

**Proposed Ordinance: 0-04-16**  
**Subject Matter: Amendment to Chapter 94 (Zoning) Section 94-5 –**  
**Development Plan Review and Approval, Section 94-194 – Applications of**  
**Building Permits**  
**Date of Published Notice of Public Hearing: March 16, 2016 & March 23,**  
**2016**  
**Date First Presented at Council Public Meeting: March 17, 2016**  
**Date of Public Hearing Before City Council: March 17, 2016**  
**Date of Second Reading and Adoption: April 7, 2016**

**CITY OF FAYETTEVILLE**  
**COUNTY OF FAYETTE**  
**STATE OF GEORGIA**

**ORDINANCE NUMBER 0-04-16**  
**CITY OF FAYETTEVILLE, GEORGIA**

**PREAMBLE AND FINDINGS**

**AN ORDINANCE OF THE CITY OF FAYETTEVILLE**

**WHEREAS**, the City of Fayetteville (the “City”) has adopted a comprehensive zoning ordinance codified at Chapter 94 of the City’s Code of Ordinances; and

**WHEREAS**, the City wishes to amend portions of the zoning ordinance in order to better meet the needs of the community; to ensure cohesive development, and to reduce redundant procedures; and

**WHEREAS**, the City of Fayetteville does hereby ordain and adopt the following amendments to Chapter 94, Section 94-5-2. – Development Plan Review and Approval, and Section 94-194. - Applications for Building Permits.

**WHEREFORE THE CITY OF FAYETTEVILLE HEREBY ADOPTS AND**  
**ORDAINS THE FOLLOWING ORDINANCE:**

**ARTICLE ONE**

The City of Fayetteville’s zoning ordinance, as codified in part at Chapter 94 Section 94-5 (Development Plan review and Approval) of the City’s Code of Ordinances, is hereby amended by adding the double underlined (double underlined) language as follows:

The exterior of any habitable building or structure not located in a single-family zoning district, as defined in section 94-131, outside of the Main Street Architectural Overlay District, except for single family detached houses, (not including garages) shall not be erected, moved, added to, or structurally altered without development plan approval from the planning and zoning commission. The exterior of any habitable building or structure, in any zoning district, inside the Main Street Architectural Overlay District, (not including garages) shall not be erected, moved, added to, or structurally altered without development plan approval from the planning and zoning commission. Any non-structural changes to the exterior of any habitable building which is located within the Main Street Architectural Overlay District and which alter the appearance of the structure must be approved by the art and architectural advisory committee. Simple color changes may be approved by the director of planning and zoning.

## **ARTICLE TWO**

The City of Fayetteville's zoning ordinance, as codified in part at Chapter 94, Section 94-194 (Applications for Building Permits) of the City's Code of Ordinances, is hereby amended by adding the double underlined (double underlined) language as follows:

The exterior of any habitable building or structure, in any zoning district, inside the Main Street Architectural Overlay District, (not including garages) shall not be erected, moved, added to, or structurally altered without development plan approval from the planning and zoning commission. Any non-structural changes to the exterior of any habitable building located within the Main Street Architectural Overlay District which alter the appearance must be approved by the art and architectural advisory committee. Simple color changes may be approved by the director of planning and zoning.

Applications reviewable only by the building official (for interior work) shall not be subject to the remaining procedures of this division 3, except that applications denied by the building official, or his designee, for failure to comply with these architectural design standards shall be appealable to the mayor and city council pursuant to section 94-199. All applications shall include all information required for development plans, and required by this division 3 and required by the building official.

## **ARTICLE THREE**

This ordinance shall become immediately effective upon its second reading and adoption by the City Council.

## **ARTICLE FOUR**

The preamble of this ordinance shall be construed to be, and is hereby incorporated by reference as if fully set out herein.

**ARTICLE FIVE**

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

**APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF FAYETTEVILLE** at a regular meeting of the Mayor and Council on the 7<sup>th</sup> day of April, 2016, by the following voting for adoption:

ATTEST:

\_\_\_\_\_  
Edward J. Johnson, Jr. Mayor

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Scott Stacy, Mayor Pro Tem

\_\_\_\_\_  
Anne Barksdale, City Clerk

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Kathaleen Brewer, Council Member

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Paul C. Oddo, Jr., Council Member

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Harlan Shirley, Council Member

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James B. Williams, Council Member