downtown Overlay District is superimposed over existing zoning districts. The special requirements of this district shall apply in addition to the requirements of the zoning district within which a specific property is located. Uses permitted within the Downtown Overlay District are those permitted in the underlying zoning district. If there is any conflict between this Downtown Overlay District and other parts of this Ordinance, the more stringent requirement shall govern. The Downtown Overlay District will not invalidate any current zoning requirement, but only provide additional requirements for those properties within it.

The boundary of the Downtown Overlay District shall be considered the area currently known as the Guyton Downtown Development Authority District. This area shall be separated into two Character Area Zones, briefly described below:

- 1) Zone A: Shall refer to the Historic City Center where there is a concentration of historic commercial structures built prior to 1960. This area consists of mixed-use masonry buildings with decorative fenestration elements and minimal front setbacks as well as historic wood frame structures such as homes, churches and warehouses. New infill construction in this area should be complimentary to these existing structures and strive to blend seamlessly by making all efforts to match existing structures in scale, style and detail.

2) **Zone B:** Shall refer to Commercial Downtown areas just outside of the historic city center where new development has occurred in recent decades and will continue to occur as the city grows. Commercial development in this area should be cohesive and complimentary to the established aesthetic of new commercial development in Guyton to further establish the sense of place while entering the city through the established gateway corridors. Infill Residential Development in this area should be complimentary to those properties within the vicinity and new residential development should be designed in such a way that pedestrian and vehicular connectivity are encouraged in ways that will not negatively impact existing traffic or circulation patterns.

3) Illustration of Zone A and Zone B:





#### **D. Certificate of Appropriateness**

- 1) Within the district, no Material Change in Appearance shall be made and no building permit shall be issued unless a Certificate of Appropriateness (COA) has been approved by the Commission. Such material changes shall conform to all the requirements specified in this section. All construction shall conform to the district in all ways possible. Work not in compliance with a COA is prohibited.
- 2) Exceptions. The provisions of this Article shall not apply to the following:
  - a. Completion of work subject to site development plans, construction plans, building permits, or other permits approved prior to the effective date of this ordinance.
  - b. Improvements and additions that are made to a single-family residence previously permitted and built on a lot of record prior to enactment of this ordinance.
  - c. Construction of a single-family dwelling on an existing lot of record within a single-family residential subdivision with preliminary plat approved prior to enactment of this ordinance provided that the new construction shall be of a similar floor area, materials and design as the single-family dwellings on adjacent lots in the same subdivision.
  - d. Construction, rehabilitation, restoration, repair of a non-residential structure, interior renovations or interior finishes within an existing structure, or addition to an existing non-residential structure that was permitted prior to the enactment of this ordinance provided that such construction is on a lot of record and does not affect a change to more than 50 percent of the existing permitted structure (or site). If greater than the above, compliance with the requirements herein shall be required.
    - i. If more than 50 percent of the site is affected with the addition of new facilities or buildings, compliance with the requirements of this ordinance shall be required.
    - ii. If more than 50 percent of the area of the front facade of a building is undergoing renovation, restoration or repair, compliance with the requirements of this ordinance shall be required.

#### **E. Downtown Overlay District Commission**

- 1) City Council shall select a Board of five to eight individuals to act as the Downtown Overlay District Commission. Council may also choose to appoint a current board serving within the City of Guyton to take on the role of the

Commission. Board members shall be qualified to serve on the Commission if they meet any of the following criteria:

- (a) be a tax paying resident of the City of Guyton
  - (b) be a tax paying resident of Effingham County who own a property or business located in the Downtown Overlay District
  - (c) be a tax paying resident of Effingham County who manages a business located in the Downtown Overlay District.
  - (d) Be a qualified member of the Downtown Development Authority of the City of Guyton.
- 2) Commission members shall serve two-year terms once appointed.
  - 3) Commission shall meet regularly each month, or call meetings as needed.
  - 4) City Council shall have the right to remove and appoint members of the Commission.

**F. Review Procedures**

Review Procedure. The procedure for review and approval of a Downtown Overlay District construction project shall be as follows:

- 1) General Site and Building Plan Application.
  - i. All site and building plans submitted pursuant to an application for a building permit should clearly indicate all proposed building materials and colors for each facade as described in this ordinance.
  - ii. The plans should clearly show the location and calculate the amount/percentages of all specific requirements or standards.
  - iii. Groups of buildings on the same parcel of land may be reviewed and permitted as a single project rather than individual buildings.
- 2) Pre-Design submission. All projects shall be required to submit a conceptual and/or preliminary design for review by the city staff. The developer will receive comments regarding the design submitted. The purpose of this submission is to offer guidance on ordinance interpretation of the conceptual site plan, landscape plan, and building design prior to formal submission to the Commission. Submitted drawings may vary but should provide enough information to make determinations and provide feedback on the following:
  - i. Entrance and Egress from adjacent Streets
  - ii. Number, Size and Location of Buildings

- iii. Location and number of parking spaces
- iv. Architectural Style
- v. Building Finish Materials
- vi. Fence/Wall Materials and Finishes
- vii. Landscaping concept
- viii. Expected setbacks
- ix. Buffer locations and types
- x. Draft Subdivision plan

3) Review by Commission. The developer shall submit a project for review to the Commission. After confirmed receipt of the plans, the Commission shall call a meeting to review the submission. The Commission may seek expertise from qualified professionals regarding design submissions and criteria prior to the scheduled meeting.

If the project is found to meet the standards of the Downtown Overlay District and fulfill the purpose and intent of the ordinance, A Certificate of Appropriateness (COA) shall be issued by the Commission. An approved COA shall become void unless construction is commenced within twelve (12) months of date of issuance. A new application must be submitted, and a new COA issued by the Commission prior to any construction or modification after expiration of a COA.

The approval of the site and design elements of a proposed project by the Commission does not override any other specific requirements set forth in the remainder of the zoning ordinance. Any use-related actions, such as Rezoning, Annexations, Conditional Uses, Special Exemptions or Variances should be applied for separately to be approved by the City of Guyton. As appropriate any zoning approvals necessary to approve the project shall take place prior to a project's review by the Commission.

4) Appeals. Any party dissatisfied with a decision of the Commission may appeal in writing to the City Council. The appeal must clearly explain the basis for the appeal and must be filed with the City Clerk's office within thirty (30) days after the Commission's decision is rendered. After a public hearing by the Council pursuant to Section 1205 of the Zoning Ordinance, the Council may approve the decision, or modify or reject the decision, if it finds that the Commission abused its discretion by acting arbitrarily and/or in violation of constitutional rights in reaching its decision. Appeals from decisions of the Council may be taken to the Superior Court of Effingham County, Georgia, and must be filed within thirty (30) days of the Council's decision.

- 5) Site Preparation. After all applicable approvals are issued, non-vertical construction may begin. The site construction will be overseen by the Building Official and inspections will be scheduled as needed. Any deviations or changes from plans previously approved by the Commission may be reviewed by City Staff to determine if the changes require re-submission to the Commission. If necessary, a meeting of the Commission will be called to consider the proposed amendments to the original plan.
- 6) Building Construction. All new vertical construction must apply for and receive a building permit prior to starting construction.
- 7) Sign Approval. All signage will require approval before installation or alteration. All signage must comply with the City's signage ordinance and adhere to any specific conditions required by the Commission during project review and approval.
- 8) Certificate of Occupancy. The Certificate of Occupancy will not be granted until approval by the Commission. All landscape, site and design requirements must be met before issuance of a Certificate of Occupancy.
- 9) Enforcement: The Commission will enforce the regulations within these standards to the best of its ability. These standards are intended to guide cohesive development of new buildings while still allowing property and business owners to have unique buildings with individual character. Penalties for violations will be imposed as provided in Section 1008 of the Zoning Ordinance.

## **G. Site Planning Guidelines**

### **Zone A: The Historic City Center**

- 1) Setback Considerations:
  - i. Buildings will be oriented to adjacent streets with build line being between 0 and 5 feet.
  - ii. Recessed entry is encouraged. Corner entry is encouraged.
  - iii. Build line can be increased to accommodate courtyards, patios or outdoor seating.
  - iv. Front Parking will be prohibited, unless it is parallel street parking.
- 2) Landscaping Considerations
  - i. 12-24" of landscaping is encouraged within the setback.
  - ii. Parking lots will be required to have landscaping islands and trees. No more than 10 spaces in a row without a landscape island with a

minimum of one medium canopy tree. Understory trees may be used where there is a conflict with an overhead utility.

- iii. Rear Yards and service areas will require buffering to be shielded from view from the public right of way, or areas of outdoor seating and/or recreation.

### 3) Pedestrian Access Required

- i. Sidewalk approaches are required. Existing sidewalks will be extended to the property if needed.
- ii. A path from the public or adjacent sidewalks to the building entrance is required.
- iii. A path from parking lots or designated parking to the building is required.
- iv. ADA accommodation is required.

### 4) Parking Considerations

- i. Onsite or Offsite parking is allowed.
- ii. The Commission will have the authority to reduce the required number of parking spaces to encourage use of shared or city-owned parking and walking.
- iii. Parking Lot locations should be limited to the rear and side of the building.

## **Zone B: Commercial Downtown**

### 5) Setback Considerations:

- i. The side setback shall be a minimum of 15' to allow for landscaping breaks between buildings.
- ii. The front setback shall be a maximum of 60' to discourage excessive parking in front of buildings and encourage side and rear parking lots.
- iii. Side Patios, Courtyards, Outdoor Seating are encouraged.

### 6) Landscaping Considerations

- i. A minimum landscaping strip of 5ft shall be required between parking lots and vehicular access roads and right of ways. This landscape strip shall be planted with both ground cover and shrubs at regular intervals. Pedestrian access ways between properties are encouraged.
- ii. Parking lots will be required to have interior landscaping and trees. No more than 10 spaces in a row without a landscape island with a minimum of one medium canopy tree. Understory trees may be used where there is a conflict with an overhead utility.
- iii. Rear Yards and service areas will require buffering to be shielded from view from the public right of way, or areas of outdoor seating and/or recreation.

- iv. Buffers shall be required where residential and commercial uses meet. Buffer width and planting requirements shall depend on the commercial use and the density of residential use.
- v. Areas between buildings shall have understory trees or shrubs planted at regular intervals. The Commission shall have the authority to determine the number and spacing of the trees based on the scale of the proposed buildings.

#### 7) Pedestrian Area Considerations

- i. New developments should tie into and extend existing sidewalks into the property.
- ii. A path from the sidewalk to the building entrances are required.
- iii. A path from the parking lot to the building entrances shall be designated by sidewalks or hatched crosswalks.
- iv. ADA accommodation is required.

#### 8) Parking Considerations

- i. Onsite parking is allowed. The number of parking spaces required shall be set by the property zoning and use.
- ii. Front Parking will be limited to the area within the maximum building setback. A maximum of two rows of parking between the road and the building will be allowed.
- iii. Shared parking with interconnected pedestrian pathways between properties is encouraged.
- iv. Rear and side parking is encouraged, but not required.

### **H. Building Characteristics**

Architectural styles will be regulated with the purpose of supporting the unique character of the City and fostering sense of place when entering the city.

#### **Zone A: The Historic City Center**

Buildings in Zone A should reflect the architectural style of historic downtown Guyton.

Residential properties seeking building permits for new construction or renovation will require review and shall not be issued COA unless they meet the following guidelines: New construction shall be of a similar architectural style to the home previously located on the property, if applicable, or be an architectural style similar to those homes within a one block radius.

Commercial properties seeking building permits for new construction or renovation will be required to meet the following standards:

##### 1) Total Building Size and Placement

- i. Minimum or maximum lot coverage and/or Floor Area Ratio will be determined by the property zoning.
- ii. Multistory, mixed-use building should be encouraged when allowed by property zoning.

## 2) Fenestration

- i. The top of building fronts should terminate in a decorative cornice or pediment.
- ii. Pediments can be used to provide interest to the top of building fronts, but should be limited to only 60% of the façade width.
- iii. Walls of building fronts should extend above the roof pitch or slope so that the roof line is not visible from the front or sides of the building.
- iv. Tiered or stepped wall heights are encouraged along the building sides.

## 3) Building Materials

- i. Masonry as a primary exterior building material is required.

## 4) Building Design Elements

- i. Required Elements. Each new commercial building in Zone A shall have the following Fenestration elements:

- A. Buildings shall be oriented to the street. A building is "oriented to the street" when principal entrances to buildings face a street or open to a square, plaza, or sidewalk. The principal entrance shall not open onto an off-street parking lot. All street level uses with sidewalk frontage shall be furnished with an individual entrance, direct access to the sidewalk, in addition to any other access that may be provided, and shall be aligned with the finish grade of the sidewalk.
- B. Storefront windows at the ground level and windows in each story above the ground level.
- C. Masonry details around doors and windows such as window hoods or decorative transom detailing or trim.
- D. Architectural treatment to provide horizontal separations and to articulate the difference between the ground floor and upper levels.
- E. Architectural treatment to provide vertical separation between storefront entrances, or articulations of depth or height in the building front to provide visual separation between store front spaces.
- F. Required cornice or pediment details shall be a minimum of 2ft in height.

- ii. Suggested/Preferred Elements. Each new commercial building in Zone A shall be encouraged to include the following:
  - A. Recessed or Corner Entry.
  - B. Sign band designated by architectural details.
  - C. Fabric or Metal awnings over windows and doors. Shingle covered awnings are discouraged.
  - D. Continuous awnings that cover the entire building frontage are discouraged.
  - E. Exterior sconce lighting adjacent to doors or over wall mounted signage.
  - F. Transom Windows above doors.
  - G. Glazed entry doors.

### **Zone B: Commercial Downtown**

Buildings in Zone B should reflect the architectural style of traditional wood structures in Guyton. Commercial property in Zone B is predominantly located along highway corridors and provides a gateway into the city. It is important that architecture in this area elicits a unique sense of place and highlights the charm of Guyton.

Residential development in this area will inevitably trend toward higher densities located behind commercial development. The city should strive to provide pedestrian connections between these uses to promote pleasant, walkable, integrated neighborhoods.

Commercial development may attract national brands and franchises. These developments shall be required to conform with the standards of this ordinance while still maintaining corporate branding and recognition.

#### **5) Total Building Size and Placement**

- i. Minimum or maximum lot coverage and/or Floor Area Ratio will be determined by the property zoning.
- ii. Commercial should be limited to two stories only, mixed use buildings should be allowed in areas between commercial and residential uses.

#### **6) Fenestration**

Design of buildings should strive to include as many of the features listed below. The Commission may deny projects that do not incorporate any of the following.

- i. Visible hipped and gabled roof structures or roof accents.
- ii. Wooden corbels or struts as corner accents are preferred.



- iii. Protruding porches with wood columns should be encouraged.
- iv. Square or “Small box” construction with little to no variations to height, depth, or material on the façade shall be prohibited.
- v. Material accents such as stone, brick, wooden siding or lattice are encouraged.

#### 7) Building Materials

- i. Horizontal wood siding will be allowed. Brick or stone accents are encouraged.
- ii. Brick skirting around the building base will be allowed.
- iii. Roofing materials such as metal are encouraged. Roof accents such as gables are encouraged over entrances ways and exterior porches.

#### 8) Building Design Elements

- i. Required Elements: All building designs must include at least three of the following elements.
  - A. Glazed entry doors. Wood trim is preferred.
  - B. Rectangular windows with vertical orientation. Exclusions will be made for storefront windows connected to the buildings main entry.
  - C. Horizontal siding with corner and window trims.
  - D. Entry marked with porch or gable.
  - E. 12-14” eaves with exposed rafter tails, struts or corbels.
- ii. Suggested/Preferred Elements
  - A. Arched doors or windows.
  - B. Signage areas located within front facing gables.
  - C. Gable vents using slats or lattice.
  - D. Exterior gooseneck lighting over signs, doors and windows.
  - E. Transom windows above doors.

#### I. Signs

Signs within the Downtown Overlay District shall comply with all applicable sign regulations within the City Code and Zoning Ordinance. The following additional restrictions on sign type in each Zone of the Downtown Overlay District shall apply:

<b>Sign Types/Features</b>	<b>Zone A: Historic City Center</b>	<b>Zone B: Commercial Downtown</b>
Billboards	Not allowed	Discouraged
Free Standing	Not allowed	Allowed with Decorative Base
Monument	Allowed if 5ft from sidewalks only	Allowed
Wall Mounted	Encouraged	Allowed
Window Signs	Encouraged	Allowed
Hanging Signs	Encouraged	Allowed
Awning Signs	Discouraged	Allowed
Internal Illumination	Discouraged	Discouraged
LED/Digital	Discouraged	Allowed within monument only
Neon	Discouraged	Discouraged
Backlit	Encouraged	Encouraged
Ground lit	Discouraged	Encouraged for monuments
Wall Lit	Encouraged	Encouraged

**J. Miscellaneous Considerations**

- i. Nonconforming Buildings: When the building renovations exceed 50% of the square footage, or 50% of the current value, they must make all reasonable efforts to comply with the standards listed in this ordinance.
- ii. HVAC/Utility Meters should be hidden from view whenever possible.
- iii. Dumpsters in Zone A are discouraged. All dumpsters must be concealed from view with enclosures constructed of materials similar in nature or complimentary to the principle building.
- iv. Accessory Buildings will be allowed provided they are constructed to match the primary building located on the lot.